



Planning Committee

Wed 25 Aug
2021
7.00 pm

Council Chamber
Town Hall
Walter Stranz Square
Redditch

REDDITCH BOROUGH COUNCIL

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If you have any queries on this Agenda please contact

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GUIDANCE ON FACVE TO FACE MEETINGS

Due to the current Covid-19 pandemic Redditch Borough Council will be holding this meeting in accordance with the relevant government guidance for face to face meetings of a local authority.

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

GUIDANCE FOR ELECTED MEMBERS ATTENDING MEETINGS IN PERSON

In advance of the meeting, Members are encouraged to consider taking a lateral flow test, which can be obtained for free from the NHS website. Should the test be positive for Covid-19 then the Member should not attend the Committee meeting, should provide their apologies to the Democratic Service team and should self-isolate in accordance with national rules.

Members and officers are encouraged to wear face masks during the Council meeting, unless exempt. Face masks should only be removed temporarily if the Councillor requires a sip of water and should be reapplied as soon as possible. Refreshments will not be provided by the venue. Hand sanitiser will be provided for Members to use throughout the meeting.

The meeting venue will be fully ventilated, and Members may need to consider wearing appropriate clothing in order to remain comfortable during proceedings.

PUBLIC ATTENDANCE

Whilst the meeting is open to the public, due to the need to maintain social distancing, the amount of seating in the public gallery will be very limited.

Members of the public in attendance are encouraged to wear face masks, to use the hand sanitiser that will be provided and will be required to sit in a socially distanced manner at the meeting. It should be noted that members of the public who choose to attend in person do so at their own risk.

In line with Government guidelines, any member of the public who has received a positive result in a Covid-19 test on the day of a meeting should not attend in person and should self-isolate in accordance with the national rules.

PUBLIC SPEAKING

The usual process for public speaking at meetings of the Planning Committee will continue to be followed subject to some adjustments in light of the on-going Covid-19 pandemic. For this meeting the options to participate in public speaking will be in person, by joining the meeting using a video link, or by submitting a written statement to be read out by officers.

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 address the committee in person or via Teams

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 23rd August.**
- 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 Teams invitation. Provision has been made in the amended Planning Committee procedure rules for public speakers who cannot access the meeting in person or by Teams, 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 Monday 23rd August.**
- 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.**

- 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, 25th August, 2021

7.00 pm

Council Chamber Town Hall

Agenda

Membership:

Cllrs:	Michael Chalk (Chair)	Imran Altaf
	Julian Grubb (Vice-Chair)	Aled Evans
	Gemma Monaco	Karen Ashley
	Tom Baker-Price	Timothy Pearman
	Andrew Fry	

1. Apologies

2. 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.

3. Confirmation of Minutes of the Planning Committee meeting held on 28th July 2021 (Pages 1 - 8)

4. 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)

5. Application 21/00444/FUL - The Alexandra Hospital Woodrow Drive Redditch B98 7UB - Mr Lewin (Pages 9 - 16)

6. Application 21/00922/FUL - 5 Unicorn Parade Unicorn Hill Redditch B97 4QR - Mr Khalil Rehman (Pages 17 - 24)

7. Application 21/01079/FUL - 22 Unicorn Hill Redditch B97 4QU - Mr A H Khan (Pages 25 - 30)



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MINUTES

Present:

Councillor Michael Chalk (Chair), Councillor Julian Grubb (Vice-Chair) and Councillors Gemma Monaco, Tom Baker-Price, Andrew Fry, Imran Altaf, Aled Evans, Karen Ashley and Timothy Pearman

Officers:

Helena Plant, Amar Hussain, Sharron Williams, Charlotte Wood and Sarah Hazlewood

Democratic Services Officer:

Sarah Sellers

8. APOLOGIES

There were no apologies for absence.

9. DECLARATIONS OF INTEREST

There were no declarations of interest.

10. CONFIRMATION OF MINUTES OF THE PLANNING COMMITTEE MEETING HELD ON 14TH JULY 2021

RESOLVED that

The Minutes of the Planning Committee meeting held on 14th July 2021 be confirmed as a true record and signed by the Chair.

11. UPDATE REPORTS

Under this item officers explained to Members that an updated version of the NPPF (National Planning Policy Framework) had been brought into effect from 20th July 2021. The 2021 version replaced the 2019 version and although there were some changes the document was not significantly different to the previous version.

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Chair

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The updated version had come into effect after the agenda for this meeting had been issued. Therefore, in the Update Report officers had noted for each report any aspects where the changes were relevant to the NPPF provisions for that item.

Subject to this explanation, the Update Report was noted.

12. APPLICATION 19/01264/FUL - ROCKHILL FARM ASTWOOD LANE FECKENHAM REDDITCH B96 6HG - MR GORA

Erection of 2 x dwellings in lieu of 1 dwelling granted as part of the site's re-development under application 17/00451/FUL (Retrospective)

Officers presented the application and explained the planning history of the site. Planning permission had been granted in 2017 under application reference 17/00451/FUL for the conversion of former farm buildings into residential units. That application included the demolition of a large dutch barn and its replacement with a single dwelling on the same footprint.

