

Planning Committee

Monday, 18 March 2019

MINUTES

Present:

Councillor Michael Chalk (Chair), and Councillors Salman Akbar, Bill Hartnett, Jennifer Wheeler, Pat Witherspoon, Joanne Beecham, Mike Rouse, Mark Shurmer and Julian Grubb

Also Present:

Steve Hawley (Worcestershire County Council Highways)

Officers:

Amar Hussain, Helena Plant, Steve Edden, Emily Farmer and Simon Jones

Democratic Services Officer:

Sarah Sellers

71. APOLOGIES

There were apologies for absence from Councillors Roger Bennett, Andrew Fry, Wanda King, Gemma Monaco and Gareth Prosser.

The meeting was notified of the following Members who were attending as substitutes:

- Councillor Michael Rouse as substitute for Councillor Roger Bennett
- Councillor Pat Witherspoon as substitute for Councillor Andy Fry
- Councillor Mark Shurmer as substitute for Councillor Wanda King
- Councillor Joanne Beecham as substitute for Councillor Gemma Monaco
- Councillor Julian Grubb as substitute for Councillor Gareth Prosser

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Chair

72. DECLARATIONS OF INTEREST

In relation to application 19/00130/FUL, Councillor Salman Akbar declared a Disclosable Pecuniary Interest in that the application had been submitted by himself and his wife in relation to the property they own at 2 Brockhill Lane, Brockhill, Redditch. Councillor Akbar left the room during consideration of this application and played no part in the debate or vote.

In relation to application 19/00130/FUL, Councillors Mike Chalk, Joanne Beecham, Julian Grubb, Bill Hartnett, Mark Shurmer, Mike Rouse, Jennifer Wheeler and Pat Witherspoon declared a collective Other Disclosable Interest in that they are acquainted with Councillor Salman Akbar as a fellow Councillor. All Members remained and considered and voted on the matter.

In relation to application 18/01626/S73 Councillor Bill Hartnett declared an Other Disclosable Interest in that he is acquainted with two of the speakers, namely Mr John Gittins and Councillor Anthony Lovell. Councillor Hartnett remained and considered and voted on these matters.

It was noted that some of the Members were acquainted with the speaker on behalf of Redditch Borough Council for applications 18/01600/OUT, 18/01509/OUT and 19/00075/OUT, Matthew Bough, in his capacity as an officer of the Council.

73. CONFIRMATION OF MINUTES OF THE PLANNING COMMITTEE HELD ON 13TH FEBRUARY 2019

RESOLVED that

The Minutes of the meeting of the Planning Committee on 13th February 2019 be confirmed as a correct record and signed by the Chair.

74. UPDATE REPORTS

The published Update Reports for the applications were noted.

75. APPLICATION 18/01626/S73 - REDDITCH GATEWAY LAND ADJACENT TO THE A4023 COVENTRY HIGHWAY REDDITCH

Variation of conditions 2 and 8 to amend the parameters of development for the northern development parcel, and Phase 1 Ground Engineering works (and changes to conditions 12, 16, 18, 21, 29, 31, 32, 36 and 37 to allow hedgerow and tree removal prior to the coming into effect of the relevant condition, and conditions 28 and 29 to relate to updated flood risk assessment) in respect of

hybrid planning permissions 17/01847/OUT (Stratford reference number), 17/00700/OUT (Redditch reference number), and 17/00701/OUT (Bromsgrove reference number) dated 11 June 2018.

Members were reminded that the original Hybrid Outline Planning Application had previously been approved in early 2018, following consideration of the application by Redditch Borough Council, Bromsgrove District Council and Stratford-on-Avon District Council.

Officers reported that the application for Variation of Conditions 2 and 8 related solely to the northern development parcel and did not impact on Redditch or Stratford. The developer was seeking changes to enable the construction of a larger single platform on one level. The changes were being pursued in order to meet the commercial requirements of a potential occupier, whose identity could not be revealed by the developer for commercial reasons. The changes proposed would involve making amendments to the development zones in the northern parcel although the quantum of floor space and ratios of use classes, including the requirement for 10% office space, would not change.

Members were referred to the Update Report which included consultation responses from the RBC Tree Officer and an update regarding the decision of the Bromsgrove District Council Planning Committee on 11th March 2019. It was noted that officers were recommending an additional condition to delay development, including earthworks, and tree/hedgerow removal until reserved matters had been approved in line with the decision taken by members of the Bromsgrove District Council Planning Committee.

