

Planning Committee

Wed 20th Jun
2012
7pm

Council Chamber
Town Hall
Redditch



www.redditchbc.gov.uk

Access to Information - Your Rights

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

Your main rights are set out below:-

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

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

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

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

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

www.redditchbc.gov.uk

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

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REDDITCH BOROUGH COUNCIL **PLANNING COMMITTEE**



GUIDANCE ON PUBLIC **SPEAKING**

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

in accordance with the running order detailed in this agenda 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 the application;
 - c) Applicant to speak on the application.

Speakers will be called in the order they have notified their interest in speaking to the Committee Services Team (by 12 noon on the day of the meeting) and invited to the table or lectern.

- Each individual speaker will have up to a maximum of 3 minutes to speak, subject to the discretion of the Chair. (Please press button on “conference unit” to activate microphone.)
 - Each group of supporters or objectors with a common interest will have up to a maximum of 10 minutes to speak, subject to the discretion of the Chair.
 - After each of a), b) and c) above, Members may put relevant questions to the speaker, for clarification. (Please remain at the table in case of questions.)
- 4) Members’ questions to the Officers and formal debate / determination.

Notes:

- 1) It should be noted that, in coming to its decision, the Committee can only take into account planning issues, namely policies contained in the Borough of Redditch Local Plan No.3, the County Structure Plan (comprising the Development Plan) and other material considerations, which include Government Guidance and other relevant policies published since the adoption of the development plan and the “environmental factors” (in the broad sense) which affect the site.
- 2) No audio recording, filming, video recording or photography, etc. of any part of this meeting is permitted without express consent (Section 100A(7) of the Local Government Act 1972).
- 3) Once the formal meeting opens, members of the public are requested to remain within the Public Gallery and may only address Committee Members and Officers via the formal public speaking route.
- 4) Late circulation of additional papers is not advised and is subject to the Chair’s agreement. The submission of any significant new information might lead to a delay in reaching a decision. The deadline for papers to be received by Planning Officers is 4.00 p.m. on the Friday before the meeting.
- 5) Anyone wishing to address the Planning Committee on applications on this agenda must notify the Committee Services Team **by 12 noon on the day of the meeting.**

Further assistance:

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

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

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

Welcome to today's meeting.

Guidance for the Public

Agenda Papers

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

Chair

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

Running Order

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

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

Decisions

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

Members of the Public

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

Special Arrangements

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

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

Further Information

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

Fire/ Emergency instructions

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

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

Do Not stop to collect personal belongings.

Do Not use lifts.

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

The emergency Assembly Area is on Walter Stranz Square.

Declaration of Interests: Guidance for Councillors

DO I HAVE A "PERSONAL INTEREST" ?

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

OR

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

you have a personal interest.

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

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

IS IT A "PREJUDICIAL INTEREST" ?

In general only if:-

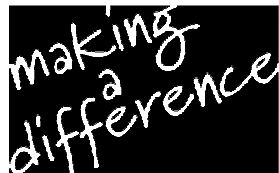
- It is a personal interest **and**
- The item affects your **financial position** (or conveys other benefits), or the position of your **family, close associates** or bodies through which you have a **registered interest** (or relates to the exercise of **regulatory functions** in relation to these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

and

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

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

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



PLANNING COMMITTEE

20th June 2012

7pm

Council Chamber, Town Hall

Agenda

Membership:

Cllrs: Andrew Fry (Chair) Roger Hill
 Joe Baker (Vice-Chair) Wanda King
 Michael Chalk Brenda Quinney
 Brandon Clayton Yvonne Smith
 Bill Hartnett

<p>1. Apologies</p>	<p>To receive apologies for absence and details of any Councillor nominated to attend the meeting in place of a member of the Committee.</p>
<p>2. Declarations of Interest</p>	<p>To invite Councillors to declare any interest they may have in the items on the Agenda.</p>
<p>3. Confirmation of Minutes (Pages 1 - 4)</p>	<p>To confirm, as a correct record, the minutes of the meeting of the Planning Committee held on 25th April 2012. (Minutes attached)</p>
<p>4. Planning Application 2012/076/FUL - 1129 Evesham Road, Astwood Bank (Pages 5 - 10) Head of Planning and Regeneration</p>	<p>To consider a Planning Application for the creation of a single storey extension between house and detached garage to the front of the property. Applicant: Mr D Campbell (Report attached – Site Plan under separate cover) (Astwood Bank & Feckenham Ward);</p>
<p>5. Planning Application 2012/107/COU - Former Astwood Bank Post Office, 1248 Evesham Road, Astwood Bank (Pages 11 - 18) Head of Planning and Regeneration</p>	<p>To consider a Planning Application for a change of use from Post Office (Class A1) to restaurant / café / hot food takeaway (Class A3/A5). Applicant: Mr A Goldrick (Report attached – Site Plan under separate cover) (Astwood Bank & Feckenham Ward);</p>

