

Planning and Regulatory Committee

Tuesday, 11 July 2017, County Hall, Worcester - 10.00 am

		Minutes
Present:		Mr R C Adams (Chairman), Mr R M Bennett, Mr G R Brookes, Mr P Denham, Mr A Fry, Mr I D Hardiman, Mr P B Harrison, Mrs A T Hingley, Mrs J A Potter, Prof J W Raine and Mr C Rogers
Available papers		The Members had before them: A. The Agenda papers (previously circulated); and B. The Minutes of the meeting held on 6 December 2016 (previously circulated)
969	Named Substitutes (Agenda item 1)	None.
970	Apologies/ Declarations of Interest (Agenda item 2)	Apologies were received from Ms P Agar, Dr C Hotham, Mr J A D O'Donnell and Mr P A Tuthill.
971	Public Participation (Agenda item 3)	None.
972	Confirmation of Minutes (Agenda item 4)	RESOLVED that the Minutes of the meeting held on 6 December 2016 be confirmed as a correct record and signed by the Chairman.
973	Proposed extensions and alterations to the existing school including a six classroom two-storey extension, to accommodate	<p>The Committee considered an application under Regulation 3 of the Town and Country Planning Regulations 1992 for proposed extensions and alterations to the existing School including a six classroom two-storey extension, to accommodate expansion from a one form entry school to a two form entry school, and external works which include additional parking and hard play areas at Red Hill C of E Primary School, Midhurst Close, Worcester, Worcestershire.</p> <p>The report set out the background of the proposal, the proposal itself, the relevant planning policy and details of</p>

expansion from a one form entry to a two form entry school, and external works which include additional parking and hard play areas at Red Hill C of E Primary School, Midhurst Close, Worcester (Agenda item 5)

the site, consultations and representations.

The report set out the Head of Strategic Infrastructure and Economy's comments in relation to visual impact, residential amenity and historic environment, sports provision, water environment, ecology and biodiversity, traffic and highway safety, and sustainable development.

The Head of Strategic Infrastructure and Economy concluded that subject to the imposition of appropriate conditions, that the scale, massing and design of the proposed development would not have an adverse or detrimental impact upon the character and appearance of the local area. Furthermore, the development would not cause any unacceptable overbearing, overshadowing or overlooking implications that detracts from residential amenity due its design, size and location. A Noise Assessment accompanied the application which concluded that the noise impact from the increase in pupil numbers would be very small and not considered material or adverse.

Based on the advice of Sport England, the proposal would not have an unacceptable impact on the functional playing field and would result in the overall improvement of sports provision at the school.

Subject to the imposition of an appropriate requiring a SuDS management plan, there would be no adverse effects on the water environment, and the proposed extensions of the original SuDS scheme was welcomed. Based on the advice of Worcestershire Wildlife Trust and the County Ecologist it was considered that subject to the imposition of appropriate conditions that the proposed development would have no adverse impacts on the ecology and biodiversity at the site or in the surrounding area, and would enhance the application site's value for habitats, species and biodiversity.

Based on the advice of the County Highways Officer, County Footpath Officer and Ramblers Association, the proposal would not have any adverse impacts upon the adjacent Public Right of Way, traffic or highway safety, subject to the imposition of appropriate conditions.

The proposal included a number of sustainable measures such as high insulation levels, and airtightness, installation of solar PV panels, natural ventilation, a SuDS scheme and the proposal would be subject to a BREEAM Assessment with a target grading of 'very good'. In view of this, and the preceding sections of this

report, the Head of Strategic Infrastructure and Economy, therefore, considered that the proposal was a sustainable development, in accordance with the NPPF in relation to its presumption in favour of sustainable development.

