

## MINUTES

### Present:

Councillor Michael Chalk (Chair), Councillor Gemma Monaco (Vice-Chair) and Councillors Salman Akbar, Roger Bennett, Andrew Fry, Bill Hartnett, Gareth Prosser, Wanda King and Jennifer Wheeler

### Also Present:

Steve Hawley (Worcestershire Highways)

### Officers:

Amar Hussain, Helena Plant, Emily Farmer and Paul Lester

### Democratic Services Officer:

Sarah Sellers

### 49. APOLOGIES

There were no apologies for absence.

### 50. DECLARATIONS OF INTEREST

There were no declarations of interest.

### 51. CONFIRMATION OF MINUTES

The Chair requested that a typing error in Minute 47 be corrected, and subject thereto it was

RESOLVED that

The Minutes of the meeting of the Planning Committee on 14<sup>th</sup> November 2018 be confirmed as a correct record and signed by the Chairman.

### 52. UPDATE REPORTS

The published Update Report for the applications to be considered was noted.

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Chair

**53. APPLICATION 2018/01160/FUL - 302A EVESHAM ROAD  
CRABBS CROSS REDDITCH B97 5HJ - MR MATTHEW KELLY**

Conversion of existing dwelling to 2 no. 1 bed flats with extension for 3 no. 1 and 2 bed additional flats.

Officers outlined the application for the subdivision of the existing dwelling into two flats and for the addition of a rear extension to comprise two 1 bedroom flat flats at ground level and one two bedroom flat at first floor level. Members were referred to the additional informative requested by Severn Trent Water as set out on page 1 of the Update Report.

Mr Gary Phillips, agent for the applicant, addressed the Committee under the Council's public speaking rules.

In the course of the debate officers confirmed that no issues had been identified from the location of the rear extension in relation to the existing electricity sub-station.

Officers confirmed that the recommendation as worded did not include a restriction on hours of operation at the site.

The recommendation was proposed and seconded with the addition of a condition that standard operating hours be imposed at the site during the construction works.

**RESOLVED that**

**Having regard to the development plan and to all other material considerations, authority be delegated to the Head of Planning and Regeneration to GRANT planning permission subject to:**

- a) the conditions detailed on pages 10 to 12 of the main agenda report;**
- b) the informative requested by Severn Trent Water as set out on page 1 of the Update Report; and**
- c) the additional condition that during the course of any site clearance and development, the hours of work for all on-site workers, contractors and sub-contractors shall be limited to between:-**
  - 08:00 to 18:00 Monday to Friday; and**
  - 09:00 to 12:00 on Saturdays; and**
  - no working shall take place at any time on Sundays, Bank Holidays, or Public Holidays or at any time outside of the above permitted hours**

unless first agreed in writing by the Local Authority.

**Reason: in the interests of neighbours amenity.**

**54. APPLICATION 2018/01216/FUL - MORRISONS SUPERSTORE CLEARWELL ROAD WINYATES WEST REDDITCH B98 0SW - W M MORRISON SUPERMARKETS PLC**

Erection of a Use Class A1 / A3 drive thru' coffee shop with car parking, drive thru' lane, hard and soft landscaping, refuse area and associated works

Mr Joseph Smith, agent for the applicant addressed the Committee under the Council's public speaking rules.

In the course of the debate officers responded to comments from Members who were concerned that there would be problems with additional litter arising from the use of the coffee shop. It was confirmed that the plans included a bin store and the speaker had confirmed that there would be bins on site and signage encouraging customers not to leave litter.

Officers advised that if Members were minded to make specific reference to this issue it would have to be in the format of an informative.

The recommendation was moved and seconded with the addition of an informative regarding installation of litter bins on site.

**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 17 to 18 of the main agenda and the informative regarding litter set out below:-**

**Additional informative**

**Following concerns raised by Planning Committee members regarding litter generated by the drive thru coffee shop, external litter bins should be provided in the vicinity of the coffee shop by the operator to assist with the disposal of any litter associated with the development.**

**55. APPLICATION 2018/01336/FUL - ASTWOOD BANK SERVICE STATION EVESHAM ROAD ASTWOOD BANK REDDITCH B96 6EA - MPK GARAGES LIMITED**

Proposed infill extension to forecourt shop; demolish existing storage area to front, removal of car wash and the stationing of a detached storage container to the rear

Officers outlined the application which sought permission for various works including the infilling of the front of the existing shop, removal of the existing storage area, removal of the car wash ( to allow for the expansion of the shop) and the erection of a storage structure at the rear of the site.

The removal of the existing storage area at the front would allow for the formation of three new parking spaces (including one disabled space), and four additional parking spaces would be added at the rear.

