

# Planning Committee

Wed 5th Sep  
2012  
7pm

Committee Room 2  
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:

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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**  
**e.mail: [janice.smyth@bromsgroveandredditch.gov.uk](mailto:janice.smyth@bromsgroveandredditch.gov.uk)**

**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 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.

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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.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

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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.**

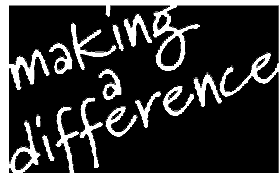
**Do Not stop to collect personal belongings.**

**Do Not use lifts.**

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

**The emergency Assembly Area is on Walter Stranz Square.**





# PLANNING

## Committee

5th September 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><b>1. Apologies</b></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><b>2. Declarations of Interest</b></p>	<p>To invite Councillors to declare any interest they may have in the items on the Agenda.</p>
<p><b>3. Confirmation of Minutes</b> (Pages 1 - 2)</p>	<p>To confirm, as a correct record, the minutes of the meeting of the Planning Committee held on  (Minutes attached)</p>
<p><b>4. Planning Application 2012/148/COU - Building F, Astwood Business Park, Astwood Farm, Astwood Lane, Astwood Bank</b>  (Pages 3 - 12)  Head of Planning and Regeneration Services</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.  Applicant: Mr J Ranson  (Report attached – Site Plan under separate cover)  <b>(Astwood Bank &amp; Feckenham Ward);</b></p>
<p><b>5. Planning Application 2012/185/COU - Mayfield Stores, Sycamore Avenue, Mayfields, Redditch</b>  (Pages 13 - 18)  Head of Planning and Regeneration Services</p>	<p>To consider a Planning Application for a conversion and first floor extension to create additional 2 bedroom flat.  Applicant: Mr M Farooqui  (Report attached – Site Plan under separate cover)  <b>(Central Ward);</b></p>

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<p><b>6. Planning Application 2012/209/FUL - Victoria House, 10-12 Feckenham Road, Astwood Bank</b></p> <p>(Pages 19 - 26)</p> <p>Head of Planning and Regeneration Services</p>	<p>To consider a Planning Application for a conversion and extension of building to form six flats.</p> <p>Applicant: Charles Martin Homes</p> <p>(Report attached – Site Plan under separate cover)</p> <p><b>(Astwood Bank &amp; Feckenham Ward);</b></p>
<p><b>7. Enforcement Activity - Six Month Update</b></p> <p>(Pages 27 - 32)</p> <p>Head of Planning and Regeneration Services</p>	<p>To receive and note a report which provides statistical information relating to planning enforcement activity for the previous six months.</p> <p>(Report attached)</p> <p><b>(Various Wards);</b></p>
<p><b>8. 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>



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**9. Confidential Matters (if any)**

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

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## Planning Committee

15th August 2012

### MINUTES

#### Present:

Councillor Andrew Fry (Chair), Councillor Joe Baker (Vice-Chair) and Councillors Brandon Clayton, Roger Hill and Pat Witherspoon (substituting for Councillor Bill Hartnett)

#### Officers:

S Edden, A Hussain and A Rutt

#### Committee Services Officer:

J Smyth

#### 21. APOLOGIES

Apologies for absence were received on behalf of Councillors M Chalk, B Hartnett and W King.

#### 22. DECLARATIONS OF INTEREST

There were no declarations of interest made.

#### 23. CONFIRMATION OF MINUTES

##### RESOLVED that

**the minutes of the meeting of the Planning Committee held on 18th July 2012 be confirmed as a correct record and signed by the Chair.**

#### 24. PLANNING APPLICATION 2012/122/OUT – LAND ADJACENT 1 SPRINGHILL COTTAGE, FOXLYDIATE LANE, REDDITCH

Members were advised that, in view of the fact that information pertinent to the Application was still awaited, it had been decided, in agreement with the Chair, to defer this item from the Agenda and bring an amended report, with the relevant information included, to a future meeting of the Committee.

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Chair

# Planning Committee

**25. PLANNING APPLICATION 2012/161/FUL –  
THE ELMS, 42 BROMSGROVE ROAD, REDDITCH**

Proposed residential development forming  
seven apartments with ancillary car parking  
and amenity space

Applicant: Ms M Pardoe

**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.**

**26. PLANNING APPLICATION - 2012/169/FUL –  
THORLUX LIGHTING, MERSE ROAD, REDDITCH**

Proposed storage / warehouse  
(Class B8) extension

Applicant: Mr T Cooper

Mr T Cooper, the Applicant, addressed the Committee under the Council's public speaking rules.

**RESOLVED that**

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

The Meeting commenced at 7.01 pm  
and closed at 7.17 pm

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CHAIR

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### **PLANNING APPLICATION 2012/148/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: 27TH JULY 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. Building F has been vacant for over one year.

