

Planning Committee

Tue 7th Dec
2010
7pm

Council Chamber
Town Hall
Redditch



www.redditchbc.gov.uk

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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.
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- 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.
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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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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) 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.)
- 4) 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 4.00 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 4.00 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

7th December 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	

1. Apologies	To receive apologies for absence and details of any Councillor nominated to attend the meeting in place of a member of the Committee.
2. Declarations of Interest	To invite Councillors to declare any interest they may have in the items on the Agenda.
3. Confirmation of Minutes (Pages 1 - 4)	To confirm, as a correct record, the minutes of the meeting of the Planning Committee held on 9th November 2010. (Minutes attached)
4. Planning Application 2010/210/OUT - Former Dingleside Middle School, adjacent open space and garages to rear of Nos. 1 to 11 Auxerre Avenue, Woodrow North (Pages 5 - 22) Head of Planning and Regeneration	To consider an Outline Planning Application for residential development (Use Class C3) with all matters reserved. Applicant: Worcestershire County Council (Report attached – Site Plan under separate cover) (Greenlands Ward)
5. Planning Application 2010/253/FUL - Former Marfield Farm First School, Redstone Close, Church Hill North (Pages 23 - 36) Head of Planning and Regeneration	To consider a re-submission of Planning Application 2009/271/FUL for a residential development consisting of 39 no. two bedroom, 16 no. three bedroom, 3 no. four bedroom homes and 21 no. two bedroom flats. Applicant: Accord Housing Association (Report attached – Site Plan under separate cover) (Church Hill Ward)

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<p>6. Planning Application 2010/254/FUL - Land adjacent to First House, Lady Harriets Lane, Redditch</p> <p>(Pages 37 - 42)</p> <p>Head of Planning and Regeneration</p>	<p>To consider a Planning Application for the erection of a single detached two storey dwelling.</p> <p>Applicant: Mr S Walsh</p> <p>(Report attached – Site Plan under separate cover)</p> <p>(Abbey Ward)</p>
<p>7. Planning Application 2010/268/FUL - 12 Boultons Lane, Crabbs Cross</p> <p>(Pages 43 - 46)</p> <p>Head of Planning and Regeneration</p>	<p>To consider a Planning Application for the erection of a Conservatory to the rear of the dwelling.</p> <p>Applicant: Mr S Crumpton</p> <p>(Report attached – Site Plan under separate cover)</p> <p>(Crabbs Cross Ward)</p>
<p>8. Planning Application 2010/270/COU - Cafe Nero, 15-17 Evesham Walk, Town Centre</p> <p>(Pages 47 - 52)</p> <p>Head of Planning and Regeneration</p>	<p>To consider a Planning Application for a change of use of public highway to street café area.</p> <p>Applicant: Nero Holdings Ltd</p> <p>(Report attached – Site Plan under separate cover)</p> <p>(Abbey Ward)</p>
<p>9. 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>10. 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

9th November 2010

MINUTES

Present:

Councillor Michael Chalk (Chair), and Councillors Peter Anderson, Brandon Clayton, Adam Griffin (substituting for Councillor K Banks), Bill Hartnett, Roger Hill, Robin King and Wanda King

Also Present:

M Collins (Standards Committee Observer)

Officers:

N Chana, A Hussain, A Rutt and I Westmore

Committee Services Officer:

J Smyth

47. APOLOGIES

An apology for absence was received on behalf of Councillor K Banks.

48. DECLARATIONS OF INTEREST

Councillors M Chalk, P Anderson, B Clayton, B Hartnett, R King and W King declared personal but not prejudicial interests in relation to Planning Application 2010/228/FUL (Abbey Hotel Golf and Country Club, Dagnell End Road, Redditch) as detailed separately at Minute 51 below.

49. CONFIRMATION OF MINUTES

RESOLVED that

the minutes of the meeting of the Committee held on 12th October 2010 be confirmed as a correct record and signed by the Chair,

subject to it being noted that

.....
Chair

Councillor B Clayton's declared personal interest in Planning Application 2010/194/OUT (Upper Norgrove House, Church Road, Webheath), due to his acquaintance with one of the public speakers, namely, Mr A Bedford-Smith, had been omitted and the record be so amended.

50. PLANNING APPLICATION 2010/216/FUL AND LISTED BUILDING CONSENT APPLICATION 2010/217/LBC – 5 CHAPEL COURT

Planning Application and Listed Building Consent
For a change of use from offices
to four self contained one bedroom flats
Applicant: Mr P Eagles

RESOLVED that

having regard to the Development Plan and to all other material considerations,

- 1) Planning Permission be GRANTED, subject to the conditions and informatives summarised in the report, and**
- 2) Listed Building Consent be GRANTED, subject to the conditions and informatives listed in the report.**

51. PLANNING APPLICATION 2010/228/FUL – ABBEY HOTEL GOLF AND COUNTRY CLUB, DAGNELL END ROAD,

Improvements to leisure facilities at existing driving range,
Replacement of single storey range building with two storey
Building to increase the number of golfing bays to 31,
Improvements to range green to include lake and lighting system,
Provision of ancillary car parking, access, landscaping
And security measures
Applicant: RSM Leisure Ltd

Mr C MacMillan, Objector and Mr P Downes, 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 REFUSED, for the following reason:

“The proposed lighting and the likely noise from the significant increase in driving range user numbers would be likely to result in detrimental noise and light disturbance on the residential amenities of surrounding neighbours and would therefore be contrary to Policies B(BE)13 and B(NE)4 of the Borough of Redditch Local Plan No.3 and PPG24.”

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

(Prior to consideration of this item, and in accordance with the requirements of Section 81 of the Local Government Act 2000, Councillors M Chalk, P Anderson, B Clayton, B Hartnett, R King and W King declared personal but not prejudicial interests as they were acquainted with one of the public speakers, namely, Mr C MacMillan.)

**52. PLANNING APPLICATION 2010/231/RC3 –
BLYTHE CLOSE, CRABBS CROSS**

Environmental enhancements - redesign of existing
Infrastructure to create additional car parking spaces
Applicant: Redditch Borough Council

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 and the following additional informative:

“2) The Applicant be requested to ensure that any need for disabled parking provision be catered for in the implementation of the development,

**53. PLANNING APPLICATION 2010/234/FUL –
15 HOLLOWFIELDS CLOSE, SOUTHCREST**

First floor side extension, two storey extension to
Accommodate a lift and internal alterations to
Provide accommodation for child with disabilities
Applicant: Mr Darren Hoult

RESOLVED that

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

**54. PLANNING APPLICATION 2010/244/COU –
UNIT 9 MATCHBOROUGH CENTRE, MATCHBOROUGH WAY**

Retrospective application
Change of use from A1 (Retail)
to mixed use A3 (Café / Restaurant)
and A5 (Hot Food Takeaway) use
Applicant: Mrs L Paskeviciene

Mr T Ellinas and Mr O Ellinas, Objectors, addressed the Committee under the Council's public speaking rules.

RESOLVED that

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

**55. APPEAL OUTCOME – LAND ADJACENT TO
31 WHEATCROFT CLOSE, BROCKHILL**

The Committee received and considered an item of information in relation to the outcome of an appeal against a refusal of planning permission, namely:

Planning Application 2009/249/FUL
Erection of a single dwelling

Members noted that the appeal against the Council's decision to refuse planning permission on grounds relating to the proposed dwelling's siting and appearance, vehicle ingress and egress and parking issues and overdevelopment of the site, had been DISMISSED by the Inspector.

RESOLVED that

the item of information be noted.

The Meeting commenced at 7.02 pm
and closed at 8.32 pm

.....
CHAIR

PLANNING COMMITTEE

7th December 2010

PLANNING APPLICATION 2010/210/OUT

OUTLINE PLANNING APPLICATION FOR RESIDENTIAL DEVELOPMENT (USE CLASS C3) WITH ALL MATTERS RESERVED

FORMER DINGLESIDE MIDDLE SCHOOL; ADJACENT OPEN SPACE AND GARAGING TO THE REAR OF NUMBERS 1 TO 11 AUXERRE AVENUE, WOODROW NORTH, REDDITCH

APPLICANT: WORCESTERSHIRE COUNTY COUNCIL
EXPIRY DATE: 11TH NOVEMBER 2010

WARD: GREENLANDS

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 measures approximately 7.27 hectares and is circa 380m in length from southwest to northeast and 200m in width from northeast to southeast. It is bounded by the road Woodrow North to the east and south, rear gardens of existing dwellings on Throckmorton Road to the north, and Woodrow Park to the west.

The site slopes quite steeply up to a plateau from Woodrow North and from the houses to the rear of Throckmorton Road. The former Dingleside Middle School which was closed in August 2008 (and has since been demolished) had been situated on the plateau which itself slopes gently up from northeast to southwest. The majority of the site is open grassland although to all perimeter boundaries, existing mature and semi-mature planting is a significant feature, screening much of the interior from public highways. A triangle of land to the rear of numbers 1 to 11 Auxerre Avenue is also included within the site which contains a number of Council owned storage units in various states of repair. Despite their condition, some of these are in use. This part of the site was subject to a Supplementary Planning Document (granted March 2006) which will be referred to later in the report.

