



Planning Committee

Wed 8 Nov
2023
7.00 pm

Council Chamber
Town Hall
Redditch

REDDITCH BOROUGH COUNCIL

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If you have any queries on this Agenda please contact

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GUIDANCE ON FACE TO FACE MEETINGS

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

PUBLIC SPEAKING

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 6th November 2023) 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.

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

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

Notes:

- 1) Anyone wishing to address the Planning Committee on applications on this agenda must notify Gavin Day from the Democratic Services Team on 01527 64252 (Ex 3304) or by email at gavin.day@bromsgroveandredditch.gov.uk before **12 noon on Monday 6th November 2023**).
- 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 6th November 2023**).
- 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
- 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, Democratic and Property Services, or Planning Officers, at the same address.

At the meeting, these Officers will normally be seated either side of the Chair, who will be seated at the front left-hand corner of the Committee table as viewed from the Public Gallery.

Planning

Wednesday, 8th November, 2023

7.00 pm

Council Chamber Town Hall

Agenda

Membership:

Cllrs:	Peter Fleming (Chair)	Chris Holz
	Imran Altaf (Vice-Chair)	Sid Khan
	Juma Begum	Anthony Lovell
	Andrew Fry	Timothy Pearman
	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. Confirmation of Minutes (Pages 7 - 16)

To receive the minutes of the Planning Committees on 13th September 2023 and 27th September 2023.

4. Update Reports

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

5. 23/00677/FUL - Widney House, Bromsgrove Road, Redditch, B97 4SP (Pages 17 - 30)

6. 23/00936/FUL - Land at Foxlydiate Crescent and Rowan Road, Batchley, Redditch, B97 6NH (Pages 31 - 38)

7. 23/00937/FUL - Land Between 15 and 17 Greenlands Avenue, Greenlands, Redditch, B98 7QA (Pages 39 - 44)

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Planning Committee

Wednesday, 13th
September, 2023

MINUTES

Present:

Councillor Peter Fleming (Chair), Councillor Imran Altaf (Vice-Chair) and Councillors Juma Begum, Andrew Fry, Bill Hartnett, Chris Holz, Sid Khan, Anthony Lovell and Timothy Pearman

Officers:

Helena Plant, Max Howarth (Of Anthony Collins Solicitors), Steve Edden, Paul Lester, Sarah Hazlewood and Sukvinder Agimal (of Worcester County Council Highways)

Democratic Services Officers:

Gavin Day

31. APOLOGIES

There were no apologies for absence.

32. DECLARATIONS OF INTEREST

There were no declarations of interest.

33. CONFIRMATION OF MINUTES

The minutes of the Planning Committees held on 12th July 2023 and 26th July 2023 were presented to Members.

RESOLVED that

The minutes of the Planning Committees held on 12th July 2023 and 26th July 2023 were approved as true and accurate records and signed by the Chair.

34. UPDATE REPORTS

The Chair drew Members attention to the update report which was circulated to Members prior to the meeting.

Members indicated that they had sufficient time to read the report and were happy to proceed with the meeting.

Chair

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**35. 22/01316/OUT - LAND REAR OF SAMBOURNE LANE,
ASTWOOD BANK, WORCESTERSHIRE**

This application was being reported to the Planning Committee as eleven or more representations in objection to the application had been received, the application was subject to a planning obligation and the recommendation was for approval.

Officers presented the report and in doing so, drew Members' attention to the presentation slides on pages 5 to 15 of the Site Plans and Presentations pack.

The application was for the Land rear of Sambourne Lane, Astwood Bank, B96 6EP and sought outline approval with the matter of appearance reserved for 9 self-build / custom build detached dwellings with access.

The application was considered at Planning Committee on 26th July 2023, where the application was deferred to allow Members to visit the site. The site visit, accompanied by the Case Officer took place on Friday 8th September 2023.

Officers confirmed to Members that the application was for 9 self-build dwellings and that matters of appearance had not been considered as they would be covered under separate planning applications for the individual plots. Officers further clarified that the plot boundaries detailed on page 9 of the Site Plans and Presentations pack would be the maximum footprint of the buildings and any dwellings needed to be situated entirely within those build zones.

Officers informed Members that the Self-Build and Custom Housebuilding Act 2015 placed an obligation on Councils to supply plots for self-build units and that there was a 10-plot shortfall within Redditch Borough Council, therefore, significant weight should be afforded to this matter.

The additional and current tree screening was identified by Officers on page 9 of the Site Plans and Presentation pack, indicated in a Light and dark green colour respectively. Officers further detailed to Members that the development was considered well screened and would not be very visible from the main highways.

At the invitation of the Chair, the following speakers addressed the Committee under the Council's Public Speaking Rules

- Karen Baggott (3 Minutes) - Local Resident (in objection)
- Fraser Baggott (3 Minutes) - Local Resident (in objection)
- Simon Walker (3 Minutes) - Local Resident (in objection)

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- Brandon Clayton (3 Minutes) - Ward Councillor (in objection)
- John Jowitt (9 minutes) – Agent for the applicant (in support)

Officers clarified the following points after questions from Members.

- That there were no Tree Protection Orders (TPOs) on any of the trees on the site, therefore, any of the Landowners could remove the trees on their property at any time.
- That in response to representations claiming the presence of great crested newts. Officers informed Members that there was no evidence found by an eDNA report to support the claim. Should any activity be identified, work would be halted whilst the applicant applied for a Natural England licence and whilst appropriate measures were put in place.
- There was no special designation on the site in the Local Plan. The site was formed from the rear gardens of properties and is not a wildlife site.
- The site would have an independent septic tank and would not be connected to the mains system. Any specifics as to the further arrangements would be covered under building regulations and was not a consideration for the Committee.

Members expressed the opinion that it was a difficult application, but that Officers had adequately answered the objections raised by the residents and any further questions Members had with regard to Material Planning Considerations, therefore, on being put to a vote, it was.

RESOLVED that

having had regard to the development plan and to all other material considerations, authority be delegated to the Head of Planning, Regeneration and Leisure Services to GRANT outline planning permission subject to: -

- a) The satisfactory completion of a Section 106 planning obligation ensuring that the dwellings be provided as custom / self-build only.**
- b) Conditions and Informatives as detailed on pages 33 to 39 of the Public Reports pack.**

36. 22/00976/FUL - LOWANS HILL FARM, BROCKHILL LANE, REDDITCH, WORCESTERSHIRE, B97 6QX

The application was being reported to the Planning Committee as a Section 106 Agreement was required. As such the application fell outside the scheme of delegation to Officers.

