

# Planning Committee

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Wednesday, 25 November 2020

## MINUTES

### Present:

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

### Also Present:

Karen Hanchett – County Highways

### Officers:

Helena Plant, Amar Hussain, Sharron Williams, Pauline Ross and Gavin Boyes

### Democratic Services Officer:

Sarah Sellers

## 59. CHAIR'S WELCOME

The Chair welcomed the Committee members, public speakers and officers to the virtual Planning Committee meeting being held via Skype. The Chair explained that the meeting was being live streamed on the Council's YouTube channel to enable members of the public to observe the committee.

## 60. APOLOGIES

There were no apologies for absence.

## 61. DECLARATIONS OF INTEREST

There were no declarations of interest.

## 62. CONFIRMATION OF MINUTES OF THE PLANNING COMMITTEE MEETING HELD ON 11TH NOVEMBER 2020

### RESOLVED that

The Minutes of the Planning Committee held on 11<sup>th</sup> November 2020 be confirmed as a true record and signed by the Chair.

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Chair

**63. UPDATE REPORTS**

The Update Report was noted.

**64. REDDITCH BOROUGH COUNCIL TREE PRESERVATION ORDER (175) 2020 - LAND OFF DROITWICH ROAD, FECKENHAM**

The Committee considered a report which proposed the long term protection of a number of significant trees which were considered to be of positive amenity and worthy of protection.

It was noted that one objection had been received to the inclusion of a group of hazel trees in the order. Officers confirmed that the hazel trees were viable trees and in a suitable condition to merit being protected under an order.

**RESOLVED that**

**Tree Preservation Order no (175) 2000, trees on land off Droitwich Road, Feckenham, be confirmed without modification**

**65. APPLICATION 18/01409/FUL - LAND AT BATTENS DRIVE, REDDITCH, B98 0LJ - WOODBOURNE GROUP REDDITCH**

Demolition of existing buildings and erection of a class E retail food store with associated car parking, access, landscaping and associated engineering works, and relocation of existing substation

Officers presented the application and explained that the replacement structure on the site would be a retail food store of 1727 square metres in size accessed from the existing access road off Battens Drive shared with the country park. The site would provide 95 parking spaces and under the scheme a signal controlled crossing on Battens Drive would be added together with a bus stop.

Officers outlined the main policy considerations with regard to out of town retail sites. Under paragraphs 85 and 86 of the NPPF such developments should be located in town centres and a sequential test should apply to town centre uses proposed for locations neither in a centre or in accordance with an up to date plan. It was noted that town centre uses should be located in town centre locations, then edge of centre locations and only if suitable sites were not available should out of centre sited be considered. Although under

the NPPF retail developments that exceeded 2500 square metres would require an impact assessment, the proposed development in this application was below that threshold and therefore an Impact Assessment had not been required.

Officers also summarised the relevant policies as set out in the Local Plan including policy 30 which established the retail hierarchy for the Borough with the town centre as the preferred location for major retail and emphasis on preserving the vitality and viability of the town centre.

Policy 31(3) focussed on opportunities for regeneration of the town centre and identified three strategic sites in the periphery of the town centre allocated for mixed use including retail, namely, Prospect Hill, Edward Street and Church Road.

Members were advised that the end user of the application site had been identified as Lidl, which was categorised as a “limited assortment discounter” based on the products sold and the stock handling procedures used. Such retailers had specific requirements for their stores, to support the type of products available, and the applicant had advised that these requirements restricted flexibility when considering town centre sites.

The applicant as part of the sequential approach had considered a number of town centre locations, and the Council had appointed an independent retail advisor to comment on the findings regarding these locations put forward by the applicant. The independent retail advisor also considered and commented on an objection put forward by the Kingfisher Centre which detailed alternative sites within the town centre and owned by the Kingfisher Centre which it was suggested would be suitable for a Lidl type store.

In summarising the situation relating to the various town centre locations that had been considered, the committee was asked to note the following: -

- Units 1a and 4a on Alcester Street had been rejected by the applicant as being too small and having no dedicated parking.
- The site of the former M and S store in the Kingfisher Centre had also been rejected by the applicant on the grounds of being too large and that the adjacent parking in the multi storey car park was not suitable. The site was no longer available as another tenant had since been identified.
- Car Parks 3 and 4 were rejected by the applicant due to viability issues.

