



Planning Committee

Wed 12 Apr
2017
7.00 pm

Council Chamber
Town Hall
Redditch

REDDITCH BOROUGH COUNCIL

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difference*

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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, 12 April 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 - 14)	To confirm, as a correct record, the minutes of the meeting of the Planning Committee held on 15 th March 2017. (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 2017/033/FUL - 120 Feckenham Road, Headless Cross, Redditch, Redditch B97 5AG (Pages 15 - 18) Ruth Bamford, Head of Planning and Regeneration	To consider a Planning Application for side and rear two storey extensions. Applicant: Mr Mohinder Lalli (Report attached – Site Plan under separate cover) (Headless Cross & Oakenshaw Ward)

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<p>6. Application 2017/041/FUL - 17 Atcham Close, Winyates East, Redditch, B98 ONY</p> <p>(Pages 19 - 22)</p> <p>Ruth Bamford, Head of Planning and Regeneration</p>	<p>To consider a Planning Application for a first floor side extension over existing garage / store and rear single storey extension.</p> <p>Applicant: Mrs Michelle Compton-Wiley</p> <p>(Report attached – Site Plan under separate cover)</p> <p>(Winyates Ward)</p>
<p>7. Application 2017/074/FUL - 163 Hither Green Lane, Bordesley, Redditch</p> <p>(Pages 23 - 28)</p> <p>Ruth Bamford, Head of Planning and Regeneration</p>	<p>To consider a Planning Application for a single storey extension, front porch, detached garage and widening of driveway, alterations to the fenestration.</p> <p>Applicant: Mr Nitin Sodha</p> <p>(Report attached – Site Plan under separate cover)</p> <p>(Abbey Ward)</p>
<p>8. Borough of Redditch Tree Preservation Order No. 164 - Hewell Road, Batchley, Redditch</p>	<p>To consider a report which proposes confirmation of Tree Preservation Order No. 164, following receipt of one objection.</p> <p>(Report to follow)</p> <p>(Batchley & Brockhill Ward)</p>
<p>9. Planning Appeal Outcomes -Information Report</p> <p>(Pages 29 - 32)</p> <p>Ruth Bamford, Head of Planning and Regeneration</p>	<p>To receive an item of information in relation to the outcomes of recent planning appeal decisions.</p> <p>(Report and Appendix attached)</p> <p>(Various Wards)</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.)



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MINUTES

Present:

Councillor Andrew Fry (Chair), Councillor Nina Wood-Ford (Vice-Chair) and Councillors Tom Baker-Price, David Bush, Michael Chalk, Brandon Clayton, Wanda King, Yvonne Smith and Jennifer Wheeler

Officers:

Steve Edden, Amar Hussain, Simon Jones, Helena Plant and Sharron Williams

Democratic Services Officer:

Jan Smyth

69. APOLOGIES

Apologies for absence were received on behalf of Councillors Roger Bennett, Matthew Dormer and Gareth Prosser. Councillors Brandon Clayton, David Bush and Tom Baker-Price were confirmed as substitutes for Councillors Bennett, Dormer and Prosser respectively.

70. DECLARATIONS OF INTEREST

Councillor Jenny Wheeler declared an Other Disclosable Interest in Agenda Item 5 (Planning Application 2016/254/FUL – Woodfield Academy, Studley Road, Lodge Park, Redditch) as detailed in Minute 73 below.

Councillor David Bush declared an Other Disclosable Interest in Agenda Item 6 (Application 2016/290/FUL – Land at Far Moor Lane, Winyates Green, Redditch) as detailed in Minute 74 below.

Councillor Brandon Clayton declared an Other Disclosable Interest in Agenda Item 7 (Planning Application 2016/347/FUL – The Paddocks, Astwood Lane, Feckenham, Redditch) as detailed in Minute 75 below.

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Chair

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71. CONFIRMATION OF MINUTES**RESOLVED that****the minutes of the meeting of the Planning Committee held on 15th February 2017 be confirmed as a correct record and signed by the Chair.****72. UPDATE REPORTS**

The published Update Reports for the various Applications were noted.

