



Planning Committee

Wed 8 Jun
2022

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

At the current time, seating at the meeting will be placed in such a way as to achieve as much space as possible for social distancing to help protect meeting participants.

If you have any questions regarding the agenda or attached papers, please do not hesitate to contact Pauline Ross (p.ross@bromsgroveandredditch.gov.uk)

GUIDANCE FOR ELECTED MEMBERS ATTENDING MEETINGS IN PERSON

Members and Officers who still have access to lateral flow tests (LFTs) are encouraged to take a test on the day of the meeting. Meeting attendees who do not have access to LFTs are encouraged not to attend if they have common cold symptoms or any of the following common symptoms of Covid-19 on the day of the meeting; a high temperature, a new and continuous cough or a loss of smell and / or taste.

Whilst the Council acknowledges that it is no longer a legal requirement to wear face coverings, we would really appreciate if the Members who attend a meeting in person would consider wearing a face covering throughout the meeting unless they are exempt or speaking.

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

Members of the public will be able to access the meeting if they wish to do so. However, due to social distancing arrangements to ensure the safety of participants, there may be limited capacity and members of the public will be allowed access on a first come, first served basis.

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Members of the public are strongly encouraged not to attend the meeting if they test positive for Covid-19 on the day of a meeting or up to 5 full days before a meeting. Should the member of the public test positive for Covid-19 on the meeting or up to 5 full days before the meeting then they are expected not to attend the meeting.

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 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:

- 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.

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 Pauline Ross from the Democratic Services Team on 01527 881406 or by email at democratic@bromsgroveandredditch.gov.uk before 12 noon on Monday 6th June 2022.
- 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 6th June 2022.
- 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.
- 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, 8th June, 2022

7.00 pm

Council Chamber Town Hall

Agenda

Membership:

Cllrs:

Michael Chalk (Chair)
Timothy Pearman (Vice-Chair)
Imran Altaf
Tom Baker-Price
Brandon Clayton

Alex Fogg
Andrew Fry
Bill Hartnett
Gareth Prosser

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. 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)

4. Application 22/00016/FUL - Land at Middlehouse Lane, Enfield, Redditch - West Mercia Police and Crime Commissioner (Pages 1 - 24)

5. Application 22/00329/S73 - Lidl Store, Battens Drive, Redditch, Worcestershire, B98 0LJ - Lidl Great Britain Limited (Pages 25 - 32)

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Planning Application 22/00016/FUL

Full planning application for the demolition of existing training tower and erection of three-storey combined Emergency Services Hub building, training tower, associated car parking and cycle storage, at-grade external training area, re-fuel facility, sub-station, 35-metre telecommunications antenna, vehicular access and associated works

Land at Middlehouse Lane, Enfield, Redditch

Applicant: West Mercia Police and Crime Commissioner
Ward: Abbey 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 application site comprises 0.82 ha of previously developed land adjoining Middlehouse Lane (B4184) along its southern boundary. Adjoining the site to the west is the existing Redditch Fire Station building, whilst to the north is vacant land and to the east is the A441 Alvechurch Highway, separated by a landscape buffer of semi-mature trees. The wider area to the west is principally residential in character, comprising a mixture of early 1900s, 1930s and more modern properties centred around Birmingham Road.

The area to the south of the site, on the opposite side of Middlehouse Lane, includes the Abbey Retail Park, whilst the wider area to the north and east includes ad hoc leisure facilities and a petrol filling station clustered around the junction with the Alvechurch Highway.

The site's boundary partially overlaps with the curtilage of the existing fire station facility, namely the associated car parking area and training tower. The remainder of the site has been vacant since the closure and demolition of the former Millfields Social Education Centre in 2009. Some naturalised vegetation has occurred since that time, which includes self-set trees. The site includes a mature willow tree, which became the subject of a Tree Preservation Order (No.178 2021) on 8th December 2021.

The site is the subject of an allocation for residential development within the Borough of Redditch Local Plan (site No 156). There are no Public Rights of Way (PRoW) running through the site, nor is it publicly accessible.

