



Planning Committee

Wed 9 Jan
2019
7.00 pm

Council Chamber
Town Hall
Redditch

REDDITCH BOROUGH COUNCIL

*making
a
difference*

www.redditchbc.gov.uk

If you have any queries on this Agenda please contact

Sarah Sellers

Town Hall, Walter Stranz Square, Redditch, B98 8AH

Tel: (01527) 64252 (Ext. 2884)

email: sarah.sellers@bromsgroveandredditch.gov.uk

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) Reports on all applications will include a summary of the responses received from consultees and third parties, an appraisal of the main planning issues and a recommendation. All submitted plans and documentation for each application, including consultee responses and third party representations, are available to view in full via the Public Access facility on the Council's website www.redditchbc.gov.uk
- 2) 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.
- 3) Members of the public may record all or part of this meeting either by making an audio recording, taking photographs, filming or making notes. An area next to the Press table has been set aside for any members of the public who wish to film or record. The Council asks that any recording of the meeting is done from this area to avoid disruption. Recording or filming of meetings is not authorised when the Committee is considering exempt/confidential information. For agenda items that are exempt, the public will be asked to leave the Chamber
- 4) 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.
- 5) 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.
- 6) Anyone wishing to address the Planning Committee on applications on this agenda must notify the Democratic Services Team on 01527 64252 Extn.2884 or email on: sarah.sellers@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, 9th January, 2019

7.00 pm

**Council Chamber - Town Hall
Redditch**

Agenda

Membership:

Cllrs:

Michael Chalk (Chair)
Gemma Monaco (Vice-Chair)
Salman Akbar
Roger Bennett
Andrew Fry

Bill Hartnett
Gareth Prosser
Jennifer Wheeler
Wanda King

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 (Pages 1 - 12)

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 2018/01336/FUL - Astwood Bank Service Station Evesham Road Astwood Bank Redditch B96 6EA - MPK Garages Limited (Pages 13 - 22)

Report attached - for site plan see Site Plans Agenda

6. Application 18/01428/OUT Land at the rear of 213-229 Ibstock Close and at the rear of 23-31 Foxcote Close Winyates East Redditch B98 0PZ - Redditch Borough Council (Pages 23 - 34)

Report attached - for site plan see Site Plans Agenda

This page is intentionally left blank



Planning Committee

Wednesday, 12 December 2018

MINUTES

Present:

Councillor Michael Chalk (Chair), Councillor Gemma Monaco (Vice-Chair) and Councillors Salman Akbar, Roger Bennett, Andrew Fry, Bill Hartnett, Gareth Prosser, Wanda King and Jennifer Wheeler

Also Present:

Steve Hawley (Worcestershire Highways)

Officers:

Amar Hussain, Helena Plant, Emily Farmer and Paul Lester

Democratic Services Officer:

Sarah Sellers

49. APOLOGIES

There were no apologies for absence.

50. DECLARATIONS OF INTEREST

There were no declarations of interest.

51. CONFIRMATION OF MINUTES

The Chair requested that a typing error in Minute 47 be corrected, and subject thereto it was

RESOLVED that

The Minutes of the meeting of the Planning Committee on 14th November 2018 be confirmed as a correct record and signed by the Chairman.

52. UPDATE REPORTS

The published Update Report for the applications to be considered was noted.

.....
Chair

Planning Committee

Wednesday, 12 December 2018

**53. APPLICATION 2018/01160/FUL - 302A EVESHAM ROAD
CRABBS CROSS REDDITCH B97 5HJ - MR MATTHEW KELLY**

Conversion of existing dwelling to 2 no. 1 bed flats with extension for 3 no. 1 and 2 bed additional flats.

Officers outlined the application for the subdivision of the existing dwelling into two flats and for the addition of a rear extension to comprise two 1 bedroom flat flats at ground level and one two bedroom flat at first floor level. Members were referred to the additional informative requested by Severn Trent Water as set out on page 1 of the Update Report.

Mr Gary Phillips, agent for the applicant, addressed the Committee under the Council's public speaking rules.

In the course of the debate officers confirmed that no issues had been identified from the location of the rear extension in relation to the existing electricity sub-station.

Officers confirmed that the recommendation as worded did not include a restriction on hours of operation at the site.

The recommendation was proposed and seconded with the addition of a condition that standard operating hours be imposed at the site during the construction works.

RESOLVED that

Having regard to the development plan and to all other material considerations, authority be delegated to the Head of Planning and Regeneration to GRANT planning permission subject to:

a) the conditions detailed on pages 10 to 12 of the main agenda report;

b) the informative requested by Severn Trent Water as set out on page 1 of the Update Report; and

c) the additional condition that during the course of any site clearance and development, the hours of work for all on-site workers, contractors and sub-contractors shall be limited to between:-

- 08:00 to 18:00 Monday to Friday; and**
- 09:00 to 12:00 on Saturdays; and**
- no working shall take place at any time on Sundays, Bank Holidays, or Public Holidays or at any time outside of the above permitted hours**

Planning Committee

Wednesday, 12 December 2018

unless first agreed in writing by the Local Authority.

Reason: in the interests of neighbours amenity.

**54. APPLICATION 2018/01216/FUL - MORRISONS SUPERSTORE
CLEARWELL ROAD WINYATES WEST REDDITCH B98 0SW - W
M MORRISON SUPERMARKETS PLC**

Erection of a Use Class A1 / A3 drive thru' coffee shop with car parking, drive thru' lane, hard and soft landscaping, refuse area and associated works

Mr Joseph Smith, agent for the applicant addressed the Committee under the Council's public speaking rules.

In the course of the debate officers responded to comments from Members who were concerned that there would be problems with additional litter arising from the use of the coffee shop. It was confirmed that the plans included a bin store and the speaker had confirmed that there would be bins on site and signage encouraging customers not to leave litter.

Officers advised that if Members were minded to make specific reference to this issue it would have to be in the format of an informative.

The recommendation was moved and seconded with the addition of an informative regarding installation of litter bins on site.

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 17 to 18 of the main agenda and the informative regarding litter set out below:-

Additional informative

Following concerns raised by Planning Committee members regarding litter generated by the drive thru coffee shop, external litter bins should be provided in the vicinity of the coffee shop by the operator to assist with the disposal of any litter associated with the development.

Planning Committee

Wednesday, 12 December 2018

55. APPLICATION 2018/01336/FUL - ASTWOOD BANK SERVICE STATION EVESHAM ROAD ASTWOOD BANK REDDITCH B96 6EA - MPK GARAGES LIMITED

Proposed infill extension to forecourt shop; demolish existing storage area to front, removal of car wash and the stationing of a detached storage container to the rear

Officers outlined the application which sought permission for various works including the infilling of the front of the existing shop, removal of the existing storage area, removal of the car wash (to allow for the expansion of the shop) and the erection of a storage structure at the rear of the site.

