



Planning Committee

Wed 12 Sep
2018
7.00 pm

Council Chamber
Town Hall
Redditch

REDDITCH BOROUGH COUNCIL

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If you have any queries on this Agenda please contact

Sarah Sellers

Town Hall, Walter Stranz Square, Redditch, B98 8AH

Tel: (01527) 64252 (Ext. 2884)

email: sarah.sellers@bromsgroveandredditch.gov.uk

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.
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Notes:

- 1) Reports on all applications will include a summary of the responses received from consultees and third parties, an appraisal of the main planning issues and a recommendation. All submitted plans and documentation for each application, including consultee responses and third party representations, are available to view in full via the Public Access facility on the Council's website www.redditchbc.gov.uk
- 2) 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. 4 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.
- 3) Members of the public may record all or part of this meeting either by making an audio recording, taking photographs, filming or making notes. An area next to the Press table has been set aside for any members of the public who wish to film or record. The Council asks that any recording of the meeting is done from this area to avoid disruption. Recording or filming of meetings is not authorised when the Committee is considering exempt/confidential information. For agenda items that are exempt, the public will be asked to leave the Chamber
- 4) 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.
- 5) 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.
- 6) Anyone wishing to address the Planning Committee on applications on this agenda must notify the Democratic Services Team on 01527 64252 Extn.2884 or email on: sarah.sellers@bromsgroveandredditch.gov.uk 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, 12th September,
2018

7.00 pm

Council Chamber Town Hall

Agenda

Membership:

Cllrs:

Michael Chalk (Chair)
Gemma Monaco (Vice-Chair)
Salman Akbar
Roger Bennett
Andrew Fry

Bill Hartnett
Gareth Prosser
Jennifer Wheeler
Wanda King

1. Apologies

2. Declarations of Interest

To invite Councillors to declare any Disclosable Pecuniary Interests and / 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 - 4)

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 2018/00169/FUL - Land on Green Lane Green Lane Wire Hill Redditch - Mr Luke Webb (Pages 5 - 28)

Report attached – for site plan see Site Plans Agenda

6. Application 2018/00648/FUL - Land South of Ravensbank Drive Ravensbank Drive Church Hill North Redditch - Mr Joseph Baker (Pages 29 - 38)

Report attached – for site plan see Site Plans Agenda

7. 2018/00719/FUL - 28 Campden Close Crabbs Cross Redditch B97 5NJ - Mr Mike Page (Pages 39 - 42)

Report attached – for site plan see Site Plans Agenda

8. Application 2018/00823/FUL - 52 Rockford Close Oakenshaw South Redditch B98 7SZ - Mr Bob Bradbury (Pages 43 - 48)

Report attached – for site plan see Site Plans Agenda

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MINUTES

Present:

Councillor Michael Chalk (Chair), Councillor Gemma Monaco (Vice-Chair) and Councillors Salman Akbar, Roger Bennett, Andrew Fry, Bill Hartnett, Wanda King and Pat Witherspoon

Also Present:

Officers:

Helena Plant, Clare Flanagan, Steve Edden and Emily Farmer

Democratic Services Officer:

Sarah Sellers

20. APOLOGIES

Apologies for absence were received from Councillors Gareth Prosser and Jennifer Wheeler. Councillor Pat Witherspoon attended as substitute for Councillor Jennifer Wheeler.

21. DECLARATIONS OF INTEREST

In relation to application 2018/00657/FUL, Councillors Bill Hartnett and Pat Witherspoon declared an Other Disclosable Interest in that they were aware of the work of the Churchill Big Local Partnership and have had contact with that group through their roles as ward councillors for Churchill. Both Councillors remained and considered and voted on the matter.

In relation to application 2018/00657/FUL Councillors Mike Chalk, Roger Bennett, Andrew Fry, Wanda King and Pat Witherspoon declared a collective Other Disclosable Interest in that they were acquainted with Ms Liz Williams the speaker for the applicant as a former employee of Redditch Borough Council and through the subsequent community voluntary work that she has undertaken in the Borough. All Members remained and considered and voted on the matter.

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Chair

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22. CONFIRMATION OF MINUTES

RESOLVED that

The Minutes of the meeting of the Planning Committee on 13th June 2018 be confirmed as a correct record and signed by the Chair.

23. UPDATE REPORTS

It was noted that there was no Update Report for the meeting.

**24. APPLICATION 2018/00645/FUL - 8 KEMPSFORD CLOSE
OAKENSHAW REDDITCH B98 7YS - MR G FROST**

First floor side extension

RESOLVED that

having regard to the development plan and to all other material considerations, planning permission be GRANTED subject to the conditions detailed on pages 5 to 6 of the main agenda report.

During consideration of this item Councillor Fry asked for it to be noted that Kempsford Close was located in the Redditch district of Oakenshaw South.

**25. 2018/00657/FUL - BOMFORD HILL PARK CHURCH HILL NORTH
REDDITCH - MR CHRISTOPHER THOMAS**

Installation of toposcope, benches and Cotswold Stone surface for Remembrance Garden to mark the 100 years since the end of the First World War

Ms Liz Williams on behalf of the Applicant addressed the Committee under the Council's public speaking rules.

RESOLVED that

having regard to the development plan and to all other material considerations, planning permission be GRANTED subject to the conditions and infromatives detailed on page 10 of the main agenda report.

[In relation to this agenda item, Councillors Bill Hartnett and Pat Witherspoon declared an Other Disclosable Interest in that they were aware of the work of the Churchill Big Local Partnership and

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had had contact with that group through their roles as ward councillors for Churchill. Both Councillors remained and considered and voted on the matter.]

[In relation to this agenda item Councillors Mike Chalk, Roger Bennett, Andrew Fry, Wanda King and Pat Witherspoon declared a collective Other Disclosable Interest in that they were acquainted with Ms Liz Williams the speaker for the applicant as a former employee of Redditch Borough Council and through the subsequent community voluntary work that she had undertaken in the Borough. All Members remained and considered and voted on the matter.]

26. 2018/00753/FUL - KETTLER HOUSE NORTH MOONS MOAT INDUSTRIAL ESTATE MERSE ROAD REDDTICH B98 9HL - MR JOHN NEWBURN

Demolition of existing offices, Warehouse extension and new ancillary offices

Officers clarified that in relation to the provision of car parking spaces, the number required based on the total building area for the proposed application was 29. It was noted that the applicant was intending to provide a total of 51 car parking spaces.

RESOLVED that

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

- a) The satisfactory completion of a planning obligation (Unilateral Undertaking) to provide a financial contribution to Worcestershire County Council for localise improvements to the cycle and walking network; and**
- b) The conditions and informatives set out on pages 18 to 22 of the main agenda report.**

During consideration of this item Councillor Fry asked for it to be noted that the name of the area in which the application site was located was North Moons Moat.

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The Meeting commenced at 7.00 pm
and closed at 7.45 pm

PLANNING COMMITTEE

12th September 2018

Planning Application 18/00169/FUL

Full application for 42 dwellings, following the design parameters set within application: 17/00542/OUT. Residential development on previously approved employment area.

Land On Green Lane, Green Lane, Wire Hill, Redditch, Worcestershire.

**Applicant: Mr Luke Webb
Ward: Greenlands Ward**

(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

The application site extends to 1.06 ha (2.62 acres) and forms a roughly rectangular parcel of land situated to the south of the Alexandra Hospital and to the north of Green Lane, Redditch. The land is owned by two parties; a triangular portion on the western side is owned by the Borough Council with the remaining portion being owned by the Homes and Community Agency. Both these parties have been served the appropriate notice under certificate B.

Ancillary development associated with the Hospital is located to the north of the site with the residential area of Batsford Close and Nine Days Lane to the west. Dividing the site from Batsford Close is the route of a dismantled railway which now provides a footpath/cycle link to agricultural land to the south of the site and extends into land administered by Stratford-on-Avon District Council. This footpath/cycle route is tree lined and reflects the soft tree lined boundary of the southern margins of the site

The site is devoid of dividing hedges or stand-alone trees and levels drop towards the southern boundary and towards the east. The site has been cleared following the granting of permission 2016/118 and subsequent amendment 2017/00542 both of which were Hybrid applications. Application 2017/00542 allowed for the construction of 140 dwellings and that scheme, which sits to the east of the site, is underway with a number of residential units being occupied.

This application site is related to permission 2017/00542 in that it was the subject of consent (in outline) for office development.

Proposal Description

This application is submitted in Full and seeks consent for 42 residential dwellings and associated works. Of these dwellings 29 would be market housing with 13 affordable units.

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As with the adjoining development, the dwellings proposed have a traditional design detail running through with a mixture of brick detailing, eaves dentil courses and projecting bay windows helping to add interest and variety to the development. The dwellings are largely brick construction, under a tiled roof, there are also a limited number of rendered units. The units are arranged to provide a mixture of terraced, semi-detached and detached dwellings. A pair of bungalows and small flatted unit are included.

Development approved under 2017/00542 retained the existing vehicle access arrangements in that the existing residential area (Batsford Close etc.) retains vehicular priority, with the new development being accessed off Nine days lane with a 'give way' provision on exit. This situation is retained in the current proposal. The subtle changes to road alignments and associated matters such as lighting, pavement extensions will be provided by the S278 Agreement which is agreed and determined by the Highways Authority and implemented by the developer.