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Proposal Description

Full planning permission is sought for the demolition of existing training tower and erection of a three-storey Combined Emergency Services Hub building, training tower, associated car parking and cycle storage, at grade external training area, re-fuel facility, sub-station, 35-metre telecommunications antenna, vehicular access and associated works.

The Combined Emergency Service Hub would have a total Gross Internal Area (GIA) of 3,192.4sqm, comprising 635.6sqm for WMP, 1,159.2sqm for HWFRS, 815.0sqm of shared space and 582.6sqm of other space.

A principal vehicular access into the site: to serve appliances and police vehicles, as well as staff and visitors would be formed off Middlehouse Lane. Appliances would exit the site from the appliance bays via a separate egress on Middlehouse Lane. An additional egress, solely for emergency vehicles, would be created to the rear (north-east) part of the site onto the Alvechurch Highway (A441).

The proposed hub facility would comprise of three storeys to provide facilities which meet the full operational requirements of the police and fire services. The configuration and nature of facilities in the hub is detailed below:

Ground Floor

3 no. appliance bays allowing for immediate deployment of appliances, supported by kit, drying and shower room facilities for Service Personnel.

Other Fire Service facilities within the core building would include fire personnel lockers, fire kit area, shower and bathroom amenities, station communications office, watch communications office and watch room.

Facilities for police personnel would include four interview rooms, desk spaces for patrol staff, separate rooms for storage of seized property, drugs and firearms.

The police element of the facility would also include a reception area (entrance to be located at the south-west part of the building), together with separate staff entrance, ensuring immediate and secure access to the staff car park and training area.

First Floor

Provision of lockers for police personnel, together with shared gym, briefing room, breakout space, reactive Criminal Investigation Department (CID), office space for the Safer Neighbourhood Team (SNT) personnel, separate rooms for the Sergeant and Inspector, meeting rooms, toilet and shower facilities. The facilities would also comprise individual sleeping quarters for Fire Service personnel.

Second Floor

Additional facilities to serve operations and personnel to include taser store, kit storage, lecture space, kitchen and dining area, communications room, hot-desk and business support space, and television room. Office provision for the Integrated Offender

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Management (IOM), Manager of Sexual or Violent Offenders (MOSOVO), Protecting Vulnerable People (PVP) teams; and offices for the Detective Inspector and Chief Inspector. A pole drop facility for fire service personnel to allow quick access to the ground floor.

Roof

Incorporating plant and lift overrun

External

Training tower structure and Road Traffic Collision (RTC) training area for fire service personnel. Appliance washdown area (under canopy). Vehicle refuelling facility (emergency service vehicles only). Visitor and staff car parking. Electricity sub-station.

Car parking to form part of the proposed development is set out below.

Parking Type	Spaces
West Mercia Police (cars)	96
West Mercia Police (vans)	5
Hereford & Worcester Fire & Rescue (cars)	20
Visitors	12
Accessible bays (cars)	7
Hereford & Worcester Fire & Rescue Operational RTC Training Bays	4
Total	144

The proposals would require the removal of a mature willow tree within the site that is the subject of a TPO. However, the site would incorporate areas of soft landscaping provision to include suitable replacement tree planting.

Landscaping buffers would be created around the boundaries of the site, notably to the west and north to provide screening and amenity value. This takes into account the need to ensure that existing vacant land (including that which would become vacant upon the cessation of operations at the current fire station on Birmingham Road) remains suitable and viable for potential residential development in the future.

It should be noted that any such residential development would be considered as part of a separate planning application and is therefore excluded for the purposes of this proposal and is not to be considered here.

By virtue of the services provided, in the case of planning permission being granted there would be a need to keep the existing police and fire station facilities in Redditch open until the completion of the combined hub facility. As such, neither the existing police nor the fire station site could be redeveloped until that time.

