



Planning Committee

Wed 19 Apr
2023
7.00 pm

Council Chamber
Town Hall
Redditch

REDDITCH BOROUGH COUNCIL

*making
difference*

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If you have any queries on this Agenda please contact

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GUIDANCE ON FACE TO FACE MEETINGS

If you have any questions regarding the agenda or attached papers, please do not hesitate to contact Gavin Day (gavin.day@bromsgroveandredditch.gov.uk)

PUBLIC SPEAKING

For this meeting the options to participate will be in person, by joining the meeting using a video link, or by submitting a 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:

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

- 1) Introduction of application by Chair
- 2) Officer presentation of the report.
- 3) Public Speaking - in the following order:-
 - a. Objectors to speak on the application;
 - b. Ward Councillors (in objection)
 - c. Supporters to speak on the application;
 - d. Ward Councillors (in support)
 - e. Applicant (or representative) to speak on the application.

Speakers will be called in the order they have notified their interest in speaking to the Democratic Services Team (by 12 noon on Monday 17th April 2023) and invited to the table or lectern.

- 4) Members' questions to the Officers and formal debate / determination.

Speakers will be called in the order they have notified their interest in speaking to the Democratic Services Team and invited to address the committee in person or via Teams.

Each individual speaker will have up to a maximum of 3 minutes to speak, subject to the discretion of the Chair.

Each group of supporters or objectors with a common interest will have up to a maximum of 10 minutes to speak, subject to the discretion of the Chair.

Notes:

- 1) Anyone wishing to address the Planning Committee on applications on this agenda must notify Gavin Day from the Democratic Services Team on 01527 64252 (Ex 3304) or by email at gavin.day@bromsgroveandredditch.gov.uk before **12 noon on Monday 17th April 2023.**
- 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 for 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 17th April 2023.**
- 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, re 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.
- 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 day of the meeting.

Further assistance:

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

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

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



Planning

COMMITTEE

Wednesday, 19th April, 2023

7.00 pm

Council Chamber Town Hall

Agenda

Membership:

Cllrs:	Michael Chalk (Chair)	Brandon Clayton
	Timothy Pearman (Vice-Chair)	Alex Fogg
	Salman Akbar	Andrew Fry
	Imran Altaf	Bill Hartnett
	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 (Pages 7 - 14)

To confirm the accuracy of the minutes from the Planning Committees on 1st March 2023 and 29th March 2023.

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. 21/00447/OUT - The Alexandra Hospital, Woodrow Drive, Redditch, Worcestershire, B98 7UB (Pages 15 - 36)

6. 23/00252/FUL - 1 Tysoe Close, Ipsley, Redditch, B98 0TB (Pages 37 - 40)

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Planning Committee

Wednesday, 1 March 2023

MINUTES

Present:

Councillor Michael Chalk (Chair), and Councillors Timothy Pearman, Salman Akbar, Imran Altaf, Tom Baker-Price, Bill Hartnett and Sid Khan

Also Present:

Councillors Juma Begum, Andy Fry, Joanna Kane, Joe Baker, Emma Marshall and Anthony Lovell.

Officers:

Helena Plant, Charlotte Wood, Amar Hussain (on Microsoft Teams) and Ryan Keyte

Democratic Services Officer:

Gavin Day

65. APOLOGIES

Apologies for absence were received from Councillor Andy Fry with Councillor Sid Khan in attendance as substitute.

Apologies were also received from Councillor Alex Fogg.

66. DECLARATIONS OF INTEREST

There were no declarations of interest.

Councillor Tom Baker-Price noted to the Committee that in regard to item 4 (Minute No 68) both himself and the applicant, Mr Jordan Cooke, were Governors at Tudor Grange Academy. However, Councillor Baker-Price stated that he had no contact outside of this official capacity and there had been no discussions regarding the application between them.

67. UPDATE REPORTS

There were no update reports.

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Chair

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Wednesday, 1 March 2023

68. 22/01401/FUL - BRYANT PLACE, BENGROVE CLOSE, REDDITCH, WORCESTERSHIRE, B98 7SX.

This application was being reported to the Planning Committee as the application site related to a building and land which belonged to Redditch Borough Council. As such, the application fell outside the scheme of delegation to Officers.

Officers presented the report and in doing so, drew Members' attention to the presentation slides on pages 5 to 17 of the Site Plans and Presentations pack.

The application was for Bryant Place "What's Your Point" Youth Centre, Bengrove Close, Redditch and sought the partial demolition of the existing building with two ground floor extensions and the construction of a new upper floor, with external ground works.

Officers detailed that the land was classified as incidental open area and the principle for development was acceptable. Officers also detailed that adequate visibility splays could be achieved, access to the site and the on-site parking provision was also deemed acceptable.

The development sought to increase the floor area of the building from 97 to 299 Sq Meters. Officers detailed the proposed changes to the building to achieve this and drew Members' attention to pages 11 and 12 of the Site Plans and Presentations Pack.

Officers drew Members' attention to the increase in ridge height of the development detailed on pages 13 and 14 of the Site Plans and Presentations Pack.

Due to the aforementioned increase in size and height of the building, Officers recommended refusal for the application, as it was deemed a dominant form of development which would have a detrimental impact to the green and open appearance of the site. Officers further detailed that the materials and proposed groundworks would fail to integrate to the character of the residential area.

At the invitation of the Chair, the following speakers addressed the Committee in support of the application under the Council's Public Speaking Rules.

Councillor Andy Fry (Member of Worcestershire County Council)
Councillor Juma Begum (Ward Member)
Councillor Emma Marshall (Ward Member)
Mr Jordan Cooke (Applicant, representing Your Ideas)
Mr Mick Fitzgerald (Applicant, Managing Director of Your Ideas)

Officers clarified the following points after questions from Members.

- That if approved a scheme for surface water drainage would be conditioned, as advised by the drainage Officer, and this would include the pervious nature of the tarmac area.
- That the site had no strategic importance in relation to Policy 14 relating to incidental open space.

Members then considered the application which Officers recommended be refused.

Members expressed the opinion that the bulk, size and height of the development would not dominate the local area and some of this impact could be mitigated by an additional landscaping. Members also considered the loss of open space at the site was offset by the presence of other open space in the locality.

The lack of objections from consultees or local residents towards the application was highlighted by Members.

Members gave considerable weight to the facilities and provisions the development would provide and expressed the opinion that the upgraded facility would be of great benefit to the local and wider community and was very much needed in the area.

Councillor Hartnett proposed an Alternative Recommendation that the application be Approved due to the benefits to the area outweighing the impact of the development. This was seconded by Councillor Baker-Price.