- Car Park 7 may potentially have been a possible site with a configuration of shopping at street level with undercroft parking. However, this would have been dependent on the construction of a travelator between the car park and the store and it was found that it was unlikely that such a feature could be adequately accommodated.
- Edward Street was felt by the applicant to be unsuitable due to limited parking and orientation of the site. The site has subsequently been discounted due to other permissions have been granted for residential development.
- Prospect Hill was found to be unsuitable due to its irregular shape and differences in levels.
- Church Road was also deemed to be unsuitable due to a range of reasons including size, land acquisition and limited parking.

Following a thorough consideration of the issues affecting the individual town centre sites, the independent retail advisor commissioned by the Council agreed with the findings as to non-suitability.

Turning to the proposed location it was noted that the site was designated as primarily open space under the Borough of Redditch Local Plan No. 4. Members were referred to the criteria for assessing development in such locations under Policy 13 of the Local Plan as set out on page 23 of the report and the arguments put forward by the applicant that any harm to the primarily open space designation would be minimal. As part of the application enhancements would be made to improve the park and existing open space facilities and to add landscaping and tree planting to the site itself. In conclusion, officers considered that the requirements of the test in Policy 13 were met.

Although objections had been received in relation to highways matters, County Highways had thoroughly assessed the proposals and were in support of the scheme.

A section 106 agreement would be used to secure contributions as to enhancements to the country park and to ensure that the existing town centre Lidl store remain open until the expiry of the current lease.

Members were referred to the additional information in the Update Report including additional proposed conditions 19 to 24.

Officers were recommending the application for approval.

The following speakers addressed the Committee under the Council's public speaking rules, the first four in objection and the fifth speaker in support.

- Miss Zoe Rourke – local resident (statement read by an officer)
- Mr David Pellett – local resident
- Mrs Julie Holliday – local resident (statement read by an officer)
- Mr Ken Williams - Kingfisher Shopping Centre
- Mr Nick Hardy - Planning Agent.

In response to questions from Members, officers clarified a number of issues, including that: -

- The lease on the existing Lidl store in the town centre was due to expire in 2023. Assurances had been given that the store was trading well and there were currently no plans to close it.
- The outcome of considering the sequential test was that the independent retail advisor had concurred with the view that there were no suitable sites in the town centre and this formed the basis of the recommendation for approval.
- Although a formal impact assessment had not been required, the applicant had looked at the impact on the district centres and found them to be viable. Officers from Strategic Planning had also considered this issue and concurred.
- There would be a significant amount of tree planning under the scheme at the site itself, and it was intended that this would improve the appearance and street scene.
- The highway layout of Battens Drive and the site would not be changed save for a slight alteration for vehicles exiting left out of the site onto Battens Drive designed to allow service vehicles to exit safely. County Highways had scrutinised the transport plan provided by the applicant and found it to be acceptable.
- Further safety audits would be carried out by County Highways at the location in connection with the installation of the pedestrian crossing.
- Vehicular priority would be given to park users when exiting the site. This would be imposed as a condition.

In debating the application Members commented on the complexity of the application and referred to the concerns about the suitability of the site which had been raised in public speaking. At the same time, it was acknowledged that no suitable alternative sites had been identified in the town centre. Members noted that the

application met the policy requirements as to the sequential test and Policy 13: Primarily Open Space, and that there were no objections from County Highways.

**RESOLVED that**

**Having regard to the development plan and to all other material considerations, authority be delegated to the head of Planning and Regeneration to GRANT planning permission subject to: -**

- a. The satisfactory completion of a suitable legal mechanism ensuring that:**
  - 1. Contributions are paid to the Borough Council in respect to off site open space enhancements within the country park and in close proximity to the site.**
  - 2. Commitment to ensuring that the town centre Lidl store stays open until the expiry of the current lease.**
  - 3. A Section 106 monitoring fee (as of 1 September 2019, revised regulations were issued to allow the Council to include a provision for monitoring fees in Section 106 Agreements to ensure the obligations set down in the Agreement are met).**
- and**
- b. The Conditions and informatives set out on pages 49 to 53 of the main agenda, and the additional conditions numbered 19 to 24 set out on page 1 of the Update Report.**

The Meeting commenced at 7.02 pm  
and closed at 8.45 pm