



Planning Committee

Wed 13 Oct
2021
7.00 pm

Council Chamber
Town Hall
Walter Stranz Square
Redditch

REDDITCH BOROUGH COUNCIL

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If you have any queries on this Agenda please contact

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GUIDANCE ON FACE TO FACE MEETINGS

Due to the current Covid-19 pandemic Redditch Borough Council will be holding this meeting in accordance with the relevant legislative arrangements for remote meetings of a local authority.

If you have any questions regarding the agenda or attached papers please do not hesitate to contact the officer named below.

GUIDANCE FOR ELECTED MEMBERS ATTENDING MEETINGS IN PERSON

In advance of the meeting, Members are encouraged to consider taking a lateral flow test, which can be obtained for free from the NHS website. Should the test be positive for Covid-19 then the Member should not attend the Committee meeting, should provide their apologies to the Democratic Service team and should self-isolate in accordance with national rules.

Members and officers are encouraged to wear face masks during the Council meeting, unless exempt. Face masks should only be removed temporarily if the Councillor requires a sip of water and should be reapplied as soon as possible. Refreshments will not be provided by the venue. Hand sanitiser will be provided for Members to use throughout the meeting.

The meeting venue will be fully ventilated, and Members may need to consider wearing appropriate clothing in order to remain comfortable during proceedings.

PUBLIC ATTENDANCE

Whilst the meeting is open to the public, due to the need to maintain social distancing, the amount of seating in the public gallery will be limited to a maximum of 70 including public speakers.

In light of this limited capacity to attend in person, and to enable as many members of the public as possible to see and hear the meeting, the Council has arranged for the meeting to be livestreamed on the Council's YouTube channel. Please use the link below to view the meeting:

[Link to view Live Stream of Planning Committee](#)

Members of the public who attend in person will be encouraged to wear face masks, to use the hand sanitiser that will be provided and will be required to sit in a socially distanced manner at the meeting. It should be noted that members of the public who choose to attend in person do so at their own risk.

In line with Government guidelines, any member of the public who has received a positive result in a Covid-19 test on the day of a meeting should not attend in person and should self-isolate in accordance with the national rules.

PUBLIC SPEAKING

The usual process for public speaking at meetings of the Planning Committee will continue to be followed subject to some adjustments in light of the on-going Covid-19 pandemic. For this meeting the options to participate in public speaking will be in person, by joining the meeting using a video link, or by submitting a written statement to be read out by officers.

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:

- 1) Introduction of application by Chair
- 2) Officer presentation of the report
- 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
- 4) Members' questions to the Officers and formal debate / determination.

In view of the public interest in this matter, the Council's public speaking arrangements have, exceptionally, been amended and agreed by the Chair as follows for this application:

- Objectors – each individual speaker will have up to a maximum of three minutes to speak and the overall time allocated for objectors will be 30 minutes.
- Supporters – each individual speaker will have up to a maximum of three minutes to speak and the overall time allocated for supporters will be 15 minutes.
- Ward Councillors – up to a maximum of three minutes per ward councillor.
- Applicant – 15 minutes (with agreement to use any of the remaining supporters time not taken).

The deadline to register to speak is Monday 11th October at 12 noon.

Speakers in each category will be called in the order they have notified their interest in speaking to Democratic Services.

Those registering to speak in objection will be asked whether they are willing to share their contact details with other objectors. Once the deadline for registering to speak has passed those registered to speak in objection will be invited to co-ordinate amongst themselves regarding public speaking. In the event that some of the speakers wish to act as spokespersons for the group, the Chair has indicated that he would be willing to use his discretion to permit individual times to be pooled.

Information about the application is available at www.redditchbc.gov.uk/planning

Notes:

- 1) Anyone wishing to address the Planning Committee on applications on this agenda must notify the Democratic Services Team on 01527 64252 Extn.2884 or by email at sarah.sellers@bromsgroveandredditch.gov.uk before 12 noon on Monday 11th October.

- 2) Advice and assistance will be provided to public speakers as to how to access the meeting and those using the video link will be provided with joining details via Microsoft Teams. Provision has been made in the amended Planning Committee procedure rules for public speakers who cannot access the meeting by Teams, and those speakers will be given the opportunity to submit their speech in writing to be read out by an officer at the meeting. Please take care when preparing written comments to ensure that the reading time will not exceed three minutes. Any speakers wishing to submit written comments must do so by 12 noon on Monday 11th October.**
- 3) 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**
- 4) 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.**
- 5) Although this is a public meeting, there are circumstances when the committee might have to move into closed session to consider exempt or confidential information. For agenda items that are exempt, the public are excluded and for any such items the live stream will be suspended, and that part of the meeting will not be recorded.**
- 6) 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.**



Planning

COMMITTEE

Wednesday, 13th October, 2021

7.00 pm

Council Chamber Town Hall

Agenda

Membership:

Cllrs:	Michael Chalk (Chair)	Aled Evans
	Julian Grubb (Vice-Chair)	Andrew Fry
	Imran Altaf	Gemma Monaco
	Karen Ashley	Timothy Pearman
	Tom Baker-Price	

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 of the Planning Committee meeting held on 15th September 2021 (Pages 1 - 8)

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 20/00863/FUL - Land off Ipsley Church Lane, Redditch, Worcestershire - Redditch Borough Council (Pages 9 - 40)

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Planning Committee

Wednesday, 15 September 2021

MINUTES

Present:

Councillor Michael Chalk (Chair), Councillor Julian Grubb (Vice-Chair) and Councillors Imran Altaf, Tom Baker-Price, Aled Evans, Andrew Fry, Gemma Monaco, Timothy Pearman and Alex Fogg

Also Present:

Sukhvinder Agimal (County Highways)

Officers:

Helena Plant, Charlotte Wood, Steve Edden, Amar Hussain and Sarah Hazlewood

Democratic Services Officer:

Sarah Sellers

23. APOLOGIES

Apologies for absence were received from Councillor Karen Ashley. Councillor Alex Fogg attended as substitute for Councillor Ashley.

24. DECLARATIONS OF INTEREST

Councillor Imran Altaf declared an interest in relation to Agenda Item 8 in that he had called the application in as Ward Councillor and had previously expressed views in relation to the application. Councillor Altaf left the meeting prior to the commencement of Agenda item 8 and played no part in the debate or the vote.

25. CONFIRMATION OF MINUTES OF THE PLANNING COMMITTEE MEETING HELD ON 25TH AUGUST 2021

RESOLVED that

The Minutes of the Planning Committee meeting held on 25th August 2021 be confirmed as a true record and signed by the Chair.

.....
Chair

26. UPDATE REPORTS

The Update report was noted.

**27. APPLICATION 21/00444/FUL - THE ALEXANDRA HOSPITAL
WOODROW DRIVE REDDITCH B98 7UB - MR LEWIN**

Creation of 2 new staff car parks and demolition of 2 existing staff car parks plus creation of some additional infill car parking spaces around the trust site and repositioning of helipad

Members were reminded that this application had originally been considered at the Planning Committee meeting on 28th July 2021 and had been deferred for officers to find out more information about the number of car parking spaces that would be provided under the proposed change in lay out.

Officers took Members through the plans in the presentations pack and outlined that creation of the new parking area to the north of the main building and the reconfiguration of the other parking areas, including the existing public car park. It was noted that the entrance and exit to the public car park were being relocated and the changes would create an extra 18 parking spaces.

Overall, the changes represented a net gain of 28 car parking spaces for the public to use. A total of 307 staff parking spaces were being removed and the number of replacement staff parking spaces would be 308.

The application was recommended for approval.

At the invitation of the Chair Mr Stephen Welch, Director of Estates & Facilities for the Worcestershire Acute NHS Trust, addressed the committee in support of the application.

Members commented that the creation of the additional 28 spaces for public use was positive and thanked the speaker for attending. Whilst reference was made to some of the concerns expressed at the previous meeting regarding lack of parking facilities at the hospital, overall Members were supportive of the application.

RESOLVED that

Having regard to the development plan and to all other material considerations planning permission be GRANTED subject to the conditions and informatives set out on pages 9 to 12 of the agenda and the amended wording of condition 13 and additional condition 14 as set out on the Update Report.

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28. **APPLICATION 21/00195/FUL - LAND SOUTH OF ASTWOOD LANE FECKENHAM REDDITCH B96 6HP - MR MICHAEL FLETCHER (STATKRAFT UK LTD)**

The Chair announced that this item had been withdrawn from the agenda at the request of the applicant and would come back for consideration at a future meeting.

29. **APPLICATION 21/01170/OUT - LAND ADJACENT TO 46 BADGER CLOSE WINYATES WEST REDDITCH B98 0JE - REDDITCH BOROUGH COUNCIL**

The Chair announced that this item had been withdrawn from the agenda at the request of the applicant and would come back for consideration at a future meeting.

