



Planning Committee

Wed 23 Sep
2020
7.00 pm

Virtual Meeting

REDDITCH BOROUGH COUNCIL

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a
difference*

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If you have any queries on this Agenda please contact

Sarah Sellers

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

Tel: (01527) 64252 (Ext. 2884)

email: sarah.sellers@bromsgroveandredditch.gov.uk

GUIDANCE ON VIRTUAL MEETINGS AND PUBLIC SPEAKING

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

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

<https://youtu.be/spaLjzR5x5w>

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

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

PUBLIC SPEAKING

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

<https://moderngovwebpublic.redditchbc.gov.uk/documents/s39137/Urgent%20decision%20form%20-%20public%20participation%20at%20Planning%20Committee.pdf>

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

- 1) Introduction of application by Chair
- 2) Officer presentation of the report
- 3) Public Speaking - in the following order:-
 - a) Objectors to speak on the application
 - b) Supporters to speak on the application
 - c) Ward Councillors
 - d) Applicant (or representative) to speak on the application
- 4) Members’ questions to the Officers and formal debate / determination.

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

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

Each group of supporters or objectors with a common interest will have up to a maximum of 10 minutes to speak, subject to the discretion of the Chair.

Notes:

- 1) Anyone wishing to address the Planning Committee on applications on this agenda must notify the Democratic Services Team on 01527 64252 Extn.2884 or by email at sarah.sellers@bromsgroveandredditch.gov.uk before 12 noon on Monday 21st September.**
- 2) Advice and assistance will be provided to public speakers as to how to access the meeting and those registered to speak will be invited to participate via a Skype invitation. Provision has been made in the amended Planning Committee procedure rules for public speakers who cannot access the meeting by Skype, and those speakers will be given the opportunity to submit their speech in writing to be read out by an officer at the meeting. Please take care when preparing written comments to ensure that the reading time will not exceed three minutes. Any speakers wishing to submit written comments must do so by 12 noon on Monday 21st September.**
- 3) Reports on all applications will include a summary of the responses received from consultees and third parties, an appraisal of the main planning issues and a recommendation. All submitted plans and documentation for each application, including consultee responses and third party representations, are available to view in full via the Public Access facility on the Council's website www.redditchbc.gov.uk**
- 4) It should be noted that, in coming to its decision, the Committee can only take into account planning issues, namely policies contained in the Borough of Redditch Local Plan No. 4 and other material considerations, which include Government Guidance and other relevant policies published since the adoption of the Development Plan and the "environmental factors" (in the broad sense) which affect the site.**
- 5) Although this is a public meeting, there are circumstances when the committee might have to move into closed session to consider exempt or confidential information. For agenda items that are exempt, the public are excluded and for any such items the live stream will be suspended and that part of the meeting will not be recorded.**
- 6) Late circulation of additional papers is not advised and is subject to the Chair's agreement. The submission of any significant new information might lead to a delay in reaching a decision. The deadline for papers to be received by Planning Officers is 4.00 p.m. on the Friday before the meeting.**

Planning

COMMITTEE

Wednesday, 23rd September,
2020

7.00 pm

Virtual Meeting - Skype - Virtual

Agenda

Membership:

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

1. Chairs Welcome

2. Apologies

3. Declarations of Interest

To invite Councillors to declare any Disclosable Pecuniary Interests and / or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.

4. Confirmation of Minutes of Planning Committee held on 9th September 2020

Minutes to follow

5. Update Reports

To note Update Reports (if any) for the Planning Applications to be considered at the meeting (circulated prior to the commencement of the meeting)

6. Application 20/00269/OUT - Land Adjacent to 29 Berkeley Close Winyates Green
Redditch B98 0QB - Redditch Borough Council (Pages 1 - 8)

7. Application 20/00850/PIP - Land Adjacent to Feckenham Gardens Astwood Lane
Feckenham Worcestershire B96 6JQ - Mrs P Dormer (Pages 9 - 16)

8. Application 20/00892/LBC -The Old Court House The Square Feckenham
Worcestershire B96 6HR - Mr & Mrs Jamie and Katherine Neale (Pages 17 - 20)

9. Application 20/00915/ADV - Starbucks Morrisons Car Park Clearwell Road
Winyates West Redditch BN98 0SW - The Magic Bean Co Ltd (Pages 21 - 26)

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Planning Application 20/00269/OUT**Outline application (all matters reserved for subsequent consideration) for the erection of 2 no. three bedroomed dwellings****Land adjacent to 29 Berkeley Close, Winyates Green, Redditch, B98 0QB****Applicant: Redditch Borough Council
Ward: Winyates Ward****(see additional papers for site plan)**

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

Site Description

The application site is located on land within Berkeley Close, an existing housing development constructed in the early 1980s.

