

# Planning Committee

Wed 25th Apr  
2012  
7pm

Council Chamber  
Town Hall  
Redditch



[www.redditchbc.gov.uk](http://www.redditchbc.gov.uk)

# Access to Information - Your Rights

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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](http://www.redditchbc.gov.uk)

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**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**  
**Democratic Services Officer**  
**Town Hall, Walter Stranz Square, Redditch, B98 8AH**  
**Tel: (01527) 64252 Ext. 3266      Fax: (01527) 65216**  
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# **REDDITCH BOROUGH COUNCIL** **PLANNING COMMITTEE**



## **GUIDANCE ON PUBLIC** **SPEAKING**

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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.

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**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

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### ***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

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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

25th April 2012

7pm

Council Chamber, Town Hall

## Agenda

### Membership:

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

<b>1. Apologies</b>	To receive apologies for absence and details of any Councillor nominated to attend the meeting in place of a member of the Committee.
<b>2. Declarations of Interest</b>	To invite Councillors to declare any interest they may have in the items on the Agenda.
<b>3. Confirmation of Minutes</b> (Pages 1 - 4)	To confirm, as a correct record, the minutes of the meeting of the Planning Committee held on 28th March 2012.  (Minutes attached)
<b>4. National Planning Policy Framework - Changes to Planning Policy</b>  (Pages 5 - 8)  Head of Planning and Regeneration	To receive further information on the content of the National Planning Policy Framework (NPPF) document and to seek the Committee's agreement to the document being taken into account as a material consideration when determining all future planning applications and recommend that the Council's Constitutional Policy Framework be updated accordingly.  (Report attached)  <b>All Wards</b>
<b>5. Planning Application 2012/032/FUL - Former Hepworth Site, Brook Street, Redditch</b>  (Pages 9 - 16)  Head of Planning and Regeneration	To consider a Planning Application for the erection of 7 no. Class B.1 Units.  Applicant: S L and C L Foxall  (Report attached – Site Plan under separate cover)  <b>(Lodge Park Ward);</b>

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<p><b>6. Planning Application 2012/057/COU - Building F, Astwood Business Park, Astwood Farm, Astwood Lane, Astwood Bank</b></p> <p>(Pages 17 - 26)</p> <p>Head of Planning and Regeneration</p>	<p>To consider a Planning Application for a change of use from permitted Class B1 or Class B8 uses to children's indoor play centre (Class D2) with associated parking.</p> <p>Applicant: Mr J Ranson</p> <p>(Report attached – Site Plan under separate cover)</p> <p><b>(Astwood Bank &amp; Feckenham Ward)</b></p>
<p><b>7. Planning Application 2012/071/EXT - Homebase Ltd, Abbey Retail Park, Alvechurch Highway, Redditch</b></p> <p>(Pages 27 - 34)</p> <p>Head of Planning and Regeneration</p>	<p>To consider an extension of time application in relation to the installation of 1,777 sq. m of floor space at mezzanine level as approved under Planning Application 2009/082/FUL.</p> <p>Applicant: Essex County Council Pension Fund</p> <p>(Report attached – Site Plan under separate cover)</p> <p><b>(Abbey Ward)</b></p>
<p><b>8. Appeal Outcome - Highway Verge at Millrace Road, Redditch</b></p> <p>(Pages 35 - 36)</p> <p>Head of Planning and Regeneration</p>	<p>To receive information on the outcome of an appeal against refusal of prior approval, made by Officers under delegated powers, relating to the siting and design of a telecommunications installation.</p> <p>(Report attached)</p> <p><b>(Abbey Ward)</b></p>
<p><b>9. Appeal Outcome - Highway Verge at Birchfield Road, Redditch</b></p> <p>(Pages 37 - 38)</p> <p>Head of Planning and Regeneration</p>	<p>To receive information on the outcome of an appeal against refusal of prior approval, made by Officers under delegated powers, relating to the siting and design of a telecommunications installation.</p> <p>(Report attached)</p> <p><b>(West Ward)</b></p>



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<p><b>10. Review of Operation of the Planning Committee and Public Speaking Arrangements - Municipal Year 2011/12</b></p> <p>(Pages 39 - 46)</p> <p>Head of Legal, Equalities and Democratic Services</p>	<p>To consider a review of the Committee, including current procedures for public speaking.</p> <p>(Oral Report - copy of Planning Committee Terms of Reference and Procedure Rules for 2012 attached)</p> <p><b>(No Specific Ward Relevance)</b></p>
<p><b>11. Exclusion of the Public</b></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:</p> <p><b>“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.</b></p> <p><b>These paragraphs are as follows:</b></p> <p><b>subject to the “public interest” test, information relating to:</b></p> <ul style="list-style-type: none"><li><b>Para 1 - <u>any individual;</u></b></li><li><b>Para 2 - <u>the identity of any individual;</u></b></li><li><b>Para 3 - <u>financial or business affairs;</u></b></li><li><b>Para 4 - <u>labour relations matters;</u></b></li><li><b>Para 5 - <u>legal professional privilege;</u></b></li><li><b>Para 6 - <u>a notice, order or direction;</u></b></li><li><b>Para 7 - <u>the prevention, investigation or prosecution of crime;</u></b></li></ul> <p><b>may need to be considered as “exempt”.</b></p>
<p><b>12. Confidential Matters (if any)</b></p>	<p>To deal with any exceptional matters necessary to consider after the exclusion of the public (none notified to date.)</p>





## Planning Committee

28th March 2012

### MINUTES

#### Present:

Councillor Michael Chalk (Chair), Councillor Roger Hill (Vice-Chair) and Councillors Peter Anderson, Andrew Brazier, Bill Hartnett and Alan Mason.

#### Officers:

S Edden, A Hussain, A Rutt and S Skinner

#### Committee Services Officer:

J Smyth

#### 84. APOLOGIES

Apologies for absence were received on behalf of Councillors Wanda King and Quinney.

The Committee noted that Councillor Alan Mason had been appointed a permanent member of the Planning Committee for the remainder of the Municipal Year, as a replacement for former Councillor Robin King.

#### 85. DECLARATIONS OF INTEREST

No declarations of interest were made.

#### 86. CONFIRMATION OF MINUTES

##### RESOLVED that

**the minutes of the meeting of the Committee held on 29th February 2012 be confirmed as a correct record and signed by the Chair.**

.....  
Chair

**87. NATIONAL PLANNING POLICY FRAMEWORK**

Prior to consideration of the one application on the agenda, the Committee considered a Supplementary Note, tabled by Planning Officers at the meeting, informing them that, as of the 27th March 2012, following the Government's release of the National Planning Policy Framework (NPPF), all National Planning Policy Guidance Notes and Planning Policy Statements had ceased to exist, including other relevant circulations and guidance, and that all Planning Applications for Planning Permission must now be determined in accordance with the Development Plan, unless material considerations indicated otherwise.

It was noted that, whilst the NPPF was a significant material consideration in planning decisions, the Development Plan would continue to include the saved Policies of Local Plan No.3, which could be given full weight as they were prepared and adopted after 2004. Members also noted that the new arrangements would continue for a year, during which time further information would be provided to Members regarding future decision making and that, weight could be given to emerging policies in some circumstances.

(This update was accepted as a matter of Urgent Business – not having met the publication deadline - and was considered at the meeting as such, with the approval of the Chair, in accordance with the Council's constitutional rules and powers vested in the Chair by virtue of Section 100 (B) (4) (b) of the Local Government Act 1972 to agree to matters of urgency being discussed by reason of special circumstances.

In this case the urgency was warranted by the Government's announcement, only the previous day of the release of the National Planning Policy Framework and the need to clarify the policy position before consideration of the following application.)

**88. PLANNING APPLICATION 2012/025/FUL –  
MACLELLAN HOUSE, CLEWS ROAD, OAKENSHAW**

Demolition of existing office building and  
erection of drive-thru restaurant (Use Class A3/A5)  
with associated parking

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

Councillor C Gandy – Ward Member and objector  
Mr R Wells – Applicant's Agent  
Mr Peach – Applicant.

**RESOLVED that**

**having regard to the Development Plan and to all other material considerations, Planning Permission be GRANTED, subject to the conditions and informatives summarised in the report.**

(Further to Minute 87 above, the Committee was informed that the Planning Application should be considered with the published NPPF in mind. It was noted, however, that the Officer's report had included references to the draft NPPF, published in 2011, and that the policy objectives detailed in the draft had remained the same in the recently published edition. In view of this, Members were advised that, the considerations detailed in the main report, with the addition of the items noted on the Update report, relating to three further letters of objection having been received, remained unchanged.)

