



# Planning Committee

Wed 12 Oct  
2016  
7.00 pm

Council Chamber  
Town Hall  
Redditch

**REDDITCH** BOROUGH COUNCIL

*making  
a  
difference*

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**If you have any queries on this Agenda or any of the decisions taken or wish to exercise any of the above rights of access to information, please contact the following:**

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# **REDDITCH BOROUGH COUNCIL** **PLANNING COMMITTEE**



## **GUIDANCE ON PUBLIC SPEAKING**

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The process approved by the Council for public speaking at meetings of the Planning Committee is (subject to the discretion and control of the Chair) as summarised below:

in accordance with the running order detailed in this agenda and updated by the separate Update report:

- 1) Introduction of application by Chair
- 2) Officer presentation of the report (as originally printed; updated in the later Update Report; and updated orally by the Planning Officers at the meeting).
- 3) Public Speaking - in the following order:-
  - a) Objectors to speak on the application;
  - b) Supporters to speak on the application;
  - c) Ward Councillors
  - d) Applicant (or representative) to speak on the application.

Speakers will be called in the order they have notified their interest in speaking to the Democratic Services Team (by 12 noon on the day of the meeting) and invited to the table or lectern.

- Each individual speaker will have up to a maximum of 3 minutes to speak, subject to the discretion of the Chair. (Please press button on “conference unit” to activate microphone.)
  - Each group of supporters or objectors with a common interest will have up to a maximum of 10 minutes to speak, subject to the discretion of the Chair.
  - After each of a), b) and c) above, Members may put relevant questions to the speaker, for clarification. (Please remain at the table in case of questions.)
- 4) Members’ questions to the Officers and formal debate / determination.

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**Notes:**

1) It should be noted that, in coming to its decision, the Committee can only take into account planning issues, namely policies contained in the Borough of Redditch Local Plan No.3, the County Structure Plan (comprising the Development Plan) and other material considerations, which include Government Guidance and other relevant policies published since the adoption of the development plan and the “environmental factors” (in the broad sense) which affect the site.

2) Members of the public are now able to record all or part of this meeting either by making an audio recording, taking photographs, filming or making notes. The exception to this involves exempt / confidential information to be considered, when members of the public may be excluded from the meeting, the reason(s) for which will be defined in the Exclusion of the Public item on the Planning Committee Agenda.

An area of the Council Chamber has been set aside next to the Press for any members of the public who wish to do this. The Council asks that any recording of the meeting is done from this area to avoid disrupting the proceedings. Members of the public should now be aware that they may be filmed or recorded during the course of the meeting.

3) Once the formal meeting opens, members of the public are requested to remain within the Public Gallery and may only address Committee Members and Officers via the formal public speaking route.

4) Late circulation of additional papers is not advised and is subject to the Chair’s agreement. The submission of any significant new information might lead to a delay in reaching a decision. The deadline for papers to be received by Planning Officers is 4.00 p.m. on the Friday before the meeting.

5) Anyone wishing to address the Planning Committee on applications on this agenda must notify the Democratic Services Team on 01527 64252 Extn. 3266 before 12 noon on the day of the meeting.

**Further assistance:**

If you require any further assistance prior to the meeting, please contact the Democratic Services Officer (indicated on the inside front cover), Head of Legal, Equalities and Democratic Services, or Planning Officers, at the same address.

At the meeting, these Officers will normally be seated either side of the Chair.

The Chair’s place is at the front left-hand corner of the Committee table as viewed from the Public Gallery.



# PLANNING

## Committee

12<sup>th</sup> October 2016

7.00 pm

Council Chamber Town Hall

### Agenda

#### Membership:

Cllrs:	Andrew Fry (Chair)	Wanda King
	Nina Wood-Ford (Vice-Chair)	Gareth Prosser
	Roger Bennett	Yvonne Smith
	Michael Chalk	Jennifer Wheeler
	Matthew Dormer	

<b>1. Apologies</b>	To receive apologies for absence and details of any Councillor nominated to attend the meeting in place of a member of the Committee.
<b>2. Declarations of Interest</b>	To invite Councillors to declare any Disclosable Pecuniary Interests or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.
<b>3. Confirmation of Minutes</b> (Pages 1 - 6)	To confirm, as a correct record, the minutes of the meeting of the Planning Committee held on 10 <sup>th</sup> August 2016.  (Minutes attached)
<b>4. Update Reports</b>	To note Update Reports (if any) for the Planning Applications to be considered at the meeting (circulated prior to the commencement of the meeting)
<b>5. Application</b> <b>2016/118/OUT - Land on Green Lane, Green Lane, Studley, Redditch</b>  (Pages 7 - 34)  Ruth Bamford, Head of Planning and Regeneration	To consider a Hybrid Application for Outline Planning for Employment (5000 m2 of B1) with access details provided and all other matters reserved, and detailed Application for the erection of 131 new homes with associated access and associated works.  Applicant: Mr Andrew D'Auncey  (Report and Site Plan attached)  <b>(Greenlands Ward)</b>

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<p><b>6. Application 2016/133/FUI - Vauns Oaks, 13 Icknield Street, Church Hill, Redditch</b></p> <p>(Pages 35 - 46)</p> <p>Ruth Bamford, Head of Planning and Regeneration</p>	<p>To consider a Planning Application for the demolition of an existing bungalow and the erection of 4 number dwellings and the construction of 2 number new vehicular accesses to Icknield Street.</p> <p>Applicant: Mr Peter Yates</p> <p>(Report and Site Plan attached)</p> <p><b>(Abbey Ward)</b></p>
<p><b>7. Application 2016/225/FUL - Astwood Business Park, Astwood Lane, Asbwood Bank, Redditch B96 6HH</b></p> <p>(Pages 47 - 62)</p> <p>Ruth Bamford, Head of Planning and Regeneration</p>	<p>To consider a Planning Application for the construction of two new buildings: Building G to be used as Children's Play in association with Building F (Class D2) and Building H to have a flexible use for employment purposes in classes B1, B2 and B8 and a retrospective application for the removal of earth bunding, the formation of a hardstanding area for parking and the formation of a new surface water attenuation pond.</p> <p>Applicant: Mr J G Ranson</p> <p>(Report and Site Plan attached)</p> <p><b>(Astwood Bank &amp; Feckenham Ward)</b></p>
<p><b>8. Application 2016/253/FUL - 52 Cheswick Close, Winyates Green, Redditch B98 0QQ</b></p> <p>(Pages 63 - 70)</p> <p>Ruth Bamford, Head of Planning and Regeneration</p>	<p>To consider a Planning Application for the erection of a detached dwelling (with demolition of existing garage adjacent).</p> <p>Applicant: Mr Matthew Kelly</p> <p>(Report and Site Plan attached)</p> <p><b>(Winyates Ward)</b></p>

## 9. Exclusion of the Public

During the course of the meeting it may be necessary, in the opinion of the Chief Executive, to consider excluding the public from the meeting on the grounds that exempt information is likely to be divulged. It may be necessary, therefore, to move the following resolution:

**“that, under S.100 I of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, the public be excluded from the meeting for the following matter(s) on the grounds that it/they involve(s) the likely disclosure of exempt information as defined in the relevant paragraphs of Part 1 of Schedule 12 (A) of the said Act, as amended.**

These paragraphs are as follows:

subject to the “public interest” test, information relating to:

- Para 1 - any individual;
- Para 2 - the identity of any individual;
- Para 3 - financial or business affairs;
- Para 4 - labour relations matters;
- Para 5 - legal professional privilege;
- Para 6 - a notice, order or direction;
- Para 7 - the prevention, investigation or prosecution of crime;

may need to be considered as “exempt”.

## 10. Confidential Matters (if any)

To deal with any exceptional matters necessary to consider after the exclusion of the public (none notified to date.)







# Planning Committee

10<sup>th</sup> August 2016

## MINUTES

### Present:

Councillor Andrew Fry (Chair), Councillor Nina Wood-Ford (Vice-Chair) and Councillors Tom Baker-Price, Roger Bennett, David Bush, Brandon Clayton, Yvonne Smith and Pat Witherspoon

### Officers:

Ruth Bamford, Sarah Hazlewood, Steve Hawley (Worcestershire Highways Authority), Amar Hussain, Helena Plant and Sarah Willetts

### Democratic Services Officer:

Jan Smyth

## 19. APOLOGIES

Apologies for absence were received on behalf of Councillors Mike Chalk, Matthew Dormer, Gareth Prosser and Jennifer Wheeler.

Councillors Brandon Clayton, David Bush, Tom Baker-Price and Pat Witherspoon were confirmed as Councillors' Chalk, Dormer, Prosser and Wheeler's substitutes respectively.

## 20. DECLARATIONS OF INTEREST

Councillor David Bush declared an Other Disclosable Interest in Agenda Item 6 (Planning Application 2016/131/OUT – Land at Church Road, Webheath, Redditch) as detailed at Minute 24 below.

## 21. CONFIRMATION OF MINUTES

### RESOLVED that

the minutes of the meeting of the Committee held on 13<sup>th</sup> July 2016 be confirmed as a correct record and signed by the Chair.

.....  
Chair

**22. UPDATE REPORTS**

The published Update Reports for the various Planning Applications were noted.

**23. APPLICATION 2015/368/S73 - ASDA STORE, JINNAH ROAD, SMALLWOOD, REDDITCH B98 7ER**

Revision of Condition 7 of Planning Permission 2014/036/FUL to allow 0600 – 2200 opening hours Monday to Saturday with Sundays, Bank and Public Holiday hours of opening to remain the same

Applicant: Asda

The following people addressed the Committee under the Council's Public Speaking rules:

Ms Paula Harvey – objector  
County Councillor Graham Vickery – objector  
Councillor Greg Chance – Ward Member  
Mr Philip Bartram – for the Applicant

**RESOLVED that**

**a decision on the matter be deferred to allow for further discussions to take place with the Applicants in regard to issues raised during consideration of the application, including matters relating to signage lighting which Members considered were linked to the proposed revised opening hours.**

**24. APPLICATION 2016/131/OUT - LAND AT CHURCH ROAD, WEBHEATH, REDDITCH**

Outline Planning Application for up to 80 residential units

Applicant: Mr John Williams

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

Mr David Rose – objector  
Mr Andrew Warby – objector  
County Councillor Graham Vickery – objector  
Councillor David Bush – Ward Member  
Mr John Williams - Applicant

**RESOLVED that**

**having regard to the Development Plan and to all other material considerations, authority be delegated to the Head of Planning and Regeneration Services to GRANT Outline Planning Permission, subject to:**

- 1) The satisfactory completion of a Section 106 Planning Obligation ensuring:
  - provision of affordable housing on site
  - a financial contribution for mitigating the impact of the development on the highway network
  - a financial contribution for the provision of enhancements to the Town Centre;
  - a financial contribution for the provision of waste management;
  - a financial contribution for open space provision;
  - a financial contribution for playing pitch provision;
  - a financial contribution for children's play provision;
  - a financial contribution towards education facilities;**
- 2) the receipt of a satisfactory reptile survey confirming the presence / absence of reptiles on the site and to attach recommended conditions relating to protected species throughout the site; and**
- 3) the Conditions and Informatives as detailed on pages 27 to 33 of the main agenda report.**

(In terms of Resolution 2 above, Members noted the latest results to date in relation to the reptile survey being undertaken, as detailed in the published Update Report, copies of which were provided to Committee Members and the public gallery prior to commencement of the meeting.)

(Prior to consideration of this item, Councillor David Bush declared an Other Disclosable interest in that he would be withdrawing to the Public Gallery to address the Committee as Ward Member under the Council's public speaking rules, following the conclusion of which, he would be withdrawing from the meeting for the Committee's debate. Councillor Bush was therefore not present nor participated in the Committee's discussion on the matter.)

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**25. APPLICATION 2016/133/FUL - VAUNS OAKS, 13 ICKNIELD STREET, CHURCH HILL, REDDITCH B98 9AD**

Demolition of existing bungalow and the erection of 4 no. dwellings and construction of 2 no. new vehicular accesses to Icknield Street

Applicant: Mr Peter Yates

For the reasons detailed in the published Update Report, copies of which were provided to Committee Members and the public gallery prior to commencement of the meeting, this item of business had been withdrawn from the Agenda by Officers and was not discussed.

**26. CONSULTATION ON A PLANNING APPLICATION 2016/230/CPO (COUNTY MATTER) - LAND OFF COOKRIDGE CLOSE, BROCKHILL, REDDITCH**

The Committee considered a consultation report which set out proposals by the County Council for the development of a new 2 form entry First School on land off Cookridge Close, Brockhill, Redditch. The proposed development will replace the former Holyoakes Field First School currently located in Bridge Street. The proposal has been submitted to the County Council's Planning Committee for determination.

The views of the Committee on the proposed development were sought for submission to Worcestershire County Council's Planning Committee for their consideration in the determining of the Planning Application.

Officers highlighted the additional information set out in the published Update Report, copies of which were provided to Committee Members and the public gallery prior to commencement of the meeting. Further clarification was also provided on various matters, primarily relating to: the school's proposed location; its design and appearance; open space provision; BREEAM standards; drainage matters; and proposals for dropping off / picking up children and staff car parking.

**RESOLVED that the following matters be included in the Officer's consultation response report on the proposed development:**

"Worcestershire County Council give due regard to the following views of Redditch Borough Council's Planning Committee when considering the application:

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- a) the Committee considered the location, design and appearance of the proposed development to be acceptable;
- b) the Committee considered that the proposed development should be capable of expansion to facilitate potential future increases in intake to meet the demand of the area's housing growth; and
- c) the Committee considered that the County Council's proposals should include parent dropping off/picking up facilities to mitigate against likely traffic issues in the surrounding residential areas at peak times.