#### **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. This 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.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***

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.6	Implementation of Development
B(RA).1	Control of development in the Green Belt
B(RA).5	Reuse and conversion of buildings
B(BE).13	Qualities of good design
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
2012/057/COU	Change of use of building F from permitted class B1 or class B8 uses to children's indoor play centre (class D2) with associated parking	Withdrawn	25.04.2012

**Public Consultation Responses**

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

**Responses in favour**

37 letters received. Comments summarised as follows:

- Good play space facility for children in the local area
- Ideal community meeting place
- Job creation for the local area
- Will be of economic, social and educational benefit to Redditch
- Insufficient number of facilities of this nature in the Redditch area: would be appreciated by many
- Good that a bus service is to be provided
- Adequate parking provision on site

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Responses against

11 letters received raising the following concerns:

- Inappropriate use in a rural green belt 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
- Additional vehicle movements would harm residential amenity
- Incompatible with existing Industrial uses
- Noise pollution concerns
- No footpaths or street lighting on Astwood Lane / access drive to the site nor public transport facilities able to reach this remote location
- Vehicle movements on a Saturday and Sunday would be particularly disturbing to neighbouring properties
- Peak times of movement would coincide with the peak times of Astwood Bank First School which will coincide with peak commercial traffic times of existing businesses. Such a high volume of car movements along a narrow rural lane would be unacceptable

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

Comments summarised as follows:

Traffic generation figures presented by the applicant show an overall reduction in the peak hour movements for such a proposed use in comparison to the permitted uses. The applicant's intention to introduce an extension to the bus service could furthermore reduce traffic.

The County Council have no objection to permission being granted for the development.

***RBC Development Plans Section***

Comments summarised as follows:

The planning policy comments for 2012/057/COU raised concerns regarding the location of the proposed development and sustainable transport. The proposed use is Class D2 'Assembly and Leisure'. Annex 2 of The National Planning Policy Framework (NPPF) defines leisure as a main town centre use. Policy E(TCR).4 (Need and the Sequential Approach) of Local Plan No.3 sets out a sequential approach to the location of main town centre uses. A sequential assessment of other available units within the Borough has been submitted in order to demonstrate that the unit at Astwood Farm is the most appropriate. The submitted information shows that there are currently 10 available properties which would meet the size requirements of the applicant including one within the Town Centre. The applicant has concluded that none of the 10 properties are suitable to accommodate the requirements of the proposed D2 use.



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The supporting information states that the local bus operator has undertaken to divert bus service 70 to Astwood Farm. This matter would need to be examined in more detail.

The proposed use should be located where the need to travel will be minimised and the use of sustainable transport modes can be maximised (NPPF para 34).

***RBC Economic Development Unit***

The ten properties listed in the sequential test are all of those currently available of the size specified. Of the properties listed, EDU would object to change of use on 9 of the 10 on the grounds of unacceptable loss of employment land

***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 (Redditch Bridleway 744). The applicant should make clear how the development would affect the Public Right of Way. Applicant should be reminded of their duties under PROW legislation to ensure that the development would not affect the PROW

***Worcestershire Regulatory Services***

No objection

**Background**

A very similar application for change of use to that proposed here (reference 2012/057/COU and as detailed above) was to be presented before members of the Planning Committee when they sat on 25th April 2012. This application was withdrawn shortly before the start of that meeting by the applicant in order that additional information could be submitted in an attempt to address concerns raised by your officers.

A sequential assessment of other available units within the Borough has been submitted under the current application (2012/148/COU) in order to demonstrate that the unit at Astwood Farm is the most appropriate. In addition, supporting information states that the local bus operator has undertaken to divert bus service 70 to Astwood Farm.

This application was originally scheduled to be presented before members at the 18th July 2012 Planning Committee. At that time, no details of the proposed bus route or any evidence of this commitment from the operators had been submitted. County Highways Officers requested a detailed trip generation analysis to fully assess the merits of the application which had similarly not been submitted by 18th July.

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The applicant requested that the current application be temporarily deferred from consideration by the planning committee until the above requested information had been submitted and considered. Officers agreed to this request and the additional information has now been submitted and considered.

### Assessment of Proposal

The key issues for consideration are as follows:-

#### Applying the Sequential Test

The proposed use is a leisure, and 'Town Centre' use. 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. 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.

The sequential assessment has identified all of those units currently available of the size specified on the EDU database. Of the properties listed, 9 of the 10 are located on designated employment land where Officers could not support a change of use to leisure due to loss of employment land. The remaining property lies within the Kingfisher Shopping Centre, where adopted policies would not support a change of use to a non-retail use. Further, many of the listed sites are unsuitable for an indoor play centre use due to the particular requirements of such a use (restricted floor to ceiling heights for example). Officers have concluded that the sequential test undertaken is satisfactory and that no sequentially preferable sites exist for such a use.

