

Planning Committee

Wed 20th Nov
2013
7.00 pm

Council Chamber
Town Hall
Redditch



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Access to Information - Your Rights

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Your main rights are set out below:-

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- 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.

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- 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:

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REDDITCH BOROUGH COUNCIL
PLANNING COMMITTEE



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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.



PLANNING

Committee

27th November 2013

7pm

Council Chamber Town Hall

Agenda

Membership:

Cllrs: Andrew Fry (Chair) Roger Hill
Alan Mason (Vice-Chair) Wanda King
Joe Baker Brenda Quinney
Roger Bennett Yvonne Smith
Michael Chalk

1. Apologies	To receive apologies for absence and details of any Councillor nominated to attend the meeting in place of a member of the Committee.
2. Declarations of Interest	To invite Councillors to declare any Disclosable Pecuniary Interests or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.
3. Confirmation of Minutes (Pages 1 - 6)	To confirm, as a correct record, the minutes of the meeting of the Planning Committee held on 23rd October 2013. (Minutes attached)
4. Planning Application 2013/168/COU - 28 Crossgate Road, Redditch, Worcestershire, B98 7SN (Pages 7 - 14) Head of Planning and Regeneration	To consider a Planning Application for a Change of Use to D2 for an indoor skate Park. Applicant: Mr Dom Wynne (Report attached – Site Plan under separate cover) (Greenlands Ward)
5. Planning Application 2013/215/FUL - 137 Enfield Road, Redditch, Worcestershire B97 5NF (Pages 15 - 18) Head of Planning and Regeneration	To consider a Planning Application for the removal of existing ground floor structure (Conservatory) and replace with proposed two storey extension. Applicant: Mr Jamie Millham (Report attached – Site Plan under separate cover) (Astwood Bank & Feckenham Ward)

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<p>6. Planning Application 2013/223/FUL - Haldex Brakes Ltd, Moons Moat Drive, Redditch, Worcestershire B98 9HA</p> <p>(Pages 19 - 24)</p> <p>Head of Planning and Regeneration</p>	<p>To consider a Planning Application for the construction of a Cold Storage Depot with associated offices, plant room and site security office.</p> <p>Applicant: Mr Anthony Howard</p> <p>(Report attached, Site Plan under separate cover)</p> <p>(Church Hill Ward)</p>
<p>7. Planning Application 2013/233/EXT - 25 Milton Close, Redditch, Worcestershire B97 5BQ</p> <p>(Pages 25 - 28)</p> <p>Head of Planning and Regeneration</p>	<p>To consider an Extension of Time Application for proposed single and two storey extensions and alterations approved under Planning Application 2010/132/FUL.</p> <p>Applicant: Mr Naheem Khan</p> <p>(Report attached, Site Plan under separate cover)</p> <p>(Headless Cross & Oakenshaw Ward)</p>
<p>8. Planning Application 2013/261/FUL - Ocean House, 9B Oxleasow Road, Redditch, Worcestershire B98 ORE</p> <p>(Pages 29 - 36)</p> <p>Head of Planning and Regeneration</p>	<p>To consider a Planning Application for extensions to an existing sea food production facility, together with associated car parking and service areas.</p> <p>Applicant: Blue Earth Foods Limited</p> <p>(Report attached, Site Plan under separate cover)</p> <p>(Winyates Ward)</p>

9. 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”.

10. 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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23rd October 2013

MINUTES

Present:

Councillor Andrew Fry (Chair), Councillor Alan Mason (Vice-Chair) and Councillors Joe Baker, Roger Bennett, Michael Chalk, Roger Hill, Brenda Quinney, Yvonne Smith and Pat Witherspoon (substituting for Councillor Wanda King)

Officers:

S Edden, A Hussain, D Parker-Jones and A Rutt

Committee Services Officer:

J Smyth

49. APOLOGIES

An apology for absence was received on behalf of Councillor Wanda King.

50. DECLARATIONS OF INTEREST

Councillor Alan Mason declared an Other Disclosable Interest in Item 4 - Planning Application 2013/143/COU (272 Evesham Road, Headless Cross), as detailed in Minute 52 below.

Mr Amar Hussain (Legal Services advisor to the Committee) reported on a matter relating to Item 7 (Planning Application 2013/195/FUL – 34 Hither Green Lane, Redditch), as detailed in Minute 55 below.

51. CONFIRMATION OF MINUTES

RESOLVED that

the minutes of the meeting of the Planning Committee held on 25th September 2013 be confirmed as a correct record and signed by the Chair.

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Chair

- 52. PLANNING APPLICATION 2013/143/COU - 272 EVESHAM ROAD, REDDITCH**
Change of use to provide additional surgery space at first floor and ancillary office / storage space.

Applicant: Kingfisher Dental Practice

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

Mr S. Vick – objector
Mr B Gandy – objector
Mrs E Mitchell – Applicant's Agent.

RESOLVED that

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

“The proposed increase in the number of surgeries/treatment rooms from 3 to 5 would result in a consequential requirement for additional car parking to be provided at the site. The failure to achieve an adequate level and standard of car parking to serve the proposed development would result in the displacement of vehicle parking within the adjoining public highway which would be detrimental to highway safety and nearby residential amenities being contrary to Policies B(BE).13 and C(T).12 of the adopted Borough of Redditch Local Plan No. 3 and the provisions of the National Planning Policy Framework (NPPF) “

(Having considered the report, speaker representations and Update report relating to further public representations received and a proposed additional condition, provided for Members and the public gallery prior to the meeting commencing, Members expressed concerns in regard to the proposal not meeting the Council's required parking standards and further considered that the increase would be detrimental to the amenity of local residents and traffic flows along a very busy road.

In view of these issues, the Committee refused the Application for the reason stated in the resolution above.)

(Prior to consideration of this Item, Councillor Alan Mason declared an other disclosable interest in view of the fact that he was a registered patient of the Kingfisher Dental Practice, the Applicant. Councillor Mason withdrew from the meeting and took no part in its consideration or voting thereon.)

**53. PLANNING APPLICATION 2013/170/FUL –
6 MOUNT PLEASANT, REDDITCH,
WORCESTERSHIRE B97 4JB**

Change of Use of ground floor from
Class A1 Retail to A5 Hot Food Takeaway

Applicant: Mr S Khan

Ms H Gibbs, objector and Mr Farooqui, on behalf of 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.

**54. PLANNING APPLICATION 2013/173/FUL –
UNIT 12 WINYATES SHOPPING CENTRE,
REDDITCH, WORCESTERSHIRE B98 ONR**

Change of use from shop unit (A1) to a community facility
to provide training / workshops with ancillary office.

