



# Planning Committee

Wed 17 Jan  
2018  
7.00 pm

Council Chamber  
Town Hall  
Redditch

**REDDITCH** BOROUGH COUNCIL

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**If you have any queries on this Agenda please contact**

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



## **GUIDANCE ON PUBLIC SPEAKING**

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

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

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

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**Notes:**

- 1) It should be noted that, in coming to its decision, the Committee can only take into account planning issues, namely policies contained in the Borough of Redditch Local Plan No. 4 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. 3268 or email on: [jess.bayley@bromsgroveandredditch.gov.uk](mailto:jess.bayley@bromsgroveandredditch.gov.uk) 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, 17th January, 2018

7.00 pm

Council Chamber Town Hall

## Agenda

### Membership:

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

### 1. Apologies

### 2. Declarations of Interest

To invite Councillors to declare any Disclosable Pecuniary Interests and / or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.

### 3. Confirmation of Minutes - 13th December 2017 (To Follow)

### 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 2017/01269/FUL - 5 Hawthorn Road, Redditch - Mr Stashu Rzezniczak (Pages 1 - 6)

### 6. Application 2017/01312/OUT - 533, Evesham Road, Redditch - Mr Larkin (Pages 7 - 14)

### 7. Application 2017/01366/FUL - 271 Birchfield Road, Redditch - Mr J Zollman (Pages 15 - 20)

### 8. Application 2017/01396/FUL - 70, Heathfield Road, Redditch - Mr Kulbir Singh (Pages 21 - 26)

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**PLANNING  
COMMITTEE**17th January 2018

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**Planning Application 17/01269/FUL****Single storey side/rear extension forming additional bedroom and ensuite and change of use from dwelling (C3) to house of multiple occupation with 7 bedrooms (sui generis)****5 Hawthorn Road, Redditch, Worcestershire, B97 6NG****Applicant: Mr Stashu Rzezniczak  
Ward: Batchley And Brockhill Ward****(see additional papers for site plan)**

The author of this report is Andrew Fulford, Planning Officer (DM), who can be contacted on Tel: 01527 881323 Email: A.fulford@bromsgroveandredditch.gov.uk for more information.

**Site Description**

This application relates to a semi-detached property within a residential area. The house is currently used as a house of multiple occupation (HMO) with 6 rooms being rented out. This change of use occurred approximately 12 months ago and did not require planning permission.

No parking is provided on Hawthorn Road however a parking area is provided at the rear of the dwelling via an access drive adjacent to No.27 Hawthorn Road. The application site is bound by existing residential development on all sides.

**Proposed Development**

This application seeks planning permission for a single storey side extension. There is an existing utility and store on the side of the property which would be incorporated in the extension. The extension would provide one additional bedroom for this house of multiple occupation bringing the total to 7 bedrooms to let.

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

Policy 19: Sustainable travel and Accessibility

Policy 39: Built Environment

Policy 40: High Quality Design and Safer Communities

**Others**

National Planning Policy Framework

**PLANNING  
COMMITTEE**17th January 2018

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SPG Encouraging Good Design

**Relevant Planning History**

17/01015/FUL Side and rear single storey extension Withdrawn 09.10.2017

**Consultations****Worcestershire Regulatory Services - HMOs**

No Comments Received To Date

**Highways Engineer**

No objection subject to conditions.

**Private Sector Housing Officer**

Complaints regarding anti-social behaviour have been received from the local residents following the conversion of the property to a HMO. A site visit showed some rooms had couples which according to the landlord should only be singly occupied. The proposal could increase levels anti-social behaviour, consequently I object to the scheme.

**WRS - Noise**

No objection.

**Senior Community Safety Project Officer Community Safety**

No Comments Received To Date

**Public Consultation Response**

2 objections have been received raising the following concerns:

- This is a typical housing estate and owners shouldn't be renting out multiple rooms;
- Occupiers come and go at all hours of the day and night causing noise and disturbance;
- There is increased on street parking and there is potential for up to 14 cars if each of the 7 rooms is shared by a couple; and
- Previous disturbances involving drugs, alcohol and physical violence have led to the police being called.



## PLANNING COMMITTEE

17th January 2018

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### Assessment of Proposal

The main issues to be considered in assessing the application are the following:

- i) Residential Amenity;
- ii) Character; and
- iii) Highways Considerations;

#### **i) Residential Amenity**

Concerns have been raised over the use of the existing property as a house of multiple occupation. These relate to the noise and disturbance associated with the occupiers coming and going at different times of the day and night. Previous disturbances have led to the police visiting the site with particular issues relating to alcohol, drugs and physical violence being highlighted. Similar views have also been voiced by the Private Sector Housing Team who object to the expansion of the property on the basis that the level of anti-social behaviour would increase.