30. **APPLICATION 21/01056/FUL - UNIT 2 MILLSBOROUGH HOUSE IPSLEY STREET SMALLWOOD REDDITCH B98 7AL - MR D CLARKE**

9 no New Dwellings built over 2 storeys over existing roof of Unit 2

Members considered an application for the construction of 9 two bedroom apartments over the existing roof of Unit 2 of Millsborough House.

Officers took the Members through the plans and photographs in the Presentations Pack and described the location and setting of the proposed development in relation to wider site of Millsborough House and the surrounding street scene.

It was noted that the roof line of the proposed apartments would be higher than the existing roof line of the adjoining Unit 1 and this feature would be overly dominant.

Whilst the principle of development in this part of Redditch was supported, the design was felt to be unsuitable and inappropriate in the context of the architectural and historical importance of the building which was classed as a building of historical interest by Redditch Borough Council in 2009. Members were referred to the comments of the Conservation Officer who objected to the application as set out on pages 67 and 68 of the agenda.

Officers had concluded that the proposed addition applied for would detract from the architectural interest of the building and would be contrary to Policy 37 of the Borough of Redditch Local Plan (Historic Buildings and Structures). As such the application was recommended for refusal.

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At the invitation of the Chair the architect for the applicant, Mr Henry Morris addressed the committee in support of the application.

In responding to questions from Members officers clarified a number of points including that :-

- The difference in roof height between existing Unit 1 and proposed Unit 2 would be significant.
- The existing saw tooth roof design of Unit 2 regarded as having historical significance would be entirely removed as part of the proposed works and the new residential units added would have a flat roof.
- Other development works had already been approved at the site and were in the process of being implemented including the conversion of the existing Unit 2 into residential units.

In debating the application Members referred to the historical context of the building and the desirability for conversions of industrial buildings to residential use to be carried out sympathetically and using designs which enabled heritage features to be retained. Whilst it was noted that there was a tension between the need to provide regeneration and new housing, and the importance of retaining buildings of historical significance, overall Members were of the view that the plans before them were not suitable and did not blend in with or enhance the original structure.

RESOLVED that

Having regard to the development plan and to all other material considerations, planning permission be REFUSED for the following reason:

The proposed development by reason of scale, appearance and design would fail to conserve or enhance the character of the building, its setting and features of special architectural and historical interest, harming the character and significance of the building. The extensions would be incongruous and dominant with the proposals being contrary to Policies 37, 39 and 40 of the Borough of Redditch Local Plan No.4 and the provisions of the National Planning Policy Framework.

[Councillor Imran Altaf declared an interest in relation to this agenda item in that he had called the application in as Ward Councillor and had previously expressed views in relation to the application. Councillor Altaf left the meeting prior to the commencement of this agenda item and played no part in the debate or the vote.]

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**31. APPLICATION 21/00148/FUL - 1 BLACKSTITCH LANE
REDDITCH B97 5TE - MR NICK BENNETT**

Change of use from adopted highway land to residential garden

Members considered an application for a plot of land forming part of the highways verge and owned by Worcestershire County Council (as the Highways Authority) to be incorporated into the garden of number 1 Blackstitch Lane.

Officers took Members through the plans and photographs in the presentation pack and it was noted that the land formed part of the nature strip at the side of the road and was partially covered in trees that were protected by a tree preservation order.

In policy terms the land was classed as incidental open space land and Members were referred to the tests set out on page 75 of the agenda. Officers had concluded that the criteria to enable development to take place had not been met, and that the need for development did not outweigh the need to protect the incidental open space.

Three neighbour objection letters had been received and Members were referred to the summary of the issues raised on pages 76 and 77 of the agenda.

The application was recommended for refusal.

At the invitation of the Chair the applicant Mr Nick Bennett addressed the Committee under the Council's Public Speaking Rules.

In responding to questions from Members officers clarified that were the application granted permitted development rights could be removed but that would not achieve complete control over the land to preserve its current appearance.

In debating the application members referred to a number of issues including the ecological and screening benefits of preserving the nature strips in Redditch and the importance of incidental open space land as against the impacts of granting the application which might benefit the applicant but could allow future owners to change the land and detract from its intended purpose as highway land.

RESOLVED that

Having regard to the development plan and to all other material considerations, planning permission be REFUSED for the following reason:

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The proposal would comprise the change of use of land which is incidental open space and currently plays an important role in the character of the local area by contributing to a substantial section of open green highway verge which is free of development. Incorporating this land into the residential boundary of 1 Blackstitch Lane would have a significant detrimental impact to this character by eroding the open appearance of this land by the introduction of domestic paraphernalia and storage, resulting in visual clutter. As the benefits of the development would only be limited and personal to the occupiers of 1 Blackstitch Lane, the need for the change of use of land would not outweigh the need to protect the incidental open space, contrary to Policy 14 of the Borough of Redditch Local Plan no. 4.

32. APPLICATION 21/00973/FUL - 17 HOWARD ROAD, REDDITCH, B98 7SH - MR STEVE BENNETT

Warehouse extension

Officers outlined the application for the premises at 17 Howard Road (part of the Park Farm Industrial Estate) recently acquired by Gemporium Limited to be extended. It was noted that the site fell within a Primarily Employment area and the existing floor space of 3,941 square metres would be increased by the addition of an area of 1,591 square metres. The use would be for additional storage.

To accommodate the extension the parking areas on the site would be reconfigured and this would provide a total of 82 parking spaces which was acceptable to County Highways.

Officers took Members through the slides and photographs in the presentation to explain the location of the extension, lay out of the site and the proposed appearance following completion of the works.

The applicant had agreed to the retention of two mature oak trees which would be secured by a condition, and it was also noted that the application would generate a contribution to the local highways authority of £17,860.41 under the Infrastructure Delivery Plan.

The application was recommended for approval.

At the invitation of the Chair, Mr Ian Ray addressed the committee under the Council's Public Speaking rules on behalf of the Applicant.

RESOLVED that

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Having regard to the development plan and to all other material considerations, authority be delegated to the Head of Planning, Regeneration and Leisure Services to GRANT planning permission subject to :-

- a) The satisfactory completion of a suitable legal mechanism to provide a financial contribution to Worcestershire County Council for localised improvements

and

- b) The conditions and informatives set out on pages 85 to 86 of the agenda.

The Meeting commenced at 7.00 pm
and closed at 8.42 pm

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REDDITCH BOROUGH COUNCIL**PLANNING
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Planning Application 20/00863/FUL**Change of use of land from open grassland to cemetery including burial of non-cremated and cremated remains. New vehicular access to Ipsley Church Lane.****Land off Ipsley Church Lane, Redditch, Worcestershire****Applicant: Redditch Borough Council
Ward: Matchborough Ward****(see additional papers for site plan)**

The case officer of this application is Steven Edden, Principal Planning Officer (DM), who can be contacted on Tel: 01527 64252 Ext. 3206 Email: steve.edden@bromsgroveandredditch.gov.uk for more information.

Site Description

The site, which measures 4.60 hectares in size is located to the south of Ipsley Church Lane and to the west of the B4497, Icknield Street Drive. The Ipsley Church Lane junction with the B4497 lies to the north-east corner of the site.

Beyond Ipsley Church Lane, to the northern side lies St Peters Church with various commercial and residential uses beyond. To the west and south of the site are further parcels of land forming part of the wider Arrow Valley Country Park. Beyond Icknield Street Drive to the east are residential uses including several cul-de-sacs / Closes' which are accessed via Ipsley Lane and Green Sward Lane.

Ipsley Church Lane varies in width from approximately 7.3m, narrowing to approximately 5m close to the proposed site access. There is a footway along the south side of the lane from a point opposite Berrington Close to opposite St Peters Church. There is also a network of formal and informal footpaths on the application site.

The site itself comprises of largely open grassland with mature trees and hedgerows to its perimeter. Ground levels fall away across the site in a north to south direction.

The application site lies within the Arrow Valley Park and is designated as Primarily Open Space in the Borough of Redditch Local Plan No.4.

Proposal Description

The applicant seeks full planning permission for the change of use from open grassland to a cemetery for the burial of non-cremated and cremated remains. As part of the proposals, a new vehicular access onto Ipsley Church Lane is proposed.

For clarity, this application is for change of use ONLY. This means that any subsequent development / engineering operation will require a further application for planning

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permission. This could (for example) include the siting of a car parking area, or new footways through the site.

An indicative layout plan has been submitted which does not represent how the site **would** be developed, but shows just one way in which the site **could** be developed in the future. The plan has however enabled the applicant to demonstrate from an ecological perspective, that the development can enhance ecology and still serve its purpose.