The site is to be accessed from within the existing approved residential layout, with a spur road which runs into the centre from the east. This will provide access north and south to dwellings which will be oriented to front onto the footpath/cycle way (plots 150 -176). The turning head at the southern boundary of the site will be extended to provide access for a small group of dwellings along this boundary (plots 177 - 180). The result is largely of outward facing development with gardens abutting each other to the rear. A mix of single or detached garages sit behind the rear elevation of dwellings, whilst there are some areas of communal parking around plots 152 -156 and 139 and 161.

The housing scheme is self-contained, (i.e. there is no public route through the development onto Green Lane). Pedestrian pavements within the site follow the road layout along with further leisure routes running through and round the open space provision within the adjoining development. Open space/play space along with SuDS' drainage which has been provided via a storage/attenuation pool to manage surface water run off towards the south eastern side of the site, are all located in the adjoining residential development to the east.

The application is supported by a number of reports:

Marketing report
Ecological appraisal
Landscaping Plan
Planning statement
Transport assessment addendum
Detailed plans and elevations and associated information (landscape plans, materials plans, boundary treatments etc.)

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

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

Others

National Planning Policy Framework (2018)
 NPPG National Planning Practice Guidance
 Employment Land Review 2013
 Employment Land Supply in Redditch Borough 2011- 2017
 Employment Land Monitoring SPG
 Rear of Alexandra Hospital SPD
 Encouraging Good Design SPG
 Open Space Provision SPD
 Designing Community Safety SPD
 Planning obligation SPD

Relevant Planning History

2016/118/OUT	Hybrid application - Outline planning for employment (5000 m2 of B1) with access details provided and all other matters reserved and detailed application for the erection of 131 new homes with associated access and associated works.	Approved subject to Section 106 Agreement	23.01.2017
17/00542/OUT	Revised Hybrid layout for 2016/118/	Approved	15.02.2018

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OUT (for detailed residential element to provide 140 new homes) plus associated access and works. (House type changes and substitution of plots) subject to Section 106 Agreement

Consultations**North Worcestershire Economic Development and Regeneration**

Summarised as below;

Our original comments identified a number of deficiencies with the marketing report that was submitted to support the planning application. The further revisions of the report have gone some way to helping resolve these identified issues.

Our starting point is always to resist the loss of commercial land to other uses, as once it has gone it will not be readily replaced. However, in this instance the applicants have provided evidence (Marketing Report Rev E) that helps to substantiate the case for considering alternative uses at the site. The opportunity has been marketed for the required period of time and this has not resulted in any firm interest from commercial operators, as is evidenced by the supporting information provided by the applicants, which includes the schedule of enquiries.

Whilst it is always with regret that employment land is considered for other uses, in this instance it is considered that the applicants have been able to provide supporting information that suggests the site has not proved to be attractive for commercial operators and therefore, could be considered for alternative uses. The evidence and report provided therefore help to satisfy the criteria set out the Redditch Local plan No. 4 (Policy 24), which dictates how applications such as this should be considered.
30.08.2018

Leisure Services Manager

Summarised as below;

Based on the additional units and the increased demand on play and sports areas, provision should be made to expand/improve /enhance the existing play provision onsite for toddler/junior to cope with additional residents. Where provision is not feasible on site appropriate calculated sums are required for the provision to be met off site. 15.05.18

Natural England

Summarised as below;

Provides advice on a number of areas covered by the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2017.

- States no objection with respect to statutory nature conservation sites.
- Advises LPA to examine and apply NE standing advice with respect to protected species.

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- The site affects a Priority Habitat as defined and as such the LPA should aim to conserve and enhance biodiversity. If significant harm cannot be avoided, mitigated, compensated for then permission should be refused.
- LPA should ensure development isn't adjacent to a local site (local wildlife or local nature reserve) and impacts are understood
- LPA should consult NE if development affects SSSI

21.02.18

Arboricultural Officer

Summarised as below;

The revised development proposal does not seek to remove any more vegetation or trees than previously indicated in the Proposed Hybrid Layout. The revised proposals do not alter the influence on the existing tree stock either within the site or along the eastern or southern boundary tree belts.

No objections to the revised soft landscaping proposals with respect to species selection and tree location. Recommends conditions. 22.02.18

Parks & Green Space Development Officer

No Comments Received To Date

Senior Community Safety Project Officer Community Safety

No Comments Received To Date

Strategic Planning and Conservation

Summarised as below;

This proposal is contrary to Policy 47 - Land to the rear of the Alexandra Hospital, unless the criteria in Policy 24 - Development within primarily Employment Areas can be satisfied.

The applicant has addressed criteria (i) and (ii) of Policy 24 - Development within Primarily Employment Areas. With regard to criterion (i), loss of this land for employment uses will not cause or accentuate a significant shortage of land for employment use in the Borough.

With regard to criterion (ii) and the viability of the land for employment uses, the applicant has undertaken a period of unsuccessful marketing and demonstrated this through the submission of a Marketing Report, albeit that some advice from officers relating to supporting evidence was not taken on board. 31.08.18

Education Authority

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No objections. Market housing will be required to pay contributions for education based on additional Children. Families and Communities have undertaken a full assessment of the proposal note that the application includes for the following additional open market dwellings: 4 x 2 bed, 16 x 3 bed and 9 x 4 bed. The proposal will put additional pressure on school places in the area particularly in the first school phase of education.

The contribution on the increased number of dwellings be consistent with the remainder of the site submitted under 2016/118 and 17/00542. 26.03.18

WRS - Contaminated Land

Summarised as below;

Records indicate filled ground (NE) and railway ground land (NW corner) are within 250m of the site. Recommends conditions relating to contamination and landfill/ground gases accordingly. 07.03.18

North Worcestershire Water Management

Summarised as below;

The vast majority of the site is classified as Flood Zone 1 and the risk of fluvial flooding is therefore considered to be low.

With respect to surface water there are areas of risk across the site with pooling located around existing drainage features. As the site typically has sloping gradients care needs to be taken to ensure that individual plots are designed appropriately. However it is not considered that there is significant flood risk from this source.

There is an existing flood risk assessment covering the original outline planning application 2016/118/OUT. The information in this assessment relating to flood risk of the site is also applicable to the application. However addition information about the runoff from this additional part of the site is required. Recommends conditions controlling runoff rates and drainage details. 05.03.18

Housing Strategy

Summarised as below;

Satisfied with the provision of 13 affordable housing units in the positions shown. Requires the tenure to be confirmed (and suggests a pattern) and for delivery to follow the requirements of phase 1 of the development. 16.05.18

Highways Redditch

Summarised as below;

The evidence presented comparing the trip generation from the consented B1a development to the proposed C3 dwellings confirms that the impact from the proposed development is a net benefit compared to the traffic generation that could occur.

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Therefore from a transport perspective the principle of residential development in lieu of employment land is acceptable.

This application will require amendment to the consented scheme as it alters the access arrangements by removing the access to the employment land and introducing a new residential road. The prospective section 38 agreement requires amendment and this will have implications for the ability for that agreement to proceed due to the design alterations. Additionally it should be noted that the applicant has decided to retain the estate as a private development and therefore the new residential road cannot be adopted as a future highway. Areas of the layout do not represent an optional design (i.e courtyard accessed between plots 160-162). However given the private nature of the estate there are no implications for the publicly maintained highway and the accessibility to parking areas will be a matter of consideration for the future householder.

It will be necessary to amend the previously agreed section 106 planning obligation to remove the payment associated with the employment land and ensure it reflects the impact of this development.

The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted and consultation responses from third parties the Highway Authority concludes that there would not be a severe impact and therefore there are no justifiable grounds on which an objection could be maintained.
09.03.18

Landscape & Countryside Manager

No Comments Received To Date

NHS (England)

No Comments Received To Date

Crime Risk Manager

No objections or comments regarding this application. 20.02.18.

Waste Management

Summarised as below;

No objections. S106 contributions needed to go towards cost of bins. 08.05.18

Worcestershire Wildlife Trust

Summarised as below;

No objection, but recommend conditions to cover the biodiversity recommendations referenced by FPCR. 17.05.18

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Fire Officer

No Comments Received To Date

Stratford- On- Avon District Council

Stratford-on-Avon District Council raise concern to the loss of the area for employment purposes and would seek strong justification that all sale routes and other acceptable employment uses have been explored before any other possible use of the site can be approved. 31.05.18

Severn Trent Water Ltd

Summarised as below;

No objections to the proposals subject to the inclusion of conditions. 16.02.18

Worcestershire County Council Countryside Service

Summarised as below;

The proposal should have no detrimental effect on the public right of way provided that the applicant also adheres to the following obligations: No disturbance to path width, surface, no storage of materials on the path, no vehicle movements to interfere with the right of way, no additional barriers to be placed on the path. Refers to NPPF para 75 where policies protect and enhance rights of way and Circular 1/09 which sets out that PROW's are material considerations. 06.03.18

Town Centre Co-ordinator

Seeks S106 monies to support public realm improvements in Alcester Street (section remaining near the library and continuing into Market Place). (Scheme previously contributed to is incomplete at moment) 26.06.18

Public Consultation Response

A total of 83 neighbour notification letters were sent on 15.02.18.

Site notices were displayed on 13.03.18

The development was advertised in the Redditch Standard on 09.02.18

One representation and two objections have been received and summarised as below;

- Impact on Batsford close residents will be greater
- Questions final arrangements for road junction improvements
- Poor and dirty condition of road during development
- Questions if double yellow lines are to be used given on street parking
- Need for improvements on to Woodrow Drive; lights or roundabout.

