



# Planning Committee

Wed 10 Dec  
2014  
7.00 pm

Council Chamber  
Town Hall  
Redditch

**REDDITCH** BOROUGH COUNCIL

*making  
a  
difference*

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# Access to Information - Your Rights

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

Your main rights are set out below:-

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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**Notes:**

- 1) It should be noted that, in coming to its decision, the Committee can only take into account planning issues, namely policies contained in the Borough of Redditch Local Plan No.3, the County Structure Plan (comprising the Development Plan) and other material considerations, which include Government Guidance and other relevant policies published since the adoption of the development plan and the “environmental factors” (in the broad sense) which affect the site.
- 2) 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

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### ***Agenda Papers***

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

### ***Chair***

The Chair is responsible for the proper conduct of the meeting. Generally to one side of the Chair 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

10<sup>th</sup> December 2014

7.00 pm

Council Chamber Town Hall

### Agenda

#### Membership:

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

<b>1. Apologies</b>	To receive apologies for absence and details of any Councillor nominated to attend the meeting in place of a member of the Committee.
<b>2. Declarations of Interest</b>	To invite Councillors to declare any Disclosable Pecuniary Interests or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.
<b>3. Confirmation of Minutes</b> (Pages 1 - 6)	To confirm, as a correct record, the minutes of the meeting of the Planning Committee held on 12 <sup>th</sup> November 2014.  (Minutes attached)
<b>4. Update Reports</b>	To note Update Reports (if any) for the Planning Applications to be considered at the meeting (circulated prior to the commencement of the meeting)
<b>5. Planning Application 2014/189/FUL - Land at Prospect Hill, Enfield, Redditch</b>  (Pages 7 - 20)  Ruth Bamford, Head of Planning and Regeneration	To consider a Planning Application for the construction of 14 no. 1 bedroom, 1 person supported living flats and a Community Hub, together with associated car parking, external works and landscaping.  Applicant: Mrs Tracey Brewer  (Report attached, Site Plan under separate cover)  <b>(Abbey Ward)</b>

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<p><b>6. Planning Application 2014/249/FUL - Webheath First School, Downsell Road, Webheath, Redditch, B97 5RJ</b></p> <p>(Pages 21 - 28)</p> <p>Ruth Bamford, Head of Planning and Regeneration</p>	<p>To consider a Planning Application for school extensions and additional car parking.</p> <p>Applicant: Mrs Chris Millward</p> <p>(Report attached, Site Plan under separate cover)</p> <p><b>(West Ward)</b></p>
<p><b>7. Planning Application 2014/292/FUL - Land at and adjacent to Grand View, Sambourne Lane, Astwood Bank, Redditch</b></p> <p>(Pages 29 - 36)</p> <p>Ruth Bamford, Head of Planning and Regeneration</p>	<p>To consider a Full Planning Application for the erection of a two bedroom dormer bungalow with private access off Sambourne Lane, the proposed additional private new access off Sambourne Lane to serve the property Grand View.</p> <p>Applicant: Mr and Mrs R P Dodd</p> <p>(Report attached, Site Plan under separate cover)</p> <p><b>(Astwood Bank &amp; Feckenham Ward)</b></p>
<p><b>8. Enforcement Report - Condition of Premises and surrounding Land - St Gregory's Roman Catholic Church, Winyates Way, Winyates, Redditch</b></p> <p>(Pages 37 - 42)</p> <p>Ruth Bamford, Head of Planning and Regeneration</p>	<p>To consider an Enforcement Report in relation to the condition of premises and surrounding land.</p> <p>(Report attached, Site Plan under separate cover)</p> <p><b>(Winyates Ward)</b></p>



## 9. Exclusion of the Public

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

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

These paragraphs are as follows:

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

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

may need to be considered as “exempt”.

## 10. Confidential Matters (if any)

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





# Planning Committee

Wednesday, 12 November  
2014

## MINUTES

### Present:

Councillor Andrew Fry (Chair), Councillor Alan Mason (Vice-Chair) and Councillors Joe Baker, Roger Bennett, Andrew Brazier, Yvonne Smith, David Thain, Nina Wood-Ford and John Witherspoon

### Also Present:

Councillor Mark Shurmer

### Officers:

Amar Hussain, Ailith Rutt and Steve Edden

### Democratic Services Officer:

Amanda Scarce

### 35. APOLOGIES

An apology for absence was received from Councillor Wanda King with Councillor John Witherspoon present as substitute.

### 36. DECLARATIONS OF INTEREST

There were no declarations of interest .

### 37. CONFIRMATION OF MINUTES

**RESOLVED that**

**The minutes of the meeting of the Planning Committee held on 8<sup>th</sup> October 2014 be confirmed as a correct record and signed by the Chair.**

### 38. UPDATE REPORTS

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

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Chair

# Planning Committee

Wednesday, 12 November 2014

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**39. PLANNING APPLICATION 2014/192/FUL - LAND AT WIREHILL DRIVE, LODGE PARK, REDDITCH, WORCESTERSHIRE**

Erection of 12 No. 3 bedroomed detached dwellings with garages

Applicant: Mr David Baker

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

Mr P Bird – Resident (objecting)

Mr Blewitt – Resident (objecting)

Councillor Andrew Fry (Ward Councillor and Objector)

Councillor Mark Shurmer (Ward Councillor and Objector)

**RESOVLED that**

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

**“The site is designated as an area of Primarily Open Space in the Borough of Redditch Local Plan No 3. 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.”**

(Having noted and considered the speaker representations, Officers report and Update, Members raised concerns about highway safety issues in relation to Wire Hill Drive and the loss of open space to the local community. The Committee refused the Application for the reason stated in the resolution.)

(Further to having advised at the start of the meeting of his intentions to withdraw from the Committee to the public gallery for this item, in order to speak to the Application in his capacity as a local Ward Member, the Chair, Councillor Andrew Fry, withdrew from the meeting following the Officer's presentation and conclusion of public speaking on the item in accordance with the Council's public speaking rules and was not present for the Committee's debate and decision on the matter.)

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The Committee's Vice Chair, Councillor Alan Mason was in the Chair for this matter.

Councillor Mark Shurmer, in attendance in the public gallery and also registered to speak on the item as a Ward Councillor, also withdrew from the meeting following the Officers presentation and conclusion of public speaking in accordance with the Council's public speaking rules.)

**40. PLANNING APPLICATION 2014/226/FUL - COVERED MARKET AREA, MARKET PLACE, TOWN CENTRE, REDDITCH, WORCESTERSHIRE B98 8AA**

Change of use of vacant Market Area to a play area for children and ancillary adult exercise area

Applicant: Redditch Town Centre Partnership

**RESOLVED that**

**Having regard to the development plan and to all together material considerations, planning permission be GRANTED subject to the following condition:**

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

(Councillor Alan Mason sat in seating provided for the public for this item and did not participate in the debate.)

(The Committee raised concerns in respect of security of the area outside of normal working hours and were reassured to be informed that the area would be secured and covered by CCTV. Members were in agreement that it was an excellent use of the area and be of benefit to the health and wellbeing of families.)

**41. PLANNING APPLICATION 2014/283/RM - FORMER ANSELL GLOVE CO. LTD, 25 BROAD GROUND ROAD, LAKESIDE, REDDITCH, WORCESTERSHIRE**

Appearance and landscaping reserved matters relating to the rehearsal studio with offices granted permission under 2014/190/OUT

Applicant: Mr C Reed

**RESOLVED that**

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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 10<sup>th</sup> September 2017 (that being three years from the date of the grant of outline planning consent).
2. The development hereby approved be implemented in accordance with the following plans; 2422/LP, 2422/03 and 2422/04.
3. All hard and soft landscaping works 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 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.

(The Committee agreed that this was a prestigious project which could only be of benefit to the Borough.)

**42. TREE PRESERVATION ORDER NO. 148 (2014) - TREES ON LAND AT PROSPECT HILL CAR PARK, REDDITCH, WORCESTERSHIRE - CONFIRMATION**

The Committee considered a report which proposed the long term protection of a number of significant trees which were considered to be of positive benefit to public amenity and worthy of retention in the long term.

**RESOLVED that**

**Tree Preservation Order No. 148 (2014), trees on land at Prospect Hill Car Park, Redditch be confirmed without modification.**

**43. APPEAL OUTCOMES - INFORMATION REPORT**

**RESOLVED that**

**The various Appeal outcomes listed in the Appendix attached to the report be noted.**

# Planning Committee

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Wednesday, 12 November 2014

The Meeting commenced at 7.00 pm  
and closed at 7.58 pm





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**Planning Application 2014/189/FUL****Construction of 14 no. 1 Bedroom 1 Person supported living flats and a Community Hub together with associated car parking, external works and landscaping.****Land at Prospect Hill, Enfield, Redditch, Worcestershire.****Applicant: Mrs Tracey Brewer  
Expiry Date: 13th October 2014  
Ward: ABBEY****(See additional papers for Site Plan)**

The author of this report is Helena Plant, Planning Officer (DM), who can be contacted on Tel: 01527 881335 Email: h.plant@bromsgroveandredditch.gov.uk for more information.

**Site Description**

This Full Planning Application relates to a rectangular parcel of land sited on the eastern side of Prospect Hill just outside the Town Centre of Redditch. The site abuts the existing Pay and Display Car Park and is positioned immediately to the north of that access. Opposite the site is a domestic dwelling and the rear gardens of dwellings sited off the westward arm of Prospect Hill, to the south are a variety of commercial and office uses contained in buildings of a variety of sizes and scales. Immediately to the north is a car park area associated with the modern office development at Osprey House.

The site itself is currently open and supports a considerable amount of general tree growth. Much of this is prominent in the street scene whilst the growth along the northern boundary is continuous with that of the car park and which has recently been the subject of a Tree Preservation Order. Listed Buildings are sited to the north of the site around Albert Street and this part of Prospect Hill is noted as being steeply sloping with a 2.8m change in levels across the site.

**Proposal Description**

This application seeks the erection of a single building across the front of the site. The building would accommodate fourteen one bedroom one person flats with associated community hub which includes staff office, bedroom, lounge/meeting room kitchen and shower.

The scheme is proposed by Bromford Housing Group for affordable supported living flats for people with learning disabilities; the community hub provides accommodation for staff and support facilities for residents as well as being available for the wider community. The scheme is part of the 'My Place' model, a supported housing scheme specifically aimed at adults with long term conditions; it aims to provide long term accommodation whilst enabling residents to take control of their lives and enabling independent living. The location of the site within the community and close to local facilities would support

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this ethos. It is unlikely that residents would own a car or have a licence therefore parking provision is aimed at carers and visitors.

The Community Hub facility will build social integration; it will facilitate a social area to mix with others within the scheme but is also a training venue to support employment and activities to support independence. Other agencies and local centres will be involved in this delivery. The Hub allows a care provider to deliver 24 hour care on site if needed by residents. Bromford will provide 18 hours per week of housing specialist staffing to assist residents with understanding the requirements of their tenancy, claiming benefits, paying rent and maintaining a home. The My Place model is tailored to an individual's needs and is flexible in its terms depending upon the needs of the individual, with the aim being to provide individuals with a home and the best opportunity to achieve independent living by progressing through short, medium and long term goals.

The building will be two storeys and will present two main rendered gables to the street with a recessed central entrance feature siting behind a boundary treatment formed from 900mm high railings. The remains of the building will have a predominantly brick treatment. Access to the site will be via the existing car park access and will be served by six parking spaces. An amenity area will be provided to the rear of the building.

The development will require the removal of virtually all tree cover from the site, none of which is covered by the recent TPO. The application is accompanied by a Design and Access Statement, An Arboricultural Survey, Extended Phase 1 Habitat Survey and a Geotechnical Design and Contamination/ground investigation and piling Report.