Applicant: Ms Liz Williams

RESOLVED that

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

(The Committee noted an Update Report which detailed various additional Consultee responses received subsequent to the agenda being published.)

(During the course of the discussion, the Committee was informed that the unit appeared to have been fitted out and was already being used for the proposed purpose without the benefit of planning permission. Officers were requested to liaise with other relevant services of the Council and advise them of the procedures for Planning Applications.)

**55. PLANNING APPLICATION 2013/195/FUL –
34 HITHER GREEN LANE, REDDITCH,
WORCESTERSHIRE B98 9BW**

Proposed balcony, proposed conversion of garage into
bedroom and amendment to Planning Permission 2010/121

Applicant: Dr Ananthram

RESOLVED that

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

(Prior to consideration of this matter, and for the purpose of clarity only, Mr Amar Hussain (Legal Services advisor to the Committee), notified Members that he was a patient of Dr Ananthram, the Applicant.)

**56. PLANNING APPLICATION 2013/242/S73 –
UNIT 9 MATCHBOROUGH CENTRE,
MATCHBOROUGH WAY, REDDITCH**

Section 73 Application: removal of Condition 2 of
Planning Approval 2010/244/COU to allow
wholly A5 (hot food takeaway) consent and to allow
all types of hot food to be sold on the site for
consumption off the premises

Applicant: Mr F Dadash

Mr T Ellinas, objector and Mr W Vincent, Agent for 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, authority be delegated to the Head of Planning and Regeneration Services to REFUSE Planning Permission, following the expiry of the consultation period on 31st October 2013 for the reason stated in the main report.

(The Committee noted an Update on the matter, provided for Members and the public gallery prior to the meeting, in regard to

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further additional public representations received and Officer responses.)

The Meeting commenced at 7.00 pm
and closed at 8.27 pm

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CHAIR

REDDITCH BOROUGH COUNCIL**PLANNING
COMMITTEE**

20th November 2013

Planning Application 2013/168/COU**Change of use to D2 for an indoor skate park****28 Crossgate Road, Redditch, Worcestershire, B98 7SN****Applicant: Mr Dom Wynne
Expiry Date: 26th September 2013
Ward: GREENLANDS****(see additional papers for Site Plan)**

The author of this report is Steven Edden, Planning Officer (DM), who can be contacted on Tel: 01527 548474 Email: steve.edden@bromsgroveandredditch.gov.uk for more information.

Site Description

The site is located in a Primarily Employment Area within the Crossgate Road Industrial Estate and forms part of a cul de sac of similarly designed factory units. The unit, which is the end of a terrace of four, has a personnel door entrance and roller shutter door to its front, east facing elevation beyond which, within the curtilage of the property is a hardsurfaced area, used for vehicle deliveries / unloading. The unit itself is formed of a steel portal frame with part brick, part grey metal clad walls with an insulated metal clad panel roof. Whilst the site contains no in-curtilage demarked car parking, two larger demarked communal car parking areas serving the whole of the Crossgate Road Industrial Estate are situated to the north and south, approximately 60 metres and 50 metres away respectively.

Proposal Description

Permission is sought to change the use of a currently vacant single factory unit into an indoor skate park. The floorspace of the unit to be changed would be 574 square metres. Such a use is defined as a Leisure use (Class D.2) under the Town and Country Planning (Use Classes) Order 1987 as amended. No internal or external works are proposed.

Hours of opening are proposed to be as follows:-

Monday to Friday	15:30 - 21:00
Saturday	10:00 - 22:00
Sunday and Bank Holidays	11:00 - 17:00

Relevant Planning Policies**National Planning Policy Framework (NPPF)****Borough of Redditch Local Plan No.3**

CS.7 The Sustainable Location of Development
E(EMP).3 Primarily Employment Areas

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E(EMP).3a	Development Affecting Primarily Employment Areas
E(TCR).1	Vitality and Viability of the Town Centre
E(TCR).4	Need and Sequential Approach
C(T).12	Parking Standards
S.1	Designing out crime

Supplementary Planning Guidance / Supplementary Planning Documents

Employment Land Monitoring
Designing for community safety

Other relevant corporate plans and strategies

Town Centre Strategy (TCS)
Redditch Economic Development Strategy

Relevant Planning History

None

Consultations

Development Plans

Comments summarised as follows:

- o The unit is located in a 'Primarily Employment Area'. Borough of Redditch Local Plan No.3 Policy E(EMP).3 would apply. This policy states that acceptable uses in this area will normally be B1, B2 & B8. The proposed use is D2. Therefore the proposal would need to meet the criteria contained in the policies to demonstrate why non-employment development should be permitted.
- o It is considered that the proposed use falls within the NPPF definition of 'main town centre uses' (NPPF Annex 2: Glossary). Paragraph 24 of the NPPF requires applications for main town centre uses to be located in town centres, then edge of centre locations and only if suitable sites are not available should out of centre sites be considered. A Sequential Test needs to be carried out to determine if there are any suitable sites in Redditch town or district centres or on the edge of the centre. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre.
- o Borough of Redditch Local Plan No.3 Policies (CS7, E(TCR).1) echo the national policy by directing leisure uses/uses that attract a lot of people to the town centre in the first instance.

Economic Development And Regeneration Service

Comment that the location of the application is within a cul de sac that is comprised of traditional industrial units. The unit is of a good size for employment uses and is valuable in respect to creating a mixed portfolio of employment land for the Borough. Therefore keen to retain for B class uses.

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Area Environmental Health Officer (WRS)

Insufficient information has been submitted to accompany the application As such, WRS cannot make any detailed comments

Highway Network Control

No Objection

Police Crime Risk Manager

Comments awaited

Public Consultation Response

Public Consultation responses

One letter received in objection. Comments received are summarised below:

- o This area is designated for Industrial uses only not for the use proposed under this application
- o This Industrial area is both busy and extremely confined. The occupants of the units experience constant and frequent traffic - much of it HGVs but including forklift truck movements carrying industrial products. The introduction of members of the public, with or without vehicles constitutes an unacceptable risk of serious accidents
- o Although the intention is for the public to park in the adjacent parking areas, in practice this will not happen and members of the public will try to park much nearer to Unit 28 which will both be dangerous and will affect the efficient running of nearby businesses
- o The security of the area will be severely compromised, particularly at weekends and after normal working hours
- o We operate a skip for the disposal of waste packaging which cannot be locked permanently because of the emptying schedule of our contractor. The public are likely to use it for fly tipping as the public realise its accessibility

Assessment of Proposal

The key issues for consideration in this case are:-

Principle of Change of Use

One of the Core Planning Principles in the NPPF states that planning should proactively drive and support sustainable economic development to deliver business and that every effort should be made to meet the business and development needs of an area. Due to the size of the unit it is likely that such industrial floorspace would generally be sought after by businesses and therefore, should remain available for potential B1/B2/B8 users.

