



Planning Committee

Wed 15 Mar
2017
7.00 pm

Council Chamber
Town Hall
Redditch

REDDITCH BOROUGH COUNCIL

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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

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.

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

Wednesday, 15 March 2017

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	

1. Apologies	To receive apologies for absence and details of any Councillor nominated to attend the meeting in place of a member of the Committee.
2. Declarations of Interest	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.
3. Confirmation of Minutes (Pages 1 - 2)	To confirm, as a correct record, the minutes of the meeting of the Planning Committee held on 15 th February 2017. (Minutes attached)
4. Update Reports	To note Update Reports (if any) for the Planning Applications to be considered at the meeting (circulated prior to the commencement of the meeting)
5. Application 2016/254/FUL - Woodfield Academy, Studley Road, Lodge Park, Redditch B98 7HH (Pages 3 - 18) Ruth Bamford, Head of Planning and Regeneration	To consider a Planning Application for an all weather pitch, including floodlights and emergency vehicle access road / DDA access. Applicant: Mr S Bond, Woodfield Academy (Report attached / Site Plan under separate cover) (Lodge Park Ward)
6. Application 2016/290/FUL - Land at Far Moor Lane, Winyates Green, Redditch (Pages 19 - 30) Ruth Bamford, Head of Planning and Regeneration	To consider a Planning Application for the erection of nine dwellings, associated access and landscaping. Applicant: Mr Shaun Hussey (Report attached / Site Plan under separate cover) (Winyates Ward)

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<p>7. Application 2016/347/FUL - The Paddocks, Astwood Lane, Feckenham, Redditch B96 6HG</p> <p>(Pages 31 - 42)</p> <p>Ruth Bamford, Head of Planning and Regeneration</p>	<p>To consider a Planning Application for the erection of 5 no. dwellings, comprising 2 x 3 bedroom bungalows and 3 x 3 bedroom houses, on the site of approved Outline Application for 6 no. dwellings (2014/105/OUT).</p> <p>Applicant: Mr M Fitzpatrick, Sandpiper TKL</p> <p>(Report attached / Site Plan under separate cover)</p> <p>(Astwood Bank & Feckenham Ward)</p>
<p>8. Application 2016/350/HYB - Land north of Nash Road, Old Forge Drive, Park Farm, Redditch</p> <p>(Pages 43 - 62)</p> <p>Ruth Bamford, Head of Planning and Regeneration</p>	<p>To consider a hybrid application for the construction of up to 30,745m of B1, Light Industry, B2 General Industry and B8 Storage and Distribution, with ancillary offices, including parking and servicing areas in Outline with matters of layout, scale, appearance and landscaping reserved for future consideration; full application for the means of access from Old Forge Drive and Nash Road and internal service roads, including details of foul and surface water drainage.</p> <p>Applicant: Mr A Plant</p> <p>(Report attached / Site Plan under separate cover)</p> <p>(Greenlands Ward)</p>
<p>9. Application 2017/005/FUL - 1 - 16 Holloway Park, Holloway Lane, Lakeside, Redditch</p> <p>(Pages 63 - 66)</p> <p>Ruth Bamford, Head of Planning and Regeneration</p>	<p>To consider a Planning Application for the construction of pitched roofs over existing flat roofs on 16 bungalows.</p> <p>Applicant: Mr Adrian Guida-Jones, Housing Capital, Redditch Borough Council</p> <p>(Report attached / Site Plan under separate cover)</p> <p>(Lodge Park Ward)</p>
<p>10. Application 2017/027/FUL - Unit 21 Kingfisher Walk, Kingfisher Shopping Centre, Town Centre, Redditch B97 4EY</p> <p>(Pages 67 - 70)</p> <p>Ruth Bamford, Head of Planning and Regeneration</p>	<p>To consider a Planning application for a Change of Use from Sui Generis to A3 Use.</p> <p>Applicant: Kingfisher Shopping Centre</p> <p>(Report attached / Site Plan under separate cover)</p> <p>(Central Ward)</p>

11. 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”.

12. 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

15th February 2017

MINUTES

Present:

Councillor Andrew Fry (Chair), Councillor Nina Wood-Ford (Vice-Chair) and Councillors Joe Baker, Michael Chalk, Matthew Dormer, Gareth Prosser, Yvonne Smith and Jennifer Wheeler

Officers:

Amar Hussain and Helena Plant

Democratic Services Officer:

Jan Smyth

64. APOLOGIES

Apologies for absence were received on behalf of Councillors Roger Bennett and Wanda King. Councillor Joe Baker was confirmed as Councillor King's substitute for the meeting.

65. DECLARATIONS OF INTEREST

No declarations of interest were made.

66. CONFIRMATION OF MINUTES

RESOLVED that

the minutes of the meeting of the Planning Committee held on 18th January 2017 be confirmed as a correct record and signed by the Chair.

67. UPDATE REPORTS

The Committee received an oral update in relation to Item 5 (Application 2016/355/FUL) in relation to an amendment to proposed Conditions 3 as detailed in Minute 68 below.

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Chair

Planning Committee

15th February 2017

RESOLVED that

the oral update be noted.

- 68. APPLICATION 2016/355/FUL –
44 SOUTHCREST ROAD, LODGE PARK,
REDDITCH, B98 7JJ**

Site and rear two-storey extensions

Mr Talib Naveed

RESOLVED that

having regard to the Development Plan and to all other material considerations, Planning Permission be GRANTED, subject to the Conditions and Informative set out on page 7 of the main agenda report but with Condition 3 being amended to read as follows:

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

Drawing no. 01 16/73 – Existing floor plans and elevations

Drawing no. 02 16/73 Rev B – Proposed plans and elevations

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 4.

(Officers orally reported on an error in respect of Condition 3, clarifying that Drawing no. 02 16/73 Rev A, as detailed in the main report, should have read Drawing no. 02/16/73 Rev B.)

The Meeting commenced at 7.00 pm
and closed at 7.09 pm

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CHAIR

REDDITCH BOROUGH COUNCIL**PLANNING
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Planning Application 2016/254/FUL**All weather pitch including floodlights and emergency vehicle access road/DDA access****Woodfield Academy, Studley Road, Lodge Park, Redditch, Worcestershire, B98 7HH,****Applicant: Mr Steve Bond****Ward: LODGE PARK****(see additional papers for site plan)**

The author of this report is Helena Plant, Planning Officer (DM), who can be contacted on Tel: 01527 881335 Email: h.plant@bromsgroveandredditch.gov.uk for more information.

Site Description

This application relates to Woodfield Academy, a middle school (9 -13 year old children with approx. 550 pupils on roll) sited to the north of Warwick Highway and to the west of Studley Road.

The application site relates to the playing field to the rear of the main school; properties on Wirehill Drive and Oak Hill First School back on to the western boundary of the site, whilst the southern boundary is formed by Deer Barn Hill, Collinson Close and associated Allotment Gardens.

The existing playing field occupies an elevated position with four football pitches being sited on the upper level and the lower level (backing on to Barlich Way) being unused. The site is generally flat and whilst the site has no dedicated Tree Preservation Orders, it is bound along part of the eastern boundary by mature trees and along the entire southern boundary by a mature unmaintained hedge, which is situated off site and within the allotments. Other trees are located off site; on the western boundary (within the grounds of Oak Hill First School) whilst another group of trees are sited along the northern boundary.

Vehicular access is provided from Studley Road into a temporary parking area within the centre of the site (unused tennis courts). Pedestrian access from the main school site is provided via steps up the steeply sloping sections of the land to the playing fields. The existing sporting facilities are supported by two small temporary style storage buildings in the corners of the site, but there is currently no formal lighting to the area and poor drainage means the availability of the pitches is limited.

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Relevant Policies:**Borough of Redditch Local Plan No. 4**

Policy 1: Presumption in Favour of Sustainable Development
 Policy 11: Green Infrastructure
 Policy 12: Open Space Provision
 Policy 13: Primarily Open Space
 Policy 16: Natural Environment
 Policy 17: Flood Risk Management
 Policy 18: Sustainable water Management
 Policy: 39 Built Environment
 Policy: 40 High Quality Design and Safer Communities
 Policy 43: Leisure, Tourism and Abbey Stadium
 Policy 44: Health facilities

Others:

NPPG National Planning Practice Guidance
 NPPF National Planning Policy Framework
 SPG Encouraging Good Design
 SPD Designing for Community Safety

Relevant Planning History

2012/063/FUL	Excavate a section of grassed area adjacent to the school entrance and construct a tarmac surface to form five additional parking spaces to include one disable parking facility	Approved	03.05.2012
2013/118/FUL	Provision of a ramp and stepped access to the main entrance	Approved	27.06.2013
2000/150/CPO	Construction Of New Single Storey Technology Block (586m2) Alteration And Refurbishment To The Existing Classrooms Demolition Of Existing Art/DT Block	No obj	02.06.2000
1993/260/CPO	Consultation - Proposed Storeroom To Design Technology Block And Infilling Of Undercroft To Form New Cloakroom	No Obj	06.08.1993

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Consultations**Arboricultural Officer**

Trees on the eastern boundary form a cohesive group with a number of prominent feature trees which provide a high amenity value to the surrounding area. A number of these trees are to be removed or have minor remedial works undertaken to facilitate the proposed development. A tree schedule and tree protection plan along with a full Arboricultural Method Statement is required to address the proposed tree removal. There are no objections to the No Dig Construction within the RPA of trees, subject to details.

Plans are required detailing the routing of the cables to the floodlights to ensure impact on the RPA of the trees along the Southern and Eastern boundary of the site is acceptable.

The Southern boundary consists of a mature unmaintained hedge line there will be a low level of encroachment into the RPA of these trees and hedge line.

The Western boundary consists of three early to semi maturity Norway Maples which are situated off site within the grounds of Oak Hill First School. I have no objections subject to their protection during the development.

The Northern boundary consists of a number of highly prominent mature trees which form a highly cohesive group. These trees will not be influenced by this proposal.

A high level of tree mitigation and planting is planned throughout the site. Subject to conditions no objections are raised.

Area Environmental Health Officer

Lighting - The lighting assessment indicates little vertical light spill from the proposed floodlighting. Due to the height of the floodlighting there may be lines of sight from nearby residential properties to the underside of the lamp units for which mitigation is required.

Noise - The noise assessment indicates that noise levels at the nearest residential receptors would increase by about approximately 10dB(A)Leq in the garden area to approximately 54dB(A)Leq. With reference to the WRS Technical Noise Guidance this would be considered between the Lowest Observable Adverse Effect Level (50dB(A)Leq) and the Significant Observable Adverse Effect Level (55dB(A)Leq) and is at the top end of this range.

The submitted noise assessment suggests that this increase in noise level is acceptable but I would recommend that the applicant installs mitigation measures in order to minimise the impact from activities on the proposed pitch.

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North Worcestershire Water Management

The site is in flood zone 1 and therefore is at low risk of fluvial and tidal flooding.

The design and access statement acknowledges the geology of most of Redditch is clay with an extremely low infiltration rate. The nature of the development provides an excellent opportunity to use a porous sub-base underneath the new pitch and achieve some level of storage. Considers there is opportunity to have a low flood risk to the site and provide betterment elsewhere with SuDS techniques having a net drainage benefit to the existing pitches which are to remain. Require the applicant to submit a drainage strategy to demonstrate.

Contaminated Land- Worcestershire Regulatory Services

WRS have reviewed the information supplied for potential contaminated land issues of which none have been identified. WRS therefore have no adverse comments to make in relation to contaminated land.

Parks and Green Space Development Officer

The application will only affect the species poor open turf pitch areas of the site and as such will have minimal effect upon the viability of ecology on site. To ensure that no net loss of biodiversity occurs requests replacement tree and hedge planting with native species.

Advises that consideration is given to impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation. Advises on type and direction of lighting, timing of site clearance, endorses the recommendations of the ecological report.

Education Authority

Children, Families and Communities of Worcestershire County Council are aware of the proposals being undertaken by the school and have no further comments.

Highway Network Control

I have no highway objections to the all-weather pitch including emergency vehicle access road/DDA access at the above location. No highway conditions are required on this planning application since the main access road is existing.

Leisure Services Manager

Leisure Services are in agreement with the approach suggested by Sport England.

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Sport England

Sport England withdraws its objection to this application as it is considered too broadly meet exception E5 of its policy, subject to conditions relating to community use and specification and informatives.

