



# Planning Committee

Wed 12 Nov  
2014  
7.00 pm

Council Chamber  
Town Hall  
Redditch

**REDDITCH** BOROUGH COUNCIL

*making  
a  
difference*

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

**Jess Bayley and Amanda Scarce**  
**Democratic Services Officers**  
**Town Hall, Walter Stranz Square, Redditch, B98 8AH**  
**Tel: (01527) 64252 Ext. 3266**  
**e.mail: [jess.bayley@bromsgroveandredditch.gov.uk](mailto:jess.bayley@bromsgroveandredditch.gov.uk) and**  
**[a.scarce@bromsgroveandredditch.gov.uk](mailto:a.scarce@bromsgroveandredditch.gov.uk)**

# **REDDITCH BOROUGH COUNCIL** **PLANNING COMMITTEE**



[www.redditchbc.gov.uk](http://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) Members of the public are now able to record all or part of this meeting either by making an audio recording, taking photographs, filming or making notes. The exception to this involves exempt / confidential information to be considered, when members of the public may be excluded from the meeting, the reason(s) for which will be defined in the Exclusion of the Public item on the Planning Committee Agenda.

An area of the Council Chamber has been set aside next to the Press for any members of the public who wish to do this. The Council asks that any recording of the meeting is done from this area to avoid disrupting the proceedings. Members of the public should now be aware that they may be filmed or recorded during the course of the meeting.

- 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 Democratic Services Officer (indicated at the foot of the inside front cover), Head of Legal, Equalities and 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 are the Legal and Democratic Services Officers who give 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 Democratic Services Officer.

### **Special Arrangements**

If you have any particular needs, please contact the Democratic Services 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 Democratic Services 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

Wednesday, 12 November 2014

7.00 pm

Council Chamber Town Hall

### Agenda

#### Membership:

Cllrs:                      Andrew Fry (Chair)                      Wanda King  
                                  Alan Mason (Vice-                      Yvonne Smith  
                                  Chair)                                      David Thain  
                                  Joe Baker                                   Nina Wood-Ford  
                                  Roger Bennett  
                                  Andrew Brazier

<p><b>1. Apologies</b></p>	<p>To receive apologies for absence and details of any Councillor nominated to attend the meeting in place of a member of the Committee.</p>
<p><b>2. Declarations of Interest</b></p>	<p>To invite Councillors to declare any Disclosable Pecuniary Interests or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.</p>
<p><b>3. Confirmation of Minutes</b> (Pages 1 - 6)</p>	<p>To confirm, as a correct record, the minutes of the meeting of the Planning Committee held on 8<sup>th</sup> October 2014  (Minutes attached)</p>
<p><b>4. Update Reports</b></p>	<p>To note Update Reports (if any) for the Planning Applications to be considered at the meeting (circulated prior to the commencement of the meeting).</p>
<p><b>5. Planning Application 2014/192/FUL - Land at Wirehill Drive, Lodge Park, Redditch, Worcestershire</b>  (Pages 7 - 22)  Ruth Bamford, Head of Planning and Regeneration</p>	<p>To consider a Planning Application for the erection of 12 no. 3 bedroom detached dwellings with garages.  Applicant: Mr David Baker  (Report attached – Site Plan under separate cover)  <b>(Lodge Park Ward)</b></p>

# PLANNING

Committee

Wednesday, 12 November 2014

<p><b>6. Planning Application 2014/226/FUL - Covered Market Area, Market Place, Town Centre, Redditch, Worcestershire B98 8AA</b></p> <p>(Pages 23 - 26)</p> <p>Ruth Bamford, Head of Planning and Regeneration</p>	<p>To consider a Planning Application for the current vacant Market area to be developed as a Children's Play Area and ancillary adult exercise area.</p> <p>Applicant: Mr K Williams for the Redditch Town Centre Partnership</p> <p>(Report attached – Site Plan under separate cover)</p> <p><b>(Abbey Ward)</b></p>
<p><b>7. Planning Application 2014/283/RM - Former Ansell Glove Co. Ltd, 25 Broad Ground Road, Lakeside, Redditch, Worcestershire</b></p> <p>(Pages 27 - 30)</p> <p>Ruth Bamford, Head of Planning and Regeneration</p>	<p>To consider a Reserve Matters Application for appearance and landscape reserved matters relating to the rehearsal studio with offices granted permission under Application 2014/190/OUT.</p> <p>Applicant: Mr C Reed</p> <p>(Report attached – Site Plan under separate cover)</p>
<p><b>8. Tree Preservation Order No. 148 (2014) - Trees on land at Prospect Hill Car Park, Redditch, Worcestershire - Confirmation</b></p> <p>(Pages 31 - 38)</p>	<p>To consider a report which proposed the long term protection of a number of significant trees which are considered to be of positive benefit to the public amenity.</p> <p>(Report attached and Appendix 1 attached / Site Plan under separate cover)</p> <p><b>(Abbey Ward)</b></p>
<p><b>9. Appeal Outcomes - Information Report</b></p> <p>(Pages 39 - 40)</p> <p>Ruth Bamford, Head of Planning and Regeneration</p>	<p>To receive information in relation to the outcomes of recent Planning Appeal Decisions.</p> <p>(Report / Appendix attached)</p> <p><b>(Various Wards)</b></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

8<sup>th</sup> October 2014

## MINUTES

### Present:

Councillor Alan Mason (Vice-Chair) and Councillors Joe Baker, Roger Bennett, Andrew Brazier, Yvonne Smith, Pat Witherspoon (substituting for Councillor Andy Fry) and Nina Wood-Ford

### Officers:

Amar Hussain, David Kelly and Ailith Rutt

### Committee Services Officer:

Jan Smyth

### 27. APOLOGIES

Apologies for absence were received on behalf of Councillors Andy Fry, Wanda King and David Thain.

### 28. DECLARATIONS OF INTEREST

No declarations of interest were made.

### 29. CONFIRMATION OF MINUTES

**RESOLVED that**

**the minutes of the meeting of the Planning Committee held on 10<sup>th</sup> September 2014 be confirmed as a correct record and signed by the Chair.**

### 30. UPDATE REPORTS

The Update Reports relating to the Applications to be considered were noted.