The removal of the existing storage area at the front would allow for the formation of three new parking spaces (including one disabled space), and four additional parking spaces would be added at the rear.

Members were referred to the consultation response from WRS in the Update Report and it was noted that WRS had requested that a pre-commencement condition be imposed to counter the possibility that there may be contamination at the site arising from a historical fuel leak.

It was noted that there had been no objections on highways grounds.

The site was affected by a private right of way which ran along the eastern boundary and provided access from Evesham Road for the residential property located behind the garage. It was noted that issues relating to the right of way were a private matter between the respective land owners.

Officers had considered a number of objections from local residents, including those detailed in the update report, and remained of the view that the application was acceptable and were therefore recommending approval.

Councillor Brandon Clayton, the ward members for Astwood Bank and Feckenham, addressed the Committee under the Council's public speaking rules.

Officers answered questions from Members on a number of issues and in doing so confirmed that:-

- There was no specific designation for the additional 4 car parking spaces at the rear in terms of whether they would be used for staff or customers;

Planning Committee

Wednesday, 12 December 2018

- That potentially customers using the spaces at the rear could be blocked in by a tanker delivering fuel, although the operator would be expected to have procedures in place to ensure that this did not happen;
- That there were no highways issues that caused concern arising from the application;
- That the storage structure would consist of a closed metal container that would open into the rear car park on one side and be positioned behind a 2.4 metre fence on the other side. Officers had considered the sighting and prominence of the container and formed the view that the use of such a structure was acceptable in policy terms in this setting;
- Issues regarding health and safety and means of exit of the garage would be covered under the remit of building regulations;
- It had not been anticipated that the new parking spaces at the rear would attract any anti-social behaviour, and it would be for the garage owner to deal with any such matters if they arose in liaison with the police.
- Officers agreed that the imposition of a hours of construction condition would be an appropriate addition to the conditions listed on page 19, if Members were minded to approve the application.

During the debate Members expressed their concerns over some of the points raised by the public speaker regarding the impact of the changes at the site on the residents at the rear and the potential for them to be blocked in by tankers delivering fuel. It was noted that the previous arrangement of the residents exiting via the car wash would no longer be possible.

Members were reminded that these were largely operational issues regarding the use of the site as opposed to planning issues, and that, as stated previously, the right of way was a private matter as between the owner of the garage and the residents at the rear.

Further advice was given that officers did not believe that it would be reasonable and proportionate for conditions to be imposed as to the use of the forecourt area or the positioning of where the tankers would park during fuel deliveries.

Following further debate a motion was proposed and seconded that the application be deferred to enable officers to provide further information to the Committee.

Upon being put to the vote it was **RESOLVED** that:

Planning Committee

Wednesday, 12 December 2018

Consideration of application 18/01336/FUL be deferred in order for further information to be provided to the Committee with regard to:-

- (i) The operators proposals for operation of the site once the works had been completed and in light of the removal of the egress via the car wash; and
- (ii) The storage container to be installed at the rear including its appearance, and visual impact.

56. CONSULTATION ON A PLANNING APPLICATION - 16/0263 (BROMSGROVE DISTRICT COUNCIL MATTER) LAND TO THE WEST OF FOXLYDIATE LANE AND PUMPHOUSE LANE - BILFINGER GVA

Bromsgrove District Council Hybrid application 16/0263 comprising:

1) Outline Application (with all matters reserved with the exception of vehicular points of access and principle routes within the site) for the demolition of existing buildings and the erection of : Up to 2,560 dwellings (Class C3); Local centre including retail floorspace up to 900 sq metres (Classes A1, A2, A3) health and community facilities of up to 900 sq metres (Class D1) ; A 3FE first school (Class D1) (up to 2.8Ha site area) including associated playing area and parking and all associated enabling and ancillary works.

2) Detailed application for the creation of a means of access off Birchfield Road, Cur Lane, Foxlydiate Lane and emergency, pedestrian and cycle access to Pumphouse Lane. The creation of a primary access road, including associated cut and fill works and other associated earthworks, landscaping, lighting, drainage and utilities, crossings and surface water attenuation/drainage measures

Officers presented the report and explained that the application site fell within the Bromsgrove District Council ("BDC") boundary, and that ultimately this was a matter that would be decided by the Bromsgrove District Council Planning Committee. Redditch Borough Council had been consulted because of the close proximity of the site to the Bromsgrove/Redditch boundary.

Officers had carried out a detailed appraisal of the application and Members were being asked to consider and endorse the officer response set out on pages 29 to 33 of the main agenda.

It was noted that the application was a hybrid application seeking detailed permission for the items listed in paragraph 2 above relating to access points and creation of a primary access road, and outline permission for the creation of up to 2560 dwellings, and

Planning Committee

Wednesday, 12 December 2018

the associated facilities, including a first school (as set out in paragraph 1 above).

From a policy point of view, the site was included in the Bromsgrove District Council Plan to meet some of the developments requirements of Redditch Borough Council. The background to this was that there had been insufficient capacity within Redditch for the dwellings that the authority was required to supply. Accordingly, under the duty to co-operate in the Localism Act, the two councils had worked together to identify two areas on the border of Redditch and Bromsgrove that could be brought forward to accommodate the shortfall. Those arrangements had subsequently been formalised through the local plan making process and had resulted in the identification of two areas for residential development at Foxlydiate and Brockhill.

Members were referred to the relevant policy documents, namely the Bromsgrove District Council Cross Boundary Policy in the Bromsgrove District Plan (Adopted 2017) (Policy RCBP1) and the Redditch Borough Council Cross Boundary Policy which was included as an appendix to the Redditch Local Plan No 4 (BORLP4) (Adopted January 2017).

Officers summarised the matters referred to in the officer response and referred Members to paragraph 5.2 regarding provision of affordable housing. It was thought that there had been an error in the Affordable Housing Delivery Plan as submitted by the developer, and the officer response sought to highlight that housing at the site was intended to meet Redditch's affordable housing needs.

With regard to transport, it was noted that the officer response requested the provision of a full transport assessment (paragraph 6.1). With regard to walking and cycling, it was noted that the developer had submitted a Walking and Cycling Strategy which covered integration of the site into existing walking and cycling routes.

With regard to paragraph 9, officers referred Members to the comments supporting the need for high quality design in order to ensure that the development provided a good link between the existing urban area of Redditch and the surrounding countryside.