Public Consultation Response

Three objections were received in relation to the original consultation relating to;

1. Proximity of development to housing, concerns over all week usage and consequences for drainage.
2. Light pollution and impact on night skies, visual impact of lighting poles on residents outlook, trees will not screen this - especially as many are deciduous and lights are likely to be used the most during the winter.
3. Opening hours given the light and noise that would be experienced during that time. Oakhill school sports field is also close and combined with the proposal will create additional noise early in the morning, into the evening and outside school term time. Questions whether there is need for an additional pitch in the Borough.

Following the receipt of additional information relating to lighting, noise and details around works to trees, five additional objections were received relating to;

1. Light the pollution will be unbearable for children and pets
2. Opening hours which will become a baseline for Noise and lighting implications for residents. This will be especially during the winter.
3. Privacy siting is too close to dwellings
4. Managing trees will reduce privacy and wildlife habitat.
5. Concern about plans to drain to a dry drainage ditch in that that will jeopardise resident's gardens during wet conditions as the pitch is elevated. Concern ditch is inadequate to cope.

Proposal description

The proposal involves the formation of an artificial grass pitch (AGP i.e. Astro Turf) at the southern end of the site. In accordance with Football Association (FA) design guidelines, the pitch extends to 106m x 70m (significantly larger than the existing on site pitches) and is therefore orientated in an east-west direction across the site.

To facilitate the new pitch there will be an element of 'cut and fill' across the site as well as the need to strip and redistribute areas of top soil. This re-distribution will occur largely in the centre of the site and involve a maximum of 325mm of additional material which will enable recontouring of this area and drainage improvement. The new artificial pitch will be floodlight along its north and southern boundaries by 8 lighting columns, 11m in height with twin lighting heads.

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Other associated development includes the provision of 2 storage units, a CTCV facility and associated spectator standing area, pathway, walling, extended vehicular access, fencing and associated land drainage: most of which is required to conform with strict FA guidelines and requirements. Changing facilities will be accommodated within the main school.

The purpose of the pitch is to extend the outdoor school playing season beyond October (poor ground conditions currently limit the period of time when the rugby and football pitches can be utilised), to make the facility available to other schools in the area and to make the facility available for community use. (The floodlighting element of the proposal is essential to extend the use of the facility and thus financially support the investment.)

The application is accompanied by a Design and Access Statement and a Baseline Ecological Survey. Further information has also been received with respect to a lighting report and a noise survey.

A draft community use agreement has been presented in recognition of Sport England's aim of promoting participation in sport and encouraging provision of sports facilities for the community.

Assessment of Proposal**Open Space and Natural Environment**

The Borough of Redditch local Plan number 4 (BORLP4) identifies the playing fields as being Primarily Open Space and thus subject to Policy 13. This policy aims to protect and where relevant enhance the quality, value, multi-functionality and accessibility of open space with the total or partial loss of such areas not normally being supported. In assessing development in such areas consideration needs to be given to factors including; the recreational and community amenity value of the land, its relationship with other areas, as well as the overall merits of the scheme generally. The policy also suggests that where development contributes to the green infrastructure in the Borough and the nature and purpose of the open space, then this may be acceptable.

Policy 12 (Open Space Provision) states that Borough Council will support, in principle, the development of new open space, sports and recreational facilities such as playing pitches, provided any ancillary facilities are appropriate.

Officers consider that the proposal will not erode or reduce the quantity of open space. The fencing associated with the Astro pitch will reduce the long range views across the site, but fences of this height could be erected in this position without the need for planning permission and in the context of the scale of the site this is not considered to be harmful or out of character. Furthermore by virtue of providing the new pitch, the value and accessibility of the open space will be improved; the Community use agreement

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protecting this for the future. Furthermore there are benefits associated with improving the quality of the resited pitches on the site as a whole.

Information has been submitted showing how existing trees will be protected during construction, where construction methods will need to be altered in order to be sensitive to root protection areas and where cables will be routed. Whilst minimal tree removal and or minor remedial work is required to facilitate the development, it is also noted that a high level of mitigation tree planting and hedge infilling with native species is proposed within the site and along boundaries, so improving the quality and visual amenity of the site and so contributing to the Green Infrastructure Network as required by Policy 11 and to the natural environment and landscape as required by Policy 16. This works, subject to conditions and further details, and are acceptable to the Council's Tree Officer.

An extended Phase 1 habitat survey has been undertaken on the site which considered; the quality of the affected grassland area as well as considering the potential for protected species to be on or near to the site. It was concluded that the areas impacted were of relatively low ecological value and that protected species were unlikely to be affected by the development. Recommendations relating to protection of retained trees, timing of development in relation to nesting birds and reuse of spoil are made.

In this context the proposal is considered to comply with the intentions of these policies by improving the functionality of the open space as well as its accessibility to the community as well as enhancing the green infrastructure and natural environment credentials of the site.

Drainage

Policy 17 and 18 seek to ensure that development is located on land where flood risk is at its lowest level, that sustainable drainage measures (SuDS) are incorporated into schemes as well taking the opportunity with new developments to reduce flood risk by for example improving flood storage.

The site is within the low risk of flooding (tidal and fluvial) category (flood zone 1) and given the nature of the end user, this is acceptable. The site specific characteristics of the sub soil (clay) mean that whilst naturally low filtration rates exist, the development provides the opportunity to use SuDS and thus to improve the local drainage systems and create a net benefit. This could be achieved through the use of a porous sub base beneath the new pitch and access road which would enhance storage and reduce run off rates from the site. The applicant is agreeable to this principle. A strategy is required to demonstrate run off rates and to detail where the system will connect to, so for example the Severn Trent surface water sewer. Subject to conditions to address these matters the North Worcestershire Water Management do not object.

A number of residents have raised concerns in relation to the potential flooding of their garden areas if the ditch to the north of the site is used for surface water drainage. The

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applicant has stated their intention to discharge to the existing drainage ditch which serves the area around Lodge Park Pool. At the boundary of the site with Studley Road, there is a buried headwall which allows drainage under Studley Road, exiting alongside Studley Road Social Club, then diverting into The Arrow, which in part feeds into Arrow Valley Lake. In utilising this route the development will ensure that debris associated with the existing ditch is removed and that the area is maintained, so providing drainage betterment for the area in general. Controlling the rate of discharge to the ditch is important, this can be achieved a number of ways and can be demonstrated and calculated within the drainage strategy, which itself will need to satisfy the Council's consultee before the relevant condition can be discharged.

Community use

Sport England's policy is to oppose the granting of planning permission for development which may result in the loss, or prejudice the use of, all or part of a playing field, unless one of five exceptions exist. Exception five refers to a 'facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing fields'.

With respect to the issue of 'loss' this relates to the inability to use this area to also provide for rounders and athletics and particularly cricket during other times of the year and to lay this area out flexibly with respect to pitch position. However the school state that the cricket wicket has not been available for use some time due to its poor condition and that no alternative is proposed within the site. Furthermore the applicant states that one of the driving forces for the development includes the historic closure of Dingleside School and the transfer of pupils to this site along with monies associated with improving sporting facilities locally. Funding from a variety of sources recognises the priority of providing the pitch and so enabling amongst other things the improvement of the drainage on the rest of the site - again for the benefit of sports access for all. The school states that since the closure of Dingleside that the facility could represent a 'base for football tournaments' and that the Academy would seek to continue and expand this opportunity for first and high school. The school already opens its facilities to the community and this would continue including holiday times facilitating play schemes and holiday clubs.

Sport England have considered these views and the views of the FA and on balance consider the potential benefits to football that the proposed pitch would offer would marginally outweigh the detriment caused by the impact on the playing field in this instance.

Sport England requires that a 'Community Use Agreement' is prepared and a framework document to demonstrate this has been received by the Council. This sets out that;

1. The Local community including organised sports clubs, organisations and casual users can access the facility.

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2. The use of the facility during term time and the Woodfield Academy holidays can be between 08.00 - 21.00 Monday/Saturday and 09.00 - 18.00 Sundays.
3. Priority use will be provided to the Sports Development Programme which includes opportunities for beginners, for people wishing to improve their skills via programmes of coaching and competition and training for players coaches and officials including specific activities aimed at attracting new participants from priority groups.
4. The Academy will be responsible for marketing and promoting the Sports Facilities in accordance with the agreed aims and targets which will be reviewed on an annual basis. This will also involve a policy of affordable pricing to ensure that prices are no greater than similar local authority run facilities in the area a matter which will be controlled by a separate Management Committee.
5. A Review Committee shall undertake an annual assessment of the adequacy of the agreement and the Academy shall implement all reasonable recommendations.
6. The Academy is not able to materially reduce the level of community access to the Sports Facilities required by any condition of the Planning Permission without the prior written approval of the local planning authority following consultation with Sport England.

Sport England has stated its agreement to the draft document, as has the Councils Leisure Services department, and subject to conditions relating to the specification and technical construction methods to ensure compliance with standards, raises no objection to the proposal. The protection and enhancement of existing sporting and leisure facilities in locations which can be accessed by the community is also in line with Policy 43 and 44 of the BoRLP4

Impact on residential amenity through noise and light

Policies throughout the plan seek to ensure that residents located close to development are not unduly impacted as a result of its implementation or its use. With that in mind there is a need to consider both the issues of lighting and noise.

In the submitted Design and Access Statement, the applicant states that artificial pitch would be financially unsustainable without the floodlighting to extend the hours of use and that this is particularly so when the operation of the school curriculum limits the availability of the facilities during term time. The scheme would not therefore be viable without the lighting element.

With respect to lighting; the physical impact of the lighting columns given their design and siting in relation to surrounding dwellings and given the land levels involved, is not considered to be harmful. In order to judge the impact of light spill during usage, a number of Lux Level plans have been submitted which indicate the intensity of light on and adjacent to the pitch when in use. Regulatory services have considered this information and note the limited extent of light spill. The closest residential properties in

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Collinson Close and Wirehill Drive will experience an isolated maximum reading of 3 Lux and a more general 2 Lux of light on the outside faces of the dwellings. The Institute of Lighting Engineers advice is that levels should not exceed 2 Lux in these circumstances and this is therefore acceptable. Regulatory Services advise the use of baffles to the lighting heads to reduce any potential glare from the underside of the lighting heads and the applicants are agreeable to this.

With respect to noise; whilst there are no specified standards associated with sports facilities the submitted report has been informed by noise readings associated with a similar facility outside of the Borough. Furthermore British Standards advise that for external amenity spaces (i.e. those associated with the gardens around the site) that *'...it is desirable that external noise levels does not exceed 50 dB LAeq,T with an upper guideline value of 55 Db LAeq ,T which would be acceptable in noisier environments'*. Worcester Regulatory Services Technical Noise Guidance contains the same levels.

At the application site the closest residential properties are in Wirehill Drive and at the end of Collinson Close, both approx 30m way (centre point of garden) from the outside edge of the new pitch. The report indicates that levels experienced here during the use of the facility would be on average 54 Db (A) Leq. Regulatory Services note that this is towards the upper limits of the acceptable range and that consideration has not been made for 'maximum noise levels' (so unusual peaks of noise during use which are difficult to predict). In that context they consider that the proposed increase in noise is acceptable, but seek mitigation in the form of acoustic protection for residents closest to the site.

The use of the facility would be restricted by a planning condition to ensure that activity did not continue into times of the day when it would reasonable to expect peace and quiet. As such the proposed hours presented in the community use agreement are also acceptable to Regulatory Services and would be controlled through a separate Planning Condition.

Other matters

There a number of more minor elements associated with the development such as the erection of new gates, height restriction barriers, expansion of internal roadway, gabion walling etc. The design and appearance of these elements is considered acceptable in the location proposed given the use and activity being undertaken. The scheme does involve the addition of two new storage units with the form of a temporary structure. Support for such structures on a permanent basis is not encouraged, however given their location and the screening associated at the site boundaries, the impact on visual amenity is considered to be acceptable.

A construction management plan to ensure the implications for the development are fully understood is a recommended condition, as is an hours of construction agreement.

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Conclusions

The essence of the development is to provide an improved sport facility on an existing playing field. As a consequence, the quality and opportunity for other pitches on the site to be used for extended periods will be provided. The site is sustainably located and is currently used by the local community, as will be the new facilities in accordance with an agreed community use agreement.