.....  
Chair

# Planning Committee

8<sup>th</sup> October 2014

---

**31. 2014/009/FUL - LAND AT MOONS MOAT DRIVE,  
CHURCH HILL, REDDITCH, WORCESTERSHIRE**

Erection of 14 detached three bedroomed houses

Applicant: Mr David Baker

**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 Obligation to ensure that:
  - a) contributions are paid to Redditch Borough Council in respect of off-site open space, pitches and equipped play, in accordance with the Council's adopted SPD;**
  - b) a financial contribution is paid to Worcestershire County Council in respect of education provision;**
  - c) a financial contribution is paid to Redditch Borough Council towards the provision of wheelie bins for the new development; and****
- 2) the Conditions and Informatives detailed on pages 14 to 19 of the Agenda.**

(In regard to the proposed contribution to Worcestershire County Council in respect of education provision (1.b)), it was highlighted that the reference in the report to Arrow Vale High School was incorrect and should state RSA Academy Arrow Vale.

Officers were also requested to ensure the school's official title be corrected in the Section 106 Agreement.)

# Planning Committee

8<sup>th</sup> October 2014

---

**32. 2014/169/FUL - LAND REAR OF SUNTRAP,  
EDGIOAKE LANE, ASTWOOD BANK, REDDITCH,  
WORCESTERSHIRE**

Erection of 7 detached dwellings and garages

Applicant: Kendrick Homes Ltd

**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 Obligation to ensure that:
  - a) contributions are paid to Redditch Borough Council in respect of off-site open space, pitches and equipped play, in accordance with the Council's adopted SPD;**
  - b) a financial contribution is paid to Worcestershire County Council in respect of education provision;**
  - c) a financial contribution is paid to Redditch Borough Council towards the provision of wheelie bins for the new development; and****
- 2) the Conditions and Informatives detailed on pages 28 to 31 of the Agenda.**

(The Committee noted late representations from Worcestershire Wildlife Trust and Officer responses. The outcome of an identical Planning Application submitted to Wychavon District Council in relation to the proposed vehicular access onto the application site, which falls within their jurisdiction, was also reported, all as detailed in the Update Report published to the Council's Website with copies made available to Committee Members and the public gallery prior to commencement of the meeting. Members noted that Wychavon District Council had approved the access proposals subject to conditions.)

# Planning Committee

8<sup>th</sup> October 2014

---

33. **2014/210/FUL - LOWANS HILL FARM,  
BROCKHILL LANE, BROCKHILL, REDDITCH,  
WORCESTERSHIRE B97 6QX**

Reconstruction of farmhouse building to create two dwellings,  
conversion of existing barns to create five dwellings and  
erection of garage buildings and stores  
Applicant: Mr Kier Price for Persimmon Homes

**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 to ensure that:**
  - a) **appropriate contributions are paid to Redditch Borough Council in respect of the development for pitches, play areas and open space provision in the locality to be provided and maintained;**
  - b) **a financial contribution is paid to Worcestershire County Council in respect of the enhancement of local education provision;**
  - c) **a financial contribution is paid to Redditch Borough Council towards the provision of wheelie bins for the new development; and**
- 2) **the Conditions and Informatives summarised on pages 39 to 41 of the report and the following additional Informative:**
  - “3. **The decision is supplemented by a recommendation by Planning Committee Members that the Applicant implement the proposal, as approved, as soon as possible to prevent any further deterioration of the buildings.”**

(The Committee noted an Update report on this item, which had been published on the Council's Website with copies made available to Committee Members and the public gallery prior to commencement of the meeting. The update reported on two late

# Planning Committee

8<sup>th</sup> October 2014

---

representations received from residents and an additional contribution requirement in the Section 106 obligation in respect of the provision of wheelie bins for the new dwellings. For clarity, Officers also advised that Mr Kier Price, the registered Applicant and contact for the application, was an employee of Persimmon Homes South Midlands.

In supporting the proposed development, Members expressed some concerns as to their current and ongoing state of deterioration. Officers were therefore asked to include an additional informative in regard to the Committee's concerns and its wish to see the re-development and re-use of these historic buildings commence as soon as possible to limit any further deterioration, as detailed in additional Informative 3 above.)

**34. 2014/213/COU - UNIT 5A1 MILLSBOROUGH HOUSE,  
IPSLEY STREET, SMALLWOOD, REDDITCH,  
WORCESTERSHIRE B98 7AL**

Change of use from second-hand furniture store to hot food takeaway (A1 to A5) to accommodate extension of existing business currently occupying Unit 5 Basement 3/4.

Applicant: Mr David Gough

**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 investigation of the possibility of relocating the external ducting to an internal exterior wall and any appropriate additional / amended conditions being attached as necessary to the permission prior to issue; and**
- 2) the Conditions and Informatives as summarised on pages 45 to 46 of the report.**

(The Committee noted late responses from the Highways Authority who had raised no objection to the application. Officers also reported an error in the last procedural paragraph of the report which had advised that the Applicant was Redditch Borough

**Planning**  
Committee

8<sup>th</sup> October 2014

---

Council which was incorrect, all as detailed in the published Update Report and provided to Committee Members and the public gallery prior to commencement of the meeting.)

The Meeting commenced at 7.00 pm  
and closed at 7.40 pm

.....  
CHAIR



**PLANNING  
COMMITTEE**12th November 2014

---

**Planning Application 2014/192/FUL****Erection of 12 No. 3 bedroomed detached dwellings with garages****Land at Wirehill Drive, Lodge Park, Redditch****Applicant: Mr David Baker**  
**Expiry Date: 16th October 2014**  
**Ward: LODGE PARK****(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 application site consists of a triangular shaped area of grass, located adjacent to both the Warwick Highway (to the south) and Wirehill Drive (to the north). The land falls away, steeply in parts, in a south-west to north-east direction towards Wirehill Drive.

Beyond the western boundary are the properties 1-7 Gaydon Close. Beyond Wirehill Drive, to the north lies a further residential area, Himbleton Close. The northern boundary to the site contains a mixed species hedgerow which includes a semi-mature Oak Tree which is protected by means of TPO No.142.

**Proposal Description**

This is a full planning application to erect twelve, three bedroomed detached dwellings.

Two house types are proposed. House type A (7 no.) would have an integral garage, with House type B (5 no.) having an attached single garage. All dwellings would have additional in curtilage parking.

House type A would be formed of part render, part brickwork walls under a tiled roof. House type B would be formed entirely of brickwork walls under a tiled roof.

Vehicular access to serve the development is proposed to be formed in two places, both off Wirehill Drive. The first would be at a point approximately 25 metres to the east of the existing vehicular access serving Himbleton Close. This would serve Plots 1 to 10. The second would be located to the east of the existing protected oak further to the east. This access would serve Plots 11 and 12.