Works were commenced in 2020 but the dwelling constructed to replace the dutch barn was not in accordance with the approved plans, the building having been sub-divided to create two 2 bedroomed units instead of one 4 bedroomed unit.

Officers described the dwellings now in situ (and subject to this application) with reference to the slides in the presentation pack and referred to changes to the roof which had been built with a dual pitched roof instead of a flat roof.

The site was located in the Green Belt, and under the NPPF the dwellings would be classed as inappropriate development and the application did not fall into any of the exception categories.

Members were advised that with regard to application 17/00451/FUL, officers had found that very special circumstances applied in that the application would represent a visual improvement.

When assessing the impact on openness of the Green Belt of this application, officers noted that the dual pitched roof was higher than the flat roof under application 17/00451/FUL. However, the design of the revised roof was more in keeping with the location and remained considerably lower in height than the original dutch barn and officers considered that these factors amounted to very special circumstances.

In other aspects the scheme was very similar to that previously approved. The number of parking spaces would be increased from

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three to four and there were no objections from County Highways. The location was considered to be acceptable being within walking distance of local amenities.

It was noted that the Council could not demonstrate a five year housing land supply and members were referred to the presumption in favour of development and the test under paragraph 11(d)(ii) of the NPPF as set out on page 9 of the report.

NWMM had commented that on site drainage was acceptable although some further work was needed with regard to offsite drainage which was the subject of ongoing discussions between the developer and highways.

In light of the assessment that very special circumstances applied, and the addition of an extra dwelling to the housing stock, overall it was considered that the application was acceptable and officers were recommending approval.

At the invitation of the Chair the following speakers addressed the Committee, the first in objection to the application and the second in support: -

- Mr Alan Smith – Chair of Feckenham Parish Council
- Mr Ron McKie – on behalf of the applicant

The first public speaker highlighted that application 17/00451/FUL had only been part implemented by the applicant and questioned the comparisons made under this application to the dimensions of the now demolished dutch barn. The speaker also questioned the weight which could be attached to the addition of a single dwelling to the five-year housing land supply.

In response to questions from Members, officers confirmed that the works at the site had started during lockdown. An application for planning permission had been made at the time but that the works had been continued pending the outcome of the planning application. With regard to the permission under reference 17/00451/FUL, this had been implemented for the majority of the site subject to the deviation of the replacement building on the footprint of the Dutch barn.

In debating the application Members referred to the minimal differences between the current application and the single dwelling which was approved under reference 17/0045/FUL.

Legal advice was given that some of the issues raised in public speaking regarding the implementation of the permission granted under reference 17/0045/FUL and the extent to which any deviation

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from that permission could be classed as “de minimis” would benefit from further investigation, and for that reason the recommended course of action would be for the application to be deferred.

RESOLVED that

the application be deferred to a future meeting of the Planning Committee to allow officers the opportunity to investigate issues raised in public speaking.

13. APPLICATION 21/00444/FUL - THE ALEXANDRA HOSPITAL WOODROW DRIVE REDDITCH B98 7UB - MR LEWIN

Creation of two new staff car parks and demolition of two existing staff car parks, plus creation of some additional infill car parking spaces around the trust site and repositioning of the helipad

Officers presented the application and described the proposed reconfiguration of the existing parking areas with reference to the slides in the presentation pack.

In summary the main changes proposed were to replace the existing staff car park with a new parking area to the north of the main hospital building. This would also involve the re-positioning of the existing helipad. The existing staff parking at the south eastern corner of the site would be expanded to add extra spaces. The existing public parking area would be reconfigured with a slightly altered lay out and re-located entry/exit points. Additional staff spaces would be created along the western edge of the main hospital building.

Conditions were proposed to ensure the creation of the new staff parking area would be completed before the closure of the existing staff parking area.

The application was recommended for approval.

At the invitation of the Chair, Councillor Emma Marshall addressed the committee in her capacity as ward member for the area.

In responding to questions from Members, officers clarified that the number of parking spaces that would be displaced was 307 and the number of replacement spaces would be 302 giving a net loss of 5 spaces. The changes would include the installation of some electric vehicle charging points.

The plans did not include the creation of a hackney carriage stand for taxis.

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With regard to the re-location of the helipad, and concerns over health and safety, officers advised that the hospital would be required to comply with all other regulating bodies and statutory provisions in that regard, and that questioning these very technical aspects would be outside the role of Members on the committee.

In debating the application Members expressed concerns around the existing pressures on car parking at the hospital and the resultant overspill of vehicles that could not be accommodated on the site into nearby streets and residential areas. This included users of the hospital and staff parking on streets off Woodrow Drive and on Nine Days Lane.

Albeit that the net loss of spaces was small, Members were concerned about the displacement of more vehicles. It was not clear what the precise breakdown of the 302 spaces would be as between public and staff parking. Officers did not have further figures available although it was pointed out that there might be a later addition of a small number of spaces following the demolition of the empty staff accommodation blocks.

