

# Planning Committee

Wednesday, 15 March 2017

## MINUTES

### Present:

Councillor Andrew Fry (Chair), Councillor Nina Wood-Ford (Vice-Chair) and Councillors Tom Baker-Price, David Bush, Michael Chalk, Brandon Clayton, Wanda King, Yvonne Smith and Jennifer Wheeler

### Officers:

Steve Edden, Amar Hussain, Simon Jones, Helena Plant and Sharron Williams

### Democratic Services Officer:

Jan Smyth

## 69. APOLOGIES

Apologies for absence were received on behalf of Councillors Roger Bennett, Matthew Dormer and Gareth Prosser. Councillors Brandon Clayton, David Bush and Tom Baker-Price were confirmed as substitutes for Councillors Bennett, Dormer and Prosser respectively.

## 70. DECLARATIONS OF INTEREST

Councillor Jenny Wheeler declared an Other Disclosable Interest in Agenda Item 5 (Planning Application 2016/254/FUL – Woodfield Academy, Studley Road, Lodge Park, Redditch) as detailed in Minute 73 below.

Councillor David Bush declared an Other Disclosable Interest in Agenda Item 6 (Application 2016/290/FUL – Land at Far Moor Lane, Winyates Green, Redditch) as detailed in Minute 74 below.

Councillor Brandon Clayton declared an Other Disclosable Interest in Agenda Item 7 (Planning Application 2016/347/FUL – The Paddocks, Astwood Lane, Feckenham, Redditch) as detailed in Minute 75 below.

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Chair

**71. CONFIRMATION OF MINUTES**

**RESOLVED that**

**the minutes of the meeting of the Planning Committee held on 15<sup>th</sup> February 2017 be confirmed as a correct record and signed by the Chair.**

**72. UPDATE REPORTS**

The published Update Reports for the various Applications were noted.

**73. APPLICATION 2016/254/FUL - WOODFIELD ACADEMY, STUDLEY ROAD, LODGE PARK, REDDITCH B98 7HH**

All weather pitch, including floodlights and emergency vehicle access road / DDA access.

Applicant: Mr Steve Bond, Woodfield Academy

Mr John Thornwell, on behalf of the Applicant, addressed the Committee under the Council's public speaking rules.

**RESOLVED that**

**having regard to the Development Plan and to all other material considerations, Planning Permission be GRANTED, subject to the Conditions and Informatives set out on pages 13 to 18 of the main agenda report.**

(Prior to consideration of this matter, Councillor Jenny Wheeler declared an Other Disclosable Interest in that she was personally acquainted with the registered speaker addressing the Committee on behalf of the Applicant. In view of this, Councillor Wheeler withdrew from the meeting for the duration of the Committee's consideration of the application and did not participate or vote on the matter.)

**74. APPLICATION 2016/290/FUL - LAND AT FAR MOOR LANE, WINYATES GREEN, REDDITCH**

Erection of nine dwellings, associated access and landscaping.

Applicant: Mr Shaun Hussey

**RESOLVED that**

having regard to the Development Plan and to all other material considerations, authority be delegated to the Head of Planning and Regeneration Services to GRANT Planning Permission, subject to:

- 1) The satisfactory completion of a Section 106 Planning Obligation ensuring the following provision:
  - a) a financial contribution for the provision of affordable housing;
  - b) a financial contribution for the provision of waste management;
  - c) a financial contribution for open space provision;
  - d) a financial contribution for playing pitch provision;
  - e) a financial contribution for children's play provision;
  - f) a management plan for the long term management of the open space and pond within the site; and

- 2) the following Conditions and Informatives:

**Conditions**

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

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

- 2) Prior to the commencement of development details of the form, colour and finish of the materials to be used externally on the walls, roofs, boundary walls / fencing shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: To ensure that the development is satisfactory in appearance, to safeguard the visual amenities of the area and in accordance with Policies 39 and 40 of the Borough of Redditch Local Plan No.4.

- 3) The development hereby approved shall be implemented in accordance with plans to be defined.