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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 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 29: Broadband and Telecommunications
 Policy 36: Historic Environment
 Policy 39: Built Environment
 Policy 40: High Quality Design and Safer Communities

Others

Redditch High Quality Design SPD
 NPPF National Planning Policy Framework (2021)

Relevant Planning History

1981/285/CPO	Temporary Classroom accommodation (consultation application)	WCC application	No objection 02.07.1981
1989/004/CPO	Replacement of existing 9 Place Special Care Unit (consultation application)	WCC application	No objection 13.02.1989
1996/373/CPO	Internal alterations, new car park and access (consultation application)	WCC application	No objection 19.09.1996
2005/583/OUT	Residential Development	Application disposed of	26.09.2006

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Consultations

Worcestershire CC Highway Authority

Comments summarised as follows

It has been identified that there would be a maximum of 165 staff likely to attend the site on any given day (24 hr period). With mode splits applied (73% of staff are likely to travel to work by car), there would be 122 vehicle trips to and from the site in the AM and PM peak hours. This includes 84 arriving and 38 departing and vice-versa in each of the AM and PM peaks.

A total of 144 parking spaces are to be provided on the site, excluding motorbike, fire engine and cycle parking.

The parking strategy has been identified in relation to the site operational requirements, and access control systems will be implemented as part of the car park management strategy to ensure that only authorised staff gain access to the car park. 12 visitor parking spaces for the WMP and HWFRS combined are included in this parking provision.

A planning condition is included seeking appropriate levels of electric and cycle parking provision. There will be 6 electric vehicle charging points available for HWFRS and WMP use, in addition to a further 5 charging points proposed for staff and visitors.

The site is to provide 12 cycle parking spaces. This provision is equivalent to 10% based on the maximum number of staff available at the site at any one time.

The internal site has been designed to the operation needs of the end user. Parking spaces are of an appropriate size and vehicle swept paths show that the largest anticipated vehicles are able to manoeuvre around the site without issue.

The three access/egress junctions proposed are discussed below:

Middlehouse Lane Access

The proposals include a slightly relocated access junction (as a fire station access is currently provided on off this carriageway), providing access to all vehicles using the site. This includes a 6m width access, with 6m and 5m radii and suitable visibility requirements. Dropped kerbs and tactiles will be provided to aid pedestrians crossing. This access will be used for access by all employees, police vehicles, fire engines and refuse vehicles, etc.

The access can achieve a suitable visibility of 42m in east and west directions from a position of 2.4m back from the edge of the highway. This is provided in accordance with 85th percentile speeds on Middlehouse Lane.

Within the site, the parking area beyond visitor parking, will include a "Betafence Bekamatic SC" cantilever sliding gate system for the vehicle access off Middlehouse Lane. The system is mechanical operated and can be manually opened in the event of

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power failure. The standard opening speed is 12m/min, as the roadway is 6m wide, the gate should be fully open in 30 seconds.

A441 Egress

An egress junction is to be provided on the A441 to the east of the site. The junction's layout is to promote left turn out movements only, with the kerb radii on the right-hand side of the junction, purposefully constrained to discourage right turn movements. Suitable visibility can be achieved.

This junction would be a left-out junction for emergency vehicles only and will not be used by employees or visitors to the site. All other vehicles would utilise the new access on Middlehouse Lane.

Egress visibility has been identified from speed surveys commissioned on the A441 in the vicinity of the site access, which confirmed 85th percentile speeds of 37.2mph northbound and 36mph southbound. A visibility requirement of 65m south (based on northbound speeds) and 62m north (based on southbound speeds) from a 'X' distance of 2.4m is required, assuming larger vehicles may use this egress. The applicant team show this visibility requirement can be achieved within applicant or highway owned land and that existing vegetation would be cut back to achieve these sight lines.

Fire Engine Egress

To aid the rapid exit of fire engines from the site in an emergency situation, a further access is made available only to fire engines on Middlehouse Lane. The Station egress junction would also be supplemented by yellow box carriageway markings to ensure queuing vehicles do not block the egress in the event of an emergency.

It is also the Fire Services preference to have priority control over the nearby traffic signals (a hurry call system) at the Windsor Road/Middlehouse Lane/Birmingham Road signal junction, also for the potential for 'Wig Wag' signals at the Fire Station egress. Both of these are not a necessity for the planning application submission, although consideration will be given to these, in discussion with the Highway Authority post planning. A planning condition is included to discuss and conclude these issues

Non-car Access

The site is adequately placed for access to local amenities on foot, by cycle or via public transport.