### Relevant Policies:

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

CS02 Care for the Environment  
CS05 Achieving Balanced Communities  
CS06 Implementation of Development  
CS07 The Sustainable Location of Development  
S01 Designing Out Crime  
R03 Provision of Informal Unrestricted Open Spaces  
R05 Playing Pitch Provision  
BHSG05 Affordable Housing  
BBE28 Waste Management  
BBE29 Construction Waste  
BBE13 Qualities of Good Design  
CCF01 Community Facilities  
CT02 Road Hierarchy  
CT12 Parking Standards  
BBE19 Green Architecture  
BNE01A Trees, Woodland and Hedgerows

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

Policy 2: Settlement Hierarchy

Policy 4: Housing Provision

Policy 5: Effective and Efficient use of Land

Policy 6: Affordable Housing

Policy 12: Open Space Provision

Policy 17: Flood Risk Management

Policy 18: Sustainable water Management

Policy 19: Sustainable travel and Accessibility

Policy 20: Transport Requirements for New Development

Policy 31: Regeneration for Town Centre

Policy 36: Historic Environment

Policy: 39 Built Environment

Policy: 40 High Quality Design and Safer Communities

**Others:**

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

SPD Affordable Housing Provision

SPD Open Space Provision

SPD Prospect Hill, Town Centre SPD

SPD Designing for Community Safety

SPG Encouraging Good Design

Worcestershire Waste Core Strategy (WWCS)

**Relevant Planning History**

None

**Consultations****Worcestershire Archive and Archaeological Service**

No objections. Given the scale of the development, and the anticipated archaeological potential, the likely impact on the historic environment caused by this development may be offset by the implementation of a conditional programme of archaeological works which in this instance, would comprise a watching brief on all groundwork.

**Arboricultural Officer**

The layout for this proposed development shows the removal of most of the tree stock within the site, with the exception of a small group in the NE corner. Most of the tree stock to be lost is of average or below average form due to having closely-grown and suppressed growth habits. Therefore I would have no objection to the proposed level of tree removal, provided that appropriate replacement tree planting is provided as mitigation, by way of a landscaping scheme. The landscaping scheme should also include recommendations within the Phase 1 Habitat Survey (Nov 2013) to maximise the ecological value of the site. Advises amendment to landscape scheme. Confirms no

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impact as a result of the development on the recent TPO to the east. Requires plan to show Root Protection Zones of retained trees being protected during development.

### **Conservation Adviser**

Scheme is unlikely to impact adversely on the listed buildings located on the same side of the road but further down the hill, because of the distance between the site and these buildings. Considers scheme could have utilised site topography to create more visual interest.

### **Community Safety Officer**

No Comments Received To Date

### **Development Plans**

Scheme is acceptable in relation to the principles of the 2007 SPD, Local Plan No3 and Emerging Local Plan No4. There is a need to ensure the wider aspirations for the larger part of the site are not sterilised as result of any changes to the access. The proposed housing type is acceptable as it retains the residential element.

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

No objection subject to conditions

### **North Worcestershire Water Management**

Whilst there is little risk of flooding to the site itself, it would be important to ensure that this development would not exacerbate or cause flooding elsewhere. The site also appears to be situated within a steep catchment, with a fall on site from South to North. No objection to development subject to implementation of proposed drainage strategy.

### **Highway Network Control**

No objection subject to conditions relating to turning and informative relating to works in the public highway.

### **Parks and Green Spaces Service Manager**

No Comments Received To Date

### **Leisure Services Manager**

No Comments Received To Date

### **Severn Trent Water Ltd**

No Comments Received To Date

### **Town Centre Co-ordinator**

No objection to the plans from a Town Centre Perspective.

### **Waste Management**

No Comments Received To Date

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### **Warwickshire Wildlife Trust**

We note the contents of the ecological appraisal and we do not wish to object to the proposals. We would however recommend that you append a condition covering the ecological recommendations made in the applicant's report to any permission you may be otherwise minded to grant.

### **Public Consultation Responses**

None received.

### **Assessment of Proposal**

Consideration has been given to the Use Class of the proposed development. Factors such as; the number of residents, the way in which they are living and the support that is provided along with the appearance and character of the proposed building, give an overall view that the development is a Residential Institution falling within Class C2, as opposed to residential dwelling houses under class C3. It is also noted that amenity and parking provision would be insufficient for an open C3 use.

### **Context**

The application site is part of a larger site that in 2007 was the subject of a Supplementary Planning Document. At that time the larger site was a reserve housing site, identified through Local Plan Policy B(HSG)1, with the capacity for some 61 dwellings. Key objectives to the development of the site included; efficient use of brownfield land, providing affordable housing, enhancing town centre viability, ensuring access by a range of modes of transport and creating high quality public realm. Whilst that document related to a different national policy framework position, the proposed development aligns with the principles established in so far as; the siting of the development complements the existing street scape, providing good access to the town centre and respecting the existing building line, whilst retaining the best trees. Other matters such as provision of public open space and green architecture are more applicable to the wholesale development of the site although suitable landscaping and drainage have been incorporated into this scheme.

Since the adoption of the SPD, the Local Plan position has changed in that Policy B(HSG)1 was not part of the list of Saved Policies identified post May 2009, however the principle of the site for residential development remains.

### **Principle**

The allocation of the site in the Borough of Redditch Local Plan No3 makes reference to the site being identified to meet Strategic Housing Requirements if required following subsequent monitoring. The Borough of Redditch Local Plan No3 through saved policy CS5 seeks to deliver development, including housing development, which is sustainable and which is 'self-contained' with respect to access to facilities, and identifies the urban area of Redditch as the area where this can be most readily be achieved. Policy CS7 directs the location of development again to the urban area with preference being

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expressed for the use of brownfield land. Furthermore the urban location of the site, in the context of the core principle of the NPPF as promoting sustainable development, is noted.

The emerging Borough of Redditch Local Plan No4 identifies the site as one of a group of Town Centre Strategic Sites covered by Policy 31, a policy which seeks to reinforce and strengthen the role of the Town Centre. The development complies with the aims of this policy by increasing residential accommodation; one of the guiding principles identified in the Town Centre Strategy and by facilitating the residential aspect of a mixed use that is envisaged for the wider Prospect Hill site (31.10(iii)). The policy clarifies that these land parcels do not need to be developed at the same time but that individual sites do need to promote good linkages with the Town Centre.

Given the above, the principle of the development for residential use is therefore considered acceptable.