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Officers presented the report and in doing so, drew Members' attention to the presentation slides on pages 17 to 42 of the Site Plans and Presentations pack.

The application was for Lowans Hill Farm, Brockhill Lane, Redditch, B97 6QX and sought the demolition of existing buildings and construction of 17 dwellings, with new access, public open space, landscaping and planting, associated infrastructure and enabling works.

Officers clarified that the application was a Full application and that it was unrelated to any developments in the local area.

The topography of the site was identified as being substantially higher than the surrounding area, this presented a technical difficulty for the development, specifically with regard to access.

The buildings had stood derelict for a number of years, applications were sought and approved in 2011 and 2015 to convert the buildings into residential units, however, the applications were not implemented and had since expired.

Officers identified the current condition of the buildings to Members using the images on pages 24-27 of the Main Reports pack. A structural survey had been carried out and found the buildings to be in a dangerous and unsafe condition, it was also identified that to convert the buildings to residential units it would likely take a significant investment and would not be economically viable.

The proposed layout of the site was presented to Members, detailed on page 31 of the Public Reports pack. 17 dwellings would be constructed around a central courtyard with a mix of 2-, 3- and 4-bedroom dwellings in detached and semi-detached design. There would also be a "dog leg" turn to address the difference in levels experienced on the site.

The current buildings were identified as non-designated heritage assets, and their removal required a balanced judgement by Officers. Due to the state of disrepair of the derelict site and other matters listed in the report, Officers deemed that their loss was outweighed by the development of this strategic site and the wider economic benefits to the area.

Officers detailed to Members that a viability assessment had been submitted by the applicant, this assessment had been examined by experts at the Council and it was accepted that, due to development difficulties, a number of concessions had been accepted, these concessions included no affordable housing on site and reduced Section 106 contributions.

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At the invitation of the Chair, Mr Stuart Wells, Agent for the applicant, addressed the Committee in support of the application.

Officers clarified the following points after questions from Members.

- That the developers profit margin was 17.5% which was less than the maximum allowed margin of 20%.
- That of the 64K residual profit (which it was identified was after developers' profit). 53.5K would go towards offsite affordable housing provision, to mitigate the loss of 30% affordable housing on site.
- Due to the viability assessment, there was no Section 106 contribution for education which had initially requested £251k.
- Both the 2011 and 2015 applications had lapsed. Officers clarified to Members that there was no obligation for developers to act upon granted planning permission. Officers further clarified that the previous owners sold the site to the current developers who had submitted the application before Members.
- Surveys had been undertaken by licenced ecologists and no evidence of the presence of protected species was found (which included bats). Additional surveys would be conducted by the applicant during the demolition and should evidence be found; an appropriate licence would be sought. An Informative was agreed by Officers to detail this.

Members then debated the application.

Members stated that it was a shame to lose Lowans Hill Farm as it had been part of the landscape, however, due to the current state of disrepair and in the context of the site, the loss of the non-designated heritage asset alone was not deemed as a sufficient reason for refusal. Members were also pleased with the development style which sought to distinguish itself from other local developments and was in a style which was in the style of a farmstead.

Members also expressed a serious concern as to the viability assessment and the Section 106 contributions and Affordable housing provision that had not been sought due to this. Members stated that the housing density, style and size had contributed to the lack of profitability of the site which could potentially have been achieved with a different design. Officers assured Members that the Council's experts had examined the applicant's viability assessment and found it to be sound. It was further identified that some of the major development costs were attributed to the topography of the

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land, specifically the height difference and road access, these costs would be recurring factors in any development on the site.

On being put to a vote, it was

RESOLVED that

having had regard to the development plan and to all other material considerations, authority be delegated to the Head of Planning and Regeneration and Leisure Services to GRANT planning permission subject to:

- a) **The satisfactory completion of a Section 106 planning obligation ensuring that contributions (up to the value of £64,679) were sought for the following matters:**
 - i. **Waste and Recycling**
 - ii. **Redditch TC Contribution**
 - iii. **Offsite Affordable Housing Contribution**
 - iv. **LPA Monitoring fee**
- b) **Conditions as detailed on pages 58 to 63.**
- c) **An additional Informative with regard to ecological surveys as detailed in the Pre-ambule above.**
- d) **Imposition of 7 additional conditions as listed in the published updates .**

37. 23/00202/FUL - THE ALEXANDRA HOSPITAL, WOODROW DRIVE, REDDITCH, WORCESTERSHIRE, B98 7UB

The application was being reported to the Planning Committee for determination as the application was for major development and as such the application fell outside the scheme of delegation to Officers.

Officers presented the report and in doing so, drew Members' attention to the presentation slides on pages 43 to 55 of the Site Plans and Presentations pack.

The application was for The Alexandra Hospital, Woodrow Drive, Redditch and sought a new two-storey extension (including plant space and vertical circulation) at rear of the existing two-storey hospital to provide 2 new surgical theatres and support accommodation.

Officers detailed that the development was to take place on the existing rear carpark, Officers further detailed that due this application and a number of other developments taking place on the Alexandra site, Condition 5 was proposed to safeguard the parking provision at the Hospital.

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Officers detailed the boundary treatment that would be required to mitigate the visual impact of the development, this was to be enforced by Condition 6 detailed on page 73 of the Public Reports pack.

At the invitation of the Chair, Dr Julian Berlet, of the NHS Trust Addressed the Committee in support of the application.

Officers clarified the following points after questions from Members.

- The development was part retrospective and had already begun.
- That Condition 6 had not stated the maturity/size of the proposed screening.
- No new access points were proposed. WCC highways were satisfied and had no objection to the application.
- That the development only needed to address its own shortfalls, therefore, the 11 additional Parking spaces provided by the development were deemed adequate.

Members then debated the application.

Members expressed concern regarding the lack of details regarding the maturity of the screening, therefore, Members requested that some more detail be provided within the condition. Officers agreed to amend the Condition in that the screening would be of at least Standard level (which was a Arboricultural term denoting a medium standard of tree girth).

Members were pleased to see development/enhancements within the Alexandra Hospital and on being put to a vote, it was.

RESOLVED that

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

- a) Conditions as detailed on pages 72 to 73 of the Public Reports pack.**
- b) Delegated powers be given to the head of Planning, Regeneration and Leisure to amend Condition 6 as detailed in the Pre-ambble above.**
- c) Imposition of 3 additional conditions as listed in the published updates.**

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38. 23/00854/FUL - 157 EASEMORE ROAD, RIVERSIDE, REDDITCH, B98 8HU

The application was being reported to the Planning Committee as the applicant was Redditch Borough Council, as such the application fell outside the scheme of delegation to Officers.

