

# Planning Committee

Wed 9<sup>th</sup> Apr  
2014  
7pm

Council Chamber  
Town Hall  
Redditch



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

# Access to Information - Your Rights

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

Your main rights are set out below:-

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

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

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

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

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

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

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

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



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

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

9<sup>th</sup> April 2014

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

<b>1. Apologies</b>	To receive apologies for absence and details of any Councillor nominated to attend the meeting in place of a member of the Committee.
<b>2. Declarations of Interest</b>	To invite Councillors to declare any Disclosable Pecuniary Interests or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.
<b>3. Confirmation of Minutes</b> (Pages 1 - 4)	To confirm, as a correct record, the minutes of the meeting of the Planning Committee held on 12 <sup>th</sup> March 2014.  (Minutes attached)
<b>4. Update Reports</b>	To note Update Reports (if any) for the Planning Applications to be considered at the meeting (circulated prior to the commencement of the meeting)
<b>5. Planning Application 2013/289/FUL - Land off Dixon Close, Enfield, Redditch</b>  (Pages 5 - 22)  Ruth Bamford, Head of Planning and Regeneration	To consider a Planning Application for the erection of 39 dwellings comprising 37 houses with a mix of 2, 3 and 4 bedrooms and 2 no. 2 bedroom bungalows.  Applicant: Mr N Laight  (Report attached – Site Plan under separate cover)  <b>(Abbey Ward)</b>

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<p><b>6. Planning Application 2013/302/FUL - Haversham House, 327 Bromsgrove Road, Webheath, Redditch B97 4NH</b></p> <p>(Pages 23 - 30)</p> <p>Ruth Bamford, Head of Planning and Regeneration</p>	<p>To consider a Planning Application for the erection of an 8 bedroom and sitting room single storey extension, a single-storey laundry extension and associated site works.</p> <p>Applicant: Mr B P Sinha</p> <p>(Report attached – site Plan under separate cover)</p> <p><b>(West Ward)</b></p>
<p><b>7. Planning Application 2013/336/FUL - 120 Plymouth Road, Southcrest, Redditch B97 4PA</b></p> <p>(Pages 31 - 36)</p> <p>Ruth Bamford, Head of Planning and Regeneration</p>	<p>To consider a Planning Application for a two-storey side extension, conservatory to the rear, new garage to front of the property, and extension of existing tarmac driveway with tarmac or block paving.</p> <p>Applicant: Mr Steven Male</p> <p>(Report attached – Site Plan under separate cover)</p> <p><b>(Central Ward)</b></p>
<p><b>8. Planning Application 2013/341/OUT - Unit 81 Arthur Street, Lakeside, Redditch</b></p> <p>(Pages 37 - 44)</p> <p>Ruth Bamford, Head of Planning and Regeneration</p>	<p>To consider an Outline Planning Application for the demolition of an existing building and erection of new 1700 sq.m B2 Unit.</p> <p>Applicant: Samuel Taylor Ltd</p> <p>(Report attached – Site Plan under separate cover)</p> <p><b>(Lodge Park Ward)</b></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.)





## Planning Committee

12<sup>th</sup> March 2014

### 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, A Rutt and S Williams

#### Committee Services Officer:

J Smyth

#### 87. APOLOGIES

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

#### 88. DECLARATIONS OF INTEREST

No declarations of interest were made.

#### 89. CONFIRMATION OF MINUTES

##### RESOLVED that

**the minutes of the meeting of the 12<sup>th</sup> February 2014 be confirmed as a correct record and signed by the Chair.**

#### 90. UPDATE REPORTS

The Update report relating to Application to be considered were received and noted.

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Chair

**91. PLANNING APPLICATION 2013/179/OUT –  
LAND OPPOSITE THE FOXLYDIATE,  
BIRCHFIELD ROAD, WEBHEATH, REDDITCH**

Outline residential development for 29 no. dwellings  
with associated garaging and parking, access, roads,  
drainage and other accommodation works.

Applicant: Mr Jonathan Tomlinson

Mr P Frost, objector, and Mr A Williams, 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 GRANT Outline Planning Permission, subject to:**

- 1) **the satisfactory completion of a Section 106 Planning Obligation to ensure the following provision:**
  - a) **the on-site provision of affordable housing;**
  - b) **a financial contribution for the provision of highways;**
  - c) **a financial contribution for the provision of education;**
  - d) **a financial contribution for the provision of waste management;**
  - e) **a financial contribution for open space provision;**
  - f) **a financial contribution for playing pitch provision;**
  - g) **a financial contribution for children's play provision;**
  - h) **a landscape management plan for the open space provided on site;**
- 2) **the Conditions and informatives as detailed on pages 16 to 20 of the main report; and**

**3) the following additional condition:**

**“13. Prior to the development hereby approved commencing, full details of the recommended works set out in the Flood Risk Assessment, dated February 2013, 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 before the development is first brought into use.**

**Reason: To ensure that the development is provided with a satisfactory means of surface water drainage and in accordance with the National Planning Policy Framework.”**

(Officers reported on a late consultee response of no objections from Bromsgrove District Council and further information on an agreed highway contribution in respect of the Section 106 Agreement. Members also noted the need for an additional Condition in relation to surface water drainage, all as detailed in the Update Report provided to Members and the public gallery prior to the commencement of the meeting.)

(In accordance with Council’s procedure for Planning Committee, Councillor Yvonne Smith took no part in the debate or voting on this matter as she had arrived for the meeting after the commencement of the Officers presentation.)

**92. PLANNING APPLICATION 2013/289/FUL –  
LAND OFF DIXON CLOSE, ENFIELD, REDDITCH**

**RESOLVED that**

**a decision on this matter be DEFERRED for the Committee to undertake a Site Visit.**

(Further to the Officers presentation and consideration of the Application, the Committee considered that a Site Visit would be of benefit, in relation to proposed access and traffic matters.)

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12<sup>th</sup> March 2014

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93. **PLANNING APPLICATION 2014/023/FUL –  
PARKING AREAS - ECKINGTON CLOSE,  
WOODROW, REDDITCH**

**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 GRANT Planning Permission, subject to the expiry of the consultation period on 24<sup>th</sup> March 2014 with no new material considerations raised, and subject to the Conditions detailed on Page 41 of the main report.**

The Meeting commenced at 7.00 pm  
and closed at 8.00 pm

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CHAIR

REDDITCH BOROUGH COUNCIL**PLANNING  
COMMITTEE**9<sup>th</sup> April 2014

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**Planning Application 2013/289/FUL****Erection of 39 dwellings comprising 37 houses - mix of 2, 3 & 4 bedroom; and 2 no 2 bed bungalows****Land Off, Dixon Close, Redditch, Worcestershire**

<b>District:</b>	<b>Enfield</b>
<b>Applicant:</b>	<b>Mr N Laight</b>
<b>Expiry Date:</b>	<b>3rd March 2014</b>
<b>Ward:</b>	<b>ABBEY</b>

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

**Site Description**

The site measures approximately 0.9ha in area. It is bounded to the north-west by the new housing development at the former gasworks site (now known as Dixon Close); to the north-east by a small wooded area; to the south-east by a railway line and to the south-west by industrial development forming part of the Enfield Industrial Estate. The site is zoned for Primarily Employment purposes within the Borough of Redditch Local Plan No.3.