**89. APPEAL OUTCOME –  
CRUMPFIELDS FARM, CRUMPFIELDS LANE, WEBHEATH**

The Committee received an item of information in relation to an appeal against an Enforcement Notice for an unauthorised change of use, namely:

Enforcement Notice 2010/024/ENF  
Change of use of Agricultural land to  
Riding School and associated  
operational development

Members noted that, the appeal against the Council's decision to issue an Enforcement Notice had been dismissed by the Inspector, who had considered the development on site and confirmed that a material change of use had occurred and that unauthorised structures were also in place. The Inspector had also considered the notice had been correctly served.

Members further noted that the Enforcement Team investigating the change of use had invited the owner of the land to submit a Planning Application for a change of use, which had not been forthcoming.

**RESOLVED that**

**the item of information be noted.**

**90. APPEAL OUTCOME –  
WOODSILL COTTAGE, WEAVERS HILL, HUNT END**

The Committee received an item of information in relation to the outcome of an appeal against a refusal of Planning Permission, taken by Officers under delegated powers, namely:

Planning Application 2011/277/FUL  
Extensions to dwelling

Members noted that, the appeal against the Council's decision to refuse planning permission had been dismissed on the grounds that having already been significantly extended in the past, the proposed new extensions, when taken together, would amount to a disproportionate addition to the original property, which the Inspector considered would constitute inappropriate development; be visually conspicuous due to the property's elevated position; and would have an adverse effect on the openness of the Green Belt.

The Inspector had further considered that the very special circumstances required to justify the development under the terms of current policies had not existed in this case.

**RESOLVED that**

**the item of information be noted.**

The Meeting commenced at 7.00 pm  
and closed at 7.48 pm

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CHAIR

**PLANNING  
COMMITTEE**

25th April 2012

**NATIONAL PLANNING POLICY FRAMEWORK – CHANGES TO  
PLANNING POLICY**

Relevant Portfolio Holder(s)	Councillor Jinny Pearce, Planning, Regeneration, Economic Development & Transport.
Portfolio Holder Consulted	Yes
Relevant Head of Service	Ruth Bamford, Head of Planning & Regeneration Services
Wards Affected	All wards
Ward Councillors Consulted	No
Not a Key Decision	

**1. SUMMARY OF INFORMATION**

- 1.1 On 27th March 2012 the Government revoked the existing suite of policy documents and published the National Planning Policy Framework (NPPF) in its place.
- 1.2 Officers drew Members' attention to the new document, as a matter of urgency, at the last Planning Committee meeting on 28th March 2012. However, in view of timescales, there was insufficient time to provide much advice. The following report therefore provides further information on the policy document content, and the procedures surrounding its use and how they differ from the system as it was.

**2. RECOMMENDATIONS**

**The Committee is asked**

**to RESOLVE that**

- 1) **the National Planning Policy Framework be taken into account, in place of the documents it has superseded, as a material consideration when determining all future planning applications; and**

**to RECOMMEND that**

- 2) **the Council's constitutional Policy Framework be updated accordingly.**

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**3. KEY ISSUES****Financial Implications**

- 3.1 No financial implications have been identified.
- 3.2 The financial services manager has been consulted on this matter.

**Legal Implications**

- 3.3 The legal implications are as detailed throughout this report.
- 3.4 The relevant legislation is:
  - Town & Country Planning Act 1990
  - Planning & Compulsory Purchase Act 2004
  - Planning Act 2008
  - Localism Act 2011
- 3.5 The Legal Services Manager has been consulted and has raised no objection to any aspect of this report and associated course of action.

**Service / Operational Implications**

- 3.6 Member training on Planning and previous decisions on planning applications have taken into account a suite of national planning policy documents and guidance, largely in the form of PPGs (Planning Policy Guidance notes) and PPSs (Planning Policy Statements) which have been referred to as appropriate in Officer reports in the agenda papers.
- 3.7 On 27th March 2012 the Government revoked the existing suite of policy documents and published the National Planning Policy Framework (NPPF) in its place.
- 3.8 Officers drew Members' attention to the new document at the last meeting of the Planning Committee on 28th March 2012, in advance of determining the items on the agenda. However, given the timescales, there was insufficient time to provide much advice.
- 3.9 The following report therefore provides further information on the policy document content, and the procedures surrounding its use and how they differ from the system as it was.
- 3.10 The NPPF is available on the Communities and Local Government website. If a hard copy is required, please contact the report author, who will arrange for one to be left for you in your Party Group Room. It is a brief overview document giving strategic direction for the



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planning system as a whole. This means that future local plan documents will need to reflect its direction and objectives.

- 3.11 Decisions on planning applications and related matters should still be made in accordance with the Development Plan, unless material considerations indicate otherwise. The Development Plan for Redditch Council remains the Borough of Redditch Local Plan No.3 and the Worcestershire County Structure Plan. It is noted that the Structure Plan is likely to be revoked as part of recent legislative changes, but it remains in place for the moment.
- 3.12 The Local Plan is currently under review and as such the emerging Core Strategy document can also be afforded some weight when determining planning applications. However, caution should be exercised in this case as it has yet to go through the rigorous examination in public process and have an Inspector comment on its content and suitability / soundness, prior to full Council approval and adoption. Further, the emerging Core Strategy will need to be reviewed to ensure that it is in compliance with the newly published NPPF.
- 3.13 The NPPF is a material consideration of significant weight when determining planning applications. However, it does not form part of the Development Plan. It should be afforded similar weight to that previously given to the Planning Policy Guidance notes and Planning Policy Statements that preceded it.
- 3.14 Future policy developments will be advised through the Planning Advisory Panel (PAP) to whose meetings all Members are invited and those with planning interests are positively encouraged to attend. Any policy developments that directly affect the decision making of this Committee will also be reported within relevant reports.

**Customer / Equalities and Diversity Implications**

- 3.15 No such implications have been identified.

**4. RISK MANAGEMENT**

Risks of determining applications for development not in accordance with planning policy remain as before, however providing the relevant material considerations have been taken into account and this can be clearly demonstrated, then any significant risks are minimised.

**5. APPENDICES**

None.

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## **6. BACKGROUND PAPERS**

NPPF (which can be found at:

<http://www.communities.gov.uk/planningandbuilding/planningsystem/planningpolicy/planningpolicyframework/>)

The legislation noted in section three

## **7. KEY**

**NPPF – National Planning Policy Framework**

**PPG – Planning Policy Guidance (notes)**

**PPS – Planning Policy Statement.**

## **AUTHOR OF REPORT**

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Tel: 01527 64252 Extension 3374.

## **PLANNING COMMITTEE**

25th April 2012

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**PLANNING APPLICATION 2012/032/FUL**

**ERECTION OF 7 NO. CLASS B.1 UNITS**

**FORMER HEPWORTH SITE, BROOK STREET, REDDITCH**

**APPLICANT: SL AND CL FOXALL**

**EXPIRY DATE: 9TH MAY 2012**

**WARD: LODGE PARK**

**(See additional papers for Site Plan)**

The author of this report is Sharron Williams, Planning Officer (DM), who can be contacted on extension 3206 (e-mail: sharron.williams@bromsgroveandredditch.gov.uk) for more information.

### **Site Description**

The site is linear in shape and is a vacant industrial site in an established employment area. The site is approximately 0.37 hectares in area. The site has an established means of access from Brook Street to the south of the site. To the north of the site, the site is bounded by Arrow Road North. To the west and east of the site, are established commercial buildings.

The site is secured with numerous forms of boundary fencing to make it secure, and the site currently has an existing building that will be demolished as a result of the development, although other buildings originally on the site have since been removed.

Some shrub planting exists along the frontage of Brook Street. However, there are no trees of any special merit on the site.

### **Proposal Description**

The application is a resubmission of planning application reference 2011/280/FUL which was withdrawn on 15th December 2011.

The application proposes the erection of 7 commercial units in the form of a row that will be two storeys with a mezzanine floor at first floor level. The units would be for Class B.1 use (Business). The positioning of the units makes the best use of the linear shape of the site. The floor area of the units are either approximately 230 sq m or 274 sq m. The units would be finished in brickwork and cladding with a hipped roof. Glazing and wide roller shutter doors are proposed for the units.

