



Planning Committee

Wed 11 Nov
2020
7.00 pm

Virtual Meeting

REDDITCH BOROUGH COUNCIL

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a
difference*

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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

GUIDANCE ON VIRTUAL MEETINGS AND PUBLIC SPEAKING

Due to the current Covid-19 pandemic Redditch Borough Council will be holding this meeting in accordance with the relevant legislative arrangements for remote meetings of a local authority. For more information please refer to the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police Crime Panels meetings) (England and Wales) Regulations 2020.

The meeting is open to the public except for any exempt/confidential items. Where a meeting is held remotely, “open” means available for live viewing. Members of the public will be able to see and hear the meetings via a live stream to the Council’s YouTube Channel which can be accessed using the link below:

[Link to view Live Stream of Planning Committee](#)

Members of the Committee, officers and public speakers will participate in the meeting using Skype, and details of any access codes/passwords will be made available separately.

If you have any questions regarding the agenda or attached papers please do not hesitate to contact the officer named below.

PUBLIC SPEAKING

The usual process for public speaking at meetings of the Planning Committee will continue to be followed subject to some adjustments for the smooth running of virtual meetings. For further details a copy of the amended Planning Committee Procedure Rules can be found on the Council’s website at:

[Link to amended Planning Committee Procedure Rules](#)

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:

- 1) Introduction of application by Chair
- 2) Officer presentation of the report
- 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
- 4) Members’ questions to the Officers and formal debate / determination.

Speakers will be called in the order they have notified their interest in speaking to the Democratic Services Team and invited to unmute their microphone and address the committee via Skype.

Each individual speaker will have up to a maximum of 3 minutes to speak, subject to the discretion of the Chair.

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.

Notes:

- 1) Anyone wishing to address the Planning Committee on applications on this agenda must notify the Democratic Services Team on 01527 64252 Extn.2884 or by email at sarah.sellers@bromsgroveandredditch.gov.uk before 12 noon on 9th November 2020.**
- 2) Advice and assistance will be provided to public speakers as to how to access the meeting and those registered to speak will be invited to participate via a Skype invitation. Provision has been made in the amended Planning Committee procedure rules for public speakers who cannot access the meeting by Skype, and those speakers will be given the opportunity to submit their speech in writing to be read out by an officer at the meeting. Please take care when preparing written comments to ensure that the reading time will not exceed three minutes. Any speakers wishing to submit written comments must do so by 12 noon on 9th November 2020.**
- 3) 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**
- 4) 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.**
- 5) Although this is a public meeting, there are circumstances when the committee might have to move into closed session to consider exempt or confidential information. For agenda items that are exempt, the public are excluded and for any such items the live stream will be suspended and that part of the meeting will not be recorded.**
- 6) 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.**

Planning

COMMITTEE

Wednesday, 11th November,
2020

7.00 pm

Virtual Meeting - Skype - Virtual

Agenda

Membership:

Cllrs:	Gemma Monaco (Chair)	Andrew Fry
	Salman Akbar (Vice-Chair)	Julian Grubb
	Tom Baker-Price	Bill Hartnett
	Roger Bennett	Jennifer Wheeler
	Michael Chalk	

1. Chair's Welcome

2. Apologies

3. 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.

4. Confirmation of Minutes of the meeting of Planning Committee held on 28th October 2020

Minutes to follow.

5. 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)

6. Application 20/00795/FUL - 101 Salford Close Woodrow Redditch B98 7UL - Mr John Bennett (Pages 1 - 6)

Please note that this application which was originally considered, debated and voted on at the Planning Committee meeting on 28th October is included in this agenda for confirmation of the vote and outcome only. There will be no public speaking and no debate. The reason for this is that there were technical issues with the live stream of the meeting on YouTube on 28th October, and although in the Skype meeting the vote was taken in accordance with normal procedure that part of the meeting was not captured on the live stream. It has been decided to repeat this part of the process for transparency for members of the public and in accordance with regulations on the holding of remote meetings (the Local Authorities and Police Crime Panel meeting) (England and Wales) Regulations 2020.

The officer report and site plan for this application are included in the agenda pack as background papers.

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- 7.** Application 20/00603/FUL - 2 Edenfield Close Brockhill Redditch B97 6TP - Mr N Dhesi (Pages 7 - 14)
- 8.** Application 20/00921/FUL - 36 Granby Close Winyates East Redditch B98 0PJ - Mr Jordan Cooke (Pages 15 - 20)
- 9.** Application 20/00947/FUL - Land off Battens Close Rear of 60/70 South Crest Road Lodge Park Redditch B98 7HY - Mr Bhogal (Pages 21 - 32)

**PLANNING
COMMITTEE**28th October 2020

Planning Application 20/00795/FUL**First floor side extension****101 Salford Close, Woodrow South, Redditch, B98 7UL****Applicant: Mr John Bennett**
Ward: Greenlands Ward**(see additional papers for site plan)**

The case officer of this application 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 host property is a link-detached three bedroomed 'Chalet' style dwelling situated to the northern side of Salford Close. The property is constructed from a combination of brick and horizontal boarding (walls) under a steeply pitched tiled roof.

The immediate area is comprised of similarly sized dwellings which are attached to their neighbours by means of flat roofed single storey elements which would have originally been garages or car ports. In many cases, householders have converted these spaces into habitable living accommodation.

The dwellings nearest neighbours are No.99 (to the west) and No.103 (to the east).

Proposal Description

This application seeks planning permission to remove an existing side facing 'box' dormer window and in its place to erect a first-floor side extension to the (west facing) side elevation of the property. A pitched roof dormer window is proposed to be erected to both the front (south facing) and rear (north facing) elevation.

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

Policy 1: Presumption in Favour of Sustainable Development

Policy 39: Built Environment

Policy 40: High Quality Design and Safer Communities

Others

Redditch High Quality Design SPD

NPPF National Planning Policy Framework (2019)

Relevant Planning History

1977/392/FUL Bow window & single storey extension granted 24.11.1977

PLANNING COMMITTEE

28th October 2020

Public Consultation Response

2 letters have been received in objection to the application.