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- Considers change from business to residential is a good thing but objects to access from Oakdale Road. Considers access should be closer to the junction with Nine Days Lane so reducing traffic flow through the estate being better for families and improving safety as there would be a junction.

In addition four other representations have been received, these are summarised below;

Stratford-on-Avon District Council raises concern to the loss of the area for employment purposes and would seek strong justification that all sale routes and other acceptable employment uses have been explored. 16.05.18

Studley Parish Council refers to retaining the gap between Studley and Redditch as being identified in the adopted plans of both Council's. Not using the site for business use increases the demand for sites such as the Eastern Gateway which leads to the loss of green belt land. Questions the suitability of emergency access route. Suggests some homes should be specifically allocated for Hospital employees. 16.05.18

Ward Member for Studley with Mappleborough Green; (Cllr Kerridge) states the all site boundaries should be enhanced to reduce the visual impact from Green Lane and the wider countryside and benefit public amenity. Distances of plots from boundaries should be maximised. Lighting should be low impact and low level. Emergency entrance to Green Lane should not be for general use. Advocates new planting here. 16.05.18

Ward Member for Studley and Sambourne; (Cllr Hazel Wright) notes that land was allocated in Stratford-on Avon District to serve the employment needs of Redditch. If it is now acceptable to develop the site for housing instead what is the value of the plan process and why is land outside Redditch needed for housing. 18.03.18

Assessment of Proposal**The Principle of the development**

The Borough of Redditch Local Plan No 4 (BoRLP4) designates land to the rear of the Alexandra Hospital as a 'Strategic Site' as detailed in Policy 47. The site provides a sustainable location for a mixed use development of employment and housing, thus assisting in meeting the vision and objectives of the plan and strategic needs for the period 2011 - 2030.

The application site is specifically identified for employment purposes within this strategic allocation (site reference IN69 on the proposals plan.) Policy 47 sets out the principles to be applied to delivery of the site establishing that with respect to the employment element it should "incorporate a minimum of 5000sqm (1.85ha) of B1 office development or employment development that is medically related".

Borough of Redditch Local Plan No.4 (BORLP4) was adopted on 30 January 2017; therefore all planning applications should be determined with regard to the policies in the

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Plan. This proposal, for residential development on the part of the site identified for employment purposes, is not in compliance with Policy 47.

Ensuring the availability of sufficient and suitably located employment land for the plan period is important to the economic wellbeing of the Borough. Policy 23 sets out that around 55 hectares of land are required for employment purposes up to 2030. The policy seeks to guide the location and development of employment land whilst remaining flexible to the changing economic climate. The Employment Land Review (ELR) is the evidence base used to understand the demand and supply of employment land within the Borough.

Policy 24 (Development within Primarily Employment Areas) sets out that development which would restrict the ability of employment areas to provide for employment needs will not be permitted. However it does establish a limited set of circumstances when non-employment development could be permitted, including;

- (i) such development would not cause or accentuate a significant shortage of land for employment use in the Borough or area concerned ; and
- (ii) it is no longer viable as an employment area either following a period of unsuccessful marketing or a viability assessment . Consultation must be undertaken with the Economic Development and Regeneration to ascertain this; or
- (iii) the site is no longer appropriate for this use due to one of a number of unresolvable reasons (i.e. residential amenity/environmental impacts).

24.7 establishes that in considering the impact of the loss of employment land that regard will be had to the individual and the cumulative effects of that loss as well as the qualitative nature of the supply. The Council will consider if the proposal will detrimentally impact upon employment land provision and if the applicant can demonstrate the site is unable to be developed due to constraints and or other issues, then it may be that, an alternative use can be accepted.

The applicants have presented a Marketing Report (revision E received 24th August 2018) which address points i) and ii) of Policy 24. This report examines the context of the site within the objective of 55 ha of employment land being required up to 2030 and includes a commentary around the amount and nature of office space available in the town centre, the characteristics of the local market and information about comparable sites. This concludes that the loss of this site would not cause or accentuate a significant shortage of land for employment use in the Borough or area. The Council's Employment Land Supply monitoring document (2017) indicates a supply of 62.89 hectares was available in 2017. Taking this into account, along with the size of the site at 1.06 hectares, Officers do not consider that the loss of the site would cause or accentuate a significant shortage of employment land for the Borough at this time.

The Marketing element of the report tracks the history, scope and results of the marketing exercise. Marketing was initiated in June 2015 and formalised in Nov 2015 and thus had been running for 2 years and 3 months at the date of the submission of the current application (in line with ELM SPG Para 2.10). The Council, in conjunction with Economic

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Development Colleagues, have robustly examined the type of enquiries received during this time, their relevance to the allocation of the site and the efforts made by the applicant to secure the correct type of end users on the site. It is concluded however that there has been no firm or appropriate interest in the site for its B1 employment use. The lack of demand for office space in the Borough as a whole, combined with the amount of space currently available has contributed to this outcome. This conclusion is specific to this site and indeed its locational characteristics, not being part of a business park or close to a motorway location, has possibly played a part in reaching this view.

The applicants have demonstrated therefore that the loss of this parcel of land would not constrain the future supply of employment land as a whole and the land has been shown to not be suitable for employment purposes following a marketing exercise. In the context of the wider strategic allocation in Policy 47 the principle of housing on the site, subject to compliance with other criteria, is therefore an acceptable alternative proposal.

Turning back to the design and environment and infrastructure criteria of Policy 47 the following is noted;

Design

The layout of the development responds to the locality and reflects the development being implemented to the immediate east of the site. Dwellings are arranged so as to front onto the access roads/cycleway with private amenity spaces to the rear creating natural surveillance with 'on plot' parking helping to provide a safe and secure environment with good natural surveillance. Residential amenity within the development is protected as a result of the design, orientation and levels of the proposed dwellings and the layout generally complies with guidance in the Council's adopted Design Guide. The applicants Planning statement outlines how the proposed layout satisfies the requirements of Policy 40 for development to be of High Quality in line with the NPPF (2018)

House types reflect the ongoing development with a mixture of traditional detailing and materials. Consideration has been given to the frontage areas within the development with the use of plots designed to fit on corner positions, continuation of features such as walls at important road junctions as well as sensitive use of hard surfacing and landscaping to publically visible areas. Plots the western margins of the site are sufficiently set off the tree lined boundary to the cycleway to ensure the character of this area is protected. There are no adverse impacts on the amenities of existing residents of 'Wirehill' or to the properties in Green Lane given the topography, strong retained planted area on the south and adequate distance between dwellings. The land is used effectively and achieves a density of 41 dph in line with adopted Policy 5.

It is considered that the overall character and appearance of the proposed residential development would be appropriate and acceptable to the surrounding development in the area, which includes the functioning of the hospital to the north and the existing residential development to the east and west.

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Housing type and tenure

Policy 6 requires sites of more than 11 dwellings to make a 30% contribution to affordable housing, with onsite provision and a suitable mix of types and sizes of dwellings. As a result 13 affordable units, (including 2 bed and 3 bed houses) are provided within the development as well as a single flat unit. The provision, tenure and retention of these units in the long term needs to be addressed through an appropriate legal mechanism, and subject to that control, the scheme is acceptable to the Housing Strategy Officer.

With respect to the wider market housing it is noted that 20 of the 29 units provided are 2 or 3 bed roomed units (including 2 bungalows) with the remaining 9 units being 4 bed roomed. This mix of housing sizes is considered to be consistent with the objective of providing a range of units but also of addressing the specific needs of the Borough as a whole as required by Policy 4.

Natural features and ecology

With respect to natural site features, especially its biodiversity and its relationship with the Rough Hill and Wire Hill Woods SSSI, Members will be aware that the current development included extensive surveying of the wider land parcel. This highlighted a number of species present on the site which required protection measures/compensatory measures to ensure that no undue harm would occur. Some species (Slowworms) required a specific off site translocation agreement to be provided for, whilst other species were subject to the requirements of some conditions, satisfactorily retained onsite. Other aspects such as the increasing wet land opportunities around the attention pool on the wider site have helped to encourage biodiversity within the new development in compliance with adopted policies and the guidance in the NPPF.

The site has been cleared and has remained fallow since that time. The current Ecological Appraisal (dated January 2018) concludes there are no ecological constraints on the site as there are no habitats of value or vegetation suitable to support protected species. Mitigation has already been addressed through the previous application, however in line with adopted policies enhancement of biodiversity opportunities is required by condition.

Drainage

There is an existing flood risk assessment covering the original outline planning application 2016/118/OUT. This identified the site as being in Flood Zone 1 where the risk of fluvial flooding is considered to be low and the information in this assessment relating to flood risk of the site is also applicable to the application.

As part of previously approved development an attention pool and associated drainage channel alterations were proposed. Drainage engineers assessed the scheme and were satisfied that subject to conditions that this arrangement was acceptable. This provision

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remains relevant to the current scheme and subject to the imposition of conditions is acceptable to statutory consultees.

With respect to surface water runoff flood risk, based on the EA surface water flood risk mapping there are areas of risk indicated across the site. Areas of pooling are generally located around the existing drainage features on such as the existing watercourse and ditches. As the site typically has sloping gradients care needs to be taken to ensure that individual plots are designed appropriately, i.e. FFL and landscaping. As advised by consultees, conditions are imposed to address this matter.

Tree planting

There is a strong mature tree buffer to the south of the site. This area which includes protected trees is of an extent and maturity that assists in integrating the site within the local landscape. Additional tree and hedge growth to the west of the site and lining the cycleway also contribute positively to the natural landscape immediately adjacent to the site. The Tree Officer has considered the impact of the development on these existing areas as well as the package of proposed planting within the site and subject to conditions protecting existing features, raises no objections in the context of Policy 16.