The details associated with the development; its impact upon the ecological and natural environment, including drainage, is, subject to conditions acceptable. Consideration has been given to the amenity of residents with respect to light, noise and hours of use and subject to control through suitably worded conditions these impacts are also acceptable to consultees. The development is therefore considered to be in compliance with the policies of the BoRLP4 and the NPPF and to 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:

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:
 - Site location plan S-16-046 - dwg 01 issue P1 (issued 22.12.16)
 - Proposed site location Plan S-16-046 - dwg 02 issue P1(issued 25.01.17)
 - Elevations on artificial pitch S-16-046 - dwg 03 issue P1
 - External works sections S-16-046 - dwg 04 to 06 issue P1
 - Longitudinal section S-16-046 - dwg 07 issue P1
 - Gabion retaining wall plan and details S-16-046 - dwg 08 issue P1
 - Proposed height restriction details S-16-046 - dwg 09 issue P1
 - Storage containers detailed plan and elevations 303-02-16 dwg 04
 - Tennis court; access road and gates; plans and elevations 303-02-16 dwg 05
 - Topographical survey of playing field as existing 303-02-16 dwg 06
 - Tree plans; General site location showing numbering and crown spread; Figure 1a, 1b.

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- Tree plans; Tree root areas; Figure 2a, 2b.
- Tree plans; Tree rot protection fencing layout; Figure 3a, 3b.
- Baseline Ecological report March 2016
- Noise Impact Assessment Ref 20161110 7854 Dated Nov 2016
- Exterior Sports Lighting Report Dated 29th September 2016

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 the Borough of Redditch Local Plan No.4

- 3) Prior to the commencement of any ground works on site, the following plans must be submitted to and approved in writing by the Council and development must be carried out in accordance with its contents.
- a. Plans detailing the method of construction of the No Dig construction to be used within the footprint of the all-weather pitch which encroaches into the BS5837:2012 Root Protection Areas of the trees located on the Eastern and South Eastern boundary.
 - b. Plans detailing the remaining routing of any underground services to the lighting columns and CCTV.
 - c. Plans detailing the method of construction and depth of footings of the proposed floodlight on South Eastern corner boundary which encroaches into the BS5837:2012 RPA of the English Oak (T36).

Reason - This pre-commencement condition is necessary in order to protect the trees on the site during the initial ground works associated with the development. Protecting the amenity value of those trees is in accordance with policy 16 of the BoRLP4.

- 4) Prior to the commencement of any ground works on site, an Arboricultural Method Statement must be submitted to and approved in writing by the Council and development must be carried out in accordance with its contents. This shall detail; the level of ground protection measures to be used within the BS5837:2012 RPA of the trees on site and proposed pruning works on site. It should include a tree schedule and tree protection plan clarifying the tree identification numbers and BS5837:2012 RPA measurements for the RPA's of the trees on site.

Reason - This pre-commencement condition is necessary in order to protect the trees on the site during the initial ground works associated with the development. Protecting the amenity value of those trees is in accordance with policy 16 of the BoRLP4.

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- 5) Prior to the installation of the lighting columns on site, details shall be submitted to and approved in writing by the Local Planning Authority to demonstrate the addition of baffles to the proposed lighting columns to ensure there is no line of sight from surrounding residential properties to the underside of the lights. These baffles shall be installed as part of the development and retained for the life of the development.

Furthermore full elevational details of the lighting columns, the CCTV pole as well as the head details and specification of the lights shall be submitted and approved in writing by the Local Planning Authority and shall be implemented in this form on site.

Reason -To ensure that the amenity of residents surrounding the site are not harmed by virtue of glare from the underside of the lighting columns.

- 6) No works or development shall take place until a scheme for foul and surface water drainage has been submitted to, and approved in writing by the Local Planning Authority. The scheme shall utilise the following principles;
- If infiltration techniques are used then the plan shall include the details of field percolation tests.
 - The peak runoff rate from the development for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event plus an appropriate allowance for climate change must never exceed the peak runoff rate for the same event.
 - The scheme shall be designed so that flooding does not occur on any part of the site for a 1 in 30 year rainfall event and not in any part of any building for the 1 in 100 year rainfall event, plus climate change.
 - Flows resulting from rainfall in excess of a 1 in 100 year rainfall event shall be managed in exceedance routes that minimise the risk to people and property.
 - The runoff volume from the development in the 1 in 100 year 6 hour rainfall event shall not exceed the Greenfield runoff volume for the same event.
 - The scheme shall provide an appropriate level of runoff treatment.
 - The approved scheme shall be completed prior to the first use of the development hereby approved.

Reason ;To ensure satisfactory drainage of the site in accordance with policy 17 and 18 of the BoRLP4.

- 7) Prior to the commencement of development a Construction Management Plan will be required to be submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented in accordance with that plan. The plan shall set out;
- a) onsite parking for site operatives, position of site office and machinery/plant/materials storage during construction, and scheme for making

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good of these areas before the development hereby approved is first brought into use

- b) details of the phasing of the implementation of the project with respect to alterations of land levels, temporary storage of soil and implementation of drainage works.

Reason - This pre-commencement condition is necessary in order to protect the amenity of residents, the health of trees on the site during the initial ground works associated with the development. Protecting the amenity value of those trees is in accordance with policy 16 of the BoRLP4.

- 8) Prior to the first use of the development a scheme shall be submitted to and approved in writing by the Local Planning Authority to show the siting and specification of acoustic fencing to the south west corner of the site and to the eastern boundaries of number 25/27 Wirehill Drive. That fencing shall be erected in the agreed position prior to the first use of the Artificial Grass Pitch and shall be retained as such for the life of the development.

Reason; to provide appropriate mitigation for the noise associated with the development to ensure that the amenity of surrounding properties is not harmed.

- 9) Prior to the first use of the development a scheme shall be submitted to and approved in writing by the Local Planning Authority detailing appropriate Biodiversity enhancements at the site. The scheme shall include a schedule for the implementation of those works.

Reason; To ensure that biodiversity improvements are an integral part of the development.

- 10) The use of the development shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the 3G AGP and natural turf pitches and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review, and anything else which the Local Planning Authority in consultation with Sport England considers necessary in order to secure the effective community use of the facilities. The development shall not be used at any time other than in strict compliance with the approved agreement.

Reason; To secure well managed safe community access to the sports facilities and to ensure sufficient benefit to the development of sport.

- 11) All trees on site are to be afforded full protection in accordance with BS5837:2012 throughout any ground or construction works. Tree protection fencing is to be

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erected, in accordance with the approved plans, before any ground or construction works commence on site, in accordance with section 6.2 of BS5837:2012 and shall be retained in this position until the development is completed.

Reason - To protect the amenity value of those trees is in accordance with policy 16 of the BoRLP4.

- 12) The tree and hedge planting indicated on the proposed site plan S-16-046-02 P1, shall be implemented in accordance with that plan by the end of the first available planting season, following completion of the development. Any planting dying or becoming seriously diseased within 5 years of that planting shall be replaced with similar species.

Reason; To ensure that suitable mitigation is undertaken on site to address the removal and pruning of existing stock as well as to improve the visual amenity of the site where development is taking place.

- 13) The 3G Artificial Grass Pitch hereby permitted shall not be constructed other than substantially in accordance with National Governing Body Technical Design Guidance Notes - FIFA Quality Concept for Football Turf - One Star accreditation or equivalent International Match Standards (IMS)

Reason to ensure the development is fit for purpose and sustainable

- 14) During the course of any site clearance and development, the hours of work for all on-site workers, contractors and sub-contractors shall be limited to between;

0800 to 1800 hours Monday to Friday

0900 to 1200 hours Saturdays

and NO WORKING shall take place at any time on Sundays, Bank Holidays or Public Holidays or at any time outside of the above permitted working hours unless first agreed in writing by the Local Planning Authority.

Reason: In the interests of neighbours amenity

- 15) The use of the 3G Artificial Grass Pitch shall not commence until 08:00 hours Monday to Saturday inclusive and 09:00 hours on Sundays/Bank Holidays /Public Holidays. The use of the 3G Artificial Grass Pitch shall cease by 21.00 hours Monday to Saturday inclusive and by 18.00 hours on Sundays/Bank holidays /public holidays

Reason; In order to protect the amenity of residents abutting the site in accordance with policy of local plan 4.

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Informatives

- 1) The local planning authority has 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 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.
- 3) The applicant is advised to be aware of their obligations under the Wildlife & Countryside Act 1981 (as amended by the Countryside & Rights of Way Act 2000) to avoid disturbance of nesting wild birds and protected species such as bats when carrying out these works. The development shall be implemented in accordance with the recommendations made with the Phase 1 Ecology survey Date March 2016.
- 4) Guidance on preparing Community Use Agreements is available from Sport England www.sportengland.org.
- 5) The applicant is advised that the pitch should be tested bi-annually by an accredited testing laboratory in order to achieve and maintain World Rugby Regulation 22. The applicant is advised that the pitch should also be tested in accordance with The FA standard code of rules and be registered on the FA Register for 3G Football. The floodlighting levels must achieve those outlined in the RFU guidance note: 'Floodlighting installation and Management Guide'.

Procedural matters

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

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Planning Application 2016/290/FUL**Erection of nine dwellings, associated access and landscaping****Land At, Far Moor Lane, Winyates Green, Redditch, Worcestershire, ,****Applicant: Mr Shaun Hussey****Ward: WINYATES****(see additional papers for site plan)**

The author of this report is Sharron Williams, Planning Officer (DM), who can be contacted on Tel: 01527 534061 Email: sharron.williams@bromsgroveandredditch.gov.uk for more information.

Site Description

The site comprises of a paddock with a detached garage / workshop. Mature tree planting exists around the perimeter of the application site. The application site also includes an established pond that is sited between two fields. The site is adjacent to Lower House which is a grade II listed building.

Proposal Description

Nine dwellings are proposed to the south of Lower House. The house types are varied and incorporate architectural features that are evident on the listed building. An informal open space area has been provided directly to the south of Lower House in order to maintain a natural spacing between the listed building and the proposed dwellings. This open space provision would create a link to the pond that forms part of the site and is intended to be enhanced as a result of the development.

Relevant Policies :**Adopted Borough of Redditch Local Plan No. 4**

Policy 1	Presumption in Favour of sustainable Development
Policy 2:	Settlement Hierarchy
Policy 4	Housing Provision
Policy 5	Effective and Efficient Use of Land
Policy 6:	Affordable Housing
Policy 12	Open Space Provision
Policy 16	Natural Environment
Policy 22:	Road Hierarchy
Policy 36:	Historic Environment
Policy 37:	Historic Buildings and Structures
Policy: 39	Built Environment
Policy: 40	High Quality Design and Safer Communities

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Others:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
SPD	Affordable Housing Provision
SPD	Open Space Provision
SPG	Encouraging Good Design
Worcestershire Waste Core Strategy (WWCS)	

Relevant Planning History

No planning history.

Consultations**Arboricultural Officer**

I have no objections to the proposed development and recommend conditions.

Development Plans

The proposal site is located immediately north and adjacent to the Local Plan No.4 (BORLP4) housing site (No.211, former A435 ADR). The proposal site is identified as white land on the adopted BORLP4 Policies Map; therefore any development proposal needs to be assessed with regard to its compatibility with surrounding land uses. In this instance, the proposed residential development would be appropriate in this location. This application can be supported from a Planning Policy perspective.

North Worcestershire Water Management

Recommend conditions.

Highway Network Control

Additional information required and submitted in relation to the turning head and visibility splay. Highway conditions anticipated.

Crime Risk Manager

No objections to this application.

Perimeter security is important. The proposed boundary treatment plan shows the use of either 1.8 metre high fencing or brick walls which is good, however on many of the plots it is not clear if this treatment applies for the whole of the perimeter of the rear gardens, or, will there be a combination of fencing and natural vegetation. If natural vegetation is to be relied on to form part of the perimeter security it is essential that there are no gaps in it.

Parks & Green Space Development Officer Martin Lewis

No objections to this development.

Worcester Regulatory Services- Contaminated Land

The application site is within 250m of a significant area of unknown filled ground which could potentially produce landfill gas. It is considered necessary to condition the

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application requiring the applicant to incorporate gas protection measures within the foundations of the proposed new structure or to undertake a gas survey to ascertain if gas protection measures are required.

Stratford on Avon District Council

No comments received to date.