The site is 0.05 hectares in area fronting an adopted cul-de-sac although there is no adopted footway running parallel with the highway.

An unadopted footpath runs in a northerly direction adjacent to the site on the western side. A short length of adopted footpath runs again in a northerly direction from the existing highway, on the eastern part of the site adjacent to No.29 Berkeley Close. This footpath would be subject to a Stopping Up Order if planning permission were to be granted for the proposed development.

The majority of the site contains semi-mature trees, consisting of Field Maple, Norway Maple and Hazel.

The site is Incidental Open Space as designated on the Borough of Redditch Local Plan No.4 Policies Map.

Proposal Description

This is an outline application for residential development comprising 2, three bedroomed dwellings with all matters reserved for future consideration (access, layout, scale, appearance and landscaping).

Although the matter of access is not for consideration at this stage, an indicative plan has been submitted showing vehicular access off Berkeley Close to the south where four car parking spaces would be created. The vehicular access to the frontage parking spaces would be via vehicular crossings over a new footway which would be constructed to adoptable standards thereby allowing it to be adopted by the County Council, providing a continuous footway link serving all frontages.

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Indicative elevations and floor plans have not been submitted although it is expected that the dwellings would be two storey as per the existing two storey houses present within Berkeley Close.

The application is supported by an independent Ecological Impact Assessment.

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

Policy 1: Presumption in Favour of Sustainable Development

Policy 5: Effective and Efficient use of Land

Policy 11: Green Infrastructure

Policy 14: Protection of Incidental Open Space

Policy 15: Climate Change

Policy 16: Natural Environment

Policy 17: Flood Risk Management

Policy 39: Built Environment

Policy 40: High Quality Design and Safer Communities

Others

NPPF National Planning Policy Framework (2019)

Redditch High Quality Design SPD

Relevant Planning History

None

Consultations**WCC Highways**

The site is located in a residential and sustainable location off an unclassified road. Berkeley Close benefits from footpaths and street lighting on both sides of the road and no parking restrictions are in force in the vicinity. However immediately opposite the site no footpaths are present on either side of the road for a short section. The site is located within walking distance of bus route and bus stop.

It is recommended the continuation of the footpath is provided on the development side as indicated with the Design and Access Statement.

Applicant also to consider s278 off-site works for the proposed continuous footway link serving the frontages.

No objections are raised, noting that conditions with regards to visibility splays, vehicular access, Parking and Electric Vehicle Charging Points and cycle parking would not be

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attached at this stage but under a future reserved planning matters application where means of access is to be considered.

North Worcestershire Water Management

The proposed development site is situated in the catchment of Ipsley Brook. The site falls within flood zone 1 and it is not considered that there is any significant fluvial flood risk to the site. As indicated on the EA's flood mapping (above) there is some surface water (low risk) indicated on the site.

No drainage details have been provided with the application, however this information can be provided via a condition. Permission from Severn Trent Water to work within the vicinity of the existing surface water sewers will be required.

Arboricultural Officer

The area is dense in vegetation and consists mainly of Field Maples and Hazel. I would have no objection to the loss of these trees and the vegetation which exists.

WRS - Contaminated Land

WRS have reviewed the application for potential contaminated land issues. No concerns have been identified and therefore WRS have no adverse comments to make.

Severn Trent Water Ltd

No objections

Public Consultation Response

No comments 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 include an indicative layout, however this is for illustrative purposes only to demonstrate how the site **could** be developed to accommodate the two dwellings and not how the site **would** be developed.

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.

Principle of development

The site is designated as Incidental Open Space in the Borough of Redditch Local Plan No.4 (BORLP4). As such, Policy 14 applies.

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Policy 14 is a criteria based policy and at 14.2 states that Incidental Open Space will be protected from development unless:

- i. the need for the development is considered to outweigh the need to protect the incidental open space;*
- ii. it can be demonstrated that the site does not make an important contribution to the Green Infrastructure Network and has no particular local amenity or wildlife conservation value;*
- iii. the site does not have a strategic function separating clearly defined developed areas or acting as a buffer between different land uses;*
- iv. it can be demonstrated that there is alternative provision of equivalent or greater community benefit provided in the area at an appropriate and accessible locality; and*
- v. the incidental open space does not play an important role in the character of the area.*

i. Does the need for the development outweigh the need to protect the incidental open space?

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

Significant weight should be afforded to the fact that the scheme would contribute to the Councils housing figures where the Council cannot demonstrate a 5 year supply of housing land as required under the NPPF. Account should be taken of the opportunities the development would create for local businesses in the construction of the development.

