

# Planning Committee

Tue 6 Jan  
2009  
7.00 pm

Council Chamber  
Town Hall  
Redditch



[www.redditchbc.gov.uk](http://www.redditchbc.gov.uk)

# Access to Information - Your Rights

The Local Government (Access to Information) Act 1985 widened the rights of press and public to attend Local Authority meetings and to see certain documents. Recently the Freedom of Information Act 2000, has further broadened these rights, and limited exemptions under the 1985 Act.

Your main rights are set out below:-

- Automatic right to attend all formal Council and Committee meetings unless the business would disclose confidential or “exempt” information.
- Automatic right to inspect agendas and public reports at least five days before the date of the meeting.
- Automatic right to inspect minutes of the Council and its Committees

(or summaries of business undertaken in private) for up to six years following a meeting.

- Automatic right to inspect lists of background papers used in the preparation of public reports.
- Access, on request, to the background papers on which reports are based for a period of up to four years from the date of the meeting.
- Access to a public register stating the names and addresses and electoral areas of all Councillors with details of the membership of all Committees etc.

A reasonable number of copies of agendas and reports relating to items to be considered in public must be made available to the public attending meetings of the Council and its, Committees etc.

- Access to a list specifying those powers which the Council has delegated to its Officers indicating also the titles of the Officers concerned.
- Access to a summary of the rights of the public to attend meetings of the Council and its Committees etc. and to inspect and copy documents.
- In addition, the public now has a right to be present when the Council determines “Key Decisions” unless the business would disclose confidential or “exempt” information.
- Unless otherwise stated, most items of business before the Executive Committee are Key Decisions.
- Copies of Agenda Lists are published in advance of the meetings on the Council’s Website:

[www.redditchbc.gov.uk](http://www.redditchbc.gov.uk)

**If you have any queries on this Agenda or any of the decisions taken or wish to exercise any of the above rights of access to information, please contact the following:**

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

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**Minicom: 595528**

آپ انگریزی میں مدد چاہتے ہیں— نسلیاتی رسائی [Ethnic Access] سے رابطہ کریں ٹیلیفون: 01905 25121

ইংরেজি ভাষার বিষয়ে সাহায্য চান – এথনিক অ্যাকসেস [Ethnic Access] এর সঙ্গে যোগাযোগ করুন, টেলিফোনঃ 01905 25121

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



**GUIDANCE ON PUBLIC**  
**SPEAKING**

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

in accordance with the running order detailed in this agenda (Applications for Planning Permission item) and updated by the separate Update report:

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

Speakers will be called in the order they have notified their interest in speaking to the Planning Officers (by the 4.00 p.m. deadline on the Friday before the meeting) and invited to the table or lecturn.

- Each individual speaker, or group representative, will have up to a maximum of 3 minutes to speak. (Please press button on "conference unit" to activate microphone.)
  - After each of a), b) and c) above, Members may put relevant questions to the speaker, for clarification. (Please remain at the table in case of questions.)
- 5) Members' questions to the Officers and formal debate / determination.

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**Notes:**

- 1) It should be noted that, in coming to its decision, the Committee can only take into account planning issues, namely policies contained in the Borough of Redditch Local Plan No.2, the County Structure Plan (comprising the Development Plan) and other material considerations which include Government Guidance and other relevant policies published since the adoption of the development plan and the “environmental factors” (in the broad sense) which affect the site.
- 2) No audio recording, filming, video recording or photography, etc. of any part of this meeting is permitted without express consent (Section 100A(7) of the Local Government Act 1972).
- 3) Once the formal meeting opens, members of the public are requested to remain within the Public Gallery and may only address Committee Members and Officers via the formal public speaking route.
- 4) Late circulation of additional papers is not advised and is subject to the Chair’s agreement. The submission of any significant new information might lead to a delay in reaching a decision. The deadline for papers to be received by Planning Officers is 5.00 p.m. on the Friday before the meeting.
- 5) Anyone wishing to address the Planning Committee on applications on this agenda must notify Planning Officers by 5.00 p.m. on the Friday before the meeting.

**Further assistance:**

If you require any further assistance prior to the meeting, please contact the Committee Services Officer (indicated at the foot of the inside front cover), Head of Democratic Services, or Planning Officers, at the same address.

At the meeting, these Officers will normally be seated either side of the Chair.

The Chair’s place is at the front left-hand corner of the Committee table as viewed from the Public Gallery.

# Welcome to today's meeting.

## Guidance for the Public

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### ***Agenda Papers***

The **Agenda List** at the front of the Agenda summarises the issues to be discussed and is followed by the Officers' full supporting **Reports**.

### ***Chair***

The Chair is responsible for the proper conduct of the meeting. Generally to one side of the Chair is the Committee Support Officer who gives advice on the proper conduct of the meeting and ensures that the debate and the decisions are properly recorded. On the Chair's other side are the relevant Council Officers. The Councillors ("Members") of the Committee occupy the remaining seats around the table.

### ***Running Order***

Items will normally be taken in the order printed but, in particular circumstances, the Chair may agree to vary the order.

***Refreshments*** : tea, coffee and water are normally available at meetings - please serve yourself.

### ***Decisions***

Decisions at the meeting will be taken by the **Councillors** who are the democratically elected representatives. They are advised by **Officers** who are paid professionals and do not have a vote.

### ***Members of the Public***

Members of the public may, by prior arrangement, speak at meetings of the Council or its Committees. Specific procedures exist for Appeals Hearings or for meetings involving Licence or Planning Applications. For further information on this point, please speak to the Committee Support Officer.

### ***Special Arrangements***

If you have any particular needs, please contact the Committee Support Officer.

Infra-red devices for the hearing impaired are available on request at the meeting. Other facilities may require prior arrangement.

### ***Further Information***

If you require any further information, please contact the Committee Support Officer (see foot of page opposite).

### ***Fire/ Emergency instructions***

**If the alarm is sounded, please leave the building by the nearest available exit – these are clearly indicated within all the Committee Rooms.**

**If you discover a fire, inform a member of staff or operate the nearest alarm call point (wall mounted red rectangular box). In the event of the fire alarm sounding, leave the building immediately following the fire exit signs. Officers have been appointed with responsibility to ensure that all visitors are escorted from the building.**

**Do Not stop to collect personal belongings.**

**Do Not use lifts.**

**Do Not re-enter the building until told to do so.**

**The emergency Assembly Area is on the Ringway Car Park.**

# Declaration of Interests: Guidance for Councillors

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DO I HAVE A "PERSONAL INTEREST" ?

- Where the item relates or is likely to affect your **registered interests** (what you have declared on the formal Register of Interests)

**OR**

- Where a decision in relation to the item might reasonably be regarded as affecting **your own** well-being or financial position, or that of your **family**, or your **close associates** more than most other people affected by the issue,

you have a personal interest.

WHAT MUST I DO? **Declare the existence, and nature, of your interest and stay**

- The declaration must relate to specific business being decided - a general scattergun approach is not needed
- **Exception** - where interest arises only because of your membership of another **public body**, there is no need to declare unless you **speak** on the matter.
- You **can vote** on the matter.

IS IT A "PREJUDICIAL INTEREST" ?

In general only if:-

- It is a personal interest **and**
- The item affects your **financial position** (or conveys other benefits), or the position of your **family, close associates** or bodies through which you have a **registered interest** (or relates to the exercise of **regulatory functions** in relation to these groups)

**and**

- A member of public, with knowledge of the relevant facts, would reasonably believe the interest was likely to **prejudice** your judgement of the public interest.

WHAT MUST I DO? **Declare and Withdraw**

BUT you may make representations to the meeting before withdrawing, **if** the public have similar rights (such as the right to speak at Planning Committee).



# PLANNING COMMITTEE

Tuesday, 6 January 2009

7.00 pm

Council Chamber Town Hall

## Agenda

### Membership:

Cllrs:                    M Chalk (Chair)                    J Field  
                               D Smith (Vice-                    W Hartnett  
                               Chair)                                N Hicks  
                               K Boyd-Carpenter                D Hunt  
                               D Enderby                         R King  
                               R J Farooqui

<p><b>1. Apologies</b></p>	<p>To receive apologies for absence and details of any Councillor nominated to attend the meeting in place of a member of the Committee.</p>
<p><b>2. Declarations of Interest</b></p>	<p>To invite Councillors to declare any interest they may have in the items on the Agenda.</p>
<p><b>3. Confirmation of Minutes</b> (Pages 1 - 18)</p>	<p>To confirm, as correct records, the minutes of the meetings of the Planning Committee held on the 7 October, 4 November and 2 December 2008.  (Minutes attached)</p>
<p><b>4. Applications for planning permission</b> (Pages 19 - 20)  Acting Director of Environmental and Planning</p>	<p>To consider six applications for planning permission.  (Items below refer.)  (Covering Report attached) <b>Various Wards</b></p>
<p><b>5. Planning Application 2008/342 - 5 Willow Way, Batchley</b> (Pages 21 - 24)</p>	<p>To consider a Planning Application in relation to the erection of a two storey detached dwelling and garage.  Applicant: Abbey and Lyndon  (Report attached) <b>(Batchley Ward)</b></p>
<p><b>6. Planning Application 2008/360/OUT - Land adjacent to 1 Fladbury Close, Woodrow South</b> (Pages 25 - 30)</p>	<p>To consider an Outline Planning Application for a residential development.  Applicant: Redditch Borough Council  (Report attached) <b>(Greenlands Ward)</b></p>