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Vehicular access would still be off Brook Street but has been modified to enable ease of access for larger vehicles that could visit the site for deliveries etc. A total of 52 car spaces and 3 disabled car parking spaces would be provided within the curtilage of the application site.

The application is supported by a Design & Access Statement which states that: the redevelopment for B1 units is entirely appropriate to the established use of the site. The site is rectangular with a narrow frontage onto Brook Street. To ensure the site's efficient redevelopment, the access and all circulation and parking is proposed to the eastern side of the site and the bank of units on the western side allowing the retention of frontage planting. The units have been designed to satisfy identified demand for units of this size in the local area. The units are domestic in scale, and in keeping with the majority of units on the estate. The planting on the frontage of the site is unkempt, but does provide some soft landscaping in the streetscene and is worthy of retention.

The application is supported by a Planning Support Statement which refers to: policies in the Borough of Redditch Local Plan No.3, the Core Strategy and Planning Policy Statements / Guidance. The site previously had a large 2 storey factory and offices but some of the buildings have since been demolished. It is understood that the site has been vacant for some time. The proposed units will be two storeys high with a floorarea on average 200 sq m. The design is flexible to accommodate specific end user requirements. A total of 52 car spaces are proposed as well as disabled, cycle and motorcycle parking.

It states that the site is within an established industrial area and redevelopment of such sites for employment development is encouraged in national and local planning policy. Existing access to the site is to be modified to enable access and egress and to accommodate the required car parking provision.

The supporting statement also states that the development is proposed to be a terrace of industrial buildings and the appearance of the building would be brick and cladding which is in character and appearance with other buildings. Galvanised fencing is proposed to the rear of the proposed buildings and existing fencing will be retained.

The applicant has confirmed that there is an identified local need for units of this size. The units are slightly larger than other units in the vicinity and will provide accommodation for local businesses requiring the move to slightly larger premises.

The application is supported by a Cycling and Walking Route Link Statement which states that there are a number of on road cycle routes close to the site which give easy access to surrounding housing areas. There are quiet

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walking routes and alleyway / urban footpaths close to the site. These include walking routes to Arrow Valley Country Park and routes to the Town Centre and suburban centres.

The application is supported by a Secured by Design Statement which states that the development has been designed so that it only has one access into and out of the site. No doors are proposed at the rear of the property and the site is proposed to be secured with some form of security fencing. The site is visible from the main road and this aids natural surveillance.

The application is supported by a Climate Change Statement which states that flexible solar photovoltaic energy tiles are proposed at the rear for energy use for hot water, heating and lighting. This will enable the opportunity to generate energy without increasing the carbon dioxide footprint. Thermal insulation will be used for the walls, floors and roof construction and will help in the reduction of the use of energy. Energy efficient lamps are to be fitted internally and some areas will have motion sensor lighting. External lighting will be PIR with daylight cut off sensors or solar lighting. Dual flush cisterns to toilets and eco friendly taps are proposed to use less power to create jets of water.

**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](http://www.communities.gov.uk)

[www.wmra.gov.uk](http://www.wmra.gov.uk)

[www.worcestershire.gov.uk](http://www.worcestershire.gov.uk)

[www.redditchbc.gov.uk](http://www.redditchbc.gov.uk)

***National Planning Policy Framework***

The NPPF encourages sustainable development and building a strong and competitive economy. The proposal would contribute towards economic prosperity as it will be utilising an employment site for B1 use contributing towards building a strong, responsive, sustainable and competitive economy. Therefore, the proposal would comply with the relevant aims of the NPPF.

***Regional Spatial Strategy***

Whilst the RSS still exists and forms part of the Development Plan for Redditch, it does not contain any policies that are directly related to or relevant to this application proposal. Therefore, in light of recent indications at national level that such policy is likely to be abolished in the near future, it is not considered necessary to provide any detail at this point in relation to the RSS.

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***Worcestershire County Structure Plan***

SD.3	Use of Previously Developed Land
SD.4	Minimising the Need to Travel
T.1	Location of Development

***Borough of Redditch Local Plan No.3***

CS.5	Achieving Balanced Communities
CS.7	The Sustainable Location of Development
S.1	Designing Out Crime
B(BE).13	Qualities of Good Design
E(EMP).2	Design of Employment Development
E(EMP).3	Primarily Employment Areas
E(EMP).3a	Development Affecting Primarily Employment Areas
C(T).12	Parking Standards

The site is within an area designated for Primarily Employment Uses in the Borough of Redditch Local Plan No.3

***Supplementary Planning Guidance / Supplementary Planning Documents***

Borough of Redditch Designing for Community Safety Supplementary Planning Document  
 Borough of Redditch Employment Land Monitoring Supplementary Planning Guidance  
 Borough of Redditch Encouraging Good Design Supplementary Planning Guidance

***Other relevant corporate plans and strategies***

Redditch Sustainable Community Strategy (SCS)

***Emerging Policies***

The Core Strategy is the document that will eventually replace the Local Plan No.3, and is currently working through the process towards adoption. It has been published and consulted upon, and therefore counts as emerging policy to which some weight can be given in the decision making process. The current version is the 'Revised Preferred Draft Core Strategy' (January 2011). The Core Strategy contains objectives for the overall approach to development in the Borough up until 2026, as well as strategic policies. It seeks to encourage economic development within the Borough. The proposal would work towards achieving the relevant Vision and Objectives set out in the Core Strategy as the application proposes new Class B.1 uses on an employment site.

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**Relevant Site Planning History**

<b>Appn. no</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
2011/280	Erection of 7 Class B.1 units	Withdrawn	15 Dec 2011

The previous application (2011/280/FUL) showed the provision of 29 car spaces for the scheme. The maximum requirement of car parking provision is 68 car spaces. Officers had concerns that the limited provision of car parking would result in cars being parked off site. Members may be aware that car parking can be a problem in this area and particularly HGVs tend to park on the road causing highway problems. In addition, the access arrangements for the scheme meant that potentially HGVs would need to reverse out onto Brook Street causing a highway hazard. Again, this could have resulted in drivers parking the HGVs on the road adding to the congestion in the area. Although the principle of employment use was acceptable, Officers were concerned that the potential parking of cars and HGVs would cause problems in the area. The application was withdrawn for the scheme to be revised.

**Public Consultation responses**

No comments submitted.

**Consultee responses*****County Highway Network Control***

No objection subject to conditions regarding access, turning and parking, and alterations to the highway to provide a new vehicle crossover.

***Worcestershire Regulatory Services***

No objections to the proposal.

***Crime Risk Manager***

No objections or comments on the basic design of development but concerned about proposal's perimeter security. Proposal shows part of site to have palisade fencing and the rest as chain link fencing. If permission granted would request consistent, high security fencing.

***Severn Trent Water***

No objection subject to a condition regarding drainage details.

***Development Plans***

This application is in conformity with planning policy at all levels; national policy, adopted local policy, including Local Plan No.3 and emerging Core Strategy policy and from a planning policy perspective, this application can be supported.

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***North Worcestershire Water Management***

The agent has supplied additional information at their request and further comments are anticipated from North Worcestershire Water Management. These will be reported on the Update paper.

**Assessment of proposal**

The key issues for consideration in this case are as follows:-

**Principle**

The site is within an established employment area that is zoned for Primarily Employment Uses in the Borough of Redditch Local Plan No.3. Therefore, the redevelopment of this site for Class B1 units for business purposes would be acceptable and complies with policies E(EMP).3 and E(EMP).3a of the Borough of Redditch Local Plan No.3, as well as core planning principles identified in the National Planning Policy Framework.

The site has previously been used for commercial development in the past and some of the buildings have been demolished. Therefore, the site would be classed as a brownfield site and redeveloping the site would comply with Policy CS. 7 of the Borough of Redditch Local Plan No. 3, as well as core planning principles identified in the National Planning Policy Framework.

**Design and layout**

The proposal makes the best use of the linear shape of the site with the building footprint being in the form of a terraced row with communal car parking in front of the units. The design of the buildings comprises a mix of brickwork and cladding to provide interest to the elevations. The streetscene submitted with the application shows that the proposal would be in scale with the neighbouring buildings and due to the detail of cladding on the proposed side elevation, the proposal would create interest in the streetscene. The proposal would comply with Policies B(BE).13 and E(EMP).2 of the Borough of Redditch Local Plan No.3.

**Landscaping and trees**

Some landscaping exists at the front of the site and it is intended to retain this planting but to carry out some pruning to reduce the overall height of the planting.