### **Trees and ecology**

The retention of trees with value to amenity, landscape and nature conservation is encouraged by Policy B(NE)1A. Trees are identified as adding to the distinctiveness of an area and their role in urban as well as rural areas is noted. The proposal involves the removal of all tree cover, with the exception of the north eastern corner of the site. The Arboricultural Officer is of the view that most of the tree stock to be lost is of average or below average form due to having closely-grown and suppressed growth habits. Therefore there is no objection to the proposed level of tree removal, provided that appropriate replacement tree planting is provided as mitigation, by way of a landscaping scheme.

A landscaping scheme, which includes a number of heavy standard trees to mitigate for the loss of the existing trees, has been submitted as part of the development proposal and in its amended form is acceptable to the Arboricultural Officer. Clarification has also been sought to ensure that the proposal does not affect the root protection zone of the trees to the east of the site that are covered by a recently imposed TPO.

The site has been the subject of a Phase 1 Habitat Survey. This did not identify any specific habitats or notable species that required protection or mitigation as part of the scheme. Considerations in relation to timing of site clearance etc. are controlled through the recommendations in the Habitat Survey.

### **Impact upon street scene/ design/amenity**

The Integration of new development into the local context is a requirement of Policy BBE13. It identifies style, layout as well as scale, massing and materials as important aspects of responding to local distinctiveness. Policy CS2 outlines that new development should not harm the Borough's environmental assets, if the development does amount to harm, then justification of the benefits of the scheme would be required.

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Members will note the comments of the Council's Conservation Adviser. Whilst no objection is made to the impact of the development on the setting of the listed buildings to the north of the site, it is considered that the development could respond more to the topography of the site and that the scheme has not taken the opportunities to add positively to the area.

The applicant has commented:

*... the building is an attractive and modern design, which is sensitive to the surrounding context. We have introduced gables to the elevations and a modern full height portico around the entrance, again to reflect architectural elements from the surrounding context and also to break the roof line to both the front and rear elevations. The roof pitch is similar to the new college building which is the main new modern building directly within the vicinity of the site. The pallet of materials proposed includes red brick and white render which are present in the surrounding buildings and we have introduced the Cedral boarding as a contemporary element to again enhance the design.*

Your Officers have considered these points. It is noted that the original SPD advocated the buildings 'stepping up the hill' in terms of built form and this may have facilitated a more vertical emphasis to the design. However the application site is just part of the larger site established through the SPD and design principles adopted on this site would not dictate what happens elsewhere on the larger site. The requirement of the applicant to have a level floor plan to enable the needs of disabled residents to be easily accommodated within the development is recognised and in the context of Policy CS2, has some weight.

The proposal does incorporate a vertical element by virtue of the gable treatments; the prominence of which is increased through the use of contrasting materials and projection from the main building frontage. The building is of a modern design reflective of the college building to the south of the site. Given the exposed and sloping nature of the site, the side gables and the site boundary treatments would be prominent in the street scene. To improve the visual impact of these areas boundary walls as opposed to close boarded fences are proposed and steps in the side elevation to provide visual interest and variety are proposed. Railings are proposed to the site frontage with appropriate planting.

Given the varied nature of the buildings along this section of Prospect Hill and the nature of the proposal, the design on balance, is not considered to be harmful to the local street scene or context.

The siting of the development and its relationship with residential dwellings is such that the development would not cause overlooking or overshadowing.

### **Other considerations**

A number of matters require control through conditions. The site has the potential to have supported a heritage asset in the form of buildings associated with the former needle and fish hook factory centred off Albert Street. The NPPF sets out in Para 141 the need to

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record and advance the understanding of the significance of heritage assets as part of development proposals in a proportionate manner to the importance of the asset. A watching brief condition is therefore proposed to include a written scheme of investigation.

Similarly the applicant's contaminated land survey, which included a phase 1 desk study and an intrusive phase II ground investigation, identifies the need for some site remediation and this is controlled by condition. The drainage, landscaping scheme and materials schedules have been submitted and in their revised form are acceptable to consultees and as such do not require specific pre commencement conditions.

### **Planning obligation**

The size of the proposed development is above the policy threshold (CS6) for requiring contributions which should be sought via a planning obligation which in this case would cover:

A contribution towards playing pitches and open space in the area, due to increased demand/requirement from future residents, is required in compliance with the SPD.

A contribution to provide refuse and re-cycling bins for the new development in accordance with Policy WCS.17 of the adopted Worcestershire Waste Core Strategy.

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

### **Conclusions**

The site has been identified as being suitable for residential development over a significant period of time. The proposals comply with the aims of the relevant policies and would not inhibit development of the wider part of the site.

The detailed design, form and layout of the development is considered to be appropriate in its context and subject to suitable conditions and legal agreement is considered to be a policy compliant form of development. Officers have worked positively and proactively with the applicants to reduce the number of pre-commencement conditions and resolve issues raised by consultees.

### **RECOMMENDATION:**

**That having regard to the development plan and to all other material considerations, authority be delegated to the head of Planning and Regeneration to GRANT planning permission subject to:-**



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**a) The satisfactory completion of a S106 planning obligation ensuring that:**

A contribution towards playing pitches and open space in the area, due to increased demand/requirement from future residents, is required in compliance with the SPD;  
and

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.

**and**

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

1) No development shall take place until a programme of archaeological work, including a Written Scheme of Investigation, has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

A. The programme and methodology of site investigation and recording.

B. The programme for post investigation assessment.

B. Provision to be made for analysis of the site investigation and recording.

C. **Provision** to be made for publication and dissemination of the analysis and records of the site investigation

D. Provision to be made for archive deposition of the analysis and records of the site investigation

F. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Reason: In accordance with the requirements of paragraph 141 of the National Planning Policy Framework.

2) 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);

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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

- 3) 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 trees to be retained has been submitted to and approved in 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 trees in the interests of visual amenity and in accordance with Policy B(NE).1a of the Borough of Redditch Local Plan No.3

- 4) 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.

- 5) No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (1)

Reason: In accordance with the requirements of paragraph 141 of the National Planning Policy Framework.

- 6) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (1) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: In accordance with the requirements of paragraph 141 of the National Planning Policy Framework.

