



Planning Committee

Wed 18 Jan
2017
7.00 pm

Council Chamber
Town Hall
Redditch

REDDITCH BOROUGH COUNCIL

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

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REDDITCH BOROUGH COUNCIL **PLANNING COMMITTEE**



GUIDANCE ON PUBLIC SPEAKING

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

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

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

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 before 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 on 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.



PLANNING

Committee

Wednesday, 18 January 2017

7.00 pm

Council Chamber Town Hall

Agenda

Membership:

Cllrs:	Andrew Fry (Chair)	Wanda King
	Nina Wood-Ford (Vice-Chair)	Gareth Prosser
	Roger Bennett	Yvonne Smith
	Michael Chalk	Jennifer Wheeler
	Matthew Dormer	

1. Apologies	To receive apologies for absence and details of any Councillor nominated to attend the meeting in place of a member of the Committee.
2. Declarations of Interest	To invite Councillors to declare any Disclosable Pecuniary Interests or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.
3. Confirmation of Minutes (Pages 1 - 8)	To confirm, as a correct record, the minutes of the meeting of the Planning Committee held on (Minutes attached)
4. Update Reports	To note Update Reports (if any) for the Planning Applications to be considered at the meeting (circulated prior to the commencement of the meeting)
5. Application 2016/290/FUL - Land at Far Moor Lane, Winyates Green, Winyates, Redditch (Pages 9 - 18) Ruth Bamford, Head of Planning and Regeneration	To consider a Planning Application for the erection of nine dwellings, associated access and landscaping. Applicant: Mr Shaun Hussey (Report attached – Site Plan under separate cover) (Winyates Ward)
6. Application 2016/332/RM - The Jolly Farmer, Woodrow Drive, Woodrow, Redditch B98 7UH (Pages 19 - 28) Ruth Bamford, Head of Planning and Regeneration	To consider a Reserved Matters Planning Application seeking consent for scale, appearance and landscaping matters, following Outline Planning Approval on Application 2014/096/OUT for the erection of 14 dwellings and formation of access road. Applicant: Seven Capital (Woodrow) Ltd (Report attached – Site Plan under separate cover) (Greenlands Ward)

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7. 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”.

8. 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

14th December 2016

MINUTES

Present:

Councillor Andrew Fry (Chair), and Councillors Tom Baker-Price, Roger Bennett, Michael Chalk, Wanda King, Gareth Prosser, Mark Shurmer, Yvonne Smith and Jennifer Wheeler

Officers:

Steve Edden, Amar Hussain, Helena Plant and Charlotte Wood

Democratic Services Officer:

Jan Smyth

46. APOLOGIES

Apologies were received on behalf of Councillors Matthew Dormer and Nina Wood-Ford. Councillor Tom Baker-Price and Councillor Mark Shurmer were confirmed as Councillor Dormer and Councillor Wood-Ford's substitutes respectively for the meeting.

47. DECLARATIONS OF INTEREST

Councillor Mark Shurmer declared an Other Disclosable Interest in Agenda Item 6 (Application 2016/238/FUL – Bus Depot, Plymouth Road, Southcrest, Redditch B97 4PA as detailed in Minute 51 below.

48. CONFIRMATION OF MINUTES

RESOLVED that

the minutes of the meeting of the Committee held on 9th November 2016 be confirmed as a correct record and signed by the Chair.

49. UPDATE REPORTS

The published update reports for the various Planning Applications were noted.

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Chair

Planning Committee

14th December 2016

**50. APPLICATION 2016/222/FUL –
FORMER HOLDEX BRAKES FACTORY CAR PARK,
MOONS MOAT DRIVE, CHURCH HILL, REDDITCH**

Erection of 1,943 sq. m. business units for flexible B1c, B2 and B8 uses, together with 242 sq. m. for use as hot and cold food takeaway outlets (within Classes A1/A5), together with associated access, drainage works and landscaping

Applicant: A & H Construction Plc

Miss Maria Sheriden, Agent for the Applicant, addressed the Committee under the Council's public speaking rules.

RESOLVED that

having regard to the Development Plan and to all other material considerations, authority be delegated to the Head of Planning and Regenerations Services to GRANT Planning Permission, subject to:

- 1) the satisfactory completion of a Planning Obligation (unilateral Undertaking) to provide a financial contribution to Worcestershire County Council for localised improvements to the cycle and walking network;**
- 2) the Conditions and Informatives set out on pages 20 to 24 of the main agenda report; and**
- 3) the following additional informative**
 - “3) The Applicant is encouraged to minimise littering through the submission of a comprehensive litter management plan involving collaborative working between the occupiers of Units K and L in the interests of the environment and the visual amenities of the area.”**

(In considering the proposals Members requested an additional Informative to ensure that occupiers had arrangements in place for potential litter.)

**51. APPLICATION 2016/238/FUL –
BUS DEPOT, PLYMOUTH ROAD, SOUTHCREST,
REDDITCH B97 4PA**

Proposed additional bay to existing workshop

Applicant: Mr Simon Dunn

Planning Committee

14th December 2016

Mr Ian Ray, the Applicant's Agent, addressed the Committee under the Council's public speaking rules.

