



# Planning Committee

Wed 10 Jun  
2015  
7.00 pm

Council Chamber  
Town Hall  
Redditch

**REDDITCH** BOROUGH COUNCIL

*making  
a  
difference*

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# Access to Information - Your Rights

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

Your main rights are set out below:-

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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### ***Agenda Papers***

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

### ***Chair***

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

### ***Running Order***

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

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

### ***Decisions***

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

### ***Members of the Public***

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

### ***Special Arrangements***

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

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

### ***Further Information***

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

### ***Fire/ Emergency instructions***

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

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

**Do Not stop to collect personal belongings.**

**Do Not use lifts.**

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

**The emergency Assembly Area is on Walter Stranz Square.**





# PLANNING

## Committee

10<sup>th</sup> June 2015

7.00 pm

Council Chamber Town Hall

### Agenda

#### Membership:

Cllrs:	Andrew Fry (Chair)	Matthew Dormer
	Yvonne Smith (Vice-Chair)	Wanda King
	Joe Baker	David Thain
	Roger Bennett	Nina Wood-Ford
	Michael Chalk	

<b>1. Apologies</b>	To receive apologies for absence and details of any Councillor nominated to attend the meeting in place of a member of the Committee.
<b>2. Declarations of Interest</b>	To invite Councillors to declare any Disclosable Pecuniary Interests or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.
<b>3. Confirmation of Minutes</b> (Pages 1 - 8)	To confirm, as a correct record, the minutes of the meeting of the Planning Committee held on 29 <sup>th</sup> April 2015.  (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 2015/042/FUL - Land off Dixon Close, Enfield, Redditch, Worcestershire</b>  (Pages 9 - 24)  Ruth Bamford, Head of Planning and Regeneration	To consider a Planning Application for 35 no. 2, 3 and four bedroom houses, 6 no. 1 bedroom apartments, 2 no. 2 bedroom maisonettes and 1 no. 2 bedroom bungalow (substitution of some house types approved under Application 2013.289/FUL)  Applicant: Mr Nick Laight  (Report attached – Site Plan under separate cover)  <b>(Abbey Ward)</b>

# PLANNING

Committee

10<sup>th</sup> June 2015

<p><b>6. Application 2015/071/S73 - 12 the Square, Feckenham, Redditch, Worcestershire B96 6HR</b></p> <p>(Pages 25 - 28)</p> <p>Ruth Bamford, Head of Planning and Regeneration</p>	<p>To consider a Variation of Condition 4 of Planning Approval 2008/184/FUL: Drawing number 1428/100A and removal of Condition 6 of Planning Approval 2008/184/FUL, to allow insertion of windows to rear elevation of property.</p> <p>Applicant: Ms Pauline Luget-Owen</p> <p>(Report attached – Site Plan under separate cover)</p> <p><b>(Astwood Bank &amp; Feckenham Ward)</b></p>
<p><b>7. Application 2015/085/FUL - 17 Howard Road, Park Farm, Redditch, Worcestershire B98 7SE</b></p> <p>(Pages 29 - 34)</p> <p>Ruth Bamford, Head of Planning and Regeneration</p>	<p>To consider a Planning Application for 1 no. Builder's Merchants, for display, sale, storage of building, timber and plumbing supplies, plant and tool hire, including outside display and storage, access and associated works.</p> <p>Applicant: Travis Perkins (Properties) Limited</p> <p>Report attached – Site Plan under separate cover)</p> <p><b>(Greenlands Ward)</b></p>
<p><b>8. Application 2015/093/COU - 73 Feckenham Road, Astwood Bank, Redditch, Worcestershire B96 6DE</b></p> <p>(Pages 35 - 38)</p> <p>Ruth Bamford, Head of Planning and Regeneration</p>	<p>To consider a Planning Application for a change of use of garage to dog grooming salon.</p> <p>Applicant: Mrs Karagh Crane</p> <p>(Report attached – Site Plan under separate cover)</p> <p><b>(Astwood Bank &amp; Feckenham Ward)</b></p>
<p><b>9. Application 2015/123/FUL - 10 Market Place, Town Centre, Redditch, Worcestershire B98 8AD</b></p> <p>(Pages 39 - 42)</p> <p>Ruth Bamford, Head of Planning and Regeneration</p>	<p>To consider a Planning Application for change of use of basement, ground floor and first floor to A3 (Restaurant) with A5 provision and conversion of second and third floors to residential accommodation.</p> <p>Applicant: Mrs Sian Bowen</p> <p>(Report attached – Site Plan under separate cover)</p> <p><b>(Abbey Ward)</b></p>



## 10. Exclusion of the Public

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

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

These paragraphs are as follows:

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

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

may need to be considered as “exempt”.

## 11. Confidential Matters (if any)

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





# Planning Committee

29<sup>th</sup> April 2015

## MINUTES

### Present:

Councillor Andrew Fry (Chair), Councillor Alan Mason (Vice-Chair) and Councillors Roger Bennett, Bill Hartnett, Wanda King, Yvonne Smith, David Thain and Nina Wood-Ford

### Officers:

Steve Edden, Clare Flanagan, Stacey Green, Sarah Hazlewood and Ailith Rutt

### Democratic Services Officer:

Jan Smyth

### 91. APOLOGIES

Apologies for absence were received on behalf of Councillors Joe Baker and Andrew Brazier.

### 92. DECLARATIONS OF INTEREST

Councillors Bill Hartnett and David Thain declared Interests in Agenda Item 6 (Planning Application 2015/042/FUL – Land off Dixon Close, Enfield, Redditch) as detailed in Minute 96 below.

### 93. CONFIRMATION OF MINUTES

#### RESOLVED that

the minutes of the meeting of the Planning Committee held on 8<sup>th</sup> April 2015 be confirmed as a correct record and signed by the Chair.

### 94. APPLICATION 2014/157/FUL – LAND OPPOSITE TAN HOUSE FARM, OFF STUDLEY ROAD, PARK FARM, REDDITCH

Erection of 10 residential dwellings consisting of 4 x 2 bedroom, 3 x 3 bedroom and 3 x 4 bedroom units.

Applicant: Mr Carl Lovell

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Chair

# Planning Committee

29<sup>th</sup> April 2015

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**RESOLVED that**

having regard to the Development Plan and to all other material considerations, Planning Permission be **GRANTED**, subject to the Conditions and Informatives set out on pages 13 to 18 of the main agenda report and the following additional Informative:

“6) The Applicant is requested to note the Consultee comments in relation to the application.”

