

Planning and Regulatory Committee
Tuesday, 23 September 2014, 10.00 am, County Hall,
Worcester

		Minutes
Present:		Mr R C Adams (Chairman), Mr A T Amos, Mrs S Askin, Mr S J M Clee, Mr P Denham, Mrs A T Hingley, Mr I Hopwood, Mr A P Miller and Mr D W Prodger.
Available papers		The members had before them: A. The Agenda papers (previously circulated); and B. The Minutes of the meeting held on 15 July 2014 (previously circulated).
884	Named Substitutes (Agenda item 1)	Mr I Hopwood for Mr A Roberts.
885	Apologies/ Declarations of Interest (Agenda item 2)	Apologies were received from Mr J Baker, Mr A Roberts and Mr R J Sutton.
886	Public Participation (Agenda item 3)	None.
887	Confirmation of Minutes (Agenda item 4)	RESOLVED that the Minutes of the meeting held on 15 July 2014 be confirmed as a correct record and signed by the Chairman.
888	Proposed construction of a 6 classroom extension of existing first school, The Bengeworth Academy, Kings Road, Evesham, Worcestershire	<p>The Committee considered an application under Regulation 3 of the Town and County Planning General Regulations 1992 for planning permission for the erection of a 6 classroom extension of the existing first school at The Bengeworth Academy, Kings Road, Evesham, Worcestershire.</p> <p>The report set out the background of the proposal, the proposal itself, the relevant planning policy and details of the site consultations and representations.</p> <p>The report set out the Head of Economic Development and Planning comments in relation to landscape</p>

(Agenda item 5)

character and appearance of the area, residential amenity, the water environment, traffic and highways safety, the public right of way and ecology.

The Head of Economic Development and Planning concluded that given the single-storey nature, the complimentary design and siting of the proposed extension approximately 20 metres from the southern boundary of the school site and subject to the imposition of a condition requesting a landscape planting scheme, it was not considered that the proposal would have a detrimental impact on the character and appearance of the street scene or the character and appearance of the area in accordance with Policy GD1 and Policy ENV1 of the Wychavon District Local Plan.

The Head of Economic Development and Planning did not consider that there would be any adverse impact on residential amenity arising from this proposal in accordance with Policy GD2 of the Wychavon District Local Plan.

Subject to the imposition of a condition relating to an integrated SuDS design, the Head of Economic Development and Planning was satisfied that the proposal would not have a detrimental impact on the water environment or flood risk in accordance with Policy GD2 of the Wychavon District Local Plan.

The Head of Economic Development and Planning did not consider that the proposal would have any adverse impact on highways safety in accordance with Policy GD2 of the Wychavon District Local Plan. The proposal would not have any adverse impact on the adjacent public right of way. It was considered that the proposal would not have a detrimental impact on ecology and biodiversity at the site or on the surrounding area in accordance with Policy ENV6 of the Wychavon District Local Plan.

On balance, taking into account the comments received from statutory consultees; members of the public and the provisions of the development plan in particular Policy GD1; GD2; ENV1; ENV6 of the Wychavon District Local Plan, it was considered that 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 Economic Development and Planning commented that members

had visited the site and observed the location of the proposed extension, the proximity of the new housing developments to the north-east and south of the site and the grass swales. Members were also driven along Offenham Road to observe the location of the proposed new roundabout access to the school site.

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

- It was reported that the local councillor (who was also a governor at the school) had commented that he had no queries regarding the application and had no objection to the application proceeding
- With the amount of house building taking place in the vicinity of the school, it was important that the extension of the school was carried out as soon as possible to meet the potential increase in pupil numbers. Was there a proposed start date for the extension works? The representative of the applicant commented that, should permission be granted, it was proposed to start work on the site in January 2015
- Would the access to the site off Offenham Road be completed and fully functional before the opening of the extension of the school because if it was not, additional pressure would be placed on Lichfield Avenue? The representative of the applicant advised that an agreement existed with the housing developers for access to the site for construction vehicles through 2 temporary access roads via Offenham Road. The temporary access roads would eventually be closed and the roundabout would be opened in time for the completion of the extension works. The representative of the County Highways Officer added that it was disappointing that to date, the roundabout access had not been completed but the developers had had difficulties with its design. Technical approval had now been granted for the roundabout and construction had begun within the boundary of the developer's site. As soon as a legal agreement was in place, the applicant would be encouraged to complete the rest of the roundabout. It was anticipated that the access would be completed before the school extension was opened
- Who had responsibility for maintenance of the drainage scheme? The representative of the applicant commented that the drainage scheme

formed part of the landscaping arrangements at the school and therefore the school had responsibility for its maintenance.