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<p><b>7. Planning Application 2008/361/OUT - Land at Lingen Close / Mordiford Close, Winyates</b></p> <p>(Pages 31 - 38)</p>	<p>To consider an Outline Planning Application for a residential development.</p> <p>Applicant: Redditch Borough Council</p> <p>(Report attached) <b>(Winyates Ward)</b></p>
<p><b>8. Planning Application 2008/362/FUL - Homebase, Abbey Retail Park</b></p> <p>(Pages 39 - 42)</p>	<p>To consider a Planning Application relating to external alterations to a building (currently Homebase), internal works to create one additional Unit and modifications to car parking layout.</p> <p>Applicant: Essex County Council Pension Fund</p> <p>(Report attached) <b>(Abbey Ward)</b></p>
<p><b>9. Planning Application 2008/365/OUT - Land between Skilts Avenue and Lodge Pool Drive, Lodge Park</b></p> <p>(Pages 43 - 50)</p>	<p>To consider a Outline Planning Application for a residential development.</p> <p>Applicant: Redditch Borough Council</p> <p>(Report attached) <b>(Lodge Park Ward)</b></p>
<p><b>10. Planning Application 2008/370/FUL - 26 Crumpfields Lane, Webheath</b></p> <p>(Pages 51 - 54)</p>	<p>To consider a Planning Application in relation to the conversion of a flat roof to pitched roof, two storey side extension, sun room at the rear and dormer window to the front of property.</p> <p>Applicant: Mr A Warby.</p> <p>(Report attached) <b>(West Ward)</b></p>
<p><b>11. Exclusion of the Public</b></p>	<p>During the course of the meeting it may be necessary, in the opinion of the Chief Executive, to consider excluding the public from the meeting on the grounds that exempt information is likely to be divulged. It may be necessary, therefore, to move the following resolution:</p> <p><b>“that, under S.100 I of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, the public be excluded from the meeting for the following matter(s) on the grounds that it/they involve(s) the likely disclosure of exempt information as defined in the relevant paragraphs of Part 1 of Schedule 12 (A) of the said Act, as amended.</b></p>



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**12. Confidential Matters (if any)**

To deal with any exceptional matters necessary to consider after the exclusion of the public (none notified to date.)

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## Planning Committee

Tuesday, 7 October 2008

### MINUTES

#### Present:

Councillor Michael Chalk (Chair), and Councillors K Banks (substituting for Councillor Smith), D Enderby, R J Farooqui, J Field, W Hartnett, N Hicks, D Hunt and R King

#### Also Present:

M Collins (Vice-Chair Standards Committee)

#### Officers:

S Edden, S Mullins, H Rajwanshi and A Rutt,

#### Committee Services Officer:

T Buckley.

#### 25. APOLOGIES

Apologies for absence were received on behalf of Councillors Boyd-Carpenter and Smith.

#### 26. DECLARATIONS OF INTEREST

All Councillors present declared personal but not prejudicial interests in application 2008/275/FUL (Replacing a bungalow with a dormer bungalow) 56 Hither Green Lane, Bordesley, as detailed at Minute 29 below.

Councillor MacMillan, as a non-member of the Committee, declared a personal and prejudicial interest in Planning Application 2008/275/FUL (Replacing a bungalow with a dormer bungalow at 56 Hither Green Lane, Bordesley) as detailed separately at Minute 29 below.

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Chair

**27. CONFIRMATION OF MINUTES**

**RESOLVED that**

**the minutes of the meetings of the Planning Committee held on the 15 July, 12 August and 9 September 2008 be agreed and signed by the Chair.**

**28. APPLICATIONS FOR PLANNING PERMISSION**

The Committee considered and determined two Planning Applications as detailed in the subsequent minutes below.

Offices tabled an update report detailing any late responses to consultation, changed recommendations, further conditions and any additional Officer comments in relation to each application. This report was further updated orally at the meeting as appropriate to each application.

Public Speaking was permitted, in accordance with the Council's agreed procedures, in relation to both of the applications being considered.

**29. APPLICATION 2008/275/FUL - 56 HITHER GREEN LANE, BORDESLEY**

Replacement of a bungalow with a dormer bungalow  
Applicant: Mr N Jinks

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

Mr Thornton - Objector  
Cllr C MacMillan - Objector  
Mr N Jinks - Applicant  
Mr D Jones - Agent for the Applicant.

**RESOLVED that**

**having regard to the Development Plan and to all other material considerations, Planning Permission be GRANTED subject to the conditions and informative stated in the report, and the following additional condition:**

**"7. Drainage – details to be submitted and agreed."**

(Prior to consideration of this item, and in accordance with the requirements of Section 81 of the Local Government Act 2000, all Councillors present declared personal but not prejudicial interests in

view of the fact that they were acquainted with an objector to the application.

Prior to commencement of his public speaking session, Councillor MacMillan, speaking in a personal capacity as an objector to the application, declared his personal and prejudicial interest in view of the fact that he lived in close proximity to the application site. In accordance with regulations governing Members' interests - Section 81 of the Local Government Act 2000 - at the conclusion of public speaking, he withdrew from the meeting for the duration of the Committee's consideration of the application.)

**30. APPLICATION 2008/286 - 15 BEOLEY ROAD WEST, LODGE PARK**

Change of Use from shop to hot food take-away  
Applicant: Mr R Jedrzejczyk

Mr Ullah, Objector, addressed the Committee under the Council's public speaking rules.

**RESOLVED that**

**having regard to the Development Plan and to all other material considerations, Planning Permission be GRANTED subject to the conditions and informatives as stated in the report, and the following additional condition and informatives:**

**"5) The approved change of use shall relate to the ground floor of 15 Beoley Road West only.**

**Additional Informatives:**

- 3) Any external artificial security lighting provided to serve the proposed development should be compliant with current guidance produced by the Institute of Lighting Engineers, 'Guidance Notes for the Reduction of Light Pollution, revised 2005' – [www.ile.org.ueg](http://www.ile.org.ueg)**
- 4) The proposed use will require a Premises Licence under the Licensing Act 2003 via an application to the Local Authority.**
- 5) The proposed use will require registration as a food premises via an application to the Local Authority."**

**31. CHANGES TO HOUSEHOLDER PERMITTED DEVELOPMENT RIGHTS**

Members received a report which detailed amendments to planning legislation in respect of rights of householders which set out limits within which householders may develop without the need to apply for planning permission.

**RESOLVED that**

**the report be noted and taken into account in future decision making processes.**

**32. ENFORCEMENT OF PLANNING CONTROL**

The Committee considered a contravention of planning law, as detailed in the subsequent minute below.

**33. ENFORCEMENT REPORT 2008/025/ENF- EDWARD STREET / BROMSGROVE ROAD, TOWN CENTRE**

Condition of land considered harmful to the visual amenity of the area

**RESOLVED that**

- 1) **authority be delegated to the Head of Legal, Democratic and Property Services, in consultation with the Acting Head of Planning and Building Control, to take enforcement action, including the instigation of legal proceedings if necessary, in relation to a breach of planning control, namely, allowing the condition of land to adversely affect the visual amenity of the area; and**
- 2) **such actions to comprise the serving of an Enforcement Notice under Section 215 of the Town and Country Planning Act 1990 and the instigating of prosecution proceedings, if necessary, in the event of any failure to comply with any requirement of that Notice.**

The Meeting commenced at 7.00 pm  
and closed at 8.56 pm

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CHAIR



# Planning

## Committee

Tuesday, 4 November 2008

### MINUTES

#### Present:

Councillor Michael Chalk (Chair) and Councillors B Clayton (substituting for Councillor Smith), D Enderby, R J Farooqui, J Field, W Hartnett, N Hicks, D Hunt and R King

#### Officers:

R Bamford, S Edden, A Hussain, R Kindon, S Mullins, H Rajwanshi and A Rutt

#### Committee Services Officer:

J Smyth.

#### 34. APOLOGIES

Apologies for absence were received on behalf of Councillors Boyd-Carpenter and Smith.

#### 35. DECLARATIONS OF INTEREST

Councillor R King declared a personal and prejudicial interest in Planning Application 2008/305/OUT (Outline Planning Application for a residential development on land at Wirehill Drive, Lodge Park) as detailed separately at Minute 41 below.

Councillor Field declared a personal but not prejudicial interest in Enforcement Report 2008/025/ENF (Breach of Planning Control in respect of an extension to the side of a property) as detailed separately at Minute 45 below.

Councillor MacMillan, as a non-member of the Committee, declared a personal and prejudicial interest in Planning Application 2008/275 (Replacing a bungalow with a dormer bungalow at 56 Hither Green Lane, Bordesley) as detailed separately at Minute 37 below.

#### 36. APPLICATIONS FOR PLANNING PERMISSION

The Committee considered and determined a number of Planning Applications as detailed in the subsequent minutes below.

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Chair

Offices tabled an update report detailing any late responses to consultation, changed recommendations, further conditions and any additional Officer comments in relation to each application. This report was further updated orally at the meeting as appropriate to each application.

Public Speaking was permitted, in accordance with the Council's agreed procedures, in relation to five of the applications being considered.

**37. PLANNING APPLICATION 2008/275/FUL - 56 HITHER GREEN LANE, BORDESLEY**

Replacement of a bungalow with a dormer bungalow  
Applicant: Mr N Kins

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

Mr Thornton – objector  
Mr N Crowther – objector  
Councillor C MacMillan – objector  
Mr N Jinks – Applicant  
Mr D Jones – Agent for the Applicant.