The Meeting commenced at 7.00 pm  
and closed at 9.20 pm

.....  
CHAIR



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**Planning Application 2016/118/OUT**

**Hybrid application - Outline planning for employment (5000 m2 of B1) with access details provided and all other matters reserved and detailed application for the erection of 131 new homes with associated access and associated works.**

**Land On Green Lane, Green Lane, Studley, Redditch**

**Applicant: Mr Andrew D'Auncey  
Ward: GREENLANDS**

**(Site Plan attached)**

The author of this report is Sarah Willetts, Planning Officer (DM), who can be contacted on Tel: 01527 881607 Email: Sarah.willetts@bromsgroveandredditch.gov.uk for more information.

**Site Description**

The proposed site extends to an area of 7 hectares is formed of three fields laying due south of the Alexandra Hospital in Redditch. The land is mainly undeveloped excluding a small parcel of land for a single residential property (White Cottage) accessed from Green Lane which defines the boundary to south. The site is defined by a substantial tree buffer to the south. There are two more defined open areas separated by a hedgerow running north to south. The land here mainly slopes west to east with the eastern side being more gently sloping than the western side where the sloping ground is more marked where it follows the course of the dismantled railway line forming the western boundary.

The site is located within an area identified for mixed commercial and residential use and the site shares the Borough boundary with the Studley area, Warwickshire

**Relevant Policies:****Others:**

NPPF National Planning Policy Framework  
NPPG National Planning Practice Guidance

**Borough of Redditch Local Plan No.3:**

CS01 Prudent Use of Natural Resources  
CS02 Care for the Environment  
CS06 Implementation of Development

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CS08 Landscape Character  
H01 Alexandra Hospital  
S01 Designing Out Crime  
BBE13 Qualities of Good Design  
BBE19 Green Architecture  
BBE28 Waste Management  
BBE29 Construction Waste  
BNE01A Trees, Woodland and Hedgerows  
BNE03 Wildlife Corridors  
BNE10 Sites of National Wildlife Importance  
CT12 Parking Standards

**Emerging Borough of Redditch Local Plan No.4**

Policy 1 Presumption in favour of sustainable development  
Policy 2 Settlement Hierarchy  
Policy 2 Development Strategy  
Policy 4 Housing Provision  
Policy 5 Effective and Efficient use of Land  
Policy 6 Affordable Housing

Policy 11 Green Infrastructure  
Policy 12 Open Space Provision  
Policy 13 Primarily Open Space  
Policy 15 Climate Change  
Policy 16 Natural Environment  
Policy 17 Flood Risk Management  
Policy 18 Sustainable Water Management  
Policy 19 Sustainable Travel and Accessibility  
Policy 20 Transport Requirements for new development  
Policy 22 Road Hierarchy  
Policy 23 Employment Land Provision  
Policy 25 Development outside of Primarily Employment Areas  
Policy 26 Office Development  
Policy 39 Built Environment  
Policy 40 High Quality Design and Safer Communities  
Policy 47 land to the rear of the Alexandra Hospital

**Relevant Planning History**

None Relevant



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**Consultations****Arboricultural Officer**

No objection subject to conditions regarding the protection and care in the long term of the trees to be retained. This is with particular regard to the trees located in the area at the south of the site which are protected by a TPO

**Parks and Green Space Development Officer**

No objections subject to conditions

**Development Plans**

No objections

**North Worcestershire Economic Development and Regeneration**

Note this is a hybrid application and employment area is in outline form. The principle of development is assisted by the creation of the new access and will create more flexibility through interested parties to fulfil requirements and design although it is noted that this element would be viewed as more challenging than the remaining parcel of land.

This will help ensure that sufficient land is allocated to employment and that there continues to be an adequate supply to meet demand.

**Environment Agency**

No Comments Received To Date

**Education Authority**

The County Council have no objections to the proposal based on the size of the development. Any associated impact of the development should be appropriately mitigated for and any deficit for education provision should be secured by appropriate means

**Contaminated Land- Worcestershire Regulatory Services**

No objections in terms of Air Quality subject to conditions for air quality and electric charging points

**North Worcestershire Water Management**

No objections

**Housing Strategy**

No objections to the scheme as outlined, subject to the provision of affordable units as outlined and secured through appropriate means.

**Highways**

Subject to the provision of the applicant entering into a S278 and S106 agreement for local and wider highway improvement schemes, there is no objection to the scheme

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subject to the imposition of suitably worded conditions to ensure visibility splays, parking standards and highways notes as required

**Landscape & Countryside Manager**

Regarding the slow worm translocation, this has now been completed and there is no other comment to be added.

The Council is seeking mitigation for the loss of grassland from this application to be recreated at agreed sites as identified by the ecologist acting on behalf of the developer. The agreed site for this is to the south of Bordesley and Morton Stanley Park which will need to be a 25 year programme that is similar to the slow worms under a Section 106. The Council is also seeking a mitigation for loss of hedgerows within the application site by way of proposed restoration of hedges/ hedge laying at the Bordesley and Spiders Web sites within Arrow Valley Country Park along with the provision of new field gates and kissing gates.

**Leisure Services Manager**

Location of play equipment considered to be acceptable as there is a degree of surveillance over this space, full details requested by condition and provision to be met as part of S106 to meet any deficit

**Natural England**

No comments to make: Natural England has assessed this application using the Impact Risk Zones data (IRZs) and is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which Rough Hill and Wirehill Woods SSSI has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application. Should the details of this application change, Natural England draws your attention to Section 28(I) of the Wildlife and Countryside Act 1981 (as amended), requiring your authority to re-consult Natural England..

**NHS (England)**

No Comments Received To Date

**Crime Risk Manager**

No comments received

**Public Rights Of Way**

No Comments Received To Date

**Severn Trent Water Ltd**

No comments received

**Waste Management**

No Comments Received To Date

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**Worcestershire Wildlife Trust**

No Comments Received To Date

**Fire Officer**

No comments to make on this application. Consultations will take place under building regs full plans submission

**Stratford on Avon District Council**

No Comments Received To Date

**Proposal Description**

There are two distinct elements to this proposal:

1. Commercial (outline)
2. Residential. (detailed)

1. The commercial element of the submission is in the form of an outline application including just access details for commercial development. Matters of appearance, landscaping, layout and scale are reserved for future consideration, and therefore only the principle of the use and the access details provided are to be considered here. The approximate location of the units is shown on the layout plan, as a result of the access details being provided.

The proposal is for B1 office/business uses (5000m<sup>2</sup>) are proposed to be located to the western side of the site. The main access road into the site would lie to the north of these units with a new 'T' junction providing access to these units to the south. Plans show how the buildings might be arranged with car parking around them to accommodate these uses. However Members will appreciate that these details are indicative only at this stage and can only provide an idea of what the resulting development may look like.

- 2) The second element is the full detailed application for 131 dwellings which would be accessed from the same access from Nine Days Lane. Changes are proposed in terms of the road layout in Nine Days Lane in order to provide the vehicular route into the site. This will involve road alignments and changes to priority. These measures will effectively be provided by a S278 agreements (agreed and determined by the Highways Authority) but to be read alongside this planning application. Other elements to this relate to the emergency vehicles access and the footpath extension along Green Lane.

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One primary route is proposed through the development with junctions off serving secondary roads and private drives within the development. The housing scheme is self contained, (ie there is no public route through the development onto Green Lane). The majority of the layout is a traditional perimeter block arrangement with parking provided with each plot rather than in separate /rear parking courts designed with natural surveillance in mind.

Pedestrian pavements within the site follow the traditional road layout along with further leisure routes running through and round the open space provision within the development.

The site also provides for open space/play space along with SuDS' drainage which has been provided via a storage/attenuation pool to manage surface water run off towards the south eastern side of the site located to accommodate the natural falls of the land

The dwellings would be a mix of units as follows:

Size of units	Private	Social		
1 bed	0	6		
2 bed	27	19		
3 bed	39	14		
4 bed	26	0		
Totals	92	39	TOTAL	131

The dwellings proposed are modern with a traditional design detail running through with a mixture of brick detailing, eaves dentil courses and projecting bay windows helping to add interest a variety to all the different house types in the development.

The application is supported by:

- Design & access statement,
- Statement of community involvement,
- Transport assessment including travel plan,
- Flood risk assessment,
- Noise assessment,
- Landscape and visual appraisal,
- Ecological appraisal
- Tree assessment
- Planning statement containing details of the Phase I and Phase II Contaminated land studies

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**Public Consultation Response**

Public Consultation

Site notice Posted 20.5.16

Press notice Published 20.5.16

26 Detailed responses and objections (including two local Councillors in Studley/Warwickshire) and filmed bat video (taken in Green Lane) received regarding the scheme concerning the following issues:

Traffic - Associated Impact on Nine Days Lane.

- This road is often congested and cannot cope with the additional especially given the on road parking from hospital visitor alike.
- High levels of traffic on Woodrow Drive as it serves two estates high school and hospital, especially at peak times. Road junction will be problematic and roads back up in the local area backing up to McDonald's and Washford Mill. Road is already artificially narrowed by on street parking which is unrestricted either side of the road as people avoid paying the pay and display car park for the hospital. The development will increase the amount of traffic using this road and there are highway safety concerns.
- Noted traffic survey was taken at time of year when pupils were on exam leave thus leading to findings being inaccurate.
- Part of road is steep and is particularly dangerous in the winter months despite the area being a priority for gritting.
- Question why access is not made from Green lane when this was put forward by the developer and then chose to return to other entrance.
- Will affect the junction to Nine Days Lane and the wider highway network.
- Concerns about any potential access along Green lane. This is a country lane which is used as a cut through and any new access and the development will cause an increase/ or a potential increase in the traffic. Most of Green Lane is a rural road/lane with no pavement which coupled with an increase in traffic is dangerous to all road users alike.
- Junction access and width appears inadequate to obtain access to the development for all traffic. Safety concerns regarding emergency access requirements. Unclear how and who will manage the bollard to stop general access to the site.

Local Services

- The increased pressure on local schools and facilities like doctors services has not been properly considered. Pressure on local rural villages and residents of local estate and residents along Green Lane.

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- Concerns over new access and impact on neighbouring estate at Wirehill especially given the above concerns

## Ecology

- Impact on wildlife on site. There are numerous birds and mammals using the site. Deers have been seen using the site as the land has not been actively used. Bats are using the tree line for foraging and there may be associated roosts in or around the site. Bats are a common feature along Green lane especially in the early evening.
- Land is habitat for slow worms which can be seen on the site. Development would directly impact on these species reducing and removing their natural environment so the species could be lost which is unacceptable.
- Development will adversely affect the wildlife (other mammals, birds and bats) on this site and this will be a loss to the local habitat and wider environs.

## Impact on trees

- Trees will be lost to the development which is considered unacceptable. Concerns that pressure would be increased to remove still more trees and open the development up to wider view. Loss of this important treed area is not acceptable as it provides a useful buffer between the two districts, an important screen and important wildlife corridor.

## Flooding

- The land here naturally slopes and water will follow the easiest route. The land is presently waterlogged even within the tree buffer area. There have been some recorded and catastrophic surface water floods in the area especially across Green Lane. The sloping land means the water runs naturally off this land and when it hits the road it just spills over into houses. The proposed development would make this situation worse and it is not considered that the proposals (retention pond and improvements to current drainage ditch) address this situation in a satisfactory manner which would overcome the concerns over flooding to the residents in the local area for a development in a different District/County.

## Impacts on neighbouring village of Studley

- The local village facilities are already at breaking point and the development would inevitably put increased and unacceptable pressure on this small settlement to the detriment of local residents. The increase on the local highway network would also become unacceptable given the level of trips generated by the development along this rural road with no pavement. The road is already used as a cut through (at Speed) and this development will make the situation worse. Adverse impacts on the residents of Green Lane.

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## Overlooking and Loss of Amenity

- Proposed proximity of the industrial units and their related size would cause overlooking to local residents in Wirehill. Concerns about noise impact of the development on properties in the area and the associated level of activity in an area which was once undeveloped.
- 3 storey offices will be an eyesore
- Concerns about overlooking from the development to the properties in Green lane and the associated loss of amenity.

## Other Issues

- Impact of the development on the value of homes in the local area.
- Over-intensive development . Why chose this Greenbelt when other brownfield sites in the town are available.
- Unused office space in the town so why develop more? It will compromise this residential area with more commercial space.
- More people increase pressure on amenities and leisure opportunities. Money will be taken out of the town to find these facilities.
- Concerns that this will have implications for the Alexandra hospital in the future.
- Concerned about the limited consultation with the residents in the area especially the residents in Wirehill. Original consultation took place by the developer this covered the whole of the estate but this has not continued and information has not been forthcoming. Tick box exercise when most people objected but the development still goes ahead in this format.
- Limited consultation by the Council did not cover the same number of dwellings the developer did when residents of Wirehill are the most affected.
- Advertising of the planning application is poor limited to small signs on footpath. None were placed within the Wirehill estate or on local post boxes only found out about it by walking past.
- Notices and time to comments were advertised over bank holiday when people are away.

## Further comments received in regard to S278 details and plans:

- Do not consider that the changes proposed would alleviate traffic concerns.
- Conflicts of pedestrian and vehicular traffic
- Concerned about the proposals with regard to the priority changes to junction. Road safety implications and concerns with no audit of this provided.

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**Assessment of Proposal**Residential proposalPrinciple

The residential element of the proposal is located within an area designated within Local Plan 3 and Emerging Plan 4 for potential employment and residential development to meet local needs beyond 2011 (Site 210 - Appendix 2 Local Plan 4). The Emerging Plan identifies this site and other land around it as a sustainable location for mixed use development including residential, to meet local needs and thus considers it a strategic site.

It also identifies a local housing need. The residential development potential of this site contributes towards the Council's five year land supply. Therefore, it is considered that the principle of the development of this site for residential purposes accords with both the current and the emerging local policy framework and consideration of the details follows.

Linked Issues

The policy framework and SPD 'Land to the Rear of the Alexandra Hospital Development Brief was adopted on 17.9.07 identified the need for the B1 units within the plan period 2006-2011 on site IN69 as part of the wider site

The objectives to provide a parcel of land suitable of B1 development that is fully ??and results in a high quality designed scheme that will have no adverse impacts on neighbouring properties or the activities of the neighbouring hospital. The site is accessible and can be seen as enabling the potential employment uses to come forward.