Taking into account the provisions of the Development Plan and in particular Policies SWDP 1, SWDP 2, SWDP 4, SWDP 5, SWDP 6, SWDP 21, SWDP 22, SWDP 24, SWDP 25, SWDP 27, SWDP 28, SWDP 29, SWDP 30, SWDP 31, and SWDP 37 of the adopted South Worcestershire Development Plan, it was considered the proposal would not cause demonstrable harm to the interests intended to be protected by these policies or highway safety.

The representative of the Head of Strategic Infrastructure and Economy introduced the report and commented that members had visited the site and observed the neighbouring residential properties, the adjacent Public Right of Way and the Worcester to London rail line. On leaving the site, members observed the field access proposed for construction vehicles and travelled along the unadopted highway on Battenhall Avenue.

In the ensuing debate, the following principal points were raised:

- It was inevitable that increased numbers of children at the school would lead to increased noise levels. However the conditions proposed by officers would address the majority of concerns and the proposal should be supported
- The application was necessary to address the increase in pupil numbers in the local area and it was less expensive to extend an existing school rather than build a new one. The sustainable nature of the development was welcomed. The extension was well-designed and minimised the impact on neighbouring properties. The concerns about noise were recognised but it should be noted that there would be a gradual increase in pupil numbers at the school over a seven year period. Although the frequency of netball matches might increase, the number of players using the netball court at any one time would remain the same and therefore noise levels would not increase. Traffic issues were a common problem at urban schools and efforts to address this had had limited success. The proposed construction access had been located in a way that limited the impact on all concerned

- It was queried why the roof of the extension had not been designed to follow curved shape of the existing roof line and why the architect had not proposed a softer style of design for the community building. The representative of the applicant responded that the roof of the extension followed a similar pattern to the original roof design. The roof had been designed to be low-maintenance which the school appreciated given their restricted budget
- It should be noted that no buses/coaches were permitted to enter the site during school opening and closing time. Sport England had not objected to the application. The Head teacher had indicated that he was content with the proposed plans. The zinc roof of the proposed extension complimented the existing school roof and the same style of brickwork would be used
- The sequence and timescale of the programme of works and in particular its impact on sports provision. The representative on behalf of the applicant commented that work would commence before the start of the school holidays. Four weeks had been set aside to create the new parking area. Part of the existing parking area would then be converted into a temporary hard play area to accommodate a netball court and this work would take a further four weeks. The hard play area would then be removed to build the school extension. The sequence of works had been designed to cause minimum disruption to the school and its sports activities
- Was a condition proposed to ensure co-ordination of work between this project and the Battenhall development to minimise the impact on local residents? The representative of the Head of Strategic Infrastructure and Economy commented that it would be difficult to control these arrangements through a condition. However the applicant had promised to liaise with the developer to minimise disruption
- In response to a query, the representative of the Head of Strategic Infrastructure and Economy commented that the School Travel Plan would be available on line and would be regularly monitored and updated.

RESOLVED that planning permission be granted for proposed extensions and alterations to the existing School including a six classroom two-storey extension, to accommodate expansion from a one

form entry school to a two form entry school, and external works which include additional parking and hard play areas at Red Hill C of E Primary School, Midhurst Close, Worcester, Worcestershire, subject to the following conditions:-

- a) The development must be begun not later than the expiration of three years beginning with the date of this permission;
- b) Planning permission enures for the benefit of Worcestershire County Council only;
- c) The development hereby permitted shall be carried out in accordance with the details shown on submitted Drawings Numbered: BW30005L-A-DG-0008 Rev A; BW30005L-A-DG-0009 Rev A; BW30005L-A-DG-0010 Rev B; BW30005L-A-DG-0011 Rev B; BW30005L-A-DG-0012 Rev A; BW30005L-A-DG-0100 Rev D; BW30005L-A-DG-0101 Rev D; BW30005L-A-DG-0102 Rev D; BW30005L-A-DG-0103 Rev A; BW30005L-A-DG-0104 Rev A; BW30005L-A-DG-0105 Rev A; BW30005L-A-DG-0106 Rev A; and BW30005L-A-DG-0110 Rev A, except where otherwise stipulated by conditions attached to this permission;
- d) Construction works shall only be carried out on the site between 08:00 to 18:00 hours on Mondays to Fridays inclusive, and 08:00 to 13:00 hours on Saturdays, with no construction work on Sundays, or Bank Holidays;
- e) The development shall be carried out in accordance with the "External Facing Materials" details outlined within the Design and Access Statement – Worcester, Red Hill CE Primary School – Expansion, dated 21 March 2017;
- f) The development hereby permitted shall be carried out in accordance with the recommendations outlined in Sections 3.2 Plant Noise Impacting Residential Property' of the 'Red Hill CE Primary School, Worcester Planning Noise Assessment, dated 27 March 2017;
- g) Within 6 months of the commencement of the