Following the proposal of the Alternative Recommendation, there was a discussion between Members and Officers as to what Conditions needed to be attached to the application if the Alternative Recommendation was approved.

On being put to a vote, it was

RESOLVED that

having had regard to the development plan and to all other material considerations, planning permission be granted with Conditions and Informatives: Conditions were to cover the following topics;

- **A drainage scheme be submitted and approved by the Local Planning Authority.**
- **Conditions as advised by the Highway Authority**

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- Landscaping scheme be submitted and approved by the Local Planning Authority to include a boundary treatment.
- Community safety advice (to be included as informative)

The Meeting commenced at 7.00 pm
and closed at 7.55 pm



Planning Committee

Wednesday, 29 March 2023

MINUTES

Present:

Councillor Michael Chalk (Chair), Councillor Timothy Pearman (Vice-Chair) and Councillors Salman Akbar, Imran Altaf, Brandon Clayton, Juma Begum and Sharon Harvey

Officers:

Helena Plant, Steve Edden, Sharron Williams, Amar Hussain (Via Microsoft Teams) and Ryan Keyte

Democratic Services Officer:

Gavin Day

69. APOLOGIES

Apologies for absence were received from Councillors Bill Hartnett and Andy Fry with Councillors Juma Begum and Sharon Harvey in attendance as substitutes respectively.

70. DECLARATIONS OF INTEREST

There were no declarations of interest.

71. CONFIRMATION OF MINUTES FOR THE PLANNING COMMITTEE HELD ON THE 15TH OF FEBRUARY 2023.

RESOLVED that

The Minutes of the Planning Committee meeting held on 15th February 2023 be approved as a true record and signed by the Chair.

72. UPDATE REPORTS

Two update reports were received by Members who indicated that they had received sufficient time to read the update reports and were happy to proceed with the meeting.

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Chair

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73. 22/00333/FUL - ST GREGORYS ROMAN CATHOLIC CHURCH, WINYATES WAY, REDDITCH, WORCESTERSHIRE

This application was being reported to the Planning Committee because the application was for a major development and required a Section 106 agreement, as such the application fell outside the Scheme of Delegation to Officers.

Officers presented the report and in doing so, drew Members' attention to the updated presentation slides on pages 5 to 26 of the Update Report 1 pack.

The application was for St Gregory's Roman Catholic Church and sought the redevelopment of the land to construct 25 affordable dwellings, with associated works.

Additional footpaths were being provided along Treville Close and Winyates as detailed on pages 23 to 25 of the Update Report 1 pack. Part of the footpath on Treville Close would require the removal of a section of hedgerow which included a number of trees and tree stumps. Officers noted that the Arboricultural Officer had no objections to the removal of the trees. However, an additional consultation had been undertaken with those residents effected and was due to run until 10th April 2023.

Ecological assessments had been undertaken in an earlier application in 2016, however, the surveys for the current application had not been undertaken in the required period of May-September to ascertain the full ecological impact of the development on the site; therefore, Officers were requesting delegated powers to determine the application pending the completion of the ecological surveys. Officers assured Members that should any issues arise from the ecological assessments then the application would be brought back to the Committee for consideration and determination.

Finally, Officers detailed that there were site specific constraints associated with the sewer that existed on site and associated legislation regarding building on and around such systems. As a direct consequence there were viability issues associated with the scheme and the section 106 agreement did not therefore include any financial contributions apart from a contribution to supply refuse bins as detailed in Update Report 2.

At the invitation of the Chair the applicant, Mr Tom Wragg, spoke in support of the application.

Officers clarified the following during questions from Members:

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- That the sewer would run underneath the road which was inline with standard policy to not build under houses and private gardens.
- That the appropriate space requirements were generally achieved at the north of the site in regard to the rear existing properties, additionally, there were oriel windows proposed for units 1 and 2 to prevent overlooking.
- That all 25 properties were affordable housing units with 13 for social rent and 12 shared ownership. Officers also confirmed that 8 units were being protected as Affordable housing as part of the section 106.

Members then considered the application which Officers had recommended be approved via a Delegation.

Members noted the 100% affordable housing provision on the site and although there was only a small contribution via the section 106 agreement; Members were of the opinion that the enhancements to the footpaths, the affordable housing and the developer making use of a derelict site, which had become the target of anti-social behaviour, weighed favourably for the application.

on being put to a vote it was

RESOLVED that

having had 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:-

- 1. The amended recommendation as detailed on page 4 of the Update Report 2 pack and**
- 2. The Conditions as outlined on pages 27 to 33 of the Public Reports pack.**

74. 23/00140/FUL - CARETAKERS LODGE, FOXLYDIATE CRESCENT

This application was being reported to the Planning Committee because the applicant was Redditch Borough Council, as such the application fell outside the Scheme of Delegation to Officers.

Officers presented the report and in doing so, drew Members' attention to the presentation slides on pages 25 to 31 of the Site Plans and Presentations pack.

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The application was for Caretakers lodge, Foxlydiat Crescent and sought the extension and conversion of the unit into a self-contained dwelling.

Officers drew Members' attention to the site plan on page 28 of the Site Plans and Presentations pack and highlighted the extension area, the carparking provision and the 1.8m brick wall which would be constructed to define the boundary of the property.

The concerns of a local resident were addressed but it was clarified by Officers that there would be no additional windows overlooking the rear of the property, however, to address the concerns that the residents had expressed, condition 8 on page 40 of the Public Reports pack detailed that permitted development would be removed as part of the development and therefore any alterations or extensions to the property would need to seek planning permission to proceed.

Members agreed that the development was for a much needed one bedroom bungalow, therefore, on being put to a vote it was:

RESOLVED that

having had regard to the development plan and to all other material considerations, planning permission be GRANTED subject to the Conditions outlined on pages 39 and 40 of the Public Reports pack.

The Meeting commenced at 7.00 pm
and closed at 7.36 pm

**PLANNING
COMMITTEE**19th April 2023

Planning Application 21/00447/OUT

Outline application for the removal of existing carpark and demolition of existing apartment buildings (Use Class C3). Proposed new residential development of up to 92 homes (Use Class C3) with all matters, except the access road from Woodrow Drive to a point 100m west of the junction with Quinneys Lane, reserved (scale, layout, appearance, landscaping).

The Alexandra Hospital, Woodrow Drive, Redditch, Worcestershire, B98 7UB,

**Applicant: Seven Capital (Wyre Hill) Limited & Worcestershire Acute
Hospitals NHS Trust**
Ward: Greenlands Ward

(see additional papers for site plan)

The case officer of this application is Sarah Hazlewood, Planning Officer (DM), who can be contacted on Tel: 01527881720 Email: sarah.hazlewood@bromsgroveandredditch.gov.uk for more information.