The regulations require a time limit for commencement of development to be attached to a planning consent, and also, where reserved matters are involved, that a time limit for the submission of further details be attached. In this case, two linked conditions are recommended, to cover the full residential element of the proposal and also the outline B1 elements, such that the residential should commence within the usual three years from granting of consent, and that the B1 element cannot commence until the relevant outstanding reserved matters have been granted and that these should be submitted within three years of the consent being granted and implemented within five years. This reflects the usual standard conditions, but combines them appropriately for the nature of this application.

Affordable Housing

The emerging policy seeks 30% of the housing to be provided as affordable housing to meet the Borough's needs. 39 units are proposed for this purpose as set out in the table above and meet this 30% requirement. These affordable units have been spread throughout the site, the majority of which are 2 and 3 bed units and as such meet the policy requirements set out in the saved and emerging local plans.



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Open space, play and recreation

The proposed development provides for amenity/open space and play space for toddler and junior provision and would be sufficient to serve the residents of the development proposed especially to meet the demand of younger people which may be moving to the development. Given the provision is made on site there is no requirement to provide additional facilities off site for the younger children.

Provision for older (teenage) children may be adequately accommodated off site (Arrow Valley). This will ensure that the development as proposed complies with the policies set out in the SPD and the identified need. It is recommended that a clause be included to provide for improvements to teen provision at a suitable local site and met through a suitable legal mechanism.

It is likely that playing pitches would also be provided for in the vicinity of the current application site (Arrow Valley) as the demand for them would rise to a sufficient level that their provision would be required. It is recommended that a clause be included in the planning obligation to seek a contribution towards playing pitch provision in the vicinity rather than provide any on site, if future development does not occur within a specified period, in order that no long term deficiency of provision occurs in relation to occupiers of this site.

Design and layout

The layout of the development has been considered in direct response to the natural topography and site features/constraints in mind. In this case there is strong retained planted area on the south of the development formed of mature trees and which helps soften the development along Green Lane to the residential development along this lane. The western boundary retains a tree line along the disused railway line to the houses on the opposite side and open areas are proposed within the development that stretch from North to South. This area also incorporates a play area. A proposed attenuation pond is located to the south eastern side of the development. This leaves a larger clear developable area across the centre of the site

Access to the site is proposed from Nine Days Lane. The housing will form a traditional pattern of roadway and pavements to either side of perimeter blocks most with their own private amenity spaces to the rear creating natural surveillance and with on plot parking which helps provide a safe and secure environment for further surveillance compliant with your adopted policies. These perimeter blocks will be formed from a mix of house types and design layout. Some plots have a distinct 'I' shape design, these designed corner plots help add interest and help form a positive corner layout.

The design and appearance of the proposed dwellings is a mixture of traditional detailing with a modern execution in a mixture of complementary styles. It is considered that the overall character and appearance of the proposed residential development would be appropriate and acceptable to the surrounding development in the area.

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There are no concerns regarding overlooking, loss of light, privacy etc. between the proposed dwellings due to their design, orientation and levels. Like all new development perspective occupiers will be 'buying into' this layout .

Members will note that there are also no adverse issues to the existing residents of 'Wirehill' or to the properties in Green lane given the landscape topography, landscape and adequate distance which ensures no direct overlooking.

The design and location of development is such that it would be unlikely to result in any noise, light or air pollution and there have been no objections on these grounds from Environmental Health Officers when commenting on the proposals with regard to the adjacent hospital incinerator, subject to the imposition of suitably worded conditions in association with air quality.

**Highways, parking and access**

It is acknowledged that there is significant public concern regarding the development with regard to the highways network and highway safety. Concern is based on

- \* The amount of traffic expected to be on the highways network from the development
- \* The suitability of the Nine Days Lane for the access
- \* the local and wider impacts of the development on the highway network and associated pedestrian and other road users safety.

The application has been subject to a full assessment. This assessment has covered aspects of traffic numbers, flows and projections at different peak usage. It also covers the requirements to access the site and the associated impacts on not just the local highways network but a much wider remit to main routes.

Nine Days Lane provides the primary route into the Wirehill estate and the road, whilst wide, is constricted by on street parking primarily due to hospital parking thus reducing the available carriageway and access around the tight corner in the road. Local residents are particularly concerned about the amount of vehicles using the road and the associated congestion if the proposal were approved as the road situation causes congestion now.

The NPPF encourages assessments of proposals and the test of the impact of an associated development in by a local and wider remit. The assessment provided has acknowledged and identified that whilst trip generation would significantly increase and would impact on the immediate road network the impact on the road network was not considered to be severe and Highways are satisfied that these may be adequately mitigated for locally and in the wider highway network.

The assessment results identify the need to remodel local junctions and further studies to ensure that the local and wider highway network could accommodate the development as

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proposed and this may be adequately mitigated through suitably worded conditions and a clause be included in any S106 to provide for improvements on the highway network at a required local and wider areas. The development locally is also subject to highways changes to Nine Days lane for changing priority of the junction through details in the S278 which have been duly noted and are subject to separate highways approvals.

Your Highways Engineers have thoroughly assessed the submission as proposed and are satisfied that whilst there would be 'impacts' potentially caused by the development going ahead these may be suitably mitigated for both the local and wider highway network. They are satisfied that subject to the imposition of suitable conditions and the applicant entering into highways agreements (S278) and a S106 for off-site highways improvements the development is considered acceptable.

**Landscaping and trees**

There is a strong mature/semi mature tree buffer to the south and west and open grassland across the site currently. Hedgerows form the existing field boundaries, and the mature trees, especially to the south, are protected by preservation orders (TPO). These trees are proposed to be retained in the form and layout of the proposed new development helping to maintain the strong landscape identity and an effective softened southern boundary of the site with Green lane, along with a retained and new western boundary with the disused railway line.

The landscape assessments/survey of the site show the retained tree areas and proposed new areas of landscape opportunities. It is acknowledged that there will be a loss of the open grassland of the site as the area across the centre of the site is the location of the new development. Whilst it is unfortunate, it is the most logical area given the need to retain most of the mature tree screening and main hedge boundary feature. However, mitigation measures include additional boundary and plot landscaping along with landscape proposals for and around the pond area. The proposed landscaping would help maintain a softened appearance to the development and increase opportunities for biodiversity especially as the scheme matures.

It is considered that the proposals are considered to be acceptable in this regard. A leisure link pedestrian route is proposed as part of the scheme, effectively creating a leisure route around the site and around the retained landscape area and attenuation pond. It is also intended that a separate management plan for improvement and management of the grassland area in Bordesley and Spiders Meadow will offset any loss of the grassland in this instance in accordance with your Policy B (NE)1 of the Redditch Borough plan 3.

**Ecology and Landscape**

The NPPF requires the planning systems to recognise and protect the natural and local environment. In this case this proposal has been subject to a number of detailed appraisals. This is embodied into policy B (NE) 3 of the Redditch Borough Plan 3

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Separate surveys have been submitted in relation to protected species. It is noted that a number of detailed concerns have been raised with regard to the presence of protected species and other animals and loss of habitat on site, these comments include reference to slow worms, deer, birds and bats.

The surveys provided have highlighted a number of species present on the site which would require protection measures/compensatory measures to be in place to ensure that no undue harm will occur. This includes Slowworms, Newts and Bats.

These mitigation measures have included a detailed appraisal of slow worms being found on the site. It is clear in standing advice provided by Natural England that if a protected species may not be adequately retained and mitigated for on site then suitable off site provision will be required.

In this case slow worms are afforded special protection in line with the standing advice from Natural England. The colony could not be adequately mitigated for on site given the type of environment and amount of worms affected so in this particular instance they have been provided with an alternative comparable habitat (hibernacula) and have been moved to a new location. Members will appreciate that, to ensure their proper protection this species have been subject to a separate agreement for their relocation and protection and further measures are recommended via conditions and elements of the S106 to secure their future and management in their new improved surroundings.

Comments have also been received in regard to bats on the site. The proposal includes a detailed bat survey. The results indicate that there was some potential for roosts, these within the treed area to the south. This area is proposed to be retained thus ensuring no direct adverse impacts from the development on any colony present. Flight paths also remain unaltered by the development. The report recommends mitigation measures to ensure bats can remain in the location and conditions proposed will ensure this takes place.

No evidence of newts were found on the site however is envisaged that the new attenuation pool provides an ideal wet land environment to encourage a wider and more diverse range of species and may be adequately controlled by the imposition of suitably worded conditions.

It is considered that the proposal would and can adequately mitigated for slow worms off site and to adequately retain other species on site, along with increasing wet land opportunities around the pond, thus helping to encourage biodiversity within the new development in compliance with your adopted policies and the guidance in the NPPF.  
Flooding

The site is not recognised for its potential for flooding. However a number of comments have been received with regard to standing water on the site. The natural slope of the land means that surface water will tend to head south and east. It is understood that this

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has created issues for homes in this vicinity and homes on the opposite side of Green Lane during large rainfall events.

The application has been supported by a flood risk/drainage assessment. Improvements are proposed in terms of the drainage channels adjacent to the road and the scheme has also proposed an attenuation pond to store/accommodate extra water from the site before it gets towards the drainage channels and road.

Drainage engineers have assessed the scheme and are satisfied that subject to conditions that the SuDS Pool and drainage channel alterations will ensure that regular flooding events would not occur.

**Sustainability**

Due to the increasing standards demanded through the Building Control regulations separate from the planning process, it is anticipated that this development would be implemented to a highly sustainable standard, if consent is granted.

The supporting information indicates that in most areas the proposal is to a good standard of sustainability and that every dwelling would have features such as water butts, compost bins, secure cycle storage and electric charging points which may be secured by conditions.

Building regulations will further require sustainability features to be integrated into the buildings, so the matter needs no further consideration here.

**Impact on local Services**

Comments have been received with regard to the impact on local services in both Districts. Based on the proposal as it currently stands whilst it is appreciated that there would be a difference to both Redditch and neighbouring Studley, it is not considered that the development would have such an effect to warrant a refusal based on these grounds alone. Members will note that the applicant has agreed to enter into an agreement to provide for contribution towards improvements for local education facilities in the Borough where there is an identified deficit recommended by the Education Authority.

**Planning Obligations**

The size of the proposed development is above the policy threshold for requiring contributions which should be sought via a planning obligation: These include:-

1. Highways matters as agreed with the County Highways Authority including:-  
S278 and S38 agreements for improvements to the local highway network.

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2. A contribution for highways improvements off site to the local and highway networks as agreed in a raft of measures identifies by the highways Authority. This will also include selected Traffic Regulation Orders
3. A contribution towards County education facilities would normally be required in relation to the private market housing proposed
4. An off-site contribution towards playing pitches, play areas and open space in the area due to the increased demand/requirement from future residents is required in compliance with the SPG over and above the areas provided on site.
5. The proposal would also require that 30% of the dwellings be provided as affordable units for social housing in line with SPD policy and their retention for this purpose in perpetuity. In this instance 39 affordable units retained as such in perpetuity (insofar as Right to Buy or Acquire legislation permits)
6. A contribution towards the provision of wheelie bins for each dwelling on the Development.
7. Town centre strategy contributions.
8. Phased long term management plan of the protected species in their new habitat and monitoring of the species population
9. Mitigation for the loss and reinstatement/restoration of hedgerows off site and the longer term (25 year) management of the Bordesley and Spiders Meadow Grassland habitat.
10. Marketing Strategy for the employment area

An agreement has been drafted with input from the applicant's and the Council's solicitor on this basis.

For all these reasons, the residential element of the proposal is considered to be acceptable.

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**Outline Business/Employment Proposal**Principle

The policy framework and SPD 'Land to the Rear of the Alexandra Hospital Development Brief was adopted on 17.9.07 identified the need for the B1 units within the plan period 2006-2011 on site IN69. This is also embodied in the Emerging Local Plan 4.

The objectives to provide a parcel of land suitable of B1 development that is fully and results in a high quality designed scheme that will have no adverse impacts on neighbouring properties or the activities of the neighbouring hospital.

The site is accessible and can be seen as enabling the potential employment uses to come forward. Members will note two linked conditions are recommended, to cover the full residential element of the proposal and also the outline B1 elements, such that the residential should commence within the usual three years from granting of consent, and that the B1 element cannot commence until the relevant outstanding reserved matters have been granted and that these should be submitted within three years of the consent being granted and implemented within five years. This reflects the usual standard conditions, but combines them appropriately for the nature of this application.

Highways

There are no concerns raised by the Highways Officer, subject to the imposition of suitably worded conditions in relation to the access road and the access point and therefore there are no concerns raised regarding access and safety. Matters of pedestrian/cycle access and parking requirements would be dealt with under the detailed layout provided in a future application and so are not of concern here. The adjacent highway is of a suitable standard that it could support a future bus service which might assist in accessing the site sustainably, however bus service provision is not a matter that can be controlled through the planning arena.

Design of the Development

Comments have been received with regard to the design of the development however as noted above the development is subject to any design considerations at a later stage and any indicative designs should be treated as such.

Other matters

Matters of scale, appearance, layout and landscaping are reserved for a future application where such details would be provided and considered under the policy framework at that time.

Members will note that there are marketing obligation requirements directly related to the business element of the proposal and this area is subject to appropriate marketing strategies embodied into a S106.

Conclusion

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In consideration of all the above matters the proposal meets the NPPF challenges to provide development that is sustainable and that the development meets the economic, social and environmental role in compliance with the relevant local and Framework principles and in detail and would be unlikely to cause harm to interests of amenity or safety, providing conditions and appropriate legal mechanisms are imposed .

**RECOMMENDATION:**

**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 satisfactory completion of a S106 planning obligation ensuring:**
- Highways matters as agreed with the County Highways Authority through S278 and S38 agreements through on site changes to and improvements on the junction with Nine Days lane and Green Lane
  - A contribution towards education provision
  - Arrangements for the provision and maintenance of the on-site open space provided and maintained by the developer
  - Mechanisms towards off-site playing pitch provision
  - 39 residential units to be provided as affordable housing and retained as such in perpetuity (insofar as Right to Buy or Acquire legislation permits)
  - A contribution towards the provision of wheelie bins for each dwelling on the development
  - Replacement of hedgerows and grassland management/improvement of Spiders Meadow and Bordesley and long term management programme
  - Town centre strategy contribution; and
- b) **The conditions and informatives summarised below:**

**Conditions**

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the grant of this permission.