Reason: To accurately define the permission for the avoidance of doubt and to ensure that the development is satisfactory in appearance in order to safeguard the

visual amenities of the area in accordance with Policies 39 and 40 of the Borough of Redditch Local Plan No.4.

- 4) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include proposed boundary treatment and other means of enclosure, hard surfacing materials, new planting, trees and shrubs to be retained, together with measures to be taken for their protection while building works are in progress.

Reason:- In the interests of the visual amenity of the area and in accordance with Policy 39 of the Borough of Redditch Local Plan No.4.

- 5) All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing by the local planning authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes or species unless the local planning authority gives written approval to any variation.

Reason:- In the interests of the visual amenity of the area and in accordance with Policy 39 of the Borough of Redditch Local Plan No.4.

- 6) A Construction Environmental Management Plan shall be submitted to and approved in writing by the local planning authority prior to commencement of development. This shall include the following:-
- a. Measures to ensure that vehicles leaving the site do not deposit mud or other detritus on the public highway;
  - b. Details of site operative parking areas, material storage areas and the location of site operatives facilities (offices, toilets etc);

The measures set out in the approved Plan shall be carried out in full during the construction of the development hereby approved. Site operatives' parking, material storage and the positioning of operatives'

facilities shall only take place on the site in locations approved by in writing by the local planning authority.

Reason: To protect the amenities of nearby properties during the construction of the development and to protect the natural and water environment from pollution in accordance with the provisions of the National Planning Policy Framework.

- 7) No works or development shall take place until a scheme for foul and surface water drainage has been submitted to, and approved in writing by the Local Planning Authority. If infiltration techniques are used then the plan shall include the details of field percolation tests. The scheme shall provide an appropriate level of runoff treatment. The approved scheme shall be completed prior to the first use of the development hereby approved.

Reason: In order to ensure satisfactory drainage conditions that will not create or exacerbate flood risk on site or within the surrounding local area and in accordance with National Planning Policy Framework.

- 8) No works or development shall take place within at least 5 metres alongside all ordinary watercourses allow for an appropriate buffer strip.

Reason: In order to ensure satisfactory drainage conditions that will not create or exacerbate flood risk on site or within the surrounding local area and in accordance with National Planning Policy Framework.

- 9) Finished floor levels within the development shall be set no lower than 150 mm above the surrounding finished ground levels.

Reason: In order to ensure satisfactory drainage conditions that will not create or exacerbate flood risk on site or within the surrounding local area and in accordance with National Planning Policy Framework.

- 10) Recommendations set out in the Ecological Appraisal dated 6 May 2016 shall be implemented during construction of the development.

Reason:- In the interests of ecology in the local area and in accordance with Policy 16 of the Borough of Redditch

**Local Plan No.4 and paras 9 and 109 of the National Planning Policy Framework.**

- 11) **No development shall take place until full details of an ecological enhancement scheme has been submitted to and approved in writing by the Local Planning Authority. These details shall include measures to encourage / maintain ecology in this area including the use of the site as a wildlife corridor and enhancements to the pond. The approved schemes shall be fully implemented prior to the first occupation of the development.**

**Reason:- In the interests of ecology in the local area and in accordance with Policy 16 of the Borough of Redditch Local Plan No.3 and paras 9 and 109 of the National Planning Policy Framework.**

- 12) **Before any other works hereby approved are commenced, visibility splays shall be provided from a point 0.6m above ground level at the centre of the access to the application site and 2.4 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 90 metres in each direction along the nearside edge of the adjoining carriageway as shown on drawing 150 revision L - Proposed Site Plan. Nothing shall be planted, erected and/or allowed to grow on the triangular area of land so formed which would obstruct the visibility described above.**

**Reason: In the interests of highway safety.**

- 13) **The development hereby permitted shall not be first occupied until the access, turning area and parking facilities shown on the approved plan have been properly consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted to and approved in writing to the Local Planning Authority and these areas shall thereafter be retained and kept available for those users at all times.**

**Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.**

- 14) **No part of the development hereby approved shall be first occupied until the proposed footway on the east side of Far Moor lane running north from the site access to the bus stop north of Longhope Close as generally**

shown on the approved plans, to include a drop kerb pedestrian crossing on Far Moor lane, has been provided and retained as such.

