

# Planning Committee

---

Wednesday, 15 January 2020

## MINUTES

### Present:

Councillor Gemma Monaco (Vice-Chair) and Councillors  
Brandon Clayton, Andrew Fry, Bill Hartnett, Anthony Lovell, Nyear Nazir,  
Gareth Prosser, Jennifer Wheeler and Michael Chalk

### Also Present:

Peter Aston – Designing Out Crime Officer West Mercia Police

### Officers:

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

### Democratic Services Officer:

Sarah Sellers

## 65. APOLOGIES

Apologies for absence were received from Councillor Salman  
Akbar. Councillor Mike Chalk attended as substitute for Councillor  
Akbar.

## 66. DECLARATIONS OF INTEREST

In relation to agenda item 5 Councillor Andrew Fry declared an  
Other Disclosable Interest in that he was acquainted with one of the  
registered speakers as a former colleague. Councillor Fry  
remained in the meeting and participated in the debate.

In relation to agenda item 5 Councillor Brandon Clayton declared an  
Other Disclosable Interest in that he had had previous contact with  
the applicant concerning issues raised by residents. Councillor  
Clayton left the room during consideration of this item and took no  
part in the debate or vote.

In relation to agenda items 6 Councillor Bill Hartnett declared an  
Other Disclosable Interest in that he was a member of the board for

.....  
Chair

Redditch Co-operative Homes (a division of Accord Housing Association). Councillor Hartnett left the room during consideration of this item and took no part in the debate or vote.

In relation to agenda item 8 Councillors Gareth Prosser and Anthony Lovell declared an Other Disclosable Interest in that they had previously expressed views regarding the scheme. Both Councillors left the meeting at the end of Agenda item 7 and took no part in the debate or vote for agenda items 8.

### 67. CONFIRMATION OF MINUTES

#### RESOLVED that

**The Minutes of the Planning Committee held on 4<sup>th</sup> December 2019 be confirmed as a correct record and signed by the Chair.**

### 68. UPDATE REPORTS

The Update Report was noted.

### 69. APPLICATION 19/01121/FUL - ASDA, JINNAH ROAD, SMALLWOOD, REDDITCH, B98 7ER - MR STEVE ROBERTS

Erection of a new three pump (six filling position) Petrol Filling Station (PFS) and associated works

Officers presented the report and outlined the application for the construction of an automatic (un-manned) petrol filling station ("PFS") on land situated parallel with Union Street and currently forming part of the Asda car park accessed from Jinnah Road.

Members were reminded that the application had been deferred by Planning Committee on 13<sup>th</sup> November 2019 for further information regarding mitigation of anti-social behaviour (ASB) and the updated report included an analysis of crime and ASB in the area provided by West Mercia Police at Appendix C.

The proposal would result in the loss of 50 car parking spaces and the PFS would only be permitted to trade during the existing trading hours of the Asda store. There would be internal changes to the layout of the car park to provide for ingress and egress of fuel delivery vehicles.

There had been no objections to the scheme from the statutory consultees including Worcestershire Highways, the petroleum safety officer with regard to safety issues or Worcestershire Regulatory Services with regard to noise, light pollution or

contaminated land. There was no objection from the police in relation to ASB at the site.

At the invitation of the Chair the following speakers addressed the committee under the Council's Public Speaking Rules:-

- Mr Alan Hands – local resident
- Mrs Paula Harvey – Smallwood Residents Association
- Ms Amanda Lewis - local resident
- Mr Darren Spike – local resident
- Redditch Councillor Greg Chance – (Central ward)
- Mr Alan Jones (Applicant)

The first five speakers were opposed to the application. In addition to points made at the last meeting (choice of location, noise/light pollution and on-going issues with ASB), there was reference to research regarding the health impact and it was suggested that there would be poor accessibility to the site for vehicles delivering fuel.

In responding to questions from Members officers clarified that:-

- The Car Park Management Agreement relating to discharge of conditions for the earlier Asda planning application had been received and officers would review it. However, the contents of that document were a separate matter.
- That County Highways had carried out a full analysis of the applicant's Transport Statement, and in this regard Members were referred to the comments on page 20 of the agenda that the proposed development would not have any adverse impact on the safe operation of the highway network or the ability of retail customers to find appropriate car parking. Further, that County Highways and the Petroleum Safety Officer were satisfied that tankers would be able to access and egress the site safely without obstruction.

In debating the application the discussion focussed on whether or not there were any valid grounds for refusal, and differing opinions on this aspect were expressed. Members were reminded by officers that notwithstanding any matters raised in public speaking, there had been no objections to the scheme from any of the statutory consultees.

Councillor Fry withdrew from the meeting room for a comfort break and on his return sat in the public gallery and did not participate in the vote.

### RESOLVED that

**Having regard to the development plan and to all other material considerations, planning permission be granted subject to the conditions and informatives set out on pages 11 to 14 of the main agenda.**

[In relation to this agenda item Councillor Brandon Clayton declared an Other Disclosable Interest in that he had had previous contact with the applicant concerning issues raised by residents. Councillor Clayton left the room during consideration of this item and took no part in the debate or vote.]