**RESOLVED that**

**having regard to the Development Plan and to all other material considerations, Planning Permission be GRANTED, subject to the conditions and Informative in the main report.**

(Prior to commencement of his public speaking session, Councillor MacMillan, speaking in a personal capacity as an objector to the application, declared his personal and prejudicial interest in view of the fact that he lived in close proximity to the application site. In accordance with regulations governing Members' interests - Section 81 of the Local Government Act 2000 - at the conclusion of public speaking, he withdrew from the meeting for the duration of the Committee's consideration of the application.)

**38. PLANNING APPLICATION 2008/289/FUL - THE KINGFISHER SCHOOL, CLIFTON CLOSE, MATCHBOROUGH WEST**

Erection of a concrete garage and 65 metre straight run of 4.5 metre high sports netting  
Applicant: The Kingfisher School



Mrs Tyler – objector and Mr Adams, on behalf of the Applicant, addressed the Committee under the Council’s public speaking rules.

**RESOLVED that**

**having regard to the Development Plan and to all other material considerations:**

- 1) **in respect of the erection of the concrete garage, Planning Permission be GRANTED, subject to the condition detailed below:**

**“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”; and**

- 2) **in respect of the sports netting proposed for the eastern boundary of the school site, Planning Permission be REFUSED for the following reason:**

**“The proposed netting, by virtue of its height, represents a substantial structure which would lead to an obtrusive and incongruous feature of detriment which would be visually unacceptable causing detrimental visual impact to the surrounding residential amenity. As such, the development would be contrary to Policy B(BE).13 of the Borough of Redditch Local Plan No.3.”**

(The decision taken in respect of the proposed sports netting was contrary to Officer recommendation for the reason stated above.)

**39. PLANNING APPLICATION 2008/303/OUT - LAND AT PETERBROOK CLOSE, OAKENSHAW**

Outline Residential Development

Applicant: Redditch Borough Council

The following people addressed the Committee under the Council’s public speaking rules:

Mrs Southwell – objector  
Mrs Powell – objector

Mr Clarke – objector  
Mr R Kindon – 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 and Informatives in the main report.**

**40. PLANNING APPLICATION 2008/304/OUT - LAND OFF BANNERS LANE, CRABBS CROSS**

Outline Residential Development  
Applicant: Property Services, Redditch Borough Council

The Committee noted that this matter had been WITHDRAWN by Officers at the request of the Applicant and was not discussed.

**41. PLANNING APPLICATION 2008/305/OUT - LAND AT WIREHILL DRIVE, LODGE PARK**

Outline Residential Development  
Applicant: Redditch Borough Council

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

Mr Blewitt - objector  
Mr P Bird – objector  
Ms P Tanner – objector  
Mr Willmott – objector  
Cllr A Fry – Ward Member and objector  
Mr R Kindon – 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 and Informatives in the main report and the following additional conditions and informatives:**

- “6. - Development only to be located on area noted as R1 on plan and not on land shown as R2;**
- 7. - Details of access arrangements during construction to be agreed and complied with to prevent damage to R2 land to be retained at the frontage of the site.**

8. H13 Access, turning and parking.

**Informatives**

6. HN1 Mud on the road.
7. - **The Reserved Matters application(s) shall include provision for highway safety improvement works on Wirehill Drive in the vicinity of the site.”**

(Prior to consideration of this item, and in accordance with the requirements of Section 81 of the Local Government Act 2000, Councillor R King declared a personal and prejudicial interest in view of the fact that one of the objectors was known to him, and withdrew from the meeting.)

**42. PLANNING APPLICATION 2008/316/FUL - 1207 EVESHAM ROAD, ASTWOOD BANK**

Internal alterations and addition of conservatory to rear to enable whole of premises to be used as a restaurant

Applicant: Mr R Seed

:

Mr G Roberts and Ms T Hawkes, objectors and Mr C Eaves, Agent for the Applicant, addressed the Committee under the Council's public speaking rules.

**RESOLVED that**

**having regard to the Development Plan and to all other material considerations, Planning Permission be REFUSED for the following reason:**

**“The proposed development, located outside of the defined Astwood Bank District Centre boundary, would constitute an intensification of a commercial use which would be unacceptable and incompatible with this predominantly residential part of Evesham Road, Astwood Bank and detrimental to the living conditions and amenities of nearby and adjoining residents. As such the proposal would be contrary to Policies E(TCR).9, B(NE).4 and E(TCR).12 of the adopted Borough of Redditch Local Plan No.3.”**

(This decision was taken contrary to Officer recommendation for the reason stated above.)

**43. INFORMATION ITEM**

The Committee received an item of information in relation to an outcome of an appeal against a Planning decision, namely:

Planning Reference 2008/058

Variation of Condition 14 of Planning Application 2007/313  
Increase to permitted Opening Hours of Bulders Merchant  
Buildland, Oxleasow Road, East Moons Moat

The Committee noted that this appeal against the Committee's decision to refuse planning permission for the proposed extension had been ALLOWED, subject to the conditions as stated in the report.

**44. ENFORCEMENT OF PLANNING CONTROL**

The Committee considered a contravention of planning law, as detailed in the subsequent minute below.

**45. ENFORCEMENT REPORT 2008/025/ENF - CASTLEDITCH LANE,  
OAKENSHAW**

Unauthorised erection of extension to side of premises.

**RESOLVED that**

- 1) **authority be delegated to the Head of Legal, Democratic and Property Services, in consultation with the Acting Head of Planning and Building Control, to take enforcement action, including the instigation of legal proceedings if necessary, in relation to a breach of planning control, namely, the erection, without planning permission, of a side extension; and**
- 2) **such actions comprise the serving of an Enforcement Notice and the instigating of prosecution proceedings, if necessary, in the event of any failure to comply with any requirement of that Notice.**

(Prior to consideration of this item, and in accordance with the requirements of Section 81 of the Local Government Act 2000, Councillor Field declared a personal but not prejudicial interest in view of the fact that he lived within 100m of the Application site.)

The Meeting commenced at 7.00 pm  
and closed at 11.22 pm

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CHAIR



# Planning Committee

Tuesday, 2 December 2008

## MINUTES

**Present:**

Councillor Michael Chalk (Chair), and Councillors D Enderby, R J Farooqui, M Hall (substituting for Councillor Hicks), J Field, W Hartnett, D Hunt and R King

**Also Present:**

M Collins (Vice-Chair, Standards Committee)

**Officers:**

R Bamford, A Hussain, A Rutt, S Skinner and S Williams

**Committee Services Officer:**

J Smyth.

**46. APOLOGIES**

Apologies for absence were received on behalf of Councillors Boyd-Carpenter, Hicks and Smith.

**47. DECLARATIONS OF INTEREST**

Councillor Hall declared a personal but not prejudicial interest in Planning Application 2008/328 (Application for the retention of a temporary building in Cherry Tree Walk, Batchley), as detailed separately at Minute 51 below.

Councillor Farooqui declared a personal and prejudicial interest in an Information Report (relating to the outcome of an appeal against a planning decision); as detailed separately at Minute 55 below.

**48. APPLICATIONS FOR PLANNING PERMISSION**

The Committee considered and determined a number of Planning Applications, as detailed in the subsequent minutes below.

Officers tabled an update report detailing any late responses to consultation, changed recommendations, further conditions and any additional Officer comments in relation to each application. This

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Chair

report was further updated orally at the meeting as appropriate to each application.

Public Speaking was permitted, in accordance with the Council's agreed procedures, in relation to four of the application being considered.

**49. PLANNING APPLICATION 2008/322/COU - LAND AT CHARLES MARTIN BUSINESS PARK, ARROW ROAD NORTH, LODGE PARK**

Temporary change of use of two industrial units and yard to car sales for three years  
Applicant: Broadbent and Green

Mr Bridgewater, objector and Mr Vick, the Applicant's 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, Planning Permission be GRANTED, subject to the conditions stated in the main report.**

(Members reiterated the need for Officers to ensure that Visitor and Staff car parking be clearly demarcated on the application site, as specified under Condition 3.)

**50. PLANNING APPLICATION 2008/326 - 5A DARK LANE, ASTWOOD BANK**

Retrospective permission for an external canopy over a cellar entrance  
Applicant: Astwood Bank Club

Mr Walsh, objector and Mr Vick, the Applicant's 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, Planning Permission be GRANTED, subject to the conditions stated in the main report but with Condition 2 being amended to read as follows:**

**“2. The heater shall be removed within one month from the date of the Decision Notice. No other forms of heating facilities shall be used in this enclosed structure area.”**

**51. PLANNING APPLICATION 2008/328 - THE OAKS CENTRE,  
CHERRY TREE WALK, BATCHLEY**

Retention of Temporary Building  
Applicant: Mr R Gilbert – NEW College

**RESOLVED that**

**having regard to the Development Plan and to all other material considerations, Planning Permission be GRANTED for a period of two years, subject to the condition stated in the name report and the following additional condition:**

**“2. Details of external paintwork shall be submitted within two months of the date of this Notice to the Local Planning Authority and shall be approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details within two months of the date of the letter of approval.**

**Reason: In the interests of the visual amenity of the area and in accordance with Policy B(BE).14 of the Borough of Redditch Local Plan No.3.**

(During consideration of this item, and in accordance with the requirements of Section 81 of the Local Government Act 2000, Councillor Hall declared a personal but not prejudicial interest in view of the fact that he was employed by NEW College, the Applicant, and refrained from voting on the matter.)