Importantly the change of use from residential (C3) to a house of multiple occupation with up to 6 bedrooms (C4) does not require planning permission. Whilst concerns have been raised over the current situation the change of use that has occurred is permitted development. It is therefore only the additional harm arising from 1 additional bedroom that can be considered as part of this application. Whilst it is clear that there have been some amenity issues on the site it would be difficult to justify that 1 additional bedroom would make the current situation substantially worse to the point that would justify the refusal of consent. Importantly the application provides the opportunity to attach conditions to limit the harm arising. For example, the number of permanent residents within the building could be controlled. Concerns have been raised that couples are sharing rooms and if this occurred in every room would double the potential occupancy levels from 7 to 14 residents. Limiting the number of permanent residents to one per room should therefore limit the impact on amenity levels experienced by adjacent occupiers.

The extension itself is built up to the boundary with No.3 but does not breach the 60 degree guideline when measured from the nearest habitable window of the adjacent property. In addition No. 3 is set off the boundary by 1.6m and the extension is just 2.8m high adjacent to the boundary meaning only 0.8m would be visible over the existing boundary treatment. It is therefore considered that the proposal would not appear overbearing or cause a significant loss of light.

In summary, whilst it is acknowledged that there have been amenity issues over the past 12 months it is not considered that a single storey extension providing 1 extra bedroom will have a substantially greater impact on the occupiers of adjacent properties in accordance with Policy 39 of the adopted Local Plan.

#### **ii) Character**

**PLANNING  
COMMITTEE**17th January 2018

---

This is a traditional residential area consisting of mainly semi-detached properties that would have been built in the 1960s. This is not an area where houses of multiple occupation are commonplace. However, as stated previously the change of use that has already occurred did not require planning permission. The small extension proposed would appear no different to that of side extension on a house in single residential use.

The existing dwelling has a utility and store on the side of the property. This will be incorporated into the side extension. The external appearance from Hawthorn Road will not substantially change although the existing flat roof will be replaced by a pitched roof which is considered to be an improvement in design terms. The proposal therefore accords with Policies 39 and 40 of the Local Plan and the Achieving Good Design SPD.

**iii) Highways Considerations**

3 parking spaces are indicated at the rear via an existing access drive. The existing rear garden is already laid with hardstanding for this purpose. The County Council's Highway Engineer considers that the level of parking provision to be acceptable and raises no objection to the scheme subject to a number of conditions. However, conditions relating to the provision of cycle parking and an electric vehicle charging point are considered to be unreasonable in this instance as it is only one additional room that is proposed. The proposal accords with Policy 19 of the Redditch Local Plan.

**Conclusion**

The development is acceptable in terms of amenity, character and highways considerations and therefore the proposal is considered to be in accordance with the relevant policies of the Local Plan and the NPPF.

**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 hereby approved shall be carried out in accordance with the following plans and drawings:

Location Plan  
Proposed Site Plan  
Existing Floor Plans and Elevations 217:17:01  
Proposed Floor Plans and Elevations 217:17:01

**PLANNING  
COMMITTEE**17th January 2018

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Reason: To provide certainty to the extent of the development hereby approved in the interests of proper planning.

- 2) 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.

- 3) All new external walls and roofs shall be finished in materials to match in colour, form and texture those on the existing building, or if a near match cannot be found, the written approval of the Local Planning Authority should be obtained for materials prior to development commencing. 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 in the Local Plan.

- 4) 3 car parking spaces shall be provided on site at the rear of the dwelling and shall be reserved solely for that purpose and such spaces be made available for the use before the development hereby approved is occupied.

Reason: To comply with the Council's parking standards

- 5) No more than 7 people shall permanently reside at the premises at any one time.

Reason: To minimise the impact on adjoining occupiers.

**Procedural matters**

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

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**PLANNING  
COMMITTEE**17th January 2018

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**Planning Application 17/01312/OUT**

**Outline application (matters of layout and scale to be considered) for the demolition of outbuildings, retention of former public house (533 Evesham Road) and erection of 2 new dwellings with shared access.**

**533 Evesham Road, Crabbs Cross, Redditch, B97 5JP**

**Applicant: Mr Larkin**  
**Ward: Crabbs Cross Ward**

**(see additional papers for site plan)**

The author of this report is Steven Edden, Planning Officer (DM), who can be contacted on Tel: 01527 64252 Ext. 3206 Email: [steve.edden@bromsgroveandredditch.gov.uk](mailto:steve.edden@bromsgroveandredditch.gov.uk) for more information.