Comments received are summarised below:

- o Extensions would be harmful to the character of the area
- o Proposal would result in overlooking to the detriment of privacy
- o Loss of light to neighbouring dwellings

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.

Assessment of Proposal

Planning applications for extensions and alterations to dwellings are expected to be of high-quality design that reflect or complement the character and appearance of the local area. Guidance contained within the Councils SPD 'High Quality Design' is expected to be incorporated within development proposals.

First floor side extensions to dwellings within Salford Close are not commonplace although as noted above, at single storey level, many dwellings have converted their garages to additional living space, including number 99 Salford Close, where a pitched roof exists over what is likely to have originally been a flat roof.

The proposed south facing roofslope serving the extension would be set-back from the existing principal elevation and is considered to remain subservient to the original dwelling, such that the scale and massing of the original dwelling would continue to dominate, thus retaining the characteristic appearance of the dwelling and complying with guidance set out within the Councils 'High Quality Design' SPD.

A first floor 'gap' between the host property and No.99 Salford Close would remain with the remaining gap being commensurate to first floor 'gaps' which exist between (for example) numbers 101 and 103 and numbers 103 and 105 Salford Close. For this reason, it is not considered that the proposals would result in harm to the character and appearance of this part of Salford Close.

Originally received plans proposed a 'sit/walk-out' balcony extension to the rear of the dwelling. This element has however been removed from the scheme due to your officers concerns regarding a resultant loss of privacy which would have been experienced by adjoining neighbours. Your officers are satisfied that the (amended) plans would not result in any such loss of privacy.

Noting the orientation of numbers 99, 101 and 103 Salford Close and the location of the proposed development, your officers are satisfied that an overshadowing impact resulting a material loss of light to the detriment of amenity would not occur.

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COMMITTEE**28th October 2020

In conclusion, your officers are satisfied that the amenities enjoyed by the occupiers of nearby dwellings would not be prejudiced, taking into consideration matters pertaining to loss of light / overshadowing and loss of privacy.

The proposed development is therefore considered to comply with the provisions of the development plan and would constitute a sustainable form of development in accordance with the requirements of the National Planning Policy Framework.

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) All new external walls and roofs shall be finished in materials to match in colour, form and texture those on the existing building.

Reason: To ensure that the development is satisfactory in appearance, to safeguard the visual amenities of the area and in accordance with Policies in the Local Plan.

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

Drawing no. 3589_001 Rev B - Proposed Elevations, Floor Plans, Location Plan and Block Plan - amended 9th September 2020

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

- 4) Notwithstanding details shown on the approved plans, no windows shall be inserted in the side elevation of the extension hereby permitted (facing number 99 Salford Close)

Reason: In the interests of safeguarding privacy.

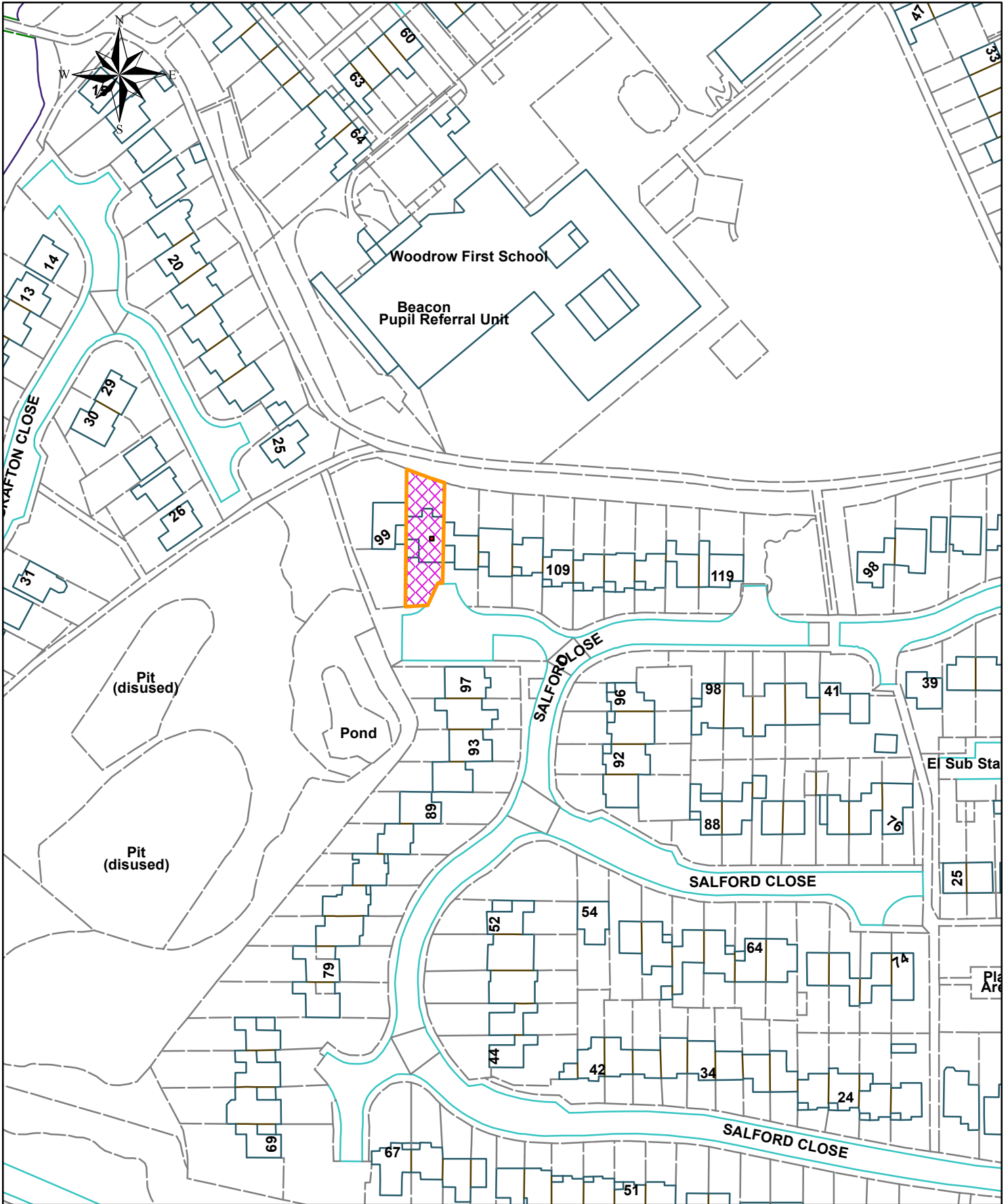
**PLANNING
COMMITTEE**28th October 2020

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 two (or more) objections have been received.



