



# Planning Committee

Wed 7 Dec  
2022  
7.00 pm

Council Chamber  
Town Hall  
Redditch

**REDDITCH** BOROUGH COUNCIL

*making  
a  
difference*

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

**If you have any queries on this Agenda please contact**

**Gavin Day  
Democratic Services Officer**

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# **REDDITCH BOROUGH COUNCIL**

## **PLANNING COMMITTEE**



## ***GUIDANCE ON FACE TO FACE MEETINGS***

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At the current time, seating at the meeting will be placed in such a way as to achieve as much space as possible for social distancing to help protect meeting participants.

If you have any questions regarding the agenda or attached papers, please do not hesitate to contact Gavin Day ([gavin.day@bromsgroveandredditch.gov.uk](mailto:gavin.day@bromsgroveandredditch.gov.uk))

### **GUIDANCE FOR ELECTED MEMBERS ATTENDING MEETINGS IN PERSON**

Members and Officers who still have access to lateral flow tests (LFTs) are encouraged to take a test on the day of the meeting. Meeting attendees who do not have access to LFTs are encouraged not to attend if they have common cold symptoms or any of the following common symptoms of Covid-19 on the day of the meeting; a high temperature, a new and continuous cough or a loss of smell and / or taste.

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**

Members of the public will be able to access the meeting if they wish to do so. However, due to social distancing arrangements to ensure the safety of participants, there may be limited capacity and members of the public will be allowed access on a first come, first served basis.

Members of the public are strongly encouraged not to attend the meeting if they test positive for Covid-19 on the day of a meeting or up to 5 full days before a meeting. Should the member of the public test positive for Covid-19 on the meeting or up to 5 full days before the meeting then they are expected not to attend the meeting. It should be noted that members of the public who choose to attend in person do so at their own risk.

### **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 will be in person, by joining the meeting using a video link, or by submitting a 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:

in accordance with the running order detailed in this agenda and updated by the separate Update report:

- 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. Ward Councillors (in Objection)
  - c. Supporters to speak on the application;
  - d. Ward Councillors (in Support)
  - e. Applicant (or representative) to speak on the application.

Speakers will be called in the order they have notified their interest in speaking to the Democratic Services Team (by 12 noon on Monday 5<sup>th</sup> December 2022) and invited to the table or lectern.

- 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.

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Notes:

- 1) Anyone wishing to address the Planning Committee on applications on this agenda must notify Gavin Day from the Democratic Services Team on 01527 64252 (Ex 3304) or by email at [gavin.day@bromsgroveandredditch.gov.uk](mailto:gavin.day@bromsgroveandredditch.gov.uk) before **12noon on Monday 5<sup>th</sup> December 2022**.
- 2) Advice and assistance will be provided to public speakers as to how to access the meeting and those using the video link will be provided with joining details for Microsoft Teams. Provision has been made in the amended Planning Committee procedure rules for public speakers who cannot access the meeting 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 on Monday 5<sup>th</sup> December 2022**.
- 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, re available to view in full via the Public Access facility on the Council's website [www.redditchbc.gov.uk](http://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 day of the meeting.

Further assistance:

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

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

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

# Planning

COMMITTEE

Wednesday, 7th December,  
2022

7.00 pm

**Council Chamber Town Hall**

## Agenda

### Membership:

Cllrs:

Michael Chalk (Chair)  
Timothy Pearman (Vice-Chair)  
Salman Akbar  
Imran Altaf  
Tom Baker-Price

Brandon Clayton  
Alex Fogg  
Andrew Fry  
Bill Hartnett

### 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. 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)

### 4. 22/00817/S73 - Land Adjacent to Lavender Place, Feckenham (Pages 1 - 12)

### 5. 22/00952/FUL - 16 Brinklow Close, Redditch, B98 0HB (Pages 13 - 18)

### 6. 22/00953/FUL - 37 Kinton Close, Matchborough West, B98 0EU (Pages 19 - 24)

### 7. 22/01202/FUL - 17 Michaelwood Close, Redditch (Pages 25 - 28)

### 8. 22/01284/FUL - 2A Light House Works, Queen street Astwood bank (Pages 29 - 38)

### 9. 22/01325/FUL - Town Hall (Pages 39 - 44)

### 10. 22/01265/FUL - 30 Ansley Close (Pages 45 - 48)

### 11. 22/01356/FUL - 21 Ansley Close (Pages 49 - 52)

### 12. 22/01358/FUL - 29 Ansley Close (Pages 53 - 56)

**13.** 22/01363/FUL - 20 Ansley Close (Pages 57 - 60)

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**Planning Application 22/00817/S73**

**Variation of Condition 2 of planning permission reference 20/00599/FUL (Development of 2 dwellings) to replace approved drawings with revisions omitting herringbone detailing to brickwork, partial removal of cladding, conversion of approved garage (Plot A) to office / study and associated alterations to fenestration together with the setting back of garage serving Plot B further into the site**

**Land Adjacent to Lavender Place, Droitwich Road, Feckenham, Worcestershire, B96 6JE**

**Applicant: Mr Mark Slater**  
**Ward: Astwood Bank and Feckenham 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](mailto:steve.edden@bromsgroveandredditch.gov.uk) for more information.

### **Site Description**

The application site relates to a parcel of land which lies to the south of Droitwich Road. Beyond the western boundary is the detached dwelling 'Lavender Place' and beyond the eastern boundary lies the property 'The Juniper Tree', 17 Droitwich Road.

The site abuts the village settlement boundary of Feckenham and is designated as Open Countryside. The site also lies within Feckenham Conservation Area and there are a number of listed buildings in close proximity, most notably the Grade II\* listed building, 'The Manor House', 24 Droitwich Road, which lies directly opposite, to the north. Records also show that Public Right of Way (PRoW) 685(C) runs along the western boundary of the site.

### **Proposal Description**

Section 73 of the Town and Country Planning Act 1990 allows an application to be made for permission to develop without complying with a condition previously imposed on a planning permission. A Section 73 application can either seek the removal of a previously imposed condition or it may seek to vary the wording a condition previously imposed. In this case, the application proposes to vary Condition 2 attached to planning permission reference 20/00599/FUL (Development of 2 dwellings). Condition 2 lists the plans which were granted under permission 20/00599/FUL which includes floorplans and elevations for the two dwellings approved (Plots A and B). If successful, relevant plans approved under application 20/00599/FUL would be substituted by plans submitted by the applicant under this application.

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Since acquiring the site, the current developer seeks to make changes to the appearance of the development and has submitted amended floorplans and elevations together with a site layout plan to reflect those changes.

The changes are principally those set out in the description of the development above and include:

- \*The removal of the previously approved 'herringbone' panels to be applied to the plots
- \*The partial removal of timber cladding elements
- \*The conversion of the garage serving Plot A to an office / study
- \*The removal of the 'finials' shown to the ridge line of Plot A
- \* The change from car-port/store to garage serving Plot B and the setting back of this element further into the site. Increased width to garage proposed.
- \*The removal of the two 'false' first floor pitched roofed dormers serving the front elevation of Plot B
- \*The introduction of traditional eaves and verge detailing to both plots
- \*The use of an English garden wall bond variation to the brick walls on both plots

Development has commenced on site and with respect to the garage serving Plot B, whilst not complete, this has been partially constructed in accordance with plans submitted as part of this application. These plans show that, (aside from being set-back) the proposed garage would be 6.1m in width. The car-port / store as approved under reference 20/00599/FUL was 4.94m in width.

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

Policy 1: Presumption in Favour of Sustainable Development

Policy 9: Open Countryside

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

**Others**

NPPF National Planning Policy Framework (2021)

High Quality Design SPD

**Relevant Planning History**

22/00756/FUL	Proposed garage to Plot A following the grant of permission under ref 20/00599/FUL (erection of 2 dwellings)	Withdrawn	14.07.2022
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20/00599/FUL	Development of 2 No. Dwellings	Granted	29.04.2021
19/01588/FUL	Development of 1 No. Dwelling	Refused (Dismissed at Appeal 02.10.2020)	12.03.2020
19/00716/FUL	Development of 2 No. Dwellings	Refused (Dismissed at Appeal 02.10.2020)	30.08.2019

**Consultations****Feckenham Parish Council**

Comments summarised as follows:

Feckenham Parish Council objected strongly to the application for two dwellings on this land. At the last appeal, the Inspector stated that, whilst he dismissed the appeal, he felt that two properties may be possible "subject to design."

Design is considered to include the whole concept of a proposal not just the elevational treatment.

Neither the approved design nor the proposed design is considered to reflect the character of the village, and we therefore object to the application.

We would draw your attention to the fact that the development as constructed does not comply with the approved documents. In particular, a tree to the rear of Unit B has been removed without consent and Unit B is significantly wider than that approved reducing what we consider to be an important gap between the two dwellings which allows views through the site.

Foundation / sub structure work is being undertaken to the rear of Plot B in advance of possible rear extensions. Permitted development rights for extensions do not apply until the property is complete and occupied. Such extensions must comply with allowed dimensions. If carried out, in advance of occupation then they would require a formal amended consent.

**RBC Conservation Officer**

Comments summarised as follows:

The applicant is now proposing to construct a garage rather than a car port on Plot B. The position of the garage would be amended, setting it back marginally behind the front elevation of the dwelling. It would also be wider than the approved carport.

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The proposed garage to Plot A has been removed from the scheme and the space converted to a study / office.

The herringbone detail brick work has been removed from the scheme, and the brick bond to be used is a variation of English Garden wall. A dentil detail has been agreed for the eaves and an oversailing verge with a projecting continuous header brick detail.

It is not considered that replacing the approved car port with a garage and setting it back will impact on the character and appearance of the Conservation Area, or the setting of neighbouring listed buildings. It is noted that the proposed garage will be a metre wider than the approved carport. Maintaining a clear gap between the two houses was an important element of the approved scheme, as it maintained views through the site. It is not considered that increasing the width of the garage by 1 metre will impact on these views.

