



Planning Committee

Greenlands Ward

19 May 2009

INFORMATION ITEM

(Report of Acting Director of Environment & Planning)

1. Summary of Report

To receive an item of information in relation to an outcome of an appeal against a planning decision.

2. Recommendation

The Committee is asked to RESOLVE that
the item of information be noted.

3. Financial, Legal, Policy and Risk Implications

3.1 There are no financial, legal, policy or risk implications for the Council.

4. Background

4.1 Planning Application file.

5. Consultation

5.1 There has been no consultation other than with relevant Borough Council Officers.

6. Other Implications

There are no perceived impacts on Community Safety, Human Resources, Social Exclusion or Sustainability.

7. Author of Report

The author of this report is Ruth Bamford (Acting Head of Planning & Building Control), who can be contacted on extension 3219 (email: ruth.bamford@redditchbc.gov.uk) for more information.

11. Appendices

Appendix 1 - Outcome of Appeal against a Planning Decision

Planning

Committee

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OUTCOME OF APPEAL AGAINST A PLANNING DECISION

Reference: 2008/188/COU

Proposal: **Change of Use of Open Space to garden area and the retention of decking within the Open Space**

Retrospective planning permission was being sought for Change of Use of Open Space to garden area and the retention of decking within the open space.

The applicant has had their garden landscaped, the majority of which has been decked and a fairly substantial pergola has been constructed. However, 4.8 metres of the decking area encroached into the area of Primarily Open Space which had been purchased by the applicant to the rear of the garden.

Hence, the application sought retrospective consent for the Change of Use of the Open Space area to garden area and retention of the decking and the pergola.

Members may recall that planning permission was refused for the above application on 4 November 2008. The reason for refusal was, the reduction of the buffer zone of Primarily Open Space (which would result from the proposed change of use), located to protect the SSSI of Rough Hill Woods from the adjacent residential development, would be likely to result in encroachment that would lead to harm being caused to the SSSI, ecology and habitats and as such was contrary to Policies R.1 and R.3 of the Borough of Redditch Local Plan No 3 and PPG17.

The applicant appealed against this decision. In his decision, the Inspector respected the fact that the extended area was important Public Open Space and that the buffer strip acted as appropriate habitat for a woodland edge. He also stated that the bulky area of the decking so close to the woods reduced the rural character to a marked degree.

He therefore dismissed the appeal.