The areas beyond the northern, eastern and southern boundaries of the site are primarily residential in character, consisting largely of two storey terraced housing dating from the mid twentieth century. Beyond Fladbury Close (residential) to the east lies the Park Farm Industrial Estate. Beyond Doverdale Close, to the south, lies the Woodrow District Centre, approximately 5 minutes walk away from the application site.

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The site is accessed off Woodrow North, at a point approximately 50m from the south-west corner of the site.

The former buildings, and tarmac play areas are undesignated in the Borough of Redditch Local Plan No.3 (the same as the adjacent residential areas). The triangular shaped area of land to the rear of Auxerre Avenue is designated as housing site 139 which is allocated for residential purposes in the Local Plan. The remaining area that is grassed and landscaped is designated as Primarily Open Space in Local Plan No.3 with the exception of a long strip of land running adjacent/parallel to Woodrow North which is designated as Incidental Open Space.

Proposal Description

This is an outline application for residential development with all matters reserved for future consideration (access, layout, scale, appearance and landscaping).

Whilst all matters are reserved, an overall *indicative* Masterplan has been produced identifying how 220 units could be accommodated within the site which also sets general parameters of scale, height and density against which future development proposals would be considered. The indicative proposals as shown on the Masterplan represent a density of 30.5 dwellings per hectare.

Total unit numbers could be split as follows:

- 12 x 1 bed units (5.5%)
- 60 x 2 bed units (27.3%)
- 98 x 3 bed units (45.5%) and
- 50 x 4 bed units (22.7%)

Within this split of units a wide range of accommodation types would be provided including bungalows, terraced housing, detached and semi-detached housing and apartments. The indicative dwelling composition is illustrated below:

Detached	5 x 3 bed
Semi Detached	4 x 3 bed, 6 x 4 bed
Terrace	18 x 2 bed, 68 x 3 bed, 36 x 4 bed
Apartments	12 x 1 bed, 42 x 2 bed, 21 x 3 bed

Building heights would range from one storey to three storeys. Three storey accommodation is proposed at two apartment blocks towards the centre of the former Dingleside school playing field and single storey bungalows are sited to the rear of 1-11 Auxerre Avenue.

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A potential phasing programme is provided to identify the most likely and logical progression of development (four phases identified).

Access to the development, whilst not for consideration here, as shown on the indicative Masterplan, would be via the existing access point which served the former school, off Woodrow North.

The application is supported by a:-

Design & Access Statement, Planning Statement, a Statement of Community Consultation, Desk Top Contamination Study, Arboricultural Survey, Phase I Habitat Survey / Ecological Survey Assessment, MG grassland survey, Transport Statement, Travel Plan, Flood Risk Assessment, and a copy of the West Midlands Sustainability Checklist. The applicant is also agreeable to enter into a S106 Agreement.

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
PPS9	Biodiversity and Geological Conservation
PPG13	Transport
PPG17	Planning for Open Space, Sport and Recreation
PPS25	Development and Flood Risk

Regional Spatial Strategy

UR4	Social Infrastructure
QE3	Creating a high quality built environment for all
SR1	Climate Change
SR2	Creating Sustainable Communities
SR3	Sustainable Design and Construction
CF2	Housing beyond the Major Urban Areas
CF3	Level and Distribution of New Housing Development
CF5	Delivering affordable housing and mixed communities
CF6	Making efficient use of land
CF7	Delivering affordable housing
EN2	Energy Conservation
T3	Walking and Cycling

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Worcestershire County Structure Plan

SD.1	Prudent Use of Natural Resources
SD.2	Care for the Environment
SD.3	Use of Previously Developed Land
SD.5	Achieving balanced communities
CTC.1	Landscape Character
CTC.5	Trees, Woodlands and Hedgerows
CTC.8	Flood Risk and Surface Drainage
CTC.15	Biodiversity Action Plan
D.5	The Contribution of Previously Developed Land to Meeting Housing Provision
D.6	Affordable Housing Needs
D.43	Crime Prevention and Community Safety
T.4	Location of Development
T.4	Car Parking
T.10	Cycling and Walking
IMP.1	Implementation of Development

Borough of Redditch Local Plan No.3

R.1	Primarily Open Space
R.2	Protection of Incidental Open Space
R.3	Provision of Informal Unrestricted Open Space
R.4	Provision and Location of Children's Play Areas
R.5	Playing Pitch Provision
CS.1	Prudent Use of Natural Resources
CS.2	Care for the Environment
CS.5	Achieving balanced communities
CS.6	Implementation of Development
CS.7	The Sustainable Location of Development
CS.8	Landscape character
B(HSG).5	Affordable Housing
B(HSG).6	Development within/adjacent to the curtilage of a dwelling
B(BE).13	Qualities of Good Design
B(BE).19	Green Architecture
B(BE).28	Waste Management
B(NE).1	Overarching Policy of Intent
B(NE).1a	Trees, Woodland and Hedgerows
L.2	Education Provision
S.1	Designing Out Crime

Supplementary Planning Guidance / Documents (SPG / SPDs)

Encouraging Good Design
 Affordable Housing Provision
 Education Contributions
 Open Space Provision
 Designing for Community Safety

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Land to the rear of properties 11-11 Auxerre Avenue Development Brief

Relevant Site Planning History

Minor extension / alteration / new classroom unit applications dating from when the site was in operation as a school, but not relevant to the consideration of this application for residential development.

A triangle of land to the rear of numbers 1 to 11 Auxerre Avenue is included within the site which contains a number of Council owned storage units in various states of repair. This part of the site was subject to a Supplementary Planning Document (granted March 2006) and was prepared in order to guide the development of housing site 139 which is allocated for residential purposes in the Local Plan.

Public Consultation Responses

The application has been advertised by writing to neighbouring properties within the vicinity of the application site, by display of public notices on site, and by press notice. In addition, a well publicised (pre-application) public consultation exercise organised by the applicant's agents, took place at Woodrow Library in March 2010, where at least 45 members of the public attended.

Responses in favour

None received

Responses against

30 letters received in objection to the application.

All but two of the letters are identical.

Comments are summarised as follows:

- To allow the development would be considered contrary to the provisions of the Strategic Housing Land Availability Assessment (SHLAA) which excludes part of the site from development
- Considered contrary to Open Space Needs Assessment 2009
- The undeveloped steeply sloping area of land behind rear gardens of Throckmorton Road, rising to the former school's position should not be developed – this area is highly sensitive
- Proposal would destroy natural habitat for wildlife and valuable green space
- The amenity and recreational value of the land would be lost
- Crime in the area would increase, leading to an increase in more policing in the area
- Visual amenity will be severely compromised
- Inadequate ecological survey
- A site of Special Scientific Interest (SSSI) and several Special Wildlife Sites (SWSs) are situated to the north and west of the site – concerns that these may be affected by the development

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- Visually, this area offers a 'break' between high density residential development which exists to the north and south of the school
- The indicative plan is considered to represent too high a proposed density and lacks sufficient on-site amenity space
- Lacking in sufficient links to other open space areas
- Concerns that the right of way that exists via Auxerre Avenue to garages/ rear garden structures to properties in Throckmorton Road may be hindered by the proposed development
- Objections raised in particular, to the proposed erection of five detached single storey/dormer bungalows which are proposed to be built on a sloping area of land behind Throckmorton Close
- The five bungalows above would overlook existing properties on Throckmorton Road – this area should not be developed
- Existing residents are liable to be flooded if new development is takes place due to the fact that the land falls away steeply in the direction of Throckmorton Road to the north
- Permeable surfaces and French drains should not be used since the maintenance involved with such drainage is considerable
- If on-street parking increases, emergency vehicle access could be severely compromised
- Public consultation event was considered to be misleading

Petition

A petition containing 75 signatures (stapled to one of the identical letters referred to and with comments summarised above) has been received via a resident objecting to the proposed development.

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

It should also be noted that the application is for pure outline permission, and therefore matters of detail are reserved for potential future consideration.

Consultee Responses

County Highway Network Control

The transport assessment provided as part of the application has shown that the highway infrastructure is suitable to allow development.

The point of access would need to be improved for this level of development, which can be dealt with at the reserved matters stage.

Any reserved matters permission will require the imposition of highway conditions. However, it is not proposed to attach any to any permission granted here, since access is to be considered as a future reserved matter.

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Environment Agency

Comments awaited

Council's Waste Management Service

Comments awaited

Council's Arboricultural Officer

No objection as landscaping details would be provided as part of the subsequent reserved matters.

Police Crime Risk Manager

No objections are raised to the application. It would be beneficial if this development was subject to secured by design status in the future.

Development Plans (Planning Policy)

The proposal include the loss of a playing pitch, which would normally be resisted. However, the application does seek to justify the loss of the playing pitch by highlighting that an alternative user for this site could not be found.

The principle of accommodating housing on this site is broadly considered to be acceptable. The site has been identified in emerging planning policy documentation.