Reason :- In accordance with the requirements of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2) Development on any part of the site shall not commence until all reserved matters or full permission have been granted approval for that part of the site, as applicable.

- b) Application for approval of matters reserved in this permission shall



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be made to the Local Planning Authority in respect of each element of B1 uses of the development as agreed with the Local Planning Authority not later than 3 years from the date of this permission.

c) The development hereby permitted shall begin not later than 2 years from the date of approval of the last of the reserved matters to be approved.

d) The matters reserved for subsequent approval include the following:-  
Layout, scale, appearance and landscaping for the B1 uses of the site

Reason:- In accordance with the requirements of Section 92 (2) of the Town and Country Planning Act 1990 (as amended).

- 3) Prior to the commencement of residential development details of the form, colour and finish of the materials to be used externally on the walls and roofs of the dwellings and garages and details of the proposed boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: To ensure that the development is satisfactory in appearance, to safeguard the visual amenities of the area and in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3.

- 4) Prior to the commencement of the residential and commercial element of the development, details of measures to enhance biodiversity across the site, (based on the Biodiversity Outline Plan) and or amendments, shall be submitted to and approved in writing by the Local Planning Authority.

Where reserved matters are required, these details should be included within any landscaping reserved matters application. The development shall be implemented by the Management Company in accordance with the approved details within the Biodiversity Management Plan as set in the proposals. These details shall be subject to review, amendment and monitoring by the Management Company through the developer and shall be retained as such.

Reason: In the interests of sustainability and biodiversity and in accordance with Policies CS2, B(NE)1a and B(NE)3 of the Borough of Redditch Local Plan No.3.

- 5) Details of the method of construction and surfacing materials to be used within the Root Protection Areas (RPAs) as shown on plan 6507- A- 03 D of trees shall be submitted to and approved in writing by the Local Planning Authority. The works shall then proceed in accordance with the approved details.

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Reason: In the interests of the longevity of the trees, the construction method and surface materials need to be appropriate.

- 6) No part of the development hereby approved shall be occupied or brought into use until full details of a landscape management plan, to include long term design objectives, management responsibilities and maintenance schedules for all landscape areas (other than small, privately owned domestic gardens) and Nature Conservation proposals, has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall cover a period of at least ten years from the commencement of occupation of the development and the approved plan shall be fully implemented and all landscaping to which the plan relates shall continue to be maintained unless otherwise agreed in writing by the Local Planning Authority.

Reason:- To secure the effective and ongoing maintenance and management of landscape areas in the interests of visual amenity and community safety and in accordance with Policy CS.8 of the Borough of Redditch Local Plan No.3.

- 7) No part of the residential or commercial development hereby permitted shall not be first occupied until the highway improvements/offsite works/site access comprising:-
1. the proposed site access to include the change of priority junction on Nine days Lane, the site access gateway feature, the footpath/cycleway crossing of the site access and the access junction to the commercial area all as generally indicated on drawing 14070 113 revision C,
  2. the footpath/cycleway/emergency access between the western end of the site and Green Lane as generally indicated on drawing 14070 S278-2,
  3. the footpath/cycleway access between the eastern end of the site and Green Lane to include a new section of footway on the north side of Green Lane to connect the access with the existing footway to the east as generally indicated on drawing 14070 S278-1,
  4. the proposed parking scheme on Nine Days Lane as generally indicated on drawing T15006 104 revision B, and
  5. lighting of the existing footway/cycleway (Footpath 47) between the site and Woodrow Drive have been constructed and completed.

Reason: To ensure the safe and free flow of traffic onto the highway.

- 8) No part of the residential or commercial development hereby approved shall begin until a Construction Management Plan to include details of:
- a. Parking for site operatives and visitors

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- b. Area for site operatives' facilities
- c. Parking and turning for delivery vehicles
- d. Areas for the storage of plant and materials
- e. Wheel washing equipment
- f. Boundary hoarding (set clear of any visibility splays) has been submitted to, and approved in writing by, the Local Planning Authority. Only the approved plan shall be implemented throughout the construction period.

Reason: To ensure the provision of adequate on-site facilities and in the interests of highway safety and To prevent indiscriminate parking in accordance with the NPPF and Policy CS6 of the Borough of Redditch Local Plan No.3.

- 9) The development hereby permitted shall not be brought into use until the accesses, turning areas and parking facilities for the residential element of the application shown on the approved plan have been provided. These areas shall thereafter be retained and kept available for those users at all times.

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

- 10) Prior to the occupation of the residential development a marketing strategy for the B1 development land shall be submitted and approved in writing by the Local Planning Authority. Marketing shall be carried out in accordance with the approved strategy.

Reason: To encourage the provision of B class accommodation in the town on a designated site in accordance with Policy E(EMP)6 of the Borough of Redditch Local Plan No.3 and the NPPF.

- 11) The development hereby permitted shall not be brought into use until the applicant has submitted to, and have approved in writing by, the Local Planning Authority an Employment Travel Plan for the commercial element of the application that promotes sustainable forms of access to the site. In order to reduce car travel and increase travel by more sustainable transport modes the Plan shall specify targets for mode share shifts to be achieved within 5 years of the first occupation of the site. The Plan shall be implemented and monitored in accordance with its terms. In the event of failing to meet these targets at the end of the 5 year period, a revised Plan shall be submitted to and be approved in writing by the Local Planning Authority to address any shortfalls, and where necessary make provision for and promote improved sustainable forms of access to the site. The Plan thereafter shall be implemented and updated in agreement with the Local Planning Authority.

Reason: To reduce vehicle movements and promote sustainable access.

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12) Unless otherwise agreed by the Local Planning Authority development, other than that required to be carried out as part of an approved scheme of remediation as outlined in the Phase I survey (URS) dated March 2013 and Phase II survey (GRM Development Solutions) , must not commence until conditions a to e have been complied with:

a 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"

b 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"

c 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.

d 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.

e 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.

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

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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: 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.

- 13) Prior to the commencement of development, details of the play equipment, surfacing and means of enclosure of the play area shall be submitted to and approved in writing by the local planning authority. The equipment and associated works shall be implemented in accordance with the approved details prior to the occupation of the residential development and retained as such in perpetuity.

Reason: In the interests of having sufficient leisure facilities for the occupiers of the site and the wider area.

- 14) Prior to the commencement of development on site the developer must provide an air quality impact assessment. The air quality impact assessment must be undertaken by a suitably qualified professional (s). The Air Quality Impact assessment must consider the impact of the development on local air quality and relevant sensitive receptors, the impact of existing local air quality on the development and relevant sensitive receptors and any necessary mitigation measure required. Additionally, the cumulative impact of all locally committed developments (small scale and large scale major sites > 10 properties) on existing local air quality must be considered to assess if further mitigation measures, other than those recommended as part of the above, are required,

The details of all required mitigation measures identified as part of the above must be agreed with Local Planning Authority. All required mitigation measures must be carried out in accordance with the details agreed by the Local Planning Authority prior to the operation/occupation of the development

Reason: To assess the potential health risks to relevant sensitive receptors from local air quality and identify mitigation measures. NPPF paragraph 124 states "Planning policies should sustain compliance with and contribute toward EU limit values or national objective for pollutants, taking into account the presence of Air Quality Management Area and the cumulative impacts on air quality from individual sites in local areas. The new development should ensure that any new developments in Air Quality Management Areas is consistent with local Air Quality Action Plan

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- 15) Secure cycle parking facilities should be provided at the development as determined by Worcestershire County Council LTP3 Policy and AQAP Measure 5.3.7. Full details of the location, type o rack, spacing, number, method of installation and access to cycle parking should be submitted to and approved by the Local Planning Authority prior to the prior occupation of the development

Reason : In order to contribute to wider sustainability in accordance with paragraph 29 of the NPPF.

- 16) Prior to the occupation of the residential development a scheme detailing installation of an electric vehicle charging point (EVCP) shall be submitted to and approved by the Local Planning Authority. This scheme shall include specifications of the EVCP where they will be located and these shall be operational upon occupation of the development.

Reason: In order to provide development in accordance with air quality principles and paragraph 35 of the NPPF.

- 17) Prior to the occupation of the commercial development a scheme detailing where electric vehicle charging points (EVCP) shall be submitted to and approved by the Local Planning Authority. This scheme shall include specifications and these shall be operational upon occupation of the development

Reason: In order to provide development in accordance with air quality principles and paragraph 35 of the NPPF.

- 18) Prior to the occupation of the development hereby approved (outline and reserved matters/Detailed) a full lighting scheme shall be submitted in writing in accordance with the recommendations of Bat Survey Report Dated February 2016. This scheme shall be implemented in accordance with these recommendations and shall be retained as such in perpetuity.

Reason: In order to ensure a lighting scheme is provided in line with protected wildlife and recommendations and in accordance with policy B(NE)3 and the guidance contained in the NPPF

- 19) Prior to the commencement of the development of site details of the footpath link shall be provide in writing for approval by the Local Planning Authority. This link shall be and shall be implemented in accordance with the details provided and retained as such in perpetuity.

Reason: To secure a sustainable pedestrian connection from the site and to improve permeability. In accordance with saved policy B(BE) 13 of the Redditch local Plan

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- 20) Full details of the final scheme for foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The details approved shall be fully implemented prior to first use or occupation of the development.

Reason:- To allow proper consideration of the proposed foul and surface water drainage systems and to ensure that the development is provided with a satisfactory means of drainage and in accordance with National Planning Policy Framework.

- 21) Prior to development commencing full details of refuse storage /bins facilities shall be submitted to and approved in writing by the Local Planning Authority. The details thus approved shall be fully implemented prior to first use or occupation.

Reason:- In the interests of providing adequate refuse storage capacity in a visually acceptable manner. To ensure refuse storage is reasonably accessible to facilitate the collection of refuse from the development. In the interests of amenity and in accordance with Policies B(BE).13 and B(BE).28 of the Borough of Redditch Local Plan No.3.

- 22) Prior to the commencement of development on site details of the barrier control mechanism to limit access from and to Green Lane by emergency vehicles only shall be submitted and approved in writing this access shall be implemented and retained in perpetuity.

Reason: To ensure a well designed development and ensure no through access and associated highway safety.

**Informatives**

- 1) HN1 - Mud on Highway

The attention of the applicant is drawn to the need to keep the Highway free from any mud or other material emanating from the application site of any works pertaining thereto.

HN2 - Public Rights of Way Affected

A public right of way crosses the site of this permission. The permission does not authorise the stopping up or diversion of the right of way. The right of way may be stopped up or diverted by Order under Section 257 of the Town and Country Planning Act, 1990, provided that the Order is made before the development is carried out. If the right of way is obstructed before the Order is made, the Order cannot proceed until the obstruction is removed.

REDDITCH BOROUGH COUNCIL**PLANNING  
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## HN6 - Section 278 Agreement

No work on the site should be commenced until engineering details of the improvements to the Public Highway have been submitted to and approved by the Highway Authority and an agreement under Section 278 of the Highways Act 1980 entered into.

## HN7 - Section 38 Agreement Details

If it is the Developer's intention to request the County Council, as Highway Authority, to adopt the proposed roadworks as maintainable at the public expense, then details of the layout and alignment, widths and levels of the proposed roadworks, which shall comply with any plans approved under this planning consent unless otherwise agreed in writing, together with all necessary drainage arrangements and run off calculations shall be submitted to the County Council's Network Control Manager, Worcestershire County Council, County Hall, Spetchley Road, Worcester, WR5 2NP. No works on the site of the development shall be commenced until these details have been approved and an Agreement under Section 38 of the Highways Act, 1980, entered into.

## HN8 - Drainage Details for Section 38

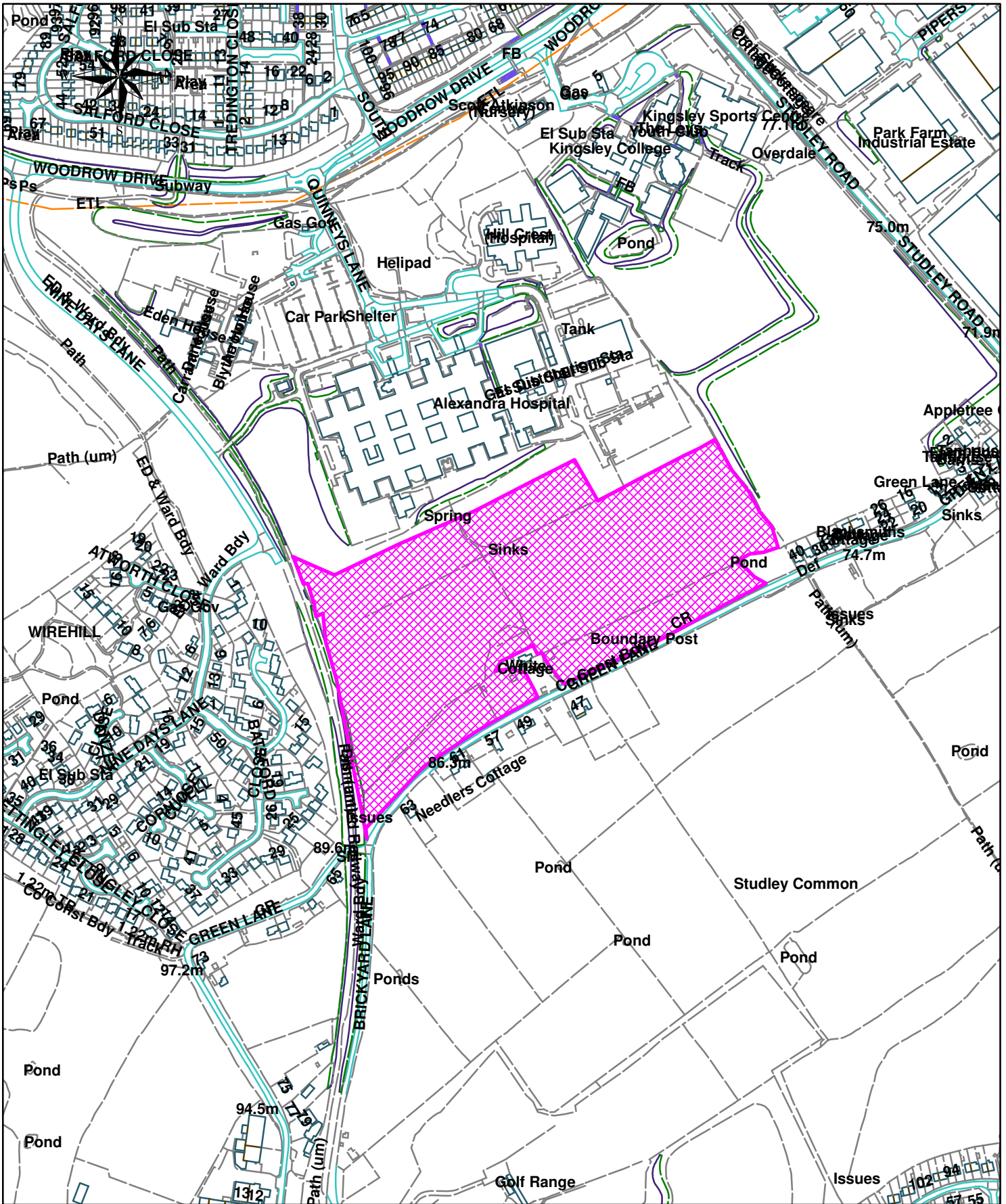
It is not known if the proposed roadworks can be satisfactorily drained to an adequate outfall. Unless adequate storm water disposal arrangements can be provided, the County Council, as Highway Authority, will be unable to adopt the proposed roadworks as public highways.