**52. PLANNING APPLICATION 2008/330 - LAND ADJACENT TO 125  
PLYMOUTH ROAD, SOUTHCREST**

Detached Dwelling  
Applicant: Mr D Bush

Mr Bush, the Applicant, addressed the Committee under the Council’s public speaking rules.

**RESOLVED that**

**Having regard to the Development Plan and to all other material considerations, Planning Permission be GRANTED,**

subject to the conditions and informatives in the main report and the following additional condition and informatives:

“10. Access, turning and parking.

Informatives

3. Mud on highway.
4. Private apparatus within the highway.
5. Alteration of highway to provide new or amended vehicle crossover.”

**53. PLANNING APPLICATION 2008/331 - HIGH TREES, DARK LANE, ASTWOOD BANK**

Resubmission of Outline Application 2008/125

Retention of existing property, demolition of outbuildings and development of 5 dwellings with associated access and amenity

Applicant: Mr B Hands, Bradley Design Homes

Mrs Mitchell, on behalf of the Applicant and his Architect, 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 Acting Head of Planning and Building Control to GRANT Outline Planning Permission, subject to:**

**any comments from the Council’s Arboricultural Officer and the Countryside and Biodiversity Officer; expiry of the consultation period; the summarised conditions and informatives as stated in the main report; and the following additional summarised conditions and informatives:**

- “13. Amended plans specified.
14. Access, turning and parking.
15. Secured by Design.
16. Layout Plan submitted being indicative only.
17. Plus appropriate conditions to address the recommendations of the protected species survey and bat survey.

Informatives

3. Mud on highway.
4. Private apparatus within the highway.



5. **Alteration of highway to provide new or amend vehicle crossover.**
6. **External security lighting to comply with guidance to ensure that it does not adversely affect neighbours amenities.**
7. **No burning on site.**
8. **Adequate measures be put in place to prevent migration of dust and particulates beyond the site boundary.”**

**54. IMPROVEMENT WORKS TO MARKET AREA - MONITORING INFORMATION REPORT ON PERMISSION 2008/067/RC3**

Members received a report which detailed the implementation and monitoring of an Application in respect of Improvement Works to the Town Centre Market Area.

The Committee's attention was drawn to the Appendix to the report which outlined the various conditions imposed and the works completed or in hand to comply with them. Officers advised that they were currently liaising with other relevant Officers in relation to the two main issues outstanding, namely the need to bring the Market trading hours in line with those imposed under the planning approval, for which a report would need to be taken to the Executive Committee to seek approval to changes in the Council's current policy on the Market's operating hours, and an agreed landscaping scheme.

Further to enquiries previously received directly from Members, Officers reported that, whilst there had been some initial issues with the finish of the hard surface works, these had been resolved and they had been completed to a high standard in accordance with the planning permission. Members requested that, should repair works be required as a result of Utilities works / damage, any materials were to be replaced like for like to the standard approved. There was some discussion in respect of the Art Work area of the market, commissioned to depict and display the town's industrial heritage, and the need to ensure that the area was maintained and kept clear of stalls.

Officers advised that the Market area would continue to be monitored to ensure the enforcement of the approved Planning approval. However, some of these issues were landlord ones, rather than being relevant to the responsibilities of the Planning Committee, and accordingly, Officers agreed to raise Members' concerns with relevant Officers. It was noted that a report, shortly to be presented to the Executive Committee, would be highlighting a number of contract issues the Council had with Traders.

**RESOLVED that**

**the report be noted.**

**55. INFORMATION REPORT**

The Committee received an item of information in relation to an outcome of an appeal against a Planning decision, namely:

Planning Reference 2008/071/COU

Permission for the change of use of an existing retail shop (Class A1) to a Restaurant and Takeaway (Classes A3 and A5 respectively; and the conversion of two rear garages to form kitchen premises 145-147 Evesham Road, Headless Cross

The Committee noted that this appeal against the Committee's decision to refuse planning permission for the proposed change of use and conversion of the two garages had been DISMISSED by the Inspector for the reasons detailed in the report.

(During consideration of this item, and in accordance with the requirements of Section 81 of the Local Government Act 2000, Councillor Farooqui declared a personal and prejudicial interest in view of the fact that he was related to the Applicant, and withdrew from the meeting during its consideration.)

**56. ENFORCEMENT OF PLANNING CONTROL**

The Committee considered a contravention of planning law, as detailed in the subsequent minute below.

**57. ENFORCEMENT REPORT 2008/242ENF - WEIGHTS LANE, BORDESLEY**

Unauthorised advertisement board situated within the Green Belt.

**RESOLVED that**

- 1) **authority be delegated to the Head of Democratic, Legal and Property Services, in consultation with the Acting Head of Planning and Building Control, to take enforcement action, including the instigation of legal proceedings if necessary, in relation to a breach of planning control, namely the display of an advertisement without the express consent of the Local Planning Authority; and**

# Planning

## Committee

Tuesday, 2 December 2008

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- 2) such action comprise the instigation of Prosecution proceedings if deemed necessary.

The Meeting commenced at 7.00 pm  
and closed at 8.51 pm

.....  
CHAIR



## Planning Committee

Various Wards

6 January 2009

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### APPLICATIONS FOR PLANNING PERMISSION

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(Report of the Acting Head of Planning and Building Control)

1. **Purpose of Report**

To determine applications for planning consent (covering report only).

2. **Recommendation**

**The Committee is asked to RESOLVE that**

**having regard to the development plan and to other material considerations, the attached applications be determined.**

3. **Financial, Legal, Policy and Risk Implications**

3.1 Financial : None.

3.2 Policy : As detailed in each individual application.

3.3 Legal : Set out in the following Acts:-  
Town and Country Planning Act 1990  
Planning and Compensation Act 1991  
Human Rights Act 1998  
Crime and Disorder Act 1998.

3.5 Risk : As detailed in each individual application.

4. **Report**

The following items on the Agenda detail planning applications for determination at this meeting of the Committee.

5. **Background Papers**

Planning application files (including letters of representation).  
Worcestershire County Structure Plan 1996 - 2011.  
Borough of Redditch Local Plan No. 3.

6. **Consultation**

Consultees are indicated for each individual proposal.

7. **Other Implications**

Asset Management            Not normally applicable.

Community Safety:        As detailed within each specific report.

Human Resources:        None.

Social Exclusion:        None: all applications are considered on strict planning merits, regardless of status of applicant.

Sustainability:            As detailed within each specific report.

7. **Author of Report**

The author of this report is Ruth Bamford (Acting Head of Planning and Building Control), who can be contacted on extension 3219 (e-mail: [ruthbamford@redditchbc.gov.uk](mailto:ruthbamford@redditchbc.gov.uk)) for more information.

## Planning Committee

Batchley Ward

6 January 2009

2008/342

**ERECTION OF A TWO STOREY DETACHED DWELLING AND GARAGE  
5 WILLOW WAY, BATCHLEY  
APPLICANT: ABBEY AND LYNDON  
EXPIRY DATE: 22 DECEMBER 2008**

### Site Description

(See additional papers for Site Plan)

The site consists of a parcel of land at the side of 5 Willow Way which formed part of the garden area for this property but has recently been fenced off following the submission of this application. The site has shrub and hedge planting and a single storey building attached to No. 5 Willow Way. The single storey building would need to be demolished in order to implement the proposed development. The site is relatively level and is very slightly elevated in relation to 6 Willow Way.

### Proposal Description

A 3 bedroom two storey dwelling is proposed with an attached single size garage.

Part of the dwelling would be set slightly further forward of the adjacent property (No.5), and have garden area to the rear. Access to the development is via a new access off Willow Way.

### Relevant Key Policies

All planning applications must be considered in terms of the planning policy framework and all other relevant material considerations (as set out in the legislative framework). The planning policies noted below can be found on the following websites:

[www.communities.gov.uk](http://www.communities.gov.uk)

[www.wmra.gov.uk](http://www.wmra.gov.uk)

[www.worcestershire.gov.uk](http://www.worcestershire.gov.uk)

[www.redditchbc.gov.uk](http://www.redditchbc.gov.uk)

### *National Planning Policy*

PPS1 (& accompanying documents) Delivering sustainable development

PPS3 Housing

### ***Regional Spatial Strategy***

CF2	Housing beyond Major Urban Areas
CF3	Level and Distribution of New Housing Development
CF5	The reuse of land and buildings for housing
CF6	Making efficient use of land
T2	Reducing the Need to Travel
T7	Car Parking Standards and Management

### ***Worcestershire County Structure Plan***

SD.3	Use of Previously Developed Land
SD.4	Minimising the need to travel
T.4	Car Parking

### ***Borough of Redditch Local Plan No. 3***

CS.3	Use of Previously Developed Land
CS.4	Minimising the Need to Travel
CS.7	The Sustainable Location of Development
B(HSG).6	Development within or adjacent to the curtilage of and Existing Dwellings
B(BE).13	Qualities of Good Design
B(BE).19	Green Architecture
C(T).12	Parking Standards

Borough of Redditch Supplementary Planning Guidance (SPG) on Encouraging Good Design

### **Relevant Site Planning History**

None

### **Public Consultation Responses**

#### **Responses in favour**

1 letter of support from CPRE. Site is garden area of 5 Willow Way with boundary hedging on all three sides of the site. Some planting will need to be removed to implement the development. Generally CPRE support development of the site.