Green infrastructure and open space, play and recreation

Development of the adjoining site facilitated the provision of a leisure link pedestrian route around the site and around the retained landscape area and attenuation pond. This provided the opportunity for existing planted areas to be retained and enhanced through additional planting as well as providing important connectivity corridors between existing areas. The application site supports this approach by further enhancing the boundary to the west along the cycleway and ensuring it has a positive role within the development.

With respect to play and recreation provision, the adjoining site incorporated an area for toddler and junior play. The current proposal does not include such a provision within its boundaries however given the connectivity and proximity of the existing provision, utilising that facility is considered acceptable. Provision through a legal mechanism to improve the facilities to serve the additional development demand is proposed.

Provision for older (teenage) children and playing pitches was accommodated off site (Arrow Valley) as part of the associated development. A similar provision is proposed for the current scheme through a suitable legal mechanism to ensure that no long term deficiency of recreational facilities occurs.

Turning now to the second arm of Policy 47; Infrastructure, the following is noted;

Pollution/waste water/flood risk

The first three and last bullet point of 'infrastructure' require various assessments and considerations to be given to the sites aquatic environment. The outline application noted

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that the site had limited potential for flooding however standing water had been an issue historically with the natural land slope creating pooling at the south/southeast. The approved flood risk and drainage strategy on 2006/118/OUT provided for drainage channels and an attenuation pond to store and control the discharge of surface water from the site. These controls were considered acceptable to drainage engineers and ensured that the wider aquatic environment was satisfactorily protected. The current scheme utilises this approach and effectively connects to that system in order that this betterment to site drainage is still provided.

Transport assessment and infrastructure/connectivity

Application 2016/118 attracted significant public concern in relation to the impact of the development upon the highways network and highway safety. That application was subject to a full Transport Assessment (TA) covering traffic numbers, flows and projections at different peak times. It also covered the requirements to access the site and the associated impacts on the local highways network, but also a much wider remit to main routes.

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

The NPPF encourages assessments of proposals and consideration of the impact of the development in a local and wider context. The TA acknowledged that whilst trip generation would significantly increase and would impact on the immediate road network, the impact was not considered to be 'severe'. Officers were satisfied that subject to the imposition of suitable conditions and the applicant entering into highways agreements (S278) and a S106 for off-site highways improvements, that this impact could be adequately mitigated for locally and in the wider highway network.

The current scheme includes a revised TA (TA Addendum 3) which addresses the key changes in so far as they relate to highways issues including; internal layout, removal of B1, increasing residential numbers and access arrangements to Nine Days lane.

It is concluded that;

- Internal layouts would still satisfactorily accommodate refuse and service vehicles.
- The removal of the B1 element results in a net reduction in two -way traffic generation compared with the approved scenario (table 3.2 morning peak hour reduced by 72 evening peak reduced by 55).
- The junction arrangements provisionally agreed as forming the basis of a section 38 agreement have been interrogated in the light of the additional demand and found to be robust and will continue to operate within capacity.

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Members will note that revised TA has been fully appraised by the County Council's Highways Officer who supports the conclusions above. It is noted that the internal roads of the estate will be retained as private and thus not adopted by the Highway Authority, but that subject to amendments to the legal agreement, the necessary agreements being in place and conditions, that no objections are made to the scheme.

The site will be in close proximity and easily accessible from the existing cycle footway to the west. This facility has been improved and extended along the side of Nine Days Lane as part of the agreement associated with the earlier schemes. In addition a recreational footpath link runs along the southern margins of the site providing linkage across the site towards the open space to the east. These features ensure the site has good connectivity with local infrastructure.

Conclusions

Borough of Redditch Local Plan No.4 (BORLP4) was adopted on 30 January 2017; therefore all planning applications should be determined with regard to the policies in the Plan. Residential use of this part of the strategic site does not accord with the type of development envisaged by policy 47. However the applicants have submitted site specific evidence that has satisfied Economic Development and Regeneration colleagues that the site has been appropriately marketed for a period of time with no relevant interest being expressed. Furthermore it has been shown that an alternative use of this land parcel will not cause or accentuate a significant shortage of employment land in the Borough as required by Policy 24. The exceptions set out in Policy 24 have therefore been met and in the context of the wider strategic allocation in Policy 47 the principle of housing on the site, subject to compliance with other criteria, is an acceptable alternative proposal.

In coming to this conclusion the advice in the NPPF (2018) is noted. Para 81 (Building a strong and competitive economy) sets out that Planning policies should *'d) be flexible enough to accommodate needs not anticipated in the plan ...and to enable a rapid response to changes in economic circumstances'*. Para 120 (making effective use of land) states Planning policies and decisions need to reflect changes in the demand for land. This paragraph discusses the need for regular reviews and where there is no reasonable prospect of an application coming forward for the allocated use criteria b) sets out that alternative uses on the land should be supported.

The requirements for development of the strategic site as set out by policy 47 have been considered as part of this report and the matters arising have been addressed by the submission details or are controlled by conditions and or legal mechanisms. It is noted that with respect to highways matters that there is a degree of betterment in associated with the number and number and timing of trips and this adds weight in favour of the scheme. The adjacent site is being built out at the current time and the provision of additional units on the application site will contribute to the Council's 5 year housing land supply position.

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Overall the development is considered to represent a sustainable form of development in accordance with the relevant development plan policies, where a departure from Policy has occurred this had been evidence and justified.

Planning Obligations

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

1. Highways matters as agreed with the County Highways Authority including:- S278 and S38 agreements for improvements to the local highway network.
2. A contribution for highways improvements off site to the local and highway networks as agreed in a raft of measures identifies by the highways Authority. This will also include selected Traffic Regulation Orders
3. A contribution towards County education facilities in relation to the private market housing proposed
4. An off-site contribution towards playing pitches, play areas and open space in the area due to the increased demand/requirement from future residents in compliance with the SPG
5. The proposal would also require that 30% of the dwellings be provided as Affordable units for social housing in line with SPD policy and their retention for this purpose in perpetuity. In this instance 13 affordable units retained as such in perpetuity (insofar as Right to Buy or Acquire legislation permits)
6. A contribution towards the provision of wheelie bins for each dwelling on the Development.
7. Town centre strategy contributions.

The applicant has expressed their broad agreement to the Heads of Terms as set out above and an agreement is being drafted with input from the applicant and the Council's solicitor on this basis.

RECOMMENDATION:

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

- a) The satisfactory completion of a S106 planning obligation ensuring that:

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1. Highways matters as agreed with the County Highways Authority including:-S278 and S38 agreements for improvements to the local highway network.
2. A contribution for highways improvements off site to the local and highway networks as agreed in a raft of measures identifies by the highways Authority. This will also include selected Traffic Regulation Orders
3. A contribution towards County education facilities in relation to the private market housing proposed
4. An off-site contribution towards playing pitches, play areas and open space in the area due to the increased demand/requirement from future residents in compliance with the SPG
5. The proposal would also require that 30% of the dwellings be provided as Affordable units for social housing in line with SPD policy and their retention for this purpose in perpetuity. In this instance 13 affordable units retained as such in perpetuity (insofar as Right to Buy or Acquire legislation permits)
6. A contribution towards the provision of wheelie bins for each dwelling on the Development.
7. Town centre strategy contributions.

and

b) Conditions and informatives as 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) The development hereby approved shall be carried out in accordance with the following plans and drawings:

Full application form

Marketing report Rev E By Harris Lamb job G4773 August 2018

Planning Statement by RCA ref RCA043ai January 2018

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Transport Assessment Addendum 3 dated Nov 2017
Ecological appraisal by FPRC January 2018

H7808-PL-01 A Amended Planning layout

H7808-BTP-01A BOUNDARY TREATMENT PLAN
1519-PL1-13A LANDSCAPING - SECTION 1
1515-PL1-14A LANDSCAPING - SECTION 2

DWB2 2 - - 7 PLANNING ELEVATIONS & FLOOR PLANS
H403 - - C7 PLANNING ELEVATIONS & FLOOR PLANS
H417 - - B7 PLANNING ELEVATIONS
H417 - - B7 PLANNING FLOOR PLANS
H433 - - - 7 PLANNING ELEVATIONS
H433 - - - 7 PLANNING FLOOR PLANS
H469 - - X7 PLANNING ELEVATIONS
H469 - - X7 PLANNING FLOOR PLANS
P204 - EC7 PLANNING ELEVATIONS & FLOOR PLANS
P231 - - D7 PLANNING ELEVATIONS
P231 - - D7 PLANNING FLOOR PLANS
P341 - E - 7 PLANNING ELEVATIONS
P341 - E - 7 PLANNING FLOOR PLANS
P382 - E - 7 PLANNING ELEVATIONS & FLOOR PLANS
SH27 - - X5 PLANNING ELEVATIONS & FLOOR PLANS
SH35 - - X5 PLANNING ELEVATIONS & FLOOR PLANS
SH39 - - X5 PLANNING ELEVATIONS & FLOOR PLANS
C2131 043A - Garages

REASON: To provide certainty to the extent of the development hereby approved in the interests of proper planning.

- 3) Prior to the first occupation of the dwellings, a scheme to secure biodiversity enhancements on the site shall be submitted to, approved in writing by the Local Planning Authority and implemented on site. These enhancements shall accord with the Biodiversity Outline plan and reflect the contents of the Worcestershire Biodiversity Action Plan.