Nick Joyce Architects

Initial concern related to the location of units closest to the listed building over which it will have views. Whilst this is a relatively low density development, the layout should be such as to maintain open views out from the listed dwelling so that at least it retains the feeling of open space.

Public Consultation Response

9 letters of objections raising the following concerns as summarised:-

Concerns about construction noise during development, over intensive development, traffic issues, impact on trees and wildlife, concerns of overlooking from existing properties.

Mappleborough Green Parish Council

Concern in relation to the close proximity of the development to the borough boundary and grade II listed building.

Assessment of Proposal**Principle of development**

Under the Borough of Redditch Local Plan No. 4 the site is identified as white land therefore, the principle of residential development is therefore acceptable on this site.

The density of the proposal equates to 19 dwellings per hectare (dph). Whilst this figure is lower than the 30 to 50dph sought through Policy 5 of Local Plan No.4, it is considered that the density of this proposal is appropriate for its location, bearing in mind that it is adjacent to a listed building and on the edge of the urban/ rural fringe.

Design and layout of the proposed scheme

The design of the nine dwellings has been carefully considered incorporating distinctive architectural features that exist on the adjacent listed building (Lower House). As such the dwellings have a unique appearance that would contribute positively to the local character of the area.

Lower House remains one of the more interesting listed buildings in the area. Farm buildings associated with the house remain to the north of Lower House and though now converted, they still provide some context to the house as well as the large stretch of open paddock and pond to the south of Lower House.

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Original plans submitted showed dwellings positioned close to the northern site boundary that abuts Lower House. Officers considered that positioning dwellings in this location would have a direct and substantial impact upon the setting of the farmhouse. Officers negotiated with the agent to amend the layout plan accordingly to ensure some provision of spacing between the listed building and the proposed dwellings.

The revised plan still shows the provision of 9 dwellings; however, an informal 'green' has now been incorporated within the scheme. This provision will form part of the informal open space required for the scheme and also provide a good connection to the pond that is within the application site boundary. This revision now maintains open views out from the listed dwelling. The Conservation Advisor considers this revision to be acceptable.

As a result of the changes to the scheme, all plots have adequate garden provision. However, the garden area for plot 2 equates to 69 sq m with a 1 sq m shortfall. Whilst this would not fully comply with guidelines set out in the Borough of Redditch Supplementary Planning Guidance (SPG) on Encouraging Good Design, it is considered unlikely that the shortfall of 1 sq m would be detrimental to the amenities of the potential occupiers.

Comments have been made by neighbouring occupiers in relation to overlooking. However, the distance between existing properties and the proposed dwellings would be at least 27 metres and as such would comply with the 22 m minimum distance set out in the SPG on Encouraging Good Design. Concerns also relate to over intensive development, however, as stated above, the scheme would be a very low density scheme and as such would not be an over intensive development in this location.

Officers consider the revised layout is acceptable and complies with policies in Local Plan No. 4 and would not seriously conflict with guidance set out in the SPG on Encouraging Good Design.

Means of access

The means of access would utilise the existing gated access to the site and is proposed to be off Far Moor Lane which is designated as a Local Distributor Road in Local Plan No. 4. Whilst County Highways do not object to the proposal, clarification has been sought in respect to the turning head and visibility splay. A Transport Statement has since been submitted to support the scheme. The Statement provides details of an appropriate turning head, visibility splay, and the provision of a new public footpath link from the site to the bus stop located to the north of Longhope Close junction.

Objections have been made in relation to traffic. However, County Highways are satisfied with the number of units that would be served off this road and highway conditions are anticipated.

Crime Risk

There is no objection from the Crime Risk Manager in respect to this proposal, however, the officer raised concerns in respect to rear boundary treatment for plots 1 – 7. A post

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rail fence is shown that will be 1.2 m high. Officers appreciate that a more secure boundary treatment needs to be provided for these plots, however, this matter can be addressed as part of the landscaping scheme as indicated under condition 4.

Trees and landscaping

Although the Arboricultural Officer has no objection to the scheme, slight adjustments have been made to the layout to address encroachment of the Root Protection Areas of existing trees. It is expected that a new native tree is proposed to be planted (species to be agreed as part of the landscaping scheme) along the south eastern boundary of the site where there is currently a gap along this side of the application site.

Ecology matters

An ecological appraisal has been provided for the site and revealed very little evidence of ecological activity. The applicant's Ecology Advisor has further clarified that Great Crested Newts (GCN) are unlikely to be present as it was considered that the pond was not suitable as a breeding site due to the pond being very shallow and muddy that takes the local road run-off. The water quality is thus poor, with no aquatic vegetation on which to lay eggs. These factors in combination with other observations of the pond on 6th May 2016, (at a time of maximum GCN populations in breeding ponds), led to the conclusion that GCN are absent, as no GCN or any other amphibian species were seen at the time of the observation. Whilst GCN are present in several ponds around Redditch, these ponds are all well-vegetated, clean and quite deep, with no road run-off.

In terms of terrestrial impacts, the immediate habitat surrounding the pond consists of grassland, woodland, tall ruderal vegetation, trees and bushes. As such it was considered unlikely that any common amphibians, if present, would leave these habitats to venture onto the proposed construction site, which was mainly bare ground and closely mown amenity grassland. Upon completion of the development, the gardens will be much more attractive to amphibians, as there will be a mosaic of features which animals could take shelter and potentially hibernate. The application site as it exists is not suitable for hibernating amphibians.

The proposed development would have an insignificant effect on terrestrial habitats, and the proposed works would enhance the habitats, as well as the pond itself, which will be planted with native species, thereby creating improved suitable conditions for amphibians.

A recommendation to apply care whilst digging during construction has been highlighted in the report's conclusion and recommendations. However, it is considered appropriate that an ecological enhancement scheme condition be imposed in order to apply measures to encourage ecology into this area. The Council's Green Space Development officer has considered the scheme and has raised no objection to the scheme.

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Other Matters

A Section 106 Agreement is proposed for this development to cover the following matters:-

Affordable Housing Provision – Although nine dwellings are proposed, the combined gross internal floorarea of the dwellings concerned exceeds 1000 sq m therefore; a financial contribution for affordable housing is required in the form of a planning obligation. This would be in line with policy 6 of the adopted Local Plan No. 4 and para 31 of the National Planning Practice Guidance (NPPG).

Waste Core Strategy - A financial contribution to cover the cost of wheelie bins will be required for the development.

Open Space Provision - Under the Open Space Provision SPD the provision of unrestricted open spaces, provision of children's play areas, and provision of playing pitch facilities need to be provided for the scale of this housing development. Some provision of unrestricted open space provision will be provided on site, however, a financial contribution will still be required to cover the shortfall of unrestricted open space, playing pitch provision and equipped play area provision. These contributions would be used to provide a new facility or enhance existing facilities nearby.

An area of open space will be provided as part of the overall scheme. However, this would not be transferred to the Council to maintain and the same would apply to the pond that is included within the site. However, a management plan is required to ensure that the open space and pond are suitably maintained in the long term.

Conclusion

The principle of residential development and its means of access proposed in this sustainable location would be compliant with Policies in Local Plan No.4 and consistent with the NPPF.

The designs of the dwellings are considered to be acceptable and reflect and complement the local surroundings. Whilst the scheme does not fully comply with guidance set out in the Council's SPG, it is considered that the shortfall on the spacing would not be detrimental to the amenities of the potential occupiers.

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:-

- 1) **The satisfactory completion of a S106 planning obligation ensuring the following provision:-**
 - a) **a financial contribution for the provision of affordable housing,**

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- b) a financial contribution for the provision of waste management;
- d) a financial contribution for open space provision;
- e) a financial contribution for playing pitch provision;
- f) a financial contribution for children's play provision;
- g) a management plan for the long term management of the open space and pond within the site;

and

- 2) subject to the following conditions and infomatives 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) Prior to the commencement of development details of the form, colour and finish of the materials to be used externally on the walls, roofs, boundary walls / fencing 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 Policies 39 and 40 of the Borough of Redditch Local Plan No.4.

- 3) The development hereby approved shall be implemented in accordance with plans to be defined.

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 Policies 39 and 40 of the Borough of Redditch Local Plan No.4.

- 4) No development shall take place until 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, new planting, trees and shrubs to be retained, together with measures to be taken for their protection while building works are in progress.

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Reason:- In the interests of the visual amenity of the area and in accordance with Policy 39 of the Borough of Redditch Local Plan No.4.

- 5) All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing by the local planning authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes or species unless the local planning authority gives written approval to any variation.

Reason:- In the interests of the visual amenity of the area and in accordance with Policy 39 of the Borough of Redditch Local Plan No.4.

- 6) A Construction Environmental Management Plan shall be submitted to and approved in writing by the local planning authority prior to commencement of development. This shall include the following:-
- a. Measures to ensure that vehicles leaving the site do not deposit mud or other detritus on the public highway;
 - b. Details of site operative parking areas, material storage areas and the location of site operatives facilities (offices, toilets etc);

The measures set out in the approved Plan shall be carried out in full during the construction of the development hereby approved. Site operatives' parking, material storage and the positioning of operatives' facilities shall only take place on the site in locations approved by in writing by the local planning authority.

Reason: To protect the amenities of nearby properties during the construction of the development and to protect the natural and water environment from pollution in accordance with the provisions of the National Planning Policy Framework.

- 7) No works or development shall take place until a scheme for foul and surface water drainage has been submitted to, and approved in writing by the Local Planning Authority. If infiltration techniques are used then the plan shall include the details of field percolation tests. The scheme shall provide an appropriate level of runoff treatment. The approved scheme shall be completed prior to the first use of the development hereby approved.

Reason: In order to ensure satisfactory drainage conditions that will not create or exacerbate flood risk on site or within the surrounding local area and in accordance with National Planning Policy Framework.

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- 8) No works or development shall take place within at least 5 metres alongside all ordinary watercourses allow for an appropriate buffer strip.

Reason: In order to ensure satisfactory drainage conditions that will not create or exacerbate flood risk on site or within the surrounding local area and in accordance with National Planning Policy Framework.

- 9) Finished floor levels within the development shall be set no lower than 150 mm above the surrounding finished ground levels.

Reason: In order to ensure satisfactory drainage conditions that will not create or exacerbate flood risk on site or within the surrounding local area and in accordance with National Planning Policy Framework.

- 10) Recommendations set out in the Ecological Appraisal dated 6 May 2016 shall be implemented during construction of the development.

Reason:- In the interests of ecology in the local area and in accordance with Policy 16 of the Borough of Redditch Local Plan No.4 and paras 9 and 109 of the National Planning Policy Framework.

- 11) No development shall take place until full details of an ecological enhancement scheme has been submitted to and approved in writing by the Local Planning Authority. These details shall include measures to encourage / maintain ecology in this area including the use of the site as a wildlife corridor and enhancements to the pond. The approved schemes shall be fully implemented prior to the first occupation of the development.

Reason:- In the interests of ecology in the local area and in accordance with Policy 16 of the Borough of Redditch Local Plan No.3 and paras 9 and 109 of the National Planning Policy Framework.

- 12) Highway conditions recommended by County Highways.

- 13) Gas protection measures should be incorporated within the foundations of the proposed structure, 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 this area, provided to and approved by the Local Planning Authority, prior to commencement of the development.

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.

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

- 14) No demolition, site clearance or development 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 BS:5837 2005: Guide for Trees in relation to Construction, and such protection measures shall remain in situ for the duration of the development.

Reason:-To ensure the protection of trees and hedgerows in the interests of visual amenity in accordance with Policy 16 of the Borough of Redditch Local Plan No.4.

- 15) No site clearance, demolition, excavation or development shall take place until full details of tree protection measures and a detailed working methodology of construction near the tree(s) to be retained 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 16 of the Borough of Redditch Local Plan No.4.

Notes

- 1) The local planning authority has 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 that due to the close proximity of other properties, the applicant should be directed to Worcester Regulatory Services 'Code of Best Practice for Demolition and Construction Sites' which can be found on the WRS website.
- 3) Highway informatives recommended by County Highways.
- 4) In respect to condition 7 the applicant is advised that the peak runoff rate from the development for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event plus an appropriate allowance for climate change must never exceed the peak runoff rate for the same event. The scheme shall be designed so that flooding does not occur on any part of the site for a 1 in 30 year rainfall event and not in any part of any building for the 1 in 100 year rainfall event plus climate change. Flows resulting from rainfall in excess of a 1 in 100 year rainfall event shall be managed in exceedance routes that minimise the risk to people and property.