Two letters of comment raising the following points:-

- Proposed drive may affect the existing lamppost which will probably need to be relocated.
- Concern about noise during construction and that parking for builders is kept within the confines of the application site.



**Consultee Responses**

***County Highway Network Control***

No objections subject to conditions.

***Environmental Health***

No objections

***Severn Trent Water Ltd***

No objection subject to conditions.

**Assessment of Proposal**

The key issues for consideration are as follows:-

Principle

The site currently forms part of the garden area of 5 Willow Way which is residential and is situated in a primarily residential area. Therefore, the principle of residential development in this location is considered to be acceptable because it is brownfield land within the urban area of Redditch.

Design and Layout

The building line of the proposed dwelling is similar to that of No. 5 Willow Way, although it would be slightly further forward, it would be in keeping with the layout and character of the surrounding housing.

The proposal complies with the Councils SPG on Encouraging Good Design and is designed to complement the adjacent housing with the use of materials to match the existing properties.

Landscape and Trees

No details have been provided as part of the application although it is indicated in the Design and Access Statement that all disturbed areas of hedges and planting will be reinstated on completion of the new dwelling.

Highways and Access

Adequate off street car parking would be provided for the proposed dwelling. The existing property had no provision of off street car parking and this would remain the same if planning permission is granted for the proposal.

County Highway Network Control has no objection to the proposal. Comments have been made by a neighbour that the location of the access

could affect a lamppost. This matter can be easily remedied (if necessary the lamppost repositioned). An informative could be imposed advising the applicant of the possibility of relocating the lamppost.

### Sustainability

The applicant has provided a Climate Change Statement. This specifies that the design of the overall floor area has been kept to the minimum with very little wasted circulation space to reduce the overall building material used. The house will be constructed using highly insulated walls, roof and floor and the heating system will be based on the use of a gas fired high efficiency condensing boiler. In addition, serious consideration will be given to the use of passive solar heating panels to offset the hot water requirements of the dwelling.

### Conclusion

The proposal is considered to comply with policy and is unlikely to cause significant harm to amenity.

### Recommendation

**Having regard to the development plan and to other material considerations, planning permission be GRANTED subject to conditions and Informatives as summarised below:-**

1. Development to commence within 3 years.
2. Details of materials to be submitted.
3. Landscape scheme to be submitted and implemented.
4. Failure of planting to be replaced.
5. Limited working hours during construction.
6. Car parking for site operatives.
7. Dwelling to be built to a minimum Level 3 requirement set out under Code for Sustainable Homes.
8. Drive area to be of a permeable surface and retained as such.
9. Access, turning and parking

### Informatives

1. Applicant to be advised that lamppost may need to be relocated.
2. Mud on highway.
3. Private apparatus within the highway.
4. Alteration of highway to provide new or amend vehicle crossover.
5. Drainage details to be in agreement with Severn Trent.

## Planning Committee

Greenlands Ward

6 January 2009

2008/360/OUT **OUTLINE RESIDENTIAL DEVELOPMENT  
LAND ADJACENT TO 1 FLADBURY CLOSE, WOODROW SOUTH  
APPLICANT: PROPERTY SERVICES, REDDITCH BOROUGH  
COUNCIL  
EXPIRY DATE: 8 JANUARY 2009**

### Site Description

(See additional papers for Site Plan)

The site area is a grassed corner plot which lies adjacent to 1 Fladbury Close, Woodrow North. The area is approximately 571 square metres (0.06ha), lies at the corner of a cul-de-sac and is surrounded by bungalows and houses.

There are four trees presently growing on the site, which would have been planted as part of the landscaping for when the dwellings were built as part of the development of the New Town.

### Proposal description

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

The application is supported by a Design & Access Statement, a sustainability checklist and details relating to any potential planning obligation.

### Relevant key policies

All planning applications must be considered in terms of the planning policy framework and all other relevant material considerations (as set out in the legislative framework). The planning policies noted below can be found on the following websites:

[www.communities.gov.uk](http://www.communities.gov.uk)  
[www.wmra.gov.uk](http://www.wmra.gov.uk)  
[www.worcestershire.gov.uk](http://www.worcestershire.gov.uk)  
[www.redditchbc.gov.uk](http://www.redditchbc.gov.uk)

### *National planning policy*

PPS1 (& accompanying documents) Delivering sustainable development  
PPS3 Housing

***Regional Spatial Strategy***

UR4	Social infrastructure
CF5	Delivering affordable housing and mixed communities
QE3	Creating a high quality built environment for all

***Worcestershire Country Structure Plan***

CTC5	Trees, woodlands and hedgerows
IMP1	Implementation of development

***Borough of Redditch Local Plan No.3***

CS6	Implementation of development
CS7	Sustainable location of development
CS8	Landscape character
S1	Designing out crime
B(HSG).1	Housing provision
B(HSG).4	Density of development
B(HSG).6	Development within or adjacent to the curtilage of an existing dwelling
B(BE).13	Qualities of good design
B(NE).1a	Trees woodland and hedgerows
B(NE).6	Contaminated land
B(NE).9	Flood risk and surface water drainage
CT5	Walking routes
CT6	Cycle routes
R2	Protection of incidental open space

***SPDs***

Encouraging Good Design  
Design for Community Safety

**Relevant site planning history**

None.

**Public Consultation responses**

One letter received stating no objection providing trees are retained.

**Consultee responses**

***County Highway Network Control***

No objection.

***Environmental Health***

No objection subject to conditions / informatives regarding construction times, lighting and odour control.

***Severn Trent Water***

No objection subject to a condition regarding drainage details.

***Worcestershire County Council***

No response received.

***Drainage Officer***

No response received.

**Procedural matters**

This is an outline application with all matters reserved, and as such, only the principle of development can be considered at this stage, as no details are available. However, if there are reasons why the development could not be designed to be appropriate to the site, these can be raised as concerns at this stage.

The application plans and documents include an indicative layout, however this is for illustrative purposes only to demonstrate how the site *could* be developed, and not how it *would* be developed. This therefore has no weight in the determination of the application.

Under normal circumstances, some matters might be required through entering into a S106 planning obligation to ensure the provision of certain matters. However, in this case the applicant is the Council, and the Council as Planning Authority cannot enter into an agreement with itself as land owner. Therefore, in this case, conditions can be attached in the place of an obligation. Should the site be sold and then subsequent applications be made by the new owner/developer, then the requirements of the conditions would remain in force regardless of ownership.

**Assessment of proposal**

The key issue for consideration in this case is the principle of the development, as all other matters are reserved for future consideration. As part of this, matters regarding density, sustainability and planning obligations can be considered.

**Principle**

The site is undesignated within the Local Plan, and thus can be considered as incidental open space under Policy R2. This is a criteria based policy, whereby development is considered to be acceptable provided that it meets these 6 criteria.

Criteria i) states that:

It should be demonstrated that the site has no particular local amenity value.

Your Officers consider that the site has little local amenity value and that the scheme complies with this criteria.

Criteria ii) states that:

It should be demonstrated that the site has no wildlife conservation value. There are no known wildlife interests on this site worthy of protection and therefore the proposal is also considered unlikely to cause significant harm to wildlife in this location. It is also noted that the adjacent school playing field sites provide a larger area for such species and therefore the loss of this smaller area in comparison is insignificant.

Criteria iii) states that:

The need for the development should outweigh the need to protect the Incidental Open Space.

Given the limited importance of the site in terms of its use and amenity value, in this case the need for the development does indeed outweigh the need to protect this Incidental Open Space.

Criteria iv) states that:

It should be demonstrated that there is alternative provision of equivalent or greater community benefit provided in the area at an appropriate and accessible locality.

In this respect, there is considered to be alternative provision in the form of larger areas of open space in the near vicinity which offer greater community benefit and which are in a highly accessible location.

Criteria v) states that:

The site should not have a strategic function separating clearly defined developed areas or acting as a buffer between different land uses.

The clear lack of a strategic function separating developed areas and lack of a buffer function between different land uses leads your Officers to conclude that the proposed development would satisfy this criterion.

Criteria vi) states that:

The incidental open space should not play an important role in the character of the area.

Your Officers have concluded that the land does not contribute significantly to the character and appearance of the area, and that therefore the site does not play an important role in the character of the area.

The reasoned justification for Policy R2 comments that there should be a surplus of open space in that area for the development proposal to be acceptable. Your Officers would inform Members that under the 'Open Space Needs Assessment' a surplus of open space exists within the Greenlands Ward, and that therefore the proposals comply with the RJ for Policy R2.

The site measures 0.06ha in total and therefore development at a minimum of 30 dph as recommended in PPS3 would result in a minimum of 2 dwellings on this site. The indicative layout showing a pair of dwellings would therefore meet the government guidelines in PPS3. The surrounding character and pattern of development is at approximately 35 dph and therefore it is considered that development could occur on this site in such a way that it would be acceptable and not inappropriate to the surrounding area.

Given that the supporting information provided with this application demonstrates that the proposal meets the criteria listed under Policy R2, in principle there are no objections to the development of the site for residential purposes.

#### Sustainability

The site lies within the urban area of Redditch, and is therefore considered to be in a sustainable location. The applicant has provided a plan demonstrating the links to the site with the cycle and public transport provision in the area, and it is considered that the site could easily be accessed by a variety of modes of transport, in line with planning policy objectives.

#### Planning obligations

It is not considered likely that any development on this site would be proposed at a level which is beyond the threshold for planning obligations (currently five dwellings) and therefore it is not considered necessary to include a condition requiring an obligation at reserved matters stage. However, if any subsequent reserved matters application does meet the policy threshold at the time, it would be possible to enter into an obligation at that stage.