- 7) A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to identified receptors must be prepared and is subject to the approval of the Local Planning Authority in advance of undertaking. The remediation scheme must ensure that the site will not qualify

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as Contaminated Land under Part 2A Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

The approved remediation scheme must be carried out in accordance with its stated terms and objectives.

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

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

Reason; To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors as required by para 120 of the NPPF.

- 8) Full details of any soil or soil forming materials brought on to the site for use in garden areas, soft landscaping, filling and level raising must be provided. Where the donor site is unknown or is brownfield the material must be tested for contamination and suitability for use on site. Full donor site details, proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) must be submitted to and approved in writing by the Local Planning Authority prior to import on to the site.

The approved testing must then be carried out and validatory evidence (such as laboratory certificates) submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought on to site.

Reason; To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors as required by para 120 of the NPPF.

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- 9) The dwellings 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 and in accordance with Policy CT12 of the Borough of Redditch Local Plan No.3

- 10) The drainage scheme, including foul and surface water drainage as set out in Engineering Levels and Drainage Concept plan SK-001A, shall be fully implemented on site prior to the first occupation of the development.

Reason:- In the interests of the suitable drainage of the site and in accordance with Policy BBE19 of the Borough of Redditch Local Plan No.3

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

Site Location Plan ref 201352 13  
 Site Plan ref 012352 12B  
 Floor Plans ref 201352 02C  
 Elevations 201352 07A  
 Perspective drawing ref 201352 14  
 Materials and surfacing Schedule as contained in email dated 21.11.2014  
 Boundary treatment plan 201352 15  
 Site Survey S219 dwg 368 A  
 Engineering levels and drainage concepts AAC5142 dwg SK-001 A  
 Landscaping Scheme ADL087 C  
 Design and Access statement July 2014  
 Arboricultural Survey RT-MME-115406-03  
 Extended Phase 1 Habitat Survey RT-MM-115406-01  
 Report on Geotechnical Design and Contamination AJM/21515

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

**Informatives**

- 1) 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

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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.

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

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

- 3) 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
- 4) 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

**Procedural matters**

This application is being reported to the Planning Committee because the application requires a S106 Agreement and is for a small scale major development. As such the application falls outside the scheme of delegation to Officers.



**REDDITCH BOROUGH COUNCIL****PLANNING  
COMMITTEE**10<sup>th</sup> December 2014**Planning Application 2014/249/FUL****School Extensions and Additional Car Parking****Webheath First School , Downsell Road, Webheath, Redditch, Worcestershire, B97 5RJ,**

<b>District:</b>	<b>Webheath</b>
<b>Applicant:</b>	<b>Mrs Chris Millward</b>
<b>Expiry Date:</b>	<b>5th November 2014</b>
<b>Ward:</b>	<b>WEST</b>

**(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**

Site comprises of an established first school that has been extended over time and is now a school academy. The school is single storey accommodation although parts of the building are double storey in height. Vehicular access and pedestrian access to the school is via Downsell Road.

**Proposal Description**

Permission is sought for an extension at the rear of the existing nursery, and stores. The extension measuring approximately 28 x 22.5 m would provide a re-located nursery, new staff room, two new reception rooms and two new infant rooms with ancillary cloak rooms / stores etc.

Another extension measuring approximately 20.5 x 6.8 m is proposed to provide additional floorspace for the existing hall, and create a new studio. Both extensions would be finished in a zinc coated steel dual pitched roof and rendered walls are proposed for the extensions.

A new car park is proposed off an existing service road that is currently used as the pedestrian access into the school. The car park would be located where the school allotment is at present and would provide 19 car spaces and 2 disabled car spaces for staff use only.

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

CT02	Road Hierarchy
R01	Primarily Open Space
BBE13	Qualities of Good Design
BBE14	Alterations and Extensions

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CT12          Parking Standards

**Others:**

NPPF          National Planning Policy Framework

NPPG          National Planning Practice Guidance

**Relevant Planning History**

2006/505/CPO	Consultation - Renewal Of Planning Consent For Double Mobile Classroom	14.11.2006
2001/461/CPO	Consultation - Renewal Of Planning Consent For A Double Mobile Classroom.	05.11.2001
1994/475/CPO	Consultation - Provision Of Double Mobile Classroom Unit	20.01.1995

**Consultations****Arboricultural Officer**

The proposed development will necessitate the removal of a significant area of tree cover (15 individual trees / shrubs currently used as a Forest School facility), and likely to impact on the Root Protection Area (RPA) of two nearby mature trees (T1 ash on site, and T2 oak off-site). Both of these trees are large prominent specimens that should be retained and afforded appropriate protection.

However, am satisfied that there is ample scope to relocate the Forest School area to another wooded part of the grounds, therefore, do not object to the loss of the trees as long as details of mitigation planting are provided by condition as part of a landscaping plan.

An Arboricultural Method Statement and Tree Protection Plan is required to provide details in accordance with BS5837:2012 in regard to the avoidance of adverse impacts on the retained trees.

**Community Safety Officer**

No objections

**Education Authority**

No Comments Received To Date



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**Environmental Health- Food**

No Comments Received To Date

**North Worcestershire Water Management**

The applicant also states that the surface water will be disposed of via a SuDS system. There are no details of this included with the application. Would suggest that the applicant considers the use of porous or permeable paving for the car parking areas - these would be subject to porosity testing. It may also be of an idea to include rainwater butts and other SuDS techniques to improve the surface water drainage of the site. This could be controlled by condition.

**Highway Network Control**

No objection to the proposal

**Sport England**

No objection.

**Severn Trent Water Ltd**

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

**Public Consultation Response**

5 objections

- Proposal will have an impact on trees
- Lighting would have an impact on amenities of neighbouring properties
- Parking and road congestion
- View of car park, no screening provided
- Loss of light

Petition from residents of Lyndenwood concerned about vehicles parking in Close and additional traffic.

**Webheath Village Hall**

Parking issues causing congestion, increasing the size of the school will exacerbate the situation.

**Assessment of Proposal**

Webheath is now an academy school. Members may be aware that there are other schools within the locality that now form part of the academy school pyramid. Tudor Grange Academy and Ridgeway Academy Middle School are preparing to convert to Secondary Schools 11-18 age range from September 2015. Astwood Bank First School is also preparing to change to become a Primary School 4-11 age range from 2016. This would have a significant effect on the structure of the school pyramid that Webheath First School Academy is in and as such Webheath School is also preparing to become a Primary School 4-11 age range from September 2016.

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The school accommodation at present does not fulfil the current requirements, the school hall is too small, the nursery is in a converted kitchen meaning that the school are unable to prepare and serve hot meals on site, the two reception rooms are too small and the staff facilities and pupil toilets are inadequate to serve the current 300 pupils (including 25 for the nursery), 13 full time equivalent and 1 part time teacher, 35 part time support staff and 3 admin staff.

Therefore, the school requires additional accommodation to meet existing needs, as well as additional accommodation should the school proceed with a change to a Primary School. The proposed extensions would enable the School to take in 120 additional pupils, 30 additional nursery pupils and 10 additional full time staff.

The proposal raises the following matters:-

**Principle of the development**

The site is within the urban area of Redditch, however, the larger extension and car park is proposed to be built on land that is designated as Primarily Open Space in Borough of Redditch Local Plan No.3. Therefore, policy R.1 would apply. Policy R.1 states proposals that would lead to the total or partial loss of Primarily Open Space will not normally be granted planning permission unless it can be demonstrated that the need for development outweighs the value of the land as an open space area.

Although the land is designated as Primarily Open Space, the land concerned is restricted for school use only and is not available to the general public. In addition, the land proposed for the car park is currently used as an allotment area for the school, and the land for the larger extension comprises of an existing store building and a group of trees / shrubs that would need to be removed. Therefore, the use of this land as formal open space is limited.

As part of assessing the proposal it is understood that there is a deficit of open space facilities in this ward (as indicated in the Open Space Needs Assessment 2009). However, given the limited access to this facility within a school site, and how the site is currently being used it is considered that whilst there would be a partial loss of Primarily Open Space in this ward, the proposed extensions to the school would be a greater community benefit in the area generally. Therefore, although the proposal would conflict with policy R.1 of Local Plan No.3, on balance the principle of an extension and car park in the designated Open Space would be acceptable on this occasion. Sport England has no objection to the proposal.

**Design and layout**

The school has been extended over time since it was originally built. However, the design of the extensions and proposed materials are considered to be acceptable complying with policies B(BE).13 and B(BE).14 of the Borough of Redditch Local Plan No.3 and design policies in the NPPF.

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**Car parking**

The proposal includes the provision of a new car park (with low level lighting to turn off at 6.30pm) off the existing service road that is currently used as pedestrian access for pupils to the school buildings. Several objections have been submitted in respect to car parking issues currently experienced by local neighbours who have parents parking in their cul de sac during the start and end of the school day. Other concerns relate to the use of the service road as a means of access to the new car park. The original plans submitted did not make it clear as to who would use the car park, whether it was intended for staff or members of the public. Following a discussion with the agent, it is understood that the new car park would be for the staff only and the existing car park would become available for parents / members of the public.

The new car park would have restricted access and would not be available for parents to use for dropping off / picking up etc. Therefore, it is unlikely that the car park for staff would generate noise and disturbance that would have a detrimental impact on the amenities of the neighbouring occupiers. A new pedestrian access is also proposed directly off Downsell Road to segregate walkers and drivers using the new car park.

The new car park would be visible from the rear garden of 4 Lyndenwood as there is very little screening between the rear garden of this property and the application site. The agent has discussed the provision of additional boundary treatment with occupiers of 4 Lyndenwood and close boarded fencing (1.7 m high) has been agreed to be erected to help screen the development.

The provision of a new car park for staff enables the existing car park to be used by parents and as such should alleviate some car parking issues currently being experienced by local residents. County Highway Network Control has no objection to the proposal.

**Trees and landscaping**

To implement the development, a number of trees / shrubs would need to be removed. The Council's Arboricultural Officer has no objections to the removal of the trees concerned but has requested additional information to demonstrate that the remaining mature trees would be adequately protected during and after the development. This additional information is anticipated to be submitted shortly. An update on this matter will be provided in the Update Report.

**Conclusion**

The proposal would conflict with Policy R.1 of the Borough of Redditch Local Plan No.3, however, the current use of the land is very restricted for general public use. In addition, the current accommodation is substandard for the pupils and staff, and the proposals would address this matter as well as current parking problems experienced by local residents. The proposal would also enable the school the opportunity to change their status to a Primary School in line with the academy school pyramid in the locality. On balance, the proposal is considered to be acceptable.

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**RECOMMENDATION:**

**That having regard to the development plan and to all other material considerations, authority be delegated to the head of Planning and Regeneration to GRANT planning permission subject to:-**

**a) The submission of additional arboricultural information**

**and**

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

**Conditions**

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

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

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

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

- 3) The development hereby approved shall be implemented in accordance with the plans and documents (to be completed at decision stage).

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) 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

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satisfactory means of drainage and in accordance with National Planning Policy Framework.

- 5) 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

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

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

- 7) The boundary treatment shown in the approved plans shall be fully implemented prior to the first use or occupation of the development and thereafter be retained and maintained without alteration to its design, materials or height unless first agreed in writing by the Local Planning Authority.

Reason:- In the interests of providing and maintaining a visually acceptable boundary treatment and in accordance with Policies B(BE).13 and S.1 of the Borough of Redditch Local Plan No.3.4)

**Procedural matters**

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



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**Planning Application 2014/292/FUL****Full application to erect a two bedroom dormer bungalow with private access off Sambourne Lane. Proposed additional private new access off Sambourne Lane to serve the property Grand View****Land at and adjacent to Grand View, Sambourne Lane, Astwood Bank, Redditch****Applicant: Mr & Mrs R P Dodd  
Expiry Date: 8th December 2014  
Ward: ASTWOOD BANK AND FECKENHAM****(see additional papers for Site Plan)**

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

**Site Description**

The application site lies to the southern side of Sambourne Lane and forms garden associated with the bungalow 'Grand View' which is situated immediately to the east. Part of the sites western boundary forms the rear garden boundary to number 1195 Evesham Road. The sites southern boundary is a side garden fence serving number 1197 Evesham Road.