73. APPLICATION 2016/254/FUL - WOODFIELD ACADEMY, STUDLEY ROAD, LODGE PARK, REDDITCH B98 7HHAll weather pitch, including floodlights and emergency vehicle access road / DDA access.Applicant: Mr Steve Bond, Woodfield Academy

Mr John Thornwell, on behalf of 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 pages 13 to 18 of the main agenda report.**

(Prior to consideration of this matter, Councillor Jenny Wheeler declared an Other Disclosable Interest in that she was personally acquainted with the registered speaker addressing the Committee on behalf of the Applicant. In view of this, Councillor Wheeler withdrew from the meeting for the duration of the Committee's consideration of the application and did not participate or vote on the matter.)

74. APPLICATION 2016/290/FUL - LAND AT FAR MOOR LANE, WINYATES GREEN, REDDITCHErection of nine dwellings, associated access and landscaping.Applicant: Mr Shaun Hussey**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 the following provision:
 - a) a financial contribution for the provision of affordable housing;
 - b) a financial contribution for the provision of waste management;
 - c) a financial contribution for open space provision;
 - d) a financial contribution for playing pitch provision;
 - e) a financial contribution for children's play provision;
 - f) a management plan for the long term management of the open space and pond within the site; and

- 2) the following Conditions and Informatives:

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, roofs, 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 Policies 39 and 40 of the Borough of Redditch Local Plan No.4.

- 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

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visual amenities of the area in accordance with Policies 39 and 40 of the Borough of Redditch Local Plan No.4.

- 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 39 of the Borough of Redditch Local Plan No.4.

- 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 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 39 of the Borough of Redditch Local Plan No.4.

- 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.

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 16 of the Borough of Redditch

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Local Plan No.4 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 16 of the Borough of Redditch Local Plan No.3 and paras 9 and 109 of the National Planning Policy Framework.

- 12) **Before any other works hereby approved are commenced, visibility splays shall be provided from a point 0.6m above ground level at the centre of the access to the application site and 2.4 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 90 metres in each direction along the nearside edge of the adjoining carriageway as shown on drawing 150 revision L - Proposed Site Plan. Nothing shall be planted, erected and/or allowed to grow on the triangular area of land so formed which would obstruct the visibility described above.**

Reason: In the interests of highway safety.

- 13) **The development hereby permitted shall not be first occupied until the access, turning area and parking facilities shown on the approved plan have been properly consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted to and approved in writing to the Local Planning Authority and these areas shall thereafter be retained and kept available for those users at all times.**

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

- 14) **No part of the development hereby approved shall be first occupied until the proposed footway on the east side of Far Moor lane running north from the site access to the bus stop north of Longhope Close as generally**

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shown on the approved plans, to include a drop kerb pedestrian crossing on Far Moor lane, has been provided and retained as such.

Reason: To provide a safe pedestrian route to local facilities.

- 15) The garages to Plots 1, 6, 7, 8 and 9 shall be fitted with an electric vehicle fast charging point and the remaining plots shall be fitted with an electric vehicle fast charging point either adjacent to their parking spaces or within their garages prior to the first occupation of the respective dwelling and shall be retained in perpetuity.

Reason: To promote sustainable transport and to comply with the County Council's Parking Policy.

- 16) 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.

- 17) 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.

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

accordance with Policy 16 of the Borough of Redditch Local Plan No.4.

Informatives

- 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) The attention of the Applicant is drawn to the need to keep the Highway free from any mud or other material emanating from the Application site of any works pertaining thereto.
- 4) 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.

- 5) No work on the site should be commenced until engineering details of the improvements to the Public Highway have been submitted to and approved by the Highway Authority and an agreement under Section 278 of the Highways Act 1980 entered into.
- 6) 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

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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.

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

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.

- 8) Drainage arrangements shall be provided to ensure that surface water from the driveway and/or Vehicular turning area does not discharge onto the Public Highway. No drainage or effluent from the proposed development shall be allowed to discharge into any Highway drain or over any part of the Public Highway.
- 9) 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.

- 10) 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.

(Officers highlighted a number of proposed additional highway Conditions and informatives received from the Highways Authority together with the deletion of Condition 15 (as detailed on page 28 of the main agenda report) and the consequent need to renumber the list of Conditions and Informatives as a result of the additions and deletion, as set out in the resolution above and as outlined in the published Update Report, copies of which were provided to Members and the public gallery prior to commencement of the meeting.)

(Prior to consideration of this matter, Councillor David Bush declared an Other Disclosable Interest in that his brother-in-law's property backed onto the development site. In view of this, Councillor Bush withdrew from the meeting for the duration of the Committee's consideration of the application and did not participate or vote on the matter.)