**PLANNING  
COMMITTEE**

12th November 2014

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

R01 Primarily Open Space  
 R02 Protection of Incidental Open Space  
 CS02 Care for the Environment  
 CS06 Implementation of Development  
 CS07 The Sustainable Location of Development  
 CS08 Landscape Character  
 BBE13 Qualities of Good Design  
 CT12 Parking Standards  
 BNE01A Trees, Woodland and Hedgerows  
 S01 Designing out Crime

**Emerging Draft Local Plan No. 4**

Policy 2: Settlement Hierarchy  
 Policy 3: Development Strategy  
 Policy 4: Housing Provision  
 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  
 NPPG National Planning Practice Guidance  
 SPG Encouraging Good Design  
 SPD Open Space Provision  
 SPD Education Contributions  
 SPD Designing for Community Safety  
 Worcestershire Waste Core Strategy (WWCS)

The site is designated as Primarily Open Space in the Borough of Redditch Local Plan

**Constraints:**

Borough of Redditch Tree Preservation Order (TPO) No.142

**Relevant Planning History**

2008/305/RC4	Residential development (outline)	Approved	05.11.2008
2013/145/FUL	Erection of 12 new detached dwellings with garages	Refused Appeal Dismissed	26.09.2013 14.04.2014

## PLANNING COMMITTEE

12th November 2014

---

### Consultations

#### **Highway Network Control**

Highways comment that the proposed development is acceptable in highways terms and therefore raise no objection subject to the inclusion of conditions covering access turning and parking, on site roads specification and the submission of a Construction Management Plan.

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

#### **Arboricultural Officer**

No objections are raised provided the Oak Tree and hedge line to be retained on the boundary of Wirehill Drive are afforded full protection in accordance with BS5837:2012 during construction works. An arboricultural method statement should be provided for the Council's consideration together with a full landscape plan and specification to include the intended routing of all utility service lines.

#### **Education Authority**

Confirm that a financial contribution towards education provision would be required in this case.

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

Notes that the site is not located within an area of fluvial flood risk and there is no evidence of the site being affected by past surface water flooding. A public foul sewer is located nearby and therefore connection to this is unlikely to be a problem provided the applicant has received consent from Severn Trent Water to connect.

With regards to the discharging of any additional surface water created by the proposed new dwellings, the applicant has proposed to use soakaways. Porosity tests will be required in order to ascertain whether soakaways would be appropriate. The applicant is asked to consider other forms of SuDS techniques to dispose of surface water, such as rainwater harvesting or permeable paving. Subject to the imposition of and agreement to a drainage condition, no objections are raised.

#### **Crime Risk Manager**

No objections raised. Would wish to see a light near to each properties front door: a dusk till dawn low energy light fitting would be the most appropriate.

#### **Severn Trent Water Ltd**

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

## PLANNING COMMITTEE

12th November 2014

### Public Consultation Responses

#### Responses against

12 letters raising the following summarised comments:

- Planning permission has already been rejected once and dismissed on appeal for exactly the same proposal
- Mature hedgerow across site should be retained/protected
- The site should be retained as a recreational area for the local community
- Loss of green space would prejudice quality of life for residents in Lodge Park
- Unsustainable form of development
- Vehicular and pedestrian safety would be compromised if permission were to be granted
- The land should not be developed in principle
- The proposals would harm the character of the area
- Wildlife in the area would be adversely affected
- Concerns raised regarding subsidence
- The proposed development would be on elevated ground and would impact upon privacy
- This area was originally to be retained as a sound barrier to prevent noise from the adjoining highways

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

Planning permission was granted for residential development in outline form under 2008/305/RC4 following this applications presentation at the RBC Planning Committee on 4<sup>th</sup> November 2008. The application site under that application included a much smaller triangular wedge to the immediate north of the hedgerow containing the oak tree referred to earlier and included the land right up to the Wirehill Drive / Gaydon Close road junction. Under the current application, no dwellings are proposed to be erected on this area of land as was the wish of the RBC Planning Committee in 2008, although the proposed vehicular access linking Wirehill Drive to the larger triangle of land would need to cross this area.

The outline consent granted in 2008 has now lapsed and therefore no consent for residential development (in principle) exists.

A full application for the erection of 12 detached dwellings was submitted in 2013 under application 2013/145/FUL. Officers recommended that this application should be granted permission subject to the satisfactory completion of a planning obligation under S106 of the Town and Country Planning Act. The recommendation was overturned by members and permission was refused following RBC Planning Committee on 25<sup>th</sup> September 2013. The two refusal reasons were as follows:

**PLANNING  
COMMITTEE**12th November 2014

---

1. The site is designated as an area of Primarily Open Space in the Borough of Redditch Local Plan. The Council considers that the need for this development does not outweigh the current value of the land as an open area. The proposal would therefore be contrary to Policy R.1 of the Borough of Redditch Local Plan No. 3 which states that proposals which would lead to the total or partial loss of a Primarily Open Space will not normally be granted planning permission unless it can be demonstrated that the need for the development outweighs the value of the land as an open area.
2. The proposed development would lead to the creation of two accesses on a stretch of classified highway (a district distributor) which carries significant traffic movements. Vehicular movements associated with the use of the proposed accesses would lead to traffic conflict and detriment to highway safety, contrary to the provisions of the National Planning Policy Framework.

An appeal was made against the decision of the Council to refuse planning permission and the Planning Inspector dismissed the appeal on 14<sup>th</sup> April 2014 commenting that the main issues were:

- The effect of the proposals upon highway safety having regard to the proposed vehicular accesses to the site, and
- Whether the loss of the area of Primarily Open Space would be outweighed by the need for new housing in the area.

With respect to the first issue, the Inspector considered that the addition of 12 dwellings would be unlikely to materially increase traffic using the highway and that the proposal would provide a safe and convenient vehicular access which would not result in harm to highway safety.

With respect to the second issue, the Inspector commented that the site was valuable in both environmental and recreational terms and that the need for the new houses would not outweigh the harm that would be caused to the loss of the open space. She therefore agreed that the first reason for the refusal of planning permission, as set out above was sound.

The current application is identical to that submitted in 2013 under application 2013/145/FUL.