Reason; In the interests of improving the biodiversity credentials of the site in accordance with the Worcestershire Biodiversity Action Plan.

- 4) Retained trees and their Root Protection Areas (RPA) must be protected during the construction phase in accordance with BS5837:2012, using suitable protective fencing and/or ground protection as appropriate. No storage of plant or materials shall occur within the RPA of any retained tree.

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Reason; To ensure the existing tree growth is protected and retained for visual amenity and landscape reasons.

- 5) The landscaping schemes forming part of the approved plans list shall be implemented in their entirety by the end of the first available planting season, following the first occupation of the dwellings hereby approved. Any plants or trees that fail or are removed or seriously damaged/diseased within 5 years of completion of the landscaping, shall be replaced with suitable sizes/species as originally proposed.

Reason; In order to protect the visual amenity of the site and ensure its integration into the immediate landscape.

- 6) No works or development shall take place until a scheme for foul and surface water drainage, along with a maintenance plan for this drainage scheme, has been submitted to, and approved in writing by the Local Planning Authority. This scheme shall include a plan showing finished floor levels of the dwellings and associated garages. The scheme shall include the results of an assessment into the potential of disposing of surface water by means of a sustainable drainage system (SuDS) and shall provide an appropriate level of runoff treatment. The approved scheme shall be completed in accordance with the approved scheme 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 to minimise the risk of pollution. This is required prior to development commencing to ensure the matter is resolved adequately before the construction of the units starts and that this work is undertaken at the appropriate land level.

- 7) The Development hereby approved shall not be occupied until the access, turning area and parking facilities shown on drawing H7808-PL-01 A Amended Planning layout has been provided. These areas shall thereafter be retained and kept available for their respective approved uses at all times.

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

- 8) The development hereby permitted shall not be brought into use until the applicant has submitted to and have approved in writing a Travel Plan for the residential element of the application that promotes sustainable forms of access to the site with the Local Planning Authority. This plan thereafter will be implemented and updated in agreement with Worcestershire County Councils Travel plan co-ordinator.

Reason: To reduce vehicle movements and promote sustainable access.

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- 9) The Development hereby permitted shall not be first occupied until sheltered and secure cycle parking to comply with the Council's adopted highway design guide has been provided in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority and thereafter the approved cycle parking shall be kept available for the parking of bicycles only.

Reason: To comply with the Council's parking standards

- 10) 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 in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and where remediation is necessary a remediation scheme must be prepared and approved in writing by the Local Planning Authority in advance of the scheme commencing.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to development commencing other than that required to be carried out as part of an approved scheme of remediation.

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

- 11) The development shall make provision for the following;

(a) Gas protection measures (complying with CIRIA Characteristic Situation 2 as a minimum requirement) should be incorporated within the foundations of the proposed structures; or

(b) A risk assessment should be undertaken to establish whether the proposed development is likely to be affected by gas emissions from the landfill site, provided to and approved in writing by the Local Planning Authority, prior to the commencement of development. Such an assessment shall be carried out in accordance with current UK guidance and best practice.

(c) Where the approved risk assessment (required by condition (b) above) identifies ground gases or vapours posing unacceptable risks, no development shall commence until a detailed remediation scheme to protect the development from the effects of such ground gases or vapours has been submitted to and approved in writing by the Local Planning

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Authority. Following approval, such remediation scheme shall be implemented on site in complete accordance with approved details unless otherwise agreed in writing by the Local Planning Authority.

(d) Following implementation and completion of the approved remediation scheme (required by condition (c) above) and prior to the first occupation of the development, a verification report shall be submitted to and approved in writing by the Local Planning Authority to confirm completion of the remediation scheme in accordance with approved details.

Reason: To ensure that the risk to buildings and their occupants from potential landfill or ground gases are adequately addressed.

- 12) No part of the development hereby approved shall begin until a Construction Management Plan to include details of:

- a. Parking for site operatives and visitors
- b. Area for site operatives' facilities
- c. Parking and turning for delivery vehicles
- d. Areas for the storage of plant and materials
- e. Wheel washing equipment
- f. Boundary hoarding (set clear of any visibility splays)
- g. Hours of operation for the construction phase of the development

has been submitted to, and approved in writing by, the Local Planning Authority. Only the approved plan shall be implemented throughout the construction period.

Reason: To ensure the provision of adequate on-site facilities, in the interests of highway safety and to prevent indiscriminate parking in accordance with the NPPF.

- 13) Prior to the occupation of the development hereby approved, a full lighting scheme shall be submitted to and approved by the Local Planning Authority. That scheme shall be in accordance with the recommendations of Bat Survey Report Dated February 2016 as attached to 2016/118/OUT. This scheme shall be implemented in accordance with these recommendations and shall be retained as such in perpetuity.

Reason: In order to ensure a lighting scheme is provided in line with protected wildlife.

- 14) Notwithstanding the submitted materials plan H7808-MDL-01A, 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.

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Reason: To ensure that the development is satisfactory in appearance, to safeguard the visual amenities of the area

- 15) The Development hereby permitted shall not be first occupied until each dwelling has been fitted with an electric vehicle charging point in accordance with details that shall first be submitted to and approved in writing by the Local Planning Authority and thereafter the charging point shall be kept available for the charging of electric vehicles.

Reason: To encourage sustainable travel and healthy communities.

Informatives

- 1) In dealing with this application the local planning authority have worked with the applicant in a positive and proactive manner, seeking solutions to problems arising from the application in accordance with the NPPF and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The authority has helped the applicant resolve technical issues such as advising the applicant over the content and scope of the Marketing Report.

The proposal is therefore considered to deliver a sustainable form of development that complies with development plan policy. Where a departure from those policies occurs this has been justified.

- 2) Section 278 Agreement

The granting of this planning permission does not remove any obligations on the applicant to undertake a technical design check of the proposed highway works with the Highway Authority, nor does it confirm acceptance of the proposal by the Highway Authority until that design check process has been concluded. Upon the satisfactory completion of the technical check the design would be suitable to allow conditions imposed under this permission to be discharged, but works to the public highway cannot take place until a legal agreement under Section 278 of the Highways Act 1980 has been entered into and the applicant has complied with the requirements of the Traffic Management Act 2004. The applicant is urged to engage with the Highway Authority as early as possible to ensure that the approval process is started in a timely manner to achieve delivery of the highway works in accordance with the above mentioned conditions.

The applicant should be aware of the term "highway works" being inclusive of, but not limited to, the proposed junction arrangement, street lighting, structures and any necessary traffic regulation orders

- 3) Section 38 Agreement Details

If it is the applicant's intention to request the County Council, as Highway Authority, to adopt the proposed roadworks as maintainable at the public expense,

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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 by the County Council as Highway Authority and an Agreement under Section 38 of the Highways Act, 1980, entered into.

4) Drainage Details for Section 38

It is not known if the proposed roadworks can be satisfactorily drained to an adequate outfall. Unless adequate storm water disposal arrangements can be provided, the County Council, as Highway Authority, will be unable to adopt the proposed roadworks as public highways. The applicant is, therefore, advised to submit the engineering details referred to in this conditional approval to the County Council's County Network Control Manager, Worcestershire County Council, County Hall, Spetchley Road, Worcester, WR5 2NP at an early date to enable surface water disposal arrangements to be assessed.

5) No Drainage to Discharge to Highway

Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.

6) Redditch parish footpath RD-610 crosses the access to the application site and is adjacent to the site boundary. The proposal should have no detrimental effect on the public right of way provided that the applicant also adheres to the following obligations:

- No disturbance of, or change to, the surface of the path or part thereof should be carried out without our written consent.
- No diminution in the width of the right of way available for use by the public.
- Buildings materials must not be stored on the right of way.
- Vehicle movements and parking to be arranged so as not to unreasonably interfere with the public's use of the right of way.
- No additional barriers are placed across the right of way. No stile, gate, fence or other structure should be created on, or across, a public right of way without written consent of the Highway Authority.
- The safety of the public using the right of way is to be ensured at all times.

The applicant should note the National Planning Policy Framework requires polices to ensure the protection and enhancement of public rights of way and

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access. The developer should also be aware of the Department of Environment Circular 1/09 (part 7) which explains that the effect of development on a public right of way is a material consideration in the determination of applications for planning permission and that the grant of planning consent does not entitle developers to obstruct a public right of way. The Definitive Map is a minimum record of public rights of way and does not preclude the possibility that unrecorded public rights may exist, nor that higher rights may exist than those shown.

- 7) WRS recommend the applicant is advised that the following is required for validation of installed gas mitigation measures:

A technical specification of the membrane installed from the membrane supplier/producer confirming appropriate mitigation for the characterisation of the site gas regime and confirmation of installation by an independent third party such as:

a validation report from an experienced geo-environmental consultant including photos and/or; validation report from LA Building Control or NHBC inspector or registered membrane installer including photos.

If you have any further queries regarding this matter or information provided in support of the application requiring comment by the Land and Air Quality Team, please do not hesitate to contact us via wrsenquiries@worcsregservices.gov.uk or 01905 822799 quoting the above reference number.

Procedural matters

This application is being reported to the Planning Committee because the application requires a S106 Agreement. As such the application falls outside the scheme of delegation to Officers.

Procedural matters

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

Procedural matters

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

PLANNING COMMITTEE

Wednesday 12th September

Planning Application 18/00648/FUL

Perimeter bunding and balancing ponds to store water and reduce flood risk along multiple site of the Church Hill Brook.

