

# Public Document Pack



# Planning Committee

Wed 14 Jan  
2015  
7.00 pm

Council Chamber  
Town Hall  
Redditch

**REDDITCH BOROUGH COUNCIL**  


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

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- Access to a public register stating the names and addresses and electoral areas of all Councillors with details of the membership of all Committees etc.

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

- Access to a list specifying those powers which the Council has delegated to its Officers indicating also the titles of the Officers concerned.
- Access to a summary of the rights of the public to attend meetings of the Council and its Committees etc. and to inspect and copy documents.
- In addition, the public now has a right to be present when the Council determines "Key Decisions" unless the business would disclose confidential or "exempt" information.
- Unless otherwise stated, most items of business before the Executive Committee are Key Decisions.
- Copies of Agenda Lists are published in advance of the meetings on the Council's Website:  
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If you have any queries on this Agenda or any of the decisions taken or wish to exercise any of the above rights of access to information, please contact the following:

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Democratic Services Officer  
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## **REDDITCH BOROUGH COUNCIL** **PLANNING COMMITTEE**



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# **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) Ward Councillors
  - c) Applicant (or representative) to speak on the application.

Speakers will be called in the order they have notified their interest in speaking to the Democratic 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 Democratic Services Team on 01527 64252 Extn. 3266 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

14<sup>th</sup> January 2014

7.00 pm

Council Chamber Town Hall

### Agenda

#### Membership:

Cllrs:	Andrew Fry (Chair) Alan Mason (Vice-Chair) Joe Baker Roger Bennett Andrew Brazier	Wanda King Yvonne Smith David Thain Nina Wood-Ford
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<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 10 <sup>th</sup> December 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. Application 2014/036/FUL - B &amp; Q DIY Supercentre, Jinnah Road, Smallwood, Redditch, Worcestershire B97 6RG</b>  (Pages 7 - 14)  R Bamford - Head of Planning and Regeneration	To consider the outstanding matter of the opening hours in relation to the reconfiguration of the existing store to create a Class A1 (Bulky Goods) unit and a Class A1 Foodstore, further to the Committee's previous consideration of the Application on the 10 <sup>th</sup> September 2014.  Applicant: B & Q Plc and ASDA Stores Limited  (Report attached – Site Plan under separate cover)  <b>(Central Ward)</b>

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<p><b>6.</b> <b>Application 2014/272/FUL</b> - Former Ambulance Station, Cedar Park Road, Batchley, Redditch, Worcestershire B97 6HP  (Pages 15 - 26)</p> <p>R Bamford - Head of Planning and Regeneration</p>	<p>To consider a Planning Application for the proposed erection of 14 no. flats comprising 10 x 2 bedroom flats and 4 x 1 bedroom flats.</p> <p>Applicant: Cedar Real Estate Developments Ltd  (Report attached - Site Plan under separate cover)</p> <p><b>(Batchley &amp; Brockhill Ward)</b></p>
<p><b>7.</b> <b>Application 2014/275/FUL</b> - Mettis Sports and Social Club, Cherry Tree Walk, Batchley, Redditch, Worcestershire B97 6PB  (Pages 27 - 30)</p> <p>Ruth Bamford, Head of Planning and Regeneration</p>	<p>To consider a Planning Application for the construction of 2 additional tennis courts, associated floodlighting and a 2.75m surrounding fence.</p> <p>Applicant: Mr Darren Cutler  (Report attached – Site Plan under separate cover)</p> <p><b>(Batchley &amp; Brockhill Ward)</b></p>
<p><b>8.</b> <b>Application 2014/284/FUL</b> - Units 16, 17 and 18 Kingfisher Walk, Kingfisher Shopping Centre, Town Centre, Redditch, Worcestershire B97 4EY  (Pages 31 - 34)</p> <p>Ruth Bamford, Head of Planning and Regeneration</p>	<p>To consider a Planning Application for the amalgamation of 3 small adjacent (A1 Use) retail units to a single (A3/A5 Use) fast food eat-in and takeaway food unit.</p> <p>Applicant: Kingfisher Shopping Centre  (Report attached – Site Plan under separate cover)</p> <p><b>(Abbey Ward)</b></p>
<p><b>9.</b> <b>Application 2014/311/FUL</b> - Headless Cross Methodist Church, Evesham Road, Headless Cross, Redditch, Worcestershire B97 5ER  (Pages 35 - 42)</p> <p>Ruth Bamford, Head of Planning and Regeneration</p>	<p>To consider a Planning Application for 9 no. terraced dwellings on the site of the former Methodist Church (existing Church Tower and Spire to be retained).</p> <p>Applicant: Mr Phil Thomas  (Report attached – Site Plan under separate cover)</p> <p><b>(Headless Cross &amp; Oakenshaw Ward)</b></p>

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<p><b>10. Application 2014/323/FUL</b> - Former Hewell Road Swimming Pool Site, Hewell Road, Batchley, Redditch, Worcestershire B97 6BA</p> <p>(Pages 43 - 52)</p> <p>Ruth Bamford, Head of Planning and Regeneration</p>	<p>To consider a Planning Application for 30 no. residential Units comprising 6 no. dwellings and 24 no. one bedroom flats.</p> <p>Applicant: Mr G Stoyan</p> <p>(Report attached – Site Plan under separate cover)</p> <p><b>(Batchley &amp; Brockhill Ward)</b></p>
<p><b>11. Exclusion of the Public</b></p>	<p>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:</p> <p><b>"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.</b></p> <p><b>These paragraphs are as follows:</b></p> <p><b>subject to the "public interest" test, information relating to:</b></p> <p><b>Para 1 - <u>any individual;</u></b></p> <p><b>Para 2 - <u>the identity of any individual;</u></b></p> <p><b>Para 3 - <u>financial or business affairs;</u></b></p> <p><b>Para 4 - <u>labour relations matters;</u></b></p> <p><b>Para 5 - <u>legal professional privilege;</u></b></p> <p><b>Para 6 - <u>a notice, order or direction;</u></b></p> <p><b>Para 7 - <u>the prevention, investigation or prosecution of crime;</u></b></p> <p><b>may need to be considered as "exempt".</b></p>
<p><b>12. Confidential Matters (if any)</b></p>	<p>To deal with any exceptional matters necessary to consider after the exclusion of the public (none notified to date.)</p>

# **PLANNING**

## Committee

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## Planning Committee

10<sup>th</sup> December 2014

### MINUTES

#### Present:

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

#### Officers:

Amar Hussain, H Plant and Ailith Rutt

#### Democratic Services Officer:

Jan Smyth

#### 46. APOLOGIES

Apologies for absence were received on behalf of Councillors Joe Baker and Nina Wood-Ford.

#### 47. DECLARATIONS OF INTEREST

No Declarations of Interest were made.

#### 48. CONFIRMATION OF MINUTES

**RESOLVED** that

**the minutes of the meeting of the Planning Committee held on 12<sup>th</sup> November 2014 be confirmed as a correct record and signed by the Chair.**

#### 49. UPDATE REPORTS

The Update Report relating to Application 2014/249/FUL was noted.

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Chair

# Planning Committee

10<sup>th</sup> December 2014

## 50. PLANNING APPLICATION 2014/189/FUL – LAND AT PROSPECT HILL, ENFIELD, REDDITCH

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 for Bromford Housing Group

**RESOLVED** 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:**

1. **the satisfactory completion of a Section 106 Planning Obligation ensuring that:**
  - a) **a contribution be made towards playing pitches and open space in the area, due to increased demand / requirements from future residents, in compliance with the SPD; and**
  - b) **a contribution be made to provide refuse and recycling bins for the new development in accordance with Policy WCS.17 of the adopted Worcestershire Waste Core Strategy;**
2. **the Conditions and Informatives as detailed on pages 15 to 19 of the report; and**
3. **the following additional Condition:**

**“12) The main use of the building shall be for the purposes within Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended). Any change of use to another Use Class, such as C3 dwelling houses, is not permitted without the express consent of the Borough Council through the approval of a planning application.**

**Reason: The parking requirements under Policy CT12 of the Borough of Redditch Local Plan No. 3 and amenity requirements under Policy of the BBE13 Borough of Redditch Local Plan No. 3 associated with an alternative use, may differ from that of the submission.”**

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(Having considered the Officer's report, Members were of the view that, to ensure the proposed specific use for the development as supported living accommodation only, an additional Condition be imposed to this effect, as detailed at resolution 3 above.)