**Reason:** To provide a safe pedestrian route to local facilities.

- 15) The garages to Plots 1, 6, 7, 8 and 9 shall be fitted with an electric vehicle fast charging point and the remaining plots shall be fitted with an electric vehicle fast charging point either adjacent to their parking spaces or within their garages prior to the first occupation of the respective dwelling and shall be retained in perpetuity.

**Reason:** To promote sustainable transport and to comply with the County Council's Parking Policy.

- 16) Gas protection measures should be incorporated within the foundations of the proposed structure, approved in prior to commencement of the development by the Local Planning Authority, or a risk assessment should be undertaken to establish whether the proposed development is likely to be affected by gas emissions from this area, provided to and approved by the Local Planning Authority, prior to commencement of the development.

Where significant risks are identified or insufficient data hinders an appropriate risk assessment, a targeted site investigation proposal or proposed remedial measures must be provided to and approved in writing by the Local Planning Authority, prior to commencement of the development.

**Reason:-** To ensure that the risks to buildings and their occupants from potential landfill gas are adequately addressed.

- 17) No demolition, site clearance or development shall take place until all trees and hedges to be retained on the site and around the boundaries of the site have been protected in accordance with the specification set out in British Standard BS:5837 2005: Guide for Trees in relation to Construction, and such protection measures shall remain in situ for the duration of the development.

**Reason:-**To ensure the protection of trees and hedgerows in the interests of visual amenity in

accordance with Policy 16 of the Borough of Redditch Local Plan No.4.

Informatives

- 1) The local planning authority has worked with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with this planning application through negotiation and amendment.
- 2) The applicant is advised that due to the close proximity of other properties, the applicant should be directed to Worcester Regulatory Services 'Code of Best Practice for Demolition and Construction Sites' which can be found on the WRS website.
- 3) The attention of the Applicant is drawn to the need to keep the Highway free from any mud or other material emanating from the Application site of any works pertaining thereto.
- 4) This permission does not authorise the laying of private apparatus within the confines of the public highway.

The applicant should apply to the Worcestershire County Council's Network Control Manager, County Hall, Spetchley Road, Worcester WR5 2NP (telephone 0845 607 2005), for consent under the New Roads and Streetworks Act 1991 to install private apparatus within the confines of the public highway.

Precise details of all works within the public highway must be agreed on site with the Highway Authority.

- 5) No work on the site should be commenced until engineering details of the improvements to the Public Highway have been submitted to and approved by the Highway Authority and an agreement under Section 278 of the Highways Act 1980 entered into.
- 6) If it is the Developer's intention to request the County Council, as Highway Authority, to adopt the proposed roadworks as maintainable at the public expense, then details of the layout and alignment, widths and levels of the proposed roadworks, which shall comply with any plans approved under this planning consent unless otherwise agreed in writing, together with all necessary drainage arrangements and run off calculations shall be



submitted to the County Council's Network Control Manager, Worcestershire County Council, County Hall, Spetchley Road, Worcester, WR5 2NP. No works on the site of the development shall be commenced until these details have been approved and an Agreement under Section 38 of the Highways Act, 1980, entered into.

- 7) It is not known if the proposed roadworks can be satisfactorily drained to an adequate outfall. Unless adequate storm water disposal arrangements can be provided, the County Council, as Highway Authority, will be unable to adopt the proposed roadworks as public highway.

The applicant is, therefore, advised to submit the Engineering details referred to in this conditional approval to the County Council's County Network Control Manager, Worcestershire County Council, County Hall, Spetchley Road, Worcester, WR5 2NP at an early date to enable surface water disposal arrangements to be assessed.