The following speakers addressed the Committee under the public speaking rules:-

Mr Len Quartly - on behalf of Winyates Green Residents Association

Mr John Gittins - on behalf of Coughton Parish Council

Mrs Maureen Berry - on behalf of Mappleborough Green Parish Council

Mrs Claire Davies

Councillor Anthony Lovell - Ward Councillor for Winyates Ward

Mr Paul Rouse – on behalf of Stofford Developments (the applicant)

In response to questions from Members, Mr Rouse confirmed that under the variation application the brook on the western side of the site as opposed to the eastern side would be removed, and the watercourse would be re-directed with mitigation works including the planting of additional hedgerow. Further, that under the additional condition added by Bromsgrove District Council, any

environmental works would not take place until reserved matters had been considered.

Members discussed the application in detail and in doing so referred to some of the concerns raised by the public speakers including the potential environmental impact, including the diversion of Blacksoils Brook, the potential for parking problems from staff who might park in nearby streets, and the routing of HGV vehicles. Members noted that the potentially the project could be moving away from the original intention of providing job opportunities for skilled workers in the Borough.

In response to questions from Members officers confirmed that:-

- Under the revised plans, the brook would be diverted through the open space area to the East of the site.
- That levels of light would be subject to control by the local planning authority under proposed condition 39.
- That parking for staff should be available on site but that if any problems occurred the responsible body would be the Highways Authority which had powers to control on street parking.
- Compliance with HGV routing could be achieved by a variety of methods and dialogue on this aspect would be continuing via the Redditch Eastern Gateway Steering Group.

Members noted that the potential commercial occupier had not yet committed to the site, and that this caused a conflict between the request of the developer to carry out environmental works which could not then be reversed, and the risk that the commercial occupier might decide not to proceed. Officers clarified that this concern was addressed through the additional condition proposed in the Update Report, and that this would act as a safeguard to prevent any works taking place before the Reserved Matters application had been approved.

Members noted the position but expressed the view that this aspect needed careful monitoring and suggested that the discharge of the conditions relating to the environmental aspects of the variation application should have Member oversight.

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 permission following agreement of the final scope and detailed wording and numbering of conditions set out on pages 57 to 73 of the main agenda, and subject to:

- a) The inclusion of an additional condition set out in draft form on page 2 of the Update Report, namely that notwithstanding the approval of phase 1 earthworks in full, no development, including earthworks, tree or hedgerow removal (with the exception of the hedgerow removal consented under application 18/01546/HEDG) shall take place until reserved matters have been approved for all development within that phase; and
- b) That the discharge of the conditions listed in the title of the application (conditions 12, 16, 18, 21, 29, 31, 32, 36 and 37) be brought back to Planning Committee for decision.

[In relation to this agenda item Councillor Bill Hartnett declared an Other Disclosable Interest in that he is acquainted with two of the speakers, namely Mr John Gittins and Councillor Anthony Lovell. Councillor Hartnett remained and considered and voted on this matter.]

76. APPLICATION 18/01600/OUT - LAND AT SANDYGATE CLOSE WEBHEATH REDDITCH - REDDITCH BOROUGH COUNCIL

Outline application for the erection of 5 affordable housing No. 2-bed dormer bungalows with associated infrastructure

The application was for outline planning permission for the construction of 5 affordable housing two bedroomed dormer bungalows on Council owned land. It was noted that all matters were reserved for future consideration, namely access, layout, scale appearance and landscaping.

Whilst the detail would be subject to a further application, Officers were able to provide an indicative plan showing one potential configuration of the proposed dwellings which included a continuation of the cul-de-sac, a turning area and row of five dwellings each with two parking spaces.

Members were referred to the criteria for assessing applications for development on incidental open space land under Policy 14 of the Borough of Redditch Local Plan No. 4.

It was noted that the Council cannot currently demonstrate a 5 year supply of housing land and that for this application the presumption in favour of sustainable development would apply unless any adverse impacts would outweigh the benefits. Officers had concluded that any adverse impacts arising from granting

permission for the residential development of the site would not significantly and demonstrably outweigh the benefits of the scheme as a whole which would provide affordable housing to meet the Council's identified housing needs. Accordingly, the scheme was recommended for approval.