**95. APPLICATION 2014/298/FUL AND LISTED BUILDING CONSENT APPLICATION 2014/299/LBC – 40 CHESTNUT ROAD, ASTWOOD BANK, ~REDDITCH B96 6AE**

Conversion of existing dwelling to 2 no. 3 bedroom flats.

Applicant: Mr and Mrs Robert and Gail Head

Mr P Balcome, objector, addressed the Committee under the Council's public speaking rules.

**1) PLANNING APPLICATION 2014/298/FUL**

**RESOLVED that**

having regard to the Development Plan and to all other material considerations, Planning Permission be **GRANTED**, subject to the Conditions and Informatives set out on pages 22 to 23 of the Main Agenda report and the following additional Conditions:

“5) Whilst the site is being prepared, cleared and the development is being carried out it will only be possible to work on the site between 8am and 6pm, Mondays to Fridays and 9am to 12 noon on a Saturday. It will not be possible to work outside of these hours or at any time in the day on a Sunday or Bank or Public Holiday unless previously agreed with the Council. This restriction will apply to all on site workers, contractors and sub contractors. Whilst the site is being prepared, cleared and the development is being carried out it will only be possible to deliver/collect materials, plant, machinery and waste from the site between 7.30am and 6pm, Mondays to Fridays and 8.30am to 12 noon on a Saturday. It will not be possible to deliver or collect outside of these hours or at any time in the day on a Sunday or a Bank or Public Holiday unless previously agreed with the Council.

**Reason: To make sure that the living conditions of the residents living near to the site are not harmed as a result of the works in order to comply with Policy B(BE).13 of the Borough of Redditch Local Plan Number 3.**

- 6) **Prior to the commencement of development you shall submit to the council and have approved a plan detailing where on site any materials shall be stored and where site operatives shall park off road during construction. Once these details are agreed you shall comply with them during the lifetime of the construction process.**

**Reason: To make sure the living conditions of the residents living near to the site are not harmed as a result of the works in order to comply with Policy B(BE).13 of the Borough of Redditch Local Plan Number 3. The condition is required to be pre commencement as the matter needs to be agreed before any workers are present on site in order to alleviate any on street parking issues.”**

- 2) **LISTED BUILDING CONSENT APPLICATION  
2014299/LBC**

**RESOLVED that**

**having regard to the Development Plan and to all other material considerations, Listed Building Consent be GRANTED, subject to the Conditions set out on pages 24 and 25 of the main Agenda report.**

(Appropriate Condition(s), requiring the Applicant to agree a site operative plan for the construction period prior to commencement of the development, was agreed by the Committee as detailed in Resolution 1 above.)

96. **APPLICATION 2015/042/FUL – LAND OFF DIXON CLOSE, ENFIELD, REDDITCH**

**35 no. 2. 3 and 4 bedroom houses, 6 no. 1 bedroom apartments, 2 no. 2 bedroom maisonettes and 1 no. 2 bedroom bungalow (substitution of some house types approved under Planning Permission 2013/289/FUL)**

**Applicant: Mr Nick Laight**

Mr Josh Lorento, objecting and Mr Nick Laight, the Applicant, addressed the Committee under the Council's public speaking rules.

**RESOLVED that**

**the matter be DEFERRED to the next meeting of the Committee for Officers to have further discussions with the Applicant in respect of the proposed affordable / social housing elements of the proposal.**

(The Committee received various updates in relation to: an error in the description of the proposal, now correctly detailed in the description above; two late letters of representation; comments from the Council's Arboricultural Officer; and detailed emergency access plan received from the Applicant, all as detailed in the published Update Report, copies of which were provided to Committee Members and the public gallery prior to commencement of the meeting.

Further to noting additional information provided by the Applicant during the public speaking process, Members expressed concerns that the Applicant's stated proposals for the development in terms of the affordable/social housing elements of the scheme, did not reflect the information provided in the Officers report in respect of percentages.

On receiving advise from Planning and Legal Officers on the information provided verbally by the Applicant, Members were of the view that the matter should be deferred to allow Officers to have further discussions with the Applicant to clarify the position in regard to their proposals for the affordable / social housing development on the site, and bring it back to the next meeting of the Committee for consideration again.)

(During consideration of this matter, and following the disclosure by the Applicant that Accord Housing was involved in the social housing elements of the scheme, Councillor Bill Hartnett declared an interest in the item in view of his role on the Board of Accord Housing. Councillor Hartnett immediately withdrew from the Meeting and took no further part in any discussions nor voted on the matter.

Councillor David Thain, in view of his role as a Council representative on Redditch Co-operative Homes, a subsidiary Company of Accord Housing, also declared an interest and withdrew from the meeting and took no further part in any discussions nor voted on the matter.)

# Planning Committee

29<sup>th</sup> April 2015

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**97. APPLICATION 2015/073/S73 – UNIT 9 MATCHBOROUGH CENTRE, MATCHBOROUGH WAY, MATCHBOROUGH, REDDITCH**

Removal of Condition 2 of Planning Approval 2010/244/COU to allow wholly A5 (hot food takeaway) consent and to allow all types of hot food to be sold on the site for consumption off the premises.

Applicant: Mr Mehdi Kalateh

Mr Theo Ellinas, objector, 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 the Conditions and Informative set out on pages 46 to 47 of the main Agenda report.**

**98. APPLICATION 2015/077/FUL – 43 KENCHESTER CLOSE, MATCHBOROUGH EAST, REDDITCH, B98 0BT**

Side garage extension and enlarged front porch.

Applicant: Mrs C Shinnie

**RESOLVED that**

**having regard to the Development Plan and to all other material considerations, Planning Permission be GRANTED, subject to the Conditions set out on pages 50 to 51 of the main Agenda report.**

**99. APPLICATIONS 2015/099/COUPRO AND 2015/100/FUL - THREADNEEDLE HOUSE, ALCESTER STREET, TOWN CENTRE, REDDITCH B98 8AJ**

Prior Approval for change of use from offices (Class B1(a) to residential (Class C3) to create 37 dwellings (not including the former Barclays GF or the Post Office elements of the building); and

Full Planning Permission for: the change of use of the former Barclays (Class A2) to residential (Class C3) to create 5 dwellings; infill rooftop development to create 4 residential units; external alterations to the whole building to facilitate residential conversion (not including the Post Office elements of the building.

# Planning Committee

29<sup>th</sup> April 2015

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Applicant: Casper Developments Ltd

Miss Liz Garvey, the Applicant's Agent, addressed the Committee under the Council's public speaking rules.