75. APPLICATION 2016/347/FUL - THE PADDOCKS, ASTWOOD LANE, FECKENHAM, REDDITCH B96 6HG

Erection of 5 no. dwellings comprising 2 x 3 bedroom bungalows and 3 x 3 bedroom houses on the site of approved Outline Application for 6 no. dwellings (2014/105/OUT).

Applicant: Mr M Fitzpatrick: Sandpiper TKL

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 Planning Obligation ensuring that:**
 - a) **Contributions are paid to the Borough Council in respect of off-site open space, pitches and equipped play, in accordance with the Council's adopted SPD;**
 - b) **A financial contribution is paid to the Borough Council towards the provision of wheelie bins for the new development; and**
- 2) **the Conditions and Informatives as set out on pages 37 to 41 of the main agenda report.**

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(Prior to consideration of this matter, Councillor Brandon Clayton declared an Other Disclosable Interest in that he had expressed views on the proposed development at a Parish Council meeting, at which the Developers had been present. In view of this Councillor Clayton withdrew from the meeting for the duration of the Committee's consideration of the application and did not participate or vote on the matter.)

76. APPLICATION 2016/350/HYB - LAND NORTH OF NASH ROAD, OLD FORGE DRIVE, PARK FARM, REDDITCH

Hybrid application for the construction of up to 30,745m of B1, Light Industry, B2 General Industry and B8 Storage and Distribution with ancillary offices, including parking and servicing areas in outline with matters of layout, scale, appearance and landscaping reserved for future consideration; full application for the means of access from Old Forge Drive and Nash Road and internal service roads, including details of foul and surface water drainage.

Applicant: Mr A Plant

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 54 to 61 of the main agenda report, but with Conditions 1, 3, 6, 10 and 19 amended to read as follows:

Time Limit

- 1) The access roads, associated engineering and drainage works shall be commenced within 3 years of the date of this permission. Application for the approval of the matters reserved by Conditions of this permission shall be made to the Local Planning Authority before the expiration of 5 years from the date of this permission. With the exception of the access roads, the development hereby permitted shall be begun not later than whichever is the latest of the following dates:
 - i) The expiration of five years from the date of this permission;

or

 - ii) The expiration of one year from the final approval of the reserved matters; or

- iii) In the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

RESERVE MATTERS

- 3) With the exception of the access road and associated engineering works, approval of the details of the appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced on a parcel by parcel basis.

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 (as amended) and to enable to the Local Planning Authority to exercise proper control over these aspects of the development.

NEW ACCESS

- 6) Before any part of any unit is first brought into use, the new access off Old Forge Drive and associated highway works shall be laid out, constructed and completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety in accordance with Policy 20 of the Borough of Redditch Local Plan No.4 and to ensure the new access is designed to limit the influence into the remainder of the BS5837:2012 RPA of the Ash trees to be retained within G1.

DRAINAGE SCHEME

- 10) The proposed drainage scheme shall be constructed in accordance with the details provided within the FRA and drainage plan, and the proposed scheme does not exceed the specified discharge rate of 230 l/s at the 1 in 100 year return period. The approved drainage scheme associated with each parcel shall be completed prior to the first use of the development constructed upon it.

All proposed subsurface tanks must be lined with an impermeable liner to ensure that there is no leaching of

existing Trichloroethylene contamination from the site into the adjacent watercourse.

Reason: In order to ensure drainage conditions that will not create or exacerbate flood risk on site or within the surrounding local area in accordance with Policy 18 of the Borough of Redditch Local Plan No.4.

ELECTRIC VEHICLE CHARGING POINTS

- 19) Electric Vehicle Charging points shall be installed for a minimum of 10% of the parking spaces serving each unit constructed, in accordance with details to be submitted and approved in writing by the Local Planning Authority as part of the reserved matters submissions. This may be phased with 5% of spaces operational prior to the occupation of each unit and a further 5% of spaces made ready for electric vehicle charging by incorporating appropriate cabling to allow additional provision to meet future demand. The electric charging points shall comply with BS7671 and the socket with BS1363 which must be provided with a locking weatherproof cover if located externally. The approved Electric vehicle charging scheme for each unit shall be installed before each unit is first occupied and shall thereafter be retained for the lifetime of the development.