Officers presented the report and in doing so, drew Members' attention to the presentation slides on pages 57 to 63 of the Site Plans and Presentations pack.

The application was for 157 Easemore Road, Redditch, B98 8HU and sought Internal layout alterations with the erection of a two-storey side extension.

Officers drew Members attention to the existing and proposed floor plans detailed on pages 60 and 61 of the Public Reports pack, the plans showed the proposed works to be undertaken on the property. Officers further detailed that there was a specific family who had been identified with an urgent need for a 5-bedroom property.

At the invitation of the Chair, Mr Andrew Rainbow, RBC Project Manager, Addressed the Committee in support of the application.

Members then debated the application.

Members were aware of the property which had been vacant for a number of years and were pleased to see the property coming back into the Council's housing stock.

On being put to a vote, it was.

RESOLVED that

having had regard to the development plan and to all other material considerations, planning permission be GRANTED subject to the conditions outlined on page 77 of the Public Reports pack.

The Meeting commenced at 7.00 pm
and closed at 9.31 pm



Planning Committee

Wednesday, 27th
September, 2023

MINUTES

Present:

Councillor Peter Fleming (Chair), Councillor Imran Altaf (Vice-Chair) and Councillors Juma Begum, Bill Hartnett, Chris Holz, Sid Khan, Timothy Pearman and Sharon Harvey

Officers:

Helena Plant, Steve Edden, Max Howarth (of Anthony Collins Solicitors) and Amar Hussain (on Microsoft Teams)

Democratic Services Officers:

Gavin Day

39. APOLOGIES

Apologies were received from Councillor Andy Fry with Councillor Sharon Harvey in attendance as substitute.

40. DECLARATIONS OF INTEREST

There were no declarations of interest.

41. UPDATE REPORTS

There were no update reports.

42. 23/00818/FUL - UNIT 19 WALFORD WALK, REDDITCH, B97 4HJ

This application was reported to Planning Committee for determination because the application was for a major development (change of use involving more than 1000 sq. metres of commercial floorspace), with the recommendation being one of approval. As such the application fell outside the scheme of delegation to Officers.

Officers presented the report and in doing so, drew Members' attention to the presentation slides on pages 5 to 13 of the Site Plans and Presentations pack.

The application was for Unit 19 Walford Walk, Redditch, B97 4HJ and sought the Subdivision of the former Debenhams Unit Level 1

Chair

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& 2 to form a Police Station and the change of use from Class E (Shops) to enable that.

Officers informed the Committee that the Police were required to vacate the Grove Street building by October 2023, Officers further detailed that the application was for a temporary period whilst the new blue light station under construction on Middlehouse Lane was under construction.

The application sought the subdivision of the 1st floor of the former Debenhams retail unit, a section of the 1st floor and the whole of the 2nd floor would then form a temporary Police Station.

Officers detailed the access arrangement to Members and explained that there would be a digital information kiosk which would be accessible on the 1st floor. This would allow members of the public to book appointments, however, they could not access the police station.

There would also be 6-8 spaces for Police vehicles just off silver street exclusively for Police use.

Officers clarified the following points after questions from Members.

- That the access to the parking on Silver Street was restricted by a barrier, access to which was controlled by the Kingfisher Centre.
- There would be no access to the Police Station by members of the public, however, Officers detailed that this was an operational issue controlled by the police.
- There would be no holding cells within the Police Station.
- Discussions were taking place with the Kingfisher town centre to decide on appropriate signage to inform the general public. Officers would monitor the situation in case any planning permissions were required.
- That there would be 24hours access to the unit for the Police Officers.

On being put to the vote, it was,

RESOLVED that

That having regard to the development plan and to all other material considerations, planning permission be GRANTED subject to the Conditions detailed on pages 11 and 12 of the Public Reports pack.

The Meeting commenced at 7.00 pm
and closed at 7.14 pm

**PLANNING
COMMITTEE**

8th November 2023

Planning Application 23/00677/FUL

Change of use of existing building from B2 (General Industrial) to a flexible mixed use comprising E(g) (offices, research and development, light industrial uses), B2 and B8 (storage); the erection of 55 containers for B8 (storage) use and associated parking. All retrospective

Widney House, Bromsgrove Road, Redditch, B97 4SP

Applicant: Jonathan and David Wharrad
Ward: Central Ward

(see additional papers for site plan)

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

Site Description

The application relates to an industrial site accessed from a laneway to the north of Bromsgrove Road. The site measures, at its widest point, approximately 60m with a depth of 84m.

The main 'Widney House' building is positioned to the immediate north of rear gardens serving numbers 118 to 126 Bromsgrove Road. Bisecting the building and those rear gardens is Public Right of Way (PROW) RD-533. Rear gardens serving these properties range from approximately 17 to 30 metres (at number 118). The building has a floorspace of approximately 1,579sqm and is currently divided into 14 industrial units and 4 office suites. The units are currently occupied by a mix of Class E(g), B2 and B8 uses and have been for many years. There are approximately 42 persons employed at the site.

There are 55, mostly blue, storage containers located towards the northern and western perimeters of the site and car parking in the intervening space. These each have an internal floor area of around 33 sqm and measure 2.6m in height. A small number are (double) stacked such that the overall height of the containers (where stacked) rises to 5.2m. The containers are visible within the presentation pack which accompanies the application.

Vehicular access to the site is located between Nos. 126 and 128. The immediate area is residential in character comprising inter-war dwellings with playing fields located further north. Aerial photography and the design of the building (the brickwork and fibre cement roof) indicate that the building has existed on the site since at least 1948. It is understood that the building was formerly used as a laundry until the 1960's after which it has been used for a variety of employment uses.

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Proposal Description

A retrospective application is sought for change of use of the existing building from B2 (General Industrial) to a flexible mixed use comprising Class E(g) (offices, research and development, light industrial uses), B2 and B8 (storage) together with the erection of 55 containers for B8 (storage) use and associated parking.

It should be noted that description of the development has been amended from: *55 start-up business incubator units (B8 use)*, to that of *55 containers for B8 (storage use)*. Whilst the container units were always to be used for storage use only, your officers considered the use of the words 'business incubator units' to be ambiguous, implying the potential for trades of businesses to be carried out within the units. It has been clarified that the units are, and would continue to be used for Class B8 (storage) use only.