#### Conclusion

The proposal is considered to comply with the planning policy framework and unlikely to cause harm to amenity or safety and as such is therefore considered to be acceptable.

#### Recommendation

# Planning Committee

6 January 2009

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**That having regard to the development plan and to all other material considerations, planning permission be GRANTED subject to conditions and informatives as summarised below:**

1. Time limit for commencement of development and for submission of reserved matters, including definition of reserved matters to follow
2. Limit on operating hours during construction
3. Secured by design principles to be incorporated into reserved matters scheme and a statement submitted with application(s) to demonstrate how this has been done

### Informatives

1. Lighting
2. Odour control
3. Secured by design



## Planning Committee

Greenlands Ward

6 January 2009

2008/361/OUT **OUTLINE APPLICATION – RESIDENTIAL DEVELOPMENT  
LAND AT LINGEN CLOSE / MORDIFORD CLOSE, WINYATES  
APPLICANT: PROPERTY SERVICES, REDDITCH BOROUGH COUNCIL  
EXPIRY DATE: 8/1/09**

(See additional papers for Site Plan)

### Site description

Site consists of uneven ground and mature tree and hedge planting. It is enclosed on two sides with houses and rear gardens backing onto the site, whilst a road and footpath abut the other two site boundaries.

### Proposal description

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

The application is supported by a Design & Access Statement, a sustainability checklist and details relating to any potential planning obligation.

### Relevant key policies:

All planning applications must be considered in terms of the planning policy framework and all other relevant material considerations (as set out in the legislative framework). The planning policies noted below can be found on the following websites:

[www.communities.gov.uk](http://www.communities.gov.uk)  
[www.wmra.gov.uk](http://www.wmra.gov.uk)  
[www.worcestershire.gov.uk](http://www.worcestershire.gov.uk)  
[www.redditchbc.gov.uk](http://www.redditchbc.gov.uk)

### ***National planning policy***

PPS1 (& accompanying documents) Delivering sustainable development  
PPS3 Housing  
PPG13 Transport

### ***Regional Spatial Strategy***

UR4 Social infrastructure  
CF5 Delivering affordable housing and mixed communities  
QE3 Creating a high quality built environment for all

***Worcestershire Country Structure Plan***

CTC5 Trees, woodlands and hedgerows  
IMP1 Implementation of development

***Borough of Redditch Local Plan No.3***

CS6 Implementation of development  
CS7 Sustainable location of development  
CS8 Landscape character  
S1 Designing out crime  
B(HSG).1 Housing provision  
B(HSG).4 Density of development  
B(HSG).6 Development within or adjacent to the curtilage of an existing dwelling  
B(BE).13 Qualities of good design  
B(NE).1a Trees woodland and hedgerows  
CT5 Walking routes  
CT6 Cycle routes  
CT12 Parking standards  
R2 Protection of incidental open space

***SPDs***

Encouraging good design  
Design for community safety  
Planning obligations for education contributions  
Open space provision

**Relevant site planning history**

None

**Public Consultation responses**

**Responses against**

5 comments received raising the following points:

- Loss of privacy.
- Loss of wildlife.
- Impact on protected trees.
- Additional noise.
- Loss of amenity space for children.
- The two open space areas complement each other and should remain undeveloped

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

**Consultee responses**

***County Highway Network Control***

No objection subject to standard highway conditions

***Environmental Health***

Suggest that the following issues be considered:-

- Noise, recommend that working hours during construction be limited.
- Light nuisance, external security lighting should not affect the amenities of neighbouring occupiers.
- Odour nuisance, suggest no burning on site, and that measures be taken to prevent migration of dust particulates beyond the site boundary.

***Severn Trent Water***

No objection subject to a condition regarding drainage details.

***Council's Arboricultural Officer***

No response received

***Worcestershire County Council***

No response received

***Drainage Officer***

No response received

**Procedural matters**

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

The application plans and documents include an indicative layout and demonstrate that 4 dwellings could be accommodated on the site, and a tree retained. However this is for illustrative purposes only to demonstrate how the site *could* be developed, and not how it *would* be developed. This therefore has no weight in the determination of the application.

Under normal circumstances, some matters might be required through entering into a S106 planning obligation to ensure the provision of certain matters. However, in this case the applicant is the Council, and the Council as Planning Authority cannot enter into an agreement with itself as land owner. Therefore, in this case, conditions can be attached in the place of an obligation. Should the site be sold and then subsequent applications be made by the new owner/developer, then a planning obligation could be entered into at that stage if necessary in order to ensure future control and provision of facilities as necessary.

### **Assessment of proposal**

The key issue for consideration in this case is the principle of the development, as all other matters are reserved for future consideration. As part of this, matters regarding density, sustainability and planning obligations can be considered.

#### **Principle**

The site is undesignated within the Local Plan, and thus can be considered as incidental open space under Policy R2. This is a criteria based policy, whereby development is considered to be acceptable provided that it meets these 6 criteria:

Criteria i) states that:

It should be demonstrated that the site has no particular local amenity value.

Your Officers would state that comments have been made by residents that the site is used by local children. However, there is an area of informal open space land at the side of the application site that would still be available for children to use for play. Therefore, the implementation of the development would only reduce the informal open space provision in this area rather than lose it completely.

Criteria ii) states that:

It should be demonstrated that the site has no wildlife conservation value.

There are no known wildlife interests on this site worthy of protection and therefore the proposal is also considered unlikely to cause significant harm to wildlife in this location.

Criteria iii) states that:

The need for the development should outweigh the need to protect the Incidental Open Space.

Given the limited importance of the site in terms of its use the need for the development does outweigh the need to protect this Incidental Open Space.

Criteria iv) states that:

It should be demonstrated that there is alternative provision of equivalent or greater community benefit provided in the area at an appropriate and accessible locality.

In this respect, there is considered to be alternative provision in the form of larger areas of open space in the near vicinity which offer greater community benefit and which are in a highly accessible location (Arrow Valley Park).

Criteria v) states that:

The site should not have a strategic function separating clearly defined developed areas or acting as a buffer between different land uses.

The site is enclosed by general housing; therefore, it does not act as a buffer between different land uses.

Criteria vi) states that:

The incidental open space should not play an important role in the character of the area.

Whilst there is mature tree planting within the site, the quality of the space does not contribute significantly to the character and appearance of the area. In addition, it is hoped that the existing trees would be retained as part of this development to maintain the visual quality of this area.

The reasoned justification for Policy R2 comments that there should be a surplus of open space in that area for the development proposal to be acceptable. Your Officers would inform Members that under the 'Open Space Needs Assessment' a deficit of open space exists in this ward. However, given that the more usable area of open space to the north of the site would remain, and the overall benefit to the Borough of the additional leisure provision that would result from the need for this application, on balance in this case it is considered that the principle of development on this site is acceptable.

Given that the supporting information provided with this application demonstrates that the proposal meets the criteria listed under Policy R2, in principle there are no objections to the development of the site for residential purposes.

The site measures 0.14ha and therefore development at a minimum of 30dph as recommended in PPS3 would result in at least 5 dwellings on this site. The density of the surrounding development is higher than 30dph, however, given that it would be possible to retain a protected tree, a reduction in density on this site for the development is considered to be acceptable and be appropriate to the surrounding area on this occasion.

There are mature trees on the site (some of which are protected with a Tree Preservation Order), however, it is considered that these trees could be retained and form part of the overall residential development being designed for the site in the future.

#### Sustainability

The site lies within the urban area of Redditch, and is therefore considered to be in a sustainable location. The applicant has provided a plan demonstrating the links to the site with the cycle and public transport provision in the area and it is considered that the site could be accessed by a variety of modes of transport, in line with planning policy objectives.

#### Planning obligations

The size of the proposed development is above the policy threshold for requiring contributions which should be sought via a planning obligation:

- A contribution towards playing pitches, play areas and open space in the area, due to the increased demand/requirement from future residents, is required in compliance with the SPD;
- A contribution towards County education facilities would normally be required, however confirmation from County that this is required in this case is awaited, and further details will be reported on the Update paper.

As noted above, a planning obligation cannot be entered into in this case; however these matters can all be achieved through the imposition of a condition.

#### Conclusion

The proposal is considered to comply with the planning policy framework and unlikely to cause harm to amenity or safety and as such is therefore considered to be acceptable.

# Planning

## Committee

6 January 2009

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### Recommendation

**That having regard to the development plan and to all other material considerations, planning permission be GRANTED subject to conditions and informatives as summarised below:**

1. Time limit for commencement of development and for submission of reserved matters, including definition of reserved matters to follow
2. Planning obligation content requirements
3. Materials to be submitted.
4. Development shall incorporate the retention of the existing trees and their protection during construction
5. Access, turning and parking.
6. Limited working hours during construction.
7. Parking for site operatives.