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The runoff volume from the development in the 1 in 100 year 6 hour rainfall event shall not exceed the Greenfield runoff volume for the same event.

Procedural matters

This application is being reported to the Planning Committee because the application requires a S106 Agreement and because two (or more) objections have been received. As such the application falls outside the scheme of delegation to Officers.

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Planning Application 2016/347/FUL

Full planning application to erect 5 no. Dwellings comprising 2 x 3 bed bungalows and 3 x 3 bed houses on the site of approved outline application for 6no. Dwellings [2014/105/OUT]

The Paddocks , Astwood Lane, Feckenham, Redditch, B96 6HG,

Applicant: Mr M Fitzpatrick: Sandpiper TKL

Ward: ASTWOOD BANK AND FECKENHAM

(see additional papers for site plan)

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 for more information.

Site Description

The site is located on the northern edge of Feckenham and comprises approximately 0.36 hectares. To the east, the site is surrounded by small fields whilst to the north there is a mix of pasture and arable land adjacent to the Bow Brook. North-east of the Paddocks along Astwood Lane is the retail outlet of outdoor equipment store Winfield (formerly Barretts) and then several cottages. An existing vehicular access to the site is located just before the bend into the village (travelling westwards).

Within the site, the land rises steeply from Astwood Lane, in a north to south direction. The land is partly grassed, but also contains a small pond at a raised plateau within the site. The site is presently occupied by a (B1 Class) business use, stables and a ménage.

A tall line of evergreen hedging (Leylandii trees) forms the perimeter boundary to the south.

Proposal Description

Full planning permission is sought for the erection of 5 new dwellings.

The dwellings would comprise 2 x 3 bed roomed bungalows and 3 x 3 bed roomed two storey houses formed of brickwork walls under tiled roof. Vehicular access to serve the development would be via the existing access to The Paddocks (Astwood Lane).

Relevant Policies :**Borough of Redditch Local Plan No. 4**

Policy 2 Settlement Hierarchy
Policy 3 Development Strategy

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Policy 4 Housing Provision
 Policy 5 Effective and Efficient use of Land
 Policy 8 Green Belt
 Policy 39 Built Environment
 Policy 40 High Quality Design and Safer Communities

Others:

NPPF National Planning Policy Framework
 NPPG National Planning Practice Guidance
 SPG Encouraging Good Design
 SPD Open Space Provision
 Worcestershire Waste Core Strategy (WWCS)

The site lies adjacent to but outside the village settlement boundary/envelope. The site is also adjacent to but outside the Feckenham Conservation Area.

The site is within an area designated as Green Belt in the Borough of Redditch Local Plan No.4.

Relevant Planning History

2013/228/OUT	Outline application with some matters reserved - 8 no. dwellings providing mix of 4 x 2 bed, 2 x 3 bed and 2 x 4 bed, one of which will be a replacement dwelling	Refused Appeal dismissed	16.01.2014 09.10.2014
2014/105/OUT	Outline application with one matter (landscaping) reserved - 6 dwellings providing housing mix of 2 x 2 Bed, 2 x 3 Bed and 2 x 4 Bed	Approved	26.09.2014

Consultations**Feckenham Parish Council**

No objection

Area Environmental Health Officer (WRS)

If the development were to be approved, standard conditions pertaining to contamination should be attached, otherwise, no objection

County Education Authority

We will not be seeking a contribution towards education infrastructure in this case

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North Worcestershire Water Management

No objections are raised subject to the imposition of a condition requiring the submission and implementation of a suitable drainage scheme

Highway Network Control

The proposed development is acceptable in highway terms and therefore no objections are raised subject to the inclusion of conditions covering access turning and parking, on site roads specification together with standard highway informatives

Police Crime Risk Manager

No objection

Parks & Green Space Development Officer Martin Lewis

Comments summarised as follows:

I have no concerns with regard to on-site species.

In line with the NPPF, to ensure developments result in a 'net gain' for biodiversity - enhancement of the local ecology and its opportunities shall be require through the provision of 6 suitable Schwegler (or similar approved) bird and bat boxes on and around the buildings/landscaping proposed to provide further roosting opportunities suitable for species likely to be using the semi-rural environment such as house sparrows, swallows etc.

Public Consultation Response**Neighbours**

One letter received supporting the application. None received in objection

Background

Members may recall that a similar (albeit outline) application for 6 dwellings was reported to the Planning Committee in 2014. That application proposed 6 new dwellings providing a mix of 2 x 2 bed, 2 x 3 bed and 2 x 4 bed houses. Permission was granted with an attached planning obligation to provide off-site financial contributions in September 2014.

Although that application was granted in outline, the only matter reserved for future consideration was that of landscaping. All other matters (access, layout, scale, and appearance) were granted (ref 2014/105/OUT).

Following the granting of consent, the site has been acquired by Sandpiper Homes who have decided submit a different proposal rather than implement the scheme approved under application 2014/105/OUT.

Assessment of Proposal

The main issues for consideration are as follows:

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Impact of development upon the openness of the Green Belt

The site lies within the Green Belt and therefore Policy 8 of the Borough of Redditch Local Plan No.4 applies. Within the Green Belt, development is limited to that which is not inappropriate and which would preserve its openness. Inappropriate development is, by definition, harmful to the Green Belt.

The National Planning Policy Framework (NPPF) which replaces the former PPG2, comments that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. The NPPF goes on to say that 'when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very Special Circumstances 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.'

Paragraph 89 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions include (bullet point 6):

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.

It is accepted that the site in question constitutes previously developed land. As such, it is necessary, in terms of assessing the acceptability or not of a scheme submitted under (bullet point 6) to Paragraph 89 set out above, whether the proposal would have a greater impact on the openness of the Green Belt than that of the existing development on the site which would be removed.

The existing structures on the site are listed as follows:

- | | | |
|-----|--------------------------------|-------------------|
| i) | Large workshop/commercial unit | 1649 cubic metres |
| ii) | Stables | 356 cubic metres |

The total volume of buildings to be removed would be 2005 cubic metres.

The total volume of buildings to be erected under this application would be under 1842 cubic metres. By way of comparison, the total volume proposed under application 2014/105/OUT was 1930 cubic metres.

Calculations using floorspace are as follows:

Existing footprint: 464.55 square metres
Proposed footprint: under 418 square metres

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By way of comparison, the total floorspace proposed under application 2014/105/OUT was 409 square metres.

Whilst as a purely arithmetic comparison, the proposed scheme is clearly smaller both in terms of floorspace and volume than that of the existing built form, it is also necessary to consider that the proposed dwellings with associated parking areas and fenced private garden areas would cover a greater proportion of the site than that of the existing structures present on the site which principally comprise one large rectangular commercial unit, itself measuring over 1600 cubic metres.

Following submission of this application, amended plans have been received which have both reduced the number of proposed dwellings from 6 to 5 and the volume of the built form. In particular, the heights of the proposed 2 storey dwellings at 6.5m to ridge are now no higher than those dwellings approved under application 2014/105/OUT. The bungalows have hipped roofs and measure under 5m to ridge. Having regard to the existing commercial unit which measures 5.5 metres in height, your officers now consider that the proposed development constitutes the development of a previously developed site which would have no greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

Design and Layout

The site lies adjacent to the Conservation Area (to the south). Feckenham is a historic village settlement and therefore, the impact upon the character and appearance of the area has to be carefully examined.

The design of the development is considered to be appropriate having regard to the character of the area. The two bungalows would be located to the south-east corner of the site and would not be particularly visible from High Street / Astwood Lane. The three, 2 storey houses would be more so, but have been designed such that they respect the context of their surroundings with an emphasis on symmetry and the use of small dormer windows. A traditional red facing brick would be used on external walls under a small plain clay tiled roof which is also considered to be appropriate.

Impact of the proposals on highway safety

No representations have been received questioning the acceptability of the access to serve the development. As under earlier applications, County Highways have concluded that the access is acceptable, and that there are no highway implications which might result in the proposed development giving rise to harm to highway safety subject to the inclusion of planning conditions.

Parking provision on site would accord with parking standards, having regards to requirements for three bedroomed units.

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Planning Obligations

The size of the proposed development is above the policy threshold for requiring contributions which should be sought via a planning obligation. The following would be required under the adopted policy framework:

1. A 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 SPD
2. A contribution to provide refuse and re-cycling bins for the new development in accordance with Policy WCS.17 of the adopted Worcestershire Waste Core Strategy

At the time of writing, the planning obligation is in draft form.

Conclusion

Officers consider that this revised application is acceptable having regard Paragraph 89 of the National Planning Policy Framework because the proposals would have no greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. The design of the development is considered to respect the character of the area and the proposals would not cause harm to amenity or safety. Approval of this application would also meet some of the demonstrated housing need in the Borough. Subject to the satisfactory completion of the planning obligation, this application can be recommended for approval.

RECOMMENDATION

That having regard to the development plan and to all other material considerations, authority be delegated to the Head of Planning & Regeneration to GRANT planning permission subject to:

- a) The satisfactory completion of a planning obligation ensuring that:**
- * Contributions are paid to the Borough Council in respect to off-site open space, pitches and equipped play in accordance with the Councils adopted SPD
 - * A financial contribution is paid to the Borough Council towards the provision of wheelie bins for the new development

and

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b) Conditions and informatives as set out 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) Prior to their first installation, 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

- 3) Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions or outbuildings under Classes A, B, C, D and E to Schedule 2, Part 1 shall be erected within the site edged red without first applying for planning permission.

Reason:- To ensure that the openness of the green belt is safeguarded from inappropriate development

- 4) The Development hereby permitted shall not be brought into use until the access, turning area (if applicable) 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

- 5) Development shall not begin until the engineering details and specification of the proposed roads and highway drains have been submitted to and approved in writing by the Local Planning Authority, and the development shall not be occupied until the scheme has been constructed in accordance with the approved drawings.

Reason: To ensure an adequate and acceptable means of access is available before the dwelling or building is occupied.

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

appropriate references to be added here to include plans and other associated documents

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

- 7) Prior to the development hereby approved commencing, full details of a scheme for foul and surface water drainage 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 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

- 8) No development approved by this permission shall be commenced until:

- a) A desktop study identifying previous site uses, potential contaminants and other relevant information and using this information a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors has been undertaken and submitted in approval for writing by the LPA;
- b) If deemed necessary as a result of the desktop study, a site investigation has been designed using the information obtained from the desktop study and any diagrammatical representations (Conceptual Model), and has been submitted to and approved in writing by the LPA;
- c) The site investigation has been undertaken in accordance with details approved and a risk assessment has been produced;
- d) A method statement detailing the remediation requirements using the information obtained from the site investigation has been approved in writing by the LPA.

Reason: To identify contamination which may pose a risk to the environment or harm to human health

- 9) If during development, contamination not previously identified is found to be present at the site, no further development (unless otherwise agreed in writing with the LPA) shall be carried out until either;

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- a site investigation has been designed and undertaken in accordance with details approved in writing by the LPA, a risk assessment has been produced and a method statement detailing the remediation requirements using the information obtained from the site investigation has been approved by the LPA or;

- If the above has been previously undertaken, the developer has submitted and obtained written approval from the LPA for an addendum to the method statement detailing how this unsuspected contamination shall be dealt with.

Reason: To ensure that the development complies with approved details in the interests of protection of Controlled Waters and in accordance with National Planning Policy Framework.

- 10) All remediation works detailed in the method statement shall be undertaken and a report submitted to the LPA providing verification that the works have been carried out in accordance with the approved details.

Reason: To protect controlled waters by ensuring that the remediated site has been claimed to an appropriate standard

- 11) Prior to commencement of the development hereby approved, a scheme for the provision of bat roost and bird nesting opportunities within the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented by suitably qualified personnel to the satisfaction of the Local Planning Authority prior to the first use of the development approved.

Reason: In the interests of biodiversity and in accordance with the provisions of the National Planning Policy Framework

- 12) The proposed private pathways and parking areas shall be finished in a permeable surface and retained as such thereafter.

Reason: To ensure adequate surfacing for the parking area and driveway that enables permeable drainage to prevent potential flood risk

- 13) No development shall take place until 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, new planting, trees and shrubs to be retained, 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

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- 14) All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing by the local planning authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes or species unless the local planning authority gives written approval to any variation.