**Proposal Description**

Full planning permission is sought for the erection of 39 dwellings. The dwellings would be a mixture of two, two and a half and three storey semi-detached and terraced houses, with the exception of 2 of the units which would be detached bungalows.

The site would be accessed via Dixon Close, which itself is formed off Windsor Road, to the north.

The 39 residential units would be provided as follows:

- 2 x 2 bed bungalows
- 11 x 2 bed houses
- 24 x 3 bed houses
- 2 x 4 bed houses

Of the 39 units, 12 would be affordable units.

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COMMITTEE**9<sup>th</sup> April 2014

The breakdown of affordable housing to be provided as part of this development is as follows:

- 2 x 2 bed bungalows
- 6 x 2 bed houses
- 4 x 3 bed houses

7 of the dwellings are to be provided as social rented accommodation (2 x 2 bed bungalows, 4 x 2 bed houses, and 1 x 3 bed house). 5 of the dwellings are to be provided as intermediate affordable housing for shared owner occupiers (2 x 2 bed houses and 3 x 3 bed houses).

The 12 dwellings to be provided as affordable units represents 30% of total number of houses to be provided. The 30% threshold applies under the emerging Borough of Redditch Local Plan No.4 (BOR LP No.4) under which this site is being brought forward for residential development. Since the site is designated as a Primarily Employment Area in the Borough of Redditch Local Plan No.3, it would not be appropriate to apply the 40% affordable housing threshold associated with LP.3.

Building heights would range from two storeys to three storeys with the majority of the dwellings being constructed in brickwork (walls) under tiled roof, with material colours to harmonise with the sites surroundings. Six of the plots would be rendered throughout.

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

EEMP03 Primarily Employment Areas  
 CS02 Care for the Environment  
 CS05 Achieving Balanced Communities  
 CS06 Implementation of Development  
 CS07 The Sustainable Location of Development  
 CS08 Landscape Character  
 BHSG05 Affordable Housing  
 BHSG06 Existing Dwelling  
 BBE13 Qualities of Good Design  
 BBE19 Green Architecture  
 BNE01 Overarching Policy of Intent  
 BNE01A Trees, Woodland and Hedgerows  
 S01 Designing Out Crime  
 CT12 Parking Standards

**Emerging Draft Local Plan No.4**

Policy 2: Settlement Hierarchy  
 Policy 4: Housing Provision  
 Policy 5: Effective and Efficient use of Land  
 Policy 6: Affordable Housing



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Policy 24: Development within Primarily Employment Areas

Policy: 39 Built Environment

Policy: 40 High Quality Design and Safer Communities

**Others**

NPPF National Planning Policy Framework

SPG Encouraging Good Design

SPD Open Space Provision

SPD Affordable Housing Provision

SPD Designing for Community Safety

SPD Planning Obligations for Education Contributions

Worcestershire Waste Core Strategy (WWCS)

**Relevant Planning History**

None

**Consultations****Housing Strategy**

Housing Strategy has agreed the affordable housing provision, its location and mix with the developers which will be a mix of social rented units and intermediate affordable housing which meets the prevailing housing needs of the Borough.

**Arboricultural Officer**

There are no protected or other significant trees within this site, but the woodland block adjacent is a significant semi-mature landscape feature. The amended site layout plan demonstrates that due consideration has been given in relation to tree T14's impact on plots 15/16 – and therefore the amended layout on drawing 1610/01J for those plots is acceptable.

Due to the close proximity of plot 17 to the woodland, appropriate building control guidance should be sought on required foundation depths, given the likely presence of shrinkable soils and existence of high water demand species (hawthorn and willow) within influencing distance.

Overall the supplied arboricultural information is acceptable and details can be controlled through conditions.

**Development Plans**

The application site lies within Redditch Borough and is located within the Abbey ward. The site is on land which falls within a Primarily Employment Area on the Borough of Redditch Local Plan No.3 Proposals Map. However, this designation has been revised through the emerging Borough of Redditch Local Plan No.4 as a site allocated for housing development to meet the strategic housing requirement for Redditch, as defined on the Borough of Redditch Local Plan No.4 (Proposed Submission) Policies Map.

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When applying the NPPF principle of the presumption in favour of sustainable development this proposal can be supported as development within the Borough's urban area is considered to be a sustainable location.

Paragraph 22 of the NPPF comments that: Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.

Through the Employment Land Review (ELR) process, and in accordance with Para. 22 of the NPPF above, this allocation was revised during the preparation of the draft BORLP4. Therefore, a proposal for residential use on this site can be supported.

**Local Plan No.3 Policy**

Policy CS.7 The Sustainable Location of Development states "Uses that attract a lot of people will be directed to the Town Centre. Other development will be directed to the urban area, where there will be a sequential approach to the location of all development.

This proposal is in conformity with the principles of locating development within or on the edge of the urban area to meet housing needs and furthermore presents an opportunity for brownfield redevelopment.

In accordance with the NPPF Para 215, due weight should be given to this policy as it is consistent with paragraphs 17(viii) and 111 of the NPPF, which encourage the effective reuse of previously developed brownfield land.

**Emerging draft Local Plan No.4 Policy**

Policy 2 Settlement Hierarchy states "Redditch urban area, as the Main Settlement shall be the focus for development as it provides the highest level of services and facilities provision and offers the most sustainable location for development."

This site falls within Redditch's urban area and therefore the location of this site for development is supported.

The proposal site was assessed for its contribution to the ELR in 2012, where it was concluded that this site could no longer be protected for employment related uses in line with the NPPF. Subsequently, it was assessed as part of the 2013 Strategic Housing Land Availability Assessment (SHLAA), and deemed suitable for residential needs.

**REDDITCH BOROUGH COUNCIL****PLANNING  
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Therefore, this proposal for residential development on former employment land can be supported under the emerging BORLP4.

Policy 5 Effective and Efficient Use of Land states “Effective and efficient use of land must be sought in all new development schemes. With respect to residential development, this will be achieved in the following ways:

ii. densities of between 30 and 50 dwellings per hectare will be sought in Redditch Borough, and 70 dwellings per hectare will be sought on sites for residential development that are within or adjacent to Redditch Town Centre and the District Centres;”

This proposal equates to 48.75dph, based on a net developable area of 0.80ha, as advocated in the SHLAA, para. 5.15. This falls within the desired density range identified in Policy 5.

Policy 6 Affordable Housing states “On sites of 10 or more dwellings (net), a 30% contribution towards the provision of affordable housing will be expected. On-site provision should be made and must incorporate a mix of dwelling types and sizes... A mix of the following tenures will generally be sought: Social rented; Intermediate housing/ Affordable rent.”

A 30% contribution towards affordable housing provision is considered appropriate as this site has only been proposed for residential development under the emerging BORLP4. It would not be appropriate to apply the 40% threshold associated with BORLP3.

The site has been identified as an allocation for housing to meet the strategic housing requirement up to 2030 on the Borough of Redditch Local Plan No.4 Policies Map. Therefore, residential development on this site is considered an appropriate use of the land in this location. From a planning policy perspective, this application can be supported.

**Education Authority**

If development goes ahead in this area, there will be a need for a contribution towards local education facilities in accordance with your Supplementary Planning Document on planning obligations for education facilities.