**Highways and access**

The layout of the site has been changed since the previous application in such a way that a total of 52 car parking spaces can be provided within the site, as well as 3 disabled car parking spaces. This provision complies with the Council's maximum car parking standards. Also, the means of access has moved slightly to enable better access for HGV's but also enables HGVs to turn around within the site. Enabling better access for such vehicles means that there is less chance of these vehicles parking on the road. The proposed car parking provision complies with Policy CT.12 of the Borough of Redditch



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Local Plan No.3. Whilst any existing highway difficulties cannot be sought to be solved through this application, care has been taken to ensure that they would not be worsened as a result of the proposed development. As such, County Network Control has no objection to the proposal and recommend conditions which are considered reasonable to impose.

### Sustainability

The applicant has provided a Climate Change Statement to support the application. The proposal includes the installation of solar photovoltaic energy tiles that are proposed to be installed on the western plane of the roof to maximise sunlight intake. The energy generated would be used for hot water, and heating. Low energy lighting and thermal insulation for the walls are also proposed. The provision of rear windows is proposed on the western elevation to maximise natural daylight into the units.

### Other issues

The site at present has a mixture of various types of boundary treatment some of which is not secure, particularly the western boundary. The proposal shows that 2 metre high galvanised palisade fencing would be provided along this boundary, whilst existing chainlink and palisade fencing would remain. Comments have been submitted by the Crime Risk Manager who has raised concerns that the effectiveness of the new palisade fence would be compromised if the existing chainlink fence is to be retained. Palisade fencing should be provided for the whole site to improve security. Officers have concerns about the use of such fencing due to its appearance on the streetscene. It has been noted that neighbouring sites have this fencing; some also have the fencing painted. Officers would be concerned that the cumulative impact of this type of fencing could have a detrimental impact on the streetscene. Officers would be happy to discuss this matter further with the applicant and consider other possible options. For this reason, a condition is proposed to request boundary treatment to be submitted for approval.

### Conclusion

The proposal would be an acceptable use in this location that is in a Primarily Employment Area, the design of the units are in keeping with the area and would enhance the streetscene. Adequate car parking and access arrangements for vehicles would be provided reducing the possibility of off site parking which is currently a problem in this area. Boundary treatment needs to be considered further, however, the proposal is considered to be acceptable.

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### Recommendation

**That having regarded 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.
- 2 Materials to be used on walls and roofs to be submitted and approved.
- 3 Plans approved specified.
- 4 Boundary treatment to be submitted and approved.
- 5 Hours of work during construction to be limited.
- 6 Drainage plans for the disposal of surface water and foul sewage to be submitted and approved.
- 7 Access, turning and parking.

### Informatives

- 1 Private apparatus within the highway.
- 2 Alteration of highway to provide new or amend vehicle crossover.

### **Procedural matters**

This application is reported to Planning Committee for determination because the application is for major development (more than 1000 sq metres of new commercial / industrial floorspace) and falls outside the scheme of delegation to Officers.

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### **PLANNING APPLICATION 2012/057/COU**

#### **CHANGE OF USE FROM PERMITTED CLASS B1 OR CLASS B8 USES TO CHILDREN'S INDOOR PLAY CENTRE (CLASS D2) WITH ASSOCIATED PARKING**

**BUILDING F, ASTWOOD BUSINESS PARK, ASTWOOD FARM,  
ASTWOOD LANE, ASTWOOD BANK**

**APPLICANT: MR J RANSON  
EXPIRY DATE: 30TH APRIL 2012**

**WARD: ASTWOOD BANK & FECKENHAM**

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](mailto:steve.edden@bromsgroveandredditch.gov.uk)) for more information.

**(See additional papers for Site Plan)**

#### **Site Description**

Building F is one of six buildings (the others being known as buildings A, B, C, D and E) which were refurbished and converted to provide offices, light Industrial, general Industrial and storage floorspace under application 2007/061/FUL and subsequent applications for planning permission. Building F has brown profiled metal sheet cladding to its walls and roof and has an internal floor area of approximately 1,586 square metres. The site is in a rural area accessed from a farm road which itself is accessed from Astwood Lane.

#### **Proposal Description**

The permitted use of Building F is Class B8 – storage and distribution uses, by virtue of permission 2007/061/FUL, or Class B1 – business uses under permission 2010/080/COU. The proposal is to change the permitted use of the building (from B1 or B8) to a use which would fall under Class D2 of the Town and Country Planning (Use Classes) Order 1987 as amended – specifically for use as a children's indoor play centre. The proposed business 'Imagination Street' already operates a similar centre in Bromsgrove which has been in existence since July 2009. The company proposes to occupy the whole of the building which would provide a large internal space for soft play frames and other activities. The ground floor space (1,586 square metres) would be used to provide a reception area, servery and kitchen, an office, four small 'party rooms' and toilets, although the majority of the floor space would be left open to accommodate play equipment and provide for activities. A smaller mezzanine floor area (192 square metres) would also be created providing five further small party rooms and toilets. No changes are proposed to the external appearance of the building. Parking provision for 50 vehicles including three bays designated for disabled drivers would be

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made adjacent to the front of the building. This part of the site is a rough gravelled area where car parking currently takes place on an ad-hoc basis.

Proposed opening times would be:  
Monday to Saturday: 10:00 to 18:00 hrs  
Sundays 10:30 to 17:30 hrs

The applicant's agent states that based on their existing operation at Bromsgrove, the site would attract approximately 65 to 75 visitors per day, seven days per week. Approximately seven full-time members of staff would be employed by the business as well as another 25 part-time members of staff.

**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](http://www.communities.gov.uk)

[www.redditchbc.gov.uk](http://www.redditchbc.gov.uk)

***National Planning Policy***

The National Planning Policy Framework (NPPF)

***Regional Spatial Strategy and Worcestershire County Structure Plan***

Whilst the RSS and WCSP still exist and form part of the Development Plan for Redditch, in light of recent indications at national level that Regional Spatial Strategies and Structure Plans are likely to be abolished in the near future, it is not considered necessary to provide any detail at this point in relation to the RSS or the WCSP.

***Borough of Redditch Local Plan No.3***

B(RA).1	Control of development in the Green Belt
B(RA).5	Reuse and conversion of buildings
B(RA).8	Development at Astwood Bank
CS.7	The Sustainable Location of Development
E(TCR).4	Need and the Sequential Approach
C(T).12	Parking Standards

The site is located within the designated as Green Belt as shown on the Borough of Redditch Local Plan No.3 Proposals Map

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**Relevant Site Planning History**

2007/061/FUL	Refurbishment and conversion of buildings A, B, C, D, E, and F to provide offices, light Industrial, general Industrial and storage floorspace. (Building F limited to Class B8 use)	Approved	11.09.2008
2010/080/COU	Change of Use of building F from Class B8 use to Class B1 use (not implemented to date but remains valid until June 2013)	Approved	09.6.2010
2010/238/COU	Use of land for the display and sale of motor vehicles  (adjacent site)	Refused  Appeal Dismissed	28.10.2010  31.03.2011

**Public Consultation Responses**

Neighbour consultation letters posted and site notice erected at the site.

**Responses against**

1 letter received raising the following concerns:

- Unacceptable use in green belt location
- Inappropriate use in a rural area contrary to sustainability objectives
- Detriment to highway safety due to further vehicle movements – accidents in area are likely to increase. Area has a high accident rate already
- Use is more suited to a town centre location
- Additional vehicle movements would harm residential amenity
- Incompatible with existing Industrial uses

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

Comments summarised as follows:

The Planning Statement submitted by the developer confirms that the majority of public transport services are over 2 Kilometres from the application site. Coupled with the available footpaths being un-surfaced rural footpaths, the inclusion of these services as evidence of a sustainable location is not accepted by the Highway Authority.

Similarly, the statement suggests that employees will be encouraged to cycle to work. As there are no cycleways within a reasonable distance from the development, this is not accepted as a reasonable method of reducing car usage.

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The applicant has suggested from experience of their operations elsewhere that there will be 'a considerable degree of car sharing', however, there is no supporting evidence to indicate how significant. Furthermore, the projected arrival by 'other modes' is quoted at 5%, given the reasons above and the rural location, as opposed to the town centre location of the other facility, we do not therefore accept this percentage.

It is therefore considered that the increase in vehicle trips on the rural network as a result of this proposal is unacceptable, and is considered to be contrary to highway safety policy.