Land South Of Ravensbank Drive, Ravensbank Drive, Church Hill North, Redditch, Worcestershire.

Applicant: Mr Joseph Baker
Ward: Church Hill

(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 existing site is a woodland area with a full coverage of trees and hedgerow created during the development of Redditch New Town. The trees on site are not subject to a Tree Preservation Order. The site is allocated as Public Open Space in the Borough of Redditch Local Plan No. 4 (BoRLP4). The site is part of a green corridor in which the Church Hill Brook transects. This is the first section of the Church Hill Brook within Redditch Borough. Ravensbank Drive runs along the northern boundary of the site with Fairford Close bounding the site to west and Thornhill Road Industrial Estate to the east. There is a public footpath that travels along the south of the site broadly in a west to north east direction and links Hillmorton Close to Ravensbank Drive.

Background

This land was once used as a balancing area however over time a concrete structure within the channel of the watercourse has become dilapidated and as a result high flows of water travel downstream and this creates flooding problems at Moons Moat Drive, Arley Close, Hillmorton Close and Fairford Close to the east and south of the site. The site is managed by the Borough of Redditch Woodland Management Scheme. The forestry team at Redditch Borough Council have recently removed a large number of non-native Poplar trees on site with a view to undertake a replanting scheme after these flood alleviation works have been carried out. This application has been submitted by North Worcestershire Water Management and has been funded by a grant.

Proposal Description

The proposed development is to create a balancing area south of Ravensbank Drive in the existing woodland. The balancing area will store water back and create a wetland environment. This application is to divert the existing watercourse away from the properties at Fairford Close by creating a meander. The excavated material will be used to form a bund to retain water within a floodable area. This floodable area will be a partial wetland to create a habitat. There will be a control structure which will be a 900mm

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diameter pipe which will be partially buried. The height of the bund at the low point adjacent to the footpath is approximately 700mm high and at the emergency overflow the bund would have a maximum height of 1015mm.

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

Policy 1: Presumption in Favour of Sustainable Development

Policy 11: Green Infrastructure

Policy 13: Primarily Open Space

Policy 16: Natural Environment

Policy 17: Flood Risk Management

Policy 40: High Quality Design and Safer Communities

Others

National Planning Policy Framework (2018)

Relevant Planning History

No relevant Planning History.

Consultations**Worcestershire Archive and Archaeological Service**

No objection subject to condition.

Highways Redditch

No objection subject to condition.

Planning Services- Bromsgrove District Council

No objection.

Drainage Engineers Internal Planning Consultation

The increase of river length and the provision of impoundments will have a positive effect on the flood risk of properties downstream. It will also see the creation of habitat for aquatic and semi aquatic species as additional earth scrapes around the channel to form small pools which will be inundated by the stream on a semi regular basis. This will also provide attenuation of lower flows which are not of sufficient rate to be controlled by the throttle pipe.

Arboricultural Officer

Although the proposed scheme will undoubtedly cause some disturbance to this woodland area, in view of the current phase of tree management on the site this would appear to be the most appropriate timing for this nature of work if required.

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Worcestershire County Council Countryside Service

The definitive line of footpath RD-798 as shown on plan P2190/62/18/05/15 comes close to the new bund but does not appear to be affected. As the bund is to be constructed very close to the definitive line then it should be ensured that this is not obstructed.

Ramblers Association

The bund will pass in close proximity to Footpath RD-798 but will not impact upon it. As the bund is low it should not impact upon walkers' enjoyment of this attractive area.

Senior Community Safety Project Officer Community Safety

No Comments Received To Date

WRS - Contaminated Land

WRS have reviewed the above planning application for potential contaminated land issues of which none have been identified. Therefore WRS have no adverse comments to make in relation to contaminated land.

Public Consultation Response

Three site notices were placed on site on 18th June 2018 and expired on 14th July 2018. An advertisement was placed in the Redditch Standard on 29th June 2018 and expired on 16th July 2018. 69 neighbour letters were sent in the post to the neighbouring properties on 18th June 2018 and expired on 12th July 2018.

Five letters of representation have been received following this public consultation. Two letters are in support of the scheme and three letters have been received as a representation. No objections have been received.

The comments within the representations are summarised as follows;

- No mention within the documentation of date or projected cost of scheme
- Source of funding not known
- Cost of consultation not known
- Note: Funding and costs are not material planning considerations.
- Date of ecological survey
- Water vole sighting
- How will the developer prevent large amounts of soil being washed into the existing stream depleting oxygen and impacting downstream wildlife
- Will consideration be given during the works to assessing and protecting the outside bank from further damage
- Query on the event that the volume reach full capacity and then be suddenly released what the impact would be further downstream
- Replanting and retention of shrubs and trees along residential boundary to site would be welcomed.
- Will the public footpath be altered?

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Given a number of these comments received following the public consultation raise queries on technical issues the applicant has responded to these matters for clarity. The applicant's response has been summarised as follows;

- Not all quotes have been received to date for the final cost of the project. It is anticipated to be approximately £8k.
- The source of funding is by grant.
- All costs on site are to be minimised as much as possible.
- The ecological survey was carried out in February due to the availability of Worcestershire Wildlife Consultancy. The ground was in good condition at the time and the consultant had complete visibility of the site.
- Rats are very common around most watercourses in urban areas and therefore the siting may not have been a water vole. In any event, the ecological report has recommended some precautionary measures in respect of water voles which can be conditioned.
- To ensure the soil is not washed into the stream depleting the oxygen levels and impacting on wildlife the earth will be compacted on site to form the bund which is necessary to make it stable. Vegetation will be planted throughout the wetland and this will input oxygen into the system. Additionally works will be done when the ground is not saturated so the ground will be in a more stable condition and disturb less soil.
- To ensure the outside bank is protected from damage the applicant confirms they will put some erosion control measures in. These will most likely take place before the ground works
- The control structure will control downstream flows to a rate at which the pipe size allows for. As this is a flood storage area, the control structure will be smaller in diameter than culvert 63. This is so that the water will back flow into the storage area and flows downstream of the control structure should be at an acceptable level to which it can cope with. The structure will be concreted in so will not move and therefore there will be no sudden release. Should the balancing area reach capacity the design for the exceedance is to spill a small amount of water to the south east of the site away from the residential properties.
- The footpath is not proposed to be altered as part of the scheme. The Public Right of Way is shown as a straight line on the plans however these are indicative and do not reflect the existing path used. The bund will run along the north of the footpath to protect this from overspill.

Assessment of Proposal

Principle

The site comprises of Green Infrastructure and is an allocated Public Open Space. The National Planning Policy Framework defines Green Infrastructure (GI) as 'a network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities'. Policy 11 of the Borough of Redditch Local Plan No. 4 (BoRLP4) proposes that the multifunctionality of the GI Network means that it can also contribute to delivering objectives regarding

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biodiversity, climate change, Historic Environment and flood risk. Policy 17 of the BoRLP4 requires where practicable, that flood risk be reduced by increasing flood storage, improving flood flow routes and/or removing existing obstructions to flow. Having regard to this, the proposed development is considered to be acceptable in principle.

Open Space

Policy 13 states that proposals for development on Primarily Open Space land that contribute to the GI Network in the Borough may be deemed acceptable. The land will remain as public open space and will be inspected and maintained by Redditch Borough Council's Land Drainage Team. The public footpath will be unaltered given the proposed height of the bund no concern is raised on the impact of the enjoyment of this space by users of the footpath. Therefore in this instance, the GI Network can be improved whilst maintaining this land as open space.

The area is frequently used by the public who use the footpath to the south of the development site. The site has good surveillance with the close proximity of dwellings, is proposed to be a shallow gradient and is not designed to hold significance amounts of water for long periods of time. Therefore no concerns are raised in respect of public safety.

Drainage

The ground level of the adjacent properties on Fairfield Close and Hillmorton Close are currently at a similar level to that of the watercourse. There is therefore currently an inherent risk of property flooding. The scheme will address these matters with the use of a natural balancing pond to protect the nearby properties. The balancing area will have a wetland environment and there will be a bund around the balancing area to further protect these properties and the footpath to the south. Given the failure of the existing concrete structure within the channel of the watercourse flood issues have been raised downstream at Moons Moat Lane and Arley Close. The proposal will control the downstream flow by using a polyplastic pipe of 900mm diameter which will be partially buried to allow for gravels to fill the bottom to create a natural effect. The development intends to redirect the flow away from the existing properties before being discharged through the new polyplastic pipe which will control the water flow downstream and store the surplus water within the balancing pond. The excavated material from the channel and wetland will be used to form the protection bund raising the ground level and containing the water within the balancing area. The excavated material from the channel and wetland will be used to form the protection bund raising the ground level and containing the water within the balancing area. The height of the bund at the low point by the footpath is approximately 700mm high and at the emergency overflow the bund would have a maximum height of 1015mm. The height of the bund at its highest point nearest the properties is proposed to be no higher than existing. The purpose of these works is to have a positive effect on the flood risk of properties both adjacent to the site and further downstream.