RESOLVED that

having regard to the Development Plan and to all other material considerations, Planning Permission be GRANTED, subject to the Conditions and Informatives set out on pages 27 to 30 of the main agenda report but with Condition 9 amended to read as follows:

- 9) **The Bus Wash shall not be operational between the hours of 23.00 hrs and 07.00 hrs on any given day without the prior written consent of the Local Planning Authority.**

Reason: To ensure 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.

(Officers reported on further representations received from Regulatory Services, a nearby neighbour and the Applicant's Agent, together with Officer responses and a proposed amendment to Condition 9 in relation to the bus wash operational hours, 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.)

(Prior to consideration of this matter, Councillor Mark Shurmer had declared an Other Disclosable Interest in that his Partner's residence backed onto the proposed development. Councillor Shurmer withdrew from the meeting during consideration of the item and took no part in the discussion nor voting on the matter.)

**52. APPLICATION 2016/248/FUL –
LAND AT ENFIELD INDUSTRIAL ESTATE,
HEWELL ROAD, ENFIELD, REDDITCH**

Proposed development of twelve business units (Class Uses B1, B2 and B8)

Applicant: Mr D Ellis

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 46 to 51 of

the main agenda report, but with Condition 7 being amended to read as follows:

- 7) Prior to the commencement of development, full details shall be submitted to and be approved in writing by the Local Planning Authority of a design that utilises the 'Redditch' cast iron columns that originated from the site to be used for signage / lamppost / public art purposes. The approved details shall be implemented on site before the development is first brought into use, or a date to be agreed between the Applicant and Local Planning Authority. The resultant feature / features shall be retained on site in perpetuity.

Reason: In the interests of the visual amenity of the area and in accordance with Policy B(BE).20 of the Borough of Redditch Local Plan No. 3

(In considering the Application, the Committee welcomed the Applicant's proposals to maintain the historic link with the Enfield Manufacturing Company through retention and re-use of a number of features on the site. In order to ensure that these features of historic interest were retained in perpetuity, Members agreed that Condition 7 be amended to reflect this.)

**53. APPLICATION 2016/275/FUL –
LAND ADJACENT TO ROOKERY COTTAGE, DROITWICH
ROAD, FECKENHAM, WORCESTERSHIRE**

New agricultural vehicular access and track

Applicant: Mr and Mrs Neil Hodgkins

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 57 to 59 of the main agenda report.

**54. APPLICATION 2016/282/FUL –
LAND ADJACENT TO 84 OAKLY ROAD,
SOUTHCREST, REDDITCH B97 4EE**

Construction of 6 one bedroom apartments

Applicant: Mr Patrick Durkan

Planning Committee

14th December 2016

Mr Asim Nazir, objector, and Mr Gary Phillips, the Applicant's Agent, addressed the Committee under the Council's public speaking rules.

RESOLVED that

having regard to the Development Plan and to all other material considerations, authority be delegated to the Head of Planning and Regeneration Services to GRANT Planning Permission, subject to:

- 1) **the satisfactory completion of a Section 106 Planning Obligation ensuring that:**
 - a. **contributions are paid to the Borough Council in respect to off-site open space, and playing pitches in accordance with the Council's adopted SPD;**
 - b. **contributions are paid to the Borough Council towards the provision of wheelie bins for the new development; and**
- 2) **the Conditions and Informatives as set out on pages 63 to 65 of the main agenda report.**

**55. APPLICATION 2016/294/FUL –
1105 EVESHAM ROAD, ASTWOOD BANK,
REDDITCH B96 6EB**

Single storey rear extension, two storey side extension with attached double garage to side and front of property

Applicant: Mr and Mrs Colin Taylor

Mrs Sandra Taylor, the Applicant, 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 informatives set out on page 69 of the main agenda report.

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**56. APPLICATION 2016/317/FUL –
37 UNICORN HILL, TOWN CENTRE, REDDITCH B97 4QR**

Change of use of the first floor from a Taxi Office (Sui Generis) to a use ancillary to the ground floor hot food takeaway (Class A5, installation of extraction/ventilation equipment in association with the takeaway

Applicant: Hotcha Ltd

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 74 to 75 of the main agenda report.

**57. APPLICATION 2016/320/FUL –
VICTORIA HOUSE, 10 - 12 FECKENHAM ROAD,
ASTWOOD BANK, REDDITCH B96 6DS**

Retrospective change of use from Class A1 (Shops) and Class B1(a) Offices to Class C3 (Dwelling houses) use including a rear extension and alterations to form 4 no. self-contained flats. Minor elevational changes to approved Planning Application 2015/261/FUL.

Applicant: Mr David Broadbent

Mr Mohammed Farooqui, 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 set out on page 81 of the main agenda report but with Condition 2 amended to read as follows:

- 2) the car park layout shall be marked out in accordance with drawing no. 1363.1D by the 10th February 2017 and thereafter maintained as such.**

Reason: in the interests of highway safety and to ensure efficient parking in accordance with the National Planning Policy Framework.