**Site Description**

The site, which comprises 0.1425 hectares, is currently garden land to the north-east of and associated with the property 533 Evesham Road which was historically a public house but is now a dwellinghouse. The south-eastern boundary of the site forms the shared boundary between numbers 533 and 537 Evesham Road (Merchants Fish and Chips). Beyond the north-western boundary lies the residential development of Leckhampton Close which was developed in the early 2000's. Beyond the north-eastern boundary of the site lies an area of woodland which is designated as Public Open Space in the Borough of Redditch Local Plan No.4.

**Proposal Description**

Outline planning permission is sought for the erection of 2 new four bedroomed dwellings on land to the rear of the existing dwellinghouse, 533 Evesham Road.

Two matters are for consideration under the current application, which are those of layout and scale. Three matters (vehicular access to the proposed development, appearance, and landscaping) are reserved for future consideration and therefore do not need to be deliberated further at this stage.

The site layout plan shows how the two dwellings would be arranged within the site. Parking for a minimum of three cars would be provided within the curtilage of each dwelling with a short shared access road running from a south-west to a north-east direction with the access point being from Evesham Road at a point between number 531 and 533 Evesham Road.

The matter of scale is to be considered under this application and submitted drawings indicate that the proposed two four bedroomed dwellings would be no taller than the nearest existing dwelling to the proposed Plot 1 (the detached dwelling, number 5 Leckhampton close).

**PLANNING  
COMMITTEE**17th January 2018

---

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

Policy 1: Presumption in Favour of Sustainable Development

Policy 4: Housing Provision

Policy 5: Effective and Efficient use of Land

Policy 15: Climate Change

Policy 16: Natural Environment

Policy 39: Built Environment

Policy 40: High Quality Design and Safer Communities

**Others**

NPPF National Planning Policy Framework

SPG Encouraging Good Design

**Relevant Planning History**

2017/044/OUT	Outline application (matters of access, layout and scale to be considered) for the demolition of outbuildings, retention of former public house (533 Evesham Road) and erection of 3 new dwellings with shared access.	Application Withdrawn  31.05.2017
17/00834/OUT	Outline application (matters of access, layout and scale to be considered) for the demolition of outbuildings, retention of former public house (533 Evesham Road) and erection of 3 new dwellings with shared access.	Application Refused  14.09.2017

**Consultations****Parks & Green Space Development Officer**

No comments received to date

**Arboricultural Officer**

Comments summarised as follows:

Approximately 28 metres along the south eastern boundary of the site stands a semi-mature Yew (*Taxus baccata*) that provides a good level of amenity value and according to drawing number 135-02 supplied by Form Design is to be retained. The proposed development does encroach on the BS3857:2012 recommended root protection area of this and would therefore require a no dig-method of construction to be used in this area.

## **PLANNING COMMITTEE**

17th January 2018

---

The remainder of the site predominately consists of various small fruit trees and a few ornamental conifers, with nothing of any great amenity value.

In view of the above, I hold no objections to this proposed application, in relation to any tree related issues subject to the imposition of conditions which would ensure that Root Protection Areas (RPA's) are adequately protected during the construction phase, the non-storage of plant or materials within the RPA's, excavations within the RPA's being carried out by hand and conditions ensuring that an appropriate new landscaping scheme is implemented

### **Highways Redditch**

Comments summarised as follows:

Noting that the matter of access would be considered under a later application if permission were to be granted in principle; based on the information so far submitted, the proposed development is considered to be acceptable in highway terms and therefore no objections are raised.

The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted and consultation responses from third parties the Highway Authority concludes that there are no justifiable grounds on which an objection could be maintained.

A subsequent application should provide plans showing a 4.8m access width to be retained at all times; all vehicles should enter and leave the site in a forward gear and the location of car parking spaces for the existing dwelling should also be shown. Further, a subsequent application should show an improved pedestrian visibility splay at the junction with Evesham Road due to the intensification of the existing access point. Appropriate highway conditions should be attached to any consent.

### **North Worcestershire Water Management**

Comments summarised as follows:

The site is located within fluvial flood zone 1, and there is little risk of surface water flooding on the site in question.