Some environmental harm would be caused by reason of the loss of the trees present on the site although members will note that the Councils Tree Officer has raised no objection to their removal. Wider environmental harm is considered to be limited. Your officers consider that any adverse impacts arising from granting permission for the residential development of this site would NOT significantly and demonstrably outweigh the benefits of the application.

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ii. Does the site make an important contribution to the Green Infrastructure Network and does it have a particular local amenity or wildlife conservation value?

The small size of the site together with the presence of trees and scrub limits the sites accessibility and its local amenity value. The ecological appraisal comments that no further ecological surveys are required due to the sites limited ecological value, although it is recommended that integrated bat and bird boxes together with bee bricks are installed on the new houses in order to aid biodiversity (as required under the NPPF and the Local Plan). This can be achieved via planning condition.

iii. Whether the site has a strategic function separating clearly defined developed areas or whether it acts as a buffer between different land uses;

This site is not considered to have a strategic function and does not form a buffer between different land uses.

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

Alternative open space with good accessibility exists at Ipsley Alders Marsh Nature Reserve (Worcestershire Wildlife Trust) to the north-west of the site offering far greater diversity and variety than the application site.

v. Does the incidental open space play an important role in the character of the area?

In this case, the incidental open space does not play an important role in the character of the area.

Having regard to Criteria 1 to 5 above, no objections are raised to the principle of a residential scheme on the site.

Scale, layout and appearance of development

Policy is supportive of new residential development so long as it respects the character and appearance of its surroundings and does not impinge on the residential amenities enjoyed by occupiers of existing nearby development.

Whilst scale, layout and appearance are not for specific consideration at this stage, the indicative plan does demonstrate how two 3 bed houses could be accommodated within the site without harming the character and appearance of the area and without compromising the amenities enjoyed by occupiers of nearby dwellings. Whilst the submitted plan is only for illustrative purposes, separation distances between existing dwellings and the proposed new dwellings would comply with standards contained within the Councils High Quality Design SPD and gardens serving the new dwellings would also comply with minimum requirements.

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Impact of the proposals on highway safety

The matter of access to and from the development would be considered in more detail under a future reserved matters application. Access via Berkeley Close in the manner proposed under the submitted Indicative Plan is considered at this stage to be acceptable.

Two off-road car parking spaces would be provided for each of the dwellings meeting the Council's parking standards.

Residential amenity considerations

Your officers are satisfied that no loss of residential amenity would result from granting permission having regard to the density of the proposed development and separation distances that could be achieved between the proposed dwellings and existing nearby properties. No letters have been received in objection to the application following the neighbour notification process.

Conclusion

Having regard to the requirements set out under Policy 14 above, your officers have concluded that the demonstrated need for the development outweighs the value of the land as an area of Incidental Open Space.

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

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

RECOMMENDATION:

That having regard to the development plan and to all other material considerations, OUTLINE planning permission be GRANTED subject to the following conditions:

Conditions:

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

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

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

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

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

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

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

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

- 5) The development hereby approved shall be implemented in accordance with the following plans:

site location plan P2049.158 Rev A

Reason: To accurately define the permission for the avoidance of doubt and to ensure that the development is satisfactory in appearance in order to safeguard the visual amenities of the area

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

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

- 7) During the course of any site clearance and development, the hours of work for all on-site workers, contractors and sub-contractors shall be limited to between;

0800 to 1800 hours Monday to Friday

0900 to 1200 hours Saturdays

and NO WORKING shall take place at any time on Sundays, Bank Holidays or Public Holidays or at any time outside of the above permitted working hours unless first agreed in writing by the Local Planning Authority.

Reason: In the interests of neighbour's amenity

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- 8) Prior to the first occupation of the development hereby approved, a scheme for the provision of bee bricks, bat roost opportunities and bird nest boxes within the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented by suitably qualified personnel to the satisfaction of the Local Planning Authority prior to the first use of the development approved.

Reason: In the interests of biodiversity and in accordance with the provisions of National Planning Policy Framework

Informatives

- 1) The local planning authority have worked with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with this planning application through pre-application advice and discussion.

Procedural matters

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

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Planning Application 20/00850/PIP**Planning in principle for the erection of 5 - 9 Dwellings****Land Adjacent To Feckenham Gardens, Astwood Lane, Feckenham, Redditch,
Worcestershire, B96 6JQ****Applicant: Mrs P Dormer
Ward: Astwood Bank And Feckenham Ward****(see additional papers for site plan)**

The case officer of this application is Emily Farmer, Planning Officer (DM), who can be contacted on Tel: 01527 881657 Email: emily.farmer@bromsgroveandredditch.gov.uk for more information.

Site Description

The application site consists of an open field to the south of Astwood lane. The field is adjacent to Feckenham Gardens which borders the site to the west and is opposite the Winfields Outdoors camping shop and a small run of cottages north of Astwood Lane. To the east of the site is an empty plot, Rockhill Farm buildings and Yeates Acre.