40% of the dwellings should be provided for affordable housing, and this should be included within each phase of the development, regardless of the number of units within each phase.

The applicant has addressed the criterion set out in Policy R.1 in their supporting information. It is considered that the principle of development in this location is acceptable.

Council's Community Safety Officer

Comments awaited

Council's Drainage Officer

Comments awaited

Worcestershire Wildlife Trust

Comments awaited

Council's Greenspace & Biodiversity Officer

Comments awaited

Environmental Health

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No objection subject to conditions relating to construction hours and informatives relating to lighting and odour

Severn Trent Water

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

Sport England

An assessment has demonstrated that there is an excess of playing fields in the catchment and the site has no special significance for sport. It is noted that the site has also been assessed under the Councils SHLAA and is to become a strategic site in the emerging Core Strategy. Sport England does not raise any objections to the granting of planning permission for this development.

Council's Housing Enabling Officer

This site represents a strategically significant affordable housing development which will provide not only a great opportunity to effect regeneration of a currently cleared site, but will also assist in the wider regeneration of the Woodrow and Greenlands areas of the Borough.

Whilst in indicative form only at this stage, the applicant has sought to deliver a greater mix of mid to larger size family homes (from 2 to 4 bedrooms), with the scheme seeking to provide a wide range of housing types including bungalows, flats, and terraced houses. This would meet the demand within the Borough for larger family houses.

As part of any reserved matters application, the applicant is urged not to cluster the affordable housing in a particular part of the site, but to develop the total affordable housing provision proportionately across all four planned phases.

Procedural matters

This application is put before the Planning Committee due to the fact that it is a 'major' application (as defined in the NI 157 returns). Under the agreed scheme of delegation to Planning Officers, 'major' applications should be reported to Committee, where the recommendation is one of approval.

This is an outline application with all matters reserved, and as such, *only* the principle of development can be considered at this stage. However, if there are reasons why the development could not be designed to be appropriate to the site, these can be raised as concerns at this stage.

The application plans and documents include an indicative layout and information regarding numbers, types and sizes of dwellings, however this is for illustrative purposes only to demonstrate how the site *could* be developed, and not how it *would* be developed. This therefore has no weight in the determination of the application.

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Assessment of Proposal

The key issue for consideration in this case is the principle of the development, as all other matters are reserved for future consideration. As part of this, matters regarding sustainability and planning obligations should be considered. Since an indicative plan has been submitted, and several concerns have been raised in the representations received, other matters will be clarified, although many of the concerns raised would need to be addressed in detail at any subsequent reserved matters application stage and not given significant weight in determining this application.

Principle

The application site comprises an area of white land, designated site 139, Primarily Open Space, and Incidental Open Space.

The principle of residential development is acceptable with respect to the white land. This includes the site of the former school buildings (now demolished) and the hard play area, immediately behind what was the school building.

The area of land to the rear of 1-11 Auxerre Avenue is allocated within the local plan for residential development as site 139. The principle of residential development here is also considered to be acceptable.

A relatively thin strip of land running parallel to Woodrow North between the former playing fields to the school and the road, (at the eastern end of the site) is defined as Incidental Open Space, where Policy R.2 of the Local Plan applies. However, the indicative plan shows that only a small amount of development could take place in this area. Your Officers consider that the vast majority of this area should not be developed, and the indicative plan shows that this area would not be substantially developed. The relative narrowness of this area would make development difficult since it could mean the removal of the substantial mature hedgeline, which your officers consider should be retained. Further, the land rises steeply from Woodrow North, to the raised plateau where the former playing fields are located, making the appearance of any built form in this area potentially highly conspicuous and out of keeping with the surrounding area. It is therefore considered that built form should be kept to a minimum on this part of the site and that this could be restricted through the imposition of a condition at this stage.

The remainder of the site is designated as Primarily Open Space in Local Plan No.3 and shown as such on the detailed proposals map where Policy R.1 would apply. This policy states that proposals which lead to the total or potential loss of Primarily Open Space will not normally be granted planning permission unless it can be demonstrated that the need for the development outweighs the value of the land as an open space area.

The criteria in Policy R1 are noted and considered below:

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i) The environmental and amenity value of the area

The environmental and amenity value of the wider area is predominantly linked to Woodrow Park, which extends to approximately 13.28 hectares providing an extensive area of open space within the urban area of Redditch. The open space area that is the application site is contained as a result of its former use as a school playing field which is enclosed with fencing and hedge / tree planting around the perimeter of the site, and thus reduced its visual appearance as an open space area. The fact that the areas to the immediate east and west of the former school buildings are heavily enclosed with hedge and tree planting, restricts this part of the site's visual openness as an open space area and restricts its level of accessibility for members of the public, and as such lessens its amenity value.

ii) The recreational, conservation, wildlife, historical, visual and community amenity value of the site

The recreational value of the site is currently limited. Large areas of the site are classified as restricted open space to which there is no public access. This includes the area of land which was not included within the SHLAA area to the immediate west of the former school buildings. In this respect, Officers would inform members that historical aerial photographs taken of the school site prior to the buildings demolition clearly show that the area to the west of the school, and included within the application site for development show boundaries demarking the playing fields from the adjacent Woodrow Park, with the only access to this area being via the school by means of the former tarmac playground and also through a central band of trees to the east. The photographs show that the area was marked out with white lines for sports activities.

In addition, officers have received a written statement from the Caretaking, Cleaning and Grounds Officer, Worcestershire County Council, commenting that the area in question, to the west of the application site was maintained and used by the school for team games and sports up until the point that the school closed and has therefore always been connected to the previous school as a playing field. Your Officers therefore believe that the area already identified as part of the SHLAA could have included the area to the west of the former school buildings, and that, being former playing fields, they should be considered in the same way as the former playing fields to the east.

Due to the above, recreation opportunities are limited to those which take place on the slope to the north and the former garage site to the rear of Auxerre Avenue. Within the slope, new routes into the adjacent Woodrow Park would be opened up, and new green space would be provided within the site which would become publicly accessible. The indicative plan shows that the majority of the sloping area of land behind properties in Throckmorton

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Close would not be developed. This could also be restricted through the imposition of a condition, however it is not considered to be necessary at this stage.

There are a number of hedgerows and mature trees which contribute to the environmental value of the site. A Phase 1 Habitat Survey has been prepared which reveals that the site is of low ecological value with the exception of some trees and hedges which may provide limited habitat value.

- iii) *The merits of retaining the land in its existing open use ,and, the contribution or potential contribution the site makes to the character and appearance of the area*

A comprehensive exercise of seeking to place the site in a long term sustainable and viable ownership to continue sports provision has been explored by the applicant, but no appropriate occupier has been secured. The former school site is vacant, has restricted visibility and makes little contribution to the character and appearance of the area, and is increasingly becoming a maintenance burden to the applicant as well as being a poor use of land.

- iv) *The merit of protecting the site for alternative open space uses*

A significant area of open space already exists directly adjacent to the site in the form of Woodrow Park. Extensive public consultation has revealed that the site is not particularly well used by the public and therefore the retention and opening up of additional space would offer no great additional benefit to the area than already offered at present by Woodrow Park. Consultation between the applicant, Planning Officers and RBC Parks and Leisure team have identified that a better solution would be to enhance the existing open space at Woodrow Park to facilitate greater use through upgrading existing sports and recreation facilities and by the addition of improved access routes benefiting from natural surveillance and lighting. Monies would be secured through a Section 106 legal agreement – see later.

- v) *The location, size and environmental quality of the site*

The responses given under criteria i) to iv), above, capture information in response to this criteria.

- vi) *The relationship of the site to other open space areas in the locality and similar uses within the wider area*

The local area is well served in terms of open space and recreation facilities. In addition to Woodrow Park, other playing fields, recreational/open space areas can be found at Greenlands Playing fields circa 500 metres to the northwest of the application site and at Arrow Valley Park, 400 metres to the

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east of the site. There are equipped play areas nearby, one of which is directly adjacent to the site with the other, at Bengrove Close, to the southern side of Woodrow North, to the southwest of the site. These include informal kick about areas as well as toddler and junior facilities. In addition, the site is within walking distance of the Redditch BMX/Skate Park, to the northeast.

- vii) *Whether the site provides a link between other open areas or a buffer between incompatible land uses*

The majority of the application site currently acts as a barrier to movement as it is fenced off from public use. The site does not act as a buffer between incompatible land uses. Residential development surrounds the site and increased permeability through the site would make it easier for people in the northern residential areas to access services and facilities at the Woodrow District Centre, for example.

- viii) *That it can be demonstrated that there is a surplus of open space and that alternative provision of equivalent or greater community benefit will be provided in the area at an appropriate, accessible locality*

The adopted Open Space Needs Assessment 2005 identifies that a surplus of open space within the ward exists. In 2009, the Council undertook an update of the 2005 Open Space Needs Assessment. This document has not been formally adopted by the Council but has been published following Member endorsement. The 2009 study shows a deficit of open space as a result of ward boundary changes. Although the updated study identifies a shortfall, the spaces removed from Greenlands Ward by the boundary change of course still exist and offer unrestricted, easily accessible open space provision to the residents of Greenlands. Regardless of whether the 2005 or 2009 figures are used, open space per 1000 population is in advance of national averages as set out in the Councils 'Public Open Space Standards within the Borough Study'.