Redditch Town Centre is situated well within a 2km walking distance of the site, offering a wide range of local amenities. A Sainsburys supermarket is situated within 5 mins walk of the site, on a retail park with a B&M and Argos.

The site is placed in close vicinity to the Local Cycle Route 17, which provides a direct route into Redditch town centre. This route can also be used to access National Cycle Route (NCR) 5. The nearest bus stop to the site is located on Windsor Road, circa 150m from the site.

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Traffic Impact

Traffic signal data has been obtained for the Birmingham Road / Windsor Road / Middlehouse Lane signal junction and a LinSig model created to replicate the operation of the existing junction. The proposed site access junction and the inclusion of committed and proposed development traffic was added.

The junction model shows that the queues marginally increase as a result of the proposals and as a result of yellow hatching provided on a section of the Middlehouse Lane carriageway. To ensure the queues do not extend eastwards back from the junction into the A441 Sainsburys Roundabout, queue detectors are required for the Middlehouse Lane westbound approach to the Birmingham Road / Windsor Road / Middlehouse Lane signal junction. The provision of these queue detectors will influence the signal timings at the junction, to ensure vehicles queues do not extend back into the roundabout.

The Birmingham Road / Windsor Road / Middlehouse Lane signal junction is already MOVA controlled, with the ability for its signals to change to give priority to the heaviest vehicle demands.

Network Safety

A series of collisions have occurred in proximity to the site, although most of a slight severity. Given the site is situated close to busy sections of the local highway network, recorded collisions are not unusual.

The records show that there has been a total of 18 incidents in the latest five-year period, comprising 15 'slight' incidents, 2 'serious' incidents, and one 'fatal' incident. The collisions were a fault of driver error and not the local highway network, with the fatality the result of a person driving on the wrong side of the road at night without lights.

Summary and conclusion

The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted and consultation responses from third parties the Highway Authority concludes that there would not be a severe impact and therefore there are no justifiable grounds on which an objection could be maintained. Conditions are recommended in the case of planning permission being granted concerning: Conformity with Submitted Details; provision of Vehicular visibility splays; Cycle Parking; Electric Vehicle Charging Facilities; Offsite works; Employment Travel Plan; Construction Environmental Management Plan.

Environment Agency (EA)

Comments summarised as follows

We are satisfied with details submitted which state that the fuel dispensing facility would be sited above ground and would incorporate secondary containment type measures help minimise pollution. An appropriately worded planning condition (set out below) would cover this matter in the case of planning permission being granted.

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North Worcestershire Water Management (NWWM)

Comments summarised as follows

The proposed development site is situated in the catchment of Batchley Brook and Hewell Stream. The Batchley Brook passes the site to the south on the opposite side of Middlehouse Lane. The EA flood map places the site into flood zones 2 & 3.

Site specific modelling has more recently been completed to validate the extent of the national EA flood zone mapping and in the case of this site, the extent of the flood zone was amended and the modelling shows that none of the site is now affected by flood zones 2 or 3. This is clearly shown in the flood extents plan provided in the updated Flood Risk Assessment (FRA).

The new revised flood zones are confined to Middlehouse Lane to the south of the site which could affect egress from the site in significant events and as such, it is recommended that the alternative means of egress to the site is provided. In this respect, I have noted that alternative means of egress to the A441 is shown on the submitted plans.

The drainage strategy proposes a combination of permeable pavement and below ground tanks to provide attenuation volume which is acceptable in principle. Subject to the imposition of a surface water drainage condition, no objections are raised.

Worcestershire Regulatory Services (WRS) - Contaminated Land

Comments summarised as follows

No objection subject to land remediation conditions

Worcestershire Regulatory Services (WRS) - Noise

Comments summarised as follows

Noise: The submitted noise assessment appears satisfactory.

External Lighting: Full details of any external lighting, should be submitted for approval.