The NPPF states that investment in business should not be over-burdened and opportunities should be available to support existing business sectors in respect to expanding or contracting. Occupying the unit with a leisure facility restricts the availability of this size unit for existing business sectors who may wish to expand in the area.

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The NPPF seeks to ensure that town centres are promoted as a positive, competitive town centre environment and includes leisure uses (as is proposed here) as one of the uses that should be promoted in a town centre location.

The NPPF still applies a sequential test for proposals that are town centre uses but are proposed outside the town centre.

In this case, the application has not been supported by any information which suggests that a sequential test of alternative sites has been carried out.

Officers consider that therefore, the applicant has not adequately addressed the requirements of the sequential test to warrant the site to be used for a town centre facility. Under Para. 27 of the NPPF it clearly states that where an application fails to satisfy the sequential test it should be refused.

The NPPF also requires adequate, up to date evidence about the economic and environmental characteristics and prospects of the area in order to assess the existing and future supply of land available for economic development and its sufficiency and suitability to meet identified needs. An annual update report has been compiled by the LPA - Redditch Borough Employment Land Review Update 2011. The summary of that report concludes that there is a large land supply issue with regard to meeting employment needs in the Borough. Therefore, it is imperative that the site remains available for potential employment users.

The site is within an area designated for Primarily Employment Uses in the Borough of Redditch Local Plan No.3 where the primary aim of Policy E(EMP).3 is to maintain uses within Classes B1 (Business), B2 (General Industry) or B8 (Storage or Distribution). The change of use of this unit to an indoor skate park (Class D2) would be detrimental to the aims and objectives of E(EMP).3 of Local Plan No.3.

Policy E(EMP).3 states that non-employment development within Primarily Employment Areas will only be considered where it can be demonstrated that the loss of the site will not have an unacceptable impact on the supply of employment land within the Borough and that the use is compatible with the use of adjacent land for employment purposes. It should also be demonstrated that the site is not capable of being developed for employment use. Further, the applicant has not demonstrated that the current use of the site for employment purposes raises unacceptable environmental or traffic problems. Officers consider that the application is contrary to all of the points detailed under this policy.

The proposal would also be contrary to Policy E(EMP).3a which requires development to be compatible with the use of Primarily Employment Areas. This application would restrict the current and future use of this site for employment purposes. As this location is a primarily employment area, the proposed leisure use would attract a large number of people which could have various amenity implications on the surrounding uses as well as having a high demand for parking. Officers concur with the contents of the letter received

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in objection to the application (as detailed above) in that this use would not be compatible with the existing surrounding employment uses.

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. The proposed development, being one such use would be ideally suited to a town centre site rather than an out of centre location such as the application site, which has relatively poor public transport links. The proposal is therefore considered to be unsustainably located having regard to that Policy. In addition, the proposal would not comply with Policy E(TCR).1 which seeks to maintain and enhance the vitality and viability of the Town Centre by encouraging a wide range of facilities such as retail, commercial, public offices, community facilities, entertainment and leisure. This application is contrary to this policy as it has not fully considered the use of the town centre for this facility as per the policy requirement. Given that this use would attract a large volume of people, it is appropriate that it be provided in a town centre location, therefore, the approval of this use outside of the town centre would be contrary to Policy E(TCR).1 which seeks to maintain and enhance the vitality and viability of the town centre.

The Supplementary Planning Guidance on Employment Land Monitoring (2003) makes a clear distinction between redundant employment land and unoccupied employment land. There is a reasonable expectation that this site will be reused for employment purposes and as such should still form part of the employment land portfolio until all other aspects of the SPG are fulfilled and the current Development Plan no longer requires the site for employment purposes. However, as there is an acute shortage of employment land within the Borough it is very unlikely this situation will occur.

It is important to note that planning application 2011/282/COU (for a leisure use, albeit a proposed gymnasium rather than a skate park, at Trafford Park - 19 Trescott Road) was refused planning permission for similar reasons. Emphasis at that time was placed on the fact that the site had been unoccupied for a considerable period of time and that there were no town centre locations available for the use. The applicant appealed against the Council's decision and the proposal was also dismissed at appeal. The site is now occupied by an employment use. Unit 28 Crossgate Road, the site of this application has been vacant for only a comparatively short period of time (since 30th June 2013).

Highways and Parking

The proposal would utilise the communal car parking facilities to the north and south of the site as set out under the site description section earlier in this report. Members will note that County Highway Network Control have raised no objection based on the availability of these parking areas, although your officers concur in part with the objection letter received which comments that in reality, the public may park nearer to the entrance of Unit 28 for pick up / drop off purposes in which case the proposed operation of this use would not be compatible with the efficient running of surrounding employment businesses and would therefore be contrary to Policy E(EMP).3a as referred to earlier.

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Conclusion

The proposal would be on land allocated for primarily employment use and would take away the availability of employment land that is sought after in the Borough to meet the Council's strategic employment requirements and would be contrary to policies in the Local Plan No.3. In addition, the proposed use ought to be located in the town centre given the nature of the use and the volume of people who would use it. Such a use in the town centre would maintain its vitality and viability. Locating a leisure use outside of the town centre would have a detrimental impact on the centre and would conflict with Local Plan policies. Given that the proposal is not located within the town centre or the edge of centre, a sequential assessment is required. No such assessment has been carried out in this case and as such the proposal fails to address policy.

There is also a concern that the provision of a leisure facility in the middle of an employment complex would not be compatible with the surrounding employment units, and could have an impact on amenity in the area.

For the above reasons, officers consider that the proposal should be resisted.

RECOMMENDATION:

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

1. The proposed change of use to an indoor skate park (Class D.2) would result in a loss of land designated for employment uses (B1, B2, and B8). In the absence of any justification for this loss, the proposal is considered to be harmful to the employment land supply for the Borough and would be contrary to Policy E(EMP).3 of the Borough of Redditch Local Plan No.3. The proposal would also conflict with the principles of the National Planning Policy Framework.
2. The provision of an indoor skate park (Class D.2) in a designated Primarily Employment Area would hinder the amenities of the adjacent employment units and as such would not be compatible with the potential and existing employment uses in this complex and as such would be contrary to Policy E(EMP).3a of the Borough of Redditch Local Plan No.3.
3. Insufficient information and evidence has been submitted to justify the location of a leisure use outside the town centre. The application fails to address the sequential assessment required under Paragraph 24 of the National Planning Policy Framework and Policies E(TCR).4 and CS.7 of the Borough of Redditch Local Plan No.3.
4. The provision of a leisure use (Class D.2) in a location outside of the town centre would by its very nature, have a detrimental impact on the vitality and viability of the town centre and would be contrary to Policies CS.7 and E(TCR).1 of the Borough of Redditch Local Plan No.3 and conflict with principles contained within the National Planning Policy Framework.