**Area Environmental Health Officer**

No objection subject to mitigation measures included within the acoustic report being incorporated into the proposed development via the imposition of conditions.

**Highway Network Control**

Comments that the proposed development is acceptable in highway terms and therefore raises no objection, subject to the inclusion of conditions covering access turning and parking, on site roads specification, the submission of a travel plan and a Construction Management Plan together with standard highway informatives.

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The County request that a contribution under the 'Infrastructure Delivery Plan' be sought as part of the application.

**Severn Trent Water Ltd**

No objection subject to the inclusion of drainage conditions

**Network Rail**

Network Rail has no objection in principle but due to the proposal being next to Network Rail land and infrastructure and to ensure that no part of the development adversely impacts the safety, operation and integrity of the operational railway we would request that conditions be applied in the case of the proposals being granted consent.

Such conditions should include a risk assessment and a method statement for the works to be carried out on site; details of a suitable trespass proof steel fence of at least 1.8m in height to be installed adjacent to Network Rail's boundary; and drainage details to be submitted to the Network Rail Drainage Engineer for comment.

**Community Safety Officer**

No objections in principle subject to the use of appropriate robust boundary treatments. Although shared alleyways to the rear are few in number, comments that the use of such alleyways is not encouraged and should generally be avoided. Comments that windows should be placed in elevations of houses overlooking the street or private drives. Encourages the developer to apply for Secured by Design certification for the development.

**Police Crime Risk Manager**

Endorses comments received from the Community Safety Officer

**North Worcestershire Water Management**

The proposed development is not shown to be affected by fluvial flooding however there is a flood zone 3 area located close by to the west of the proposed site. There is no evidence of any major past surface water flooding issues on the proposed site itself.

According to Severn Trent Water maps there are both public foul and surface water sewers located nearby to the proposed site. Connection will be required by the relevant water authority (in this case Severn Trent Water). No objections are raised to the proposed development subject to the inclusion of drainage conditions in the case of permission being granted.

**Public Consultation Responses**

The application has been advertised by writing to neighbouring properties within the vicinity of the application site, by display of public notices on site, and by press notice.

**Responses against**

54 letters received. Comments are summarised as follows:

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- Dixon Close is already congested with insufficient car parking to serve the development. The proposal will make things worse
- Emergency vehicles will have difficulty in accessing the site due to the presence of parked cars on Dixon Close
- Lack of on-site play space to serve the development
- Loss of open 'green' space
- Detrimental impact upon highway safety
- Noise pollution would increase impacts upon amenity
- Wildlife would be affected
- Construction traffic entering and exiting the site will impact upon residential amenity
- Outlook would be harmed
- Overdevelopment of the site
- Access to the site should be via the Enfield Industrial Estate not through Dixon Close
- Residential development being sited so near to existing employment uses at Enfield Industrial Estate would provide an inadequate standard of amenity for future occupiers of the proposed new houses
- General community safety concerns relating to proximity of development to the existing railway line
- Concerns regarding impacts upon existing trees bounding the site

One letter has been received in support of the application commenting that many existing Dixon Close residents have garages which could be used for parking a vehicle rather than being used for storage space, thereby alleviating many of the parking problems which are considered to exist. The letter comments that there are several areas where pavements are unoccupied and where cars can be safely parked without harming highway safety. So long as residents park considerately it is not felt that additional houses will cause highway safety problems.

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**

To the immediate north of the site lies the former Windsor Road gasworks site which gained permission for residential development under an appeal decision in 2002. Two subsequent reserved matters applications were granted in 2007, the first, ref 2006/484 granted permission for 146 residential units. The second application, ref 2006/541 granted permission for 109 residential units. The 255 dwellings approved have now been completed and are occupied. The former gasworks site has been named 'Dixon Close' and it is from the termination of Dixon Close at the far south-western corner of the former gasworks site from where access to serve the further 39 new dwellings is proposed to be gained.

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**Assessment of Proposal**

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

**Principle**

The site is on land which falls within a Primarily Employment Area on the Borough of Redditch Local Plan No.3 Proposals Map. However, this designation has been revised through the emerging Borough of Redditch Local Plan No.4 as a site allocated for housing development to meet the strategic housing requirement for Redditch, as defined on the Borough of Redditch Local Plan No.4 (Proposed Submission) Policies Map.

The site was assessed for its contribution to the Councils Employment Land Review (ELR) in 2012, where it was concluded that the site could no longer be protected for employment related uses. As stated by the Planning Policy Team, under Paragraph 22 of the NPPF, Councils are required to avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose and where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits. In 2013 the site was assessed as part of the Strategic Housing Land Availability Assessment (SHLAA), and deemed suitable for residential needs.

**Density and mix of development**

The Borough Council seeks to achieve the effective and efficient use of land for residential schemes by achieving densities of between 30 and 50 dwellings per hectare across sites with densities of 70 dwellings per hectare on sites that are within or adjacent to Redditch Town Centre and the District Centres.

This proposal equates to 48.75dph, based on a net developable area of 0.80ha which falls within the desired density range and would respect the density of development at the recently completed development of 255 dwellings at Dixon Close to the north.

The Strategic Housing Market Assessment (SHMA) indicates that there is likely to be a sustained need for 3 and 4 bedroomed properties. It also suggests that there may be a high demand for smaller properties during the Plan period, especially to meet the needs of older person households. Whilst this would suggest that smaller properties might predominantly need to be bungalow developments, there is still a need to meet the demand from newly forming households at the bottom of the housing market. This proposal is considered to offer a good range of property types and tenures to meet Redditch needs.

**Design and Community Safety Considerations**

Policy both nationally and locally requires new developments *inter alia* to respect and respond to the local distinctiveness of an area. The layout of the development takes its lead from the existing Dixon Close residential development to the north and represents the most logical way in which to develop the site having regard to the sites vehicular access from Dixon Close with dwellings largely fronting onto the access road which would

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form an extension to Dixon Close, and with rear gardens to Plots 1 to 16 facing towards the wooded area to the north-east and gardens to plots 17 to 29 facing towards the railway line to the east.

In general terms, the layout of the development forms a cul-de-sac arrangement as encouraged from a secured by design perspective. Defensible space to properties has been introduced, and the general lack of terraced properties has resulted in the minimal use of shared rear access alleyways which are not encouraged having regards to Secured by Design. Satisfactory passive surveillance over public and parking areas has been introduced in order to address community safety issues including the use of robust boundary treatments.

Dwelling heights would range between 2, 2.5 and 3 storey and elevational treatment which includes the use of bay windows, chimneys and porches would complement the form of dwellings present in Dixon Close.

Highways and access

As stated by County Council Network Control, officers would agree that the proposal would have no highway safety implications and would not adversely affect the road network. Proposed parking arrangements comply with local standards and highways have confirmed that details so far submitted satisfy them that the proposed new road could be adopted by the County Council. Planning conditions and informatives are recommended for inclusion in the case of permission being granted.

Emergency access issues have been assessed and the Fire Officer has responded by commenting that the proposed layout plan is acceptable.

The County Highways Engineer has requested a contribution to mitigate for the additional demands on the wider transport network that the development will generate.