Arboricultural Officer

Comments summarised as follows

No objections to the application and no objections raised to the removal of the Willow Tree (TPO 178) to facilitate the new development subject to works being carried out in accordance with the Proposed Landscape GA (updated) Plan which shows that this tree will be replaced with a heavy standard *Carpinus betulus* (Hornbeam)

Worcestershire Archive and Archaeological Service

Comments summarised as follows

No objections in principle. The potential for below-ground archaeology to be impacted by the development, including landscaping, is considered to be low. According to records, the town's main fire station became operational in 1964. The former Adult Education Centre was formally located in the East of the site, prior to its demolition post 2007. The town's Fire Station is of some local interest, as an example of Post War civic architecture in a New Town. The submitted Archaeological Desk Based Assessment and Heritage

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Statement, incorporates an Historic Building Record of the standing Fire Station Buildings to Level 1-2 standard. The Level 1-2 Historic Building Record should be brought up to Level 2 standard by means of a suitably worded condition attached to any grant of planning permission

Police Crime Risk Manager

No objection

Public Consultation Response

The application has been advertised by: Press Notice, Site Notice and by writing to numbers 220 to 234 Birmingham Road. One public representation has been received raising comments which are summarised as follows:

- All matters referred to by WRS with respect to contaminated land should be actioned appropriately
- Drainage concerns raised

Other matters which are not material planning considerations have been raised but are not reported here as they are not relevant in the determination of this application.

Assessment of Proposal

Section 38(6) of the Planning and Compulsory Purchase Act 2004 (formerly Section 54A of the Town and Country Planning Act 1990), establishes that planning applications should be determined in accordance with the policies of the statutory development plan, unless material considerations demonstrate otherwise.

Principle of development

The application site includes land which is allocated for residential development pursuant to Policy 4 of the Borough of Redditch Local Plan (Site Ref. 156). As the application proposal is not in accordance with the policy allocation, it is necessary to demonstrate that there are material considerations in this case that justify the granting of planning permission.

The applicant states that the combined hub would provide police and fire services with a facility to meet the long term needs of Redditch Borough. The existing police and fire stations in Redditch are considered to have reached the end of their serviceable life and are no longer fit for purpose. The existing 1960's police station in Redditch town centre is considered to have a disjointed layout and no longer provides suitable accommodation for the functions and services that are required. The applicant comments that this is an issue that cannot be remedied by seeking to improve the fabric or configuration of the existing building.

In terms of the Police Station, a report produced in 2017 outlined, at that time, that at least £425,000 was required to undertake repair work up to 2021 alone.

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The One Public Estate (OPE) initiative recognises and supports the need to maximise value for publicly owned estates. In line with the OPE initiative, which recognises the need for collaboration and partnership working, West Mercia Police (WMP) and the Hereford and Worcester Fire and Rescue Service (HWFRS) have developed a proposal for a new joint Police and Fire Station (combined hub) on the application site. This collaboration explores the opportunity for integration and space sharing, to provide an efficient, sustainable, commercially viable, fit for purpose building delivering benefits and improvements over the existing facilities.

The delivery of the combined hub facility on the application site is considered to be within the public interest and this represents a significant material consideration in justifying a departure from the policy allocation within the Local Plan.

The granting of planning permission would mean that the existing Police Station site (Grove Street within the Town Centre) would become available for redevelopment providing an opportunity for inward investment for the Town Centre in line with policy aspirations.

Part of the land currently subject to the allocation for residential development in the Local Plan would remain available alongside the delivery of the combined hub facility and the potential of how the remaining vacant land to the north of the application site, together with the existing fire station building on Birmingham Road, could come forward for residential development has already been investigated and shared with your officers.

In conclusion, the principle of the proposed development is considered to be acceptable.

Highway Matters

A Transport Assessment and Travel Plan accompanies and forms part of the application, the submission of which has followed pre-application discussion with Worcestershire County Council's highways officers.

The Transport Assessment has assessed the potential impact of trips expected to be generated by the proposed development on the local highway network.

The Highway Authority have concluded that there are no justifiable grounds on which an objection could be maintained based on the proposals as submitted which include the use of Middlehouse Lane in the location shown on submitted plans as the main vehicular access/ egress to the site. No objections are raised to the proposed Fire Engine (Egress only) point onto Middlehouse Lane.

Further, speed surveys which have been carried out show that appropriate visibility splays can be achieved and can be provided such that an egress only point onto the A441 (as an emergency exit only) would not prejudice highway safety.