www.redditchbc.gov.uk

Planning & Regeneration
Town Hall
Walter Stranz Hall Square
Redditch
B98 8AH

20/00795/FUL

101 Salford Close

28 October 2020

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Planning Application 20/00603/FUL**Two storey rear extension and a first-floor side extension.****2 Edenfield Close, Brockhill, Redditch, B97 6TP****Applicant: Mr N Dhesi
Ward: Batchley And Brockhill Ward****(see additional papers for site plan)**

The case officer of this application is Tara Ussher, Planning Officer (DM), who can be contacted on Tel: 01527 64252 Ext. 3220 Email:

tara.ussher@bromsgroveandredditch.gov.uk for more information.

Site Description

This application relates to an existing residential property situated within Batchley and Brockhill Ward. Edenfield Close is a short cul-de-sac accessed off Dairy Lane comprising of detached two storey dwellings in a variety of designs. These properties are accessed directly off the close or off associated service roads, with modest front garden areas and parking provided by a mixture of driveway spaces and garages.

The application site, which is an existing 3 bedroomed property, is located on the northern side of the close with neighbours No.1 to the west and No.3 to the east. Number 4 Dairy Lane and No.4 Edenfield Close are sited to the rear of the dwelling.

Proposal Description

This full planning application seeks permission to erect a first-floor side extension over the garage and a two-storey rear extension.

The proposed first floor side extension will add a new bedroom, move out the existing bathroom and add an en-suite. This area will be served by a projecting dormer window to the front elevation.

To the rear an extended kitchen/family area will be provided at ground floor and above the two existing bedrooms will be extended and en-suites will be added. Two gables are proposed on the rear elevation with obscure glazing being indicated to the en-suite rooms. Materials proposed would match those of the existing dwelling.

The resulting dwelling would be a 4 bedroomed unit. Parking is indicated as being provided in the garage and on the driveway with 2 spaces being proposed.

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Relevant Policies:

Borough of Redditch Local Plan No. 4

Policy 1: Presumption in Favour of Sustainable Development

Policy 20: Transport Requirements for New Development

Policy 39: Built Environment

Policy 40: High Quality Design and Safer Communities

Others

Redditch High Quality Design SPD

NPPF National Planning Policy Framework (2019)

Relevant Planning History

None

Consultations

WCC Highways

Advise that 3 car parking spaces must be provided to comply with the street scape design guide.

Cadent Gas Ltd

Draws attention to location of the *WM1213* Cadent Gas High Pressure Pipeline which is subject to easements. The works will not affect the asset advises clarify with Health and Safety Executive to review the plans as they may have a larger consultation distance.

Public Consultation Response

24 letters have been received in objection to the application.

Comments received are summarised below:

- Concerns raised that the dwelling will be used as an HMO property by adding an en-suite to each bedroom.
- Permitted development rights to be removed as it may be possible for a balcony to be added to the rear, and also a possible conversion of the garage to yet another bedroom on the ground floor a condition is necessary to avoid further over-development.
- The provision of one new bedroom and ensuites will mean greater demand for car parking spaces and will lead to parking problems.
- Noise during construction and once development completed.

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- Proposals would result in overlooking to the detriment of privacy to neighbouring properties
- Proposals would result in a loss of light to neighbouring dwellings
- Development is too large for the plot size, over development of the site
- Parking of delivery vehicles, workmen's vehicles during construction
- Access of emergency vehicles would be difficult during and once construction has been completed due to additional cars at the application site.
- Proposed development too close to dwelling at rear and having a clear view into rear bedroom.
- Visual impact – over dominance of application site.
- Privacy, overlooking into rear and side gardens of neighbouring properties.
- Blocking sunlight to gardens, privacy of neighbouring properties with windows overlooking gardens.
- The proposed development is over-bearing, out of scale and out of character in terms of its appearance compared with the existing properties in the vicinity.
- The noise and disturbance caused from such a dominating project will have a negative impact on residents, who live not only in Edenfield Close but those in the surrounding area.

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.

Assessment of Proposal

The application site is situated within a residential area of Redditch where there is a general presumption in favour of domestic extensions, subject to satisfying the relevant policies of the development plan. This application raises two issues; the impact of the extensions on the character and appearance of the street scene and any neighbour impacts, and the parking arrangements associated with the development

Design and neighbour impacts

Planning applications for extensions and alterations to dwellings are expected to be of a high-quality design that reflects or complements the character and appearance of the local area as set out by policy 39 of the Local Plan. Guidance contained within the

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Councils SPD 'High Quality Design' is expected to be incorporated within development proposals.

The proposed first floor side extension above the existing garage has been set down from the ridge of the existing roof by 700mm and will have a pitched roof, which will use matching roof tiles to create a visual link between the proposed extension and the original house. The extension will be served by a new dormer window on the front elevation which will extend forward from the roof plane. Whilst this dormer is of some depth, it is noted that this style of window in this position is not uncharacteristic in Edenfield Close. The absence of a dwelling to the east of the application site means the development does not appear unduly cramped in the street scene. Overall Officers are of the view the extension remains subservient to the original dwelling, such that the scale and massing of the original dwelling would continue to dominate, thus retaining the characteristic appearance of the dwelling and complying with guidance set out within the Councils 'High Quality Design' SPD.

Number 3 Edenfield Close is sited to the east of the application site with the rear elevation and garden of this property facing the application site. There will be a separation of 10m between these dwellings, slightly below the 12.5 metres advocated in the high-quality design SPD. However noting the staggered nature of the side elevation of the application site and the open aspect to the south of number 3's garden, this arrangement is not considered unduly harmful to outlook. No additional over shadowing would occur because of the side extension and the privacy of number 3 would be protected as the new first floor side window serves a bathroom and will be obscured glazed and top opening only.