Site Description

The site lies within the boundary of the Alexandra Hospital and takes a roughly linear form along the western edge of the site. The site is currently occupied by three accommodation blocks (Eden House, Carrant House and Dane House) which will be demolished to make way for the proposed development. Two accommodation blocks lie outside of the application site and are shown to be retained.

To the north of the site there is a large area set aside for staff car parking. Approximately half way down the length of the application site there is an emergency access in to the hospital site from Nine Days Lane. This is shown as being retained on the indicative site plans.

Levels vary throughout the site, but generally the main hospital building lies at a lower level than the application site and surrounding land.

Proposal Description

The application is made in outline form for the provision of up to 92 dwellings with all other matters except for access reserved for future consideration. Members are therefore required to consider whether the principle of developing the site for residential purposes is acceptable and the proposed access arrangements. During the course of considering the application, the access plans were amended, and this has been reflected in the proposal description, to include the specific access road arrangements off Quinneys Lane into the main body of the application site. All plans which show a possible layout of the

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dwellings on the site are indicative only and show one possible way in which the site could be developed if outline planning permission is granted.

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

Policy 1 Presumption in Favour of Sustainable Development

Policy 2 Settlement Hierarchy

Policy 3 Development Strategy

Policy 4 Housing Provision

Policy 5 Effective and Efficient Use of Land

Policy 6 Affordable Housing

Policy 11 Green Infrastructure

Policy 12 Open Space Provision

Policy 13 Primarily Open Space

Policy 16 Natural Environment

Policy 18 Sustainable Water Management

Policy 19 Sustainable Travel and Accessibility

Policy 20 Transport Requirements for New Development

Policy 39 Built Environment

Policy 40 High Quality Design and Safer Communities

Policy 44 Health Facilities

Policy 47 Land to the rear of the Alexandra Hospital

Other

National Planning Policy Framework

National Planning Policy Guidance

Relevant Planning History

21/00444/FUL	Creation of 2 new staff car parks and demolition of 2 existing staff carparks, plus creation of some additional infill car parking spaces around the trust site and repositioning of helipad	Granted	17.09.2021
22/01237/s73	Variation of condition 2 of application 21/00444/FUL - reconfiguration of north and west car parks and minor alterations to Quinneys Lane to bring it up to adoptable standards	Granted	16.02.2023

Consultations**Arboricultural Officer**

No objection subject to conditions

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Redditch Strategic Planning And Conservation

The principle of development in this location is generally supported and the following key points are of note:

- o The Section 106 agreement is completed which assures that generated funds will be spent at the Alexandra Hospital;
- o Additional infrastructure provision that may impact on original Strategic Site modelling and identified requirements are considered; and
- o Further consideration is given to enhancing the opportunity for NHS staff to access housing (facilitated by the NHS land disposal) and more broadly that a Key Worker Package is considered.

Housing Strategy

The development should comprise 30% Affordable Housing of which 2/3 social rent 1/3 Share Ownership/Low Cost Home Ownership

Bedroom Sizes

The Council's priority is for 3 bed properties which are much less likely to become available once let so the supply of three beds to applicants in housing need on the housing register is very low.

The Council requires 50% or more of the affordable housing need to be 3 bed properties.

Shared Ownership should be 50:50 between two and three beds.

If there are any one bed flats the Council does not want communal areas for these flats.

Property sizes should be:

2 Bed 4 person

3 bed five or six person

4 bed six, seven or eight person

Layout

The affordable housing should be pepperpotted throughout the site in small clusters.

Design

The affordable housing should look the same as the market housing. If the market housing has a porch they should all have them etc. If the market housing has a decorative window lintel they should all have it.

WRS - Contaminated Land

The application details suggest that soil or soil forming materials will be required to be imported on to the site. As a result, in order to ensure that the site is suitable for its proposed use and accordance with The National Planning Policy Framework, Conditions are recommended below for inclusion on any permission granted.

WRS - Noise

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The submitted Noise Impact Assessment indicates that subject to the inclusion of mitigation measures in the form of glazing, ventilation and acoustic fencing, internal and external noise levels as per BS8233:2014 can be achieved. In some cases external noise levels may exceed the Lowest Observed Adverse Effect Level for external amenity areas of 50dB but be beneath the Significant Observed Adverse Effect Level of 55 db LAeqT this is considered an acceptable level of amenity where the LPA considers development to be 'desirable'.

Detailed designs have yet to be submitted, all calculations within the submitted document are reasonable estimates and as such, once final designs have been settled upon an updated scheme of mitigation specifying glazing, ventilation and acoustic barrier location/type should be submitted for review.

We would advise the applicant to review the guidance attached and submit a Construction Environment Management Plan to minimise emissions of noise/dust during the demolition process.

WRS - Air Quality

WRS recommend that the application is conditioned with the following air quality mitigation measures to minimise impact from the development on local areas of poor air quality and assist in alleviating pollution creep arising in the general area

Town Centre Co-ordinator

The Council endorsed Redditch Town Centre strategy which was developed alongside earlier versions of the Borough of Redditch Local Plan No 4 (BORLP4) demonstrated a need for the following projects to take place

- o Tackling the Ringway
- o Improving Public Spaces and Car Parking
- o Sense of Arrival and Signage
- o Improving the Café and Restaurant Offer
- o Enhancing the evening and night time economy
- o Enhancements to Church Green
- o Tackling the Train Station
- o Rejuvenation of Silver Street/Royal Square
- o Improved Lighting, Safety and Security in the Town Centre
- o Public Art Programme
- o Encouraging Town Centre Living

This need is set in the context of the town centre needing to maintain and enhance its role within the region. Whilst the strategy was initially being considered under the guidance the old PPGs/PPS and the Regional Spatial Strategy their abolition and replacement with the NPPF/NPPG doesn't remove the need for the town to grow and

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evolve. The wider context is now set in the much more advanced BORLP4 which confirms the new dwelling requirement as 6300 new dwellings up to the 2030. The location of the new developments to reach the 6300 requirement has been influenced by the proximity and accessibility to the town centre. Therefore for development proposals to be as sustainable as possible the future residents will rely on the town centre for a large proportion of their work, shopping and leisure activities.

The enhancement of the public spaces is a consistent feature of both the previously council endorsed town centre strategy and now the BORLP4 in the form of Policy 31 which confirms the list of projects as above for which contributions will be sought. In order for the sustainable development of the town to continue it is essential that the wider developments contribute to the upkeep and improved vitality of the town centre which the residents of the new developments will heavily rely upon. Therefore it is considered appropriate for new residential development to contribute to a these important town centre projects.