#### Nature of use

A children's indoor play centre use is defined as a D2 use as far as the Town and Country Planning (Use Classes) Order is concerned. Other D2 uses include (*inter-alia*) cinemas, bingo halls, ice skating rinks and swimming pools. The applicant considers that a children's play centre use would be a less intensive use than many 'other' D2 class uses, and officers would agree with this assertion to an extent (adults may go to a cinema, swimming pool without children but would not go to a children's play centre without a child). Further, the expected 75 visitors per day would include a minimum of one adult and one child per car rather than perhaps, a single adult arriving by car to use a swimming pool. The applicant has suggested in the case of members being minded to approve this application, that a condition be imposed restricting the use to a children's play centre only which would prevent an otherwise more intensive use from taking place on the site without a separate application for planning permission being considered.

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Transport Implications

The applicant expects that the site would attract approximately 75 visitors per day (including parents and children). Such figures would create in the order of 30 'in' and 30 'out' movements per day based on an average occupancy rate of 2.5 persons per car. As another example, 100 visitors per day (including parents and children) would create 50 'in' and 50 'out' movements per day based on an occupancy rate of 2.0 persons per car (one child and one adult).

It is important to consider that Building F already has consent for both B8 and B1 use. B1 (office) uses are likely to generate higher vehicle movements by car than B8 uses, as reflected in adopted car parking standards. B8 uses are likely to generate far fewer journeys by car but a far higher percentage of movements by Heavy Goods Vehicles. County Highways have been asked to compare either a B1 or B8 scenario (were the unit occupied) with that of a D2 children's playcentre use. Detailed trip figures have been submitted by monitoring vehicle movements to and from the existing Imagination Street facility at Bromsgrove. County Highways have examined this data, and have also taken into consideration the remote location of this site and the paucity of public transport routes to the site which currently exist. The applicant and your officers agree that it is reasonable to assume that the vast majority of employees and visitors would travel to the site by private car.

County Highways have concluded that there would be an overall reduction in the peak hour movements for the application site in comparison to the permitted uses. They consider that the proposal to introduce an extension to the existing bus service could furthermore reduce car borne traffic.

The local bus operator has undertaken to divert bus service 70 to Astwood Farm. At the time of writing a planning obligation is being drafted which would ensure that a service to Astwood Farm would be provided every 1 hr and 20 minutes between Monday and Saturday.

A planning obligation tying the use of the building to the provision of an extended bus service would ensure that sustainable transport modes can be utilised both by visitors to the proposed children's play centre and to existing uses at Astwood Farm.

The applicant commits to a Green Travel Plan and comments that car sharing would be encouraged wherever possible.

Impact upon nearby amenities

As stated above, Officers now consider having examined the trip generation data, that vehicle movements would be lower than they could potentially be if Building F were to be used for its consented B1/B8 uses.

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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. Vehicle movements over the weekend are likely to be higher than would be the case for a B1 use although it would still be necessary to assess whether in the order of 30 'in' and 30 'out' movements per day based on an average occupancy rate of 2.5 persons per car and 75 visitors per day would necessarily harm residential amenity. Having considered this particular aspect in detail and the fact that vehicle movements would be spread throughout the day (as opposed to at peak times etc), movements would not be considered to unduly harm the amenities enjoyed by nearby occupiers, taking into account existing largely unrestricted consents on the site. Such a use (especially when in use over the weekend period) would not place any great demands on the rural road network. Worcestershire Regulatory Services have considered any impact the use might have upon nearby amenity and have raised no objections. None of the existing businesses at this centre have raised objections to the application.

**Additional Information**

The applicant has supplied additional information in support of the application. Comments are summarised below for members' information:

The applicant states that substantial investment has been made in both Building F and the Astwood Business Park site as a whole. It is stated that Building F has been marketed for over a year with no realistic chance of letting. The applicant is keen to stress some of the wider positive advantages of the application to the area, commenting that business locally would benefit as the proposal would have a positive impact on the local economy, creating new jobs.

The applicant in particular wishes to draw the Committee's attention to Paragraph 28 of the NPPF which seeks to support a prosperous rural economy and to Paragraph 29 in which the Government recognises that different policies and measures will be required in different communities and that the opportunity to maximise sustainable transport solutions will vary from urban to rural areas.

**Conclusion**

As a leisure use, which is defined by the NPPF as a main town centre use, the proposal should ideally be in a location which can be easily accessed by sustainable transport modes and where the need to travel can be minimised. No sequentially preferable sites have been identified and are available in this case.