Reason:- In the interests of the visual amenity of the area

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 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.
- 3) This permission does not authorise the laying of private apparatus within the confines of the public highway. The applicant should apply to Worcestershire County Council 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) 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.
- 5) 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

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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

- 6) The applicant should be aware that this permission also includes a legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) and that the requirements of that and the conditions listed above must be complied with at all times.

Procedural matters

This application is being reported to the Planning Committee because the recommendation is that permission be granted subject to a planning obligation

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Planning Application 2016/350/HYB

Hybrid application for the construction of up to 30,745m of B1, Light Industry, B2 General Industry and B8 Storage and Distribution with ancillary offices including, parking and servicing areas in outline with matters of layout, scale, appearance and landscaping reserved for future consideration; full application for the means of access from Old Forge Drive and Nash Road and internal service roads including details of foul and surface water drainage.

Land North Of Nash Road, Old Forge Drive, Park Farm, Redditch, Worcestershire, ,

Applicant: Mr A Plant

Ward: GREENLANDS

(see additional papers for site plan)

The author of this report is Mr Simon Jones, Planning Officer (DM), who can be contacted on Tel: 01527 548211 Email: Simon.jones@bromsgroveandredditch.gov.uk for more information.

Site Description

The application site is roughly rectangular and covers an area of some 7.44 hectares. It is bounded by Old Forge Drive to the east and Nash Road to the South. To the north of the site is a large industrial unit currently occupied by Pilkingtons. To the south and west is a group of smaller industrial units comprising the IO Centre and Greenlands Business Centre. To the east of the site, on the opposite side of Old Forge Drive, is Arrow Valley park. There are two antenna masts to the western end of Nash Road on the boundary of the site. The site is predominantly level with a shallow fall across it running west to east of approximately 2.8m.

The site was first developed as a foundry in the 1950s. The foundry had several owners over the years including Alunna tubes, British Alcan and British Aluminium. The foundry closed in the late 2000's and the site has not been used since. The site has been cleared of the previous foundry and buildings forming the tube factory which consisted of a total gross internal area of approximately 35,800m². The site had become contaminated during its use and was given a "Special Site Designation" by the Environment agency in 2007. Work to decontaminate the site commenced in 2016 in agreement with the Environmental Agency. This work is detailed in the submitted "Ground investigation overview - remediation planning statement" document which accompanies the application.

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Relevant Policies :**Borough of Redditch Local Plan No. 4**

Policy 1: Presumption in Favour of Sustainable Development
 Policy 3: Development Strategy
 Policy 5: Effective and Efficient use of Land
 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 23: Employment Land Provision
 Policy 24: Development within Primarily Employment Areas
 Policy 26: Office Development
 Policy 28: Supporting Education, Training and Skills
 Policy: 39 Built Environment
 Policy: 40 High Quality Design and Safer Communities

Relevant Planning History

2013/001/FUL	The siting of a shared telecommunications base station comprising of a 27m high lattice mast with 6 no. antennas, 2 no. 300mm dishes, radio equipment cabin and 2.1m high palisade compound fence	Approved	27.02.2013
2011/224/FUL	Erection of a 20.0 metre steel lattice tower with 6 no. 2G/3G antennas & 2 no. 600mm dishes attached on a circular headframe, equipment cabinets located at the base of lattice structure with all ancillary development including 1.8m palisade fencing	Approved	29.09.2011
2005/222/TEL	The Development Comprises of 6 No. Antennae, 2 No. Equipment Cabinets, 1 No. 300mm Dish, 3 No. 600mm Dishes and Ancillary Development.	Approved	07.06.2005
2003/282/FUL	Installation of Sub-Surface Permeable Reactive Barrier	Approved	26.08.2003

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2002/543/FUL	Warehouse Within Use Class B8 with Ancillary Offices and Associated Parking and Landscaping.	Approved	26.03.2003
1983/360/FUL	Modifications to Buildings	Approved	03.11.1983
1979/505/FUL	Erection of A Building for Improved Aluminium Dross Handling Facilities	Approved	16.11.1979
1977/085/FUL	Transformer building	Approved	18.05.1977
1977/067/FUL	Tipping of Hardcore Brick (Including Furnace Brick) Rubble & Spoil from Excavations Etc.	Approved	09.08.1977
1977/050/FUL	Erection of A Building for Aluminium Anodising of Small Metal Fittings for Domestic Kitchen Units & Similar Items	Withdrawn	25.04.1977

Consultations**North Worcestershire Water Management**

The proposed site is located within the river Arrow catchment and is located approximately 100 meters from the channel. Environment Agency maps indicate that the majority of the site is located within Flood Zone 1 however there is a proportion of the site designated as flood zone two. This has been identified and addressed in the FRA. The road embankment between the site and the river makes it impossible for the area of the site indicated as flood zone 2 to be flooded by the river. Based on the surface water flood maps there is also minimal surface water pooling to the site even at the 1 in 1000 year level.

There are contaminated land issues on the site, Trichloroethylene is an existing industrial pollutant that is present within the site soils and it is required that to ensure that there is no leaching of this contamination through the new drainage system that the proposed tanks should be lined with an impermeable liner.

The applicant should also submit a maintenance plan for all drainage systems to make sure that they are kept to capacity for the duration of their use; this is to ensure that flood risk is not caused or exacerbated on site or in the surrounding areas

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Arboricultural Officer

No objection subject to imposition of conditions to ensure protection of trees (to be retained) during the course of the construction phase and mitigation landscaping to compensate for those trees proposed to be removed.

Environment Agency

We note your reason for consultation is 'redevelopment of a site larger than 2ha where known previous contaminated uses'. We have no objections, in principle, to the proposed development but recommend that an appropriate conditions are imposed in the event permission is granted.

Contaminated Land

We have the following comments which relate solely to the protection of 'Controlled Waters'. Matters relating to Human Health should be directed to the relevant department of the Local Authority.

National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

The site in question is a designated Special Site under Part 2A of the Environmental Protection Act 1990. The Environment Agency is the enforcing authority for the remediation of Special Sites, and as such we have a duty to consider how the site should be remediated.

We have been working with the site owners in order to secure voluntary remediation at this site. We have previously agreed a remediation strategy with the site owners, St. Francis Group, and this is set out in a 'Remediation Statement' dated July 2016. This remediation is ongoing in order to remove the unacceptable risk to controlled waters from residual chlorinated solvent soil contamination on site. For example the Broadground ditch (ordinary watercourse) has been in-filled with clay to help alleviate TCE leachate issues.

Once the agreed remediation strategy is complete, we will review the verification report in order to consider whether the works are complete in accordance with the agreed remediation statement, and consider if the site no longer meets the definition of a Special Site. We therefore recommend that a Verification Report condition is included to ensure the successful completion of these works:

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Flood Risk

A small part of the site is located in Flood Zone 2 based on our indicative Flood Map for Planning for the River Arrow (Main River). An ordinary (un-modelled) watercourse runs to the south of the site. We would refer to our area Flood Risk Standing Advice in this instance. We understand that you have consulted the North Worcestershire Flood and Water Management team with regard to flood risk.

Worcester Regulatory Services- Contaminated Land

The above letter report confirms the remedial strategy set out in the Remediation Statement from St. Francis Group dated 8th July 2016 as agreed by the Environment Agency (EA), as the appropriate authority, in respect of the site designation as contaminated land under Part 2A of the Environmental Protection Act 1990 due to chlorinated solvent contamination of controlled waters.

The above information is considered appropriate and satisfactory in respect of the Contaminated Land Part 2A regime, as previously communicated between WRS and the EA and the land owner. However, further information should be required by the Local Planning Authority (LPA) to satisfy the requirements of the planning regime.

The report indicates the remediation is primarily aimed at clean up of hotspot sources of chlorinated solvent contamination in respect of the site designation as contaminated land. No information has been provided to the LPA on the remaining areas of the site outside of these hotspot areas and any residual soil contamination that may exist on site as unacceptable risk to receptors other than controlled waters. At a meeting at EA offices with previous owners Luxfer and their consultants, attended by WRS representative in April 2016, it was acknowledged that potential residual soil contamination in ground would be investigated as part of future site works at planning stage.

A number of previous reports are referenced in the above letter report but have not been provided with the application. The applicant should be advised to provide copies of any third party reports relied upon with submitted information. For information a review of available records at this time indicates WRS hold no record of any of the reports referenced in connection with the previous Part 2A investigation with the exception of the following: URS (Dec 2006) 'Revised conceptual site model risk assessment'.

In terms of the planning regime sufficient information is required for the whole of the application site for approval by the LPA. WRS recommend the LPA require the applicant to submit a Phase 1 desk study including a summary of previous investigations and findings, previous site uses, appropriate risk assessment utilising current appropriate screening criteria for a commercial setting. The phase 1 should focus on receptors other than groundwater e.g. human health in consideration of the current development proposal and indicate whether any additional site investigation is required where access has previously been prohibited or gaps in information may exist.

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OWRS therefore recommend a standard full tiered contaminated land conditions are applied to the application should permission be granted to the development to ensure all potential contaminated land issues on site are addressed appropriately. The National Planning Policy Framework advises that Planning Decisions should ensure the site is suitable for its proposed use taking account of ground conditions, pollution arising from previous uses and any proposals for mitigation including land remediation. The Framework also requires adequate site investigation information be prepared by a competent person is presented. Little information is known or has been provided on this site and consequently a Phase I study is recommended.

Worcester Regulatory Services- Noise, Dust, Odour & Burning

Due to the close proximity of residential properties and the prospective nature of the application it is recommended that conditions are imposed in respect of Construction & Site restoration, Artificial Lighting, and Noise Control.

Worcester Regulatory Services- Air Quality

WRS have considered the impact on local air quality from the development. Below are our standard recommendations for a development of this size to mitigate the cumulative impact on local air quality from all development.

Recommendations:

The cumulative impacts on air quality from individual sites in local areas should be determined (NPPF para. 124). As an alternative to undertaking an AQA the applicant can adopt mitigation measures which are aligned with County LTP Policies and may be incorporated as part of the development. This will assist in alleviating pollution creep arising in the general area. WRS therefore recommend that 10% of the parking spaces have electric vehicle charging points with consideration of the National Planning Policy Framework Paragraphs 29, 35, 109, 120, 124 and that secure cycle parking and low emission boilers are provided.

Highway Network Control

I have reviewed the submitted documents including the Transport Assessment and am content that, considering the previous commercial use of the site, the proposed access and highway works are likely to be sufficient to mitigate the traffic likely to be generated by the proposed development so as not to result in a severe impact on highway safety or capacity as required by NPPF in order to warrant an objection on highway grounds.

Natural England

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites or landscapes and has no objection.

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Natural England notes the advice contained in the Ecological Scoping Report for the need for a suitable planting scheme to compensate for the loss of bat foraging habitat, supported by the adoption of a sensitive lighting scheme to reduce light pollution. Natural England recommends that the authority seeks planning conditions for suitable planting and lighting schemes, to mitigate the loss of bat foraging habitat and reduce light spill into the wider river corridor.

Public Consultation Response

The following is a summary of the comments received

Mr Stephen Mack

Comment submitted date: Fri 06 Jan 2017

Highway safety is compromised by articulated vehicles parking overnight along Nash road resulting in several near miss traffic incidents. This issue must be resolved before any further expansion of the local industrial area as additional traffic along this road will result in an accident.

Mr Ian Gudger

Comment submitted date: Fri 16 Dec 2016

Nash road is frequently used by international hauliers as an overnight park, causing access problems mainly in the mornings. This will potentially get worse with the new development. Consideration should be given to putting parking restrictions in place on this road.

Assessment of Proposal**Proposal Description**

This hybrid application seeks outline permission for the development of up to 30,745sqm of employment development falling within Use Classes B1/B2/B8 including ancillary office space, together with associated parking and service yards; and full detailed planning permission for the creation of a new site access and estate road from Old Forge Drive and access only from Nash Road. The detailed component of the application also includes details of surface water and foul drainage. Matters of layout, scale, appearance and landscaping are reserved for future consideration.

A hybrid application is similar to an outline application with some matters submitted for approval at this stage, but differs from an outline application in that its approval would enable work to commence on those specific aspects for which approval is sought at this stage, rather than having to wait for the other reserved matters to be approved first.

In this case, if the application were approved this would allow the developer to construct the service road and associated drainage before the reserved matters relating to details of layout, scale, appearance and landscaping are submitted and approved. That

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approach assists in marketing the site and releasing land for development by end users, thereby increasing the prospect of bringing the land back into employment.