### Informatives

2. Mud on highway.
3. Private apparatus within the highway.
4. Alteration of highway to provide new or amend vehicle crossover.
5. Drainage details to be submitted.
6. Advise that public sewer crosses the site.
7. External security lighting to comply with guidance to ensure that it does not adversely affect neighbours amenities.
8. No burning on site.
9. Note contents of letter from Severn Trent Water





## Planning Committee

Abbey Ward

6 January 2009

**2008/362/FUL EXTERNAL ALTERATIONS TO BUILDING (CURRENTLY HOMEBASE),  
INTERNAL WORKS TO CREATE ONE ADDITIONAL UNIT AND  
MODIFICATIONS TO CAR PARKING LAYOUT  
HOMEBASE, ABBEY RETAIL PARK  
APPLICANT: ESSEX COUNTY COUNCIL PENSION FUND  
EXPIRY DATE: 12<sup>TH</sup> FEBRUARY 2009**

### Site Description

(See additional papers for Site Plan)

This building forms part of the Abbey Retail Park adjacent to the Alvechurch Highway, and is accessed from a roundabout where the highway meets Middlehouse Lane. This large rectangular building currently contains the Homebase store – (approximately 2904 m<sup>2</sup>) and Allied Carpets (993 m<sup>2</sup>). Beyond this building, further to the south, lies the Sainsbury's Store. The Homebase store, subject to this planning application is of brick and tile construction with a large, sparsely landscaped surface parking area to the Eastern side of the site.

To the west of the building is the service yard. Beyond this are residential properties which front onto Birmingham Road. Their rear gardens back onto the rear of the existing store.

It is a typical retail outlet, with large pedestrian area to frontage, including trolley storage areas.

### Proposal description

The proposals are based upon sub-dividing the existing Homebase unit into a smaller Homebase unit and the creation of a new retail unit. The new unit, (which is understood to be a catalogue retailer) would be situated between the new, smaller Homebase store and the existing Allied Carpets store which remains unaltered. In short, the building would accommodate three retailers instead of the two at present. A new entrance feature in the style of the existing 'triangular shaped' Homebase / Allied carpets entrance together with a new fire exit door is proposed to the Eastern facing (or front) elevation of the building which faces the customer car parking area. In addition, further fire exit doors and a single new goods / loading door are proposed to the West facing (rear) elevation of the building to serve the down-sized Homebase unit. In addition, the incorporation of the new unit entrance has resulted in modifications to the existing car park which have included an increase in disabled parking spaces and the provision of cycle parking.

# Planning Committee

6 January 2009

## **Relevant key policies**

All planning applications must be considered in terms of the planning policy framework and all other relevant material considerations (as set out in the legislative framework). The planning policies noted below can be found on the following website:

[www.redditchbc.gov.uk](http://www.redditchbc.gov.uk)

## ***Borough of Redditch Local Plan No.3***

B(BE).13 Qualities of Good Design  
B(BE).14 Alterations and extensions  
C(T).12 Parking standards (Appendix H)

## **Relevant site planning history**

1988/242	Erection of D.I.Y unit, garden centre and non-food retail warehouse	Approved	02.06.1988
2008/352	Certificate of Lawfulness (proposed use) To confirm that the proposed occupation of a retail premises by a catalogue retailer is lawful	Approved	05.12.2008

## **Public Consultation Responses**

None.

## **Consultation responses**

### ***County Highway Network Control***

No objection.

### ***Environmental Health***

No objection.

## **Procedural Matters**

This application is put before the Planning Committee due to the fact that it is a 'major' application (as defined in the BV109 returns), with the site measuring more than 1ha in area (the site is approximately 1.22 hectares). Under the agreed scheme of delegation to Planning Officers, Part 7 states that 'major' applications should be reported to Committee.

**Assessment of Proposal**

The key issues for consideration in this case are the principle of the proposed development, the impact of the external alterations upon the character and appearance of the building and its surroundings and any potential impact upon highway safety.

**Principle of development**

Under application 2008/352, which was determined under delegated powers afforded to Officers on 5.12.2008, a Certificate of Lawfulness was issued which confirms that the sub division of the building from 2-3A1 retail units by a catalogue retailer is lawful.

The catalogue retailer use proposed would not represent a departure from the uses permitted under Condition 1 on the 1988 consent, and the Certificate above makes reference to Condition 3 on the 1988 consent which states that the minimum size of any retail unit within the building shall be 10,000 sq.ft gross floor area. Submitted floor plans detailing the proposed new unit show that the unit would measure 929 sq.m or 10,000sq.ft in area. In effect, planning permission is not required for these internal alterations, with this part of the proposal complying with extant planning conditions attached to the original 1988 consent. Officers have however considered it necessary to explain this part of the proposal, as the internal alterations are directly related to the proposed external changes under consideration here.

**Impact of alterations upon character and appearance of the building**

The proposals, whilst they require consent as 'material alterations to the external appearance of the building' are very minor in nature. The new pitched roof entrance canopy which would serve the proposed future retail unit would have a clay plain tiled roof, profiled metal clad fascia with powder coated aluminium door frames. This feature would match exactly in terms of size, design and appearance with that of the existing entrance serving the Allied Carpets entrance, which is located approximately 14 metres further to the South. The fire exit doors and goods entrance door would similarly match those on the existing building.

**Highway Safety consideration**

The incorporation of the new unit entrance has resulted in a modification to the existing car park. At present there are 155 car parking spaces, of which 6 are disabled spaces. No cycle spaces exist. The proposed layout would accommodate 151 spaces of which 8 would be reserved for disabled use. 16 cycle spaces would be created. This provision is in line with the Borough Council's parking standards and is therefore considered to be acceptable.

Conclusion

It is considered that the proposals accord with Policies B(BE).13, B(BE).14 and C(T).12 of the Borough of Redditch Local Plan, in that they would respect and enhance the character and appearance of the existing building and not prejudice highway safety. As such, Officers support this application.

Recommendation

**That having regard to the development plan and to all other material considerations, planning permission be GRANTED subject to conditions and informatives as summarised below:**

- 1) Development to commence within 3 years from date of consent.
- 2) Materials for walls and roofs to match existing.

Informatives:

1. A separate application for Advertisement Consent may be required for signage to advertise any future business. The applicant should contact the Local Planning Authority for further advice on this matter.

## Planning Committee

Lodge Park Ward

6 January 2009

**2008/365/OUT OUTLINE RESIDENTIAL DEVELOPMENT  
LAND BETWEEN SKILTS AVENUE AND LODGE POOL DRIVE, LODGE  
PARK  
APPLICANT: PROPERTY SERVICES, REDDITCH BOROUGH COUNCIL  
EXPIRY DATE: 13 JANUARY 2009**

### **Site Description**

**(See additional papers for Site Plan)**

The site area is a grassed area which lies between Skilts Avenue and Lodge Pool Drive, Lodge Park. The area is approximately 2900 square metres (0.3ha).

There are some mature Oak trees on the site which are not the subject of a Tree Preservation Order.

### **Proposal description:**

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

The application is supported by a Design & Access Statement, a sustainability checklist and details relating to any potential planning obligation.

### **Relevant key policies:**

All planning applications must be considered in terms of the planning policy framework and all other relevant material considerations (as set out in the legislative framework). The planning policies noted below can be found on the following websites:

[www.communities.gov.uk](http://www.communities.gov.uk)

[www.wmra.gov.uk](http://www.wmra.gov.uk)

[www.worcestershire.gov.uk](http://www.worcestershire.gov.uk)

[www.redditchbc.gov.uk](http://www.redditchbc.gov.uk)

### ***National planning policy***

PPS1 (& accompanying documents) Delivering sustainable development  
PPS3 Housing

### ***Regional Spatial Strategy***

UR4	Social infrastructure
CF5	Delivering affordable housing and mixed communities
QE3	Creating a high quality built environment for all

### ***Worcestershire Country Structure Plan***

CTC5	Trees, woodlands and hedgerows
IMP1	Implementation of development

### ***Borough of Redditch Local Plan No.3***

CS6	Implementation of development
CS7	Sustainable location of development
CS8	Landscape character
S1	Designing out crime
B(HSG).1	Housing provision
B(HSG).4	Density of development
B(HSG).5	Affordable housing
B(HSG).6	Development within or adjacent to the curtilage of an existing dwelling
B(BE).13	Qualities of good design
B(NE).1a	Trees woodland and hedgerows
B(NE).6	Contaminated land
B(NE).9	Flood risk and surface water drainage
CT5	Walking routes
CT6	Cycle routes
R1	Primarily Open Space

### ***SPDs***

Encouraging Good Design  
 Design for Community Safety  
 Open Space Provision  
 Affordable Housing  
 Planning obligations for education contributions

### **Relevant site planning history**

None.

### **Public Consultation responses**

#### Responses in favour

None.

Responses against

21 letters received to date raising the following points:

- Loss of mature Oak trees
- Loss of recreational land – children’s ‘ play area’
- Traffic issues in relation to school
- Loss of open, ‘green’ space

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

Consultee responses

***County Highway Network Control***

No objection

***Environmental Health***

No objection subject to conditions / informatives regarding construction times, lighting and odour control

***Crime Risk Manager***

No response received

***Severn Trent Water***

No objection subject to a condition regarding drainage details

***County Council Education Team***

Confirmed that if 5 or more dwellings proposed, contributions towards education provision as per the SPD would be required.

***Drainage Officer***

No response received

Procedural matters

This is an outline application with all matters reserved, and as such, only the principle of development can be considered at this stage, as no details are available. However, if there are reasons why the development could not be designed to be appropriate to the site, these can be raised as concerns at this stage.

The application plans and documents include an indicative layout, however this is for illustrative purposes only to demonstrate how the site *could* be

developed, and not how it *would* be developed. This therefore has no weight in the determination of the application.

Under normal circumstances, some matters might be required through entering into a S106 planning obligation to ensure the provision of certain matters. However, in this case the applicant is the Council, and the Council as Planning Authority cannot enter into an agreement with itself as land owner. Therefore, in this case, conditions can be attached in the place of an obligation. Should the site be sold and then subsequent applications be made by the new owner/developer, then the requirements of the conditions would remain in force regardless of ownership.