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<p>6. Planning Application 2012/110/COU - Continental Club, 118 Oakly Road, Redditch</p> <p>(Pages 19 - 24)</p> <p>Head of Planning and Regeneration</p>	<p>To consider a Planning Application for a change of use from Private Members Club to drinking establishment (Use Class A4).</p> <p>Applicant: Mr B Cioch</p> <p>(Report attached – Site Plan under separate cover)</p> <p>(Central Ward);</p>
<p>7. Planning Application 2012/118/COU - 66 - 70 Unicorn Hill, Redditch</p> <p>(Pages 25 - 30)</p> <p>Head of Planning and Regeneration</p>	<p>To consider a Planning Application for a change of use of part 1st floor storage area to seating area to serve restaurant (Shahi Palace).</p> <p>Applicant: Mr A Miah</p> <p>(Report attached – Site Plan under separate cover)</p> <p>(Abbey Ward);</p>
<p>8. Planning Application 2012/121/FUL - 25 Underwood Close, Callow Hill</p> <p>(Pages 31 - 34)</p> <p>Head of Planning and Regeneration</p>	<p>To consider a Planning Application for a first floor extension over existing dining room.</p> <p>Applicant: Mr D Morgan</p> <p>(Report attached – Site Plan under separate cover)</p> <p>(Crabbs Cross Ward);</p>
<p>9. Planning Committee Procedure Rules - Municipal Year 2012/13</p> <p>(Pages 35 - 40)</p> <p>Head of Legal, Equalities and Democratic Services</p>	<p>To seek the Committee's agreement to an amendment to the Planning Committee's Procedure Rules, agreed by Council at its Annual Meeting on the 21st May 2012, to enable the Leader of the Council to sit on the Planning Committee or act as a substitute on the Planning Committee.</p> <p>(Oral report – copy of 2012/13 Planning Committee Procedure Rules attached)</p> <p>(No Specific Ward Relevance);</p>

10. Exclusion of the Public

During the course of the meeting it may be necessary, in the opinion of the Chief Executive, to consider excluding the public from the meeting on the grounds that exempt information is likely to be divulged. It may be necessary, therefore, to move the following resolution:

“that, under S.100 I of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, the public be excluded from the meeting for the following matter(s) on the grounds that it/they involve(s) the likely disclosure of exempt information as defined in the relevant paragraphs of Part 1 of Schedule 12 (A) of the said Act, as amended.

These paragraphs are as follows:

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

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

may need to be considered as “exempt”.

11. Confidential Matters (if any)

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



Planning Committee

25th April 2012

MINUTES

Present:

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

Also Present:

Councillor Jinny Pearce (relevant Portfolio Holder) and M Collins (observer for Standards Committee)

Officers:

S Edden, A Hussain and A Rutt

Committee Services Officer:

J Smyth

91. APOLOGIES

No apologies for absence were received.

92. DECLARATIONS OF INTEREST

No declarations of interest were made.

93. CONFIRMATION OF MINUTES

RESOLVED that

the minutes of the meeting of the Committee held on 28th March 2012 be confirmed as a correct record and signed by the Chair.

94. NATIONAL PLANNING POLICY FRAMEWORK – CHANGES TO PLANNING POLICY

The Committee received a report which provided further information on the National Planning Policy Framework (NPPF) document, published on 27th March 2012, which had replaced the Government's previous national planning policy documents and

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Chair

guidance, in relation to the procedures for its use and how it differed from the previous system.

Members noted that the NPPF had been taken into account for determining the two applications to be considered that evening. It was also noted that further clarification would be provided on the document and its significance for determining planning applications, at the planned Member training for Planning Committee in May.

RESOLVED 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**

RECOMMEND that

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

**95. PLANNING APPLICATION 2012/032/FUL –
FORMER HEPWORTH SITE, BROOK STREET, REDDITCH**

Erection of 7 no. Class B.1 units

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 main report and the following additional condition and informative:

Condition

- “8. **Site operatives' car parking to be provided during the development.**”

Informative

- “3) **A Phase 1 geo-environmental desk study be undertaken.**”

**96. PLANNING APPLICATION 2012/057/COU –
BUILDING F, ASTWOOD BUSINESS PARK,
ASTWOOD FARM, ASTWOOD LANE, ASTWOOD BANK**

This matter had been withdrawn at the request of the Applicant and was not discussed.

**97. PLANNING APPLICATION 2012/071/EXT –
HOMEBASE LTD, ABBEY RETAIL PARK,
ALVECHURCH HIGHWAY, REDDITCH**

Extension of time application
Installation of 1,777 sq.m of floorspace
at mezzanine level as approved under
Planning Application 2009/082/FUL

RESOLVED that

having regard to the Development Plan and to all other material considerations, planning permission to allow an extension of time for a further three years to implement the consent given under Planning Application 2009/082/FUL be GRANTED, subject to the conditions and informatives detailed in the main report and restated in the update report.

**98. APPEAL OUTCOME –
HIGHWAY VERGE AT MILLRACE ROAD, REDDITCH**

The Committee received an item of information in relation to the outcome of an appeal against a refusal of prior approval for the siting and design of a telecommunications installation, made by Officers under delegated powers, namely:

Application 2011/133/GDO
15m Monopole, equipment cabinets
and ancillary apparatus

Members noted that the appeal against the Council's decision to refuse prior approval had been allowed by the Inspector on the grounds that he considered, on balance, that the proposal would generally respect the context and character of the area and that the monopole would not be visually dominant and have an adversely harmful effect on the outlook of nearby properties.

RESOLVED that

the item of information be noted.

**99. APPEAL OUTCOME –
HIGHWAY VERGE AT BIRCHFIELD ROAD, REDDITCH**

The Committee received an item of information in relation to the outcome of an appeal against a refusal of prior approval for the siting and design of a telecommunications installation, taken by Officers under delegated powers, namely:

Application 2011/222/GDO
15m Monopole, equipment cabinets
and ancillary apparatus

Members noted that, the appeal against the Council's decision to refuse prior approval had been allowed by the Inspector on the grounds that he had not considered the development to be so conspicuous in appearance that it would be harmful to the street scene nor result in undue visual clutter. He had further considered that the separation distances between the mast and dwellings to the south would be such that the development would not be overbearing nor would it adversely harm the outlook of occupiers of those properties.