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 19: Sustainable travel and Accessibility

Policy 20: Transport Requirements for New Development

Policy 25; Development outside Primarily Employment Areas

Policy 39: Built Environment

Policy 40: High Quality Design and Safer Communities

Others

National Planning Policy Framework (2023)

Relevant Planning History

22/01466/CPE	Certificate of Lawful Use (Existing): Mixed flexible use across the whole site (Use Classes E(g), B2, B8)	Refused	08.03.2023
21/00801/ADV	2 No. Replacement Signs	Advert consent granted	04.08.2021
2000/014/FUL	Erection of Garage and Hardstanding for Car Valeting	Granted	22.02.2000

**PLANNING
COMMITTEE**

8th November 2023

1997/146/FUL	Erection Of Metal Framed Corrugated Metal Clad Storage Building	Granted	11.06.1997
1994/286/FUL	Change of use to house and office removals business	Granted	20.09.1994
1989/770/FUL	Extension of Factory Unit	Granted	16.02.1990
1986/177/FUL	Extensions to building	Granted	19.06.1986
1984/511/FUL	Extension to form toolroom	Granted	09.01.1985
1982/421/FUL	Trade Counter and extensions	Granted	09.02.1983
1982/100/FUL	Division of existing factory unit into smaller light industrial units	Granted	07.05.1982

Consultations**Worcestershire County Highway Authority**

Comments summarised as follows:

The Highway Authority is of the opinion it is reasonable to consider the application in two parts - (i) the building and (ii) the storage units.

In terms of the building, the Highway Authority is of the opinion the site building has been operating as a business/industrial estate for many years and is, therefore, well established. It is also clear that a number of commercial businesses operate within the site and have been there for some time. The change of use of the existing industrial building would not result in a material increase in traffic levels and no objections are raised to this element.

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8th November 2023

Turning to the storage units, images from 2017 show that some containers are present on the site and an advertising sign offering self-storage facilities is present at the site entrance. Whilst the Highway Authority cannot establish how many containers were installed in 2017, it is clear that the self-storage business has now been operating for approximately six years.

Self-storage businesses are increasing in popularity and the Highway Authority has been consulted on similar applications in the recent past. Such facilities tend to generate traffic that is spread throughout the day, often seven days a week. Traffic levels tend to be relatively low during the weekday AM and PM peak periods. For this reason, operation of self-storage facilities tend not to have any significant detrimental impact on the operational capacity of the local highway network. As long as an acceptable vehicular access is provided, there tends to be no significant highway safety concern.

The Highway Authority has no objection to the principle of the storage units. The fact that they have been operating for a number of years means that associated traffic is already on the local highway network.

Issues associated with matters such as hours of operation and noise are matters for the Local Planning Authority to consider and are not directly related to highway matters. Whilst the Highway Authority acknowledges that some residents may experience some disruption or inconvenience from the site operations, these are not matters that could justify a recommendation of refusal on highway grounds.

The existing vehicular and pedestrian access is well established. There is a vehicular footway crossing formed from Bromsgrove Road and visibility splays are adequate for the access.

Whilst the access lane carriageway is approximately 6.0m wide, part of it is now marked as parking bays for five vehicles. Whilst this does restrict the operational carriageway to 4.0m, which is rather narrow to accommodate two-way flow. There is however, sufficient space for a vehicle entering the site to wait at the mouth of the access to allow another vehicle to exit the site.

The submitted site plan also shows parking for 52 cars with two allocated for disabled users. The Planning Statement advises parking requirements, set out the WCC parking guidance document, have been met and, indeed, exceeded. Standards require 41 spaces but 52 are provided. The Planning Statement notes the site is accessible by walking, cycling and bus serves, such that not all staff need arrive by car. In addition, customers using the storage units are only allowed to park briefly to load or unload items and are not allowed to park on-site all day. As a commercial operation it is noted that the Streetscape Design Guide comments that users of non-residential proposals may be best able to identify the operational parking needs at their site. Overall, no objections are raised to car parking provision having regard to the land use class and the floor area taken up by development.

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The Planning Statement advises cycle parking is provided within the building. Whilst this would be suitable for staff, no details are provided on the nature of the cycle parking, in terms of its location within the building, capacity and operation. The Highway Authority consider it reasonable to request more information, but this can be covered by a suitable condition if planning consent is subsequently granted. In addition, the Highway Authority considers it reasonable that some external cycle parking, for use by customers and visitors, should be provided. Again, this can be covered by condition.

The Planning Statement advises that the site layout is restricted such that large HGVs cannot enter and exit the site. The Highway Authority is aware of instances of vehicles stopping on Bromsgrove Road to load and unload. Whilst it is acknowledged that this will cause disruption and delay to general traffic and inconvenience to some residents, it is the case that there is no current Traffic Regulation Order applicable to this section of Bromsgrove Road that prohibits vehicles from stopping to undertake loading activities. Given such activity is usually short-term in nature, the Highway Authority cannot recommend refusal of the application for such a reason.

Based on the analysis of the information submitted, the Highway Authority concludes that there would be no adverse highway consequences in terms of paragraph 111 of the NPPF and, therefore, there are no justifiable grounds on which an objection could be maintained.

North Worcestershire Water Management

Comments summarised as follows:

The proposed development site is situated in the catchment of the Batchley Brook & Hewell Stream. The site falls within flood zone 1 and it is not considered that there is any significant fluvial flood risk to the site.

Based on the available information there is no reason to withhold approval of this application on flood risk grounds and I do not deem it necessary to recommend attaching a drainage condition.

Worcestershire Regulatory Services- Noise

Comments summarised as follows:

The application site is an established industrial / commercial area. I have examined the noise data within the noise assessment and do not raise any objections to its findings.

Although the operating times are generally reasonable, the storage use should not begin operations until 7.00am having regard to impacts upon residential amenity. The 'building' operating hours as stated are considered to be acceptable. The container (storage use) hours of operation should be restricted to 07:00 till 23:00 hrs Monday to Friday and 07:00 till 17:30 hrs on Saturday and 08:00 till 17:30 on Sunday.

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Subject to this, I have no objection to the application in terms of noise disturbance and I do not consider that noise from site activities during these opening hours would adversely impact the nearest noise sensitive receptors

Worcestershire County Council Public Rights of Way (PROW)

Comments summarised as follows:

Public Footpath RD-533 is coincident with vehicular access to the site and runs immediately adjacent to the southern edge of the red planning boundary. There should be no detrimental effect on the public right of way providing the developer observes the following general obligations regarding the PROW, namely that:

- The Public safety of those using the right of way must be ensured at all times.
- There should be no disturbance of the surface of the PROW without written consent.
- There must be no diminution in the width of the PROW rights of way
- Building materials must not be stored on the PROW
- Vehicle movements and parking are to be arranged so as not to unreasonably interfere with the public's use of the rights of way.
- No additional barriers can be 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.