development hereby approved, details of all fences, walls and other means of enclosure shall be submitted to and approved in writing by the County Planning Authority. Thereafter the development shall be carried out in accordance with the approved details;

- h) Within 6 months of the commencement of the development hereby approved, a planting scheme to include native species, sizes, numbers, spacing, densities; locations; and a planting specification for the development hereby approved, including appropriate planting of the extended Sustainable Drainage System, (SuDS) and visual screen planting, shall be submitted to and approved in writing by the County Planning Authority, and implemented within the first available planting season (the period between 31 October in any one year and 31 March in the following year) on completion of the development. Any new trees or shrubs, which within a period of five years from the completion of the planting die, are removed, or become damaged or diseased, shall be replaced on an annual basis, in the next planting season with others of a similar size and species;
- i) Within 6 months of the commencement of the development hereby approved, a Landscape Management Plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved in writing by the County Planning Authority. Thereafter the development shall be carried out in accordance with the approved details;
- j) All existing trees, shrubs and hedgerows indicated to be retained shall be protected by suitable fencing in accordance with BS5837:2012 No materials shall be stored, no rubbish dumped, no fires lit and no buildings erected inside the fence. In the event of any trees, shrub or hedgerows being damaged or removed by the development, it shall be replaced in the next planting season;
- k) Notwithstanding the submitted details, within 6 months of the commencement of the development hereby approved, details of the

provision to be made for at least one bird and one bat box on the site shall be submitted to and agreed in writing by the County Planning Authority. The works shall be completed in accordance with the agreed details within 6 months of the completion of the development;

- l) The development hereby permitted shall be carried out in accordance with the Lighting Scheme outlined in the document titled: 'RELUX Light Simulation Tools, Installation: Lighting', dated 21 April 2017; and the email from Mr Robert Lewin-Jones, titled: 'FW: Worcester, Red Hill Primary School – External Lighting Levels', dated 30 May 2017 (16:20);
- m) Notwithstanding the submitted details, prior to the commencement of the development hereby approved, the location of the solar photovoltaic (PV) panels shall be submitted to and approved in writing by the County Planning Authority. The approved solar PV panels shall be provided prior to the occupation of the development hereby approved;
- n) No development shall take place until a Written Scheme of Investigation (WSI) for an archaeological watching brief has been submitted to and approved in writing by the County Planning Authority. For land that is included within the WSI, no development shall take place other than in accordance with the approved WSI, which shall include the statement of significance and research objectives, and:

 - i. The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works; and
 - ii. The programme for post-investigation assessment and subsequent analysis, publication, dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI;
- o) Should vibro-compaction or displacement

piling plant be used in the construction of the development hereby approved, a Method Statement detailing how the structural integrity of the railway shall be maintained, shall be submitted to and approved in writing by the County Planning Authority in consultation with Network Rail prior to vibro-compaction or displacement piling plant being used on site. Thereafter, the development shall be carried out in accordance with the approved details;