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Trees

The site is registered with the Rural Payments Agency as a woodland area and is managed as such within the Borough of Redditch Woodland Management Scheme. The woodland was created during the development of Redditch new town being heavily planted with hybrid Poplar trees inter planted with a sparse quantity of mixed native broad leaf stock predominantly Oak. Over recent years due to the age and size of the Poplar trees their removal has been targeted while retaining as much of the other species within the site as possible. The last phase of this work was carried out in 2016-17 with the intention being to carryout mitigation replanting of suitable species trees to re-establish an appropriate level of tree stock across the site. The planting of 100 Cricket Bat Willow (Salix Alba) has already taken place across the site immediately following the last phase of Poplar tree removal. There is further re-stocking planned of 200 trees to comprise 50 Pendunculate Oak, 50 Common Alder, 50 Silver Birch and 50 White Beam. The planting of these trees does not form part of this planning application, however it is understood that the planting will be carried out following the proposed remediation work under this application. As the site has a woodland designation it is highly important during construction of the flood alleviation works to retain as much of the existing tree stock as possible. The site now having been cleared of all the Poplar and in view of the size of the remaining tree stock on the site would make this the ideal time to implement such a scheme given the number of trees onsite is low.

The flood alleviation scheme would likely require the loss of a number of trees however the moving and replanting of these trees due to their size would be possible as long as the work is done during their dormancy. This has been conditioned. The scheme as shown on "Planning Layout Option 1C" drawing number P2190/62/18/05/15 highlights that the re-routed channel would cause an incursion into the BS5837:2012 recommended Root Protection Area of a mature Oak tree standing on the embankment of the existing channel to the rear of 25 Fairford Close. However the degree of encroachment envisaged is very low and not likely to affect the health or stability of this tree and therefore is acceptable.

Highways

The applicants have provided a Construction Management Plan which confirms that the site will be accessed from Ravensbank Drive through a gap in the tree line from the recent works by Redditch Borough Councils tree team which can be utilised to enter the site. On Ravensbank Drive there is sufficient room on the road for vehicles to pass whilst loading machinery onto the site. Having regard to this, the Highways Authority is satisfied with the approach to construction proposed and raises no concern to any impact on the Highway Network.

The public right of way to the south of the site is not affected by the proposed development. The Worcestershire County Council Countryside Service has raised no objection to the scheme on this matter.

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Archaeology

The proposed application impacts two heritage assets, the remains of a Medieval fishpond and the remains of the Medieval deer park boundary. The Medieval deer park of Beoley Manor cuts through the eastern part of the application. The historic southern dam of the fishpond is outside of the red line of these proposed works however is adjacent. Therefore the development will have some impact on the heritage assets of archaeological interest. The County Council Historic Environment Policy and Advisory Manager has advised that the significance of these assets is not such as to recommend refusal of this application however has requested a programme of archaeological work including a written scheme of investigation to ensure this asset is recorded. This can be secured by condition.

Ecology

The applicants have submitted a Preliminary Ecological Appraisal by Worcestershire Wildlife Consultancy dated February 2018. The survey includes a site visit undertaken by a qualified ecologist who has confirmed that no further surveys are required in respect of bats, birds, dormice, great crested newts, otters, water voles, white-clawed crayfish and reptiles. The report adds a further precaution in respect of possible water voles and White-clawed crayfish habitats with the recommendation that a licensed ecologist acting as the onsite Ecological Clerk of Works be present during any works to infill the existing watercourse. In the event any white-clawed crayfish or water voles are encountered all works would need to cease and the relevant mitigation work or Natural England License required would need to be sought prior to continuing. These measures can be conditioned as part of the application. It is understood with the replanting scheme proposed and the wetland resultant from the works there is the benefit of a net gain in biodiversity on site in accordance with Policy 16 of the BoRLP4.

Conclusion

The proposed development is considered to be a sustainable form of development in this location which would have local benefits in respect of flood alleviation, biodiversity and landscaping. The proposed development is therefore considered 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.

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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 carried out in accordance with the following plans and documents:

P2190/21/62/18/5/10 – Concept Plan
 P2190/21/62/18/5/15 – Planning layout Option 1C
 P2190/21/62/18/5/14 – Longitudinal and Cross sections – Option 1B
 P2190/21/62/18/5/16 – Proposed Cross Sections Ch. 30 – Ch. 110
 P2190/21/62/18/5/17 – Proposed Cross Sections Ch. 120 – Ch. 190
 Church Hill Brook flood alleviation works Highways plan

REASON: To provide certainty to the extent of the development hereby approved in the interests of proper planning.

- 3) Any tree needing removal to allow for construction of the proposed flood alleviation works shall be either moved and replanted or replaced with a Light Standard Grade tree of the same species in suitable position within the site in the first planting season following completion of the scheme.

Reason: In order to protect the trees which form an important part of the amenity of the site.

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

Reason: In accordance with the requirements of paragraph 199 of the National Planning Policy Framework

- 5) No development shall take place until fencing has been erected, in a manner to be agreed with the local planning authority, around the southern bank of the Medieval

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pond and no works shall take place within the area inside that fencing without the consent of the local planning authority

Reason: In accordance with the requirements of paragraph 199 of the National Planning Policy Framework

- 6) Prior to completion the site investigation and post investigation assessment shall be completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (4) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: In accordance with the requirements of paragraph 199 of the National Planning Policy Framework

- 7) All proposed works shall be carried out in accordance with the recommendations as set out in the Preliminary Ecological Appraisal by Cotswold Wildlife Surveys dated February 2018.

Reason: To ensure that the proposal results in a net gain of biodiversity having regard to Policy 16 of the Borough of Redditch Local Plan No. 4 and Paragraph 170 of the NPPF.

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) This permission does not authorise the applicant to carry out works within the publicly maintained highway since such works can only be carried out by the County Council's Approved Contractor, Ringway Infrastructure Service who can be contacted by email worcestershirevehicle.crossing@ringway.co.uk. The applicant is solely responsible for all costs associated with construction of the access.
- 3) Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.
- 4) The attention of the applicant is drawn to the need to keep the Highway free from any mud or other material emanating from the application site of any works pertaining thereto.

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- 5) 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

Procedural matters

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

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Planning Application 18/00719/FUL

Two storey rear extension with part single storey including internal alternations.

28 Campden Close, Crabbs Cross Redditch, Worcestershire, B97 5NJ,

Applicant: Mr Mike Page
Ward: Crabbs Cross Ward

(see additional papers for site plan)

The author of this report is Charlotte Clift, Planning Officer (DM), who can be contacted on Tel: 01527 881608 Email: charlotte.clift@bromsgroveandredditch.gov.uk for more information.

Site Description

The application relates to 28 Campden Close, a detached property at the end of a cul-de-sac, within a residential area where the principle of development is considered acceptable under the Borough of Redditch Local Plan (2017).

Proposal Description

Full planning permission is sought to replace the existing conservatory at the side of the dwelling with a single storey extension that will be 3.2m high, 3.1m wide and 5.1m deep. The extension will extend one metre further at the rear of the dwelling than the existing conservatory. Next to the proposed extension the applicant proposes a two storey rear extension which will provide space for a bedroom on the first floor, space for a bathroom and additional space for the kitchen on the ground floor. The two storey extension has dimensions of 5.5m wide, 6.7m high and 3.2m in depth.

Relevant Policies:

Borough of Redditch Local Plan No. 4

Policy 1: Presumption in Favour of Sustainable Development

Policy 39: Built Environment

Policy 40: High Quality Design and Safer Communities

Others

SPG Encouraging Good Design

National Planning Practice Guidance

National Planning Policy Framework (2018)

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Relevant Planning History

1991/412/FUL	First Floor Extension	Granted	15.10.1991
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Consultations

Worcester Regulatory Services provided comments in relation to the application site being located 250m of a landfill site and suggested including informatives as part of the decision notice for the applicant.

Public Consultation Response

Three letters have been received objecting on the following grounds-

- The two storey extension will result in a loss of privacy.
- The removal of the conifers has resulted in the loss of their privacy.

Other issues raised are not material planning considerations and have not been reported to members.

Assessment of Proposal

Design

The application site is situated within a residential area of Redditch where there is a general presumption in favour of domestic extensions, subject to satisfying the relevant policies of the Development Plan.

The proposed extensions are considered to be proportionate additions and would be constructed of matching materials (brick walls under a tiled roof) and would complement the host dwelling.

Amenity

The proposed single storey extension would be modest in size and would not appear overbearing when viewed from neighbouring properties. The extension will replace the conservatory. This change will not have an adverse impact on the amenities that are enjoyed by the occupier residing at 27 Campden Close. The two storey extension will be located next to the single storey extension to the rear. The distance between the two-storey extension and 27 Campden Close will be 4m and the two storey extension extends 1.5m past the rear wall of 27 Campden Close. This separation distance will not have an impact on the amenities in regards to outlook, light and privacy.

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The proposed two storey extension was assessed using the Council's Encouraging Good Design Guide SPG and the 45 degree rule was used. 29 Campden Close has two obscure glazed windows- a side window on the western elevation and one on the rear elevation, both of which belong to a bathroom. The bathroom is not considered to be a habitable room as defined by SPG1. For this reason the two storey extension will not detrimentally impact the amenities of the occupiers of 29 Campden Close.

The application site is located in a residential area; it is inevitable that there will be a degree of overlooking. In addition to this, the land levels in the estate slope downwards resulting 28 Campden Close being sited at a higher level. This change in land levels results in the properties located behind Campden Close being overlooked, which is unavoidable. This situation currently exists.

When communicating with the applicant's agent the applicant has confirmed that the removed trees will be replaced by a standard 6ft panel fence. This will address some of the concerns of the proposals overlooking the neighbours at the rear of the property.

Streetscene

Furthermore, 28 Campden Close is located at the end of the cul-de-sac and 27 Campden Close is sited closer to the corner of the cul-de-sac which gives the houses a staggered appearance within the streetscene. Due to the siting of both extensions they will not have an impact of the appearance of the streetscene as both proposals will be concealed from view at the rear of the property.