Officers answered questions from Members on a number of issues and in doing so confirmed that:-

- The application complied with the policy requirement as to the provision of schooling, the policy stating that the development should provide a first school.
- The policy did not cover any requirements as to middle or high school places for children that resided on the

Planning Committee

Wednesday, 12 December 2018

development; it would be for Worcestershire County Council as the local education authority to take the lead on this aspect. It was expected that the education authority would be able to assess the demand for places for older children and how this could be integrated into the existing schools serving the area. Officers anticipated that further detail on this aspect would be included in the full planning application.

- With regard to buses serving the development, the submitted transport assessment contained proposals for a bus route, and it was expected that the cost of this would be funded by the development in the sum of £185K per year. This would be in addition to other proposed section 106 contributions.
- Work by Worcestershire Highways to identify where improvements would be made to the local transport network was already underway, with plans being formulated for where monies would be spent. The works would include improvements to the surrounding area and would represent a benefit for the Redditch area.
- It was intended that the bus route for the development would have bus stops along the central spine road, and that the walking routes would be designed to facilitate easy access to the spine road from the residential areas.
- The central spine road would have a 20 mph design standard, and as such it was not planned that lay-bys for buses to stop at would be necessary.
- Highways officers had considered the possibility of the bus route being extended to link to areas of development at Webheath but it was premature to progress any planning for this as those schemes had yet to come forward.
- It was intended that Curr Lane would remain open but the current route would be reconfigured to discourage use of the lane as a rat run.
- With regard to potential problems with school parking, it was not intended that the first school would have dedicated drop off facilities, although there would be parking at the local centre nearby. The proposed design of the development with walking routes linking to the school located at the centre of the site had been aimed at negating the use of cars to transport children to school.

In the course of the debate Member's commented that they regarded the issue of provision of affordable housing for Redditch as very important, and that they wanted to highlight the officer comments at paragraph 5.2 on page 31 of the main agenda.

Further, Members identified two additional aspects in relation to which they wished their comments to be added to the officer response.

Planning

Committee

Wednesday, 12 December 2018

Firstly, there was some concern expressed that with other developments historically there had been considerable delay in securing 106 payments. Members wished to guard against the possibility of delay in the provision of necessary improvements to local infrastructure and services, as this could have a negative impact both on existing residents and the occupants of the new development. Officers advised that section 106 payments would be covered by a legal agreement to be entered into between Bromsgrove District Council and the developer, and the issue of timing of payments would be governed by the use of “trigger points”. In particular, Members highlighted the need to ensure that any education contributions were made at the appropriate time to ensure that there was acceptable school provision in place for new residents.

Secondly, Members raised the issue of design standards and the need to ensure that the new dwellings were sustainable. In particular they wished to emphasise the importance of future use of electric vehicles, and that the developer should be required to make provision in the design of the dwellings for the installation of electric vehicle charging points. Officers commented that both Bromsgrove and Redditch had adopted policies on provision of electric charging points, and that it was anticipated that further detail on this element would come through in the detailed application.

RESOLVED that:-

- (i) No objection be raised to the planning application and amendments proposed;**
- (ii) The comments under the heading Officer appraisal (Appendix 1 at pages 29 to 33 of the main agenda) be endorsed;**
- (iii) Appendix 1 be amended by officers to add further comments from Members with regard to :-**
 - a. Emphasising the issue around affordable housing for Redditch as referred to at para 5.2 on page 31;**
 - b. Raising the need for defined trigger points to be used in the section 106 agreements to ensure that contributions are made in a timely manner, especially with regard to education contributions; and**
 - c. Emphasising the need for the design of the development to accommodate energy neutral approaches and provision of electric vehicle charging points.**

Planning Committee

Wednesday, 12 December 2018

57. CONSULTATION ON A PLANNING APPLICATION 17/00469/OUT (BROMSGROVE DISTRICT COUNCIL MATTER) - LAND AT BARN HOUSE FARM - FOXLYDIATE LTD

Bromsgrove Planning Application No. 17/00469/OUT

Outline application, for the erection of up to 68 dwellings to include car parking, open space provision and associated infrastructure (following demolition of all existing buildings) with details of the means of access to the site from Foxlydiate Lane submitted for consideration at this stage, with all other matters (including internal circulation routes) reserved.

Officers presented the report and explained that the application site fell within the Bromsgrove District Council ("BDC") boundary, and that ultimately this was a matter that would be decided by the Bromsgrove District Council Planning Committee. Redditch Borough Council had been consulted because of the close proximity of the site to the Bromsgrove/Redditch boundary.

Officers had carried out a detailed appraisal of the application and Members were being asked to consider and endorse the officer response set out on pages 39 to 42 of the main agenda.

It was noted that the application was for outline permission and that the site sat within the wider Foxlydiate site which was also the subject of a planning application being determined by Bromsgrove District Council (Planning Application no 16/0263), the consultation response for which the Members had considered under agenda item 8.

From a policy point of view, the position was the same as had already been explained under agenda item 8, namely that the site was included in the Bromsgrove District Council Plan to meet some of the developments requirements of Redditch Borough Council. The background to this was that there had been insufficient capacity within Redditch for the dwellings that the authority was required to supply. Accordingly, under the duty to co-operate in the Localism Act, the two councils had worked together to identify two areas on the border of Redditch and Bromsgrove that could be brought forward to accommodate the shortfall. Those arrangements had subsequently been formalised through the local plan making process and had resulted in the identification of two areas for residential development at Foxlydiate and Brockhill.

Members were referred to the relevant policy documents, namely the Bromsgrove District Council Cross Boundary Policy in the Bromsgrove District Plan (Adopted 2017) (Policy RCB01) and the Redditch Borough Council Cross Boundary Policy which was

Planning Committee

Wednesday, 12 December 2018

included as an appendix to the Redditch Local Plan No 4 (BORLP4) (Adopted January 2017).

Officers confirmed that in principle the application complied with the requirements set out in the relevant policy documents, and that officers were recommending that the application be supported subject to the comments in the officer response.

In response to questions from Members officers confirmed that on the current plans access to the development site would be from Foxlydiate Road. A bell mouth would be included in the plans for the adjoining site (16/0263) to allow for the option of the roads being linked at a later stage. Members were advised that the site was being put forward as a stand-alone development and any proposals to re-visit this would have to be the subject of commercial negotiation.

Officers were not able to give an answer as to whether the development would be built out by the same builders as would be used for application 16/0263 or by different builders.

Members noted that the report covered very much the same issues that they had already discussed in detail under agenda item 8. Accordingly it was moved and seconded that the officer response be endorsed and that officers be requested to highlight the same three issues that had been identified under agenda 8, namely, provision of affordable housing for Redditch, trigger points for section 106 agreements and the need for design standards to encompass energy neutral approaches and the provision of electric vehicle charging points. In addition the comments in paragraph 5.2 concerning the potential mix of housing for sale were noted.