- p) Any scaffold which is to be constructed adjacent to the railway must be erected in such a manner that at no time will any poles or cranes over-sail or fall onto the railway. All plant and scaffolding must be positioned that in the event of a failure it will not fall onto Network Rail's land;
- q) Within 6 months of the commencement of the development hereby approved, a SuDS management plan which shall include details of future management responsibilities, together with maintenance schedules for all SuDS features and associated pipework shall be submitted to and approved in writing by the County Planning Authority. This plan shall detail the strategy that shall be followed to facilitate the optimal functionality and performance of the SuDS scheme throughout its lifetime. The approved SuDS management plan shall be implemented in full in accordance with the approved details;
- r) The education building hereby approved shall not be brought into use until the following highway works have been completed:-
 - i. Pedestrian crossing facility at the junction of Midhurst Close and Arundel Drive as shown on drawing numbered: BW3005L-JAC-00-XX-DR-D-100-003, Rev P01
 - ii. Pedestrian crossing facility at the junction of Sebright Avenue and Camp Hill Road as shown on drawing numbered: BW3005L-JAC-00-XX-DR-D-100-001, Rev P01
 - iii. Pedestrian crossing facility at the junction of Sebright Avenue and Arundel Drive as shown on drawing

number: BW3005L-JAC-00-XX-DR-D-100-002, Rev P01

- iv. The provision of Kassel kerbs on the 2 nearest bus stops on London Road.
- s) Prior to the first use of the education buildings hereby approved the access, turning area and parking facilities as shown on Drawing Numbered: BW30005L-A-DG_0010, Rev B shall be properly consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted to and approved in writing to the County Planning Authority and these areas shall thereafter be retained and kept available for those users at all times;
- t) Prior to the first use of the education buildings hereby approved, a travel plan that promotes sustainable forms of access to the site shall be submitted to and approved in writing by the County Planning Authority. This plan thereafter will be implemented and updated in agreement with Worcestershire County Councils Travel plan co-ordinator;
- u) Prior to the first use of the education buildings hereby approved details of scooter parking provision to include the location, design and number of spaces to be provided shall be submitted to and approved in writing by the County Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details; and
- v) A Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the County Planning Authority prior to commencement of development. The approved CEMP shall be adhered to throughout the construction period. The CEMP shall include the following:-
 - i. Measures to ensure that vehicles leaving the site do not deposit mud or other detritus on the public highway;
 - ii. Details of site operative parking areas, material storage areas and the location of site operatives facilities (offices, toilets etc);
 - iii. The hours that delivery vehicles will be permitted to arrive and depart, and

974 Proposed change of use and the conversion of the existing house, including the attached garage block to provide a children's home, complete with ancillary facilities, to accommodate up to four children and young adults at the Riddings, Bricklehampton (Agenda item 6)

iv. arrangements for unloading and manoeuvring; and Details of any temporary construction accesses and their reinstatement.

The Committee considered an application under Regulation 3 of the Town and Country Planning Regulations 1992 for a proposed change of use and the conversion of the existing house, including the attached garage block, to provide a Children's Home, complete with ancillary facilities, to accommodate up to four children and young adults at The Riddings, Bricklehampton.

The report set out the background of the proposal, the proposal itself, the relevant planning policy and details of the site, consultations and representations.

The report set out the Head of Strategic Infrastructure and Economy's comments in relation to location of the proposed development, traffic and highways safety, residential amenity, landscape and historic environment.

The Head of Strategic Infrastructure and Economy concluded that the proposed development would involve the material change of use from a residential dwelling to a children's home in a predominantly rural area. The main issues to consider in the application were the sustainability of the location, traffic and highways safety, residential amenity, landscape, and the historic environment.

In terms of the location of the development, the Head of Strategic Infrastructure and Economy considered that, on balance, the merits of the proposal in terms of the benefits to the children and young adults that would be accommodated in the rural location would outweigh the counterarguments in terms of sustainable transport in accordance with the comments of the County Highways Officer. The proposal would also accord with Policy SWDP14 in terms of local amenity provision. Therefore, the proposal would be acceptable in terms of its location.

