

Planning Committee

Wed 14th May
2014
7pm

Council Chamber
Town Hall
Redditch



www.redditchbc.gov.uk

Access to Information - Your Rights

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

Your main rights are set out below:-

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

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

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

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

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

www.redditchbc.gov.uk

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

Janice Smyth
Democratic Services Officer
Town Hall, Walter Stranz Square, Redditch, B98 8AH
Tel: (01527) 64252 Ext. 3266 Fax: (01527) 65216
e.mail: janice.smyth@bromsgroveandredditch.gov.uk

REDDITCH BOROUGH COUNCIL
PLANNING COMMITTEE



www.redditchbc.gov.uk

GUIDANCE ON PUBLIC
SPEAKING

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

in accordance with the running order detailed in this agenda and updated by the separate Update report:

- 1) Introduction of application by Chair
- 2) Officer presentation of the report (as originally printed; updated in the later Update Report; and updated orally by the Planning Officers at the meeting).
- 3) Public Speaking - in the following order:-
 - a) Objectors to speak on the application;
 - b) Supporters to speak on the application;
 - c) Applicant to speak on the application.

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

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

Notes:

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

Further assistance:

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

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

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

Welcome to today's meeting.

Guidance for the Public

Agenda Papers

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

Chair

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

Running Order

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

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

Decisions

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

Members of the Public

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

Special Arrangements

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

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

Further Information

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

Fire/ Emergency instructions

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

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

Do Not stop to collect personal belongings.

Do Not use lifts.

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

The emergency Assembly Area is on Walter Stranz Square.



PLANNING

Committee

14th May 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

1. Apologies	To receive apologies for absence and details of any Councillor nominated to attend the meeting in place of a member of the Committee.
2. Declarations of Interest	To invite Councillors to declare any interest they may have in the items on the Agenda.
3. Confirmation of Minutes (Pages 1 - 6)	To confirm, as a correct record, the minutes of the meeting of the Planning Committee held on 9 th April 2014. (Minutes attached)
4. Update Reports	To note Update Reports (if any) for the Planning Applications to be considered at the meeting (circulated prior to the commencement of the meeting)
5. Planning Application 2013/302/FUL - Haversham House, 327 Bromsgrove Road, Redditch, Worcestershire B97 4NH (Pages 7 - 16) Ruth Bamford, Head of Planning and Regeneration	To consider a Planning Application for the erection of a 6 bedroom and sitting room single storey extension, a single-storey laundry extension and associated site works. Applicant: Mr B P Sinha (Report attached – Site Plan under separate cover) (West Ward)

PLANNING

Committee

14th May 2014

<p>6. Planning Application 2013/320/FUL - Land adjacent First House, Lady Harriets Lane, Redditch, Worcestershire B98 8HD</p> <p>(Pages 17 - 24)</p> <p>Ruth Bamford, Head of Planning and Regeneration</p>	<p>To consider a Planning Application for the erection of a single detached two-storey house on land adjacent to First House.</p> <p>Applicant : Mr Khurshid Ahmed</p> <p>(Report attached – Site Plan under separate cover)</p> <p>(Abbey Ward)</p>
<p>7. Planning Application 2014/011/FUL - Windy Bank Farm, Astwood Lane, Astwood Bank, Redditch, Worcestershire B96 6HH</p> <p>(Pages 25 - 32)</p> <p>Ruth Bamford, Head of Planning and Regeneration</p>	<p>To consider a Planning Application for an on-farm slaughter facility at Windy Bank Farm through the change of use of the existing farm buildings and the construction of a new access from the south-west of the site, off Astwood Lane.</p> <p>Applicant: Mr Terence Simpson</p> <p>(Report attached – Site Plan under separate cover)</p> <p>(Astwood Bank & Feckenham Ward)</p>
<p>8. Planning Application 2014/013/FUL - Aynho, Lady Harriets Lane, Redditch, Worcestershire B98 8HD</p> <p>(Pages 33 - 36)</p> <p>Ruth Bamford, Head of Planning and Regeneration</p>	<p>To consider a retrospective Planning Application for a conservatory to rear of the property.</p> <p>Applicant: Mr Rab Nawaz</p> <p>(Report attached – Site Plan under separate cover)</p> <p>(Abbey Ward)</p>
<p>9. Appeal Outcomes - Information Report</p> <p>(Pages 37 - 40)</p> <p>Ruth Bamford, Head of Planning and Regeneration</p>	<p>To note a number of recent Appeal Outcomes.</p> <p>(Report and Appendix attached)</p> <p>(Various Wards)</p>

10. Exclusion of the Public

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

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

These paragraphs are as follows:

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

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

may need to be considered as “exempt”.

11. Confidential Matters (if any)

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



Planning Committee

9th April 2014

MINUTES

Present:

Councillor Andrew Fry (Chair), and Councillors Brandon Clayton (substituting for Councillor Roger Hill), Joe Baker, Roger Bennett, Michael Chalk, Wanda King, Brenda Quinney and Yvonne Smith

Officers:

Steve Edden, Amar Hussain, Ailith Rutt and Sharron Williams

Committee Services Officer:

Jan Smyth

94. APOLOGIES

Apologies for absence were received on behalf of Councillors Roger Hill and Alan Mason.

95. DECLARATIONS OF INTEREST

No declarations of interest were made.

96. CONFIRMATION OF MINUTES**RESOLVED that**

the minutes of the meeting of the Committee held on 12th March 2014 be confirmed as a correct record and signed by the Chair.

97. UPDATE REPORTS

The two Update reports relating to the Applications to be considered were received and noted.