**51. PLANNING APPLICATION 2014/249/FUL –  
WEBHEATH FIRST SCHOOL, DOWNSELL ROAD,  
WEBHEATH, REDDITCH, B97 5RJ**

School extensions and additional car parking

Applicant: Mr Chris Milward

Mr F Tebbs, objecting, on behalf of Webheath Village Hall, and County Councillor Robin Lunn, supporting as local County Councillor and Trustee of Webheath First School, addressed the Committee under the Council's public speaking rules.

**RESOLVED that**

**having regard to the Development Plan and to all other material considerations, Planning Permission be GRANTED, subject to:**

- 1) the conditions detailed in pages 26 to 27 of the main report;**
- 2) the following additional conditions requested by the Council's Arboricultural Officer:**
  - “8) that tree protection is strictly in accordance with the submitted Arb Method Statement (AMS) and Tree Protection Plan (TPP) submitted on the 5<sup>th</sup> December 2014.**

**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; and**

- 9) that prior to any site works, a full and detailed engineering plan and construction method statement is provided and agreed, giving full details of appropriate foundation design and installation, such as Pile and Beam, and no-dig cellular confinement systems used for any hard surfacing within any RPA's.**

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

- 3) the following further additional Condition:**
- 10) The proposed 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.”**

(The Committee noted an Update report for this application in regard to additional information received from the Council's Arboricultural Officer who raised no concerns on proposal, subject to the imposition of two additional conditions to provide protection and mitigation. Members agreed the two additional conditions, as detailed in Resolution 2 above.

The proposed new Staff car park was discussed with Members wishing to see the surface being made of permeable material to ensure surface water drainage. A further additional Condition was therefore agreed as detailed in Resolution 3 above.)

**52. PLANNING APPLICATION 2014/292/FUL –  
LAND AT AND ADJACENT TO GRAND VIEW,  
SAMBOURNE LANE, ASTWOOD BANK, REDDITCH**

Erection of a two bedroom dormer bungalow with private access off Sambourne Lane and a proposed additional private access off Sambourne Lane to serve the property Grant View

Applicant: Mr and Mrs R P Dodd

Mr N Spalding, objecting, and Mr P. Rawle, the Applicant's Agent, addressed the Committee under the Council's public speaking rules.

**RESOLVED that**

**having regard to the Development Plan and to all other material considerations, Planning Permission be GRANTED, subject to**

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**the conditions and Informative as detailed on Pages 33 to 35 of the report.**

- 53. ENFORCEMENT REPORT - CONDITION OF PREMISES AND SURROUNDING LAND - ST GREGORY'S ROMAN CATHOLIC CHURCH, WINYATES WAY, WINYATES, REDDITCH**

Enforcement 2013/246/ENF

The Committee considered a report in relation to a breach of planning control in respect of the condition of St. Gregory's Roman Catholic Church building and the overgrown condition of the land surrounding the building, which was adversely affecting the amenity of the area.

Members noted that the site had been the subject of investigations over a period of years and the issuing of a Section 215 Notice that had not been complied with. Officers reported that every attempt had been made to engage with the owners of the site on numerous occasions to resolve the issues without success, and that it was now considered that the only way forward was for the Council to take direct action using its powers under Section 219 of the Town and Country Planning Act 1990 to undertake clean up works and recover the costs from the owners.

The Committee agreed with Officers that the condition and safety of the site had to be addressed and that the owners had been given every opportunity to undertake the works themselves. Members discussed the various options available to address the condition of the site; whether to tidy up the land or demolish the building as required under the Section 215 Notice and / or seek prosecution for non-compliance of the Section 215 Notice. The Committee also considered a suggestion that an option for a Compulsory Purchase Order be investigated. Members further considered that, in order to deter further vandalism and anti-social behaviour once the works had been undertaken, the site needed to be secured.

**RESOLVED that**

**in relation to a breach of Planning Control, namely the overgrown condition of the land surrounding the building and the condition of the building itself, the subject of Enforcement 2013/246/ENF, authority be delegated to the Head of Legal, Equalities and Democratic Services, in consultation with the Head of Planning and Regeneration Services, to take the following action:**

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- a) carry out the works specified in steps 1 to 8 of the Section 215 Notice to tidy the site;
- b) secure the site once the works have been carried out;
- c) take all necessary steps to secure the recovery of all costs incurred by the placing of a charge on the site;
- d) prosecute for the non-compliance of the Section 215 Notice if necessary; and
- e) request relevant Officers to investigate the feasibility of a Compulsory Purchase Order for the site.

The Meeting commenced at 7.00 pm  
and closed at 8.25 pm

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CHAIR

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### 2014/036/FUL Reconfiguration of the existing store to create a Class A1 (bulky goods) unit and a Class A1 foodstore, together with associated external alterations and selected car park reconfiguration at B And Q Diy Supercentre, Jinnah Road, Redditch

#### **1. Background**

Further to the consideration of this application at the Planning Committee meeting on 10 September 2014, Members resolved that planning permission should be granted for this proposal subject to these three matters:

1. A planning obligation; and
2. A satisfactory alternative proposal to the proposed 24hr opening times being negotiated and agreed with officers to reduce noise levels and impact on local residents; and
3. Conditions & informatics which were specified in the agenda papers.

In trying to work with the applicants on these points, the matter of the opening hours remains outstanding and so the matter is now reported back for review and resolution:

#### **2. Alternative to 24hr opening**

The application sought an unrestricted 24/7 opening hours permission, but members resolved that this was not acceptable, as minuted. Officers have attempted to negotiate with the applicants and have been unable to reach an agreement on alternative opening hours.

The applicants now propose the following condition:

With the exception of seasonal openings (the details of which shall be submitted to and approved by the Local Planning Authority), the foodstore shall not open for business outside of 07.00 to 23.00 hours on Monday to Saturday and for no more than six hours between 09.00 and 18.00 hours on Sundays and Bank Holidays.

The applicants claim that the noise assessment and associated mitigation would be sufficient not to result in any negative impacts on surrounding residents, and therefore that there are no technical reasons for the prevention of 24/7 operation. However, officers perceive from the discussion at the Planning Committee that other disturbance from the use of cars on the site all night and the associated conversations etc. in the open could be disturbing to residents, as well as any noise from vehicles - the resolution mentions other impacts as well as noise on the residents which need to be reduced.

The suggested seasonal 24hr opening raises concerns with officers, partly because it does not comply with the earlier resolution of members and partly due to the potential harm from

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noise and other disturbance at times of the year when local residents are most likely to be at home.

Officers therefore need to seek clarity on a 'satisfactory alternative' to 24hr opening in this case. Members are reminded that conditions should be used in order to make acceptable an otherwise unacceptable development. Having considered the opening times of other supermarkets in the town and their relative positions to residential properties, it is recommended that opening hours be restricted to 0800-2200 Monday-Saturday, 1000-1700 Sundays and 0900-1800 on Bank and Public Holidays. It is noted that other legislation may limit further opening hours within these restrictions, and therefore that these would be maximums.

Members will note that the proposed condition would not allow for any 24/7 opening, even at 'seasonal' times to be agreed, and that it would curtail movement by an hour at the beginning and end of the day during the week, relative to the hours proposed by the applicant. This therefore should be the focus of the consideration.