**Assessment of Proposal**

The key issues for consideration are as follows:

- a) Principle of development
- b) Design, appearance and layout
- c) Impact of the development upon nearby residential amenities
- d) Impact of the proposals on highway safety
- e) Planning Obligation requirements

## PLANNING COMMITTEE

12th November 2014

---

### Principle of development

The site which would contain the proposed twelve new dwellings is designated as Primarily Open Space within the adopted Borough of Redditch Local Plan No.3, where Policy R.1 applies. A smaller triangle of land, from which access to the site is to be gained, is undesignated within the Local Plan and thus can be considered as incidental open space under Policy R.2. Policy R.1 is a criteria based policy, whereby in assessing applications for development on Primarily Open Space certain factors will be taken into account. These factors and *your Officers responses* to these are as follows:

i), The environmental and amenity value of the area

*Given the topography of the land the site has no particular or notable amenity value*

ii) The recreational, conservation, wildlife, historical and visual and community amenity value of the site

*The site as a whole performs a visual open space function but has little wildlife or community value*

iii) The merits of retaining the land in its existing open use, and the contribution or potential contribution the site makes to the character and appearance of the area

*The hedgeline and protected oak tree, together with the triangle of land to the immediate north adjoining Wirehill Drive make a contribution to the open character and appearance of Wirehill Drive, although the larger triangle which is proposed for residential development does not*

iv) The merits of protecting the site for alternative open space uses

*It would be difficult to suggest appropriate alternative open space uses on the site given the topography of the land*

v) The location, size and environmental quality of the site

*The location, size and quality of the open space is considered to be compromised by the sites close proximity to Wirehill Drive*

vi) The relationship of the site to other open space areas in the locality and similar uses within the wider area

*There are other open spaces within Lodge Park, including the Lodge Park Pool area, which lies within 300 metres of the site by means of the nearest footpath*

vii) Whether the site provides a link between other open areas or a buffer between incompatible land uses

*In this case the site neither provides a link between other open areas nor a buffer between incompatible land uses as it is surrounded by residential development*

## PLANNING COMMITTEE

12th November 2014

---

viii) That it can be demonstrated that there is a surplus of open space and that alternative provision of equivalent or greater community benefit will be provided in the area at an appropriate, accessible locality

*The Councils Open Space Needs Assessment shows that there is a deficit and therefore no surplus of open space in the Lodge Park ward. However, the ward abuts the Arrow Valley Park where there is a surplus. The site is therefore considered to be in close proximity to high quality open space*

ix) The merits of the proposed development to the local area or the Borough generally  
*The merits of the proposal should be considered holistically against the positive and negative points raised above and will be addressed further in the conclusion of this section*

The assessment of the site in relation to the above criteria has shown that the smaller triangular area to the immediate north performs a visual open space function and that it lies in a ward with a deficit of open space in relation to the Borough average. For these reasons your Officers have continued to resist the construction of new dwellings within the smaller area to the north which is incidental open space and subject to Policy R.2 in the Local Plan. This area would therefore remain free from built development. This serves to protect the hedgerow which would screen much of the development from Wirehill Drive.

The site has been designated as Primarily Open Space under the BOR Local Plan No.3 since its adoption in 2006. The site had the same allocation in earlier Local Plans.

Following the granting of planning permission for residential development (in outline) in 2008, where members at that time considered that the principle of residential development, having regard to the consideration to Policy R.1 was acceptable, the sites designation changed from POS to one of residential in the draft Local Plan No.4.

Following the Planning Inspectors decision to dismiss application 2013/145/FUL at appeal, the site has been removed from the allocated list of sites which count towards the Council's five year housing supply target.

Notwithstanding this, the Council will continue to need to deliver sites for residential purposes beyond the five year period in line with the provisions of the National Planning Policy Framework.

Having regard to the consideration of Policy R1 above, your officers believe that the visual amenities and the wider character of the surrounding area would not be harmed by the development of the site in the manner proposed under this application.

The Councils Open Space Needs Assessment, which is regularly reviewed and monitored (most recently in March 2014) still shows that the Lodge Park Ward has an overall small deficit in open space provision and therefore the proposal would fail to comply with criteria viii) as set out above which states that proposals such as this should

## PLANNING COMMITTEE

12th November 2014

---

demonstrate that a surplus exists. Whilst this is the case, the site abuts the Arrow Valley Park which has a clear surplus of open space. Having regard to the other criteria as set out above, the principle of residential development is considered to be acceptable.

The site lies within the urban area of Redditch, and is therefore considered to be in a sustainable location with cycle and public transport provision close by. It is considered that the site could be accessed by a variety of modes of transport, in line with planning policy objectives. The site's sustainable location having regard to the presumption in favour of sustainable development as set out in the NPPF should be given significant weight in considering whether in principle this steeply sloping site with relatively little community function can meet the Council's future demands for housing. Your Officers still consider that the need for housing outweighs the benefits of protecting this particular site as an open space.

### Design, appearance and layout

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 is that of a simple cul-de-sac arrangement, similar albeit smaller in scale to the existing development of Gaydon Close (to the west) which is similarly accessed via Wirehill Drive.

It is noted that the surrounding character and pattern of development varies between approximately 36-60dph, and comprises some semi detached, but mostly terraced housing. The proposed detached development of 12 new dwellings would represent a low density development with a resultant lower number of vehicle trips than might occur if the site were to be developed at a higher density commensurate with the sites surroundings.

The hedge line clearly visible from Wirehill Drive would be retained and therefore the development would be partially screened from Wirehill Drive.

The proposed development is considered to be acceptable in appearance, with each plot easily achieving garden sizes which accord with minimum sizes set out in the Councils adopted SPG 'Encouraging Good Design'. Officers have concluded that the development would not be inappropriate and over-intensive in appearance. The dwellings would complement in appearance those of the existing surrounding area.

The proposed use of a cul-de-sac layout is encouraged from a secured by design perspective. Defensible space to properties has been introduced, and the lack of terraced properties has prevented the use of shared rear access alleyways which are not generally encouraged. Passive surveillance over parking areas has been accommodated as per the requests of the Community Safety Officer by the introduction of windows to side gable elevations.

### Impact upon nearby residential amenity

The proposed development by virtue of its siting and scale would not have an overbearing or visually intimidating impact upon nearby properties. Within all new developments it is necessary to assess whether the Council's minimum separation



## PLANNING COMMITTEE

12th November 2014

---

distance of 22 metres would be achieved between rear facing windows serving a proposed development and rear facing windows to existing development. The 22 metre distance is achieved in respect of each plot.

Representations received comment that the site was originally to be retained as a sound barrier to prevent noise from the adjoining highways such as Wirehill Drive. Officers would comment that road noise from traffic travelling along Wirehill Drive would be unlikely to be higher than presently experienced by occupiers of numbers 1 to 7 Gaydon Close due to the presence of the proposed Plots 1 to 6 (running parallel to the rear gardens of these properties) which would be more likely to reduce noise spill arising from vehicles travelling along Wirehill Drive.

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

Officers would comment that only Plots 6 and 7 would be materially closer to the Warwick highway than those of numbers 7 to 15 Gaydon Close further to the west. Although a thick belt of mature trees exists between the southern boundary of the application site and the Warwick Highway further to the south, it is recommended that a condition be imposed in the case of permission being granted which would require an acoustic fence to be provided along the southern boundary to the site, in the interests of protecting the amenities of future occupiers of this development.