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Informatives

- 1) The plan refused consent, for the avoidance of doubt is listed as follows:
site location plan A , JTT/IIP/LM 37526/0613

Procedural matters

All applications for Class D2 use are reported to Planning Committee for determination as they fall outside the scheme of delegation to officers.

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Planning Application 2013/215/FUL**Removal of existing ground floor structure (conservatory) and replacing with proposed two storey extension****137 Enfield Road, Redditch, Worcestershire, B97 5NF****Applicant: Mr Jamie Millham
Expiry Date: 10th September 2013
Ward: ASTWOOD BANK AND FECKENHAM****(see additional papers for Site Plan)**

The author of this report is Stacey Green, Planning Officer (DM), who can be contacted on Tel: 01527 881 342 Email: s.green@bromsgroveandredditch.gov.uk for more information.

Site Description

This application relates to a semi-detached property located on the south east side of Enfield Road within a designated residential area. It has been extended at the rear with a conservatory.

This application seeks to demolish the conservatory and erect a two storey rear extension. This report considers the amended plans that were submitted following discussions with the case officer.

Relevant Policies:**Borough of Redditch Local Plan No.3:**

B(BE)13 Qualities of Good Design
B(BE)14 Alterations and Extensions

Others:

SPG Encouraging Good Design
NPPF National Planning Policy Framework

Consultations**North Worcestershire Water Management**

EA flood risk maps show there to be no evidence of fluvial flood risk to the site however there is some evidence of past surface water flooding along Enfield Road as well as the nearby surrounding area. The streets and roads located to the west of the proposed site are also highlighted as being prioritised locations with regards to past drainage issues. It will therefore be important to bear this in mind and to ensure that an adequate way of

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dealing with any additional surface water runoff created from the proposed development is implemented in order to ensure that it will not create or exacerbate any flood risk on site or within the surrounding local area. According to Severn Trent Water maps there are both public foul and surface water sewers within the vicinity as well as combined sewers.

Based on the documents provided the applicant has made no statement of where they propose to discharge any additional foul and surface water to that is created by the proposed development. In order for me to provide an adequate response these will need to be provided. In the meantime I would like to provide the following as advice and recommendations to be considered by the applicant wherever possible.

With regards to foul water disposal, assuming the applicant proposes to connect to the existing mains system, please bear in mind that it will be necessary to obtain written permission to connect from the relevant Water and Sewage Company, in this case Severn Trent Water Ltd.

With regards to the discharging of any additional surface water, I would like to recommend that the applicant consider the use of SuDS or a soakaway wherever possible on site as it is encouraged to retain as much as is possible of the surface water created by a development on site. SuDS techniques such as above-ground attenuation ponds, rainwater harvesting and porous surface materials are some examples of such SuDS techniques. If a soakaway is considered by the applicant it will be important to ensure that it is of adequate capacity by carrying out the necessary porosity tests. If for some reason none of these methods are viable then details of the applicants proposed method of surface water discharge will need to be provided along with any necessary permissions.

Special measures may also need to be taken to protect any existing apparatus below land where the proposed development will be situated.

I would like to attach the following conditions: No building work shall commence until a full drainage scheme of both foul and surface water, including SuDS has been submitted and approved in writing by the LPA. Regarding surface water, I would like to see that my recommendations of SuDS techniques have been considered and I will need to see proof of porosity testing with accompanying calculations for the use of a soakaway, if this method is chosen, in order to ensure that it is of adequate capacity. It will also be necessary to provide written proof of permission to connect to any existing public sewer systems, if this is the chosen method of foul and / or surface water disposal.

Reason: In order to ensure satisfactory drainage conditions that will not create or exacerbate flood risk on site or within the surrounding local area.

Public Consultation Responses

Two adjoining neighbours have raised the following concerns about the proposal:

- * The extension would be very close to the kitchen and bedroom windows of no. 135
- * The extension would block daylight to the kitchen at no. 135

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- * There would be a view of a brick wall from the kitchen which would be overpowering
- * The extension would not be in keeping as there are no other two storey extensions in the row of houses
- * The first floor side window would overlook no. 139.

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.

Assessment of Proposal

The proposed extension would be set in from the neighbouring property (no. 135) by 1.35metres and substantially set down from the main roof of the house. The ground floor extension would project 4.3m from the rear wall and the first floor extension would have a maximum projection of 3.3m. By virtue of its scale and siting it is considered that the proposal would be subservient to the existing dwelling and would not have a detrimental effect on the appearance of the street scene.

Concerns have been raised by adjoining occupiers in respect of the first floor side window overlooking their property. Amended plans have been received which omit this window to prevent issues of overlooking. Concerns have also been raised that the two storey extension would cause a loss of light to the kitchen and that the proximity of the side wall of the extension would be overwhelming to the other adjoining occupiers.

The Council's SPD, 'Encouraging Good Design' deals with matters of overshadowing and loss of outlook. It considers that two storey extensions will normally be acceptable where the extension complies with a line drawn at 45 degrees horizontally from the nearest part of any main windows of a habitable room in any adjoining property. In regard to single storey extensions, it is normally expected that these meet a 60 degree line. The first floor part of the extension has been staggered so that it meets the 45 degree code from the neighbours. Whilst the extension would be moderately close to the neighbours at 135, having regard to the extent of the closest first floor rear wall projecting 2.2metres, it is not considered that the proposal would significantly harm the neighbours outlook or light. It is noted that the ground floor extension would breach the 60 degree line from the neighbours nearest window by 0.35m. However, having regard to the extent of this breach, the existing 2m high boundary fence along the common boundary and the hipped design of the roof which would slope away from these neighbours; it is not considered that the kitchen extension would cause a significant loss of light to the adjoining property over and above that which already exists. It is also noted that the existing conservatory projects from the rear elevation to the same extent as the proposed ground floor extension.

Having considered the policies above it is the Council's view that the proposal complies with the provision of the development plan and is of an acceptable design which would maintain the amenities of the neighbours.