The application site is north of Feckenham Village and is outside of the Village Envelope and the Conservation Area.

The application site benefits from a vehicular access from Aswtood Lane in the north east corner of the site. The site is mainly a grass area which has a mature hedge around the boundary.

Proposal Description

The application is for Planning in principle for the erection of 5 - 9 Dwellings.

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

Policy 1: Presumption in Favour of Sustainable Development
Policy 2: Settlement Hierarchy
Policy 4: Housing Provision
Policy 5: Effective and Efficient use of Land
Policy 8: Green Belt
Policy 17: Flood Risk Management
Policy 36: Historic Environment
Policy 38: Conservation Areas

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Policy 39: Built Environment
Policy 40: High Quality Design and Safer Communities

Others

NPPF National Planning Policy Framework (2019)
Redditch High Quality Design SPD

Relevant Planning History

No relevant planning history.

Consultations**Conservation**

No Objection.

Highways Redditch

No Objection.

North Worcestershire Water Management

The principle of development at this site from a flood risk perspective is acceptable, however there is an existing flood risk issue located at the junction of Swansbrook and Astwood Lane which there is potential for development here to negatively impact this issue. Correctly designed drainage and provision of appropriate levels of attenuation can mitigate this risk.

WRS - Contaminated Land

No Objection subject to condition.

Arboricultural Officer

No objection. The site is mainly a grass area which has a mature hedge around the boundary this must be protected during clearance and construction phase in accordance with BS5837:2012, using suitable protective fencing and/or ground protection as appropriate.

Feckenham Parish Council

Objection on Green Belt, Outside Village envelope, flooding, impact on trees and loss of views

Public Consultation Response

9 representations have been received, 8 raising objection and 5 in support of the proposal. These comments have been summarised as follows;

Objections

- Green Belt

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- Site is outside Village Envelope
- Drainage and flooding
- Highways/Dangerous corner
- Wildlife
- Removal of hedgerow
- Surrounding development at Rockhill Farm is conversions rather than new builds
- Application not well advertised and consultation period too short

Support

- New dwellings will benefit Feckenham
- Limited Infilling
- Well positioned development
- Design could enhance area as with Feckenham Gardens Development
- No evidence Feckenham Gardens adds to flooding issues
- Larger Green Belt Developments have been allowed (Weights Lane)

Procedural Matters

Members should note that this is not a Full Planning Application. Planning in Principle (PiP) by application is a new application type introduced as of 1st June 2018. PiP is an alternative way of gaining planning permission for **housing led development**. Mixed use developments can utilise the application type, however housing has to occupy the majority of a site/development. There are two stages in gaining Planning Permission via this route. The first stage is to apply for **Permission in Principle** and at a later stage for the Technical Details Consent. The level of information submitted with an application for PiP is less than a planning application and will only constitute a form and a plan identifying the land to which the application relates. The form includes the minimum and maximum number of dwellings proposed for the site.

The Local Planning Authority is only able to consider matters relating to:

- **Location**
- **Land Use**
- **Amount of development**

Any decision has to be made having regard to the Policies in the Borough of Redditch Local Plan Number 4. Matters of detail, such as how a development might look and the impact on residential amenity, will not be available and will not be a relevant consideration at this stage of the process. Following a grant of Permission in Principle, the site must receive a grant of technical details consent before development can proceed. The granting of technical details consent has the effect of granting planning permission for the development. Other statutory requirements may apply at this stage such as those relating to protected species or listed buildings. Technical details consent can be obtained following submission of a valid application to the Borough Council. An application for technical details consent must be in accordance with the Permission in

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Principle that is specified by the applicant. Members should also note that conditions cannot be placed on the permission at this stage.

Assessment of Proposal

An application for Permission in Principle can only be assessed having regard to location, land use and the amount of development. The application is proposing 5-9 dwellings on the plot.

Location

Green Belt

The application site is located within the Green Belt. New Buildings within the Green Belt are considered to be inappropriate development subject to a closed list of exceptions as outlined in Paragraphs 145 and 146 of the National Planning Policy Framework (NPPF). The applicants have put forward that the proposal accords with Paragraph 145(e) which allows for limited infilling in villages. Feckenham is a small, rural settlement as identified in the Policy 2 Settlement Hierarchy and has a Village Envelope in the Constraints Map. Feckenham is therefore a village for the purposes of this policy.