### Impact of the proposals on highway safety

County Highways officers have examined the proposals and have raised no objection to the proposals on highway safety grounds commenting that the additional vehicle trips associated with such a development would not have a detrimental impact upon the surrounding highway network. This view is consistent with that of the Planning Inspectors decision letter of 14<sup>th</sup> April 2014.

Officers are satisfied that the conditions as requested by Highway Network Control are necessary and reasonable having regard to Paragraph 206 of the National Planning Policy Framework. The conditions requested are those set out as Conditions 10, 11 and 12 in the recommendation below. It is not considered appropriate in this case to seek the infrastructure contribution following legal advice that has been received.

Parking provision on site would accord with parking standards, having regards to requirements for three bedroomed dwellings.

## PLANNING COMMITTEE

12th November 2014

---

### 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:

- 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 towards County education facilities. The County have confirmed that there is a need in this area to take contributions towards three schools: Oak Hill First, Woodfield Academy and Trinity High School and Sixth Form Centre
- 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

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

### Conclusion

Notwithstanding nearby residents concerns over the proposed new development, the proposals are considered to accord with national and local policy criteria. Officers consider that this detailed application is wholly acceptable having regards to the site's constraints and all other material considerations. Approval of this application would meet some of the Councils future housing demand in a sustainable location within the Borough which is considered to outweigh the need to retain this area as open space. 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

**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
  - A financial contribution is paid to the County Council in respect to education provision
  - A financial contribution is paid to the Borough Council towards the provision of wheelie bins for the new development

and

- b) **Conditions and informatives as below:**

**PLANNING  
COMMITTEE**12th November 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) 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) No site clearance, demolition, excavation or development shall take place until full details of tree protection measures and a detailed working methodology of construction near the tree(s) to be retained has been submitted to and approved in

**PLANNING  
COMMITTEE**

12th November 2014

writing by the Local Planning Authority. The details thus approved shall be fully implemented throughout the course of development.

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

- 6) No demolition, site clearance or development shall take place until all trees and hedges to be retained on the site and around the boundaries of the site have been protected in accordance with the specification set out in British Standard BS:5837 2005: Guide for Trees in relation to Construction, and such protection measures shall remain in situ for the duration of the development and in accordance with Policies B(NE)1a and B(NE)3 of the Borough of Redditch Local Plan No.3.

Reason:-To ensure the protection of trees and hedgerows in the interests of visual amenity.

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

appropriate references to be added here

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

- 8) Prior to the commencement of development, details of an acoustic fence to be provided shall be submitted to and approved in writing by the Local Planning Authority. The fence shall be erected in accordance with the approved details prior to the occupation of any of the dwellings hereby permitted.
- 9) During the course of any site clearance and development, the hours of work for all on-site workers, contractors and sub-contractors shall be limited to between;  
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

**PLANNING  
COMMITTEE**12th November 2014

---

- 10) 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 in accordance with the provisions of the National Planning Policy Framework.

- 11) Development shall not begin 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, and the development shall not be occupied until the scheme has been constructed in accordance with the approved drawings.

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

- 12) 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:-
- 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

- 13) 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.

**PLANNING  
COMMITTEE**12th November 2014

---

**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 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.
- 3) 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
- 4) 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.
- 5) 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.
- 6) It is not known if the proposed roadworks can be satisfactorily drained to an adequate outfall. Unless adequate storm water disposal arrangements can be provided, the County Council, as Highway Authority, will be unable to adopt the proposed roadworks as public highways.

**PLANNING  
COMMITTEE**12th November 2014

---

The applicant is, therefore, advised to submit the Engineering details referred to in this conditional approval to the County Council's County Network Control Manager, Worcestershire County Council, County Hall, Spetchley Road, Worcester, WR5 2NP at an early date to enable surface water disposal arrangements to be assessed.

**Procedural matters**

This is a small scale major application on RBC land, and therefore cannot be determined by Officers under delegated powers. Further, the recommendation is that permission be granted subject to a planning obligation and two or more objections have been received.

This site has been identified as a potential housing site through the Asset Disposal Programme and declared surplus by Executive Committee.





**PLANNING  
COMMITTEE**

12th November 2014

---

**Planning Application 2014/226/COU****Change of use of vacant Market Area to a play area for children and ancillary adult exercise area.****Covered Market Area, Market Place, Redditch, Worcestershire, B98 8AA****Applicant: Redditch Town Centre Partnership  
Expiry Date: 12th November 2014  
Ward: ABBEY****(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 heart of the town centre, and is hard surfaced with block paving and semi covered with a canopy roof supported on metal vertical risers. It is known as the former covered market area. To the west are some small retail units, some of which are vacant, set below the Debenhams store within the Kingfisher Shopping Centre. To the south are the external steps and lift that lead into the shopping centre. The site can be accessed from the north between the library and the post office, from the east through Fountain Passage from Walter Stranz Square, from the south from the market traders car park under car park 2, or from the shopping centre to the west.

**Proposal description**

The application proposes the change of use of this area of the town centre to provide play and exercise facilities. The proposed play equipment under the larger canopy roof area would be surfaced and marked out into two areas, one of play equipment for 5-12 year olds and one for younger children and toddlers. Also proposed is an adult exercise area with equipment similar to that found on 'trim trails' to the south end of the site south of the entrance to Fountain Passage, between it and the gates that lead out to the car park.

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

CS02 Care for the Environment  
ETCR01 Vitality and Viability of the Town Centre  
ETCR05 Protection of the Retail Core  
R01 Primarily Open Space  
S01 Designing Out Crime

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

Policy 13: Primarily Open Space

**PLANNING  
COMMITTEE**12th November 2014

---

Policy 30: Town Centre and Retail Hierarchy  
Policy 31: Regeneration for Town Centre  
Policy 32: Protection of the Retail Core  
Policy 43: Leisure, Tourism and Abbey Stadium

**Others:**

NPPG National Planning Practice Guidance  
NPPF National Planning Policy Framework

**Relevant Planning History**

None

**Consultations****Community Safety Officer**

This looks like an excellent use of an otherwise vacant space. Matters of access, surveillance, separation between proposed use and pedestrians passing through, robustness, maintenance and management and the provision of litter bins will be important.

**Development Plans**

This proposal complies with both adopted and emerging local planning policy and has the potential to make a great contribution to enhancing the vitality and viability of the Town Centre. Furthermore, the proposal contributes to the NPPF's aim to promote healthy communities.

**Area Environmental Health Officer**

I have no adverse comments to make in relation to this application, I have reviewed the above application for any potential contaminated land concerns and can confirm we have no adverse comments.

**North Worcestershire Water Management**

As the site is already covered over, it is not envisaged that this application would increase the risk of surface water flooding. NWWM would therefore have no objection to this application.