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Subject to the imposition of planning conditions which are set out in full later in this report, the proposals are considered to be acceptable in terms of their impact upon the Highway Network.

Design / Layout and sustainability matters

The layout and scale of the development reflects the operational needs of both the Police and Fire Authorities having regards to the site parameters / constraints. The development has also been located such that day-to-day operations would not prejudice the development of adjoining land both to the north and west for residential purposes. In particular, the hub building is positioned and angled to create adequate separation from current and future residential occupiers. The training yard with new proposed tower would be positioned away from adjoining residential boundaries whilst being screened from the Alvechurch Highway by means of mature trees.

The main access and egress point (as per that serving the former access point to the former Millfields Social Education Centre) would be maintained from Middlehouse Lane, together with a proposed apron egress point. Staff and visitor parking would thus solely be via Middlehouse Lane. A secondary proposed EMERGENCY EGRESS ONLY point would be formed onto the Alvechurch Highway to the north-east in the event that Middlehouse Lane is compromised. This point would have the ability to allow 'managed' egress in an emergency situation only. The Alvechurch Highway would thus NOT operate as a general access and egress point.

Materials for the hub would be brick paired with cladding to the appliance bays. Patterning and detailing to the brickwork would be used to create more interest and to reduce the mass of the hub against the building's immediate surroundings.

The main accommodation block would feature a recessed brickwork façade, full height curtain walling and slim lined PPC aluminium with vertical anodised aluminium fins to provide solar shading. The appliance bay / operations block would feature cladding panels in an anodised aluminium finish contrasting distinctly and appropriately with the main accommodation block.

The design of the proposed hub building is considered to be satisfactory and is considered to be a robust and low maintenance choice of material (as opposed to render for example) and the location of the hub building within the site is considered to be well-conceived.

An Energy Statement has been submitted in respect of this application. In addition to this, a BREEAM Pre-Assessment Report has also been prepared.

The BREEAM pre-assessment translates to a BREEAM rating of 'Good' aligning with the expectations set out within Policy 15 of the Local Plan.

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In terms of the Communications Antenna, which would measure 35m in height, this would be located on the main accommodation building, towards the rear of the block. The applicant states that the geography of the area has a significant impact on signal coverage, with the current fire station and the proposed site located in a dip, with tall trees and building heights in the surrounding area resulting in coverage issues. As such, the applicant comments that the existing antenna is not fit for operational purposes and is considered to jeopardise public safety due to its poor signal coverage. As such, the new antenna would be taller than the existing antenna in order to address those coverage issues, thus resulting in a lower number of failed connections.

The location of the antenna has been chosen in order that it meets operational requirements for signal coverage whilst minimising the visual impact of the antenna as much as possible. The antenna would be well set back into the site and partially screened by existing trees. Overall, this element of the development is considered to meet the requirements of Policy 29 (Broadband and Telecommunications) of the Local Plan.

Ecology

An Ecological Assessment Report accompanies the planning application and ecological surveys undertaken the presence of reptiles and bats. No reptiles were found during any of the surveys and the only building within the application site: the training tower was found to have low bat roost potential. No bats were observed entering the tower and no activity of any sort was recorded. No evidence of Badgers or Great Crested Newts was discovered during an Extended Phase 1 Habitat Survey. However, a more recent investigation in March 2022 has determined the presence of a badger sett within the application site and one to the immediate north of the application site boundary.

To facilitate the proposed development, the setts must be closed in accordance with conditions in a licence from Natural England, supported by a detailed method statement and suite of technical drawings. In addition, the mitigation requirements for the closure of one of the setts involves the creation of a sett of similar estimated size/extent of that to be lost. Based on the relatively small scale of the site, locating land within the site boundary suitably distant from proposed construction works is not feasible, therefore off-site land must be identified where an artificial sett can be located. A small area of land to the north of the site is considered to be the only feasible solution for relocating the sett.

In terms of Environmental Impact Assessment, badgers are considered on the basis that they are legally protected, they are not a species of conservation concern and the development of the site would have no effect on the conservation status of badgers at a local or greater level. Consideration is therefore only required to establish that legal compliance can be achieved. This can be secured by condition that requests that an appropriate mitigation strategy designed to ensure legal protection of badgers is implemented prior to commencement of construction at the site. Legal compliance would be achieved through application of a licence from Natural England and development would not proceed without such a licence whilst there are setts in use by badgers at and immediately adjacent to the site.