The contribution would be sought for Public Realm Improvements , this would include resurfacing & new street furniture - bins, benches and lighting etc. The scheme is costed at £3,280,636.00 which divided by 6049 (housing commitments) comes out at £542 per unit.

£542 x 92 homes = £49,864

Play Provision

Local Plan Policy 11: Green Infrastructure seeks to create multifunctional green spaces that deliver a wide range of benefits to the community It is acknowledged the existing green 'buffer' corridor along the western boundary of the site will remain

In light of Local Plan Policy No.13: Primary Open Space - the proposal shows an area of POS at the North Eastern side of the development which is linked by the existing tree line along 9 days Lane. This incidental open space also contains the LAP which will provide the active play space for the whole of the development. Leisure therefore recommend this LAP is to be equipped with appropriate number of quality play equipment, safety surfacing and fencing (if required) to provide a high quality play provision for toddlers and juniors within the development to "encourage social activity" This should also meet the requirements of EN1176 and EN1177 (British Standards which cover playground equipment and the necessary surfacing to reduce the consequences of ground impact of a child) for play and safety surfacing.

The location of this development does not provide easy access to quality childrens equipped play within reasonable or appropriate walking distance.

The two LAPs shown on the proposal will only provide local area for informal play and the need within the new development for equipped provision is strongly recommended.

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We would therefore propose for a development up to 92 homes the design should be appropriate for both toddlers and juniors up to the age range of 12.

Provision for teenagers and sport should be provided off site in the form of a contribution to nearby facilities

Maintenance

It is recommended that the maintenance management plans for the open space and play areas should be provided within the full application and include routine, operational and annual inspections in line with Rospa recommendations for play.

Education Authority

There is insufficient accommodation to admit the number of pupils from this development in the middle school and SEND provision serving the area, together with the impact from extant permissions.

In response to the planning application it is calculated that a contribution will be sought towards middle school infrastructure and SEND infrastructure.

Waste Management

Confirmed access to the site is possible

Worcestershire Archive And Archaeological Service

The application does not include a heritage statement or desk-based assessment detailing the archaeological potential of this site. As previously noted, a possible prehistoric enclosure was recorded on this site from aerial photographic evidence (recorded as WSM00222 in the County HER). However, it is clear from the geotechnical reports that the extensive landscaping and made ground across the site is highly likely to have truncated any archaeological deposits. Whilst 'made-ground' could include archaeological deposits, the presence of plastic and polystyrene is noted, indicating that the made ground here is recent. Therefore there are no further archaeological considerations on this site.

Highways Redditch

Based on the analysis of the information submitted, the Highway Authority has concluded that there would not be a severe impact and that there are no justifiable grounds on which an objection could be maintained.

Public Consultation Response

Two letters to neighbours were sent 12.04.21 with responses by 06.05.21
Site notices were displayed at the site on 15.04.21 which expired 09.05.21

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The application was published in the Redditch Standard 23.04.21 which expired 10.05.21

Two representations have been received, both raising objections to the proposal. The matters raised include:

- The impact on the highway network
- Loss of green space
- Loss of trees
- Impact on hospital expansion

In her capacity as Ward Member, Cllr Emma Marshall made the following comments:

As Redditch Borough Council ward Cllr and Divisional County Councillor I would like to raise my concerns over the Worcestershire County Councils highways report for planning application: 21/00447/OUT for the development of 92 houses off Quinneys Lane, Woodrow:

https://publicaccess.bromsgroveandredditch.gov.uk/online-applications/files/9FC8A19520DB912AB5044BA69FB5E343/pdf/21_00447_OUT-HIGHWAY_COMMENTS-975961.pdf

I have queried the report directly with the Highways department and asked for them to consider the congestion this would cause and the consequences that could have on ambulances trying to reach A&E. I can envision that 92 homes would equate to approximately 150 extra cars using the roundabout on a daily basis. This roundabout is already too small for the traffic as it is. I regularly see buses mount the curb in order to get around. The extra traffic will not only be bad for traffic accessing the hospital, but also for pollution levels from idling care and frustration from residents who need to use this route to commute to school and work. I believe a bigger roundabout with a dedicated hospital lane will be necessary in order to mitigate the problems this will cause. I believe we should be asking the developers for 106 moneys which would be spent on highways infrastructure improvements.

Assessment of Proposal**Principle**

The National Planning Policy Framework (NPPF) at paragraph 74 requires local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing. As at 31st March 2022, Redditch Borough could demonstrate 9.45 years supply.

The site lies on land covered by two different allocations in the adopted Borough of Redditch Local Plan No 4 (BoRLP).

The land between the emergency access into the hospital site and the southern boundary is allocated as a Strategic Site for development under Policy 47 of the BoRLP. This

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policy, in part, seeks to provide a minimum of 145 dwellings. The larger portion of this development site has already been constructed and comprises Whetstone Street, Ivyleaf Close, Edgefield Close and Oakdale Close accessed off Nine Days Lane. Therefore residential development on this portion of the application site is considered acceptable as a matter of principle.

The northern portion of the site is covered by Policy 44 of the BoRLP. This policy, with the exception of land allocated via Policy 47 of the BoRLP, seeks to safeguard land within the curtilage of the hospital for development which is intended for genuine health related purposes. Paragraph 44.6 goes on to list what could be considered as genuine health related facilities and the provision of housing does not form part of this list.

In response to the policy conflict with respect to the northern portion of the site, the applicants agent have provided the following justification:

The northern half of the application site includes 198 spaces for a staff carpark. The loss of these spaces has already been considered as part of the planning permission ref: 21/00444/FUL that was approved on 17/09/21. This sought the reconfiguration of the hospital's existing parking arrangement through the creation of two new carparks. Furthermore, a recent application ref: 22/01237/S73 to vary condition 2 of application 21/00444/FUL which involves the reconfiguration of north and west car parks and minor alterations to Quinneys Lane to bring it up to adoptable standards was approved on the 16/02/2023. The supporting statement submitted with the application explains that the removal of the existing staff car parking space will result in the loss of 307 spaces, however this revised proposal will see the reinstatement of 323 spaces, a gain of 16 spaces.

There are also three vacant residential blocks of 26 apartments that were constructed in the 1980s at a time where the provision of on-site dormitory accommodation was part of hospital operations. This approach is now out-of-date to meeting staff housing needs, which is no longer applicable in this modern 21st Century NHS Environment, and these apartments have remained unoccupied since June 2013 when these three blocks were decommissioned. Following this, they were put on the Department for Health and Social Care Register of surplus land since December 2016. Therefore, the loss of the parking spaces and the vacant apartments has no material impact upon the operation of Alexandra Hospital, but in fact would rejuvenate this area of brownfield land to more productive residential use that would include greater landscaping.