No objections are raised subject to the imposition of a standard drainage condition in the case of planning permission being granted

### **WRS - Contaminated Land**

Comments summarised as follows:

Worcestershire Regulatory Services (WRS) have reviewed the above application and the records held in respect of potential contaminated land issues. The available records indicate that the application site is within 250m of two significant areas of unknown infilled land and therefore contamination from landfill gas may be an issue on site. As such a planning condition should be imposed requiring the applicant to carry out a risk assessment to establish whether the proposed development is likely to be affected by gas emissions in order to ensure that any risks to future occupants of the dwelling are

## **PLANNING COMMITTEE**

17th January 2018

---

adequately addressed. Subject to the imposition of such a condition, no objections are raised.

### **WRS - Noise**

Comments summarised as follows:

Given the proposed location, away from the main road and screened by the main building, it would not be necessary for the applicant to submit a noise assessment to support the application. No objections are raised.

### **Public Consultation Response**

4 letters received in objection. All comments received are summarised as follows:

- The proposals would result in an invasion of privacy by virtue of overlooking and a loss of outlook
- Loss of light and overshadowing would occur from development
- This would be an overdevelopment of the site
- Noise from vehicles entering and exiting the site would be a disturbance to nearby neighbours
- The increased use of the existing access is a highway safety concern
- Wildlife including trees on the site would be adversely affected

Other issues which are not material planning considerations have been raised, but are not reported here as they cannot be considered in the determination of this application.

### **Assessment of Proposal**

#### Principle

The National Planning Policy Framework (NPPF) advises, in Paragraph 49, that planning applications for residential development should be "considered in the context of the presumption in favour of sustainable development".

The site lies within a sustainable urban location where the principle of developing such land for residential purposes can be supported subject to compliance with other relevant policies contained within the development plan. Therefore, there are no objections to the principle of a residential scheme on the site, providing the details are considered to be acceptable.

#### Scale and layout of development

Policy is supportive of new residential development in such locations so long as it respects the character and appearance of its surroundings and does not impinge on the residential amenities enjoyed by occupiers of existing nearby development. The proposed development is considered to respect the scale and layout of the existing back of land development to the immediate west of the site (numbers 1 to 6 Leckhampton Close) which is a small residential development comprising large detached two storey houses.



## PLANNING COMMITTEE

17th January 2018

---

Submitted plans indicate that the appearance of the proposed development would be acceptable and would respect the wider character of area.

The dwellings would sit comfortably within their respective plots with each dwelling meeting all of the Councils spacing standards, as contained within the adopted SPG 'Encouraging Good Design' including minimum garden areas. In addition, minimum separation distances between existing dwellings and the proposed new dwellings would be maintained.

Your officers therefore consider that the general layout and scale of the proposed development would respect the character and scale and density of existing development within the wider area.

### Residential amenity considerations

Your officers are satisfied that no loss to residential amenity would result from the proposed development by virtue of loss of light or visually intimidating impact given the separation distances that would exist between the proposed dwellings and nearby properties. Although noise disturbance during construction is an inevitable consequence of granting permission for new development, such noise and general inconvenience is temporary and not in itself a reason to refuse permission.

### Impact of the proposals on highway safety

Policy requires all developments to incorporate safe means of access and egress appropriate to the nature of the local highway network and to provide sufficient off-street parking. Three off-road car parking spaces would be provided for each of the four dwellings, meeting the Councils standards.

Representations have been received questioning the acceptability of the access to serve such a development. County Highways have however, concluded that the access is acceptable, and that there are no highway implications which might result in the proposed development giving rise to harm to highway safety. Means of access would be examined in more detail as part of any future reserved planning matters application at which point in time, the inclusion of planning conditions may be appropriate.

### Landscaping matters

Landscaping would be considered in more detail as part of any subsequent reserved planning matters application, should be permission be granted in outline. However, at this stage, the Councils Tree Officer has raised no objection to the proposed development, subject to the imposition of conditions which would be appropriate to impose on any subsequent approval.

## PLANNING COMMITTEE

17th January 2018

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### Conclusion

It is considered that the proposals comply with the planning policy framework and would be unlikely to cause any harm to the visual or residential amenities of the area. Subject to the compliance with the conditions as listed in full below, a favourable recommendation can be made with respect to this application for outline planning permission (matters of layout and scale only).