RESOLVED that

the item of information be noted.

**100. REVIEW OF OPERATION OF THE PLANNING COMMITTEE
AND PUBLIC SPEAKING ARRANGEMENTS –
MUNICIPAL YEAR 2011/12**

The Committee gave consideration to the operation of, and procedures undertaken, during its meetings held during the 2011/12 municipal year, including its public speaking arrangements.

Members were reminded that the Committee had recently considered and agreed new Procedure Rules, in spite of a number of concerns by minority Members on matters of detail, which were re-iterated at this meeting. Nonetheless, it was

RESOLVED that

the Committee's current agreed Procedure Rules be re-affirmed without amendment.

The Meeting commenced at 7.00 pm
and closed at 7.16 pm

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CHAIR

PLANNING COMMITTEE

20th June 2012

APPLICATION NUMBER: 2012/076/FUL

**CREATION OF A SINGLE STOREY EXTENSION BETWEEN HOUSE AND
DETACHED GARAGE TO THE FRONT OF THE PROPERTY**

1129 EVESHAM ROAD, ASTWOOD BANK

**APPLICANT: MR DONALD CAMPBELL
EXPIRY DATE: 16TH MAY 2012**

WARD: ASTWOOD BANK AND FECKENHAM

(See additional papers for Site Plan)

The author of this report is Sharron Williams, Planning Officer (DM), who can be contacted on extension 3372 (e-mail: Sharron.williams@bromsgroveandredditch.gov.uk) for more information.

Site Description

The property is detached with a front and rear garden. The front of the house faces west whilst the rear of the house faces east. The front garden has vehicular access for a number of cars. A double garage exists at the front of the dwelling. Vehicular access is shared with No.1129 Evesham Road. A two storey extension has recently been built at the rear of the house.

The property faces Evesham Road, but forms part of the development of the former Yeomans site.

Proposal Description

It is proposed to build an extension that would link the main house to the double garage. The extension would measure approximately 5.1 x 3.7 metres and provide an additional room (room not annotated for its intended purpose). The new room would have a window facing south whilst an existing window that serves the study located at the front would be bricked up and a new window for the study would be provided on the side elevation.

A small angled extension is proposed for the doorway in order to create an enlarged hallway. The extension for the doorway would have a mono-pitched roof whilst the link extension would have a dual pitch-roof. Both extensions would be finished in brick.

The application is supported by a Climate Change Statement, which states that local material will be used wherever possible. The energy efficiency of the building will increase as a result of the extension as the latest insulation will be used.

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Relevant Key Policies:

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

www.communities.gov.uk

www.wmra.gov.uk

www.worcestershire.gov.uk

www.redditchbc.gov.uk

National Planning Policy

National Planning Policy Framework

Regional Spatial Strategy (RSS) and Worcestershire County Structure Plan (WCSP)

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

B(RA).8 Village settlement
 B(HSG.1 Housing provision
 B(BE).13 Qualities of Good Design
 B(BE).14 Alterations and extensions
 C(T).2 Road hierarchy

Supplementary Planning Guidance / Supplementary Planning Documents

Borough of Redditch Supplementary Planning guidance on Encouraging Good Design

Relevant Site Planning History

Appn. no	Proposal	Decision	Date
2005/027	Reserved matters 52 No. dwellings	Approved	9th March 2006
2011/230	Two storey rear extension	Approved	12th Oct 2011

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Public Consultation Responses**Responses against**

2 letters submitted raising the following concerns:-

- Two properties share the same driveway therefore intimate relationship exists at the front of the house. Proposal would face writer's driveway and eliminate any privacy.
- Extension will look out of place in the area, no other properties with a quirky frontage, does not fit in with the character of the area.
- Extension will make No.1129 too dominant.
- This part of Evesham Road is characterised by detached houses with open areas, driveways and gardens. Proposal would remove this characteristic. Writer concerned that they would lose light across front garden, and has maintenance access problems to their property.
- Concerns about pipe work to property could be affected as a result of the development.
- Position of extension not shown accurately in relation to the existing house and garage.

Other issues which are not material planning considerations have been raised, but are not reported here as they cannot be considered in the determination of this application.

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

No comments submitted.

Assessment of Proposal

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

Principle

The site is within an area designated as Astwood Bank Village Settlement in the Borough of Redditch Local Plan No. 3 and comprises of a mix of uses; however, the area is predominantly residential. Therefore, the provision of an extension of some form in this locality is likely to be acceptable in principle.

Design and Layout

Policies B(BE).13 and B(BE).14 of Local Plan No.3 would apply and relate to the scale and character of potential extensions in relation to properties and its impact on neighbouring properties.

The extension would be a small scale link between the double garage and the main house and would comprise of a low dual-pitched roof resulting in a ridge height that would be lower than the ridge of the double garage. Whilst it has been noted that the proposed extension would result in additional windows (one for the new room and one for the existing study) it is considered unlikely that the windows concerned would have an impact on the amenities of the

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neighbouring occupiers in respect to overlooking, despite neighbours raising this matter as a concern.