Turning now to the extensions to the rear. The proposed single storey rear extension has a depth of 4m to enlarge the existing kitchen/family area. Number 1 has an existing conservatory on the rear and the proposed extension will project marginally further out than this feature however there will be a separation distance of 5m from the side of the extension to the conservatory. On the first floor the two rear existing bedrooms will be extended by 2.5m in depth and will have semi-pitched roofs.

It is noted that number 1 Edenfield Close is separated from the application site by a side garage and that this eases the relationship of the development to habitable rooms at that dwelling. The submitted plans include an indication of the 45 degree code as drawn from the closest habitable room at number 1 Edenfield Close. This demonstrates that the first floor element of the development complies with this guidance. A new window to a new bedroom is proposed on the side overlooking No. 1, however this window will be obscured glazed and top opening only.

The rear of the application site looks on to the rear garden of No 4 Dairy Lane. There will be 7.5m separation between the rear of the resultant dwelling and the garden area of number 4 at ground floor, increasing to 9m at first floor.

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In terms of impact on privacy to number 4, the rear elevation of the application site will support four windows. The outer most two of which will serve ensuite facilities and are indicated on the plans to be obscured glazed. Given the position of the bedroom windows in the centre of the elevation and the intervening feature of a conservatory to part of the rear elevation of number 4, overall privacy is considered not to be materially harmed. It should be borne in mind that some degree of overlooking from existing first floor windows exists at present and will continue to exist. Your officer's advice to members in this case is that privacy would not be materially compromised.

There is no direct rear to rear separation to an opposing dwelling due to the layout of the area.

The impact of the rear extension on number 3 also requires consideration. It is noted that the siting of an existing detached garage to the east of the site will obscure the ground floor and a part of the first floor element of the scheme. Combined with the roof pitching away from the boundary, the separation distance to the dwelling of 10m and the other wise open aspect of the garden, it is concluded that this part of the scheme will not create an overbearing impact on the dwelling or amenity area of number 3.

In conclusion, your officers are satisfied that the amenities enjoyed by the occupiers of nearby dwellings would not be prejudiced, taking into consideration the matters of loss of light, overbearing or overshadowing and loss of privacy.

Parking Provision

Granting planning permission would allow the dwelling to change from a 3 bedroomed to a 4 bedroomed property. The application proposes the retention of the existing garage space and the provision of a driveway space thus providing a total of two parking spaces.

However, Worcestershire County Council streetscape design guide standards require that 4 bedroomed dwellings provide three car parking spaces within the curtilage of the property. The Highway Authority has stated therefore that they are unable to support the proposal as the under provision of parking spaces could lead to the displacement of vehicles onto the highway.

Notwithstanding the above, if an applicant for planning permission were unable to provide vehicle parking as per the WCC streetscape design guide standards, it is necessary to examine the policy requirement which comments that *development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety (Para 109 of the NPPF) (my emphasis)*

Edenfield Close benefits from footpaths and street lighting on both sides of the road. It is also noted that the site is located within walking distance of a bus route and bus stop which is located approx. 300m, so providing the opportunity to access alternative modes of transport.

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If there were to be displacement of a vehicle on to the highway as a result of the development, your officer's consider that this could be accommodated within the locality without compromising highway safety. It is noted that most dwellings in the Close are served by a garage and a driveway parking space, whilst some dwellings also have additional parking provision. There are no parking restrictions in force in Edenfield Close or Dairy Lane, which are both unclassified roads capable of supporting a degree of on road parking.

Representations have referred to additional parking demand creating problems, but this is not the same as creating an '*unacceptable impact on highway safety*.' It is noted there is no 'through traffic' in Edenfield Close and as such travel speeds will be generally low and that the number of dwellings served by this roadway is limited.

The applicant's agent has submitted a supporting statement showing dwellings in the locality in terms of their bedroom numbers and parking provision. The statement also proposes a third parking space in front of the main dwelling. Members will be aware applications need to be considered on their individual merits and in the light of current guidance. The views of WCC on the proposed additional parking space have been sought; they state that the position and orientation of this space does not comply with the WCC design guide and thus this additional provision cannot be considered to address the shortfall of parking provision as a result of the development.

Notwithstanding this, and for the reasons expressed above, your officers remain of the view that the under provision of parking, will not in itself bring about an unacceptable impact on highway safety.

In conclusion, your officers are satisfied that highway safety and the visual and residential amenities of the area would not be prejudiced by granting planning permission for this development. The proposed application is considered to comply with the provisions of the development plan and would constitute a sustainable form of development in accordance with the requirements of the National Planning Policy Framework.

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.

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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:

2EC PL_1 Rev 2 - Location, Site/Block Plan
2EC PL_2 Rev 1 - Existing Floor Plans
2EC PL_3 Rev 6 - Proposed Ground Floor & Proposed Parking Layout Plans
2EC PL_4 Rev 1 - Existing Front & Rear Elevations
2EC PL_5 Rev 1 - Existing Side Elevations
2EC PL_6 Rev 3 - Proposed Front & Rear Elevations
2EC PL_7 Rev 2 - Proposed Side Elevations
2EC PL_8 Rev 2 - Existing & Proposed Roof Plans

Materials in accordance with question 7 of the application form

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

- 3) The windows to be installed at first floor level on the approved plan(s) 2EC PL_6 rev 3 and 2EC PL_3 rev 4, both dated 21 Nov.19 shall be fitted with obscure glazing and any opening lights shall be at high level and top hinged only. The obscure glass shall be maintained in the said window in perpetuity.

Reason: To protect the amenities of neighbouring residents

Informatives

- 1) The applicant is advised that Cadent Gas have identified gas service pipes and related apparatus in the vicinity of the site which may be affected by the proposed works. Prior to any works that take place on site, the applicant is advised to contact Cadent Gas. on 0121 333 2387 or at tajinder.bhamra@cadentgas.com
- 2) 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 two (or more) objections have been received.

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Planning Application 20/00921/FUL**Erection of a two storey side and rear extension****36 Granby Close, Winyates East, Redditch, B98 0PJ****Applicant: Mr Jordon Cooke**
Ward: Winyates Ward**(see additional papers for site plan)**

The case officer of this application is Steven Edden, Planning Officer (DM), who can be contacted on Tel: 01527 548474 Ext. 3206 Email: steve.edden@bromsgroveandredditch.gov.uk for more information.