### **RECOMMENDATION:**

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

### **Conditions**

- 1) Application for approval of matters reserved in this permission must be made not later than the expiration of three years beginning with the date of the grant of this permission.
  - (b) The development to which this permission relates must be begun not later than whichever is the later of the following dates:-
    - (i) the expiration of three years from the date of the grant of outline planning permission; or
    - (ii) the expiration of two years from final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.
  - (c) The matters reserved for subsequent approval include the following:-  
**Access, Appearance, Landscaping**

Reason:- In accordance with the requirements of Section 92 (2) of the Town and Country Planning Act 1990.

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

Reason: To ensure that the development is satisfactory in appearance, to safeguard the visual amenities of the area

**PLANNING  
COMMITTEE**17th January 2018

---

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

Location and Block Plan Drawing No: 135-00 A  
Site Plan Drawing No: 135-01 A  
Site Plan Drawing No: 135-02 A  
Ground Floor Plans Drawing No: 135-03 A  
First Floor Plans Drawing No: 135-04 A  
Loft Plans Drawing No: 135-05 A  
Roof Plans Drawing No: 135-06 A  
Cross Section through site Drawing No: 135-08 A  
Ecological Appraisal July 2017 Ref: 1098

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

- 4) Gas protection measures should be incorporated within the foundations of the proposed structures, 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 the landfill site, 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.

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

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

- 6) Prior to implementation of the development hereby approved, a scheme for the provision of bat roost and bird nesting opportunities within the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme

**PLANNING  
COMMITTEE**17th January 2018

---

shall be implemented by suitably qualified personnel to the satisfaction of the Local Planning Authority prior to the first use of the development approved.

Reason: In the interests of biodiversity and in accordance with the provisions of the National Planning Policy Framework

**Informatives**

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

**Procedural matters**

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

**PLANNING  
COMMITTEE**17th January 2018

---

**Planning Application 17/01366/FUL****Conversion of existing 3 Bed dwelling to two 2 Bed flats with ancillary parking****271 Birchfield Road, Redditch, Worcestershire, B97 4NB.****Applicant: Mr J Zollman  
Ward: West Ward****(see additional papers for site plan)**

The author of this report is Sarah Willetts, Planning Officer (DM), who can be contacted on Tel: 01527 881607 Email: Sarah.willetts@bromsgroveandredditch.gov.uk for more information.

**Site Description**

This particular site relates to a detached single dwelling located on the southern side of Birchfield Road in Redditch. The property is a traditional bay fronted house. To the side of the house is the access driveway which extends to the back of the property where there are a collection of outbuildings extending into the area at the rear. From the frontage land levels drop substantially by over 5m by the end of the plot. The property is located within a well established residential area of Redditch.

**Proposal**

Conversion of Three Bedroom Dwelling into two 2 Bedroom Flats with ancillary off road parking

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

Policy 1: Presumption in Favour of Sustainable Development

Policy 2: Settlement Hierarchy

Policy 3: Development Strategy

Policy 5: Effective and Efficient use of Land

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

**PLANNING  
COMMITTEE**17th January 2018

---

**Relevant Planning History**

197/036/FUL	Erection of Store Room And Garage	05.03.1987
1997/116/FUL	Garage	15.05.1997
1995/027/S73	Vary Two Conditions Of 92/042 - To Store Building Materials On A Permanent Basis	10.03.1995
1992/042/FUL	Temporary Storage Of Pet Supplies	26.03.1992

**Consultations****Highways Redditch** - No Comments Received To**Tree Officer**– No comments received to date**Drainage Engineers**– No comments received to date**Severn Trent** – No comments received to date**Public Consultation Response**

13 Individual letters sent:

4 Detailed responses received made with reference to the following:-

- There is speeding traffic along this section of road, despite there being 2 nurseries, 2 OAP facilities, 1 place of worship and it being a pedestrian route to at least 3 schools (Webheath, Mount Carmel and Walkwood) in this regard, and accepting that there are double yellow lines on this side of the Birchfield Road, can you provide comfort that assessment to have been made to check what implications this application will have on the road and it's numerous users?
- The plans do not make clear how many parking spaces are provided... with 8 dwellings in total, I have an expectation of 8 plus at least 3 visitors... without this provision then on street parking (whether illegal on double yellows or legal but dangerous on the main road ) will be a substantial issue