Background

The applicant (Redditch Borough Council) has provided your officers with a 'statement of intent' which is summarised as follows:

Arrow Valley Park is a large park of 900 acres (364 hectares) with a range of facilities compatible with its use as an attractive park area for residents and visitors. At the northern end of the park is Abbey Cemetery adjacent to the Abbey Stadium area. Abbey Cemetery is almost at capacity and unless the council takes positive action then after 2021 there will be no burial space in the Borough. Current demand within the Borough based on 2019 figures is two full burials and one cremated remains burial per week on average.

Currently the council's Bereavement Team is seeking planning permission for a change of use of land adjacent to Ipsley Church Lane, Redditch, Worcestershire, B98 0AL. The site is circa 11 acres of open grassland and located within the Arrow Valley Park. The application seeks permission for the principle of having an area set aside for burials and it considers matters such as ecology, archaeology and additional transport impacts due to the traffic caused by the development.

The Bereavement Services team have already engaged with service users and industry experts to understand the type and style of burial options that could be used to support a more ecological approach and to better understand the wider site usage and design options that might be available.

As the proposed site covers 4.6 hectares and equates to potentially 60 – 70 years of available burial space the likely use of the site would allow for some phasing of the development. The long-term view would be to help enhance the proportion of the new cemetery site that is unused and view the whole lifecycle of the area right from the outset. Also, cemetery development should be made with a long-term view of site usage.

The general view with regards to the development of any new burial provision within Redditch Borough is that there is an opportunity to change from the more traditional Victorian style cemetery to a newer, modern version that can enhance its surroundings rather than impact on them.

Cemetery design has moved very little in the last one hundred and sixty years and is generally one of two basic designs both of which can be seen in our Plymouth Road site that was developed in the mid to late 1800's. Since then, our understanding of the grief

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process and wider climatic impact of our actions have changed but the development of cemeteries remains the same.

With this in mind and as had been previously evidenced within our Crematorium facility with the innovative ways in which they reuse the heat to support the local leisure centre and the wider commitment of the council to reduce the impacts of climate change we have a realistic opportunity to develop a modern, forward thinking cemetery fit for the needs of the borough for many years to come but also to help shape and redesign the future of cemetery design nationally.

As a general ethos attending any new cemetery within Redditch in years to come should provide comfort to the bereaved and allow individuality in mourning loss. Ecology and climatic impact will be the cornerstones of all decisions taken in terms of design, layout and burial options provided.

In order to help residents and planning committee members to understand the wider intent of the applicant, the principle of any designs will have ecology at the heart. Sympathetic designs such as no intentions to place boundary fencing and to use the existing mature hedgerows will leave existing wildlife access unchanged. Obvious requirements such as access and carparking will be designed to minimise the impact on the ecology of the site and may not be traditional tarmac roads but recycled matting that allows some paths and roads to be both structurally and aesthetically suitable. Enhancements to the existing areas such as the ponds within the boundary will be designed in to ensure species such as Great Crested Newts are not only protected but enhanced. Current providers of sites that have ecology at the heart of their development already exist such as Westall Park Natural Burial Ground (Holberrow Green, B96 6JY) and the Greenacres Group.

The development of any new site can be done to ensure that in the long term, local ecology is enhanced. The opportunity exists to develop a plan leading to the area seeing a net benefit to the local ecology. Cemetery sites remain excellent areas for the development of natural habitat and with the correct use of items like wildlife corridors, wildflower sections and other measures the overall position can be enhanced. Also, the appropriate protection of the trees and a comprehensive plan to develop a planting scheme will further help to meet our climate change objectives.

Phased development of the site will allow for the vast majority to remain as open space at any given time again protecting the existing ecology and supporting the use as open space. Existing provision at Abbey Cemetery is next to the Abbey Stadium complex which sees sports and recreation unhindered by cemetery operations and only a boundary hedge between this and the respectful funeral operations. As previously mentioned, access will be at the heart of the designs and the current lines of desire which can be seen providing walking routes across the area will inform the different segments over time. This is intended to limit the behavioural changes that would be necessary as people continue to walk and use the site in the long term. It is intended that the current

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public right of way will remain, and site designs will endeavour to facilitate this but if diversion was required then appropriate permissions could be sought.

Types of grave space and memorial options are at the centre of how we mourn the loss of a loved one and any new cemetery provision for Redditch would need to recognise this. However, this doesn't need to be the more traditional granite headstone laid out in formal rows. Using innovative design of the site and more environmentally sustainable memorial options such as locally sourced stone or wood etc laid in a fashion that limits the visual as well as ecological impact is intended. This may be that headstones are laid lower or indeed flat to the ground and grounds maintenance is conducted between the graves to allow a more rural "wildflower" type boundary to each.

Newer burial options that are starting to emerge which include options to have remains buried and marked with a living memorial such as a tree or other suitable planting scheme is intended to be considered so that as different options are developed and the science of burial changes over the coming years the council will be able to react accordingly.

The Council's commitment to the reduction of climate change can form an integral part of the design of any new burial facilities. The overall climatic impact of funerals from trip generation, sustainable transport solutions and choices about types and style of burial and memorialisation are at times constrained by our existing infrastructure and limited capacity to do things differently. The development of any new provision can have the issue of climate change at the heart of any decision made.

Relevant Policies:

Borough of Redditch Local Plan No. 4

- Policy 1: Presumption in Favour of Sustainable Development
- Policy 11: Green Infrastructure
- Policy 12: Open Space Provision
- Policy 13: Primarily Open Space
- Policy 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 36: Historic Environment
- Policy 39: Built Environment
- Policy 45: Cemeteries

Others

- NPPF National Planning Policy Framework (2021)
- Councils 2009 Open Space Needs Assessment

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Relevant Planning History

None

Consultations

Environment Agency

No objection

Comments summarised as follows:

We have reviewed the submitted reports:

Tier 1 - Geo-Environmental Services Ltd Tier 1 Screening Assessment & Desk Study

Reference: GE15622\JUL16\DSR\DW1. Version: Version V1 and

Tier 2 - Geo-Environmental Services Ltd Tier 2 Assessment Report

Reference: GE15622-T2AR-FEB18. Version: 1.0

And consider that the comprehensive Tier 1 and Tier 2 reports represents a low risk to groundwater being on Secondary B aquifer of the Mercia Mudstone Group which is a low permeability mudstone bedrock with a relatively deep water table (7 to 15.2m below ground level depth; note - all boreholes were also recorded dry in April 2017) as determined by the three onsite investigation boreholes.

We agree in principle with the initial P223 assessment carried out which had an overall risk score of low-medium risk to groundwater for this development and the updated Tier 2 assessment confirms this with the risk more in the low range category status after considering the hydrogeological sensitivity of the surroundings.

Therefore, on the basis of the above assessment we have no objection to the proposals as this cemetery development is located within an area of low hydrogeological sensitivity representing a low risk to groundwater with the proviso that the proximity of a pond to the south-west corner of the development and the proximity of any field drains or ditches in the vicinity along field boundaries should be given an appropriate stand-off buffer distance of at least 10m from the development in-line with our guidance.

Regarding any further requirements for monitoring and as discussed in the Tier 2 report under Section 4.11 Guidance on Further Works, as the underlying bedrock is a low permeability mudstone with a relatively deep water table the risks are low to groundwater and therefore any further monitoring can be undertaken on a voluntary basis as discussed and recommended within the Tier 2 report.

It is recommended that a condition be imposed to ensure that burials do not take place within a minimum distance of: 250 metres of any potable supply (including wells and boreholes); 30m from any surface watercourse, spring or pond; and 10m of any field drain.

A Standard informative regarding pollution and enforcement is also recommended

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Worcestershire County Council Highways (WCC Highways)

Comments summarised as follows:

No objections are raised subject to the imposition of planning conditions and a planning obligation.

The application is supported by a Transport Assessment (TA) (dated February 2021) prepared by Cotswold Transport Planning.

The Applicant proposes to create a single point of vehicle access via Ipsley Church Lane. The proposed access is 5.5m wide with 10m kerbed radii and the proposed arrangements are shown on drawing P2038/44E.

To determine suitable visibility splays at the proposed access, a speed survey was undertaken on Ipsley Church Lane. Data were captured using an Automatic Traffic Counter (ATC) which was installed between Wednesday 12th and Tuesday 28th June 2019. The survey was undertaken in full accord with current guidance, ensuring that results were not unduly influenced by the lower speeds typically recorded in traffic peak hours. The 85th percentile speeds were 25.5mph and 25.4mph in the eastbound and westbound directions respectively.

In accordance with Manual for Streets (MfS), visibility splays of 35m are required in both directions at the proposed access onto Ipsley Church Lane. Similarly, forward visibility of 37m is available for vehicles travelling along the lane subject to some limited clearance of highway vegetation adjacent to St. Peters Church. This lies within the highway and can be undertaken as part of routine maintenance.