The following speakers addressed the Committee under the Council's public speaking rules:-

Mrs Michelle Bayliss)
Mrs Susan Lawless) Local residents in objection
Mrs Rosemary Greenfield)

Mr Matthew Bough - Housing Strategy & Enabling Team Leader (on behalf of the applicant)

In discussing the application Members noted some of the concerns raised by the public speakers including loss of open space for children to play, and issues around parking which the speakers had described as very limited at weekends and evenings. Officers clarified that the plan of the configuration of the site was indicative only, and it would be open to the applicant when making the application for reserved matters to consider other layouts which might enable the preservation of green open space.

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 83 to 87 of the main agenda and the inclusion of an additional informative requesting that the Applicant consider alternative designs for the development to maximise the usable green open space and parking.

[Councillor Joanne Beecham left the meeting at the end of this agenda item.]

77. APPLICATION 18/01509/OUT - LAND AT HERONFIELD CLOSE CHURCH HILL SOUTH REDDITCH - REDDITCH BOROUGH COUNCIL

Outline application for the erection of 3 No. affordable 2-bed houses with associated infrastructure (affordable housing)

The application was for outline planning permission for the construction of 3 affordable two bedroomed houses on Council owned land. It was noted that all matters were reserved for future consideration, namely access, layout, scale, appearance and landscaping.

Whilst the detail would be subject to a further application, Officers were able to provide an indicative plan showing one potential configuration of the proposed dwellings. Although not for decision at this stage, the plan showed the proposed access route from Heronfield Close with parking spaces for the new dwellings being added to the existing row of parking space on the southern boundary of the site.

As already noted under agenda item 6, Members were referred to the criteria for assessing applications for development on Incidental open space land under Policy 14 of the Borough of Redditch Local Plan No. 4.

Mr Matthew Bough, Housing Strategy & Enabling Team Leader (on behalf of the applicant) addressed the Committee under the Council's public speaking rules on behalf of the Applicant.

In response to questions from Members, officers confirmed that secure cycle parking as referred to at paragraph 8 on page 97 of the agenda could be included by a variety of means, and did not have to take the form of a single storage structure to serve the three dwellings.

Members also referred to the shortage of parking spaces in the vicinity of the application site and discussed the option of the final decision being amended, if possible, to provide additional communal parking spaces.

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 95 to 99 of the of the main agenda, and the inclusion of an additional informative requesting that the Applicant consider alternative designs for the development to improve the number of communal parking bays.

78. APPLICATION 19/00075/ OUT - LAND ADJOINING 1 FLADBURY CLOSE WOODROW NORTH REDDITCH B98 7RX - REDDITCH BOROUGH COUNCIL

Outline application for the erection of 2 No. 2-bed bungalows with associated infrastructure (affordable housing)

The application was for outline planning permission for the construction of 2 two bedroomed bungalows on Council owned land on the corner of the cul-de- sac at Fladbury Close. It was noted

that all matters were reserved for future consideration, namely access, layout, scale, appearance and landscaping.

Whilst the detail would be subject to a further application, Officers were able to provide an indicative plan showing one potential configuration of the proposed dwellings with 4 parking spaces for the new dwellings on the southern boundary of the site.

As already noted under agenda item 6, Members were referred to the criteria for assessing applications for development on Incidental open space land under Policy 14 of the Borough of Redditch Local Plan No. 4.

Mr Matthew Bough, Housing Strategy & Enabling Team Leader addressed the Committee under the Council's public speaking rules on behalf of the Applicant.

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 107 to 109 of the of the main agenda.

79. APPLICATION 18/01448/FUL - 48 CHURCH ROAD WEBHEATH REDDITCH B97 5PG - MR K BEST

Proposed 2 Bed Bungalow

Officers outlined the application which was for the construction of a 2 bedroom bungalow on land that formed part of the rear garden of 48 Church Road. The proposed dwelling would be accessed from a new driveway leading from the existing access off Church Road that currently serves 48 Church Road.

With regard to amenity, it was noted that the proposed dwelling would have a shallow rear garden and that there would be a change of levels, with the existing dwellings at Neighbrook Close at the rear being at a slightly higher level. As these were two storey dwellings, officers had looked very carefully at the issue of amenity and had concluded that there would be an overbearing impact on for future occupiers of the proposed bungalow. For this reason the application was recommended for refusal.

Mr Alan Smith (agent), and Mr Ken Best (applicant) addressed the Committee under the public speaking rules.