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Since Building Regulations will require that 'adequate provision shall be made for rainwater to be carried from the roof of the building', it is not considered necessary for this application to attach a drainage condition.

In this case the applicant submitted a scheme which raised issues of overlooking. The proposal was amended to omit a first floor side window. It is now considered that the proposal delivers a policy compliant sustainable form of development.

RECOMMENDATION:

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

- 1) All new external walls and roofs shall be finished in materials to match in colour, form and texture those on the existing building, or if a near match cannot be found, the written approval of the Local Planning Authority should be obtained for materials prior to development commencing. The development shall then be carried out in accordance with the approved details.

Reason:- To ensure that the development is satisfactory in appearance, to safeguard the visual amenities of the area and in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3.

- 2) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the grant of this permission.

Reason: In accordance with the requirements of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3) The development hereby approved shall be implemented in accordance with the following plans:

Drawing numbers 103 Rev E and 104 Rev B received 22.10.13.

Reason: To accurately define the permission for the avoidance of doubt and to ensure that the development is satisfactory in appearance in order to safeguard the visual amenities of the area in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No 3.

Procedural matters

This application is being reported to the Planning Committee because two (or more) objections have been received.

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Planning Application 2013/223/FUL**Construction of Cold Storage Depot with associated offices, plant room and site security office.****Haldex Brakes Ltd , Moons Moat Drive, Redditch, Worcestershire, B98 9HA,****Applicant: Mr Anthony Howard****Expiry Date: 14th December 2013****Ward: CHURCH HILL****(see additional papers for Site Plan)**

The author of this report is Sharron Williams, Planning Officer (DM), who can be contacted on Tel: 01527 534061 Email: sharron.williams@bromsgroveandredditch.gov.uk for more information.

Site Description

The site is a prominent corner plot and forms part of the Moons Moat industrial estate. The site comprises of an existing building that was formerly occupied by Haldex Brakes.

The existing building is set back from the two roads that bound the site (Merse Road and Moons Moat Drive). There is currently a vehicular access off each of these roads.

Established hedge and mature tree planting (some of which are protected with a Tree Preservation order) exist on the site and currently screen the building from the road.

Proposal Description

It is intended to demolish the existing building and replace with a new storage building measuring approximately 103 x 57 metres or thereabouts to provide a total gross floorarea of 5939 sq metres. HSH Coldstores Ltd is based in Grimsby and is involved in the fishing industry. The sister company SAL Commercials Ltd operate a fleet of 30 refrigerated vehicles specialising in the distribution of frozen products throughout the UK including Ireland and Northern Ireland.

The company propose to expand and provide this cold storage facility for 10,000 pallets in a location that is in the heart of England. Due to the good motorway links the application site is considered by the applicant to be a suitable location for his proposal. The proposal would enable the company to have a central location and reduce both time and costs within the food distribution chain.

The new building would be located approximately in the same location as the existing building (but would be set back further from Merse Road). Car parking and loading bay facilities would be accessed off Merse Road. Although the main building would be used for food storage, ancillary office accommodation and security office would be provided.

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A single storey element at the front of the building would provide the loading bay structure as well as ancillary office accommodation. The main building would be approximately 20m high and comprise of a pitched roof. A separate single storey plant room building is also proposed to the north of the site.

Vertical cladding is proposed in three colours that reflect the company's corporate colours. It is intended that the use of the coloured cladding would enhance the appearance of the building and provide interest to the streetscene. Solar panels are proposed on the southern elevation to minimise energy costs, however, due to the shallow pitch of the roof the solar panels would not be highly visible. Additional cost savings are proposed by recycling potential roofwater for the refrigeration plant room.

It is intended that as a result of the proposal, the development would generate 10 full time jobs in the area.

Relevant Policies**Borough of Redditch Local Plan No.3:**

EEMP03 Primarily Employment Areas

CT02 Road Hierarchy

CS08 Landscape Character

BBE13 Qualities of Good Design

BNE01A Trees, Woodland and Hedgerows

EEMP04 Locational Criteria for Development within Primarily Employment Areas

Others:

SPD Designing for Community Safety

Emerging Borough of Redditch Local Plan No. 4

Policy 24: Development within Primarily Employment Areas

Policy: 39 Built environment

Policy: 40 High Quality Design and Safer Communities

Relevant Planning History

1999/045/FUL	Electronics Test Room Enclosure	Granted	19.03.1999
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Consultations**Arboricultural Officer**

Note several trees to be removed. Concerned about the removal of a particular oak tree that is protected by a TPO. Would recommend that tree be retained. Additional arboricultural details are also required.

Senior Community Safety Project Officer Community Safety

No Comments Received To Date

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Environmental Health- Food

No objections or comments to make on proposal, although an advisory note could be applied to advise applicant to register business with Worcestershire Regulatory Services.

Area Environmental Health Officer

No Comments Received To Date

Highway Network Control

No Comments Received To Date

Crime Risk Manager

No objections or comments regarding this application.

Severn Trent Water Ltd

No Comments Received To Date

Waste Management

No Comments Received To Date

Public Consultation Response

1 letter of support, pleased to see that an empty building is being made use of and will obviously create further employment in the area.

Assessment of Proposal

The proposed B8 use would be within an established industrial area and would comply with policy E(EMP).3 of the Borough of Redditch Local Plan No.3 as well as policy 24 of the emerging Local Plan No.4. There have been some pre application discussions in respect to the appearance of the proposal, due to the prominent location of the proposal. The proposal submitted shows an improvement to the overall appearance of the building. Whilst it has been noted that the building would be taller than the existing building on site, the overall height of the building would be comparable to the height of the neighbouring unit UK-NSI.

2.4 metre high palisade fencing is proposed to be provided to the frontage of Merse Road. Whilst it is accepted that the applicant would like to make the site secure, officers are concerned that the design of the security fencing and its positioning would have an impact on the streetscene. Negotiations are being held with the agent to resolve this matter to ensure that the proposal overall complies with policy B(BE)13 of Local Plan No.3 and policy 39 and 40 of the emerging Local Plan No. 4.

The footprint of the building and proposed car parking provision would result in the removal of some established tree planting. The car park would involve the removal of a protected oak tree. Officers are in negotiations with the agent to revise the layout in order to retain the protected oak tree. Further information will be provided on the update paper.

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16 car parking spaces are shown on the layout plan, however, this may change as a result of amended plans. Initial discussions with County Highway Network Control, indicate that the proposal would be acceptable.

To conclude, the principle of the development is considered to be acceptable and the design of the proposal would be in keeping with the area and as such would comply with Local Plan policies, however, further negotiations are still taking place in respect to the retention of the protected tree and the security fencing.