Swept path analysis demonstrates that simultaneous two-way movement between a funeral hearse and a maintenance vehicle (i.e., 4x4 with a twin axle trailer) is achievable at the site access junction.

It is noted on the supporting drawing, P2038/44E, that some localised widening on Ipsley Church Lane is proposed to facilitate the access. A contribution towards a Traffic Regulation Order (TRO) is required to extend the existing double-yellow lines on Ipsley Church Lane should the widening encourage additional on street parking. This should be secured by a legal mechanism.

Pedestrian access would be gained via the existing pedestrian access from Ipsley Church Lane. The other existing pedestrian access routes along the sites northern, western, and eastern boundaries will be unchanged.

The closest bus stops to the site are located on Icknield Street Drive (B4497) approximately 220m from the site. The number 62 circular bus service operates at a 2-hourly frequency.

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A likely vehicle trip generation has been determined using observed data obtained for Abbey Cemetery, Bordesley Lane, Redditch. This is a first-principles approach based on observed local data and is a reasonable method for traffic forecasting because data for burial sites are not available in the Trip Rate Information Computer System (TRICS) database which could otherwise be used to determine the trip rates.

Using the observed data, the Applicant has estimated the likely trip generation of the site. Trip attraction has been based on the maximum number of full burials that could be physically undertaken at the proposed cemetery. This is because full burials typically attract a higher number of mourners than the burial of cremated remains.

Based on these data the average number of mourners at graveside for full burial ranges from 20 to 30 whilst larger ceremonies may attract up to 50 to 60 mourners. For robustness, it has been assumed that most mourners arrive via private car, taxis, and/ or funeral limousines. The option of car sharing, due to the higher proportion of family members and friends in attendance, is realistic.

The hours of operation for the proposed site are typically:

- Open to vehicles between 09:00 to 17:00;
- First service 11:00;
- Last service 14:00; and
- Frequency and timing of services will vary.

The estimated trip attraction is summarised in the following table:

Time	Trip Type	Arrival	Departure	Total (2-Way)
09:00 - 10:00	Staff	2		2
11:00 - 12:00	Mourner	15*	15*	30
14:00 - 15:00	Mourner	15*	15	30
16:00 - 17:00	Staff	0	2	2

*2 occupants per vehicle

It is not anticipated that the development site traffic movements will coincide with the peak-time operation of the local highway network (0800-0900 and 1700-1800).

The Highway Authority is satisfied that the residual cumulative impact of the development traffic will not have a severe impact in accordance with Paragraph 111 of the National Planning Policy Framework.

In terms of parking, WCC's Design Guidance, the Streetscape Design Guide, advises that for non-residential uses commercial operators should have a good understanding of the needs of their business and will determine how land under their control could be managed. The Highway Authority is fully satisfied that the appropriate quantum and location of parking facilities, both for cars and cycles, can be secured by condition requiring the submission and approval of details in due course.

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In accordance with the WCC Streetscape Design Guide, 10% of the proposed parking provision should comprise non-residential, fast charging 22KW parking spaces, for Ultra Low Emissions Vehicle parking.

The Applicant proposes that an Event Management Plan should be secured via planning condition to cater for infrequent occurrences where unusually large numbers of mourners are expected. This can be developed in consultation with the Borough Council and the County Council as highway authority

An internal layout plan has been submitted for illustrative purposes only. The illustrative layout as shown does not afford the opportunity to ensure that vehicles would leave the site in a forward gear. The provision for parking and vehicle movement within the site should be secured by condition requiring the submission and approval of details in due course.

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 the proposals are acceptable subject to conditions and the securing of a contribution towards a Traffic Regulation Order (TRO) as set out above.

Red Kite Network Ltd: Ecology

Comments summarised as follows:

I write as the Planning department's Independent Ecological Advisor in this case.

The applicant has responded to the issues that I have previously raised, and the following additional information has been submitted for the application:

- Great Crested Newt Assessment prepared by Wharton dated 17th September 2021;
- Habitat Plan prepared by Wharton dated 21st September 2021;
- Indicative Planting Scheme and Enhancement Measures prepared by Wharton dated 17th September 2021;
- Biodiversity Metric 3.0 Calculation prepared by Wharton

The proposed Habitat Plan and Indicative Planting Scheme sets out headline proposals in relation the planned landscape and habitat enhancement.

There are further aspects to be completed e.g. inclusion of hedgerow around the site for security, that need to be clarified but I can confirm that the scheme is acceptable subject to a pre commencement condition in relation to detailed design and the retention and enhancement of habitat.

The applicant has demonstrated that the proposed scheme, once completed will achieve a net gain for biodiversity. I note from the proposals and the Access Layout Drawing that

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the mixed plantation woodland to the east and north is incorporated within the planning application boundary. Previous red line boundaries indicated in the Preliminary Ecology Appraisal and Ecological Impact Assessment also show the plantation woodland to the north, west and south of the proposed cemetery within the scheme. Ponds P1 and P9 have demonstrated eDNA evidence for great crested newts. The incorporation of the wooded areas and Ponds P1 and P9 within the planning application boundary would further benefit biodiversity and the ecological mitigation in relation to the scheme. The focus of my previous comments has concerned suitable mitigation in relation to Great Crested Newts (GCN). I am pleased that the applicant has responded to this and prepared a further statement and mitigation using Natural England's Rapid Risk Assessment. The assessment has demonstrated that an offence in relation to great crested newts is likely in the absence of any mitigation. I note from the mitigation currently proposed and the applicant's Statement of Intent that the proposed cemetery will be constructed in a phased approach. I would endorse this method and I am satisfied that the outline mitigation strategy provided for GCN is achievable and deliverable. I have noted that Ponds P1 and P9 are included within the planning application boundary (Drawing P2038/44E) and have been incorporated within the long-term mitigation strategy for the scheme and should be enhanced/ managed specifically for GCN. A planning condition should be made for detailed mitigation proposals and ongoing surveying and monitoring of GCN. Mitigation in relation to wider habitat and species should also include within the condition e.g. proposals for reptile hibernacula, bird and bat boxes etc.

In summary, I confirm that I approved of the proposals subject to the imposition of relevant planning conditions based on British Standard 42020 2013 Biodiversity Code of Practice for Planning and Development.

Cllr J Brunner

Comments summarised as follows:

I am the Ward Councillor for the area and have lived in Matchborough for 30 years

I object on the following grounds

1. Loss of visual amenity.

The Meadow land is part of Arrow Valley Park. The Park was gifted to the residents of Redditch by the Development Corporation for recreational pursuits.

The meadow is well used by residents and has a great array of wildlife.

The view is particularly pleasing to the eye at any season, and it would be a travesty if it was lost.

I am concerned that the application does not demonstrate that there is a surplus of open space

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This land was never included for potential cemetery use and there would be a reduction in available Primary Open Space. Policy 13 of the Local Plan comments that if development is permitted which results in the loss of an amenity such as this, the Council will require the provision of equivalent or improved facilities elsewhere.

2. Archaeology

This site is believed to hold artefacts of great historical interest and may have been a medieval or Roman settlement. The Roman Road runs through this area. This meadow is an historic remnant of the medieval ridge and furrow agricultural heritage. Nearby in Ipsley the only 6th century throwing axe (outside of a burial chamber) was found. This application does not comply with paragraph 189 of the NPPF.

Also, that there is potential for Roman or medieval remains are likely to be found and this has been assessed as high based on the evidence provided. Nearby there are 7 listed buildings of historical interest within the 500m study boundaries to which only one is mentioned in the application.

3. Nature conservation/ Ecology.

The site is an area of special significance to rare species of wildlife. There is a colony of bats roosting in trees and in the church. The protected Hairstreak butterfly has been noted in this area. Also, the DNA of great crested newts has been found on the site and rare birds such as the Red Kite frequent the meadow.

The water table /groundwater risk factor is moderate to low however the site is quite steep and any rainwater flows into the river Arrow which runs to the bottom of the valley. There is a serious risk of pollution from formaldehyde and other associated chemicals used in burial/ cremations.

The application proposes environmental enhancement however this includes removal of well-established trees and hedgerows.

If this application for Change of Use of the site is granted it sets a dangerous precedent whereby other parts of the parkland could be used for other purposes than what they were intended.

4. Noise and disturbance.

Residents will be disturbed by extra traffic from hearses and mourners driving to the proposed site. There will be the additional noise of doors slamming and conversations which would not previously have been an issue.

If this proposal is accepted there will be a significant rise in car journeys which will result in air pollutants, particularly as most of the hearses are diesel fuelled.

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5. Disabled Persons access.

The site would not be suitable for those with physical disabilities. The ground is uneven, very wet at times and steep in places. Unless there is a proposal to level the site it would be rather dangerous for anyone with a wheelchair, mobility scooter or walking frame to access this site, particularly if there are no pathways planned. This would make it inaccessible to the disabled so non-compliant with the Equalities act 2010.