[In relation to this agenda item Councillor Andrew Fry declared an Other Disclosable Interest in that he was acquainted with one of the registered speakers as a former colleague. Councillor Fry participated in the debate but vacated the meeting room for a comfort break and did not participate in the vote].

**70. APPLICATION 19/01060/OUT FORMER CLIVE WORKS  
EDWARD STREET/ BROMSGROVE ROAD REDDITCH B97 6HA  
- JAMES SMITH & SON (REDDITCH) LTD**

Outline planning application for residential development (up to 73 units) with all matters reserved except Access

Officers presented the report and outlined the indicative plan for an apartment complex of up to 73 units in a U-shaped formation enclosing a car park and amenity provision. The plans also included a pedestrian access from Bromsgrove Road to the railway station. The final configuration would be the subject to a further application, save that this application would determine the location of the access to the site from Edward Street.

Members were referred to the amended condition as set out on page 1 of the Update Report. It was noted that the section 106 contributions identified might be subject to variation depending on the final configuration of the scheme. An end user had yet to be identified and the site would be marketed going forward.

At the invitation of the Chair, Mr Nigel Gough (Planning Agent) addressed the Committee under the Council's public speaking rules.

### RESOLVED THAT

**Having regard to the development plan and to all other material considerations, authority be delegated to the Head of Planning**

and Regeneration to grant outline planning permission subject to:-

- a. The satisfactory completion of a section 106 planning obligation securing the contributions as set out in paragraphs 1 to 9 on pages 51 to 52 of the main agenda; and
- b. The conditions and informatives set out on pages 52 to 64 of the main agenda including the revised wording of condition 15 as set out in the Update Report and reproduced below.

### Revised Condition 15

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 conditions 1 to 5 have been complied with:

1. A preliminary risk assessment (a Phase I desk study) submitted to the Local Authority in support of the application has identified unacceptable risk(s) exist on the site as represented in the Conceptual Site Model. A scheme for detailed site investigation must be submitted to and approved in writing by the Local Planning Authority prior to being undertaken to address those unacceptable risks identified. 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".
2. The detailed site investigation and risk assessment must be undertaken in accordance with the approved Scheme and a written report of the findings produced. This report must be approved by the Local Planning Authority prior to any development taking place.
3. Where the site investigation identified remediation is required, 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.

4. 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.
5. 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.
6. 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.

[In relation to this agenda item Councillor Bill Hartnett declared an Other Disclosable Interest in that he was a member of the board for Redditch Co-operative Homes (a division of Accord Housing Association). Councillor Hartnett left the room during consideration of this item and took no part in the debate or vote.]

**71. APPLICATIONS 19/01326/ADV AND 19/01307/LBC PALACE THEATRE ALCESTER STREET REDDITCH B98 8AE - RUBICON LEISURE LIMITED**

Installation of 2 outdoor digital advertising signs to replace existing static advertising board and new "Stage Door" sign made of adhesive vinyl lettering to top fixed glazed door panel

Officers outlined the application which was in two parts covering advertisement consent and listed building consent to install a new 2 panel digital advertising board to replacing an existing board, and to replace the stage door sign.

**RESOLVED that**

- 1. Having regard to the development plan and to all other material considerations, Advertisement Consent be granted subject to the conditions set out on pages 68 to 70 of the agenda.**
- 2. Having regard to the development plan and all other material considerations, Listed Building Consent be granted subject to the conditions set out on page 70 of the agenda.**

**72. APPLICATION REF 18/01626/S73 REDDITCH EASTERN GATEWAY : DISCHARGE OF CONDITIONS**

Details pursuant to condition 36 of 18/01626/S73

Members were reminded that at the meeting of the Planning Committee on 18<sup>th</sup> March 2019 they had requested that the details of 9 of the conditions be reported back to them for approval.

Officers were now in a position to report back on conditions 36 relating to the Landscape Environment Master Plan. This condition fell under the area of expertise of the County Council ecologists who had assessed the plan submitted by the developer. Subject to some changes regarding the Veteran Tree Strategy (which fell under condition 40 rather than 36), the County Ecologists had recommend discharge of condition 36 (and condition 40).

**RESOLVED that**

- 1. The details submitted pursuant to condition:**  
**36. Landscape Environment Management Plan**

# Planning

## Committee

Wednesday, 15 January 2020

---

**be approved as acceptable in so far as they relate to Phase 1 of the development (northern parcel).**

[In relation to this agenda item Councillors Gareth Prosser and Anthony Lovell declared an Other Disclosable Interest in that they had previously expressed views regarding the scheme. Both Councillors left the meeting at the end of Agenda item 7 and took no part in the debate or vote for agenda items 8.]

The Meeting commenced at 7.00 pm  
and closed at 9.00 pm