County Highways have confirmed that an increase in vehicle movements would not result from the proposal, taking into consideration how the building could operate under its consented use. A planning obligation has been

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prepared which would (at the applicant's expense) extend the existing number 70 bus service to Astwood Farm with a service every 1hr and 20 minutes, allowing the facility to be accessed by more sustainable modes of transport. The proposal would create a number of new jobs having a positive impact on the local rural economy in accordance with the aims of Paragraph 29 of the NPPF.

Taking all of the above matters into consideration, Officers are recommending that permission be granted for this proposal.

### **Recommendation**

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

**Either:**

- 1) That having regard to the development plan and to all other material considerations, authority be delegated to the Head of Planning & Regeneration to GRANT planning permission subject to:
  - a) A planning obligation providing an extended bus service to Astwood Farm; and**
  - b) the conditions and informatives as summarised below:****

#### **Conditions**

1. Development to commence within three years
2. Use limited to a children's play centre use only (no other D2 or other use)
3. Hours of operation specified
4. Plans approved specified
5. Green travel plan to be submitted

#### **Informatives**

1. Reason for approval
2. Drainage details to be in agreement with Severn Trent Water
3. Public Rights of Way informatives

**Or:**

- 2) In the event that the planning obligation cannot be completed by 28th September 2012:**

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- a) **Members are asked to delegate authority to Officers to REFUSE the application on the basis that without the planning obligation the proposed development would be contrary to sustainability objectives as set out within the National Planning Policy Framework and the Borough of Redditch Local Plan No.3**
  
- b) **In the event of a refusal on the ground at 2a) above, and the applicant resubmitting the same or a very similar planning application with a completed legal agreement attached to cover the points noted, authority be delegated to the Head of Planning & Regeneration to GRANT planning permission subject to the conditions stated above as amended in any relevant subsequent update paper or by Members in their decision making.**

### **Procedural matters**

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

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**PLANNING APPLICATION 2012/185/COU**

**CONVERSION AND FIRST FLOOR SIDE EXTENSION TO CREATE  
ADDITIONAL 2 BEDROOM FLAT**

**MAYFIELD STORES, SYCAMORE AVENUE, MAYFIELDS**

**APPLICANT: MR. M. FAROOQUI  
EXPIRY DATE: 30TH AUGUST 2012**

**WARD: CENTRAL**

**(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**

Property is a detached building which comprises of a former shop floor unit with living accommodation on two floors (the existing living accommodation does not form part of the application site). A single storey extension exists at the side which forms part of the former shop unit. A detached single garage exists at the side of the building. The site levels rise from the front to the rear of the property. An old apple tree exists close to the western corner of the site.

**Proposal Description**

It is proposed to convert the existing shop floor into a lounge, bedroom, kitchen and bathroom. A first floor extension is proposed above the single storey addition at the side of the building to create an additional bedroom. The extension would be finished with a pitched roof and be finished in materials to match the existing property. Windows are proposed on the front and rear elevation of the extension.

Amended plans have been submitted to show a mono pitched canopy roof on the front elevation as well as a brick porch measuring approximately 2.5 m x 1.2 m.

The application is supported by a Design & Access Statement which states that the proposal would not have an impact on the neighbouring properties and would be in keeping with the scale of the adjoining and nearby properties. Bin storage is proposed within the garden area to the side of the kitchen and parking for 2 cars will be provided.

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The application is supported by a Sustainable Energy Statement and encourages water conservation with the provision of a water butt and energy efficiency light fittings are proposed.

### **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***

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***

CS.7 The Sustainable Location of Development

B(HSG).6 Development within or adjacent to the Curtilage of an Existing Dwelling

B(BE).13 Qualities of Good Design

B(BE).14 Alterations and Extensions

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

Borough of Redditch Supplementary Planning Guidance (SPG) on Encouraging Good Design

### **Relevant Site Planning History**

2003/597 - Re-use of shop for living accommodation – Approved 11th February 2004.

### **Public Consultation Responses**

#### **Responses against**

3 comments received raising the following points:

- Impact the extension would have on light to objector's property



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- Concerns that issues regarding noise/ disturbance/ car parking may arise if property becomes a multi dwelling.
- Concerns of overlooking.

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.

**Responses in favour**

One comment received: Location of the Stores property is a corner site with ample space around the building. Increasing living facilities would help to keep the premises safe.

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

No objection to proposal

***Worcestershire Regulatory Services***

Recommend conditions referring to hours of construction, and no burning on site.

***Severn Trent Water***

No objection subject to a condition regarding drainage details.

**Assessment of Proposal**

The key issues for consideration in this case are:

**Principle**

The site is within the urban area and is undesignated in the Borough of Redditch Local Plan No. 3. However, the area is predominantly residential. Therefore, the principle of converting the former shop to a self contained flat is acceptable. Given the urban location of the site, which is preferable sequentially to more remote sites, the proposal would comply with policy CS.7 of Local Plan No.3.