The height of the proposal is unlikely to have an impact on light of the neighbouring property to the north of the site (No.1227), as raised as a concern by the neighbour. This is mainly due to the intended height of the extension being quite low, but also, the neighbour's garage which protrudes out beyond the front wall of No. 1127 is close to the side boundary of these properties. The garage for No. 1127 would be taller than the proposed extension.

The proposed hallway extension is designed in such a way that it is unlikely that the proposal would affect the amenities of the neighbouring occupiers, although this has been raised as a concern from the neighbouring occupier to the south of the application site. Comments have also been raised regarding the quirky nature of the angled extension. It is considered that the design of the hallway extension does not harm the appearance of the dwelling and has been designed to be in keeping with the property.

Officers consider that the extensions are acceptable and comply with Policies B(BE).13 and B(BE).14 of the Borough of Redditch Local Plan No.3 as well as the Borough of Redditch Supplementary Planning Guidance on Encouraging Good Design.

Other Issues

Comments raised by one of the objectors related to the positioning of the link extension in relation to the garage and house and that the existing buildings do not follow through in a line on site as originally shown on the plans submitted. The garage is closer to the side boundary in relation to the house. This would have a bearing on the shape and layout of the link extension. Amended plans have since been submitted to rectify this matter and are considered to be acceptable.

Other comments submitted by neighbouring occupiers referred to some pipe work that runs parallel with Evesham Road that could be in the vicinity of the proposed extensions. No comments have been submitted by Severn Trent Water. However, it is considered prudent to add an informative to make the applicant aware of this matter.

Conclusion

Despite the submission of comments from neighbouring occupiers regarding the proposed extensions, it is considered that the proposals would not have a detrimental impact on the amenities of the neighbouring occupiers, and that the proposals would comply with policies B(BE).13 and B(BE).14 of the Borough of Redditch Local Plan No. 3 as well as the Council's Supplementary Planning Guidance on Encouraging Good Design. Therefore, the proposals are considered to be acceptable.

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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 3 years.
2. Materials to match existing.
3. Approved plans specified.

Informatives

1. Reason for approval
2. Respect neighbouring properties including potential pipe work underground that serves neighbouring properties.

Procedural matters

This application is reported to Planning Committee for determination because the application has resulted in the submission of two objection letters and falls outside the scheme of delegation to Officers.

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PLANNING APPLICATION 2012/107/COU

**CHANGE OF USE FROM POST OFFICE (CLASS A1) TO
RESTAURANT/CAFE/HOT FOOD TAKEAWAY (CLASS A3/A5)**

**FORMER ASTWOOD BANK POST OFFICE
1248 EVESHAM ROAD, ASTWOOD BANK, REDDITCH**

**APPLICANT: MR A GOLDRICK
EXPIRY DATE: 18TH JUNE 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) for more information.

(See additional papers for Site Plan)

Site Description

The site is situated to the western side of Evesham Road, Astwood Bank at a point approximately 100 metres due north of the Retreat Street / Evesham Road junction. The existing premises is attached to the commercial premises 'Bank Solicitors' to the south, with the shops 'Pete the Meat' Butchers and 'Astwood Galleries' Art Gallery/framers immediately to the north. Directly opposite the site, to the eastern side of Evesham Road lies the Astwood Bank War Memorial.

The proposed change of use relates to the former Astwood Bank Post Office. The premises has been vacant since August 2011 at which point the Post Office was incorporated within 'Bank Stores' which is located approximately 50 metres due west of the Evesham Road / Feckenham Road junction further to the north of this site.

The vacant unit forms the ground floor of a short terraced building formed of red brick and tile construction. Other than the vacant ground floor of 1248 Evesham Road, the remaining ground floor units within the terrace are in commercial use as an estate agents and solicitors office with either residential or office uses at first floor level.

Proposal Description

This is a full application to change the use of the ground floor of number 1248 Evesham Road from A1 (retail) to A3/A5 (restaurant and hot food take-away use). Very minor alterations are proposed to the existing shopfront which will be detailed later in the report.

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The proposal would appear to be speculative as a specific end user has not been referred to within the submission although the proposed hours of opening are stated as being between the hours of 8:00am to 12:00 midnight daily.

Relevant Key Policies:

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

www.communities.gov.uk

www.redditchbc.gov.uk

National Planning Policy

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

E(TCR).9	District Centres
E(TCR).12	Class A3, A4, and A5 Uses
B(BE).13	Qualities of Good Design
B(RA).8	Development at Astwood Bank
C(T).12	Parking Standards
S1	Designing out crime

The site is located within the Astwood Bank District Centre boundary as shown on the Borough of Redditch Local Plan No.3 Proposals Map.

Supplementary Planning Documents

Designing for Community Safety
Encouraging Good Design

Emerging Policies

The Core Strategy is the document that will eventually replace the local plan, 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 care strategy' (January 2011).

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The Core Strategy contains objectives for the overall approach to development in the Borough up until 2026, as well as strategic policies. The Policy that could be considered of relevance to this decision is:

Policy 20: Health of District Centres

Relevant Site Planning History

None

Public Consultation Responses**Responses against**

5 letters received in objection. Comments are summarised as follows:

- Proposal would exacerbate on-street parking problems which exist to the detriment of highway safety
- Enough take-away premises already within Astwood Bank – this would be over-kill
- Cooking smells and general noise disturbance would impact on residential amenities
- Proposal would be contrary to Astwood Bank District Centre Policy
- Litter would increase as a result of the proposed development

Other issues which are not material planning considerations have been raised but are not reported here as they cannot be considered in the determination of this application.