(Officers provided an update in relation to a proposed amendment to Condition 2, as detailed in the published Update report, copies of

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which were provided to Members and the public gallery prior to commencement of the meeting. Members also noted an oral update on a further representation that had been received in relation to a boundary issue that Officers advised was not a planning matter.)

The Meeting commenced at 7.00 pm
and closed at 9.03 pm

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CHAIR

REDDITCH BOROUGH COUNCIL**PLANNING
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18th January 2017

Planning Application 2016/290/FUL**Erection of nine dwellings, associated access and landscaping****Land At, Far Moor Lane, Winyates Green, Winyates, Redditch, Worcestershire, ,****Applicant: Mr Shaun Hussey
Ward: WINYATES****(see additional papers for site plan)**

The author of this report is Sharron Williams, Planning Officer (DM), who can be contacted on Tel: 01527 534061 Email: sharron.williams@bromsgroveandredditch.gov.uk for more information.

Site Description

The site comprises of a paddock with a detached garage / workshop. Mature tree planting exists around the perimeter of the application site. The application site also includes an established pond that is sited between two fields. The site is adjacent to Lower House which is a grade II listed building.

Proposal Description

Nine dwellings are proposed to the south of Lower House. The house types are varied and incorporate architectural features that are evident on the listed building. An informal open space area has been provided directly to the south of Lower House in order to maintain a natural spacing between the listed building and the proposed dwellings. This open space provision would create a link to the pond that forms part of the site and is intended to be enhanced as a result of the development.

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

BRA03	Areas of Development Restraint
BBE13	Qualities of Good Design
BHSG05	Affordable Housing
BHSG06	Development within or adjacent to the curtilage of an existing dwelling
BNE01A	Trees, Woodland and Hedgerows
BNE03	Wildlife Corridors
CS06	Implementation of Development
CS07	The Sustainable Location of Development
S01	Designing Out Crime
CT02	Road Hierarchy
R03	Provision of Informal Unrestricted Open Spaces
R04	Provision and Location of Children's Play Areas
R05	Playing Pitch Provision

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Emerging Borough of Redditch Local Plan No. 4

Policy 1	Presumption in Favour of sustainable Development
Policy 2:	Settlement Hierarchy
Policy 4	Housing Provision
Policy 5	Effective and Efficient Use of Land
Policy 6:	Affordable Housing
Policy 12	Open Space Provision
Policy 16	Natural Environment
Policy 22:	Road Hierarchy
Policy 36:	Historic Environment
Policy 37:	Historic Buildings and Structures
Policy: 39	Built Environment
Policy: 40	High Quality Design and Safer Communities

Others:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
SPD	Affordable Housing Provision
SPD	Open Space Provision
SPG	Encouraging Good Design
Worcestershire Waste Core Strategy (WWCS)	

Relevant Planning History

No planning history.

Consultations**Arboricultural Officer**

I have no objections to the proposed development and recommend conditions.

Development Plans

The proposal site is located immediately north and adjacent to the Local Plan No.4 (BORLP4) housing site (No.211, former A435 ADR). The proposal site is identified as white land on the emerging BORLP4 Policies Map; therefore any development proposal needs to be assessed with regard to its compatibility with surrounding land uses. In this instance, the proposed residential development would be appropriate in this location. This application can be supported from a Planning Policy perspective.

North Worcestershire Water Management

Recommend conditions.

Highway Network Control

Additional information required in relation to car parking provision and visibility splay.

Crime Risk Manager

No objections to this application.

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Perimeter security is important. The proposed boundary treatment plan shows the use of either 1.8 metre high fencing or brick walls which is good, however on many of the plots it is not clear if this treatment applies for the whole of the perimeter of the rear gardens, or, will there be a combination of fencing and natural vegetation. If natural vegetation is to be relied on to form part of the perimeter security it is essential that there are no gaps in it.

Parks & Green Space Development Officer Martin Lewis

I have no objections to this development.

Worcester Regulatory Services- Contaminated Land

The application site is within 250m of a significant area of unknown filled ground which could potentially produce landfill gas. It is considered necessary to condition the application requiring the applicant to incorporate gas protection measures within the foundations of the proposed new structure or to undertake a gas survey to ascertain if gas protection measures are required.

Stratford On Avon District Council

No Comments Received To Date.

Nick Joyce Architects

Principal concern is the location of units closest to the listed building over which it will have views. Whilst this is a relatively low density development, the layout should be such as to maintain open views out from the listed dwelling so that at least it retains the feeling of open space.

Public Consultation Response

7 letters of objections raising the following concerns as summarised:-

Concerns about construction noise during development, over intensive development, traffic issues, impact on trees and wildlife, concerns of overlooking from existing properties.

Assessment of Proposal**Principle of development**

Under the emerging Borough of Redditch Local Plan No. 4 the site is identified as white land. Due to the advanced stage of preparation of the emerging Local Plan No. 4, greater weight can now be given to its policies, in accordance with the NPPF paragraph 216. The principle of residential development is therefore acceptable on this site.