Following further discussion Members concluded that they did not have sufficient information to reach a final decision and that the application should be deferred. Officers were requested by Members to go back to the applicant to pass on the comments made about the net loss of spaces and find out more detailed information about the numbers of parking spaces.

RESOLVED that

the application be deferred to a future meeting of the Planning Committee to allow officers the opportunity to find out more information from the applicant as to the reconfiguration of the parking areas and the numbers of parking spaces affected.

14. APPLICATION 20/01648/FUL - 5 CHURCH GREEN WEST REDDITCH B97 4DY - GRILLWICH

Change of use from E(a) display or retail of goods, to E(b) sale of food and drink for consumption on the premises and Sui Generis hot food takeaways.
New shopfront.

Officers presented the application for the currently vacant ground floor unit of the three storey building to be subject to a change of use from retail to a take away / dine in restaurant.

It was noted that the site was located in the conservation area. The plans included replacing the existing recessed shop front with a

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more simple design that would be in keeping with the area. Following consultation with the Conservation Officer, the final details of the new shop front would be subject to approval by officers through a condition (Condition 3).

Members were referred to Policy 30 and Policy 32 of the Borough of Redditch Local Plan no 4. Whilst the change of use would create a row of three adjacent non-retail units in breach of Policy 32, officers had given weight to changes to the use class system aligning the uses of retail (A1) and cafes and restaurants (A3), and the opportunity to enhance the vitality of the town centre by bringing a vacant unit back into use.

The application was felt to be acceptable with regard to residential amenity subject to the condition which had been included to restrict hours of operation (Condition 6). There had been no objections from WRS or highways, and control of extraction of odour would be secured through a condition (Condition 4).

The application was being recommended for approval.

In responding to questions from Members officers clarified a number of points including that: -

- Members could be reassured that WRS had considered and approved the arrangements for control of odour which were secured by a condition.
- With regard to concerns of the placing of bins by other businesses on William Street, a condition had also been added to require internal bin storage.
- For dine in 18 seats would be provided and the split was expected to be 80% take away as to 20% dine in.

RESOLVED that

Having regard to the development plan and to all other material considerations, planning permission be GRANTED subject to the conditions set out on pages 26 to 27 of the agenda and that authority be delegated to the Head of Planning and Regeneration to add two informatives to the decision with regard to shuttering on the shopfront of the premises and future display of signage.

15. **APPLICATION 21/00766/FUL - 11 LILAC CLOSE REDDITCH B98 7EA - REDDITCH BOROUGH COUNCIL**

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Proposed rebuild of property following fire damage

Officers explained that the Council owned property, one of a pair of semi-detached dwellings had been damaged by fire to the extent that it would have to be re-built. Permission was therefore sought to construct an identical replacement dwelling to the same design as the original.

RESOLVED that

Having regard to the development plan and to all other material considerations, planning permission be GRANTED subject to the conditions and informatives set out on pages 33 to 34 of the agenda.

The Meeting commenced at 7.00 pm
and closed at 8.51 pm

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**PLANNING
COMMITTEE**25th August 2021

Planning Application 21/00444/FUL**Creation of 2 new staff car parks and demolition of 2 existing staff car parks, plus creation of some additional infill car parking spaces around the trust site and repositioning of helipad****The Alexandra Hospital, Woodrow Drive, Redditch, Worcestershire, B98 7UB,****Applicant: Mr Lewin
Ward: Greenlands Ward****(see additional papers for site plan)**

The case officer of this application is Sarah Hazlewood, Planning Officer (DM), who can be contacted on Tel: 01527881720 Email: sarah.hazlewood@bromsgroveandredditch.gov.uk for more information.

Procedural Matter

Members will recall that this application was considered at the Planning Committee meeting of 28th July 2021. It was resolved to defer the application for further information with respect to the number of car parking spaces being provided, particularly with respect to the number of staff car parking spaces being replaced compared with those being lost. Amended plans and further information has been sought with respect to this matter which is discussed in detail below.

Site Description

The site comprises the Alexandra Hospital situated to the south of Redditch close to the boundary with Stratford upon Avon District. To the east of the site lies Tudor Grange Academy and to the south a new residential development accessed off Nine Days Lane. The hospital site itself is access off Woodrow Drive to the north of the site.

Proposal Description

The proposal seeks the removal of two staff car parks which are located in the north west corner of the site and their replacement. A new car park is proposed to the north east of the site along with a new helipad. An extension to the existing staff car park in the south eastern corner of the site is proposed as well as extended car parking to the south west of the site. As well as this some reordering of the existing public car park to create additional spaces and the formation of some new public car parking spaces are proposed.

For the avoidance of doubt a table is provided below outlining the number of spaces affected by the proposal:

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Type of parking space affected	Existing	Proposed	Difference
Staff	307	308	+1
Public	-	28	+28

Please note, the 'existing' public car parking spaces is blank in the table above as none of the existing spaces are being removed. Reordering of the existing public car park has led to an increase of the number of public car parking spaces being proposed.