Consultee Responses***RBC Development Plans Section***

Comments summarised as follows:

Policy E(TCR).9 of the Borough of Redditch Local Plan No.3 seeks to protect District Centres and states that proposals which would result in the unacceptable loss of retail floor space of a District Centre will normally be resisted. It is important for a range of reasons to protect and enhance where possible district centres particularly with regard to their retail function. In some circumstances where there is an over provision of retail units it may be suitable to consider alternative uses however there is no supporting information stating how long the unit has been vacant for or what attempts have been made to market the unit for A1 uses.

To ensure the overall health of District Centres, they need to continue to maintain their primarily retail role. Whilst other uses play a valuable role, there should not be an over-concentration of non-retail uses. It is important to maintain an appropriate balance of uses in the District Centres to maintain their vitality and viability, particularly during the day so that Centres continue to serve the retail and other needs of local communities. There has been an increase in the number of hot food takeaways in many Centres in the Borough

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over recent years, many of which are only open during the evenings and serve the night time economy. This has led to an increase in closed and shuttered units during the day time. There has also been an increase in associated problems particularly of litter and anti social behaviour.

The draft core strategy policy that deals with the Health of District Centres states that District Centres are primarily designed to fulfil a retailing role. Significant groupings of non retail uses can be detrimental to the role of a District Centre. Proposals for new or a change of use to Class A5 Uses (Hot Food Takeaways) will only be permitted where it will not result in the overall proportion of A5 uses exceeding 25% of the total percentage of units within that Centre. Where this figure has been exceeded already in some District Centres, new proposals will be resisted. To ensure that retailing needs of communities are maintained, A5 uses within local centres/parades of shops will only be considered where the intensity of the A5 uses has not become too great and where there are no negative effects on the environment.

Current composition of the district centre includes 3 units in A5 use. Allowing this proposal would result in the overall proportion of A5 uses in the district centre to be 26%, exceeding the 25% threshold. It should also be noted that this calculation excludes the nearby restaurant 'Little India' which lies just outside of the centre but if it were to be included would take the proportion of A5 uses in the area to 31%.

This application does not comply with local planning policies. Allowing the proposal for an A3/A5 use would effectively prevent an A1 use on this site and would detract from the main primary retail function within this district centre. This type of application would negatively impact on the vitality of the district centre.

Police Crime Risk Manager

No comments to make on application

RBC Community Safety Officer

No comments to make on application

County Highway Network Control

No objection

Worcestershire Regulatory Services

No objection. Suggest that in the case of permission being granted, conditions to control hours of operation, cooking odour extraction equipment, lighting and refuse storage be imposed

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Assessment of Proposal

The key issues for consideration are as follows:

Principle of Change of Use

The relevant Planning Policy in this case is E(TCR).9 of the Borough of Redditch Local Plan since the Unit falls within the Astwood Bank District Centre.

The Town Centre is the primary focus for major shopping needs. District centres are the secondary level of shopping, meeting daily needs for basic items. Typically district centres in the Borough accommodate a newsagent, a general grocery store, a sub-post office and occasionally a pharmacy, a hairdresser and other small shops of a local nature. It is naturally important to protect and where appropriate, enhance district centres particularly with regard to their useful retail function. Proposals that would undermine the retail and community function of the district centre will normally be refused.

Under Para.5 of the reasoned justification for Policy E(TCR).9, it comments that the Council appreciates that in some circumstances there may be an over provision of units for retail. If during the plan period there is a problem of vacant units despite appropriate marketing and rent levels, then other uses may be acceptable in district centres. Only developments that would not hinder the primary retailing function of the district centre will normally be acceptable. Change of Use in district centres should only be at a level necessary to overcome a problem of vacancy as the provision of retail and community facilities should continue to be the predominant district centre function.

In assessing this application, it is important to determine if the unit in question is currently and likely to remain surplus to retail requirements. The premises were last occupied by Astwood Bank Post Office (an A1 retail use) until August 2011 at which point the post office was incorporated within 'Bank Stores' at the northern end of the village. The unit has therefore been vacant since August 2011. It is considered that due to this relatively short vacancy period it would be reasonable to suggest that a unit of this size, in this location would prove attractive to traders in the future, even considering the current financial climate.

Impact upon the Vitality and Viability of the District Centre

Policy E(TCR).9 seeks to prevent the unacceptable loss of retail floor space in district centres which stems from the overall objective of ensuring the continuing vitality and viability of the district centres. As stated above, E(TCR).9 indicates that district centres are primarily intended to fulfil a retailing role, meeting daily shopping needs for basic items. It is therefore important to assess the existing mix between retail and non-retail uses within the district centre.

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No specific guidance exists in any current LP policies about what constitutes an acceptable mix of such uses, or the level at which over-concentration is reached, and as such a judgement on whether the loss of retail floorspace is unacceptable must necessarily be a subjective one.

Officers would however draw members' attention to the emerging Core Strategy, which proposes to set a limit for A3, A4 and A5 uses as one option to address concerns that increasing numbers of such uses may undermine the vitality and viability of the role and function of district centres. Whilst this document can carry only limited weight, officers would concur with the comments made by Development Plans Officers noted above. It is considered that the proposed change of use should be resisted due to its likely harm to the vitality and viability of the district centre.

The district centre includes 3 units in A5 use. The draft policy currently includes A3 and A4 uses within the 25% limit which would include the nearby public house 'The White Lion' (A4 use). Allowing this proposal would result in the overall proportion of A3, A4 and A5 uses in the district centre to exceed significantly the 25% threshold as set out in the draft core strategy as it would rise to 31%. Further, if the restaurant 'Little India' (A3 use) which lies just outside of the centre were to be included the proportion of A3, A4 and A5 uses in the area would increase still further.

