

**Redditch Borough Council
Planning Committee**

**Committee Updates
13th December 2017**

17/00700/OUT Redditch Gateway Land Adjacent To The A4023, Coventry Highway

Planning History (update)

Bromsgrove

Whilst the formal minutes are yet to be agreed; at the meeting of Bromsgrove District Planning Committee on Monday 4th December it was resolved that –

*Delegated Powers be granted to the Head of Planning and Regeneration to **GRANT** planning permission subject to;*

A. the applicant entering into a suitable legal mechanism to secure the following

1. £200,000.00 to be paid on first occupation and held for a period of 15 years from its receipt OR until 12 months after the last premises is occupied, whichever is sooner.

2. Biodiversity offset scheme for each phase of development and biodiversity monitoring contribution.

and

B. Conditions as set out in summary form in the agenda with updated condition regarding the CEMP (hours of working during the construction stage) and inclusion of the 3 year time limit for the full application.*

*Officers have delegated authority to agree the final wording of the conditions in conjunction with Stratford DC, Redditch BC, the applicant and Head of Planning and Regeneration for Bromsgrove DC.

Stratford

Whilst the formal minutes are yet to be agreed, at the meeting of Stratford Upon Avon District Planning Committee on Wednesday 6th December Members decided that the application be deferred for 2 reasons -

- 1. Insufficient information having been submitted on traffic management and to support/justify the £200,000.00 contribution requested.*
- 2. To enable the developer provide guidance on where tall buildings would be located on the site on the basis of the Illustrative Masterplan holding no weight.*

It was therefore on the basis of these two reasons that the application was **DEFERRED**.

Additional conditions

- o Commence full element of development within 3 years

- o All details relating to the development to be submitted and approved. Where details relate to more than one administrative area, they shall be submitted and approved by each LPA. Details not approved until LPA(s) has/have approved in writing

Procedure

The effect of the 2nd condition detailed above is that the applicant would need to apply for reserved matters to the LPA where the land parcel is located. Where the reserved matters relate to an area straddled by more than one LPA, separate but identical applications would need to be made to each LPA.

For the purposes of clarification, condition 12 (Construction Environmental Management Plan) would outline the following hours for demolition/construction:

- o 07:00-18:00 hours (Monday to Friday)
- o 08:00-13:00 (Saturday)
- o No working permitted on Sundays or Bank Holidays

Additional comments received from Warwickshire County Council Ecology:

Content with attachment of conditions recommended by the Environment Agency to deal with diversion of watercourses (condition 30) and buffer zones to watercourses (condition 31). Whilst southern-most (Lowland Meadow UK Priority Habitat) field is being retained, remaining combined biodiversity loss is still significant - to be compensated via biodiversity offsetting. The Lowland Meadow UK Priority Habitat would be retained and managed in a sensitive manner to mimic a traditional meadow.

13 additional comments received from third party representations raising objection to the application. No new reasons for objection raised.

Representation from Councillor A Pulsford (Redditch Borough Councillor - Winyates)

- o Support the application, with some reservations
- o In favour because it would be good economically for Redditch and because flooding problems, which occur virtually every winter in the Far Moor Lane area, are unlikely to be addressed except by such drainage conditions as in the planning application - the necessary work is too great to be undertaken except in conjunction with a major development proposal
- o Concerns are the height of the buildings, which preferably should be less, and the preservation of the environment
- o Answered to some extent by the revised plans which retains the southern-most fields - should be put in the care of Warwickshire or Worcester Wildlife who would know how to look after them properly
- o Hedges bordering the site should be well maintained to provide an effective screen - unconvinced that it is necessary to have two pedestrian ways through the hedge
- o Traffic along the A435 is a problem - support the reduction of the speed limit through Mappleborough Green no more than 30mph and the creation of at least one pedestrian crossing near the Dog roundabout and preferably at the north end of Mappleborough Green where the old bridleway from Furze Lane meets the A435
- o Traffic and parking along Far Moor Lane may be a problem but it is too early to know if it will be - it would be useful to have notices at either end of Far Moor Lane during construction saying No Access for Construction Traffic (30.11.2017)

Representation from Beoley Parish Council

This community has suffered over the last couple of years as a result of the light and noise pollution created by the similar scheme at Ravensbank. This is an issue which has been raised with Environmental Heath and into which there is an ongoing investigation. As a community we are keen to ensure that our residents are protected in any future expansions as these issues have caused great distress locally and we would want a restriction on working hours to be considered by the Planning Authority. To a lesser extent in the case of Beoley, we feel the movements of heavy goods vehicles needs to be planned and monitored, again to protect our community from unnecessary additional haulage traffic through the village. (23.12.2017)

Position of no overall objection to the principle of development remains, but raises the following concerns (in additional to those raised in their original response):

- o Inevitable increase in traffic through village - restrictions should prohibit the use of the B4101 by HGVs
- o Hours of HGV movements should be restricted via condition
- o Beoley PC should be consulted on any external lighting proposals (which should be kept to a minimum and face away from residential properties) (01.12.2017)

Online petition (Stratford District Council: No to Redditch Eastern Gateway) with 198 signatures. Grounds for objection:

- o Unnecessary
- o Unwanted by local residents
- o Large number of unused industrial units in Redditch - creating a new one whilst destroying valuable green land and natural habitat for wildlife is unwarranted
Development would put further strain on already overused stretch of road through the neighbouring villages of Mappleborough Green and Studley

Further Officer Comments

The 'illustrative' masterplan represents one way the development could be implemented and demonstrates how the quantum of development and associated parking could be accommodated within the land available.