The Open Space Needs Assessment 2009 refers to much of the site as school playing field rather than general open space, highlighting its restricted use as a public open space.

- ix) *The merits of the proposed development to the local area or the Borough generally*

The benefits in favour of development include meeting identified housing need, including affordable housing need, contributions to sports facilities in the Borough and improvements to existing play areas. In addition, Officers consider that the re-use of an existing vacant site, improved access, improved permeability through the site and improvements to Woodrow Park would

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provide significant benefits to the residents of the area as well as the residents of the proposed development.

To the north of the site, beyond the former school playing fields and between rear gardens serving some properties in Throckmorton Road, lies a further area designated as Primarily Open Space in the Local Plan and is included within the application site area. This partly links the former playing fields to the land to the rear of 11 to 11 Auxerre Avenue. The land here falls away steeply from the raised plateau of the former school site, down to fences serving rear gardens in Throckmorton Road. The topography means that any potential development taking place in this area, if it were to be permitted at all would need to be sympathetically sited such that it would not harm the character and appearance of the area nor residential amenity. The indicative plan shows that the majority of this part of the site would not be developed, although it could be included for development as part of any future Reserved Matters application. Your Officers have informally commented that this area could most appropriately be developed only for on-site amenity purposes, since on site open space would need to be provided as part of any Reserved Matters application.

From a practical point of view, other than for the loss of the strip of land to the north of the site linking the former playing fields to rear gardens in Throckmorton Road there is considered to be no real loss of open space provision given that it was only for the purposes of the school.

Density and Layout

These details would be considered at reserved matters stage and would need to comply with the planning policy framework at the time, such that the amenities of existing residents would be taken into account and protected in terms of spacing standards etc.

Drainage and flooding

Representations received refer to the potential of flooding and impact upon existing residents properties. A full flood risk assessment including an outline drainage strategy has been prepared. This is considered to be a robust approach to attenuating drainage for the site and these measures are considered to lead to an overall improvement in water management. This is therefore considered to be a matter that can be addressed sufficiently that it would not prevent the residential development of the site.

Affordable Housing

This would be provided at 40% across the site and there would be a requirement for the location and split of this provision to be agreed with the developer on a phased basis which will occur when the formal phasing plan is agreed as part of a reserved matters application. It is considered that a reasonable approach, through imposition of conditions, would be that each phase would contain a proportion of affordable housing as agreed with

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officers/housing strategy and that overall the site would deliver the required 40%. This is to build in a degree of flexibility to allow the developer to deliver a viable scheme in the future. However, it would also ensure that the required provision would occur.

To keep flexibility in place, the S106 and indicative layout would need to remain flexible in that final unit numbers, typologies and affordable housing tenure split can be set at the time reserved matters are submitted in relation to an agreed phasing plan. This would have the benefit of capturing the most up to date housing need at the point of reserved matters which may be a number of years hence.

Landscaping and Ecology

A phase 1 habitat survey has been undertaken and proportional study work for ecology prepared for the purposes of a wholly outline application. Habitat Regulations provide the mechanism for guiding the protection of species should any evidence be found at the time of construction. No mature trees or significant amounts of hedgerow would need to be removed to accommodate the development. Therefore there are no concerns in this regard.

Highways and access

Access is not for consideration at this stage. Representations received do not refer to highway matters. Highway Network Control consider that should the existing access be used to serve the new development (as would be likely), only minor alterations to this would need to take place in order for access to the site to be acceptable. It is therefore considered that it would be possible to provide a suitable access for the proposed development, such that no concerns are raised.

Sustainability

The site represents a highly sustainable location. There are a wide range of facilities and services in close proximity including schools, shopping facilities, with the Woodrow District Centre roughly five minutes away (by foot) to the south, and employment providers at the Park Farm Industrial estate lying a short distance to the east. The site is also within relatively close proximity to the hospital and has good road and bus links to Redditch Town Centre and beyond. A number of cycle ways and footpaths also link to wider areas.

All affordable homes would need to be constructed to achieve Level 3 (minimum) of the Code for Sustainable Homes. Officers would similarly expect the 'for sale' units to meet this minimum requirement, and are therefore recommending that a condition be attached to any consent requiring this. Officers would inform members however, that it is expected that all new private residential schemes will need to reach Code Level 3 minimum shortly although a formal announcement is yet to be made. By the time any construction takes place on site, it would be expected that the new

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development would need to meet this minimum requirement, or any sustainability targets which might replace CSH in the future.

Planning obligations

The size of the proposed development is above the policy threshold for requiring contributions which should be sought via a planning obligation. Normally, the following would be required under the adopted policy framework:

- A contribution towards County education facilities
- A contribution towards playing pitches/play areas/open space in the area due to the increased demand/requirement from future residents
- That 40% of the dwellings be provided as affordable housing in line with SPD policy. This must also be included in the agreement to ensure the retention of the units for this purpose in perpetuity.

The applicant in this case is Worcestershire County Council, and confirmation has been received that in this case a contribution towards County education facilities would not be required. A draft S106 Agreement has been prepared confirming that contributions would be paid towards the provision of sports facilities in the Borough, together with contributions towards the improvement and maintenance as public open space at Woodrow Park and the provision of leisure equipment at nearby sites. The S106 would also require that at least 40% of the dwellings be provided as affordable housing as set out above.

Conclusion

There is considered to be no overriding case for the retention of the application site for open space uses, and therefore, the application is considered to be acceptable, having regards to Policy R.1 of the Borough of Redditch Local Plan. In addition, Sport England deems the loss of the playing field to be acceptable in principle and the proposal would meet some of the demonstrated housing need in the Borough. The proposal is considered to comply with the planning policy framework and unlikely to cause harm to amenity or safety and as such is therefore considered to be acceptable.

Recommendation

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) **The applicant entering into a S106 planning obligation ensuring that at least 40% of the units are to be provided as affordable housing in perpetuity; that the Council are paid appropriate contributions in relation to the development for**

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sports facilities, play areas and open space enhancement in the locality to be provided and maintained; and

b) the following conditions and informatives:

Conditions

1. Time limit for commencement of development and for submission of reserved matters, including definition of reserved matters to follow
2. Development to be carried out in accordance with plans submitted with application
3. Full drainage details to be submitted for approval in writing of the LPA
4. Development to be built to a minimum Level 3 requirement set out under Code for Sustainable Homes
5. Update to Phase 1 Ecological Survey to be submitted prior to the submission of any reserved matters application
6. Limited working hours during construction period

Informatives

1. Reason for approval
 2. Vegetation clearance works should be undertaken outside the bird breeding season (March – August inclusive) or under strict instruction of a suitably experienced ecologist
 3. Secured by design requirements to be incorporated
 4. Any future layout should be broadly commensurate with the indicative Masterplan material submitted with this planning application
 5. This permission includes an agreement to enter into a legal agreement under S106 of the Town and Country Planning Act 1990
 6. Reserved matters application will be required to be accompanied by details of a travel plan
 7. No burning on site
 8. Lighting
- 2. In the event that the planning obligation cannot be completed by 30th January 2011, Members are asked to delegate authority to officers to:**
- a) **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 would cause to community infrastructure by a lack of provision for their improvements, and that at least 40% of the dwellings could not be restricted to use for affordable housing in line with current policy requirements; and**

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- b) In the event of the applicant resubmitting the same or a very similar application with an acceptable and completed S106 legal agreement attached, authority be delegated to the Head of Planning & Regeneration to GRANT planning permission subject to the conditions stated in this report and any subsequent update report and any conditions agreed at the determining Planning Committee meeting.

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PLANNING APPLICATION 2010/253/FUL

**RESUBMISSION OF PLANNING APPLICATION 2009/271/FUL:
PROPOSED RESIDENTIAL DEVELOPMENT CONSISTING OF 39 NO.
TWO BED, 16 NO. THREE BED, 3 NO. FOUR BED HOMES AND 21 NO.
TWO BED FLATS**

**FORMER MARLFIELD FARM FIRST SCHOOL, REDSTONE CLOSE,
CHURCH HILL NORTH, REDDITCH**

**APPLICANT: ACCORD HOUSING ASSOCIATION
EXPIRY DATE: 17TH JANUARY 2011**

WARD: CHURCH HILL

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 is located at the end of a cul de sac in Redstone Close and comprised the former Marlfield Farm school building which has since been demolished. The demolished buildings were generally single and two storeys in height. The surrounding land within the application site is generally grassed with some tree/shrub planting and former tarmac play areas. The perimeter of the site is generally secured with fencing and established tree/hedge planting, and is not accessible to the public currently.

The former buildings and tarmac play areas are undesignated in the Borough of Redditch Local Plan No.3 (the same as the adjacent residential areas). However, the remaining area that is grassed and landscaped is designated as Primarily Open Space in Local Plan No.3. The site is generally level with a slight slope, falling away in a north to south direction across the site.