Principle of Development

Part 5.5 of BoRLP4 Policy 5 states that :*“With respect to non-residential development, schemes on ‘previously developed land’, which propose the redevelopment of tired or redundant sites, will be considered favourably.”*

The site constitutes ‘previously developed land’. It was last used for B2 General Industrial purposes and is presently vacant. The site is zoned as a Primary Employment Area in the adopted Borough of Redditch Local Plan No.4. (BoRLP4)

The eastern portion of the application site is annotated in the BoRLP4 as an allocated employment site IN20. The site has been formally identified for employment use for at least 10 years, but no proposals have come forward, due to site constraints.

The previous foundry and buildings forming the British Aluminium tube factory consisted of a total gross internal area of approximately 35,800m². This proposal provides for up to 30,750m² which is a reduction of 16%. This lower density development provides for an enhanced working environment and is still considered to make efficient use of previously developed land.

Part 26.4 BoRLP4 **Policy 26** states that: *“Office development (Use Class B1a) will be considered favourably in Primarily Employment Areas, provided the total floorspace in any one location does not exceed 5,000 sq m. A condition is recommended to ensure that office development does not exceed this.”*

Accessibility

Criterion (i) of BoRLP4 Policy 19 states that *“Transport will be coordinated to improve accessibility and mobility, so that sustainable means of travel, reducing the need to travel by car and increasing public transport use, cycling and walking are maximised. This will be achieved by: i. meeting development requirements in accessible locations and taking account of interactions between uses. This includes maximising accessibility to, from and between public transport modes and interchanges (bus and rail)”*

The site is located in a sustainable location, with walking and cycling catchments accommodating large areas of residential development for potential commuters and there is also a local convenience store within close proximity of the site for employees to get some lunch. Additionally, there are bus stops located on Studley Road and Auxerre Avenue, to the west and south of the site, that are located comfortably within 400m of the development site. The bus stops are on the routes of five services, providing frequent trips around Redditch, local villages and larger centres including Birmingham.

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Noise Mitigation

As the precise nature of the businesses are not known at this time, the nature of any noise attenuation cannot be quantified. However, it is considered reasonable to impose a condition requiring these details at the reserved matters stage in respect of potential B2 and B8 uses.

Floodrisk

A Flood Risk Assessment has been submitted as part of this application. There is a small area that falls within Flood Zone 2, but detailed topographical survey levels suggest that such flooding could not reach the site due to other surrounding constraints. Hence, although the likelihood of flooding at a 1:1000 year return period event will be negligible, the proposed scheme will provide an area of floodplain compensation volume that will utilise some of the car park area on the south eastern unit. Apart from this small area in the south-east corner that is potentially in Zone 2, the site is not at risk from fluvial flooding as it is in Very Low Risk (former EA Flood Zone 1) according to the Environment Agency's classification. The development would mitigate the risk of surface water flows with the use of appropriate drainage. There are no other potential flood hazards that are considered to be of risk to the site. It is therefore concluded that the development will be low risk in respect of flooding and causing flooding elsewhere. There should be no impediment to development on flood risk grounds.

Surface Water Drainage

The applicant proposes to discharge to the storm to the adjacent water course; the FRA and the drainage plan detail the measures taken on site to provide sufficient retention of storm water. Policy 18 of the BoRLP4 now makes it a requirement that all development sufficiently restricts storm runoff up to the 1 in 100 year return period. This has not been achieved on this site. The proposed drainage scheme provides 2666 meter cubed of water storage and restricts discharge from the site at the 1 in 100 year return period to 230l/s. However, criterion (i) of BoRLP4 Policy 5 states that *"reuse and regeneration of Previously Developed Land (PDL) will be actively encouraged. Where the economic viability of a scheme on PDL is questionable, and can be fully demonstrated by the applicant, the Borough Council may negotiate a more appropriate level of infrastructure provision"*. It is still considered that the proposed scheme will deliver betterment over the current runoff rate from the site due to the impermeable nature of the sites soil and is therefore acceptable.

Land Contamination

Various investigations carried out at the site indicates that there are a number of principal hotspot sources of contamination that need to be remediated. All remediation work would be supported by the production of a verification report. A condition has been recommended to address this issue. Once remediated, residual concentrations of

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potential contaminants remaining on site are not considered likely to pose a risk to the most sensitive receptors.

Landscape and Visual Impact

Criterion (v) of BoRLP4 Policy 16 states that *“A high quality natural environment and landscape is integral to delivering the Vision of BORLP4. In order to achieve this all relevant proposals will be expected to: v. where possible retain existing trees”*

A tree survey has been undertaken by appropriately qualified persons and a tree constraint plan accompanies the tree survey along with this application. Part of the development site at the eastern end fronting Old Forge Drive is covered by a historic ‘blanket’ area Tree Preservation Order TPO. This is detailed on drawing 12806- 160 which also details the trees to be removed to make way for the development. To mitigate this loss additional trees are proposed to be planted along the Old Forge Drive Frontage as indicated on drawing 160. Due to the loss of trees to create the new access and trees within the eastern portion of the site allocated for development a high level of mitigation planting throughout the site comprising Extra Heavy Standard trees of 16 to 18cm girth is recommended. A condition is recommended to secure this outcome as part of the reserved matters application.

Existing landscaping to the southern Nash Road boundary would be maintained and enhanced. It is proposed that full landscaping details for the remainder of the site would be submitted at a later date and as such are a reserved matter.

The illustrative layout indicates that it is possible for a consolidated area of semi-mature tree-growth to be retained and enhanced along the boundary with Old Forge Drive, allowing a visual buffer.

Whilst matters of layout, scale and appearance are reserved, the resultant development is likely to take the form of large industrial units. As the site lies within an area of similar buildings, such structures would not appear intrusive in this context. Your officers are satisfied that the retention and reinforcement of boundary planting along with control over external materials and colour will help to soften the appearance of these buildings.

Ecological Impacts

An Ecological Scoping Survey has been submitted as part of the application. Five species of common birds were recorded during the survey although no evidence of nesting birds was present. The existing trees offer suitable nesting habitat and the loss of suitable nesting habitat should be mitigated. There was no evidence to suggest the presence of other protected species such as badgers, reptiles, bats, water vole, Great Crested Newt, and Barn Owl. Accordingly, no further ecology surveys have been recommended.

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The survey did not identify any potential to support roosting bats; although the site does offer limited foraging opportunities. A sensitive lighting scheme, particularly where foraging habitat is retained or created, should minimise the impact on bat species. An appropriately worded condition is recommended.

Highway Safety

Criterion (iii) of BoRLP4 Policy 20 states that: *“all proposals should incorporate safe and convenient access arrangements in their design for all potential users (including pedestrians, cyclists, emergency services and waste collection vehicles). Access arrangements should be designed to reflect the function and character of the development and its wider surroundings”*

Accident analysis has shown how one incident occurred during the times of what could be classified as conventional peak periods, at 08:50, in the study area analysed. There were only being four recorded incidents over the five-year period analysed, of which were all classed as ‘slight’ in severity and these were not all clustered in one location. Consequently, it can be considered that there are no highway safety issues that could be exacerbated by the development proposals.

The common issue raised by two respondents regarding HGVs parking on Nash Road is not a legitimate reason. Vehicles causing an obstruction to the highway and hazard to other road users can be addressed under other legislation and is not an impediment to bringing the site back into employment use. The representations have been forwarded to the Highway Authority so that they are aware of the situation.

The Highway Authority have raised no objection to the proposal and the application is considered to comply with Policy 20 of the BoRLP4 and paragraph 32 of the NPPF.

Conclusion

The application scheme will deliver a range of benefits to the local economy and ensure the site is redeveloped for employment use securing the future of site. The scheme has the potential to provide a mix of employment units to the local market. It would create a number of direct and indirect economic benefits to the local area. The application is in accordance with development plan policy, particularly Policies 1 and 23 of the adopted BoRLP4.

Overall, the application is in accordance with the aims and ambitions of the NPPF, by providing economic regeneration, improved viability and sustainability of an established employment site at a suitable location for the proposed use, retaining and creating employment opportunities, and significantly enhancing the physical infrastructure.

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RECOMMENDATION:

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

Conditions:**TIME LIMIT**

1. Application for the approval of the matters reserved by conditions of this permission shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun not later than whichever is the latest of the following dates:-
 - i. The expiration of three years from the date of this permission;

or
 - ii. The expiration of two years from the final approval of the reserved matters;
or,
 - iii. In the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

PLAN NUMBERS

2. The development hereby approved shall be carried out in accordance with the following plans and drawings – [insert all approved plan numbers].

0100 Site Location Plan
0160 Tree Removal Plan
IPD-16-355-500 Rev H Drainage Strategy

Reason: To define the permission and to ensure that the development meets the design quality and environmental requirements of the Development Plan.

RESERVED MATTERS

3. With the exception of the access road and associated engineering works, approval of the details of the appearance, landscaping, layout and scale (hereinafter called

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"the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 (as amended) and to enable to the Local Planning Authority to exercise proper control over these aspects of the development.

LAND CONTAMINATION INVESTIGATION & MITIGATION

4. Other than the works required to be carried out as part of an approved scheme of remediation, no development shall commence until parts i to vi (inclusive) have been complied with:

- i) A preliminary risk assessment must be carried out. This study shall take the form of a Phase I desk study and site walkover and shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and any other relevant information. The preliminary risk assessment report shall contain a diagrammatical representation (conceptual model) based on the information above and shall include all potential contaminants, sources and receptors to determine whether a site investigation is required and this should be detailed in a report supplied to the Local Planning Authority. The risk assessment must be approved in writing before any development takes place.
- ii) Where an unacceptable risk is identified a scheme for detailed site investigation must be submitted to and approved in writing by the Local Planning Authority prior to being undertaken. The scheme must be designed to assess the nature and extent of any contamination and must be led by the findings of the preliminary risk assessment. The investigation and risk assessment scheme must be compiled by competent persons and must be designed in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11".
- iii) 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".
- iv) 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

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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.

- v) 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.
- vi) 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.
- vii) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where necessary a remediation scheme must be prepared, these will be subject to the approval of the Local Planning Authority. Following the completion of any measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to the occupation of any buildings.

Reason: 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 in accordance with Policy 5 of the Borough of Redditch Local Plan No.4.

CONSTRUCTION AND ENVIRONMENTAL MANAGEMENT PLAN

5. Prior to commencement of the development, a construction environmental management plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall be based upon the requirements of Worcestershire Regulatory Services Code of Best Practice for demolition and Construction Sites 1st Edition July 2011.

Reason: To protect existing and new occupiers from the unreasonable effects of noise, vibration, light and dust nuisance in accordance with Policy 35 of the Borough of Redditch Local Plan No.4.

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NEW ACCESS

6. Before any other development is commenced on site, the new access off Old Forge Drive and associated highway works shall be laid out, constructed and completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety in accordance with Policy 20 of the Borough of Redditch Local Plan No.4 and to ensure the new access is designed to limit the influence into the remainder of the BS5837:2012 RPA of the Ash trees to be retained within G1.

ESTATE ROADS

7. Before any part of any unit is first brought into use, construction drawings of the estate roads shown hatched on drawing 0130 Rev G shall be submitted to and approved by the Local Planning Authority.

Reason: In the interests of highway safety in accordance with Policy 20 of the Borough of Redditch Local Plan No.4

PARKING AND SERVICE AREAS

8. Before any part of any unit is brought into use the parking and turning areas for both cars and HGV's associated with that unit shall be completed, hard surfaced and properly marked out in accordance with the submitted plans and once complete shall be maintained and kept free from any obstruction and available for that use thereafter.

Reason: In the interests of highway safety in accordance with Policy 20 of the Borough of Redditch Local Plan No.4

TRAVEL PLAN

9. No part of any unit hereby approved shall be brought into use until the measures outlined in the Travel Plan in relation to marketing and communication; walking and cycling; public transport measures; car sharing/car clubs and reducing the need to travel have been fully implemented in accordance with that Plan.

Reason: In the interests of highway safety and capacity in accordance with Policy 20 of the Borough of Redditch Local Plan No.4

DRAINAGE SCHEME

10. The proposed drainage scheme shall be constructed in accordance with the details provided within the FRA and drainage plan, and the proposed scheme does

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not exceed the specified discharge rate of 230 l/s at the 1 in 100 year return period. The approved drainage scheme shall be completed prior to the first use of the development hereby approved.