#### **3. Recommendation**

Having considered the officer recommendation above regarding the hours of opening of the store which have been captured in condition 7, the full decision would be as follows:

**For all the above reasons, it is recommended that it be RESOLVED that having regard to the Development Plan and all other material considerations authority be delegated to the Head of Planning and Regeneration Services to GRANT planning permission, subject to:**

**1) a planning obligation ensuring:**

- the restriction on the sale of goods to DIY warehouse at the western end of the site; and**
- a contribution to cover a ten year period, index linked, towards the subsidy of a bus route that accesses the site; and**
- a contribution towards subway enhancements as detailed in the main report; and**
- a contribution towards or the provision of a scheme of signage to lead pedestrians from the site to the town centre; and**
- the retention of the existing parking restrictions that ensure that the car park can be utilised for trips to the town centre; and**
- a contribution towards town centre enhancements;**

and

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### 2) the following conditions and informatics:

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 roof plant to be installed shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details.

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

3. The retail unit hereby permitted shall not be brought into use until the applicant has submitted to and had approved in writing a travel plan that promotes sustainable forms of access to the site with the Local Planning Authority. This plan thereafter will be implemented and updated in agreement with Worcestershire County Councils Travel plan co-ordinator or other relevant person via the Local Planning Authority.

Reason: To reduce vehicle movements and promote sustainable access in accordance with Policy CS7 of the Borough of Redditch Local Plan No.3. and the NPPF.

4. Prior to the commencement of development, details of the cycle parking to be provided as shown on plan 12.096.A(00)00\_06 Rev E shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the commencement of trading to the public of the retail unit and thereafter be maintained available for use.

Reason: In the interests of sustainable travel and in accordance with Policy CT12 of the Borough of Redditch Local Plan No.3. and the NPPF.

5. 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 retail unit.

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.

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6. The development shall be constructed and occupied in accordance with the details contained in the noise and air quality reports submitted in support of the application.

Reason: In the interests of noise and air quality and the surrounding residential amenity, and in accordance with the NPPF.

7. The retail unit hereby permitted shall not trade to the public outside the following hours:

0800-2200 Mondays to Saturdays

1000-1700 on Sundays

0900-1800 on bank and public holidays

Reason: In the interests of residential and community amenities and in accordance with Policies CS2 and B(BE)13 of the Borough of Redditch Local Plan No.3.

8. Prior to the commencement of development, details of the safety and security of the premises and the surrounding area shall be submitted to and agreed in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details.

Reason: In the interests of minimising crime and disorder and in accordance with Policy S1 and the SPG Community Safety.

9. Deliveries of goods to the store and collections of waste/recycling materials shall not be carried out at the site:

before 0700 or after 2300 Mondays to Saturdays

before 0900 or after 1800 on Sundays

before 0800 or after 2000 on bank and public holidays

Reason: In the interests of residential and community amenities and in accordance with Policies CS2 and B(BE)13 of the Borough of Redditch Local Plan No.3.

10. Prior to the commencement of trade to the public, the car parking provision shall be laid out and marked out in accordance with the approved plan and thereafter maintained available for use in accordance with the car parking strategy agreed under condition 9 above.

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Reason: In the interests of highway safety and residential amenity and in accordance with Policy C(T)12 of the Borough of Redditch Local Plan No.3.

11. The development hereby approved shall be implemented in accordance with the following plans:

12.096.A(00)00\_01 Rev C

12.096.A(00)00\_02 Rev B

12.096.A(00)00\_03 Rev B

12.096.A(00)00\_04 Rev C

12.096.A(00)00\_05 Rev B

12.096.A(00)00\_06 Rev E

12.096.A(00)00\_07 Rev B

12.096.A(00)00\_08 Rev B

12.096.A(00)00\_09 Rev E

12.096.A(00)00\_10 Rev B

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

12. Deliveries of goods from the store and the return of home delivery vans shall not be carried out at the site:

before 0700 or after 2300 Mondays to Saturdays

before 0900 or after 1800 on Sundays

before 0800 or after 2000 on bank and public holidays

Reason: In the interests of residential and community amenities and in accordance with Policies CS2 and B(BE)13 of the Borough of Redditch Local Plan No.3.

13. Prior to the commencement of development, details of a litter management strategy for the site, including the location and emptying regime of litter bins within the site, shall be submitted to and approved in writing by the Local Planning Authority (LPA).

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The scheme shall be implemented throughout the life of the development, and variations to it shall be submitted to and agreed in writing by the LPA where the need arises and the LPA considers them acceptable.

Reason: In the interests of the visual amenities and health and wellbeing of the area and of biodiversity in accordance with Policies CS02 and B(BE)13 of the Borough of Redditch Local Plan No.3 and the NPPF.

14. A method of ensuring that trolleys associated with the development hereby permitted shall be implemented throughout the lifetime of the development to ensure that it is not physically possible for trolleys to leave the site other than as intended by the store for the purpose of repair/replacement/removal.

Reason: In the interests of the biodiversity and visual amenity of the surrounding area and in accordance with Policies S1 and B(BE)13 of the Borough of Redditch Local Plan No.3.

15. Prior to the commencement of development, details of the boundary treatment around the whole of the perimeter of the site, including any hard and soft landscaping, both existing and proposed, shall be submitted to and approved in writing by the Local Planning Authority (LPA). The agreed details shall be implemented either prior to the occupation of the retail unit or in accordance with a timetable to be agreed with the LPA. The agreed details shall thereafter remain in place and well maintained.

Reason: In the interests of security and amenity and in accordance with Policies CS2, S1 and B(BE)13 of the Borough of Redditch Local Plan No.3.

16. Prior to the commencement of the development hereby permitted, details of arrangements to be implemented at the vehicle accesses to the site to prevent out of hours access being gained shall be submitted to and approved in writing by the Local Planning Authority. The restrictions shall be in force in accordance with the hours restrictions conditions above and shall be maintained in a functioning state to continue this for the lifetime of the development.

Reason: In the interests of noise and disturbance reduction to local and residential amenity in accordance with Policies B(BE)13 and S1 of the Borough of Redditch Local Plan No.3 and the NPPF.

### Informatics

- 1) 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

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requirements of that and the conditions listed above must be complied with at all times.

- 2) The applicant's attention is drawn to the comments of the consultee in relation to contaminated land and is encouraged to follow the advice provided
- 3) The applicant's attention is drawn to the comments of the consultee in relation to public rights of way and is encouraged to follow the advice provided
- 4) Proactive engagement by the local planning authority has continued throughout the consideration of this application, and was as per the PPA agreed until the applicant chose to depart therefrom.

Members noted in their consideration of the proposal that the applicant intended to enter into full and on-going engagement with the local community and were keen to support and encourage this.

- 5) The applicant is advised that a separate application for advertisement consent will be required in relation to new advertisements on the premises.
- 6) The car park management scheme as required by the S106 agreement shall include details of lighting, both its location and type and also its hours of operation and management methods to ensure that this is controlled.



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## Planning Application 2014/272/FUL

**Proposed erection of 14 no. flats comprising 10 x 2 bed flats and 4 x 1 bed flats**

**Former Ambulance Station, Cedar Park Road, Batchley, Redditch**

**Applicant:** Cedar Real Estate Developments Ltd  
**Expiry Date:** 16th March 2015  
**Ward:** BATCHLEY AND BROCKHILL

**(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 is an irregularly shaped plot, 0.23 hectares in extent. It consists of a mostly level plateau on the south western part. This part of the site contains an existing concrete car park and formerly contained a collection of single storey flat roofed ambulance vehicle storage buildings. These were recently demolished.

The remainder of the site is grassed and falls away in a northerly direction towards properties in Cedar View.

The site is bounded to the north and northwest by rear gardens serving dwellings in Cedar View and associated open space. To the west is a large single storey hall which is used by the St. Johns Ambulance Service and is accessed from Cedar View, to the north. Along the south eastern boundary, the site is bounded by residential development served by Cedar Park Road. Further to the south lies 'The Cedars' Nursing Home, a Grade II Listed building. The site is accessed via Cedar Park Road where this road terminates. The area is characterised by being residential in nature.