The Local Planning Authority are aware that planning conditions should only be sought where they meet all of the following tests (as set out in the Community Infrastructure Regulations 2010, as amended, and at paragraph 204 of the NPPF) namely to be:

Necessary to make the development acceptable in planning terms;  
Directly related to the development; and  
Fairly and reasonably related in scale and kind to the development.

The Local Planning Authority has not received sufficient information in this case to be satisfied that the requested contributions meet the above 3 no. tests. Accordingly, it is considered that it would be inappropriate to request such a contribution.

On site open space / amenity requirements

For a development of this size, it would not be normal to provide on-site communal open space. Leisure services have expressed their preference for a commuted sum to be paid

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in order to improve and enhance existing open space within the vicinity. An equipped child's play area exists approximately 300 metres due north of the site which was provided as part of the existing Dixon Close development.

Private amenity space for all of the houses would be in compliance with the Councils adopted SPG 'Encouraging Good Design' and as such, officers are satisfied that the scheme could not be regarded as an over-development of the site. Environmental Health has examined the proposals and has raised no objection subject to the introduction of an acoustic fence to protect residents from noise associated with the use of the adjacent railway line.

**Impact on nearby residents**

The majority of the representations received from the public concern impact upon amenity due to increased vehicle movements to and from the site and associated highway safety implications. Parking to be provided as part of the scheme complies with local standards and the highway authority have raised no objection to the application. The proposals meet the stated separation distances between existing and new residential development and the proposed development would safeguard privacy enjoyed by existing occupiers. Further, officers are satisfied that no loss to residential amenity would result from the proposed development by virtue of loss of light or outlook.

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, due to the relationship of adjoining dwellings 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 noise nuisance is considered to exist.

**Trees and landscaping**

Following receipt of the Tree Officers original comments, further tree survey work has been undertaken and plots 15/16 have been redesigned and moved away from the northern boundary and the adjacent wooded area. The Tree Officer is now satisfied with the proposed development following subject to the inclusion of a further landscaping planning condition in the case of permission being granted.

**Affordable Housing**

Discussions have taken place between the Housing Strategy Team who state that they are in agreement with the provision, location and mix between social rented units and intermediate affordable housing and therefore this issue is considered to have been addressed.

**Planning Obligation required**

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:



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- A contribution towards playing pitches, play areas and open space in the area, due to increased demand/requirement from future residents, is required in compliance with the SPD.
- A contribution to provide refuse and re-cycling bins for the new development in accordance with Policy WCS.17 of the adopted Worcestershire Waste Core Strategy
- A contribution towards County education facilities. The County have confirmed that there is a need in this area to take contributions towards three schools: Holyoakes Field First School, Birchensale Middle and Trinity High School
- The provision of 12 units on the site to be restricted to affordable housing in perpetuity

At the time of writing, the planning obligation is in draft form.

Conclusion

Officers consider that this detailed application is wholly acceptable having regards to the sites constraints and all other material considerations. Approval of this application would meet some of the demonstrated housing need in the Borough. The proposal is considered to comply with the planning policy framework and is unlikely to cause harm to amenity or safety. Subject to the satisfactory completion of the planning obligation, this application can be recommended for approval.

**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:

- 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) The satisfactory completion of a S106 planning obligation ensuring that:**
    - \* Contributions are paid to the Borough Council in respect to off-site open space, pitches and equipped play in accordance with the Councils adopted SPD
    - \* Contributions are paid to the Borough Council towards the provision of wheelie bins for the new development
    - \* Contributions are paid to the County Council towards County education facilities in accordance with the Councils adopted SPD
    - \* 12 units on the site are restricted to affordable housing in perpetuity

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and

**b) Conditions and informatives below:**

- 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) 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.

- 3) 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

- 4) 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

- 5) 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

- 6) The Development hereby permitted shall not be brought into use until the access, turning area 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.

- 7) Development shall not commence until the engineering details and specification of the proposed roads and highway drains have been submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:- To ensure an adequate and acceptable means of access is available before the dwelling or building is occupied and in accordance with the National Planning Policy Framework.

- 8) The development hereby permitted shall not be brought into use until the applicant has submitted to and have approved in writing a travel plan that promotes sustainable forms of access to the site with the Local Planning Authority. This plan thereafter will be implemented and updated in agreement with Worcestershire County Councils Travel plan co-ordinator.

Reason: To reduce vehicle movements and promote sustainable access in accordance with the provisions of the National Planning Policy Framework

- 9) A Construction Environmental Management Plan shall be submitted to and approved in writing by the local planning authority prior to commencement of development. This shall include the following:-

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- a. Measures to ensure that vehicles leaving the site do not deposit mud or other detritus on the public highway;
- b. Details of site operative parking areas, material storage areas and the location of site operatives facilities (offices, toilets etc);

The measures set out in the approved Plan shall be carried out in full during the construction of the development hereby approved. Site operatives' parking, material storage and the positioning of operatives' facilities shall only take place on the site in locations approved by in writing by the local planning authority.

Reason: To protect the amenities of nearby properties during the construction of the development and to protect the natural and water environment from pollution in accordance with the provisions of the National Planning Policy Framework.

- 10) If during development, contamination not previously identified is found to be present at the site, no further development (unless otherwise agreed in writing with the LPA) shall be carried out until either;
  - a site investigation has been designed and undertaken in accordance with details approved in writing by the LPA, a risk assessment has been produced and a method statement detailing the remediation requirements using the information obtained from the site investigation has been approved by the LPA or;
  - If the above has been previously undertaken, the developer has submitted and obtained written approval from the LPA for an addendum to the method statement detailing how this unsuspected contamination shall be dealt with.

Reason: To ensure that the development complies with approved details in the interests of protection of Controlled Waters and in accordance with National Planning Policy Framework.

- 11) The development hereby approved shall be implemented in accordance with the following plans:
  - Planning, Design and Access Statement 11.11.13
  - ADC Acoustic Report dated 24.10.13
  - Arboricultural Impact Assessment Nov 2013
  - Tree Survey Plan: 13/1019/ESA/S/001 rev A
  - Tree Protection and Constraints Plan: 13/1019/ESA/L/001 rev A
  - Drawing 1610/01 rev J (Site Plan)
  - Drawing 1610/02, 1610/03, 1610/04, 1610/05, 1610/06,
  - Drawing 1610/07, 1610/08A, 1610/09, 1610/10, 1610/11,

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- Drawing 1610/12, 1610/13, 1610/14

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

- 12) Prior to the development hereby approved commencing, full details of a scheme for foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The details thus approved shall be fully implemented prior to first use or occupation of the development.

Reason:- To allow proper consideration of the proposed foul and surface water drainage systems and to ensure that the development is provided with a satisfactory means of drainage and in accordance with National Planning Policy Framework

- 13) Prior to development commencing full details of a trespass proof fence to prevent pedestrian trespass onto the adjacent railway at a minimum height of 1.8 metres, including details of provision for its future maintenance and renewal shall be submitted to and approved in writing by the Local Planning Authority and Network Rail. The details thus approved shall be fully implemented prior to first use or occupation.

Reason :- In the interests of health and safety and to protect the visual amenities of the area. in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3.

- 14) Prior to development commencing full details of an acoustic fence to be erected along the south-west and south-east boundaries to the application site including details of provision for its future maintenance shall be submitted to and approved in writing by the Local Planning Authority. The details thus approved shall be fully implemented prior to first use or occupation.