Highway Implications

All parking in the area is on street and limited in terms of availability in close proximity to the site although a public car park is situated a short walk from the site. Whilst the representations received which make reference to highway safety concerns have been examined, Members will note that County Highway Network Control have raised no objections to the proposals. Officers do not consider that sufficient evidence has been advanced to suggest that a proposed restaurant or hot food takeaway use would necessarily exacerbate or prejudice highway safety in the area above how an A1 use could occupy and use the unit at any time without requiring consent.

Shop front alterations

The appearance of the shopfront would fundamentally remain unchanged, retaining the central doorway between two shop windows. The fascia sign would be widened by a nominal amount. Any illuminated signage would require a separate application for advertisement consent but at this stage the applicant has not identified whether the fascia would be illuminated or not. No objections are raised to this part of the proposal since the changes would not harm the character and appearance of the street-scene.

Other issues

It is acknowledged that the opening hours proposed include lunchtime use, however it would not be possible to ensure that daytime opening occurred, were this use to be approved, it would only be possible to restrict its maximum

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opening hours. Therefore, whilst in this case it may be that some daytime opening would occur that would fit more closely with the policy, this could not be controlled in the future were the application accepted.

Conclusion

Your Officers consider that the proposed change of use from A1 to A3/A5 would harm the vitality and viability of the Astwood Bank District Centre, where an over-concentration of such uses is already considered to exist. For this reason, the application is considered to be unacceptable and is recommended for refusal.

Recommendation

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

1. The proposed A3/A5 use including the potential loss of a preferred A1 use would materially impact upon, and undermine the retail and community function of the Astwood Bank District Centre, to the detriment of its vitality and viability. As such, the proposed development would be contrary to the aims and objectives of Policy E(TCR).9 and Policy E(TCR).12 of the Borough of Redditch Local Plan No.3, and Policy 20 of the Preferred Draft Core Strategy.

Informative:

1. Plans refused consent listed for information

Procedural matters

This application is reported to Planning Committee for determination because all proposed A3 and A5 use class developments fall outside the scheme of delegation to Officers.

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PLANNING APPLICATION 2012/110/COU

CHANGE OF USE OF PRIVATE MEMBERS CLUB TO DRINKING ESTABLISHMENT (USE CLASS A4)

CONTINENTAL CLUB, 118 OAKLY ROAD, REDDITCH

APPLICANT: MR B CIOCH
EXPIRY DATE: 20TH JUNE 2012

WARD: CENTRAL

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

(See additional papers for Site Plan)

Site Description

The existing property is an attractive two storey detached building dating from the late Victorian period. It is formed of red brick walls under a tiled roof and features stone window heads and sills. The property sides on to Oakly Road from where a pedestrian access to the property is formed. Stone walling forms the boundary treatment to the frontage behind which is a mixture of leylandii and laurel hedging to a height of approximately 3 metres. Parking is on-street on both sides of Oakly Road although parking is restricted to resident permit holders only between 8am to 6pm Monday to Saturday. Parking is available to non permit holders for a maximum stay of 20 minutes between the above periods.

The building currently operates as a private members club predominantly serving the Polish community and currently opens between the following hours:

Monday: 7pm to 11pm
Tuesday: Closed
Wednesday: 7pm to 11pm
Thursday: Closed
Friday: 7pm to 11:30pm
Saturday: 12 noon to midnight
Sunday: 12 noon to 11:30pm

The surrounding area is residential containing a mix of mainly semi-detached and terraced housing.

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Proposal Description

Permission is sought for a change of use from a private members club (a sui-generis use in planning terms) to a Class A4 use which would allow the buildings operation as a drinking establishment of public house. No alterations are proposed to the exterior of the building.

The proposed hours of opening would be:

Monday: 12 noon to 11:30pm

Tuesday: 12 noon to 11:30pm

Wednesday: 12 noon to 11:30pm

Thursday: 12 noon to 11:30pm

Friday: 10:00am to 2:00am

Saturday: 10:00am to 2:00am

Sunday: 10:00am to 12:30am

Relevant Key Policies

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

www.communities.gov.uk

www.redditchbc.gov.uk

National Planning Policy

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(BE)13 Qualities of Good Design

E(TCR)12 Class A3, A4 and A5 uses

C(T)12 Parking Standards

S1 Designing out Crime

The site is within the urban area of the Borough and is undesignated in the Borough of Redditch Local Plan No.3.

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Relevant Site Planning History

RU 105/69	Change of use of dwelling community club use	Approved	28.07.1969
RU 188/71	Extensions	Approved	04.11.1971
RU 249/72	Extensions	Approved	11.09.1972
1976/112	Extensions	Approved	14.06.1976
1976/332	Extensions	Approved	16.12.1976

Public Consultation Responses

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

No representations received at time of writing.

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

No objection

Severn Trent Water

Drainage to be subject to agreement with Severn Trent Water Ltd

Worcestershire Regulatory Services (Environmental Health)

States that any lighting to serve the development should be compliant with current guidance and comments that the proposed use would require a premises licence under the Licensing Act 2003 via an application to the Local Authority

Police Crime Risk Manager

No comments to make on application

RBC Community Safety Officer

No comments to make on application

RBC Licensing Dept

No comments received

Assessment of Proposal

The main issue for consideration in this case is considered to be the principle of the proposed change of use.