Site Description

The host property is a semi-detached two bedroomed dwelling situated to the western side of Granby Close. The property is constructed from brick (walls) under a pitched tiled roof.

The immediate area is comprised of a mixture of semi-detached and detached two storey houses.

The dwellings nearest neighbours are No.37 (to the north) and No.35 (to the south).

Proposal Description

This application seeks planning permission to erect a two-storey extension to the side of the property (facing north) and to erect a first floor flat roofed extension to the rear of the property above an existing brick built flat roofed utility room and W/C. The extension would provide an enlarged kitchen and living / dining room area at ground floor, whilst providing two new bedrooms and bathroom area at first floor level. Materials proposed for use would match those of the existing dwelling.

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

Policy 1: Presumption in Favour of Sustainable Development

Policy 20: Transport Requirements for New Development

Policy 39: Built Environment

Policy 40: High Quality Design and Safer Communities

Others

Redditch High Quality Design SPD

NPPF National Planning Policy Framework (2019)

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Relevant Planning History

None

Consultations

WCC Highways

Comments received are summarised below:

Originally received comments

Worcestershire County Council (WCC) acting in its role as the Highway Authority recommends that this application is refused.

It is noted that the existing dwelling is located in a residential and sustainable location off an unclassified road, the site benefits from an existing vehicular access. Granby Close benefits from footpaths and street lighting on both sides of the road and no parking restrictions are in force in the vicinity. The site is located within walking distance of a bus route and bus stop.

Notwithstanding the above, the application is considered to be contrary to the WCC Streetscape Design Guide. At present the existing dwelling is a 2-bed dwelling with 2 car parking spaces which includes a garage. The garage is to be removed and converted into a dining room which would leave 1 car parking space.

Since the existing dwelling is to be converted into a 4-bed dwelling, in accordance with WCC parking standards a 4-bed dwelling is recommended to provide 3 car parking spaces in total. Under provision could lead to displacement of vehicles onto the highway.

Comments based on a revised submitted plan

A plan has been submitted showing three cars parked 'side by side' within the curtilage of the property. In order to provide 3 car parking spaces in the manner proposed, WCC would require a minimum width of 8.4m (3m for the end spaces and 2.4m for the middle space). As it stands only 2 spaces can be provided 'side by side' and as such this represents an under provision.

Comments based on revised submitted plan 2

Plan 036(P)010 Rev 1 now confirms that 3 car parking spaces (as recommended) can be accommodated on the site. However, it is highways policy through the Streetscape Design Guide that vehicles enter and leave the site at 90 degrees to the carriageway. The 'side on' car parking space provided is considered to be unacceptable because that vehicle could not enter and leave the site at 90 degrees to the carriageway.

Public Consultation Response

8 letters have been received in objection to the application.

Comments received are summarised below:

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- Approval would set a precedent for other two bedroomed houses to get similar permissions giving the street a 'terraced' appearance rather than its present 'semi-detached' appearance harming the character of the street
- By extending forward and removing the garage area will result in a smaller car parking area for No.36
- The provision of two new bedrooms will mean greater demand for car parking spaces at No 36 which will lead to on-street parking to the detriment of highway safety
- Where will construction vehicles park during the build when parking is already at a premium?
- Concerns that the extension will not blend with the design / materials used to construct No.36 originally
- Proposals would result in overlooking to the detriment of privacy
- Proposals would result in a loss of light to neighbouring dwellings

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

Assessment of Proposal

Planning applications for extensions and alterations to dwellings are expected to be of high-quality design that reflect or complement the character and appearance of the local area. Guidance contained within the Councils Supplementary Planning Document (SPD) 'High Quality Design' is expected to be incorporated within development proposals.

The SPD at section 3.3 comments that side extensions should be subordinate and proportionate in scale such that the main dwelling 'dominates' the proposed extension, rather than competes with the scale and form of the main dwelling. The proposed front wall at both ground and first floor has been 'set in' by 700mm beyond the principal elevation serving the existing dwelling and the ridge line serving the side extension has been lowered in accordance with the diagrammatic advice contained at (Figure 2): 3.3.4, page 13 of the SPD. The scale of the side extensions proposed are thus considered to be acceptable.

Although first floor side extensions to dwellings within Granby Close are not commonplace, there are numerous residential areas within the Borough comprised of primarily semi-detached dwellings where properties have been extended above garages to the side and where such alterations have not been considered to give rise to harm to the character and appearance of that street. Considering this application on its individual

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merits, your officers are satisfied that harm to the character and appearance of the dwelling and the visual amenities of the area would not occur in this case.

The orientation of the proposed extensions, primarily to the northern side of the existing dwelling, taking into consideration the applications' compliance with the 45 degree line guidance set out within the Councils SPD at 3.1.7, satisfy your officers that an overshadowing impact leading to a loss of light to adjoining neighbours would not occur.

Overlooking from existing first floor windows exists at present and will continue to exist. It is for the decision maker to determine whether any additional impacts caused by overlooking would be material. Your officers advice to members in this case is that privacy would not be materially compromised.

Highway safety concerns have been raised within the representations received.

Paragraph 109 of the National Planning Policy Framework comments that *'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety.'*

Granting planning permission would allow the dwelling to change from a 2 bedroomed to a 4 bedroomed property. Prior to the adoption of the Borough of Redditch Local Plan No.4 in January 2017, the parking requirement for a 4 bedroomed dwelling (Under the Borough of Redditch Local Plan No.3) was 2 'in-curtilage' car parking spaces. WCC streetscape design guide standards currently require that 4 bedroomed dwellings provide 3 car parking spaces within the curtilage of the property.

The existing dwelling can accommodate two cars within the hardsurfaced driveway and the applicant has explained that it is their intention to remove the existing grassed area to the side of the existing driveway to provide a larger car parking area which would accommodate 3 vehicles. A plan has been submitted by the applicant demonstrating that three cars can be accommodated within the frontage to the property (Plan 036-P-010 Rev 1), although members will note that this this arrangement does not satisfy WCC Highways due to the fact that the WCC Streetscape Design guide that vehicles enter and leave the site at 90 degrees to the carriageway.