The application site is located outside of the defined village envelope. However, as outlined in Case Law there is no requirement within either the Borough Local Plan or the NPPF for the site to be wholly within a defined village envelope. The purpose of the policy is to allow for limited infilling which is within the village both physically and functionally and an assessment should be made of the position on the ground rather than the line on a plan indicating the boundary. In this instance, the application site is past the Village Welcome sign when travelling south on Astwood Lane into Feckenham. The footpath, street lighting and row of cottages on the north side of the street starts before the application site and the speed limit drops from the National Speed limit down to 30mph. The application site is opposite the Winfields Outdoor camping shop. For these reasons the application site is considered to be both physically and functionally linked to the settlement and therefore can be considered as part of this village.

The term 'limited infilling' is not defined, however it normally comprises of the development of a modest size gap in an otherwise substantially built-up frontage which is broadly linear in formation. There is no definition on the size of the 'gap' nor the number of dwellings that can be proposed. To be limited within the village, the size of the village should be considered. In this instance, under Policy 2 Feckenham is defined as a small, rural settlement predominately set within the Green Belt, which offers limited local facilities but has important conservation and historic merit. In order to conserve and enhance these characteristics, development within or adjacent to the settlement boundary, as identified in the Policies Map, will provide for locally identified affordable housing and other locally identified needs only. In addition to this, although the application site has development to the north, east and west, the site is not considered a 'gap' in continuous built form to be infilled. When travelling along Astwood lane; Yeates

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Acres, Feckenham Gardens and Rockhill Farm are all seen as separate pockets of development with space around them. The development of this site will not 'fill a gap' on the development and will instead sit as its own distinct development separate to those around it. Furthermore the plot to the east is undeveloped and there is a plot north of Feckenham Gardens which is undeveloped and therefore from the street scene the land to the south of Atwood lane is fairly undeveloped until the High Street where the character significantly changes to traditional properties close to the road. Due to these reasons, the site is not considered to amount to 'limited infilling' in the village and does not accord with any other exceptions to Inappropriate development in the Green Belt.

Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very Special Circumstances. When considering a planning application, substantial weight should be afforded to any harm to the Green Belt. No very special circumstances have been put forward or are considered to exist to outweigh this harm to the Green Belt.

Land use

The existing site is a development field with no formal land use. There are no in principle issues to raise on this matter.

Amount of development

Having regards to the layout and density of the surrounding developments, in particular Feckenham Gardens and Yeates Acres it is considered that the site is of a reasonable size to facilitate 5-9 dwellings as proposed.

Other matters

Conservation Area

The application site is north of the Feckenham Conservation Area (CA). Comments have been sought on the impact of the development on the setting of the CA. As existing, the application site makes a neutral contribution to the CA's significance, and the character of the area as derived from that significance, via its setting. The principle of the proposed development is not considered likely to present detrimental impacts via setting. Provided care is taken on the design, form and scale of the new dwellings no objection is raised.

Drainage

There is an existing flood risk issue located at the junction of Swansbrook and Astwood Lane. This matter has been raised as part of the public consultation of this application. Although it is accepted that there is potential for the development here to negatively impact this issue, correctly designed drainage and provision of appropriate levels of attenuation can mitigate this risk. Therefore, the principle of development at this site from

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a flood risk perspective is acceptable and this further information will be provided at the Technical Details stage for full consideration.

Highways

The Highways Authority have considered the site and raised no objections to the proposal. The application site benefits from an existing vehicular access and is in close proximity to amenities, a bus route and bus stops. Objections have been raised from residents on Highways safety concerns and the speed of vehicles approaching the corner. Further consideration will be made at the Technical Details stage depending on the layout and access proposed.

Trees

The site is mainly a grass area which has a mature hedge around the boundary which must be protected during clearance and construction phase in accordance with BS5837:2012, using suitable protective fencing and/or ground protection as appropriate. This matter would be resolved at the Technical details stage when layout is considered. Members should note that no ecology report has been submitted at this stage however this would be a requirement at the Technical details stage.

Land Contamination

Due to the sites historic use as a bricks and tile works there is the possibility that the site may potentially have contamination issues. Worcestershire Regulatory Services have confirmed that the principle of developing this site would be acceptable subject to a preliminary risk assessment which could be considered under the Technical details stage or by condition.

Housing Supply

The Council cannot currently demonstrate an up to date 5 year housing land supply. However, this does not automatically lead to the granting of planning permission. Where this is the case paragraph 11 of the Framework, which is a material consideration of significant weight, advises that where the policies most important for determining the application are out-of-date (including where there is no five-year supply of deliverable housing sites), permission should be granted, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole (or where specific policies in the Framework indicate that development should be restricted).

The NPPF at paragraph 8 defines sustainable development as having three dimensions: economic, social and environmental. The proposal would make a contribution to the Councils supply of housing in a sustainable location. It is acknowledged that there would be some economic benefits associated with the proposal during the construction phase,

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and also from the support the intended future occupiers would be likely to give the local services and facilities, which also amounts to social benefits.