It is not considered that the loss of the integral garage to Plot A and its replacement with a study will have an impact on the Conservation Area or the setting of nearby listed buildings.

It is considered that the proposed amendments to the detailing of the houses which include the removal of the 'false' dormer windows serving Plot B, which were shown on the approved scheme 20/00599/FUL will preserve the character and appearance of the Conservation Area.

There are therefore no conservation objections to the proposed amendments, and it is considered that the revised scheme complies with the requirements of the 1990 Act, the Borough of Redditch Local Plan No.4 and the NPPF.

### **Arboricultural Officer**

Comments summarised as follows:

In regard to the loss of trees that are shown for retention I believe that two trees have been lost, these being the trees labelled TE/48 and TE/55 on the approved plan. As these should have been retained, two suitable stature replacement trees will be required to be planted in mitigation.

I would suggest that 1 x Heavy Standard Grade 12-14cm stem girth *Carpinus Betulus Fastigiata Frans Fontaine* (upright Hornbeam) and 1 x Heavy Standard Grade 12-14 cm stem girth *Betula Pendula Obelisk* (upright Birch) are planted within the landscaped area to the front of Plot (B) between the drive and Northern boundary of the site. This size of tree will give an immediate level of structure to the landscaping and quickly mitigate against the loss of the previous trees.

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### **Public Consultation Response**

One letter objecting to the application has been received. The comments raised the following material planning considerations which are summarised below for reporting purposes. The representations can be viewed using the Council's Public access system by following the link below and searching the reference number 21/00817/S73.

<https://publicaccess.bromsgroveandredditch.gov.uk/online-applications/>

- The proposals do not respect the character and appearance of the Feckenham Conservation area. The Conservation Area Character Appraisal comments that an important component of the setting of the Feckenham Conservation Area is "Views from the street through the spaces between buildings into the open countryside". The proposals fail in this regard.
- Whilst objecting to earlier applications (including application 20/00599/FUL), the eventual consented design was the best and most sympathetic of this design proposals. The herringbone brickwork (which is to be removed) adds value to this development and it is noted that 22/00817/S73 proposes to alter this design, by removing this special brickwork pattern and adjusting the cladding to a very disappointingly utilitarian format.
- The location of the proposed garage (to Plot B) would be in direct view from the Droitwich Road and would be the first thing passers-by would see when walking through this pretty part of Feckenham Conservation Area. The garage would also block views towards the open countryside, which, as mentioned above, would have a small, but significantly negative impact on the Conservation Area. As such, we object to this planning application and request that it be refused.
- We note that the applicant has not included a Heritage Impact Report, as is usual in these circumstances, and would welcome the views of the Conservation Officer.

### **Planning History of the Site**

Two preceding applications relating to the site; one for two dwellings and another for a single dwelling were refused by the Local Planning Authority; the former on heritage grounds and trees, and the latter solely on heritage grounds. The subsequent combined appeal for these decisions was dismissed. The findings of that decision were considered to inform the assessment of application 20/00599/FUL which was granted permission on 29.04.2021.

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### **Assessment of Proposal**

In examining a Section 73 application it is only necessary to assess whether the proposed removal or variation of the Condition in question is acceptable in planning terms. Such an application does not present an opportunity to re-visit the acceptability of the principle of the development as planning permission has already been granted and in this case, construction is underway.

Concerns have been raised regarding the quality of information including supporting documents which have been submitted with this application. Documents submitted to accompany planning applications are required to be sufficiently detailed to assess the merits and impacts arising from that proposed development and proportionate having regard to the extent of the proposals. Amongst other documents, a detailed Heritage Statement was submitted to accompany application 20/00599/FUL.

The information submitted in support of the current application is considered to be acceptable having regard to the extent of the proposed changes and a second Heritage Statement has not been sought in this case.

The current owner of the site has argued that the use of herringbone panels to the dwellings (as approved under ref 20/00599/FUL) would be alien to the area and has also commented that there are practical difficulties associated with implementing the herringbone panel arrangement. Both the case officer and the Councils Conservation Officer have engaged positively and proactively with the applicant as per legislative requirements which have included meetings on site to discuss the merits of this application. In design terms, members will note that the Councils Conservation Officer believes that the variation to condition 2 which would result in what are considered to be relatively minor changes to the design of the development, would, cumulatively, respect the character of the Conservation Area. Whilst it is conceded that the partially constructed garage serving Plot B is wider than that approved, a significant gap between the two plots would remain if planning permission were to be granted. An application received to narrow the gap further between the plots (application 22/00756/FUL referred to within the planning history) was withdrawn by the applicant following concerns by the Council where officers considered that the (more significant) narrowing of the gap between the two houses would be harmful to the character of the Conservation Area.

Concerns have been raised regarding the extent of below ground development works to the rear of Plot B. The works which have been carried out here are not considered to harm the character and appearance of the Conservation Area. Permitted development rights afforded to householders under the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015: Schedule 2, Part 1, Classes A to E (the GPDO) have not been removed / restricted by means of a planning condition under permission 20/00599/FUL. Because the site is within a designated Conservation Area, the provisions of the GPDO are such that any future single storey extension to the side elevation of either dwelling or any two-storey extension to the rear of any dwelling would require a separate application for planning permission. However, single storey

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extensions, subject to compliance with other limitations set out under the GPDO would not require future planning permission. Whilst no above ground development works have taken place, recent site inspections have revealed that any extensions in the areas referred to in the representations received are likely to benefit from permitted development rights.

As stated by the Councils Tree Officer, two trees which were shown for retention on the approved plans and which were in relatively close proximity to the rear face of Plot B no longer exist. The Tree Officer has suggested that two heavy standard grade trees should be planted to the frontage in mitigation. Your officers are of the view that such planting is, long term, likely to provide significant enhancement to the site having regard to views of the site from Droitwich Road.

In conclusion, the proposed amendments are not considered to harm the character and visual amenities of the area. The proposals are considered to be policy compliant in the context of the relevant policies of the Borough of Redditch Local Plan No.4 as listed above, and as such are supported.

Under Section 73 applications, conditions attached to the original consent are carried across to the new Section 73 application where those conditions continue to have effect. The recommendation below together with conditions, where they are required to be amended, reflects this.

**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:

Site Location Plan dated 15 June 2022  
Plot A Proposed Front Elevation dated 17 June 2022  
Plot A Proposed Rear Elevation dated 17 June 2022  
Plot A Proposed GF Plan dated 17 June 2022  
Plot A Proposed First Floor Plan dated 18 June 2022  
Plot A Proposed Side Elevation 1 dated 17 June 2022  
Plot A Proposed Side Elevation 2 dated 18 June 2022  
Plot B Proposed First Floor Plan dated 17 June 2022  
Plot B Proposed Side Elevation 1 dated 17 June 2022  
Plot B Proposed Side Elevation 2 dated 17 June 2022  
Plot B Proposed Front and Rear Elevations dated 14 Oct 2022  
Plot B Proposed GF Plan dated 14 Oct 2022  
Site Layout Plan 1:200 dated 14 Oct 2022

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Proposed Eaves and Verge Details dated 14 Oct 2022

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

- 2) The development shall be carried out in accordance with the details agreed for use on walls and roofs

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

- 3) The development shall be carried out in accordance with agreed joinery details

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

- 4) Within two months of the date of this decision, a scheme for surface water drainage will be submitted to and approved in writing by the Local Planning Authority. 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.

- 5) The Development hereby approved shall not be occupied until the first 5 metres of the access into the development, measured from the edge of the carriageway, has been surfaced in a bound material.

Reason: In the interests of highway safety.

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

Reason: To encourage sustainable travel and healthy communities.

- 7) The Development hereby approved shall not be first occupied until the existing vehicular access fronting the gates is cleared of any overgrown vegetation. This area shall thereafter be maintained free of obstruction exceeding a height of 0.6m above the adjacent ground level at all times. Any overgrown vegetation that



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overhangs the existing wall fronting the verge / carriageway shall also be cut back and maintained in perpetuity.

Reason: To ensure vehicular visibility is not obstructed; in the interests of highway safety.

- 8) The Development hereby approved shall not be occupied parking and turning facilities have been provided as shown on the submitted site layout plan

Reason: To ensure conformity with submitted details.

- 9) The Development hereby permitted shall not be first occupied until sheltered, safe and secure and accessible cycle parking for two cycles has been provided for each dwelling, details of which shall first be submitted and approved in writing by the Local Planning Authority. Thereafter the approved cycle parking shall be kept available for the parking of bicycles only.

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

- 10) The Development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation discharged under Condition 11 attached to permission 20/00599/FUL and provision has been made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: In accordance with the requirements of Paragraph 199 of the National Planning Policy Framework.

- 11) The development hereby approved shall be carried out in accordance with the protection, mitigation and enhancement measures outlined within section 4.1-4.5 inclusive and appendix 3 of the report 'Predevelopment Tree Survey BS5837: 2012' submitted to accompany planning application 20/00599/FUL.

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

- 12) Prior to the first occupation of the development hereby approved, the hard and soft landscaping shall be implemented in accordance with details shown on the approved landscaping plan approved under application 20/00599/FUL. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes or species unless the local planning authority gives written approval to any variation

Reason: In the interests of visual amenity and biodiversity.

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- 13) In addition to the requirements of Condition 12, within two months of the date of this decision, full details specifying two heavy standard trees, to be planted to the frontage of Plot B shall be submitted and approved in writing by the Local Planning Authority. This planting shall be implemented in accordance with the approved details prior to the first occupation of the development. Any trees which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes or species unless the local planning authority gives written approval to any variation.

Reason: In the interests of visual amenity and biodiversity.

- 14) The two sets of first floor windows on 'Gable Elevation Plot A', as shown on drawing Plot A Proposed Side Elevation 2, shall be fitted with obscure glazing as shall remain as such for the lifetime of the development.

Reason: To protect the privacy of adjacent neighbouring occupiers to the east of the site.