### **Proposal Description**

This is a full planning application to erect a total of fourteen flats. The development proposed would consist of two, two storey blocks of flats, one accommodating 6 no. 2 bed flats and 2 no. 1 bed flats and the other accommodating 4 no. 2 bed flats and 2 no. 1 bed flats.

Each block would have a bin store accessed externally. An open area containing parking for 18 cars would be located between the two apartment blocks. The proposed site density would equate to 61 dwellings per hectare.

Each block would be formed of brickwork walls under a pitched tiled roof.

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Vehicular access to serve the development would be formed via the existing (and former access to the Ambulance station buildings) where Cedar Park Road terminates, directly opposite number 23 Cedar Park Road.

## Relevant Policies :

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

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 Planning Obligations for Education Contributions  
Worcestershire Waste Core Strategy (WWCS)

The site itself is undesignated within both Local Plan No.3 and the draft Local Plan No.4.

## Relevant Planning History

2014/235/DEM Application for prior notification of proposed demolition:  
To demolish single storey units:  
NGA GDO Notification acceptable 24.09.2014

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## Consultations

### **Highway Network Control**

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

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

### **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**

It is recommended that the applicant be directed to the WRS Technical Note which contains guidance regarding demolition and new construction work. Standard contaminated land conditions should be attached to any consent.

### **Severn Trent Water Ltd**

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

### **Police Crime Risk Manager**

No objection

### **Waste Management**

No Comments Received To Date

### **Community Safety Officer**

No Comments Received To Date

### **Education Authority**

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

## Public Consultation Responses

None received at the time of writing

## Assessment of Proposal

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

### Principle

The site is undesignated within both LP No.3 and the emerging LP No.4, and therefore any use should be considered in terms of its appropriateness in that location, and its likely impacts on any surrounding development. In this case the surrounding area is

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residential in character and therefore the principle of a residential use is considered to be appropriate.

## Design and layout

The proposed development would equate to a density of 61 dwellings per hectare which is higher than that of the terraced and semi-detached residential development of Fir Tree Close and Cedar Park Road to the south, but lower than that of Bowood Court which is located behind numbers 13 to 23 Cedar Park Road and lies to the east of the application site.

There is no distinct character to the buildings in the local area which range from 'The Cedars' Nursing Home, a Grade II listed building dating from 1840, to the recently constructed terraced residential development of Fir Tree Close which is situated to the north of The Cedars and to the immediate south of the application site.

The design of the proposed development most closely reflects the contemporary nature of Fir Tree Close. The scale and appearance of the two blocks which share a 'cross shaped' floor plan over two storeys are considered to respect the character of the surrounding area and would not result in an overdevelopment of the site.

The development would comply with minimum spacing standards as far as distances between it and existing development are concerned and therefore officers are satisfied that existing residential amenities would not be prejudiced by granting approval.

Amenity space would be provided on site by means of large areas of communal space around each of the apartment blocks.

## Landscape

Little landscaping exists within the site other than a silver birch tree which is located to the rear of the proposed Block B. The applicant is keen to preserve the tree if possible since its retention would enhance the scheme. Drawings submitted indicate that the tree can be retained although it is not protected by means of a preservation order and could be removed without consent at any time.

A proposed landscaping condition would soften the development further, enhancing the visual amenities of the area.

It is therefore considered that the proposals would not cause any detrimental impacts to the character of the area or its surroundings, and as such is considered to be compliant with policy.

## Highways, access and parking

County Highways officers have raised no objections to the proposed access and parking arrangements, commenting that the additional vehicle trips associated with such a development would not have a detrimental impact upon the surrounding highway

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network. Parking provision on site would comply with the Council's standards for one and two bedroomed flats and is therefore considered to be acceptable.

Officers are satisfied that the conditions as requested by Highway Network Control are necessary and reasonable having regard to government guidance which exists with respect to planning conditions (Para 206 of the NPPF). It is not considered appropriate in this case to seek the infrastructure contribution following legal advice which has been received.

## Sustainability

The site lies within the urban area of Redditch in close proximity to the Town Centre, and is therefore considered to be in a highly sustainable location with employment generating uses, retailing opportunities, schools and other amenities located nearby. The site is considered to be within walking and cycling distance of such amenities therefore placing less reliance on the private motor car, in line with planning policy objectives.

## 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, in compliance with the SPD; and
- A contribution towards County education facilities. The County have confirmed that there is a need in this area to take contributions towards three schools: Holyoakes Field First, Birchensale Middle and Trinity High and Sixth Form College; 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

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

## Conclusion

It is considered that the proposals comply with the relevant planning policy framework, and would be unlikely to cause any harm to amenity or safety. Subject to the satisfactory completion of the planning obligation, a favourable recommendation can be made.

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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 & 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 Council's adopted SPD; and
- A financial contribution is paid to the County Council in respect to education provision; and
- A financial contribution is paid to the Borough Council towards the provision of wheelie bins for the new development

**and**

**b) Conditions and informatics as 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) 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

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

Drawing number 1333.1 site survey  
Drawing number 1333.5 site location and layout  
Drawing number 1333.6 site sections  
Drawing number 1333.7 Block A plans and elevations  
Drawing number 1333.8 Block B plans and elevations  
Drawing number 1333.9 roof plans  
Design and Access Statement  
Travel Plan, Energy Statement, Secured by Design Statement

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) 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

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- 7) 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 National Planning Policy Framework.

- 8) 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 National Planning Policy Framework.

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

- 10) 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.

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11) No development approved by this permission shall be commenced until:

- a) A desktop study identifying previous site uses, potential contaminants and other relevant information and using this information a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors has been undertaken and submitted in approval for writing by the LPA;
- b) If deemed necessary as a result of the desktop study, a site investigation has been designed using the information obtained from the desktop study and any diagrammatical representations (Conceptual Model), and has been submitted to and approved in writing by the LPA;
- c) The site investigation has been undertaken in accordance with details approved and a risk assessment has been produced;
- d) A method statement detailing the remediation requirements using the information obtained from the site investigation has been approved in writing by the LPA.

Reason: To identify contamination which may pose a risk to the environment or harm to human health and in accordance with National Planning Policy Framework.

12) If during development, contamination not previously identified is found to be present at the site, no further development (unless otherwise agreed in writing with the LPA) shall be carried out until either;

- a site investigation has been designed and undertaken in accordance with details approved in writing by the LPA, a risk assessment has been produced and a method statement detailing the remediation requirements using the information obtained from the site investigation has been approved by the LPA or;
- If the above has been previously undertaken, the developer has submitted and obtained written approval from the LPA for an addendum to the method statement detailing how this unsuspected contamination shall be dealt with.

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

13) All remediation works detailed in the method statement shall be undertaken and a report submitted to the LPA providing verification that the works have been carried out in accordance with the approved details.

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Reason: To protect controlled waters by ensuring that the remediated site has been claimed to an appropriate standard and in accordance with National Planning Policy Framework.

**Informatics**

- 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) This permission does not authorise the laying of private apparatus within the confines of the public highway

The applicant should apply to the Worcestershire County Council's Network Control Manager, County Hall, Spetchley Road, Worcester WR5 2NP (telephone 0845 607 2005), 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.

- 3) If it is the Developer's intention to request the County Council, as 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 the County Council's Network Control Manager, Worcestershire County Council, County Hall, Spetchley Road, Worcester, WR5 2NP. No works on the site of the development shall be commenced until these details have been approved and an Agreement under Section 38 of the Highways Act, 1980, entered into.
- 4) 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.

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.

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- 5) The applicant should be aware that this permission also includes a legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) and that the requirements of that and the conditions listed above must be complied with at all times.
  
- 6) Whilst the full remit of the Secured by Design Scheme covers more than Land Use Planning and Development Control, Redditch Borough Council actively encourage developers to take full account of Crime Prevention and Community Safety issues throughout the design and construction of any development as an integral part of achieving good design. Applicants are advised that further details of Secured by Design and relevant construction specifications can be found at [www.securedbydesign.com](http://www.securedbydesign.com) or by contacting the West Mercia Constabulary Crime Risk Manager on 01527 586181

## Procedural matters

This application is being reported to the Planning Committee because the recommendation is that permission be granted subject to a planning obligation.