It is therefore recommended that the application is refused permission.

***RBC Development Plans Section***

Comments summarised as follows:

National Planning Policy Framework (NPPF)*Ensuring the vitality of town centres*

This proposal is considered to be small scale rural development and therefore a sequential approach is not required (Para 25).

*Promoting sustainable transport*

Paragraph 34 states that decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. It is noted that this needs to be considered in line with other policies in the NPPF, particularly in rural areas, as is the case for this proposal.

Borough of Redditch Local Plan No.3*Policy CS.7 The Sustainable Location of Development*

This policy sets out a sequential approach to the location of all development and states that uses that attract a lot of people will be directed to the Town Centre. The proposed D2 use is considered to be a use that will attract a lot of people and therefore sites within the Town Centre should be considered first. Criterion iv. states that Green Belt locations will only be considered in exceptional circumstances, when all other options have been exhausted and where there is a clear development need. The Planning Statement submitted with this application does not demonstrate that consideration has been given to other, more sustainable locations nor has any justification been provided for the Green Belt location. However, there is a conflict between this policy and paragraph 25 of the NPPF which means little weight can be applied to policy CS.7.

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### *Policy E(TCR).4 – Need and the Sequential Approach*

A D2 use, as proposed by this application, is considered a main town centre use; the policy preference for siting main town centre uses is Redditch Town Centre. This policy requires that applications for a main town centre use on a non town centre site (as this application proposes) be accompanied by an assessment of the impact that the proposal would have upon Redditch Town Centre and any other centre within its catchment. However, paragraph 26 of the NPPF only requires an impact assessment for proposals of 2500 square metres or more. As this proposal is below this threshold it is not appropriate to apply weight to policy E(TCR).4.

### Revised Preferred Draft Core Strategy considerations

#### *Policy 4 – Sustainable Travel and Accessibility*

This policy aims to improve access and mobility, reduce the need to travel by car and increase public transport use, walking and cycling. As stated above, this proposal raises concerns with regards to the potential for access by public transport as well as access by walking and cycling. The proposed D2 use is likely to attract a significant number of users and should therefore be in a location that is more readily accessed by sustainable modes of transport in order to comply with this policy. This is in accordance with the requirements of the NPPF identified above.

#### *Policy 24 – Leisure and Tourism*

New leisure proposals are supported by this policy but they are also required to be located in places that are sustainable and accessible by a choice of transport modes and where additional visitor numbers can be accommodated without detriment to the local environment, principally Redditch Town Centre. As identified above, the proposed location is not considered readily accessible by a choice of transport modes.

### Conclusion

Based on the provisions of the NPPF and saved Local Plan No.3 policies this proposal raises concerns with regards to sustainable transport. The proposed use is likely to generate significant movement but is not considered to be in a location where the need to travel will be minimised and the use of sustainable transport modes can be maximised (NPPF paragraph 34).

### ***RBC Economic Development Unit***

The property was marketed via the commercial property search service from 23rd December 2010 to 25th August 2011 when we were informed that the property had been let. I have no information as to how the property has been promoted since August last year.

There are currently 9 industrial premises, between 15,000 and 20,000 sq ft on the database. During the last 12 months we have received 18 requests for properties of that size.

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On this basis, we do not recognise any exceptional reason why the change of use should be granted.

### ***Severn Trent Water***

No objection. Drainage to be subject to agreement with Severn Trent Water

### ***County Council Public Rights of Way***

Notes that the site is situated adjacent to a public right of way. States that the proposal would have no detrimental impact upon the PROW, but that applicant should be aware of obligations concerning PROW legislation

### **Assessment of Proposal**

The key issues for consideration are as follows:-

#### Applying the Sequential Test

Paragraph 24 taken from the NPPF states that authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. Town centre sites should be looked at first, where main town centre uses (such as here) are proposed. It goes on to say that edge of centre locations should then be considered and only if suitable sites are not available should out of centre proposals be considered. The paragraph states that when considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. As Policy Officers have referred to, the sequential approach does not apply to applications for *small scale rural offices or other small scale rural development*. However, it is considered that the proposal is significant enough to fall outside the term of *small scale rural development* and it is certainly not a small scale rural office development.

Policy CS.7 from the Local Plan sets out a sequential approach to the location of all development and states that uses that attract a lot of people will be directed to the Town Centre. Criterion iv. states that Green Belt locations will only be considered in exceptional circumstances, when all other options have been exhausted and where there is a clear development need. The Planning Statement submitted with this application does not demonstrate that consideration has been given to other, more sustainable locations nor has any justification been provided for the Green Belt location. Being a town centre type use, the proposals are considered to have therefore failed to address the requirements of paragraph 24 of the NPPF and policy CS.7 of the Borough of Redditch Local Plan No.3.

#### Transport Implications

In view of the remote location of the site and the paucity of public transport routes to the site, it is likely that the vast majority of employees and visitors would travel by private car. Car parking currently takes place on an informal basis within a rough gravelled area to the north-east corner of the site. A



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building (formerly known as building G) was once present on this part of the site but has long since been demolished. It is proposed to make provision for 50 demarked car parking spaces within this area which would include three disabled spaces.

The Planning Inspector, when considering application 2010/238/COU as referred to earlier in this report, commented that when the wider business park is fully occupied with uses in conformity with its planning permission, that there would be a need to have all 179 parking spaces (on the wider site) to be available to meet the standards as set out in the Local Plan. He commented that without adequate provision, it would be likely that parking would take place along the access road and stated that he did not consider the access road to be wide enough to accommodate a two-way flow of traffic into and out of the site if vehicles were also parked along one or both sides. He therefore considered that if such a situation were to occur that it would interfere with the smooth and efficient running of the business park.

Application 2010/238/COU proposed the displacement of 45 parking spaces. Whilst this proposal would not displace any existing car parking, your Officers would agree with the concerns received from Highway Network Control in that the likely increase in vehicle trips on the rural network as a result of this proposal would be contrary to highway safety and sustainability objectives.

The majority of public transport services are over 2 Kilometres from the application site and available footpaths are un-surfaced rural rights of way. The applicant's statement suggests that employees will be encouraged to cycle to work, but there are no cycleways within a reasonable distance from the development. Officers therefore consider that the inclusion of these services as evidence of a sustainable location should not be accepted.

Although the applicant has suggested from experience of their operations elsewhere that there would be 'a considerable degree of car sharing', no supporting evidence has been submitted to indicate how significant. Projected arrival by other modes of transport (quoted at 5%) given the rural location of the site, as opposed to the town centre location of the company's other facility (in Bromsgrove Town Centre), is not accepted as a percentage.

The importance of promoting sustainable transport is emphasised under Paragraph 34 of the NPPF which states that decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.

**Impact upon adjacent uses**

Officers consider that the proposals would intensify the use of the site as a whole and would increase traffic to such an extent that it would harm the

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amenities of occupiers of nearby dwellings contrary to the provisions of Policy B(BE).13 of the Borough of Redditch Local Plan No.3.

The nature of such a use, as accepted by the applicant means that visitors to the site would typically expect to spend on average around two hours in the centre with movements generally spread throughout the day as opposed to at peaks with B1 type uses. Not only would vehicle movements be higher, but such uses typically attract a rise in vehicle movements over the weekend period rather than through Monday to Friday as would be the case with an office type user. Residents would therefore be inconvenienced by a far higher number of vehicle movements over the weekend period than they currently experience. The proposed hours of opening which include opening between 10:30 to 17:30 hrs on Sundays also suggest this.

The provision of a leisure facility in this area would also be considered to hinder the amenities of the adjacent employment units and would not be compatible with the potential and existing employment uses at this complex.

**Other issues**

Borough of Redditch Local Plan Policy B(RA).8 states that development in the Astwood Bank area should only be permitted where it is at an appropriate level to meet local needs for housing, employment and/or other community facilities and services. Such uses should be proportionate to the needs of Astwood Bank and the rural area of the Borough. The Councils Economic Development Unit state that during the last 12 months, they have received 18 requests for industrial units of this size and do not recognise any exceptional reason why the change of use should be granted. Although the unit is not within a designated primarily employment area, where other policies (not stated here) would apply, the loss of this unit to a non employment use would arguably have a harmful impact on the rural economy. This is considered to add weight to the argument that the proposed use is inappropriate.