RECOMMENDATION:

That having regard to the development plan and to all other material considerations, authority be delegated to the head of Planning and Regeneration to GRANT planning permission subject to the receipt of suitably amended plans and the conditions and informatives below:

Conditions:

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the grant of this permission.

Reason:- In accordance with the requirements of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2) The development hereby approved shall be used for purposes that fall within class B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) and for no other purpose.

Reason:- To define the terms under which permission for this development is granted and in accordance with Policy E(EMP).3; of the Borough of Redditch Local Plan No.3

- 3) The development hereby permitted shall be carried out in accordance with the amended plan received on 14 Sept 2013; and all other approved details.

Reason: In the interests of the visual amenities of the area and to comply with Policy B(BE).13; of the Borough of Redditch Local Plan No. 3.

- 4) Prior to the commencement of development details of the form, colour and finish of the materials to be used externally on the walls and roofs shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: To ensure that the development is satisfactory in appearance, to safeguard the visual amenities of the area and in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3.

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- 5) The Development hereby permitted shall not be brought into use until the access, turning area (if applicable) and parking facilities shown on the approved plan have been properly consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority and these areas shall thereafter be retained and kept available for those uses at all times.

Reason:- In the interests of highway safety, to ensure the free flow of traffic using the adjoining highway and in accordance with the National Planning Policy Framework.

- 6) Development shall not begin until parking for site operatives and visitors has been provided within the application site in accordance with details to be submitted to, and approved by, the Local Planning Authority and such provision shall be retained and kept available during construction of the development.

Reason:- To prevent indiscriminate parking in the interests of highway safety and in accordance with the National Planning Policy Framework.

- 7) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include proposed boundary treatment and other means of enclosure, hard surfacing materials, new planting, trees and shrubs to be retained, together with measures to be taken for their protection while building works are in progress.

Reason:- In the interests of the visual amenity of the area and in accordance with Policy CS.8 of the Borough of Redditch Local Plan No.3

- 8) All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing by the local planning authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes or species unless the local planning authority gives written approval to any variation.

Reason:- In the interests of the visual amenity of the area and in accordance with Policy CS.8 of the Borough of Redditch Local Plan No.3

- 9) During the course of any site clearance and development, the hours of work for all on-site workers, contractors and sub-contractors shall be limited to between;

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- 0800 to 1800 hours Monday to Friday
- 0900 to 1200 hours Saturdays
- and NO WORKING shall take place at any time on Sundays, Bank Holidays or Public Holidays or at any time outside of the above permitted working hours unless first agreed in writing by the Local Planning Authority.

Reason: In the interests of neighbours amenity and in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3

Informatives

- 1) The local planning authority have worked with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with this planning application through pre-application advice and discussion.
- 2) Under the provisions of the Food Premises (Registration) Regulations 1991, the premises must be registered with the Council's Environmental Health Department at least 28 days before it is opened for trading. This will allow an inspector to visit when they need to. A registration form can be requested by phoning 01527 64252 or one can be collected from the Town Hall, Alcester Street, Redditch.

Procedural matters

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

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Planning Application 2013/233/EXT**Extension of time application - Proposed single and two storey extensions and alterations approved under application No. 2010/132/FUL****25 Milton Close, Redditch, Worcestershire, B97 5BQ****Applicant: Mr Naheem Khan
Expiry Date: 23rd September 2013
Ward: HEADLESS CROSS AND OAKENSHAW****(see additional papers for Site Plan)**

The author of this report is Steven Edden, Planning Officer (DM), who can be contacted on Tel: 01527 64252 EXT 3206 Email: steve.edden@bromsgroveandredditch.gov.uk for more information.

Site Description

The property is a three bedroomed detached dwelling and is located within Milton Close, a residential area. The majority of properties in Milton Close are detached and were built around the 1950's period.

Proposal Description

This extension of time application relates to application reference 2010/132/FUL. Permission was granted for single and two storey extensions, under officer delegated powers without reference to the Planning Committee on 30th July 2010.

The description of the proposed development at that time was as follows:

A proposed first floor side extension over an existing flat roofed garage; single storey extensions to the rear together with a two storey extension to the rear of the property.

The extensions would form two new bedrooms and an ensuite bathroom at first floor, together with a kitchen and dining room extension with new utility room at ground floor.

Materials to be used for walls (brickwork) and roof (tiles) would match those used in the construction of the original dwelling.

Relevant Policies :**Borough of Redditch Local Plan No.3:**

BBE13 Qualities of Good Design
BBE14 Alterations and Extensions

Others:

NPPF National Planning Policy Framework

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SPG Encouraging Good Design

Relevant Planning History

2010/132/FUL	Proposed single and two storey extensions and alterations	Approved	30.07.2010
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Public Consultation Responses

2 letters have been received raising objections to the application. Comments are summarised as follows:

- o Proposal would be out of scale having regards to size and design of existing dwelling
- o Noise and general disturbance caused by the works will adversely impact upon nearby neighbours
- o On street car parking would increase leading to highway safety issues
- o The extensions would result in a loss of light to nearby properties thereby harming residential amenity

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.

Background

Due to the general economic slowdown, the previous Government enacted legislation to allow an applicant (via a formal application) to be able to extend the length of time before the commencement of that development, provided that the 'original' consent (the application to be extended) in itself is extant. In this case, the 'original' consent expired on 30th July 2013. However, the courts have recognised that the local planning authority retain jurisdiction to determine an application under the extension of time procedures if the original permission has expired after the application was made but before determination. In this case, the application was lodged with the Council on 29th July 2013, prior to the expiry date of 30th July 2013 and therefore it is appropriate to consider the proposal as an extension of time application.

Subject to no material changes to the planning policy framework in the intervening period, the legislation allowing 'extension of time' applications would normally consider an additional three year extension of time to be reasonable.

Assessment of Proposal

In considering such applications, it is only relevant to consider what has changed since the previous approval, both in terms of the planning policy framework under which the decision should be made, and also, any significant physical changes to the site and/or its surroundings that might result in different impacts from the proposed development.

In terms of policies, The National Planning Policy Framework, which was enacted on 27th March 2012, replaces the former National Guidance set out within Planning Policy

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Statements (PPS's) which were taken into consideration in the determination of the earlier application. PPS and PPG guidance is no longer relevant under the new policy framework.

Policies within the Borough of Redditch Local Plan No.3 which were considered under the earlier application are still relevant and are used here since these are considered to be in conformity with the NPPF. No material changes to the planning policy framework are considered to have occurred since the 2010 approval which would affect the impact of this extension of time proposal. No material physical changes to the sites surroundings have occurred since the granting of consent in July 2010 and as such, in this respect there are not considered to be any additional resulting material impacts from the proposed development.