6.Highway Safety

I have grave concerns about the use of Ipsley Church Lane as an entrance to the said proposed cemetery.

i) Parking.

This has been a premium in the locality. There is very little parking available and there is a risk that private car parks could be used by mourners with the potential for anti-social behaviour to occur.

There is not a Traffic Regulation Order on the Lane precluding dangerous parking.

Residents will be considerably disadvantaged accessing their homes and workplaces by the potential of additional vehicle traffic.

This potential conflict between residential and cemetery traffic is justification for refusal of this application.

The most recent submission by the applicant re Indicative plan for a cemetery has the entrance site further along Ipsley Church Lane. This will cause further problems with traffic particularly as there is no parking shown on the indicative plan.

Mourners Hearses and visitors will have no choice but to park on Ipsley Church Lane causing traffic and access problems to residents on Ipsley estate.

Cllr A Fogg

Comments summarised as follows:

I object for the following reasons:

Provision for open spaces in Redditch is generally good however it is not in Matchborough and Ipsley ward. Matchborough and Ipsley ward has a deficit of 11.1 hectares of open space in comparison to other wards in Redditch. The site is approximately 4 hectares. Using this land for cemetery provision is poor land planning, as it makes a known deficit worse.

There is strong community resentment against the Ipsley Meadow change of use application, recorded in more than eight hundred written objections. These are mainly from the residents of Matchborough and Ipsley ward but also includes objections from other wards within Redditch and from people beyond Redditch boundaries who sometimes visit to use the meadow. It indicates clearly that protection of existing open spaces is important.

The use of Ipsley Meadow as a cemetery, and the loss of green open community space, is to the detriment of the health and welfare of the residents of Matchborough and Ipsley

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ward in particular, but also to those from across Redditch and beyond its boundaries who use it.

There is the possibility that formaldehyde, a recognised carcinogen, will be present in the leachate from decomposing bodies. This could seep down the rock slope beneath Ipsley Meadow into the existing ponds and ditches there and on into the River Arrow and beyond. This poses a risk to the health of all who visit the cemetery and those who use the adjacent open space in Arrow Valley Country Park. This should not be allowed to happen.

Ipsley Meadow has a high ecological value and includes Great Crested Newts and Grass Snakes which are protected under Statute.

Funeral corteges will cause traffic conflict with local residential traffic and cross-town traffic conflict.

Due to worldwide pressure for burial grounds, there are modern investigations into the disposal of human bodies which may remove the need for a cemetery as large as is proposed. It may be that during the lifetime of this proposal, if approved, a totally sustainable process will be introduced nationally which could well do away with the need for the allocation of such land at this time.

Ipsley Meadow has poor public transport links resulting in lengthy periods of time on public transport and increased costs to visit deceased loved ones buried in the area.

Approving this application would be emotionally damaging to the wellbeing of a large proportion of residents who have significant memories and use for the area.

Arboricultural Officer

Comments summarised as follows:

A number of trees would be lost to facilitate the installation of the new entrance, specifically T52, T51, T57, T58 and partial loss of the northern side of G1 as identified within the submitted Arboricultural Report. Alongside these removals I envisage that additional pruning may be required to the north of the new entrance to create and maintain a clear sightline. These trees are of reasonably low arboricultural value and considering the scope for tree planting within the interior of the site I do not object to their loss.

The two scattered sections of trees in the main area of the field consist of Horse Chestnut, Lime and Hawthorn. I have no objection to the loss of these providing suitable mitigation is provided within the development.

The perimeter consists of a variety of trees and vegetation which should be retained. Appropriate planning conditions pertaining to tree protection, new planting mitigation and the non-storage of material within root protection Areas (RPA's) should be imposed.

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WCC Archaeological Service

Comments summarised as follows:

I can confirm that there is no objection to this development on archaeological grounds following the archaeological evaluation and I no longer have any potential archaeological objections to this development and I will not advise any further pre-determination work nor will there be a requirement for a condition on any grant of consent to monitor groundworks.

The geophysical survey and evaluation already undertaken show that the known medieval and Romano-British settlement does not extend into the area proposed for development. The access is now confirmed as coming directly off Ipsley Church Lane and not through the north-east of the site where there is still archaeological potential. It is also stated in the transport assessment that there will be no requirement to widen or otherwise improve the junction with Icknield Street Drive and therefore it is felt that any archaeological remains around the junction and in the very northeast of the site will remain undisturbed by the development.

North Worcestershire Water Management (NWWM)

Comments summarised as follows:

The proposed development site is situated within the catchment of the River Arrow which is approximately 350 meters to the west of the site. The site falls within flood zone 1 and it is not considered that there is any significant fluvial flood risk to the site. Risk to the site from surface water flooding is indicated as low based on the EA's flood maps.

Within the Initial Site Assessment document, it is indicated that a ground water risk assessment has been completed, it also notes that budget has been allocated for drainage of the new access road and car parking areas, however at this stage there are no details of the location / scale of these features.

The site drains to the south via a series of overgrown and silted ditch lines. There are some properties located to the west that could be negatively impacted by the proposals if suitable drainage is not provided. It would be required that details of existing drainage features are identified. Correctly designed drainage and provision of appropriate levels of attenuation can mitigate off site flood risk.

As required in Policy 18 of the Local Plan it is required that a SuDS scheme is provided which would attenuate site runoff up to the 1 in 100-year AEP, as well as a 40% allowance for climate change, to Greenfield rates. This is applicable to all proposed sites including Brownfield development. Calculations need to be provided to demonstrate that this is being achieved. There are no details provided of the proposed means to drain the site at this stage and a suitably designed SuDS scheme should be implemented to appropriately manage surface water. This scheme needs to be provided to and approved by the LPA.

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When considering proposed attenuation features above surface features should be considered prior to below ground options. These features provide greater biodiversity, amenity and water quality benefits. The proposed drainage scheme should indicate that the stated discharge rate for the site is being achieved and where the proposed location to discharge surface water off the site will be. The scheme should also show that there is no flooding on the site at the 1 in 30-year AEP and that any flooding at the 1 in 100-year AEP is held within the site.

The scheme should also consider the level of treatment required to surface water runoff from the site.

Details of maintenance activities and frequencies of proposed drainage features should be provided in a maintenance plan for the site. This should also provide the details of the adopting authority following construction. Recommended planning condition set out below:

No works or development shall take place until a scheme for surface water drainage, including an FRA, has been submitted to, and approved in writing by the Local Planning Authority. 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. This scheme should be indicated on a drainage plan and the approved scheme shall be completed prior to the first use of the development hereby approved.

Reason: In order to ensure satisfactory drainage conditions that will not create or exacerbate flood risk on site or within the surrounding local area.

Natural England

Comments summarised as follows:

Natural England has no comments to make on this application.

The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision-making process. We advise LPAs to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

RBC Conservation Officer

Comments summarised as follows:

It is not thought that the proposed development will impact on the setting of any of the listed buildings in the vicinity. It is therefore considered that this proposal will not impact on the significance of any of the nearby listed buildings and will comply with the

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requirements of the 1990 Act, the Historic Environment Policies of the Borough of Redditch Local Plan No 4, and the NPPF.

Worcestershire Wildlife Trust

Comments summarised as follows:

WWT note the extra information that has been presented and we are pleased to see that it includes a Biodiversity Impact Assessment using the DEFRA metric and that recommendations for protected species method statements are made. It will be important to embed the findings and recommendations via relevant planning conditions should you be otherwise minded to grant permission.

While we note the biodiversity enhancement anticipated in the DEFRA metric findings it is disappointing that a development of this scale only manages to achieve 0.8% biodiversity net gain, which is below the 10% expected to be mandated through the Environment Act. Importantly, we remain concerned that the habitat scoring will have underplayed the value of scrub and grassland habitats already on site and that the future use will limit 'enhancements' significantly meaning that the proposed gains may be even smaller than anticipated. Accordingly, we recommend that further improvements to the proposed landscaping be sought through the condition process and that close attention is paid to implementation of the development so that you can be sure that all elements of biodiversity net gain are brought forward effectively. With that in mind, while we do not wish to object to the application now that a full suite of information has been supplied, we do continue to recommend that conditions are applied to secure further improvements. Effective implementation and long-term management of the biodiversity mitigation and enhancement will be essential in delivering a policy-compliant development and so failure to append appropriate conditions would materially affect our position. Our non-objection stance is contingent on these coming forward.

RBC Strategic Planning Team

Comments summarised as follows:

The application has been considered against key Policies 12, 13, and 45 of the Borough of Redditch Local Plan No.4 and against the Council's 2009 Open Space Needs Assessment. It has been concluded that:

- The Council needs to identify additional cemetery land within the Borough during this Plan period.
- The proposal would not result in the loss of any Primarily Open Space.
- The proposal would not impact on the provision of open space within Matchborough Ward.