The applicant is, therefore, advised to submit the Engineering details referred to in this conditional approval to the County Council's County Network Control Manager, Worcestershire County Council, County Hall, Spetchley Road, Worcester, WR5 2NP at an early date to enable surface water disposal arrangements to be assessed.

**Procedural matters**

This application is reported to Planning Committee for determination because the application is for major development (more than 1000 sq metres of new commercial / Industrial floorspace), and as such the application falls outside the scheme of delegation to Officers.





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 Town Hall  
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2016/11/OUT

LAND AT GREEN LANE

COMMITTEE 12.10.16



REDDITCH BOROUGH COUNCIL**PLANNING  
COMMITTEE**13<sup>th</sup> September 2016**Planning Application 2016/133/FUL****Demolition of Existing Bungalow and the erection of 4no. Dwellings and  
Construction of 2no. New Vehicular Accesses to Icknield Street****Vauns Oaks, 13 Icknield Street, Church Hill, Redditch, Worcestershire, B98 9AD****Applicant: Mr Peter Yates  
Ward: ABBEY****(Site Plan attached)**

The author of this report is Emily Farmer, Planning Officer (DM), who can be contacted on Tel: 01527 881657 Email: Emily.farmer@bromsgroveandredditch.gov.uk for more information.

**Site Description**

The site is situated to the west of Icknield Street within a residential area. Icknield Street which runs in a north and south direction marks the administrative boundary of Redditch Borough. Beyond Icknield Street to the east and Dagnell Street to the north lies Green Belt within the administrative boundary of Bromsgrove District. No 13 comprises a detached hipped roofed bungalow set in a large garden. The site contains a number of protected trees.

**Proposal Description**

This application seeks full planning permission for the erection of four detached dwellings as below;

Plot 1	2 Storey	Materials to be confirmed by condition
Plot 2	2 Storey	Materials to be confirmed by condition
Plot 3	2 Storey	Materials to be confirmed by condition
Plot 4	2 Storey	Materials to be confirmed by condition

The properties would all have a ridge height of 8.5 metres with a hipped roof and front gable feature. The materials to be used for the dwellings are to be approved following condition 2 attached to this recommendation.

The existing access serving the site will be enclosed and two new vehicular accesses will be inserted to facilitate the dwellings onsite. Each dwelling would have an integral parking space, in addition an area of hardstanding sufficient for the parking of two vehicles would be provided.

**REDDITCH BOROUGH COUNCIL****PLANNING  
COMMITTEE**13<sup>th</sup> September 2016**Relevant Policies :****Borough of Redditch Local Plan No.3:**

CS02 Care for the Environment

CS07 The Sustainable Location of Development

B(BE)13 Qualities of Good Design

B(HSG)06 Development within or adjacent to the curtilage of an existing dwelling

B(NE)01A Trees, Woodland and Hedgerows

CT12 Parking Standards

**Emerging Borough of Redditch Local Plan No. 4**

Policy 4 Housing Provision

Policy 5 Effective and Efficient Use of Land

Policy 16 Natural Environment

Policy 39 Built Environment

Policy 40 High Quality Design and Safer Communities

**Others:**

SPG Encouraging Good Design

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

**Relevant Planning History**

2016/009/FUL	Erection of two detached dwellings with garages.	Approved	17.02.2016
1990/115/OUT	Outline Application - Residential Development	Approved	25.04.1990
1990/458/OUT	Outline Application - Proposed Residential Development To Include Demolition Of Existing Bungalow	Approved	11.10.1990

**Constraints**

Borough of Redditch TPO No. 62 (1990)

**Consultations****Noise Pollution - Worcestershire Regulatory Services**

No objections from a noise / nuisance point of view.

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**Worcestershire Archive And Archaeological Service**

No objection subject to the imposition of planning conditions to safeguard any archaeological remains found onsite during the construction process.

**Worcestershire Regulatory Services - Contaminated Land**

The application site is within 250m of Clevedon Farm landfill site which could potentially produce landfill gas. It is considered necessary to condition the application requiring the applicant to incorporate gas protection measures within the foundations of the proposed new structures or to undertake a gas survey to ascertain if gas protection measures are required. Subject to the imposition of such planning condition, no objections are raised.

**Highway Network Control**

No objection subject to the imposition of a condition concerning vehicular access specification.

**Arboricultural Officer**

No objections to the proposed development under the following conditions:

- All trees to be retained within the site are afforded full protection in accordance BS5837:2012 throughout any ground or construction work on the site.
- An Arboricultural method statement and protection plan is provided for the Councils consideration and agreement.
- Any encroachment into the RPA of T34 Sorbus aria 'Lutescens' from the proposed driveway to plot 4 is constructed on Cell Web No Dig Construction in conjunction with a porous road surface. To allow air / moisture exchange to the root system.
- Plot 4 is reposition 450mm further South to the position of the previous application 2016/009/FUL. To lessen the impact into the BS5837:2012 Root Protection Area of T33 Prunus cerifera 'nigra'.
- Replacement mitigation planting of heavy standard 12 - 14 cm girth trees throughout the site are planted to replace the loss of a number of trees on the Western and Eastern boundary of the proposed development.
- The TPO protected trees on the Western boundary are retained and afforded full protection in accordance with BS5837:2012 throughout any ground or construction works on site.

**North Worcestershire Water Management**

The site falls entirely within flood zone 1 (low risk of fluvial flooding) and is at low risk of surface water flooding on the site in question.

I do not deem it necessary in this case to recommend that a drainage condition be attached to any consent. No objections are raised.

**Parks & Green Space Development Officer**

The applicant is required to submit a preliminary ecological survey and bat report for assessment.

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**Public Consultation Response**

Five letters of objection have been received, the contents of which are summarised as follows;

- Proposal would detract from quiet area
- Disruption caused by building works
- Out of character with the rest of the properties on Icknield Street
- Dwellings would appear cramped in the plot
- Dwellings sited close to boundary with neighbouring properties
- Trees are required to be inspected on site
- Threat to established trees on site
- Concern over the intensity of development
- Safety of introducing new vehicular access
- Potential damage to property foundations
- Loss of Wildlife

**Background**

Members will note the Planning history set out earlier in this report. An extant consent 2016/009/FUL was approved in February this year granting consent for two detached dwellings on site (one to the north and one to the south of the existing bungalow; Vauns Oaks which would be retained). It should be noted that if permission were to be granted to the current proposal, application 2016/009/FUL could not be implemented.

**Assessment of Proposal****Principle**

The site is located in a sustainable urban location and in the context of the National Planning Policy Framework, the presumption in favour of sustainable development applies.

Paragraph 47 of the National Planning Policy Framework emphasises that local authorities should significantly increase the supply of housing and identify and update a 5-year supply of housing, with an additional buffer of either 5% or 20% depending on local circumstances. The Local Planning Authority currently has a housing land supply of 5.38 years (including a 5% buffer). However, it is important that windfall residential schemes, such as that hereby proposed; continue to come forward as this will help ensure the maintenance of a 5-year housing land supply in the future. Paragraph 49 of the National Planning Policy Framework states that applications for residential development should be considered in the context of presumption in favour of sustainable development.

In addition an existing consent for two new dwellings could be implemented at any time until 17<sup>th</sup> February 2019.

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Layout of development

Policy B(HSG).6 of the adopted Local Plan is supportive of new residential development within the curtilage of a dwelling house so long as it respects the character and appearance of its surroundings and does not impinge on the residential amenities enjoyed by occupiers of existing nearby development. This is also a requirement of policy B(BE).13 of the Local Plan.

The area is generally mixed with two storey dwellings and bungalows. As per application 2016/009/FUL the proposed dwellings would face towards Icknield Street. It is not considered that this form or layout of development proposed would be out of character with the street scene. There is also no objection to the application in relation to any highway matter.

Residential Amenity

There is sufficient separation distance to the boundary with the neighbouring dwellings to avoid a loss of privacy. Separation distances between the proposed development and existing dwellings are acceptable since they meet the minimum requirements as set out in the Councils SPG 'Encouraging Good Design. Gardens to serve the new dwellings also meet the minimum requirements as set out in the SPG.

Trees

There are a number of protected trees onsite under Borough of Redditch TPO No. 62 (1990). The comments of the Tree Officer are noted above following the consideration of an Arboricultural Survey to be provided by the applicant. The development is feasible but will require specific construction techniques to be employed such cell web no dig construction driveway to plot 4 in conjunction with a porous road surface. There are appropriate conditions attached.

Ecology

Given the proposal involves the demolition of the existing bungalow and is located within a semi-rural location, surrounded by a large number of trees and open countryside it has been considered appropriate to consider the impact of the proposal on European Protected Species (EPS). A number of surveys have been undertaken on the site and the bungalow is found to host to a day roost for a Brown Long-Eared Bat. When EPS have been identified Regulation 9(5) of the 2010 Habitat Regulations requires that in exercising any of its functions a "competent authority" – in this case the Council – "must have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions". The Habitat directive requires Local Planning Authorities to have regard to the three licensing tests. The tests therefore, all of which must be satisfied to allow the activity to be licensed are: is there any imperative reasons of overriding public interest. The second test is: is there no satisfactory alternative? The third test is whether the favourable conservation status of the species in their natural range is maintained (under the scheme proposed pursuant to the licence).

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It should be noted that Natural England applies the tests on a proportionate basis; thus the justification required increases with the severity of the impact on the species or population concerned. In this instance the property is host to one Brown Long-Eared Bat and therefore can be considered by Natural England under a Low Impact License.

In the absence of advice from Natural England, the LPA are not required to undertake a detailed assessment of the three licensing tests but should however be satisfied with the likelihood that the relevant licensing body would grant a licence. In this instance, the site is located within the residential area in a sustainable location where the principle of housing has been accepted and the applicant has put forward that the particular works required to repair the dwelling would result in some impact to the habitat regardless. If no works were carried out on site, the property would likely fall into disrepair resulting in an unsuitable long term bat roost. The applicant has submitted a mitigation survey by Middlemarch Environmental who outlines the relevant mitigation measures deemed acceptable onsite which consist of removing suitable roosting features by hand, overseen by a licenced bat worker, and the installation of a bat box.

Given the above, the Council are of the opinion that it is likely that Natural England would grant a license on this basis.

**Conclusion**

Subject to the conditions as recommended below, the development would be acceptable and in accordance with the development plan and National Planning Policy Framework.

**RECOMMENDATION:**

**That, having regard to the Development Plan and to all other material considerations, Planning permission be GRANTED, subject to the conditions and Informatives below.**

**Conditions:**

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the grant of this permission.

Reason :- In accordance with the requirements of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2) Unless otherwise agreed in writing by the Local Planning Authority pursuant to the discharge of details in relation to the above planning conditions, the development hereby approved shall conform to the following approved plans;

1034\_001 Site Base Layout

1034\_01D Site Layout



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1034\_02F Site Sections  
 1034\_03B Plot 1 Plans and Elevations  
 1034\_04B Plot 2 Plans and Elevations  
 1034\_05B Plot 3 Plans and Elevations  
 1034\_06B Plot 4 Plans and Elevations  
 Drg No. 1 Assessment of Existing Trees  
 1:1250 Location Plan  
 Bat Survey and Mitigation Strategy by Middlemarch Environmental September 2016

Reason:-To accurately define this planning permission, for the avoidance of doubt and in accordance with Policy BBE13; of the Borough of Redditch Local Plan No.3.

- 3) Prior to the commencement of the dwellings details of the form, colour and finish of the materials to be used externally on the walls and roofs shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: To ensure that the development is satisfactory in appearance, to safeguard the visual amenities of the area and in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3.

- 4) Prior to the first occupation of any dwelling hereby approved, the construction of the vehicular access shall be carried out in accordance with a specification to be agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety.

- 5) The development hereby permitted shall not be occupied until the access, turning area 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 Local Planning Authority and these areas shall thereafter be retained and kept available for those users at all times.

Reason: In the interests of Highway safety and to ensure the free flow of traffic using the adjoining Highway.

- 6) Gas protection measures should be incorporated within the foundations of the proposed structures, approved in prior to commencement of the development by the Local Planning Authority, or a risk assessment should be undertaken to establish whether the proposed development is likely to be affected by gas emissions from these areas, provided to and approved by the Local Planning Authority, prior to commencement of the development.