Reason: To reduce carbon emissions and encourage sustainable modes of transport for the movement of goods and people in accordance with Policy 15 of the Borough of Redditch Local Plan No.4 and Paragraph 35 of the NPPF.

(Officers highlighted and provided explanations on a number of matters raised by the Applicant, in relation to Officers proposed Conditions and a request that the Planning Committee be asked to give consideration to amendments to recommended Conditions 1, 3, 6, 10 and 19, 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, which Members agreed to support.)

**77. APPLICATION 2017/005/FUL - 1 - 16 HOLLOWAY PARK,
HOLLOWAY LANE, LAKESIDE, REDDITCH**

Construction of pitched roof over existing flat roof on 16 bungalows

Applicant: Mr Adrian Guida-Jones, for Housing Capital,
Redditch Borough Council

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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 Informative as set out on pages 64 to 65 of the main agenda report.

78. **APPLICATION 2017/027/FUL - UNIT 21 KINGFISHER WALK, KINGFISHER SHOPPING CENTRE, TOWN CENTRE, REDDITCH B97 4EY**

Change of Use from Sui Generis Use to Class A3 Use

Applicant: Ken Williams, Kingfisher Shopping Centre

Mr Amar Hussain, the Committee's Legal Officer read out a representation on behalf of the Applicant, Mr Ken Williams, in his absence, under the Council's public speaking rules.

RESOLVED that

having regard to the Development Plan and to all other material considerations, retrospective Planning Permission be **GRANTED**, subject to Condition 2 as set out on page 69 of the main agenda report with Condition 1 being deleted.

(Officers highlighted an error in the main agenda report in that Condition 1 (Time limits) would not be required if Members were minded to approve, in view of the fact that Planning Permission would be retrospective.)

The Meeting commenced at 7.00 pm
and closed at 8.30 pm

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CHAIR

**PLANNING
COMMITTEE**12th April 2017

Planning Application 2017/033/FUL**Side and rear two storey extensions****120 Feckenham Road, Headless Cross, Redditch, B97 5AG,****Applicant: Mr Mohinder Lalli**
Ward: Headless Cross And Oakenshaw Ward**(see additional papers for site plan)**

The author of this report is Sue Lattimer, Case Officer (DM), who can be contacted on Tel: 01527 881336 Email: s.lattimer@bromsgroveandredditch.gov.uk for more information.

Site Description

The application relates to a detached dwelling situated in Feckenham Road, Headless Cross which is within a residential area of Redditch. The property has a 1970's individual style built with buff brick and brown concrete tiles and is set well back from the road. The roof form is of a 'cat-slide' design with two dormers to the front elevation. There is a group of trees to the rear of the site which are subject to a blanket Tree Preservation Order (Redditch New Town TPO No. 34).

The history of the property indicates that a Certificate of Existing Lawfulness (application no. 2000/041/CPE) was approved as confirmation that the property is used as a single dwelling house

Proposal Description

Planning permission is sought for a two storey side, rear and front extension.

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

Policy: 39 Built environment

Policy: 40 High Quality Design and Safer Communities

Others

SPG Encouraging Good Design

National Planning Policy Framework

PLANNING COMMITTEE

12th April 2017

Consultations

Arboricultural Officer

In relation to your enquiry regarding the A1 group this refers to Redditch New Town TPO No.34 which is a blanket area TPO order. This area order would protect trees of any type of species of 50 years and over in age class.

To my knowledge there is a mature Oak tree situated on the rear boundary line of the property and would be protected under this order. In relation to this proposed extension to the property this may influence the rooting area of this protected Oak tree however this needs to be clarified by the applicant in the form of a BS5837:2012 Tree Report.

Public Consultation Response

Two representations have been received raising concerns which are summarised as follows:

- The close proximity of the dwelling (as extended) to no.118 would affect the light into 3rd and 4th bedroom to the side of the property
- The lounge window to the side of my property would also be affected by overshadowing.
- The double extension to the rear of the property will also be very visible from the back of the property overshadowing patio areas at the rear.

Assessment of Proposal

The application site is situated within a residential area of Redditch where there is a general presumption in favour of domestic extensions where the proposals contribute positively to the local character of the area and where the development proposed does not impinge upon the amenities enjoyed by the occupiers of nearby residents.

While all development proposals still have to be assessed on their own merits, the 45 degree rule (for two or more storeys) complements the guidance on the scale of extensions and aims to avoid the problem of overshadowing and loss of outlook. I am satisfied that the proposed extension would comply with the 45 degree rule having regard to the rear windows at no. 118 and would not cause an unacceptable loss of light to the neighbouring occupiers.

Concerns were received relating to the impact of the proposal on 118 Feckenham Road regarding possible loss of light into the property due the side/rear aspect of the proposal. I consider a degree of loss of light may result from the proposal, however, I am satisfied that the impact is not so detrimental as the windows to the side of this property are secondary windows serving the bedrooms. There are no windows proposed on the side elevation of the development which would result in direct overlooking. I am therefore

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satisfied that the resulting development would not cause any adverse harm to residential amenity.

The proposed extensions are considered to be proportionate additions and would be constructed of matching materials (brick walls under a tiled roof) which would complement the original house.

The extension would be visible in the street-scene, however, the property has a relatively large front garden and is set back from the road frontage, reducing its prominence.

To the knowledge of the Arboricultural Officer there is a mature Oak tree situated on the rear boundary line of the property and would be protected within the Redditch New Town TPO No.34 which is a blanket Tree Preservation Order. This area order would protect trees of any type of species of 50 years and over in age class. In relation to this proposed extension to the property this may influence the rooting area of this protected Oak tree however this needs to be clarified by the applicant in the form of a BS5837:2012 Tree Report. A request was made to the applicant's agent for a Tree Report as per the Arboricultural Officer's request. However, at the time of writing the LPA are still awaiting this report. A further update regarding this matter will be provided to members at the Committee meeting

RECOMMENDATION:

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

Conditions

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

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

- 2) The development hereby permitted shall be carried out in accordance with the Materials specified in Question 11 of the Application Form and the Approved Plans/ Drawings listed in this notice:

MJC/16/12/1/2 Rev F - Existing and Proposed Elevations and Site Plan
MJC/16/12/1/1 Rev A - Existing and Proposed Floor Plans
Location Plan

Reason: For the avoidance of doubt and in the interests of proper planning.

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Informatives

- 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.

Procedural matters

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

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Planning Application 2017/041/FUL**First floor side extension over existing garage/store and rear single storey extension.****17 Atcham Close, Winyates East, Redditch, Worcestershire, B98 0NY.****Applicant: Mrs Michelle Compton-Wiley
Ward: Winyates Ward****(see additional papers for site plan)**

The author of this report is Julie Male, Planning Officer (DM), who can be contacted on Tel: 01527 881338 Email: j.male@bromsgroveandredditch.gov.uk for more information.

Site Description

This site relates to a modern semi-detached property located on the North-Eastern side of Atcham Close Redditch and within a well-established residential area.

This house stands within a distinct group of 5 blocks of similar style semi-detached properties. The road here curves to the south and the houses reflect this by adopting a staggered arrangement in relation to each other. This exacerbates their prominence in the street scene.

This proposal is for a first floor side extension over the garage and a single storey rear extension.

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

Policy 1: Presumption in Favour of Sustainable Development

Policy: 39 Built environment

Policy: 40 High Quality Design and Safer Communities

Others

National Planning Policy Framework

National Planning Practice Guidance

SPG Encouraging Good Design

Relevant Planning History

None

Consultations

No consultations required

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Public Consultation Response

3 neighbours notified – no responses received

Assessment of Proposal

The property is within a well-established residential area and the principal of improvement work would be considered acceptable.

Policies P39 and P40 of the Adopted Redditch Local Plan 4 and the guidance contained in the Encouraging Good Design SPG require that all new development should respect and complement the local area and provide high quality design that positively contributes to the surroundings.

However it is considered that in this instance the works do not positively demonstrate this and consequently do not comply with the policy provisions. The property stands within a group of 5 blocks of similar style semi-detached properties. Here the road curves to the south and the houses reflect this by adopting a staggered arrangement in relation to each other. The overriding character of the street is a consistent rhythm and pattern of blocks of house types. Each property has a consistent open frontage and follows a similar/distinct design with a distinctive link (fascia panel) running across the front of the houses and garages to each of the neighbouring set of semis with distinctive and generous spaces above.

In this instance, the first floor extension proposed is only marginally set down and marginally set back from the front wall of the dwelling and it is proposed to be constructed right up to the common boundary. Even with the staggered arrangement in the street scene, this fills the space at first floor and will create a visual imbalance effectively breaking the strong design consistency in the current street scene in this location to the detriment of the character of the area. This is considered contrary to policies 39 and 40 of the Redditch Local Plan 4 and the guidance contained in the saved Encouraging Good Design Supplementary Planning Guidance.