Public Consultation Response

58 separate occupiers have been notified in writing on the application. A public notice was displayed at the site and a press notice advertising the application was published in the Redditch Standard on 30th June 2023. The publicity period expired on 17th July 2023. 6 letters have been received objecting to the application for the following summarised reasons:

- Noise from the site has a significant detrimental impact on residential amenity including mental health
- Nuisance is caused at all hours resulting in sleep disturbance
- Associated noise from vehicles entering and existing the site is a significant problem to residents
- Unauthorised change of use of rear garden associated with 128 Bromsgrove Road without planning permission
- Highway safety is already being prejudiced and will continue to be if planning permission is granted
- Drainage and flooding concerns raised
- The blue containers are visible from Bromsgrove Road harming the character of the area

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- Vehicles are being unloaded on Bromsgrove Road blocking in residents and preventing access to private drives
- The noise survey submitted is not a true reflection / representation of noise generated from activities associated with the site
- We have observed people carrying out work on a Sunday afternoon which is unacceptable
- The site should have clear, restricted operating hours
- Sheer volume of traffic associated with the various uses is unacceptable
- Insufficient parking on site to cater for the proposed uses
- Currently, Widney Storage is operating on a 24 / 7 basis as indicated on the signage- this is unacceptable.
- Light pollution from car and van headlights late at night
- Health and safety breaches have occurred regarding the removal of asbestos
- This is not an appropriate location for an Industrial site
- There have been occasions where the public right of way has been blocked by vehicles
- Noise and light pollution are known to affect wildlife, particularly bats

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

Representations received above represent a summary and members are reminded that comments in full are available to view of the Councils public access system.

Background

In 2022, an application was made for a Certificate of Lawfulness (Existing) use for mixed flexible use across the whole site as edged red on the site plan submitted with the current application. The reference number for the Certificate application was 22/01466/CPE.

The lawful development certificate sought lawfulness for Use Classes E(g), B2, B8 of the Town and Country Planning (Use Classes) Order. The Certificate application (commonly referred to as a CLEUD) was refused for the following reasons:

- The application did not conclusively demonstrate that the flexible mixed use applied for was both active and continuous within all of the units of Widney House throughout the 10 year relevant period for lawfulness.
- The operational area of Widney House had been extended to incorporate the rear garden of No. 128 Bromsgrove Road resulting in a material change in the use of that land within the relevant period (2012 - 2022) which could not be established as lawful.
- The occupation of the land by storage containers operated by Widney Storage Limited amounted to a physically and functionally independent B8 storage use.

Application 22/01466/CPE as set out above was accompanied by two Sworn Affidavits from Jonathan and David Wharrad (who are the applicants for the current application) which stated that the family have owned and operated Widney House since 1985.

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The planning history indicates that there was a single factory building on the site prior to 1982 when planning permission was granted for the division of the existing factory unit into smaller individual units for light industry (1982/100/FUL).

The applicant believes that the building existed on the site since at least 1948 and it was used as a laundry until the 1960s and after this for a variety of employment uses. Historical map records do not contradict these assertions.

In 2008, the neighbouring property (No. 128, Bromsgrove Road) was purchased by the applicants family and added part of the rear garden of this property to the Widney House site. Whilst this may have occurred in 2008, there is no evidence in respect of aerial photography that the use of this land for the laying of hardstanding or the storage of containers had occurred by 2013, a key date in the consideration of application 22/01466/CPE. Imagery shows the presence of the garden and mature boundary treatment separating it from the curtilage of Widney House in 2013. It is evident that hardstanding had been laid and vehicles parked in that area by 2016 and at that time, a number of blue storage containers had been sited there. Later aerial photography shows increasing numbers of storage containers occupying most of the length of the northern and western boundaries of the site.

Assessment of Proposal

Introduction

The Widney Works building is an established commercial operation with approximately 42 persons employed at the site. Paragraph 81 of the NPPF comments that “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”.

The NPPF at Paragraph 81 makes clear that economic growth is a priority and that businesses should be supported. The applicant comments that by granting permission, the proposals will support existing and established local businesses. The applicant comments that the site provides local employment and start-up space to enable small local businesses to develop and grow. They comment that 80% of the current tenants at the site are small businesses and local trades people using their units to support a growing business operation.

The applicant comments that the application will help to achieve Redditch’s vision of a successful and vibrant area with good job opportunities and will help to meet Local Plan Objective 10 which is to have a strong, attractive, diverse and enterprising economic base.

Paragraph 130 of the NPPF comments that proposals should ensure a high standard of amenity for existing and future users.

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As set out by WCC Highways, the site itself has two distinct elements, the Widney works building and land within the curtilage of the site which is being used for the storage of containers by a separate business: www.widneystorage.com.

Use of Widney Works Building

In terms of the building, it is clear that the building has been operating as a commercial business for many years and is, therefore, well established. Notably, the existing factory obtained planning permission for subdivision into smaller light industrial units under reference 1982/100/FUL which effectively grants permission under use E(g iii). There are a number of Class B2 uses operating from the site which again, have been operating for a significant period of time and possibly over the 10 year period needed to gain immunity from enforcement action.

Worcestershire CC Highways raise no objection to the use of the main building for B2, B8 and Class E(g) uses commenting that there are not considered to be any legitimate reasons to refuse planning permission on highway safety grounds.

In respect of traffic movements to and from the building, the applicant asserts that traffic to the site has not materially increased and that regardless of the outcome of the current application, vehicles will continue to deliver products to tenants due to the fact that the site has permission for industrial use.

In terms of noise considerations, I have noted that the Governments Planning Practice Guidance at Paragraph 017 Reference ID: 30-017-20190722 comments that:

“...local authorities will consider a number of relevant factors, including the noise level, its duration, how often it occurs, the time of day or night that it occurs and the ‘character of the locality’. The factors influencing the ‘character of the locality’ may include long-established sources of noise in the vicinity – for example, church bells, industrial premises, music venues, public houses or airfields, and whether they are constant or intermittent.”

In this case there are considered to be three potential sources of noise – traffic, doors opening and closing and industrial tenants activities.