Members were referred to the consultation response from WRS in the Update Report and it was noted that WRS had requested that a pre-commencement condition be imposed to counter the possibility that there may be contamination at the site arising from a historical fuel leak.

It was noted that there had been no objections on highways grounds.

The site was affected by a private right of way which ran along the eastern boundary and provided access from Evesham Road for the residential property located behind the garage. It was noted that issues relating to the right of way were a private matter between the respective land owners.

Officers had considered a number of objections from local residents, including those detailed in the update report, and remained of the view that the application was acceptable and were therefore recommending approval.

Councillor Brandon Clayton, the ward members for Astwood Bank and Feckenham, addressed the Committee under the Council's public speaking rules.

Officers answered questions from Members on a number of issues and in doing so confirmed that:-

- There was no specific designation for the additional 4 car parking spaces at the rear in terms of whether they would be used for staff or customers;

- That potentially customers using the spaces at the rear could be blocked in by a tanker delivering fuel, although the operator would be expected to have procedures in place to ensure that this did not happen;
- That there were no highways issues that caused concern arising from the application;
- That the storage structure would consist of a closed metal container that would open into the rear car park on one side and be positioned behind a 2.4 metre fence on the other side. Officers had considered the sighting and prominence of the container and formed the view that the use of such a structure was acceptable in policy terms in this setting;
- Issues regarding health and safety and means of exit of the garage would be covered under the remit of building regulations;
- It had not been anticipated that the new parking spaces at the rear would attract any anti-social behaviour, and it would be for the garage owner to deal with any such matters if they arose in liaison with the police.
- Officers agreed that the imposition of a hours of construction condition would be an appropriate addition to the conditions listed on page 19, if Members were minded to approve the application.

During the debate Members expressed their concerns over some of the points raised by the public speaker regarding the impact of the changes at the site on the residents at the rear and the potential for them to be blocked in by tankers delivering fuel. It was noted that the previous arrangement of the residents exiting via the car wash would no longer be possible.

Members were reminded that these were largely operational issues regarding the use of the site as opposed to planning issues, and that, as stated previously, the right of way was a private matter as between the owner of the garage and the residents at the rear.

Further advice was given that officers did not believe that it would be reasonable and proportionate for conditions to be imposed as to the use of the forecourt area or the positioning of where the tankers would park during fuel deliveries.

Following further debate a motion was proposed and seconded that the application be deferred to enable officers to provide further information to the Committee.

Upon being put to the vote it was **RESOLVED** that:

**Consideration of application 18/01336/FUL be deferred in order for further information to be provided to the Committee with regard to:-**

- (i) **The operators proposals for operation of the site once the works had been completed and in light of the removal of the egress via the car wash; and**
- (ii) **The storage container to be installed at the rear including its appearance, and visual impact.**

**56. CONSULTATION ON A PLANNING APPLICATION - 16/0263 (BROMSGROVE DISTRICT COUNCIL MATTER) LAND TO THE WEST OF FOXLYDIATE LANE AND PUMPHOUSE LANE - BILFINGER GVA**

Bromsgrove District Council Hybrid application 16/0263 comprising:

1) Outline Application (with all matters reserved with the exception of vehicular points of access and principle routes within the site) for the demolition of existing buildings and the erection of : Up to 2,560 dwellings (Class C3); Local centre including retail floorspace up to 900 sq metres (Classes A1, A2, A3) health and community facilities of up to 900 sq metres (Class D1) ; A 3FE first school (Class D1) (up to 2.8Ha site area) including associated playing area and parking and all associated enabling and ancillary works.

2) Detailed application for the creation of a means of access off Birchfield Road, Cur Lane, Foxlydiate Lane and emergency, pedestrian and cycle access to Pumphouse Lane. The creation of a primary access road, including associated cut and fill works and other associated earthworks, landscaping, lighting, drainage and utilities, crossings and surface water attenuation/drainage measures

Officers presented the report and explained that the application site fell within the Bromsgrove District Council ("BDC") boundary, and that ultimately this was a matter that would be decided by the Bromsgrove District Council Planning Committee. Redditch Borough Council had been consulted because of the close proximity of the site to the Bromsgrove/Redditch boundary.

Officers had carried out a detailed appraisal of the application and Members were being asked to consider and endorse the officer response set out on pages 29 to 33 of the main agenda.

It was noted that the application was a hybrid application seeking detailed permission for the items listed in paragraph 2 above relating to access points and creation of a primary access road, and outline permission for the creation of up to 2560 dwellings, and

the associated facilities, including a first school (as set out in paragraph 1 above).