The density of the proposal equates to 19 dwellings per hectare (dph). Whilst this figure is lower than the 30 to 50dph sought through Policy 5 of the emerging Local Plan No.4, It is considered that the density of this proposal is appropriate for its location, bearing in mind that it is located adjacent to a listed building and that the site is on the edge of the urban/ rural fringe.

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Design and layout of the proposed scheme

The design of the nine dwellings has been carefully considered incorporating distinctive architectural features that exist on the adjacent listed building (Lower House). As such the dwellings have a unique appearance that would contribute positively to the local character of the area.

Lower House remains one of the more interesting listed buildings in the area and was an important farmstead in its time. Farm buildings associated with the house remain to the north of Lower House and though now converted, they still provide some context to the house. So too and more importantly does the large stretch of open paddock and the pond to the south of Lower House.

Original plans submitted showed dwellings positioned close to the northern site boundary that abuts Lower House. Officers considered that positioning dwellings in this location would have a direct and substantial impact upon the setting of the farmhouse. Officers negotiated with the agent to amend the layout plan accordingly to ensure some provision of spacing between the listed building and the proposed dwellings. The revised plan still shows the provision of 9 dwellings; however, an informal 'green' has now been incorporated within the scheme. This provision will form part of the informal open space required for the scheme and also provide a good connection to the pond that is within the application site boundary. This revision now maintains open views out from the listed dwelling. The Conservation Advisor considers this revision to be acceptable.

As a result of the changes to the scheme, all plots have adequate garden provision except for plot 2 which has been compromised. Members will be aware that a minimum of 70 sq m of garden area or a garden length of 10 metres is required to comply with the guidance set out in the Borough of Redditch Supplementary Planning Guidance (SPG) on Encouraging Good Design. However, the garden area for plot 2 equates to 69 sq m with a 1 sq m shortfall. It is considered unlikely that the shortfall of 1 sq m is unlikely to be detrimental to the amenities of the potential occupiers and as such the proposed garden provision for all the plots are acceptable despite plot 2 not fully complying.

With respect to plots 2 - 3 and 4 – 5, the design of these units will have the front door facing the drive areas. Secondary windows for the living room and kitchen will also face onto the drive areas too. However, it is likely that these windows for plots 3 and 4 could potentially overlook each other as they are in close quarters to each other. As the windows concerned serve habitable rooms, generally a spacing of 22 metres would be required. However, these are secondary windows with the main principle windows serving these rooms being provided at the front and rear of these plots. Whilst a spacing of approximately 8.5 m would be maintained between the windows themselves, the positioning of them is at oblique angles to each other. In addition, this shortfall applies to new dwellings and not existing properties, therefore, it would be a case of 'buyer beware' when they purchase the properties. Taking into consideration that the windows concerned are secondary and would be oblique to each other, it is considered reasonable that the spacing normally applied be relaxed on this occasion.

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Comments have been made by neighbouring occupiers in relation to overlooking. However, the distance between existing properties and the proposed dwellings would be at least 27 metres and as such would comply with the 22 m minimum distance set out in the SPG on Encouraging Good Design. Concerns also relate to over intensive development, however, as stated above, the scheme would be a very low density scheme and as such would not be an over intensive development in this location.

Officers consider the revised layout is acceptable and complies with policies in Local Plan No. 3 and the emerging Local Plan No.4 and would not seriously conflict with guidance set out in the SPG on Encouraging good Design.

Means of access

The means of access would utilise the existing gated access to the site and is proposed to be off Far Moor Lane which is designated as a Local Distributor Road in Local Plan No. 3 and 4. Whilst County Highways do not object to the proposal, clarification is sought in respect to the visibility splay.

Objections have been made in relation to traffic. However, County Highways are satisfied with the number of units that would be served off this road.

Crime Risk

There is no objection from the Crime Risk Manager in respect to this proposal, however, the officer raised concerns in respect to rear boundary treatment for plots 1 – 7. A post rail fence is shown that will be 1.2 m high. This matter can be addressed as part of the landscaping scheme as indicated under condition 4.

Trees and landscaping

Although the Landscaping Officer has no objection to the scheme, slight adjustments have been made to the scheme to address encroachment of the Root Protection Areas of existing trees. It is expected that a new native tree is proposed to be planted (species to be agreed as part of the landscaping scheme) along the south eastern boundary of the site where there is currently a gap along this side of the application site.

Ecology matters

An ecological appraisal has been provided for the site and revealed very little evidence of ecological activity. A recommendation to apply care whilst digging during construction has been highlighted in the report's conclusion and recommendations. However, it is considered appropriate that an ecological enhancement scheme condition be imposed in order to apply measures to encourage ecology into this area.

Other Matters

A Section 106 Agreement is proposed for this development to cover the following matters:-

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Affordable Housing Provision – Although nine dwellings are proposed, the combined gross internal floor area of the dwellings concerned exceeds 1000 sq m therefore; a financial contribution for affordable housing is required in the form of a planning obligation. This would be in line with policy 6 of the emerging Local Plan No. 4 and para 31 of the National Planning Practice Guidance (NPPG).

Waste Core Strategy - A financial contribution to cover the cost of wheelie bins will be required for the development.