Reason :- In the interests of safeguarding the residential amenities of the area in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3.

**Informatives**

- 1) This permission does not authorise the laying of private apparatus within the confines of the public highway. The applicant should apply to Worcestershire County Council for consent under the New Roads and Streetworks Act 1991 to install private apparatus within the confines of the public highway. Precise

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details of all works within the public highway must be agreed on site with the Highway Authority.

- 2) Due to the close proximity of other residents, the applicant is directed to the following document for best practice during construction:

**Worcestershire Regulatory Services "Code of Best Practice for Demolition and Construction Sites"**

which can be found on the WRS website at

<http://www.worcsregservices.gov.uk/pdf/WRS%20contractor%20guidance%20July%202011%20V.1.2.pdf>

- 3) If it is the Developer's intention to request the County Council, as a Highway Authority, to adopt the proposed roadworks as maintainable at the public expense, then details of the layout and alignment, widths and levels of the proposed roadworks, which shall comply with any plans approved under this planning consent unless otherwise agreed in writing, together with all necessary drainage arrangements and run off calculations shall be submitted to Worcestershire County Council. No works on the site of the development shall be commenced until these details have been approved and an Agreement under Section 38 of the Highways Act, 1980, entered into.
- 4) The applicant's attention is drawn to the requirement to provide a Risk Assessment and Method Statement for development works which are to be carried out within 10 metres of operational railway land. This should be agreed prior to the commencement of any development on the site. The Method Statement should be sent to: Outside Parties Engineer, Network Rail, Desk 122, Floor 1, Square One, 4 Travis Street, Manchester M1 2NY
- 5) The applicant should be aware that this permission also includes a legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) and that the requirements of that and the conditions listed above must be complied with at all times.
- 6) Whilst the full remit of the Secured by Design Scheme covers more than Land Use Planning and Development Control, Redditch Borough Council actively encourage developers to take full account of Crime Prevention and Community Safety issues throughout the design and construction of any development as an integral part of achieving good design. Applicants are advised that further details of Secured by Design and relevant construction specifications can be found at [www.securedbydesign.com](http://www.securedbydesign.com) or by contacting the West Mercia Constabulary Crime Risk Manager on 01527 586181

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- 7) 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. a) **In the event that the planning obligation cannot be completed by the end of May 2014, 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 would cause to community infrastructure by a lack of provision for their improvements, and that none of the dwellings could be restricted to use for affordable housing in line with current policy requirements; and**
- b) **In the event of a refusal on this ground and the applicant resubmitting the same or a very similar planning application with a completed legal agreement attached, 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 at the meeting**

**Procedural matters**

This application is being reported to the Planning Committee because the application is classified as 'major'; the recommendation is that permission be granted subject to a planning obligation and because two or more objections have been received.





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**Planning Application 2013/302/FUL**

**Erection of an 8-bedroom & sitting room single storey extension, a single-storey laundry extension and associated site works**

**Haversham House, 327 Bromsgrove Road, Redditch, Worcestershire, B97 4NH,**

**District: Webheath  
Applicant: Mr BP Sinha  
Expiry Date: 24th January 2014  
Ward: WEST**

**(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**

Haversham House is located off the east side of Bromsgrove Road and is one of a small line of properties which front onto that section of Bromsgrove Road which lies between Birchfield Road and the Bromsgrove Highway. The building is used as a care home for the elderly and has had a two storey extension to the rear. The property is served by a semi-circular driveway off Bromsgrove Road.

### **Proposal Description**

Permission is sought to erect a single storey rear extension off the kitchen and sitting room to provide 8 additional bedrooms. Each bedroom would have toilet facilities. An assisted bathroom as well as a new sitting room would be included within the extension. The depth of the extension is approximately 16.5 m overall from the rear wall of an existing two storey rear extension with a varying width 16 - 20.8 m. The extension would have a flat green roof comprising of drought tolerant vegetation such as sedums, grasses, and meadow flowers. The walls would be finished in brickwork to match the existing building.

An additional laundry room measuring approximately 1.9 x 3m would be provided off the boiler room, and be finished with a flat roof and brickwork to match the existing building.

### **Relevant Policies :**

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

BBE13 Qualities of Good Design  
BBE14 Alterations and Extensions  
CT02 Road Hierarchy  
CT12 Parking Standards  
H02 Homes for the Elderly

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**Others:**

NPPF National Planning Policy Framework  
SPG Encouraging Good Design

**Relevant Planning History**

2006/255/FUL	Rear Single Storey Extension Of Ten Bedrooms, Sitting Room And Laundry	Refused	19.07.2006
2003/341/FUL	Two Storey Extension	Refused	17.10.2003
1988/336/FUL	Extension To Care Home For The Elderly	Approved	23.06.1988
1984/344/FUL	Change Of Use From Private Dwelling To Residential Home For The Elderly	Approved	29.10.1984
AP0131/HIS5	Two storey Extension To Existing Home For The Elderly	Dismissed at Appeal	04.03.1987
AP0367/HIS5	Two Storey Extension	Dismissed at Appeal	25.06.2004
AP0434/HIS5	Rear Single Storey Extension Of Ten Bedrooms, Sitting Room And Laundry	Dismissed at Appeal	24.01.2007

**Consultations**

**Area Environmental Health Officer**

The above application lies within 250m of 4 areas of unknown filled ground the closest being 20m from the site boundary. The application is considered not to require any condition regarding landfill gas.

It is advised that due to the close proximity of other residents that the applicant should be directed to the WRS best practice document regarding demolition and construction.

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### **Highway Network Control**

Has no objection to the grant of permission, but recommend the provision of an ambulance space. A drawing should be provided by the applicant showing such a space in an accessible area adjacent to the front of the building.

### **Residential Homes- Adult and Community Services**

No comments submitted.

### **Public Consultation Response**

3 objections received raising the following concerns:-

- Experienced disturbances from residents of Haversham House eg. shouting about five or six times between 10pm and 11 pm. Think this can only get worse with the proposed extension.
- Think the proposed development is completely out of character for the area, it is going to cause more noise and nuisance with deliveries in the day and emergency vehicles at night, also more staff on duty coming outside for a smoke and the banging of doors which have been experienced at 1am. Note on the plans eleven parking spaces but there would be 24 beds in total so a potential 24 vehicles visiting plus staff parking, they already park vehicles on the lawns making the front garden an eyesore especially when it is wet weather. This new extension will only add to that.
- Object to these plans because this is a residential area and they will be more than doubling their commercial property. This will bring congestion to the area both in terms of people visiting the place which includes workers, professionals and visitors and also the volume of traffic and noise levels, Bromsgrove Road is already a main busy road which gets traffic jams already. Think it will look unsightly as this will be our view from our house. They already have a high pitched bell going off constantly. The car park facilities proposed will not be adequate for the needs of the care home; they already have parking issues and people trying to access the property.
- This is a very large extension which covers a large proportion of their garden. This is a quiet area with lovely views but building that extension will ruin the surrounding area.

### **1 Representation**

- Whilst not objecting to the building of the extension would like to ask that as part of the permission the owners should erect and maintain a 6 foot high wooden fence at the end of their garden. Their garden backs onto mine and their fence is not properly maintained which has in the past meant that one of their residents has turned up in our kitchen in the middle of the night in a very confused state. Feel that the increased number of residents would encroach on our privacy in our garden without adequate fencing.