.....
Chair

Planning Committee

9th April 2014

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

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

The following individuals addressed the Committee under the Council's Public Speaking rules:

Mr J Lorento – objector
Mrs D Treasure – objector
Mr B Jones – objector
Mr N Laight – applicant

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:

- 1) the satisfactory completion of a Section 106 Planning Obligation ensuring that:**
 - a) contributions are paid to the Borough Council in respect to off-site open space, pitches and equipped play in accordance with the Council's adopted SPD;**
 - b) contributions are paid to the Borough Council towards the provision of wheelie bins for the new development;**
 - c) contributions are paid to the County Council towards County education facilities in accordance with the Council's adopted SPD;**
 - d) 12 units on the site be restricted to affordable housing in perpetuity;**
- 2) the Conditions and informatives as detailed on pages 16 to 21 of the main report;**

3) the following additional Conditions:

- “15) During the course of development works and final fitting out, access to and egress from the site for all construction traffic, contractors and deliveries shall be via the Enfield Industrial Estate.**

No development traffic shall access the site via Dixon Close unless first agreed in writing by the Local Planning Authority.

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

- 16) Prior to the Commencement of Development, details of an emergency access to the site via the Enfield Industrial Estate shall be submitted to and approved in writing by the Local Planning Authority. The emergency access works approved shall be implemented prior to the completion of development works on the site. This access point shall be kept available for use by emergency vehicles in perpetuity.**

Reason: In the interests of residential amenity and in order to provide safe and convenient emergency access to the site in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3.

- 17) The approved emergency access shall be kept available as a secondary access / egress for construction traffic, contractors and deliveries during the construction period. Upon completion of development works this access shall be used for emergency vehicles only.**

Reason: To allow a secondary access would allow all construction vehicles to access the site at all times via the Enfield Industrial Estate without having to access via Windsor Road, thereby safeguarding residential amenity in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3”;

and

Planning Committee

9th April 2014

-
- 4) a) **In the event that the Section 106 Planning Obligation cannot be completed by the end of May 2014, authority be delegated 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 re-submitting 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 and informatives as stated in 2) and 3 above.**

(Officers reported on matters relating to vehicular access to and from the development site, additional comments received from the County Highways Engineer and Officer views on the need to impose an additional condition, all as detailed in the two separate Update reports provided for Members and the public gallery prior to the meeting.

Officers also reported on the potential for an emergency vehicle access into the development in perpetuity that would be separate to the proposed access via Dixon Close for residential vehicles. In considering this additional information Members were of the view that an additional access, specifically for emergency vehicles only would alleviate some of the concerns in terms of vehicle access from Dixon Close. A further suggestion that the suggested separate emergency access could potentially be used in addition to the Enfield Industrial Estate access for the duration of the construction period was also supported.

The Committee therefore agreed to impose three additional Conditions relating to access and egress from the Site, as detailed at Resolution 3. 15), 16) and 17) above.)

Planning Committee

9th April 2014

99. **PLANNING APPLICATION 2013/302/FUL –
HAVERSHAM HOUSE, 327 BROMSGROVE ROAD,
WEBHEATH, REDDITCH B97 4NH**

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

Applicant Mr B P Sinha

RESOLVED that

**a decision on this matter be DEFERRED for Officers to seek
further information in regard to proposed parking requirements
and the Nursing Home's current classification.**

100. **PLANNING APPLICATION 2013/336/FUL –
120 PLYMOUTH ROAD, SOUTHCREST,
REDDITCH B97 4PA**

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

Applicant: Mr Steven Male

Mr D Moran, objector addressed the Committee under the Council's public speaking rules. Mr Male, the applicant, withdrew his request to speak to the application.

RESOLVED that

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

**“The overall design of the extension including its height, bulk
and location would result in an overlarge, overbearing and
obtrusive form of development. The cumulative effect of this
extension combined with previous extensions to the property
would result in a development that would be over-intensive
which would be considered inappropriate with its
surroundings. In addition, the extent of the development close
to the side boundary would be overbearing having a
detrimental impact on the amenities of the neighbouring
occupiers. As such, the proposal is considered to be contrary
to policies B(BE).13 and B(BE).14 of the Borough of Redditch**

Planning Committee

9th April 2014

Local Plan No.3, the Borough of Redditch Supplementary Planning Guidance (SPG) on Encouraging Good Design, and good design principles set out in the National Planning Policy Framework.

(In considering the Officer's report and additional information provided in relation to a letter of objection received subsequent to a re-consultation on amended plans and Officers responses, as detailed in the Update report provided to the Committee and the public gallery prior to the meeting, Members expressed a number of concerns in relation to the size and overall design of the proposal which they considered would be overlarge within the context of the residential property and previous extensions to the property and have a detrimental impact on neighbouring occupiers and general surroundings. In view of these concerns, the Committee voted to refuse the application, on which Officers had recommended approval, for the reason detailed in the resolution above.)

**101. PLANNING APPLICATION 2013/341/OUT –
UNIT 81 ARTHUR STREET, LAKESIDE, REDDITCH**

Outline Permission for the demolition of an existing building and erection of new 1700 sq. m. B2 Unit.

Applicant – Samuel Taylor Ltd

RESOLVED that

having regard to the Development Plan and to all other material considerations, Outline Planning Permission be GRANTED, subject to the Conditions and Informatives set out in the main report.