**Informatives**

- 1) **Alteration of highway to provide new or amended vehicle crossover**  
This permission does not authorise the applicant to carry out works within the publicly maintained highway since such works can only be carried out by the County Council's Approved Contractor, Ringway Infrastructure Service who can be contacted by email [worcestershirevehicle.crossing@ringway.co.uk](mailto:worcestershirevehicle.crossing@ringway.co.uk). The applicant is solely responsible for all costs associated with construction of the access.

**No Drainage to Discharge to Highway**

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

- 2) The applicant should be aware they have a responsibility to keep the definitive line of the Public Right of Way FH 685 clear where it crosses their property and should adhere to the following obligations:
- No disturbance of, or change to, the surface of the path or part thereof should be carried out without our written consent.
  - No diminution in the width of the right of way available for use by the public.
  - Buildings materials must not be stored on the right of way.

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- Vehicle movements and parking to be arranged so as not to unreasonably interfere with the public's use of the right of way.
  
- No additional barriers are placed across the right of way. No stile, gate, fence or other structure should be created on, or across, a public right of way without written consent of the Highway Authority.
- The safety of the public using the right of way is to be ensured at all times.
- The developer should also be aware of the Department of Environment Circular 1/09 (part 7) which explains that the effect of development on a public right of way is a material consideration in the determination of applications for planning permission and that the grant of planning consent does not entitle developers to obstruct a public right of way.
- The applicant should note the National Planning Policy Framework published in July 2018 by the Ministry of Housing, Communities and Local Government, particularly paragraph 98, to ensure that planning policies protect and enhance public rights of way and access.
- The Definitive Map is a minimum record of public rights of way and does not preclude the possibility that unrecorded public rights may exist, nor that higher rights may exist than those shown.

### **Procedural matters**

This application is being reported to the Planning Committee because an objection has been received from a consultee which has not been resolved through the course of dealing with the application.

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**Planning Application 22/00952/FUL****Alterations to a four bed terraced house to create two flats.****16 Brinklow Close, Redditch, Worcestershire, B98 0HB.****Applicant: Mr Gary Waring**  
**Ward: Matchborough Ward****(see additional papers for site plan)**

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

**Site Description**

The application site is a 1970's two storey terraced property which lies within Brinklow Close and forms part of the residential area of Matchborough. Brinklow Close is a cul-de-sac which is accessed off Breaches Lane and lies within close proximity of Washford Industrial Estate to the south.

Brinklow Close is formed of uniform terraced properties laid out in a linear, planned arrangement. There is a high density of dwellings in the area and houses typically have short rear gardens and share communal parking areas. In the case of the host dwelling, there are nearby shared parking areas both to the north east and south east. The parking area to the north east also includes a row of flat roof garages, however none of these have been indicated to belong to the host dwelling. Number 16 Brinklow Close which is subject to this application is attached to numbers 15 and 17 Brinklow Close to the east and west respectively, and is also attached to number 18 to the north by a first floor clad link which has a walkway beneath. The rear garden area of the existing dwelling is to the rear and is enclosed by a 1.8 metre high timber fence with gated access.

**Proposal Description**

The property is currently a single four bedroom dwelling, however this application proposes alterations to subdivide the dwelling into a one bedroom flat at ground floor and a two bedroomed flat at first floor. Few alterations are required to convert the building to flats. Externally, a new front door accessed off the public footpath would be introduced, and internally, the stairs leading to the first floor would be enclosed. The separating floor between the two flats would have acoustic insulation to comply with Building Regulations. Access to the rear garden space for the first floor flat would be by the rear garden gate. The supporting statement submitted with the application sets out that the proposal has been designed in accordance with current Building Regulations, 'Secure by Design' principles and Code for Sustainable Homes.

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### **Relevant Policies :**

#### **Borough of Redditch Local Plan No. 4**

Policy 1: Presumption in Favour of Sustainable Development

Policy 2: Settlement Hierarchy

Policy 5: Effective and Efficient use of Land

Policy 20: Transport Requirements for New Development

Policy 39: Built Environment

Policy 40: High Quality Design and Safer Communities

#### **Others**

NPPF National Planning Policy Framework (2019)

NPPG National Planning Practice Guidance

Redditch High Quality Design SPD

### **Relevant Planning History**

No Relevant Planning History

### **Consultations**

#### **Highways Redditch**

No highways objections raised, however a condition for cycle parking provision has been recommended.

### **Public Consultation Response**

Nine neighbour letters were sent in relation to this application; however no representations from members of the public have been received.

#### **Cllr Juliet Brunner**

Requested that the application is considered at planning committee on the grounds of access and traffic, cumulative impact on community and damage to landscape and ecology.

### **Assessment of Proposal**

The site is shown as "white land" on the Borough of Redditch Local Plan Proposals Map, indicating that it lies within the main urban area of Redditch. Policy 2 of the Borough of Redditch Local Plan no. 4 (BORLP 4) states that Redditch urban area, as the main settlement shall be the focus for development as it provides the highest level of services and facilities and offers the most sustainable location. The principle of new residential development or in this case, the subdivision of one dwelling into two flats is therefore acceptable in this location subject to other considerations including character and appearance, residential amenity, highway safety and other technical matters.

Regard should also be had to nationally described space standards set out in the Department for Communities and Local Government's Technical Housing Standards. This document provides minimum internal floor space standards for dwellings of all types

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and tenures. A one bedroom flat should have a minimum floor area of 39 square metres and a two bed roomed flat should have a minimum floor area of 61 square metres. In the case of the current proposal, the one bedroom flat at ground floor would measure 49 square metres and would therefore exceed the described space standard. The proposed two bedroom flat would measure 56 square metres and would therefore be slightly under the required standard. Whilst regard is given to the technical housing standards, this document does not form part of the development plan as they have not been adopted as part of a policy in the local plan. In view of this, the standards are given reduced weight. Furthermore, all the necessary facilities for day-to-day living have been provided within the flats and the open plan layout creates a more spacious feel. Whilst the second bedroom within the proposed first floor flat is small, it would be suitable for a child. Unlike some flat developments, outdoor space is also available for the occupiers.

Having regard to the above considerations, the principle of development is supported by officers.

### **Character and Appearance**

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

The site is situated within a dense housing estate where the properties are uniform in their simple appearance with small windows, shallow pitched roofs and white cladded front porches. It is noted that the application site comprises a dwelling that is slightly larger than others due to its grey cladded first floor link which most of the other properties do not have. As the external alterations required to facilitate the subdivision are minor, and the design of the new proposed door would match that of the existing, the development would both make efficient use of land whilst also positively contributing to and complementing the local surroundings, in accordance with Policies 5, 39 and 40 of the BoRLP 4.

### **Residential Amenity**

Paragraph 127(f) of the NPPF states that planning decisions should seek a good standard of amenity for existing and future occupants of land and buildings. Furthermore, the Borough of Redditch High Quality Design SPD provides further guidance in relation to residential amenity, seeking to protect against adverse loss of light, outlook, privacy and overbearing impact.

Given that there would be no extensions to the building as part of the subdivision, there would be no negative impact through loss of light, outlook or overbearing impact. There would also be no additional windows inserted into the building, only the new front door and the windows that currently serve habitable rooms would continue to serve habitable rooms. In view of this there would be no material impact to privacy arising as a result of the proposed development.

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The amenity space would be shared between the occupiers of the two flats and would offer a garden of 8.2 metres in length and 60 square metres in area. The Borough of Redditch High Quality Design SPD (2019) specifies that two storey dwellings should have a garden length of 10.5 metres and an area of 70 sq metres, however the document states that a more flexible approach should be taken with communal amenity space for flats. The SPD also states that amenity space should be suitably sited and in scale with the plot, surroundings and reflect the existing local density. Whilst the shared garden area would be relatively small, it would reflect the local surroundings and building to plot densities. Given that both flats would benefit from access to outdoor space, and in view of the modest size of the new units and also the relatively close proximity of the site to a public area of open space, the proposed amenity space is considered acceptable.

Based on the above assessment, the proposal raises no concerns in relation to residential amenity.

### Highways

Whilst no private parking is available to serve the proposed flats, given the sustainable location of the site, Worcestershire County Council's Highway Officer has raised no objections to the proposal. As the site is located a short walk from facilities such as schools, a nursery, pharmacy, church, pub, shop and takeaways and is also close to bus stops, future occupiers would be able to carry out day to day living and get to places of work without the need of a car. It is also noted that the existing two storey dwelling has four bedrooms and the proposed flats would have a total of three bedrooms. The proposed flats would have access to nearby shared parking areas and given that the lack of private parking spaces is a pre-existing situation for the existing four bedrooomed dwelling, there is not a clear reason to refuse the development on highway grounds.

Given the nearby shared parking area and the sustainable location of the site, the proposal is considered to be compliant with Policy 19 of the Borough of Redditch Local Plan no. 4. The Highways Officer has, however, recommended that a condition for the provision of cycle parking facilities is provided is attached to any planning permission granted.

### Other Matters

Cllr Brunner the local ward member has raised concerns with the proposal and requested that the application was determined at planning committee. The issues that were raised related to:

1. Access and traffic.
2. Cumulative impact on community.
3. Damage to Landscape and Ecology.

Whilst parking and access have been assessed above, in terms of traffic, the proposal includes no extensions and the cumulative number of bedrooms of the two flats would be the less than the existing house. In view of this, it is not considered that the proposed development would result in a significant increase to traffic. Access and parking arrangements for the proposed development would not be changed from the existing



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arrangements. It is also noted that paragraph 111 of the NPPF states that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. It is not considered that this would be the case for this development.

Similarly to the above, it is not expected that the proposal would result in significantly more individuals and therefore impact to local services and the wider community would be very minor.

The proposal would not result in any extensions and few alterations to the existing building and therefore it is not considered that there would be an impact to the landscape. Given the urban location of the development and as it would involve the conversion of existing development rather than new development it is not considered that the proposal would have any harmful impacts to ecology. Whilst there would be some internal alterations to the building, there would not be any major roof works and having regard to the age and location of the host building, it is unlikely that the proposal would impact bats or nesting birds.