### **Assessment of proposal**

The key issue for consideration in this case is the principle of the development, as all other matters are reserved for future consideration. As part of this, matters regarding density, sustainability and planning obligations can be considered.

### **Principle**

The site is designated as Primarily Open Space within the Local Plan, where Policy R1 applies. Policy R1 is a criteria based policy, whereby in assessing applications for development on Primarily Open Space certain factors will be taken into account. These factors and your Officers' responses to these are as follows:

*i) The environmental and amenity value of the area*

Given the topography of the land the site has no particular or notable amenity value

*ii) The recreational, conservation, wildlife, historical and visual and community amenity value of the site*

The site as a whole performs a visual open space function but has little wildlife etc generally. It could be beneficial to retain some open space on the application site, and it is noted that the indicative layout does leave areas of the site free from development, to give a spacious feel to the site.

*iii) The merits of retaining the land in its existing open use, and the contribution or potential contribution the site makes to the character and appearance of the area*

The site does not make a significant visual impact on the character and appearance of the surrounding area, and is surrounded on three sides by built form. As such, it is not considered to retain significant merit in this context.

*iv) The merits of protecting the site for alternative open space uses*

It would be difficult to suggest appropriate alternative open space uses on this site given its topography.

*v) The location, size and environmental quality of the site*

The location, size and quality of the open space is considered to be compromised by the site's close proximity to built form.



*vi) The relationship of the site to other open space areas in the locality and similar uses within the wider area*

There are other open spaces within Lodge Park, including the adjacent Lodge Park Pool area which can be used for similar and more wide ranging recreational purposes.

*vii) Whether the site provides a link between other open areas or a buffer between incompatible land uses*

In this case the site neither provides a link between the open areas nor a buffer between incompatible land uses.

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

The Council's Open Space Needs Assessment shows that there is a deficit and therefore no surplus of open space in the Lodge Park Ward.

*ix) The merits of the proposed development to the local area or the borough generally*

It is understood that the merits to the Borough generally are for a built leisure initiative and thus are significant in the consideration of this proposal.

The assessment of the site in relation to the above criteria has shown that the site might perform a visual open space function and that it lies in a ward with a deficit of open space in relation to the Borough average. However, the policy criteria also allow the consideration of the merits of the proposal to the Borough as a whole when determining applications such as this.

The site measures 0.29ha in total and therefore development at a minimum of 30dph as recommended in PPS3 would result in a minimum of 9 dwellings on this site. The indicative layout showing seven detached dwellings is considered to meet the government guidelines as stated in PPS3 as some of the land within the application site is not marked for development on that layout. The surrounding character and pattern of development is at approximately 30-35 dph, and therefore it is considered that development could occur on this site in such a way that it would be acceptable and not inappropriate to the surrounding area.

Given that the supporting information provided with this application demonstrates that the proposal meets the criteria listed under Policy R1, in principle there are no objections to the development of the site for residential purposes.

### Sustainability

The site lies within the urban area of Redditch, and is therefore considered to be in a sustainable location. The applicant has provided a plan demonstrating the links to the site with the cycle and public transport provision in the area, and it is considered that the site could easily be accessed by a variety of modes of transport, in line with planning policy objectives.

Planning obligations

The size of the proposed development is above the policy threshold for requiring contributions which should be sought via a planning obligation:

- A contribution towards County education facilities would normally be required, and the County have confirmed that there is a need in this area to take contributions towards three schools – Oak Hill First, Woodfield Middle and Trinity High Schools;
- A contribution towards playing pitches, play areas and open space in the area, due to the increased demand/requirement from future residents, is required in compliance with the SPD;

As noted above, a planning obligation cannot be entered into in this case; however these matters can all be achieved through the imposition of conditions.

Other issues

There are no concerns or objections raised by consultees, and therefore the issues raised by residents in relation to highway matters and traffic noise cannot be substantiated, and thus the proposal is considered to be acceptable.

Conclusion

The proposal is considered to comply with the planning policy framework and unlikely to cause harm to amenity or safety and as such is therefore considered to be acceptable.

**Recommendation**

**That having regard to the development plan and to all other material considerations, planning permission be GRANTED subject to conditions and informatives as summarised below:**

1. Time limit for commencement of development and for submission of reserved matters, including definition of reserved matters to follow
2. Limit on operating hours during construction
3. Secured by design principles to be incorporated into reserved matters scheme and a statement submitted with application(s) to demonstrate how this has been done
4. Planning obligation content requirements at reserved matters stage

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5. Tree survey and mitigation measures to be included in reserved matters application – either with landscaping submission or layout if submitted separately and earlier

## Informatives

1. Lighting
2. Odour control
3. Secured by design



## Planning Committee

West Ward

6 January 2009

2008/370/FUL CONVERSION OF FLAT ROOF TO PITCHED ROOF, TWO STOREY  
SIDE EXTENSION, SUN ROOM AT THE REAR AND DORMER WINDOW  
TO THE FRONT OF THE PROPERTY  
26 CRUMPFIELDS LANE, WEBHEATH  
APPLICANT: MR A WARBY  
EXPIRY DATE: 19 JANUARY 2009

### Site Description

(See additional papers for Site Plan)

The property is a detached dormer bungalow situated within a lane of a mixture of properties in terms of size and design. There are two storey houses on either side of the bungalow. The bungalow is set into the slope of the land such that it is two storeys at the rear, with the front ground level becoming first floor at the rear with a partial lower floor under.

### Proposal description

The proposal is for a two storey extension to the side of the property, a small sun room to the rear and the construction of a pitched roof above the existing garage which has a flat roof at present. A dormer window is also proposed to the front of the property.

### Relevant key policies

All planning applications must be considered in terms of the planning policy framework and all other relevant material considerations (as set out in the legislative framework). The planning policies noted below can be found on the following websites:

[www.communities.gov.uk](http://www.communities.gov.uk)  
[www.wmra.gov.uk](http://www.wmra.gov.uk)  
[www.worcestershire.gov.uk](http://www.worcestershire.gov.uk)  
[www.redditchbc.gov.uk](http://www.redditchbc.gov.uk)

### ***National Planning Policy***

PPS1 (& accompanying documents) Delivering sustainable  
development  
PPS 3 Housing  
PPG13 Transport

### ***Regional Spatial Strategy***

UR4 Social Infrastructure

## ***Worcestershire County Structure Plan***

D.41 Areas of Development Restraint

## ***Borough of Redditch Local Plan No. 3***

B(RA).2 Housing in the Open Countryside outside the Green Belt

B(RA).3 Areas of Development Restraint

B(BE).13 Qualities of Good Design

B(BE).14 Alterations and Extensions

## ***SPDs***

Encouraging Good Design

The application site lies within the area defined as an Area of Development Restraint within the Borough of Redditch Local Plan No 3.

## **Relevant site planning history**

Appn. no	Proposal	Decision	Date
93/072	Two Storey Extension to rear of property	Approved	14/04/1993

## **Public Consultation Responses**

No comments

## **Procedural matters**

This type of application would normally be decided under the delegated powers scheme, but the applicant's wife is a Redditch Borough Council staff member, hence the presentation of this item to committee.

## **Assessment of proposal**

The key issues for consideration in this case are the principle of the proposed development, its design and layout and any other material considerations.

## **Principle**

Policy B(RA).2 and Policy B(RA).3 suggest that proposals within the Area of Development Restraint (ADR) should be considered as if the land fell within open countryside, and that proposals should not prejudice any future development and efficient use of the ADR. Officers have assessed the

impact of the proposal in terms of these policies and impact it would have on the amenity of the neighbouring properties. Crumpfields Lane consists of a vast mixture of properties in terms of size and design. This proposal is considered to be acceptable in these circumstances as it falls within the existing dwelling curtilage and would not have any additional impacts on the future development of the ADR.

#### Design and Layout

As mentioned previously, Crumpfields Lane enjoys a mixture of properties in terms of design and size. This application consists of three proposals – a two storey side extension, a sun room and the conversion of a flat roof to a pitched roof incorporating a dormer window over the garage. There is a difference in the ground levels from the front to the rear by just over one metre. The land to the rear of the bungalow is lower than the front.

The proposed two storey extension to the side has two dormer windows, one to the front and one to the rear. The extension will be approximately 600mm lower than the roof of the existing bungalow and is in compliance with policies B(BE).13 and B(BE).14 of the Borough of Redditch Local Plan No 3.

#### Other issues

A condition is recommended to remove the permitted development rights in order to control any further developments in the future and prevent further development of the plot which could harm either the neighbouring amenities or the future development prospects of the ADR.

The proposed two storey extension can be accessed from outside the building, and has only one link, at the lower level, through to the existing bungalow, and includes its own stair case. Whilst there is sufficient parking and garden space that this could become a separate dwelling, it would not be appropriate in this location, given that it should be considered as if it were in open countryside. A condition preventing the subletting or subdivision of the property is therefore recommended.

#### Conclusion

The proposal is not considered to cause any harm to amenity of the neighbouring properties or to the street scene and is considered compliant with policy.

#### Recommendation

**That having regard to the development plan and to other material considerations, planning permission be GRANTED subject to conditions and informatives as summarised below:-**

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1. Development to commence within 3 years
2. All materials to match
3. Remove permitted development rights
4. Not to be sold off or sublet separately from the main dwelling

## Informatives

None necessary