Proposal Description

The proposal is for 79 residential units, comprising of 21 No.3 bedroom flats, 39 No. 2 bedroom houses, 16 No. 3 bedroom houses and 3 No. 4 bedroom houses.

69 of the 79 units would be affordable (61 being rented and 8 being via shared ownership). 10 would be for private sale.

The 21 flats form a three storey flat roofed apartment block whilst the remaining housing would be sited in assorted rows in a semi detached but mostly terraced arrangement.

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Four particular house types are proposed – referred to as types A1, A2, B1 and C1. With respect to the Code For Sustainable Homes, the 10 ‘for sale’ units would meet Code Level 3, 67 of the affordable units would meet Code Level 4 and two of the dwellings (Plots 34 & 35) would meet Code Level 6 – in other words, these would be ‘zero-carbon’.

The houses would generally have asymmetrical rooflines with a gable on the front with Juliet balconies. Some of the plots would be 2½ storeys in height to create a varied roofline in the streetscene. Materials would be finished in stained timber. Green roofs are proposed to the small single storey flat roofed ancillary garden stores which accompany the dwellings, but otherwise, roof tiles would be used throughout.

The three storey apartment block would be finished in horizontal timber cladding for the walls and stained, whilst a metal clad flat roof is proposed.

The layout of the access road would be a shared surface for pedestrians and vehicles. Access to the site would generally be via Redstone Close. However, 10 dwellings would be accessed via Upperfield Close. As well as the shared surface access roads, two pedestrian entrances are proposed to the north and south of the site and would link to existing footpaths.

To the west of the site, the development creates an open space ‘courtyard’ that provides a green communal area for potential occupiers of the development as well as off street car parking.

The application is supported by a:-

Design & Access Statement, Planning Statement, Arboricultural Survey, Phase I Habitat Survey, Reptile Survey, Great Crested Newt Survey, Transport Statement, Travel Plan, Flood Risk Assessment and Geotechnical Assessment. The applicant is also agreeable to enter into a S106 Agreement.

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
PPS9	Biodiversity and Geological Conservation
PPG13	Transport

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PPG17	Planning for Open Space, Sport and Recreation
PPG24	Noise
PPS25	Development and Flood Risk

Regional Spatial Strategy

SR1	Climate Change
SR2	Creating Sustainable Communities
SR3	Sustainable Design and Construction
CF2	Housing beyond the Major Urban Areas
CF3	Level and Distribution of New Housing Development
CF5	Delivering affordable housing and mixed communities
CF6	Making efficient use of land
CF7	Delivering affordable housing
EN2	Energy Conservation
T3	Walking and Cycling

Worcestershire County Structure Plan

SD.1	Prudent Use of Natural Resources
SD.3	Use of Previously Developed Land
CTC.5	Trees, Woodlands and Hedgerows
CTC.8	Flood Risk and Surface Drainage
CTC.15	Biodiversity Action Plan
D.5	The Contribution of Previously Developed Land to meeting Housing Provision
D.6	Affordable Housing Needs
D.43	Crime Prevention and Community Safety
T.4	Car Parking
T.10	Cycling and Walking
IMP.1	Implementation of Development

Borough of Redditch Local Plan No.3

R.1	Primarily Open Space
CS.1	Prudent Use of Natural Resources
CS.2	Care for the Environment
CS.6	Implementation of Development
CS.7	The Sustainable Location of Development
B(HSG).5	Affordable Housing
B(BE).13	Qualities of Good Design
B(BE).19	Green Architecture
B(BE).28	Waste Management
B(NE).1a	Trees, Woodland and Hedgerows
C(T).12	Parking Standards
S.1	Designing Out Crime

Supplementary Planning Guidance / Documents (SPG / SPDs)

Encouraging Good Design
Affordable Housing Provision

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Education Contributions
Open Space Provision
Designing for Community Safety

Relevant Site Planning History

2007/265	Erection of extra care retirement village – Housing for the elderly (affordable housing)	Resolved at Planning Committee to approve the application subject to the completion of a S106 Agreement Application disposed of by RBC due to the absence of a completed S106 Agreement within the appropriate timescale.	25.03.08
2009/271	Residential development consisting of 39 No. 2 bed, 16 No. 3 bed, 3 No. 4 bed houses and 21 No. 2 bed flats	Refused	08.03.10

Public Consultation Responses

The application has been advertised by writing to neighbouring properties within the vicinity of the application site, by display of public notices on site, and by press notice.

Responses in favour

One received. Comments are summarised as follows:

- Providing existing important landscape features and ecology/protected species are protected, support can be given

Responses against

23 letters received in objection to the application.

Comments are summarised as follows:

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- Lack of available parking on site will be a problem
- Redstone Close too narrow to accommodate this level of development with access unsuitable
- Too many dwellings for the site – over development
- The existing green space would be missed by many
- Design of dwellings out of keeping with surroundings
- Increase in noise levels from building work
- Alternative access routes into the site should be considered
- Mud on the road would increase
- Accidents will increase if permission is granted
- Anti Social Behaviour would increase
- The revised submission is better than the previous plans, but still the same number of units – too many

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

Consultee Responses***County Highway Network Control***

Although no objections from ourselves were raised in principle to the previous application, in view of the representations made by local residents regarding traffic matters relating to the proposal, the county council is undertaking additional surveys of the existing traffic generation in order to accurately assess the impact of the proposal. The results will be received and interpreted by 26th November 2010, when further comment can be made.

Council's Waste Management Service

Comments awaited

Council's Arboricultural Officer

No objection subject to condition regarding agreeing full landscape details.

Police Crime Risk Manager

No objection. Request that conditions be imposed to improve surveillance of parking areas should consent be granted.

Development Plans (Planning Policy) Team

The site is identified on the Local Plan No. 3 Proposals Map as 50% white land and 50% open space. The site is partially brownfield land which was previously home to a school. Developing on previously developed land is considered as a sustainable approach and favoured ahead of greenfield land.

It is worth noting that this portion of open space was previously the playing field for the adjacent school; in 2006 the school was closed. Subsequently,

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the playing field is no longer required as open space to serve the school therefore the 2009 update to the Open Space Needs Assessment de-designates this open space and classifies it as white land. This Open Space Needs Assessment Update has not been through formal Examination procedures and therefore currently does not hold significant weight. However it has been published.

This application contains measures that contribute towards achieving sustainable development and is in accord with existing and emerging policy.

Council's Community Safety Officer

Comments awaited

Council's Drainage Officer

Comments awaited

Worcestershire Wildlife Trust

Comments awaited

Council's Greenspace & Biodiversity Officer

No objection subject to conditions regarding newt habitat protection.

The Cyclists Touring Club

Comments awaited

Environmental Health

No objection subject to conditions and informatives relating to noise, lighting, odour and contamination.

Worcestershire Public Rights of Way Officer

No objection subject to informative to ensure that the applicant is made aware of their obligations to not hinder access to the right of way at any time.

County Education Service

If development goes ahead in this area, there will be a need for a contribution to be paid towards local education facilities in accordance with the SPD on planning obligations for education facilities.

British Horse Society

Comments awaited

Severn Trent Water

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

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Sport England

Does not raise any objections to the granting of planning permission for this application, but would recommend that a suitable contribution is sought for supporting the local sports facility infrastructure.

Council's Housing Enabling Officer

Supports proposal and requests certain details be dealt with in the planning obligation.

Worcestershire County Archaeology Service

The proposed redevelopment may affect deposits of archaeological significance. No detailed archaeological investigation of the site has been carried out to date, hence the archaeological potential of the site is unknown, however, its proximity to the Roman Road (Ryknild Street) increases the possibility of contemporary road side settlement and farmsteads. Therefore as a condition of planning consent, a staged programme of archaeological work (field evaluation) will be required prior to commencement of development.

MADE (West Midlands design review affiliated with CABE)

The overall design and density of the submission provides a positive sustainable response to the need to deliver affordable housing within a high quality environment.

Councils Urban Design Advisor

Looking at the revised scheme as a whole, it is considered to represent a big improvement over the earlier submission and works better internally.

Procedural matters

This application is put before the Planning Committee due to the fact that it is a 'major' application (as defined in the NI 157 returns). Under the agreed scheme of delegation to Planning Officers, 'major' applications should be reported to Committee, where the recommendation is one of approval.

Background

The applicant has submitted this scheme in response to Members' decision to refuse planning permission for a similar application for residential development earlier this year. The single reason for refusal (application 2009/271) was as follows:

The proposed development by reason of its position, mass and height would have an overbearing effect on the occupiers of the neighbouring properties. The design of the proposed development is such that it would be out of keeping with the surrounding housing and be of a density that would result in overdevelopment of the site. As such, the proposal would be contrary to Policy B(BE).13 of the Borough of Redditch Local Plan No.3 and Planning Policy Statement 3 – Housing.