### **Assessment of Proposal**

Members may recall that an application (2006/255) was considered at Planning Committee on 18 July 2006 for a similar shaped proposal. However, the proposal was for

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10 bedrooms and therefore, had a larger footprint than the one proposed now. The 10 bedroom extension utilised a good proportion of the rear garden area and was single storey finished with a hipped roof. The application was recommended for approval as it was considered by officers that the design was sympathetic to the building and surrounding area having a low pitched roof, and part of the extension sunken into the ground in order to reduce its impact. The application was considered by members and was refused 19 July 2006 for the following reasons:-

1. Due to its size, the proposed extension would add significantly to the amount of built form on the site, leading to overdevelopment of the site and lack of suitable amenity space. As such, the proposal would unacceptably detract from the character and visual amenity of the area, contrary to policies H.2, B(BE).13 and B(BE).14 of the Borough of Redditch Local Plan No.3.
2. Due to its size and close proximity to adjacent dwellings, the proposed extension would unacceptably detract from the living conditions of adjoining residents by reason of dominance and general noise and disturbance associated with an increased level of activity arising from the development.

The applicant appealed against the Council's decision. The appeal was dismissed 3 January 2007. The Inspector made comments in his decision as summarised below:-

It is noted that the care home needs a number of improvements and upgrading to both benefit residents and to keep pace with current standards, which can only be done on the back of a significant increase in the number of bedrooms.

The Inspector observed that the building was not typical of other detached properties alongside, in terms of size and character, but it nevertheless appears spacious in its setting. Having regard to these characteristics, to add a substantial addition, covering much of the rear amenity space and close to the boundaries of adjoining gardens, would result in a visually intrusive form of development. It would add significantly to the plot coverage and there is nothing equivalent locally in terms of the amount of built development on a plot. Whilst the additional structure would not impinge on the streetscene, it would be readily visible from neighbouring properties, introducing a bulky and incongruous feature into a spacious environment and as such would be detrimental to the character and appearance of the area.

In terms of the relationship to neighbouring properties, the Inspector stated that although the new accommodation would be close to boundaries, the extension has been designed to minimise direct overlooking of rear gardens and loss of privacy. However, the Inspector agreed with residents that although the extension would now be single-storey, walls and roof would be clearly visible from within habitable rooms, which reinforcing the existing boundary hedging would not ameliorate.

With respect to noise and disturbance, the proposed laundry room would be 6m from the gable wall of the neighbouring house and consider that the imposition of conditions

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relating to its construction and operation would ensure that there would be no significant noise and disturbance.

The proposal has been amended to address the Inspector's reasoning for dismissing the above appeal. The proposal raises the following matters:-

### Design and layout

The overall footprint of the extension has been reduced and would maintain approximately 16 metres garden length between the proposed extension and the rear garden boundary. The extension now comprises of a flat green roof rather than a hipped roof further reducing the overall impact of the extension. The green roof comprising of drought tolerant plants would further enhance the visual appearance of the extension.

Comments have been made in respect to the size of the extension; however, it is considered that the reduced footprint of the scheme is an improvement to the appeal proposal. In addition, it is considered that the revised extension would address issues raised by the inspector as there would be a generous spacing between the extension and rear boundary. The positioning of proposed windows is such that there would be minimal overlooking of neighbouring properties. The proposal would comply with policies B(BE).13 and B(BE).14 and design policies in the NPPF. Although the proposal would potentially conflict with the 60 degree guide set out in SPG Encouraging Good Design, the distance between neighbouring windows and the extension set at a 60 degree angle is approximately 10 metres, therefore, taking into account the design of the extension and distance between the neighbouring properties concerned, it is unlikely that the proposal would have a detrimental impact on the amenities of the neighbouring occupiers.

### Noise and general activity associated with the care home.

Several comments have been made in respect to general disturbance associated with the use, with one neighbouring occupier stating that a resident managed to get into their rear garden / kitchen due to the poor quality of the existing boundary treatment. The applicant has been advised of this matter, and plans submitted now clarify that boundary hedging and fencing will be upgraded for the security of the residents. Neighbours have also referred to noise issues including bells ringing. The agent has clarified that the only bells within the building are residents call bells for assistance and a fire alarm bell that is tested occasionally. There are no external bells. Worcestershire Regulatory Service has been consulted and raised no objection to the scheme.

### Car parking

As part of the proposal, the car parking layout has been amended increasing the number of spaces to 13 and an ambulance space has been provided as recommended by Highway Network Control. Comments have been made by neighbouring occupiers in respect to the current car parking issues. The car parking provision does not fully meet the maximum requirements set out Local Plan No. 3 in respect to staff parking which requires 1 car space per bedroom for staff parking. Given only a total of 8 staff would be employed once the property is extended, the car parking standard does seem excessive. A total of 6 car parking spaces would be required for the proposed increased number of

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residents. The proposal shows a total provision of 13 car parking spaces (excluding ambulance space), making a shortfall of 1 space (based on proposed total number of staff and the 6 spaces required for residents). However, there may be scope to add an additional space to make the provision up to 14. Further details on this matter will be provided in the update report. Highway Network Control has no objection to the proposal.

### **Conclusion**

It is considered that the revised proposal addresses concerns raised by the Inspector in relation to the previous scheme. Several comments have been made by neighbouring occupiers in terms of its size and design; however, changing the roof design and reducing the footprint of the extension helps to reduce its impact on the neighbouring occupiers. Other comments have been submitted relating to general noise and disturbance, however, Worcestershire Regulatory Services has no objections, and every effort is proposed to improve security of the site. The proposal complies with policies in the Local Plan and policies in the NPPF.

### **RECOMMENDATION:**

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

### **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) All new external walls 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 is 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 plans to be defined.

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

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the visual amenities of the area in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3

- 4) The Development hereby permitted shall not be brought into use until the 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.

- 5) 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:

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

- 6) 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

- 7) 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.

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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) 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.

### **Informatives**

- 1) The applicant is advised that due to the close proximity of other residents, the applicant should be directed to the following document for best practice during demolition and construction:

Worcestershire Regulatory Services "Code of Best Practice for Demolition and Construction Sites" which can be found on the WRS website.

- 2) The application site lies within 250m of 4 areas of unknown filled ground the closest being 20m from the site boundary. Given that the application is for an extension, gas protection measures should match those measures in place in the existing property. If there are no gas protection measures in the existing property there is no need to incorporate gas protection measures in the extension. The applicant may wish to undertake a landfill gas survey for their own piece of mind.

### **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 2013/336/FUL**

**Two storey side extension, rear balconies, conservatory to the rear, new garage to the front of the property, and extend existing tarmac driveway with tarmac or block paving.**

**120 Plymouth Road, Redditch, Worcestershire, B97 4PA**

**District: Southcrest  
Applicant: Mr Steven Male  
Expiry Date: 17th December 2013  
Ward: CENTRAL**

**(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 comprises of a detached dwelling with a front garden facing south east and a sizeable rear garden facing north west.

Planning permission was granted in 2008 for a two storey rear extension, conservatory and porch. Whilst the two storey rear extension has been built in accordance with the approved plans, the extension that has been built where the approved conservatory would have been is different in design and scale to that shown on the approved plans and seems to extend to first floor level as well. However, the approved porch has not been built but could still be implemented under the permission granted.