**Conclusion**

Officers agree with concerns raised by Planning Policy Officers and Highway Network Control which are that this children's indoor play centre is likely to generate significant movement but is not considered to be in a location where the need to travel will be minimised and the use of sustainable transport modes can be maximised. The proposal would therefore be contrary to saved local plan policies together with the provisions of the National Planning Policy Framework.

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**Recommendation**

**That having regard to the development plan and to all other material considerations, planning permission be REFUSED for the reasons as stated below:**

1. The creation of a main town centre and D2 use in a location outside the town centre in a rural green belt area, poorly served by public transport and readily accessible only by means of motor vehicle would be likely to generate a significant quantity of unsustainable trips in private vehicles contrary to paragraph 34 of the National Planning Policy Framework and Policy CS.7 of the Borough of Redditch Local Plan No.3.
2. The provision of a leisure facility and Class D2 use in this area would hinder the amenities of adjacent occupiers including nearby residential uses and would not be compatible with the potential and existing employment uses in this complex. As such, the proposed development would be contrary to Policy B(BE).13 of the Borough of Redditch Local Plan No.3.
3. Documents submitted by the applicant to justify the location of a leisure facility outside the town centre are insufficient to address the sequential assessment requirements set out in the National Planning Policy Framework under which applications for planning permission should be assessed. As such, the proposed development cannot be considered to comply with Paragraph 24 of the National Planning Policy Framework and Policy CS.7 of the Borough of Redditch Local Plan No.3.

**Informative:**

1. Plans refused consent listed for information

**Procedural matters**

All D2 use class proposed developments are reported to Planning Committee for determination



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**PLANNING APPLICATION 2012/071/EXT****EXTENSION OF TIME APPLICATION: INSTALLATION OF 1,777 SQ.M OF FLOORSPACE AT MEZZANINE LEVEL AS APPROVED UNDER APPLICATION 2009/082/FUL****HOMEBASE LTD, ABBEY RETAIL PARK, ALVECHURCH HIGHWAY  
REDDITCH****APPLICANT: ESSEX COUNTY COUNCIL PENSION FUND  
EXPIRY DATE: 15TH JUNE 2012****WARD: ABBEY**

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](mailto: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 within an overall site area of 1.22 hectares. It lies adjacent to the Alvechurch Highway, and is accessed from a roundabout where the highway meets Middlehouse Lane. The large rectangular building currently contains the Homebase store – (approximately 2904 m<sup>2</sup>) and Argos to its southern end (933 m<sup>2</sup>). 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 a large car parking area to its frontage, including trolley storage areas.

**Proposal Description**

This extension of time application relates to application reference 2009/082/FUL. Permission was granted for the installation of 1,777 m<sup>2</sup> of new floor space at mezzanine level at the Planning Committee of 14th July 2009. The decision notice was dated 15th July 2009. The mezzanine floor space as approved was to be distributed as follows:

1. Homebase 848 m<sup>2</sup>
2. 'New Unit' 929 m<sup>2</sup>
3. The unit currently occupied by Argos (formerly Allied Carpets) was not affected by the proposals.

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It should be noted that the 'New Unit' above is that which would sit between the Argos store to the south and Homebase to the north. The creation of this unit was approved under application 2008/352/CPL. A subsequent and more recently approved application 2011/084/S73 allows Chemists/Opticians to operate from the premises. At the time of writing, the future occupier has yet to occupy this unit.

Under application 2009/082/FUL, minor changes to the surface parking area to the frontage were granted permission, which will be referred to later in the report.

**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](http://www.communities.gov.uk)

[www.redditchbc.gov.uk](http://www.redditchbc.gov.uk)

***National Planning Policy***

The National Planning Policy Framework (NPPF)

***Regional Spatial Strategy and Worcestershire County Structure Plan***

Whilst the RSS and WCSP still exist and form part of the Development Plan for Redditch, they do not contain any policies that are directly related to or relevant to this application proposal. Therefore, in light of recent indications at national level that Regional Spatial Strategies and Structure Plans are likely to be abolished in the near future, it is not considered necessary to provide any detail at this point in relation to the RSS, or the WCSP.

***Borough of Redditch Local Plan No.3***

CS.7	The Sustainable Location of Development
E(EMP).3	Primarily Employment Areas
E(TCR).1	Vitality and Viability of the Town Centre
B(BE).13	Qualities of Good Design
C(T).12	Parking Standards (Appendix H)

The site is designated as part of a Primarily Employment Area within the Local Plan, which includes the whole retail park and some industrial and commercial units to the south of the site.

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**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	Approved	07.01.2009
2009/082/FUL	Creation of 1777 sq m of floor space at mezzanine level	Approved	15.07.2009
2011/053/FUL	Partial widening of service road within service yard	Approved	01.04.2011
2011/084/S73	Variation of Condition 2 (1988/242) To allow additional goods and a Chemist /Optician to operate	Approved	26.05.2011
2011/152/S73	Variation of Condition 5 (2009/082/FUL) to allow retailing to the public from mezzanine level	Approved	10.08.2011
2011/229/FUL	External and internal alterations to create two new units	Approved	17.10.2011
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	Approved	05.01.2012

**Public Consultation Responses**

None received

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

No objection

***Worcestershire Regulatory Services (Environmental Health)***

No objection

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### **Background**

Due to the general 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 the commencement of that development, provided that the 'original' consent (the application to be extended) in itself is extant. In this case, the 'original' consent is indeed extant but will expire on 15th July 2012. Subject to no material changes to the planning policy framework in the intervening period, the legislation allowing 'extension of time' applications would normally consider an additional three year extension of time to be reasonable.

### **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 terms of policies, The National Planning Policy Framework, which was enacted on 27th March 2012, replaces the former National Guidance set out within Planning Policy Statements (PPS's) which formed part of the development plan during the consideration of application 2009/082/FUL. PPS and PPG guidance is no longer relevant under the new policy framework. The new NPPF does not raise any different issues in the consideration of this particular application.

Policies within the Borough of Redditch Local Plan No.3 which were considered under the earlier application have not changed and the same policies are used here and would be in the future (until at least March 2013) for such development proposals. No material changes to the development plan are considered to have occurred since the 2009 approval which would affect the impact of this extension of time proposal. Members will be aware that permissions have been granted for extensions to the Sainsbury's store (to the south) and for the development of the 'teardrop' site (to the north) since the approval of 2009/082/FUL. However, these future physical changes to the sites surroundings would not be considered to result in any material impacts on the proposed development.

The plans which have been submitted under this application are identical to those plans approved under the 2009 application. The issues which were considered to be relevant under application 2009/082/FUL are as follows:



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### Principle of development

Local Plan No.3 designates that the site falls within a wider area designated for employment purposes where Policy E(EMP).3 would apply. The site is already in use for retail purposes and has been for approximately 23 years since the buildings original use as a DIY centre and therefore the retail use of the site is accepted. In practical terms, officers consider that there is little chance of this building ever returning to B1, B2 or B8 use since the building is a purpose built retail outlet. In addition it could be argued that an Industrial Employment user for example is unlikely to wish to locate near to a supermarket to the south and the residential development of Birmingham Road immediately to the west. Indeed, Policy E(EMP).3a warns about the incompatibility of different uses in close proximity to one another. Therefore, notwithstanding the sites employment designation in LP3, officers consider that the lands (B1, B2 and B8) employment use has already been lost since the building already has established retail use.

### Parking, access and highway safety

The existing car park contains 155 parking spaces, six of which are for disabled parking. It is proposed to increase the number of disabled parking bays to eight, and also to introduce 16 cycle parking spaces where none are provided at present. In order to accommodate these changes the overall car parking provision would reduce by four spaces to 151 spaces.

A detailed transport assessment produced by the applicants agent, has concluded through surveys taken at the site that the maximum occupancy of the car park during a weekday would (if permission were granted for the proposals) increase from 44 to 78 spaces. The 151 space car park would therefore operate at just over 50% of its capacity during Monday to Friday.

The parking analysis summarised from the transport assessment indicates that for the weekend period, the busiest times are from 1100 hrs to 1200 hrs where parking accumulation would increase from 102 occupied spaces to a maximum of 145 occupied spaces as a result of the proposed development. This still falls inside the proposed 151 space capacity of the car park. It is noticeable from the surveys carried out, that parking accumulation would drop to 130 occupied spaces between 1200 hrs to 1300 hrs and to 100 occupied spaces between 1000 hrs to 1100 hrs on weekends.

In order to promote sustainable travel habits, your officers are recommending a condition (as recommended under the transport assessment report) that a travel plan be submitted.