Prior to the submission of this application, The Trust identified the whole application site as being surplus to healthcare requirements. This followed a wider central government initiative to release surplus land from public sector bodies, such as the NHS, for development. This approach was embodied in both the Carter review (June 2015) and Naylor report (March 2017). The Naylor report in particular highlighted the challenge of making sure the NHS has the buildings and equipment it needs, whilst also recognising the opportunity that the NHS estate offers to generate revenue to reinvest in patient care.

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The commitment to improving the facilities at the hospital has been demonstrated in recent years with the planning applications (as listed below) made for improvements, with the theatre extension currently being built to the rear of the hospital to enhance existing facilities:

23/00160/CPL

Single storey building to provide staff welfare facilities

Pending decision

20/00399/FUL

The construction of a new small UPS plant room and installation of new roof AHU plant and duct work to support the refurbished hospital operating theatres and endoscopy department.

Granted 02/10/20

20/00325/FUL

A detached building to provide facilities for a Breast Screening Unit annexed to the main Alexandra Hospital.

Granted 26/05/20

There are also future plans to upgrade and modernise a total of six operating theatres and the endoscopy suite. These commitments will provide significant public benefit to local healthcare delivery, whilst allowing the productive use of this surplus land for additional housing stock in a sustainable location that is well connected by foot and public transport.

Furthermore, upon future sale of the proposed residential units and to achieve meaningful benefit for NHS staff locally as part of key worker housing, the applicant is willing to work with the local NHS team to advertise the sale of new homes exclusively to NHS staff for an agreed period prior to the development being made for open market sale. This will give local NHS key workers a preferable position for acquiring a new home on the development.

In summary, there is a clear and planned commitment from the Trust into securing and improving the future of Alexandra Hospital, through provision of upgraded and more modern facilities, bringing public benefit to local health care. The sale of the land allows for additional housing stock to be delivered at this sustainable location, and further public financial benefits would be delivered that includes affordable housing, education and playing pitch contributions. Therefore, the disposal of land as part of this planning application would also bring this surplus area of land into productive residential use for the benefit of the local area and Borough as a whole.

Officers are also mindful that the joint applicant for the application is the NHS Trust itself, which means it is clear that they support and have advanced this proposal for the application site. It is clear that in view of the number of applications received in recent years, and which continue to be received, that the Trust have the intention to improved

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facilities at the site, particularly through the extension of the main hospital building. Since the list above was drafted, a further application for an extension has been submitted to form additional theatres accommodation at the site. Whilst the offering of the housing to NHS staff is commendable, this is not something the application seeks to control or is necessary to make the development acceptable. Being mindful of paragraph 12c) of the NPPF, which requires the approval of development proposals without delay where they accord with an up to date plan, it is considered that the overall principle of developing the site for housing is considered acceptable.

Highways

Policies 19 and 20 of the BoRLP set out a series of aspirations and requirements in relation to transportation and highway matters when considering planning applications. Furthermore, the NPPF at paragraph 111 states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

It is proposed to access the site via Quinneys Lane and the current access road to the visitor and staff car parking areas. The loss of the staff carparking and amendments to the visitor car parking area has been approved via application 21/00444/FUL and amended more recently under application 22/01237/S73.

During the course of considering the application, amended details were provided seeking approval for the detail of the access into the site from Quinneys Lane. The plans submitted indicate that the existing access road would be widened to 5.5 metres with 2 metre wide footpaths provided to both sides.

The highway authority have commented on the application including these detailed plans and raises no objection to the proposals. Whilst some comments have been made regarding the detailed layout of the site, given the plans are indicative only, these were made in the spirit of helpfulness and to aid any future design. A series of financial contributions are requested which, particularly in view of the comments received in relation to the application, include monies to improve the junction of Quinneys Lane/Woodrow Drive in order to address the potential for exacerbating existing congestion, delay and pollution emissions. The works would also benefit bus services accessing the site.

In conclusion the highway authority comment that there would not be a severe impact on the highway network and there are no justifiable ground on which an objection could be maintained. In view of this, and mindful of the high bar set by paragraph 111 of the NPPF, it is considered unreasonable to refuse planning permission for the development on highway grounds.

Affordable Housing and Vacant Building Credit

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Policy 6 of the BoRLP requires 30% affordable housing on sites of 11 or more dwellings. This proposal seeks to provide 20% of the dwellings on site as affordable housing.

Paragraph 64 of the NPPF states that to support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount.

Footnote 30 explains that the proportionate amount shall be equivalent to the existing gross floor space of the existing buildings and the application of this policy does not relate to vacant buildings which have been abandoned. This application seeks the demolition of three staff accommodation blocks – Eden House, Dane House and Carrant House.

The Planning Practice Guidance (PPG) provides further detail as to how to assess whether a site would benefit from vacant building credit. In particular, when considering whether a use has been abandoned the courts have held that circumstances which should be considered include: the conditions of the property, the period of the non use, whether there has been any intervening use and any evidence regarding the owners intention. The PPG states that each case is a matter for the collecting authority to judge.

The applicant has provided a statement justifying the reduced level of affordable housing utilising this guidance.

The statement explains that the buildings were formerly used for staff accommodation which is vacant and declared surplus to the requirements of Worcestershire Acute NHS Trust. The buildings have been on the Department for Health and Social Care Register of surplus land since March 2015 in part and December 2016 in full. The buildings have not been abandoned with the hospital still maintaining them as part of the wider hospital management and the buildings have not fallen into disrepair. In addition, there are not extant or recently expired planning permissions in relation to this element of the site. The applicant argues therefore that the buildings have not been made vacant for the sole purpose of redevelopment. There is no evidence to contradict that which has been advanced by the applicant and therefore it is considered appropriate the apply the vacant building credit in this case.

In relation to the application proposal the existing building have a gross floorspace of 2,398.5 sqm which equates to a 10% reduction in the amount of affordable housing which is required to be provided on site.

Ecology

The application is accompanied by suite of ecological surveys and information including a preliminary ecological appraisal, preliminary roost assessment survey in relation to bats, interim bat report, bat report, reptile survey and reptile mitigation strategy.

Slow worms have been identified on the application site and translocation is recommended which has been confirmed as acceptable by the council's retained

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ecologist. A reptile mitigation strategy has been submitted, which is also considered acceptable, however a condition is recommended with respect to confirmation of the receptor site for the translocation prior to any works taking place.