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Assessment of Proposal

The key issues for consideration in this case are:-

Principle

The application site is indicated as white land and Primarily Open Space. The principle of residential development is acceptable on the white land. However, as part of the site is designated as Primarily Open Space in Local Plan No.3, Policy R.1 would apply. This policy states that proposals which lead to the total or potential loss of Primarily Open Space will not normally be granted planning permission unless it can be demonstrated that the need for the development outweighs the value of the land as an open space area.

In the latest Open Space Needs Assessment 2009, the land concerned is no longer designated for open space purposes due to the fact that the school has since been closed and demolished. From a practical point of view, there is considered to be no real loss of open space provision given that it was only for the purposes of the school and has never been publicly accessible. The principle of the development was not objected to under application 2009/271.

Density, Design and Layout

Officers consider that the proposed density of 53 dph is satisfactory given the density of surrounding built form. Oldbury Close to the west and Upperfield Close, situated immediately to the south of the site are developed to a similar density to that proposed here. Redstone Close, from which access to the site would be served is constructed to a slightly lower density, but officers consider that the site's layout and form should draw more from the form of Upperfield Close and Oldbury Close, since the longest boundaries to the site, immediately beyond which existing residential development lie are those western and southern boundaries.

The form of the proposed development is considered generally to respect the character and appearance of surrounding built form, which in the case of Oldbury and Upperfield Close is red brick under tiled roofs. Officers consider it would be incorrect to try to 'mimic' the style of dwellings in Redstone Close which are of 'mock tudor' appearance, with dark timbers, and not necessarily typical of house styles in Redditch generally.

The proposed dwellings, in terms of their overall heights, together with widths of dwellings and their terraced form, would be typical of the appearance of properties in Oldbury and Upperfield Close. Whilst clearly the external treatment of properties in timber would not 'match' the red brick found in existing properties in the two closes' above, in the same way that the 'mock tudor' dwellings found in Redstone Close do not 'match' with properties in Upperfield Close, your Officers are satisfied that the use of suitable timber staining treatment would ensure that the proposed development would

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harmonise with its surroundings in accordance with Policy B(BE).13 of the Local Plan.

Under application 2009/271, two particular house types, including the 'Recycled' house were to be sited in a prominent location within the site, south of the then proposed apartment block. Whilst the 'Recycled' Code Level 6 (Zero Carbon) homes would be sited in a similar location, their design this time would match very closely with that of the other house types within the scheme.

With respect to the apartment block, as before, this is to be located towards the north-east corner of the site. This time, it has however been sited such that the block is slightly further inside the site, and as such, further away from 137-139 Upperfield Close. In addition, the apartment block would be flat roofed, reducing its prominence such that its height to ridge would measure only 9.75 metres – only marginally taller than the 2.5 storey dwellings which are 9 metres to ridge. The apartment block as proposed under application 2009/271 was three storeys, with a pitched roof over, giving a more prominent appearance. The current proposal is considered to be significantly less visually intrusive.

95 car parking spaces are proposed providing at least one car space per unit. The relatively large percentage of 2 bed units in the scheme as a whole means that the provision of any further car parking would be at odds with the Council's maximum car parking standards as referred to under Policy C(T).12 and Appendix H to the Local Plan. The approach to the development as a whole is however sustainable living, with dwellings exceeding current standards for sustainable means of construction and layout. Good footpath links (north and south of the site) to neighbouring bus stops exist and have been considered within the scheme's layout.

Some of the plots have smaller than usual gardens. However, the overall policy requirement of minimum garden/ amenity space has been provided within the site for the number of units proposed with some of this provision being combined together to create a large, useable communal area within the courtyard. It is intended that the communal area would be used for social occasions and would be suitably landscaped. The overall open space provision on site has increased from 4,974 metres squared under the previous scheme to 5,171 metres squared.

Officers are satisfied that other spacing standards would be adhered to, and that no loss of existing residential amenity in terms of overshadowing or overbearing impact would result.

Overall it is considered that the layout of the proposal is more traditional, softer and utilises space more effectively than the previous application did, where small triangles of unusable green space were shown. The scheme

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more closely follows the existing built form in the vicinity. Officers concur with comments given by MADE and the Council's Urban Design Advisor. The scheme is certainly more 'inward looking', particularly with regard to the row of dwellings to the northern boundary, which now face towards the centre of the site, rather than looking outwards. Internally however, the courtyard area is considered to work more successfully, and with rear gardens facing outwards, together with the reduction in height of the apartment block, the 'overbearing' impact members were concerned with previously has been overcome.

Landscaping and Ecology

The aspiration for the development is very much a sustainable lifestyle. As such, an allotment area is proposed within the site to be used by the potential occupiers of the scheme. Native species planting will be provided in respect to general shrub and tree planting to encourage biodiversity in the area. A Great Crested Newt and reptile survey has been carried out on the site. At the time of the survey there was no evidence of newts / reptiles. However, the applicant is keen to incorporate some ecological mitigation measures due to the suitability of the surroundings and its potential to accommodate such species. For this reason, it is recommended that an additional survey be carried out prior to the commencement of development to clarify the position in respect to these protected species.

Groups of trees within the site are too young to be protected by the Area Tree Preservation Order that covers the site. However, some trees along the boundary are protected by the Order and it is intended that these trees would be retained. Mature hedgerows also exist around the site and are overgrown and in need of management. In particular, the hedge to the north of the site would need to be reduced in height. These matters can be controlled through the imposition of conditions, in order to protect visual amenity and retain trees of merit.

Highways and access

Initial comments submitted by County Highway Network Control state that the number of houses proposed to be served off Redstone Close would not raise highway issues.

Most of the comments submitted by neighbouring occupiers relate to vehicle movements and potential volume of traffic. It is considered that vehicle movements, if permission were to be granted are likely to be less than those of the school when it was in use. Highway Network Control does not consider the potential volume of traffic to be an issue in this particular location. Members will note that Highway Network Control are undertaking additional surveys of the existing traffic generation as a result of those concerns, the results of which are at the time of writing not available, but are likely to be by 26th November 2010. The Update Report will provide further clarification in this respect.

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Discussions are still taking place between the applicant and Highway Network Control regarding minor amendments to the access road into the site. More information on this matter will be provided in the Update Report.

Officers can confirm that an emergency access (collapsible bollards) already exists via Upperfield Close, therefore, no further improvements are required in this respect.

The applicant has provided information to demonstrate that the access and courtyard would be suitable for refuse vehicles to use, and it is understood that the applicant has been in discussion with Waste Management Services regarding this proposal prior to its submission. Comments are awaited from Waste Management and any received will be reported in the Update paper.

95 spaces are to be provided in total, equivalent to 100% provision in respect of Policy C(T)12 – (Maximum Car Parking Standards). To provide more than 95 car parking spaces for the development would be at odds with the Planning Policy Framework and could not therefore be justified. This level of provision is thought by your Officers to be sufficient, especially due to the highly sustainable location of the site, as explained below.

Sustainability

The site is located within the Redditch Urban Area within reasonable walking distance (400m) of local shops and other facilities at the Church Hill District Centre. There are also a number of bus services which run via Church Hill Way, Tanhouse Lane and Ravens Bank Drive. These routes provide a frequent service to Redditch Town Centre and interconnecting rail and bus services. A number of cycle ways and footpaths also link to wider areas from the site.

As stated earlier, the scheme is considered to promote a sustainable lifestyle, by the provision for example of an allotment area within the site. The dwellings would be built to achieve Levels 3, 4 and 6 of the Code for Sustainable Homes and incorporate sustainable construction approaches including the use of solar panels and orientating dwellings such that natural daylight into the proposed rooms is maximised.

Planning obligations

The size of the proposed development is above the policy threshold for requiring contributions which should be sought via a planning obligation. Normally, the following would be required under the adopted policy framework:

- A contribution towards County education facilities, however, affordable housing schemes are exempted from this requirement in the SPD, and therefore this is only required in relation to the market housing units that are proposed (10 in total). The County have confirmed that there is a

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need in this area to take contributions towards three schools - Abbeywood First School, Church Hill Middle School and Arrow Vale High School.

- A contribution towards playing pitches, play areas and open space on the area due to the increased demand/requirement from future residents is required in compliance with the SPD; and
- That 40% of the dwellings be provided as affordable housing in line with SPD policy, however in this case the applicant has confirmed that 69 of the 79 units will be for this. This must however also be included in the agreement to ensure the retention of the units for this purpose in perpetuity.

Conclusion

This scheme is considered to be innovative and highly sustainable in nature, complying with the Councils planning policies and general objectives. The proposal maximises its potential to provide sustainable homes with the layout and elevational treatment of the units being considered to respect existing surrounding built form. Officers therefore consider that the proposed development is compliant with policy, overcomes the previous reason for refusal and would be unlikely to cause harm to safety or amenity such that it can be considered favourably.

