

# Planning Committee

Tue 1st Dec  
2009  
7pm

Council Chamber  
Town Hall  
Redditch



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- Access to a list specifying those powers which the Council has delegated to its Officers indicating also the titles of the Officers concerned.
- Access to a summary of the rights of the public to attend meetings of the Council and its Committees etc. and to inspect and copy documents.
- In addition, the public now has a right to be present when the Council determines “Key Decisions” unless the business would disclose confidential or “exempt” information.
- Unless otherwise stated, most items of business before the Executive Committee are Key Decisions.
- Copies of Agenda Lists are published in advance of the meetings on the Council’s Website:

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**If you have any queries on this Agenda or any of the decisions taken or wish to exercise any of the above rights of access to information, please contact the following:**

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**Minicom: 595528**

# **REDDITCH BOROUGH COUNCIL** **PLANNING COMMITTEE**



## **GUIDANCE ON PUBLIC** **SPEAKING**

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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 follows:

in accordance with the running order detailed in this agenda (Applications for Planning Permission item) and updated by the separate Update report:

- 1) Introduction of application by Chair
- 2) Officer presentation of the report (as originally printed; updated in the later Update Report; and updated orally by the Planning Officers at the meeting).
- 3) Councillors' questions to the Officers - to clarify detail.
- 4) Public Speaking - in the following order:-
  - a) Objectors to speak on the application;
  - b) Supporters to speak on application;
  - c) Applicant to speak on application.

Speakers will be called in the order they have notified their interest in speaking to the Planning Officers (by the 4.00 p.m. deadline on the Friday before the meeting) and invited to the table or lecturn.

- Each individual speaker, or group representative, will have up to a maximum of 3 minutes to speak. (Please press button on "conference unit" to activate microphone.)
  - After each of a), b) and c) above, Members may put relevant questions to the speaker, for clarification. (Please remain at the table in case of questions.)
- 5) Members' questions to the Officers and formal debate / determination.

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**Notes:**

- 1) 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.2, the County Structure Plan (comprising the Development Plan) 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.
- 2) No audio recording, filming, video recording or photography, etc. of any part of this meeting is permitted without express consent (Section 100A(7) of the Local Government Act 1972).
- 3) Once the formal meeting opens, members of the public are requested to remain within the Public Gallery and may only address Committee Members and Officers via the formal public speaking route.
- 4) 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 5.00 p.m. on the Friday before the meeting.
- 5) Anyone wishing to address the Planning Committee on applications on this agenda must notify Planning Officers by 5.00 p.m. on the Friday before the meeting.

**Further assistance:**

If you require any further assistance prior to the meeting, please contact the Committee Services Officer (indicated at the foot of the inside front cover), Head of 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.

# Welcome to today's meeting.

## Guidance for the Public

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### ***Agenda Papers***

The **Agenda List** at the front of the Agenda summarises the issues to be discussed and is followed by the Officers' full supporting **Reports**.

### ***Chair***

The Chair is responsible for the proper conduct of the meeting. Generally to one side of the Chair is the Committee Support Officer who gives advice on the proper conduct of the meeting and ensures that the debate and the decisions are properly recorded. On the Chair's other side are the relevant Council Officers. The Councillors ("Members") of the Committee occupy the remaining seats around the table.

### ***Running Order***

Items will normally be taken in the order printed but, in particular circumstances, the Chair may agree to vary the order.

***Refreshments*** : tea, coffee and water are normally available at meetings - please serve yourself.

### ***Decisions***

Decisions at the meeting will be taken by the **Councillors** who are the democratically elected representatives. They are advised by **Officers** who are paid professionals and do not have a vote.

### ***Members of the Public***

Members of the public may, by prior arrangement, speak at meetings of the Council or its Committees. Specific procedures exist for Appeals Hearings or for meetings involving Licence or Planning Applications. For further information on this point, please speak to the Committee Support Officer.

### ***Special Arrangements***

If you have any particular needs, please contact the Committee Support Officer.

Infra-red devices for the hearing impaired are available on request at the meeting. Other facilities may require prior arrangement.

### ***Further Information***

If you require any further information, please contact the Committee Support Officer (see foot of page opposite).

### ***Fire/ Emergency instructions***

**If the alarm is sounded, please leave the building by the nearest available exit – these are clearly indicated within all the Committee Rooms.**

**If you discover a fire, inform a member of staff or operate the nearest alarm call point (wall mounted red rectangular box). In the event of the fire alarm sounding, leave the building immediately following the fire exit signs. Officers have been appointed with responsibility to ensure that all visitors are escorted from the building.**

**Do Not stop to collect personal belongings.**

**Do Not use lifts.**

**Do Not re-enter the building until told to do so.**

**The emergency Assembly Area is on Walter Stranz Square.**

# Declaration of Interests: Guidance for Councillors

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DO I HAVE A "PERSONAL INTEREST" ?

- Where the item relates or is likely to affect your **registered interests** (what you have declared on the formal Register of Interests)

**OR**

- Where a decision in relation to the item might reasonably be regarded as affecting **your own** well-being or financial position, or that of your **family**, or your **close associates** more than most other people affected by the issue,

you have a personal interest.

WHAT MUST I DO? **Declare the existence, and nature, of your interest and stay**

- The declaration must relate to specific business being decided - a general scattergun approach is not needed
- **Exception** - where interest arises only because of your membership of another **public body**, there is no need to declare unless you **speak** on the matter.
- You **can vote** on the matter.

IS IT A "PREJUDICIAL INTEREST" ?

In general only if:-

- It is a personal interest **and**
- The item affects your **financial position** (or conveys other benefits), or the position of your **family, close associates** or bodies through which you have a **registered interest** (or relates to the exercise of **regulatory functions** in relation to these groups)

**and**

- A member of public, with knowledge of the relevant facts, would reasonably believe the interest was likely to **prejudice** your judgement of the public interest.

WHAT MUST I DO? **Declare and Withdraw**

BUT you may make representations to the meeting before withdrawing, **if** the public have similar rights (such as the right to speak at Planning Committee).