A Certificate of Lawfulness for Proposed Development was approved in 2008 for a rear dormer window that was considered to be permitted development and has been built on site.

**Proposal Description**

Permission is now sought for a two storey side extension, conservatory, garage and improvements to the driveway.

The two storey side extension would provide additional floorspace for the kitchen, a new utility room at ground floor level, additional floor space for bedroom 3 and a new 4th bedroom would be provided at first floor level. A walk in wardrobe would be provided in the loft area of the extension, however, amended plans have been submitted to provide a set down and set back for the side extension resulting in the omission of the walk in wardrobe in the loft area. The extension would comprise of a dual pitched roof whilst a narrow gable would be provided on the rear elevation. Other alterations to the rear of the

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property include a balcony off the dormer window, however, this element has been amended to a Juliet balcony.

A conservatory is proposed at the rear measuring approximately 4.7 x 6 metres. The conservatory would comprise of a flat roof with a glazed lantern roof.

A double garage is proposed in the front garden and would be partly sunk into the ground. The garage would measure 5 metres in width and 6 metres in length. The driveway would be widened and be finished in tarmac or brick pavers.

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

BBE13	Qualities of Good Design
BBE14	Alterations and Extensions
BBE19	Green Architecture
CT02	Road Hierarchy

**Emerging Borough of Redditch Local Plan No. 4**

Policy: 40	High Quality Design and Safer Communities
Policy 22:	Road Hierarchy

**Others:**

SPG Encouraging Good Design

**Relevant Planning History**

2007/492/ACL	Certificate Of Lawfulness For A Proposed Use - Loft Conversion, Roof Extension Including Box Dormer Window	Approved	23.01.2008
2007/493/FUL	Two Storey Rear Extension, Single Storey Conservatory To Rear And Porch	Approved	29.01.2008

**Consultations****Highway Network Control**

Has no objection to the grant of permission, subject to the following note:-

Alteration of highway to provide new or amend vehicle crossover

**Public Consultation Response**

4 letters of objection raising the following concerns:-

- Concerned about how long existing extensions are taking to be finished combined with noise / disturbance experienced late at night and early evening.

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- Size of extension is not appropriate for the location. Concern that proposal would be overdevelopment and set a precedent in the area.
- Side extension would be up to the side boundary and look enormous, and will impact on our home in terms of reducing light into the family garden. The dwelling is positioned at a higher level to ours which makes the property imposing as it has been extended already. The natural light onto the outside patio will disappear as a result of the side extension.
- The proposed balconies would overlook our garden. Concern about impact potential foundations could have on our property and structures close to the side boundary. Concern proposal will resemble a set of apartments and this over development will ruin the street scape of Plymouth Road.
- Concern about the height of the garage, and potential precedent this could have on the street although there is an example in the street.
- Concern about the size of the house and that it would be out of proportion to the plot of land it sits on.

**Assessment of Proposal**

The proposal raises the following matters:-

**Two storey extension**

Initial plans submitted showed the side extension having a set down in relation to the original ridgeline. However, comments from neighbouring occupiers raised concerns that due to the difference in levels between the properties and the extent of extension proposed, the development would have an impact on their property in relation to natural sunlight. The applicant has amended the proposal to reduce the impact on the neighbouring occupier. The overall height of the side extension has been reduced from approximately 7.9 m to 6.8 m. The impact has been reduced further with the provision of a narrow gable on the rear elevation that has resulted in a reduction of built form proposed close to the side boundary. The design of the amended two storey side extension is considered to be acceptable complying with policies B(BE).13 and B(BE).14 of the Borough of Redditch Local Plan No.3 and complies with the 45 degree guide set out in the SPG on Encouraging Good Design.

**Proposed balcony**

A balcony measuring out approximately 1.2 metres from the dormer window (loft) was proposed as well as a Juliet balcony for bedroom No.3. Comments have been made by neighbouring occupiers in respect to potential overlooking from the loft balcony. Amended plans submitted now show the loft balcony as a Juliet balcony reducing any potential overlooking to that you would generally have from a rear window and is now considered to acceptable complying with Policies B(BE).13 and B(BE).14 of Local Plan No.3.

**Conservatory**

A conservatory is proposed off the extended rear wall of the existing extension and the rear wall of the proposed side extension. The design comprises of a flat roof with a

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glazed lantern roof in the middle. This aspect of the development would breach the 60 degree guide by approximately 1 metre; however, due to the mainly flat roof design of the conservatory it is unlikely to have a detrimental impact on the amenities of the neighbouring occupiers.

Garage and drive

The driveway is proposed to be widened and finished in tarmac or brick pavers and a new garage is proposed to be erected in the front garden area. The garage would be approximately 4 metres in height overall but would be partly built into the land in order to reduce its impact on the streetscene. A similar garage has been built on a property opposite to the site in the front garden area. Highway Network Control has no objection to the proposal. Comments have been made by neighbouring occupiers in respect to this element of the proposed development; however, officers consider that the design of the garage is such that its impact on the streetscene would be minimal as it would be set back approximately 6 metres from the front boundary of the site and is similar in character to others in the streetscene.

Conclusion

The amendments made to the scheme have helped to address concerns raised by neighbouring occupiers and it is considered that the amended plans would have less impact on the neighbours concerned. The proposal would comply with policies B(BE).13 and B(BE).14 of the Borough of Redditch Local Plan No.3, although it is accepted that the proposal would not fully comply with the SPG on Encouraging Good Design in respect to the 60 degree guide, however, due to its design, the potential impact of the conservatory on the neighbouring occupiers is likely to be minimal.

**RECOMMENDATION:**

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

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) 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.

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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 plans to be defined.

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

- 4) The proposed drive and parking area shall be finished in a permeable surface and retained as such thereafter.

Reason: To ensure adequate surfacing for the parking area and driveway that enables permeable drainage to prevent potential flood risk and in accordance with Policy B(BE).19 of the Borough of Redditch Local Plan No.3

**Informatives**

- 1) This planning permission does not authorise the applicant to carry out works within the publicly maintained highway since such works can only be carried out by the County Councils Approved Contractor following the issue of a licence under Section 184 and 278 of the Highways Act, 1980.

The applicant should contact Worcestershire County Councils Highway Network Control Manager, County Hall, Spetchley Road, Worcester, WR5 2NP (telephone 0845 607 2005), regarding the issue of the necessary license authorising the access works to be carried out by the County Councils Approved Contractor at the applicants expense.

**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 2013/341/OUT**

**Outline permission for the demolition of an existing building and erection of new 1700 sq m B2 unit**

**Unit 81, Arthur Street, Redditch, Worcestershire**

**District: Lakeside**  
**Applicant: Samuel Taylor Ltd**  
**Expiry Date: 19th February 2014**  
**Ward: LODGE PARK**

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

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

### **Site Description**

The site comprises a single storey brick building that has been used for warehouse purposes and office use. The site is a prominent corner location with two separate vehicular access points onto Arthur Street. The site has a deep grassed verge with some tree planting. However, since the submission of the application, the trees concerned (not protected) have been removed.