Recommendation

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) **The applicant entering into a S106 planning obligation ensuring that 69 out of the 79 units are for the provision of affordable housing in perpetuity; that the Council are paid appropriate contributions in relation to education (for the 10 units that would be for sale), and the development for pitches, play areas and open space provision in the locality to be provided and maintained; and**
 - b) **the following conditions and informatives:**

Conditions

1. Development to commence within three years
2. Details of materials to be submitted
3. Landscape scheme including details of boundary treatment to be submitted and approved

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4. Landscape scheme including details of boundary treatment to be implemented in accordance with the approved details
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. Land contamination
8. Development to be carried out in accordance with plans submitted with application
9. Measures, monitoring and targets set out in the travel plan for the proposal shall be implemented
10. Great Crested Newt Survey to be carried out between March and June.
11. Great Crested Newt Mitigation strategy to be implemented to protect potential Great Crested Newts
12. Archaeological programme (field evaluation) to be carried out prior to commencement of development
13. Lighting area to immediate west of apartment block to be agreed as per Police CRM request

Informatives

1. Reason for approval
 2. Drainage details to be in agreement with Severn Trent Water
 3. No burning on site
 4. Dust mitigation
 5. Lighting
 6. NB public rights of way legislation
- 2. In the event that the planning obligation cannot be completed by 17th January 2011, Members are asked to delegate authority to officers to:**
- a) **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 would cause to community infrastructure by a lack of provision for their improvements, and that at least 40% of the dwellings could not be restricted to use for affordable housing in line with current policy requirements; and**
 - b) **In the event of the applicant resubmitting the same or a very similar application with an acceptable and completed S106 legal agreement attached, authority be delegated to the Head of Planning & Regeneration to GRANT planning permission subject to the conditions stated in this report and any subsequent update report and any conditions agreed at the determining Planning Committee meeting.**

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PLANNING APPLICATION 2010/254/FUL

ERECTION OF A SINGLE DETACHED TWO STOREY HOUSE

LAND ADJACENT TO FIRST HOUSE, LADY HARRIET'S LANE, REDDITCH

APPLICANT: MR S WALSH
EXPIRY DATE: 7TH DECEMBER 2010

WARD: ABBEY

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 comprises garden curtilage associated with the dwelling 'First House', Lady Harriet's Lane. The site would constitute an 'infill' between the property 'Harriet's Cottage', located to the north, and 'First House' which is situated to the south.

The site is mainly level, and contains a green house, flat roofed garden store, and flat roofed garage, where access to that garage is direct from Lady Harriet's Lane.

This Lane is characterised as a ribbon of five detached dwellings, all set back between 6 and 10 metres to the eastern side of the road, facing west.

Lady Harriet's Lane gains access via Easemore Road to the north. Rear gardens to properties in the lane back on to the Alvechurch Highway to the east with the grounds / playing fields to Trinity High School lying to the west.

Proposal Description

This is a full planning application to erect a single, three bedrooled detached dwelling. Access to the new dwelling would be as existing, gained direct from Lady Harriet's Lane. In order to accommodate the new dwelling, a number of ancillary domestic structures associated with the property 'First House' would be demolished. These would include a garage, garden store and greenhouse. As part of the proposals, a new access would be formed off Lady Harriet's Lane, enabling the dwelling 'First House' to have separate ingress and egress. However, it should be noted that these access works would not require planning permission since the Lane off which the access would be served is not defined as a 'classified road'.

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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
PPS9	Biodiversity and Geological Conservation
PPG13	Transport

Regional Spatial Strategy

CF2	Housing beyond the 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

SD3	Use of previously developed land
SD4	Minimising the need to travel
T4	Car parking
CTC15	Biodiversity Action Plan

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 (Appendix H)
SPG	Encouraging Good Design

Relevant Site Planning History

2010/187/FUL Detached dwelling Application Withdrawn 31.9.2010

Public Consultation Responses

Responses in favour

None received

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Responses against

Four letters received. Comments summarised as follows:

- 'Garden grabbing' should not be allowed further to recent changes to Government Policy
- Restrictive covenants would be breached
- Water pressure in the area is likely to be affected if permission is granted
- Congestion would increase, to the detriment of highway safety
- Bats are present in the area. As a species, these need to be protected
- Concerns raised regarding accuracy of the bat survey undertaken
- Concerns about future development of site if permission is granted on this occasion
- Proposed development would be cramped and out of character with appearance of surrounding area
- Proposal would disrupt the established building line and harm the 'Street-scene'
- Proposal would result in a loss of light to nearby properties, therefore impacting detrimentally on residential amenity
- Inadequate parking provision for site operatives
- The development would impact on neighbours by reason of dust, dirt, and noise during the construction period

Consultee Responses***County Highway Network Control***

No objection subject to conditions concerning access, turning and parking

Environmental Health

No objection

Severn Trent Water

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

Worcestershire Wildlife Trust

Comments awaited

RBC Greenspace and Biodiversity Officer

Having visited the site, read the Bat Report and spoken to the Worcestershire Wildlife Trust, I would conclude that the survey is fit for purpose and would therefore agree with the survey findings in that a bat roost does not exist here. However, it is suggested that a sympathetic demolition of the buildings together with careful timing of the works be carried out in the very small chance that a bat might ever be discovered. In addition, in line with advice contained within PPS9, it is recommended that a condition be appended to any decision notice to cover the provision of suitable bat roost opportunities.

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WCC Footpaths Officer

Proposal should have no detrimental impact on the public right of way. States that there should be no disruption to the public right of way during or after construction.

Procedural matters

This application is put before the Planning Committee because two or more objections to the application have been received, and the recommendation is to grant planning permission.

Assessment of Proposal

The key issues for consideration are as follows:

Principle

The Government have recently amended and re-issued Planning Policy Statement 3 (PPS3). This amends the definition of previously developed land to exclude 'garden land' from within this definition and also removes the indicative minimum housing density. Officers do not however consider that there are any valid reasons why this urban 'greenfield' site cannot be developed for new residential purposes. This view has recently been supported by the Planning Inspectorate at a site referred to by Officers as an information item at the Planning Committee of 9th November 2010 – reference 2009/249/FUL – land adjacent to No.31 Wheatcroft Close, Brockhill. In accordance with Policy CS.7, sequentially, the site is considered to occupy a highly sustainable central urban location in preference to more peripheral sites.

Design, appearance and layout

Policy B(HSG).6 of the adopted Local Plan is supportive of new residential development within the curtilage of a dwelling house providing it respects the character and appearance of its surroundings and does not impinge on the residential amenities enjoyed by occupiers of existing nearby development. The scale, massing and design of the development, which would be formed of brick walls, with feature rendered projecting front gable, under a tiled roof, is considered to respect the street-scene, with the proposal meeting all of the Council's spacing standards, as contained within the adopted SPG 'Encouraging Good Design'.

Impact upon nearby residential amenity

Your Officers are satisfied that no loss to residential amenity would result from the proposed development by virtue of loss of light or visually intimidating impact, given the separation distances that would exist between the proposed dwelling and nearby properties. Both the dwelling subject to this application, and 'First House' would have sufficient amenity space attached to them to comply with the SPG.

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Access

County Highways have raised no objection to the proposed access. A three bedroomed property such as this would require two 'in curtilage' car parking spaces in order to comply with the Council's maximum car parking standards. Provision on site would comply with these standards. In addition, parking for two cars would be provided for First House: again, sufficient to comply with maximum standards.

Sustainability

The site lies within the urban area of Redditch, near to the town centre and within a short walking distance of local shops and other amenities, and is therefore considered to be in a very sustainable location. The orientation of the dwelling is such that passive solar gain can be maximised. A solar water heating panel is shown on part of the south facing roof to the dwelling. The applicant has stated that roof, external wall and ground floor insulation would be installed to 25% above Building Regulation current standards; and a wood burning stove would be installed in the sitting room. Other energy efficient measures include the use of low energy light bulbs, energy efficient toilet cisterns, rainwater harvesting and the use of locally sourced building materials. Hardsurfacing within the curtilage of the property would be of porous construction. The design is therefore considered to comply with the sustainability objectives of the planning policy framework.

Biodiversity

It has been alleged under this, and the previous application, that bats (a protected species) have been using the existing garage and lean-to buildings that would be demolished. A bat survey report has been commissioned and this has concluded that the buildings which would be demolished are not identified as a bat roost. The Council's Ecologist concurs with the conclusions of the bat survey. There are therefore no concerns on this matter and the proposal is considered to comply with policy requirements. Conditions are however recommended to cover the points raised by the Ecologist.

Other Matters

The existence of restrictive covenants placed on the property/the area have been raised in the representations received from the public. Such covenants are not material planning considerations in the determination of this application.

Conclusion

The proposal is considered to comply with the planning policy framework and would not cause harm to amenity or safety.

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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. Materials to be submitted – walls and roof
3. Limited working hours during construction period
4. Driveway / parking areas to be porous
5. Access, turning and parking
6. Development in accordance with plans (listed)
7. Scheme of, including timing of demolition to be submitted and agreed prior to first commencement of development
8. Details of bat roost opportunities / bat boxes to be submitted for prior written approval of the LPA. Works to be carried out in accordance with approved details.