Police Crime Risk Manager, West Mercia Constabulary

Comments summarised as follows:

My role is to assess whether an application will have an impact on crime and disorder. In my opinion this application will not, therefore I do not have any objections to it.

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Occasionally there are issues at cemeteries through either drug misuse or vandalism, therefore the question of security and if an area needs to be fenced must be considered.

I have visited the application area. There is no sign of drug misuse or vandalism and I anticipate that this will continue. It is a large site and, in my opinion, fencing the area would be of little benefit and not in keeping with the rest of the area.

Public Consultation Response

Comments received below represent a summary and members are reminded that comments in full are available to view on the Council's public access system.

Two rounds of public consultation have been carried out and the following representations have been received:

834 letters have been received in objection to the application.

Comments received are summarised below:

- This popular recreation area should not be built on. It's a haven for wildlife including protected species
- Objection to loss of trees and hedgerows
- There are alternative sites elsewhere
- Increase in traffic due to funeral processions and associated access and egress
- Safety issues associated with parking on Ipsley Church Lane. Lack of Pedestrian Access which could cause accidents
- Noise concerns raised
- Pollution concerns arising from car emissions
- Risk of waterlogging at the site and ground water pollution
- Location of a Cemetery near a skate / BMX park unsuitable and incompatible
- The site should not be developed due to historical and archaeological importance
- Arrow Valley Park is essential to the physical and mental health of the community
- Risk of flooding to the area in close proximity to where people are buried makes this site unsuitable
- Construction would cause a lot of disruption in terms of noise and accessibility to the park
- The local plan states that green spaces should be protected. This application goes back on this promise
- Public transport links to the site are limited
- The visual impact would be severe
- Potential increase in antisocial behaviour and vandalism in the area
- GKN are currently closed but if and when they are re-occupied this would considerably increase the number of vehicle movements in the area

13 letters have been received in support of the application.

Comments received are summarised below:

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- Cemetery space in Redditch is rapidly running out and there is a real need. The future needs to be considered especially with an ever-increasing population
- Access to the site is good
- The wider area contains plenty of open space, People will be able to continue their daily activities
- This would be a beautiful and tranquil place for people to mourn and grieve their loved ones

4 letters have been received which are neutral in nature
Comments received are summarised below:

- Thought needs to be given to joining up pathways
- Question whether the existing site (off Bordesley Lane) can be expanded instead
- If approved, access for the public to the area should not be reduced

Other matters 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.

Assessment of Proposal

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 require applications for planning permission to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Borough of Redditch Local Plan No.4 (BORLP4) which was adopted on 30 January 2017 and covers the plan period 2011-2030.

Principle of development

The following policies are of fundamental importance when considering the principle of the proposed development:

Policy 45 Cemeteries
Policy 12 Open Space Provision
Policy 13 Primarily Open Space

Policy 45 Cemeteries

This Policy states that the Borough Council will continue to ensure that there is sufficient cemetery land to meet the needs of the Borough. In order to do so, it will be necessary to identify a new cemetery site within the Plan period. At 45.2, the policy comments that ideally the identified site should meet all the (seven listed) criteria. The site is required to be:

- i. at least 1.7ha in size;
- ii. easily accessible by a range of transport modes including public transport;
- iii. located in an area where a tranquil setting for the cemetery can be achieved with appropriate mitigating measures if necessary;

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- iv. in an area that is not currently prone or likely to become prone to water logging. Burials shall take place within the unsaturated zone (between the land surface and the water table) and not within a minimum distance of: 250 metres of any potable supply (including wells and boreholes); 30 metres from any surface watercourse, spring or pond; and 10 metres of any field drain;
- v. supported by an appropriate risk assessment to demonstrate that there is no adverse risk of pollution to controlled waters including domestic water supplies, or includes appropriate measures, including monitoring (where necessary) to prevent the risk;
- vi. as near as possible to mains drainage and to other services such as water and electricity; and
- vii. in an area with appropriate surrounding screening and landscaping for a cemetery or where this can be achieved.

Your officers' responses with respect to the following criteria are **as follows**:

at least 1.7ha in size

The site is 4.60 hectares in size

easily accessible by a range of transport modes including public transport

The number 62 circular bus service stops at Ipsley lane operating at a 2-hourly frequency. Local cycle route 14 and national cycle route 5 are located just outside the boundary of the site (14 being on the northern & eastern boundary & national 5 on the western side). Many local well-lit and signposted footpaths with underpasses are located in the area allowing for traffic free walking routes to all areas of the site. Worcestershire CC Highways have raised no objection to the application having regards to the sustainability of the site.

located in an area where a tranquil setting for the cemetery can be achieved with appropriate mitigating measures if necessary

The site is located away from schools and operating businesses there are dwellings located beyond the northern & eastern perimeter of the site.

Mature boundaries with well-established hedgerows and tree lines create an existing sound and visual barrier resulting in a tranquil, open grassland that is currently used by the public as open space for recreational purposes. As with the existing town cemetery, the proposed site falls within Arrow Valley Country Park. The BMX Track and Skate Park are accessed separately via Icknield Street Drive, at a point beyond Morsefield Lane, to the south of the site. These are further away from the site relative to existing facilities near to the Bordesley Lane site such as the Abbey Stadium sports facilities and its car park

in an area that is not currently prone or likely to become prone to water logging. Burials shall take place within the unsaturated zone (between the land surface and the water table) and not within a minimum distance of: 250 metres of any potable supply (including wells and boreholes); 30 metres from any surface watercourse, spring or pond; and 10 metres of any field drain;

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Tier one and two risk assessments have been conducted. The Environment Agency (EA) confirm that the site is suitable. Any below ground works on site would be governed by the EA in terms of location of development. A condition to the above affect has been recommended by the EA in the case of permission being granted. Further, North Worcestershire Water Management (NWWM) have raised no objection subject to the imposition of a drainage condition.

supported by an appropriate risk assessment to demonstrate that there is no adverse risk of pollution to controlled waters including domestic water supplies, or includes appropriate measures, including monitoring (where necessary) to prevent the risk;
The Environment Agency have raised no objections to the application and ongoing monitoring will be undertaken by the EA in accordance with relevant legislation
<https://www.gov.uk/guidance/cemeteries-and-burials-prevent-groundwater-pollution>

as near as possible to mains drainage and to other services such as water and electricity;
The applicant comments that all mains services are located within 100m from the boundary of the site

in an area with appropriate surrounding screening and landscaping for a cemetery or where this can be achieved;

Appropriate surrounding screening and landscaping exists in this case via mature, well-established hedgerows and tree lines

The proposals are considered to be in full accordance with Policy 45 of the BORLP4.

Policy 12 Open Space Provision

This site falls within Matchborough Ward. The (most recent) 2009 Open Space Needs Assessment indicates that Matchborough Ward has a deficit of 2.13ha per 1000 population. However, the Borough and Ward Standards have been updated to reflect 2011 Census data, which shows that this deficit has reduced to 1.85ha per 1000 population.

However, the Borough and Ward Standards **exclude** the Arrow Valley Park as it is classed as a Sub-regional facility that draws visitors from wider than the immediate local area and thus the potential to skew local level Open Space data. As such, in terms of loss of open space provision under Policy 12, the proposal would have no impact on the open space deficit for Matchborough Ward.

Policy 13 Primarily Open Space

The site is designated as Primarily Open Space (POS) and therefore Policy 13 of the Borough of Redditch Local Plan No. 4 (BoRLP4) is relevant when considering the principle of new development.

This policy aims to protect open space and maintain levels of open space provision in the Borough. The Policy comments that proposals which would result in the total or partial

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loss of Primarily Open Space will not normally be granted planning permission unless it can be demonstrated that the need for development outweighs the value of the land as an open area. It is important to note that, in this case the proposed use of the land as a cemetery would NOT result in the loss of Primarily Open Space in the Borough although it would result in a change in the typology.

The Councils Open Space Needs Assessment explains that Primarily Open Space comprises 10 typologies. These are classified as: Allotments; Amenity Open Space; Churchyard/Cemeteries/Crematoria; Civic Square; Indoor Sports Facilities; Parks; Play Area Provision; School Grounds; Semi-Natural; Sports Facilities. The land is currently categorised as 'Parks'. If the site were to gain planning consent, the typology would change to 'Churchyard/Cemeteries/Crematoria' but would not result in the loss of Primarily Open Space.

The National Planning Policy Framework (NPPF) defines open space as: *'All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity'*. The change of use proposed would mean that the site would continue to function as an area of publicly accessible open space of public value.