The pedestrian and vehicular circulation routes through and within the site are considered to be safe and direct and thus are beneficial to all users. The delivery arrangements remain as existing and County Highways raise no objections to the proposals in terms of their impact on highway safety.

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### Sustainability

The site lies within the urban area of Redditch and is therefore considered to be in a sustainable location. The site is accessible to a variety of modes of transport including walking, cycling and public transport. The proposals are therefore considered to comply with the sustainable objectives of the planning system. As referred to earlier in the report, the submission of a travel plan is recommended by condition.

### Other matters

Condition 5 of planning permission ref. 2009/082/FUL states:

*“The mezzanine area to the current Homebase store highlighted in a light yellow colour on drawing number 4376-37 (proposed first floor plan) shall be used for storage and display use ancillary to the main retail use of the store, and shall not be used for retailing to the general public.”*

Application 2011/152/S73 granted permission to vary this condition such that it now reads:

*“The floorspace hereby approved within the Homebase unit highlighted in a yellow colour shown on drawing number 4376-37 (proposed first floor plan: Application 2009/082/FUL) shall be used for uses restricted to non-food retail as covered by Condition 3 (1988/242)”*

As stated in the planning history section earlier in this report, application 1988/242 is the original consent for the erection of D.I.Y unit, garden centre and non-food retail warehouse on the site.

Should members be minded to grant permission for this extension of time application, Condition 5 (as shown below in summary) would read as per the amended description agreed under application 2011/152/S73 stated in full above.

### Conclusion

The planning policy framework under which this application should be determined has changed in the intervening period but not materially in terms of considering an application of this nature. The site itself and its surroundings have not changed to such an extent that the context of the site should be considered differently. 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. Officers consider it 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.

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## **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 three years of consent
2. Travel plan to be submitted
3. Development in accordance with plans (listed)
4. Mezzanine area defined
5. Floorspace approved to be used for uses restricted to non-food retail as covered by Condition 3 (1988/242)

## **Informative:**

1. Reason for approval
2. Advert consent requires a separate application

## **Procedural matters**

The Council receives relatively few 'extension of time' applications and they are rarely presented before the Planning Committee. This application only comes before the Committee due to the fact that it is a 'major' application, with the site measuring more than 1ha (the site is approximately 1.22 hectares). All 'major' applications are reported to Committee where the recommendation is for approval.



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### **APPEAL OUTCOME REPORT FOR INFORMATION**

#### **APPEAL MADE AGAINST REFUSAL OF PRIOR APPROVAL FOR THE SITING AND DESIGN OF A TELECOMMUNICATIONS INSTALLATION**

##### **APPLICATION DETAILS: 2011/133/GDO**

<b>PROPOSAL</b>	<b>15m MONOPOLE, EQUIPMENT CABINETS AND ANCILLARY APPARATUS</b>
<b>LOCATION</b>	<b>HIGHWAY VERGE AT MILLRACE ROAD, REDDITCH</b>
<b>WARD</b>	<b>ABBEY</b>
<b>DECISION</b>	<b>DECISION MADE BY OFFICERS UNDER DELEGATED POWERS 11TH JULY 2011</b>

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](mailto:steve.edden@bromsgroveandredditch.gov.uk)) for more information.

#### **Discussion**

Officers considered that the siting and appearance of this installation was not acceptable and refused to grant prior approval for the following reason:

*The proposed mast, by reason of its siting, would be overly dominant in the streetscene such that it would be visually intrusive from nearby residential properties having a negative effect on residential amenity and outlook and as such is considered to be contrary to Policy BBE13 of the Borough of Redditch Local Plan No.3 and PPG8.*

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

The Inspector noted that the mast would not be positioned in line with and would be taller than the streetlights along Millrace Road, but noted that the height differential would be less when compared to the taller streetlights along the Alvechurch Highway. He considered that the proposed monopole would not project significantly above the taller trees which are in existence adjacent to the site and that the trees would assist in assimilating the mast into the streetscene. He therefore considered that on balance, the proposal would generally respect the context and character of the area. The Inspector commented that whilst the occupiers of the dwellings sited at the junction of Millrace Road and Lydham Close would have views of the upper part of the proposed column, he also considered there to be a significant separation distance between the two. Given the masts siting within a landscaped area, he did not consider that the monopole would be visually dominant and

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considered that the outlook of the occupiers of these properties would not be adversely harmed. The Inspector further regarded the sharing of the installation by two operators to be good practice.

Appeal outcome

The appeal was ALLOWED on 22nd March 2012. Costs were neither sought nor awarded.

Further issues

None.

**Recommendation**

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

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### **APPEAL OUTCOME REPORT FOR INFORMATION**

#### **APPEAL MADE AGAINST REFUSAL OF PRIOR APPROVAL FOR THE SITING AND DESIGN OF A TELECOMMUNICATIONS INSTALLATION**

#### **APPLICATION DETAILS: 2011/222/GDO**

<b>PROPOSAL</b>	<b>15m MONOPOLE, EQUIPMENT CABINETS AND ANCILLARY APPARATUS</b>
<b>LOCATION</b>	<b>HIGHWAY VERGE AT BIRCHFIELD ROAD, REDDITCH</b>
<b>WARD</b>	<b>WEST</b>
<b>DECISION</b>	<b>DECISION MADE BY OFFICERS UNDER DELEGATED POWERS 29TH SEPTEMBER 2011</b>

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](mailto:steve.edden@bromsgroveandredditch.gov.uk)) for more information.

#### **Discussion**

Officers considered that the siting and appearance of this installation was not acceptable and refused to grant prior approval for the following reason:

*The proposed installation, by reason of its height and siting in close proximity to other installations and street furniture, would result in visual clutter which would have a detrimental impact on the character and appearance of the streetscene and on the residential amenities of those properties from which it would be visible. As such, the proposal is considered to be contrary to Policy B(BE)13 of the Borough of Redditch Local Plan No.3 and PPG8.*

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

The Inspector, whilst noting that existing monopoles, streetlights and telegraph poles along the road are at a lower height than the proposed mast, the development was not considered to appear so conspicuous in appearance as to cause harm to the streetscene. He considered that the proposal would not result in undue visual clutter, stating that the vertical emphasis of the existing street furniture along the road would be respected. The Inspector considered that the separation distance from the dwellings to the south and the mast would be such that the development would not be overbearing, nor would it adversely harm the outlook of the occupiers of those properties.

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Appeal outcome

The appeal was ALLOWED on 22nd March 2012. 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 – TERMS OF REFERENCE 2012**

Number of Members	9
Politically Balanced Y/N	Y
Quorum	3
Procedure Rules applicable	Planning Procedure Rules and Council Procedure Rules (with the exception of Council Procedure Rules 1-4, 10, 14, 18.2, 20.1 and 22).
Terms of Reference	<ol style="list-style-type: none"> <li>1. To exercise all powers and duties of the Council on all matters relating to development control, including but not limited to:- <ol style="list-style-type: none"> <li>a. considering and determining applications for planning permission</li> <li>b. enforcement of planning control</li> <li>c. building preservation, Listed Buildings and Conservation areas</li> <li>d. Tree preservation orders</li> <li>e. Control of advertisements</li> <li>f. Footpath diversion orders under the Town and Country Planning legislation</li> <li>g. Certificates of Lawfulness</li> </ol> </li> <li>2. To comment on proposals for development submitted by Worcestershire County Council and other public authorities</li> <li>3. To determine High Hedges applications in accordance with Part 8 of the Anti-Social Behaviour Act 2003</li> </ol>
Special provisions as to the Chair	The Chair and the Vice-Chair, if members of the controlling Party Group, shall not be members of the Executive Committee

<p>Special provisions as to membership</p>	<p>Only those Councillors who have undertaken appropriate training * may sit on the Planning Committee.</p> <p>The Chief Executive, in consultation with the Member Support Steering Group will determine the criteria to be met and will determine whether individual Councillors have met those criteria.</p> <p>* Annual Planning Committee training sessions</p> <p><u>Definitions:</u></p> <p>For the purposes of clarity:</p> <p><u>'Returning Members'</u> are those who are re-appointed to the Planning Committee with <u>no break in membership</u> of more than 12 months.</p> <p><u>'New Members'</u> are those who are either brand-new to full Committee membership, or else returning after a break of 12 months or more.</p>
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## PLANNING COMMITTEE PROCEDURE RULES

### 1. Terms of Reference of Planning Committee

- 1.1 The Council will appoint a Planning Committee.
- 1.2 The Terms of Reference of the Planning Committee are as set out in Table 2 of Part 3 of the Constitution.