### **Conclusion**

The proposal would create an additional residential unit. As the units would be small, they would make a valuable contribution to Redditch's housing stock and would make efficient use of land, as supported by Policy 5 of the BoRLP 4. The proposal would not cause harm to the character and appearance of the area and external alterations would be relatively minor and would be in keeping with the local surroundings. In view of the minor changes to the exterior of the property and the location of new windows, there would be no detrimental impact to residential amenity of neighbours and in view of the provision of outdoor space shared between the two flats, it would provide a good standard of amenity for the future occupiers. Whilst no private parking is provided for the new flats, this is a pre-existing situation and in view of the accessible location of the site to services and the ability to use shared parking areas, this does not raise any material concerns. No other objections have been received from technical consultees and no objections have been received from neighbouring residents. The local ward member has raised several concerns, these have been addressed above and it is not considered that these concerns individually or collectively warrant the refusal of this planning application. It is therefore considered that planning permission should be granted subject to conditions.

### **RECOMMENDATION:**

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

### **Conditions:**

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

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

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

Location Plan - Ordnance Survey - at scale 1:500

Proposed Floor Plans and Elevations - Job no. 22/27 drawing no. 02

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

- 3) The new door to be installed on the front elevation shall be white uPVC to match the existing front door on the building.

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

- 4) The Development hereby permitted shall not be first occupied until sheltered and secure cycle parking for one bicycle per flat had been provided on site. Thereafter the cycle parking shall be kept available for the parking of bicycles only.

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

### **Procedural Matters**

This application is being reported to the Planning Committee at the request of the local ward councillor.

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**Planning Application 22/00953/FUL****Alterations to three bed terraced house to create two flats.****37 Kinton Close, Matchborough West, Redditch, Worcestershire, B98 0EU.****Applicant: Mr Gary Waring**  
**Ward: Matchborough Ward****(see additional papers for site plan)**

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

**Site Description**

The application site is a 1970's two storey terraced property which lies off Kinton Close and forms part of the residential area of Matchborough. Kinton Close is a cul-de-sac development which is positioned just to the north west of The Kingfisher School and approximately 500 metres from the northern edge of Washford Industrial Estate. Ipsley Brook also runs in close proximity to the south of the site.

Kinton Close comprises uniform terraced properties laid out in a linear, planned arrangement. There is a high density of dwellings in the area and houses typically have short rear gardens and share communal parking areas. In the case of the host dwelling, there is a nearby shared parking area to the north. There are a number of flat roof garages directly to the north of the shared parking area, however none of these have been indicated to belong to the host dwelling. Number 37 Kinton Close which is subject to this application is a mid-terrace three bedroom property, similar in appearance to the other neighbouring properties. The front of the property does not face onto Kinton Road but instead fronts onto and is accessed via a footpath. The rear garden boundary of the property backs onto Ilmington Close and is enclosed by a 1.8 metre high timber fence with gated access.

**Proposal Description**

The property is currently a single three bedroom dwelling, however this application proposes alterations to subdivide the dwelling into a one bedroom flat at ground floor and a one bedroomed flat at first floor. There would be a few external alterations required to convert the building to flats. A new front door would be installed on the front of the property so that each flat would have its own entrance. A new first floor window would be inserted on the front elevation, which would serve a study in the upstairs flat. Finally, a new full height window would be inserted into the ground floor rear elevation, which would provide more light to the sitting room of the ground floor flat. This window would be in the position of a previous opening which has since been blocked up. Internally, the existing staircase will be enclosed to separate the new access from the ground floor. There would be some other internal reconfiguration of the bathroom and kitchen arrangements in

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association with the conversion. The separating floor between the two flats would have acoustic insulation to comply with Building Regulations. Access to the rear garden space for the first floor flat would be by the rear garden gate.

The supporting statement submitted with the application sets out that the proposal has been designed in accordance with current Building Regulations, 'Secure by Design' principles and Code for Sustainable Homes.

### **Relevant Policies :**

#### **Borough of Redditch Local Plan No. 4**

Policy 1: Presumption in Favour of Sustainable Development

Policy 2: Settlement Hierarchy

Policy 5: Effective and Efficient use of Land

Policy 20: Transport Requirements for New Development

Policy 39: Built Environment

Policy 40: High Quality Design and Safer Communities

#### **Others**

NPPF National Planning Policy Framework (2019)

NPPG National Planning Practice Guidance

Redditch High Quality Design SPD

### **Relevant Planning History**

No Relevant Planning History

### **Consultations**

#### **Highways Redditch**

No highways objections raised, however a condition for cycle parking provision has been recommended.

### **Public Consultation Response**

11 neighbour letters were sent in relation to this application; however no representations from members of the public have been received.

#### **Cllr Juliet Brunner**

Requested that the application is considered at planning committee on the grounds of access and traffic, cumulative impact on community and damage to landscape and ecology.

### **Assessment of Proposal**

The site is shown as "white land" on the Borough of Redditch Local Plan Proposals Map, indicating that it lies within the main urban area of Redditch. Policy 2 of the Borough of Redditch Local Plan no. 4 (BORLP 4) states that Redditch urban area, as the main settlement shall be the focus for development as it provides the highest level of services and facilities and offers the most sustainable location. The principle of new residential

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development or in this case, the subdivision of one dwelling into two flats is therefore acceptable within this location subject to other considerations including character and appearance, residential amenity, highway safety and other technical matters.

Regard should also be had to nationally described space standards set out in the Department for Communities and Local Government's Technical Housing Standards. This document provides minimum internal floor space standards for dwellings of all types and tenures. A one bedroom flat should have a minimum floor area of 39 square metres and a two bed roomed flat should have a minimum floor area of 61 square metres.

The proposed one bedroom flat at ground floor would measure 50 square metres and would therefore exceed the described space standard. Originally the flat at first floor contained two bedrooms, however as the floor area of this flat would only measure 46 square metres, it would have been significantly under the suggested floor area standard for a two bedroom flat. The scheme was therefore amended during the application process so that the first floor flat would only include one bedroom. Following this, it is considered that the proposed flats have sufficient indoor and outdoor space to allow a good standard of living for future occupiers.

Having regard to the above considerations, the principle of development is supported by officers.

### **Character and Appearance**

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

The site is situated within a dense housing development where the properties are uniform in appearance comprising brick built terraces with shallow pitched roofs and white cladded front porches. The properties in this run of terraces generally have smaller windows on the front elevation and larger windows on the rear. The new first floor on the front of the dwelling would be slightly larger than the others, however would not cause any detrimental harm to appearance of the dwelling. The new front door and ground floor rear window would be in keeping with the existing dwelling, and a planning condition could ensure that the colour and materials of the new windows and door match those of the existing.

In view of the above it is considered that the proposed development would both make efficient use of land whilst also positively contributing to and complementing the local surroundings, in accordance with Policies 5, 39 and 40 of the BoRLP 4.

### **Residential Amenity**

Paragraph 127(f) of the NPPF states that planning decisions should seek a good standard of amenity for existing and future occupants of land and buildings. Furthermore,

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the Borough of Redditch High Quality Design SPD provides further guidance in relation to residential amenity, seeking to protect against adverse loss of light, outlook, privacy and overbearing impact.

Given that there would be no extensions to the building to support the subdivision, there would be no negative impact through loss of light, outlook or overbearing impact. The first floor window to be inserted on the front of the house would face towards the rear garden area of number 34 Kinton Close, however this would only be the rear portion of this garden, and the majority of the garden area would not be directly overlooked. The ground floor window to be inserted on the rear would face towards the rear fence line and would not result in any overlooking. In view of this there would be no intrusion of privacy arising to neighbouring properties as a result of the proposed development.

The amenity space would be shared between the dwellings and would offer a garden of approximately 10 metres in length and an area of 84 square metres. The Borough of Redditch High Quality Design SPD (2019) specifies that two storey dwellings should have a garden length of 10.5 metres and an area of 70 sq metres, however the document states that a more flexible approach is taken with communal amenity space for flats. The SPD also states that amenity space should be suitably sited and in scale with the plot, surroundings and reflect the existing local density. The provision of amenity space offered is considered adequate to share between the two flats, the garden area would also be in scale with the local surroundings and building to plot densities. Given that both flats would benefit from access to outdoor space, and in view of the modest size of the new units and also the relatively close proximity of the site to a public area of open space, the proposed amenity space is considered acceptable.

Based on the above assessment, the proposal raises no concerns in relation to residential amenity.

### **Highways**

Whilst no private parking is available to serve the proposed flats, given the sustainable location of the site, Worcestershire County Council's Highway Officer has raised no objections to the proposal. As the site is located a short walk from facilities such as schools, a nursery, pharmacy, church, pub, shop and takeaways and is also close to bus stops, future occupiers would be able to carry out day to day living and get to places of work without the use of a car. The Highways Officer has also noted that the existing two storey dwelling has three bedrooms and the number of bedrooms in the proposed flats would not exceed this; in fact, following amendments, total bedroom numbers in the two proposed flats would be less. The proposed flats would have access to nearby shared parking areas and given that the lack of private parking spaces is a pre-existing situation for the existing three bedroom dwelling, there is not a clear reason to refuse the development on highway grounds.

Given the nearby shared parking area and the sustainable location of the site, the proposal is considered to be compliant with Policy 19 of the Borough of Redditch Local Plan no. 4. The Highways Officer has, however, recommended that a condition for the

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provision of cycle parking facilities is provided is attached to any planning permission granted.

### **Other Matters**

Cllr Brunner the local ward member has raised concerns with the proposal and requested that the application was determined at planning committee. The issues that were raised related to:

1. Access and traffic.
2. Cumulative impact on community.
3. Damage to Landscape and Ecology.

Whilst parking and access have been assessed above, in terms of traffic, the proposal includes no extensions and the cumulative number of bedrooms of the two flats would be less than the existing house. In view of this, it is not considered that the proposed development would result in a significant increase to traffic. Access and parking arrangements for the proposed development would not be changed from the existing arrangements. It is also noted that paragraph 111 of the NPPF states that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. It is not considered that this would be the case for this development.