During the debate Members questioned whether the degree of overbearing was sufficiently significant for the application to be refused, taking into account that in other respects the proposal was

within policy. Following discussion two motions were moved as follows:-

- (1) That that application be refused in accordance with the officer recommendation;
- (2) That the application be granted with the inclusion of standard conditions as to highways, boundary treatment, materials, timing and plans.

Upon being put to the vote the amended motion at paragraph 2 was adopted as the substantive motion.

RESOLVED that

Having regard to the development plan and to all other material considerations, planning permission be GRANTED subject to the standard conditions outlined above.

80. APPLICATION 19/00097/FUL - UNIT 5 LAKESIDE INDUSTRIAL ESTATE NEW MEADOW ROAD LAKESIDE REDDITCH B98 8YW - MS A MARSHALL

Change of use from B8 distribution to D2 assembly and leisure

Officers outlined the application which had been submitted by a health and fitness business who wanted to utilise a unit for a D2 leisure use which was currently allocated as a B8 use. Officers highlighted the lack of evidence that the unit had been marketed for a B8 use for sufficient time since it had been vacated in September 2018. The site was within an area designated as a Primarily Employment Area under Policy 24, and change of use to D2 would be contrary to this policy. No sequential testing had been carried out by the Applicant, and officers were aware of other suitable units which would have been available in preferable locations within the Town Centre.

RESOLVED that

Having regard to the development plan and to all other material considerations planning permission be refused for the reasons set out below:

1. The proposed change of use to D2 would result in a loss of land designated for employment (B1, B2, B8) purposes. In the absence of any justification for this loss, the proposal is considered to be contrary to Policy 24 of the Borough of Redditch Local Plan No.4.
2. The applicant has failed to satisfy Paragraph 86 of the National Planning Policy Framework which requires that a

sequential test be applied to planning applications for main town centre uses that are not in an existing centre. The creation of a D2 use in a location outside the town centre in an area poorly served by public transport would be likely to generate a significant quantity of unsustainable trips in private vehicles contrary to Policy 30 of the Borough of Redditch Local Plan No.4 and the provisions of the National Planning Policy Framework.

**81. APPLICATION 19/00130/FUL - 2 BROCKHILL LANE
BROCKHILL REDDITCH B97 6QX - COUNCILLOR AND MRS
AKBAR**

Conversion and extension of existing double garage to form living accommodation and creation of a new room over

Mrs Julie Muckle of 1 Wheelers Lane addressed the Committee under the public speaking rules in objection to the application.

In response to points raised during public speaking officers gave clarification to Members on the following points:-

- That loss of light to the neighbouring property at 1 Wheelers Lane had been considered, but taking into account the orientation of that property in relation to the application site, officers were satisfied that there was no material loss of light.
- That loss of parking spaces through conversion of the double garage was not a material factor; there was a larger than average parking area available for the property which officers believed would be sufficient for up to five vehicles.
- That officers did not believe that the extension would be overbearing. Due to the orientation of the roof lights at the front of the extension and the dormer windows at the rear of the first floor extension, there were no issues of overlooking regarding the property at 1 Wheelers Lane. For the same reason, there was no justification to request the fitting of obscure glazing.

Members discussed separation distances between the proposed extension and the rear of 1 Wheelers Lane. Officers confirmed the policy on separation distances was silent on the issue of the distance between existing rear walls to proposed flank walls. However, officers had judged the separation distances to be acceptable.

A motion was put forward and seconded that the application be deferred to enable the Members to conduct a site visit.

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

Consideration of application 19/00130/FUL be deferred in order for Members to conduct a site visit.

[In relation to this agenda item Councillor Salman Akbar declared a Disclosable Pecuniary Interest in that the application had been submitted by himself and his wife in relation to the property they own at 2 Brockhill Lane, Brockhill, Redditch. Councillor Akbar left the room during consideration of this application and played no part in the debate or vote.

Councillors Mike Chalk, Joanne Beecham, Julian Grubb, Bill Hartnett, Mark Shurmer, Mike Rouse, Jennifer Wheeler and Pat Witherspoon declared a collective Other Disclosable Interest in that they are acquainted with Councillor Salman Akbar as a fellow Councillor. All Members remained and considered and voted on the matter save for Councillor Beecham who had already left the meeting.]

The Meeting commenced at 7.00 pm
and closed at 10.40 pm