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Where significant risks are identified or insufficient data hinders an appropriate risk assessment, a targeted site investigation proposal or proposed remedial measures must be provided to and approved in writing by the Local Planning Authority, prior to commencement of the development.

Reason: To ensure that the risks to buildings and their occupants from potential landfill gas are adequately addressed.

- 7) Prior to construction full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include proposed boundary treatment and other means of enclosure, hard surfacing materials, replacement mitigation of heavy standard trees to replace the loss of a number of trees on site, together with measures to be taken for their protection while building works are in progress.

Reason:- In the interests of the visual amenity of the area and in accordance with Policy CS.8 of the Borough of Redditch Local Plan No.3

- 8) No demolition or site clearance shall take place until all trees and hedges to be retained on the site and around the boundaries of the site have been protected in accordance with the specification set out in British Standard BS5837:2012 and such protection measures shall remain in situ for the duration of the development and in accordance with Policies B(NE)1a and B(NE)3 of the Borough of Redditch Local Plan No.3.

Reason:-To ensure the protection of trees and hedgerows in the interests of visual amenity.

- 9) No site clearance, demolition or excavation shall take place until an arboricultural method statement and tree protection plan has been submitted to and approved in writing by the Local Planning Authority. The details thus approved shall be fully implemented throughout the course of development.

Reason:- To prevent damage to, and preserve the tree(s) in the interests of visual amenity and in accordance with Policy B(NE).1a of the Borough of Redditch Local Plan No.3

- 10) Any encroachment into the Root Protection Area of T34 Sorbus aria 'Lutescens' from the proposed driveway to plot 4 will need to be constructed using a suitable grade of cellular ground support material. To allow air/ moisture exchange to the root system.

Reason : To ensure no detrimental impact is caused by the development to the health and stability of valuable tree stock either within the site or in adjoining land.

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- 11) No development shall take place until a programme of archaeological work, including a Written Scheme of Investigation, has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:
- a) The programme and methodology of site investigation and recording.
  - b) The programme for post investigation assessment.
  - c) Provision to be made for analysis of the site investigation and recording.
  - d) Provision to be made for publication and dissemination of the analysis and records of the site investigation
  - e) Provision to be made for archive deposition of the analysis and records of the site investigation
  - f) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation

The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: In the interest of archaeological investigation and in accordance with the requirements of paragraph 141 of the National Planning policy Framework.

- 12) The works shall be carried out in strict accordance with the recommendations set out in the Protected Species Survey carried out by Worcestershire Wildlife Consultancy dated 22nd February 2016 and submitted with this application.
- 13) The works hereby approved which could result in harm to European Protected Species, shall not, in any circumstances commence unless the local planning authority has been provided with either:
- a) a European Protected Species licence issued by the relevant licensing body pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorizing the specified activity/development to go ahead; or
  - b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.

No activities that could result in disturbance to roosting bats (such as demolition, roof stripping, excavations or building works or associated operations) shall be carried out unless the operations are overseen by an appropriately competent person, such as an ecological clerk of works or on-site ecologist. All proposed works shall be carried out, in accordance with the approved details of the

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mitigation strategy as set out in the Bar Survey by Middlemarch Environmental dated September 2016.

Reason: In order to comply with the requirements of the Wildlife and Countryside Act 1981, Natural Environment and Rural Communities Act 2006 and Biodiversity: Code of Practice for Planning and Development BS 42020:2013.

**Informatives**

- 1) The local planning authority have worked with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with this planning application through negotiation and amendment.
- 2) The applicant is advised to contact North Worcestershire Water Management via 01562 732191 or enquiries@nwwm.org.uk to discuss the need for a Land Drainage Consent. A Land Drainage Consent is required for all works that have the potential to alter the flow in an ordinary watercourse, as set out in Land Drainage Act 1991 section 23 (as amended).
- 3) This permission does not authorise the laying of private apparatus within the confines of the public highway

The applicant should apply to the Worcestershire County Council's Network Control Manager, County Hall, Spetchley Road, Worcester WR5 2NP (telephone 0845 607 2005), for consent under the New Roads and Streetworks Act 1991 to install private apparatus within the confines of the public highway.

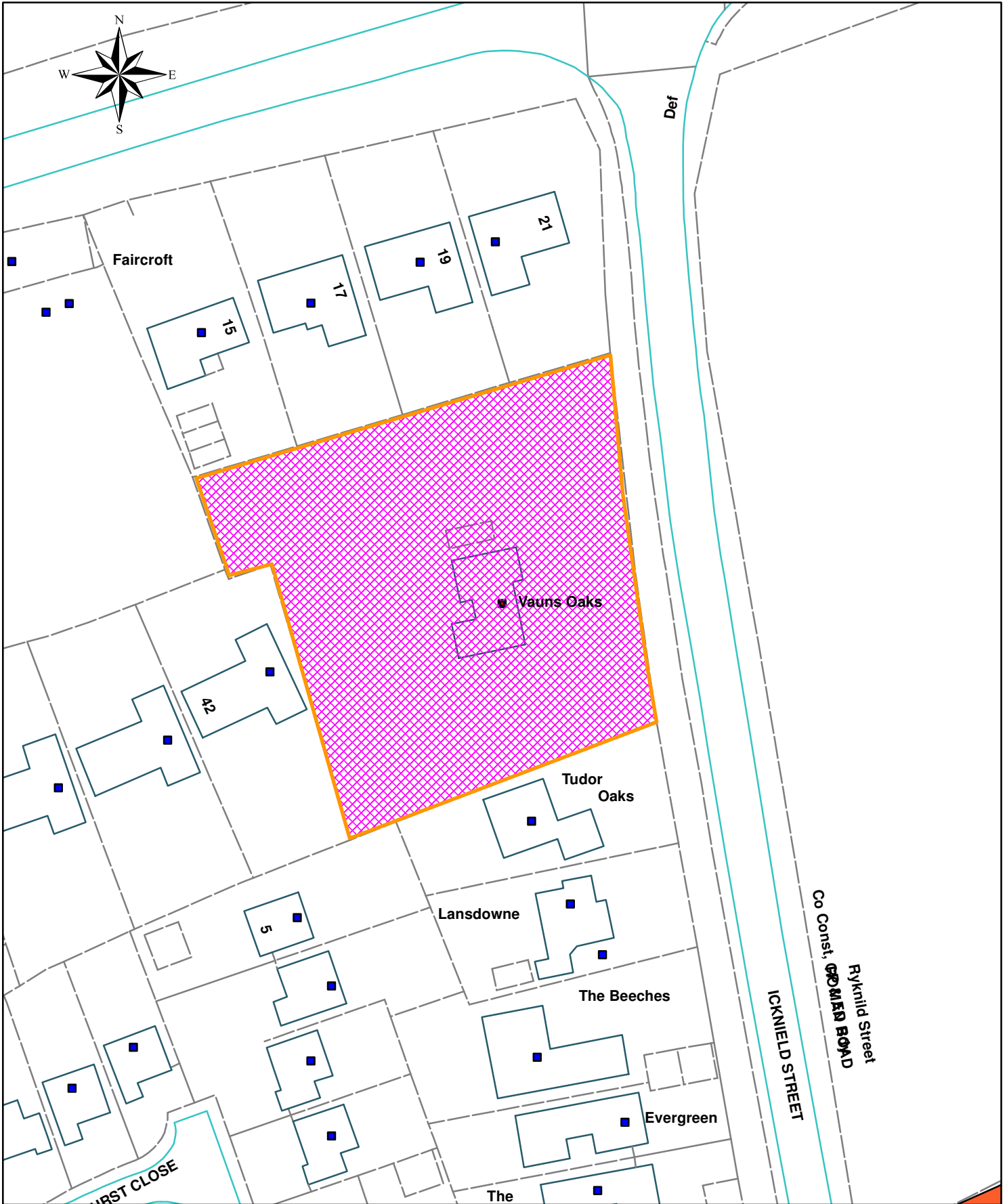
Precise details of all works within the public highway must be agreed on site with the Highway Authority.

- 4) This permission does not authorise the applicant to carry out works within the publicly maintained highway.

Dropped kerbs to enable access onto properties for vehicles must only be constructed by Ringway Infrastructure Services, Worcestershire County Councils approved contractor. The applicant is solely responsible for all costs associated with construction of the access. For further information, please contact Ringway direct on 01905 751651 or email: worcestershirevehicle.crossing@ringway.co.uk

**Procedural matters**

This application is being reported to the Planning Committee because two (or more) objections have been received.



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2016/133/FUL

Vauns Oaks, 13 Icknield Street, Church Hill, Redditch, B98 9AD

12 October 2016



**REDDITCH BOROUGH COUNCIL****PLANNING  
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**Planning Application 2016/225/FUL**

**Construction of two new buildings: Building G to be used as children's play in association with Building F (Class D2) and Building H to have a flexible use for employment purposes in classes B1, B2 and B8. Retrospective application for the removal of earth bunding, the formation of a hardstanding area for parking and the formation of a new surface water attenuation pond.**

**Astwood Business Park, Astwood Lane, Astwood Bank, Worcestershire, B96 6HH**

**Applicant: Mr J G Ranson**  
**Ward: ASTWOOD BANK AND FECKENHAM**

**(Site Plan attached)**

The author of this report is Steven Edden, Planning Officer (DM), who can be contacted on Tel: 01527 548474 Email: [steve.edden@bromsgroveandredditch.gov.uk](mailto:steve.edden@bromsgroveandredditch.gov.uk) for more information.

**Site Description**

Astwood Business Park (formerly known as Astwood Farm) is located to the west of Astwood Bank. It is served by an existing vehicular access that runs from Astwood Lane which also serves three dwellings which are in proximity to the site: Windy Bank, Astwood Farmhouse and the Coach House.

In September 2008, as set out later in this report, planning permission was granted for the refurbishment and/or conversion of existing buildings on the site: Buildings A, B, C, D, E and F to provide offices, light industrial, general industrial and storage floorspace. The site now comprises six buildings which are used for a range of uses within Class B1, B2 and B8 with the exception of Building F which is used as a children's indoor play centre (Imagination Street).

The site is located within the designated Green Belt as shown on the Borough of Redditch Local Plan No.3 Proposals Map and the emerging Local Plan No.4 Policies Map.

**Proposal Description**

The proposed development relates to the erection of two new buildings within the existing extent of the site.

**Proposed Building G**

Building G would be located on land comprising part of the existing car park used by customers to Imagination Street between Buildings D and F. This building would be occupied by Imagination Street for use as an indoor trampoline park and would be known as 'Gravitation Street'. The building would have a floor area of approximately 930 sqm

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with a ridge height of 8.5m above ground level, which is marginally lower than the ridge of Building F. The eaves of the proposed building would be approximately 6.0 metres above ground level which is approximately 1.3m higher than the eaves of Building F. The proposed facing materials would match those used on Building F - that is profiled metal clad walls with profiled metal roof.

Proposed opening times for the trampoline park would be:

Monday to Thursday: 10:00 to 18:00 hrs

Fridays and Saturday: 10:00 to 21:00 hrs

Sunday and Public Holidays: 10:00 to 20:00 hrs

For information purposes, existing permitted hours of opening for Imagination Street are:

Monday to Saturday: 10:00 to 18:00 hrs

Sunday and Public Holidays 10:30 to 17:30 hrs

**Proposed Building H**

Building H would be located on land comprising an existing compound and parking area to the south east of the existing Building A, and to the south west of Building B.

This is proposed to provide flexible Class B1, B2 and B8 employment space to meet a future tenants needs. The building would have a floor area of approximately 1,570 sqm with a ridge height of 8.0m above ground level, which is 0.6m higher than the ridge on Building A and 0.9 metres lower than the ridge of Building B. The eaves serving Building H would be 5.5m above ground level which is approximately 1.8m higher than the eaves of Building A and around 1.3m lower than the eaves of Building B. The facing materials and flashings would match those used in the construction of Building G above, that is, profiled metal clad walls with profiled metal roof.

**Other works: hardstanding area and new pond**

An area to the south-west of Building F (west of Building E) has been levelled and a hardstanding created with road planings. The hardstanding is used as overspill car parking for Building F and other businesses at the site. It is intended to be used to provide for additional parking arising from the use of the proposed two buildings and to replace the existing spaces displaced as a result of the proposed development. The submitted site layout plan shows provision for 197 parking spaces. The retrospective works which do not benefit from planning permission have resulted in the filling in of a former surface water attenuation pond. A new attenuation pond has been formed in the western part of the site on an undeveloped 'green field' within the Green Belt. Consent is also sought for these retrospective works.

Existing earth bunding along the northern boundary is to be retained and additional planting is proposed to the north, south and west of Buildings E and F.