The plans which have been submitted under this application are identical to those plans approved under the 2010 application. The issues which were considered to be relevant under application 2010/132/FUL are as follows:

The two storey side extensions proposed under this application are considered to be of a width which would ensure that the scale and massing of the original dwelling would dominate the scale and massing of the proposed extensions, therefore complying with policy. The two storey extension to the rear proposes a hipped roof arrangement, and is set-in from the gable end of the property lessening its impact upon nearby neighbours. The proposed development would comply with the Councils SPG on Encouraging Good Design and would not be particularly prominent from Milton Close therefore having a limited impact upon the established street-scene. Officers are satisfied that there would be no loss of amenity to the nearest property affected by the proposal, on grounds of loss of light that would reach the property due to the orientation of the objecting property relative to that of number 25 Milton Close. The development as proposed would be considered to comply with Policies B(BE).13 and B(BE).14 of the Borough of Redditch Local Plan No.3 which relate to good design and extensions and alterations to existing buildings.

Two parking spaces exist to the frontage of the property in addition to the existing garage. In addition, on street parking is available within Milton Close. Officers are satisfied that the proposals would not prejudice highway safety.

RECOMMENDATION:

That having regard to the development plan and to all other material considerations, planning permission be GRANTED subject to the following conditions.

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the grant of this permission.

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Reason :- In accordance with the requirements of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2) All new external walls and roofs shall be finished in materials to match in colour, form and texture those on the existing building, or if a near match cannot be found, the written approval of the Local Planning Authority should be obtained for materials prior to development commencing. The development shall then be carried out in accordance with the approved details.

Reason:- To ensure that the development is satisfactory in appearance, to safeguard the visual amenities of the area and in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3.

- 3) The development hereby approved shall be implemented in accordance with the following plans:

proposed extensions and elevations plan 10/132

Reason: To accurately define the permission for the avoidance of doubt and to ensure that the development is satisfactory in appearance in order to safeguard the visual amenities of the area in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3

Informatives

- 1) Proactive engagement by the local planning authority was not necessary in this case as the proposed development was considered acceptable as initially submitted.

Procedural matters

This application is being reported to the Planning Committee because two (or more) objections have been received.

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Planning Application 2013/261/FUL**Extensions to existing sea food production facility, together with associated car parking and service areas****Ocean House, 9B Oxleasow Road, Redditch, Worcestershire, B98 0RE****Applicant: Blue Earth Foods Limited
Expiry Date: 19th December 2013
Ward: WINYATES****(see additional papers for Site Plan)**

The author of this report is Steven Edden, Planning Officer (DM), who can be contacted on Tel: 01527 548474 Email: steve.edden@bromsgroveandredditch.gov.uk for more information.

Site Description

The site, which is generally level throughout comprises two distinct areas. The northern half contains the existing Blue Earth Foods Ltd facility and would accommodate the proposed extensions subject to this application. This comprises a site area of approximately 1.51 hectares. The existing Blue Earth food buildings contain 7317 square metres of gross floor space.

Blue Earth Foods Ltd is a major supplier of chilled seafood products to retailers throughout the UK and Europe, employing 330 full time staff.

The company have recently purchased the former Hardings Coaches site directly to the south of their current site. This site, now re-named Atlantic House, extends to 0.83 hectares. The former coach depot provides administrative offices and raw produce preparation and packaging. The remainder of the site mostly consists of a concrete hardstanding having previously been used for coach parking up until 2011 when the former company Hardings went into administration.

The two sites are split by an existing footpath, land drainage ditch and overgrown dense hedge. A vehicle and pedestrian access linking the two sites has recently been granted permission under application 2013/148/FUL. Both sites are located at the end Oxleasow Road from which vehicular access is gained.

Beyond the eastern boundary of both sites lie various adjoining employment uses including the Ashtene Business Park which contains a number of employment units of varying sizes. The site is flanked to its north, the west and to the south by tree belts, subject to 'blanket' New Town Tree Preservation Order No.7. Beyond the western boundary lies Winyates Way. Some 150 metres due south of the 'Atlantic House' site, there lies an area designated as Primarily Open Space in the Local Plan, beyond which lies the residential development of Ibstock Close.

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Both sites are situated within a Primarily Employment Area as designated on the Borough of Redditch Local Plan No.3 Proposals Map.

Proposal Description

Permission is sought to extend the existing factory unit to help cope with the increased demand for the company's products by creating additional floor space allowing the company to expand whilst re-configuring the existing facility to provide a more efficient layout and method of working. Approximately 50% of the floorspace would be used for storage (B8 use) with the other 50% being used for general industrial (B2 Class) use.

The company originally intended to apply for permission for new build development on the former Hardings Coaches site to the south following the approval of application 2012/288/COU, set out later in this report. However the company have now concluded that an extension to their existing production area to the north (Ocean House) would provide a more efficient solution to their production problems. Should the proposal be permitted it would allow the company to remain in their existing facility whilst creating a further 150 full time jobs to supplement their existing workforce.

The proposals are as follows:

- o To demolish an existing Dry Goods Store: (387.5 square metres) and existing workshop/office store (126.5 square metres)
- o To dismantle an existing temporary dry store (304 square metres) and re-erect behind an existing workshop on the former Hardings Coaches site.
- o To construct a new chilled dispatch area (375 square metres) to initially be constructed as a temporary dry goods store
- o Construct a new Goods in and holding area, freezer, dry goods store and additional production and packing space totalling 3,027 square metres of floor space
- o To implement permission 2013/149/FUL whilst amending the location of the vehicular access linking the two sites by 10 metres west of its original location
- o To extend the existing service yard to facilitate acceptable HGV manoeuvring within the curtilage of the existing facility
- o To create a new formal car parking area within the 'Atlantic House' site (Former Hardings Coaches site) to supplement the existing Ocean House car park and provide additional spaces to support the proposed extensions and alterations.
- o To carry out other minor ancillary landscaping and resurfacing works to the existing sites including re-surfacing in part, the existing concrete hardstanding to the former Hardings site.

Your Officers would make members aware that the some of the more minor works proposed here would be classed as 'permitted development' and therefore do not fall under planning control, although the proposed extensions do. The whole package of proposed works is described above for completeness.