Principle

The area in which planning permission is sought is essentially residential in character. As such, new development should be compatible with this primary land use.

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Policy E(TCR).12 of the Borough of Redditch Local Plan No.3 deals with applications for new A3, A4 and A5 uses and expects such uses to be located within the Town Centre, Peripheral Zone or defined District Centres. Such sites are the most appropriate locations for these uses because they are more sustainable and likely to have less adverse impact on residential amenity and highway safety issues.

This residential area is neither in the Town Centre, a Peripheral Zone or within a District Centre and as such, there would appear to be no justification in policy terms to allow this proposed change of use in this predominantly residential area. A material consideration is the fact that the premises are already operating as a licenced private members club (a sui-generis use as distinct from a general drinking establishment use). Your Officers would however draw Members' attention to a condition which was applied to the original consent for change of use of this former dwelling to a private members club in 1969. Condition 1 attached to permission RU 105/69 states that:

This permission shall enure for the benefit of the Redditch Polish Catholic Circle only and shall not enure for the benefit of the land or any other persons interested herein.

Reason: This permission is made personal to the applicants because of the circumstances special to them. If it were not for these special circumstances, permission would have been refused because of the residential character of the area.

Whilst the 1969 consent is historic, this area has remained primarily residential in character since this time. As such, in this case, officers consider that little has materially changed in terms of assessing the residential character of the area since the year 1969.

A4 uses are likely to attract an increased volume of people resulting in disturbance by virtue of noise and of increased comings and goings with likely increased gatherings of people in the evenings. As suggested by the current opening hours, the existing use is considered to be of relatively low intensity as are many private members club uses. Officers consider that the proposal would intensify the use such that the development would result in serious detriment to residential amenity and the character of this residential area. The applicant has provided no information to address these concerns.

Highways Implications

No vehicular access is afforded to the property at present and all parking in the area as such is on street. County Highway Network Control have raised no objections to the proposals and Officers do not consider that that proposal would necessarily prejudice highway safety in the area. Officers do consider that general late night comings and goings from the premises would be likely

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to increase to the detriment of amenity although such movements are more likely to be by foot given that the proposed use would be operating as a licensed drinking premises.

Other issues

It is acknowledged that the current use of the premises does not have any restriction of opening hours, however as the user is restricted, it is considered that the current unrestricted hours would be unlikely, even if followed, to cause any significant detrimental impacts on surrounding residential amenity, in comparison with the proposed unrestricted A4 use as considered above.

Conclusion

Being a wholly residential area, the proposals would be considered contrary to the aim of Policy E(TCR).12 which directs A4 uses to Town and District Centres and Peripheral Zone areas and away from residential areas due to such proposal's likely detrimental impact upon residential amenity

Recommendation

That having regard to the development plan and to all other material considerations, planning permission be REFUSED for the following reason:

1. The proposed development would not be compatible with this primarily residential area in that it is likely to result in an increased intensification of use leading to the severe detriment of existing residential amenity and to the character of this residential area. As such, the development would be contrary to Policy E(TCR).12 of the Borough of Redditch Local Plan No.3.

Informative:

Plans refused consent listed for information

Procedural matters

This application is reported to Planning Committee for determination because all proposed A4 use class developments fall outside the scheme of delegation to Officers.

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PLANNING APPLICATION 2012/118/COU

CHANGE OF USE OF PART 1ST FLOOR STORAGE AREA TO SEATING AREA TO SERVE RESTAURANT (SHAHI PALACE)

66 - 70 UNICORN HILL, REDDITCH

**APPLICANT: MR A MIAH
EXPIRY DATE: 25TH 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) for more information.

(See additional papers for Site Plan)

Site Description

The application site is an existing three storey late Victorian building which occupies an area of land between the railway station car park and the bus station at the bottom of Unicorn Hill. The property numbered 66-70 Unicorn Hill is situated on the north side of the street and was designed originally with 3 no. shops at ground floor level with two floors of accommodation over. The ground floor shops in no's 66 and 68 Unicorn Hill have been combined to form a single restaurant (The Shahi Palace) and number 70 is currently occupied by a hot food takeaway (Mr. Pizza). Both ground floor premises have direct pedestrian access from the street. At the rear of the premises there is a small shared service and access yard accessed through a separate shared pedestrian passageway.

Proposal Description

Permission is sought to change the use of part of a (vacant) first floor former storage area to a seating area to serve the restaurant below (the Shahi Palace). Place settings (covers) for 24 persons would be created. Access to the first floor restaurant extension would be via an internal staircase leading from the existing Shahi Palace restaurant at ground floor.

Relevant Key Policies:

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

www.communities.gov.uk

www.redditchbc.gov.uk

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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

CS.7 The Sustainable Location of Development
E(TCR).1 Vitality and Viability of the Town Centre
E(TCR).12 Class A3, A4 and A5 uses
S.1 Designing out crime

The site is located within the designated Town Centre as defined within the Borough of Redditch Local Plan No.3

Relevant Site Planning History

2001/436/FUL	Extensions for office use to rear and use of second floor as office space	Approved	18.03.2002
2005/061/FUL	Shop front alterations	Withdrawn	30.03.2005
2008/034/COU	Change of use of first floor to restaurant (52 covers) and new shopfront at no.70	Approved	10.03.2008
2009/190/COU	Change of use of first floor to 4 no. flats	Approved	24.11.2009

The change of use element of 2001/436/FUL was not implemented, only physical alterations. Similarly the works approved under applications 2008/034/COU and 2009/190/COU have not been implemented. The restaurant extension approved under application 2008/034/COU has now expired although the approval under 2009/190/COU remains a valid permission.