The Meeting commenced at 7.00 pm
and closed at 8.57 pm

.....
CHAIR

PLANNING COMMITTEE

14th May 2014

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 was originally 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, and an assisted bathroom as well as a new sitting room included within the extension. The depth of the extension was approximately 16.5 m overall from the rear wall of an existing two storey rear extension with a varying width 16 - 20.8 m. Members may recall that the application was deferred from Planning Committee on 9 April 2014 for various reasons and concerns were raised in respect to the scale of the development. The applicant has reconsidered the proposal and reduced the depth of the extension from 16.5 m to 12.2 m reducing the proposed number of bedrooms from 8 to 6 rooms.

The extension would comprise of 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

PLANNING COMMITTEE

14th May 2014

BBE14 Alterations and Extensions
CT02 Road Hierarchy
CT12 Parking Standards
H02 Homes for the Elderly

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.

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.

PLANNING COMMITTEE

14th May 2014

Residential Homes- Adult and Community Services

No comments submitted.

Public Consultation Response

3 objections

- 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 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 this application was considered at Planning Committee on 9 April 2014. Members decided to defer the application as there were concerns regarding the car parking arrangements and proposed number of staff. The applicant was advised of members concerns but also mentioned that there were concerns in relation to the scale of the development. Amended plans have now been submitted showing the footprint of the extension reduced in size at the rear. In addition, a small triangular element proposed

PLANNING COMMITTEE

14th May 2014

at the side has now been omitted from the overall proposal. The amendments have resulted in a reduction in the proposed number of bedrooms from 8 to 6.

There has been some history in relation to previous extensions to the property. An application (2006/255) was considered at Planning Committee on 18 July 2006 for a larger shaped proposal. However, the proposal was for 10 bedrooms and therefore, had a larger footprint to 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 comprising of a low pitched roof, with part of the extension sunken into the ground in order to reduce its impact. The application was considered by members and was refused 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 needed 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 be single-storey, walls and

PLANNING COMMITTEE

14th May 2014

pitched 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 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. As a result of deferring the application from last month's Planning Committee, the scheme has been further reduced. The proposal raises the following matters:-

Design and layout

The overall footprint of the extension has been substantially reduced and would maintain approximately 20.5 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 original size of the extension. Neighbours have been re-consulted on the amended scheme which shows a reduced footprint. At the time of drafting the report no new comments had been submitted from neighbours. It is considered that the further reduced footprint of the scheme is an improvement to the appeal. In addition, it is considered that the amended proposal 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 of the Borough of Redditch Local Plan No.3 and design policies in the National Planning Policy Framework. 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 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 on noise grounds.

PLANNING COMMITTEE

14th May 2014

Car parking

When the application was considered at Planning Committee on the 9 April 2014, the car parking layout provided 14 car spaces and an ambulance space (as recommended by County Highway Network Control). Comments have been made by neighbouring occupiers in respect to the current car parking issues; this matter was also raised by members prior to it being deferred. Details of the number of occupants and staff numbers have now been provided by the agent.

The proposed total number of bedrooms would be 20 (however, two existing bedrooms are double rooms so potential total number of occupants would be 22). Car parking requirements for the occupants is based on 1 space per 4 bedrooms which equates to **5** car spaces.

Car parking requirements for staff is based on 1 space per bed for residential staff. The agent has confirmed that there is a total of 15 staff currently employed on a shift / rota basis. As a result of the extension, the total number of staff would increase from 15 to 17. However, the staff work on a shift / rota basis (i.e. a maximum of 7/8 staff in the building at any one time), therefore, it would seem more reasonable to require a total of **8** car spaces for the staff.

Therefore, a total of 13 car spaces would be required for the property as extended. The agent has considered the comments made by members prior to the application being deferred from last month's committee meeting and has amended the car parking layout to provide 15 car parking spaces and an ambulance space. Whilst the proposed parking provision does not meet the maximum requirements set out Local Plan No. 3 for staff parking, given only a total of 8 staff would be present at the home at any one time once the property is extended, the car parking standard does seem excessive and it would seem reasonable to require 8 spaces for staff use. The car parking layout has been increased to 15 spaces, leaving two free car parking spaces available for general use. County Highway Network Control has no objection to the proposal.

Other matters

Having checked the Care Quality Commission website an Inspectors Inspection Report published in September 2013 confirmed that Haversham House is accommodation for persons over 65 years who require personal care and is a care home service without nursing care. The agent has also clarified that the care home includes a specialism in dementia and would be the same for the extended home.

Conclusion

The revised proposal addresses concerns raised by the Inspector in relation to the appeal scheme. Several comments have been made by neighbouring occupiers in terms of its size and design. Since the application was considered at Planning Committee held on 9 April 2014, the proposal has been reduced in size again, and the neighbours have been re-consulted. No further comments have been submitted from neighbours at the time of drafting the report. However, any further comments will be provided in the Update report.

PLANNING COMMITTEE

14th May 2014

It is considered that changing the roof design and further 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 Borough of Redditch Local Plan No.3 and policies in the National Planning Policy Framework.

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 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.

**PLANNING
COMMITTEE**

14th May 2014

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 (to include the landscaping proposed for the roof of the extension) 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.

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.

PLANNING COMMITTEE

14th May 2014

Informatives

- 1) 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, as this application is of considerable size then this is considered judicious.

- 2) 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.

Procedural matters

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

PLANNING COMMITTEE

14th May 2014

Planning Application 2013/320/FUL

Erection of a single detached two-storey house on land adjacent to First House

Land Adj First House, Lady Harriets Lane, Redditch, Worcestershire, B98 8HD

District: Town Centre
Applicant: Mr Khurshid Ahmed
Expiry Date: 13th May 2014
Ward: ABBEY

(see additional papers for Site Plan)

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

Site Description

The site comprises garden curtilage associated with the dwelling 'First House', Lady Harriet's Lane. The site would constitute an 'infill' between the property 'Harriet's Cottage', located to the north, and 'First House' which is situated to the south.