- 8) Drainage arrangements shall be provided to ensure that surface water from the driveway and/or Vehicular turning area does not discharge onto the Public Highway. No drainage or effluent from the proposed development shall be allowed to discharge into any Highway drain or over any part of the Public Highway.
- 9) In respect to condition 7 the applicant is advised that the peak runoff rate from the development for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event plus an appropriate allowance for climate change must never exceed the peak runoff rate for the same event. The scheme shall be designed so that flooding does not occur on any part of the site for a 1 in 30 year rainfall event and not in any part of any building for the 1 in 100 year rainfall event plus climate change. Flows resulting from rainfall in excess of a 1 in 100 year rainfall event shall be managed in exceedance routes that minimise the risk to people and property.

The runoff volume from the development in the 1 in 100 year 6 hour rainfall event shall not exceed the Greenfield runoff volume for the same event.

- 10) The applicant should be aware that this permission also includes a legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) and that the

**requirements of that and the Conditions listed above must be complied with at all times.**

(Officers highlighted a number of proposed additional highway Conditions and informatives received from the Highways Authority together with the deletion of Condition 15 (as detailed on page 28 of the main agenda report) and the consequent need to renumber the list of Conditions and Informatives as a result of the additions and deletion, as set out in the resolution above and as outlined in the published Update Report, copies of which were provided to Members and the public gallery prior to commencement of the meeting.)

(Prior to consideration of this matter, Councillor David Bush declared an Other Disclosable Interest in that his brother-in-law's property backed onto the development site. In view of this, Councillor Bush withdrew from the meeting for the duration of the Committee's consideration of the application and did not participate or vote on the matter.)

**75. APPLICATION 2016/347/FUL - THE PADDOCKS, ASTWOOD LANE, FECKENHAM, REDDITCH B96 6HG**

Erection of 5 no. dwellings comprising 2 x 3 bedroom bungalows and 3 x 3 bedroom houses on the site of approved Outline Application for 6 no. dwellings (2014/105/OUT).

Applicant: Mr M Fitzpatrick: Sandpiper TKL

**RESOLVED that**

**having regard to the Development Plan and to all other material considerations, authority be delegated to the Head of Planning and Regeneration Services to GRANT Planning Permission, subject to:**

- 1) the satisfactory completion of a Planning Obligation ensuring that:**
  - a) Contributions are paid to the Borough Council in respect of off-site open space, pitches and equipped play, in accordance with the Council's adopted SPD;**
  - b) A financial contribution is paid to the Borough Council towards the provision of wheelie bins for the new development; and**
- 2) the Conditions and Informatives as set out on pages 37 to 41 of the main agenda report.**

(Prior to consideration of this matter, Councillor Brandon Clayton declared an Other Disclosable Interest in that he had expressed views on the proposed development at a Parish Council meeting, at which the Developers had been present. In view of this Councillor Clayton withdrew from the meeting for the duration of the Committee's consideration of the application and did not participate or vote on the matter.)

**76. APPLICATION 2016/350/HYB - LAND NORTH OF NASH ROAD, OLD FORGE DRIVE, PARK FARM, REDDITCH**

Hybrid application for the construction of up to 30,745m of B1, Light Industry, B2 General Industry and B8 Storage and Distribution with ancillary offices, including parking and servicing areas in outline with matters of layout, scale, appearance and landscaping reserved for future consideration; full application for the means of access from Old Forge Drive and Nash Road and internal service roads, including details of foul and surface water drainage.

Applicant: Mr A Plant

**RESOLVED that**

**having regard to the Development Plan and to all other material considerations, Planning Permission be GRANTED, subject to the Conditions set out on pages 54 to 61 of the main agenda report, but with Conditions 1, 3, 6, 10 and 19 amended to read as follows:**

**Time Limit**

- 1) The access roads, associated engineering and drainage works shall be commenced within 3 years of the date of this permission. Application for the approval of the matters reserved by Conditions of this permission shall be made to the Local Planning Authority before the expiration of 5 years from the date of this permission. With the exception of the access roads, the development hereby permitted shall be begun not later than whichever is the latest of the following dates:**
  - i) The expiration of five years from the date of this permission;**
  - or**
  - ii) The expiration of one year from the final approval of the reserved matters; or**

- iii) In the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

## **RESERVE MATTERS**

- 3) With the exception of the access road and associated engineering works, approval of the details of the appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced on a parcel by parcel basis.