Relevant Policies :

Policy 1: Presumption in Favour of Sustainable Development
 Policy 16: Natural Environment
 Policy 18: Sustainable Water Management
 Policy 20: Transport Requirements for New Development
 Policy 44: Health Facilities

NPPF National Planning Policy Framework (2021)
 NPPG National Planning Practice Guidance

Relevant Planning History

21/00447/OUT	Outline application for the removal of existing carpark and demolition of existing apartment buildings (Use Class C3). Proposed new residential development of up to 92 homes (Use Class C3) with all matters reserved (scale, layout, appearance, landscaping) except access.	Pending consideration
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Consultations**North Worcestershire Water Management**

No objections subject to recommended condition relating to the submission of a scheme of surface water drainage to be implemented before first use of the development.

Arboricultural Officer

No objections subject to recommended conditions and informative relating to tree protection measures and methods of construction.

Highways Redditch

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No objection subject to conditions and informatives.

Public Consultation Response

A site notice was displayed on 15.04.21 which expired on 09.05.21

A total of 43 letters were sent on 12.04.21 which expired on 06.05.21

Two representations have been received as a result. The matters raised cover the following points:

- Negative carbon impact
- Removal of trees and shrubs which provides a screen to the hospital
- Impact of proposed lighting
- Poor air quality
- Increased risk of traffic on hospital roads
- Use of hospital ground which may be needed for expansion in the future

Assessment of Proposal**Principle**

The Alexandra Hospital site is covered by Policy 44 of the Borough of Redditch Local Plan No. 4 (BoRLP) 'Health Facilities'. This states, at 44.3, that the Borough Council will continue to safeguard land with the curtilage of the hospital for development which is intended for genuine health related purposes. The reasoned justification outlines at 44.6 what the Local Planning Authority consider are genuine health related facilities. Car parking does not feature within this list. It is noted, however, at 44.4 that a review of healthcare services at the hospital may necessitate a more flexible approach to land use in the curtilage of the hospital where it relates to the functioning of the hospital. In addition, it is noted that the applicant is the hospital itself, and the submitted design and access statement explains that the proposals have been prepared in view of Government directives requiring NHS Trusts to consider their land requirements. A result of this is the requirement to relocate the car parks in order to allow surplus land to be released for development.

Taking all these matters in to account it is considered that the NHS no longer has a need for the land subject to this application and as such the principle of redeveloping the site for car parking is acceptable.

Visual impact

The car parking will encroach into areas of the hospital site which are currently landscaped and grassed over. This will visually change parts of the site. However, when the development is seen in the context of the existing hospital building and associated development and considering the development will not be prominent outside of the

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bounds of the hospital site it is considered that the visual impact of the proposal will be acceptable.

Highways

The highway authority has been consulted on the application and raise no objection, subject to the imposition of conditions. Importantly, a condition is recommended with respect to timing such that the existing car parking provision is not closed until the replacement parking is constructed.

Members will note the table at the start of this report outlining the spaces being proposed with respect to those being lost. The application now proposes creating 308 staff spaces compared with 307 being lost. In addition, 28 public car parking spaces are being created.

With respect to the staff car parking spaces the application also notes that much of the existing car parking provision was associated with the residential blocks on the site, two of which have been vacant for some time. Notwithstanding, the application seeks to retain, and indeed now exceed by 1, the existing staff car parking provision on the site.

Taking all these matters in to account the proposal is considered acceptable on highway grounds.

Ecology

A preliminary ecological appraisal has been submitted with the application. No evidence of protected species was found at the application sites, however a series of recommendations have been made with respect to protected species when carrying out the works which can be adequately controlled by planning condition.

Amenity impact

One of the representations received raises the impact of the southern car park extension on the amenity of the occupiers of Whetstone Street which will be exacerbated by the removal of vegetation present along the boundary. Additional information has been sought which shows the proposed lighting arrangement and light spill from the car park extension. These plans indicate that any spill to the gardens of the properties on Whetstone Street will be limited. In addition, there is a robust boundary treatment between the application site and the residential properties which also benefit from garden lengths in excess of the current adopted standard. Taking all these matters in to account it is considered that the proposal development will not have a significant adverse impact on the occupiers of these dwellings sufficient to warrant refusal of planning permission.

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Other matters

In response to concerns raised by members with respect to health and safety concerns surrounding the Helipad element of the proposal the agent has provided some further information in this regard.

The space for the helipad exceeds the Civil Aviation Authority International and CAP 1264 (Standards for helicopter landing areas at hospitals) guidelines. The helipad would be suitable for an Augustawestland AW189 helicopter classification and the clearance around the pad exceeds the minimum recommended 3m clear zone. The helipad is to be fenced and the street lights to the car park in the near vicinity of the helipad are bollards as opposed to higher poles.

Whilst members are aware that this matter is covered by other legislation as outlined above it is hoped that this additional information provides some comfort with respect to safety matters relating to the helipad.

RECOMMENDATION:

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

Conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the grant of this permission.

Reason: In accordance with the requirements of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

ALX2942/E1B
(80)007 Rev P1
(80)005 Rev P2
(80)004 Rev P1
(80)003 Rev P1
(80)002 Rev P1
(80)001 Rev P1
(10)001 Rev P2

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

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

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

4. No trees or hedges on the application site, or the branches or roots of trees growing onto the site from adjacent land, other than those shown on the plans hereby approved shall be topped, lopped, felled or uprooted without the specific written permission of the Local Planning Authority

Reason: To safeguard the visual amenities of the area.