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**Relevant Policies :****Borough of Redditch Local Plan No.3:**

BRA01 Detailed Extent of and Control of Development in the Green Belt  
 CS02 Care for the Environment  
 CS07 The Sustainable Location of Development  
 CS08 Landscape Character  
 B(BE)13 Qualities of Good Design  
 E(EMP)02 Design of Employment Development

**Emerging Borough of Redditch Local Plan No.4:**

Policy 8: Green Belt  
 Policy 25: Development Outside of Employment Areas  
 Policy 39: Built Environment  
 Policy 40: High Quality Design and safer communities  
 Policy 43: Leisure, Tourism and Abbey Stadium

**Others:**

NPPF National Planning Policy Framework  
 NPPG National Planning Practice Guidance

**Relevant Planning History**

2007/061/FUL	Refurbishment and conversion of buildings A, B, C, D, E, and F to provide offices, light Industrial, general Industrial and storage	Approved	11.09.2008
2010/238/COU	Use of land for the display and sale of motor vehicles	Refused  Appeal Dismissed	28.10.2010  31.03.2011
2010/308/FUL	Retrospective Application - Erection of a temporary storage building and stationing of portacabin for ancillary office purposes	Refused	15.02.2011
2012/148/COU	Change of use of Building F (approx 1,778 sqm) from permitted Class B1 or Class B8 uses to children's indoor play centre (Class D2)	Approved	24.09.2012

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2015/025/FUL	Erection of building for use as research and development facility with ancillary office and other uses, formation of additional parking and service roads and all associated works	Refused	26.02.2016
2015/373/FUL	Erection of extension to Building F to be used as part of children's indoor play centre (Class D2); and retrospective application for laying out hardstanding to be used for parking and formation of attenuation pond	Refused	22.03.2016

**Public Consultation Responses**

None received

**Consultee Responses****British Horse Society**

Comments summarised as follows:

Objections to the application on the following grounds:

- \* Although the existing access road runs along bridleway RD-744, the amount of traffic using it is already a deterrent to local riders. The application includes retrospective consent for an additional 98 parking spaces which only adds to the incompatibility of riding / motor vehicle traffic
- \* If permission is granted, bridleway RD-744 should be diverted. Footpaths across adjoining land could be upgraded subject to relevant landowner permissions. The transport plan submitted by the applicant indicates that traffic arising from the erection of Building G (Gravitation Street) will peak after school on weekdays - i.e. between 3:30 and 6.00pm and on Saturdays, Sundays and Bank Holidays; the times when most horse riders will want to use the bridleway.
- \* The volume of traffic associated with Gravitation Street alone is likely to exceed the total amount going to and from the other units. It will significantly increase the amount of traffic on surrounding minor roads. The BHS latest accident studies show that there have been over 2,000 road accidents involving horses in the UK during the last 5 years. The best way of reducing this number is by providing more, safe off-road riding opportunities and not allowing developments such as this which will increase the amount of traffic on narrow country lanes.

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\* Paragraph 75 of the NPPF comments that planning policies should protect and enhance public rights of way and access, and that LPA's should seek opportunities to provide better facilities for users. No changes or enhancements are envisaged to the bridleway or any public footpaths which are in close proximity to the site and as such the BHS consider that the proposals fail in this respect.

\* The two buildings proposed may be appropriate in an urban business park setting but are wholly inappropriate in the Green Belt and are detrimental to the amenity value of the bridleway and footpaths. The fact that the bridleway is part of the Monarchs Way long distance path, adds weight to this argument as it has greater amenity value in terms of bringing visitors to the area and as a shared use route.

**RBC Development Plans**

Comments summarised as follows:

In both adopted Local Plan No.3 and Emerging Local Plan No.4 the application site is located within designated Green Belt land.

Policy CS.7 of the adopted Local Plan No.3: The Sustainable Location of Development sets out a sequential approach to the location of all development and states that uses that attract a lot of people will be directed in the first instance to the urban areas. Criterion iv. states that Green Belt locations will only be considered in exceptional circumstances, when all other options have been exhausted and where there is a clear development need. The purposes for which Green Belts were designated must not be compromised. Whilst the submitted Planning, Design and Access Statement advises that the development "cannot be disaggregated and provided on another site within the Borough", there is no evidence that a more appropriate town centre or urban area site, in line with policy, would not be possible. Evidence is not provided that there is a clear need for development or that exceptional circumstances for development within the Green Belt exist.

Policy B(RA).1 of the adopted Local Plan No.3: Detailed Extent of and Control of Development in the Green Belt states that there will be a presumption against allowing inappropriate development in the Green Belt and that development will only be allowed if very special circumstances exist which clearly outweigh the harm to the Green Belt.

Policy 8 of Draft Local Plan No.4: Green Belt is consistent with paragraphs 89 - 90 of the NPPF. Paragraph 89 of the NPPF states that the construction of a new building should be regarded as inappropriate development in the Green Belt unless it falls within one of the stated exceptions. As the proposed development would not fall under any of the exceptions it would be considered as inappropriate development. It is noted that the Planning, Design and Access Statement suggests that the proposed development is an exception as it constitutes to 'infilling', however an increase in floor space of over 25% would suggest more than the 'limited' infilling referred to in the NPPF. The proposed

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development would also have a greater impact on the openness of the Green Belt than the existing development. As such, the proposals would constitute inappropriate development in the Green Belt which would harm the openness and conflict with the purposes of including land within it.

Policy 25 of Draft Local Plan No.4: Development Outside of Employment Areas states that economic development in locations that are not designated Primarily Employment Areas may be appropriate where it does not have an adverse impact on the surrounding area. Proposals should:

- i. be in close proximity to suitable transport routes and services;
- ii. have regard to the scale and nature of the travel demand across all modes likely to be generated;
- iii. be accessible from existing residential areas by all appropriate modes of transport and are not dependent upon access by private transport, where amenity is not negatively affected;
- iv. be acceptable in terms of impact on the wider environment; and demonstrate the provision of adequate infrastructure including Green Infrastructure required to support the proposal.

As the site is largely inaccessible by sustainable forms of transport it does not meet all of the criteria and so cannot be considered suitable.

Policy 27 of Draft Local Plan No.4: Rural Economic Development, states that small scale rural developments will be considered on a case by case basis. The policy states that proposed development should be accessible via sustainable transport and not generate traffic levels unsuitable for the rural road network. Given its location, the application site is largely inaccessible by public transport and is not considered a sustainable location for the level of traffic anticipated. It is acknowledged that a Transport Statement has been submitted with the application and this will be assessed by Worcestershire County Highways.

Policy 43 of Draft Local Plan No.4: Leisure, Tourism and Abbey Stadium states that leisure applications will be supported where the proposal is located in places that are sustainable and accessible by a choice of transport modes, principally Redditch Town centre and/ or where additional visitor numbers can be accommodated without detriment to the local economy and environment. The proposed site is not in the town centre, nor is it accessible by a range of transport modes and so would not be considered an appropriate location for the D2 leisure element of this application.

**Conclusions**

As set out above, the proposal is considered to be inappropriate development within the Green Belt as it would harm openness and cannot be considered as limited infilling. It is therefore unacceptable both in terms of the NPPF as well as Local Plan No.3 and

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Emerging Local Plan No.4. It has also been demonstrated that the proposal is inappropriate in terms of both employment (Policy 25) and leisure (Policy 43).

**North Worcestershire Economic Development and Regeneration**

Overall, NWEDR are supportive of sustaining economic activity and promoting economic growth within the North Worcestershire area. We do recognise, however, that in this instance there are competing issues and planning restrictions which make supporting economic development more difficult to achieve. However, we consider that there are a number of benefits of this particular scheme and we feel this could be supported through the planning framework

**Area Environmental Health Officer (WRS)**

The history of the site suggests that contamination issues may potentially be a significant issue. As a result, in order to ensure that the site is suitable for its proposed use and accordance with The National Planning Policy Framework, Conditions are recommended for inclusion on any permission granted to adequately address this issue (Phase 1 Risk Assessment / Tiered Investigation. In respect of Air Quality it is recommended that conditions be imposed with respect to cover: Secure Cycle Parking, the provision of Electric Vehicle Charging Points and the provision of Low Emission Boilers

**North Worcestershire Water Management**

No objection subject to the inclusion of a pre-commencement condition requiring drainage scheme details to be submitted

**Ramblers Association**

Following a site visit, it has been discovered that the attenuation pond referred to in the request for retrospective planning permission has been dug out on the line of Footpath RD-764. The footpath as shown in the application has been moved over to the hedgeline which is not satisfactory. The removal of the earth bund has exposed the footpath to a full view of the business park which is unacceptable. The earth bund was presumably to screen the buildings from the footpath originally.

I would suggest that the trees and hedging shown on the proposed layout should be planted to form a visual barrier sufficiently high to screen the buildings from the footpath or the footpath could be diverted round the pond and nearer to this screen so that there is less chance of seeing the buildings.

**WCC Public Rights Of Way**

Redditch footpath RD-764 runs through, and bridleway RD-747 is adjacent to, the site. The proposals should not disrupt or have any detrimental impact upon the public right of way during or after construction

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**Assessment of Proposal****Green Belt**

The main issues pertaining to the Green Belt location of the site are as follows:

- \* whether or not the proposed development would constitute inappropriate development having regard to the sites Green Belt location;
- \* the effect of the proposals on the openness of the Green Belt, and the purposes of including land within it;
- \* If the development is inappropriate, whether the harm by reason of inappropriateness and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the development.

The site lies within the green belt in open countryside. Policies B(RA).1 of LP3 and Policy 8 of Draft Local Plan No.4 are both consistent with relevant paragraphs of the National Planning Policy Framework.

Paragraph 89 of the NPPF states that the construction of new buildings should be regarded as inappropriate development in the Green Belt unless it falls within one of the stated (6 bullet point) exceptions. Your officers consider that the proposed development would not fall under any of the exceptions and as such the proposals should automatically be considered as inappropriate development.

The applicant considers that the two new buildings proposed WOULD fall within one of the stated exceptions. That is, bullet point 6 where the exception is stated as follows:

- *limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.*

Noting the above exception, your officers would concede that the land on which the two buildings are to be located could reasonably be classed as previously developed or brownfield land. However the part of the area on which the retrospective hardstanding is proposed and also where the pond is to be created is not brownfield, but green field land within the Green Belt.

The important point to note with regard to bullet point 6 (above) is that this exception only applies where the development *would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.*

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The Framework (at Paragraph 79) comments that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belts are their openness and their permanence.

Your Officers consider that openness derives from an absence of built form. The areas on which the proposed buildings are to be located are free of any built form. No existing buildings are proposed to be demolished to accommodate Buildings G and H. and significant gaps exist between existing buildings - particularly between existing buildings F and D and between existing buildings E and B. Spatially, although there are existing parked vehicles within the site and the compound area, there are gaps between vehicles and a degree of permeability to the site which does not materially diminish a sense of openness. The two proposed buildings at 8 and 8.5 metres to ridge would significantly exceed the average height of a motor car. The scale, massing and solidity of these permanent buildings within the landscape would limit views through the site, particularly from the adjacent public rights of way (as referred to by the representations received). The solidity and lack of permeability would clearly limit the degree of openness within the site.

Although '*limited infilling*' is not clearly defined within the framework, your officers do not consider that these proposals could possibly represent limited infilling and for the reasons above, the proposals would have a greater impact on the openness of the Green Belt given that the part of the existing site which is to be developed is free from built form.

As part of your officer's assessment of whether or not the proposals are inappropriate in line with the 6th bullet point of Paragraph 89 of the framework, it is important to consider whether the proposal would conflict with the five purposes of including land within the Green Belt as listed in Paragraph 80 of the Framework which are as follows:

- 1 to check the unrestricted sprawl of large built-up areas;
- 2 to prevent neighbouring towns merging into one another;
- 3 to assist in safeguarding the countryside from encroachment;
- 4 to preserve the setting and special character of historic towns; and
- 5 to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The proposal would not result in urban sprawl, would not result in the merging of towns and the site is not within or close to a historic town. With regard to assisting with the recycling of urban land, the West Midlands Green Belt has a far greater influence than just within the boundaries of Redditch Borough and the urban regeneration purpose can be seen as affecting more than this Borough. The development of this site in the manner proposed would accommodate demand for leisure, commercial and employment uses which would otherwise be more appropriately sited within the more sustainably located Redditch Urban area sites which could assist with urban regeneration. Therefore, the proposal offends against this purpose.

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Although the applicant argues that that the location of Buildings G and H are within the established business park on previously developed land, your officers consider that the proposals as a whole, taking into consideration the proposed additional parking proposals together with the additional attenuation pond which are to be located on greenfield (not previously developed) land, would fail to safeguard the countryside from encroachment. As such, the proposals would offend against this purpose. Your officers have noted that the proposed hardstanding is shown in an location which was to be landscaped under original application 2007/061/FUL when the Committee granted consent at that time.

It therefore has to be concluded that the proposed development would constitute inappropriate development in the Green Belt which would harm the openness of the Green Belt. The Framework, at Paragraph 87 makes it clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 88 of the Framework comments that VSC to justify inappropriate development will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

The proposed development would be inappropriate development and would, therefore, by definition be harmful to the openness of the Green Belt. Paragraph 88 of the Framework states that substantial weight should be given to any harm to the Green Belt.

The applicant sets out factors arising from the development which they consider would be of benefit, which include an increase in the range and quality and recreation facilities to the Borough and economic benefits by increasing employment opportunities. They also suggest that the proposed landscaping proposals would represent an enhancement to the character or visual quality of the area. Your Officers have considered these matters and consider that the mitigation proposals such as landscaping proposed are neutral in the planning balance. The economic benefits of the scheme carry some weight, but are not sufficient to clearly outweigh the substantial weight which should be given to the harm to the Green Belt either by themselves, or in combination with other factors. These therefore do not constitute the very special circumstances necessary to justify the development.

**Sustainability Issues**

The proposed trampoline park is a leisure (D2), and main town centre use as defined within Annex 2: Glossary to the NPPF.

The NPPF at paragraph 24 states: *“Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be*



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*considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre...*

The NPPF at paragraph 27 states: *“Where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the above factors [NPPF Para 26], it should be refused.”* Policy CS.7 of the Local Plan No.3 echoes the NPPF stating that uses that attract a lot of people should be directed to the Town Centre where such uses are encouraged in principle, rather than an out of centre location such as the application site, which has poor public transport links.

Policy 27: Rural Economic Development in the emerging Local Plan repeats the NPPF's statement that small scale rural offices and other small scale rural development shall be excluded from the sequential approach. The words 'small scale rural development' are not defined within the NPPF nor under Policy 27. The applicant, incorrectly, in the consideration of your officers considers that the proposed 930 square metres of floor space to be formed within a new steel portal framed building represents 'small scale rural development'. Your officers strongly disagree with this assertion believing rather that the kind of development the NPPF and the Council, under Policy P27 are describing would include *inter alia* the conversion of an modest existing building to an office use. As such, a sequential test in accordance with the requirements of the NPPF is required.

Of much greater relevance than Policy 27 is Policy 25 taken from the emerging Local Plan No.4. Both your officers and the applicant agree that the status of both policies can only be given limited weight at this time. However, your officers would comment that LP4 is now at a very advanced stage and that Policy 25 is consistent with the Framework.