# PLANNING COMMITTEE

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## Planning Application 2014/275/FUL

**Construction of 2 additional tennis courts, associated floodlighting and a 2.75m surrounding fence.**

**Mettis Sports And Social Club, Cherry Tree Walk, Batchley, Redditch, B97 6PB**

**Applicant:** Mr Darren Cutler (Mettis Sports and Social Club)

**Expiry Date:** 8th January 2015

**Ward:** BATCHLEY AND BROCKHILL

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

The author of this report is Ruth Bamford, Planning Officer (DM), who can be contacted on Tel: 01527 64252 ext. 3219 Email: ruth.bamford@redditchbc.gov.uk for more information.

### **Site Description**

The site is within the Mettis Aerospace Sports and Social Club off Cherry Tree Walk. The site contains tennis courts set within a grassed area used for sports and recreation with a clubhouse to the north.

The area surrounding the site is predominantly residential with the rear gardens of the surrounding properties backing onto the site.

### **Proposal Description**

Full planning permission is sought for the construction of two additional tennis courts adjacent to the existing tennis courts, with associated flood lighting and a 2.75m surrounding fence, at the Sports and Social Club. The flood lights will be on 6 poles each 8m in height, around the perimeter of the tennis court.

### **Relevant Policies :**

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

R01 Primarily Open Space

R05 Playing Pitch Provision

S01 Designing Out Crime

BBE13 Qualities of Good Design

### **Others:**

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

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## **Relevant Planning History**

2005/537/FUL	Construction Of 2 Additional Tennis Courts; Floodlighting To All And Replacement Pavilion	Approved	19.01.2006
2002/431/FUL	Extension To Existing Shed.	Approved	18.10.2002
1999/030/FUL	Construction Of Third Court, Floodlighting To All Courts, Replacement Pavilion	Approved	21.10.1999
1996/385/FUL	Resubmission Of Pa Ref 94/367 - Floodlighting Of Tennis Courts	Approved	06.11.1996
1994/385/FUL	Floodlighting Of Tennis Courts	Withdrawn	02.10.1995
1987/266/FUL	Extensions And Alterations to entrance	Approved	25.06.1987

## **Consultations**

**Worcestershire Regulatory Services -**  
No objection

**North Worcestershire Water Management**  
No Comments Received To Date

**Highway Network Control**  
No Comments Received To Date

## **Public Consultation Response**

Three representations have been received in objection for the following reasons:

- Light pollution
- Unacceptable noise levels
- Harm to wildlife
- Implications for privacy

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## Assessment of Proposal

The proposal sits within primarily open space as described by Policy R.1 and depicted on the Local Plan Proposals Map. The provision of extra tennis courts in this location is in accordance with the Local Plan. Policy R.5 is about achieving and maintaining a level of playing pitch provision. Tennis Courts come under the definition of playing pitches. The extension of the courts aids with achieving standards of playing pitch provision across the borough.

In terms of Policy S.1, the additional tennis courts will be clearly identified as being within private ownership thus according with the policy by ensuring strong demarcation between public and private space. There are opportunities to incorporate passive surveillance of the courts

Criteria iii of Policy B(BE).13 states that development should not have an unacceptable detrimental impact on the amenity of adjoining occupiers through reasons of noise, privacy and loss of light; and should not result in an overbearing impact. It is considered that if the lighting related to the extended tennis courts is switched off at 10 00pm and cannot be switched on again until 8 00am that there would not be unacceptable detriment to residential amenity.

The existing tennis courts have a condition regarding lighting and it appears from representations received that there is non-compliance. The lights are supposed to go out at 10 00pm and not be on again until 8 00am. As an aside from this proposal, Enforcement Officers have been asked to investigate this matter.

Environmental Health Officers have no concerns about the light spillage plan. Light does not fall in garden or window areas of nearby properties. Furthermore light spillage could be managed by controlling when the lights are permitted.

In terms of noise it is considered reasonable to assume that there will be noise from open space areas. The issue is whether the extension of the existing tennis courts to a further tennis playing area is going to result in levels of noise and nuisance that are unacceptable in terms of residential amenity. Environmental health colleagues have not raised any concerns with regard to noise and nuisance. Planning Officers consider that the courts can be extended despite the proximity to the dwellings because games can only be played in day light hours and artificial lighting could be controlled by condition. This means that any noise from the facility will generally not occur after 10 00pm or before 8 00am.

Officers do not consider that there is a privacy issue because tennis will only be played at certain times of the day and because neighbours either side generally have rear fences. The location of the proposed tennis courts is considered appropriate on this area of land designated as primarily open space in the adopted local plan.

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With regard to the observation that the hedges at the base of these gardens are a haven for wildlife, particularly owls, and further noise and lighting will disturb them, your officers point out that there is no evidence that wildlife in domestic gardens and tennis playing are incompatible.

## Conclusion

Given the above the proposal is considered to be policy compliant and to cause no harm to amenity. The proposal is therefore considered acceptable.

## **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 proposal must be started within 3 years from the date of this notice.  
Reason: To comply with National Legislation
- 2) The floodlights shall not be used between the hours of 10pm and 8am.  
Reason: To safeguard the amenities of the area in accordance with Policy B(BE)13 of the Borough of Redditch Local Plan 3.
- 3) The proposal shall be carried out as shown on the plans, schedules and other documents listed below;  
Location Plan at scale 1:1250  
Site Plan  
Lux report and Technical Specification - dated 12.11.14  
Reason: To make sure the development is carried out exactly as shown on the plans, to ensure that it relates to the area in which it is being built and protects how that area looks, in order to comply with Policy B (BE).13 of the Borough of Redditch Local Plan Number 3.

## **Procedural matters**

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

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## Planning Application 2014/284/FUL

**Amalgamate three small adjacent [A1] retail units to a single [A3/A5] fast food eat-in and takeaway food unit.**

**Units 16, 17, 18, Kingfisher Walk, Town Centre, Redditch, Worcestershire, B97 4EY**

**Applicant:** Kingfisher Shopping Centre  
**Expiry Date:** 14th January 2015  
**Ward:** CENTRAL

(see additional papers for Site Plan)

The author of this report is Nina Chana, Planning Officer (DM), who can be contacted on Tel: 01527 548241 Email: nina.chana@bromsgroveandredditch.gov.uk for more information.

### Site Description

These three units lie on Kingfisher Walk which is on the western side of the Kingfisher Centre near to the Hub Leisure Zone, which includes the cinema and a number of food outlets. Two of the units are currently vacant and the occupiers of the third unit are waiting to be located into an alternative location within the Kingfisher Centre. To either side of these units are those occupied by Bodycare and a health and beauty parlour.

### Proposal Description

It is proposed to combine the three units and convert them from A1 Retail Use to a single A5 Restaurant and Take Away. The combined area of the three units would provide approximately 222 square metres of space.

The proposed frontage of the units is shown to be plain glazed with an opening the width of a single unit.

### Relevant Policies :

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

ETCR01 Vitality and Viability of the Town Centre  
ETCR05 Protection of the Retail Core  
ETCR12 Class A3 Uses

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

Policy 32: Protection of the Retail Core

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## **Others:**

NPPF National Planning Policy Framework  
NPPG National Planning Practice Guidance

## **Relevant Planning History**

1995/154/FUL	New Shopfront	Granted	23.05.1995
1995/155/ADV	Shop Signs	Granted	23.05.1995

## **Consultations**

### **Development Plans**

#### Objection:

'This proposal is for a use which is, in principle, acceptable within the Town Centre. However, the size of the proposed frontage and its location within the retail core conflicts with both adopted and emerging local planning policy which seeks to prevent the loss and dispersal of retail facilities. The submitted information does not demonstrate how the proposal would enhance the vitality and viability of the retail core as it would actually result in the displacement of existing retail occupiers.'