5. Prior to the commencement of any works on site including any site clearance, demolition, excavations or import of machinery or materials, the trees or hedgerows which are shown as retained on the approved plans both on or adjacent to the application site shall be protected with fencing around the root protection areas. This fencing shall be constructed in accordance with the guidance in the British Standard BS5837:2012 and shall remain as erected until the development has been completed. There shall be no storage of plant/materials within the Root Protection Areas of any retained trees.

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

6. No works of any kind shall be permitted within or through the Root Protection Areas of trees or hedges on and adjacent to the application site to be retained on site without the prior specific written permission of the Local Planning Authority. This specifically includes any works such as changes in ground levels, installation of equipment or utility services, the passage or use of machinery, the storage, burning or disposal of materials or waste or the washing out of concrete mixing plants or fuel tanks.

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

7. Any excavations within the root protection areas must be carried out by hand and in accordance with BS5837:2012.

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

8. The Development hereby approved shall not be first brought into use until details of the provision of proposed dropped kerbs and tactile paving, where appropriate, associated with the various car parks have been submitted to and approved in writing by the Local Planning Authority and installed on site.

Reason: In the interests of highway safety.

9. The Development hereby approved shall not be brought into use until details of the proposed accessible car parking spaces have been submitted to and approved in writing by the Local Planning Authority and installed on site. These spaces shall thereafter be kept available for disabled users as approved.

Reason: To provide safe and suitable access for all.

10. The Development hereby approved shall not be brought into use until details of the proposed electric vehicle charging spaces have been submitted to and approved in writing by the Local Planning Authority and installed on site. The spaces shall thereafter be retained on site.

Reason: To encourage sustainable travel and healthy communities.

11. The Development hereby approved shall not be brought into use until a draft Signage and Marking Strategy document, setting out appropriate changes to existing signage and road markings associated with parking and wayfinding, has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

12. The existing car parks shall not be closed until all of the replacement parking has been built and is available for operational use.

Reason: To help prevent any indiscriminate parking during the construction phase and to ensure the safe and free flow of traffic onto the highway.

13. The development hereby approved shall be carried out in complete accordance with the recommendations of the protected species survey by Worcestershire Wildlife Consultancy dated September 2020.

Reason: In order to protect any protected species which may be present on the site.

Informatives

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1. You shall carry out all works in accordance with British Standard BS: 5837.12 document 'Guide for trees in relation to Construction 2012'.

Reason: To protect the health and condition the tree/s.

2. Drainage arrangements shall be provided to ensure that surface water from the vehicular access and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.
3. The attention of the applicant is drawn to Section 59 of the Highways Act 1980 which allows the Highway Authority to recover additional costs of road maintenance due to damage by extraordinary traffic. Before any work is commenced upon the development hereby approved representatives of Worcestershire County Council, as the Highway Authority and the applicant, shall carry out a joint road survey/inspection on the roads leading to this site. Any highlighted defects shall be rectified to the specification and satisfaction of the Highway Authority before work is commenced on the development hereby approved. A further joint survey/inspection shall be undertaken following completion of development hereby approved and any necessary remedial works shall be completed to the specification and satisfaction of the Highway Authority within one month or other agreed timescale.
4. Any work involving the removal or disturbance of ground or structures supporting or abutting the publicly maintained highway should be carried out in accordance with details to be submitted to and approved in writing by the Highway Authority.

Procedural matters

This application is reported to Planning Committee for determination because the application is for major development and as such the application falls outside the scheme of delegation to Officers.

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Planning Application 21/00922/FUL**Change of use from shop (Class E) to hot food takeaway (Sui Generis)****5 Unicorn Parade, 9 - 13 Unicorn Hill, Redditch, Worcestershire, B97 4QR,****Applicant: Mr Khalil Rehman
Ward: Abbey Ward****(see additional papers for site plan)**

The case officer of this application is Claire Gilbert, Planning Officer (DM), who can be contacted on Tel: 01527 881655 Email: claire.gilbert@bromsgroveandredditch.gov.uk for more information.

Site Description

The site is situated in the Town Centre of Redditch within the Retail Core as defined on the Borough of Redditch Local Plan No. 4 Policies Map. It is situated towards the top of Unicorn Hill on the Southern side of the Road. Vine street runs along the rear of the unit.

The unit is situated within an established run of commercial units which currently have a mix of uses including shops and hot food takeaways. No 5 Unicorn Parade is currently an empty retail unit which would fall under Use Class E .

The adjacent unit: No. 4 Unicorn Parade, is currently a hot food takeaway, as is Unit No. 2 Unicorn Parade. However the uses of Unit No.s 1, 3 and 6 Unicorn Parade currently fall under use class E. With Units 3 and 6 being used as shops and Unit 1 being used as an insurance broker.