### **Proposal Description**

Outline planning permission is sought to demolish the existing building and erect a new 1700 sq m B2 (General Industrial) unit with ancillary offices. Outline planning permission is sought with all matters to be reserved such as Access, Appearance, Landscaping, Layout, and Scale.

### **Relevant Policies :**

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

EEMP03	Primarily Employment Areas
EEMP3A	Development Affecting Primarily Employment Areas
BBE13	Qualities of Good Design
CT02	Road Hierarchy
CT12	Parking Standards
BBE.29	Construction Waste

#### **Others:**

NPPF	National Planning Policy Framework
SPG	Encouraging Good Design
SPD	Designing for Community Safety

#### **Emerging Borough of Redditch Local Plan No. 4**

Policy 22: Road Hierarchy

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Policy 24: Development within Primarily Employment Areas  
Policy 40: High Quality Design and Safer Communities

### **Relevant Planning History**

1987/048/FUL New Entrance on to Arthur Street

06.03.1987

### **Consultations**

#### **Arboricultural Officer**

Trees within the site have now been removed, so no need for comments from Arboricultural Officer.

#### **Community Safety Officer**

No comments submitted.

#### **Economic Development and Regeneration Service**

No comments submitted.

#### **Contaminated Land- Worcestershire Regulatory Services**

The application is on a site that has had former industrial uses and is within 250m of a former quarry site that may have unknown filled ground, as the application is for demolition and rebuild and will involve ground works a contaminated land condition is recommended.

#### **Area Environmental Health Officer**

No Comments Received To Date

#### **North Worcestershire Water Management**

According to Environment Agency maps the site is not located within an area of fluvial flood risk nor is it affected by any past surface water flooding or drainage issues. The immediate vicinity however is within a fluvial flood zone, caused by the nearby located Arrow Valley Lake to the east of the location and there is evidence of some surface water flooding issues nearby too. Based on this information it will be important to ensure that an adequate way of 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.

No objections to this outline proposal in terms of drainage and flood risk.

#### **Highway Network Control**

Has no objection to the grant of permission, subject to a highway note being imposed.

#### **Crime Risk Manager**

No comments or objections to the proposal.



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### **Severn Trent Water Ltd**

No objection to the proposal subject to the inclusion of a drainage condition.

### **Public Consultation Response**

No comments submitted.

### **Assessment of Proposal**

The proposal raises the following matters:-

#### **Principle of the development**

The site is within a Primarily Employment Area as designated in the Borough of Redditch Local Plan No.3. Therefore, policies E(EMP).3 and E(EMP).3a of the Local Plan apply. The proposed use would be B2 with ancillary offices. Therefore, the proposed use would comply with Policy E(EMP).3 and it would also be a compatible use with surrounding uses within this Primarily Employment Area. The principle of the development would also comply with policy 24 of the emerging Local Plan No.4 and para. 21 of the NPPF. Therefore, the principle of the proposed development would be acceptable complying with the above policies.

#### **Site layout**

The application is in outline with all matters to be reserved, however, an indicative plan has been submitted showing the potential location of the building and visitor car parking off one of the existing access points. It is understood that the neighbouring business - Samuel Taylor Ltd are proposing to develop the site. Therefore, the indicative plan shows a link from the proposed building to the existing neighbouring units. Given that all matters such as layout are reserved the plan submitted is indicative only.

However, officers have concerns over the layout and will seek to work with the applicant to achieve a more acceptable design and layout at reserved matters stage.

#### **Access arrangements**

Highway Network Control has no objection to the proposal overall and recommend that an informative note be imposed. It is considered possible for adequate access, parking and turning arrangements to be achieved for the scheme at the reserved matters stage.

#### **Conclusion**

The principle of the development is considered to be acceptable and would comply with policies in the Borough of Redditch Local Plan No.3, the emerging Local Plan No.4 and policies in the NPPF.

### **RECOMMENDATION:**

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

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**Conditions**

- 1) (a) Application for approval of matters reserved in this permission must be made not later than the expiration of three years beginning with the date of the grant of this permission.
- (b) The development to which this permission relates must be begun not later than whichever is the later of the following dates:-
  - (i) the expiration of three years from the date of the grant of outline planning permission; or
  - (ii) the expiration of two years from final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.
- (c) The matters reserved for subsequent approval include the following:-

Access, Appearance, Landscaping, Layout, and Scale.

Reason:- In accordance with the requirements of Section 92 (2) of the Town and Country Planning Act 1990.

- 2) 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.

- 3) The development hereby approved shall be implemented in accordance with plans to be defined.

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

- 4) The development hereby approved shall be used for purposes that fall within class B1, B2, and B8; of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) and for no other purpose.

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

- 6) 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

- 7) Prior to the development hereby approved commencing, full details of a scheme for foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The details thus approved shall be fully implemented prior to first use or occupation of the development.

Reason:- To allow proper consideration of the proposed foul and surface water drainage systems and to ensure that the development is provided with a satisfactory means of drainage and in accordance with National Planning Policy Framework.

- 8) Unless otherwise agreed by the Local Planning Authority development, other than that required to be carried out as part of an approved scheme of remediation, must not commence until Parts 1 to 6 have been complied with:

Part 1.

A preliminary risk assessment must be carried out. This study shall take the form of a Phase I desk study and site walkover and shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and any other relevant information. The preliminary risk assessment report shall contain a diagrammatical representation (conceptual model) based on the information above and shall include all potential contaminants, sources and receptors to determine whether a site investigation is required and this should be detailed in a report supplied to the Local Planning Authority. The risk assessment must be approved in writing before any development takes place.

Part 2.

Where an unacceptable risk is identified a scheme for detailed site investigation must be submitted to and approved in writing by the Local Planning Authority prior to being undertaken. The scheme must be designed to assess the nature and

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extent of any contamination and must be led by the findings of the preliminary risk assessment. The investigation and risk assessment scheme must be compiled by competent persons and must be designed in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11"

### Part 3.

Detailed site investigation and risk assessment must be undertaken and a written report of the findings produced. This report must be approved by the Local Planning Authority prior to any development taking place. The investigation and risk assessment must be undertaken by competent persons and must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11"

### Part 4.

Where identified as necessary a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to identified receptors must be prepared and is subject to the approval of the Local Planning Authority in advance of undertaking. The remediation scheme must ensure that the site will not qualify as Contaminated Land under Part 2A Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

### Part 5.

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.

### Part 6.

Following the completion of the measures identified in the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval of the Local Planning Authority prior to the occupation of any buildings.

### Part 7.

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where necessary a remediation scheme must be prepared, these will be subject to the approval of the Local Planning Authority. Following the completion of any measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to the occupation of any buildings.

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Reason:- To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with policy B(BE).29 of the Borough of Redditch Local Plan No.3.

- 9) 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.

- 10) 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;

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) This planning permission does not authorise the applicant to carry out works within the publicly maintained highway since such works can only be carried out by the County Councils Approved Contractor following the issue of a licence under Section 184 and 278 of the Highways Act, 1980.

The applicant should contact Worcestershire County Councils Highway Network Control Manager, County Hall, Spetchley Road, Worcester, WR5 2NP (telephone 0845 607 2005), regarding the issue of the necessary license authorising the access works to be carried out by the County Councils Approved Contractor at the applicants expense.

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- 2) For clarification, plans submitted as part of the planning application are indicative only and may be subject to change at the reserved matters stage.

**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.