### 2. Time and Place of Meetings

- 1.1 The Planning Committee shall normally meet on a four weekly cycle on dates to be set by the Chief Executive, in consultation with the Committee Chair.
- 1.2 Meetings will normally commence at 7.00 pm at the Town Hall, Redditch.
- 1.3 The time and place of Planning Committee meetings may be varied by the Chief Executive, in consultation with the Committee Chair, and any such change will be notified in the agenda.

### 3. Composition of the Planning Committee

- 3.1 The Planning Committee will comprise such number of Councillors as may be determined annually at the Council's Annual Meeting (9 in the 2011/12 municipal year).

Article 8.4 of the Articles at Part 2 of this Constitution applies to the Planning Committee.

- 3.2 Members of the Planning Committee who cannot attend a particular meeting may arrange for an appropriately trained substitute to attend in his or her place in accordance with Article 8.4 of the Articles at Part 2 of this Constitution.
- 3.3 The Leader of the Council cannot be a member of the Planning Committee and cannot sit as a substitute on the Planning Committee.

### 4. Chair

- 4.1 The Planning Committee Chair and Vice-Chair will conventionally be appointed at the Council's Annual Meeting. Failing this, the Committee will appoint one of its members as Chair at its first meeting following the Annual Council Meeting.

**PART 10**

- 4.2 Neither the Chair nor the Vice-Chair, if a member of the Controlling Party Group, will be a member of the Executive Committee.

**5. Quorum**

The quorum for a meeting of the Planning Committee is 3 Members.

**6. Application of Council Procedure Rules**

The Council Procedure Rules (as specified in Council Procedure Rule 24) will apply to all meetings of the Planning Committee, except as modified by these Rules.

**7. Procedure for Determining Applications for Planning Permission**

- 7.1 A Planning Officer will present the Officers' report.
- 7.2 Members of the public who have registered to speak may then address the meeting in accordance with the agreed procedure for public speaking.
- 7.3 Ward Members who have registered to speak may address the meeting in accordance with the agreed procedure for public speaking.
- 7.4 The Applicant's / Supporters' side shall always speak last.
- 7.5 Committee Members will be invited to ask each Speaker questions of clarification, only to ascertain that they have understood their representations.
- 7.6 Officers shall respond to the representations, advising the Committee on their material relevance, or otherwise.
- 7.7 Committee Members will then be invited to ask Planning Officers questions of clarification.
- 7.8 The Chair will then open the debate. With the consent of the Chair, members of the Committee will be entitled to address the meeting more than once.
- 7.9 Before taking the vote the Chair will ascertain whether the motion before the Committee is clearly understood.
- 7.10 If no alternative recommendation is put forward the Chair will proceed to the vote.

**PART 10**

- 7.11 If one or more alternative recommendations are put forward the Chair will deal with these one by one in accordance with the approved constitutional rules of debate (Council Procedural Rule 13);
- 7.12 At each stage, the Chair shall :
- a) invite Planning Officers to advise the Committee on the extent to which the alternative recommendation and the reasons given for it fall within or outside planning policy; and/or
  - b) consider whether an adjournment is required to enable the Member proposing the alternative recommendation to take advice from Officers;
- and only then proceed to the vote.

**8. Public Speaking**

- 8.1 Members of the public, and other interested parties, shall be entitled to participate in Planning Committee meetings and may address the Planning Committee in support of or against any application for planning permission
- 8.2 Public Speaking / participation shall be permitted in accordance with the approved Procedure (the current version is attached at Appendix 1 to these Procedure Rules).

**9. Members of the Planning Committee with Personal and Prejudicial Interests and Public Speaking**

Members of the Planning Committee who have declared a personal and prejudicial interest in an item on the agenda at a meeting may participate in Planning Committee meetings to the extent permitted by paragraph 12 (2) of the Code of Conduct in Part 16 of this Constitution and in accordance with paragraph 8 of these Procedure Rules.

Once the Member has made his/ her representations, and before the Chair opens debate on the application concerned, the Member must leave the room.

*(Note: To be updated in due course in line with the present review of the Standards Regime / revised Codes of Conduct.)*

**10. Ward Members**

- 10.1 Ward Members shall be entitled to participate in Planning Committee meetings to the extent set out under paragraph 8 of these Procedure Rules (Public Speaking) and may address the Planning Committee in support of or against any application.

**PART 10**

- 10.2 A Ward Member wishing to address the Planning Committee must give notice to the Committee Services Team of his or her intention to do so by the same deadline set for Public Speakers, as detailed in the attached Procedure.
- 10.3 Time limits shall be the same for (Ward) Members who wish to speak in relation to a planning application as for any other Public Speaker.

**11. Site Visits**

Formal Site Visits shall routinely be arranged for Committee Members before consideration of any significant applications (such need to be determined by Senior Planning Officers, in consultation with the Chair).

**12. Limit to length of Meetings**

Meetings shall not proceed beyond 10.00 pm, without the consent of the Committee by majority vote.

Any business remaining shall be deferred to the next available meeting of the Committee, or to an earlier additional meeting, as considered most appropriate by the Committee, further to Officer advice.

**13. Appendices**

Appendix 1. Procedure for Public Speaking.

**PLANNING COMMITTEE - PROCEDURE FOR PUBLIC SPEAKING**

1. A person wishing to address the Planning Committee must give notice to the Committee Services Team of his or her intention to do so by 12.00 noon on the day of the Planning Committee meeting in question.
2. Agenda running orders will be reviewed by the Chair before the start of the meeting to enable the Committee to consider the most controversial items first. This will normally take into account the number of Public Speakers registered per item and/or the size of the public attendance in respect of any given application.
3. The order of speakers will follow the principles of natural justice to enable the applicant a fair right of reply to those opposing a development.

The order of speaking will therefore be:

- a) **Objectors**
- b) Ward Member(s) objecting to application  
Members' questions to each objector (through Chair)\*  
(Officer comment at each stage as appropriate.)
- c) **Supporters**
- d) Ward Member(s) supporting application  
Members' questions to each supporter (through Chair)\*  
(Officer comment at each stage as appropriate.)
- e) Applicant(s)/ agent  
Members' questions to applicant/agent (through Chair)\*  
(Officer comment at each stage as appropriate.)

Note \* Members' questions at this stage must only be *to clarify* the representations made by Public Speakers.

4. Subject as mentioned at paragraphs 5 and/or 6 below, an applicant (or agent) and/or an individual objector or supporter will each be allowed to speak for no more than 3 minutes.
5. Subject as mentioned at paragraph 6 below, where there is a group of supporters or objectors with a common interest, the group will be allowed no more than 10 minutes within which to address the Committee.

**PART 10**

6. The Committee Chair shall have the discretion:
- (i) in exceptional circumstances, to allow late additions to the list of public Speakers;
  - (ii) to decide not to allow speeches, which merely repeat representations made in earlier speeches, which are inaccurate, or which are irrelevant to material Planning considerations; and
  - (ii) depending upon circumstances, to vary the periods of time referred to in paragraphs 4 and/or 5 above where s/he deems it appropriate.

For example, the Chair may wish to allow an individual applicant, agent, objector or supporter or a spokesperson for a group of objectors or supporters extra time within which to address the Committee, where the issues are numerous or particularly complex.

7. Members' questions will clearly extend this time but will enable issues to be fully understood.
8. For the purpose of ensuring a fair hearing, the Chair will offer the Supporters'/ Applicant's side an equivalent time to Objectors, or vice versa, where there is an imbalance between the two.
9. If several individual speakers register, it may be necessary, for the efficient conduct of the meeting, for the Chair to encourage a spokesperson to be identified. Where this is not possible, each speaker will be allowed, at the Chair's discretion, to speak separately and with suitable prompting where issues are being repeated that have been raised by a previous speaker.
10. Direct or open questioning and discussion / debate between Public Speakers and either Members or Officers will not be allowed during Public Speaking. Any such matters raised may be answered by Members / Officers only after the close of Public Speaking, or will be addressed during the subsequent debate. At no time will direct discussion between Members or Officers with a Public Speaker be permitted.
11. After the close of Public Speaking, no other inputs will be permitted from the 'public gallery', other than at the discretion of the Chair, and subject to relevant Officer advice, if exceptional circumstances warrant this.

END.