Proposal Description

The proposal is for the change of use of an existing retail shop (Use Class E) into a Hot Food takeaway (Use Class Sui Generis) with associated works.

Members will be aware that the planning use class system changed on the 1st of September 2020. As the proposal is for a hot food takeaway this use now falls within a distinct and separate use class a 'Sui Generis' class. The proposal therefore comprises a material change of use and requires express planning permission.

The main considerations for the proposal are the principle of development, having regard to the location of the site, the impact of the proposal on residential amenity and technical matters including highways, noise and odour should also be considered.

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

Policy 1: Presumption in Favour of Sustainable Development

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Policy 19: Sustainable travel and Accessibility
Policy 20: Transport Requirements for New Development
Policy 30: Town Centre and Retail Hierarchy
Policy 31: Regeneration for Town Centre
Policy 32: Protection of the Retail Core
Policy 39: Built Environment
Policy 40: High Quality Design and Safer Communities

Others

National Design Guide
NPPF National Planning Policy Framework (2021)
NPPG National Planning Practice Guidance

Relevant Planning History

None

Consultations

WRS - Noise

WRS have no objection or adverse comment to make in relation to noise/odour. The specification for odour abatement plant and kitchen extract equipment appears acceptable and should be installed as proposed.

WRS - Air Quality

No relevant concerns have been identified therefore WRS have no adverse comments to raise in this respect.

Town Centre Co-ordinator

No Comments Received To Date

Highways Redditch

No highway objections subject to conditions on Electric Vehicle Charging Facilities and cycle parking

West Mercia Constabulary

No objections or comments

WRS- Licensing (Food And Drink)

I note that the applicant intends to trade between 11am and 11pm. Were the premises to be used for the sale of alcohol (at any time) or the sale of hot food and/or drink (between 11pm and 5am) then authorisation would be required under the Licensing Act 2003. An application for registration of a food business will also be required 28 days prior to the commencement of trading. Further information can be found on our website www.worcsregservices.gov.uk

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Waste Management

This doesn't affect us as we collect from domestic properties. We do offer a business waste service which would be the decision of the proprietors.

Public Consultation Response

8 Letters of objection have been received. These raise concerns relating to:

- Competition and lack of need for development- too many existing hot food takeaway businesses in the area
- Highway Safety- parking and access
- Presumption in favour of sustainable development
- Town centre and retail hierarchy
- Detrimental impact on amenity

These matters have been addressed in the report.

Assessment of Proposal

Principle of Development

Policy 32 of the Borough of Redditch Local Plan No. 4 which is for the Protection of the Retail Core sets out that the retail core is an area of primary shopping frontage. Within the retail core planning permission for change of use from Class A1 to A2, A3, A4 (now Use Class E) or A5 (Hot food takeaway now a Sui Generis Use Class) or any other use considered appropriate to a shopping centre will only be acceptable if the proposed use does not result in a continuous frontage of more than two non-retail units. (Units are defined as shopfronts with a width of about 6 metres). It also states that proposals for non-A1 uses that demonstrably contribute to the vitality and viability of the centre will be assessed on their own merits.

In this case given the uses of the neighbouring premises, the proposed Hot food take away (Sui Generis) use would not result in a continuous frontage of more than two non-retail units. The proposal is therefore considered to accord with Policy 32.

In addition to this the proposal would enhance the vitality of this part of Redditch Town Centre by allowing a currently vacant unit to resume commercial operation. The proposal would also contribute to the evening and night-time economy in the local area which is encouraged by Policy 31 of the Borough of Redditch Local Plan No. 4.

In view of the above assessment, the proposed change of use is considered acceptable in principle.

Matters relating to sustainable development, retail and town centre hierarchy, competition, and lack of need for the development in the area have been raised by objections. This is due to the number of takeaways already located within close proximity to the site and the financial implications a further takeaway business would have on these

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existing businesses. As noted above the location of the proposed takeaway is considered to be acceptable in principle.

Although the concerns raised in relation to competition are noted. Competition between commercial businesses is not a material planning consideration. This matter cannot therefore be taken into consideration in the assessment of this application.

Character and appearance

No external changes are proposed to the front elevation of the unit. The only external changes that are proposed are at the rear of the premises which is accessed via Vine Street. These changes include: the installation of a new ventilation system, which externally would comprise a louvre grille and a new condenser unit on the rear wall of the premises. A new bin store is also proposed to be created at the rear of the premises.

There are already other bin storage areas and ventilation systems and extraction equipment installed to the rear of the other premises within this run of commercial properties, as such it is not considered that the proposed works would detract from the character or appearance of the area.

Amenity

Worcestershire Regulatory Services have raised no objection in relation to noise, odour or air quality issues. They have stated that the specification for odour abatement plant and kitchen extract equipment that has been submitted with the application appears acceptable and should be installed as proposed. This matter is controlled with a suitably worded condition.

The opening hours of the takeaway are proposed to be 11am to 11pm every day. Given the unit is located within the town centre and that there are no residential properties at first floor or within the immediate adjoining premises it is not considered necessary to attach a condition to control the proposed opening hours in this case.