# PLANNING COMMITTEE

1st December 2009

7.00 pm

Council Chamber Town Hall

## Agenda

### Membership:

Cllrs:	M Chalk (Chair)	N Hicks
	K Banks (Vice-Chair)	D Hunt
	D Enderby	R King
	J Field	D Smith
	W Hartnett	

<p><b>1. Apologies</b></p>	<p>To receive apologies for absence and details of any Councillor nominated to attend the meeting in place of a member of the Committee.</p>
<p><b>2. Declarations of Interest</b></p>	<p>To invite Councillors to declare any interest they may have in the items on the Agenda.</p>
<p><b>3. Confirmation of Minutes</b> (Pages 1 - 10)</p>	<p>To confirm, as a correct record, the minutes of the meeting of the Planning Committee held on the 3rd November 2009.</p>
<p><b>4. Applications for planning permission</b> (Pages 11 - 12)  Acting Head of Planning and Building Control</p>	<p>To consider various applications for planning permission.  (Items below refer)  (Covering Report attached)</p>
<p><b>5. Planning Application 2009/219/RC3 - Land at Arrow Valley Park, Icknield Street Drive, Matchborough</b>  (Pages 13 - 20)</p>	<p>To consider a Planning Application for a new floodlit BMX track, perimeter fencing, clubhouse facility and associated works.  Applicant: Redditch Borough Council  <b>(Marchborough Ward)</b></p>
<p><b>6. Planning Application 2009/220/FUI - Land at 360 Evesham Road, Crabbs Cross</b>  (Pages 21 - 28)</p>	<p>To consider a Planning Application for the partial demolition of existing retail and storage buildings and the erection of three dormer bungalows.  Applicant: Mr A Bray  <b>(Crabbs Cross Ward)</b></p>

# PLANNING

Committee

1st December 2009

<p><b>7. Planning Application 2009/223/ADV - Land at Arrow Valley Park, Icknield Street Drive, Matchborough</b></p> <p>(Pages 29 - 32)</p>	<p>To consider a Planning Application for new signage to a new floodlit BMX Track.</p> <p>Applicant: Redditch Borough Council</p> <p><b>(Matchborough Ward)</b></p>
<p><b>8. Planning Application 2009/226/COU - Units 5A4 and %A5, Millsborough House, Ipsley Street, Smallwood</b></p> <p>(Pages 33 - 38)</p>	<p>To consider a Planning Application for a change of use to Hot Food Takeaway (A5 Use) and new entrance to Ipsley Street and Lodge Road.</p> <p>Applicant: Mr D Gough</p> <p><b>(Central Ward)</b></p>
<p><b>9. Exclusion of the Public</b></p>	<p>During the course of the meeting it may be necessary, in the opinion of the Chief Executive, to consider excluding the public from the meeting on the grounds that exempt information is likely to be divulged. It may be necessary, therefore, to move the following resolution:</p> <p><b>“that, under S.100 I of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, the public be excluded from the meeting for the following matter(s) on the grounds that it/they involve(s) the likely disclosure of exempt information as defined in the relevant paragraphs of Part 1 of Schedule 12 (A) of the said Act, as amended.</b></p>
<p><b>10. Confidential Matters (if any)</b></p>	<p>To deal with any exceptional matters necessary to consider after the exclusion of the public (none notified to date.)</p>





## Planning Committee

3rd November 2009

### MINUTES

#### Present:

Councillor Michael Chalk (Chair), Councillor Kath Banks (Vice-Chair) and Councillors D Enderby, J Field, W Hartnett, N Hicks, D Hunt, R King and D Smith

#### Officers:

A Hussain, S Mullins, A Rutt, S Skinner and J Staniland.

#### Committee Services Officer:

J Smyth

#### 63. APOLOGIES

There were no apologies for absence.

#### 64. DECLARATIONS OF INTEREST

There were no declarations of interest declared.

(Councillor King had indicated that he was acquainted personally with Mr Blewitt, a public speaker for Application 2009/206/RC3 (Environment Enhancements – Himbleton Close, Lodge Park), but not sufficiently to warrant a declaration of interest.)

#### 65. CONFIRMATION OF MINUTES

##### RESOLVED that

**the minutes of the meeting of the Committee held on the 6th October 2009 be confirmed as a correct record and signed by the Chair.**

#### 66. APPLICATIONS FOR PLANNING PERMISSION

The Committee considered and determined nine Planning Applications as detailed in the subsequent minutes below.

.....  
Chair

Officers tabled an update report detailing any late responses to consultation, changed recommendations, further conditions and any additional Officer comments in relation to each application. This report was further updated orally at the meeting as appropriate to each application.

Public speaking was permitted in accordance with the Council's agreed procedures, in relation to eight of the applications being considered.

**67. PLANNING APPLICATION 2009/186/FUL –  
UNIT 9, WASHFORD TRADE PARK, WASHFORD DRIVE**

Erection of new (Class A1) Retail Unit  
Applicant: HSL Property Ltd

Mr P Haslam and Mr C Robinson, the Applicant and Agent respectively, addressed the Committee under the Council's public speaking rules.

**RESOLVED that**

**having regard to the Development Plan and to all other material considerations, authority be delegated to the Acting Head of Planning and Building Control to GRANT Planning Permission, subject to the following 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 premises shall be used for the preparation, baking and retail sale of bread flour and sugar confectionary, savoury products, fresh and delicatessen foods, sandwiches, snacks, soft drinks, beverages, ice-cream and for no other purpose (including any other purpose in Class A1 of the Schedule to the Town and Country Planning (Use Classes Amendment) Order 2005, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) unless otherwise agreed in writing by the Local Planning Authority.**

**Reason: In the interest of sustainability to prevent additional trips by car in accordance with Policy E(TCR).4 of the Borough of Redditch Local Plan No 3.**

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

**Drawing Nos: 7344-02C, 7344-03A**

**Date Stamped: 8 September 2009**

**Reason: To accurately define the permission for the avoidance of doubt and to ensure that the development is satisfactory in appearance in order to safeguard the visual amenities of the area in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.**

(This decision was taken contrary to Officer recommendation in view of the fact that Members were of the opinion that the proposed A1 Class Use was acceptable in this particular location in that it was, in their view, an ideal use for the site and would provide an aesthetically pleasing and high standard facility for the surrounding employment and nearby sporting and recreation facilities.

It was further agreed that authority should be delegated to Officers to approve the application in order that appropriate conditions, including restricting the A1 use to a Sandwich Shop only, could be negotiated and applied.)

**68. PLANNING APPLICATION 2009/194/FUL –  
18 CHESTNUT ROAD, ASTWOOD BANK**

Erection of New Dwelling

Applicant: Mr I Osborne

**RESOLVED that**

**having regard to the Development Plan and to all other material considerations, Planning Permission be GRANTED, subject to the conditions and informatives summarised in the main report.**

**69. PLANNING APPLICATION 2009/203/COU –  
UNITS 1 - 2 MARKET PLACE, REDDITCH TOWN CENTRE**

Revised application for a change of use from A1 (Retail)  
to A2 (Financial and Professional Services),  
alterations to the shopfront and installation of 4 satellite Dishes,  
TV Aerial to roof and associated works

Applicant: Paddy Power Plc

Mrs Warner, objector, and Mr Robson, Agent for the Applicant, addressed the Committee under the Council's public speaking rules.

**RESOLVED that**

**having regard to the Development Plan and to all other material considerations, Planning Permission be GRANTED, subject to the conditions summarised in the main report.**

**70. PLANNING APPLICATION 2009/205/RC3 –  
DORMSTON CLOSE, LODGE PARK**

Environmental Enhancements (part retrospective)

Applicant: Redditch Borough Council

Mr K Stokes, Agent for the Applicant, addressed the Committee under the Council's public speaking rules.