Conclusion

It is considered that both proposals are acceptable as the design, appearance and scale are sympathetic to the main house and would not impact on the amenity of neighbouring properties through overshadowing, loss of light or privacy and as such is considered acceptable. It is therefore considered that the proposed development has an acceptable impact in accordance with Policies 39 and 40 of the Local Plan and Encouraging Good Design Guide SPG.

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.

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- 2) The development hereby approved shall be carried out in accordance with the following plans and drawings:

Proposed Plans - Drawing P01

Materials to be in accordance with question 11 of the application form.

Reason: To provide certainty to the extent of the development hereby approved in the interests of proper planning.

Informatives

- 1) Proactive engagement by the local planning authority was not necessary in this case as the proposed development was considered acceptable as initially submitted.
- 2) The site has been reviewed for any potential contamination issues. The proposed development is sited within 250 metres of a registered landfill or significant area of unknown filled ground which potentially could produce landfill gas.

The applicant is advised to consider incorporating matching landfill gas protection measures within the foundations of the proposed extension, so as not to compromise any existing gas protection measures which may have been installed in the existing building. If the existing building has no protection measures currently there is no need to install gas protection measures within the proposed extension.

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 18/00823/FUL

Raise garage roof to provide new first floor studio / workshop with 2no Velux roof lights to the front elevation.

52 Rockford Close, Oakenshaw South, Redditch, Worcestershire, B98 7SZ.

Applicant: Mr Bob Bradbury
Ward: Headless Cross And Oakenshaw Ward

(see additional papers for site plan)

The author of this report is Tara Ussher, Planning Officer (DM), who can be contacted on Tel: 01527 64252 Ext. 3220 Email: tara.Ussher@Bromsgroveandredditch.gov.uk for more information.

Site Description

The application relates to a detached property situated at the southern end of a cul-de-sac. Level changes are a feature of the cul-de-sac meaning that the garage associated with the dwelling at number 52 is some 2m below the floor level of that dwelling. Opposite the application site, the dwellings are also built at a lower level.

To the rear, level changes are also experienced meaning the garden of the application site is made up of many different levels and slopes and neighbouring dwellings such as number 50, sit below the application site.

Proposal Description

Planning permission is sought to raise the eaves and roof of the existing garage by 1.6m to provide a new first floor studio/workshop. In addition it is proposed to install two roof lights into the front elevation of the resultant building. The overall height of the garage will increase from 4m to 5.6m. The proposed alterations would use matching materials to that of the main dwelling.

Operations to facilitate access to the first floor area are also proposed. This includes extending an area of patio/gravel to a level commensurate with an existing area of garden across an existing void and creating a store area below. This new level will enable access to the workshop/store and an associated privacy screen will be installed adjacent to the new doorway. A new retaining wall to the front elevation will be provided along with low level fencing.

Relevant Policies

Borough of Redditch Local Plan No. 4

Policy 1: Presumption in Favour of Sustainable Development

Policy 39: Built Environment

Policy 40: High Quality Design and Safer Communities

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Others

NPPF National Planning Policy Framework
SPG Encouraging Good Design

Relevant Planning History

1991/440/FUL Move Existing Fence

08.11.1991

Consultations

Arboricultural Officer

On the western side of the proposed development, in the boundary with the neighbouring property, stands a small Oak. While there is an area TPO covering the potential development, specifically Borough of Redditch TPO No.23 1985, I believe this tree to be too young to of been included in this order. The tree has been subject to substantial crown reduction in the past and has led to a small and compact crown that currently stands just above the apex of the existing roof line.

I hold no objections to this proposed application, in relation to any tree related issues.

Public Consultation Response

Two letters were received objecting to the application for the following summarised reasons:

- The new raised level is very high in relation to our property
- Anyone standing on the new level will be able to look into our garden
- Anyone standing on the new level will be looking into three of the bedrooms
- The new screening will be insufficient to protect our privacy and it is very close to our boundary and very high
- The proposed extension will totally block the sunlight into our living rooms
- The proposed extension will be overbearing to our outlook
- The proposed extension includes various aspects which substantially detract from our privacy in both our garden and into our bedrooms & living rooms.
- A slatted screen does not provide adequate or permanent protection to our privacy
- We lose outlook & light; we gain an overbearing building which is very close to our boundary and very close to our living rooms
- The extension would have an overbearing effect on our property
- An overshadowing effect would occur with blocking out the light
- Insufficient description of the development, accuracy of the plan and lack of measurements. (Your Officers are content that the plans are acceptable in this respect)

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Assessment of Proposal

The application site is situated within a residential area of Redditch where there is a general presumption in favour of domestic extensions, subject to satisfying the relevant policies of the development plan.

Street Scene

The proposal is to raise the roof of the existing garage and to create a usable space at first floor which will be used as a workshop/studio in conjunction with the main dwelling. As a result of this additional height the development will be more visible in Rockford Close. However as a result of its siting the structure will not be prominent in the street scene and noting its set back position and the arrangement of dwellings on varying levels in the immediate vicinity, this additional height is not considered to be harmful in the context of visual amenity. The development is considered to accord therefore will Policy 40 of the BoRLP No4.

Amenity

It is noted that level changes across the cul-de-sac are significant and that this is of relevance in the assessment of amenity impacts arising from the development. In particular, the rear gardens of No's. 50 and 49 are set on a level below that of No. 52 and the existing garage can be seen from these rear gardens. Objections have been received from these occupiers which are summarised above, the main points of concern were impact on privacy, overlooking and overshadowing to the property.

Number 49 is sited to the north of the application site. It is not proposed to add rear facing windows to the garage so overlooking from the new workshop/studio will not arise. The increase in the height and bulk of the structure will occur obliquely when seen from the rear elevation of number 49 and approximately 7m away from the corner of the dwelling closest to the development. In this context and whilst noting the presence of intervening vegetation, this proximity is not considered to be harmful to amenity through overbearing or overshadowing effects.

Number 50 sits directly behind the application site. The garden serving that dwelling is approximately 8m in length and slopes upwards towards the application site with the garage structure being approximately 11m away from the dwelling. An intervening fence structure is sited between the site and number 50 and it is noted that there are a number of trees on the boundary that partly screen the garage during the summer months. The objector states, as a way of illustrating the levels difference, that the foundations for the garage are approaching 2m above the dwelling at number 50.

The objector refers to the loss of view which Members will be aware is not a material issue. The orientation of number 50 is that its rear elevation looks due east and as a result, there may be some loss of direct light early in the morning. However noting the impact other dwellings and existing tree cover currently has on light received, this is not considered to be of such a level as to represent harm. With respect to overbearing effects the affected rooms are described as being a lounge and bedrooms. Whilst it is noted that the degree of sky view or view of woodland in the distance may be reduced as a result of

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the scheme, considering the separation distances involved this is not considered to be harmful to amenity in the context of being overbearing.

With respect to privacy issues, it is noted that the garden area of number 52 is elevated and that views out of the site in the direction of number 50 already exist and that the elevated walkway will be at a slightly raised level in relation to the existing garden. However your Officers consider that the use of the walkway area will be transient and used only when accessing the studio area. Furthermore a privacy screen 2.6m in height is proposed immediately adjacent to the doorway which will obscure the doorway and associated access to it, from views from the west. The specification and installation of this screen is important in protecting amenity and thus is subject to a condition. The presence of this feature ensures amenity on the lower land is protected from overlooking.

The addition of the rooflights to the front elevation does not raise concerns with respect to amenity due to the 25 m separation distance between the front of the garage and number 53 Rockford Close opposite.

The objector also refers to noise arising from the development. The use would remain as incidental in relation to the main dwellinghouse and would not constitute a material change of use. Any investigation into noise arising from the use would be controlled through the normal route of environmental health legislation.

The objector also refers to an appeal decision at number 19 Rockford Cloe which is considered to have similarities with the application submission. That scheme related to two storey extension virtually on the boundary and on elevated land resulting in an overbearing impact for the neighbour. That decision, all be it from 1989, is noted. The relevance for the current scheme lies in the assessment of amenity on a sloping site. This matter has been discussed above and given the relative height of the resultant building and the separation distance from the objector, in the instance of this application it has been concluded that this arrangement is acceptable.

Your officers have carefully considered the objections raised by neighbouring properties as summarised and have concluded that the amenities enjoyed by occupiers of nearby properties, subject to conditions, would not be prejudiced by granting consent.

The extensions proposed are considered on balance to be in accordance with the Council's SPG Encouraging Good Design and are in compliance with Policies 39 and 40 of the Borough of Redditch Local Plan No. 4.

Other issues which are not material planning considerations have been raised, but are not reported here as they cannot be considered in the determination of this application.

RECOMMENDATION:

That having regard to the development plan and to all other material

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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 carried out in accordance with the following plans and drawings:

Drawing No. P-01 – Existing & Proposed Plans & Elevations
Materials in accordance with question 11 of the application form

Reason: To provide certainty to the extent of the development hereby approved in the interests of proper planning.

- 3) Prior to its first installation, details of the form, colour and finish of the slatted privacy screen 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 and installed in its entirety before the workshop/studio is first brought into use.

Reason: To ensure that the development is satisfactory in appearance, to safeguard the visual and residential amenities of the area

Informatives

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

In this case the applicant:

- o submitted a scheme that raised no material planning issues and required no further negotiation or amendment

The proposal therefore delivers a policy compliant sustainable form of development.

Procedural matters

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