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 (as amended) and to enable to the Local Planning Authority to exercise proper control over these aspects of the development.

## **NEW ACCESS**

- 6) Before any part of any unit is first brought into use, the new access off Old Forge Drive and associated highway works shall be laid out, constructed and completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety in accordance with Policy 20 of the Borough of Redditch Local Plan No.4 and to ensure the new access is designed to limit the influence into the remainder of the BS5837:2012 RPA of the Ash trees to be retained within G1.

## **DRAINAGE SCHEME**

- 10) The proposed drainage scheme shall be constructed in accordance with the details provided within the FRA and drainage plan, and the proposed scheme does not exceed the specified discharge rate of 230 l/s at the 1 in 100 year return period. The approved drainage scheme associated with each parcel shall be completed prior to the first use of the development constructed upon it.

All proposed subsurface tanks must be lined with an impermeable liner to ensure that there is no leaching of

existing Trichloroethylene contamination from the site into the adjacent watercourse.

Reason: In order to ensure drainage conditions that will not create or exacerbate flood risk on site or within the surrounding local area in accordance with Policy 18 of the Borough of Redditch Local Plan No.4.

**ELECTRIC VEHICLE CHARGING POINTS**

- 19) Electric Vehicle Charging points shall be installed for a minimum of 10% of the parking spaces serving each unit constructed, in accordance with details to be submitted and approved in writing by the Local Planning Authority as part of the reserved matters submissions. This may be phased with 5% of spaces operational prior to the occupation of each unit and a further 5% of spaces made ready for electric vehicle charging by incorporating appropriate cabling to allow additional provision to meet future demand. The electric charging points shall comply with BS7671 and the socket with BS1363 which must be provided with a locking weatherproof cover if located externally. The approved Electric vehicle charging scheme for each unit shall be installed before each unit is first occupied and shall thereafter be retained for the lifetime of the development.

Reason: To reduce carbon emissions and encourage sustainable modes of transport for the movement of goods and people in accordance with Policy 15 of the Borough of Redditch Local Plan No.4 and Paragraph 35 of the NPPF.

(Officers highlighted and provided explanations on a number of matters raised by the Applicant, in relation to Officers proposed Conditions and a request that the Planning Committee be asked to give consideration to amendments to recommended Conditions 1, 3, 6, 10 and 19, as detailed in the published Update Report, copies of which were provided to Committee Members and the public gallery prior to commencement of the meeting, which Members agreed to support.)

**77. APPLICATION 2017/005/FUL - 1 - 16 HOLLOWAY PARK,  
HOLLOWAY LANE, LAKESIDE, REDDITCH**

Construction of pitched roof over existing flat roof on 16 bungalows

Applicant: Mr Adrian Guida-Jones, for Housing Capital,  
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 Informative as set out on pages 64 to 65 of the main agenda report.**

**78. APPLICATION 2017/027/FUL - UNIT 21 KINGFISHER WALK, KINGFISHER SHOPPING CENTRE, TOWN CENTRE, REDDITCH B97 4EY**

Change of Use from Sui Generis Use to Class A3 Use

Applicant: Ken Williams, Kingfisher Shopping Centre

Mr Amar Hussain, the Committee's Legal Officer read out a representation on behalf of the Applicant, Mr Ken Williams, in his absence, under the Council's public speaking rules.

**RESOLVED that**

**having regard to the Development Plan and to all other material considerations, retrospective Planning Planning Permission be GRANTED, subject to Condition 2 as set out on page 69 of the main agenda report with Condition 1 being deleted.**

(Officers highlighted an error in the main agenda report in that Condition 1 (Time limits) would not be required if Members were minded to approve, in view of the fact that Planning Permission would be retrospective.)

The Meeting commenced at 7.00 pm  
and closed at 8.30 pm

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CHAIR