**Leisure Services Manager**

No Comments Received To Date

**Town Centre Co-ordinator**

No comments to make

**Waste Management**

No Comments Received To Date

## PLANNING COMMITTEE

12th November 2014

---

### Public Consultation Response

No responses received

### Assessment of Proposal

The site is designated as being located within the town centre, as Civic Open Space and as being within the retail core of the town. As such, the proposal should be considered against the policies that relate to these designations in the local plans, both current and emerging.

It is considered that the proposed development would contribute to the leisure opportunities within the town centre, re-use under-utilised land, contribute to a mix of uses within the town centre and result in environmental enhancements, such that it is considered to be acceptable in principle.

The change from civic open space to play area open space, whilst of different types, retains the open space in this location and as such is also considered to be acceptable in principle.

The proposal is considered likely to result in improvements to the overall appearance of the site which is to be welcomed, and would lead to an increase in footfall which would aid the security and vitality of this part of the town centre.

There are no residential properties in close proximity to the site and the type of use is unlikely to be carried on at antisocial hours and therefore it is not considered necessary to restrict hours of operation through the imposition of a condition.

It is not considered necessary to restrict or seek to control the type, quantity, size, colour or finish of the equipment to be provided, as the use is considered acceptable and the space, in terms of its extent and height, will be self-regulating to a large extent and other legislation would deal with matters such as safety and safeguarding.

The community safety officer has worked closely with the applicants to ensure that the operational arrangements are acceptable and would not result in a likely increase in crime or disorder in the town centre.

The proposal is considered compliant with local planning policy and unlikely to raise any concerns of amenity.

### **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**12th November 2014

---

- 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.

**Procedural matters**

This application is being reported to the Planning Committee because the site falls within the ownership of Redditch Borough Council. As such the application falls outside the scheme of delegation to Officers.

**PLANNING  
COMMITTEE**12th November 2014

---

**Planning Application 2014/283/RM****Appearance and landscaping reserved matters relating to the rehearsal studio with offices granted permission under 2014/190/OUT****Former Ansell Glove Co Ltd, 25 Broad Ground Road, Lakeside, Redditch, Worcestershire, B98 8YP****Applicant: Mr C Reed  
Expiry Date: 16th December 2014  
Ward: LODGE PARK****(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 is bounded by Shawbank Road to the north, Holloway Drive to the east and Broad Ground Road to the south. Beyond Holloway Drive to the east is the Arrow Valley Country Park, and the verges in this area are all grassed with mature tree and shrub planting along the perimeters of the industrial units that characterise the area.

The site is accessed by vehicles from Broad Ground Road and has a large metal clad industrial building in the middle which is currently under demolition. It is mostly used for the storage of parked haulage vehicles used by the company that occupy the site, who are a specialist transport firm.

**Proposal description**

The application is for the reserved matters of appearance and landscaping, following the application made in outline form with matters of access, layout and scale for consideration which this committee considered earlier in the year.

The outline application proposed the erection of a building for use by the current occupiers of the site in connection with their business. The building would have a variety of ancillary functions such as office accommodation, and also rehearsal studio space; the company that occupy the site transport set and other equipment relating to shows and concerts across the country. Between tours, much of this equipment is stored in the other warehousing premises nearby in the control of the applicant. The company needs a facility where stage sets can be rigged and de-rigged for practice purposes prior to going on tour, and where artists can use the stage set up to rehearse. Due to these requirements, the building would need to be relatively tall and accessible to large vehicles.

## PLANNING COMMITTEE

12th November 2014

The matters for consideration here are the remaining ones – those of appearance and landscaping. The proposed building would be faced with cladding, with roller shutter doors to the rear (north) and windows to the east facing onto Arrow Valley Park. At the south east corner, the building would have a glazed feature. It would have a shallow curved pitch to the roof. The landscaping proposals show additional planting to the boundaries.

### Relevant Policies :

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

BBE13 Qualities of Good Design  
EEMP02 Design of Employment Development  
EEMP03 Primarily Employment Areas  
BNE01A Trees, Woodland and Hedgerows

#### **Others:**

NPPF National Planning Policy Framework

### Relevant Planning History

2013/297/FUL	Change of Use to Haulage Depot and Storage and erection of fencing	Approved	16.01.2014
2014/078/FUL	Erection of Security Lighting	Approved	12.06.2014
2014/190/OUT	Proposed rehearsal studio with offices (outline permission with matters of access, layout and scale for consideration)	Approved	11.09.2014

### Consultations

#### ***Arboricultural Officer***

No objection - proposed planting scheme is acceptable

### Public Consultation Response

No comments received

### Assessment of Proposal

The principle of this development and the details relating to its access, layout and scale have already been considered and granted permission under the outline application. Therefore only the following matters need to be considered here.

## PLANNING COMMITTEE

12th November 2014

---

### Appearance

The building is located towards the western end of the site nearest to surrounding built form, which would result in clustering of the built form in this area. Whilst it is acknowledged that the scale of the building (at 20.5m high to eaves) is significant, and taller than many of the surrounding industrial properties, it is not considered to be so tall or bulky that it would cause substantial harm to visual or other amenities. The location of the building away from the Arrow Valley Park is also welcomed, as it retains a visual gap to the east of the site. The design of the premises is a function of its use to a large extent, and not dissimilar to other industrial buildings in the surrounding area. As such, it is not considered to be an inappropriate form of development.

The windows face out to the east over the park and therefore would not result in any overlooking or receive any harmful effects from surrounding industrial premises, nor is it likely that the proposed building would cause any harmful effects on neighbouring premises.

The proposal is for the building to consist of a brick plinth with metal sheet cladding above in contrasting colours and a steel roof. This is considered to be acceptable in this location as it is not dissimilar to the appearance and finishes of the surrounding industrial buildings.

### Landscaping

The planting shown on the proposed plan has been considered by colleagues in landscaping and is considered to be appropriate and acceptable, hence the condition ensuring that it be carried out as shown on the plan.

### Conclusion

No other issues have been raised in this case, and as noted above the proposed details are considered to be acceptable in terms of their compliance with policy and therefore it is unlikely that the proposal would result in significant harm.

### **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 10th September 2017 (that being three years from the date of the grant of outline planning consent).

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 and condition 1 of outline permission 2014/190/OUT.

**PLANNING  
COMMITTEE**12th November 2014

---

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

2422/LP  
2422/03  
2422/04

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) 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

**Informatives**

- 1) A separate application for Advertisement Consent may be required under the Control of Advertisements Regulations 2007 for any signage to advertise the business. The applicant should contact the Local Planning Authority for further advice on this matter.
- 2) The applicant should be aware that this permission relates to outline permission 2014/190/OUT as granted consent earlier in the year and that the requirements of that and the conditions listed above must be complied with at all times.