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A Construction Environmental Management Plan (CEMP: Biodiversity) and a badger mitigation strategy condition is recommended for inclusion in the interests of safeguarding biodiversity which would cover this matter appropriately.

Green infrastructure and the inclusion of features to benefit birds and bats are proposed to be included within a Landscape and Ecology Management Plan (LEMP). Which is proposed to be secured through appropriately worded planning condition.

Provided that habitat mitigation measures are secured via planning condition as a biodiversity offsetting measure, the proposals are considered to comply with the requirements of Policy 16 of the Local Plan.

Land contamination

A ground investigation (Phase 1) desk study report has been produced in respect of the application. This qualitatively assesses the potential for contamination in the underlying soils and groundwater from existing and historical site operations, and the potential risks to human health, controlled waters and ecological receptors.

The assessment confirms that the current and historic use of the site indicates that the risk of contamination is low, and the findings indicate that there are no notable contamination or geotechnical issues relating to land within the site.

Worcestershire Regulatory Services (WRS) have been consulted and raise no objections to the application subject to standard tiered Phase II intrusive site investigation conditions.

Noise

A Noise Impact Assessment has been undertaken to assess the current ambient and background noise levels. The assessment has also investigated noise levels associated with the plant operation at the proposed building, together with fire training exercise activities and emergency sirens. The assessment methodology has been subject to consultation with the Environmental Health Officer (EHO) at Worcestershire Regulatory Services.

The assessment notes that the mechanical plant noise will be within the BS 4142 prescribed limits at noise sensitive receptors, and therefore will not result in adverse effects. In respect of land adjoining the site and which could come forward for residential development in the future, noise levels experienced by new dwellings from the mechanical plant would be similar to the levels predicted at the existing receptors.

Furthermore, plant noise would be unlikely to have adverse impacts upon external residential amenity due to the existing ambient noise levels which are much higher and dominated by road traffic noise.

No objections have been raised from WRS and it is noted that no public representations have been received in objection to the application on noise grounds.

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Arboricultural matters

An Arboricultural Impact Assessment and tree constraints survey have been submitted.

The report identifies a mature weeping willow tree within the site that became the subject of a Tree Preservation Order (TPO) on 8th December 2021 (No.178). There are no other TPOs affecting trees within the site; no ancient woodland within or adjoining the site, and no Veteran trees.

The proposed development would require the removal of four category C (low quality) trees, one category B (moderate quality) group and nine category C groups. In addition, three category C trees would need to be partially removed. However, partial groups within the application site would be retained along the eastern boundary, helping to facilitate visual screening of the development. Trees adjacent to the Alvechurch Highway and adjoining the application site would be retained and unimpacted.

The Council's Tree Officer has raised no objections to the application including no objections to the removal of the Willow Tree (TPO 178) to facilitate the new development subject to works being carried out in accordance with the submitted Proposed Landscape GA (updated) Plan which shows that this tree will be replaced with a heavy standard Hornbeam. The same plan also shows replacement and additional tree planting within the site as mitigation for the lost trees.

It is therefore concluded that the proposals are acceptable assessing the application against Policy 16 of the Local Plan.

Drainage matters

A Flood Risk Assessment (FRA) has been submitted with the application.

Whilst the FRA acknowledges that the Environment Agency's Flood Map identifies parts of the site within Flood Zones 2 and 3, it is important to note that this is based on generalised data and does not constitute a detailed flood risk classification.

More detailed data has been made available through the Strategic Flood Risk Assessment (SFRA) provided by the Lead Local Flood Authority (LLFA) (North Worcestershire Water Management: NWWM).

To this end, the proposed development has been assessed against the flood zone data available in the SFRA Level 2 (2012). This identifies the majority of the site as being within Flood Zone 1, with only a small area of Flood Zone 2 extending into the southern boundary. On the basis that the proposed development falls within Flood Zone 1, the site is considered suitable for emergency services provision as a 'Highly Vulnerable' use for the purposes of Paragraph 167 and Annex 3 of the NPPF.