Similarly to the above, it is not expected that the proposal would result in significantly more individuals and therefore impact to local services and the wider community would be very minor.

The proposal would not result in any extensions and few alterations to the existing building and therefore it is not considered that there would be an impact to the landscape. Given the urban location of the development and as it would involve the conversion of existing development rather than new development it is not considered that the proposal would have any harmful impacts to ecology. Whilst there would be some internal alterations to the building, there would not be any major roof works and having regard to the age and location of the host building, it is unlikely that the proposal would impact bats or nesting birds.

### **Conclusion**

The proposal would create an additional residential unit. As the units would be small, they would make a valuable contribution to Redditch's housing stock and would make efficient use of land, as supported by Policy 5 of the BoRLP 4. The proposal would not cause harm to the character and appearance of the area and external alterations would be relatively minor and would be in keeping with the local surroundings. In view of the minor alterations to the exterior of the property and the location of new windows, there would be no detrimental impact to residential amenity of neighbours and in view of the provision of outdoor space shared between the two flats, it would provide a good standard of amenity for the future occupiers. Whilst no private parking is provided for the new flats, this is a pre-existing situation and in view of the accessible location of the site to services and the ability to use shared parking areas, this does not raise any material concerns. No other technical concerns have been raised and no objections have been received from

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neighbouring residents. Whilst the local ward member has raised several concerns, these have been addressed above and it is considered that the concerns do not individually or collectively warrant the refusal of this planning application. It is therefore considered that planning permission should be granted subject to conditions.

### **RECOMMENDATION:**

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

### **Conditions:**

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

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

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

Location Plan - Ordnance Survey - at scale 1:500  
Proposed Floor Plans and Elevations - Job no. 22/27 drawing no. 02 Rev A

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

- 3) The new door to be installed on the front elevation shall be white uPVC to match the existing front door on the building.

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

- 4) The Development hereby permitted shall not be first occupied until sheltered and secure cycle parking for one bicycle per flat had been provided on site. Thereafter the cycle parking shall be kept available for the parking of bicycles only.

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

### **Procedural Matters**

This application is being reported to the Planning Committee at the request of the local ward councillor.



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**Planning Application 22/01202/FUL**

**Proposed dormer and addition of flat roof to existing side extension.**

**27 Michaelwood Close, Redditch, Worcestershire, B97 5YB,**

**Applicant: Mr & Mrs L Gregory**  
**Ward: West Ward**

**(see additional papers for site plan)**

The case officer of this application is Tara Ussher, Planning Officer (DM), who can be contacted on Tel: 01527 64252 Ext. 3220 Email: tara.Ussher@Bromsgroveandredditch.gov.uk for more information.

### **Site Description**

Michaelwood Close consists of mainly 2 storey semi-detached dwellings arranged in a traditional manner. The application site however is one of a small group of 12 properties with a more modest first floor and a bungalow type appearance. These dwellings are arranged in three blocks of 4 units, half of which face south on to a cul-de-sac whilst the other half face north onto a different cul-de-sac. The application site faces north, the front and side of the dwelling is set behind a fence and a well-established hedge. In common with the adjoining properties the host dwelling is brick construction at ground floor with render at first floor.

### **Proposal Description**

The proposal involves removing the existing shallow pitched roof of the existing side extension, raising this roof by 1.1m and installing a flat roof over. Other works include the removal of the existing porch and creation of a log store area to the front elevation.

In addition, it is proposed to add a dormer to the front elevation to accommodate an en-suite and dressing area to the existing bedroom. The dormer will be set down from the ridge of the roof and set in from the side with a flat roof. The proposed development includes materials, finishes and render to match the existing dwelling.

### **Relevant Policies:**

#### **Borough of Redditch Local Plan No. 4**

Policy 1: Presumption in Favour of Sustainable Development

Policy 39: Built Environment

Policy 40: High Quality Design and Safer Communities

#### **Others**

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National Design Guide  
NPPF National Planning Policy Framework (2021)  
NPPG National Planning Practice Guidance  
Redditch High Quality Design SPD

### Relevant Planning History

None

### Consultations

5 neighbour letters were sent on the 9<sup>th</sup> September 2022 and expired 3<sup>rd</sup> October 2022.

No neighbour representations have been received as a result of this publicity.

### Assessment of Proposal

The site is located within a residential area where it is considered that the principle of residential development is acceptable, subject to Policy 39 and Policy 40 of the Borough of Redditch Local Plan, the provisions of the NPPF and guidance set out in the Borough of Redditch High Quality Design SPD.

The proposal is considered acceptable as the design, scale and appearance of the works are sympathetic to the host dwelling. The increase in roof height of the side extension will not make this structure overly prominent in the street scene as it is set against the dwelling and is partially screened. The works will also see the removal of the existing porch and associated rationalisation of the front elevation thus creating a simpler appearance. The finish will be render which reflects materials elsewhere on the dwelling. With respect to the proposed dormer, whilst not a common feature in the area, the orientation of the dwelling reduces its impact on the street scene overall. The scale of the dormer is limited and its positioning within the roof slope is appropriate.

The proposals would not result in any adverse harm to the amenities enjoyed by the occupiers of the nearby dwellings with regards to loss of light, outlook or privacy.

Overall the proposal is considered to comply with Policies 39 and 40 of the Borough of Redditch Local Plan, the High-Quality Design SPD as set out by the above, the NPPF 2021 and other material considerations. No representations have been made in respect to the proposal.

### **RECOMMENDATION:**

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

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- 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:

Existing Floor Plans - Scale 1:50

Proposed Floor Plans - Scale 1:50

Existing & Proposed Elevations & Site Location Plan - Scale 1:100, 1:500 & 1:1250

Materials as specified on the application form

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

### 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.

### **Procedural matters**

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

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REDDITCH BOROUGH COUNCIL**PLANNING  
COMMITTEE****Planning Application 22/01284/FUL****Change of use from shop and cafe/ Restaurant (Class E) to a cafe (Class E) and bar (sui generis) with outdoor seating area****2A Light House Works, Feckenham Road, Astwood Bank, Worcestershire, B96 6BT,****Applicant: Mr Shaun Street  
Ward: Astwood Bank And Feckenham 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](mailto:claire.gilbert@bromsgroveandredditch.gov.uk) for more information.

**Site Description**

Light House Works is located on the corner of Queen Street and Feckenham Road in the village settlement of Astwood Bank. The main entrance to the unit is from Queen Street, which is where the outdoor seating area has been located. 2a Light House Works forms part of the wider former Spring Factory which is a Locally Listed Building. The Local List states that the building is an attractive industrial building of considerable architectural merit, which is relatively unaltered.

In 2018 planning permission was granted under planning application reference: 17/01255/FUL to convert part of the ground floor of this unit to a cafe/ restaurant use and the first floor to a shop to be used for the sale of antiques. A condition was attached to this permission to restrict the opening hours and the cafe/ restaurant use to the ground floor only.

**Proposal Description**

The application is retrospective and is for the change of use of part of light House works from a shop and cafe/ restaurant to a cafe and bar with outdoor seating area. The floor space of the unit is approximately 195sqm, with the majority of the floor space being located at first floor level. The works to change the use of the building began in May 2022.

The opening hours proposed as part of this application are:

Use	Opening Hours		
	Monday- Friday	Saturday	Sunday and Bank Holidays)
<b>cafe</b>	8am- 5pm	8am- 5pm	8am- 5pm
<b>Bar</b>	11am- 11pm	11am- 11pm	12am- 10.30pm

A licence has been issued for this site, which authorises the use of the premises for the sale of alcohol for consumption both on and off the premises between 11am and 11pm

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every day of the week (with extensions permitted on Christmas Eve, Christmas Day, New Year's Eve and New Year's Day to 00:30).

Supporting information submitted as part of this application sets out that the intention is for the bar to be open three days a week (Thursday- Saturday) and notes that the Permission has been sought for the additional days to cover special events.

Information provided with the application sets out that the indoor seating capacity of the premises is approximately 100- 120 people, with the outside area being approximately 20-30 people.

The proposal does also include the installation of 3 flues within the roof space of the existing building to serve wood burners that have been installed in the building. It is noted that the existing ventilation flue used in the kitchen was given permission under the 2018 permission.

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

Policy 1: Presumption in Favour of Sustainable Development

Policy 2: Settlement Hierarchy

Policy 19: Sustainable travel and Accessibility

Policy 20: Transport Requirements for New Development

Policy 27: Rural Economic Development

Policy 30: Town Centre and Retail Hierarchy

Policy 36: Historic Environment

Policy 37: Historic Buildings and Structures

Policy 39: Built Environment

Policy 40: High Quality Design and Safer Communities

Policy 43: Leisure, Tourism and Abbey Stadium

**Others**

Redditch High Quality Design SPD

National Design Guide

NPPF National Planning Policy Framework (2021)

NPPF National Planning Policy Framework (2021)

Noise Policy Statement for England March 2010 (NPSE)

**Relevant Planning History**

17/01255/FUL	Change of use of part of building from an Industrial use to a Shop (Class A1) and Cafe/ Restaurant (Class A3) (Part Retrospective) and the installation of a ventilation flue in roof	Granted	16.02.2018
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### **Consultations**

#### **Conservation Officer**

Comments received 26/10/2022:

The plans provided aren't very legible, however having met with the applicant in August I am familiar with the works carried out which, from a heritage perspective, we have no objection to. The building is locally listed; however, we have no control over internal works, and the works are only internal.

I hope this is of assistance, please let me know if you require anything further.

Further comments received 16/11/2022:

The flues are small and low impact; there may be some limited views of the roof from high level windows, but this is a former industrial building so some industrial appendages, such as flues, are not out of character and therefore not considered to be harmful.

I see no issue with the external tables, they are not attached to the building and do not impact upon its setting in a negative manner.

#### **Highways Redditch**

No highway objections to the proposed Change of use from shop and cafe/ Restaurant (Class E) to a cafe (Class E) and bar (sui generis) with outdoor seating area. The applicant has provided a redline plan confirming the ownership and also a green strip on the same plan confirming the location of the outside seating area which is deemed to be in the applicant's ownership.