The applicant has suggested operating hours for the building at 06:30 to 18:30 hrs Monday to Friday and from 07:30 to 17:30 hrs on Saturdays with no working on Sunday. Tenants would be policed on site using the existing electronic gate system which can restrict access to certain times of the day. The applicant comments that the relatively recently installed (sliding) electronic gate was installed to offer better security and is silent in comparison to the previous gate which was secured by chains. The applicant comments that the electronic gate reduces noise because vehicles do not wait at the gate and drivers do not have to get out of their vehicle to open and close the gate, with the associated opening and closing of vehicle doors as used to be the case.

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Worcestershire Regulatory Services have carefully considered the proposed operating hours and consider these to be acceptable. A planning condition to this effect being applied to any decision notice granting permission would enable the Planning department to take action against the developer for failure to comply with such a condition through appropriate enforcement action.

Storage Containers

Objections have been received from 6 separate residential addresses following notification of the application by writing to numbers 108 to 164 Bromsgrove Road (evens) and 145 to 203 (odds) Bromsgrove Road. Objections primarily, but not wholly relate to the more recent operations associated with the business Widney Storage whereby customers can rent the blue coloured steel containers for storage purposes.

Storage units appeared on the site from 2016 and imagery from 2017 show that some containers were present on the site from that period. Further, an advertising sign offering self-storage facilities is present at the site entrance from that time. The use of the land for self-storage use has not however existed for the required 10 year continuous period and for these reasons, the Certificate of Lawfulness of Existing use or Development (CLEUD) application failed.

To clarify, there are currently 46 ground level containers at the site, 9 of which are stacked. The total number of containers at the site are 55 and permission is sought to retain and continue the (storage use) of those 55 containers. The applicant is not seeking to site any further containers on the site.

Your Officers would agree with the WCC Highways comments with respect to the typical use of such containers, that is, that such facilities tend to generate traffic that is spread throughout the day and throughout the week. Traffic levels tend to be relatively low during the weekday peak periods and for this reason, the operation of self-storage facilities tend not to have any significant detrimental impact on the operational capacity of the local highway network so long as an acceptable vehicular access is provided. WCC Highways have confirmed that the existing vehicular access is fit for purpose and raise no highway safety concerns with respect to the continued operation of the storage unit facility.

Within the objections received, concerns have been raised regarding the adequacy of parking for staff and persons using the storage units. However, WCC do not share these concerns. Your Officers, who have carried out visits to the site at different times of the day have had no difficulty in finding a parking space within the site.

It cannot be denied that there have been instances of large HGV's stopping on Bromsgrove Road to unload and whilst it is acknowledged that this will cause disruption and delay to general traffic and inconvenience to some residents, there are no Traffic Regulation Orders applicable to this section of Bromsgrove Road that prohibits vehicles from stopping to undertake unloading activities. Your Officers would agree that such

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activity is usually short-term in nature and would not justify the refusal of planning permission on highway safety or amenity grounds.

The operator, www.widneystorage.com currently offer access to the public on a 24/7 basis which has resulted in (understandable) objections from neighbouring residents principally from noise and disturbance from vehicle lights either late at night or early in the morning. As set out above, the nature of self-storage uses is such that traffic flow and use is spread throughout the day rather than at peak periods. The applicant is seeking consent to restrict operating hours for the use of the containers to between the following hours:

06:30 to 23:30 hrs Monday to Friday and 06:30 to 17:30 hrs Saturday and Sunday

Members will note that WRS that recommending that operating hours are restricted further to between:

07:00 to 23:00 hrs Monday to Friday and 07:00 to 17:30 hrs Saturday and 08:00 till 17:30 on Sunday

Subject to such a condition, WRS consider that impacts arising from the use would be acceptable.

Such a condition would meet the NPPF, Paragraph 56 tests for conditions, being necessary, relevant to the development in question, precise, reasonable and enforceable. A condition of this nature would clearly prevent vehicles from entering the site prior to 7:00 am, and after 11pm which according to objections received has been happening up until now. The condition would be considered to achieve the aims of limiting nuisance caused by noise and also from light pollution cause by vehicle headlamps.

Members will note from the images within the presentation pack that some of the containers, principally those sited alongside the shared boundary between 128 and 130 Bromsgrove Road are visible from the access point. Whilst they are visible, it should also be noted that the nearest container is set back some 65 metres from Bromsgrove Road (to the south). The vast majority of the containers are not doubled stacked and as such, overall, the containers are less than 3 metres in height. The containers are well screened by an established hedgerow and trees to the north-western boundary limiting views into the site from the west. The majority of the containers are screened by the existing factory building. As such, your officers do not consider that the appearance of the site warrants a refusal of planning permission.

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Other matters

Drainage concerns have been raised and North Worcestershire Water Management as the Lead Local Flood Authority have been consulted. No objections have been raised with NWWM commenting that the site falls within flood zone 1 and that there is no significant surface water flooding implications associated with the site. They have concluded that there is no reason to withhold approval of this application on flood risk grounds.

Matters concerning the alleged inappropriate removal of asbestos in the past fall under Environmental rather than planning legislation and in the event of a public right of way being blocked, this would need to be reported to the WCC Public Rights of Way department who would take appropriate action under their own legislation.

Whilst it is appreciated that noise and light pollution can have a detrimental impact upon wildlife, it must also be noted that the site has operated as a factory with associated hardstanding for many decades. Restricting hours of operation in the manner suggested by your officers would mitigate environmental harm caused by noise and light pollution.

Planning Balance and Conclusions

Your officers would agree with the applicants' assertions that approval of the application would support existing and established local businesses and would help to meet Local Plan Objective 10 which is to have a strong, attractive, diverse and enterprising economic base. Local and national policies also require that existing residential amenities are not materially harmed.

Worcestershire Regulatory Services (WRS) as the organisation whose responsibility it is to deal with matters of Environmental Health, are raising no objections to the application subject to the imposition of conditions to restrict operating hours. Subject to the imposition of such conditions and also a condition limiting the number of containers to be stationed at the site to 55, your officers do not consider that a refusal of planning permission on grounds of noise disturbance could be justified, or for that matter, be defended at any planning appeal should the application be refused.

Restricting the operation of the containers in the manner suggested from their (current) unauthorised 24 hour operation would offer an opportunity to better control the future use of a site which has significant history.

Granting planning permission would not preclude WRS from taking action on matters of noise disturbance under the Environmental Protection Act 1990 if a statutory nuisance was deemed to exist.

Subject to the conditions as listed below, a favourable recommendation can be made.