1) 2015/099/COUPRO

**RESOLVED that**

**Prior Approval of further details is not required, and**

2) 2015/100/FUL

**RESOLVED that**

**having regard to the Development Plan and to all other material considerations, Planning Permission be GRANTED, subject to the Conditions and Informative set out on pages 60 to 62 of the main Agenda Report and the following additional Conditions and Informative:**

- 8) **Prior to the commencement of development, drainage plans for the disposal of surface water and foul sewage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.**

**Reason: to ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution in accordance with the NPPF. The drainage matters need to be resolved prior to commencement in order that the works to create the residential units are to a satisfactory standard for the occupation to occur without failure of the drainage system.**

- 9) **The Development hereby permitted shall be fitted out such that the noise standards set out in BS 8233 are met internally and externally, including on the balconies, both during the day and at night. Such specification shall be maintained for the lifetime of the development.**

**Reason: in the Interests of the residential amenity of the occupiers of the building and in accordance with the NPPF.**

- 10) **The development hereby permitted shall be fitted out such that the noise standards set out in BS 4142 are exceeded by 5dB by all plant and machinery located**



# Planning Committee

29<sup>th</sup> April 2015

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within the boundary of the site. Such specification shall be maintained for the lifetime of the development.

**Reason:** In the interests of the residential amenity of the occupiers of the building and in accordance with the NPPF.

### Informative

- 3) **Severn Trent Water advises that there is a public sewer located close to the application site. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent. You are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the building. Please note, when submitting a Building Regulations application, the Building Control Officer is required to check the sewer maps supplied by Severn Trent and advise them of any proposal located over or within 3 metres of a public sewer. In many cases under the provision of building Regulations 2000 Part H4, Severn Trent can direct the Building Control Officer to refuse building regulations approval. If you require any further information, please contact Rhiannon Thomas on 01902 793883.**

(The Committee noted updates from Severn Trent Water, who had no objections subject to additional conditions and informative, as detailed in the Resolution above, and Worcestershire Regulatory Services (Noise), all detailed in the published Update Report, copies of which were provided to Committee Members and the public gallery prior to commencement of the meeting.)

The Meeting commenced at 7.00 pm  
and closed at 8.02 pm

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CHAIR



REDDITCH BOROUGH COUNCIL**PLANNING  
COMMITTEE**

10th June 2015

**Planning Application 2015/042/FUL****35no. 2,3 and 4 bed houses, 8no. 1 bed apartments and 1no. 2 bed bungalow  
(substitution of some house types approved under 2013/289/FUL)****Land Off, Dixon Close, Enfield, Redditch, Worcestershire.****Applicant: Mr Nick Laight  
Expiry Date: 5th June 2015  
Ward: ABBEY****(see additional papers for Site Plan)**

The author of this report is Stacey Green, Planning Officer (DM), who can be contacted on Tel: 01527 881342 Email: s.green@bromsgroveandredditch.gov.uk for more information.

**This item was deferred from the last meeting due to confusion over the provision of affordable housing proposed.**

**The applicant has clarified that the application seeks 30% affordable housing across the site. As such the original report remains correct, and is repeated below with the inclusion of the previous committee updates.**

**Site Description**

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

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

EEMP03 Primarily Employment Areas  
CS06 Implementation of Development  
CS07 The Sustainable Location of Development  
CS08 Landscape Character  
BHSG05 Affordable Housing  
BHSG06 Development within or adjacent to the curtilage of an existing dwelling  
BBE13 Qualities of Good Design  
BBE19 Green Architecture  
BNE01 Overarching Policy of Intent

**PLANNING  
COMMITTEE**10<sup>th</sup> June 2015

BNE01A Trees, Woodland and Hedgerows  
S01 Designing Out Crime  
CT12 Parking Standards

**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 24: Development within Primarily Employment Areas  
Policy: 39 Built environment  
Policy: 40 High Quality Design and Safer Communities

**Others:**

NPPF National Planning Policy Framework  
SPG Encouraging Good Design  
SPD Affordable Housing Provision  
SPD Open Space Provision  
SPD Designing for Community Safety  
SPD Planning Obligations for Education Contributions SPD  
Worcestershire Waste Core Strategy (WWCS)

**Relevant Planning History**

2013/289/FUL	Erection of 39 dwellings comprising 37 houses - mix of 2, 3 & 4 bedroom; and 2 no 2 bed bungalows	Approved subject to Section 106 Agreement	23.05.2014
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**Consultations****North Worcestershire Water Management**

No objection subject to the inclusion of a pre-commencement condition requiring drainage scheme details to be submitted.

**Housing Strategy Housing Strategy**

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

**PLANNING  
COMMITTEE**10<sup>th</sup> June 2015

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**Highway Network Control**

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

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

**Community Safety Officer**

No comments received.

**Development Plans**

No objection. The net increase in plot numbers does not have a significant impact on the density of the development and is in keeping with adjacent density levels.

**Environment Agency**

No Comments Received To Date

**Education Authority**

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

**Contaminated Land- Worcestershire Regulatory Services**

No objection subject to a suitably worded condition for the protection of contamination

**Area Environmental Health Officer**

No Comments Received To Date

**Crime Risk Manager**

No comments or objections regarding this application.

**Network Rail- Town Planning Team LNW**

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

## **PLANNING COMMITTEE**

10<sup>th</sup> June 2015

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

### **Severn Trent Water Ltd**

No objection subject to the inclusion of a drainage condition.

### **Waste Management**

No Comments Received To Date

### **Worcestershire Wildlife Trust**

No Comments Received To Date

### **Landscape & Countryside Manager**

No objection subject to conditions for soft landscape works including new planting and existing trees/shrubs to be retained and protected during construction works.

### **Public Consultation Response**

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

20 letters of objection:

- Dixon Close is already congested with insufficient car parking to serve the development. The proposal will make things worse.
- Emergency vehicles will have difficulty in accessing the site due to the presence of parked cars on Dixon Close
- Pedestrians have to walk in the road because of the cars blocking the pavements in Dixon Close. The proposal will make this worse.
- Wildlife would be affected
- Outlook would be harmed
- There is not enough car parking being proposed in relation to the number of houses
- Access to the site should be via the Enfield Industrial Estate not through Dixon Close
- Noise and pollution would adversely impact upon the amenities of residents
- The apartment building will be intrusive and affect neighbours light and air
- Overdevelopment of the existing development and this proposal will make it worse

**PLANNING  
COMMITTEE**10<sup>th</sup> June 2015

- Construction traffic entering and exiting the site will impact upon residential amenity
- Loss of open green space
- The 3 storey houses will block light
- The proximity of the railway line and the noise from the industrial estate would provide an inadequate standard of amenity for future occupiers of the proposed new houses
- The construction of the development will harm residential amenity with noise and dust
- Incompatible land use (residential) adjacent to an existing concrete manufacturing company
- Concerns that there will be complaints from occupiers of the new houses when the company is going its legitimate business.