However, environmentally, the proposal is inappropriate development in the Green Belt. This should be afforded substantial weight in decision making. The proposal would therefore conflict with the Redditch Borough Local Plan and the NPPF.

As such, it is considered that the proposal would result in significant and demonstrable harm to the Green Belt which would not be outweighed by the social and economic benefits arising from the development.

Public consultation

Matters such as Green Belt, the village envelope, drainage, highways and the hedgerow have been addressed within this report.

Other matters raised such as the extent of the surrounding development have been considered as part of the assessment on Green Belt. Matters on the impact of wildlife are a technical matter which would be addressed at the Technical Details stage through the submission of relevant ecology reports.

It is noted in the public comments that it has been raised the Council have allowed larger Green Belt developments such as that on Weights Lane. These form part of the site allocated sites in the Local Plan and in any event each application is to be considered on its individual merits

In respect of the consultation, a site notice was placed onsite on 31st July and expired on 24th August. This notice was replaced when officers were made aware it had been removed. A Press Notice was placed in the Redditch Standard on 21st August and letters were sent to all adjoining occupiers on 31st July. The Statutory consultation period for these applications is 17 days and the Council have fulfilled the consultation requirements in this instance.

It should be noted that the matters such as matters of privacy, amenity, trees and parking provision are not principle issues and will be for consideration at the technical stage, to be determined in accordance with the Council's adopted design guidelines. Local residents would be consulted on any Technical Matters application submitted where their comments will be considered on these issues.

Conclusion

In conclusion, it is considered that the harm the proposal would cause to the Green belt, by reason of its inappropriateness, would outweigh the limited benefits of the scheme which have been identified. As such the proposal is considered to be unacceptable in principle.

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RECOMMENDATION:

That having regard to the development plan and to all other material considerations, Permission in Principle be **REFUSED**.

Reason for Refusal

1. The proposed dwellings do not fall within any of the categories of appropriate development specified at Policy 8 of the Borough of Redditch Local Plan No.4 or at paragraphs 145 and 146 of the National Planning Policy Framework 2019 (NPPF). The proposal therefore constitutes inappropriate development in the Green Belt which would be harmful by definition. No very special circumstances exist to clearly outweigh the significant harm caused to the Green Belt. This is contrary to Policy 8 of the Borough of Redditch Local Plan No.4 and Section 13 of the NPPF

Procedural matters

This application is being reported to the Planning Committee because the applicant a relation to a Member of Redditch Borough Council. As such the application falls outside the scheme of delegation to Officers. Furthermore, the Permission in Principle Legislation is not included within the scheme of delegation to Officers.

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Planning Application 20/00892/LBC**Minor External Landscaping Works [Hard and Soft] both at the front and at the rear of the property and minor repairs to the retaining wall (Retrospective).****The Old Court House, The Square, Feckenham, Redditch, Worcestershire, B96 6HR****Applicant: Mr. and Mrs. Jamie and Katherine Neale
Ward: Astwood Bank And Feckenham Ward****(see additional papers for site plan)**

The case officer of this application is Emily Farmer, Planning Officer (DM), who can be contacted on Tel: 01527 881657 Email: emily.farmer@bromsgroveandredditch.gov.uk for more information.

Site Description

The application dwelling is a Grade II Listed Building in the Feckenham Conservation Area and Green Belt. The Old Court House comprises a predominantly timber framed property dating from the 17th century, with 19th century alterations and a 20th century extension to the rear. It is located within the Feckenham Conservation area. The dwelling is north of 'The Square' at the end of a small cluster of cottages in the centre of Feckenham.

Proposal Description

The applicants have carried out some modest landscaping works to the garden, including; repairing the oak timber pale fence; constructing hazel hurdle screens to provide storage to the side of the house at the front and to hide an oil tank in the rear garden; and replacing a trellis and rose supports in the front garden. This application is for retrospective consent.

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

Policy 1: Presumption in Favour of Sustainable Development

Policy 8: Green Belt

Policy 36: Historic Environment

Policy 37: Historic Buildings and Structures

Policy 38: Conservation Areas

Policy 39: Built Environment

Policy 40: High Quality Design and Safer Communities

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Others

NPPF National Planning Policy Framework (2019)
Redditch High Quality Design SPD

Relevant Planning History

19/01224/FUL	Partial demolition of garden wall at entrance to existing driveway and replacement with a curved wall	05.11.2019
19/01294/LBC	Partial demolition of garden wall at entrance to existing driveway and replacement with a curved wall	05.11.2019

Consultations**Conservation Officer**

No Objection.

Worcestershire County Council Countryside Service

No Comments Received To Date

A press notice was placed in the Redditch Advertiser on 14th August 2020 and expired on 31st August 2020. A site notice was placed onsite on 10th August and expired on 3rd September.