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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:

Site location Plan scale 1:1250

Site Layout Plan, Drawing P01 - C2223-26 - A scale 1:500

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

- 2) The site shall be in operation only between the following hours:

Widney Works / Main Building

06:30 till 18:30 hrs Monday to Friday and 07:30 till 17:30 Saturday with no working on Sundays

Use of storage containers

07:00 till 23:00 hrs Monday to Friday and 07:00 till 17:30 hrs on Saturday and 08:00 till 17:30 on Sunday

Reason: To define the consent and in the interests of residential amenity

- 3) A maximum of 55 storage containers are permitted to be located within the site as edged red submitted with this application

Reason: To define the consent and in the interests of residential amenity

- 4) The storage containers shall be positioned in the location as shown on Drawing P01 - C2223-26 – A and shall be used for storage purposes only: Class B8 under the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason: To define the consent and in the interests of residential amenity

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- 5) Within 3 months from the date of the granting of this consent, sheltered and secure cycle parking details for staff and external cycle parking for visitors/customers to comply with the Council's adopted cycle parking standards shall be submitted and approved in writing by the Local Planning Authority. The approved details shall be implemented on site within 6 months from the date of this consent and shall be kept available for the parking of bicycles only.

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

Informatives:

Public Right of Way information items:

- The Public safety of those using the right of way must be ensured at all times.
- There should be no disturbance of the surface of the PROW without written consent.
- There must be no diminution in the width of the PROW rights of way
- Building materials must not be stored on the PROW
- Vehicle movements and parking are to be arranged so as not to unreasonably interfere with the public's use of the rights of way.
- No additional barriers can be 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.

Procedural matters

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

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Planning Application 23/00936/FUL**Demolition of garages and construction of one, three bedroomed dwelling****Land at Foxlydiate Crescent and Rowan Road, Batchley, Redditch, B97 6NH****Applicant: Mr Andrew Rainbow: Redditch Borough Council**
Ward: Batchley and Brockhill Ward**(see additional papers for site plan)**

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

Site Description

The application site comprises a small parcel of land at the corner of Foxlydiate Crescent and Rowan Road. The site, which is approximately 0.05ha, contains seven single prefabricated garages which have fallen into disrepair and have suffered from vandalism. The garages are located alongside the south-western boundary, beyond which lies the dwelling 54 Foxlydiate Crescent.

In recent weeks, temporary hoarding has been erected around the garages to prevent unauthorised access. This is visible on slides within the accompanying presentation pack. The site benefits from existing vehicular access from Rowan Road.

Proposal Description

This full (detailed) application is to erect a two storey, three bedroomed detached dwelling formed of brick (walls) under a tiled roof. It is understood that if planning permission is granted, the property would not be sold on the open market but would be retained by the Council for prospective Council tenants. Two (in curtilage) car parking spaces would be provided for occupiers to the northern corner of the plot, adjacent to number 13 Rowan Road.

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 16: Natural Environment

Policy 19: Sustainable travel and Accessibility

Policy 39: Built Environment

Policy 40: High Quality Design and Safer Communities

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Others

Redditch High Quality Design SPD
National Planning Policy Framework (2023)

Relevant Planning History

None

Consultations

Worcestershire County Highway Authority

No highways objections raised. Conditions have been recommended pertaining to: the provision of pedestrian visibility splays, bound surface to vehicular access, an Electric Vehicle Charging Point (EVCP) and cycle parking provision

Worcestershire Regulatory Services - Contaminated Land

No objection subject to imposition of tiered contamination conditions

Public Consultation Response

No representations received

Assessment of Proposal

Principle of development

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 National Planning Policy Framework requires local planning authorities and developers to make effective use of previously developed land, especially if this would help to meet identified needs for housing where land supply is constrained.

Chapter 11 of the Framework emphasises the importance of making effective use of land, and with respect to density, Para 125 comments that:

“Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site”

The principle of new residential development on this site is therefore acceptable in this location subject to other considerations including character and appearance, residential amenity, highway safety and other technical matters.

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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 proposed dwelling is considered to respect the character of the area and would be commensurate with surrounding dwellings in terms of its height, width and its design. The dwelling would sit comfortably within the plot and would assimilate within the existing street. Window details and materials would also respect those present on dwellings within Foxlydiate Crescent and Rowan Road.

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 considerations

Paragraph 130 (f) of the NPPF states that planning decisions should seek a high standard of amenity for existing and future occupants. 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.

Internally, the accommodation would provide future occupants with a modern living space meeting the Governments Nationally Prescribed Space Standards for internal living accommodation. Externally, occupants would benefit from a 13m long rear garden measuring over 100 square metres in area.

Your officers are satisfied that no loss of residential amenity would result from granting permission having regards to matters such as loss of light, overbearing and loss of privacy. No representations have been received in objection to the application following the expiry of the publicity period and overall, the proposal raises no concerns in relation to residential amenity.

Highway matters

The site is situated in a sustainable location benefiting from footpaths and streetlighting and is within walking distance of amenities and bus stops. Two car parking spaces are being provided for the dwelling which accords with WCC car parking standards for a three bedroomed property.

The Highways Officer has raised no objections subject to conditions which are considered to meet the tests set out under Paragraph 56 of the NPPF.

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Conclusion

The proposal would create an additional residential unit making a valuable contribution to Redditch's housing stock. The proposal would not cause harm to the character and appearance of the area and no detrimental impacts to nearby residential amenities have been identified. The dwelling would provide a good standard of amenity for future occupiers. Further, no highway safety issues have been raised by statutory consultees or by third parties.

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:

Drawing 5022437-RDG-XX-00-PL-A-0001
Drawing 5022437-RDG-XX-ST-PL-A-0002-C
Drawing 5022437-RDG-XX-ST-PL-A-0005

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

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- 4) The Development hereby approved shall not be occupied until pedestrian visibility splays of 2m x 2m measured perpendicularly back from the back of footway shall be provided on both sides of the access. The splays shall thereafter be maintained free of obstruction exceeding a height of 0.6m above the adjacent ground level.

Reason: In the interests of highway safety.

- 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 the proposed dwelling has been fitted with an electric vehicle charging point. The charging point 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 point shall be retained for the lifetime of the development unless they need to be replaced in which case the replacement charging point 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 permitted shall not be first occupied until sheltered, safe, secure and accessible cycle parking to comply with the Council's adopted highway design guide has been provided at the site. Thereafter, the cycle parking shall be kept available for the parking of bicycles only.