**RESOLVED that**

**having regard to the Development Plan and to all other material considerations, Planning Permission be GRANTED, subject to the Conditions summarised in the main report, with the exception of Condition 1, which was to be removed, and Condition 3 which was amended to read as follows:**

**“3. Details of finishes of surfaces to be submitted and implemented as agreed prior to further works being undertaken.”**

**71. PLANNING APPLICATION 2009/206/RC3 –  
HIMBLETON CLOSE, LODGE PARK**

Environmental Enhancements (Part Retrospective)

Applicant: Redditch Borough Council

Mr Blewitt, objector and Mr K Stokes, Agent for the Applicant, addressed the Committee under the Council's public speaking rules.

**RESOLVED that**

**having regard to the Development Plan and to all other material considerations, authority be delegated to the Head of Planning and Building Control to GRANT Planning Permission, subject to: receipt of satisfactory amended plans showing the removal of the proposed parking in the area fronting the grass bank; the Conditions summarised in the main report, but with the exception of Condition 1, which was to be removed, and Condition 3, which was amended to read as follows:**

**“3. Details of finishes of surfaces to be submitted and implemented as agreed prior to further works being undertaken.”**

(In considering this, in part, retrospective Application, and further to representations made by the objector, Members were of the opinion that the proposed overall parking provision for the Close, which would equate to an average of 2.9 spaces per dwelling, was over-provision in terms of Policy requirements. For this reason and further to advice from Officers, it was proposed and agreed that one aspect of the application, relating to proposed car parking to the front of the grass bank on the site plan, might be deleted and the existing incidental amenity grass space be retained.

Authority to approve the Application was delegated to Officers in order that amended plans, as necessitated by the deletion of some of the parking spaces, could be sought.)

**72. PLANNING APPLICATION 2009/208/RC3 –  
FLYFORD CLOSE, LODGE PARK**

Environmental Enhancements (part retrospective)

Applicant: Redditch Borough Council

Mr K Stokes, Agent for the Applicant, addressed the Committee under the Council's public speaking rules.

**RESOLVED that**

**having regard to the Development Plan and to all other material considerations, Planning Permission be GRANTED, subject to the Conditions summarised in the main report with the exception of Condition 1, which was to be removed, and Condition 3, which was amended to read as follows:**

**“3. Details of finishes of surfaces to be submitted and implemented as agreed prior to further works being undertaken.”**

**73. PLANNING APPLICATION 2009/210/S73 –  
LAND AT CHURCH GREEN / MARKET PLACE /  
ALCESTER STREET, TOWN CENTRE**

Variation of Conditions 3 and 4 of Application 2008/067/RC3  
to ensure trading hours and deliveries / collections / vehicle  
movements are all in line with Market Rules and Regulations  
2009/10

Applicant: Redditch Borough Council

Mrs M Davidson and Mr D Hawkins, Agents for the Applicant,  
addressed the Committee under the Council's public speaking  
rules.

**RESOLVED that**

**having regard to the Development Plan and to all other material  
considerations, authority be delegated to the Acting Head of  
Planning and Building Control to GRANT Planning Approval,  
subject to no new issues being raised following the expiry of  
the Public Press Notice on the 6th November 2009 and the  
conditions and informatives summarised in the main report.**

**74. PLANNING APPLICATION 2009/211/FUL –  
LAND AT CHURCH GREEN / MARKET PLACE /  
ALCESTER STREET, TOWN CENTRE**

Amendment to Planning Permission 2008.067  
for improvement works to pedestrian area and  
permanent use of area as outdoor market

Applicant: Redditch Borough Council

Mrs M Davidson and Mr D Hawkins, Agents for the Applicant,  
addressed the Committee under the Council's public speaking  
rules.

**RESOLVED that**

**having regard to the Development Plan and to all other material  
considerations, authority be delegated to the Acting Head of  
Planning and Building Control to GRANT Planning Approval,  
subject to no new issues being raised following the expiry of  
the Public Press Notice on the 6th November 2009 and the  
conditions and informatives summarised in the main report.**

**75. PLANNING APPLICATION 2009/214/COU –  
26 AND 28 EVESHAM WALK AND  
36 AND 37 EVESHAM WALK, KINGFISHER CENTRE,  
REDDITCH**

Amalgamation of units and change of use from  
A1 Retail to A2 Financial and Professional Services  
(resubmission of Planning Application 2009/169/COU  
Applicant: Scottish Widows

Mr D Smith, Agent for the Applicant, addressed the Committee under the Council's public speaking rules.

This application, which would normally have been dealt with under Officers' delegated authority, was exceptionally considered by the Committee at the request of Councillor MacMillan.

**RESOLVED that**

**having regard to the Development Plan and to all other material considerations, Planning Permission be GRANTED, subject to the following 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 premises shall be used as a bank or building society only and for no other purpose (including any other purpose in Class A2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.**

**Reason: In order to protect the retail core of Redditch Town Centre and the shopfront style appearance of the frontage of the unit(s) in relation to Policy E(TCR)5 of the Borough of Redditch Local Plan No.3.**

- 3) The use hereby permitted shall be implemented in accordance with the plans submitted in support of the application, and the frontage remain as a glazed shopfront in accordance with those plans unless otherwise agreed in writing by the Local Planning Authority.**

**Reason: In order to protect the retail core of Redditch Town Centre and the shopfront style appearance of the frontage of the unit(s) in relation to Policy E(TCR)5 of the Borough of Redditch Local Plan No.3.**

(This decision was taken contrary to Officer recommendation in view of the Committee's opinion that, whilst mindful of the Shopping Centre's primarily retail (A1) function and the Council's adopted Policies, an A2 use, restricted to Banks and Building Societies only, would be appropriate in this prominent location, part of which had failed to attract any permanent retail outlets over several years. The proposed hours of opening, as indicated by the Agent, were also considered to address Officers' concerns in relation to opening hours during the Centre's peak shopping hours. In weighing up the arguments for and against the proposed change of use, Members considered that on balance, the A2 use as specified and subject to appropriate conditions, was acceptable.)

## **76. PLANNING SYSTEM - PROPOSED CHANGES**

The Committee received a report which detailed various changes to the planning system that had come into force on the 1st October 2009 together with information on proposed changes to certain nationally set fees due to come into force in the near future.

Members noted that the changes were part of the Government's response to the economic downturn and were designed to increase ways of encouraging the implementation of developments that had the benefit of Planning Consent.

The areas of change were summarised under the following headings:

- 1) applications for non-material changes to planning permissions;
- 2) extension of time applications; and
- 3) new consultation requirements.

Officers advised that, in conjunction with the changes, the Department for Communities and Local Government had proposed different fees for these types of applications. Members noted that



the suggested fees, which were still to be confirmed, were likely to be introduced in December 2009 and would, Officers anticipated, result in a reduction in planning application income.

**RESOLVED that**

**the areas if change to Planning and associated consents, as detailed in the report and its Appendix, in relation to extending Planning Permissions and making non-material amendments to Planning Permissions, be noted.**

**77. MEMBERS' PLANNING CODE OF GOOD PRACTICE**

The Committee considered proposed revisions to the Council's Planning Code of Good Practice in order to take account of the changing role of Members in the planning process.

Following the Head of Legal, Democratic and Property Services' presentation of the report, Members felt that an opportunity for more extensive discussion was required.

**RESOLVED that**

- 1) this matter stand deferred pending the outcomes of**  
**2) below; and**
- 2) Officers be instructed to arrange an event to permit more detailed discussion, by all Members, of the proposed Code of Practice.**

The Meeting commenced at 7.01 pm  
and closed at 10.26 pm

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CHAIR



## Planning Committee

Various Wards

1st December 2009

### APPLICATIONS FOR PLANNING PERMISSION

(Report of the Acting Head of Planning and Building Control)

#### 1. Summary of Report

To determine four applications for planning consent (covering report only).

#### 2. Recommendation

The Committee is asked to **RESOLVE** that

**having regard to the development plan and to other material considerations, the attached applications be determined.**

#### 3. Financial, Legal, Policy, Risk and Sustainability Implications

3.1 Financial : None.

3.2 Policy : As detailed in the reports.

3.3 Legal : Set out in the following Acts:-  
Town and Country Planning Act 1990  
Planning and Compensation Act 1991  
Human Rights Act 1998  
Crime and Disorder Act 1998.

3.4 Risk : As detailed in the reports.

3.5 Sustainability/Environmental: As detailed within the reports.

#### 4 Report

The following items on the Agenda detail planning applications for determination at this meeting of the Committee.

#### 5. Background Papers

Planning application files (including letters of representation).  
Worcestershire County Structure Plan 1996 - 2011.  
Borough of Redditch Local Plan No. 3.

6. **Consultation**

Consultees are indicated in the reports.

7. **Other Implications**

Asset Management            Not normally applicable.

Community Safety:        As detailed within the reports.

Human Resources:        None.

Social Exclusion:        None: all applications are considered on strict planning merits, regardless of status of applicant.

7. **Author of Report**

The author of this report is Ruth Bamford (Acting Head of Planning and Building Control), who can be contacted on extension 3219 (e-mail: [ruthbamford@redditchbc.gov.uk](mailto:ruthbamford@redditchbc.gov.uk)) for more information.

## Planning Committee

Matchborough Ward

1st December 2009

**2009/219/RC3 PROPOSED NEW FLOODLIT BMX TRACK, PERIMETER FENCING TO TRACK AND CLUBHOUSE FACILITY. ALTERATIONS TO EXISTING CHANGING ROOMS, STORAGE FACILITIES, SOCIAL ACTIVITY/CLUB SPACE & MINOR OFFICE ACCOMMODATION. DIVERSION OF FOOTPATH 619 AROUND BMX TRACK ENCLOSURE LAND AT ARROW VALLEY PARK, ICKNIELD STREET DRIVE  
APPLICANT: MR K COOK, REDDITCH BOROUGH COUNCIL  
EXPIRY DATE: 15TH JANUARY 2010**

The author of this report is Ailith Rutt, Development Control Manager, who can be contacted on extension 3374 (e-mail: ailith.rutt@redditchbc.gov.uk) for more information.

### Site Description

(See additional papers for Site Plan)

The site is accessed from Icknield Street Drive. The access road leads into the site, with a car park to the right (N) and the existing ancillary building to the left (S). The building is a single storey brick building with a pitched tiled roof and high level windows, used for changing. To the west of the building and car park is open grassed space currently used for football, with pitch markings and goal posts.

To the north of the site is the existing skate park, enclosed by grey palisade fencing and also served by the existing car parking area. To the south of the site is a public house and to the east of the site is the residential area of Matchborough.

### Proposal Description

The proposal includes several elements:

- A new BMX track comprising humps and turns
- Perimeter fencing 2.4m in height of green weldmesh design
- 6 Floodlighting columns 10m in height, adjacent to track within perimeter fencing
- Alterations to existing changing rooms to create secure cycle parking, office base for officials and updated changing/showering facilities. Two external doors would be lost.
- Diversion of public footpath around the enclosure to the west, rather than through as is its current location
- Alteration to car park layout to create 4 disabled parking spaces, retaining the overall provision of 82 spaces

The application is supported by a Design & Access Statement, a planning statement, ecological assessment and green travel plan.

**Relevant Key Policies**

All planning applications must be considered in terms of the planning policy framework and all other relevant material considerations (as set out in the legislative framework). The planning policies noted below can be found on the following websites:

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

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

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

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

***National Planning Policy***

PPS1 (& accompanying documents) Delivering sustainable development  
PPG13 Transport  
PPG17 Planning for open space, sport and recreation

***Regional Spatial Strategy***

QE1 Conserving and enhancing the environment  
QE4 Greenery, urban greenspace and public space  
T2 Reducing the need to travel

***Worcestershire Country Structure Plan***

CTC6 Green open space and corridors  
T3 Managing car use

***Borough of Redditch Local Plan No.3***

CS2 Care for the environment  
CS8 Landscape character  
S1 Designing out crime  
BBE13 Qualities of good design  
CT2 Road hierarchy  
CT11 Road schemes  
R1 Primarily open space

The site lies within the defined Arrow Valley Park and is designated as Primarily Open Space

**Relevant Site Planning History**

None relevant.

### **Public Consultation Responses**

#### Responses in favour

- One letter of support received – appropriate use in this location

#### Responses against

Three comments received raising the following points:

- Concern over noise disturbance to nearby properties
- Only pedal powered vehicles should be used and not motorised ones
- No announcements other than on competition days
- Should limit number of competitions held per annum
- Impact on wildlife on the site
- Light pollution to residential properties
- Loss of wider views across the Arrow Valley Park
- Loss of an important local amenity that is already well used
- Traffic and highway safety concerns
- Displacement of parking to residential areas
- Unsustainable location
- Inappropriate access for vehicles using a site of national significance
- Contrary to Policy CT2 – includes frontage development
- Inappropriate height of development in a residential area

### **Consultee Responses**

#### ***County Highway Network Control***

No objection.

#### ***Development Plans Team***

The principle of the development is considered to be compliant with policy, subject to various considerations, as the proposal would add to the diverse range of leisure and recreation opportunities at Arrow Valley Park, in line with LP3 policy. The loss of the playing pitch should only be accepted if there is alternative provision, and the proposed intensification of the access to the car park onto the district distributor road is also a matter for consideration against Policy CT2 of LP3.

#### ***Environmental Health***

No comments received.

#### ***Crime Risk Manager***

No objection.

***Worcestershire County Rights of Way Officer***

No objection subject to a condition to divert the footpath prior to commencement of development.

***Waste Management Officer***

Seeks provision of litter bins on site.

**Procedural matters**

Members are reminded that lighting of itself is not development, and thus cannot be treated as a material consideration or controlled through the planning process. However, any supporting structures are subject to the usual planning rules and considerations. Therefore, the height and visual impact of the columns to support the floodlights proposed here are a material consideration.

The footpath diversion forms part of this application. This is effectively a separate application and will be dealt with as such. Once a recommendation has been made on it, a report will come to Members in this respect. It is entirely appropriate to deal with the two matters separately.

**Assessment of Proposal**

The key issues for consideration in this case are the visual impact of the proposal on the open space, any impact the proposed use might cause to neighbouring residential amenity, and highway safety impacts.

**Principle**

There is a balance to be struck between maintaining the openness of areas of Primarily Open Space in the public interest and to facilitate diverse recreational opportunities, and the need to provide equipment and facilities in order that open space use can be maximised to provide the greatest public benefit.

The applicant has noted in their planning statement that the loss of the playing pitch can be overcome at alternative locations, and that the changing facilities on site would be shared between the Sunday league footballers who currently use it and the users of the new BMX track.

**Visual impact**

The visual impact of the proposal is considered to have been kept to a minimum, in that the fencing chosen to surround the site is as low as is practicable but functional, and is of a design that allows views through due to the mesh effect, and has minimal visual impact due to its green finish.



Further, the landscaping works to create the track are 3m in height at their tallest point, and as such longer and wider views across the open space would still be achievable. The proposal does not include any landscaping to reduce the visual impact of the development, in order that the openness of the Park is retained, and this is welcomed.

It is therefore considered that the proposal succeeds in meeting the opposing needs of facility provision and maintains openness as much as would be possible. There are no elements of the proposal which lead to specific concerns regarding either of these policy aims, and thus the proposal is considered to be acceptable in terms of its visual impacts.

The floodlighting columns proposed, at 10m in height, are considered to be visually intrusive and Officers are seeking their amendment to a lower height to be more in scale with the proposed development and reduce any light spill impacts. Further information in this regard will be reported on the Update paper.

#### Residential amenity

The site is at a significant distance from residential properties, and the existing screening along Icknield Street Drive is to remain, such that the development would be well screened from view and unlikely to cause any harmful effects on surrounding residential amenity.

The proposal is for pedal cycles and not motorised scooters or motorcycles, and as such it is considered that the noise impacts of such a use would be minimal. It is therefore recommended that a condition be imposed to ensure such use, in order to protect any noise impact of the use on the surrounding residential amenities.

The proposed hours of operation are 0900 – 2230, 7 days per week, with the lights being turned off at 10pm. It is also recommended that this be controlled through the imposition of a condition to protect noise disturbance from vehicles leaving the site late at night.

#### Highways and access

There are no concerns raised regarding the existing access and highway arrangements, and it is considered that there would be sufficient parking provision on the site relative to the adopted maximum standards. The proposal includes 82 spaces, and the addition of 4 disabled spaces within the car park area. The adopted local parking standards do not cater specifically for this type of use, and as such it is difficult to suggest a maximum parking level in line with the policy requirements. The requirements for public parks are minimal, at 1 space per 4ha, whilst for leisure centres and visitor centres they are worked out relative to the proposed floor area, which clearly is also not comparable here. However, in the interests of sustainability, not only maximum parking provision should be considered by also alternative methods of travel. The applicant has

demonstrated that the site is accessible by a range of methods of transport, and this is considered to be appropriate. The existing provision is already massively in excess of any standards that could be applied, and therefore it is not considered reasonable to require any further spaces on this occasion.

Comments have been raised regarding the intensification of use of the access to the car park, which exits onto a district distributor road. Such roads are designed for the moving of traffic between areas of Redditch, and not for access, as this results in users slowing to turn, causing backing up of traffic. However, this is an existing use and there are no alternative access routes for the site. Further, no concerns have been raised by the highways officer, and therefore this is considered to be acceptable in this case.

The green travel plan submitted in support of this application is considered to be acceptable, and as such, it is recommended that its implementation be required through the imposition of a condition.

#### Changes to building

The changes proposed to the building are very minor in nature, with the only external alterations being the blocking up of two doors. Therefore, providing appropriate materials are used for this, it is not anticipated that there would be any significant harm caused by the proposed changes to the building, as they are ancillary to the proposed BMX use of the site.

#### Sustainability

The proposal does not include the creation of any further hard surfacing, and as such it is not considered that the 'built form' proposed would have any negative impacts on sustainability.

From a travel perspective, the site is well served by public transport, and is accessible to pedestrians and cyclists, located within the urban area of Redditch, such that it is considered to be an appropriate location for this type of development.

Additional information regarding the lighting details has been requested to ensure that energy consumption is at as low a level as possible.

#### Other issues

The waste management officer has requested that bins be required to be provided on the site, however there are already some available on the site and it is therefore not considered necessary to require further provision, nor is there any planning policy framework which requires it.

Conclusion

On balance, it is considered that the proposed development would comply with policy and not cause harm to amenity or safety, and as such it is considered to be acceptable.

Recommendation

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

1. Commence within three years
2. Don't start until ROW has been diverted formally
3. Use by pedal cycles only and not motorised vehicles of any sort
4. Use of track to cease at 10pm all year round, with site locked by 1030pm
5. Lighting details to be agreed prior to commencement on site
6. Implementation of green travel plan
7. Approved plan numbers.

Informatives

PROW diversion application dealt with by different team who will communicate.



## Planning Committee

Crabbs Cross Ward

1st December 2009

**2009/220/FUL PARTIAL DEMOLITION OF EXISTING RETAIL AND STORAGE BUILDINGS, ERECTION OF THREE DORMER BUNGALOWS LAND AT 360 EVESHAM ROAD, REDDITCH  
APPLICANT: MR A BRAY  
EXPIRY DATE: 10TH DECEMBER 2009**

The author of this report is Steven Edden, Planning Officer, who can be contacted on extension 3206 (e-mail: [steve.edden@redditchbc.gov.uk](mailto:steve.edden@redditchbc.gov.uk)) for more information.

### Site Description

**(See additional papers for Site Plan)**

The proposed development site measures approximately 0.1 ha in area and contains part of the existing collection of buildings known as the “Corn Stores” which are a collection of rather ramshackle buildings probably dating from the early 1960s. The buildings are used as pet and garden supply retail units. The site’s western boundary is a hedgerow, beyond which lies Chandlers Close and existing residential development. Detached housing lies to the immediate north and south of the site. Beyond the eastern boundary lie the remainder of the “Corn Stores” buildings.

The site is currently accessed via Evesham Road at a point between number 360 Evesham Road (to the north), and a public car park (to the south).

Parking for the existing “Corn Stores” use is within the curtilage of the buildings, but on an ad-hoc basis, with no demarcated spaces.

### Proposal Description

This is a full application for the erection of two 3 bedroomed detached dormer bungalows and one 4 bedroomed dormer bungalow. All would be of brick and tile construction and would front Chandlers Close.

Access would be via a new access from Chandlers Close. Parking would be within the curtilage of each bungalow.

### Relevant Key Policies

All planning applications must be considered in terms of the planning policy framework and all other relevant material considerations (as set out in the legislative framework). The planning policies noted below can be found on the following websites:

[www.communities.gov.uk](http://www.communities.gov.uk)  
[www.wmra.gov.uk](http://www.wmra.gov.uk)

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

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

### ***National Planning Policy***

PPS1      Delivering sustainable development  
PPS3      Housing  
PPG13     Transport

### ***Regional Spatial Strategy***

CF2      Housing beyond Major Urban Areas  
CF3      Level and Distribution of New Housing Development  
CF5      The reuse of land and buildings for housing  
CF6      Making efficient use of land  
T2        Reducing the need to travel  
T7        Car parking standards and management

### ***Worcestershire County Structure Plan***

SD.3      Use of previously developed land  
SD.4      Minimising the need to travel  
T.4        Car parking

### ***Borough of Redditch Local Plan No.3***

CS.7      The sustainable location of development  
B(HSG).6 Development within or adjacent to the curtilage of an existing dwelling  
B(BE).13 Qualities of good design  
B(BE).19 Green Architecture  
C(T).12   Parking Standards

### ***SPDs***

Encouraging Good Design  
Designing for Community Safety

### **Relevant Site Planning History**

<b>Appn. no</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
2009/160	Demolition of existing retail and storage buildings. Construction of new retail unit with associated parking	Approved	7.10.09
2009/161	2 no. dwellings and 2 no. dormer bungalows	Withdrawn	18.9.09

**Public Consultation Responses**

Responses in favour

1 letter received. Comments summarised as follows:

- Site represents “brownfield land” and a windfall site. Providing sufficient amenity space can be provided, support is given.

Responses against

3 letters received. Comments summarised as follows:

- Concern that properties would be ‘overshadowed’ by the proposed development, although better than previous scheme
- Increased use of Chandlers Close will lead to more accidents
- Vehicle movements will inconvenience existing residents
- Concerns raised regarding construction noise and impact on amenity
- Development with access off Chandlers Close will result in the loss of a large hedge which has significant natural habitat value
- Has the issue of bats on the site been thoroughly investigated?

**Consultee Responses**

***County Highway Network Control***

No objection subject to conditions concerning access, turning and parking

***RBC Arboricultural Officer***

Comments summarised as follows:

Vegetation which exists at the proposed access area on to Chandlers Close consists of individual, semi mature conifers, a small field maple, with some self set ash. These have little visual amenity value and the individual trees are of average to poor condition. The removal of this vegetation would not have a significant effect on the general ecology of the area

***Police Crime Risk Manager***

No objection

***Environmental Health***

No objection subject to conditions / informatives regarding construction times, contamination, lighting and odour control

***Severn Trent Water***

No objections. Drainage details to be subject to agreement with Severn Trent.

**Background**

The existing 'Corn Stores' site is square in shape, measuring approximately 40 metres by 40 metres with the only access being via the existing track off Evesham Road. Application (ref 09/160) proposed to develop approximately one third of the total site area for retail use. Permission was granted, allowing this part of the site to be developed for a new retail Unit following its presentation at Planning Committee on 6th October 2009. The remaining two thirds were to be developed for housing under a 'sister' application (ref 09/161) which was submitted at the same time as application 09/160. This proposed a development comprising 2 no. two storey dwellings and 2 no. dormer bungalows (with access to this proposal being via Chandlers Close to the west). This application was formally withdrawn following Officers concerns with respect to loss of residential amenity, and detriment to the character of the area.

The current application for three bungalows has been submitted in an attempt to address those concerns.

**Assessment of Proposal**

The key issues for consideration are as follows:-

**Principle**

The principle of residential development on this site is considered to be acceptable given that the land would be classified as previously developed or 'brownfield' land within the urban area of Redditch. The character of the surrounding area is predominantly residential.

**Design and Layout**

The development proposed under this revised application is less intensive than that considered under application 09/161 and represents a density of approximately 30 dph. Such a density is in line with guidance contained within PPS3 and within relevant polices of the Borough of Redditch Local Plan. The density proposed is also considered to respect the general density of existing residential development in the vicinity.

The proposed bungalows are much lower than that of the two storey houses previously proposed, with each bungalow having a height to ridge of only 5.75 metres, significantly lower than heights of existing two storey dwellings situated immediately beyond the site boundaries.



The general design of the development is considered to respect the character and appearance of the area with materials (brickwork walls under a tiled roof) matching that of the surrounding houses.

The proposal complies with spacing standards contained within the Council's SPG on Encouraging Good Design with rear garden areas achieving the minimum requirement of 70 square metres in area.

#### Landscape and Trees

The existing line of trees and vegetation to the western boundary would need to be removed in order to facilitate the development, given that access is proposed via Chandlers Close. However the Council's Arboricultural Officer has raised no objections to its removal since its amenity value is considered to be minimal. It would be possible to introduce some native species planting in a position between the proposed bungalows and Chandlers Close, details of which could be agreed under an appropriately worded landscape condition.

#### Highways and Access

Chandlers Close does not have a 'hammerhead' turning area at its end at present. Highway engineers have informed your Officers that to insist on a hammerhead in this area would both be unnecessary due to the relatively short length of this part of the close, and inappropriate due to the fact that a footpath leading to Jordan's Close to the south exists in this area. In order to satisfy some of the concerns raised by nearby residents, the applicant has shown that a turning area will be provided to the south-west corner of the site, which would not interfere with the existing footpath. Highways Engineers have however stated that they would not be prepared to formally adopt this area as its dimensions do not conform with the County's standards. The area would therefore need to be maintained privately by future occupiers of the development. This part of Chandlers Close presently serves only three dwellings. Developing the eastern side of Chandlers Close in the manner proposed would not be considered to harm highway safety. Parking is to be provided within the curtilage of each bungalow, each property having its own garage and a parking area to the frontage to accommodate at least three cars. This provision comfortably meets the Council's car parking standards. County highways raise no objections to the proposals subject to the imposition of highway conditions/informatives.

#### Sustainability

The site lies within the urban area of Redditch, and is therefore considered to be in a sustainable location. The design of the overall floor area has been kept to a minimum with very little wasted circulation space to reduce the overall building material used. The applicant states that water heating for the bungalows would be generated by means of solar panels. Rainwater harvesting will also be incorporated in the scheme. Should

members be minded to grant permission for the application, it is recommended that a condition be attached to any approval requiring that the dwelling be built to minimum Level 3 requirement set out under Code for Sustainable Homes.

#### Impact upon residential amenity

Each bungalow has a height to ridge of only 5.75 metres, significantly lower than heights of existing two storey dwellings situated immediately beyond the site boundaries. The development proposed is not considered to be visually imposing on its surroundings and would not overshadow nearby development such that it would be detrimental to residential amenity. The development complies with spacing standards contained within the Council's SPG on Encouraging Good Design.

#### Presence of protected species on the site

Representations have been received stating that bats are present on the site. Members may recall from October 6th Planning Committee, that a bat survey report was carried out on the 25th August and 10th September 2009. As a summary to the survey, whilst bat activity was observed, bats were considered to be commuting across the site and foraging for food. No evidence was found to suggest that bats are or have been using existing buildings. Worcestershire Wildlife Trust and Natural England (formerly English Nature) have viewed copies of the report and are satisfied with its findings. In such circumstances however, as good practice, it is recommended that an additional condition be appended to the decision notice (in the case of approval) to cover the provision of suitable bat roost opportunities in the new bungalows. Such measures are advised under the Natural Environment and Rural Community Act 2006.

#### Conclusion

The proposal is considered to comply with the planning policy framework and would not cause harm to amenity or safety. As such, the application is fully supported.

#### Recommendation

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

1. Development to commence within three years
2. Details of materials (walls and roofs) to be submitted
3. Landscape scheme including details of boundary treatment to be submitted
4. Landscape scheme including details of boundary treatment to be implemented in accordance with approved details

# Planning

## Committee

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5. Limited working hours during construction period
6. Dwellings to be built to a minimum Level 3 requirement set out under Code for Sustainable Homes
7. Materials to be used in construction of parking area to be porous
8. Access, turning and parking
9. Land contamination (standard conditions)
10. Development to be carried out in accordance with plans submitted with application
11. Details of bat roost opportunities / bat boxes to be submitted for the prior written approval of the Local Planning Authority. Works to be carried out in accordance with approved details.

### Informatives

1. Drainage details to be in agreement with Severn Trent Water
2. Any security lighting to serve the proposed development to be in accordance with guidance produced by the Institute of Lighting Engineers 'Guidance Notes for the Reduction of Light Pollution, revised 2005'
3. No burning of materials on site during construction period
4. Highway Note 4 – Private apparatus within the highway
5. Highway Note 5 – No authorisation for applicant to carry out works within the publicly maintained highway.



## Planning Committee

Matchborough Ward

1st December 2009

2009/223/ADV

**NEW SIGNAGE TO IDENTIFY THE NEW FLOODLIT BMX TRACK  
FACILITY POSITION, NAME AND FUNDERS  
LAND AT ARROW VALLEY PARK, ICKNIELD STREET DRIVE  
APPLICANT: MR K COOK, REDDITCH BOROUGH COUNCIL  
EXPIRY DATE: 15TH DECEMBER 2009**

The author of this report is Ailith Rutt, Development Control Manager, who can be contacted on extension 3374 (e-mail: ailith.rutt@redditchbc.gov.uk) for more information.

### Site Description

(See additional papers for Site Plan)

The site is accessed from Icknield Street Drive. The access road leads into the site, with a car park to the right (N) and the existing ancillary building to the left (S). The building is a single storey brick building with a pitched tiled roof and high level windows, used for changing. To the west of the building and car park is open grassed space currently used for football, with pitch markings and goal posts.

To the north of the site is the existing skate park, enclosed by grey palisade fencing and also served by the existing car parking area. To the south of the site is a public house and to the east of the site is the residential area of Matchborough.

### Proposal Description

This is an application for advertisement consent for a sign which would be located at the entrance to the BMX track car park, on the verge adjacent the changing building. The sign would measure 1.2m x 0.8m with the top 2.5m above ground level, supported by two poles, and not be illuminated. It would include details of the facility available and those groups responsible for its funding and operation/maintenance.

### Relevant Key Policies

All planning applications must be considered in terms of the planning policy framework and all other relevant material considerations (as set out in the legislative framework). The planning policies noted below can be found on the following websites:

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

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

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

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

***National planning policy***

PPS1 (& accompanying documents) Delivering sustainable development  
PPG19 Outdoor advertisement consent

***Regional Spatial Strategy***

QE1 Conserving and enhancing the environment

***Worcestershire Country Structure Plan***

SD2 Care for the environment

***Borough of Redditch Local Plan No.3***

CS2 Care for the environment  
BBE13 Qualities of good design  
BBE18 Advertisements

The site lies within the defined Arrow Valley Park and is designated as Primarily Open Space.

**Relevant Site Planning History**

None.

**Public Consultation Responses**

None.

**Consultee Responses**

***County Highway Network Control***

No objection.

**Procedural matters**

Applications for advertisement consent should be determined on the basis of their impact on public amenity and highway safety, in accordance with the regulations and guidance. Members are also reminded that no control is given, through the legislation, regarding the content of the signage, unless it is considered necessary to impose restrictions on the size of text in the interests of highway safety. The regulations also require that set standard conditions be attached when approval for advertisement consent is granted, along with any other conditions considered necessary to ensure amenity and safety are protected.

**Assessment of proposal**

The key issues for consideration in this case are public amenity and highway safety.

Public amenity

The sign would be located within the entrance area of the site, such that it would be at a significant distance from residential properties opposite, and within the complex of built form, planting and other necessary signage such that it would not cause any detrimental impacts on residential or visual amenity, or the openness of the wider site.

Highway Safety

There are no perceived highway concerns regarding the proposed signage, due to its size and location. No objections have been received in this regard.

Conclusion

It is not considered that the proposed sign would cause any harm to amenity or safety and as such is considered to be acceptable.

**Recommendation**

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

1. 1-5 Standard advert conditions

Informatives

None recommended.





## Planning Committee

Central Ward

1st December 2009

**2009/226/COU CHANGE OF USE TO HOT FOOD TAKE-AWAY (A5 USE); NEW ENTRANCE TO IPSLEY STREET AND LODGE ROAD UNITS 5A4 AND 5A5, MILLSBOROUGH HOUSE, IPSLEY STREET, REDDITCH**

**APPLICANT: MR D GOUGH**  
**EXPIRY DATE: 18TH DECEMBER 2009**

The author of this report is Steven Edden, Planning Officer, who can be contacted on extension 3206 (e-mail: [steve.edden@redditchbc.gov.uk](mailto:steve.edden@redditchbc.gov.uk)) for more information.