7 letters were sent to neighbouring properties on 6th August 2020 and expired on 30th August 2020.

Public Consultation Response

One letter of objection has been received from the neighbouring dwelling. The comments have been summarised as follows;

- Loss of light into living room
- Loss of view of The Square
- Access for maintenance
- Works carried out without consent
- Works carried out without notification to neighbour
- Picket fence has been compromised

Assessment of Proposal

The applicants have carried out some modest landscaping works to the garden, including; repairing the oak timber pale fence; constructing hazel hurdle screens to provide storage to the side of the house at the front and to hide an oil tank in the rear garden; and replacing a trellis and rose supports in the front garden.

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Listed Building/Conservation Area

The Old Court House is a Grade II Listed building which comprises a predominantly timber framed property dating from the 17th century, with 19th century alterations. The Conservation Officer has visited the site and taken a view on the works carried out. The proposed works are modest and do not interfere with the historic fabric of the building. It is therefore not considered that these proposals will harm the significance of the listed building.

The Conservation Area covers almost the entire settlement of Feckenham and is centred on the High Street and the junction with Droitwich Road and Alcester Road. It is a multi-period village with properties dating from the 16th century onwards. Brick buildings predominate but there are also a significant number of timber framed buildings. The proposed works are not considered to detract from the cottage character of the dwelling or its immediate neighbours and is therefore not considered to harm the significance of the Conservation Area. The proposals therefore comply with the requirements of the 1990 Act, the historic environment policies in the Redditch Local Plan No 4 and the NPPF.

Green Belt

The oil tank has been onsite for over 4 years and was a replacement of a 40-year-old tank. Given the time since this was replaced permission is not required. The rose timber supports and trellis are extensions to the existing boundary treatments around the site and are considered to be proportionate to the existing wall given the additional height and open nature of the structure. Furthermore, the hazel hurdle screens sit in the context of the tank and the surrounding built form. The other landscaping works are modest and within the context of the existing garden and therefore do not have any impact on openness. It is concluded that these developments represent appropriate development in the green belt and so not impact openness.

Amenity

Concerns have been raised by the neighbouring property No. 12 The Square on the impact of the hazel hurdle screen on the light into the living room. The hazel hurdle screen runs along the west boundary between the two properties and the window is on the south elevation of No. 12. The screen, although visible from inside the living room is about a metre from the edge of this window and is lower in height than the window. Due to this, and the fact that the window faces south and therefore has the best opportunity for achieving light into the room, it is not considered that the screen as onsite has a demonstrable impact on the level of light into the room to the detriment of the amenity of the occupiers.

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Consultation

Concerns have been raised on the loss of a view; this is not a planning consideration. Further concerns have been raised on access for maintenance purposes given the proximity of development on the boundary. This is not a planning consideration and a civil matter that should be agreed between both parties. Concerns have been raised on the works being carried out without consent and without notification to the neighbour. The works were carried out without consent from the Council however once the Council were made aware of this an application to regularise the works was invited. Although good practice advises applicants to notify the neighbour when they intend to carry out works, this is not a legal requirement and is not part of this planning assessment.

Conclusion

Taking all these matters into consideration, it is considered that these minor alterations will not harm the significance of the listed building or the conservation area and will not result in an undue impact on the neighbouring property. The proposal therefore complies with the 1990 Act, the Historic Environment section of the Borough of Redditch Local Plan and the relevant sections of the NPPF.

RECOMMENDATION:

That having regard to the development plan and to all other material considerations, planning permission be GRANTED subject to the following conditions:

Conditions:

1. The development hereby approved shall be carried out in accordance with the following plans and drawings:

RC460 – Location Plan
191348 Topographical Survey
Oil Tank Area
Vegetable Growing Area
South East and North west Elevations

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

Procedural matters

This application is being reported to the Planning Committee because the agent is related to a member of staff at Redditch Borough Council. As such the application falls outside the scheme of delegation to Officers.

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Application **20/00915/ADV****Illuminated and non-illuminated signage (Starbucks)****Starbucks, Morrisons Carpark, Clearwell Road, Winyates West, Redditch, B98 0SW****Applicant:** **The Magic Bean Co Ltd**
Ward: **Winyates Ward****(see additional papers for site plan)**

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

Site Description

The application site lies towards the eastern edge of the customer car park serving the Morrisons supermarket, close to the petrol filling station. The site is accessed from the Warwick Highway / Battens Drive / Icknield Street Drive roundabout junction via Clearwell Road.