Notwithstanding the above, if an applicant for planning permission were unable to provide vehicle parking as per the WCC streetscape design guide standards, it is necessary to examine the policy requirement which comments that *development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety.*

Granby Close is a quiet residential cul-de-sac where vehicles are not generally travelling through the Close at speed. Dwellings are well set back from the edge of the highway and all have in-curtilage parking provision. Most dwellings within Granby Close can accommodate 2 vehicles within their curtilage and some dwellings are able to accommodate 3 or more vehicles.

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As per the majority of residential cul-de-sacs within the Borough, Granby Close has no on-street parking restrictions in place and is accessed via Whitehouse Lane where again, no parking restrictions are in force.

Your officers visits to the site which have included inspections after 6pm on a weekday do not suggest that on-street parking is commonplace. As such, even if on-street parking were to occur, which your officers are suggesting is an unlikely long-term consequence of granting planning permission for this development, your officers do not believe that highway safety would not be compromised.

As set out above, Paragraph 109 of the NPPF comments that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety. Representations have referred to additional parking demand creating problems in the Close. It is important however to draw a distinction between perceived parking problems and genuine highway safety concerns, especially when the presence of parked cars on a street can reduce vehicle speeds.

On-street parking demand during the construction period would inevitably be high and is an inevitable consequence of granting permission for new development as is increased noise and general disturbance to neighbours. However, such demands would arise from other domestic home improvement projects which cannot be controlled under planning law and such inconvenience is temporary and not in itself a reason to refuse permission.

In conclusion, your officers are satisfied that highway safety and the visual and residential amenities of the area would not be prejudiced by granting planning permission for this development.

The proposed application is considered to comply with the provisions of the development plan and would constitute a sustainable form of development in accordance with the requirements of the National Planning Policy Framework.

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.

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- 2) All new external walls and roofs shall be finished in materials to match in colour, form and texture those on the existing building.

Reason: To ensure that the development is satisfactory in appearance, to safeguard the visual amenities of the area and in accordance with Policies in the Local Plan.

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

Site location plan dated 21st September 2020

Drawing 036(P)07 proposed floor plans dated 24th September 2020

Drawing 036(P)08 Rev 1 proposed front and side elevation dated 24th September 2020

Drawing 036(P)09 Rev 1 proposed rear and side elevation dated 24th September 2020

Drawing 036(P)10 Rev 1 site layout plan and proposed ground floor plan dated 8th October 2020

Drawing 036(P)11 proposed first floor plan dated 24th September 2020

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

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 two (or more) objections have been received.

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Planning Application 20/00947/FUL**Proposed new two residential dwellings with associated parking and amenity facilities****Land Off Battens Close , Rear Of 68/70 Southcrest Road, Redditch, B98 7HY, ,****Applicant: Mr Bhogal
Ward: Lodge Park Ward****(see additional papers for site plan)**

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

Site Description

The application site is a rectangular piece of land which lies to the south east of, and in close proximity to Redditch Town centre. The site is accessed off the cul-de sac Battens Close and predominantly is comprised of undeveloped scrub land, apart from a number of garages along the northern boundary, towards the access of the site. To the north of the site there are open playing fields belonging to St Bede's Catholic Middle School. Directly to the south of the site are the rear private gardens belonging to the properties along Southcrest Road.

The site lies within the urban area of Redditch indicated as white land on the proposals map and is primarily residential in character, comprising mainly of two storeys with dwellings set back from the highway with small front gardens.

Proposal Description

The application seeks full planning permission for the erection of a pair of two storey semi-detached properties. The two dwellings would be slightly different in appearance; the property on the southern side would be bay fronted, and the property on the northern side would be gable fronted. Facing materials would consist of brick, render, and roof tiles, however the exact details of materials have not been specified. The proposal would also comprise a parking and courtyard area and rear amenity space for each dwelling.

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

Policy 1: Presumption in Favour of Sustainable Development

Policy 2: Settlement Hierarchy

Policy 5: Effective and Efficient Use of Land

Policy 20: Transport Requirements for New Development

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Policy 39: Built Environment

Policy 40: High Quality Design and Safer Communities

Others

National Planning Policy Framework

National Planning Practice Guidance

Redditch High Quality Design SPD

Relevant Planning History

No relevant planning history

Consultations

WRS - Contaminated Land

No objections to the proposal, however, due to the potential for land contamination at the site, a condition for a tiered risk assessment has been recommended.

Highways Redditch

No objections raised in relation to the proposal. Parking layout and the use of the existing access is considered acceptable. However conditions have been recommended in relation to the parking and turning area, and for the provision of cycle storage and electric vehicular charging points.

Arboricultural Officer

The existing trees on site are indicated to be retained, however it is anticipated that a number of trees will require remedial work to facilitate the new development. No objections are raised subject to conditions.

North Worcestershire Water Management

The proposed development site is situated within flood zone 1 and it is not considered at risk for fluvial flooding nor surface water flooding. No objections have been raised, however a condition for a surface water drainage scheme to be submitted is recommended in the event that planning permission is granted.

Public Consultation Response

Four letters of objection were received following public consultation on the 2nd September 2020, which raised the following concerns:

- Increased traffic
- Unsuitable access
- Noise impacts to neighbours from additional car movements
- Loss of privacy
- Proposed houses too large for plot

The issue of the development impacting property value in the area was also raised, however this is not a material planning consideration.

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Assessment of Proposal

The application site is located within Lodge Park, an urban area of Redditch, which is defined in Policy 2 of the Borough of Redditch Local Plan no. 4 (BoRLP4) as a sustainable location for development, offering the highest level of services. The principle of new residential development in this location is therefore acceptable. Further to this it should be noted that the Council cannot currently demonstrate a 5-year housing land supply (5YHLS). The 5YHLS at 1st April 2019 was calculated to be 3.29 years. Having regard to paragraph 11(d) and footnote 7 of the National Planning Policy Framework (NPPF) the lack of 5YHLS means that planning permission for residential development should be granted unless any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Character and appearance

Policy 5 of BoRLP4 states that efficient use of land must be sought in new development schemes. Policy 39 of the BoRLP4 echoes this requirement, but also states that development should contribute positively to the surrounding environment. Similarly, Policy 40 of the Local Plan expects development to be of a high quality design that reflects or complements local surroundings and materials.

