



# Planning

## Committee

3rd October 2011

### MINUTES

**Present:**

Councillor Michael Chalk (Chair), and Councillors Peter Anderson, Andrew Brazier, David Bush, Andrew Fry, Wanda King and Alan Mason (substituting for Councillor Bill Hartnett)

**Also Present:**

M Collins (observer for Standards Committee) and Mr B Sharp (Worcestershire County Council Highways Engineer)

**Officers:**

R Bamford, N Chana, A Hussain, A Rutt and I Westmore

**Committee Services Officer:**

J Smyth

**33. APOLOGIES**

Apologies for absence were received on behalf of Councillors Bill Hartnett, Roger Hill and Robin King.

**34. DECLARATIONS OF INTEREST**

Councillors Bill Hartnett and Roger Hill, in the public gallery, declared personal and prejudicial interests in relation to Planning Application 2011/227/FUL (Church Hill District Centre, Tanhouse Lane, Church Hill) as detailed separately at Minute 35 below. Councillor Robin King, also in the public gallery, declared an interest as a Church Hill Ward member, also as detailed separately at Minute 35.

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Chair

**35. PLANNING APPLICATION 2011/227/FUL –  
CHURCH HILL DISTRICT CENTRE, TANHOUSE LANE,  
CHURCH HILL**

Mixed use development including medical centre and  
retail building with car parking and landscaping,  
51 dwellings, new high street and associated open space,  
to form a regenerated district centre

Applicant: LSP Developments, Bellway Homes  
and Accord Housing Association

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

- Mr H Croft - Objector
- Miss A New - Objector on behalf of Year 4 –  
Abbeywood First School
- Master B Lowe - Objector on behalf of Year 4 –  
Abbeywood First School
- Cllr B Hartnett - Ward Councillor and objector
- Cllr R King - Ward Councillor and objector on behalf of local  
residents
- Mr E Sutton - Joint Applicant
- Mr M Wright - Applicant's Agent

During the debate, the Chair also exceptionally allowed Mr B Sharp (a Worcestershire County Council Highway Engineer present at the meeting), to respond to a number of Members' questions in relation to highways matters.

**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 planner permission subject to:**

- 1) **the completion of a Section 106 Planning Obligation to ensure**
  - a) **the on-site open space is provided and maintained as such in perpetuity;**
  - b) **the 39 units are for the provision of social housing in perpetuity; and**
  - c) **a Bond is secured for Traffic Regulation Order measures such as weight restrictions and giving priority to oncoming vehicles on the new boulevard south of Church Hill Way and any other off-site junction improvements required; and**

- 2) the conditions and informatives as stated in the main report and as summarised below:
  - 1) Time limit for commencement of development – three years from decision date;
  - 2) Materials to be agreed prior to commencement of development (by phase);
  - 3) Surfacing materials to be agreed prior to commencement of development;
  - 4) All hard surfacing to be permeable or sustainably drained – where not permeable, drainage details to be supplied and agreed prior to their implementation;
  - 5) Planting and replacement details to be agreed;
  - 6) Gated rear garden accesses - details to be agreed in order to ensure that they are secure;
  - 7) Shop windows to remain transparent to allow for passive surveillance and security;
  - 8) Shop shutters to be internal only, if necessary;
  - 9) Implement tree protection prior to and throughout construction phase;
  - 10) Contaminated land to be dealt with appropriately, if found;
  - 11) To be built to sustainability standards as detailed in the submission (CSH3/BREEAM);
  - 12) removal of Permitted Development Rights from residential properties to prevent over development of gardens;
  - 13) Details of ventilation and extraction leading to flues shown on plans;
  - 14) Approved plans specified;
  - 15) Flat roof materials and details to be submitted and agreed (to prevent public access);
  - 16) Fencing details to be submitted and agreed;
  - 17) Street furniture details to be submitted and agreed; and
  - 18) Allotment access gate details to be submitted and agreed.

#### Informatives

- 1) Reason for approval

- 2) **Advertisement consent application(s) will be required prior to display of any signage, for instance on district centre building**
  - 3) **NB S106 attached**
  - 4) **Highways informatives.**
- 3) **the following additional Conditions and Informatives:**

**Conditions**

- “19) **a Bat Survey to be implemented, including installation of bat boxes and dark corridors.**
- 20) **Details of the layout and access arrangements of the allotments to be agreed prior to their implementation.**
- 21) **Pedestrian crossing between car park and retail building to be agreed and implemented as such.”**

**Informatives**

- “5. **The applicant should discuss appropriate CCTV installation with the Council’s CCTV team; and**
6. **The Applicant should consider implementing limited waiting time restrictions in the car park to 2 to 3 hours maximum, to prevent all day parking displacing some parking elsewhere.”**

**OR:**

- 4) **In the event that the Planning Obligation cannot be completed by 22nd November 2011, authority be delegated to the Head of Planning and Regeneration REFUSE the Application on the basis that, without the Planning Obligation, the proposed Development would be contrary to Policy and therefore unacceptable, due to the resultant detrimental impacts it could cause to community infrastructure by a lack of provision for their improvements, and that none of the dwellings could be restricted to use for affordable housing in line with current policy requirements.**

(In considering the Planning Application and having given due regard to the representations made by public speakers, the Committee agreed that there was a need to secure a Bond, as part of the Section 106 Planning Obligation, to provide for Traffic

Regulation Orders in relation to additional improvement measures within the Application site and off-site junctions, if required, as detailed in Resolution 1 c) above.

Members also agreed three additional conditions in relation to the protection of bats and their habitats; access and design of the allotments; and provision of a pedestrian crossing from the Car Park to the Centre, as detailed in Resolution 3 above.

Two additional informatives were agreed in relation to provision of CCTV and limiting car parking waiting times, also as detailed in Resolution 3 above.

Members noted that, in light of the need to secure the agreed additional Bond for Traffic Regulation Orders, if further time was likely to be required to finalise the Section 106 Agreement, Officers would bring a report to the 2nd November 2011 Planning Committee meeting for the Committee to consider an extension to the current completion deadline of 22nd November 2011 (as detailed at Resolution 4 above).

(Prior to consideration of this item, and in accordance with the requirements of Section 81 of the Local Government Act 2000, from the public gallery, Councillor Bill Hartnett declared a personal and prejudicial interest as a Board Member of Redditch Co-operative Homes and additionally of Accord Housing Association, and as he also intended to exercise his right to speak as a Ward member / objector. He therefore withdrew from the meeting prior to the Committee's debate on the Application.

Also prior to consideration of this item and from the public gallery, Councillor Roger Hill declared a personal and prejudicial interest as he was a member of Redditch Co-operative Homes, and additionally of Accord Housing Association and the Council's Church Hill Panel, and withdrew from the meeting prior to the Committee's debate on the Application.

From the public gallery, Councillor Robin King declared an interest in that he was exercising his right to speak as a Ward member and objector on behalf local residents of his Ward.)

The Meeting commenced at 7.00 pm  
and closed at 8.34 pm

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CHAIR