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Relevant Policies :**The National Planning Policy Framework (NPPF)****Borough of Redditch Local Plan No.3:**

E(EMP).2	Design of Employment Development
E(EMP).3	Primarily Employment Areas
E(EMP).3a	Development Affecting Primarily Employment Areas
B(BE).13	Qualities of Good Design
B(BE).14	Alterations and extensions to buildings
S.1	Designing Out Crime
C(T).12	Parking Standards (Appendix H)

Others:

SPD Designing for Community Safety
SPG Encouraging Good Design

Relevant Planning History

2011/002/FUL	First floor extension to existing offices and new two storey entrance and fire escape enclosure	Approved	28.02.2011
2011/151/FUL	Partial ground floor extension with first floor extension to existing offices, together with new two storey entrance and fire escape enclosure.	Approved	26.07.2011
2012/288/COU	Change of use from coach depot (sui generis) to employment uses including B1, B2 and B8 use	Approved	10.12.2012
2013/148/FUL	Proposed vehicular and pedestrian access	Approved	25.10.2013

Consultations**Arboricultural Officer**

No objections raised provided works are carried out in accordance with tree survey and report

Senior Community Safety Project Officer

No Comments Received To Date

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Area Environmental Health Officer (WRS)

No Comments Received To Date

Highway Network Control

No objection

Crime Risk Manager

No objection

Severn Trent Water Ltd

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

Public Consultation Response

The application has been advertised by writing to neighbouring properties within the vicinity of the application site, by display of public notice on site, and by press notice. No representations have been received.

Assessment of Proposal

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

Principle of development

The site is within an established employment area that is zoned for Primarily Employment Uses in the Borough of Redditch Local Plan No.3. Therefore, the proposed development, as an extension to an existing employment use would be acceptable, complying with policies E(EMP).3 and E(EMP).3a of the Borough of Redditch Local Plan No.3, in addition to core planning principles identified in the National Planning Policy Framework.

The NPPF supports existing business sectors, taking account of them expanding or contracting in order to encourage sustainable development and building a strong and competitive economy. The proposal would contribute towards economic prosperity as it involves the expansion of an existing business and as such will assist towards building a strong, responsive, sustainable and competitive economy. Therefore, the proposal would comply with the relevant aims of the NPPF.

Design and Layout

The smaller of the two steel portal framed extensions (the Chilled Dispatch area) would be square shaped in floorplan with a low pitched ridged roof and would face south towards the Atlantic House site.

The much larger extension would be located entirely to the western elevation of the existing building, facing towards Winyates Way. Much of the elevation to Winyates Way would be hidden from view by the rising embankment to the road line and the dense tree line between the site boundary and the highway. The extension running parallel to Winyates Way has been designed with a low mono pitch roof to maximise internal storage heights. To the south-west corner facing on to Winyates Way, where the tree line

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screen is less dense, a dual pitched roof has been introduced which lowers the overall height of the extension and provides a gable to the north facing elevation which would respect the gable to the existing office block to the east and would also compliment the appearance of the proposed chilled dispatch area.

External materials to be used on both extensions would be a combination of vertical and horizontal trapezoidal profile composite cladding and micro-rib panels. Colours to be used (light grey combined with a dark blue) would match those finishes used in the construction of the existing factory building.

Officers are satisfied that the design and external appearance of the proposed extensions would respect the form of the existing portal framed factory building and would therefore comply with Policies B(BE).13, B(BE).14 and E(EMP).2 of the Borough of Redditch Local Plan No.3.

Highways and Access

The vast majority of the southern (Atlantic House) site is comprised of a concrete hardstanding, much of which is to be resurfaced and demarked as a formal car parking area. At present, due to the nature of the past use, only a limited area has demarked car parking spaces with other areas marked out for coaches.

74 car parking spaces together with 8 cycle spaces currently exist at the site. 80 new car parking spaces are to be provided together with 8 motorcycle spaces and 10 new cycle spaces meeting the policy requirements.

The proposed new vehicular access linking the two sites followed pre-application discussion between your officers and the applicant culminating in the granting of permission under 2013/148/FUL as referred to earlier in the report. The minor re-location of the proposed vehicular access to that approved under the 2013/149/FUL consent together with proposed on-site parking provision is acceptable to County Highways and your officers since the works would have no impact on highway safety and would not affect the surrounding highway network.

Amenity considerations

Blue Earth Foods, trading from Ocean House as a frozen seafood company has been operating without complaint to the knowledge of your officers for many years. There are no current restrictions as far as hours of operation are concerned. Proposed hours of operation are not specified although often such sites operate on a 24 hours a day, seven days a week basis. It is often reasonable to allow businesses to operate in such a manner and in the absence of any public representations received and any objection from WRS, officers would not recommend that hours of operation be restricted in this case.

Other issues

The existing hedgerow separating the two sites is well established but overgrown. Where the new vehicle access breaks through the hedgerow, trees are to be trimmed back and pruned. An established tree line exists to the western boundary of the site which has

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been subject to a tree survey and report, carried out in accordance with BS5837 (2012). This recommends that all trees along Winyates Way be retained and that branches overhanging the site from trees on Winyates Way may be trimmed back to a line level with the existing fence. Following discussion with the RBC Arboricultural Officer, Officers are satisfied that the proposed works would have a negligible detrimental impact upon the visual amenities of the area so long as the development is carried out in accordance with the tree report.

Conclusion

The proposals would represent an acceptable use in this location given that the site is within a Primarily Employment Area. The development would comply with the relevant policies of Local Plan No.3 together with those of the National Planning Policy Framework. The design of the extension would respect that of the existing building and its surroundings and car parking and access arrangements would be satisfactory. As such, the proposal is considered to be acceptable and can be recommended for approval.

RECOMMENDATION:

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

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the grant of this permission.

Reason :- In accordance with the requirements of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2) Materials and external finishes to be used in the construction of the development shall be as stated on the submitted planning application form

Reason: To ensure that the development respects the character and appearance of the surrounding area in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3

- 3) The development hereby approved shall be implemented in accordance with the following plans:

Drawings as submitted with the application

Reason: To accurately define the permission for the avoidance of doubt and to ensure that the development is satisfactory in appearance in order to safeguard the visual amenities of the area in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3

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- 4) The development hereby approved shall be carried out in complete accordance with the BS 5837 (2012) Tree Report (A.Evans) dated 19.8.2013.

Reason:- To prevent damage to, and preserve the tree(s) in the interests of visual amenity and in accordance with Policy B(NE).1a of the Borough of Redditch Local Plan No.3

Informatives

- 1) The applicant is advised that development should not begin until drainage details, incorporating sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development have been submitted to and approved by Severn Trent Water Ltd.
- 2) The local planning authority have worked with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with this planning application through pre-application advice and discussion.

Procedural matters

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