The parameters plan could potentially facilitate a building of 21 metres in height on the edge of that zone, subject to an acceptable layout plan, which would need to come forward as part of a subsequent application for reserved matters.

RECOMMENDATION

Remains as detailed on page 54 of the Committee Report with amendment to section b) to read Conditions as summarised below* and detailed on the update sheet.

*pages 54 - 57 inc

Additional consultee comments received:

Housing Strategy

Confirmation has been received that the affordable housing provision is acceptable. Plots 14 - 20 & 60 - 66 Social Rented units and Plots 53 - 59 Shared ownership

Additional Representation:

One further representation has been received in relation to the application. The comments received relate to the existence of a septic tank on land adjacent to the development site serving three dwellings on Hill Top. This is a private civil matter between the two parties; however it has been drawn to the attention of the applicants.

The applicants have subsequently confirmed that they are aware of the presence of the septic tank and will work with the neighbours to ensure that the matter is resolved.

Amended conditions:

Following the publication of the committee report the applicant requested that the recommended conditions are amended.

With respect to condition 1, it was requested that this is deleted. Your Officers agree and recommend that condition 1 is deleted as the time limits for implementing the planning permission were conditioned at the outline planning application stage.

Amendment to condition relating to plans list (was condition 2) to refer Site Plan Rev G.

With respect to condition 14 it was requested that the implementation of biodiversity enhancements on the site were not required prior to first occupation of any dwelling on the site and this was deferred to prior to the occupation of plots 58-66. Having sought clarification, the reason for the request is due to the likelihood that some of the bird/bat boxes requested will be positioned in the centre of the site and some of the first dwellings to be constructed may be occupied before these properties are fully constructed and the bat/bird boxes installed.

Taking this in to account it is considered reasonable to alter condition 14 as below:

"14. 8 suitable Schwegler (or similar) bird boxes and 7 Schwegler (or similar) bat boxes shall be installed on site. The boxes shall be sited towards the top of walls away from windows and other potential light on and around the buildings/landscape proposed. In addition, boxes should be located in warm locations where they will receive full/partial sun in a variety of orientations to receive a range of climatic conditions. The boxes must be at least 3 metres above ground to prevent disturbance from people and/or predators. Exact locations and types should be determined and agreed with an ecologist. The details shall be submitted to and approved in writing by the Local Planning Authority and the boxes installed prior to first occupation of any of plots 58-66 inclusive."

RECOMMENDATION

Remains as detailed on page 65- 71 inc of the Committee Report with the removal of Condition 1 (and the subsequent renumbering of the conditions to reflect this) and the amendment of Condition 2 and 14 as indicated above.

17/01147/FUL Old Worcester Building, 10 Birmingham Road

In light of comments received by Worcestershire Regulatory Services the following additional conditions are proposed:

Additional Conditions

10. A preliminary risk assessment must be carried out. This study shall take the form of a Phase I desk study and site walkover and shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and any other relevant information. The preliminary risk assessment report shall contain a diagrammatical representation (conceptual model) based on the information above and shall include all potential contaminants, sources and receptors to determine whether a site investigation is required and this should be detailed in a report supplied to the Local Planning Authority. The risk assessment must be approved in writing before any development takes place.

11. Where an unacceptable risk is identified a scheme for detailed site investigation must be submitted to and approved in writing by the Local Planning Authority prior to being undertaken. The scheme must be designed to assess the nature and extent of any contamination and must be led by the findings of the preliminary risk assessment. The investigation and risk assessment scheme must be compiled by competent persons and must be designed in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11".

12. Where an unacceptable risk has been identified a detailed site investigation and risk assessment must be undertaken and a written report of the findings produced. This report must be approved by the Local Planning Authority prior to any development taking place. The investigation and risk assessment must be undertaken by competent persons and must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11".

13. Where identified as necessary a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to identified receptors must be prepared and is subject to the approval of the Local Planning Authority in advance of undertaking. The remediation scheme must ensure that the site will not qualify as Contaminated Land under Part 2A Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

14. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.

15. Following the completion of the measures identified in the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval of the Local Planning Authority prior to the occupation of any buildings.

16. In the event that contamination is found at any time when carrying out the approved

development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where necessary a remediation scheme must be prepared, these will be subject to the approval of the Local Planning Authority. Following the completion of any measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to the occupation of any buildings.

REASON (conditions 10-16):

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors