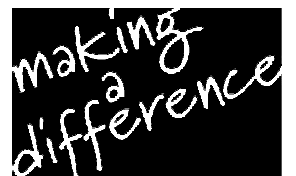


Planning Committee

Tue 17th Aug
2010
7pm

Council Chamber
Town Hall
Redditch



www.redditchbc.gov.uk

Access to Information - Your Rights

The Local Government (Access to Information) Act 1985 widened the rights of press and public to attend Local Authority meetings and to see certain documents. Recently the Freedom of Information Act 2000, has further broadened these rights, and limited exemptions under the 1985 Act.

Your main rights are set out below:-

- Automatic right to attend all formal Council and Committee meetings unless the business would disclose confidential or “exempt” information.
- Automatic right to inspect agendas and public reports at least five days before the date of the meeting.
- Automatic right to inspect minutes of the Council and its Committees

(or summaries of business undertaken in private) for up to six years following a meeting.

- Automatic right to inspect lists of background papers used in the preparation of public reports.
- Access, on request, to the background papers on which reports are based for a period of up to four years from the date of the meeting.
- Access to a public register stating the names and addresses and electoral areas of all Councillors with details of the membership of all Committees etc.

A reasonable number of copies of agendas and reports relating to items to be considered in public must be made available to the public attending meetings of the Council and its, Committees etc.

- 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:

www.redditchbc.gov.uk

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:

Janice Smyth

Member and Committee Support Services Assistant

Town Hall, Walter Stranz Square, Redditch, B98 8AH

Tel: (01527) 64252 Ext. 3266 Fax: (01527) 65216

e.mail: janice.smyth@redditchbc.gov.uk

Minicom: 595528

REDDITCH BOROUGH COUNCIL **PLANNING COMMITTEE**



GUIDANCE ON PUBLIC **SPEAKING**

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.

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

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

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

17th August 2010
7pm

Council Chamber Town Hall

Agenda

Membership:

Cllrs: Michael Chalk (Chair) Bill Hartnett
 Nigel Hicks (Vice-Chair) Roger Hill
 Peter Anderson Robin King
 Kath Banks Wanda King
 Brandon Clayton

<p>1. Apologies</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>2. Declarations of Interest</p>	<p>To invite Councillors to declare any interest they may have in the items on the Agenda.</p>
<p>3. Confirmation of Minutes (Pages 1 - 4)</p>	<p>To confirm, as a correct record, the minutes of the meeting of the Planning committee held on 20th July 2010. (Minutes attached)</p>
<p>4. Planning Application 2010/137 - Dorothy Terry House and 203 Evesham Road, Headless Cross (Pages 5 - 14) Head of Planning and Regeneration</p>	<p>To consider a Planning Application for the demolition of the existing Dorothy Terry House together with ancillary buildings and 203 Evesham Road and the construction of new high dependency dementia housing with care scheme and support accommodation. Applicant: Evesham and Pershore Housing Association (Report attached – Site Plan under separate cover) (Headless Cross & Oakenshaw Ward)</p>
<p>5. Planning Application 2010/154/FUL - Wellington Works, 15 High Street, Astwood Bank (Pages 15 - 22) Head of Planning and Regeneration</p>	<p>To consider a Planning Application for the demolition of existing buildings and the erection of seven dwellings with garages. Applicant: Mr and Mrs Newton (Report attached – site plan under separate cover) (Astwood Bank & Feckenham Ward)</p>

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<p>6. Planning Application 2010/155/OUT - Land to the rear of 21-25 Jubilee Avenue, Headless Cross</p> <p>(Pages 23 - 28)</p> <p>Head of Planning and Regeneration</p>	<p>To consider an Outline Planning Application with all matters reserved for three detached single storey bungalows.</p> <p>Applicant: Mr P Field</p> <p>(Report attached – Site Plan under separate cover)</p> <p>(Headless Cross & Oakenshaw Ward)</p>
<p>7. Planning Enforcement Activity - Six Month Update</p> <p>(Pages 29 - 34)</p> <p>Head of Planning and Regeneration</p>	<p>To note information relating to statistics on Planning Enforcement activity for the previous six month period.</p> <p>(Report attached)</p> <p>(Various Wards)</p>
<p>8. Exclusion of the Public</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>“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.</p>
<p>9. Confidential Matters (if any)</p>	<p>To deal with any exceptional matters necessary to consider after the exclusion of the public (none notified to date.)</p>



Planning Committee

20th July 2010

MINUTES

Present:

Councillor Michael Chalk (Chair) and Councillor Nigel Hicks (Vice-Chair), and Councillors B Clayton, A Griffin (substituting for Councillor Banks), W Hartnett and R King

Also Present:

M Collins (Vice-Chair – Standards Committee)

Officers:

A Hussain, A Rutt and S Skinner

Committee Services Officer:

A C Stephens

18. APOLOGIES

Apologies for absence were received on behalf of Councillors Banks, Hill and W King.

19. DECLARATIONS OF INTEREST

No declarations of interest were received.

20. CONFIRMATION OF MINUTES

RESOLVED that

the minutes of the meeting of the Committee held on 22nd June 2010 be confirmed as a correct record and signed by the Chair.

.....
Chair

**21. PLANNING APPLICATION 2010/103/COU –
REAR OF 23 TO 28 ETTINGLEY CLOSE AND 1, 2, 11 AND
12 FERNWOOD CLOSE, WIREHILL**

Change of Use of vacant land to
residential gardens (part retrospective)
Applicant: Mrs J Randall

The following people addressed the Committee under the Council's public speaking rules:

- Mrs V Kendrick - Objector, representing the Campaign to Protect Rural England
Mrs G Rowe - Objector, representing the Warwickshire Wildlife Trust
Mr J A Irving - Objector, representing Natural England
Mr S Vick - Applicant's Agent

RESOLVED that

- 1) having regard to the Development Plan and to all other material considerations, Planning Permission be REFUSED for the following reasons:**
 - a. the encroachment of the residential use and the enclosure of the land proposed would be contrary to the criteria set out in Policy R1 of the Borough of Redditch Local Plan No. 3 in that it would detract from the visual openness of the designated Primarily Open Space and as such would be harmful to the visual amenities of the area.**
 - b. the change of use of the land proposed would be likely to have a negative impact on the nearby Site of Special Scientific Interest (SSSI) and the woodland edge habitat and as such would be likely to be harmful to the biodiversity of the site and its surroundings, contrary to PPS9 and Policies CS2, R1 and B(NE)10a of the Borough of Redditch Local Plan No.3; and**
- 2) in respect of the retrospective nature of the application, legal proceedings be commenced in the Magistrates' Court in the event of any failure to comply with any Notice served and expired without compliance.**

(This decision was taken contrary to Officer recommendation for the reasons stated above.)

**22. PLANNING APPLICATION 2010/135/COU –
1207 EVESHAM ROAD, ASTWOOD BANK**

Retrospective application to Change the Use of
the front section of the bungalow from residential
to incorporate bar and reception area
Applicant: Mr A Miah

The applicant, Mr A Miah, addressed the Committee under the Council's public speaking rules:

RESOLVED that

- 1) **having regard to the Development Plan and to all other material considerations, Planning Permission be REFUSED for the following reasons:**
 - a) **the loss of the residential unit to the front of the building would have a harmful effect on the character and appearance of the street-scene in this residential location by creating a non-residential use and appearance, and as such, would be contrary to Policy B(BE)13 of the Borough of Redditch Local Plan No. 3;**
 - b) **the use of the whole building for Class A3 purposes would be likely to result in additional harmful impacts such as noise and disturbance on the adjacent residential properties which would be unacceptable and therefore the proposal is considered to be contrary to PPS24 and Policy B(BE)13 of the Borough of Redditch Local Plan No.3; and**
- 2) **in respect of the retrospective nature of the application, legal proceedings be commenced in the Magistrates' Court in the event of any failure to comply with any Notice served and expired without compliance.**

(This decision was taken contrary to Officer recommendation for the reasons stated above.)

The Meeting commenced at 7.00 pm
and closed at 8.26 pm

.....
CHAIR

REDDITCH BOROUGH COUNCIL**PLANNING
COMMITTEE**

17th August 2010

PLANNING APPLICATION 2010/137/FUL

DEMOLITION OF EXISTING DOROTHY TERRY HOUSE TOGETHER WITH ANCILLARY BUILDINGS AND 203 EVESHAM ROAD. CONSTRUCTION OF NEW HIGH DEPENDENCY DEMENTIA HOUSING WITH CARE SCHEME, CONSISTING OF 42 FLATS AND SUPPORT ACCOMMODATION.

DOROTHY TERRY HOUSE AND 203 EVESHAM ROAD, HEADLESS CROSS, REDDITCH.

APPLICANT: EVESHAM AND PERSHORE HOUSING ASSOCIATION

EXPIRY DATE: 10TH SEPTEMBER 2010

WARD: HEADLESS CROSS AND OAKENSHAW

The author of this report is Sharron Williams, Planning Officer (DC), who can be contacted on extension 3206 (e-mail: sharron.williams@redditchbc.gov.uk) for more information.

(See additional papers for Site Plan)

Site Description

The site comprises of an Edwardian building and associated outbuildings that are set back from Evesham Road. The buildings are screened with established tree planting. A small cottage (No. 203 Evesham Road) forms part of the development site and directly fronts Evesham Road. Vehicular access to both buildings is via Evesham Road.

To the north of the site, existing development comprises of a number of flats (Guinness Close), some of which are close to the northern boundary of the application site. The number of storeys to these properties range from two to three.

To the south of the site are some established cottages that front Evesham Road, and a recent development of detached properties (The Folly) front onto the southern boundary of this application site.

To the east of the site is another flat development ranging from two to three storeys (Four Oaks Close). The flats adjacent to the site are at a lower level to the development. However, the application site is well screened along the eastern boundary.

Generally the site is relatively level. However, at the rear of the Dorothy Terry building is a large patio and a large sunken lawn area.

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The site is within the urban area and as such is unzoned in the Borough of Redditch Local Plan No.3. However, Evesham Road is designated as a Local Distributor Road in Local Plan No.3.

Proposal Description

The proposal would be new purpose built housing with care comprising 42 apartments with adjoining 'Well Being Centre'. The scheme would enable older people living with dementia to lead independent lives in their home with care and support provided on site. It is envisaged that the current occupiers of Dorothy Terry House would be accommodated in the new development.

The accommodation would be in the form of one to four storey buildings and the style of the buildings would be modern with mono pitched roofs with materials such as brick / render / timber cladding. A total of 14 car spaces would be provided (11 accessed off Evesham Road, and 3 from Guinness Close to the rear).

A Well Being Centre that would be positioned at the front of the site would include ancillary facilities such as a hairdressers and café to be used by the occupiers and their visitors. A communal room /garden room would be provided within the complex of the apartments themselves along with a communal garden with familiar features such as an old fashioned telephone box and fruit tree planting etc. would be provided to stimulate memory for the occupiers.

The application is supported by a Design and Access Statement, an Outline Specification (Mechanical and Electrical) for an Extra Care Development, Need Care Statement for High Dependency Dementia, West Midlands Climate Change Checklist, extract stating key objectives of the National Dementia Strategy, Tree Survey Report, Flood Risk Summary, Bat and Bird Scoping Survey Report and a Common Pipistrelle Bat Mitigation Method Statement Report.

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

www.wmra.gov.uk

www.worcestershire.gov.uk

www.redditchbc.gov.uk

REDDITCH BOROUGH COUNCIL**PLANNING
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National Planning Policy

PPS1 (& accompanying documents) Delivering sustainable development

PPS3 Housing

Regional Spatial Strategy

Following the recent government statement, it is recommended that these policies be given only limited weight. However, as the legislation that includes the RSS within the Development Plan has not been formally revoked yet, these policies are still referred to and can be taken into consideration in the determination of this application.

CC.1	Climate change
UR.4	Social Infrastructure
CF.4	The reuse of land and buildings for housing
QE.1	Conserving and enhancing the environment
QE.3	Creating a high quality built environment for all
T.2	Reducing the need to travel
T.3	Walking and cycling
T.7	Car parking standards and management

Worcestershire County Structure Plan

SD.1	Prudent use of natural resources
SD.3	Use of previously developed land
SD.4	Minimising the need to travel
SD.5	Achieving balanced communities
CTC.1	Landscape character
CTC.5	Trees, Woodlands and Hedgerows
D.5	The contribution of previously developed land to meeting the housing provision
T.1	Location of development
T.2	Resources
T.3	Managing car use
T.4	Car parking
T.10	Cycling and walking

Borough of Redditch Local Plan No.3

CS.1	Prudent use of natural resources
CS.5	Achieving balanced communities
CS.7	The sustainable location of development
H.2	Homes for the elderly
S.1	Designing out crime
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
B(BE).29	Construction waste

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B(NE).1a Trees, woodland and hedgerows
C(T).2 Road hierarchy
C(T).12 Parking standards

Other Relevant Corporate Plans and Strategies

Worcestershire Community Strategy (WCS)
Worcestershire Local Area Agreement (WLAA)
Worcestershire Local Transport Plan (WLTP)
Redditch Sustainable Community Strategy (SCS)
RBC Corporate and performance plan

Relevant Site Planning History

Whilst there are a number of old planning applications that relate to the site, there is no application that is particularly relevant to the current proposal apart from the original application submitted in 1959 to convert the existing building into an old peoples home.

Public Consultation Responses

Responses in favour

One comment raised the following points:

Acknowledge that accompanying reports express that contractors be made aware of the need for care and protection of the environmental layout of the site, and as such can support the replacement and provision of the care home which is much needed.

Responses against

7 comments received raising the following points:

- Concern that development too large for the site. If building was two storeys would have fewer reservations.
- Building not in keeping with original Dorothy Terry House.
- Scale and significance of development will overdevelop the footprint in an area with limited open space.
- Current building provides significant open space between properties.
- Concern about a potential wall on the northern boundary.
- Residents at Guinness Close would be overlooked by a building very close by.
- Loss of sunlight due to the potential height of the buildings.
- Would impact on outlook and natural light with some windows impinging privacy.
- Potential damage to protected trees during construction, height and position of building.
- Proposed fencing between site and The Folly entrance could affect visibility of traffic and pedestrians when using Folly entrance.
- Vehicular access at rear looks steep with a sharp angle - is it safe?
- Will there be access from Evesham Road to Guinness Close?

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- Concern regarding inadequate parking provision for number of residents, visitors, staff resulting in increased parking on Evesham Road.
- General potential noise from emergency access area at the rear.
- Rubbish bin area seems close to properties of Guinness Close - potential noisy collections at 5.30 in the morning.
- Problems with existing trees at present.
- Concern that kitchen facilities for proposed potential occupiers could be hazardous.

The last two points raised are not material planning considerations and so should not be taken into consideration when determining the application - they are reported for information and completeness only.

Consultee Responses

Severn Trent Water Limited

No objection but recommends a condition requiring drainage details to be submitted.

Crime Risk Manager

No objection.

County Highway Network Control

Confirm that a Section 106 contribution is required for sustainable schemes to improve bus shelters adjacent to the development site. The justification for this funding being the reduction in parking provision from parking standards.

Environmental Health

No objection subject to conditions and informatives relating to:-

- No burning of materials on site during construction
- Construction times restricted
- Measures to prevent migration of dust and particulates beyond the site boundary.

Waste Collection Services

Queried service and provision of waste collection and recycling facilities, still awaiting further comments.

County Archaeological Service

Comments awaited

Arboricultural Officer

Buildings will be very close to some trees and could dominate the building leading to future requests for the trees to be pruned/removed.

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Development indicates that the building will be very close to existing tree canopies and future growth of trees may cause issues in the future with leaf fall, shading and safety concerns.

Biodiversity Officer

Comments awaited

Worcestershire Wildlife Trust

Comments awaited

Worcestershire NHS Primary Trust

Comments awaited

Care Quality Commission

Comments awaited

Assessment of Proposal

The key issues for consideration in this case are:-

Principle

A care home facility has been established in the existing building for a considerable time. It has been demonstrated from the documents submitted that the existing building no longer complies with current regulatory requirements and is currently occupied by 13 elderly residents.

The existing building is not a viable business in terms of the outdated accommodation and limited number of bed spaces available. The second floor of the existing building is unsuitable for residents due to poor access and is used for offices and staff facilities.

Therefore, the site is currently underused for its potential, and it is considered that a complete new build of the site would enable a better facility for the local community.

The proposal would provide a new purpose built housing care scheme. The existing care facility has operated in this location for a considerable time without causing any complaint/problems and is compatible with the surrounding residential development. Therefore, the principle of the proposal in this area is acceptable and would comply with Policy H.2 of the Borough of Redditch Local Plan.No.3.

Design and Layout

The design and layout of the proposal comprises of a series of buildings of varying storeys from single to four storey of a contemporary design that includes monopitched roofing to most of the buildings. The materials for the walls would be brickwork, timber cladding and render whilst roof tiles would be

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provided for the roof, although a single storey building that encloses the courtyard would have a grass roof.

The building that would front Evesham Road would provide a café, laundry and hair-dressing salon on the ground floor to be used by the potential occupiers and visitors whilst on the first floor would be staff office facilities. The main building for the apartments would be located from the middle to the rear of the site. The flats are situated in such a way to create a courtyard enclosure and accommodate the main communal room/garden room. The layout of the development has been dictated as a result of a number of protected trees on the site in order that they are retained and accommodated as apart of the scheme.

The spacing between some of the flat blocks to the north of the site and neighbouring flats at Guinness Close varies between 6.3 to 11.5 metres. The spacing between flat blocks to the south of the site and neighbouring dwellings at The Folly varies between 9 and 12.5 metres.

Concerns have been raised by neighbouring occupants regarding the close proximity of the proposed blocks in relation to existing properties, particularly flats at Guinness Close and dwellings at The Folly.

The application has been considered at pre-application stage, and concerns were raised with the developers regarding the close proximity of the buildings in relation to neighbouring flats and dwellings. The applicant has since made revisions to the scheme, including increasing the spacing between the blocks and neighbouring properties and rearranged window positions to prevent direct overlooking. However, comments from residents, particularly those at Guinness Close are concerned about shadowing from the proposed blocks reducing light into their small windows. Officers are proposing to discuss this matter further with the applicant to see if there is scope to further improve this matter. Similar issues have been raised by occupants of The Folly but it is considered that the potential impact of the proposal on these properties is less detrimental in comparison to those at Guinness Close.

Guidance in the Council's SPG on Encouraging Good Design states that 22 metres should be retained between rear dwelling windows that directly face each other. However, this guidance relates to houses where the rear gardens backing onto each other would create this spacing. The relationship that would be created here would be flats facing flats. No spacing distance is specified in the SPG for this situation, and as such would be based on each individual case. However, there is some concern from residents of Guinness Close regarding the mass of the development at close quarters to their flats that would reduce light into the rooms concerned. Officers are discussing this matter further with the agent.

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Landscaping and trees

As stated above there are Tree Preservation Orders that protect trees on the site. Information has been submitted in respect to the trees and comments have been made by the Council's Arboricultural Officer in respect to the potential impact the proposal could have on the trees and that further information is required to address these concerns.

Highways and Access

Access is proposed via Evesham Road providing nine car park spaces via this access point whilst three car parking spaces would be provided at the rear of the site with access off Guinness Close, and they would only be used as overflow staff car parking facilities. The maximum standard for this development would be 14 car parking spaces for the residents and 18 spaces for staff. The proposal does not provide the full requirement of car parking provision (14 shown). However, information in the Travel Plan (included in the Design and Access Statement) demonstrates that a lot of the staff use public transport or cycle to work. For this reason a relaxation in the proposed number of car parking spaces is considered acceptable on the basis that improvements are made to the nearby bus shelters. This would be in the form of a financial contribution and would need to be included within a Section 106 Agreement.

Comments have been raised by neighbours in respect of the three car parking spaces at the rear of the site. Further comments are sought from County Highways Network Control regarding the location of car spaces and access arrangements.

Sustainability

From a sustainable point of view, the proposal has been designed in order to comply with level 4 of the Code for Sustainable Homes. The existing thermal performance of Dorothy Terry House is well below modern standards and the heating system is inefficient. The existing cottage at the front of the site and existing outbuildings are dilapidated and unsuitable for habitable use. The location of the proposal is sustainable with good links to public transport and the local cycle network. The orientation of the buildings and windows is designed to maximise natural light although this has been dictated as a result of the positioning of existing trees. Solar panels are proposed to some of the roofs whilst a meadow grass roof is proposed on a single storey element to ensure a high level of insulation, although other approaches will be applied to other buildings to improve insulation for the flats. Materials are intended to be sustainably sourced. Double glazing will be provided and multiple gas fired condensing boilers would be used for the scheme. All these elements are to be welcomed, in line with sustainability objectives of the planning framework.

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Other Issues

Generally, the nature of the development (self contained flats) would require contributions towards facilities that the development would have an impact on such as education, open space, playing fields and play facilities. However, whilst the flats are a combination of 1 and 2 bedroom flats, the intention is that the accommodation would not be general housing, but housing for people with dementia and are likely to be occupiers that are older and less mobile. Therefore, existing surrounding facilities such as schools and playing fields etc. would not be affected due to how the scheme would be occupied. For this reason, a detailed Unilateral Undertaking or S106 Agreement would be required to restrict the occupation of the premises.

In addition, the facilities at the front of the site that include a hairdressing salon and café are located outside the neighbouring District Centre and wouldn't necessarily be considered favourably in their own right outside a District Centre. These facilities are mainly intended to be used by the occupiers of the scheme, and possibly visitors of the occupiers. However, this matter also needs to be controlled in a Unilateral Undertaking or S106 Agreement.

As mentioned in an earlier section a financial contribution will be required to cover the improvements to the bus shelters due to the under provision of car parking facilities and the arguments put forward by the applicant that employees generally travel to work via public transport or cycle. Again, this will need to be detailed in the Unilateral Undertaking or S106 Agreement.

Conclusion

The proposal is for a modern design of housing scheme that will provide self contained accommodation for occupiers with dementia. Additional care will be provided for the occupiers as well as on site ancillary facilities. There are still some outstanding concerns regarding the development in terms of its impact on surrounding housing as well as trees within the site etc. Further negotiations are intended to take place between officers and the agent regarding these matters. However, the development would provide an important facility in the Town for a condition which is growing not just in this area but nationwide. A legal agreement will be required to cover particular matters, such as defining the use of the proposal and ancillary facilities, and to cover financial contributions for improvements to the bus shelters nearby. Subject to these restrictions, the proposal is considered to be compliant with policy and unlikely to cause harm to amenity or safety.

Recommendations

- 1. That subject to satisfactory information being received regarding separation distances, tree impacts, and access arrangements, having regard to the development plan and to all other material**

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considerations, authority be delegated to the Head of Planning & Regeneration to GRANT planning permission subject to:

- a) a Planning Obligation ensuring that the 42 units are for the provision of housing in perpetuity for people with dementia; that the use of the ancillary facilities remain as ancillary facilities for the scheme and are not operated separately in any way for the use of the general public; and should the housing be used as general housing, that applicable financial contributions towards education, open space etc, social housing would need to be provided; and
 - b) the conditions and informatives as summarised below:
 - 1. Development to commence within 3 years
 - 2. Materials to be submitted
 - 3. Landscaping scheme to be submitted
 - 4. Approved landscaping scheme to be implemented
 - 5. Limited working hours during construction
 - 6. Approved plans specified
 - 7. Protection of trees during construction; and
2. In the event that the planning obligation cannot be completed by 10 September 2010,
- a) Members are asked to delegate authority to the Head of Planning & Regeneration to refuse the application on the basis that without the planning obligation the proposed development would be contrary to policy and therefore unacceptable due to the resultant detrimental impacts it could cause to community infrastructure by a lack of provision for their improvements, and that none of the dwellings could be restricted to use for affordable housing in line with current policy requirements; and
 - b) In the event of a refusal on this ground and the applicant resubmitting the same or a very similar planning application with a completed legal agreement attached, authority be delegated to the Head of Planning and Regeneration to GRANT planning permission subject to the conditions summarised above as amended in any relevant subsequent update paper or by Members at this meeting.

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PLANNING APPLICATION 2010/154/FUL**DEMOLITION OF EXISTING BUILDINGS AND THE ERECTION OF SEVEN DWELLINGS WITH GARAGES****WELLINGTON WORKS, 15 HIGH STREET, ASTWOOD BANK****APPLICANT: MR AND MRS NEWTON**
EXPIRY DATE: 19TH AUGUST 2010**WARD: ASTWOOD BANK AND FECKENHAM**

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

(See additional papers for Site Plan)

Site Description

The site, which measures approximately 1331m², contains a number of buildings which are proposed for demolition, in order to accommodate the new development. These include a two storey detached brick building which has been vacant since December 2008, but has previously been in office use and single storey corrugated roofed workshops. The site is roughly square in shape, fronting directly onto Queen Street (to the east), Butler Street (to the south), and High Street (to the west). The site is level throughout. The land is not designated for any particular use in the adopted local plan, and would therefore be considered as 'white land'.

Proposal Description

This is a full application for the erection of 7 no. dwellings comprising of 4.no three bedroomed semi-detached houses which would face towards High Street, and 3.no. four bedroomed detached dwellings which would face towards Queen Street. The dwellings proposed are outlined as follows:

Units 1 & 2, and 3 & 4 would be semi-detached; three bedroomed; fronting onto High Street, with single attached garage. The properties would be formed of part red brick / part timber (cedar) walls, under a plain clay tiled roof. Access would be via High Street. The properties would have a private garden to the rear.

Units 5, 6 and 7 would be detached, four bedroomed dwellings, fronting onto Queen Street, each with single attached garages. The properties would be formed of part red brick / part timber (cedar) walls, under a plain clay tiled roof. Access would be via Queen Street. The dwellings would each have a garden to the rear.

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Units 1, 2, 3 and 4 would be two storey, measuring a maximum of 8m to ridge.

Units 5 and 7 would have accommodation over three levels (with room in roofspace), measuring 8.75m and 9m respectively to ridge.

Unit 6 would be two storey, measuring 8.5m to ridge.

The application is supported by a Design & Access Statement, a contamination report, an ecological report and an agreement in principle to enter into a planning obligation.

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

www.wmra.gov.uk

www.worcestershire.gov.uk

www.redditchbc.gov.uk

National Planning Policy

PPS1	Delivering sustainable development
PPS3	Housing
PPS5	Planning for the Historic Environment
PPG13	Transport

Regional Spatial Strategy

Following the recent government statement, it is recommended that these policies be given only limited weight. However, as the legislation that includes the RSS within the Development Plan has not been formally revoked yet, these policies are still referred to and can be taken into consideration in the determination of this application.

QE3	Creating a high quality built environment for all
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
T7	Car parking standards and management

Worcestershire County Structure Plan

SD.3	Use of previously developed land
T.4	Car parking
IMP.1	Implementation of development

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Borough of Redditch Local Plan No.3

CS.6	Implementation of development
CS.7	The sustainable location of development
CS.8	Landscape character
S.1	Designing out crime
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
B(RA).8	Development at Astwood Bank

SPDs

Encouraging good design
Designing for community safety
Planning obligations for education contributions
Open space provision

Relevant Site Planning History

None.

Public Consultation Responses

Responses in favour

- 1 letter of support has been received. Comments summarised as follows:
- The site lies within the sustainable village of Astwood Bank and is a 'windfall' application
 - The seven dwellings would complement the area of new and old residential properties
 - Removal of the 'old' employment buildings will lose an eyesore

Responses against

3 letters received in objection to the proposals. Comments summarised as follows:

- The detached dwellings which would front onto Queen Street are considered to be out of character with, and would dominate the area
- The dwellings would invade privacy and overshadow nearby houses, resulting in a loss of light
- The garaging proposed is unlikely to be used for the garaging of vehicles, and as such the proposal is likely to increase on-street parking in the area
- Access into the site will be difficult given the narrow width of nearby roads
- Dedicated residents parking areas for existing High Street residents should be provided in order that existing on-street parking is not lost following the occupation of the new development.
- Wildlife in the area will be affected by the development

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Consultee Responses

County Highway Network Control

No objection subject to conditions concerning access, turning and parking

Environmental Health

Suggest that the following issues be considered:-

- Noise: recommends that working hours during construction be limited
- Light nuisance: external security lighting should not affect the amenities of neighbouring occupiers
- Odour nuisance: suggests no burning on site
- Land Contamination: conditions should be considered for imposition in order to identify and adequately deal with contamination if it is found

Severn Trent Water

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

Police Crime Risk Manager

No objection

Worcestershire Wildlife Trust

Note that a bat survey has been submitted with the application and does not wish to object to the application

Council's Drainage Officer

No comments submitted

Worcestershire County Education Service

If development goes ahead, there will be a need for a contribution towards local education facilities

Worcestershire County Council Archaeology Service

Comments that the applicant should consult the historic environment record and that the site should be appraised to assess any historic significance.

Assessment of Proposal

The key issues for consideration are as follows:-

Principle

The site falls within the Astwood Bank Village Settlement in the Borough of Redditch Local Plan No.3.

Astwood Bank is considered to be a sustainable rural settlement. Policy B(RA).8 specifies that development within Astwood Bank will only be permitted where it is at an appropriate level to meet local needs for housing and should be restricted to within the settlement boundary.

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The land is previously developed, or 'brownfield' land. The site is not designated for any particular use in the Local Plan. Officers, having had regard to PPS3 and Policy CS.7 of the Local Plan which requires that a sequential approach to the location of development be followed, can support the re-development of the site for residential purposes in this sequentially preferable, urban brownfield, sustainable location.

Loss of existing buildings

The Worcestershire County Council Archaeology Service have inferred that the red brick building which is present on the site, and which has been vacant since December 2008 is of some historic importance. Information provided by the applicant together with your Officers' knowledge of the building which is neither listed, nor considered to be of sufficient worth that it merits inclusion on the Council's List of Buildings of Local Interest satisfies your Officers that the loss of the building which exhibits rather unsympathetic additions such as plastic windows and a large flat roofed extension, would not be significant. Further, its retention would prejudice the successful and comprehensive re-development of the site as a whole. Dilapidated single storey workshops and concrete hardstandings cover the remainder of the site. Your Officers concur with comments received that these detract significantly from the visual amenities of the area, and that the 'in-principle' redevelopment of the site by removing the workshops could significantly improve the quality of this predominantly residential part of Astwood Bank. However, in accordance with PPS5 a condition is recommended which would require the applicant to maintain the County Council's historic environment record.

Density

Developing the site to accommodate 7 no. dwellings would result in a density of approximately 52 dwellings per hectare (dph). Although the Government have recently removed density thresholds under PPS3 and therefore the previously recommended minimum density of 30dph no longer exists, your officers consider that developing the site in this way would represent a density that would respect densities of housing surrounding the site, and would make efficient use of land as advised under PPS3.

Design and Layout

Policy requires that the appearance of the proposal, its layout and separation distances be considered, in terms of within the site and in context with surrounding built form.

Your Officers consider that the layout responds well to local distinctiveness with the proposed development properly addressing the prominent High Street and Queen Street frontages. The use of non-homogenous house types and in particular, the 'stepping down' of ridge lines, together with the 'setting in' of front walls with materials being both in red brick and timber adds both visual interest to the scheme and reduces its prominence. Overall, the design of the proposed dwellings is considered to be sympathetic to the character of

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the area and compliant with Local Plan Policy, and in particular, with Policy B(BE).13.

The dwellings are set back from High Street and Queen Street giving 'defensible space' to each dwelling, with each 'garden backing onto garden' as recommended by the Police Crime Risk Manager. Each garden's size meets the Council's spacing standards as stated within the SPG Encouraging Good Design. The development would be in compliance with other separation distances, as contained within the SPG ensuring a satisfactory level of amenity for occupiers of the development without prejudicing the amenities enjoyed by occupiers of existing residents living near to the site.

Highways and Access

Parking space provision proposed accords with maximum standards as set out in the local plan with each dwelling having 2 no. car parking spaces. Parking provision on site as such is considered to be acceptable.

No objections have been received from County Highways and therefore the proposals would not be considered to prejudice highway safety.

Sustainability

The dwellings would be heated by means of a ground source heat pump (GSHP) which the applicant considers to be the current optimum renewable energy technology available. The solution is based on a closed loop system utilising vertical bores to be located on each plot in the rear garden area. It is projected to achieve Code level 4 of the Code for Sustainable Homes helping to deliver a 44% improvement in energy/CO₂ levels over the target emission rate as determined by 2006 building regulation standards in conjunction with typical construction and insulation levels to be applied to the development. Your officers fully support this positive approach. Whilst achieving the lower requirement of Code level 3 is not yet mandatory for new private schemes such as this, since the applicant is attempting to achieve Code level 4, a condition to this effect asking that the development achieve Code level 3 or higher is recommended for inclusion on any planning permission.

It is important to note that the development is located within the village settlement of Astwood Bank, which is considered to be a sustainable location. The location of the site enables it to be in close proximity to village amenities, shops, post office, public houses, public transport links and local schools, reducing reliance on the motor car.

Planning Obligation

The size of the proposed development is above the policy threshold for requiring contributions which should be sought via a planning obligation which in this case would cover:

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- A contribution towards County education facilities. The County have confirmed that there is a need in this area to take contributions towards three schools – Astwood Bank First School, Ridgeway Middle and Kingsley College.
- A contribution towards playing pitches, play areas and open space in the area, due to the increased demand/requirement from future residents, is required in compliance with the SPD.

Conclusion

Assuming that the planning obligation is completed in accordance with the policy framework, it is considered that the proposed development would accord with sufficient policy criteria and objectives to result in a favourable recommendation and to outweigh any concerns that might arise. It is not considered likely that the proposed development would result in harm to amenity or safety.

Recommendation

Officers are seeking an either/or resolution from Members in this case as follows, in that officers would carry out whichever of the two recommendations below applied:

- 1) **That having regard to the development plan and to all other material considerations, authority be delegated to the Head of Planning & Regeneration to GRANT planning permission subject to:**
 - a) **A planning obligation ensuring that the County are paid appropriate contributions in relation to the development for education provision, and that Redditch Borough Council receives contributions towards playing pitches, play areas and open space provision in the locality to be provided and maintained;**
 - b) **the conditions and informatives as summarised below:**

Conditions

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**
5. **Limited working hours during construction period**

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6. Dwellings to be built to a minimum Level 3 requirement set out under Code for Sustainable Homes
7. Access, turning and parking
8. All hard surfaces to be permeable and retained as such
9. Development to be carried out in accordance with plans submitted with application
10. Contamination: standard conditions
11. Historic Asset evaluation condition recommended by County Council

Informatives

1. Drainage details to be in agreement with Severn Trent Water
 2. Any external security lighting to comply with guidance to ensure that it does not adversely affect neighbours amenities
 3. No burning on site
 4. Adequate measures to be put in place to prevent migration of dust and particulates beyond the site boundary; and
- 2) In the event that the planning obligation cannot be completed by 19th August 2010:
- a) Members are asked to delegate authority to officers to **REFUSE** the application on the basis that without the planning obligation the proposed development would be contrary to policy and therefore unacceptable due to the resultant detrimental impacts it could cause to community infrastructure by a lack of provision for their improvements; and
 - b) In the event of a refusal on the ground at 2a) above, and the applicant resubmitting the same or a very similar planning application with a completed legal agreement attached to cover the points noted, authority be delegated to the Head of Planning & Regeneration to **GRANT** planning permission subject to the conditions stated above as amended in any relevant subsequent update paper or by Members in their decision making.

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PLANNING APPLICATION 2010/155/OUT**OUTLINE PLANNING PERMISSION WITH ALL MATTERS RESERVED
FOR THREE DETACHED SINGLE STOREY BUNGALOWS****LAND REAR OF 21-25 JUBILEE AVENUE, REDDITCH****APPLICANT: MR P FIELD****EXPIRY DATE: 19TH AUGUST 2010****WARD: HEADLESS CROSS & OAKENSHAW**

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.

(See additional papers for Site Plan)

Site Description

Post war residential area south of the town centre, with an established character and pattern of development, but not with a uniform layout. The south side of Jubilee Avenue has a mix of semi detached and detached properties on this stretch just east of the junction with Clent Avenue. Most properties in the street have driveways and parking on the frontage, some with added side garages. The properties along the south side of Jubilee Avenue have very long rear gardens, which slope uphill, and some have mature trees and shrubs within them. 21 & 23 are a pair of semis, each of which have been altered from their original appearance, and 23 has a side attached garage. 25 is a detached dwelling of larger footprint, with two integral garages, one of which is to the side and single storey.

The application site itself consists of the gap between 23 & 25, including the existing side attached garages, and then the rear portion of the rear gardens of 21, 23 and 25.

Proposal Description

This is purely an outline application with all matters of detail reserved for a future application, and therefore all that is necessary to be shown on a plan in order to determine it is a red line site location, as described above. However, additional information has been supplied in support of the application.

The proposal would require the removal of the two attached garages in order to make an access sufficiently wide for vehicles. However, those houses would retain the right to insert a garage in their rear garden accessed off an access road that would be inserted. The indicative layout plans show this to be the case for 23, and enough space for it to occur at 25 also. The indicative

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layout further shows a turning head, with access to each of three dwellings, two with attached and one with detached single garage.

The application is supported by a Design & Access Statement and a planning statement providing all other necessary supporting information. The site and proposal score highly on the West Midlands Sustainability Checklist.

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

www.wmra.gov.uk

www.worcestershire.gov.uk

www.redditchbc.gov.uk

National Planning Policy

PPS1 (& accompanying documents) Delivering sustainable development
PPS3 Housing

Regional Spatial Strategy

Following the recent government statement, it is recommended that these policies be given only limited weight. However, as the legislation that includes the RSS within the Development Plan has not been formally revoked yet, these policies are still referred to and can be taken into consideration in the determination of this application.

CC1	Climate change
UR4	Social infrastructure
CF4	The reuse of land and buildings for housing
QE1	Conserving and enhancing the natural environment
QE3	Creating a high quality built environment for all
T2	Reducing the need to travel

Worcestershire County Structure Plan

SD.1	Prudent use of natural resources
SD.3	Use of previously developed land
SD.4	Minimising the need to travel
SD.5	Achieving balanced communities
CTC.1	Landscape character
D.5	The contribution of previously developed land to meeting the housing provision
T.1	Location of development
T.3	Managing car use

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- CS.1 Prudent use of natural resources
CS.5 Achieving balanced communities
CS.7 The sustainable location of development
S.1 Designing out crime
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

Supplementary Planning Guidance / Supplementary Planning Documents

Encouraging good design
Designing for community safety

Other relevant Corporate Plans and Strategies

Redditch Sustainable Community Strategy (SCS)

Relevant Site Planning History

21 & 25 Jubilee Avenue have both had extension applications approved in the last fifteen years and it appears from the site visit that these have both been implemented.

Public Consultation Responses

Responses against

Three comments received raising the following points:

- Loss of green corridors in long rear gardens
- Increase existing parking difficulties in neighbouring streets
- Reduction in surrounding property values

The final point raised is not a material planning consideration and therefore should not be taken into consideration when determining the application – it is reported for information and completeness only.

Consultee Responses

Development plans team

Policy framework set out – sustainable urban location where principle of development is acceptable in policy terms, providing it meets various criteria, including that development is within the 30-50dph range unless there are good reasons not to (criteria given).

County Highway Network Control

No objection – access details will be submitted under a subsequent reserved matters application and it would be possible to provide a satisfactory access to a residential development in this location

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Environmental Health

No objection subject to conditions regarding construction times and informatives relating to light and odour

Severn Trent Water

No response received

Procedural Matters

Normally, an application of this type would simply seek consent for 'residential development' in order to establish the principle, however in this case the quantum of development sought is specified, and therefore if the application were approved, reserved matters application(s) would have to be for precisely that type of development. This would not, however, preclude the future submission of a full application on the site for an alternative form of development, which would be considered on its own merits and the relevant planning framework at the time separately from this application and its outcome.

Members are therefore respectfully reminded that whilst there is a significant quantity of information provided in support of this application, it cannot be relied upon when making a decision, and that the application is simply to establish whether or not the principle of developing three bungalows on this site is acceptable. However, it is also the case that if it is considered that the proposed quantum of development could never be designed to be acceptable then an outline application should not be granted. Therefore, in this case, the indicative material is provided to demonstrate that it might be possible to design an acceptable development of this scale on this site, and it should be considered accordingly.

Assessment of Proposal

The only issue for consideration in this case is the principle of development, and the various aspects included within that in planning policy terms.

Sustainable Location

The site is located within the urban area of the town of Redditch, in close proximity to shops and services and to public transport routes, such that it is considered to be sufficiently sustainable to accommodate new residential development.

Brownfield/Greenfield Location

Due to recent changes in planning policy, this site is now considered to be a Greenfield site. However, this does not preclude it from development where it is in a sustainable location, there is an identified need for housing and there would be no adverse impacts on the biodiversity and natural environment of the site.

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Density

The emerging core strategy seeks to make efficient use of land, and so for a site in this location seeks development at a density of between 30 & 50 dph (dwellings per hectare). This proposal would result in a development of 23dph, however the policy team comment as follows:

“A judgement therefore needs to be taken as to whether a higher density could be achieved on this site without compromising the provision of sufficient and conveniently located space, an adequate level of residential amenity for new and existing occupiers and does not have a detrimental impact on the character and environmental quality of an area.”

It is considered that in this case, due to the proposal being bungalows and only small, density is likely to be lower, as more floor area is needed per dwelling, and some land is necessary for access and infrastructure which is a bigger proportion of a smaller development site. Further, given the landscape and topography of the site, it is considered that single storey development on this raised plateau would be more appropriate and less visually intrusive to surrounding residential properties than two storey accommodation would be. This automatically limits the quantity of development that could be located on this site, thus reducing potential densities. In this case, it is therefore considered that special circumstances exist on this site that meet the exceptions criteria within the policy. Further, this is emerging policy and should thus be afforded a little less weight than adopted policy when balancing considerations.

The surrounding pattern of development is at a density of approximately 16dph, and therefore this proposal is considered to be appropriate and sympathetic to the existing residential development in the area with its smaller rear gardens.

Efficient use of land

Whilst the proposal is slightly less than the density required by policy, it is still considered to be a reasonably efficient use of land, especially given the nature of the dwellings proposed being single storey and therefore liable to require more land per unit.

Housing land supply

As part of evidence gathering for emerging local planning policy, it has been identified that there is an ageing population in Redditch, for which single storey accommodation such as the bungalows proposed here would be an appropriate form of housing, and therefore this proposal is considered to be an acceptable form of development.

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Other Issues

With an outline application, it is sometimes appropriate to attach conditions regarding the type of development required and issues to be considered in designing the further details. However, as there are no matters for consideration here, it is considered best to leave these for future consideration under the planning policy framework at the point they are submitted. However, due to the residential nature of the surroundings it is recommended that the condition relating to construction working hours be attached to protect residential amenity.

Conclusion

On balance, the proposed use of this site is considered unlikely to cause harm to safety or amenity and is in compliance with policy criteria and requirements.

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. Time limit for submission of all five reserved matters *and* for commencement of development**
- 2. Limit to hours of construction during development**
- 3. Approved plans specified**

Informatives

- 1. Note on reserved matters application requirements**
- 2. Light informative from environmental health**
- 3. Odour informative from environmental health**

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PLANNING ENFORCEMENT ACTIVITY – SIX MONTH UPDATE

This report provides information in relation to statistics showing enforcement activity for the previous six months.

Recommendation

The Committee is asked to RESOLVE that

the information detailed in the Appendices to the report be noted.

Financial, Legal, Policy, Risk and Climate Change Implications**Financial**

There are no direct financial implications in the reports.

Legal

Legal implications are as detailed in the reports and as set out in the following Acts:-

Town and Country Planning Act 1990.
Planning and Compensation Act 1991.
Planning and Compulsory Purchase Act 2004.
Town and Country Planning (Control of Advertisements) Regulations 2007.
Anti-Social Behaviour Act 2003.
Human Rights Act 1998.
Crime and Disorder Act 1998.

Policy

Policy implications are as detailed in individual reports, the Planning Enforcement Policy and as set out in the Borough of Redditch Local Plan No. 3.

Discussion

Planning Committee has asked that detailed information is provided on a six-monthly basis with regard to the use of delegated enforcement powers, notable closed cases and enforcement activity in general.

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The report comes in the form of two appendices:

- Appendix 1 - Review of enforcement activity for the period
January to June 2010
- Appendix 2 - Review of delegated authorisations and notable results
for the period January to June 2010.

The author of this report is Iain Mackay (Planning Enforcement Officer) who can be contacted on extension 3205 (e-mail:-iain.mackay@redditchbc.gov.uk) for more information.

ENFORCEMENT ACTIVITY REPORT

<u>Period:</u>	<u>01/01/10</u>	To:	<u>30/06/2010</u>
Enforcement Complaints registered	→→		180
Current live cases	→→		74
Cases Closed	→→		200
Closed - ceased	→→		47
Closed - PP obtained	→→		18
Closed - no evidence	→→		27
Closed - permitted development	→→		33
Closed - No Planning issues	→→		54
Closed - Not expedient/other reasons	→→		21
Notices complied with	→→		21
Enforcement notices	→→		4
Stop notices	→→		0
Temporary stop notices	→→		0
S.215 untidy land notices	→→		2
Breach of condition notices	→→		0
Planning contravention and S.330 notices	→→		17
High Hedge remedial notices	→→		0
Tree replacement notices	→→		0
Number of Notices issued	→→		23
Prosecutions initiated	→→		0
Convictions obtained	→→		0
Injunctions granted	→→		0
Injunctions refused	→→		0
Enforcement appeals received	→→		3
Enforcement appeals dismissed	→→		3
Enforcement appeals allowed	→→		0

Iain Mackay
Enforcement Officer

Date:

30/06/2010

APPENDIX 5

6 Monthly Review of Enforcement - January - June 2010. Use of delegated powers and notable resolutions							
Date	Location	Alleged Breach	Authorised	Committee/ Delegated	Action taken	Date closed/ Review date	Current status
13/07/2007	Redstone Close, Churchill	High Hedge	High Hedge Remedial Notice	Committee	Notice issued	06/05/2010	Direct action taken - charge on land pending
24/09/2008	Barford Close, Matchborough	Untidy site	Section 215 Notice	Committee	Notice issued	10/03/2010	Direct action taken - charge on land pending
13/02/2009	Castleditch Lane, Oakenshaw	Unauthorised extension	Enforcement Notice	Committee	Notice issued	30/06/2010	Demolished - case closed
16/12/2009	Atcham Close, Winyates	Untidy site	Section 215 Notice	Delegated	Notice Appealed	15/06/2010	Appeal dismissed - site tidied - case closed
05/01/2010	Ipsley Street, Town Centre	Non-compliance with condition	Prosecution	Committee	Prosecution Brief	05/03/2010	Negotiation - prosecution pending
13/01/2010	Evesham Road, Astwood Bank	Storage container	Enforcement Notice	Delegated	Notice issued	03/05/2010	Removed - case closed
22/01/2010	Badger Close, Winyates	Car port	Enforcement Notice	Delegated	Notice issued	08/05/2010	Removed - case closed
17/02/2010	Felton Close, Matchborough	Condition of property	Section 215 Notice	Delegated	Notice issued	24/05/2010	Pending compliance
02/03/2010	Evesham Road, Astwood Bank	Non-compliance with condition	Prosecution	Committee	PA received	04/05/2010	Pending determination
18/06/2010	Foxlydiate Lane, Webbeath	Enclosure of open land	Enforcement Notice	Delegated	Notice issued	25/06/2010	Pending compliance
18/06/2010	Church Green West, Town Centre	Condition of property	Section 215 Notice	Delegated	Notice issued	25/06/2010	Pending compliance
22/06/2010	Prospect Hill, Town Centre	Works to Listed Building	Listed Building Enforcement Notice	Committee	Notice issued	05/03/2010	Pending compliance