The single storey lean too style extension remains fully subordinate to the main house and has no adverse impact on the character of the location as it would be constructed to the rear of the exiting garage area and not visible for the wider street scene.

There are no adverse light or in fact overlooking issues to either of the neighbouring properties (15 or 18 Atcham Close) in terms of either element of the scheme.

Other Issues

The applicant has identified other extensions that have previously been approved

96 Atcham Close 1994

81 Atcham Close 1995

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11 Atcham Close 1989

Members will appreciate that every application is dealt with on its own merits and these would not override the concerns as outlined. These extensions were some time ago with number 96 being another house type and number 81 and 11 being located on the end of a run of similar style properties and all prior to the adoption of your Local Plan 4.

Conclusion

Notwithstanding the views above with respect to residential amenity and the single storey element, the proposed two storey extension fails to positively enhance the local characteristics of the area by breaking a characteristically strong design feature in the street scene.

RECOMMENDATION:

That having regard to the development plan and to all other material considerations, planning permission be REFUSED for the following reason;

Reasons for Refusal

- 1) Number 17 is part of a group of dwellings which share a number of common design features, including an undeveloped space above the garage. The proposal, by virtue of filling in this space, would appear at odds with the otherwise cohesive character of dwellings in this part of Atcham Close. The proposed two storey extension therefore fails to contribute positively to the character of the area and is therefore contrary to Policy 39 and 40 of the Borough of Redditch Local Plan No.4, together with the guidance contained within the Council's Encouraging Good Design SPG .

Procedural matters

This application is being reported to the Planning Committee because the applicant is employed by Redditch Borough Council. As such, the application falls outside the scheme of delegation to Officers.

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Planning Application 2017/074/FUL

Single storey extension, front porch, detached garage and widening of driveway, alterations to the fenestration.

163 Hither Green Lane, Bordesley, Redditch, Worcestershire, B98 9AZ, ,

Applicant: Mr Nitin Sodha
Ward: Abbey Ward

(see additional papers for site plan)

The author of this report is Charlotte Wood, Planning Officer (DM), who can be contacted on Tel: 01527 64252 Ext 3412 Email: Charlotte.Wood@bromsgroveandredditch.gov.uk for more information.

Site Description

The site is situated within the Hither Green Lane estate on a branch of the main cul-de-sac in the residential area. The site is on the edge of the estate sharing its northern boundary with the golf course. The site is comprised of a single detached dwelling.

Proposal Description

The application seeks full planning permission for a single storey rear extension, front porch and detached garage. The plans also show the conversion of the integral garage and alterations to the fenestration; however these aspects do not require planning permission.

The proposed extension is a single storey flat roof addition with roof lanterns. It extends beyond the rear elevation 5.3 metres, has a width of 12.2 metres and a height of 3.6 metres.

The proposed porch is flat roofed, with a circular shape within the existing L shape of the dwelling. The porch is 4 metres in width at its widest point and is 3 metres in height.

The proposed detached garage has a hipped roof with front gable feature. It is 10 metres by 7 metres and has a height of 5 metres.

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

Policy 1: Presumption in Favour of Sustainable Development

Policy 2: Settlement Hierarchy

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Policy 20: Transport Requirements for New Development
 Policy: 39 Built Environment
 Policy: 40 High Quality Design and Safer Communities

Others

SPG Encouraging Good Design
 National Planning Policy Framework
 National Planning Practice Guidance

Relevant Planning History

2009/240/FUL	Proposed dormer roof to rear of the property	Approved	09.12.2009
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Consultations**Highways - Redditch**

No Objection to the grant of permission

Arboricultural Officer

1. The Northern boundary of 163 Hither Green Lane consists of a number of early mature broadleaved trees. These trees consist of Silver Birch (*Betula pendula*), Norway Maple (*Acer platanoides*), English Oak (*Quercus robur*) & Field Maple (*Acer campestre*). The trees along this boundary line provide a moderate level of visual amenity and screen value to the neighbouring properties in Hither Green Lane from the adjacent golf course. There has been previous arboricultural works undertaken to these trees which has resulted in a poor heavy reduction of the overall crown structure which has not been undertaken to BS3998:2010 recommended standards.