The whole of the first and second floor have remained as vacant storage areas for at least 10 years and are not associated with the ground floor occupiers, but accessed separately.

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Public Consultation responses

The application has been advertised by writing to nearby properties and by display of public notice on site. No representations have been received

Consultee Responses

County Highway Network Control

No objection

Worcestershire Regulatory Services (Environmental Health)

No objection

Police Crime Risk Manager

No comments to make on application

Town Centre Co-ordinator

No objection

Assessment of Proposal

Principle of Change of Use

The National Planning Policy Framework encourages growth of the evening and night time economy in appropriate areas. The Local Plan policies referred to above also promotes Redditch Town Centre as a suitable location for continued commercial development. An expansion of the current restaurant use should be encouraged in principle, given that the site lies within the Town Centre such a use would be considered to make a positive contribution to the evening economy.

Policy CS.7 of the Borough of Redditch Local Plan No.3 states that uses that attract a lot of people will be directed to the Town Centre. As such, the proposal would be in compliance with this policy and would enhance the vitality and viability of the Town Centre as required under Policy E(TCR).1.

Since the first floor space is presently vacant, Officers consider that bringing the floor back into beneficial use should be encouraged. The under use of upper floors in commercial buildings such as these can cause a number of problems. Deterioration of the fabric of the building can remain undetected. Such decay is detrimental to the overall appearance of the area, and vacant floors also represent a waste of potential resources. Enabling this valuable, vacant space to be brought back into use would be of benefit to the Town Centre.

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Access and parking

No objections have been received from Highway Network Control. Given the Town Centre location, the site is considered to be sustainably located, being within walking distance of the train and bus station and close to a number of public car parks and bus stops.

Other matters

Approval of this application would mean that the one bedroomed unit (flat 4) as approved under application 2009/190/COU could not be implemented. The three remaining flats approved under the same consent are shown on plans submitted with this application and are unaltered from those approved under application 2009/190/COU. Officers do not consider that amenities of nearby occupiers would be prejudiced by the proposals and no objections to the proposals have been received in respect to the application following the neighbour notification process. Officers would however seek to control hours of opening for the proposed restaurant extension in the interests of safeguarding future residential amenity. The hours of opening imposed under application 2008/034/COU which were proposed by the applicant at the time were considered to be acceptable having regard to the location of the site. These are 5pm to 12:30 am 7 days per week.

Conclusion

Having regard to pertinent policies of the development plan, there are considered to be no justifiable reasons to warrant refusal of this application on amenity or any other grounds. The proposal would bring back into re-use a currently vacant unit which would add to the vitality and viability of the Town Centre.

Recommendation

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

1. Development to commence within 3 years
2. Area to be used as a seating area only and restricted to opening times of 5pm to 12:30am daily
3. Development in accordance with submitted plans

Informatives

1. Reason for approval:

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Procedural matters

This application is reported to Planning Committee for determination because all proposed A3 use class developments fall outside the scheme of delegation to Officers.

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PLANNING APPLICATION 2012/121/FUL

FIRST FLOOR EXTENSION OVER EXISTING DINING ROOM

25 UNDERWOOD CLOSE, CALLOW HILL, REDDITCH

APPLICANT: MR D MORGAN
EXPIRY DATE: 29TH JUNE 2012

WARD: CRABBS CROSS

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

(See additional papers for Site Plan)

Site Description

The property is a three bedroomed detached dwelling and is located within Callow Hill, a residential area. The majority of the properties in Underwood Close are detached and were built around the late 1980's.

Proposal Description

The application seeks planning permission to build a first floor extension over an existing dining room to the front of the property in order to create an enlarged master bedroom. Materials to be used for walls (brickwork) and roof (tiles) would match those used in the construction of the original dwelling.

Relevant Key Policies:

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

www.communities.gov.uk

www.redditchbc.gov.uk

National Planning Policy

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.

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Borough of Redditch Local Plan No.3

B(BE).13 Qualities of Good design

B(BE).14 Alterations and Extensions

Supplementary Planning Guidance - Encouraging Good Design

Relevant Site Planning History

None

Public Consultation Responses

None

Assessment of Proposal

The proposed extension would protrude forward from the existing first floor principal elevation by a distance of 1.8m with the proposal forming a pitch roofed gable over the existing dining room at ground floor level. A 5m² increase in floor space would be created to form an extension to an existing bedroom. The property would remain as a three bedroomed dwelling.

The proposal has been sympathetically designed to respect the current form of the dwelling and also to respect the amenity of the adjacent dwellings. No objections to the proposals have been received from nearby residential occupiers despite the notification process.

Having regards to Policies B(BE).13 and B(BE).14 of the Borough of Redditch Local Plan No. 3 under which applications of this nature are assessed, the extensions are considered to be acceptable since they would not harm the character and appearance of the dwelling or the street-scene and would not have a detrimental impact upon neighbour amenity.

Recommendation

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

- 1) Development to commence within 3 years
- 2) Materials to match existing dwelling
- 3) As per plans submitted

Informative

- 1) Reason for approval

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Procedural Matters

This application would normally be assessed under the delegated powers granted to the Head of Planning and Regeneration, but is being reported to Committee as the applicant is related to an employee of the Council.

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.

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.

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.
- 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.
- 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.

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.

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.