The existing properties surrounding the application site are predominantly two storey, typically comprising of pairs of semi-detached dwellings or blocks of terraces. Both pitched roofs and gable fronted properties can be seen in close proximity to the site. Whilst a large amount of houses in the area front Southcrest Road, there are a number of cul-de-sac's present which run perpendicular to Southcrest Road. In view of this the proposed layout of the houses would not conflict with the established pattern of development in the area. Whilst it is noted that the density of the proposed development would be slightly lower than the surrounding existing development, the constraints and shape of the site mean that the proposed level of development would be suitable in this case. With regards to the design of the proposal, the simple detailing of the proposed elevations would reflect the nearby existing properties, which are typically also plain in appearance. The gable fronted design of the northern property would echo a number of other gable fronted properties that can be seen close to the location of the application site. During the application process amendments have been sought to reduce the pitch of the proposed roofs and therefore overall height of the dwellings, so that the properties would integrate better with the form of the existing dwellings in the area. Finally, the mixture of brick and render facing materials that are proposed would be reflective of local materials.

In view of the above, the proposal would be consistent with the requirements of policies 5, 39 and 40 of BoRLP4 which together seek development which makes efficient use of space and would reflect, complement, and contribute positively to the surrounding environment.

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Residential Amenity

Paragraph 127(f) of the NPPF states that planning decisions should seek a good standard of amenity for existing and future occupants of land and buildings. Furthermore, the Borough of Redditch High Quality Design SPD (adopted June 2019) provides further guidance in relation to amenity.

The Council's SPD states that where a two storey dwelling faces a flank wall on a two storey building, a minimum separation distance of 12.5 metres is required. In this case, the proposed flank wall of the southernmost semi-detached property would be 12.7 metres from the rear elevation of the nearest property, 68/70 Southcrest Road, however this property would not directly oppose the flank wall. The most direct relationship to the proposed flank wall would be the rear elevation of 64/66 Southcrest Road, which would be positioned 16 metres from the flank wall.

With regards to overshadowing, the proposed dwellings would be located to the north of the rear gardens of the properties along Southcrest Road. In view of this, there would be no detrimental impact to the light received by these properties.

There would be one small window located on the side elevation of the southernmost dwelling that would face towards the rear gardens of Southcrest Road. Given that this would serve a landing, it would be reasonable to condition this window to be top opening and fitted with obscure glazing, in order to ensure that no privacy concerns arose from the development.

In view of the massing and height of the proposed dwellings, and as the nearest dwelling would be positioned a metre from the boundary it would share with 64/66 Southcrest Road, it is not considered that the development would result in an overbearing impact.

The Council's SPD also requires that adequate amenity space is provided for the occupiers of new residential development. The SPD stipulates that a minimum amenity area of 70 sq metres should be provided for dwellings, with a minimum garden length of 10.5 metres. In the case of the current scheme, the proposed garden areas would measure approximately 180 sq metres for the northernmost dwelling, and 160sq metres for the dwelling to the south. The garden lengths would measure 23.5 metres in both cases, meaning that the size of the amenity areas proposed would clearly exceed minimum standards.

Highways

Worcestershire County Council Highways have raised no objections to the proposal, noting that the site is within a sustainable location within close proximity to amenities and public transport. The new dwellings would utilise an existing access on the east side of the site, off the cul-de-sac Battens Close. The Highways Officer has confirmed that this is an unclassified road and that the existing access has good visibility. Whilst a width of 4.1 metres is usually required for the first 15 metres of an access, it is noted that the width of the first 20 metres of the existing access varies between 3.3 metres and 4.1 metres. The

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Highways Officer has confirmed that this is acceptable in this instance, due to the location of the access which is at the end of a cul-de-sac.

The development would provide a total of four parking spaces for future occupiers, which would allow two spaces for each unit on site. The layout of the front parking courtyard would allow natural surveillance and provide sufficient space for turning in order for cars to access and egress the site safely in a forward gear.

A number of conditions, however, have been recommended should planning permission be granted. These relate to the provision of the parking and turning space, cycle storage and electrical vehicle charging points.

Trees

The Tree Officer has reviewed the proposal and notes that the site plan indicates that the mature tree line on the northern boundary would be retained; furthermore, a group of trees which exist on the southern side of the proposed parking area would also be retained. Notwithstanding this, given the proximity of 'plot 1' to the trees along the northern boundary, it is anticipated that some remedial work would be required to facilitate the new development. The Tree Officer has raised no objections to this but has recommended conditions in the event the planning permission is granted in order to ensure the health and longevity of these trees.

Drainage

With regards to drainage, the application site falls within flood zone 1 and is not considered to be of significant risk for fluvial flooding. Whilst risk to the site from surface water flooding is also indicated to be low, North Worcestershire Water Management have requested a planning condition for a surface water drainage scheme, which includes appropriate levels of surface water attenuation in order to ensure that the new development does not create a flood risk on site or within the local area.

Contaminated Land

Worcestershire Regulatory Services have indicated that there is potential for the site to have land contamination issues. Whilst they have not objected to the development of the site, they have recommended that development is not commenced until a tiered risk assessment is undertaken at the site. As it is necessary that the initial investigation is carried out prior to the commencement of development, this condition has been agreed with the applicant.

Ecology

Due to the presence of mature trees, adjacent open fields and overgrown vegetation on the site, it was requested that a Preliminary Ecological Appraisal was provided to ensure that the development would not result in an adverse impact to biodiversity. The survey concluded that the majority of the site is of 'low ecological value', with the early mature and mature trees of 'moderate to high ecological value'. As the development would have minimal impacts on biodiversity it was determined that no further ecological surveys would be required, however the survey outlined a number of recommendations relating to

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the protection of trees at the site, timing and supervision of works and lighting restrictions in order to mitigate against any potential harm to protected species. Furthermore the report recommended that enhancement measures were provided on site in order to ensure that the development resulted in a net gain to biodiversity. It is considered that these recommendations can be secured by planning condition.