## PLANNING COMMITTEE

17th January 2018

---

- There are no landscaping provisions with this application... there are issues of maintaining the large tree roadside on the site and also the ivy and other plants that continue to over grow and infest our properties from this site along the boundary. I would request that the application is qualified by a requirement to undertake such maintenance both during the works and thereafter
- Unsure whether the flats are to be let privately or sold and whether there are any restrictions on the same
- Inadequate information posted regarding restrictions on the development phase to include but not limited to working hours, noise impact, parking for builders, delivery and collection of building materials. The concern is the impact on pedestrian, cycle and vehicular use of Birchfield Road considering the current high volume of traffic, and existing parking restrictions marked out with double yellow lines and cycle lanes, which are regularly ignored by road users on a daily basis.
- 271 Birchfield Road may be being used as 2 separate flats based on current activity in the property, and that this application ref 17/01366/FUL is retrospective permission to split to 2 separate flats - please seek to gain access and verify that the house is being used correctly and not already as 2 flats
- Environmental impact: there is no indication who will maintain the landscaping, with maintenance to existing trees, hedgerows and wall adjoining to Noonan Close (recommended a full structural survey on this boundary wall as the impact from groundworks and development to residential dwellings can have a detrimental impact
- Potential for overlooking from development – Right to enjoy my home and garden under the Human rights Act and not to be adversely overlooked. Additionally, Article 8 of the Human Rights Act states that a person has the substantive right to respect for their private and family life. Roof lights will create light into bedroom windows.
- Drainage issues historically and ongoing in the area. Concerned this will increase this in terms of foul Drainage STW are aware of this issue.

### Assessment of Proposal

#### **Principle**

The house is located within a well established residential area of Redditch and the principle of residential development is considered acceptable. The property is in residential use and this will continue.

#### **Design/Appearance**

## PLANNING COMMITTEE

17th January 2018

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Policies 1 and 40 of the Borough of Redditch Local Plan No. 4 require development to compliment the local surroundings. The site is located on a main route which is a highly sustainable location. The application site does propose any major changes to the front or rear of the property and therefore the character of the location remains unaffected.

The current single property is proposed to be converted without any significant changes to the shell of the property. From an external appearance point of view, both the front and rear elevations will remain virtually unchanged. Unit A (Ground floor) will be accessed from the current front door and unit B (First floor) will have a separate access from a side door, which will be moved forward to allow access to the existing staircase.

Included in this proposal is a small element of a single storey building which appears to have been used as the garage. The garage doors will be removed and a new door and two windows will be inserted. Confirmation is awaited regarded the use of this area and adjacent roof window.

The overall finished design of the building is considered acceptable and may be adequately controlled by the imposition of conditions.

### **Amenity**

Concerns have been raised in terms of overlooking and the perception of being overlooked. Particular reference is made to roof lights in the smaller outbuilding. It is accepted that there will be changes (change to residential in nature) on the site as the buildings to the rear are also proposed for conversion under the prior notification system however as there is currently a dwelling on the site, there is no perceived issue with overlooking or privacy from the conversion of the house. There appear to be changes to the current garage and part of an adjacent roof. Given the difference in levels the imposition of a suitably worded condition will ensure that no additional windows can be inserted and the current arrangement can be controlled to ensure no direct overlooking may occur.

### **Access/parking**

The layout plan shows 2 proposed parking spaces sited close to Birchfield Road. Access will be via the current access. It is noted that that current access presently serves the house and storage units to the rear of the site and comments are awaited from the highways authority to consider the changes in light the previous mixed use and the associated impacts of parking for the new units.

### **Trees landscaping**

Concerns have been raised with regard to landscaping on the existing and proposed site. Encouraging Good Design SPG states *'Developments should be encouraged to retain existing trees and landscaping on the site as this will help enhance the development'*. There are two large trees are shown on the layout plan which appear to be within an



## **PLANNING COMMITTEE**

17th January 2018

---

existing planting bed. The layout provided appears to show these trees will remain. Comments are awaited from the tree officer with regard to the retention of the trees and whether the parking area will be within the zone of influence of the trees and therefore any likely impact. The retention of the trees on the frontage will ensure a softer appearance to the development within the street scene.

On the layout a formal amenity space has been laid out. This extends to 52m<sup>2</sup>. Encouraging Good Design SPG states 35m<sup>2</sup> is required for flats and therefore the proposed spaces accords with adopted policy P40 and the supplementary guidance.

### **Drainage**

It is understood that although the site does not fall within a flood zone there is an issue with the drainage of foul sewage. There have been events where sewage has backed up in the local system and flooded gardens in the area. Whilst the LPA have not record of this the application suggests connections to the main sewer. In the case of this application, one additional unit. This would be subject to permission from Severn Trent and is not a reason in itself to turn down the application.