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

- 8) Prior to the occupation of the development, details of the boundary treatments to be provided on site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:-To ensure the development is afforded privacy and security between neighbours and the public realm and in the interest of the visual amenity of the street scene

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- 9) Unless otherwise agreed by the Local Planning Authority, below ground development, other than that required to be carried out as part of an approved scheme of remediation, must not commence until conditions 1 to 6 have been complied with:
1. A preliminary risk assessment must be carried out. This study shall take the form of a Phase I desk study and site walkover and shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and any other relevant information. The preliminary risk assessment report shall contain a diagrammatical representation (conceptual model) based on the information above and shall include all potential contaminants, sources and receptors to determine whether a site investigation is required and this should be detailed in a report supplied to the Local Planning Authority. The risk assessment must be approved in writing before any development takes place.
 2. Where an unacceptable risk is identified a scheme for detailed site investigation must be submitted to and approved in writing by the Local Planning Authority prior to being undertaken. The scheme must be designed to assess the nature and extent of any contamination and must be led by the findings of the preliminary risk assessment. The investigation and risk assessment scheme must be compiled by competent persons and must be designed in accordance with the Environment Agency's "Land Contamination: Risk Management" guidance.
 3. Detailed site investigation and risk assessment must be undertaken and a written report of the findings produced. This report must be approved by the Local Planning Authority prior to any development taking place. The investigation and risk assessment must be undertaken by competent persons and must be conducted in accordance with the Environment Agency's "Land Contamination: Risk Management" guidance.
 4. Where identified as necessary a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to identified receptors must be prepared and is subject to the approval of the Local Planning Authority in advance of undertaking. The remediation scheme must ensure that the site will not qualify as Contaminated Land under Part 2A Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
 5. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.
 6. Following the completion of the measures identified in the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation

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carried out must be produced, and is subject to the approval of the Local Planning Authority prior to the occupation of any buildings.

7. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where necessary a remediation scheme must be prepared, these will be subject to the approval of the Local Planning Authority. Following the completion of any measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to the occupation of any buildings.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

Procedural matters

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

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Planning Application 23/00937/FUL**Construction of one, 3 bedroomed dwelling****Land Between 15 and 17 Greenlands Avenue, Greenlands, Redditch, B98 7QA****Applicant: Mr Andrew Rainbow: Redditch Borough Council**
Ward: Greenlands Ward**(see additional papers for site plan)**

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

Site Description

The application site comprises a small parcel of land to the western side of Greenlands Avenue located between Number 15 and Number 17. The site, which is approximately 0.08ha, previously contained four single garages which were used historically for storage use. These have recently been removed from the site. The site benefits from existing vehicular access from Greenlands Avenue.

Proposal Description

This full (detailed) application is to erect a two storey, three bedroomed detached dwelling formed of brick (walls) under a tiled roof. It is understood that if planning permission is granted, the property would not be sold on the open market but would be retained by the Council for prospective Council tenants. Two (in curtilage) car parking spaces would be provided for occupiers to the front of the property.

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 16: Natural Environment

Policy 19: Sustainable travel and Accessibility

Policy 39: Built Environment

Policy 40: High Quality Design and Safer Communities

Others

Redditch High Quality Design SPD

National Planning Policy Framework (2023)

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Relevant Planning History

None

Consultations

Worcestershire County Highway Authority

No highways objections raised. Conditions have been recommended pertaining to: the provision of pedestrian visibility splays, bound surface to vehicular access, an Electric Vehicle Charging Point (EVCP) and cycle parking provision

Public Consultation Response

No representations received

Assessment of Proposal

Principle of development

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 National Planning Policy Framework requires local planning authorities and developers to make effective use of previously developed land, especially if this would help to meet identified needs for housing where land supply is constrained.

Chapter 11 of the Framework emphasises the importance of making effective use of land, and with respect to density, Para 125 comments that:

“Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site”

The principle of new residential development on this site is therefore acceptable in this location subject to other considerations including character and appearance, residential amenity, highway safety and other technical matters.

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 proposed dwelling is considered to respect the character of the area and would be commensurate with surrounding dwellings in terms of its height, width and its design.

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The dwelling would sit comfortably within the plot and would assimilate within the existing street. Window details and materials would also respect those present on dwellings within Greenlands Avenue.

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 considerations

Paragraph 130 (f) of the NPPF states that planning decisions should seek a high standard of amenity for existing and future occupants. 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.

Internally, the accommodation would provide future occupants with a modern living space meeting the Governments Nationally Prescribed Space Standards for internal living accommodation. Externally, occupants would benefit from a 15.5m long rear garden measuring over 80 square metres in area.

Your officers are satisfied that no loss of residential amenity would result from granting permission having regards to matters such as loss of light, overbearance and loss of privacy. No representations have been received in objection to the application following the expiry of the publicity period and overall, the proposal raises no concerns in relation to residential amenity.

Highway matters

The site is situated in a sustainable location with Greenlands Avenue benefiting from footpaths and streetlighting. The site is also located within walking distance of amenities and bus stops. Two car parking spaces are being provided for the dwelling which accords with WCC car parking standards for a three bedroomed property.

The Highways Officer has raised no objections subject to conditions which are considered to meet the tests set out under Paragraph 56 of the NPPF.

Conclusion

The proposal would create an additional residential unit making a valuable contribution to Redditch's housing stock. The proposal would not cause harm to the character and appearance of the area and no detrimental impacts to nearby residential amenities have been identified. The dwelling would provide a good standard of amenity for future occupiers. Further, no highway safety issues have been raised by statutory consultees or by third parties.

It is therefore considered that planning permission should be granted subject to conditions.

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

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

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

Drawing 5022011-RDG-XX-ST-PL-A-0001-A

Drawing 5022011-RDG-XX-XX-PL-A-0002-D

Drawing 5022011-RDG-XX-ST-PL-A-0003-C

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) The Development hereby approved shall not be occupied until pedestrian visibility splays of 2m x 2m measured perpendicularly back from the back of footway shall be provided on both sides of the access. The splays shall thereafter be maintained free of obstruction exceeding a height of 0.6m above the adjacent ground level.

Reason: In the interests of highway safety.

- 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.

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- 6) The Development hereby permitted shall not be first occupied until the proposed dwelling has been fitted with an electric vehicle charging point. The charging point 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 point shall be retained for the lifetime of the development unless they need to be replaced in which case the replacement charging point 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 permitted shall not be first occupied until sheltered, safe, secure and accessible cycle parking to comply with the Council's adopted highway design guide has been provided at the site. Thereafter, the cycle parking shall be kept available for the parking of bicycles only.

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

- 8) Prior to the occupation of the development, details of the boundary treatments to be provided on site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:-To ensure the development is afforded privacy and security between neighbours and the public realm and in the interest of the visual amenity of the street scene

Procedural matters

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

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