Informatives

1. Reason for approval
2. Drainage details to be in agreement with Severn Trent Water
3. Highway Note No.4: Private Apparatus within the Highway
4. The applicant is asked to ensure that site operatives, during the course of development works, do not park on the single carriageway known as Lady Harriet's Lane
5. NB Public Rights of Way legislation requirements

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PLANNING APPLICATION 2010/268/FUL

CONSERVATORY TO THE REAR OF THE DWELLING

12 BOULTONS LANE, CRABBS CROSS

APPLICANT: MR STANLEY CRUMPTON

EXPIRY DATE: 3RD JANUARY 2011

WARD: CRABBS CROSS

The author of this report is Nina Chana, Planning Officer (DC), who can be contacted on extension 3206 (e-mail: nina.chana@redditchbc.gov.uk) for more information.

(See additional papers for Site Plan)

Site Description

The site contains a large detached house which stands within a fairly large plot of land. The property stands within a modern housing estate which was developed in the 80's. The area lies within the urban area of the town.

Proposal Description

The application seeks consent to build a conservatory to the rear of the property. The conservatory is proposed to be built between the existing garage and the living room area. The proposal also involves minor internal alterations to link the conservatory to the main house.

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

Borough of Redditch Local Plan No.3

B(BE).13 Qualities of Good Design

B(BE).14 Alterations and Extensions

SPG – Encouraging Good Design

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Relevant Site Planning History

None

Public Consultation Responses

Responses in favour

None

Responses against

None

Procedural Matters

This application would normally be assessed under the delegated powers granted to the Head of Planning and Regeneration, but is being reported to committee as the daughter of the applicant is an employee of Redditch Borough Council.

Assessment of Proposal

The key issues for consideration in this case are the principle of the development and the siting, design, layout and amenity.

Principle

The proposal is located on the east elevation of the property, which is the rear of the property. The conservatory will be attached to the garage wall and partly attached to the living room wall on the opposite side.

Design and layout

The proposal has been designed in sympathy with the existing dwelling and the surrounding area. The layout arrangements on the ground floor will remain unchanged except an opening will be formed in the dining room area to create the door to link the conservatory to the main house.

The conservatory is a standard design with a pitched roof and brick dwarf wall standing at 600mm and the remaining will be double glazed glass panels.

The property is a two storey detached dwelling and due to its location within the estate, the proposal are neighbours will not be affected by the proposal in terms of sightlines and overlooking.

Landscape

Whilst the property is covered by a Tree Preservation Order, there are no protected trees within the vicinity of the proposal.

Conclusion

It is considered that the proposal is compliant with the relevant planning policies and guidance it is also considered unlikely that it would cause any detrimental impacts to the neighbouring properties and as such the proposal is considered to be acceptable.

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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 3 years
- 2) Materials to match dwelling
- 3) As per approved plans

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PLANNING APPLICATION 2010/270/COU**CHANGE OF USE OF PUBLIC HIGHWAY TO STREET CAFE AREA****CAFFE NERO 15-17 EVESHAM WALK, TOWN CENTRE, REDDITCH****APPLICANT: NERO HOLDINGS LTD****EXPIRY DATE: 5TH JANUARY 2011****WARD: ABBEY**

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

Caffe Nero is situated in Evesham Walk, which itself links Market Place with Worcester Square within the Kingfisher Shopping Centre. Units 15 to 17 lie to the eastern side of Evesham Walk and are external, not being situated within the Kingfisher Shopping Centre itself.

The site lies within the 'Retail Core' area of the Town Centre as defined on the Borough of Redditch Local Plan No.3 Proposals Map. The site is also situated within the Town Centre Conservation Area.

Proposal Description

This is a full planning application to change the use of part of the public highway (Evesham Walk) to an outside cafe area. The outside area would cover just under half of the width of the existing shop front (3m) and would protrude into Evesham Walk by 1.8m (5.4m² floorspace). This area would contain two, 600mm diameter, round aluminium cafe style tables, with each table having four chairs placed around them. The area would be enclosed by means of blue/black coloured Cafe banners, each measuring 0.9m high x 1.35m wide, linked to each other by posts/columns, each being 1m high and 50mm in diameter.

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

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National Planning Policy

PPS1	Delivering Sustainable Development
PPS4	Planning for Sustainable Economic Growth
PPS5	Planning for the Historic Environment

Regional Spatial Strategy

UR3	Enhancing the roles of City, Town and District Centres
QE3	Creating a high quality built environment for all
T2	Reducing the need to travel

Worcestershire County Structure Plan

SD4	Minimising the need to travel
SD9	Promotion of Town Centres

Borough of Redditch Local Plan No.3

E(TCR).1	Vitality and Viability of the Town Centre
E(TCR).4	Need and the Sequential Approach
E(TCR).5	Protection of the Retail Core
B(BE).9	Streetscapes in Conservation Areas
B(BE).13	Qualities of Good Design

SPG	Encouraging Good Design
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Relevant Site Planning History

2010/086/COU Change of use from A1 (shop) to A3 (cafe). Granted 23.06.10

Public Consultation Responses

Responses in favour

None received

Responses against

None received

Consultee Responses

County Highway Network Control

Comments awaited

Fire Officer

Comments awaited

RBC Community Safety Officer

Comments awaited

Town Centre Co-ordinator

Comments awaited

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Historic Buildings and Conservation Advisor

Comments awaited

Procedural matters

All applications for Class A3/A5 use are reported to Planning Committee.

Assessment of Proposal

The key issues for consideration are as follows:

Principle

The proposal represents a 'main town centre' use. Both national guidance contained within PPS4 and Policy E(TCR).4 of the Borough of Redditch Local Plan comment that the first preference for main town centre uses such as the proposed change of use to A3 use is the Town Centre.

In addition, the proposed change of use from public highway to outside seating area is considered to be compliant with Policy E(TCR).1 and E(TCR).5 of the Borough Councils Local Plan since it would simply form an extension to the A3 use permitted under application 2010/086/COU and would not harm the vitality and viability of the Town Centre.

Hours of opening for the outside seating area are stated as being:

0800 to 1800 hrs Monday to Saturday and 0900 to 1700 hrs on Sundays and Public Holidays. Given the site's Town Centre location, Officers would however consider it unreasonable to restrict those hours of opening if members were minded to grant consent. Hours of opening were not restricted when application 2010/086/COU was granted planning permission earlier this year.

Design, appearance and impact upon the character and appearance of the Conservation Area

Members will recall granting consent for very similar outside seating areas at previous Planning Committee meetings – for example at what is now called 'The Abbey' and the 'Rising Sun/Wetherspoons', both of which are located to the northern side of Alcester Street. These have very similar forms of enclosure/corraling to contain the tables and chairs.

The above sites are outside the defined Conservation Area boundary, unlike the current proposal which is inside the boundary. As such, due consideration should be given to Policy B(BE).9 – Streetscapes in Conservation Areas. Within such areas all new development should preserve and/or enhance the character of the Conservation Area and the use of natural materials appropriate to the locality should be used. No details have been given regarding the choice of materials which would be used, and Officers consider that the proposed development is inappropriate in its context given the

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sensitive location of this prominent site within the Town Centre Conservation Area.

Impact on pedestrian safety and amenity

The examples given above are located towards the southern end of Alcester Street, where, in your Officer's opinion, this part of Alcester Street generates a lower footfall than that of Evesham Walk, where footfall is considerably higher. In addition, the width of Evesham Walk is far narrower than that of the section of Alcester Street where the two examples of outside seating given above are located. The narrowness of Evesham Walk together with the footfall generated in this area, leads Officers to believe that the positioning of such an outdoor seating area with associated corraling/enclosures would not only be an inconvenience to passing pedestrians, but would also give rise to pedestrian/safety issues.

Precedent

Whilst members will be aware that each application should be treated on its own individual merits, your Officers consider that in this case, approval of the proposals are likely to lead to further applications for extensions to any outdoor seating area in the future which could be difficult to resist if permission is granted here. The submitted plans show that the seating area would be located only to the left hand side of the centrally positioned main entrance (when viewing Caffe Nero from Evesham Walk). The area to the right of the main entrance would be undeveloped.

Conclusion

Whilst being acceptable in principle, given the Town Centre location of the site, the general inappropriateness of the design and siting of the proposed development, situated within the Conservation Area, where development proposals should preserve and or enhance the character of the area, together with the fact that the proposals are likely to give rise to pedestrian conflict within this very busy thoroughfare, lead your Officers to consider that the application has little merit and should therefore be refused planning permission.

Recommendation

That having regard to the development plan and to all other material considerations, planning permission be REFUSED for the following reasons:

1. The proposals, in terms of their design and siting, would represent an inappropriate form of development within the Town Centre Conservation Area which would fail to preserve or enhance its character. As such, the proposals would be contrary to National Planning Guidance contained within PPS.5 (Planning for the Historic Environment) and Policy B(BE).9 of the Borough of Redditch Local Plan No.3.

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2. The proposed development is likely to lead to pedestrian conflict at this busy thoroughfare which links Market Place with the Kingfisher Shopping Centre to the detriment of amenity and highway safety. As such, the proposals would be contrary to National Planning Guidance contained within PPG.13 (Transport).