From the supplied Ground Floor Plan drawing No.2017/53/001 I would envisage the proposed rear orangery extension would not influence the BS5837:2012 Root Protection Areas (RPA) of any of these trees along the Northern boundary. Having visually estimated the stem diameters of these trees to be of 200 to 250mm at 1.5 metres above ground level these trees would therefore require a BS5837:2012 RPA of radial distance of 2.4 to 3 metres. In view of this there would be no impact on the BS5837:2012 RPA's of any of these trees. I would therefore have no objections in this respect providing these trees are retained and afforded full protection in accordance with BS5837:2012 throughout any ground or construction works on site.

2. The Western boundary consists of a number of predominantly young & early mature age classed trees. These trees consist of Norway Maple (*Acer*

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platanoides), Silver Birch (*Betula pendula*), English Oak (*Quercus robur*) & a young *Prunus kansan*. These trees provide a low level of visual amenity and screen value to the neighbouring properties in Hither Green Lane. The trees have also been heavily reduced in the past to a poor standard which has affected the overall aesthetics of the trees.

From the supplied Ground Floor Plan drawing No.2017/53/001 the proposed Side Detached Garage Extension and widening of the existing driveway would require the loss of a number of these trees to facilitate this proposal. In view of the overall poor quality of these trees and low amenity value these trees provide I would have no objections to loss of a number of these trees to facilitate this proposal providing the remaining trees to be retained are afforded full protection in accordance with BS5837:2012.

Conclusions

I would have no objections to this proposal in relation to any tree related issues under the following conditions:

- o All trees to be retained within the site are afforded full protection in accordance with BS5837:2012 throughout any ground or construction works on site

Public Consultation Response

Two letters of objection were received in relation to the proposal, which raised concerns with regards to the following material planning considerations:-

- Design of proposal
- Loss of spacious/open character
- Impact on existing building line
- Adverse impact on trees/garden area

A number of other concerns were also raised which did not constitute material planning considerations.

Assessment of Proposal

The proposal site is within the residential area as defined in Policy 2 of the Borough of Redditch Local Plan No. 4 (BoRLP4) and therefore has been considered having regard to the presumption in favour of sustainable development as outlined in Policy 1 of the BoRLP4 and paragraph 14 of the National Planning policy Framework (NPPF).

The extension is sited to the rear of the existing dwelling in place of an existing conservatory. The application is considered to contribute positively to the area given the proposal would replace an existing extension and would be constructed of materials that would reflect the local character, having regard to Policy 39 and 40 of the BoRLP4.

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Furthermore, the proposed porch would be flat roofed and set within the existing L shape of the dwelling appearing as a subservient addition to the dwelling. The proposed triple garage is proposed to replace the existing integral garage which is being converted to a day room. The roof of the proposed garage would be a hipped design, whereas the roofs of the main dwelling are pitched. As there are a variety of roof types along Hither Green Lane, this design would not be at odds with the local character. It is also noted that the central gablet feature of the garage would reflect the design features of the main dwelling.

This part of Hither Green Lane is characterised by large dwellings within spacious plots, which vary in terms of their orientation, and do not conform to a uniform arrangement or building line. Given the application site is set within a particularly generous plot, it is not considered that the proposal would conflict with the established layout or density of the area. As the proposed garage would be set back from the road and would retain some space between the adjacent buildings, the development would integrate well with the existing surroundings. The proposed development would also make efficient use of available space, meaning that overall the proposal would accord with Policies 39 and 40 of the BoRLP4.

Having regard to SPG2 Encouraging Good Design, it is considered that sufficient distance and boundary treatments exist on site to ensure an acceptable relationship between neighbouring buildings to achieve acceptable standards of amenity. It is noted that two ground floor and two first floor windows are proposed on the northern elevation, however, as these would face towards the boundary of the golf course, there would be no detrimental impact to neighbouring amenity. Similarly, the replacement of the existing Juliet balcony with a full balcony would be on the northern elevation and would therefore face towards the golf course and be a sufficient distance from neighbouring boundaries in order to not introduce a neighbour amenity concern.

The proposal will not result in a loss of parking and the alteration to the driveway will allow for better turning onsite and therefore would not have an impact on the existing highways network. Given this, the proposal would meet the requirements of Policy 20 of the BoRLP4.