RESOLVED that:-

- (i) No objection be raised to the planning application;**
- (ii) The comments under the heading Officer appraisal (Appendix 1 at pages 39 to 42 of the main agenda) be endorsed;**
- (iii) Appendix 1 be amended by officers to add further comments from Members with regard to :-**
 - a. Emphasising the issue around affordable housing for Redditch as referred to at para 5 on page 41 along with the mix of units for sale as referred to at para 5.2 on page 41;**
 - b. Raising the need for defined trigger points to be used in the section 106 agreements to ensure that contributions are made in a timely manner, especially with regard to education contributions; and**

Planning

Committee

Wednesday, 12 December 2018

- c. Emphasising the need for the design of the development to accommodate energy neutral approaches and provision of electric vehicle charging points.

The Meeting commenced at 7.00 pm
and closed at 9.20 pm

**PLANNING
COMMITTEE**9th January 2019

Planning Application 18/01336/FUL**Proposed infill extension to forecourt shop; demolish existing storage area to front, removal of car wash and the stationing of a detached storage container to the rear****Astwood Bank Service Station, 1124 Evesham Road, Astwood Bank, B96 6EA****Applicant: MPK Garages Limited****Ward: Astwood Bank and Feckenham 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 548474 Email: steve.edden@bromsgroveandredditch.gov.uk for more information.

Members will be aware that this application was considered at Planning Committee on 12th December 2018. The application was deferred to allow further information to be provided to members in terms of operational and vehicular access matters and to allow further consideration of the storage container to the rear. Local Authority Building Control, the Police Crime Manager and Fire Officer have been consulted on the application

Site Description

The premises comprise an existing 'Gulf' Petrol / Diesel filling station together with associated Londis convenience store. The site is situated within the settlement of Astwood Bank, to the west of and with existing access from the A441 Evesham Road. The Astwood Bank Service Station is located roughly mid-way between Yeomans Close and Eastern Hill (opposite), both of which lie to the Eastern side of Evesham Road. A detached dwelling to the rear of the site, No.1122 has a vehicular right of access over a strip of land which falls within the application site and is under the ownership of the applicant. This area of land is located immediately beyond the northern side of the existing shop and the shared boundary with No.1118 Evesham Road.

Proposal Description

Full planning permission is sought to remove the existing (automated) car wash and in this area, to extend the existing service station shop by approximately 20 square metres. It is proposed to remove part of an existing storage building which presently protrudes forward of the existing shop and to create 3 car parking spaces in its place.

In order to provide storage for the business which would be lost by the removal of the existing storage building to the front of the shop, it is proposed to locate a new detached storage unit on vacant land, immediately to the rear of the shop. The proposed detached unit would measure just over 6m in length by just over 2.4m in width. To the rear of the site a further 4 car parking spaces would be created. The spaces to the rear would be

PLANNING COMMITTEE

9th January 2019

used by staff and those to the front of the site would be available solely for customers rather than staff.

Relevant Policies:

Borough of Redditch Local Plan No. 4

Policy 1: Presumption in Favour of Sustainable Development

Policy 2: Settlement Hierarchy

Policy 20: Transport Requirements for New Development

Policy 39: Built Environment

Policy 40: High Quality Design and Safer Communities

Others

SPG Encouraging Good Design

NPPF National Planning Policy Framework (2018)

Relevant Planning History

1992/274/FUL	Retention Of Jet Wash	Granted	13.08.1992
--------------	-----------------------	---------	------------

Consultations

WCC Highways

No objection since highway safety would not be compromised.

The site is located off the A441 classified road and benefits from existing vehicular access (no changes to vehicular access). Any increase in traffic from the proposals would be minimal; the applicant has reconfigured the forecourt parking arrangement and is providing a total of 7 car parking spaces on site. These car parking spaces do not obstruct the hatched right of way. The applicant has now included within the parking element 1 disabled parking space and 1 motorcycle parking space.

The Highway Authority concludes that there are no justifiable grounds on which an objection could be maintained on highway grounds.

Worcestershire Regulatory Services: Contaminated Land

Worcestershire Regulatory Services (WRS) have reviewed the application in relation to contaminated land. Records indicate that historically a fuel leak occurred at the petrol station. No information has been submitted to address potential contamination and as such, a Phase 1 desk study and site reconnaissance report should be submitted.

PLANNING COMMITTEE

9th January 2019

In accordance with recommendations set out within the National Planning Policy Framework (Paragraph 178), full contaminated land conditions are being recommended due to the fact that little information relating to potential contamination has been submitted to date. In this case, once a Phase 1 study has been completed satisfactorily and in the event that no contamination issues remain outstanding, discharge of all remaining conditions will be recommended. Subject to the imposition of such (pre-commencement) conditions, WRS raises no objection.

Local Authority Building Control

No implications in terms of the building regulations

Police Crime Risk Manager

I do not consider that Crime would rise by granting permission for this application.

The shipping container store would be the most likely target although this would depend on what is kept in it. I would advise against using it to store alcohol and cigarettes.

Where containers are broken into it is generally because they have not been secured properly. I would advise the applicant to secure it using a container lock which is fit for purpose although I appreciate that enforcing this would be outside the remit of the planning system.

Fire Service

Current access arrangements would not be altered and as such the Fire Service raise no objections to the application

Public Consultation Response

6 letters have been received in objection to the application.
Comments received are summarised below:

- Access and egress of delivery vehicles to and from the site raised as a concern
- Over development of a constrained site
- Concerns that a future application for extended working hours beyond 9pm could be submitted which would be inappropriate and harmful to the amenities enjoyed by nearby occupiers
- Increased traffic may lead to road traffic accidents on the A441
- Intensification of use may lead to more on-street parking and may block shared access to side of the service station
- Further retailing activity at the site cited as a concern leading to additional advertising clutter to the detriment of the area and pedestrian / vehicular safety
- Proposal will adversely impact upon existing shops within Astwood Bank
- Increased opening hours would have the potential to escalate crime and anti-social behaviour in the area
- Storage container to rear inappropriate
- Concerns regarding lighting to serve the development

PLANNING COMMITTEE

9th January 2019

- Contamination should be fully considered

Other matters 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. This includes any obstructions to rights of way which are civil issues and are not material planning considerations in the determination of this application.

Assessment of Proposal

The National Planning Policy Framework (NPPF) advises in Paragraph 11, that planning applications for development should be considered in the context of the presumption in favour of sustainable development. This is reinforced under Policy 1 of LP4.