1 letter of support:

- The proposal would provide much needed affordable housing since Redditch has not met its demand for new affordable housing in each of the last 10 years.
- The proposal would provide a mix of properties that meet the needs of the welfare reform and families and older people.

**Assessment of Proposal**

Full planning permission was granted under 2013/289/FUL for the erection of 39 dwellings. The approved scheme allowed for a mix of two, two and a half and three storey semi-detached and terraced houses, with the exception of 2 detached bungalow. Of the 39 units approved, a 30% share of these were affordable, which equated to 12 units. This application seeks to change the house types that were previously approved for plots 1, 2, 37, 38 and 39. The proposal would result in a total of 44 dwellings which is a net gain of 5 dwellings over and above the previously approved scheme. The new proposal would also provide a 30% share of affordable units, which equates to 13 units.

The 44 residential units would be provided as follows:

- 6 x 1 bed flat
- 2 x 2 bed maisonette
- 1 x 2 bed bungalow
- 9 x 2 bed houses
- 24 x 3 bed houses
- 2 x 4 bed houses

The breakdown of the 13 affordable houses to be provided as part of this development is as follows:

8 social rented units:  
1 x 2 bed bungalow

## PLANNING COMMITTEE

10<sup>th</sup> June 2015

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- 4 x 1 bed flats
- 2 x 2 bed houses
- 1 x 3 bed house

5 intermediate units:

- 2 x 2 bed houses
- 3 x 3 bed houses

The 30% affordable housing threshold applies under the emerging Borough of Redditch Local Plan No. 4 under which this site is being brought forward for residential development. Since the site is designated as a Primarily Employment Area in the current Local Plan, it would not be appropriate to apply the 40% affordable housing threshold associated with Local Plan no. 3.

### Background

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

### Principle

The principle of the development was established under the previously approved housing scheme. However, this is explained again below.

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

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



## **PLANNING COMMITTEE**

10<sup>th</sup> June 2015

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### **Density and mix of development**

The density of the development equates to 55dph, based on a net developable area of 0.8ha. This falls within the desired density range for an edge of centre site, and would respect the density of existing development at Dixon Close.

The proposal is considered to offer a good range of property types and tenures to meet the needs of Redditch.

### **Impact on nearby residents**

The majority of the representations received from the public concern impact upon amenity due to increased vehicle movement to and from the site and associated highway safety implications. Parking to be provided as part of the scheme complies with local standards and the highway authority have raised no objection to the application.

The previously approved scheme was found to be acceptable in terms of its impact on adjoining occupiers. It is considered that the substituted house types would not give rise to any loss of privacy and loss of light or outlook.

### **Affordable Housing**

The proposal has increased the provision of affordable housing by 1 unit over and above the previously approved scheme. Thus, the proposed development will provide 13 affordable units in total, which represents 30% of the total number of units to be provided. Housing Strategy have confirmed that they are satisfied with the provision, location and mix between social rented units and intermediate affordable housing.

### **Design and Community Safety Considerations**

The previously approved scheme was found to be acceptable in terms of its layout and design, and no principle objections were received from the Community Safety Officer. It is considered that the substituted house types would not compromise the approved layout and design of the scheme for the following reasons:

With respect to plots 37 and 38 of the previous application, a pair of semi-detached 2 storey houses were approved, sitting perpendicular to the highway. A two storey block of six apartments is proposed to substitute a pair of semi-detached houses. The apartment building would front the highway and make good use of the elongated shape of this part of the site. To my mind, the apartment building would fit more comfortably on this part of the site compared to the previously approved houses whereby the side wall and associated fencing would front the highway.

Under the previous application (2013/289), a pair of 3 storey, 4 bedroom semi-detached houses were approved on plots 1 and 2. This application proposes a similar type of house with the provision of 4 bedrooms across 3 floors. It is considered that the proposed houses would have a more interesting frontage with the inclusion of ground level bay

## **PLANNING COMMITTEE**

10<sup>th</sup> June 2015

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windows and centrally located dormer windows within the roof. The lower ridge height is considered to be more appropriate than that previously approved.

A detached bungalow was approved at plot 39 of the previously approved scheme. It is proposed to substitute the bungalow with two maisonettes which have the appearance of a two storey house. It is considered that this building would sit comfortable in the plot and would not cause any harm to the amenities of the existing occupiers at 53 Dixon Close.

### **Trees and Landscaping**

The Tree Officer is satisfied that the proposed development would be acceptable subject to the inclusion of conditions for new planting, existing trees/shrubs to be retained and tree protection measures during construction.

### **Highways**

Having regard to the previously approved scheme, it was accepted that the proposal would not adversely impact on highway safety or the road network, subject to the imposition of planning conditions and informatives. Parking arrangements were found to be satisfactory by complying with local standards.

The house type substitutions do not give rise to any highway safety implications and County highways have not raised any objections subject to the inclusion of conditions and informatives. Parking arrangements in respect of the new house types continue to comply with local standards and are thus considered to be acceptable.

The detailed emergency access plan (Drawing Number K505-102 Rev A) plan shows an emergency access via the Enfield Road Industrial Estate off Windsor Road. The emergency access would link to the end of the T-bar road adjacent to plot 36. WCC Highways have been consulted on the plan and confirmed that the access is suitable for use by emergency services including a fire tender. Subject to approval of the application, a condition would be included to ensure that the emergency access point is kept available for use by emergency vehicles in perpetuity. This is considered necessary in order to provide safe and convenient access to the site.

Officers are satisfied that the conditions as requested by County Highways 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.

### **Onsite open space / amenity requirements**

For a development of this size, it would be normal to provide on-site communal open space. Leisure Services have expressed their preference for a commuted sum to be paid in order to improve and enhance play at Forge Mill and sports provision at the Abbey

## PLANNING COMMITTEE

10<sup>th</sup> June 2015

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Stadium. It is noted that an equipped child's play area exists approximately 300 metres due north of the site which was provided as part of the existing Dixon Close development. Private amenity space for all of the houses would be in compliance with the Councils adopted SPG 'Encouraging Good Design' and as such, officers are satisfied that the scheme could not be regarded as an over-development of the site. Environmental Health has examined the proposals and has raised no objection subject to the introduction of an acoustic fence to protect residents from noise associated with the use of the adjacent railway line.