Applicant to note highways no objection is only on the basis that the outside seating area does not extend beyond the applicant boundary at any time - in the interests of highway safety.

#### **Redditch Strategic Planning and Conservation**

No Comments Received to Date

#### **WRS - Noise**

Noise/ Nuisance: No objection to the application in terms of any noise / nuisance issues.

#### **WRS- Licensing (Food and Drink)**

No Comments Received to Date

### **Public Consultation Response**

Public Consultation

62 Neighbour Notification letters sent 20/10/2022 expired 13/11/2022

Site Notice posted 20/10/2022 expired 13/11/2022

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7 representations have been received, 3 objections, 3 in support and 1 representation.

The objections have raised the following matters:

Overlooking and loss of privacy from outdoor seating area and first floor

Closing road preventing access to houses

Parking and traffic impact

Odour from wood burners

Noise and disturbance

Small village and already have these uses

The supporters have raised the following matters:

provision of community facility

Employment opportunities

The local owners have spent a considerable amount of money transforming this beautiful, almost derelict historical building into a thriving local business

These premises were built in the early 1800's with an extensive array of two storey windows well before any domestic homes were built adjacent to it. To move into an adjacent home and expect there to be no window overlook is simply not realistic.

Due to the parking restrictions on Feckenham road adjacent to this business it has always been busy.

Adequate local parking.

Delivery/Service vehicles to this site have been frequenting it well before this business was opened along with other businesses in area.

The representation has raised the following matters:

Noise and Disturbance, and added noise proposed opening times would bring especially in summer months when people sitting outside.

People seem to have welcomed this enterprise as being an asset to village life.

### **Assessment of Proposal**

Policy 2 of the Borough of Redditch Local Plan No. 4 sets out that Astwood Bank features second in the Boroughs settlement hierarchy, directly following the urban area of Redditch. This Policy sets out that Astwood Bank is a sustainable rural settlement and that development within the settlement boundary will be the focus for identified development needs and supporting local services and infrastructure.

The Accessibility Study and Settlement Hierarchy for Redditch Borough (October 2008) defines the settlement hierarchy and considers the sustainability of the settlements in Redditch. This study concludes that Astwood Bank is a sustainable settlement, and it can be argued that further development (although not necessarily significant growth) within this settlement will help meet the needs of local residents.

The study shows that uses including cafes, restaurants and public houses are already present in Astwood Bank and therefore it is considered that the addition of these uses within the village would not harm the sustainability of the settlement or alter its role in the settlement hierarchy. There is a District Centre located within the village of Astwood



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Bank, which is mainly situated along Evesham Road. The application site is situated outside of the Astwood Bank District Centre.

Policy 30 of the Borough of Redditch Local Plan No. 4 sets out that the Borough Council will use planning policies to maintain and, where necessary and appropriate, improve the shopping function and environment of the town and district centres. Therefore, preferably to protect the vitality of the district centres, uses such as the proposed should be located within the district centre. However, in this case given the limited size of the proposal, that it is within the boundary of the settlement, and that the building does already have permission to be used as a retail shop (at first floor) and cafe/ restaurant (at ground floor), it is not considered that in this case the proposed change of use would harm the role and function of the District Centre in Astwood Bank.

Paragraph 81 of the NPPF sets out that planning decisions should help create the conditions in which businesses can invest, expand, and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. Paragraph 84 of the NPPF sets out that planning decisions should enable: a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings.

Policy 27 of the Redditch Local Plan sets out that in line with the NPPF, there is a need for a positive approach to sustainable new development in rural areas. Given that rural areas accounts for approximately 50% of the Borough, rural economic development plays an important role in the Boroughs economy and assists in achieving the Borough Councils vision of creating a Borough where businesses can thrive. In line with this, the policy sets out that Sustainable rural economic development, will be promoted especially any proposals which deliver economic, social, and environmental benefits for local communities.

Policy 43 of the Redditch Local Plan sets out that Leisure, tourism, and cultural proposals, will be promoted and supported where they are located in places that are sustainable and accessible, can be accommodated without detriment to the local economy and environment, and benefit the economy of the Borough and enhance community facilities.

### **Amenity**

Although situated outside of the district centre the site is situated in an area of Astwood bank that contains a mixture of uses which are mainly daytime uses, including: industrial; residential; vehicular garage; shop; professional services including a doctor surgery; and, a children's nursery.

The planning permission granted at this site in 2018 under application reference: 17/01255/FUL did allow for part of the unit to be used as a restaurant and cafe. This use was limited to the ground floor area of the building only and the opening hours were

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restricted to 10pm Monday to Saturday and 4pm on a Sunday. The outdoor seating area did not form part of this application.

The proposal is to now use the whole of the unit which could accommodate up to approximately 120 people along with an outdoor seating area which could accommodate up to 30 people. The opening hours proposed are until 5pm for the cafe use and 11pm for the bar on Monday to Saturday and 10.30pm on Sundays and bank holidays. It is noted that the main entrance and egress from the unit is on to Queen Street, where the outdoor seating area is located.

No residential dwellings directly adjoin the premises, but there are residential dwellings within close proximity of the site. The nearest are the retirement apartments of Eastwood Court which are situated less than 10 metres to the east of the site and the outdoor seating area and the main entrance. Eastwood Court has an external amenity area situated to the north of that building, which borders Queen Street and Feckenham Road. Residential dwellings are also situated to the north of the site on the opposite side of Feckenham Road, these properties are situated within 10 metres from the northern elevation of the building. There are also residential dwellings to the south of the site, on Queen Street and High Street. These are situated approximately 20 metres from the Southern elevation of the unit, where windows are present at first floor level.

Representations have been received in relation to the noise and disturbance impact of the development and loss of privacy from overlooking.

The NPPF advises that planning decisions should ensure that decisions take account of the likely effects on living conditions (para 185) and should mitigate and reduce the potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and quality of life.

In this case it is noted that Worcestershire Regulatory Services have not raised any objection to the proposal in relation to noise or disturbance and that a license has been issued. However, due to the proximity of the building and the outdoor seating area to neighbouring residents, it is considered that the proposed use of the unit would give rise an unacceptable noise and disturbance to neighbouring residents, which would be detrimental to their existing amenities. It is not clear how the noise and disturbance from patrons using the premises could be avoided, given the proximity of the building, the egress to and from the building and the proposed seating area to neighbouring residents.

Eastwood Court has two windows that directly face the eastern elevation of Lighthouse works. It is not clear what rooms these windows serve; however, they do appear to be clear glazed windows. These windows would be within 10 metres of the eastern elevation of lighthouse works which contains several windows which serve the ground and first floor of the proposed bar and cafe.

The residential dwellings which are situated directly opposite the northern elevation of Light House works on the Feckenham Road have cleared glazed windows which are

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believed to serve habitable rooms. These windows would be within 10 metres of the first floor windows that are situated in the northern elevation of Lighthouse works and serve the seating area of the cafe and bar.

It is noted that the windows serving lighthouse works are not new, they appear to be original to the building. However, it is considered that the proposed cafe and bar use of the building would change the nature of the use of the building and lead to an intensified use of the first floor of the building by members of the public. It is therefore considered that the proposal does give rise to overlooking and loss of privacy concerns.

To alleviate some of the overlooking concerns, the applicant has added an obscure film to some of the glass panels on two of the windows on the northern elevation which directly face No. 14 and 16 Feckenham Road. It is considered that this treatment has alleviated some of the overlooking and privacy concerns, however if permission were to be granted it is considered that a condition should be appended to seek for an appropriate obscure glazing treatment scheme to be submitted for approval in relation to the windows on both the northern and eastern elevations of the building.

**Highways**

Objections have been received in relation to traffic and parking issues of the proposal. It is however noted that Worcestershire highways have raised no objection to the proposal. They have however noted that their lack of objection is only on the basis that the outside seating area does not extend beyond the application boundary at any time - in the interests of highway safety. Although this matter was raised in a representation, the seating area proposed as part of this application does not extend across the width of the road. As such this does not form part of the proposal or the assessment of this application.

It is noted that there are public car parks within Astwood bank, along with on street parking areas in the vicinity of the site. There are also bus routes serving Astwood Bank.

**Heritage**

Light house works is a locally listed building, as such the Councils Conservation officers were consulted on the application. They have raised no objection to the proposal.

They note that the proposed flues been installed in connection to the wood burners in the building are small and low impact. They note that there may be some limited views of them on the roof from high level windows but given the buildings former industrial status these are not considered to be out of character or harmful.

They also note that they have no objection to the proposed external tables, which they have set out would not impact upon the setting of the building in a negative manner.

It is also noted that Paragraph 208 of the NPPF sets out that Local planning authorities should assess whether the benefits of a proposal for enabling development, which would

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otherwise conflict with planning policies, but would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.

### **Planning Balance**

This is an accessible site, within the sustainable rural settlement of Astwood bank. There are bus routes serving Astwood bank and parking is available within the village.

The application represents an effective use of the site, which provides a community and social facility for this rural settlement, and it is noted that the economic benefits weigh significantly in favour of the development.

The development would also provide a continued use for this locally listed building, which would help to secure the future conservation of it.

However, by virtue of the night-time nature of the proposed use and its proximity to the neighbouring residents, it is considered that the proposal would result in an unacceptable noise and disturbance to the neighbouring residents which would be detrimental to their existing amenities. It is not clear how the noise and disturbance from patrons using the premises could be avoided.

It is also considered that there would be a level of overlooking and loss of privacy, although it is considered that this harm could be mitigated and reduced by way of a condition requiring the submission and approval of an appropriate obscure glazing treatment scheme.

On balance therefore, taking all matters into consideration, it is considered that the unacceptable noise and disturbance impact on the neighbouring residents in this location would not be outweighed by the economic, social and historic environment benefits of the proposal. Due to this it is considered that the proposal would not accord with the policies in the development plan and the NPPF. As such it is recommended that permission be refused.