Policy 25: Development Outside of Employment Areas, which would apply to both proposed Building G and H, states that economic development in locations that are not designated Primarily Employment Areas may be appropriate where it does not have an adverse impact on the surrounding area. Proposals should:

- i. be in close proximity to suitable transport routes and services;
- ii. have regard to the scale and nature of the travel demand across all modes likely to be generated;
- iii. be accessible from existing residential areas by all appropriate modes of transport and are not dependent upon access by private transport, where amenity is not negatively affected;
- iv. be acceptable in terms of impact on the wider environment; and demonstrate the provision of adequate infrastructure including Green Infrastructure required to support the proposal.

Since the site is largely inaccessible by sustainable forms of transport it does not meet all of the criteria above and so cannot be considered suitable.

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Policy 43 of LP4: Leisure, Tourism and Abbey Stadium, which would apply to proposed Building G (Trampoline Park), comments that leisure applications will only be supported where they are located in places that are sustainable and accessible by a choice of transport modes, principally Redditch Town centre and/ or where additional visitor numbers can be accommodated without detriment to the local economy and environment. The application site is not in the town centre, nor is it accessible by a range of transport modes and so is not considered to be an appropriate location.

**Conclusion**

Your Officers have concluded that the proposals represent inappropriate development within the Green Belt which would therefore, by definition, be harmful to the openness of the Green Belt. The proposals would offend against 2 of the 5 purposes for including land within the Green Belt. The benefits of the scheme put forward as VSC by the applicant are not sufficient to clearly outweigh the substantial weight which should be given to the harm to the Green Belt and therefore cannot justify the development.

The applicant has not satisfied the NPPF's and the Councils sequential test as set out above. The proposed uses would be unsustainably located in an area which cannot be easily accessed by sustainable transport modes where the need to travel can be minimised.

**RECOMMENDATION:**

**That having regard to the development plan and to all other material considerations, planning permission be REFUSED for the reasons stated below:**

- 1) The site is identified in the Development Plan for the area as falling within the Green Belt where there is a presumption against inappropriate development. In such an area, development is limited to that which is not inappropriate to a Green Belt and which would preserve its openness. The proposals do not meet any of the policy criteria in Paragraph 89 of the National Planning Policy Framework and as such the proposals would amount to inappropriate development, which by definition, is harmful to the Green Belt. The development would result in significant adverse visual harm to, and would reduce the openness of the Green Belt and would fail to comply with two of the 5 key purposes of the Green Belt, as set out under Paragraph 80 of the NPPF, which are to assist in safeguarding the countryside from encroachment and to assist in urban regeneration, by encouraging the recycling of derelict and other urban land. No very special circumstances exist or have been put forward to overcome the harm to the Green Belt. As such the proposal is considered to be contrary to Policy B(RA)1 of the adopted Borough of Redditch Local Plan No.3 and the provisions of the National Planning Policy Framework.
- 2) The proposed development, located in the green belt, partly situated on a green field site, and shown as a landscaped area on previously approved plans, would be visually conspicuous and prominent when viewed from public vantage points thus

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constituting visual harm to the green belt and harm to the landscape character of the area, contrary to Policy CS.8 of the adopted Borough of Redditch Local Plan No.3. and the provisions of the National Planning Policy Framework.

- 3) The applicant has failed to satisfy Paragraph 24 of the National Planning Policy Framework which requires that a sequential test be applied to planning applications for main town centre uses that are not in an existing centre. The creation of a D2 use in a location outside the town centre in an area poorly served by public transport would be likely to generate a significant quantity of unsustainable trips in private vehicles contrary to Policy CS7 of the adopted Borough of Redditch Local Plan No.3 and the provisions of the NPPF.
- 4) The proposed erection of Buildings G and H represents an unacceptable intensification of commercial uses and vehicle movements in an unsustainable rural location, where such uses would be more appropriately located in the Redditch Urban Area. The application would be contrary to sustainability principles and objectives contained within Policy CS.7 of the adopted Borough of Redditch Local Plan No.3. and the National Planning Policy Framework

**Informatives**

- 1) The development is hereby refused in accordance with the following drawings:

Appropriate references to be inserted here

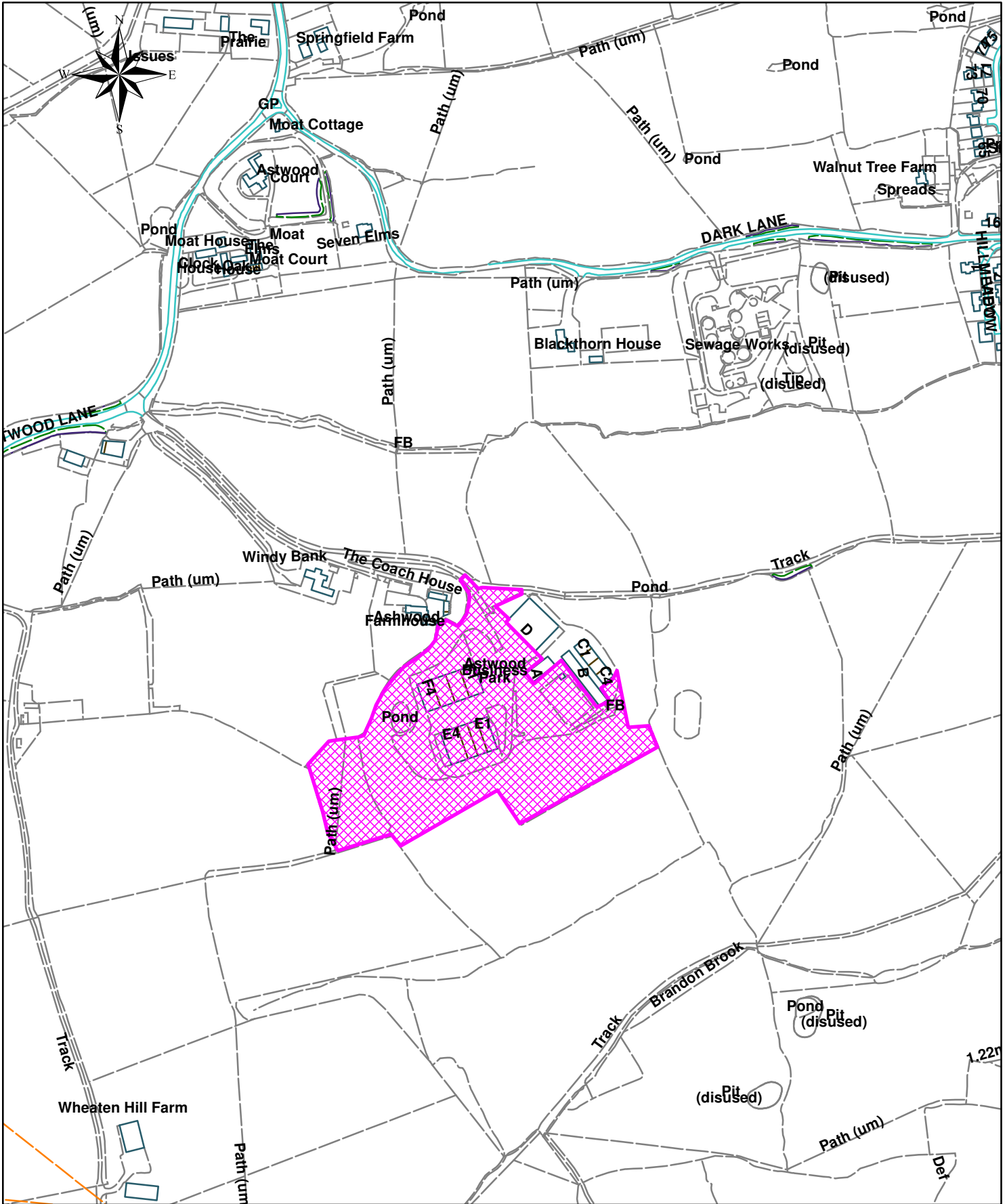
- 2) The local planning authority is aware of the requirement in the NPPF and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 to work with the applicants in a positive and proactive manner, seeking solutions to problems arising in relation to applications.

Council Officers and the applicant have met to discuss concerns raised by the local planning authority prior to the applications determination. The applicant considered that the proposals should be determined as submitted.

**Procedural matters**

This application is being reported to the Planning Committee at the request of Cllr J Potter, Ward Member for Astwood Bank and Feckenham who supports the application





www.redditchbc.gov.uk

Planning & Regeneration  
 Town Hall  
 Walter Stranz Hall Square  
 Redditch  
 B98 8AH

2016/225/FUL

Astwood Business Park, Astwood Lane

12 October 2016



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**Planning Application 2016/253/FUL****Erection of detached dwelling (with demolition of existing garage adjacent)****52 Cheswick Close, Winyates Green, Redditch, B98 0QQ,****Applicant: Mr Matthew Kelly  
Ward: WINYATES****(Site Plan attached)**

The author of this report is Isabel Roberts, Planning Officer (DM), who can be contacted on Tel: 01527 881603 Email: Isabel.roberts@bromsgroveandredditch.gov.uk for more information.

**Site Description**

The site is located in Cheswick Close and consists of a semi-detached dwelling with an adjoining double garage, set in a larger plot than those surrounding it. Access is via a driveway across the front of the adjoining property, number 51. To the front of the plot is a footpath and a tarmacked and grassed area which is not owned by the applicant. To the west of the property is a public woodland, with a footpath and grass verge adjacent to the property.

**Relevant Policies :****Borough of Redditch Local Plan No.3:**

BBE13 Qualities of Good Design  
BHSG06 Development within or adjacent to the curtilage of an existing dwelling  
CS07 The Sustainable Location of Development  
S01 Designing Out Crime

**Emerging Borough of Redditch Local Plan No. 4**

Policy 1: Presumption in Favour of Sustainable Development  
Policy 5: Effective and Efficient use of Land  
Policy: 39 Built environment  
Policy: 40 High Quality Design and Safer Communities

**Others:**

NPPF National Planning Policy Framework  
SPG Encouraging Good Design





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Notes:

HN1 - Mud on Highway

The attention of the applicant is drawn to the need to keep the Highway free from any mud or other material emanating from the application site of any works pertaining thereto.

Karen Hanchett  
Development Management Manager  
Transport Planning Unit  
Directorate of Economy and Infrastructure  
Worcestershire County Council  
County Hall  
Spetchley Road  
Worcester  
Worcestershire WR5 2NP

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**Public Consultation Response**

Three objections have been received from the occupiers of 47, 53 and 63 Cheswick Close. The following issues were raised:

- Noise
- Over intensive development
- Neighbour amenity
- Vehicular access
- Car parking
- Loss of vegetation and wildlife
- No boundary fencing distinguishing between private and public land

**Assessment of Proposal**

The proposal is to demolish the existing double garage and erect a detached three bedroom two storey dwelling of a similar size and design as those already existing in Cheswick Close.

A number of issues have been raised by neighbours. All of these issues raised have been taken into consideration during the assessment of the proposal. The matters raised predominantly relate to the construction of the new dwelling and access and parking to the dwelling.

The proposed development would sit comfortably in the plot, providing adequate private amenity space and car parking spaces, while the existing dwelling (number 52) would also retain adequate private amenity space and car parking spaces. Access to the

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proposed development has raised no objection from the Worcestershire Highways Department and therefore is acceptable to service two dwellings instead of one. The proposed new dwelling would follow the existing development line of numbers 51 and 52 Cheswick Close and is considered to have no adverse impact on neighbour amenity to number 52. The proposed development is an adequate distance from number 53 and therefore considered to have no adverse impact on that property also.

The site has been recently cleared, and being an existing private garden, it is considered that the impact on wildlife would be minimal. There are no Tree Preservation Orders on the land or surrounding the land and therefore there will be no impact on protected trees. Although the proposed development would create noise during the construction phase, this is not considered to be a justification for a development to not proceed.

The proposal meets with the policies BBE13, BHSG06, CS07 and S01 of the Borough of Redditch Local Plan No. 3, policies 1, 5, 39 and 40 of the emerging Borough of Redditch Local Plan No.4, the adopted SPG - Encouraging Good Design and the guidance in the NPPF.

The scheme has raised no other material planning issues and has required no further negotiations or amendments. As such it is considered that the proposal complies with the provisions of the development plan and would be acceptable.

**RECOMMENDATION:**

**That having regard to the development plan and to all other material considerations, planning permission be GRANTED subject to the following conditions:**

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the grant of this permission.

Reason :- In accordance with the requirements of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2) The development hereby approved shall be implemented in accordance with the following plans:

Drawing Number: 3048\_001 A  
Materials to match those of Number 52 Cheswick Close.

Reason: To accurately define the permission for the avoidance of doubt and to ensure that the development is satisfactory in appearance in order to safeguard the visual amenities of the area in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3

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- 3) Prior to the commencement of development details of the boundary treatments to be provided on site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:-To ensure the development is afforded privacy and security between neighbours and the public realm and in the interest of the visual amenity of the street scene and in accordance with Policies B(BE).13 and S.1 of the Borough of Redditch Local Plan No.3.

- 4) The Development hereby permitted shall not be brought into use until the access, turning area and parking facilities shown on the approved plan have been properly consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority and these areas shall thereafter be retained and kept available for those uses at all times.

Reason:- In the interests of highway safety, to ensure the free flow of traffic using the adjoining highway and in accordance with the National Planning Policy Framework.

- 5) Total 4 car parking spaces shall be provided on site (2 spaces for the existing dwelling and 2 spaces for the proposed detached dwelling) and shall be reserved solely for that purpose and such spaces be made available for the use before the development hereby approved is occupied.

Reason: In the interests of Highway safety and to ensure the free flow of traffic using the adjoining Highway.

**Informatives**

- 1) Proactive engagement by the local planning authority was not necessary in this case as the proposed development was considered acceptable as initially submitted.
- 2) The attention of the applicant is drawn to the need to keep the highway free from any mud or other material emanating from the application site or any works pertaining thereto.

**Procedural matters**

This application is being reported to the Planning Committee because two (or more) objections have been received.