The site is mainly level, and contains a greenhouse, flat roofed garden store, and flat roofed garage, where access to that garage is direct from Lady Harriet's Lane.

This Lane is characterised as a ribbon of five detached dwellings, all situated, and being set back between 6 and 10 metres, to the eastern side of the road.

Lady Harriet's Lane gains access via Easemore Road to the north. Rear gardens to properties in the lane back on to the Alvechurch Highway to the east with the grounds / playing fields to Trinity High School lying to the west.

Proposal Description

This is a full planning application to erect of single, three bedroomed detached dwelling. Access to the new dwelling would be as existing, gained direct from Lady Harriet's Lane. In order to accommodate the new dwelling, a number of ancillary domestic structures associated with the property 'First House' would be demolished. These would include a garage, garden store and greenhouse. As part of the proposals, a new access would be formed off Lady Harriet's Lane, enabling the dwelling 'First House' to have separate ingress and egress. However, it should be noted that these access works would not require planning permission since the Lane off which the access would be served is not defined as a 'classified road'.

Relevant Policies

Borough of Redditch Local Plan No.3:

CS07 The Sustainable Location of Development

BHSG06 Development within or adjacent to the curtilage of an existing dwelling

BBE13 Qualities of Good Design

PLANNING COMMITTEE

14th May 2014

BBE19 Green Architecture
CT12 Parking Standards

Emerging Borough of Redditch Local Plan No.4:

Policy 2: Settlement Hierarchy
Policy 5: Effective and Efficient Use of Land
Policy 39: Built Environment
Policy 40: High Quality Design and Safer Communities

Others:

NPPF National Planning Policy Framework
SPG Encouraging Good Design

Relevant Planning History

2010/254/FUL	Erection of a single detached two storey house on land adjacent to First House	Approved	07.12.2010
--------------	--	----------	------------

Consultations

Area Environmental Health Officer

No objection

Highway Network Control

No objection subject to the imposition of planning conditions relating to access, turning and parking provision

Severn Trent Water Ltd

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

North Worcestershire Water Management (NWWM)

The proposed development is not shown to be affected by fluvial flooding and there is no evidence of any surface water flooding issues on the site itself.

According to Severn Trent Water maps there is a public foul sewer located nearby to the proposed site which could serve the property. 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.

WCC Footpaths Officer

Proposal should have no detrimental effect on the public right of way. States that there should be no disruption to the public right of way during or after construction.

PLANNING COMMITTEE

14th May 2014

Public Consultation Responses

Responses against

Two letters received. Comments summarised as follows:

- Proposed development would be out of character with appearance of surrounding area and would therefore be contrary to planning policies
- The development would impact on neighbours by reason of dust, dirt, and noise during the construction period.
- The proposal would result in a loss of privacy to nearby properties
- Additional traffic will add to the deterioration of Lady Harriet's Lane which is in a poor state of repair
- The proposals may impact detrimentally upon the existing drainage system
- Should permission be granted, it is suggested that conditions be attached to any consent to ensure that construction vehicles be parked along Easemore Road and not along Lady Harriet's Lane, to ease congestion. Hours of working (site operatives) should be restricted by condition in the interests of protecting residential amenity
- Highway safety would be prejudiced

Background

An identical planning application was submitted under reference 2010/254/FUL as detailed under planning history above. Under the terms of this consent, the development would need to have commenced by 7th December 2013. No such start has been made and as such application 2010/254/FUL is no longer a valid permission. Given that the current application is identical to that submitted in 2010, usually it should follow that permission should be granted unless there has been a material change in the planning policy framework under which applications for planning permission should be assessed or if the site and the surrounding area has changed materially such that the application should be considered differently.

Assessment of Proposal

The key issues for consideration are as follows:

Principle

The planning policy framework has changed from that which existed in 2010, by the introduction of the National Planning Policy Framework (NPPF), which replaced the suite of Planning Policy Guidance Notes (PPG's) and Planning Policy Statements (PPS's) which were relevant in the consideration of the earlier application. The NPPF advises, in paragraph 49, that planning applications for residential development should be "considered in the context of the presumption in favour of sustainable development".

In terms of the development plan, the Borough of Redditch Local Plan No.3 was adopted in 2006 and remains the most up-to date, adopted plan. LP No.3 was used to assess the 2010 application and should be used to assess the current application since 'saved policies' contained within LP.3 and as listed above are consistent with the aims and

PLANNING COMMITTEE

14th May 2014

objectives of the NPPF. Draft Local Plan 4 and relevant policies contained therein can be given some, if limited weight in the consideration of this application.

Whilst the definition of 'previously developed land' excludes 'garden land' from within this definition, as before, Officers do not consider that there are any valid reasons why this urban 'greenfield' site cannot be developed for new residential purposes. It is your officers view that the site and the surroundings have not materially changed such that the application should be considered differently to how it was previously.

Design, appearance and general layout

The NPPF advises, in paragraph 58, that planning decisions should aim to ensure that developments function well and add to the overall quality of the area, respond to local character and history and reflect the identity of local surroundings and materials and are visually attractive as a result of good architecture and appropriate landscaping. Paragraph 60 continues to state that planning decisions should "seek to promote or reinforce local distinctiveness". Paragraph 61 states "visual appearance and the architecture of individual buildings are very important factors".

Policy B(HSG).6 of the adopted Local Plan is supportive of new residential development within the curtilage of a dwelling house so long as it respects the character and appearance of its surroundings and does not impinge on the residential amenities enjoyed by occupiers of existing nearby development.

The scale, massing and design of the development, which would be formed of brick walls, with feature rendered projecting front gable, under a tiled roof, is considered to respect the street-scene, with the proposal meeting all of the Council's spacing standards, as contained within the adopted SPG 'Encouraging Good Design'. Minimum two metre wide gaps would exist between nearest properties and the dwellings hipped roof arrangement, as per the roof design of the nearest property 'First House' would ensure that adequate gaps between dwellings would occur thereby ensuring that the development would not appear cramped in appearance.

Impact upon nearby residential amenity

Your Officers are satisfied that no loss to residential amenity would result from the proposed development by virtue of loss of light or visually overbearing impact, given the separation distances that would exist between the proposed dwelling and nearby properties. Both the dwelling subject to this application, and 'First House' would have sufficient amenity space attached to them to comply with the SPG.

Access

County Highways have raised no objection to the proposed access. A three bedroomed property such as this would require two 'in curtilage' car parking spaces in order to comply with the Council's car parking standards. Provision on site complies with these standards. In addition, parking for two cars would be provided for First House: again, sufficient to comply with maximum standards.

PLANNING COMMITTEE

14th May 2014

One representation received suggests that in the case of planning permission being granted, site operatives should be made to park along Easemore Road and walk to the site. Given the distance which exists between Easemore Road and the site (50 metres), coupled with the fact that there are no highway safety implications with this application it would be unreasonable and unnecessary to attach such a condition. No such condition was attached to the earlier consent which was granted at the Planning Committee in December 2010. As per the 2010 consent, it would however be reasonable to attach a site operatives working hours condition in order to protect the residential amenities enjoyed by nearby occupiers.

Sustainability

The site lies within the urban area of Redditch, near to the town centre and within a short walking distance of local shops and other amenities, and is therefore considered to be in a sustainable location. The orientation of the dwelling is such that passive solar gain can be maximised. A solar water heating panel is shown on part of the south facing roof to the dwelling. The applicant has stated that roof, external wall and ground floor insulation would be installed to 25% above Building regulation current standards; and a wood burning stove would be installed in the sitting room. Other energy efficient measures include the use of low energy light bulbs, energy efficient toilet cisterns, rainwater harvesting and the use of locally sourced building materials. Hardsurfacing within the curtilage of the property would be of porous construction. The design is therefore considered to comply with the sustainability objectives of the planning policy framework.

Biodiversity

It had been alleged under the previous application, that bats (a protected species) had been using the existing garage and lean-to buildings (that would be demolished). The bat survey report submitted concluded that the buildings which would be demolished were not identified as a bat roost. Worcestershire Wildlife Trust has examined the conclusions of the bat survey and has concurred with its findings. There are therefore no concerns on this matter and the proposal is considered to comply with policy requirements. In accordance with good practice, and the aims of the NPPF to promote biodiversity, two conditions are recommended (listed as conditions 6 and 7) regarding the timing of development and the provision of bat boxes.

Conclusion

The proposal is considered to comply with the planning policy framework and would not cause harm to amenity or safety.

RECOMMENDATION:

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

**PLANNING
COMMITTEE**

14th May 2014

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) 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) 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

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

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

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

site location plan, scale 1:1250
survey site layout plan, drawing RC377/01
scheme design site layout plan, drawing RC377/06

**PLANNING
COMMITTEE**

14th May 2014

scheme design elevations, drawing RC377/07
scheme design floor and roof layout plans, drawing RC377/08
scheme design block plan and street elevation, drawing RC377/09

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

- 6) Prior to commencement of the development hereby approved, a statement detailing the timing of demolition in respect to the structures present on site (to be removed) shall be submitted to and approved in writing by the Local Planning Authority. Any demolition shall be carried out in accordance with the statement approved.

Reason: In the interests of biodiversity and in accordance with the provisions of the National Planning Policy Framework

- 7) Prior to commencement of the development hereby approved, a scheme for the provision of bat roost opportunities / bat boxes within the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented by suitably qualified personnel to the satisfaction of the Local Planning Authority prior to the first use of the development approved.

Reason: In the interests of biodiversity and in accordance with the provisions of the National Planning Policy Framework

- 8) 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) Proactive engagement by the local planning authority was not necessary in this case as the proposed development was considered acceptable as initially submitted.
- 2) The applicant is advised that development should not begin until drainage details, incorporating sustainable drainage principles and an assessment of the

PLANNING COMMITTEE

14th May 2014

hydrological and hydrogeological context of the development have been submitted to and approved by Severn Trent Water Ltd.

- 3) 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 details of all works within the public highway must be agreed on site with the Highway Authority.
- 4) No disturbance of, or change to, the surface of the path or part thereof should be carried out without written consent (this includes laying concrete, tarmac or similar)
- 5) There should be no diminution in the width of the right of way available for use by the public.
- 6) Building materials must not be stored on the right of way.
- 7) Vehicle movements and parking should be arranged so as not to unreasonably interfere with the public's use of the right of way.
- 8) No additional barriers should be placed across the right of way
- 9) The safety of the public using the right of way is to be ensured at all times

Procedural matters

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

PLANNING COMMITTEE

14th May 2014

Planning Application 2014/011/FUL

Application for on-farm slaughter facility at Windy Bank Farm through the change of use of the existing farm buildings and the construction of a new access from the South West of the site, off Astwood Lane.

Windy Bank Farm , Astwood Lane, Astwood Bank, Redditch, Worcestershire, B96 6HH

District: Astwood Bank
Applicant: Mr Terence Simpson
Expiry Date: 21st March 2014
Ward: Astwood Bank And Feckenham

(see additional papers for Site Plan)

The author of this report is Ailith Rutt, Planning Officer (DM), who can be contacted on Tel: 01527 534064 Email: ailith.rutt@bromsgroveandredditch.gov.uk for more information.

Site Description

The site lies in the Green Belt on the rural road network, where Astwood Lane joins the access road to the Business Park. The site is one of several fields that form Windy Bank Farm. The land rises to the east from the lane. The boundary between the field and Astwood Lane is a grass verge with hedging and a post and rail fence.

In the north west corner of the field at the junction, there are three existing barns, the two smaller of which are the subject of this application. They are metal framed agricultural barns with timber cladding and metal rooves.

Proposal description

The application proposes the change of use of these two barns from purely agricultural use to use as a slaughter facility. The barns would remain the same size and appearance from the outside and all conversion works necessary would be carried out internally.

The application also proposes a new access from further south along Astwood Lane, through the adjacent field, in order that traffic conflicts at the access to the business park are avoided. This would comprise the replacement of the fence with a gate, and the laying of a hard surface through the field for use by vehicles accessing the slaughter facility. The proposed use would generate approximately 14 additional FTE jobs.

The application is supported by a design and access statement. Additional information has been provided to address points raised through the consultation process.

Relevant Policies :

Borough of Redditch Local Plan No.3:

PLANNING COMMITTEE

14th May 2014

BRA05 Reuse and Conversion of Buildings
CS02 Care for the Environment
BBE13 Qualities of Good Design
BBE14 Alterations and Extensions
BBE28 Waste Management
BNE01A Trees, Woodland and Hedgerows
CT12 Parking Standards
BRA01 Detailed Extent of Control of Development in the Green Belt

Emerging Borough of Redditch Local Plan No. 4: Submission Version

Policy 8: Green Belt

Policy 27: Rural Economic Development

Others:

NPPF National Planning Policy Framework

Worcestershire Waste Core Strategy (WWCS)

Relevant Planning History

2008/143/COU	Change Of Use Of A Steel Portal Framed Building To A Meat Processing Plant To Service Local Needs	Refused	18.06.2008
2008/379/AGR	Steel portal framed agricultural building for storage of hay and straw	Accepted	22.12.2008
2001/409/GDO	Agricultural Notification Under GDO - Steel Portal Frame Building	Accepted	30.10.2001
1998/423/GDO	Agricultural Notification Under GDO - Pole Barn	Accepted	09.11.1998

Consultations

Highway Network Control

No objection subject to conditions and informatives relating to the provision of access facilities prior to the commencement of the use of the development.

Agricultural Consultant

No objection as proposal would serve local area and be considered in commercial terms as it would cater for animals reared both on and off site. Welcomes decrease in travel from a cost and animal welfare perspective. Sought clarification that adequate facilities

PLANNING COMMITTEE

14th May 2014

for caring for the animals between delivery and slaughter have been provided on the farm. These have been provided satisfactorily.

Development Plans

- o The proposal falls within the Green Belt and an abattoir is considered to be an appropriate use in a rural area
- o The proposal would utilise existing agricultural buildings and would not create additional floorspace
- o The anticipated scale of on-site parking would not be such to harm the openness of the Green Belt and conflict with the purposes of including land in Green Belt
- o The permanence and structural stability of the buildings is unknown and it is recommended that further clarity is sought
- o There are no details regarding the hardstanding for the parking/turning areas. Given its rural location it will be important to ensure suitable materials are used
- o Subject to confirmation that the buildings are of permanent and substantial construction, from a policy perspective this application is supported.

Contaminated Land- Worcestershire Regulatory Services

No adverse comments to make

North Worcestershire Water Management

Have examined evidence and their own records and raise no objection subject to the imposition of a condition regarding drainage and water discharge.

Worcestershire Wildlife Trust

There is sufficient ecological information to progress the application in line with the law and planning policy and there do not appear to be any overriding ecological issues here so we do not wish to object to the proposals.

They note and support the recommendations made in the ecological report and consider that they represent sensible mitigation and enhancement for the scale of works proposed and suggest these be controlled through the imposition of a condition.

Public Rights Of Way

No objection - applicant should note requirements of other legislation regarding any impacts of the construction phase of the development on the adjacent public rights of way.

Public Consultation Response

13 letters of objection have been received, raising the following points:

- noise and disturbance to surrounding residential properties

PLANNING COMMITTEE

14th May 2014

- impact on surrounding residential amenity
- increase in traffic movements on already busy narrow rural road network
- access proposed on blind bend so would lead to highway safety concerns
- impact on wildlife
- odour
- inappropriate so close to a children's soft play facility
- harm to biodiversity would be caused
- unsustainable location for employment creation as bus service is poor
- inappropriate use in the Green Belt

37 letters of support have been received for the following reasons:

- reduces travel distance and time and cost for local farmers who currently have to travel to Kenilworth, and thus improves effects on animal welfare
- sustainable location near where the need arises
- better for animal health and disease control to have facilities like this within the areas where they are needed
- modern regs mean that there are no noise, smell or contamination concerns
- would be an asset for the local farming community
- economic benefits to local farmers
- job creation
- would result in locally sourced food
- has to happen somewhere and here is a good place for it

One letter has been received raising matters on both the lists above and not clearly stating whether in favour or against.

Assessment of Proposal

The site lies in the Green Belt and as such only uses and developments defined as 'appropriate' are normally considered to be acceptable in policy terms. The NPPF includes the reuse of rural buildings that are of permanent and substantial construction as an appropriate use within the Green Belt and has no restrictions on uses that might be acceptable; therefore the principle of the proposal is considered to be acceptable.

However, the details of the proposed use and its impact on the landscape, the character of the area and the surrounding infrastructure must also be taken into account when reaching a decision in this case.

The proposed use, as noted by policy officers, is considered to be appropriate to this location in a rural area, near its customers such that it would be of benefit to local businesses economically and also to animal welfare through the reduction of stressful transport and travel times.

The design, location and appearance of the buildings would remain as they are such that there would be no additional harmful impacts on the openness of the Green Belt from

PLANNING COMMITTEE

14th May 2014

them. The proposed access route would be re-surfacing works only and thus not result in significant additional impacts on the landscape, as there is no additional fencing or other associated work shown on the proposed plans. The additional impact of a small number of staff cars parked on the site is not considered to be sufficiently significant to result in harm to the openness of the Green Belt, especially given its siting between a tree-lined boundary and the buildings themselves.

The additional information provided by the applicant demonstrates that the buildings are of sufficiently permanent and substantial construction that they can be converted for the proposed uses, and that their appearance externally would change minimally, as they would be lined on the inside in order that they were sealed, hygienic and easily cleaned. It is therefore considered that the buildings meet the test in the NPPF and are suitable to be converted.

Highways parking and access arrangements have all been considered by the county highways team and they have confirmed that sufficient parking provision has been included in the proposal, that the access point meets the required standards and that the nature of the traffic movements associated with this use is likely to be such in type and volume that the surrounding rural road network has the necessary capacity and size to accommodate this. The proposed materials for the surfacing have been indicated, however it is recommended that a condition be attached so that the materials to be used can be agreed in order that they are sympathetic and appropriate.

The nature of the use proposed is such that it requires vehicle trips, however it is considered more sustainable to locate such a facility in this location near the users of the facility than to use this site as a holding point before sending a collection of animals on a shared onward journey together. Therefore, in terms of sustainability, this proposal cuts out long journeys by large vehicles from the overall food chain and as such is considered to be acceptable in sustainability terms. The reuse of existing buildings is also more sustainable than the provision of new ones.

The nature of the proposed use is such that all the operations would be carried out within the buildings, and meet all the necessary requirements of other relevant legislation which is outside of the control of the planning process. No concerns regarding the impact of the noise or odour arising from the proposal have been raised by the expert consultees, and it is therefore considered unlikely that any harm would be caused in this way. Not only would activities be within the buildings on the site but these buildings are at a significant distance from residential properties such that no harm by reason of either noise or smell would result.

It is not considered likely that any harm to wildlife would be caused as a result of this proposal, due to the re-use of existing buildings rather than the loss of open land to development. The loss of some grass to the surfacing of the new access is not considered likely to result in any significant loss of or harm to biodiversity.

PLANNING COMMITTEE

14th May 2014

Objectors have raised the proximity of the proposal to a children's play facility which is an indoor facility and located approximately 450m from the site. It is therefore considered unlikely to result in any harmful effects.

The proposal is perceived to be beneficial in a variety of ways, including a small quantity of local job creation which meets the policy objective of encouraging a thriving rural economy.

It is considered necessary to recommend that various conditions be imposed on any permission granted. It is not considered appropriate that the use be carried out full time round the clock, as the intention is for this to be a small scale facility serving the local farming community. Therefore, it is recommended that the hours of operation of the facility be restricted. This will also result in the prevention of additional vehicle movements out of those hours and thus reduce any potential impact on the adjacent road network. It is suggested that the works be carried out in accordance with the submitted plans and details, and that the drainage details should be provided for agreement, and these seem to be appropriate to impose in this case.

RECOMMENDATION:

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

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

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

- 2) The development hereby approved shall be implemented in accordance with the following plans and documents submitted in support of the application:

Appropriate references to be added here, to include plans, documents and ecology survey and mitigation details

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

- 3) No development hereby permitted shall commence until full drainage plans have been submitted and approved, and these are to include details of the disposal of potentially contaminated water. These plans need to be approved in writing prior to

PLANNING COMMITTEE

14th May 2014

works beginning and the development shall proceed in accordance with these details.

Reason: In order to ensure satisfactory drainage conditions that will not create or exacerbate flood risk on site or within the surrounding local area and to comply with Policy B(BE)28 of the Borough of Redditch Local Plan No.3.

- 4) The slaughter house facility hereby approved shall only operate between 5am and 3pm daily, and deliveries/collections shall not be made outside of these hours.

Reason: In the interests of securing a local development on a small scale for a small local community supply and in accordance with the NPPF.

- 5) The development hereby permitted shall not be occupied 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 and approved in writing to the Local Planning Authority and these areas shall thereafter be retained and kept available for those users at all times.

Reason: In the interests of Highway safety and to ensure the free flow of traffic using the adjoining Highway.

- 6) Prior to the commencement of development, details of the materials to be used on the external faces of the buildings and the surfacing of the access and parking area shall be agreed in writing with the Local Planning Authority. The development shall proceed in accordance with any details thus agreed.

Reason: In the interests of the visual amenities of the area, the openness of the Green Belt and in accordance with Policy B(BE)13 of the Borough of Redditch Local Plan No.3.

Informatives

The local planning authority have worked with the applicant in a positive and proactive manner to seek solutions to queries arising in relation to dealing with this planning application through negotiation and provision of extra information.

It is noted that the policy numbers in the emerging local plan are different from those referred to by the applicant, however the correct and relevant policies have been considered on both sides at all stages.

Procedural matters

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

PLANNING COMMITTEE

14th May 2014

Planning Application 2014/013/FUL

Retrospective application - Conservatory to rear of property

Aynho , Lady Harriets Lane, Redditch, Worcestershire, B98 8HD

District: Town Centre
Applicant: Mr Rab Nawaz
Expiry Date: 24th March 2014
Ward: ABBEY

(see additional papers for Site Plan)

The author of this report is Tara Ussher, Planning Officer (DM), who can be contacted on Tel: 01527 534062 Email: tara.ussher@bromsgroveandredditch.gov.uk for more information.

Site Description

The application site relates to a detached property which lies in a row of five dwellings. The rear gardens of the dwellings back on to the Alvechurch Highway. Playing fields to Trinity High School lie to the front of the property.

Proposal comprises of a conservatory measuring 6.6 x 4.1 metres with a maximum height of 2.5 metres erected at the rear of the house.

Relevant Policies:

Borough of Redditch Local Plan No.3:

BBE13 Qualities of Good Design
BBE14 Alterations and Extensions

Others:

NPPF National Planning Policy Framework
SPG Encouraging Good Design

Relevant Planning History

1993/153/FUL	Extension	Approved	27.05.1993
1996/499/FUL	Extension To Ground Floor At Rear	Approved	22.04.1997

PLANNING COMMITTEE

14th May 2014

Consultations

No Comments

Public Consultation Response

2 letters of objections received raising the following concerns:

- . Proximity of conservatory to neighbours boundary fence
- . Size and height of the conservatory
- . Opening of top windows over neighbours property over top of fence

Assessment of Proposal

The applicant seeks full planning permission for a retrospective conservatory to the rear of the property.

The design of the extension, by virtue of its scale, height, design and overall appearance is considered to be acceptable, as it complies with policy & SPG guidance.

The applicant has windows opening out towards the boundary fence, however these windows are obscure glazed. On the side elevation the applicant has French doors opening out onto a raised patio which has yet to be completed. Therefore, they won't cause harm to neighbouring amenity.

Approval is recommended as the proposal is acceptable in terms of appearance and design and complies with the policies of the local plan and the Supplementary Planning Guidance. The proposal would have a strong fallback position under the permitted development rights, as it could be built up to 4 metres deep and it is only 4.1 metre deep.

RECOMMENDATION:

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

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

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

**PLANNING
COMMITTEE**

14th May 2014

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

Drawing No. 148003 - Plans and Elevations Dated 23 January 2014

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

Procedural matters

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

REDDITCH BOROUGH COUNCIL**PLANNING
COMMITTEE**14th May 2014**APPEAL OUTCOMES – INFORMATION REPORT**

Responsible Portfolio Holder	Councillor Greg Chance
Responsible Head of Services	Ruth Bamford

1. Purpose of Report

To receive an item of information in relation to the outcomes of recent planning appeal decisions. Officers will answer any related questions at the meeting if necessary.

2. Recommendation

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

3. Financial, Legal, Policy and Risk Implications

There are no financial, legal, policy or risk implications for the Council.

Report**4. Background**

Relevant planning application files.

5. Consultation

There has been no consultation other than with relevant Borough Council Officers.

6. Author of Report

The author of this report is Ailith Rutt (Development Management Manager) who can be contacted on extension 3374 (e-mail ailith.rutt@redditchbc.gov.uk) for more information.

7. Appendices

Appendix - Outcomes of Planning Appeals

**PLANNING
COMMITTEE**

14th May 2014

OUTCOMES OF PLANNING APPEALS

Reference	Site location	Proposal	Ward	RBC Decision type	Type of appeal	Appeal type	Appeal outcome	Comments
2012/207/OUT	Church Rd/Pumphouse Lane, Webheath	Outline including access for 200 dwellings	Webheath	Committee overturn May 2013	Against refusal	Public Inquiry	Allowed 17/2/2014	
2012/257/FUL	Land Rear Of 247 - 249 Evesham Road, Headless Cross	Erection of a dormer bungalow	Headless Cross and Oakenshaw	Delegated decision	Against refusal	Written Representations	Allowed 19/3/2013	
2013/255/S73	9 Matchborough Centre Matchborough Way	Section 73 Application: Removal of Condition 2 of planning approval 2010/244/COU to allow wholly A5 (hotfood takeaway) consent and to allow all types of hot food to be sold on the site for consumption off the premises	Matchborough	Committee Refusal Oct 2013	Non determination of application within prescribed timescales	Written Representations	Dismissed 4/3/2014	Application for award of costs by appellant refused
2013/266/FUL	102 Hither Green Lane	First floor side and two storey rear extension	Abbey	Delegated decision	Against refusal	Written Representations	Allowed 10/3/2014	
2013/143/COU	Kingfisher Dental Practice 272 Evesham Road Redditch	Change of use to provide additional surgery space at first floor and ancillary office/storage space	Headless Cross and Oakenshaw	Committee overturn Oct 2013	Against refusal	Written Representations	Allowed 26/2/2014	

**PLANNING
COMMITTEE**

14th May 2014

Reference	Site location	Proposal	Ward	RBC Decision type	Type of appeal	Appeal type	Appeal outcome	Comments
2013/145/FUL	Land At Wirehill Drive	Erection of 12 new detached dwellings with garages	Lodge Park	Committee overturn Sept 2013	Against refusal	Written Representations	Dismissed 14/4/2014	The Inspector agreed with refusal reason 1: that the need for the development would not outweigh the value of the land as Public Open Space. The Inspector did not consider that the proposed two new access points onto Wirehill Drive would lead to detriment to highway safety
2013/202/FUL	7 Fairbourne Gardens	Demolition of existing garage and construction of 2 storey side extension with integral garage	West	Delegated decision	Against refusal	Written Representations	Allowed 06/12/2013	