### **Other Issues**

Concerns have been raised with regard whether the property has already been subdivided however the Local Planning Authority hold no evidence to suggest this is the case. If this were a retrospective application, Government guidance requires the same assessment in any case.

Other comments relate to whether the property will be let or sold however this is not a planning matter or material to the conversion of the house.

Members should also note that a Prior Notification Application has been submitted on land abutting the rear of the application site. This proposal relates to the conversion of outbuildings to residential use and is currently pending consideration (17/01374/CUPRIOR). Matters raised by that proposal are separate to the proposal under consideration as part of this development.

### **Conclusion**

The conversion of the house into 2 separate flats would continue to respect the character of this sustainable location. The layout and design of the units is considered acceptable and subject to the imposition of suitably worded conditions this change of use is recommended for approval.

### **RECOMMENDATION:**

**That having regard to the development plan and to all other material**

**PLANNING  
COMMITTEE**17th January 2018

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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 approved shall be carried out in accordance with the following plans and drawings:

1838.01A  
4276-03  
1838.02B

Reason: To provide certainty to the extent of the development hereby approved in the interests of proper planning.

3. Prior to the commencement of development the applicant shall provide a full hard and soft landscaping plan for approval by the Local Planning Authority. 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 40 of the Borough of Redditch Local Plan No.4

**Procedural matters**

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

**PLANNING  
COMMITTEE**17th January 2018

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**Planning Application 17/01396/FUL**

**Demolition of the existing storey rear buildings together with external steel stairs to erect single storey rear extension to enlarge the retail unit with a new shop front and new access to first floor.**

**70 Heathfield Road, Redditch, Worcestershire, B97 5RH.**

**Applicant: Mr Kulbir Singh  
Ward: West Ward**

**(see additional papers for site plan)**

The author of this report is Charlotte Stearman, Planning Officer (DM), who can be contacted on Tel: 01527 881608 Email: Charlotte.stearman@bromsgroveandredditch.gov.uk for more information.

**Site Description**

The application site is the Costcutter convenience store and post office that is located at 70 Heathfield Road, Webheath. The store is a detached property, set back from the pavement behind a forecourt area. The retail function is located at ground floor with a garden space to the rear which contains two ancillary outbuildings used for storage and an external staircase which accesses a flat at first floor. The application site is situated in the residential area of Webheath and is surrounded by residential properties.

**Proposal Description**

Planning permission is sought for the removal of the staircase and outbuildings at the rear of the shop and the erection of a single storey extension that will provide additional retail floor space and ancillary storage. The post office facility is to be retained.

The extension will be constructed from red brick to match the existing building and will be flat roofed. The structure will extend for 8m in length, 7.5m in width and 3m in height. The extension will have rear and side pedestrian access doors and modest windows to the rear elevation.

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

Policy 39: Built Environment

Policy: 41 Shopfronts and Shopfront Security

Policy 40: High Quality Design and Safer Communities

Policy 1: Presumption in Favour of Sustainable Development

**Others**

**PLANNING  
COMMITTEE**17th January 2018

---

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

**Relevant Planning History**

2001/553/FUL	First Floor Rear Access Staircase And Internal Alterations To Shop Area	29.01.2002
1984/507/FUL	Extension and alterations to Shop Front	30.01.1985
1980/223/FUL	Second Floor Extensions Within Existing Roof Space Comprising Additional Bedroom & Bathroom	20.05.1980

**Consultations****Highways Redditch**

I have no highway objections to the proposed demolition of the existing storey rear buildings together with external steel stairs to erect single storey rear extension to enlarge the retail unit with a new shop front and new access to first floor - no highway implications.

The site is located in a built a built up residential area with a school nearby. The store is a local convenience store which people ultimately walk too. It is noted with a bigger store there could be an increase in foot fall and employees due to the expansion of retail space.

**Public Consultation Response**

Three representations have been received raising objections which are summarised as follows:

- No vehicular access to the extension to enable construction without using private drive.
- Concerns in the future that rear amenity space will become parking for the retail unit.
- Additional delivery vehicles visiting the site will make it difficult for the residents and emergency vehicles to gain access to the properties.
- Additional noise created by building the extension being disruptive.
- Additional delivery vehicles will make it difficult for residents to park by their home.

## **PLANNING COMMITTEE**

17th January 2018

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Other issues which are not material planning considerations have been raised, but are not reported here as they cannot be considered in the determination of this application.