Public Consultation Responses

Four letters of objection have been received from neighbouring properties on Battens Close and Southcrest Road. Matters have been raised in relation to the suitability of the width and the condition of the existing access to be utilised and the increased traffic along Battens Close. In respect of these matters it is noted that the Highways Officer has raised no objections and considers the access to be suitable to serve the proposed dwellings. Given the proposal is only for two dwellings it is not considered that the increased traffic on the cul-de-sac 'Battens Close' would be significant. The issue of privacy has also been raised; notably from number 70 Southcrest Road who would share a common boundary with the plot 2. As considered earlier in the report, given that there would be no habitable windows facing towards this shared boundary, there would be no direct overlooking from the proposed dwelling. It is not considered that the orientation of the windows on the rear of the proposed dwelling would provide the opportunity for overlooking to the existing dwellings along Southcrest Road. Further issues were raised in relation to the noise resulting from the 'comings and goings' of cars associated with the new dwellings. In view of the number of additional car movements that would arise from the addition of two new dwellings, it is not considered that this would result in any material harm to the amenity of neighbouring occupiers in respect of noise. Comments were received stating that the size of the proposed dwellings are too large for the site, however, the proposal has been considered in terms of local density and separation distances to neighbouring properties, and no harm has been found. Finally concerns have been raised in relation to loss of property value in the area; this is not a material planning consideration that can be weighted within the determination of this application.

Conclusion

The Council cannot currently demonstrate a five year supply of housing land and therefore paragraph 11 and footnote 7 of the NPPF together state that for applications involving the provision of housing, planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Paragraph 7 of the NPPF defines the purpose of the planning system is to contribute to sustainable development, and Paragraph 8 describes the 3 overarching objectives to be economic, social and environmental objectives.

In relation to the social objective, the proposal would contribute two residential units to the local housing supply and given the importance of providing a sufficient supply of housing, this matter is given substantial weight. In terms of the economic objective, the development would provide some limited benefit to the local economy in terms of providing employment for construction trades and increasing demand for building

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materials. With regards to environmental considerations, the proposal would result in dwellings that would cause no material harm to the character and layout of the existing area, and would be located within walking distance of amenities and bus stops, meaning that future occupiers would not be reliant on the use of a car. Furthermore, no detrimental harm to neighbouring amenity has been identified that would warrant refusal, and no other remaining reasons to refuse planning permission on any technical ground have been found.

Based on the above there are no adverse impacts of granting planning permission that would significantly and demonstrably outweigh the benefits, and therefore it is concluded that planning permission should be granted subject to conditions.

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:

Location Plan - drawing no. 19-1794/L

Site Plan - drawing no. 19-1794/01

Proposed Site Plan - drawing no. 19-1794/03b

Proposed Floor Plans & Elevations - drawing no. 19-1794/02c

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

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

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

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- 4) The Development hereby permitted shall not be first occupied until the each of the dwellings have been fitted with an electric vehicle charging point. The charging points shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851 and the Worcestershire County Council Streetscape Design Guide. The electric vehicle charging points shall be retained for the lifetime of the development unless they need to be replaced in which case the replacement charging point(s) shall be of the same specification or a higher specification in terms of charging performance.

Reason: To encourage sustainable travel and healthy communities.

- 5) The Development hereby permitted shall not be first occupied until sheltered and secure cycle parking for two cycles per dwelling have been provided on site. Thereafter the cycle parking shall be kept available for the parking of bicycles only.

Reason: To comply with the Worcestershire County Council's highway design guide.

- 6) The Development hereby approved shall not be occupied until the parking and turning facilities have been provided as shown on drawing 19-1794/03b.

Reason: To ensure conformity with submitted details.

- 7) 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 6 have been complied with:

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.

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"

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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"

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.

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.

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.

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. Pre-commencement conditions for contaminated land risk assessment are considered necessary as remediation may involve work/techniques that need to be completed before any development is commenced.

- 8) Prior to any works above foundation level commencing on site a scheme for surface water drainage will be submitted to, and approved in writing by the Local Planning Authority. The scheme should provide appropriate levels of surface water attenuation. This scheme should be indicated on a drainage plan and the approved scheme shall be completed prior to the first use of the development hereby approved.

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Reason: In order to ensure satisfactory drainage conditions that will not create or exacerbate flood risk on site or within the surrounding local area.

- 9) All retained trees and their Root Protection Areas must be protected during clearance and construction phase in accordance with BS5837:2012, using suitable protective fencing and/or ground protection as appropriate. No storage of plant/materials within the Root Protection Areas of any retained trees. . This fencing and /or ground protection shall be constructed in accordance with the guidance in the British Standard BS5837:2012 and shall remain as erected until the development has been completed.

Reason: In order to protect the trees which form an important part of the amenity of the site.

- 10) All tree management pruning work should be carried out in accordance with recognised good practice by reference to British Standard 3998 (2010).

Reason: In order to protect the trees which form an important part of the amenity of the site.

- 11) All proposed works shall be carried out in accordance with the recommendations set out in section 4.2-4.3 of the Phase 1 Preliminary Ecological Appraisal Dr. Stefan Bodnar, dated 2020. In addition, a minimum of four biodiversity enhancement measures, as outlined in section 4.4 of the appraisal, and detailed within appendices 4-8 shall be provided on site prior to the occupation of the development hereby approved.

Reason: To ensure that the proposal results in a net gain to biodiversity.

- 12) Prior to occupation of the development, full details of refuse storage facilities shall be submitted to and approved in writing by the Local Planning Authority. The details thus approved shall be fully implemented prior to first use or occupation.

Reason: In the interests of providing adequate refuse storage capacity in a visually acceptable manner.

- 13) 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.

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Recommended Informatives

This permission does not authorise the applicant to carry out works within the publicly maintained highway since such works can only be carried out by the County Council's Approved Contractor, Ringway Infrastructure Service who can be contacted by email worcestershirevehicle.crossing@ringway.co.uk. The applicant is solely responsible for all costs associated with construction of the access.

Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.

Procedural matters

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

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