### **RECOMMENDATION:**

**That having regard to the development plan and to all other material considerations, planning permission be REFUSED.**

### **Reason for Refusal**

1. By virtue of the size, capacity and night-time nature of the proposed development and its proximity to the neighbouring residents, it is considered that the proposal would result in an incompatible mixed use in this location which would give rise to unacceptable noise and disturbance to the neighbouring residents. This would be detrimental to their existing amenities and living conditions particularly as a result of the proximity of the access/egress and outdoor seating area on Queen Street. It is not clear how the noise and disturbance from patrons using the premises could be avoided. The proposal is therefore considered to be contrary to Policy 1 and Policy 39 of the Borough of Redditch Local Plan and the NPPF.

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### **Procedural matters**

This application is reported to Planning Committee for determination because the application falls outside the scheme of delegation to Officers.

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**Planning Application 22/01325/FUL****New public entrance at ground floor level and localised landscaping works.****Town Hall, Walter Stranz Square, Redditch, Worcestershire, B98 8AH,****Applicant: Mr Mike Taylor, Herefordshire and Worcestershire Health  
and Care NHS Trust****Ward: Abbey Ward****(see additional papers for site plan)**

The case officer of this application is Sharron Williams, Planning Officer (DM), who can be contacted on Tel: 01527 534061 Ext 3372 Email: sharron.williams@bromsgroveandredditch.gov.uk for more information.

**Site Description**

Redditch Town Hall is situated within the designated Town Centre zone defined in the Borough of Redditch Local Plan No.4 (LP4). The proposal would be located within the designated Civic Open Space in the Town Centre as defined in LP4.

**Proposal Description**

A new entrance is proposed at the South-West corner of Walter Stranz Square. The entrance would include the construction of a draught lobby with a cantilever end to provide shelter from the elements. The new entrance would have a glazed frontage and grey cladding for the exterior. An orange/rust colour cladding would be used for the interior to complement the red brick exterior of the Town Hall.

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

Policy 1: Presumption in Favour of Sustainable Development

Policy 13: Primarily Open Space

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**

NPPF National Planning Policy Framework (2021)

NPPG National Planning Practice Guidance

Redditch High Quality Design SPD

**Relevant Planning History**

1979/137/OUT Construction Of Civic Offices &  
Commercial Offices

17.05.1979

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1979/588/FUL	Construction Of Civic Offices & Commercial Offices	29.01.1980
2013/130/RC3	Public art piece to celebrate the Redditch Springs and Wireform Industry on grassed area next to town hall	26.09.2013
21/01619/FUL	Proposed installation of air source heat pump and associated equipment including external buffer vessel	21.01.2022

**Consultations****Highways Redditch**

No highway objections to the proposed public entrance at ground floor level but recommend that 10 cycle parking spaces be provided on site for the additional staff / visitors.

**Worcestershire Archive and Archaeological Service**

No objection to the proposed development.

**North Worcestershire Water Management**

No objection.

**WRS - Contaminated Land**

Do not anticipate a ground contamination issue with this proposal.

**Tree Officer**

It is noted that one of the Silver Birch trees could be retained. However, the existing trees are juvenile in age and are a relatively short lived species of tree. Any disruption of the rooting zone would inevitably have a detrimental impact on the health of the tree. As such, no objection to their removal and recommend three Hornbeam species as replacements.

**Public Consultation Response**

Site Notice posted 18.10.2022 expired 11.11.2022

Neighbour consultation letters sent out on 26.10.22 expired 19.11.22

To date no comments have been received.

**Assessment of Proposal**

Members will be aware that there are proposals to transform Redditch Town Hall into a new community hub which may, subject to further consultation, include Redditch Library amongst other services. This proposal is the start of some of the changes required to transform the Town Hall into that community hub.



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The NHS will be occupying the west wing of the Town Hall and use the accommodation as a clinical therapy/counselling space on the ground floor, with general office accommodation/meeting space on the first floor. The clinical therapy/counselling accommodation is made up from Herefordshire and Worcestershire Health and Care NHS Trust's CAMHS (child and adolescent mental health service), and Healthy Mind Redditch services, currently based at Smallwood House. Given how the floor space is proposed to be used, it is considered that the new facilities would fall within the same use class as the Town Hall (Class E) (Commercial Business and Service use).

A separate entrance/lobby is required to serve this facility within the Town Hall building. A new public entrance at ground floor level will be used by visitors and NHS. This separate entrance will enable NHS staff to receive and welcome visitors and direct them to the appropriate waiting area. The provision of a separate entrance would minimise disruption to the Council's day to day operations.

Existing hard and soft landscaping in this location will be altered due to the construction of the new entrance. Three young Silver Birch trees will need to be removed. However, three replacement trees are proposed to be planted as part of the overall works. The Tree Officer has no objection to the removal of the Silver Birch trees and recommends that they be replaced with Hornbeam. This species grows in a column shape making it ideal in this location. They are also a long lived species with low maintenance issues.

The three black metal benches that exist on site will be replaced with pre cast concrete benches in similar locations. The public art feature 'Springs Eternal' that exists in the Square at present will not be affected as a result of the scheme.

The NHS logo and individual lettering for the entrance are shown on the submitted plans. Officers would clarify that advertisement consent is not required for these details.

The new entrance will be located at the South-West corner of Walter Stranz Square. The site is within the Town Centre zone and Civic Open Space as defined in LP4.

Policy 30 requires the Town Centre to be the preferred location for many facilities including social and community facilities.

Policy 13 requires open space areas to be protected and, where appropriate, enhanced to improve quality, value, multifunctionality and accessibility. A criteria is set out in the Policy and should be applied when assessing applications for development in open space areas:-

- i. the environmental and amenity value of the area;
- ii. the recreational, conservation, wildlife, historical, visual and community amenity value of the site;

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- iii. the merits of retaining the land in its existing open use, and, the contribution or potential contribution the site makes to the Green Infrastructure Network, character and appearance of the area;
- iv. the merits of protecting the site for alternative open space uses;
- v. the location, size and environmental quality of the site;
- vi. the relationship of the site to other open space areas in the locality and similar uses within the wider area;
- vii. whether the site provides a link between other open areas or as a buffer between incompatible uses;
- viii. that it can be demonstrated that there is a surplus of open space and that alternative provision of equivalent or greater community benefit will be provided in the area at an appropriate, accessible locality; and
- ix. the merits of the proposed development to the local area or the Borough generally.

Whilst the site is located within the Civic Open Space as annotated in the LP4, due to the location of the new lobby (adjoining the Town Hall building), it is considered unlikely that the proposal would conflict with the above criteria and would not hinder the use of the Square for open space purposes. The design of the proposed entrance is acceptable complementing the streetscene and would be in accordance with Policies 39 and 40 of the Local Plan No. 4.

County Highways have requested cycle parking facilities. This can be conditioned, and a potential location of this facility has been indicated on the plans submitted.

Overall, it is considered that the proposed development complies with the provisions of the development plan and would be acceptable.

### **RECOMMENDATION:**

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

### **Conditions:**

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

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

- 2) The development hereby approved shall be carried out in accordance with the plans and drawings to be defined.

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

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

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

- 4) Prior to their first installation, details of cycle parking provision shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented on site prior to the first occupation of the development.

Reason: In the interests of sustainability.

- 5) Prior to first occupation of the development hereby permitted, a scheme for landscaping shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:

Details of all proposed planting, including numbers and species of plant, and details of size and planting method of any trees.

All hard landscaping shall be completed in accordance with the approved scheme prior to first occupation of the development. All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To enhance the appearance of the development in the interest of the visual amenities of the area.

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### **Procedural matters**

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

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**Planning Application 22/01265/FUL****Change of use of highway land to private residential garden****30 Ansley Close, Redditch, Worcestershire, B98 0AX****Applicant: Mr Samuel Walsh**  
**Ward: Matchborough 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](mailto:steve.edden@bromsgroveandredditch.gov.uk) for more information.

**Site Description**

The site lies within the residential area of Matchborough East and comprises a small strip of land to the north-west and north-east of the property. Adjacent to the fence line to the north-west lies a pedestrian pathway which leads from Winward Road (to the north) to Milhill Road (to the south).

The land is currently owned by Worcestershire County Council and forms part of the adopted highway.

**Proposal Description**

The application, which is retrospective, proposes the change of use of highway land to private residential garden. The area in question is separated from the adjacent footway via timber fence panels erected by the current or former occupier of the property.

It is important to note that land ownership remains a separate matter to that being considered under this planning application. The change of use of the land would not affect the ownership status of the land; a separate non-planning process is required to purchase the land and to 'stop up' the highway.

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

Policy 14: Protection of Incidental Open Space

Policy 40: High Quality Design and Safer Communities

**Others**

NPPF National Planning Policy Framework (2021)

**Relevant Planning History**

None

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### **Consultations**

#### **WCC Highway Authority**

No objection

### **Public Consultation Response**

No representations received

### **Assessment of Proposal**

Policy 14 of the Borough of Redditch Local Plan No. 4 (BoRLP 4) clarifies that any areas of open space that are not 'Primarily Open Space', should be considered as areas of 'Incidental Open Space'. Therefore, as the area of open space subject to this application is not indicated on the BoRLP 4 Policies map to be Primarily Open Space, it should be regarded as Incidental Open Space.

In evaluating the application against the provisions of Policy 14 it is necessary to consider the overall quality of the space in question in terms of its contribution and value to the local community. In this particular case, assessing the proposal on its merits, the site does not make an important contribution to the Green Infrastructure Network and has no particular wildlife conservation value; nor does it have a strategic function or form natural buffer between different land uses. The area is very small and would not materially impact on the overall quantity of equivalent areas of Incidental Open Space in the vicinity of the application site. Larger areas of Incidental Open Space exist to the southwest of No. 20 Ansley Close and areas of Primarily Open Space providing far greater community benefits are already provided at nearby and accessible locations including sites to the north of Winward Road and to the north of Milhill Road. These sites are indicated by arrows on a slide which accompanies the presentation document.