### Site Description

**(See additional papers for Site Plan)**

Units 5A4 and 5A5 are located on the ground floor of Millsborough House, a two storey mixed commercial use building. Both units are near to the corner of the building at the Ipsley Street / Lodge Road junction. Millsborough House fronts onto Ipsley Street to the north and is bounded by Lodge Road (to the west) and Millsborough Road (to the east), beyond which lies the Trafford retail park. To the south lies Summer Street with Victorian terraced dwellings beyond.

The site lies within the 'Peripheral Zone' as defined in the Borough of Redditch Local Plan No. 3.

### Proposal Description

Permission is sought for the change of use of Units 5A4 and 5A5 to create one unit, which would operate as a hot food take-away premises. Unit 5A4 would be the service area of the unit and Unit 5A5 the kitchen area. The Unit's previous uses (before becoming vacant) have been as a tattoo studio and as an office.

External changes to the building are proposed and are listed as follows:

- removal of ground floor window (facing Lodge Road) to form new door way
- erection of ramped access to building

### Relevant Key Policies

All planning applications must be considered in terms of the planning policy framework and all other relevant material considerations (as set out in the legislative framework). The planning policies noted below can be found on the following websites:

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

### ***National Planning Policy***

PPS 1 Delivering Sustainable Development  
PPG 13 Transport

### ***Borough of Redditch Local Plan No.3***

E(TCR).3 Peripheral Zone  
E(TCR).12 Class A3, A4 and A5 (restaurants, snack bars, cafes, pubs and bars and take-aways)  
B(BE).13 Qualities of Good Design  
S.1 Designing out crime  
C(T).12 Parking Standards

### ***SPDs***

Encouraging Good Design  
Designing for Community Safety

### **Relevant Site Planning History**

<b>Appn. no</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
96/043	Change of Use to B1, B2 and B8 (Unit 5A5)	Approved	04/03/1996
05/368	Change of Use to Tattoo Studio (Unit 5A4)	Approved	21/09/2005

### **Public Consultation Responses**

Responses in favour  
None

Responses against  
None

### **Consultee Responses**

#### ***County Highway Network Control***

No objection

#### ***Environmental Health***

No objections in principle. Means of extraction, ventilation and control of odours would need to be agreed.

***Police Crime Risk Manager***

No objection

***Waste Management Officer***

No objection subject to a condition regarding provision of trade waste facilities and provision of a litter bin

**Assessment of Proposal**

The key issues for consideration in this case are the principle of the proposed development, highway safety, the design of the external alterations, together with any other material considerations.

**Principle of Change of Use**

The site lies within the Peripheral Zone where Policy E(TCR).3 applies. Under the terms of that policy, development proposals are required to complement the role and function of the town centre. Peripheral Zones generally contain a mix of different commercial uses, and Millsborough House is typical in this respect. It currently contains a mix of business / office uses, entertainment uses such as the snooker club, together with some retailing and hot food take-away uses. The proposal is not considered to be at odds with Policy E(TCR).3 and would complement the role and function of the town centre.

Policy E(TCR).12 of the Local Plan deals specifically with proposals for Class A3, A4 and A5 uses which include hot food take-aways, restaurant, cafes, wine bars and public houses. Officers have assessed the impact of the proposed hot food take-away use upon neighbouring amenity and the cumulative impact of an additional A5 use as required by the above policy, and in the absence of any adverse comments in principle from the Council's Environmental Health Officer, Officers have concluded that the A5 use proposed is acceptable in principle.

**Highway Safety**

Although parking for users of Millsborough House exists within a large central courtyard area (accessed from Millsborough Road), parking is not designated specifically for users of Unit 5A4 and 5A5. Five staff would be employed if planning permission were to be granted for this development. Considering that a tattoo parlour and a new office user could locate within the Units at any time without requiring planning permission, additional demands on car parking are not believed to be material. Given the aims of sustainability around which planning policy is centred, the lack of designated parking for users of the development is not considered to be harmful to highway safety. The site is in an area near to existing residential development and is also very near to main pedestrian and public transport routes to the town centre. As such, your Officers consider

that few persons are likely to travel to and from the premises by car. Given that a small public car park exists at 'Pool Place' opposite Millsborough House (to the north) and that a number of hot food take-away and restaurant uses have been granted planning permission within the Peripheral Zone in recent years without any designated 'on-site' car parking provision, Officers would consider it unreasonable to refuse this application on highway safety grounds given that County Highways have raised no objection to the proposals.

#### Design of external alterations

A ramped access to the building is proposed, to comply with requirements under the building regulations concerning disabled access to the premises. The ramp would start at a point approximately half way between the existing main entrance to Millsborough House and the right hand corner of the building (viewing Millsborough House from Ipsley Street). A small section of the existing dwarf wall and metal railings (1 metre in width) would need to be removed to gain access to the ramp. The removed section of railings would be relocated to the existing one metre gap near to the corner of the building at the Lodge Road / Ipsley Street road junction, adjacent to the existing 'no entry' road sign. The disabled access ramp would lead to a new door in the ground floor elevation facing towards Lodge Road, where a window currently exists. These proposals are considered to be acceptable in principle, but in order that the works fully respect the character and appearance of the existing building, your Officers recommend the imposition of a planning condition requiring that the railings have a black powder coated finish to match the colour of the existing railings surrounding Millsborough House, and that the proposed new door be of traditional appearance.

#### Other issues

A condition is recommended to control the methods of cooking and resultant fume extraction etc prior to any development taking place on the site. A condition is also recommended in order to restrict the opening hours of the unit to a reasonable level in order to protect residential amenity. Should a future occupant wish to increase these hours, a variation of condition application could be made and considered.

#### Conclusion

The proposal accords with current planning policy and it is not considered that the proposal would cause harm to amenity or highway safety.

**Recommendation**

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

- 1) Development to commence within 3 years
- 2) The use hereby permitted shall be closed and cleared of customers outside the hours of 1400 hours to 0200 hours Monday to Saturday and 1400 hours to midnight on Sundays
- 3) Full details of the means of extraction, ventilation and control of odour and other emissions to be submitted, agreed and implemented prior to use commencing
- 4) Details of trade waste and litter bin provision to be submitted for the prior written approval of the LPA. Development to be carried out in accordance with approved details.
- 5) Development to be carried out in accordance with plans submitted with application
- 6) Railings to have a black finish; new door facing Lodge Road to be of either timber or metal construction, full details to be submitted for the written approval of the LPA. Details agreed to be implemented prior to first occupation of the business
- 7) Wall and railings removed under this consent to be relocated to existing gap located at Lodge Road / Ipsley Street junction prior to first occupation of the business

**Informatives**

- 1) A separate application for Advertisement Consent may be required under the Control of Advertisements Regulations 2007 for any signage to advertise the business. The applicant is advised to contact the Local Planning Authority for further advice in this respect.