LP4 Policy 2 (Settlement Hierarchy) categorises the Borough's settlements based upon their role and function which has been determined through an accessibility study and Settlement Hierarchy. The Policy sets out how all of Redditch Borough's settlements are likely to be developed sustainably and how they will serve their communities.

The site falls within the Astwood Bank settlement which falls below the Redditch Urban area but above Feckenham in the Hierarchy. The plan defines Astwood Bank as a Sustainable Rural Settlement, excluded from the Green Belt, which offers an appropriate range of services and facilities. Development within the settlement boundary (as is the application site) should be the focus for identified development needs and supporting local services and infrastructure. The reasoned justification for the policy comments that *'Ignoring the needs of these settlements may lead to their decline, and in some cases, a loss of their sustainability'*.

This site, which is within a largely residential area, would clearly see the loss of the existing car wash facility, but in its place, an increased retail offer. No doubt much of the retail trade derives from persons purchasing fuel at the service station, but trade will also come from persons living within walking distance of the premises wishing to purchase everyday items such as bread, milk, newspapers etc. Your officers have concluded that the proposals would not conflict with Policy 2 of the Local Plan nor would constitute unsustainable development.

Impact upon nearby residential and business uses

It is understood that the operation of the car wash facility (which would be removed to accommodate the increase in retail floorspace) has been problematic in the past in terms of its impact upon nearby occupiers. If this application were to be granted permission, hours of operation at the premises would not increase beyond the permitted hours of use which are: Monday to Friday 0630 till 2100 hrs and 0700 till 2100 hrs Saturdays, Sundays and Public Holidays. As such, there are no reasons to consider that the proposal would impact detrimentally upon nearby occupiers.

Your Officers have concluded that the intensification of the site in terms of the retail offer would not conflict with Policy 2 of the Local Plan and would constitute sustainable

PLANNING COMMITTEE

9th January 2019

development. It is not considered that a 20 square metre increase in retail floorspace at the site is likely to adversely impact upon existing businesses in the area.

An application for new signage is not being considered here. Any future proposal would be assessed against the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, although your officers would inform members that under Class 6 of the above regulations, advertisements proposed on forecourts of business premises such as this often benefit from 'deemed consent', that is, the Councils consent is not needed to display such signs subject the rules set out under Class 6.

A new or revised lighting scheme is not being considered under this application.

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.

Representations have been received questioning the acceptability of the proposals in terms of possible intensification of use and possible blocking of the shared access to the side of the premises which number 1122 Evesham Road enjoys right of access over. However, the latter is a civil rather than a planning matter and would need to be pursued separately with the owner of the Service Station and or the Police. County Highways have concluded that there are no highway implications which might result in the proposed development giving rise to harm to highway safety. In arriving at these conclusions, it is noted that the car wash facility would no longer exist and that a demarked car parking area would be provided to both the front and rear of the premises, accommodating a maximum of seven cars.

There are no objections to this application having regard to highway safety considerations.

Contamination matters

Paragraph 55 of the NPPF states that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

Having regard to Paragraph 178 of the NPPF which requires development to be suitable for its proposed use taking account of ground conditions, any risks arising from contamination, and any proposals for mitigation, including land remediation, your officers have concluded that it would be reasonable to impose the conditions recommended by WRS which are required to be discharged prior to first commencement of development.

Sections 100ZA(4-6) of the Town and Country Planning Act 1990 requires the applicant's written agreement to the terms of a pre-commencement condition. Written agreement to the terms of the conditions has been sought and agreed by the applicant.

PLANNING COMMITTEE

9th January 2019

Other matters

The design of the infill retail store extension would match that of the existing; that is, a flat roofed single storey building with glazing to elevations. The store is well set back from the A441 behind the existing filling station pumps / canopy and the design of the extension is considered to be appropriate in its context. The new storage unit to be erected to the rear would be a single storey flat roofed structure in painted metal for security reasons and would be largely hidden behind existing and proposed close boarded timber fencing. Due to its location within the site, officers consider the structure suitable for use on a permanent basis in connection with the existing commercial use of the site.

Local Authority Building Control, the Fire Service and The Police Crime Risk Manager have been consulted on the application following the applications presentation at the December Planning Committee. No objections are raised to the proposals. The Crime Risk Managers written comments have been passed to the applicant and applicant's agent including details of the type of lock to secure the container which the PCRM has suggested for use. The applicant has agreed to use the kind of lock recommended.

The applicant states that 4 full time together with 6 part time persons are employed at present. By granting permission, the number of employees would rise to 4 full time and 8 part time, effectively a change in the full time equivalent posts from 7 to 8.

Conclusion

It is considered that the proposals comply with the planning policy framework and would be unlikely to cause any harm to amenity or safety. Subject to compliance with conditions as listed in full below, a favourable recommendation can be made.

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

Drg no. 17882-PA01a Location and Block Plan dated 22nd November 2018

**PLANNING
COMMITTEE****9th January 2019**

Drg no. 17882-PA02a Proposed and Existing Site Plans dated 22nd Nov 2018

Drg no. 17882-PA04 Proposed Elevations dated 22nd October 2018

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

- 3) The use hereby permitted shall not be open to the public outside the existing permitted hours of operation which are: Monday to Friday 0630 till 2100 hrs and 0700 till 2100 hrs Saturdays, Sundays and Public Holidays.

Reason: To define the permission and in the interests of amenity.

- 4) Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until the following Parts have been complied with:

Part 1.

A preliminary risk assessment must be carried out. This study shall take the form of a Phase I desk study and site walkover and shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and any other relevant information. The preliminary risk assessment report shall contain a diagrammatical representation (conceptual model) based on the information above and shall include all potential contaminants, sources and receptors to determine whether a site investigation is required and this should be detailed in a report supplied to the Local Planning Authority. The risk assessment must be approved in writing before any development takes place.

Part 2.

Where an unacceptable risk is identified a scheme for detailed site investigation must be submitted to and approved in writing by the Local Planning Authority prior to being undertaken. The scheme must be designed to assess the nature and extent of any contamination and must be led by the findings of the preliminary risk assessment. The investigation and risk assessment scheme must be compiled by competent persons and must be designed in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11"

Part 3.

Detailed site investigation and risk assessment must be undertaken and a written report of the findings produced. This report must be approved by the Local Planning Authority prior to any development taking place. The investigation and risk assessment must be undertaken by competent persons and must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11".

**PLANNING
COMMITTEE**9th January 2019

Part 4.

Where identified as necessary a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to identified receptors must be prepared and is subject to the approval of the Local Planning Authority in advance of undertaking. The remediation scheme must ensure that the site will not qualify as Contaminated Land under Part 2A Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Part 5.

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.

Part 6.