In addition, planning permission was granted in 2004 to convert the shop floor only into a self contained flat but was never implemented, but is a material consideration.

**Design and Layout**

The original design of the building has a very domestic appearance to it, (it does not comprise of a traditional shop frontage). Therefore, the conversion would work well for this building. As a result of converting the premises an extension is proposed above a single storey addition at the side of the shop. The design of the extension would be in scale and character with the original building.

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At present there is a plain plastic fascia board on the front elevation where the former shop sign would have been. In addition, the down lighters that would have lit the sign are still in situ on the front elevation. Also, a timber sign exists at the side of the building. These elements of shop paraphernalia would need to be removed and a condition is proposed to require this. However, the plastic fascia on the front elevation does not enhance the front elevation of the property. Officers have suggested that a mono-pitched canopy roof be considered, a porch was also suggested in order to provide better facilities for the accommodation. Amended plans have been submitted showing these amendments that help to improve the building overall in respect to the streetscene.

Objections have been made to the proposal regarding overlooking, loss of light, and potential noise and disturbance issues.

The Council's SPG on Encouraging Good Design recommends a spacing standard of 22 metres between the rears of properties directly facing each other, although this distance can be reduced if houses are offset from each other. Officers clarify that the spacing at the rear is approximately 21 metres and due to the orientation of the property in relation to the neighbouring properties, they are offset with each other. Taking into consideration the distance, the orientation and the site levels of the building and neighbouring dwellings, it is unlikely that the proposal would have a detrimental impact on the amenities of the neighbouring properties in respect to overlooking and loss of light. Officers would confirm that the proposal would comply with the Council's SPG on Encouraging Good Design and policies B(BE).13 and B(BE).14 of the Borough of Redditch Local Plan No.3.

**Landscaping and Trees**

An old apple tree exists in the corner of the application site and its canopy overhangs the neighbouring property. The neighbouring occupier has verbally requested that the tree be removed as it may improve his outlook but also the tree does overhang his rear garden. Officers would not normally encourage the removal of trees as they do aid in providing a screen to new development. However, the tree is not a good specimen, and whilst the proposed amenity provision for the proposal complies with the Council's SPG on Encouraging Good Design, the removal of the tree would create more useable garden space.

**Highways and Access**

The plans submitted show a garage space and car parking in front of it. The County Highway Network Control has no objection to the proposal and this meets current standards.

**Conclusion**

The proposal would be in keeping with the general land use in the locality, and the proposed extensions would enhance the property and the

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streetscene. Whilst there have been objections to the proposal in relation to loss of light / overlooking etc. the proposal would comply with the Council's guidelines set out in the SPG on Encouraging Good Design and policies B(BE).13 and B(BE).14 of the Borough of Redditch Local Plan No.3.

### **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. Limited hours during construction.
4. Car parking provision during construction.
5. No burning on site.
6. Former shop paraphernalia to be removed before the development first brought into use.
7. Approved plans specified.

### **Informatives**

- 1 Reason for approval.
- 2 Drainage details to be submitted.

### **Procedural matters**

This application is reported to Planning Committee for determination because there have been more than two objections to the application.



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### **PLANNING APPLICATION 2012/209/FUL**

#### **CONVERSION AND EXTENSION OF BUILDING TO FORM SIX FLATS**

**VICTORIA HOUSE: 10 - 12 FECKENHAM ROAD, ASTWOOD BANK,  
REDDITCH**

**APPLICANT: CHARLES MARTIN HOMES**  
**EXPIRY DATE: 24TH SEPTEMBER 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**

The site lies to the northern side of Feckenham Road, approximately 100 metres due west from 'Bank stores' which is situated just to the west of the Feckenham Road / Evesham Road / Sambourne Lane crossroads to the north of Astwood Bank. The immediate area contains a mix of commercial and residential uses including a public house to the west of the site, a doctor's surgery, a post office / stores to the east and the residential cul-de-sac Beverley Close immediately beyond the northern boundary of the site. The application site itself contains the offices of Huntley Funeral Services, a large two storey rectangular building of brick and tile construction dating from the late 1950s period. The building contains approximately 320 square metres of floorspace. A large garage of irregular shape measuring approximately 200 sqm is situated to the rear. The remainder of the site is formed of part gravelled hardstandings and an overgrown and unkempt grass and scrub area. An existing access into the site is situated near to the junction of Feckenham Road and Queen Street at a point between number 14 Feckenham Road and an electricity sub-station. This access leads to the rear of the site. A second access exists immediately in front of the entrance to the Huntleys building at a position between the sub-station and the doctor's surgery to the east.