### Planning obligations

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 play areas at Forge Mill and sports provision at Abbey Stadium, due to increased demand/requirements from future residents, is required in compliance with the SPD.
- A contribution to refuse and re-cycling bins for the new development in accordance with Policy WCS.17 of the adopted Worcestershire waste Core Strategy.
- A contribution towards County education facilities. The County have confirmed that there is a need in this area to take contributions towards Holyoakes Field First School.
- The provision of 13 units on the site to be restricted to affordable housing in perpetuity.

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

### Conclusion

Officers consider that this detailed application is wholly acceptable having regards to the sites constraints and all other material considerations. It is evident that this application is very similar to that previously approved under 2013/2589/FUL with changes relating to house type substitutions only. The proposal would continue to meet some of the demonstrated housing need in the Borough. The proposal is considered to comply with the planning policy framework and is unlikely to cause harm to amenity or safety. Subject to 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:-**

**PLANNING  
COMMITTEE**10<sup>th</sup> June 2015**a) The satisfactory completion of a S106 planning obligation ensuring that:**

- Contributions are paid to the Borough Council in respect to off-site open space, pitches and equipped play in accordance with the Councils adopted SPD
- Contributions are paid to the Borough Council towards the provision of wheelie bins for new development
- Contributions are paid to the County Council towards County education facilities in accordance with the Councils adopted SPD
- 13 units on the site are restricted to affordable housing in perpetuity

and

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

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

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

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

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

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

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

- 4) All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part

**PLANNING  
COMMITTEE**10<sup>th</sup> June 2015

of the development or in accordance with a programme agreed in writing by the local planning authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes or species unless the local planning authority gives written approval to any variation.

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

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

0800 to 1800 hours Monday to Friday

0900 to 1200 hours Saturdays

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

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

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

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

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

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

- 8) The development hereby permitted shall not be brought into use until the applicant has submitted to and have approved in writing a travel plan that promotes sustainable forms of access to the site with the Local Planning Authority. This plan

**PLANNING  
COMMITTEE**10<sup>th</sup> June 2015

thereafter will be implemented and updated in agreement with Worcestershire County Councils Travel plan co-ordinator.

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

- 9) A Construction Environmental Management Plan shall be submitted to and approved in writing by the local planning authority prior to commencement of development. This shall include the following:-
- a. Measures to ensure that vehicles leaving the site do not deposit mud or other detritus on the public highway;
  - b. Details of site operative parking areas, material storage areas and the location of site operatives facilities (offices, toilets etc);

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

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

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

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

- 11) The development hereby approved shall be implemented in accordance with the following plans:
- Planning, Design and Access Statement 17.02.15
  - ADC Acoustic Report dated 24.10.13
  - Arboricultural Impact Assessment Nov 2013
  - Drawing 1610/42B (Site Plan)
  - Drawing 1610/14

**PLANNING  
COMMITTEE**10<sup>th</sup> June 2015

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Drawing 1610/03, 1610/04, 1610/05, 1610/07, 1610/08A, 1610/29B  
Drawing 1610/40, 1610/41,  
Drawing 1610/10  
Drawing K505-102 Rev A

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

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

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

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

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

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

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

- 15) During the course of all on-site redevelopment works and final fitting out, all construction traffic, contractors and deliveries access and egress from the site shall be via the Enfield Industrial Estate. No development traffic shall access the site via Dixon Close unless first agreed in writing by the Local Planning Authority.

REDDITCH BOROUGH COUNCIL**PLANNING  
COMMITTEE**10<sup>th</sup> June 2015

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

- 16) The emergency access shown on Drawing Number K505-102 Rev A shall be implemented prior to the completion of development works on the site. This access point shall be kept available for use by emergency vehicles in perpetuity.

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

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

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

**Informatives**

1. 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.

2. 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.
3. 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



**PLANNING  
COMMITTEE**10<sup>th</sup> June 2015

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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.

4. The applicant's attention is drawn to the requirement to provide a Risk Assessment and Method Statement for development works which are to be carried out within 10 metres of operational railway land. This should be agreed prior to the commencement of any development on the site. The method Statement should be sent to: Outside Parties Engineer, Network Rail, Desk 122, Floor 1, Square One, 4 Travis Street, Manchester, M1 2NY.
5. The applicant should be aware that this permission also includes a legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) and that the requirements of that and the conditions listed above must be complied with at all times.
6. 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 discussion.

**Procedural matters**

This application is reported to Planning Committee for determination because the application is for major development, requires a S106 Agreement and more than two objections have been received.



**PLANNING  
COMMITTEE**10th June 2015

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**Planning Application 2015/071/S73****Variation of Condition 4 (application reference 2008/184/FUL) : Drawing number 1428/100A and removal of Condition 6 of (planning reference 2008/184/FUL) to allow insertion of windows to rear elevation of property****12 The Square, Feckenham, Nr Redditch****Applicant: Ms Pauline Luget Owen  
Expiry Date: 8<sup>th</sup> April 2015  
Ward: ASTWOOD BANK AND FECKENHAM****(see additional papers for Site Plan)**

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

**Site Description**

12 The Square is a small two storey cottage situated at the end of a terrace of cottages to the northern side of The Square, Feckenham. The Church of St. John the Baptist lies approximately 60 metres to the north, with the High Street, 50 metres to the east. The rear of the property backs directly onto a rear garden serving the property, 14 The Square.

**Proposal Description**

This application is for the variation of Condition 4 (application reference 2008/184/FUL) and for the removal of Condition 6 (application reference 2008/184/FUL) which would allow the insertion of windows to the rear elevation of 12 The Square. The submitted plans show that one window would be formed at first floor level and one would be formed at ground floor level. The two windows proposed would be inserted in the two storey extension approved (and implemented) under application 2008/184/FUL. Both would be clear glazed, casement (side hinged) windows with profiled oak frames (matching those used in the front, south facing elevation of the cottage).

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

BBE09 Streetscapes in Conservation Areas  
BBE13 Qualities of Good Design

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

Policy: 38 Conservation Areas  
Policy: 39 Built Environment  
Policy: 40 High Quality Design and Safer Communities

**PLANNING  
COMMITTEE**10th June 2015

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**Others:**

NPPF National Planning Policy Framework  
 NPPG National Planning Practice Guidance  
 SPD Encouraging Good Design

The property lies within the Feckenham Conservation Area.