### **Assessment of Proposal**

The Borough of Redditch Local Plan No4 seeks to ensure that all development proposals contribute positively to the local character of the area and respond to and integrate with the distinctive features of the environment. The key issues for consideration on this application are therefore; the design of the proposals and any associated impacts on the amenity of immediate neighbours and upon the character arising from the developments.

### **Design**

Whilst the single storey and flat roofed design of the extension does not relate specifically to the host building, any associated impact from public vantage points would be limited by its siting at the rear. Furthermore the form and scale is relatively simplistic and given its limited height the extension will not be overly prominent when viewed from surrounding rear gardens.

The design of the new shopfront uses more extensive areas of glazing than the existing situation. Given the scale and position of the building in the street scene this result is considered to be acceptable and to safeguard the visual amenities of the area. The design of the signage on the principal elevation will be subject to a separate application for Advertisement Consent in due course.

### **Amenity impacts of the rear extension**

To the rear of the retail unit there are currently two outbuildings which are used for storage. Both of these building are located on the boundary which is shared with no.68, the one sited closest to no.68 has a height of 4.3m. Whilst it is noted that there are no windows to habitable rooms in the part of no.68 which runs alongside the application site, the removal of the existing structures and their replacement with the lower extension will improve the general outlook from the rear of no.68.and its attendant amenity space. The removal of the external staircase adds further to this view. There is not considered therefore to be any loss of amenity to the occupants of no.68 with regards to light, outlook and privacy as a result of the development.

The neighbour at no. 70 has a rear facing kitchen window. The proposed extension has been set off from the shared boundary and combined with its setback position in the site this ensures that there will be no loss of amenity to the occupants of no.70 with regards to light, outlook and privacy.

A number of representations raise concerns in relation to the noise impact of the proposal, particularly in relation to vehicles accessing the rear of the site and the timing of deliveries to the site. A number of representations also raise concerns in relation to

## **PLANNING COMMITTEE**

17th January 2018

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delivery vehicles inhibiting access to and past the store for residents and emergency vehicles as well as traffic and the increase floor space which is associated with the unit.

The existing shop opens Monday to Saturday 06:00am - 21:00pm and Sunday 08:00am - 20:00pm. The store has deliveries provided by way of a small van which are off loaded outside the shop in the front courtyard. Most of the deliveries come early morning or in the evening at 8pm. The applicant does not receive any deliveries during the day time between 6:00am to 20:00pm.

There are no existing planning conditions expressly controlling hours of delivery or opening and these arrangements are not proposed to change as part of the development.

With respect to traffic generation it is noted that the Highway Authority have not raised any concerns and that as a local convenience facility located within a residential area, that a large proportion of customers arrive on foot.

With respect to deliveries, the nature of surrounding roads and access to some extent limits the size of these vehicles. Furthermore the extension is to partially replace existing external storage and to provide additional circulation space within the unit for the post office facility, thus limiting the amount of net increase in retail floor space. It is not considered therefore that it would be reasonable to seek to control deliveries as a part of this development or that the impacts on amenity arising from this proposal alone would be so great as to justify withholding consent.

### **Conclusion**

The proposal is acceptable in terms of appearance and design. It would not have an adverse effect on the neighbour's amenities and the impacts arising from the development are not considered to be so great as to justify the imposition of limiting conditions or the refusal of consent.

The purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF states that to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. It requires a positive approach to sustainable new development and specifically seeks to promote the development of existing businesses. Paragraph 19 of the NPPF states that significant weight should be placed on the need to support economic growth through the planning system.

Officers, having taken into account the consultation replies and third party representations, consider that the economic, social and environmental aspects of sustainable development would be achieved and that the proposal would therefore represent sustainable development.

### **RECOMMENDATION:**

**PLANNING  
COMMITTEE**17th January 2018

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**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:

Existing and Proposed Ground Floor and First Floor Plan - Drawing no.17.260 P02 REV D

Existing and Proposed Rear and Side Elevations- Drawing no.17.260 P03 REV E  
Site and Location Plan -Drawing no.17.260 P01 REV C

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

**Informatives**

- 1) In dealing with this application the local planning authority have worked with the applicant in a positive and proactive manner, seeking solutions to problems arising from the application in accordance with the NPPF and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The authority has helped the applicant resolve technical issues such as:

- the impact neighbouring occupiers amenities.
- improving the design of the proposed development.

The proposal is therefore considered to deliver a sustainable form of development that complies with development plan policy.

**Procedural matters**

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

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