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

#### No Objection

### **Environmental Health- Food**

#### No comments received

### **Public Consultation Response**

#### No representations received

## **Assessment of Proposal**

The site falls within the retail core as designated in the Borough of Redditch Local Plan No 3. Policy E(TCR). 5 of the Local Plan would apply which states that a change of use from Class A1 to A2, A3, A4 and A5 will only be acceptable if the proposed use does not result in a continuous frontage of more than two non-retail units; (units are defined as a shop front width of about 6 metres). The reasoned justification of the policy states that the growth of non- retail units in Town Centres can result in a loss of retail provision and the creation of 'dead' frontages which can fragment and disrupt the appearance of the shopping centre, resulting in further distances to walk between shops, making the area

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less attractive to shoppers and potential investors. The total frontage of the proposal would be approximately 16 metres and would result in the loss of three A1 Retail units. The proposal would conflict with this policy, and as such could be viewed as inappropriate development. Additionally, given the location of these units, this proposal would result in fragmentation of the types uses within the centre.

Allowing too much non retail uses can bring about two key disadvantages:

1. Each non retail use represents the loss of a retail unit for comparison shopping thereby reducing provision
2. A plethora of non-retail uses tend to create "dead" retail frontage and further distances to walk between shops

The proposal for these units does not result in an overall loss of retailing opportunity in the retail core that is within the shopping centre. This is because the businesses currently trading on the application site will be relocated within the primary retail core area, elsewhere within the Kingfisher Shopping Centre. Consequently whilst this proposal does not enhance the retail core in terms of comparison retail offer it does not weaken the opportunity. The applicant has suggested that the units to which they are moving were proving difficult to bring back in to use and this relocation of occupiers could reduce the vacancy rate across the centre as a whole.

The concentration of non-food retail uses in the vicinity of Units 16, 17 and 18 Kingfisher Walk could result in a situation where some shoppers may choose not to visit this part of the centre for retail purposes because the retail offer in this area will be significantly limited. Comparison retail will not be a significant attracter to this area instead it will be the food, leisure, public transport and some car parking. Whilst such attractors are to be welcomed generally in the town centre the concentration of eating establishments is at odds with the retail core policy, which seeks to put such uses within the town centre but not the identified retailing areas.

However, the location would lend itself well to night time activities being promoted in this vicinity with good links to the bus and train station nearby. Therefore, it is very unlikely that the proposed use of these units would make the rest of the shopping centre less attractive to customers or potential investors.

## Conclusion

The proposal sits at odds with policy however, the site is located within the retail core of the Town Centre and the existing business in Units 16 and 18 have been re-located into units within the retail core which have been empty for a length of time despite being marketed. As such it is unlikely that the proposed use for these units would hinder the vitality and viability of the main shopping centre and re-using a vacant unit would be welcomed in this part of the shopping centre.

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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:**

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

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

- 2) The proposal shall be carried out as shown on the plans, schedules and other documents listed below:

Location Plan - Drawing Number - A3/1000  
Drawing Number - 24547-KW-U17-LPML

Reason: To make sure the development is carried out exactly as shown on the plans, to ensure that it relates to the area in which it is being built and protects how that area looks, in order to comply with Policy B (BE).13 of the Borough of Redditch Local Plan Number 3.

## Procedural matters

This application is being reported to the Planning Committee because the application is for a change of use to A3/A5. As such the application falls outside the scheme of delegation to Officers.

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## Planning Application 2014/311/FUL

**Proposed 9 No. Terraced dwellings on site of Former Methodist Church (existing Church Tower and Spire to be retained)**

**Headless Cross Methodist Church, Evesham Road, Headless Cross, Redditch, Worcestershire, B97 5ER**

**Applicant:** Mr Phil Thomas  
**Expiry Date:** 11th December 2014  
**Ward:** HEADLESS CROSS AND OAKENSHAW

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

The author of this report is Harjap Rajwanshi, Planning Officer (DM), who can be contacted on Tel: 01527 64252 3364 Email: harjap.rajwanshi@redditchbc.gov.uk for more information.

### Site Description

The application site is situated between no.'s 136 and 144 Evesham Road, Headless Cross, Redditch and is on an unclassified Road. The application site consists of an irregular flat shape, approximately 0.15 hectares in size. The former Methodist Church with rear parking and ancillary accommodation used for community facilities is currently sited within the curtilage of the site. A rear tarmac driveway currently used as a parking area is accessed off The Rough. The area is predominantly residential comprising of detached, semi-detached and terraced dwellings and residential apartments. Beyond the western (rear) boundary which consists of a 2m high wall, lie residential dwellings situated on Malvern Road. Beyond the northern (side) boundary, which consists of a hedge and tree boundary treatment, lie residential dwellings. Beyond the southern (side) boundary, which consists of a 2m high fence and wall, lie residential apartments and beyond the eastern (front) boundary, which consists of a 2m (H) rail fence, lie residential dwellings on the opposite side of Evesham Road.

### Proposal Description

The application seeks full planning permission to erect nine, three bedroom terraced dwellings which would measure a maximum of 10m to roof ridge. Two separate blocks of residential units are proposed:

The first block would consist of four terraced units which would front onto Evesham Road. Units one and two would be two bedroom dwellings and units three and four would be three bedroom dwellings. Vehicular access to serve the units would be to the east of the site off Evesham Road and would consist of two designated off road car parking spaces directly in front of unit 2 (to provide one parking space each for units one and two) and

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two designated off road car parking spaces directly in front of units three and four (one space per dwelling).

The second block would consist of five, three bedroom terraced units. Vehicular access to serve these units would be to the north west of the site off The Rough and would consist of two car parking spaces for each unit and visitor parking to the rear of the site.

Both proposed terraced blocks would utilise the same floor plan and elevation design with a gable roof and a front and rear dormer. The ground floor would comprise of a front kitchen and hallway and a rear living/dining room, a front and rear bedroom with a central bathroom at first floor and a front en-suite and rear bedroom at second floor.

All dwellings would be formed of brickwork under a tiled roof and two dwellings in each block would be rendered to both the front and rear elevations.

### **Relevant Policies:**

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

Policy 36: Historic Environment

Policy 37: Historic Buildings and Structures

Policy: 39 Built environment

Policy: 40 High Quality Design and Safer Communities

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

BBE13 Qualities of Good Design

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

CS07 The Sustainable Location of Development

CS08 Landscape Character

CT12 Parking Standards

#### **Others:**

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

SPG Encouraging Good Design

Worcestershire Waste Core Strategy (WWCS)

SPD Design for Community Safety

SPD Education Contributions

SPD Open Space Provision

#### **Relevant Planning History**

2014/164/DEM Proposed demolition of Headless Cross Methodist Church and ancillary halls

Granted 27.06.2014

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1980/016/FUL	Demolition Of Existing Committee Room Erection Of A Single Storey Toilet & General Repairs	Granted 28.02.1980
2004/145/FUL	Demolition Of Existing Church & Construction Of New Church And Ancillary Facilities	Granted 26.10.2004

## Consultations

**Highway Network Control**

No Comments Received To Date

**Education Authority**

No Contributions required

**Leisure Services Manager**

No Comments Received To Date

**Development Plans**

No Comments Received To Date

**North Worcestershire Water Management**

No Comments Received To Date

**Waste Management**

No Comments Received To Date

**Contaminated Land- Worcestershire Regulatory Services**

No Comments Received To Date

**Severn Trent Water Ltd**

No Comments Received To Date

**Arboricultural Officer**

No Comments Received To Date

**Community Safety Officer**

No Comments Received To Date

**Worcestershire Archive And Archaeological Service**

No Comments Received To Date

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## **Worcestershire Wildlife Trust** No Comments Received To Date

## **Conservation Advisor** No Comments Received To Date

All consultee comments received between publication and the meeting will be reported on the Update paper.