**Relevant Planning History**

2008/184/FUL	Demolition of single storey rear extensions and reconstruction as one, two storey extensions, replacement of porch	Approved	28.07.2008
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**Public Consultation Responses****Responses against**

1 letter received. Comments summarised as follows:

- The insertion of the proposed windows would have an adverse effect on our property due to overlooking directly into the rear of our garden and conservatory
- The application for windows was originally rejected and we believe it should be again on the same grounds.

**Consultations****Feckenham Parish Council**

The existing extension to 12 The Square was approved in 2008 and was found acceptable in terms of planning and building control requirements, without the need for further fenestration. The insertion of windows to the rear elevation would cause unacceptable loss of amenity and privacy to the adjacent property, The Old Court House by virtue of the windows being located on the boundary to the garden of that property.

**Conservation Advisor**

No objection

**Assessment of Proposal**

Application 2008/184/FUL has been fully implemented in accordance with the approved plans. The two storey extension approved is situated on the boundary between number 12 and the rear garden serving number 14. The proposed two new windows would be inserted into the gable end of this two storey extension if permission is granted for the variation of Condition 4 and the removal of Condition 6.

**PLANNING  
COMMITTEE**10th June 2015

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The plans submitted under the 2008 application showed a (north facing) two storey extension without windows at ground and first floor. It is normal practice for the Council to list the plans approved under any consent, and approved plan 1428/100A is indeed listed as a plan approved under Condition 4. In addition, Condition 6 was attached to the consent which prevents the insertion of windows in this gable elevation without first applying for planning permission to do so. The reason given for applying the condition was to protect the amenities enjoyed by nearby occupiers.

Whilst the property is not listed, it is situated within the Feckenham Conservation Area where all applications are required to conserve and / or enhance the character and appearance of the Conservation Area. The Council's Conservation Advisor has been consulted as part of the application process and has raised no objection in terms of the proposals likely impact upon the character of the Conservation Area.

The only issue to consider in the determination of this application is the impact the proposals would have upon nearby amenities.

Objections received comment that the insertion of windows in this location would have an adverse effect on the adjacent property, No.14 due to overlooking into the rear of that property's conservatory and garden.

Your officers would comment that an element of overlooking from many planning application proposals is inevitable in the same way as an overlooking impact can occur from for example, rear first floor windows serving habitable rooms on a semi-detached property. It is for the decision maker to consider whether any harm caused would be severe.

The relationship of the garden serving No.14 The Square, to the cottages, No.12, 10, 8, 6 and 4 The Square is unusual, with rear facing elevations serving the cottages backing directly on to the rear garden serving No.14.

An overlooking impact already occurs due to the existing relationship of ground and first floor rear windows serving this terrace of properties to No.14's garden. Just as the occupiers of the above cottages have a clear and uninterrupted view into the garden of No.14, the occupiers of No.14, if standing in their garden could easily, if they so wished observe the internal living accommodation associated with the above cottages.

I have noted that a churchyard separates the Church of St. John the Baptist (to the north) and the garden serving No.14. A brick wall measuring approximately 1.2 metres in height forms the boundary between the two. A wall of the same height forms the shorter, (east facing) boundary to the garden area. As such, anybody visiting the church will already have clear views into the garden, from the north and east. As referred to earlier, overlooking already occurs from the south.

**PLANNING  
COMMITTEE**10th June 2015

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The above facts lead your officers to consider that no significant additional detrimental impacts to residential amenity caused by loss of privacy would arise by allowing the variation of Condition 4 and the removal of Condition 6 from application reference 2008/184/FUL.

**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 development hereby approved shall be implemented in accordance with the following plans:

Drawing number JHA 09.02.2015: proposed plans, section, elevations

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

**Informatives**

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

**Procedural Matters**

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

**PLANNING  
COMMITTEE**10th June 2015

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**Planning Application 2015/085/FUL****Erection of 1no. builders' merchants for display, sale, storage of building, timber and plumbing supplies, plant and tool hire including outside display and storage; access and associated works****17 Howard Road, Park Farm, Redditch, Worcestershire, B98 7SE****Applicant: Travis Perkins (Properties) Limited  
Expiry Date: 22nd June 2015  
Ward: GREENLANDS****(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 located within Park Farm which falls within a Primarily Employment Area as defined in the Borough of Redditch Local Plan No 3. To the east of the site lies the Redditch Borough Council's Crossgates Depot and to the west are units Nos. 9-16 Howard Road. Howard Road is accessed off Old Forge Drive. The total site area is 0.6 hectares.

**Proposal Description**

Planning permission is being sought for the construction of a unit for the purpose of a builder's merchants. This will include the display, sale and storage of building, timber and plumbing supplies. Also proposed is plant and tool hire including outside display and storage, access and associated works. The building is proposed to be 1,578 square metres which will include a 356 square metre mezzanine floor.

Prior approval has already been granted for the demolition of the existing buildings.

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

BBE13 Qualities of Good Design  
EEMP03 Primarily Employment Areas  
EEMP3A Development Affecting Primarily Employment Areas

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

Policy 5: Effective and Efficient use of Land

**PLANNING  
COMMITTEE**10th June 2015

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**Others:**

NPPF National Planning Policy Framework  
 NPPG National Planning Practice Guidance

**Relevant Planning History**

2008/392/FUL	Alterations and extensions to building	Approved	16.02.2009
2010/256/FUL	New fence at front of property. Weighbridge and Portacabin at Crossgates Road entrance. Replacement gates at Studley Road entrance and increase height of existing rear fence	Approved	30.11.2010
2011/201/FUL	Proposed security office	Approved	13.09.2011
2015/066/DEM	Demolition of Existing Industrial Building	Approved	16.03.2015

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

Recommends that any permission which the District Planning Authority may wish to give include the following conditions:-

H13

Access, turning and parking

HN4

Private Apparatus within the Highway

HN5

Alteration of highway to provide new or amend vehicle crossover

**Development Plans**

1. This proposal falls within a Primarily Employment Area. The site is not allocated in BORLP4 and will not have a negative impact on the Borough's employment land supply.
2. The proposed sui generis use, in this location will not compromise future employment related uses and is considered favourably.



**PLANNING  
COMMITTEE**10th June 2015

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3. This application proposes to bring back into use a redundant site, which has been unsuccessfully marketed and is in a location which would be amenable to the proposed use.