Open Space Provision - Under the Open Space Provision SPD the provision of unrestricted open spaces, provision of children's play areas, and provision of playing pitch facilities need to be provided for the scale of this housing development. Some provision of unrestricted open space provision will be provided on site, however, a financial contribution will still be required to cover the shortfall of unrestricted open space, playing pitch provision and equipped play area provision. These contributions would be used to provide a new facility or enhance existing facilities nearby.

Conclusion

Due to the advanced stage of preparation of the emerging Local Plan No. 4, greater weight can now be given to its policies, in accordance with the NPPF paragraph 216. Therefore, the principle of residential development and its means of access proposed in this sustainable location would be compliant with Policies in the emerging Local Plan No.4 and consistent with the NPPF.

The design of the dwellings are considered to be acceptable, whilst the scheme does not fully comply with guidance set out in the Council's SPG, it is considered that the shortfall on the spacing would not be detrimental to the amenities of the potential occupiers.

Whilst there are still some outstanding matters in respect to highway queries and boundary treatment, it is considered that these matters will be resolved and be provided in the Update Report.

RECOMMENDATION:

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

- a) **The satisfactory completion of a S106 planning obligation ensuring the following provision:-**
- b) **A financial contribution for the provision of affordable housing,**
- c) **A financial contribution for the provision of waste management.**
- d) **A financial contribution for open space provision.**
- e) **A financial contribution for playing pitch provision.**
- f) **A financial contribution for children's play provision.**

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g) And subject to the following conditions and infomatives 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 and boundary walls / fencing shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

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

- 3) The development hereby approved shall be implemented in accordance with plans to be defined.

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

- 4) 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.

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

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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.

- 6) 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.

- 7) No works or development shall take place until a scheme for foul and surface water drainage has been submitted to, and approved in writing by the Local Planning Authority. If infiltration techniques are used then the plan shall include the details of field percolation tests. The scheme shall provide an appropriate level of runoff treatment. The approved scheme shall be completed prior to the first use of the development hereby approved.

Reason: In order to ensure satisfactory drainage conditions that will not create or exacerbate flood risk on site or within the surrounding local area and in accordance with National Planning Policy Framework.

- 8) No works or development shall take place within at least 5 metres alongside all ordinary watercourses allow for an appropriate buffer strip.

Reason: In order to ensure satisfactory drainage conditions that will not create or exacerbate flood risk on site or within the surrounding local area and in accordance with National Planning Policy Framework.

- 9) Finished floor levels within the development shall be set no lower than 150 mm above the surrounding finished ground levels.

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Reason: In order to ensure satisfactory drainage conditions that will not create or exacerbate flood risk on site or within the surrounding local area and in accordance with National Planning Policy Framework.

- 10) Recommendations set out in the Ecological Appraisal dated 6 May 2016 shall be implemented during construction of the development.

Reason:- In the interests of ecology in the local area and in accordance with Policy B(NE).3 of the Borough of Redditch Local Plan No.3 and paras 9 and 109 of the National Planning Policy Framework.

- 11) No development shall take place until full details of an ecological enhancement scheme has been submitted to and approved in writing by the Local Planning Authority. These details shall include measures to encourage / maintain ecology in this area including the use of the site as a wildlife corridor and enhancements to the pond. The approved schemes shall be fully implemented prior to the first occupation of the development.

Reason:- In the interests of ecology in the local area and in accordance with Policy B(NE).3 of the Borough of Redditch Local Plan No.3 and paras 9 and 109 of the National Planning Policy Framework.

- 12) Any highway conditions recommended by County Highways.
- 13) Gas protection measures should be incorporated within the foundations of the proposed structure, approved in prior to commencement of the development by the Local Planning Authority, or a risk assessment should be undertaken to establish whether the proposed development is likely to be affected by gas emissions from this area, provided to and approved by the Local Planning Authority, prior to commencement of the development.

Where significant risks are identified or insufficient data hinders an appropriate risk assessment, a targeted site investigation proposal or proposed remedial measures must be provided to and approved in writing by the Local Planning Authority, prior to commencement of the development.

REASON:- To ensure that the risks to buildings and their occupants from potential landfill gas are adequately addressed.

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

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

- 15) No site clearance, demolition, excavation or development shall take place until full details of tree protection measures and a detailed working methodology of construction near the tree(s) to be retained has been submitted to and approved in writing by the Local Planning Authority. The details thus approved shall be fully implemented throughout the course of development.

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

Notes

- 1) The local planning authority has 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 negotiation and amendment.
- 2) The applicant is advised that due to the close proximity of other properties, the applicant should be directed to Worcester Regulatory Services 'Code of Best Practice for Demolition and Construction Sites' which can be found on the WRS website.
- 3) Any highway informatives recommended by County Highways.
- 4) In respect to condition 7 the applicant is advised that the peak runoff rate from the development for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event plus an appropriate allowance for climate change must never exceed the peak runoff rate for the same event. The scheme shall be designed so that flooding does not occur on any part of the site for a 1 in 30 year rainfall event and not in any part of any building for the 1 in 100 year rainfall event plus climate change. Flows resulting from rainfall in excess of a 1 in 100 year rainfall event shall be managed in exceedance routes that minimise the risk to people and property.