With respect to bats the surveys demonstrated that there are multiple common pipistrelle day roosts within the buildings to be demolished. The Bat Report explains that given both the number of roosts found and the higher than normal occupancy for common pipistrelle day roosts it is possible that either within the buildings or in the surrounding area there is a common pipistrelle maternity roost. Further survey effort is necessary to determine exactly where the maternity roost is located. However, mitigation has been proposed in the Bat Report which adopts a precautionary approach and demonstrates that the 'worst case' scenario can be effectively mitigated and compensated for.

When European Protected Species have been identified Regulation 9(5) of the 2010 Habitat Regulations requires that in exercising any of its functions a "competent authority" - in this case the Council - "must have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions". The Habitat directive requires Local Planning Authorities to have regard to the three licensing tests. The tests, all of which must be satisfied to allow the activity to be licensed, are: is there any imperative reasons of overriding public interest. The second test is: is there no satisfactory alternative? The third test is whether the favourable conservation status of the species in their natural range is maintained (under the scheme proposed pursuant to the licence). It should be noted that Natural England applies the tests on a proportionate basis; thus the justification required increases with the severity of the impact on the species or population concerned. In the absence of advice from Natural England, the LPA are not required to undertake a detailed assessment of the three licensing tests but should however be satisfied with the likelihood that the relevant licensing body would grant a licence. In this instance, the building is not in use and currently vacant. If no works were carried out on site, the buildings could fall into disrepair resulting in an unsuitable long term bat roost. With respect to the favourable conservation status, mitigation measures are proposed within the submitted bat report and could be adequately secured by planning conditions. These measures are considered acceptable and satisfactory in relation to this test. Given the above, the Council are of the opinion that it is likely that Natural England would grant a license for the proposed works.

Planning Obligations

The proposed development exceeds the policy threshold for requiring contributions which should be sought via a S106 agreement.

The applicants have agreed to the following:

Contributions for refuse and recycling bins for the new development in accordance with Policy WCS.1 of the Worcestershire Waste Core Strategy.

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A contribution towards middle school and SEND provision at primary and secondary school level to address the additional school places that the development will yield in accordance with the councils adopted Supplementary Planning Document.

Contributions towards off site open space provision due to increased demand/requirements from future residents, required in compliance with the SPD. In this case, a contribution to support improvements to playing pitches and informal open space is required.

A town centre contribution, in accordance with Policy 31 of the BoRLP, is required and will be utilised for public realm improvements in the Town Centre.

Contributions to Worcestershire Highways in relation to:

1. Bus stop infrastructure costs - to improve the existing bus stop on Quinneys Lane near the development, to enhance its attractiveness and encourage use as an interchange facility. Provision of timetable information, altering the lay-by to accommodate more than one bus at a time and provision of a second shelter will aid bus users.
2. Highway improvement costs - to improve the existing Quinneys Lane/Woodrow Drive junction near the development, to improve its effective operation. This will also benefit bus services accessing the hospital site. A mitigation scheme is identified in Worcestershire County Council Local Transport Plan 4.
3. Traffic Regulation Order - The proposals will create a number of new roads that are prospectively adoptable as public highways. There is regular significant on-street parking within the hospital site and on surrounding roads, which could extend close to the proposed site access and within the site. In the interests of road safety, it is desirable to keep new adoptable roads clear, safe and suitable for all network users at all times by introducing new waiting restrictions. This will require a Traffic Regulation Order to be processed.

The applicant confirms its agreement to make financial contributions with respect to the matters set out above.

Conclusion

The principle of development is considered acceptable having regard to the allocation of part of the site for residential purposes and the justification provided with respect to the element of the proposal which is located on land intended for genuine health related purposes. No statutory consultees raise objection to the proposal, subject to recommended conditions and in some cases the payment of a planning obligation.

Your officers have therefore concluded that the application would amount to sustainable development and would not conflict with the Borough of Redditch Local Plan No.4 as a whole. Subject to compliance with conditions as listed in full below, a favourable recommendation can be made.

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

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

- The scheme delivers 20% affordable housing on site
- Payment towards refuse and recycling bins of £20.90 each for green and grey bins per dwelling and communal refuse bin at £299 each and communal recycling bins at £330 each.
- Education contribution in accordance with the following formula:
 - Middle School Contribution
(N x 0.097) (rounded up to a whole number) x £18,062
 - +
 - (N X 0.0776) (rounded up to a whole number) x £24,963
 - Primary School Contribution (SEND)
(N x 0.0105) (rounded to a whole number) x £72,248
 - Secondary School Contribution (SEND)
(N X 0.0072) (rounded to a whole number) x £99,852
 - N = The net number of dwellings on the development excluding Social and Affordable Rent housing, and 1-bed dwellings.
- Contributions towards off site planning pitches and informal open space in accordance with the following:
 - Playing pitches
 - £232.40 – per one bed flat
 - £321.90 – per two bed flat
 - £321.90 – per two bed house
 - £464.98 – per three bed hose
 - £572.28 – per 4+ bed house
 - Informal Open space
 - £327.64 – per one bed flat
 - £453.65 – per 2 bed flat
 - £453.65 – per 2 bed house
 - £655.28 – per 3 bed house
 - £806.49 – per 4+ bed house
- Town Centre Contribution of £542 per dwelling

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- Highways Contributions:
 - o £40,000 Bus Stop Infrastructure Costs
 - o £46,000 Highway Improvement Costs
 - o £4,500 Traffic Regulation Order Costs

- Payment of a Legal Obligation Monitoring fee

And

b) Conditions as summarised below:

Conditions

1. Details of appearance, landscaping, layout and scale (hereafter called 'the reserved matters') shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

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

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

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

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

3. Development should accord with the following plans:

PL001 E Location Plan

AAC5622-RPS-xx-xx-DR-C-600-02 Proposed Junction Arrangement

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

4. Prior to installation on site a scheme of external lighting shall be submitted to and approved in writing by the Local Planning Authority. These details shall include plans detailing the position of any lighting cross referenced to a Schedule detailing the level of luminance. The lighting shall be installed in accordance with the approved details and thereafter be retained in that form.

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Reason: To avoid disturbance to protected species

5. Prior to commencement of development, a specification of bat mitigation measures, which reflect the recommendations of the submitted Bat Report and any subsequent reports shall be submitted to and approved in writing by the Local Planning Authority.

Reason To avoid disturbance to protected species. The condition is required to be pre commencement due to the presence of bats in buildings to be demolished as part of the application proposals.

6. Prior to the commencement of development, details of a suitable receptor site shall be submitted to and approved by the Local Planning Authority, and the translocation of reptiles shall be completed in accordance with the submitted Reptile Mitigation Strategy (Outline) & Method Statement (February 2022) as prepared by ADAS.