Policy 16 of the BoRLP4 seeks the retention of existing trees wherever possible. In line with this, the Tree Officer has identified a number of trees that are considered to contribute positively to the visual amenity of the area, and has recommended a condition accordingly.

Other Matters

A number of material planning considerations and other matters were raised as part of public consultation. The material planning considerations raised have been addressed within the content of the report. Whilst comments are noted in relation to suggested amendments and the history of the site, it is for Officers to assess the proposal before us.

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Conclusion

For the reasons stated above, and in view of the presumption in favour of sustainable development, the proposal is considered to be in accordance with the Development Plan.

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 proposal must be started within 3 years from the date of this notice.

Reason: To comply with National Legislation

- 2) The development hereby permitted shall be carried out in accordance with the Approved Plans/ Drawings listed in this notice:

Location and Site Plan at scale 1:200

Ground Floor Plan - Drawing no. 2017/53/001

East Side Elevation - Drawing no. 017/53/002

South Side Elevation - Drawing no. 017/53/003

West Side Elevation - Drawing no. 017/53/004

North Side Elevation - Drawing no. 017/53/005

Materials to be in accordance with the details provided in question 10 of the application form

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3) Prior to any works on site, details identifying which trees are to be removed on the western boundary shall be submitted to and approved in writing by the Local Planning Authority. No other trees shall be removed other than those that have been agreed in writing.

Reason: To retain sufficient trees along the western boundary for appropriate screening. This condition is required prior to any works taking place in order to protect the trees from any damage, including during initial site clearance works.

- 4) Prior to any works on site, a scheme shall be submitted to and approved in writing by the Local Planning Authority to identify the location of protective fencing for the trees to be retained on the western boundary, and for all trees on the northern boundary. The protective fencing shall then be erected in accordance with these agreed details, and shall remain in place for the duration of works on site.

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Reason: To secure the wellbeing of the trees to be retained with the tree protection being required prior to any works taking place in order to protect the trees from any damage, including during initial site clearance works.

Procedural matters

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

the application is being reported to the Planning Committee because the agent is related to an employee of Redditch Borough Council.

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Responsible Portfolio Holder	Councillor Greg Chance
Responsible Head of Services	Ruth Bamford

1. Purpose of Report

To receive an item of information in relation to the outcomes of recent planning appeal decisions. Officers will answer any related questions at the meeting if necessary.

2. Recommendation

**The Committee is asked to RESOLVE that
the items of information be noted.**

3. Financial, Legal, Policy and Risk Implications

There are no financial, legal, policy or risk implications for the Council.

Report**4. Background**

Relevant planning application files.

5. Consultation

There has been no consultation other than with relevant Borough Council Officers.

6. Author of Report

The author of this report is Helena Plant (Development Management Manager) who can be contacted on 01527 881335 (e-mail h.plant@bromsgroveandredditch.gov.uk) for more information.

7. Appendices

Appendix - Outcomes of Planning Appeals

APPENDIX 1: OUTCOMES OF PLANNING APPEALS

Reference	Site location	Proposal	Ward	RBC Decision type	Type of appeal	Appeal type	Appeal outcome
2015/249/CPE Case Officer: Laura Russ Tel: 01527 534122	Caravan At Shurnock Farm The Saltway Redditch Worcestershire	A certificate of lawful existing use for the siting and use of a caravan as shown edged in red at Appendices 1 & 2, as having been continuously used without interruption as independent residential accommodation for in excess of ten years. As such the siting and use of the caravan as described above shall be deemed lawful without restriction forever hereafter.	ASTWOOD BANK AND FECKENHAM	None	Non-determination	Written Representation	Appeal Dismissed 12/12/2016

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Reference	Site location	Proposal	Ward	RBC Decision type	Type of appeal	Appeal type	Appeal outcome
2016/164/FUL Case Officer: Sue Lattimer Tel: 01527 881336	12 Stoke Lane Redditch Worcestershire B98 8RR	Erection of first floor side extension to dwelling	ABBEY	Application Refused	Appeal Against Refusal	Fast Track Appeal	Appeal Allowed 29/03/2017
2016/215/FUL Case Officer: Nina Chana Tel: 01527 548241	Doebank House Avenue Road Astwood Bank Redditch Worcestershire B96 6AT	Construction of traditional style three bedroom dwelling	ASTWOOD BANK AND FECKENHAM	Application Refused	Appeal Against Refusal	Written Representation	Appeal Dismissed 21/03/2017