Proposal Description

Planning permission was granted under ref: 18/01216/FUL for a drive thru' coffee shop in December 2018. This is an application for advertisement consent for signage to serve the facility. The application comprises the following:

- 1no. wall-mounted internally illuminated Starbucks letter sign (Fascia Sign 1);
- 2no. internally illuminated 1525 Starbucks logo roundel signs (Fascia Sign 2 and 3);
- 2no. wall-mounted internally illuminated drive thru directional signs (Fascia Sign 4 and 5)

Other signs:

- 1no. internally illuminated 6m totem sign (Other Sign 1);
- 1no. 'no entry'/'thank you' directional sign (Other Sign 2);
- 1no. 'drive thru' directional sign (Other Sign 3);
- 1no. internally illuminated monument sign (Other Sign 4);
- 1no. 3 panel menu board (Other Sign 5);
- 1no. single panel menu board (Other Sign 6);

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

Policy 1: Presumption in Favour of Sustainable Development

Policy: 42 Advertisements

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Others

NPPF National Planning Policy Framework (2019)

Relevant Planning History

18/01216/FUL	Erection of a Use Class A1 / A3 drive thru' coffee shop with car parking, drive thru' lane, hard and soft landscaping, refuse area and associated works	Granted 13.12.2018
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Public Consultation Response

Two letters of representation have been received raising objections which are summarised as follows:

- illuminated signage can be a distraction for motorists and the light pollution from it (not to mention the energy need) would detract people's eyes from the road which is dangerous on fast flowing roads
- This will have a detrimental effect on the houses who overlook the carpark, especially when the trees lose their leaves giving extra light pollution and impacting the visual enjoyment from the houses/gardens.

Consultations**WCC Highways**

I have no highway objections to the proposed Illuminated and non-illuminated signage (Starbucks) which are located off the highway at Starbucks Morrisons Carpark Clearwell Road Redditch, subject to the following informative being attached to the approval.

Informative:

Brightness of Illuminated Signs

The brightness of the floodlit surface, or illuminated sign face, shall not exceed the values stipulated in the Institution of Lighting Engineers Technical Report No. PLG5:2015 "Brightness of Illuminated Advertisements".

Assessment of Proposal

In accordance with Paragraph 132 of the National Planning Policy Framework and Policy 42 of the Borough of Redditch Local Plan No. 4, advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

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Impact on highway / public safety

WCC Highways have raised no objections to the proposals from a highway safety perspective but have stipulated that the illuminated LCD adverts should remain within illumination limits in accordance with the Institution of Lighting Engineers Technical Report. It is considered that the proposed signs would not have any harmful effects on users of the adjacent highway network and as such the proposed adverts would not result in any harm being caused to highway / public safety.

Impact on amenity

The proposed signage would be sited immediately adjacent to the drive thru building providing customers with information on the approach to the drive-through facility. The proposed totem pole sign has been reduced in height (from 7.6 to 6 metres) and is now considered to be of a scale commensurate with existing signage in the area such as the nearby Morrisons Petrol Filling Station (PFS) sign which was granted advertisement consent in 2017 under reference 2017/049/ADV. The proposals would have no adverse impact upon the wider street scene and furthermore the design of the signage is considered appropriate in view of the context of the site.

Given that enforcement action cannot be taken with respect to informatives and also in the interests of clarity, your officers are suggesting that the informative recommended by WCC highways should be replaced with that of a condition to state that:

The brightness of the floodlit surface, or illuminated sign face, shall not exceed 300 candelas per sqm

Reason: In order to comply with recommended maximum illumination levels stipulated within the Institution of Lighting Engineers Technical Report No. PLG5:2015 "Brightness of Illuminated Advertisements" and in the interests of protecting the residential amenities of the area

Conclusion

It is concluded that the proposed signage would comply with the provisions of the National Planning Policy Framework (NPPF) and Policy 42 of the Borough of Redditch Local Plan No.4.

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RECOMMENDATION:

That having regard to the development plan and to all other material considerations, advertisement consent be GRANTED subject to the following conditions:

Conditions:

- 1) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission

Reason: In accordance with the requirements of Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

- 2) No advertisement shall be sited or displayed so as to;

(a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);

(b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or

(c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Reason: In accordance with the requirements of Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

- 3) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: In accordance with the requirements of Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

- 4) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason: In accordance with the requirements of Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

- 5) Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: In accordance with the requirements of Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

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

Amended plans dated 3rd September 2020: Sheets 1 to 13 including Sheet 2 revision B

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

- 7) The brightness of the floodlit surface, or illuminated sign face, shall not exceed 300 candelas per sqm

Reason: In order to comply with recommended maximum illumination levels stipulated within the Institution of Lighting Engineers Technical Report No. PLG5:2015 "Brightness of Illuminated Advertisements" and in the interests of protecting the residential amenities of the area.

Informatives

- 1) The local planning authority have worked with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with this application through negotiation and amendment.

Procedural matters

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

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