**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.



REDDITCH BOROUGH COUNCIL**PLANNING  
COMMITTEE**12<sup>th</sup> November 2014**TREE PRESERVATION ORDER No.148 (2014) - Trees on land at Prospect Hill Car Park, Redditch – CONFIRMATION**

Relevant Portfolio Holder	Cllr Greg Chance
Portfolio Holder Consulted	No
Relevant Head of Service	Ruth Bamford, Head of Planning and Regeneration Guy Revans, Head of Environment
Ward(s) Affected	Abbey
Ward Councillor(s) Consulted	No
Non-Key Decision	

**1. SUMMARY OF PROPOSALS**

- 1.1 This report proposes the long term protection of a number of significant trees which are considered to be of positive benefit to public amenity. Their value therefore makes them worthy of retention in the longer term.

**2. RECOMMENDATIONS**

- 2.1 **The Committee is asked to RESOLVE that:**

**Tree Preservation Order No. 148 (2014), as detailed in the Schedule attached at Appendix 1 and Plan in the plan pack be confirmed without modification.**

**3. KEY ISSUES****Financial Implications**

- 3.1 The costs of the administrative and technical processes associated with this matter may be met from within existing budgets, and the financial aspects are not a matter for the Planning Committee to consider.

**Legal Implications**

- 3.2 These matters are completed in line with the provisions of the Town & Country Planning Act 1990 (as amended).
- 3.3 Legal Services has been consulted with regard to the legal implications.

**Service / Operational Implications**

- 3.4 Tree Preservation Orders (TPO) are made to protect trees (individuals, groups, areas, or entire woodlands) that contribute significantly to their local environment and to its enjoyment by the public. This is known as the public amenity value of

**PLANNING  
COMMITTEE**12<sup>th</sup> November 2014

- trees. When suitable trees/woodlands are identified, and when it is considered expedient to do so, a provisional TPO is made which comes into effect immediately and remains in force for a period of six months. During this time there is a consultation period where interested parties can make representations against or in favour of the TPO.
- 3.5 Following the consultation period a decision must be made to either confirm (i.e. make permanent) the TPO or not. If representations are received then the matter is considered by the Planning Committee, and generally if no representations are received then the TPO is confirmed by Officers of the Council under Delegated Powers.
- 3.6 On 11th June 2014 a provisional TPO was made on several individuals and groups of trees on land at Prospect Hill Public Car Park, Redditch. This followed a planning consultation for part of the site, which also raised the possibility of future redevelopment of the wider site as well. As part of the normal planning consultation process, the trees were assessed, and it was deemed appropriate to protect selected trees to ensure they are retained and given sufficient consideration within the planning process.
- 3.7 This TPO covers a total of 35 trees, which are a mixture of large and significant individual specimens and groups of trees. They are located throughout the heavily tree-covered site, both within the public car parking areas and within boundary vegetation as identified in the plan in the plan pack. As predominantly mature specimens they add greatly to the visual character of the local landscape, and are deemed to have a significant public amenity value, which will be further enhanced in the event of lesser quality trees being removed to facilitate possible future re-development of the site (also see 3.10).
- 3.8 Notification of this new TPO was served on all persons that could be affected by the Order, and a consultation period for representations ran for 28 days. During this period one objection was received from the agent of the landowner responsible for most of the site and trees. The provisional TPO will remain in force until 11<sup>th</sup> December 2014, or until it is decided whether to make the Order permanent or not, whichever occurs first.
- 3.9 The objection comprises a letter from the agent and a supporting tree assessment report from an arboricultural consultant, which can be summarised into the following main points:
- i. The trees subject to the objection (that is, T1, T2, T3, G4 and G5) only have limited public visibility and amenity value, due to their locations within the site which are obscured by other boundary vegetation.
  - ii. The retention of the trees subject to the objection “*may adversely impact on the developability of the site*”, as they will add constraints to this site which is proposed for mixed use development within the Local Plan.

**PLANNING  
COMMITTEE**12<sup>th</sup> November 2014

- iii. An additional objection reason within the tree report, specifically in respect of T1. That it is suspected of suffering from a decay infection, which will require tree surgery to counteract the resultant weakness and limit its future longevity and amenity value.
- iv. Although not part of the objection, the tree report also queries which trees are included within G4, as there are two silver birches and two sycamores close to where the group is located, but only one of each is included within the TPO.

## 3.10 The Tree Officer responds as follows:

- i. In line with Government guidance, this council carries out a systematic assessment of trees to evaluate whether or not they are worthy of being included within a new TPO. The council uses nationally recognised assessment criteria to do this, which looks at the trees amenity value in terms of current and potential public visibility, general condition, longevity, potential threats to the trees, and other factors such as whether they form part of significant groups. An important part of this assessment is to consider its potential *future* visibility based on possible land use changes. It is not considered that the protection of these trees would prevent any future redevelopment of the site and the potential to improve their contribution and importance through a well-designed development which protects their longevity would be both possible and welcomed.

In respect of current visibility, the trees included within this TPO are either fully or partially visible from major public viewpoints, as well as various local business premises. They are prominent in the local landscape. In respect of each of the trees/groups being objected to on visibility grounds, I would comment as follows:

- T1 and T2 – both trees are visible from the main car park entrance, and T2 in particular is very tall and visible from Prospect Hill. The supporting tree survey contradicts the agent's objection in that it considers T2 worthy of TPO inclusion.
  - T3 – this very large tree is visible from Prospect Hill through a secondary gated entrance to the site, and is prominent above surrounding trees from the Ringway and other viewpoints to the south.
  - G4 – a prominent group in the centre of the car park, currently partially visible from main car park barriers as well as secondary gated site entrance from Prospect Hill (beyond T3).
  - G5 – tall trees on elevated ground, currently partially visible from secondary gated site entrance from Prospect Hill (beyond T3), as well as from the Ringway.
- ii. TPO legislation works within the Planning system and it is common to make new TPOs as part of planning consultations. They are not made to prevent appropriate development, but to protect existing significant trees

**PLANNING  
COMMITTEE**12<sup>th</sup> November 2014

---

and ensure they are retained within a well-designed future development which provides visual and environmental benefits in years to come. The latest Government guidance on TPOs advises that councils should consider making TPOs on significant trees when it suspects that they may be at risk of felling or severe pruning, such as due to future development pressure. I consider that the wording used in the objection letter insofar as tree retentions adversely affecting development potential indicates that if no TPO were made then all these trees would be at risk of premature felling to facilitate a “blank canvas” on which to maximise future development. This would undoubtedly be to the detriment of the natural environment and public visual amenity in this prominent town centre gateway site.