#### **Proposal Description**

It is proposed to demolish the single storey garage building referred to above and to convert the main two storey office block to form two one bedroom and four two bed roomed flats. The existing building would be extended by 50 sqm at the front with a two storey gable extension and a single storey porch / front entrance. A new external open entrance with steps would be provided at the rear. A total of 13 car parking spaces would be provided on site (10 to the rear and 3 to the frontage). Access to the parking spaces would be via the two existing accesses as referred to above. A new detached single storey secure refuse / recycling and cycle store would be provided to the rear. The

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remainder of the site would be used as grassed amenity space for residents totalling in excess of 560 sqm.

The application is supported by a Design & Access Statement and an agreement to enter into a planning obligation.

**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***

The National Planning Policy Framework (NPPF)

***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***

CS.6	Implementation of Development
CS.7	The Sustainable Location of Development
S.1	Designing Out Crime
B(HSG).6	Development within or adjacent to the curtilage of an existing dwelling
B(BE).13	Qualities of Good Design
B(BE).19	Green Architecture
B(RA).8	Development at Astwood Bank
C(T).12	Parking Standards

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

Encouraging Good Design  
 Designing for Community Safety  
 Planning obligations for education contributions  
 Open space provision

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**Relevant Site Planning History**

<b>Appn. no</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
2012/129/FUL	Conversion and extension to form 10 flats	Application Withdrawn	28th June 2012

**Public Consultation Responses****Responses in favour**

Two letters received commenting that the conversion of such buildings to residential uses should be encouraged since it would add numbers to the RBC housing stock. Parking at two spaces per flat would be acceptable.

**Responses against**

Three letters received in objection to the proposals. Comments summarised as follows:

- Proposal would create too much traffic in an already congested area
- Loss of green area, and wildlife
- Over-intensive development
- Noise concerns
- Privacy enjoyed by nearby residents would be affected
- Would result in loss of light to properties

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

No objection subject to conditions concerning access, turning and parking

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

No objection. Suggests that conditions be applied to restrict hours of construction work on site in order to safeguard nearby residential amenities

***Severn Trent Water***

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

***Worcestershire County Education Service***

If development goes ahead, there will be a need for a contribution towards local education facilities

***RBC Community Safety Officer***

No objection

**Assessment of Proposal**

The key issues for consideration in this case are considered to be:

- a) The design and appearance of the proposals
- b) The impact of the development upon nearby residential amenities
- c) The impact of the proposals on highway safety

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- d) Sustainability
- e) Planning Obligation requirement

The location of the site, within the Astwood Bank Village Settlement is considered to be sustainable. It is situated in close proximity to the village amenities including schools, shops and bus stops. The site is not designated for any particular use in the local plan but a residential use on the site is acceptable in principle given that the surrounding area contains a mix of commercial and residential uses.

**Design and appearance**

Policy requires that the appearance of the proposal, its layout and separation distances be considered, in terms of within the site and in context with surrounding built form. The proposed development represents a conversion of an existing building other than for a small single storey entrance to the building, adjacent to what would be a two storey gable situated towards the centre of the south (Feckenham Road) facing elevation.

The gable extension would protrude no more than 4 metres from the front elevation of the existing building and would be well set back from Feckenham Road (in excess of 12 metres). This two storey element would have a ridge height set one metre below that of the existing two storey office building, and would have a low, pitched roof to match the existing roof form. Officers consider that the addition of these two storey and single storey elements would actually break up and add interest to what is a rather bland and monolithic rectangular building. The scale, massing and appearance of the extensions complement the scale of the existing building and are therefore considered to be acceptable.

**Impact on residential amenity**

Some new windows are proposed in order to provide daylight to habitable rooms, the main alteration being to that of the existing blank, west facing gable where four new windows are proposed. However, the insertion of these windows would not give rise to a loss of amenity by virtue of any overlooking effect. There are existing windows at first floor level in the north facing elevation of the building. Windows to this elevation would continue to overlook into rear gardens in Beverley Close, although the distance between windows serving existing residential development and the proposed development would easily exceed the Councils minimum distance of 22m with such separations ranging between 35m and 40m.

Amenity space provided on site for future residents would take the form of a large grassed area which would include the provision of new trees. Details would be agreed by means of a recommended planning condition. Officers consider that this would enhance what is a poorly maintained and overgrown area. This provision would comply with the Councils SPG on Encouraging Good Design.



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The existing building has been used on a relatively 'low key' basis being open between 11:00am and 3:00pm Monday to Friday and not being open on Saturdays/Sundays. It is important to consider that the building could be let to another commercial occupier in the future who could operate more intensively, given the lack of any restrictive conditions. Officers do not consider that the amenities enjoyed by the occupiers of Beverley Close to the rear would be harmed by a change of use from a commercial to a residential use. The proposed car parking spaces would be located a minimum of 7m and a maximum of 12m from the rear gardens of these properties, and the removal of the large garage building which would need to be demolished in order to accommodate the parking spaces would be of benefit to the visual amenities of the area.