The runoff volume from the development in the 1 in 100 year 6 hour rainfall event shall not exceed the Greenfield runoff volume for the same event.

Procedural matters

This application is being reported to the Planning Committee because the application requires a S106 Agreement and because two (or more) objections have been received. As such the application falls outside the scheme of delegation to Officers.

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Planning Application 2016/332/RM

Reserved Matters application seeking consent for scale, appearance and landscaping following outline planning approval reference: 2014/096/OUT: Erection of 14 dwellings and formation of access road.

The Jolly Farmer , Woodrow Drive, Woodrow, Redditch, B98 7UH,

**Applicant: Seven Capital (Woodrow) Ltd
Ward: GREENLANDS**

(see additional papers for site plan)

The author of this report is Laura Russ, Planning Officer (DM), who can be contacted on Tel: 01527 534 122 Email: l.russ@bromsgroveandredditch.gov.uk for more information.

Site Description

The site consists of a two storey brick, timber and tile building which formed the, now derelict, Jolly Farmer public house with residential accommodation above and a large surfaced car park. The site lies on the junction of Woodrow South, a local distributor road, and Woodrow Drive, a district distributor road, with the car park being accessed from Woodrow South. The surrounding area is largely residential to the north, east and west, with an area of open space to the south of Woodrow Drive beyond which are further residential areas.

Relevant Policies:**Emerging Borough of Redditch Local Plan No. 4**

Policy 1: Presumption in Favour of Sustainable Development

Policy 4: Housing Provision

Policy 15: Climate Change

Policy 16: Natural Environment

Policy: 39 Built environment

Policy: 40 High Quality Design and Safer Communities

Borough of Redditch Local Plan No.3:

CS08 Landscape Character

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

BBE13 Qualities of Good Design

BNE01 Overarching Policy of Intent

BNE01A Trees, Woodland and Hedgerows

Others:

SPG Encouraging Good Design

NPPF National Planning Policy Framework

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Relevant Planning History

2014/096/OUT	Outline application with access and layout for consideration, for the demolition of a Public House and the erection of 14 dwellings	Approved subject to Section 106 Agreement	22.12.2014
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Consultations**Highway Network Control**

Verbal comments received that proposed new planting to the eastern boundary should not obstruct the visibility splay to the approved access.

The plans have been amended to ensure the proposed trees do not obstruct the visibility splay to the Highway Officers satisfaction.

Arboricultural Officer

No objection subject to conditions ensuring compliance with the protection measures set out in the submitted Arboricultural Method Statement and on the Tree Protection Plan. Any encroachment into the RPA of trees T7 & T13 should be carried out in accordance with section 7.3 of BS5837:2012. The removal of the existing hard surfacing within the RPA of T7, T8 & T13 should be undertaken in accordance with section 7.3.6 of BS5837:2012 and carried out under direct arboricultural supervision. Ground boarding to be used to alleviate any ground compaction within the RPA.

Consideration to be given to suggested alternative species in front of plots 12-14 and the car park to alleviate any future problems in regards of honeydew and also outside plots 2, 5, 9 and 11.

The changes have subsequently been made by the applicant.

Parks & Green Space Development Officer

No concerns with regard to on-site species or mitigations.

In line with the NPPF opportunities for ecological enhancement shall be required through the provision of 8 suitable Schwegler bird and bat boxes on and around the buildings/landscaping proposed to provide further roosting opportunities suitable for species likely to be using the urban environment. Exact locations and types should be determined and agreed with an ecologist for approval by the authority prior to erection.

Public Consultation Response

38 letters sent on the 25th November 2016 (expired on 16th December 2016)
3 site notices posted on the 30th November 2016 (expired 21st December 2016)

2 Neighbour responses received in support of the principle of the development but raising the following concerns:

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- Increase in parking along Woodrow South – double yellow lines and 20mph speed limit suggested
- Highway safety concerns if direct access from terraced housing onto Woodrow South
- Increased traffic flow.
- The Access Road is too close to the corner of Woodrow Drive

Background

It is important to note that the principle of the erection of 14 dwellings including the details of the layout and access from Woodrow South has already been approved under an outline planning application in December 2014 (reference 2014/096/OUT). The approved access would utilise the existing former access to the Jolly Farmer onto Woodrow South. There will be no individual direct access onto either Woodrow Drive or Woodrow South. This is a reserved matters application the purpose of which is to solely determine the more specific matters of scale, appearance (materials and design) and landscaping.

Assessment of Proposal

The remaining matters for consideration at this stage are scale, appearance and landscaping:

Scale and Appearance

The number, layout and house type in respect of detached, semi-detached and terraced, have all been approved under the outline application. All that remains to be considered is the design of the house types in respect of materials and fenestration and the scale of the houses.

In respect of context, the surrounding area comprises established residential developments of distinctive character to one another. To the east of the application site is Grafton Close which comprises steeply pitched detached, gable-fronted, dwellings which consist of brick, timber and vertical hanging tiles. To the adjoining North are plain red brick, shallow pitched terraced housing with the roof slopes facing towards the highway. The development to the west comprises terraced housing and bungalows also consisting of red brick.