Reason: In order to ensure the translocation of the slow worms is successful in the long term. The condition is required to be pre commencement as the slow worms require translocation from the application site before works on the development proposed can commence

7. Prior to commencement of development, the methodology of the translocation of reptiles, including construction details of hibernacula, shall be submitted to and approved by the Local Planning Authority.

Reason: In order to ensure the translocation of the slow worms is successful in the long term. The condition is required to be pre commencement as the slow worms require translocation from the application site before works on the development proposed can commence

8. Prior to commencement of development, pre-commencement checks and suitable mitigation measures during demolition and construction shall be included as part of Reasonable Avoidance Measures for badgers, and submitted to and approved by the Local Planning Authority.

Reason: In order to protect any protected species which may be present on the site.

9. Prior to commencement of development, pre-commencement checks and suitable mitigation measures during demolition and construction shall be included as part of Reasonable Avoidance Measures for hazel dormice, and submitted to and approved by the Local Planning Authority.

Reason: In order to protect any protected species which may be present on the site.

10. No removal of vegetation or demolition works shall be conducted during the bird

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breeding season (March-August).

If it is necessary for work to commence in the nesting season then a pre-commencement inspection of the vegetation and buildings for active bird nests should be conducted by a qualified ecologist. Only if there are no active nests present should work be allowed to commence.

Reason: In order to protect biodiversity at the site

11. Prior to demolition/construction works of the development, a Biodiversity Enhancement Strategy shall be submitted to and approved by the Local Planning Authority.

Reason: In order to enhance biodiversity at the site

12. Prior to occupation of the development, a Landscape and Ecological Management Plan with a minimum 10 year establishment, management and monitoring of any proposed landscaping and biodiversity enhancement, shall be submitted to and approved by the Local Planning Authority, and the development shall be carried out in accordance with the approved Strategy and programme.

Reason: To safeguard the visual amenities of the area.

13. No trees or hedges on the application site, or the branches or roots of trees growing onto the site from adjacent land, which are shown as retained on the approved Soft Landscape Strategy Proposals plan (ref: 20-121-01 Rev C); shall be topped, lopped, felled or uprooted without the specific written permission of the Local Planning Authority.

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

14. Prior to the commencement of any works on site including any site clearance, demolition, excavations or import of machinery or materials, the trees or hedgerows which are shown as retained on the approved Soft Landscape Strategy Proposals plan (ref: 20-121-01 Rev C) both on or adjacent to the application site shall be protected with fencing around the root protection areas. This fencing 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.

Reason: To safeguard the visual amenities of the area

15. No works of any kind shall be permitted within or through the Root Protection Areas of trees or hedges on and adjacent to the application site which are shown as retained on the approved Soft Landscape Strategy Proposals plan (ref: 20-121-01 Rev C), without the prior specific written permission of the Local Planning Authority. This specifically includes any works such as changes in ground levels, installation of equipment or utility services,

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the passage or use of machinery, the storage, burning or disposal of materials or waste or the washing out of concrete mixing plants or fuel tanks.

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

16. Any excavations within the root protection areas which are shown as retained on the approved Soft Landscape Strategy Proposals plan (ref: 20-121-01 Rev C), which may damage the roots must be carried out by hand and in accordance with BS5837:2012.

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

17. All works to be carried out in accordance with British Standard BS: 5837.12 document 'Guide for trees in relation to Construction 2012'.

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

18. Prior to commencement of works a Construction Environment Management Plan shall be submitted to and approved by the LPA. This shall include but not be limited to:

- Measures to ensure that vehicles leaving the site do not deposit mud or other detritus on the public highway;
- Details of site operative parking areas, material storage areas and the location of site operatives' facilities (offices, toilets etc);
- The hours that delivery vehicles will be permitted to arrive and depart, and arrangements for unloading and manoeuvring.
- Details of any temporary construction accesses and their reinstatement.
- A highway condition survey, timescale for re-inspections, and details of any reinstatement.

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

Reason: To ensure the provision of adequate on-site facilities and in the interests of highway safety and neighbour amenity. The condition is required to be pre commencement as it relates to matters applicable during the initial construction process.

19. Prior to occupation of the development, a Maintenance and Management Plan shall be submitted to and approved by the Local Planning Authority, for the open space and play areas.

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Reason: To ensure that the open space and play areas are maintained to an adequate standard for the proposed occupiers of the development.

20. No dwelling hereby approved shall be occupied until the vehicular access has been provided as generally shown on the RPS, ref: Drg. No. AAC5622-RPS-xx-xx-DR-C-600-02/RevP02, entitled 'Proposed Junction Arrangement'.

Reason: In the interests of highway safety

21. Development shall not begin until visibility splays are provided from a point 0.6m above carriageway level at the centre of the access to the application site and 2.4 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 43m to the north and 43m to the south measured along the nearside edge of the adjoining carriageway. Nothing shall be planted, erected and/or allowed to grow on the triangular area of land so formed which would obstruct the visibility described above.

Reason: In the interests of highway safety

22. Prior to the occupation of the development a Welcome Pack must be prepared, based on the guidance and recommendations within WCC Guidelines for Travel Welcome Packs document, and submitted to the LPA for approval prior to issue.

Reason: In the interests of encouraging sustainable transport modes

23. Secure cycle parking facilities should be provided at the development as determined by Worcestershire County Council Design Guidance. Full details of the location, type of rack, spacing, numbers, method of installation and access to cycle parking should be submitted to and approved by the local planning authority prior to the first occupation of the development.

Reason: In the interests of encouraging sustainable transport modes

24. Appropriate cabling and an outside electrical socket must be supplied for each property to enable ease of installation of an electric vehicle charging point. The charging point must comply with BS7671. The socket should comply with BS1363, and must be provided with a locking weatherproof cover if located externally to the building.

As a minimum, charge points should comply with Worcestershire County Council Design Guide which requires 7kw charging points for residential developments.

Reason: In order to promote more sustainable transport options.

25. Prior to the submission of any reserved matters, details of the mix of type and size of market dwellings to be provided in that phase, shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance

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with the approved details.

Reason: To ensure the creation of a mixed and vibrant community.

26. Full details of any soil or soil forming materials brought on to the site for use in garden areas, soft landscaping, filling and level raising must be provided. Where the donor site is unknown or is brownfield the material must be tested for contamination and suitability for use on site. Full donor site details, proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) must be submitted to and approved in writing by the Local Planning Authority prior to import on to the site.

The approved testing must then be carried out and validatory evidence (such as laboratory certificates) submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought on to site.