No public representations have been received following the expiry of the publicity period and no residential amenity concerns have been identified. Worcestershire County Council Highways Authority have been consulted and have raised no objections to the application.

The application is deemed to comply with the provisions of Policies 14 and 40 of the Borough of Redditch Local Plan and there are not considered to be any reasons to withhold issuing consent in this case.

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**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:

Drawing P2115/24 Layout Plan

Drawing P2115/27 Site Location Plan

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 land subject to this application is currently owned by Worcestershire County Council. As such the application falls outside the scheme of delegation to Officers.

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**Planning Application 22/01356/FUL****Change of use of highway land to private residential garden****21 Ansley Close, Redditch, Worcestershire, B98 0AX****Applicant: Mr Dennis Wood**  
**Ward: Matchborough 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](mailto:steve.edden@bromsgroveandredditch.gov.uk) for more information.

**Site Description**

The site lies within the residential area of Matchborough East and comprises a small strip of land to the north-west of the property. Adjacent to the fence line to the north-west lies a pedestrian pathway which leads from Winward Road (to the north) to Milhill Road (to the south).

The land is currently owned by Worcestershire County Council and forms part of the adopted highway.

**Proposal Description**

The application, which is retrospective, proposes the change of use of highway land to private residential garden. The area in question is separated from the adjacent footway via timber fence panels erected by the current or former occupier of the property.

It is important to note that land ownership remains a separate matter to that being considered under this planning application. The change of use of the land would not affect the ownership status of the land; a separate non-planning process is required to purchase the land and to 'stop up' the highway.

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

Policy 14: Protection of Incidental Open Space

Policy 40: High Quality Design and Safer Communities

**Others**

NPPF National Planning Policy Framework (2021)

**Relevant Planning History**

None

## **PLANNING COMMITTEE**

7th December 2022

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### **Consultations**

#### **WCC Highway Authority**

No objection

### **Public Consultation Response**

No representations received

### **Assessment of Proposal**

Policy 14 of the Borough of Redditch Local Plan No. 4 (BoRLP 4) clarifies that any areas of open space that are not 'Primarily Open Space', should be considered as areas of 'Incidental Open Space'. Therefore, as the area of open space subject to this application is not indicated on the BoRLP 4 Policies map to be Primarily Open Space, it should be regarded as Incidental Open Space.

In evaluating the application against the provisions of Policy 14 it is necessary to consider the overall quality of the space in question in terms of its contribution and value to the local community. In this particular case, assessing the proposal on its merits, the site does not make an important contribution to the Green Infrastructure Network and has no particular wildlife conservation value; nor does it have a strategic function or form natural buffer between different land uses. The area is very small and would not materially impact on the overall quantity of equivalent areas of Incidental Open Space in the vicinity of the application site. Larger areas of Incidental Open Space exist to the southwest of No. 20 Ansley Close and areas of Primarily Open Space providing far greater community benefits are already provided at nearby and accessible locations including sites to the north of Winward Road and to the north of Milhill Road. These sites are indicated by arrows on a slide which accompanies the presentation document.

No public representations have been received following the expiry of the publicity period and no residential amenity concerns have been identified. Worcestershire County Council Highways Authority have been consulted and have raised no objections to the application.

The application is deemed to comply with the provisions of Policies 14 and 40 of the Borough of Redditch Local Plan and there are not considered to be any reasons to withhold issuing consent in this case.

## PLANNING COMMITTEE

7th December 2022

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### 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:

Drawing P2115/30 Layout Plan

Drawing P2115/31 Site Location Plan

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 land subject to this application is currently owned by Worcestershire County Council. As such the application falls outside the scheme of delegation to Officers.

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## PLANNING COMMITTEE

7th December 2022

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**Planning Application 22/01358/FUL**

**Change of use of highway land to private residential garden**

**29 Ansley Close, Redditch, Worcestershire, B98 0AX**

**Applicant: Mr Anthony Guy**  
**Ward: Matchborough 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](mailto:steve.edden@bromsgroveandredditch.gov.uk) for more information.

### **Site Description**

The site lies within the residential area of Matchborough East and comprises a small strip of land to the north-west of the property. Adjacent to the fence line to the north-west lies a pedestrian pathway which leads from Winward Road (to the north) to Milhill Road (to the south).

The land is currently owned by Worcestershire County Council and forms part of the adopted highway.

### **Proposal Description**

The application, which is retrospective, proposes the change of use of highway land to private residential garden. The area in question is separated from the adjacent footway via timber fence panels erected by the current or former occupier of the property.

It is important to note that land ownership remains a separate matter to that being considered under this planning application. The change of use of the land would not affect the ownership status of the land; a separate non-planning process is required to purchase the land and to 'stop up' the highway.

### **Relevant Policies**

#### **Borough of Redditch Local Plan No. 4**

Policy 14: Protection of Incidental Open Space

Policy 40: High Quality Design and Safer Communities

#### **Others**

NPPF National Planning Policy Framework (2021)

### **Relevant Planning History**

None

## **PLANNING COMMITTEE**

7th December 2022

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### **Consultations**

#### **WCC Highway Authority**

No objection

#### **Public Consultation Response**

No representations received

### **Assessment of Proposal**

Policy 14 of the Borough of Redditch Local Plan No. 4 (BoRLP 4) clarifies that any areas of open space that are not 'Primarily Open Space', should be considered as areas of 'Incidental Open Space'. Therefore, as the area of open space subject to this application is not indicated on the BoRLP 4 Policies map to be Primarily Open Space, it should be regarded as Incidental Open Space.

In evaluating the application against the provisions of Policy 14 it is necessary to consider the overall quality of the space in question in terms of its contribution and value to the local community. In this particular case, assessing the proposal on its merits, the site does not make an important contribution to the Green Infrastructure Network and has no particular wildlife conservation value; nor does it have a strategic function or form natural buffer between different land uses. The area is very small and would not materially impact on the overall quantity of equivalent areas of Incidental Open Space in the vicinity of the application site. Larger areas of Incidental Open Space exist to the southwest of No. 20 Ansley Close and areas of Primarily Open Space providing far greater community benefits are already provided at nearby and accessible locations including sites to the north of Winward Road and to the north of Milhill Road. These sites are indicated by arrows on a slide which accompanies the presentation document.

No public representations have been received following the expiry of the publicity period and no residential amenity concerns have been identified. Worcestershire County Council Highways Authority have been consulted and have raised no objections to the application.

The application is deemed to comply with the provisions of Policies 14 and 40 of the Borough of Redditch Local Plan and there are not considered to be any reasons to withhold issuing consent in this case.

## PLANNING COMMITTEE

7th December 2022

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**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:

Drawing P2115/32 Layout Plan

Drawing P2115/33 Site Location Plan

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 land subject to this application is currently owned by Worcestershire County Council. As such the application falls outside the scheme of delegation to Officers.

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REDDITCH BOROUGH COUNCIL**PLANNING  
COMMITTEE**7th December 2022

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**Planning Application 22/01363/FUL****Change of use of highway land to private residential garden****20 Ansley Close, Redditch, Worcestershire, B98 0AX****Applicant: Mr Stuart Lockey**  
**Ward: Matchborough 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](mailto:steve.edden@bromsgroveandredditch.gov.uk) for more information.

**Site Description**

The site lies within the residential area of Matchborough East and comprises a small strip of land to the north-west and the south-west of the property. Adjacent to the fence line to the north-west lies a pedestrian pathway which leads from Winward Road (to the north) to Milhill Road (to the south).

The land is currently owned by Worcestershire County Council and forms part of the adopted highway.

**Proposal Description**

The application, which is retrospective, proposes the change of use of highway land to private residential garden. The area in question is separated from the adjacent footway via timber fence panels erected by the current or former occupier of the property.

It is important to note that land ownership remains a separate matter to that being considered under this planning application. The change of use of the land would not affect the ownership status of the land; a separate non-planning process is required to purchase the land and to 'stop up' the highway.

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

Policy 14: Protection of Incidental Open Space

Policy 40: High Quality Design and Safer Communities

**Others**

NPPF National Planning Policy Framework (2021)

**Relevant Planning History**

None

## **PLANNING COMMITTEE**

7th December 2022

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### **Consultations**

#### **WCC Highway Authority**

No objection

#### **Public Consultation Response**

No representations received

### **Assessment of Proposal**

Policy 14 of the Borough of Redditch Local Plan No. 4 (BoRLP 4) clarifies that any areas of open space that are not 'Primarily Open Space', should be considered as areas of 'Incidental Open Space'. Therefore, as the area of open space subject to this application is not indicated on the BoRLP 4 Policies map to be Primarily Open Space, it should be regarded as Incidental Open Space.

In evaluating the application against the provisions of Policy 14 it is necessary to consider the overall quality of the space in question in terms of its contribution and value to the local community. In this particular case, assessing the proposal on its merits, the site does not make an important contribution to the Green Infrastructure Network and has no particular wildlife conservation value; nor does it have a strategic function or form natural buffer between different land uses. The area is very small and would not materially impact on the overall quantity of equivalent areas of Incidental Open Space in the vicinity of the application site. Larger areas of Incidental Open Space exist to the southwest of No. 20 Ansley Close and areas of Primarily Open Space providing far greater community benefits are already provided at nearby and accessible locations including sites to the north of Winward Road and to the north of Milhill Road. These sites are indicated by arrows on a slide which accompanies the presentation document.

No public representations have been received following the expiry of the publicity period and no residential amenity concerns have been identified. Worcestershire County Council Highways Authority have been consulted and have raised no objections to the application.

The application is deemed to comply with the provisions of Policies 14 and 40 of the Borough of Redditch Local Plan and there are not considered to be any reasons to withhold issuing consent in this case.

## PLANNING COMMITTEE

7th December 2022

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### 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:

Drawing P2115/36 Layout Plan

Drawing P2115/37 Site Location Plan

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 land subject to this application is currently owned by Worcestershire County Council. As such the application falls outside the scheme of delegation to Officers.

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