Officers do not consider that any loss of light which might harm nearby amenity would occur from the erection of the two storey extension to the front of the building. This would be lower in height than the existing building and set back 12 metres from the road. It is important to consider that many buildings to the northern side of Feckenham Road, such as No.14, a part of the doctor's surgery and Bank Stores are positioned either right on to pavement or set back only slightly from the highway.

Clearly many forms of new built development have the potential to disturb and inconvenience nearby occupiers during the construction phase. In the case of permission being granted for this development, it is recommended that hours of operation on site be restricted by condition. Action can be taken separately and immediately by Environmental Health Officers under the Environmental Protection Act if a statutory nuisance is considered to exist.

The proposals are therefore considered to comply with Policies B(BE).13 and B(HSG).6 of the Borough of Redditch Local Plan No.3.

**Highways and Access**

The proposed development would provide a total of 13 car parking spaces across the whole of the site. Such provision accords with highway standards and with Policy C(T).12 of the Borough of Redditch Local Plan No.3. County Highway Network Control has no objection to the use of the existing vehicular accesses together with the proposed car parking provision and arrangements which would allow vehicles to enter and exit the site in a forward gear. Conditions are recommended which are considered reasonable to impose.

**Sustainability**

It is important to note that the development is located within the village settlement of Astwood Bank, which is considered to be a sustainable location. The location of the site enables it to be in close proximity to village amenities, shops, post office, public houses, public transport links and local schools, reducing reliance on the motor car.

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Secure storage for bicycles would be provided within the scheme enabling their use for practical or leisure purposes.

By virtue of the demolition of the existing detached garage building to the rear, a greater area of green open space would be created and permeable surfacing would be used in the creation of the new car parking area benefiting surface water drainage on site. Rainwater harvesting would be employed for use on soft landscape watering.

### Planning Obligation

The size of the proposed development is above the policy threshold for requiring contributions which should be sought via a planning obligation which in this case would cover:

- A contribution towards playing pitches, play areas and open space in the area, due to increased demand/requirement from future residents in compliance with the SPD; and
- A contribution towards County education facilities. The County have confirmed that there is a need in this area to take contributions towards three schools: Astwood Bank First School, Ridgeway Middle and Kingsley College

### Conclusion

Assuming that the planning obligation is completed in accordance with the policy framework, it is considered that the proposed development would accord with sufficient policy criteria and objectives to result in a favourable recommendation. It is not considered likely that the proposed development would result in harm to amenity or safety.

### Recommendation

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

**Either:**

- 1) **That having regard to the development plan and to all other material considerations, authority be delegated to the Head of Planning & Regeneration to GRANT planning permission subject to:**
  - a) **A planning obligation ensuring that the County are paid appropriate contributions in relation to the development for education provision, and that Redditch Borough Council receives contributions towards playing pitches, play areas**

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**and open space provision in the locality to be provided and maintained; and**

**b) the conditions and informatives as summarised below:**

Conditions

1. Development to commence within three years
2. Details of materials (walls and roofs) to be submitted
3. Landscape scheme including details of boundary treatment to be submitted
4. Landscape scheme including details of boundary treatment to be implemented in accordance with approved details
5. Limited working hours during construction period
6. Access, turning and parking
7. New parking areas to be constructed using permeable materials
8. Plans approved specified

Informatives

1. Reason for approval
2. Drainage details to be in agreement with Severn Trent Water
3. Highway Note 4
4. Highway Note 5

**Or:**

**2) In the event that the planning obligation cannot be completed by 24th September 2012:**

**a) Members are asked to delegate authority to officers to REFUSE the application on the basis that without the planning obligation the proposed development would be contrary to policy and therefore unacceptable due to the resultant detrimental impacts it could cause to community infrastructure by a lack of provision for their improvements; and**

**b) In the event of a refusal on the ground at 2a) above, and the applicant resubmitting the same or a very similar planning application with a completed legal agreement attached to cover the points noted, authority be delegated to the Head of Planning & Regeneration to GRANT planning permission subject to the conditions stated above as amended in any relevant subsequent update paper or by Members in their decision making.**

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**Procedural matters**

This application is being reported to the Planning Committee because the recommendation is that permission be granted subject to a planning obligation. Further, two or more letters have been received in objection.

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### **ENFORCEMENT ACTIVITY – SIX MONTH UPDATE**

This report provides information in relation to statistics showing enforcement activity for the previous six months.

#### **Recommendation**

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

#### **Financial, Legal, Policy, Risk and Climate Change Implications**

##### Financial

There are no direct financial implications in the reports.