In terms of traffic and highways safety, the Head of Strategic Infrastructure and Economy considered that traffic levels generated by the transport of children and the staff's shift patterns would not conflict with Policy SWDP4. Therefore, the proposal would be acceptable in terms of traffic and highways safety.

Regarding residential amenity, the proposal would not

conflict with Policy SWDP31 in terms of its impact on neighbouring human health and wellbeing and the operation of neighbouring land uses.

The proposal would have no adverse impact on the surrounding landscape (including the AONB), or the historic environment.

Taking into account the provisions of the Development Plan and in particular Policies SWDP 1, SWDP 2, SWDP 3, SWDP 4, SWDP 6, SWDP13, SWDP 14, SWDP 21, SWDP 22, SWDP 23, SWDP 24, SWDP 25, SWDP 26, SWDP 27, SWDP 28, SWDP 29, SWDP 30, SWDP 31 and SWDP 33 of the South Worcestershire Development Plan it was considered the proposal would not cause demonstrable harm to the interests intended to be protected by these policies or highway safety.

The representative of the Head of Strategic Infrastructure and Economy introduced the report and commented that members had visited the property and its immediate surroundings.

In the ensuing debate, the following principal points were raised:

- The logic of locating vulnerable young people in this rural location away from their family and friends was queried. The Assistant Director for Children, Families and Communities responded that locating children in rural settings away from the potential harm would better fit the needs of some young people. The provision of this type of facility also allowed degree of flexibility in the type of quality-assured accommodation available to meet a range of needs and avoid the cost of out-of-county provision
- Concern was expressed about the lack of activities for young people in such an isolated location. The Assistant Director commented that staff would support the young people to access local activities and clubs. This location could offer activities that were not available in an urban location
- In response to a concern about the trees in locality blocking the light to the building, the Assistant Director commented that the building was sufficiently open to the light and had adequate outdoor space
- Would the rural location impact upon the ability to supervise the movements of young people? The

Assistant Director argued that unless there was an element of risk, it was not possible to prevent young people leaving the premises. It was considered that the rural location would improve relationships and minimise the potential for conflict

- The Assistant Director had provided an assurance that this rural location of this facility was suitable and the application should be supported
- In response to a query, the Assistant Director indicated that good relations had been maintained with neighbours wherever facilities of this type had been introduced and he hoped that this would continue in this location. Complaints were few and were resolved as soon as possible. Ofsted had indicated that neighbour feedback was very important and was taken seriously
- What efforts were made to ensure that these young people mixed with other children in the locality? The Assistant Director commented that young people would be encouraged to participate in local activities as well as maintain links with family and friends where appropriate to normalise the home as much as possible.

RESOLVED that planning permission be granted for the proposed change of use and the conversion of the existing house, including the attached garage block, to provide a Children's Home, complete with ancillary facilities, to accommodate up to four children and young adults at The Riddings, Bricklehampton, subject to the following conditions:

- a) The development must be begun not later than the expiration of three years beginning with the date of this permission;
- b) Planning permission enures for the benefit of Worcestershire County Council only;

Details

- c) The development hereby permitted shall be carried out in accordance with the details shown on submitted Drawings Numbered: 326-04-17-06, 326-04-17-05 and 326-04-17-04 except where otherwise stipulated by conditions attached to this permission;

Ecology and Biodiversity

- d) Within 6 months of the completion of the

development hereby approved, the specifications and locations of 1 bird and 1 bat box shall be submitted to and approved in writing by the County Planning Authority. It must be demonstrated that the bird and bat boxes would not be disturbed by external lighting. Following approval, the bird and bat boxes shall be installed in accordance with the approved specifications and locations;

- e) Prior to the installation of any new external lighting, a lighting strategy for biodiversity shall be submitted to and approved in writing by the County Planning Authority. The strategy shall include the following details:
- i. identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory;
 - ii. show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places; and
 - iii. All new external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy;