Following the completion of the measures identified in the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval of the Local Planning Authority prior to the occupation of any buildings.

Part 7.

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where necessary a remediation scheme must be prepared, these will be subject to the approval of the Local Planning Authority. Following the completion of any measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to the occupation of any buildings.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

- 5) During the course of any site clearance and development, the hours of work for all on-site workers, contractors and sub-contractors shall be limited to between;
0800 to 1800 hours Monday to Friday
0900 to 1200 hours Saturdays
and NO WORKING shall take place at any time on Sundays, Bank Holidays or Public Holidays or at any time outside of the above permitted working hours unless first agreed in writing by the Local Planning Authority.

**PLANNING
COMMITTEE**9th January 2019

Reason: In the interests of neighbours amenity

Procedural matters

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

This page is intentionally left blank

**PLANNING
COMMITTEE**9th January 2019

Planning Application 18/01428/OUT**Outline application for the erection of 8 No. 2-bed dormer bungalows with associated infrastructure****Land To The Rear Of Nos 213-229 Ibstock Close And To The Rear Of Nos 23-31 Foxcote Close, Winyates East, Redditch****Applicant: Redditch Borough Council
Ward: Winyates 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 548474 Email: steve.edden@bromsgroveandredditch.gov.uk for more information.

Site Description

The site is a grassed area approximately 2900 sqm (0.29 ha) in size and comprises an area of Primarily Open Space as designated on the Borough of Redditch Local Plan No.4 Policies Map.

To the northern-eastern premier of the site lie protected trees and hedging and then rear boundary fences serving numbers 23 to 31 Foxcote Close. To the west of the site lie numbers 211 to 217 Ibstock Close. Immediately beyond the south-west boundary of the site is an apartment block containing numbers 218 to 229 Ibstock Close. Beyond the south-eastern boundary lies Whitehouse Lane, which itself gains access from Alders Drive to the east.

Proposal Description

This is an outline application for residential development comprising 8, two bedroomed dormer bungalows with all matters reserved for future consideration (access, layout, scale, appearance and landscaping).

Although the matter of access is not for consideration at this stage, an indicative plan has been submitted showing vehicular access to the site from Ibstock Close at a point between number 217 Ibstock Close (to the north) and the apartment block containing numbers 218 to 229 Ibstock Close (to the south). It should be noted that an access from Ibstock Close already exists in this position and serves a total of 14 car parking spaces (in two rows of 7 spaces).

The application is supported by a design and access statement and a Preliminarily Ecological Survey (PEA).

PLANNING COMMITTEE

9th January 2019

Relevant Policies :

Borough of Redditch Local Plan No. 4

Policy 1: Presumption in Favour of Sustainable Development

Policy 11: Green Infrastructure

Policy 13: Primarily Open Space

Policy 16: Natural Environment

Others

NPPF National Planning Policy Framework (2018)

SPG Encouraging Good Design

Relevant Planning History

None

Constraints

New Town TPO 12

Consultations

WCC Highways

No objections in principle. The site is located within a residential area that promotes sustainable modes of transport including a high frequency bus service along Winyates Way, Local Cycle Routes 11, 12, and 15, National Cycle Route 5 and the area is criss-crossed by pedestrian footways. The area in the vicinity benefits from footpaths and street lighting.

Based on the indicative plan submitted no objections are raised. Parking provision (2 spaces per dwelling) would conform to the County Councils Parking standards for 2 bed dwellings. Visibility to and from the proposed means of access is considered to be acceptable.

Any future full / reserved matters application submitted at a later date should take on board the following recommendations

- a 6m radius be provided to the entrance off Ibstock Close.
- Drop Kerbs to be provided adjacent to the existing footpath and also across the road.
- Relocation of the existing street light may be required due to the increase in junction radius to 6m on Ibstock Close
- Possible relocation of the street light located adjacent to plot 1

PLANNING COMMITTEE

9th January 2019

- The footpath along one side of the access road to be provided with a 1m service margin strip on the opposite side
- It is recommended the applicant provides a suitable visibility splay at the point where the existing divorced footpath crosses the proposed site access road, to minimise the risk to pedestrians crossing the road.

Drainage Engineer: North Worcestershire Water Management

The site is in flood zone 1 (low risk of modelled river and tidal flooding), we have no records of flooding at this location. There is a surface water flood risk to the north west of the site however the applicant has left a buffer here therefore this flood risk is negligible. Usually Building Regulations Hierarchy of surface water drainage requires discharge to a ditch/watercourse to be ruled out before discharge to a sewer. In this case however given the nature of the ditch, the downstream mapped surface water flood risk and lack of easement between downstream properties and the ditch I recommend the applicant discharges surface water to the sewer network. Before discharging surface water the applicant is required to attenuate surface water to 5L/s and use SuDS measures. Some SuDS measures which could be applicable for this site are rainwater harvesting, rain gardens, and permeable paving.

There are no reasons to object to this application on flood risk grounds subject to the imposition of a suitably worded drainage condition.

Arboricultural Officer

Comments summarised as follows:

The site is covered by (New Town) 'blanket' / 'area' Tree Preservation Order 12.

There are several mature Oak Trees at the rear of 23/24 Foxcote Close.

T1: nearest to the footpath (adjacent to Whitehouse Lane) is in heavy decline and needs to be removed, which the Council's Tree team would do.

T2: Oak is in good health and condition but does have a low and wide canopy, extending to 11m into the proposed development, this tree has an Root Protection Area of 10.20m. At this stage, a crown lift is likely to be needed.

T3: Oak is on the rear boundary fence line of No.24 Foxcote Close. I do not envisage any issues with this tree.

T4: a mature oak at the rear of 26/27 Foxcote Close, is in good health and condition, this tree has been subject to a reduction in the past and would not interfere with the proposed development.

T5: a semi-mature Oak at the Rear of 28 Foxcote Close. I do not envisage any issues or encroachment with this tree.

T6: a young Oak to the front of 216 Ibstock Close stands in hedgerow, is in good health and would not be affected by development.

PLANNING COMMITTEE

9th January 2019

At the rear of the block of Flats 218-229 there are 2 Robinia's T7: &T8: and 1 Alder T9: which would need to be removed to which I would have no objection.

RBC Strategic Planning team

Comments summarised as follows:

As an area of Primarily Open Space, Policy 13 of the Borough of Redditch Local Plan No.4 (BORLP4) would apply.

Policy 13 (Primarily Open Space) states: "Open space will be protected and, where appropriate, enhanced to improve quality, value, multifunctionality and accessibility. In order to maintain the levels of open space provision in the Borough, proposals which would result in the total or partial loss of Primarily Open Space will not normally be granted planning permission unless it can be demonstrated that the need for development outweighs the value of the land as an open area."