RESOLVED that planning permission be granted for the erection of a 6 classroom extension of the existing first school at The Bengeworth Academy, Kings Road, Evesham, Worcestershire, subject to the following conditions:

- a) The permission enures for the benefit of Worcestershire County Council only;
- b) The development must be begun not later than the expiration of three years beginning with the date of this permission;
- c) The development hereby permitted shall be carried out in accordance with the details shown on submitted Drawing Numbers: AL(0)01; AL(0)12; AI(0) 10; AL(9)01 REV A; AL(0) 04; AL(0) 11 except where otherwise stipulated by conditions attached to this permission;

Details

- d) Notwithstanding any indication of the materials, which may have been given in this application, prior to the construction of the extension hereby approved, a schedule and/or samples of the materials and finishes for the development shall be submitted to and agreed in writing by the County Planning Authority. Thereafter the development shall not be carried out other than in accordance with the approved details;
- e) No development shall take place until full details of the boundary walls and fences and other means of enclosure have been submitted and agreed in writing by the County Planning Authority. This shall include the method of construction for any fencing that falls within 5 metres of any protected tree. The development shall be carried out strictly in accordance with the approved details;
- f) No development shall take place until a schedule and or samples of all surfacing materials has been submitted and agreed in writing by the County Planning Authority. Thereafter, the development shall be carried out in accordance

with the approved details;

- g) Prior to the commencement of the development hereby approved details of any external lighting shall be submitted to and agreed in writing by the County Planning Authority. Thereafter the development shall be carried out in accordance with the approved details;**
- h) Prior to the occupation of the development hereby approved a Community Use Scheme shall be submitted for approval in writing by the County Planning Authority. The Scheme shall include details of pricing policy, hours of use, access by non-school users/non-members, management responsibilities and include a mechanism for review. The approved Scheme shall be implemented in accordance with an agreed timetable;**

Sustainability & Landscaping

- i) Notwithstanding the submitted details, prior to the commencement of the development hereby approved a landscaping scheme, which shall include the retention of any existing trees and hedgerows and details of all walls, fences, surface treatments, new trees, shrubs and other planting, and details of the proposed planting species, sizes, spacing, densities, locations, planting methods and details of the provision of adequate growing medium and drainage shall be submitted to and approved in writing by the County Planning Authority. The scheme shall be implemented in accordance with the approved details within 6 months of the 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 in the next planting season with others of a similar size and species;**
- j) The development hereby permitted shall not commence until drainage plans for the disposal of foul sewage have been submitted to and approved by the County Planning Authority. Thereafter the scheme shall be implemented in accordance with the approved details before the development is first brought into use;**

- k) The development hereby permitted shall not commence until a Sustainable Urban Drainage scheme has been submitted to and approved by the County Planning Authority. Thereafter the scheme shall be implemented in accordance with the approved details before the development is first brought into use;**

Highways

- l) The development hereby approved shall not be constructed or occupied until an alternative means of vehicular access to the school has been provided off Offenham Road (B4510) in accordance with details to be submitted to and approved by the County Planning Authority.**
- m) No work shall commence upon the development hereby authorised by this permission until details of the routing of vehicles, associated with the construction to and from the site together with the maintenance/repair of the designated route has been submitted to and approved in writing by the County Planning Authority in consultation with the Highways Authority;**
- n) Prior to the commencement of the development hereby approved a specification for the construction of the temporary construction vehicular access shall be submitted to and approved by the County Planning Authority. Thereafter the works shall be carried out in accordance with the agreed specification;**
- o) On completion of the development hereby approved the temporary construction vehicular accesses shall be permanently closed;**
- p) The development hereby permitted shall not be brought into use until the access and parking facilities shown on the approved plan have been properly consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted and approved in writing to the County Planning Authority and these areas shall thereafter be retained and kept available for those uses at all times;**
- q) The development hereby permitted shall not be brought into use until a Travel Statement, to include details of on-site parking, drop-off/pick-**

up points and public transport services has been submitted to and approved in writing by, the County Planning Authority;