Highways

- f) Prior to the occupation of the development hereby approved, details showing the location and specification of 4 secure and dry cycle spaces shall be submitted to and approved in writing by the County Planning Authority. The approved details shall be implemented prior to the occupation of the development; and

Construction Hours

**975 Safety of Sports
Grounds
Annual Review
2017 (Agenda
item 7)**

- g) Construction works shall only be carried out on the site between 08:00 to 18:00 hours on Mondays to Fridays inclusive, and 08:00 to 13:00 hours on Saturdays, with no construction work on Sundays, Bank Holidays, or Public Holidays.**

The Committee considered an annual review of activities carried out by Worcestershire County Council (WCC) Directorate of Public Health Emergency Planning team to discharge statutory duties under the Safety at Sports Grounds (SatSGs) and related legislation during 2016/2017.

The report set out details of the safety certificates, the Safety Advisory Groups, details of the safety certificates and Safety Advisory Groups findings for Sixways Stadium Worcester Warriors RFC, Aggborough Stadium – Kidderminster Harriers FC, The Grandstand – Worcester Racecourse, and Victoria Ground – Bromsgrove Sporting FC and Worcester City FC, other event safety management advice, and the Regulatory Reform (Fire Safety) Order (FSO).

In the ensuing debate, the following principal points were raised:

- In response to a query about the change in status of the Aggborough Stadium, Nick Riding, the Emergency Planning Manager commented that due to changes in legislation the Aggborough stadium was no longer defined as a designated stadium because of the non-league status of Kidderminster Harriers FC. Should Kidderminster Harriers enter the Football League then that status would change
- In assessing the requirements for a safety certificate, what factors were taken into account for music events? Nick Riding responded that the dynamics of the spectators attending concerts differed as spectators were more likely to be stood up for the duration of the event. Steward numbers, first aid, facilities access to water, toilets and catering generally needed to be increased. Also greater attention needed to be given to access and egress arrangements. The SAG would be responsible for monitoring the Event Management Plan
- Concern was expressed about the gap in communication between the stadium owners and event organisers in terms of crowd numbers. Nick

Riding commented the management of all-ticket matches made it easier to predict steward numbers. However where customers paid on the day, it was important that the match was properly advertised and extra stewards and facilities were made available. The incident at the Victoria Ground, Bromsgrove resulted from the inability to count the attendance through the turnstiles

- Concern was expressed about the Council's ability to control facilities outside its legislative responsibilities and the potential reputational risk. Nick Riding gave an assurance that the Council had procedures for such facilities because it was important that the Council to provided a safety advisory service in its community leadership role. The responsibility for other events, notably music concerts rested with the event management company who were required to put together an Events Management Plan. The role of the SAG was to monitor proceedings to ensure every safety aspect had been considered
- Would the anticipate attendance levels determine how an event was assessed in safety terms and where did responsibility for the safety of private events rest? Nick Riding commented that as a general rule private events fell outside the legislation. Attendance was not a defining factor necessarily as it depended on the nature of the event and the level of risk associated with it, for example, the grant of an alcohol license would increase the level of risk and associated monitoring levels
- It was noted that the lack of stewarding at a match the Victoria Ground had been uncovered by the Fire Service. Would this incident have been picked up through the regular safety procedures? Nick Riding commented that he was confident that this would have been identified through the safety management procedures on the site. Officers had good monitoring arrangements and dialogue with the operators of the stadium
- It was agreed that arrangements be made for members of the Committee to visit all the designated stadia and regulated stands over the life of the Council.

RESOLVED that:

- a) The 2016/17 Annual Review of activities carried out by the Council to manage and implement the Safety at Sports Grounds**

legislation be noted; and

- b) The Council had successfully met its statutory duty in respect of Safety at Sports Grounds legislation during 2016/17 be noted.

The meeting ended at 11.25 am.

Chairman