In conclusion, with respect to the Principle of development, the Council needs to identify additional cemetery land within the Borough during this Plan period and the proposed site meets the seven criteria set out under Policy 45; the proposal would not impact on the provision of open space within Matchborough Ward in accordance with Policy 12 and the proposal would not result in the loss of any Primarily Open Space in accordance with Policy 13 of the Borough of Redditch Local Plan No. 4 (BoRLP4).

Whilst the principle of development is considered acceptable it is still necessary to consider all other material planning considerations

Highway considerations

The Borough of Redditch Local Plan, Policy 20, deals with the transport requirement of new developments including incorporating safe and convenience access arrangements in their design for all potential users.

The application proposes to create a single point of vehicle access via Ipsley Church Lane being 5.5m wide with access arrangements shown on drawing P2038/44E.

The applicant has commissioned a Transport Assessment (TA) prepared by Cotswold Transport Planning and a speed survey has been carried out to determine suitable visibility splays at the proposed access. WCC highways comment that data was captured using an Automatic Traffic Counter which was installed between Wednesday 12th and Tuesday 28th June 2019 and the survey was undertaken in full accord with relevant guidance, ensuring that results were not unduly influenced by the lower speeds typically recorded in traffic peak hours. The 85th percentile speeds were 25.5mph and 25.4mph in the eastbound and westbound directions respectively.

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In accordance with Manual for Streets (MfS), visibility splays of 35m are required in both directions at the proposed access onto Ipsley Church Lane based upon the 85th percentile speeds which were 25.5mph and 25.4mph in the eastbound and westbound directions respectively.

WCC Highways have commented that forward visibility of 37m is available for vehicles travelling along the lane subject to some limited clearance of highway vegetation adjacent to St. Peters Church. This lies within the highway and can be undertaken as part of routine maintenance. It is considered that the splays can be provided without adversely affecting the character and appearance of the Ipsley Church Lane.

Swept path analysis has been carried out which demonstrates that simultaneous two-way movement between a funeral hearse and a maintenance vehicle is achievable at the site access junction.

Submitted plan P2038/44E shows that some localised widening on Ipsley Church Lane is proposed to facilitate the access and the County Council have requested a financial contribution in order to extend the existing double-yellow lines on Ipsley Church Lane on the basis that the widening may encourage additional on street parking. A suitable legal mechanism is proposed to secure this.

Pedestrian access would be gained via the existing pedestrian access from Ipsley Church Lane and the other existing pedestrian access routes along the sites northern, western, and eastern boundaries would be unaffected.

Likely vehicle trip generation has been determined using an observed data approach and trips have been based on the maximum number of full burials that could be physically undertaken at the proposed cemetery. Estimated trip attraction rates are set out by the County Council in the table given by WCC (above).

The Highway Authority have confirmed that they are satisfied that the residual cumulative impact of the development traffic will not have a severe impact in accordance with Paragraph 111 of the National Planning Policy Framework and thus, in highway safety terms, the proposed access arrangement is considered to be acceptable.

In terms of parking, the WCC Streetscape Design Guide, advises that for non-residential uses commercial operators should have a good understanding of the needs of their business and will determine how land under their control could be managed. The Highway Authority is fully satisfied that the appropriate quantum and location of parking facilities, both for cars and cycles, can be achieved. On this point, your officers would again refer members to the second paragraph under the 'Proposal Description' section above. The precise quantum and location of parking facilities, as operational development, would be subject to a separate application for planning permission which members would assess on its merits, at later Planning Committee, should permission be granted under the current application.

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Clearly the County Council have raised concerns with respect to the conceptual landscape plan. However, this has been produced for illustrative purposes and would not be listed as an approved plan in the event of planning permission being granted.

Based on the analysis of the information submitted and taking into consideration responses received from interested parties, the highway authority is raising no objections to the application on highway safety grounds, concluding that the proposals are acceptable subject to relevant highway planning conditions and the securing of a contribution towards a Traffic Regulation Order (TRO) for extensions to the existing double-yellow lines on Ipsley Church Lane. Your officers have concluded that the proposals are acceptable in highway safety terms.

Ecological considerations

It is the Local Planning Authorities (LPA) responsibility to determine whether this application is consistent with national and local policies on the natural environment. As advised by Natural England, the LPA has sought specialist advice from its own independent Ecological Adviser (Red Kite) to critique the applicant's own Environmental and Habitat Appraisal which has been carried out by Wharton Natural Infrastructure Consultants Ltd (WNIC).

To overcome earlier raised issues, Warton have responded directly to written comments raised by both the Worcestershire Wildlife Trust and Red Kite.

A Great Crested Newt Habitat Assessment for Ponds within the area has been undertaken and progressed with a Natural England Rapid Risk Assessment. The results and analysis have been submitted and the likely impacts have been evaluated and mitigation measures provided in relation to the scheme.

A Proposed Habitat Plan has been provided and details that suitable habitats for reptiles including grassland and mixed scrub are to be included within the scheme, as well as enhancement features such as hibernacula and log piles.

An Indicative Planting Scheme & Enhancement Measures document outlines several enhancement measures and their general location within the site and a Biodiversity Metric is also provided which shows a net gain for biodiversity at the Site post-development with reference to the Proposed Habitat Plan for the Site.

Members will note that WWT and the Councils appointed Ecologist (Red Kite) have examined the latest reports in detail and have raised no objections subject to the imposition of a number of detailed conditions including the submission of a Landscape and Ecological Management Plan (LEMP) to ensure that the proposed habitats are secured and maintained into the future. This condition will ensure that the whole site is appropriately monitored and managed over a thirty-year period.

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The mitigation proposed by the applicant would be by means of a phased approach which is endorsed by Red Kite who are satisfied that the outline mitigation strategy provided for Great Crested Newts (GCN) is achievable and deliverable. The Ponds in question have been incorporated within the long-term mitigation strategy for the scheme and would be enhanced and managed specifically for GCN. A planning condition to this effect is recommended.

Members will note that the applicant is not proposing fencing of any kind in this case and as such there will be no restrictions in terms of how the public may access the cemetery. The absence of fencing has significant ecological benefits and the Police have commented that fencing is not necessary.

Based on an overall achievable net gain in biodiversity and comments received by the Planning Department's Independent Ecological Advisor, taking into consideration comments also received by Worcestershire Wildlife Trust, your officers have concluded that the application is acceptable, with conditions, as far as its ecological impacts are concerned.

Health concerns

Many residents have raised health concerns primarily concerning the possibility of formaldehyde, being present in the leachate from decomposing bodies seeping into the existing ponds and beyond, posing a risk to health. However, such matters are controlled under other legislation and by the Environment Agency who have raised no objection. Recommended Planning Condition 3, as advised by the EA states that burials shall not take place within a minimum distance of: 250 metres of any potable supply (including wells and boreholes); 30m from any surface watercourse, spring or pond; and 10m of any field drain.

Community Safety matters

Members will note that the Police have been consulted and raise no objection to the application in so far as anti-social behaviour and crime is concerned

Archaeology

Notwithstanding concerns raised regarding the impact of the development on any archaeological remains, Worcestershire County Council's Archaeological Service have carried out a detailed archaeological evaluation of the site and have raised no objections to the application and have stated that no further pre-determination investigations are required. They have raised no objection to the proposed location of the vehicular access. The far north-east of the site containing significant tree cover would remain undisturbed and planning conditions prevent the felling of trees in this area.

Residential amenity

Paragraph 130(f) of the NPPF states that planning decisions should seek a good standard of amenity for existing and future users.

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The site benefits from being situated away from housing and the nature of the proposed use is not considered to give rise to concerns regarding noise pollution. Views into the site would be screened by the extensive tree cover present to the eastern boundary to the site onto Icknield Street Drive.

Disabled access

The applicant has a duty under the Equality Act 2010 to provide satisfactory access for disabled persons and there are no reasons to suggest at this stage that this cannot be achieved.

Heritage matters

Notwithstanding the fact that the site is not located within a designated Conservation Area, the Council's Principal Conservation Officer has assessed the impact of the development upon the setting of any listed buildings within the vicinity. She has concluded that the proposed development will not impact on the significance of any of the nearby listed buildings and would comply with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Historic Environment Policies of the Borough of Redditch Local Plan No 4, and the NPPF.

Public Rights of Way

Several Public Rights of Way cross the site, although only one passes through the open grassland area (footpath RD-620). No rights of way are proposed to be diverted at this time. The applicant has stated that access will be at the heart of the scheme with current desire lines maintained to limit the behavioural changes that would be necessary as people continue to walk and use the site in the long term. The applicant has also stated that detailed site designs would endeavour to facilitate the current positions of the public rights of way. If, however, a diversion was required then appropriate permissions would be sought.

Planning Conditions

Sections 100ZA (4-6) of the Town and Country Planning Act 1990 requires the applicant's written agreement to the terms of a pre-commencement condition. Written agreement to the terms of relevant recommended conditions has been sought and agreed.