Construction

- r) **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;**
- s) **The development hereby permitted shall not begin until a Construction Method Statement has been submitted to and approved in writing by the County Planning Authority. The approved statement shall be adhered to throughout the construction period.**

The statement shall provide for:

- a) **The parking of vehicles of site operatives and visitors within the application site;**
- b) **Loading and unloading of plant and materials within the application site;**
- c) **Storage of plant and materials within the application site; and**
- d) **Siting of site offices within the application site; and**

Ecology & Biodiversity

- t) **In the unlikely event that any protected species are found on the site during the works then all works must cease immediately and the advice of a suitably qualified ecologist must be sought and followed prior to works re-commencing.**

889 Proposed change of use of Redditch Library to a mixed use development including a library, offices, Children's Service area and Area and

The Committee considered an application under Regulation 3 of the Town and County Planning General Regulations 1992 for planning permission for the change of use of Redditch Library to a Mixed Use Development including a Library, offices, a Children's Service Area and Partnership Agency Office accommodation at 15 Market Place, Redditch, Worcestershire.

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 Economic Development

**Partnership
Agency office
accommodation
15 Market
Place, Redditch,
Worcestershire
(Agenda item 6)**

and Planning comments in relation to the provision of mixed use, the internal layout, amenity, the character and appearance of the local area, ecology and traffic and highway safety.

The Head of Economic Development and Planning concluded that the proposed uses were acceptable in this proposed location and the facilities provided were adequate in accordance with Policy C(CF).1 of the Borough of Redditch Local Plan.

The Head of Economic Development and Planning was satisfied that the space allocated for the Library would be adequate in accordance with Policy C(CF).1 of the Borough of Redditch Local Plan and that there would be no adverse impact on the amenities of the surrounding area.

The Head of Economic Development and Planning was satisfied that the proposed development would not have a detrimental impact on ecology and biodiversity at the site or on the surrounding area in accordance with Policy B(BE).14 of the Borough of Redditch Local Plan and that the proposed development would not have a detrimental impact on highway safety.

On balance, taking into account the comments received from statutory consultees; members of the public and the provisions of the development plan in particular Policy B(BE).13; Policy B(BE).14; Policy C(CF).1 of the Borough of Redditch Local Plan and Policy BDP 1; Policy BDP 19 of the Draft Bromsgrove District Plan (formerly Core Strategy), it was considered that 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 Economic Development and Planning requested that submitted drawing number AD-02 relating to disability access which was omitted from condition c) of the recommendation be added to the permission, should it be granted.

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

- There was no reason to object to the proposal in planning terms. However the rationale for the intensification of the use of the library space in a town the size of Redditch at a time when libraries required more space for access to IT facilities

should be questioned. In addition, the arguments put forward by the applicant to respond to complaints about a lack of quiet study space set out in the design of the building were weak

- Fifty percent of the public space at the library was being lost to accommodate office staff who would not be manning the library. There was also a fifty percent reduction in the number of library staff. In addition Citizens Advice Bureau staff would be accommodated in the library without any contribution to work of the library service. It was disappointing in these circumstances therefore that neither the local councillors nor Redditch Borough Council had objected
- It was possible to create quiet study spaces within the library building by moving portable shelving units. In response, it was argued that quiet study areas formed a very important part of modern library use and there should be a formal commitment to the creation of these spaces in the design of this building
- The representative of the Head of Economic Development and Planning explained that the Worcestershire Wildlife Trust had been consulted because the application site was approximately 250 metres east of the River Avon which was a local wildlife site.