From a policy point of view, the site was included in the Bromsgrove District Council Plan to meet some of the developments requirements of Redditch Borough Council. The background to this was that there had been insufficient capacity within Redditch for the dwellings that the authority was required to supply. Accordingly, under the duty to co-operate in the Localism Act, the two councils had worked together to identify two areas on the border of Redditch and Bromsgrove that could be brought forward to accommodate the shortfall. Those arrangements had subsequently been formalised through the local plan making process and had resulted in the identification of two areas for residential development at Foxlydiate and Brockhill.

Members were referred to the relevant policy documents, namely the Bromsgrove District Council Cross Boundary Policy in the Bromsgrove District Plan (Adopted 2017) (Policy RCBD1) and the Redditch Borough Council Cross Boundary Policy which was included as an appendix to the Redditch Local Plan No 4 (BORLP4) (Adopted January 2017).

Officers summarised the matters referred to in the officer response and referred Members to paragraph 5.2 regarding provision of affordable housing. It was thought that there had been an error in the Affordable Housing Delivery Plan as submitted by the developer, and the officer response sought to highlight that housing at the site was intended to meet Redditch's affordable housing needs.

With regard to transport, it was noted that the officer response requested the provision of a full transport assessment (paragraph 6.1). With regard to walking and cycling, it was noted that the developer had submitted a Walking and Cycling Strategy which covered integration of the site into existing walking and cycling routes.

With regard to paragraph 9, officers referred Members to the comments supporting the need for high quality design in order to ensure that the development provided a good link between the existing urban area of Redditch and the surrounding countryside.

Officers answered questions from Members on a number of issues and in doing so confirmed that:-

- The application complied with the policy requirement as to the provision of schooling, the policy stating that the development should provide a first school.
- The policy did not cover any requirements as to middle or high school places for children that resided on the

development; it would be for Worcestershire County Council as the local education authority to take the lead on this aspect. It was expected that the education authority would be able to assess the demand for places for older children and how this could be integrated into the existing schools serving the area. Officers anticipated that further detail on this aspect would be included in the full planning application.

- With regard to buses serving the development, the submitted transport assessment contained proposals for a bus route, and it was expected that the cost of this would be funded by the development in the sum of £185K per year. This would be in addition to other proposed section 106 contributions.
- Work by Worcestershire Highways to identify where improvements would be made to the local transport network was already underway, with plans being formulated for where monies would be spent. The works would include improvements to the surrounding area and would represent a benefit for the Redditch area.
- It was intended that the bus route for the development would have bus stops along the central spine road, and that the walking routes would be designed to facilitate easy access to the spine road from the residential areas.
- The central spine road would have a 20 mph design standard, and as such it was not planned that lay-bys for buses to stop at would be necessary.
- Highways officers had considered the possibility of the bus route being extended to link to areas of development at Webheath but it was premature to progress any planning for this as those schemes had yet to come forward.
- It was intended that Curr Lane would remain open but the current route would be reconfigured to discourage use of the lane as a rat run.
- With regard to potential problems with school parking, it was not intended that the first school would have dedicated drop off faculties, although there would be parking at the local centre nearby. The proposed design of the development with walking routes linking to the school located at the centre of the site had been aimed at negating the use of cars to transport children to school.

In the course of the debate Member's commented that they regarded the issue of provision of affordable housing for Redditch as very important, and that they wanted to highlight the officer comments at paragraph 5.2 on page 31 of the main agenda.

Further, Members identified two additional aspects in relation to which they wished their comments to be added to the officer response.

Firstly, there was some concern expressed that with other developments historically there had been considerable delay in securing 106 payments. Members wished to guard against the possibility of delay in the provision of necessary improvements to local infrastructure and services, as this could have a negative impact both on existing residents and the occupants of the new development. Officers advised that section 106 payments would be covered by a legal agreement to be entered into between Bromsgrove District Council and the developer, and the issue of timing of payments would be governed by the use of “trigger points”. In particular, Members highlighted the need to ensure that any education contributions were made at the appropriate time to ensure that there was acceptable school provision in place for new residents.

Secondly, Members raised the issue of design standards and the need to ensure that the new dwellings were sustainable. In particular they wished to emphasise the importance of future use of electric vehicles, and that the developer should be required to make provision in the design of the dwellings for the installation of electric vehicle charging points. Officers commented that both Bromsgrove and Redditch had adopted policies on provision of electric charging points, and that it was anticipated that further detail on this element would come through in the detailed application.