Applicants need to demonstrate that the need for a proposed development outweighs the value of the open space, based on a number of criteria (1 to 9), otherwise planning permission will not be granted.

In terms of Primarily Open Space standards, Winyates Ward has a deficit of open space per 1000 population of 1.61ha. The Borough standards have recently been recalibrated to take account of updated Census information and an audit of all open spaces. A revised standard for Winyates Ward shows a reduction in the deficit of open space (-0.93ha per 1000 population). However, it should also be noted that the open space standards do not take account of sub-regional open spaces such as the Arrow Valley Park. If the sub-regional open space is taken into account, Winyates Ward would have a surplus of around 12ha per 1000 population.

Public Consultation Response

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

- The land should remain for recreational purposes and should not be built on. Children and young people use this land for playing ball games and enjoying general pastimes all year around, under the watchful eye of their parents due to the close proximity of the field to the existing houses. Children will suffer long-term
- Highway safety concerns arising from increased use of vehicular access
- Inadequate parking provision for the development
- The proposal would be an overdevelopment of the site
- Drainage concerns
- The proposed development will degrade the natural environment in the area creating a health hazard during construction
- There are no other 'safe' play areas in close proximity. The current play area with its soft borders around the fence lines provides safety and privacy
- What will happen to the remaining 'triangle' of green which backs on to No 32 and 33 Foxcote Close?
- Where will bins be stored?

PLANNING COMMITTEE

9th January 2019

- Concerns about future health of the protected trees
- Wildlife in the area will be adversely affected.

One representation has been received which neither supports or objects to the application. Comments are summarised as follows:

- The land for the development is of poor quality and drainage. Adequate drainage should be provided and steps taken to ensure that water does not naturally soak away into the gardens in Foxcote Close and those in Ibstock Close.
- There are several protected Oak trees to the northern boundary to the site. These should not be harmed in any way since they are a haven for wildlife, particularly bats.
- Whitehouse Lane is already a very busy thoroughfare feeding the arterial cul-de-sacs off it. The new development will add to the already busy traffic flow and should be taken into consideration.
- I am satisfied that the privacy of the existing residents would not be compromised providing all trees and hedgerows remain.

Procedural matters

This is an outline application with all matters reserved, and as such only the principle of development can be considered at this stage. However, if there are reasons why the development could not be designed to be appropriate to the site, these can be raised as concerns at this stage.

The application plans include an indicative layout, however this is for illustrative purposes only to demonstrate how the site **could** be developed to accommodate eight dormer bungalows, and not how the site **would** be developed.

Assessment of Proposal

An Independent Preliminary Ecological Appraisal has been commissioned by the Council and has been carried out. The report concludes that the site is of low ecological value and that further surveys are not necessary. Development of the site is deemed to be acceptable from an ecological perspective subject to the imposition of appropriate conditions to cover biodiversity enhancement and to ensure that construction working is appropriately managed to ensure that wildlife is not prejudiced.

The key issue for consideration in this case is the principle of the development as all other matters are reserved for future consideration.

PLANNING COMMITTEE

9th January 2019

Principle of development

The site is designated as Primarily Open Space in the Borough of Redditch Local Plan No.4 (BORLP4). As such, Policy 13 would apply.

Policy 13 comments that: "Open space will be protected and, where appropriate, enhanced to improve quality, value, multifunctionality and accessibility. In order to maintain the levels of open space provision in the Borough, proposals which would result in the total or partial loss of Primarily Open Space will not normally be granted planning permission unless it can be demonstrated that the need for development outweighs the value of the land as an open area."

Policy 13 is a criteria based policy where in the consideration of applications for development on Primarily Open Space, the following (9 criteria) will be taken account:

i. the environmental and amenity value of the area;

Your officers have concluded that the environmental and amenity value of the area is relatively low. The applicant comments that there is existing community provision at Petton Close which offers a larger linear open space within a 5 minute walk time from the site (165m south-east) which meets the needs of local people for formal and informal recreation. This site includes two goal posts as well as a linear link opportunity to maintain green corridors and infrastructure.

ii. the recreational, conservation, wildlife, historical, visual and community amenity value of the site;

The Ward sits within a landscape of larger parks and green spaces with Ipsley Alders Marsh Nature Reserve situated to the east (included in the Open Space Needs Assessment). This Nature Reserve provides an important conservation, environmental and wildlife provision in the vicinity that has greater biodiversity and ecology benefits. There is no evidence of historical value to the area of open space.

iii. the merits of retaining the land in its existing open use, and, the contribution or potential contribution the site makes to the Green Infrastructure Network, character and appearance of the area;

This matter has been considered in the design and layout shown on the indicative plan. Green Infrastructure and wildlife corridors including important mature trees have been retained within the layout.

iv. the merits of protecting the site for alternative open space uses;

The applicant has demonstrated that there is alternative open space use at Petton Close within easy walking distance from this site along with diversity and variety of provision at Arrow Valley Country Park.

v. the location, size and environmental quality of the site;

The proximity and location of Petton Close, Arrow Valley Country Park and Ipsley Alders Marsh demonstrate these factors are not compromised within the Ward.

**PLANNING
COMMITTEE**9th January 2019

vi. the relationship of the site to other open space areas in the locality and similar uses within the wider area;

Arrow Valley Country Park (900 acres) is positioned to the west of the site (excluded in the Open Space Needs Assessment as a Sub-Regional Park). Due to its exclusion there is a deficit of open space within this Ward of 0.93ha per 1000 population, however, if AVCP was included in the calculations of the assessment this would result in a larger surplus provision. As such, your officers consider that it would be reasonable to suggest that AVCP (classed under the typology of parks) should be taken into account when reviewing the value of open space in Redditch and Winyates East, due to its far reaching diversity and benefits along with evidence of the park attracting larger than average visitor numbers from across the Borough by the nature of the facilities provided.

vii. whether the site provides a link between other open areas or as a buffer between incompatible uses;

It can be demonstrated that alternative open space uses can be provided at the larger, linear open space at Petton Close given the size and accessibility of the site. Also within a 5 minute walk time facilities at AVCP would provide far greater diversity for alternative open space usage. The site does not provide a buffer between incompatible uses since all uses within the immediate area fall within the (C3) residential use class.

viii. that it can be demonstrated that there is a surplus of open space and that alternative provision of equivalent or greater community benefit will be provided in the area at an appropriate, accessible locality; and

see comments under vi. above

ix. the merits of the proposed development to the local area or the Borough generally.