Immediately opposite the site and to the northern side of Sambourne Lane is the car park serving the Astwood Bank play area. Sambourne Lane is otherwise effectively open to the north with ribbon development consisting of two storey and single storey buildings to its southern side.

**Proposal Description**

This is a full planning application to erect a two bedroomed dormer bungalow of brick and tile construction within the side garden associated with the property 'Grand View'. Vehicular access serving the new dwelling would be via that which currently serves the host property from Sambourne Lane. Planning permission is also sought for a second, separate access which would solely serve the existing bungalow Grand View. This is proposed to the immediate east of the existing access, again via Sambourne Lane.

**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  
BRA08 Development at Astwood Bank  
CT12 Parking Standards

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### **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

NPPG National Planning Practice Guidance

SPG Encouraging Good Design

### **Relevant Planning History**

No history pertaining to the application site.

Members may recall that planning permission was granted at the 6<sup>th</sup> August 2014 Planning Committee, (ref 2013/254/FUL) to demolish the existing bungalow 'Uphill' which is situated to the immediate east of the bungalow Grand View and to erect in its place, two detached dwellings. This consent has yet to be implemented.

### **Consultations**

#### **Highway Network Control**

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

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

The site is located within fluvial flood zone 1, and there is little risk of surface water flooding on the site in question. No objections subject to the imposition of a standard drainage condition

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

With reference to noise impacts, no objections are raised

The site is located within 250m of (the former) Sambourne Lane refuse tip. As such a planning condition should be imposed requiring the applicant to carry out a risk assessment to establish whether the proposed development is likely to be affected by gas emissions in order to ensure that any risks to future occupants of the dwelling are adequately addressed. Subject to the imposition of such a condition, no objections are raised

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

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

#### **Stratford on Avon District Council**

No objection



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### Public Consultation Responses

#### Responses against

2 letters received. Comments summarised as follows:

- The development would be out of character with appearance of surrounding area
- Access concerns raised
- The proposal would result in a loss of outlook and loss of privacy and loss of light
- This would be an overdevelopment of the site

### Assessment of Proposal

The key issues for consideration are as follows:

#### Principle

The National Planning Policy Framework (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".

Since the site is located within the defined settlement of Astwood Bank and the site is not designated for any particular purpose within Local Plan No.3 or the emerging LP No.4, there are no objections to the principle of a residential scheme on the site, providing the details are considered to be acceptable.

#### 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 application proposes to develop a parcel of land to the side of an existing property and would constitute frontage development rather than a back land scheme which in the view of your officers respects the ribbon of development along this side of Sambourne Lane. As referred to under consideration of application 2013/254/FUL which concerned the development of a plot to the immediate east of Grand View, similar such schemes have been permitted in relatively recent years involving the filling of existing gaps between properties within Sambourne Lane. To the east of the application site, properties now known as 'Updown House', 'Springfield' and 'Summer Meadow', in addition to the two dwellings permitted under application 2013/254/FUL are examples of such developments.

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The plans submitted which include a street-scene drawing demonstrate to your officers that the development would be acceptable in terms of its design and layout with the proposed dormer bungalow complying with minimum separation distances between dwellings. The new development would provide private amenity space in excess of the Council's minimum standards, with the property's garden being commensurate in size with those which exist nearby.

In terms of appearance, the dormer bungalow would be formed of brick walls, under a tiled roof with general detailing taking its lead from the dwellings approved under application 2013/254/FUL. Your officers are satisfied that the development would respect the character and appearance of the area.

### Impact upon nearby residential amenity

An element of overlooking from any new development of this nature is inevitable in the same way as an overlooking impact can occur from for example, rear first floor windows serving habitable rooms on a semi-detached property. It is for the decision maker to consider whether any harm caused would be severe. The dormer bungalow has been carefully designed to minimise any potential harm to existing residential amenity. This, together with the fact that numbers 1195 and 1197 Evesham Road enjoy relatively long rear gardens (approximately 17 metres) which is 6 metres longer than the Council's current minimum rear garden length of 11 metres, leads your officers to consider that no significant detrimental impacts to residential amenity would result from the proposed development by virtue of loss of privacy, light or loss of outlook.

### Access and parking

County Highways have raised no objection to the proposed new access which would serve the property Grand View where two new car parking spaces within the curtilage of this property would be formed. Nor do they raise objections to the continued use of the existing access (currently serving Grand View) which would serve the new dormer bungalow where up to two car parking spaces can be provided within the curtilage.

Car parking provision to serve both properties would comply with local standards.

### Sustainability

The site lies within the heart of the village of Astwood Bank and within a very short walking distance of local shops and other amenities, and is therefore considered to be in a sustainable location.

### Conclusion

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

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### 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) 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.

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

Drawing No: 1178-16 Revision A: Location Plan (Amended)

Drawing No: 1178-25 Revision A: Block Plan (Amended)

Drawing No: 1262-26 Street Scene

Drawing No: 1178-23 Revision A: Proposed floor plans and elevations

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) 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

- 7) The site is within 250m of a former landfill site. A risk assessment should be undertaken to establish whether the proposed development is likely to be affected by gas emissions from the site. Where significant risks are identified or insufficient data hinders an appropriate risk assessment, a targeted site investigation proposal or proposed remedial measures must be carried out. Details in this respect should be submitted to and approved in writing by the Local Planning Authority, prior to commencement of the development. Any remediation measures approved shall be fully implemented prior to first use or occupation of the development.

Reason:- To ensure that the risks to buildings and their occupants from former landfill sites are adequately addressed in accordance with the National Planning Policy Framework.

- 8) 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 the National Planning Policy Framework.

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**Informatives**

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

**Procedural matters**

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



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**ENFORCEMENT REPORT**

Enforcement Case Details:

2013/246/ENF

Allegation: Condition of premises and surrounding land

Location: St Gregory's Roman Catholic Church, Winyates Way,  
Winyates, Redditch, Worcestershire

Ward: Winyates

The author of this report is David Whittles - Planning Enforcement Officer,  
who can be contacted on 01527 881656 or E-Mail:

[David.Whittles@bromsgroveandredditch.gov.uk](mailto:David.Whittles@bromsgroveandredditch.gov.uk) for more information.