Highways

Worcestershire County Council Highways consider that the site is in the Town centre which is a sustainable location. They are aware that there are 2 car parking spaces to the rear of the unit, and that delivery drivers will use Vine Street for collection and delivery purposes. Whilst the customer access would be off Unicorn Hill. Overall, therefore they do not consider that there would be an unacceptable impact on Highway safety. They have therefore raised no objection to the application. They have however recommended that conditions be attached to any permission that is granted for this site relating to the provision of electrical vehicular charging points and cycle parking.

Waste

It is noted that there is an ongoing local issue in the vicinity in relation to commercial waste being left on the public highway. This can have implications on highway safety and public health, as well as having a negative impact on the visual amenity of the area. The proposed plans for this current application have indicated a dedicated storage area for

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bins at the rear of the premises and therefore it is not considered that the proposal would exacerbate this local issue.

Conclusion

The proposal seeks planning permission to change the unit to a takeaway use. The application site lies within the retail core of Redditch Town Centre and therefore Policy 32 of the BoRLP 4 states that a change of use is only acceptable if it does not result in a continuous frontage of more than two non-retail units, which it does not.

In addition to this the proposal would enhance the vitality of this part of Redditch Town Centre by allowing a currently vacant unit to resume commercial operation. The proposal would also contribute to the night time economy which is encouraged by Policy 31 of the BoRLP 4. Furthermore no issues in relation to highways, noise and odour or residential amenity have been identified in relation to the proposed change of use.

In view of the above and having regard to the benefits of the proposal that have been identified, it is considered that the proposal is a sustainable form of development. It is therefore recommended that planning permission is granted subject to conditions.

RECOMMENDATION:

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

Conditions:

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the grant of this permission.

Reason: In accordance with the requirements of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

Drawing No. 02 Proposed Floor Plans and Elevations
Jansun Envirocare PLC Activated Carbon Panels Date 17 September 2012
Jansun Filtration PLC Type 90 Panel Filter
Jansun Envirocare PLC V Line Pleated Panel Filter Economy Standard
Permanent Suspension Modules- Purified Air
DW/1 72 Specification for Kitchen Ventilation Systems

REDDITCH BOROUGH COUNCIL**PLANNING
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Vent- Axia Black Sabre Slim Case Sickle Fans (BSC)
Ventilation and Extraction Details

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

- 3) Prior to first use of the development hereby approved the Extraction and ventilation system shall be fitted and in operation. This system shall then be maintained for the lifetime of the development or replaced with an equivalent.

Ventilation and Extraction Details

Jansun Envirocare PLC Activated Carbon Panels Date 17 September 2012

Jansun Filtration PLC Type 90 Panel Filter

Jansun Envirocare PLC V Line Pleated Panel Filter Economy Standard

Permanent Suspension Modules- Purified Air

DW/1 72 Specification for Kitchen Ventilation Systems

Vent- Axia Black Sabre Slim Case Sickle Fans (BSC)

Reason: To ensure that odour and noise nuisances are adequately mitigated.

- 4) The Development hereby approved shall not be opened to the public until 1 electric vehicle charging space has been provided, such space and power point shall be kept available and maintained for the use of electric vehicles.

Reason: To encourage sustainable travel and healthy communities.

- 5) The Development hereby permitted shall not be first occupied until cycle parking for 1 cycle has been provided on site.

Reason: To comply with the Council's parking standards.

- 6) The area provided at the rear of the unit for bin storage, as indicated on the Block Plan on Drawing No. 02 Proposed Floor Plans and Elevations, shall be made available prior to the use first being implemented and shall be retained for this purpose and this purpose only for the lifetime of the development.

Reason: To maintain the appearance of the area.

Informatives

- 1) Proactive engagement by the local planning authority was not necessary in this case as the proposed development was considered acceptable as initially submitted.

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- 2) Were the premises to be used for the sale of alcohol (at any time) or the sale of hot food and/or drink (between 11pm and 5am) then authorisation would be required under the Licensing Act 2003.

An application for registration of a food business will also be required 28 days prior to the commencement of trading. Further information can be found on our website www.worcsregservices.gov.uk.

Procedural matters

This application is being reported to the Planning Committee because the proposal includes a change of use of a premise to a hot food takeaway and as such, falls outside the scheme of Delegation to Officers.

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**PLANNING
COMMITTEE**25th August 2021

Planning Application 21/01079/FUL**Change of use of ground floor from offices (formerly Hemmings estate agents) to drinking establishment****22 Unicorn Hill, Town Centre, Redditch, B97 4QU****Applicant: Mr A H Khan
Ward: Abbey 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 64252 Ext. 3206 Email: steve.edden@bromsgroveandredditch.gov.uk for more information.

Site Description

Number 22 Unicorn Hill was formerly occupied by Hemmings Estate Agents before becoming vacant. The property is positioned roughly mid-way between Unicorn Hill (to the south) and Bates Hill (to the north). To the sites immediate south-west is the Royal Enfield Public House, known by other names in the past including that of the former Chicago Rock Café. Historically the same building was used as a Cinema.

A shared parking area exists to the South and East of the premises, accessed via Unicorn Hill.