All proposed subsurface tanks must be lined with an impermeable liner to ensure that there is no leaching of existing Trichloroethylene contamination from the site into the adjacent watercourse.

Reason: In order to ensure drainage conditions that will not create or exacerbate flood risk on site or within the surrounding local area in accordance with Policy 18 of the Borough of Redditch Local Plan No.4.

DRAINAGE MANAGEMENT

11. Before any part of any unit is first brought into use a SuDS management plan which includes details on future management and responsibilities, along with maintenance schedules for all SuDS features and associated drainage systems shall be submitted to and approved by the Local Planning Authority.

Reason: To ensure a management plan is in place to facilitate the optimal functionality and performance of the SuDS scheme throughout its lifetime in accordance with Policy 18 of the Borough of Redditch Local Plan No.4.

SLAB LEVELS

12. A detailed plan showing the levels of the existing site and the precise floor slab levels of each new building, relative to the existing development on the boundary of the site, shall be submitted to and approved in writing by the Local Planning Authority as part of the reserved matters submission.

Reason: Further details of the reserved matters are required to ensure satisfactory development in accordance with Policy 40 of the Borough of Redditch Local Plan No.4.

NOISE ATTENUATION

13. The details submitted pursuant to condition 3 shall include a scheme of noise attenuating measures for all proposed B2 and B8 units. The approved noise attenuation measures shall be implemented before the unit to which it relates is first brought into use.

Reason: To safeguard the amenity of the area in accordance with

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LANDSCAPING

14. The details of landscaping required by condition 3 shall include a plan detailing the disposition of planting, cross referenced to a schedule listing the species, size and number of trees and shrubs proposed, including treatment of the site boundaries with provision for tree planting to be carried out concurrently with the development and completed within one year of substantial completion of the development.

Reason: To ensure the environment of the development is safeguarded and enhanced in accordance with Policy 39 of the Borough of Redditch Local Plan No.4.

MEANS OF ENCLOSURE (FENCES)

15. The details of landscaping required by condition 3 shall include details of the means of enclosure to be erected for each unit. These details shall include a plan detailing the position of all proposed means of enclosure and annotated or accompanied by a schedule specifying the type, height, composition and appearance of means of enclosure throughout the site. The approved boundary treatment for each unit shall be erected before each respective unit is first brought into use and thereafter retained in that form, notwithstanding the provisions of Schedule 1, Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification)

Reason: In the interests of visual amenity in accordance with Policy 39 of the Borough of Redditch Local Plan No.4.

LIMIT ON B1(a) OFFICE SPACE

16. With the exception of any integral ancillary office space within any of the resultant B1(b), B1(c); B2 and B8 units, the provision of any separate B1(a) office use shall be limited to a total not exceeding 5000sqm (gross internal floor area) across the site.

Reason: To ensure that office development is directed towards town centres and thereby accords with Policy 26 of the Borough of Redditch Local Plan No.4 and NPPF.

TREE PROTECTION

17. Before development commences, An Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority .

All tree protection fencing shall be constructed on site around the BS5837:2012 RPA of the retained trees on site before any ground or construction works

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commence on site, as in accordance with section 6.2 of BS5837:2012. and retained throughout any ground or construction works on site.

Any encroachment into the BS5837:2012 RPA of T16 Common Alder is constructed on Cellular 'No Dig' Construction methods in conjunction with a porous road surface to allow air/moisture exchange to the root system.

Any construction works within the BS5837:2012 RPA of the retained trees on site is carried out manually by hand under Arboricultural supervision with no heavy plant machinery to be taken into the RPA of the retained trees on site.

Reason: In order to mitigate the risk of any heavy plant machinery encroachment into the BS5837:2012 Root Protection Areas of the trees to be retained on site in accordance with Policies 16 and 39 of the Borough of Redditch Local Plan No.4.

EXTERNAL LIGHTING

18. Details of all external lighting to the buildings, parking and service areas shall be submitted to and approved in writing by the Local Planning Authority before those areas are first brought into use. Development shall be carried out in accordance with the approved details. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) there shall be no other external illumination of the development without planning permission having been granted by the Local Planning Authority.

Reason: To safeguard local amenities from the unreasonable effects of light trespass/nuisance in accordance with Policy 35 of the Borough of Redditch Local Plan No.4.

ELECTRIC VEHICLE CHARGING POINTS

19. Electric Vehicle Charging points shall be installed for a minimum of 10% of the parking spaces serving each unit constructed, in accordance with details to be submitted and approved in writing by the Local Planning Authority as part of the reserved matters submission. The approved Electric vehicle charging points shall be installed before each unit is first occupied and shall thereafter be retained for the lifetime of the development.

Reason: To reduce carbon emissions in accordance with Policy 15 of the Borough of Redditch Local Plan No.4

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SECURE CYCLE PARKING

20. Each unit shall make provision for secure cycle parking facilities. Details of the location, type of rack, spacing, numbers, method of installation and access to cycle parking shall be submitted and approved in writing by the Local Planning Authority as part of the reserved matters submission. The approved secure cycle parking shall be installed before each unit is first occupied and shall thereafter be retained for the lifetime of the development.

Reason: To reduce carbon emissions in accordance with Policy 15 of the Borough of Redditch Local Plan No.4 and Worcestershire County Council LTP3 Cycling Policy and Air Quality Action Plan (AQAP) Measure 5.3.7.

LOW EMISSION BOILERS

21. Each unit shall incorporate Ultra-Low NOx boilers with NOx Emissions not exceeding 40 mg/kWh in accordance with details to be submitted and approved in writing by the Local Planning Authority as part of the reserved matters submission. The approved boilers shall be installed before each unit is first occupied and shall thereafter be retained for the lifetime of the development.

Reason: To reduce carbon emissions in accordance with Policy 15 of the Borough of Redditch Local Plan No.4

Procedural matters

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

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Planning Application: 2017/005/FUL**Construct pitched roof over existing flat roof on 16 bungalows.****1 - 16 Holloway Park, Holloway Lane , Lakeside, Redditch, Worcestershire, B98 8JT****Applicant: Mr Adrian Guida-Jones, Housing Capital, Redditch Borough Council.****Ward: LODGE PARK****(see additional papers for site plan)**

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 east of Holloway Lane and the north of Arthur Street within a residential area. The pedestrian access to the site is off Holloway Lane and the vehicular access is off Arthur Street. The site comprises of Council owned single storey flat roofed bungalows with garages and parking to the rear.

Proposal Description

The application seeks full planning permission to re-roof the existing flat roofed bungalows with a shallow pitched roof.

The buildings are currently 2.7 metres in height and the proposed pitched roof will result in the overall height of the buildings increasing to 3.4 metres. The hipped roofs will be finished in Titanium Grey slate with a 12.5 degree pitch.

Relevant Policies**Borough of Redditch Local Plan No. 4**

Policy 1: Presumption in Favour of Sustainable Development

Policy 2: Settlement Hierarchy

Policy: 39 Built Environment

Policy: 40 High Quality Design and Safer Communities

Others

NPPF National Planning Policy Framework

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Relevant Planning History

No relevant planning history.

Public Consultation Response

No comments have been received to date following the consultation period which expired 1st March 2017.

Assessment of Proposal

The proposal site is within the residential area as defined in Policy 2 of the Borough of Redditch Local Plan No. 4 (BoRLP4) and therefore has been considered having regard to the presumption in favour of sustainable development as outlined in Policy 1 of the BoRLP4 and paragraph 14 of the National Planning policy Framework (NPPF).

The existing buildings have flat roofs which are in a state of disrepair. The site is surrounded on three boundaries by two storey dwellings with pitched roofs. The application is considered to contribute positively to the area given the proposal would create a hipped roof on the existing flat roof reflecting the local materials in the locality having regard to Policy 39 and 40 of the BoRLP4.

The proposal does not raise any issues with regard to neighbouring properties amenity taking into consideration the Councils SPG Encouraging Good Design.

In addition, the proposal does not create any additional floor area and as such there are no highway issues to consider.

For the reasons stated above the proposal is considered to be in accordance with the Development Plan. There have been no comments from any third parties or neighbours in respect of this application.

RECOMMENDATION:

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

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.

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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 Titanium Grey slate in accordance with the following plans:

NHS-HAR-HPR-XX-EL-A0002 Rev P01 - Block 1 Elevations
NHS-HAR-HPR-XX-EL-A0004 Rev P01 - Block 2 Elevations
NHS-HAR-HPR-XX-EL-A0006 Rev P01 - Block 3 Elevations
NHS-HAR-HPR-XX-EL-A0008 Rev P01 - Block 4 Elevations
Location Plan 1:1250

Reason: To accurately define the permission for the avoidance of doubt and to ensure that the development is satisfactory in appearance.

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.

Procedural matters

This application is being reported to the Planning Committee because the applicant is Redditch Borough Council. As such the application falls outside the scheme of delegation to Officers.

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Planning Application 2017/027/FUL**Change of use from Sui Generis use to Class A3 use****Unit 21, Kingfisher Walk, Kingfisher Shopping Centre, Town Centre, Redditch****Applicant: Ken Williams: Kingfisher Shopping Centre****Ward: CENTRAL****(see additional papers for site plan)**

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 for more information.

Site Description

The application site is located to the southern side of Kingfisher Walk within the Kingfisher Shopping Centre. The unit is currently occupied by the 'Shake Shack Diner'.

The existing frontage includes large glazed panels with white upvc frames. The Unit is attached to Unit 20: (Bright House Electricals) to the west, with Unit 22: (Subway) to the east. To the northern side of the Kingfisher Walk and the unit lie Burger King (directly opposite Subway) and Bodycare cosmetics (directly opposite Bright House Electricals).

Proposal Description

The proposal, which is retrospective, proposes to change the use of the Unit from a (Sui-Generis / unclassified planning use) to an A3 use. The Unit was formerly occupied by 'Perfect Nail and Brows' until that use ceased trading. It is now occupied by 'Shake Shack Diner' who operate a milkshake and hot beverage diner. A smaller percentage of their trade derives from the sale of deserts, primarily waffles and crepes. An area of 46 square metres is proposed to be changed to A3 Class (café) use.

Relevant Policies :**Borough of Redditch Local Plan No. 4**

Policy 30: Town Centre and Retail Hierarchy

Policy 31: Regeneration for Town Centre

Policy 32: Protection of the Retail Core

Others:

NPPF National Planning Policy Framework

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Consultations**Town Centre Co-ordinator**

No objection

Development Plans

No objection

Public Consultation Response

Site Notice Displayed, No comments received

Assessment of Proposal

With regard to the Borough of Redditch Local Plan No.4 such a change of use is in accordance with Policies 30, 31 and 32 set out earlier in this report.

The site falls within the Town Centre retail core as defined on the Policies Map, which is an area of Primary Shopping Frontage. Policy 32 (Protection of the Retail Core) states that planning permission for change of use from Class A1 to Class A2, A3, A4 or A5 or any other use considered appropriate to a shopping centre will only be acceptable if the proposed use does not result in a continuous frontage of MORE THAN TWO non-retail units: (units are defined as a shopfront width of 6 metres).

In this case, the change of use involves a change from a Sui-Generis use to A3 rather than a change from A1 to A3, but even if the (former) use, Perfect Nail and Brows was an A1 class use, the proposal would be acceptable since the proposal would not result in a continuous frontage of more than two non-retail units. As stated earlier in the report, the unit is attached to Bright House Electricals (an A1 use) on its western side, and attached to Subway (a non-A1 use) on its eastern side. Subway itself is attached to an (A1) Class user, a shoe repairs to its own eastern side.

Policy 32 comments that non A1 units should contribute to the vitality and viability of the Kingfisher Shopping Centre and should be assessed on their merits. In this case there is no evidence to suggest that the milkshake diner user would not actively contribute to the vitality and viability of the KSC.

The proposal has raised no other material planning issues and has required no further negotiation or amendments. It is considered that the application complies with the provisions of the development plan and is therefore acceptable.

The Council has worked positively and proactively with the applicant on this application.

REDDITCH BOROUGH COUNCIL**PLANNING
COMMITTEE**15th March 2017

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:

appropriate references to be inserted here

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.

Procedural matters

This application is being reported to the Planning Committee because the proposal involves a change of use to A3. As such the application falls outside the scheme of delegation to Officers.