There is currently a very dense coverage of trees and other vegetation on this site, and the council could have considered applying a “blanket” style area TPO which automatically protects every tree standing. This would serve to give the council a controlling hand over the future management of all trees on site but would have significant implications for future development potential of the site. However, in acknowledging the sites role within the latest Local Plan, we would not wish to unduly restrict beneficial re-development so only the best trees have been included within the TPO. These trees are a very small percentage of the current overall tree cover and will not unreasonably restrict the sites potential, but will serve to enhance the visual appearance of any future re-development.

- iii. Small pockets of decay in the outer trunk of mature trees are quite common, especially around ground level where a combination of damage and moisture result in some decay. However this only becomes a potential safety issue if certain wood-decay infections set in, and even then the impact is limited and may take many years to establish depending on the type of infection and condition/species of tree. The small pocket of decay highlighted in the tree report was noted when assessing T1 for inclusion in the TPO, however there is no indication that this tree is suffering from the infection as suspected in the report. We have monitored the tree since the TPO was made for any signs of fungal growth that would indicate a potential serious infection such as the one listed, however no indicative fruiting bodies are present and there is no current indication that the future amenity value of this tree will be affected by this small area of decay.

The most common sense approach to this situation would be to continue to monitor the tree in the future for any changes in its condition and/or area of decay. The fact that this tree has been included in the TPO will have no implications on this course of action, as the landowner should already be having the trees on site inspected periodically to ensure they are not a safety issue for users of the car park. If this or any other tree becomes a potential hazard then the appropriate course of action will be required to maintain site safety. This may include safety work as described in the tree report, however

**PLANNING  
COMMITTEE**12<sup>th</sup> November 2014

the TPO legislation will require that the owner/agent applies to the council and obtains consent prior to undertaking the works. We will not refuse appropriate levels of work to maintain the safety of any tree subject to a TPO; therefore it would be unreasonable to exclude this tree from the TPO just because there may be possible future work requirements or unconfirmed reports of a decay infection.

- iv. The positioning of group G4 is accurately shown by the extent of the dashed line on the TPO plan. The tree report correctly mentions that there is more than one birch and sycamore tree close to the location of G4; however the position of both trees is slightly outside the dashed line. To clarify, the trees included are a single large sycamore to the south of the unmade vehicular track, a pine immediately north-west on the northern side of the track, and a large silver birch to the west of the pine, also on the northern side of the track.

The smaller unprotected silver birch mentioned in the report is outside the dashed line boundary, east of the large sycamore on the southern side of the track. The smaller sycamore that is not included is located slightly north-east of the protected sycamore, on the northern side of the track.

**3.11**

- i. Policy implications – none.
- ii. HR implications – none.
- iii. Climate change/biodiversity implications – the long term protection offered by making the TPO permanent would be considered a positive impact on the environment.

**Customer / Equalities and Diversity Implications**

3.12 The customers have been provided with the relevant notification, and will receive a postal notification of the committee decision.

3.13 Equalities and Diversity implications – none.

**4. RISK MANAGEMENT**

4.1 The risk of not protecting the trees is that in the long term they are likely to be felled or inappropriately pruned such that their significance and contribution to the wider area would be diminished, causing a loss to the amenity and biodiversity value of the area.

**PLANNING  
COMMITTEE**12<sup>th</sup> November 2014

---

**5. APPENDICES**

Appendix 1 - Proposed TPO schedule for confirmation.

**6. BACKGROUND PAPERS**

Relevant documentation on file and site plan in plan pack.

**7. KEY**

TPO = Tree Preservation Order.

**AUTHOR OF REPORT**

Name: Andrew Southcott, Tree Officer

Email: [andrew.southcott@bromsgroveandredditch.gov.uk](mailto:andrew.southcott@bromsgroveandredditch.gov.uk)

Tel.: (01527) 64252 ext. 3735

REDDITCH BOROUGH COUNCIL**PLANNING  
COMMITTEE**12<sup>th</sup> November 2014**APPENDIX 1****First Schedule****Trees specified individually**

(encircled in black on the map)

<u>No. on Map</u>	<u>Description</u>	<u>NGR</u>	<u>Situation</u>
T1	Beech	404275 / 268030	Near centre of northern boundary.
T2	Lime	404272 / 268016	Immediately south of T1.
T3	Lime	404215 / 267964	Near southwest corner of site.
T4	Monkey puzzle	404230 / 267941	On southern site boundary, adjacent to highway slip road.
T5	Lime	404190 / 267944	Southwest corner of site, adjacent to Prospect Hill.

**Trees specified by reference to an area**

(within a dotted black line on the map)

<u>No. on Map</u>	<u>Description</u>	<u>NGR</u>	<u>Situation</u>
		NONE	

**Groups of Trees**

(within a broken black line on the map)

<u>No. on Map</u>	<u>Description</u>	<u>NGR</u>	<u>Situation</u>
G1	8 x lime	404254 / 268043	Along northern site boundary.
G2	10 x lime	404310 / 268035	Along northern site boundary.
G3	7 x lime	404365 / 268033	Northeast corner of site.
G4	1 silver birch, 1 pine, 1 sycamore	404255 / 267986	South of main central parking area.
G5	1 ash, 1 lime	404243 / 267973	Trees either side of footpath steps, southwest of G4.

**Woodlands**

(within a continuous black line on the map)

<u>No. on Map</u>	<u>Description</u>	<u>NGR</u>	<u>Situation</u>
		NONE	





## PLANNING COMMITTEE

12<sup>th</sup> November 2014

---

5. **INFORMATION ITEM**

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 item 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](mailto:ailith.rutt@redditchbc.gov.uk)) for more information.

7. **Appendices**

Appendix 1 - Outcomes of Planning Appeals

**PLANNING  
COMMITTEE**

12<sup>th</sup> November 2014

**APPENDIX 1: OUTCOMES OF PLANNING APPEALS**

<b>Reference</b>	<b>Site location</b>	<b>Proposal</b>	<b>Ward</b>	<b>RBC Decision type</b>	<b>Type of appeal</b>	<b>Appeal type</b>	<b>Appeal outcome</b>	<b>Comments</b>
2014/049/ADV	Tyre Sales Ltd Unit 7a Oxleasow Rd Redditch	Replacement of existing signage	Winyates	Delegated decision	Against refusal	Written Representations	Allowed 05/08/2014	
2013/228/OUT	The Paddocks Astwood Lane, Feckenham	8 new dwellings	Astwood Bank and Feckenham	Committee Refusal Jan 2014	Against refusal	Written Representations	Dismissed 09/10/2014	Application for award of costs by appellant refused