Conclusion

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 require applications for planning permission to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

In this respect, your officers consider that appropriate weight should be afforded to Policy 45 (Cemeteries) of the BoRLP.No.4. Policy 45 requires the Borough Council to ensure that there is sufficient cemetery land to meet the needs of the Borough and that in order to do so, it will be necessary to identify a new cemetery site within the Plan period (2011-2030). The application is considered to be fully compliant with Policy 45, meeting all of the (seven listed) criteria.

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Members will know that significant public interest has been generated by the application and will be aware of the spectrum of issues referred to.

The availability of alternative sites suitable to meet the applicants needs has also been raised within the representations received. Your Officers have no comment to make on these representations as the existence of alternative sites is not a planning matter.

Members are required to determine the application before them as per any other which comes before the Planning Committee.

Account has been taken of all environmental issues through the preparation of technical reports on transport and ecology with mitigation measures identified being implemented through the consent and via recommended planning conditions.

Your officers have found no material considerations which indicate that the development should not be determined in accordance with the development plan and on the basis that the proposals comply with relevant Policies of the Borough of Redditch Local Plan No.4, the recommendation is that planning permission should be granted.

RECOMMENDATION:

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

- a) **The satisfactory completion of a suitable legal mechanism to provide a financial contribution to Worcestershire County Council for localised Improvements on Ipsley Church Lane**

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.

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

Drawing P2038/44E (Revision E)

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

- 3) Burials shall not take place within a minimum distance of 250 metres of any potable supply (including wells and boreholes); 30m from any surface watercourse, spring or pond; and 10m of any field drain. Burials shall take place within the unsaturated zone (between the land surface and the water table).

Reason: To protect ground and surface waters ('controlled waters' as defined under the Water Resources Act 1991).

- 4) The Development hereby approved shall not be brought into use until the access and widening on Ipsley Church Lane, has been provided as shown in accordance with drawing P2038/44E.

Reason: To ensure conformity with submitted details.

- 5) The Development hereby approved shall not be brought into use until the visibility splays, VS-A and VS-B, shown on drawing P2038/44E have been provided. The splays shall at all times be maintained free of level obstruction exceeding a height of 0.6m above adjacent carriageway.

Reason: In the interests of highway safety

- 6) The Development hereby approved shall not be brought into use until electric vehicle charging spaces have been provided in accordance with ratios set out within the County Councils Streetscape design guide document, a specification of which shall be submitted to and approved by the Local Planning Authority and thereafter such spaces and power points shall be kept available and maintained for the use of electric vehicles as approved.

Reason: To encourage sustainable travel and healthy communities.

- 7) The Development hereby approved shall not be brought into use until on-site parking provision and appropriate access routes for cars, funeral cortege and maintenance vehicles have been provided in accordance with details which shall be submitted to and approved by the Local Planning Authority.

Reason: To ensure the safe and convenient movement and parking of vehicles within the site.

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- 8) The Development hereby approved shall not be brought into use until the applicant has submitted an Event Management Plan in writing to the Local Planning Authority that demonstrates a parking strategy for the development site, and this has been approved in writing by the Local Planning Authority. The approved Event Management Plan shall be implemented, monitored, and reviewed in accordance with the approved details

Reason: In the interests of highway safety.

- 9) No works or development shall take place until a scheme for surface water drainage, including an FRA, has been submitted to, and approved in writing by the Local Planning Authority. 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. This scheme should be indicated on a drainage plan and the approved scheme shall be completed prior to the first use of the development hereby approved.

Reason: In order to ensure satisfactory drainage conditions that will not create or exacerbate flood risk on site or within the surrounding local area.

- 10) No development shall take place (including ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:
- a) Risk assessment of potentially damaging construction activities.
 - b) Identification of "biodiversity protection zones".
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure the creation of wildlife habitat and wildlife corridors within development and in the interests of biodiversity

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- 11) No development shall take place, including ground works and vegetation clearance, until a biodiversity monitoring strategy has been submitted to, and approved in writing by, the local planning authority. The purpose of the strategy shall be to monitoring the successful implementation of habitat improvements for Great Crested Newts.

The content of the Strategy shall include the following.

- a) Aims and objectives of monitoring to match the stated purpose.
- b) Identification of adequate baseline conditions prior to the start of development.
- c) Appropriate success criteria, thresholds, triggers and targets against which the effectiveness of the various conservation measures being monitored can be judged.
- d) Methods for data gathering and analysis.
- e) Location of monitoring.
- f) Timing and duration of monitoring.
- g) Responsible persons and lines of communication.
- h) Review, and where appropriate, publication of results and outcomes. A report describing the results of monitoring shall be submitted to the local planning authority at intervals identified in the strategy. The report shall also set out (where the results from monitoring show that conservation aims and objectives are not being met) how contingencies and/or remedial action will be identified, agreed with the local planning authority, and then implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

Where the approved development is to proceed in a series of phases, further supplementary ecological surveys for great crested newts and other protected species shall be undertaken to inform the preparation and implementation of corresponding phases of ecological measures required through Condition. The supplementary surveys shall be of an appropriate type for the above habitats and/or species and survey methods shall follow national good practice guidelines. The monitoring strategy will be implemented in accordance with the approved details.

Reason: To ensure the creation of wildlife habitat and wildlife corridors within development and in the interests of biodiversity

- 12) No development shall take place until an ecological design strategy (EDS) addressing mitigation enhancement and restoration has been submitted to and approved in writing by the local planning authority. The EDS shall include the following.
- a) Purpose and conservation objectives for the proposed works.
 - b) Review of site potential and constraints.

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- c) Detailed design(s) and/or working method(s) to achieve stated objectives and calculation of biodiversity net gain metric.
 - d) Extent and location/area of proposed works on appropriate scale maps and plans.
 - e) Type and source of materials to be used where appropriate, e.g., native species of local provenance.
 - f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
 - g) Persons responsible for implementing the works.
 - h) Details of initial aftercare and long-term maintenance.
 - i) Details for monitoring and remedial measures.
 - j) Details for disposal of any wastes arising from works.
- The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To ensure the creation of wildlife habitat and wildlife corridors within development and in the interests of biodiversity

- 13) A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. The content of the LEMP shall include the following.
- a) Description and evaluation of features to be managed.
 - b) Ecological trends and constraints on site that might influence management.
 - c) Aims and objectives of management for a 30-year period.
 - d) Appropriate management options for achieving aims and objectives.
 - e) Prescriptions for management actions.
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - g) Details of the body or organisation responsible for implementation of the plan.
 - h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To ensure the creation of wildlife habitat and wildlife corridors within development and in the interests of biodiversity

- 14) Prior to first use of the development, a “lighting design strategy for biodiversity” for the proposed cemetery shall be submitted to and approved in writing by the local planning authority. The strategy shall:

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- a) identify those areas/features on site that are particularly sensitive for bat species and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where any external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy prior to first use of the development, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

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

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

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

- 16) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include proposed hard surfacing materials, new planting, trees and shrubs to be retained, together with measures to be taken for their protection while building works are in progress.

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

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

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

- 18) All trees to be retained and must be protected during clearance and the construction phase in accordance with BS5837:2012, using suitable protective fencing and/or ground protection as appropriate. No storage of plant/materials shall take place within the Root Protection Areas of any existing trees. This fencing and /or ground protection shall be constructed in accordance with the guidance in the British Standard BS5837:2012 and shall remain as erected until the development has been completed. All existing trees and hedges shall remain in perpetuity unless agreed in writing by the Local Planning Authority

Reason: In order to protect trees and hedges which contribute to the character and visual amenities of the area.

Informatives

- 1) The local planning authority have worked with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with this planning application through negotiation and amendment.
- 2) EA informative: Operators of cemeteries should take appropriate measures to manage their sites to ensure they do not cause an unacceptable risk to groundwater quality. The Environment Agency has powers under the Environmental Permitting Regulations 2010 to take action where groundwater pollution occurs or is likely to occur.
If pollution was to occur, Section 161, Water Resources Act 1991 empowers us to recover all costs reasonably incurred in:
 - carrying out works, operations or investigations to prevent pollution of surface waters or groundwater;
 - undertaking remedial action following a pollution of surface waters or groundwater.
 Should we be required to undertake such work we would be able to recover these from the company or person responsible.
- 3) 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.
- 4) 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

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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.

- 5) The applicant's attention is drawn to the need to ensure that the provision of the visibility splay(s) required by this consent is safeguarded in any sale of the application site or part(s) thereof.
- 6) The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended, it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is certain that nesting birds are not present

Procedural matters

This application is being reported to the Planning Committee because the application relates to land belonging to Redditch Borough Council and RBC is the applicant. Further, the number of representations received together with the sites size mean that the application falls outside the scheme of delegation to Officers.