### **RESOLVED that:-**

- (i) No objection be raised to the planning application and amendments proposed;**
- (ii) The comments under the heading Officer appraisal (Appendix 1 at pages 29 to 33 of the main agenda) be endorsed;**
- (iii) Appendix 1 be amended by officers to add further comments from Members with regard to :-**
  - a. Emphasising the issue around affordable housing for Redditch as referred to at para 5.2 on page 31;**
  - b. Raising the need for defined trigger points to be used in the section 106 agreements to ensure that contributions are made in a timely manner, especially with regard to education contributions; and**
  - c. Emphasising the need for the design of the development to accommodate energy neutral approaches and provision of electric vehicle charging points.**

**57. CONSULTATION ON A PLANNING APPLICATION 17/00469/OUT (BROMSGROVE DISTRICT COUNCIL MATTER) - LAND AT BARN HOUSE FARM - FOXLYDIATE LTD**

Bromsgrove Planning Application No. 17/00469/OUT

Outline application, for the erection of up to 68 dwellings to include car parking, open space provision and associated infrastructure (following demolition of all existing buildings) with details of the means of access to the site from Foxlydiate Lane submitted for consideration at this stage, with all other matters (including internal circulation routes) reserved.

Officers presented the report and explained that the application site fell within the Bromsgrove District Council ("BDC") boundary, and that ultimately this was a matter that would be decided by the Bromsgrove District Council Planning Committee. Redditch Borough Council had been consulted because of the close proximity of the site to the Bromsgrove/Redditch boundary.

Officers had carried out a detailed appraisal of the application and Members were being asked to consider and endorse the officer response set out on pages 39 to 42 of the main agenda.

It was noted that the application was for outline permission and that the site sat within the wider Foxlydiate site which was also the subject of a planning application being determined by Bromsgrove District Council ( Planning Application no 16/0263), the consultation response for which the Members had considered under agenda item 8.

From a policy point of view, the position was the same as had already been explained under agenda item 8, namely that the site was included in the Bromsgrove District Council Plan to meet some of the developments requirements of Redditch Borough Council. The background to this was that there had been insufficient capacity within Redditch for the dwellings that the authority was required to supply. Accordingly, under the duty to co-operate in the Localism Act, the two councils had worked together to identify two areas on the border of Redditch and Bromsgrove that could be brought forward to accommodate the shortfall. Those arrangements had subsequently been formalised through the local plan making process and had resulted in the identification of two areas for residential development at Foxlydiate and Brockhill.

Members were referred to the relevant policy documents, namely the Bromsgrove District Council Cross Boundary Policy in the Bromsgrove District Plan (Adopted 2017) (Policy RCBD1) and the Redditch Borough Council Cross Boundary Policy which was

included as an appendix to the Redditch Local Plan No 4 (BORLP4) (Adopted January 2017).

Officers confirmed that in principle the application complied with the requirements set out in the relevant policy documents, and that officers were recommending that the application be supported subject to the comments in the officer response.

In response to questions from Members officers confirmed that on the current plans access to the development site would be from Foxlydiate Road. A bell mouth would be included in the plans for the adjoining site (16/0263) to allow for the option of the roads being linked at a later stage. Members were advised that the site was being put forward as a stand-alone development and any proposals to re-visit this would have to be the subject of commercial negotiation.

Officers were not able to give an answer as to whether the development would be built out by the same builders as would be used for application 16/0263 or by different builders.

Members noted that the report covered very much the same issues that they had already discussed in detail under agenda item 8. Accordingly it was moved and seconded that the officer response be endorsed and that officers be requested to highlight the same three issues that had been identified under agenda 8, namely, provision of affordable housing for Redditch, trigger points for section 106 agreements and the need for design standards to encompass energy neutral approaches and the provision of electric vehicle charging points. In addition the comments in paragraph 5.2 concerning the potential mix of housing for sale were noted.

**RESOLVED that:-**

- (i) No objection be raised to the planning application;**
- (ii) The comments under the heading Officer appraisal (Appendix 1 at pages 39 to 42 of the main agenda) be endorsed;**
- (iii) Appendix 1 be amended by officers to add further comments from Members with regard to :-**
  - a. Emphasising the issue around affordable housing for Redditch as referred to at para 5 on page 41 along with the mix of units for sale as referred to at para 5.2 on page 41;**
  - b. Raising the need for defined trigger points to be used in the section 106 agreements to ensure that contributions are made in a timely manner, especially with regard to education contributions; and**

# Planning

Committee

Wednesday, 12 December 2018

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- c. **Emphasising the need for the design of the development to accommodate energy neutral approaches and provision of electric vehicle charging points.**

The Meeting commenced at 7.00 pm  
and closed at 9.20 pm