The external materials to be used in the dwellings would consist of facing brickwork with stonework cills to the primary elevations with a brindle red tile to the roof. The projecting minor roofs, the detailed window panes and the variety of materials with different textures and colours would all add interest to the elevations and consequently the streetscene, enhancing the character and appearance of the area. All windows would be white UPVC. The road and footpath finish would be black tarmac with the private driveways comprising concrete block paving. The use of slate grey coloured vertical hanging tiles on the front elevations of the detached dwellings would reflect the materials and design used in the steeply pitched detached dwellings in Grafton Close. This would also contrast effectively with the plain brick to be used in the terraced housing. Whilst incorporating some nearby design features, the overall architectural design of the development would be distinct from other developments in the surrounding area, contributing positively to its

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established diverse character. The development would therefore accord with policies B(BE)13 of the adopted Local Plan no.3, adopted SPG and Policies 39 and 40 of the emerging Local Plan no.4.

Plots 12 – 14 would front onto Woodrow South and plots 1 and 11 would be dual frontage resulting in a strong frontage onto Woodrow South. The wide eastern elevation of plots 1 and 11 would each contain a bay window and a number of other flush windows at ground and first floor to break up what could otherwise be dominant blank elevations. There would be some attractive soft landscaping forming an open side garden between the eastern elevation of plot 1 and Woodrow South and there would also be two attractive trees to mark either side of the entrance to the access road along with a line of trees to screen the parking area.

The windows at ground floor and first floor in the side elevation of plot 12 would also break up what would otherwise be a blank elevation and would provide some natural surveillance to the adjacent car park.

The topography of the area is such that the application site is set at a lower ground level to the raised Woodrow Drive to the south. There is a public footpath and an established tree lined bank between Woodrow Drive and the southern boundary of the site. The established tree line along Woodrow Drive along with the retained and additional tree planting to the southern boundary of the application site would largely screen the new housing from views from Woodrow Drive.

Amenity space, separation distances between dwellings and daylight have all been determined under the layout approved at the outline application stage. However, the siting and glazing type of proposed windows can be considered under the design of the house types to ensure there is no loss of privacy to existing or proposed residents. In this respect, it would be necessary to condition that the upper floor side windows on plots 8 and 14 are obscure-glazed and non-opening unless the parts of the windows which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

As explained above there are a variety of existing house types in the area, with steeply pitched detached dwellings to two storey terraced housing. Therefore there is a clear variation in scale in the surrounding area with no distinct pattern to follow.

The scheme would not only positively contribute to the existing diverse character of the area but would enable the redevelopment of a derelict and vulnerable site to come forward.

Landscaping

An Arboricultural Method Statement (AMS) with a Tree Protection Plan and Planting plan have been submitted with the application, detailing which trees are to be retained and

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how they are to be protected along with specific details on the species and sizes of new trees to be planted.

There are five highly prominent English Oak trees to the North-West of the application site which provide a high level of visual amenity and ecological value. These are protected under the Borough of Redditch TPO No.112 (1997) and are to be retained. There would be minor level encroachment into the root protection area of two of the trees, however, the Tree Officer has raised no objection subject to the protection measures outlined on the Tree Protection Plan and in the AMS.

The remainder of the trees running along the western boundary are to be removed due to their poor form and quality and are to be replaced with an appropriate species of trees to the turning head of the access road. These would provide an instant visual and amenity value to the landscape as well as vibrant autumn foliage, making a pleasant focal point when entering the development and also when viewed from the footpath to the west.

All of the trees comprising the northern boundary are to be removed due to their poor form and quality and replaced with an appropriate species which would provide instant visual amenity value and screening.

The three existing trees to the southern boundary are to be retained and the tree line enhanced with the planting of 10 additional trees.

There are a number of trees on a raised planting bed in the centre of the application site. The Tree Officer has no objection to their removal as they are considered to be poor specimens which would be replaced with appropriate and attractive landscaping to the eastern boundary and to the front gardens of some of the plots.

The eastern boundary of the site fronting onto Woodrow South would remain open with soft landscaping. Proposed trees to the front of the terraced housing plots 12-14 would provide instant visual amenity value to the streetscene and would screen the parking area. The proposed trees outside plots 2, 5, 9 and 11 would have a wonderful spring and autumn colouration.

Finally, the incorporation of an ornamental mix of plants, shrubs and hedges soften the driveways providing natural boundaries.

The proposal is clearly informed by, and sympathetic to, the surrounding landscape character in accordance with policy 16 of the emerging Local Plan no.4.

The retention and addition of new trees will also provide an opportunity for ecological enhancement opportunities in line with the NPPF, policies B(BE)13 and B(NE)1 of the adopted Local Plan no.3 and Policy 16 of the emerging Local Plan no.4. A condition requiring the installation of eight appropriately designed and sited bird and bat boxes on the dwelling and or trees within the site can be attached to any permission granted.