(See additional papers for site plan)

**Site description**

The property is a former Roman Catholic Church which has not been in use for some considerable time now, probably since around 2005. It lies on Winyates Way - close to the southern car park serving the Winyates Shopping Centre.

**Relevant site planning history**

St Gregory's was built circa 1975 by Redditch Development Corporation. There is no further site history.

**Relevant site enforcement history and investigation details**

Enforcement issues in relation to this property date back to 2007. All cases relate to the same problem; the untidy condition of the building and surrounding land.

**August 2007 –**

Following complaints a site visit was made. The church was no longer in use and the windows were boarded up. Although the area surrounding was now a little overgrown, the fabric of the building was sound. There was evidence of persons sleeping rough in the nearby car park, however that was not a planning issue and the case was closed.

**August 2010 –**

Following complaints the site was re-visited. The building and surrounding area were in very poor condition with roof and dormers in very poor condition and obviously not weatherproof. The outside area was overgrown – as now a

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candidate for the issue of a Section 215 Notice, ownership details obtained and further site visit made. A letter was sent to the owners requesting action.

**January 2011 –**

The property was now currently in the process of changing hands and it was suggested it would soon fall under new ownership who intended to re-furbish it and bring it back into use. It was agreed to delay action for 3 months.

**March 2011 –**

Further site visit made. The overgrown bushes and pathways had now all been cleared and tidied. Some work to the roof appeared to have been carried out. The fabric of the building was sound and although the roof condition was still not brilliant it was not in such a state now that we could justify action under S.215. The case was closed 21.04.2011.

**July 2011 -**

Further complaint and site visit. The property had continued to deteriorate without any change of ownership and so an e-mail was sent to the owners seeking action. Reply received to effect that their Surveyor will contact enforcement directly. By September nothing further had been heard.

**October 2011 -**

Land search request sent to legal. Delegated authority was gained for a Section 215 Notice.

**December 2011 -**

Corporate decision has been taken not to proceed with enforcement action as discussions are in hand with the owner and the Council as to its future. Case was closed pending further developments.

**December 2013 -**

Complaint received from the community safety team about the state of the church. Visit made, site was very run down and over grown and church had holes in roof. Land Registry search to start S215 proceedings. Warning letter sent to owner with second letter following after no change at the end of January 2014. Response received on 31<sup>st</sup> January claiming that they were negotiating the sale of the church to buyers who would demolish it.

**February 2014 -**

Email to owner advising that 215 action was imminent despite sale negotiations as nothing was final. No response received.

**March 2014 -**

S215 Notice issued, with effect from 23.04.2014 and a compliance period expiring on 23/07/2014. A copy of its requirements is attached to the end of this report.



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**Assessment**

The condition of this property is such that it is adversely affecting the amenity of the area. The issue of neglect of the building and surrounding land has been a problem on and off for at least 7 years and needs addressing.

Due to the lack of willingness or indeed response of the owners of the property, direct action is seen as the only viable option in this case.

Even in the event of the Magistrates upholding an allegation of non-compliance with the Section 215 notice, Magistrates can only impose a financial penalty. They have no powers to order compliance with the notice and thus improve the condition of the site. It is also felt that prosecution may be especially onerous given that we would be dealing with a board of trustees and there is no one person to pursue.

Officers consider that in this particular case, the most appropriate course of action would be to use its powers under Section 219 of the Planning Act to undertake clean up works and recover the costs from the owner.

There are no risk implications in this report. From a community safety perspective it is preferred that the church is either demolished or suitably secured to prevent unauthorised access; however, planning legislation cannot force the securing of the building. As such, community safety have also investigated whether powers available to them under the Anti-social Behaviour, Crime and Policing Act 2014 can be better utilised to secure the church and clear the site by the way of a Community Protection Notice (CPN). At this stage, however, the legal advice is that we pursue the S215 notice.

**Financial Implications**

There is a financial implication for the Council as the cost of any action to clear the property will have to come out of existing budgets. It is considered that this would be alleviated by taking the necessary action to place a charge on the land and thereafter taking legal steps to recover the costs.

The risk therefore would relate to how and when those costs are recovered and that there would be no recompense for the officer time expended on the matter as this would be met from existing budgets.

**Conclusion**

The condition of this property is such that action is urgently required to alleviate the harm to amenity and to neighbouring properties. As the owner cannot or will not take responsibility, the enforcement officer considers that the only way forward in this matter is to take direct action and carry out the works in default.

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Recommendation

The Committee is asked to RESOLVE that:

in relation to a breach of planning control, the overgrown condition of the land surrounding the building and the condition of the building itself, authority be delegated to the Head of Legal, Democratic & Property Services, in consultation with the Head of Planning & Regeneration, to take the following action:

- a) Carry out the works specified in steps 1 to 8 or steps 1,2,9 and 10 of the Section 215 notice to tidy the land or demolish the building; and
- b) To instruct legal officers to take all necessary steps to secure the recovery of all costs incurred by the placing of a charge on the property.

AND / OR

- c) Seek prosecution for the non-compliance of the section 215 Notice.

Requirements of the S215 notice:

The Council requires the following steps to be taken for remedying the condition of the Land:

1. Cut back all overgrown vegetation on the Land including the land forming the car parking area adjacent to a height not exceeding 5 centimetres above ground level.
2. Remove from the Land the resultant waste matter, including any detritus uncovered as a result of the works, to an authorised place of disposal.

AND EITHER

3. Replace the rotten wooden boarding to the base of the spire with matching boards and paint a uniform colour to match.
4. Remove from the roof the tarpaulin and other detritus. Make good or replace any missing or dislodged roof and ridge tiles, and replace any broken glass rooflights.

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5. Replace or make good any loose or missing guttering and downpipes.
6. Remove all foliage that is attached to and climbing the walls of the church building.
7. Paint the boards on the side of the dormers situated on the south-east elevation of the roof in a uniform dark colour to match the colour of the roof tiles.
8. Remove from the Land to an authorised place of disposal, all building materials and rubble arising from compliance with the requirements of steps 3 to 6 above.

OR

9. Demolish the church building.
10. Remove the demolished materials and resultant debris from the Land to an authorised place of disposal.