Currently, the Council cannot demonstrate a 5 year supply of housing land within the Borough. Paragraph 11 of the National Planning Policy Framework (NPPF) says that in such circumstances relevant policies for the supply of housing should not be considered up-to-date. The so called tilted balance as advocated by the framework is engaged and the presumption in favour of sustainable development, as set out in the Framework applies. Where relevant policies are out of date, Paragraph 11 advises that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole, or specific policies in the Framework indicate development should be restricted.

Your officers have concluded that any adverse impacts arising from granting permission for the residential development of this site would NOT significantly and demonstrably outweigh the benefits of the scheme as a whole which would provide affordable housing to meet the Boroughs identified housing needs.

Therefore, no objections are raised to the principle of a residential scheme on the site.

PLANNING COMMITTEE

9th January 2019

Scale, layout and appearance of development

Policy is supportive of new residential development 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.

Whilst scale, layout and appearance are not for specific consideration at this stage, the indicative plan does demonstrate how 8 dormer bungalows could be accommodated within the plot without compromising the amenities enjoyed by occupiers of nearby occupiers. Whilst the submitted plan is only for illustrative purposes, separation distances between existing dwellings and the proposed new dwellings would comply with standards contained within the Councils SPG on Encouraging Good Design and gardens serving the new dwellings would also comply with minimum requirements.

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

Trees and Ecology

Policy 16 (Natural Environment) aims to protect and, where appropriate, enhance the quality of natural resources including wildlife corridors, ancient and important trees and biodiversity.

The Councils Arboricultural Officer has raised no objections to the development. The mature Oak Trees would remain under the protection of the New Town Tree Preservation Order 12. Conditions to protect the trees during the construction phase may be appropriate to impose on any later reserved matters application when the matters of layout and landscaping are set.

The Independent Preliminary Ecological Appraisal (PEA) has concluded that the site is of low ecological value and that further surveys are not necessary. Development of the site is deemed to be acceptable from an ecological perspective subject to the imposition of appropriate conditions to cover biodiversity enhancement and a requirement to ensure that the tree line along the eastern boundary (rear of Foxcote Close) is not illuminated.

Paragraph 175 of the NPPF comments that opportunities to incorporate biodiversity in and around developments should be encouraged. The site is adjacent to well established green network corridors and as such, to enhance ecological biodiversity, permanent bat and bird nesting opportunities should be integrated within the scheme. An appropriately worded planning condition is recommended to be imposed at this outline stage.

It is reasonable to expect that lighting associated with the construction and operational phases of the development could have an adverse impact on habitat which is suitable for roosting and foraging and bats since the site is part of a 'green corridor' between other larger areas of habitat. One of the recommended biodiversity conditions (the submission of a CEMP – Biodiversity) is therefore recommended as pre-commencement of development condition.

PLANNING COMMITTEE

9th January 2019

The Town and Country Planning (Pre-commencement Conditions) Regulations 2018 require the applicant's written agreement to the terms of any pre-commencement condition. Written agreement to the terms of the condition has been sought and agreed by the applicant.

Impact of the proposals on highway safety

The matter of access to and from the development would be considered in more detail under a future reserved matters application. That said, the most obvious means of vehicular access to the site would be that shown on the indicative and illustrative plan (from Ibstock Close).

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. Two off-road car parking spaces would be provided for each of the 8 dormer bungalows, meeting the Council's parking standards. The two rows of 7 car parking spaces serving existing properties in Ibstock Close as referred to earlier in this report would not be affected by the proposals.

There are therefore no objections to this application having regard to highway safety considerations.

Drainage and other matters

The Drainage Engineer (NWWM) has raised no objection subject to the imposition of a drainage condition.

A refuse and recycling point which is located adjacent to the two rows of 7 car parking spaces referred to above would need to be relocated in order to facilitate vehicular access to the site. Your officers have raised this matter with the applicant who is aware of the requirement for its relocation. Whilst this is a detailed matter, alternative locations near to the existing location will be examined and any relocation would be carried out following consultation with nearby residents.

Conclusion

Having regard to the requirements set out under Policy 13 above, your officers have concluded that the demonstrated need for the development outweighs the value of the land as an area of Primarily Open Space.

As referred to earlier in this report, the Council cannot currently demonstrate a five year supply of housing. Significant weight should be afforded to the fact that the scheme would make a meaningful contribution to the Council's housing figures and in particular the provision of affordable housing. Account should be taken of the opportunities the development would create for local businesses in the construction of the development. Limited environmental harm would be caused in this case and any adverse impacts arising from granting permission for the residential development of this site would NOT

**PLANNING
COMMITTEE**9th January 2019

significantly and demonstrably outweigh the benefits of the application. As such, and in accordance with Paragraph 11 of the NPPF, permission should be granted.

The proposal would amount to sustainable development, and would not conflict with the Borough of Redditch Local Plan No.4 as a whole.

Subject to compliance with conditions as listed in full below, a favourable recommendation can be made.

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) Details of appearance, landscaping, layout, access and scale (hereafter called 'the reserved matters') shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

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

- 2) Application for approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission.

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

- 3) The development hereby permitted shall begin no later than two years from the date of the approval of the last of the reserved matters to be approved.

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

- 4) The development hereby approved shall be carried out in accordance with the following plans and drawings:

Drawing No: P2049/142/2: site location plan edged red dated 15th November 2018

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

**PLANNING
COMMITTEE**9th January 2019

- 5) No development above foundation level of the dwellings hereby approved shall take place until a site drainage strategy for the proposed development has been 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) During the course of any site clearance and development, the hours of work for all on-site workers, contractors and sub-contractors shall be limited to between;
0800 to 1800 hours Monday to Friday
0900 to 1200 hours Saturdays
and NO WORKING shall take place at any time on Sundays, Bank Holidays or Public Holidays or at any time outside of the above permitted working hours unless first agreed in writing by the Local Planning Authority.

Reason: In the interests of neighbours amenity

- 7) No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

a) Direction of security/construction lighting away from protection zones, tree canopies and watercourses.

b) Responsible persons and lines of communication.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority

Reason:- To minimise impact of the development on biodiversity in accordance with the requirements of the National Planning Policy Framework.

- 8) Prior to the first occupation of the development, details shall be submitted that shall include bird nesting boxes, bat roosting boxes, and appropriate native species planting to take account of the need to recreate habitat for wildlife and biodiversity. The details thus approved shall be fully implemented prior to first use occupation of the development. The existing tree line along the eastern boundary of the site (rear of Foxcote Close) shall not be illuminated without first obtaining the approval of the Local Planning Authority.

**PLANNING
COMMITTEE**9th January 2019

Reason:- To ensure the creation of wildlife habitat and wildlife corridors within development and minimise impact of the development on biodiversity in accordance with the requirements 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 negotiation and amendment.

Procedural matters

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