RESOLVED that planning permission be granted for the change of use to Redditch Library to a Mixed Use Development including a Library, offices, a Children's Service Area and Partnership Agency Office accommodation, 15 Market Place, Redditch, Worcestershire, subject to the following conditions:

- a) The permission enures for the benefit of Worcestershire County Council only;**
- b) The development must be begun not later than the expiration of three years beginning with the date of this permission;**
- c) The development hereby permitted shall be carried out in accordance with the details shown on submitted Drawing Numbers: AD-01A; A-01; A-02; AD-10 A; AD-11 C; AD-12; AD-13; AD-14 AD-15 and AD-02, except where otherwise stipulated by conditions attached to this permission; and**

890 Temporary change of use of a section of a field to a temporary site compound. The proposed temporary site compound measures approximately 4,310 square metres. it would be used to store materials, vehicles and welfare facilities associated with undertaking of works to alleviate internal foul water flooding in six properties on Leamington Road, Broadway at land off Bibsworth Lane, Broadway, Worcestershire (Agenda item 8)

- d) In the unlikely event that any protected species are found on the site during the works then all works must cease immediately and the advice of a suitably qualified ecologist must be sought and followed prior to works re-commencing on the site.**

The Committee considered a County Matter planning application for the temporary change of use of a section of a field to a temporary site compound. The proposed temporary site compound measures approximately 4,310 square metres. It would be used to store materials, vehicles and welfare facilities associated with undertaking of works to alleviate internal foul water flooding in six properties on Leamington Road, Broadway at Land off Bibsworth Lane, Broadway, Worcestershire.

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

The report set out the Head of Economic Development and Planning comments in relation to visual impact, impact upon the Cotswold AONB and residential amenity, water environment, ecology and biodiversity, traffic and highway safety, archaeology, overhead lines and sustainable development.

The Head of Economic Development and Planning concluded that the temporary site compound would be ancillary to and facilitate the construction of essential sewerage infrastructure, which would alleviate internal foul water flooding at six properties on Leamington Road, Broadway, in accordance with PPS 10 and the NPPF.

It was considered that subject to the imposition of appropriate conditions, the proposed development would have no detrimental impact upon residential amenity and the character and appearance of the local area, including the wider AONB due its design, size, location and duration.

Based on the advice of the County Ecologist and Worcestershire Wildlife Trust, it was considered that the proposed development would not have any adverse impacts on ecology and biodiversity at the site or on the surrounding area, subject to the imposition of appropriate conditions.

Based on the advice of the Environment Agency and

Wychavon District Council, it was considered that the proposal would not have an adverse effect on the water environment. The Head of Economic Development and Planning considered that there would be no adverse impacts on traffic, or highway safety.

Taking into account the provisions of the Development Plan and in particular Policies WCS 1, WCS 3, WCS 6, WCS 8, WCS 9, WCS 10 and WCS 12 of the adopted Worcestershire Waste Core Strategy and Saved Policies GD.2, ENV1, ENV2, ENV5, ENV6, ENV7, ENV8, ENV19, SUR1, SUR2, and ECON5 of the adopted Wychavon District Local Plan, it was considered the proposal would not cause demonstrable harm to the interests intended to be protected by these policies or highway safety.

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

- It was reported that the local councillor had indicated her support for the application
- The proposed flood alleviation measures at the site were necessary and the applicant would require a temporary compound for vehicles to store the associated materials, vehicles and welfare facilities while the work was going on. Although the concerns of the local residents were acknowledged, the arrangements were for a temporary period and permission should be granted
- It was important the site was monitored to ensure that the applicant met its contractual obligations to complete the work on time.

RESOLVED that planning permission be granted for the temporary change of use of a section of a field to a temporary site compound. The proposed temporary site compound measures approximately 4,310 square metres. It would be used to store materials, vehicles and welfare facilities associated with undertaking of works to alleviate internal foul water flooding in six properties on Leamington Road, Broadway at Land off Bibsworth Lane, Broadway, 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) The development hereby permitted shall be

carried out in accordance with the details shown on submitted Drawing Numbers: A5S/11583-PA-50502, Rev B; A5S/11583-PA-50500, Rev B; A5S/11583-PA-50501, Rev B, except where otherwise stipulated by conditions attached to this permission;