From a planning policy perspective, this application can be supported.

**Contaminated Land- Worcestershire Regulatory Services**

No Comments Received To Date

**North Worcestershire Water Management**

No Objections

**Public Consultation Response**

No Objections received to date

**Assessment of Proposal**

The site lies within a primarily employment area where policies favour B1, B2 and B8 uses. This is a proposed sui generis use therefore regard has to be given to the nature of the location, the proposed use and its compatibility with the site and adjacent uses. Whilst the proposal is not for a 'B' use, builder's merchants are generally located within primarily employment areas in Redditch, for example, Buildland (East Moons Moat), Jewson (Enfield) and Graham (Park Farm). Primarily employment areas are considered to provide an appropriate location for a sui generis use of this nature.

In accordance with the National Planning Policy Framework, paragraph 215, due weight should be given to this policy as it is consistent with paragraphs 19 and 22 of the National Planning Policy Framework.

In terms of the height and scale of the proposal, the building would sit comfortably within the site and be in keeping with the surrounding area.

In terms of site access and vehicular movement, the proposals provide suitable arrangements that will not adversely impact upon traffic or highway safety. Vehicular access into the site will be via the existing vehicular access to the east of the site. A new access would be created in the middle of the two existing accesses, to be used as an exit only from the development site. The existing access to the west of the site would be closed off and reinstated as footway. The In and-Out access arrangement would ensure that all vehicles exit the site in forward gear. The highways officer has raised no objections.

The proposals include a 2.4 metre high Paladin fence along the perimeter of the site. Galvanised gates are proposed at the egress and ingress to the car park. These

**PLANNING  
COMMITTEE**10th June 2015

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measures will ensure that the site is completely secure, which is evidently necessary given the open storage of building materials within the site.

In conclusion, this proposal falls within a Primarily Employment Area. The site is not allocated in the Emerging Borough of Redditch Local Plan 4 and will not have a negative impact on the Borough's employment land supply. The proposed sui generis use, in this location will not compromise future employment related uses and is considered favourably and this proposal proposes to bring back into use a redundant site, which has been unsuccessfully marketed and is in a location which would be amenable to the proposed use.

The scheme has raised no other material planning issues and has required no further negotiations or amendments. As such it is considered that the proposal complies with the provisions of the development plan and would be acceptable.

**RECOMMENDATION:**

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

**Conditions:**

- 1) The proposal must be started within 3 years from the date of this notice.

Reason: To comply with National Legislation

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

Drawing Numbers: 6857P-100, 6857P-01, 6857P-02, 6857P-03

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

- 3) 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.

**PLANNING  
COMMITTEE**10th June 2015

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**Informatives**

- 1) THIS PERMISSION DOES NOT AUTHORISE THE LAYING OF PRIVATE APPARATUS WITHIN THE CONFINES OF THE PUBLIC HIGHWAY. The applicant should apply to Worcestershire County Council for consent under the New Roads and Streetworks Act 1991 to install private apparatus within the confines of the public highway. Precise details of all works within the public highway must be agreed on site with the Highway Authority.
- 2) This planning permission does not authorise the applicant to carry out works within the publicly maintained highway since such works can only be carried out by the County Councils Approved Contractor following the issue of a licence under Section 184 and 278 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.

**Procedural matters**

This application is reported to Planning Committee for determination because the application is for major development (more than 1000 sq metres of new commercial / Industrial floorspace), and as such the application falls outside the scheme of delegation to Officers.



**PLANNING  
COMMITTEE**

10th June 2015

**Planning Application 2015/093/COU****Change of use of garage to dog grooming salon.****73 Feckenham Road, Astwood Bank, Redditch, B96 6DE**

**Applicant: Mrs Karagh Crane**  
**Expiry Date: 6th May 2015**  
**Ward: ASTWOOD BANK AND FECKENHAM**

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

The author of this report is Sarah Hazlewood, Planning Officer (DM), who can be contacted on Tel: 01527 881720 Email: sarah.hazlewood@bromsgroveandredditch.gov.uk for more information.

**Site Description**

The site comprises a detached single storey single flat roofed garage situated to the side of and slightly set back from the front of 73 Feckenham Road. The dwelling is semi-detached and located in a backland position to the rear of properties that front Feckenham Road. Access is via a private driveway which serves 73 and 75 Feckenham Road.

**Proposal Description**

The application seeks the change of use of the garage to a dog grooming salon. It is intended that the occupier of 73 Feckenham Road will operate the proposed business. In order to facilitate the conversion a series of internal works are required, such as the installation of a shower and water heater and the replacement of the existing garage door with a window and door, none of which require planning permission in their own right. The hours of operation sought for the use are 9am – 6pm, Monday – Saturday.

**Relevant Policies:**

CS07 The Sustainable Location of Development  
 BRA08 Development at Astwood Bank

**Relevant Planning History**

1988/281/FUL	First Floor Extension	Granted	08.07.1988
1981/495/FUL	Extension For Utility Room	Granted	20.01.1982

## **PLANNING COMMITTEE**

10th June 2015

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### **Consultations**

#### **Highway Network Control**

Considers that the traffic movements associated with the proposal would not cause significant harm therefore has no objection to the grant of permission.

### **Public Consultation Response**

Two objections have been received that raise the following matters:

- The access to the site is down a narrow drive with limited access and no turning
- Danger to the public from cars entering/exiting the driveway
- Increase in noise from the proposed development would ruin the calm environment of the neighbourhood
- The business is more suited to being established in a commercial area where there will be no restrictions on traffic or effects from the additional noise from the animals.
- There will be problems with drainage as this is shared with other properties.

### **Assessment of Proposal**

The application site is not allocated within the Borough of Redditch Local Plan No. 3 for any particular use, however as the site is within the urban area the proposed use is considered acceptable in principle and would accord with Policy CS.7 of the Borough of Redditch Local Plan No. 3. Furthermore, Policy B(RA).8 seeks to restrict development within Astwood Bank to that within the settlement boundary and to the conversion of existing buildings. The proposal would therefore comply with these requirements.

Having sought further clarification from the applicant relating to the intensity of the proposed use also having regard to the proposed hours of operation it has been confirmed that a maximum of 3 clients a day will visit the site. This is based on the maximum time a single dog could take to be groomed being 2-3 hours. The applicant is content to have a condition attached to any permission which would restrict the number of clients visiting the site.