Reason: In order to protect the future occupiers of the development.

27. a) Gas protection measures complying with Characteristic Situation 2 as set out in BS8485:2015 and CIRIA C665 as a minimum requirement must be incorporated within the foundations of the proposed structure(s). Following installation of these measures, and prior to the first occupation of the development, a verification report shall be submitted to and approved in writing by the Local Planning Authority. Verification of the installation of gas protection measures must be carried out in accordance with current UK guidance and best practice.

Or

b) A risk assessment should be undertaken to establish whether the proposed development is likely to be affected by landfill or ground gas or vapours. The risk assessment must be provided to and approved in writing by the Local Planning Authority, prior to the commencement of development. The assessment shall be carried out in accordance with current UK guidance and best practice.

c) Where the approved risk assessment (required by condition (b) above) identifies ground gases or vapours posing unacceptable risks, no development shall commence until a detailed remediation scheme to protect the development from the effects of such ground gases or vapours has been submitted to and approved in writing by the Local Planning Authority. Following approval, the remediation scheme shall be implemented on site in complete accordance with approved details unless otherwise agreed in writing by the Local Planning Authority.

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

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accordance with approved details. Verification of the installation of gas protection measures must be carried out in accordance with current UK guidance and best practice.

Reason: In order to protect the future occupiers of the development.

28. Prior to first occupation of the development, specification details of play equipment to form a Locally Equipped Area for Play (LEAP) for toddler and juniors up to age of 12, shall be submitted to and agreed by the Local Planning Authority. The LEAP shall thereafter be delivered and available for use before the final occupation of the development, and thereafter maintained for the lifetime of the development, unless otherwise agreed with the Local Planning Authority.

Reason: To ensure that adequate play equipment is provided on site for the occupiers of the proposed development.

29. All of the existing hospital car parking spaces on the application site shall continue to be available for use by the hospital staff or visitors, until such time as an equivalent number of spaces to any being replaced, have been provided and made available for use elsewhere within the Alexandra Hospital grounds, in a form and location to be agreed by the local planning authority prior to their delivery.

Reason: In the interests of highway safety

30. Prior to first occupation of the development, a scheme of mitigation specifying glazing, ventilation and acoustic barrier locations and types shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In order to protect the amenities of the occupiers of the proposed development.

Procedural matters

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

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Planning Application 23/00252/FUL**Change of use of highway land to private residential garden****1 Tysoe Close, Ipsley, Redditch, B98 0TB****Applicant: Mr Philip Williams
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 548474 Email: steve.edden@bromsgroveandredditch.gov.uk for more information.

Site Description

The site lies at the corner of Ipsley Lane and Tysoe Close, Ipsley within a residential area and comprises a strip of land approximately 8 metres wide to the north of the property. To the east of the site is an Electricity Sub Station which is accessed via Ipsley Lane.

The land is currently owned by Worcestershire County Council and forms part of the adopted highway.

Proposal Description

The application, which is retrospective, proposes the change of use of highway land to private residential garden. A short length of fencing has been erected in this area together with a gravelled hardstanding and a small flat roofed outbuilding. Historic imagery shows that the outbuilding was present at the site in 2007. Whilst records show that planning permission was not obtained for the outbuilding, the building benefits from enforcement action immunity under Section 171B of the Town and Country Planning Act 1990 which sets out time limits given to Local Planning Authorities to take enforcement action. What is thought to be the original native species hedge remains together with two Ash trees and a Field Maple.

It is important to note that land ownership remains a separate matter to that being considered under this planning application. The change of use of the land would not affect the ownership status of the land; a separate non-planning process is required to purchase the land and to 'stop up' the highway.

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

Policy 14: Protection of Incidental Open Space

Policy 40: High Quality Design and Safer Communities

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Others

NPPF National Planning Policy Framework (2021)

Relevant Planning History

1984/467/FUL First Floor bedroom extension Granted 03.12.1984

1986/023/FUL Single Storey Extension Granted 28.02.1986

Consultations**WCC Highway Authority**

No objection

RBC Tree Officer

No objection

Public Consultation Response

No representations received. Consultation expiry date: 30.03.2023

Assessment of Proposal

Policy 14 of the Borough of Redditch Local Plan No. 4 (BoRLP 4) clarifies that any areas of open space that are not 'Primarily Open Space', should be considered as areas of 'Incidental Open Space'. Therefore, as the area of open space subject to this application is not indicated on the BoRLP 4 Policies map to be Primarily Open Space, it should be regarded as Incidental Open Space.

In evaluating the application against the provisions of Policy 14 it is necessary to consider the overall quality of the space in question in terms of its contribution and value to the local community. In this particular case, assessing the proposal on its merits, the site does not make an important contribution to the Green Infrastructure Network and does not have a strategic function or form natural buffer between different land uses. The area is small and would not materially impact on the overall quantity of equivalent areas of Incidental Open Space in the vicinity of the application site.

The application is deemed to comply with the provisions of Policy 14 of the Borough of Redditch Local Plan.

The fencing which has historically been erected is set back from Ipsley Lane behind shrubbery and is not visually incongruous. These conclusions have been reached also taking into consideration the location of the adjacent (fenced) Electricity Sub Station. Notwithstanding the fact that the outbuilding has become immune from enforcement action via passage of time under Section 171B of the Town and Country Planning Act 1990, the building is only marginally higher than the existing section of perimeter fencing

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and sits comfortably against the adjacent Electricity Sub Station. The general appearance of the site is typical of the sylvan and verdant nature of this part of Ipsley Lane.

No public representations have been received following the expiry of the publicity period and no residential amenity concerns have been identified. Worcestershire County Council Highways Authority have been consulted and have raised no objections to the application.

Despite the acceptability of the proposals, your officers consider it prudent to attach planning conditions to safeguard the visual amenities of the area with respect to tree protection and the future erection of fencing. These are recommended below. Subject to the inclusion of such conditions, there are not considered to be any reasons to withhold issuing consent in this case.

RECOMMENDATION:

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

Conditions:

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

Layout Plan P2115.51A
Site Location Plan P2115.52

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

- 2) No trees on the application site, shall be topped, lopped, felled or uprooted without the specific written permission of the Local Planning Authority

Reason: To safeguard the visual amenities of the area.

- 3) No gates, walls or fencing shall be erected on the application site without express planning permission first being obtained from the Local Planning Authority.

Reason: To safeguard the visual amenities of the area.

Procedural matters

This application is being reported to the Planning Committee because the land subject to this application is currently owned by Worcestershire County Council. As such the application falls outside the scheme of delegation to Officers.

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