- c) Construction and reinstatement 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;
- d) Operations within the development hereby approved shall only take place between the hours of 07:00 and 18:00 hours Mondays to Fridays inclusive, and between 07:00 to 13:00 hours on Saturdays, with no operations on Sundays or Bank Holidays;
- e) All topsoil shall be permanently retained on site and stored in accordance with Drawing Numbered: A5S/11583-PA-50502, Rev B and Paragraph 6.11 'Restoration Plan' of 'Planning Support Statement', dated July 2014 (Wardell Armstrong Report No. RPT-01);
- f) No operations involved in soil stripping or replacement shall be carried out, except when the soil is in a sufficiently dry soil moisture condition to minimise soil damage;
- g) Within 3 months of the completion of the works to alleviate internal foul water flooding at properties 17, 19, 21, 23, 25, and 27 Leamington Road, Broadway. The development hereby approved shall be reinstated in accordance with paragraph 6.11 'Restoration Plan' of 'Planning Support Statement', dated July 2014 (Wardell Armstrong Report No. RPT-01);
- h) In the unlikely event that any protected species are found on the site during the works then all works must cease immediately and the advice of a suitably qualified ecologist must be sought and followed prior to works re-commencing on the site;
- i) All vegetation clearance shall be undertaken outside the bird nesting season which generally

extends between March and September inclusive. If this is not possible then any vegetation that is to be removed or disturbed should be checked by an experienced ecologist for nesting birds immediately prior to works commencing. If birds are found to be nesting any works which may affect them would have to be delayed until the young have fledged and the nest has been abandoned naturally;

- j) Prior to the commencement of the development a precautionary pre-commencement inspection for protected species shall be undertaken by a suitably qualified ecologist, and their recommendations followed; and
- k) 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.

891 Proposed new service access onto the school field from adjacent sports centre access road at Blakedown C of E Primary School, Birmingham Road, Blakedown, Kidderminster, Worcestershire (Agenda item 7)

The Committee considered an application under Regulation 3 of the Town and Country Planning General Regulations 1992 for a proposed new service access onto the school field from the adjacent sports centre access road at Blakedown C of E Primary School, Birmingham Road, Blakedown, Kidderminster, Worcestershire.

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

The report set out the Head of Economic Development and Planning comments in relation to the Green Belt, highway safety, and other matters.

The Head of Economic Development and Planning concluded that the development of a permanent vehicle access onto the school playing field for maintenance and emergency vehicles is acceptable. It is considered that the proposal would not have an adverse impact on the amenity of the surrounding area or a detrimental impact on highway safety.

On balance, taking into account the comments received from statutory consultees, members of the public and the provisions of the development plan in particular Saved Policies GB.1 and GB.2 of the Wyre Forest District Local Plan, Policy CP01 of the Wyre Forest District Core Strategy and Policies SAL.PFSD1, SAL.DPL12, SAL.UP1 and SAL.UP9 of the Wyre Forest District Council Site Allocations and Policies Development Plan Document (DPD), the Head of Economic Development and Planning considered the proposal would not cause any demonstrable harm to the interests intended to be protected by these policies or highway safety and that planning permission should be granted subject to the imposition of conditions.

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

- The local councillor queried whether the applicant had permission from the owners of the site to use the private access track and expressed concern that the landowner could deny access to the site at any stage. The representative of the Head of Economic Development and Planning commented that the applicant was required to serve notice on the landowner as part of the planning process. There was always a possibility that the landowner could withdraw access rights but in land-use terms this was no impediment to granting planning permission
- The local councillor stated that maintenance of the track was carried out by the landowner and Churchill and Blakedown Parish Council had contributed to the maintenance costs. The Parish Council would like an assurance that the County Council would make a contribution to the costs should the road be damaged. The representative of Head of Economic Development and Planning responded that it was anticipated that the access track would only be used once or twice a month. In the long term, any work required to repair the damage to the track was a private contractual matter between the applicant and the landowner
- The representative of the County Highways Officer added that any damage to the track by construction vehicles would be addressed by the County Council but not thereafter. It was very difficult to prove which vehicle had been responsible for damaging the track and therefore it

was very unusual for formal agreements of this nature to be included in a planning permission.

RESOLVED that planning permission be granted for a proposed new service access onto the school field from the adjacent sports centre access road at Blakedown C of E Primary School, Birmingham Road, Blakedown, Kidderminster, Worcestershire, subject to the following conditions:

- a) The development must be begun not later than the expiration of three years from the date of this planning permission;
- b) Planning permission enures for the benefit of Worcestershire County Council only; and
- c) The development hereby permitted shall be carried out in accordance with the details shown on the submitted drawing numbered: 13.10.07-F except where otherwise stipulated by conditions attached to this permission.

The meeting ended at 10.53am.

Chairman