The property is a three-storey building and falls within the Redditch Town Centre but outside the 'Retail Core' as defined on the Borough of Redditch Local Plan No. 4 Policies Map. The site does not form part of the Church Green Conservation Area.

Proposal Description

This application seeks planning permission for the change of use of the ground floor only from an estate agent's office (Use Class E) into a Drinking Establishment (Use Class Sui Generis).

Members will be aware that the planning use class system changed on the 1st of September 2020. Before this time, an estate agent's office was classified as Class A2 (now Use Class E) with a Drinking Establishment Use falling within Class A4 (now Sui Generis).

The proposed drinking establishment would be that of a Gin and Cocktail bar and would be open between the hours of 4pm to 11pm Monday to Thursday and between 4pm to 2am on Friday, Saturday and Sundays.

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

Policy 1: Presumption in Favour of Sustainable Development

Policy 19: Sustainable travel and Accessibility

Policy 30: Town Centre and Retail Hierarchy

Policy 31: Regeneration for Town Centre

Policy 39: Built Environment

Policy 40: High Quality Design and Safer Communities

Others

National Design Guide

NPPF National Planning Policy Framework (2021)

NPPG National Planning Practice Guidance

Relevant Planning History

21/00732/FUL	Change of use of ground floor from offices (formerly Hemmings estate agents) to hot food takeaway	Application Withdrawn	06.07.2021
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Consultations**Worcestershire County Council (WCC) Highways**

No objection. The site benefits from shared existing off road car parking for 8 vehicles. I would be happy to accept this site as car free due to its town centre / sustainable location

Worcestershire Regulatory Services - Licensing

Authorisation would be required under the Licensing Act 2003. Further information can be found on the website www.worcsregservices.gov.uk

Town Centre Co-ordinator

No comments Received

West Mercia Constabulary

No objection

Public Consultation Response

No comments received

Assessment of Proposal**Principle of change of use**

The site falls outside of the Retail Core and as such, Policy 32 of the Borough of Redditch Local Plan No. 4 would not apply in this case.

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The proposal would allow a currently vacant unit to resume commercial operation with the application contributing to the evening and night-time economy in the local area which is encouraged by Policy 31 (Regeneration for the Town Centre) of the Borough of Redditch Local Plan No. 4. Further, the proposed change of use would not hinder the regeneration vision for the Town in accordance with Policy 31.

The proposal would also enhance the vitality and viability of this part of the Town Centre, in line with the aspirations of the Local Plan.

In view of the above, the proposed change of use is considered acceptable.

Amenity

Worcestershire Regulatory Services have raised no objection to the application and no representations have been received from the wider public following consultation. It should be noted that adjoining uses are largely commercial in nature and the proposal would be compatible with those uses.

Highways

The site is within the town centre and there are a number of public car parks within short walking distance to the site.

No objections have been raised by County Highways in respect of the proposal who have noted that a shared existing off road car parking area which can accommodate 8 vehicles is available to the front of the premises. Notwithstanding this, WCC Highways have commented the proposal would be acceptable if no such parking area was available due to its sustainable location in the Town Centre. The location is very near to public transport links and it is expected that many customers would walk to and from the site.

Waste

The proposed floor plan has indicated a dedicated storage area for bins at the rear of the premises and therefore it is not considered that the proposal would exacerbate existing known local issues around the disposal of waste.

Other matters

As set out above, the planning use class system changed on the 1st of September 2020. This includes the re-classification of the A1 (shop) A2 (estate agent offices) and A3 (restaurant) uses into the new Class E use. Permitted development rights afforded by the Town and Country Planning (General Permitted Development) (England) Order 2015 came into effect on 1st August 2021. This means that a shop or estate agent office (for example) may change to a restaurant without the occupier needing to apply for planning permission. The Governments overall direction of travel in this respect is therefore clear, allowing more flexibility and permitting changes between (formerly separated) commercial uses without the need to apply for permission.

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It is therefore necessary to consider the harm caused (if any) by allowing a drinking establishment use to exist at the premises compared with that of a café or restaurant use which could operate from 22 Unicorn Hill at present without needing consent.

Conclusion

The proposed use is considered to enhance the vitality of this part of Redditch Town Centre by allowing a currently vacant unit to resume commercial operation.

The proposal would also contribute to the night time economy which is encouraged by Policy 31 of the Local Plan.

No issues in relation to highways or amenity have been identified which would justify withholding consent in this case and as such it is recommended that planning permission is granted.

RECOMMENDATION:

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

Conditions:

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the grant of this permission.

Reason: In accordance with the requirements of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

Site location plan dated 16 July 2021

Floor plan dated 16 July 2021

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

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COMMITTEE**25th August 2021

Informatives

- 1) Proactive engagement by the local planning authority was not necessary in this case as the proposed development was considered acceptable as initially submitted.
- 2) Authorisation is required under the Licensing Act 2003. Further information can be found on the website www.worcsregservices.gov.uk.

Procedural matters

This application is reported to the Planning Committee for determination because the application is for a drinking establishment use. As such the application falls outside the scheme of delegation to Officers

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