## **Public Consultation Response**

No Comments Received To Date, any received prior to the meeting will be reported on the Update paper

## **Assessment of Proposal**

### Principle of development

Having regard to the presumption in favour of sustainable development as set out in the NPPF, it is considered that the principle of erecting nine residential dwellings in this location is acceptable as the application site is situated within a sustainable location which is accessible by a variety of modes of transport and is situated within an established residential urban area of Redditch as defined within the Borough of Redditch Local Plan 3. It is considered the application site's sustainable location can therefore meet the Council's future demands for housing. The site is not designated for any specific use and the proposed use would be compatible with the surrounding existing land uses and as such is considered to be acceptable.

Headless Cross Methodist Church is noted on the Local List of buildings of historic interest, and its special features are identified. However, it has been considered for inclusion on the national list, but not included. Whilst it would be preferable in policy terms to retain the existing heritage asset on the site, this has not been possible in this case and as noted above there is an existing demolition consent. However, following negotiations with the applicant, the tower on the Evesham Road streetscene would remain and fall under the control of the Council. This is considered to preserve sufficient of the historic fabric and streetscene to be acceptable in this case.

### Design, appearance and layout

Achieving good design is of fundamental importance whereby new developments should respect and respond to the local distinctiveness of an area.

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

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The proposed development is considered to be acceptable in design, appearance and layout. Two dwellings within the first and second blocks would be set back by 1m to provide a visual break between the dwellings and enhance the proposal's appearance. The proposed dwellings would measure a maximum of 10m in height and the submitted street scene plan illustrates how the proposal's contemporary design and appearance would respect the scale and height of the neighbouring dwellings on Evesham Road. The proposed first floor front and rear elevation dormers would respect the depth of the proposed roof slope and would have square proportions. The proposal would not be over-intensive in appearance as the density would be appropriate for the site as the surrounding area contains a mixture of housing styles and densities with irregular shapes rather than homogenous designs, appearances or layouts.

The layout of the proposed dwellings, whilst being different from that of neighbouring dwellings, would be acceptable by virtue of no defined house type prevailing in the street scene as the surrounding pattern of development varies and comprises of detached, semi-detached, terraced and residential apartment housing. All the proposed dwellings garden sizes would comply with the minimum sizes set out in the Councils SPG and the proposed dwellings would be set off the neighbouring dwellings boundary by 1m. The building line of dwellings fronting onto Evesham Road is staggered and would therefore not be disrupted by the proposed development.

It is considered the proposal by virtue of siting, scale and design would not have a major detrimental impact on the setting of the church tower and spire which is part of a heritage asset and a locally listed building.

Having regards to Policies B(BE).13 and B(HSG).6, SPG and the NPPF, the proposal is considered to be acceptable by virtue of its design, appearance, density and layout and therefore the proposal would not harm the character and appearance of the street-scene.

### Impact upon nearby residential amenity.

Paragraph 17 of the NPPF advises to seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

The proposed development by virtue of its siting and scale would not have an overbearing or visually intimidating impact upon nearby properties. The proposal would not have a detrimental impact upon neighbour amenity in terms of loss of light, outlook or privacy by virtue of its siting, orientation, scale and design and would therefore respect the amenity of the adjacent dwellings. Rear facing windows serving the proposed development would not face rear facing windows to any existing or proposed development. All gable end elevation windows and front dormer bathroom windows of the proposed dwellings fronting Evesham Road and The Rough would be conditioned to be obscure glazed and would therefore not overlook any private residential amenity space.

All dwellings would have a boundary treatment which would consist of a 1.8m fence and the existing 2m western boundary wall would be retained. The north east boundary

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treatment would consist of a 1.8m fence which would provide screening from the proposed car park to the adjacent dwellings No's 136-138 Evesham Road.

Permitted development rights would be removed for units one and two to prevent the conversion to habitable rooms and thus use of the roofspace of the dwellings in order to safeguard the privacy of units 5-9 and to ensure units one and two accord with parking provisions with the adopted standards (an additional bedroom would result in an increase in the number of parking spaces required).

## Access and Parking

The parking provision accords with the adopted standards and is therefore considered acceptable.

## Planning Obligation

The size of the proposed development requires contributions which should be sought via a planning obligation which in this case would cover:

- o 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
- o A contribution towards playing pitches, play areas and open space in the area, due to increased demand/requirement from future residents, in compliance with the SPD.
- o It has been confirmed in this case that there is sufficient capacity in the local schools that a contribution as required by the SPG could not be justified.

In order to achieve the long term protection of the remaining heritage asset, it is considered that rather than seek a contribution towards open space as set out in the SPD, a contribution towards the future maintenance of the tower, along with its transfer, be secured instead. This has been agreed in principle with the applicant.

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

## Conclusion

It is considered that whilst the loss of the heritage asset completely cannot be prevented, the retention of the main special feature and its positive impact on the streetscene is an acceptable compromise, and that the lack of contributions towards open space can be borne in this instance in order to assist in the retention of the heritage asset. Therefore, on balance, it is considered that as the remainder of the scheme is in compliance with the relevant policy framework and the mitigation for the loss of the heritage asset is in place, then the proposal can be considered favourably.

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

- Contributions are paid to the Borough Council to secure and preserve the historic asset; and
- A financial contribution is paid to the Borough Council towards the provision of wheelie bins for the new development.

and

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

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

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

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

Plan references to be inserted as appropriate

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) 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.

- 4) Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that

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Order with or without modification) no further developments (within the meaning of Classes B and C of Schedule 2, Part 1 of The Town and Country Planning General Permitted Development Order 1995 as amended) can be built at the application site without the written approval of the Local Planning Authority. Classes B and C include additions and alterations to the roof of a dwellinghouse.

Reason:- In the interests of neighbours privacy and amenity and in accordance with Policies B(BE).13 and B(BE).14 of the Borough of Redditch Local Plan No.3.

## Informatics

- 1) The local planning authority have worked with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with this planning application through pre-application advice and discussion.
- 2) 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.

## **Procedural matters**

This application is being reported to the Planning Committee because the application requires a S106 Agreement. As such the application falls outside the scheme of delegation to Officers.

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## Planning Application 2014/323/FUL

### 30 No. Residential Units - including 6 No. dwellings and 24 No. one bedroom flats

**Hewell Road Swimming Pool Site, Hewell Road, Batchley, Redditch,  
Worcestershire, B97 6BA**

**Applicant:** Mr G Stoyan (Accord Group)  
**Expiry Date:** 3rd February 2015  
**Ward:** BATCHLEY AND BROCKHILL

(see additional papers for Site Plan)

The author of this report is Nina Chana, Planning Officer (DM), who can be contacted on Tel: 01527 548241 Email: nina.chana@bromsgroveandredditch.gov.uk for more information.

#### **Site Description**

The site is long and narrow and measures approximately 0.63 hectares. The site houses the now derelict swimming pool building. Batchley Brook runs along the northern boundary of the site, beyond which is residential. Beyond the southern side of the site lie the dwellings on Bridley Moor Road. The vehicular entrance to the site is on the eastern boundary, off which is the roundabout which serves Hewell Road and Windsor Road. The opposite side of Hewell Road is predominantly a commercial/industrial area. There is a footbridge which links the site to a public right of way on the northern boundary.

#### **Proposal description**

Full planning permission is sought for the construction of 30 units - 6 no. dwellings and 24 no. one bedoomed flats. The dwellings are proposed to consist of 1 no. detached two bedroomed, three persons bungalow and 5 no. 2 bedroomed four persons houses. This would consist of one row of three terraced houses and one pair of semi-detached dwellings. Additionally proposed is a block of 24 no. one bed, two person flats. The site would be accessed off the Hewell Road and Windsor Road roundabout via the current access. This is a 100% affordable housing scheme. Five of the dwellings are proposed to be two storeys and the block of flats is proposed to be three storeys high.