Controlling the number of clients visiting the site would have the benefit of restricting the number of potential car movements to and from the application site. Whilst it is appreciated that the access to the site is via a single track this has to be weighed against the potential number of car movements that would result from the proposed business and those that could occur ordinarily with the property in use as just a dwelling. Furthermore, paragraph 32 of the NPPF states that development should only be refused on transport grounds where the cumulative impacts are severe. In this case the proposal is not considered to have a severe impact on highway safety given the proposed intensity of the use and given that the highway authority are not objecting to the proposal it is considered unreasonable to refuse planning permission on this basis.

**PLANNING  
COMMITTEE**10th June 2015

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In terms of the impact on residential amenity, a similar assessment is required, insofar as the applicant and anyone surrounding the site could own a number of dogs without needing planning permission. Again by restricting the number of clients visiting the site, this would restrict any significant noise emanating from the site to the levels that could reasonably be expected as a result of the occupiers of the dwelling owning their own pets.

It is considered reasonable and necessary to control the proposed client numbers by conditions given that the site is within a predominantly residential area in order to protect the residential amenity of occupiers of nearby dwellings. Furthermore, for similar reasons conditions are also recommended in order to restrict the hours of operation of the business and to ensure that the business is not severed from the dwelling at 73 Feckenham Road or that is it not operated by someone who does not occupy 73 Feckenham Road.

**Conclusion**

Your Officers have considered the three dimensions to achieving sustainable development and, having taken into account the consultation replies and third party representations and the active role required of planning to guide development to sustainable locations, are of the view that the proposal would represent sustainable development and be unlikely to cause significant harm to amenity and therefore should be granted.

**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 proposal shall be carried out as shown on the plans, schedules and other documents listed below:

Location Plan

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.

**PLANNING  
COMMITTEE**10th June 2015

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3. The use of the garage building as a dog grooming salon shall be used by the occupier of 73 Feckenham Road only and not severed from this dwelling and/or operated as a separate planning unit without the prior consent of the local planning authority.

Reason: To ensure that any further development on the site is brought under planning control to make sure that character and appearance of the area is protected and in the interests of highway safety in accordance with Policy B(BE).13 of the Redditch Borough Local Plan Number 3.

4. A maximum number of three clients shall be able to visit the site in any one day.

Reason: To make sure that the living conditions of existing and future neighbours are not harmed by the development and in the interests of highway safety in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan Number 3.

5. The dog grooming business shall operate between the hours of 9am and 6pm Monday to Saturday only. There shall be no working on Sundays or Bank or Public Holidays.

Reason: To make sure that the living conditions of existing and future neighbours are not harmed by the development, 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.



## **PLANNING COMMITTEE**

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**Planning Application 2015/123/FUL**

**Change of use of basement, ground floor and first floor to A3 (Restaurant ) with A5 provision and convert second and third floors to residential accommodation**

**10 Market Place, Town Centre, Redditch, Worcestershire, B98 8AD**

**Applicant: Mrs Sian Bowen**  
**Expiry Date: 17th June 2015**  
**Ward: ABBEY**

**(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**

10 Market Place has three storeys and also benefits from a basement area. Browning's Solicitors were the last occupiers of the premises, and they occupied the ground and the first floors. The second and third floor were in residential use, however, are currently unoccupied.

Bar Fever lies to the west of the application site and to the west is a building occupied by the British Heart Foundation. The building faces St Stephens Church.

### **Proposal Description**

The proposal is for the change of use from offices to A3/A5 and residential:

- the basement for a food preparation and storage area
- the ground and first floor to restaurant
- the second and third floors to residential

Alterations are proposed to the shop front, but this has been submitted under a separate application.

### **Relevant Policies :**

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

BBE09 Streetscapes in Conservation Areas  
BBE14 Alterations and Extensions  
BBE13 Qualities of Good Design  
ETCR01 Vitality and Viability of the Town Centre

REDDITCH BOROUGH COUNCIL**PLANNING  
COMMITTEE**

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

Policy 33: Use of Upper Floors

Policy 38: Conservation Areas

**Others:**

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

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

ETCR12 Class A3, A4 and A5

ETCR05 Protection of the Retail Core

**Relevant Planning History**

1986/447/FUL	Change Of Use To Solicitors Office	Refused	04.12.1986
AP0139/HIS5	Change Of Use To Solicitors Office	Allowed at Appeal	15.07.1987

**Consultations****Town Centre Co-ordinator**

No Objections

**Mr Nick Joyce Architects**

I have looked at the proposals for new restaurant and use of top floor for residential accommodation. The external changes are not significant and in my opinion would have nil impact on the conservation area so have no objection.

**Environmental Health- Food**

No Comments Received To Date

**Public Consultation Response**

No comments received to date

## PLANNING COMMITTEE

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### Assessment of Proposal

Policy E(TCR).1 seeks to maintain and enhance the vitality and viability of the Town Centre by amongst other criteria, promoting the re-use of existing floor space and promoting a vibrant and safe, high quality evening economy. The proposal lies within the town centre and would reuse existing unoccupied floor space therefore such a use is considered to be in compliance with this policy.

The property falls within an area of Primary Shopping frontage within the Retail Core of the Town Centre, therefore Policy E(TCR).5 applies. The aim of this policy is to protect the primary shopping frontage of the retail core and to prevent its unacceptable erosion by the introduction of inappropriate uses. This policy does not apply to this unit as it has been in office use for a considerable time therefore there would be no loss of retail space.

The Conservation Officer has been consulted as the property lies within the Conservation Area and is a locally listed building. He has raised no objections to the scheme.

Policy E(TCR) .12 states that this type of a use in the town centre should not have an adverse impact on the neighbouring properties by reason of noise, smell and litter and also should not be detrimental to highway safety.

Worcester regulatory Services have been consulted, but have not responded to date.

To date no comments have been received following the public consultation. It is considered that the scheme will not have a detrimental impact on the amenity of the area.

The scheme has raised no other material planning issues and has required no further negotiations or amendments. As such it is considered that the proposal complies with the provisions of the development plan and would be acceptable.

### **RECOMMENDATION:**

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

### **Conditions:**

- 1) The proposal must be started within 3 years from the date of this notice.

Reason: To comply with National Legislation

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

Drawing Numbers: 1368.2, 1368.3, 1368.4, 1368.5

## **PLANNING COMMITTEE**

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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

### **Informatives**

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

### **Procedural matters**

This application is being reported to the Planning Committee because the application is for a Change of Use to A5 as such, the application falls outside the scheme of delegation to Officers.