##### Legal

Legal implications are as detailed in the reports and as set out in the following Acts (as amended):-

Town and Country Planning Act 1990.  
Planning and Compensation Act 1991.  
Planning and Compulsory Purchase Act 2004.  
Town and Country Planning (Control of Advertisements) Regulations 2007.  
Anti-Social Behaviour Act 2003.  
Human Rights Act 1998.  
Crime and Disorder Act 1998.

##### Policy

Policy implications are as detailed in individual reports, the Council's Planning Enforcement Policy, the National Planning Policy Framework (NPPF) and as set out in the Borough of Redditch Local Plan No. 3.

##### Discussion

Planning Committee has asked that detailed information is provided on a six-monthly basis with regard to the use of delegated enforcement powers, notable closed cases and enforcement activity in general.

The report comes in the form of two appendices:

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Appendix 1 Review of enforcement activity for the period January to June 2012

Appendix 2 Review of delegated authorisations and notable results for the period January to June 2012

The author of this report is Iain Mackay (Senior Enforcement Officer) who can be contacted on extension 1301 (e-mail:- [iain.mackay@bromsgroveandredditch.gov.uk](mailto:iain.mackay@bromsgroveandredditch.gov.uk)) for more information

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APPENDIX 1

ENFORCEMENT ACTIVITY

<u>Period:</u>	<u>01/01/12</u>	To:	<u>30/06/2012</u>
Enforcement Complaints registered	→→		124
Caseload at 30.06.2012	→→		62
<b>Cases closed</b>	→→		120
Closed - ceased	→→		32
Closed - PP obtained	→→		3
Closed - no evidence	→→		15
Closed - permitted development	→→		19
Closed - No Planning issues	→→		29
Closed - Not expedient/other reasons	→→		22
Closed - Notice complied with	→→		0
Enforcement notices	→→		0
Stop notices	→→		0
Temporary stop notices	→→		0
S.215 untidy land notices	→→		0
Breach of condition notices	→→		2
Planning contravention and S.330 notices	→→		5
High Hedge remedial notices	→→		0
Tree replacement notices	→→		0
<b>Number of Notices issued</b>	→→		7
Prosecutions initiated	→→		1
Convictions obtained	→→		1
Injunctions granted	→→		0
Injunctions refused	→→		0
Enforcement appeals received	→→		0
Enforcement appeals dismissed	→→		0
Enforcement appeals allowed	→→		0

Iain Mackay  
Senior Enforcement Officer

Date:

30/06/2012





## APPENDIX 2

6 Monthly enforcement update and review of notable cases, use of delegated powers and other ongoing matters. January - June 2012							
Date of complaint	Location	Alleged Breach	Authorised	Committee/ Delegated	Action taken	Date closed / For review	Status
05/02/2008	Clive Works, Edward Street	Condition of property	Section 215 Notice	Committee	Notice issued	06/09/2012	<b>Still subject to probate</b>
25/01/2010	Church Green West, Jade Garden	Condition of property	Section 215 Notice	Delegated	CASE CLOSED	30/07/2012	<b>Notice complied with</b>
12/07/2011	Astwood Business Park, Astwood Bank	Car sales	Enforcement Notice	Delegated	CASE CLOSED	31/07/2012	<b>Ceased</b>
21/07/2011	Glover Street Garages, Smallwood	Condition of property	Setion 330 Notice	Delegated	CASE CLOSED	11/07/2012	<b>Land cleared and gated</b>
24/08/2011	Enfield Industrial Estate, Windsor Road	Unauthorised retail sales	Enforcement Notice	Delegated	CASE CLOSED	30/07/2012	<b>No further retail activity</b>
12/12/2011	Spice Fusion, Evesham Road, Astwood Bank	Non-compliance with conditions	Breach of Condition Notice	Delegated	CASE CLOSED	30/07/2012	<b>Currently no breach</b>
20/01/2012	Persimmon Homes site, Brockhill	Non-compliance with hours of work conditions - mud on road	No decision	Delegated	Pending	06/09/2012	<b>Under investigation</b>
02/03/2012	Bromsgrove Road, Town Centre	Construction of building without permission and use as flats	Enforcement Notice	Delegated	CASE CLOSED	20/08/2012	<b>CLEUD granted</b>
27/04/2012	Berrington Close, Ipsley	Use of property to operate a taxi business	No decision	Committee	Pending	06/09/2012	<b>Complaint with Chief Exec</b>
16/06/2012	Crumpfields Lane	Riding School	Enforcement Notice	Delegated	Pending	06/09/2012	<b>Discussions with Legal Services</b>
31/07/2012	Fenwick Close, Headless Cross	Condition of property	Section 215 Notice	Delegated	Pending	06/09/2012	<b>New case - warning letter</b>