#### **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
- CS08 Landscape Character
- BHSG05 Affordable Housing
- BBE13 Qualities of Good Design
- BBE19 Green Architecture

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CT12 Parking Standards  
S01 Designing Out Crime

## **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 11: Green Infrastructure  
Policy 12: Open Space Provision  
Policy 16: Natural Environment  
Policy 17: Flood Risk Management  
Policy: 39 Built environment  
Policy: 40 High Quality Design and Safer Communities

## **Others:**

NPPF National Planning Policy Framework  
NPPG National Planning Practice Guidance  
SPD Open Space Provision  
SPD Designing for Community Safety  
Worcestershire Waste Core Strategy (WWCS)

## **Relevant Planning History**

2012/180/DEM	Application for a prior notification of proposed demolition - To demolish swimming pool, connected office space, boiler room and treatment plant room	Agreed for 5 years	15.08.2012
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## **Consultations**

### **Arboricultural Officer**

There are no protected trees within or adjacent to this site. The majority of tree stock is of limited quality and amenity value, consisting largely of self-seeded sycamore, ash, willow and silver birch, of semi-mature age, predominantly towards the southern end of the site alongside the water course.

There will need to be a satisfactory landscaping scheme to mitigate for this level of tree and habitat loss along the brook, as highlighted in the Arboricultural Report (see 3.4.2) and the Ecological Report (see 6.1 to 6.1.2). The current proposed site layout doesn't indicate an adequate level of mitigation planting, and the attached "Habitat Enhancement Map" does not relate to the same proposed layout, so requires some updating.

For any trees being retained, there must also be adequate protection in line with requirements of BS5837:2012, as described in 3.4.1 of the Arboricultural Report. This is to ensure no damage occurs either to the trees or their roots. Once the final layout is

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agreed, for any trees being retained a Tree Protection Plan should be provided, as well as an Arboricultural Method Statement if applicable, to show clearly how they are to be adequately protected during site clearance and construction phases.

Therefore no objections are raised subject to the imposition of conditions regarding the mitigation, protection and replacement of trees.

### **Environment Agency**

No Comments Received To Date

### **North Worcestershire Water Management**

EA (Environment Agency) maps indicate that this site is within Flood Zone 3 and there is some surface water flood risk to the site. Severn Trent Water (STW) maps show that there is a public surface water sewer to the north-eastern boundary line of the site, and there are two public foul sewers to the northern side of the Batchley Brook.

Due to the proximity of the Batchley Brook, and the nature of the surrounding area, it is extremely important that this development is built to a standard that will ensure that residents are not at risk of fluvial or pluvial flooding, and that the development does not cause or exacerbate flood risk elsewhere.

No objection subject to conditions relating to various drainage management matters.

### **Highway Network Control**

No objection subject to conditions relating to access, turning and parking, on Site Roads - Submission of Details, Phasing, Construction Environmental Management Plan, and informatives relating to Private Apparatus and drainage within the Highway and requirements under other legislation.

### **Crime Risk Manager/Community Safety Team**

Various matters raised and passed to the applicants to address – many cannot be controlled through the planning process.

### **Severn Trent Water Ltd**

No Comments Received To Date

### **Waste Management**

No Comments Received To Date

### **Worcestershire Wildlife Trust**

No Comments Received To Date

### **Development Plans**

The principle of residential development is supported and would contribute towards meeting the Borough's housing requirement.

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The density level slightly exceeds the density guideline in policy in this location. However, the brook improvements and improved functionality of the amenity open space will improve the quality of the area. The density level is therefore acceptable for this scheme.

A proposal for 100% affordable housing is welcomed.

Some attention needs to be given to the absence of play area provision within the scheme.

## Public Consultation Response

One objection has been received raising the following matters:

- Loss of play area
- Impact on residential amenity and privacy

## Assessment of Proposal

### Principle

The site is land which is designated as 'white land' in the current Borough of Redditch Local Plan No 3. This indicates that any use, as long as it is compatible with the surrounding uses would be appropriate in this location. This proposal is on previously developed land therefore the reuse is welcomed.

The play area, which sits to the rear of the site and the Batchley Brook are designated as Primarily Open Space in the current adopted plan, however, this land has been identified as an allocated housing site in the emerging Borough of Redditch Local Plan No 4.

Planning policy actively encourages the reuse and regeneration of previously developed land and also seeks to achieve the effective and efficient use of land for residential schemes by achieving densities of between 30 and 50 dwellings per hectare. The proposal represents a density of 55.5 dwellings per hectare; when taking the brook naturalisation and improvements into consideration and the improved functionality of the amenity open space associated with this proposal, the density ratio is reasonable and acceptable in policy terms, as there is a significant portion of the site that would remain undeveloped.

Therefore, for all these reasons, the principle of residential development in this location is acceptable.

### 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 has been given careful consideration due to the fact that the site is narrow and of a rectangular shape. The location of the vehicular access into the site has dictated the layout and design of the proposal. It has been designed with careful consideration to enable a development which would appear both balanced and acceptable in terms of character and appearance. The single bungalow would be constructed at the forefront of the site, followed by the five two storey dwellings and finally at the rear of the site would sit the three storey block of 24 no.

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units. The layout of this development represents the most logical way in which to develop the site, the nature of which is restrictive in terms of an acceptable and effective development.

The proposed development is considered to be acceptable in appearance, with each plot achieving garden sizes which accord with minimum sizes set out in the Council's adopted SPG. The development would not be inappropriate and over intensive in appearance and the dwellings would enhance the existing surrounding area.

The design and materials the developer is proposing to use would be similar to the character of the existing residential properties which were built around the 1930's, however your Officers are of the opinion that such a proposal would enhance and add character to the area.

### Impact of the development upon nearby residential amenities

The proposed development by virtue of its siting and scale would not have a detrimental impact on the neighbouring properties. All new developments have to be assessed on whether the council's minimum separation distance of 22 metres would be achieved between rear facing windows serving a proposed development and the rear facing windows of the existing development. This has been achieved in relation to this proposal. The rear elevation of the block of flats would face the rear gardens of some of the properties on Bridley Moor Road. The balconies on the rear elevation on the second and third floor would have wooden louvres to reduce the impact of any potential overlooking issues into these rear gardens and the amenities of the occupiers of the existing dwellings.

Further matters relating to community safety will be addressed on the update report as the comments of the consultees have been passed to the applicants and further information is awaited.

### Highways and access

County Highways have examined the proposals and have raised no objections to the scheme on highway safety grounds. The parking provision provided on the site would accord with parking standards.

Officers are satisfied that the conditions and informatics requested by Highway Network Control are necessary and reasonable and they are therefore included in the recommendation below.

### Affordable housing

The proposal is to provide 100% of the units as affordable housing, which would assist in meeting the Borough's needs, and as such is welcomed. The relevant policy framework requires that a percentage of developments of this size be provided as affordable, however in this case the whole development is being offered as such and this can be ensured in perpetuity in the planning obligation (see below).

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## Planning Obligations Required

The size of the proposal 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 the increased demand/requirement from future residents, in compliance with the Supplementary Planning Document;
- 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
- The affordable housing to be retained as such in perpetuity.

A contribution towards County education facilities is not required as the proposal is for 100% affordable housing.

## Conclusion

The proposed new development is considered to accord with national and local policy criteria. Officers consider that this detailed application is wholly acceptable having regard to the site's constraints and all other material considerations. Approval of this application would meet the future housing demand in a sustainable location within the Borough and would be an appropriate use of a previously developed site. 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 and 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 for off-site open space, pitches and equipped play; and
- A contribution is paid to the Borough Council for the provision of wheelie bins for the new development;

And

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

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

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

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

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

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

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

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

*Plan references to be inserted*

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

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

- 0800 to 1800 hours Monday to Friday
- 0900 to 1200 hours Saturdays

# PLANNING COMMITTEE

**14th January 2015**

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

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

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

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

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

## Informatics

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

- 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.

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## Procedural matters

This application is being reported to the Planning Committee because the application requires a S106 Agreement, is a major application (more than 10 dwellings) and because the land owner is Redditch Borough Council. As such the application falls outside the scheme of delegation to Officers.