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In respect of hard landscaping, the north, south and western boundaries of the site would form the rear boundaries of the proposed dwellings. As such 1.8metre close boarded fencing would be used to provide a clear distinction between the public footpaths and the private amenity space and to define the rear garden boundaries from one another. However, this would be softened by the existing and proposed soft landscaping.

It is noted that two comments have been received from neighbours concerning highway safety. Members will be aware that there will be no direct access from dwellings onto Woodrow South with the only access being the road itself which utilises the existing access to the public house car park. In any instance, highway matters have already been determined under the outline application and are not part of the consideration of this application.

Planning obligation

Due to the size of the proposed development a planning obligation was agreed and signed under the outline planning application. This included a contribution towards playing pitches, play areas and open space in the area, a contribution to provide refuse and re-cycling bins and a contribution towards County education facilities. These contributions will be triggered upon occupation of the dwellings.

Conclusion

Officers consider that this reserved matters submission is wholly acceptable having regards to the matters of scale, appearance and landscaping. The proposal is considered to comply with the development plan and the National Planning Policy Framework and is therefore recommended for approval.

RECOMMENDATION:

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

Conditions:

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

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

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

Site Location Plan drawing no. 16-132-PL-05A

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Planning Layout drawing no. 16-132-PL-01 Revision A

Type A 4 Bed Detached House Type Plans and Elevations, drawing no. 16-132-PL-03

Type B 3 Bed Semi/Terraced House Type Plans and Elevations, drawing no. 16-132-PL-02

Type Ad 4 Bed Detached House Type Plans and Elevations, drawing no. 16-132-PL-04

Arboricultural Method Statement dated November 2016 and Planting Plan drawing no. 6054/ASP1 Revision D received 05.01.2017

Tree Protection Plan drawing no. 9376 TPP 01

Updated Ecological Appraisal & Bat Survey Report dated 11th April 2014 and 13th October 2016

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

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

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

- 4) Prior to the commencement of any site preparation works or development on site the trees which are shown to be retained on the approved plans shall be protected in accordance with the methods detailed in the Arboricultural Method Statement dated November 2016 and the Tree Protection Plan drawing 9376. In particular:
- o Any encroachment into the RPA of trees T7 & T13 should be carried out in accordance with section 7.3 of BS5837:2012. And ground boarding used to alleviate any ground compaction within the RPA.
 - o The removal of the existing hard surfacing within the RPA of T7, T8 & T13 should be undertaken in accordance with section 7.3.6 of BS5837:2012 and carried out under direct arboricultural supervision.

These measures shall be maintained as detailed until all development has been completed.

Reason:-To ensure the protection of trees in the interests of visual amenity and in accordance with Policy B(NE)1a of the Borough of Redditch Local Plan No.3.

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- 5) The planting as shown on the Planting Plan drawing 6054/ASP1 Revision D must be carried out within the first planting season or prior to the first occupation of the dwellings whichever is the earlier of the two.

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

Reason: In the interests of protecting the trees in accordance with Policies B(NE)1a and CS8 of the Borough of Redditch Local Plan No.3.

- 6) Drawings showing the specific design, height and siting of 8 Schwegler bird and bat boxes shall be agreed with an Ecologist and submitted to the Local Planning Authority for approval in writing. The 8 approved bird and bat boxes shall be installed in accordance with the drawings prior to first occupation of the dwellings and remain for the lifetime of the development.

Reason: To enhance the habitat of bats and birds which are protected species under the Wildlife and Countryside Act 1981 and in accordance with paragraph 118 of the NPPF.

- 7) Any external lighting to be incorporated into the application site shall be low-powered (i.e. lux level of 3 or less), illuminating below the horizontal plane to avoid light trespass into the environment and/or mounted at a low level to minimise the level of impact from lighting on bats.

Reason: To safeguard residential amenity and avoid disturbance to protected species in accordance with paragraph 125 of the NPPF.

- 8) The windows to be installed on the upper floors of the side elevations of the dwellings forming plots 8 and 14 shall be fitted with obscure glazing and any opening lights shall be at high level and top hinged only. The obscure glass shall be maintained in the said windows in perpetuity.

Reason: To protect the amenities of neighbouring residents in accordance with policy B(BE)13 of the Borough of Redditch Local Plan No.3

Informatives:

- 1) The applicant's attention is also drawn to the 2014/096/OUT outline planning permission and the restrictive conditions contained within it, along with the agreed planning obligation

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- 2) 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 negotiation and amendment.
- 3) The applicant is advised to be aware of their obligations under the Wildlife & Countryside Act 1981 (as amended by the Countryside & Rights of Way Act 2000) to avoid disturbance of nesting wild birds and protected species such as bats when carrying out these works. All in-use bird's nests and their contents are protected from damage or destruction. Any tree removal should be undertaken outside the period 1st March to 31st August inclusive. If this time frame cannot be avoided, a close inspection of the trees to be removed should be undertaken prior to clearance. Work should not be carried out within a minimum of 5.0 metres of any in-use nest, although this distance could be more depending on the sensitivity of the species.

Procedural matters

This application is reported to Planning Committee for determination because the application is for major development and as such the application falls outside the scheme of delegation to Officers.