The FRA confirms that the application site is at low risk of surface water flooding. Surface water discharge is proposed to be restricted to a brownfield runoff rate for all events up to and including the 1 in 100 (1%) Annual Probability plus climate change event to a maximum of 10.6l/s. Surface water attenuation will be provided for all events up to and

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including the 1 in 100 (1%) Annual Probability plus climate change event with exceedance flows managed on site so not to increase flood risk elsewhere.

NWWM confirm acceptance of the proposed approach to discharge, and the proposals are considered to be acceptable having regard to the provisions of Policies 15, 17 and 18 of the Borough of Redditch Local Plan.

Residential amenity

No negative impacts have been identified in terms of impact upon existing residential amenity and no public representations have been received in objection.

Conclusion

The applicant states that the proposals are necessary to meet the operational and training requirements of the police and fire service, replacing outdated facilities by amalgamating functions and operations into an efficient hub facility, ensuring the future needs of the Borough's residents are met in a cost-effective way in line with One Public Estate principles.

Whilst part of the site forms residential allocation site 156, the northern part of the site would remain available for residential purposes as would the site of the existing fire station. Whilst not for consideration under this application, a residential development on the existing fire station site could be designed such that a significant visual enhancement to the prominent Birmingham Road / Middlehouse Lane junction could be achieved. Further, by granting permission for this application, the Grove Street Police Station site is likely to come forward for redevelopment at a later stage.

The design and layout of the proposals are such that residential amenity in the surrounding area would not be adversely impacted and the development would safeguard the character and appearance of the local area.

Your officers consider that the need for the proposal and its importance in ensuring the wellbeing and safety of the Borough's citizens is a significant material consideration in the planning balance and having regard to the matters set out earlier in this report, a departure from the policy allocation assigned to part of the application site within the Local Plan is considered to be justified.

There are considered to be no environmental or technical constraints which would preclude development on the site and mitigation and environmental enhancement measures, including those relating to ecology and visual amenity, have been identified and are proposed to be secured by way of appropriate planning conditions and accordingly, the recommendation is that planning permission should be granted.

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RECOMMENDATION:

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

Conditions:

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

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

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

appropriate references to be inserted here

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

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

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

- 4) No works or development above foundation level shall take place until complete details for scheme for surface water drainage have been submitted to and approved in writing by the Local Planning Authority.

This should include, but is not limited to: -

- o Confirmation that the scheme will restrict offsite discharge to Greenfield rates.
- o Full calculations in an electronic format.
- o A plan showing the exceedance flows from any flooded volumes on the site.
- o Update the proposed maintenance plan with features included in the finalised drainage design.

The approved scheme shall be fully implemented prior to the first use of the development hereby approved.

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

- 5) Unless otherwise agreed by the Local Planning Authority development, other than that required to be carried out as part of an approved scheme of remediation, must not commence until conditions 1 to 5 have been complied with:

1. Previous reports submitted to the Local Authority in support of the application has identified unacceptable risk(s) exist on the site as represented in the Conceptual Site Model. A scheme for detailed site investigation must be submitted to and approved in writing by the Local Planning Authority prior to being undertaken to address those unacceptable risks identified. The scheme must be designed to assess the nature and extent of any contamination and must be led by the findings of the preliminary risk assessment. The investigation and risk assessment scheme must be compiled by competent persons and must be designed in accordance with the Environment Agency's "Land Contamination: Risk Management" guidance.

2. Detailed site investigation and risk assessment must be undertaken, and a written report of the findings produced. This report must be approved by the Local Planning Authority prior to any development taking place. The investigation and risk assessment must be undertaken by competent persons and must be conducted in accordance with the Environment Agency's "Land Contamination: Risk Management" guidance.

3. Where identified as necessary a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to identified receptors must be prepared and is subject to the approval of the Local Planning Authority in advance of undertaking. The remediation scheme must ensure that the site will not qualify as Contaminated Land under Part 2A Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

4. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.

5. Following the completion of the measures identified in the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval of the Local Planning Authority prior to the occupation of any buildings.

6. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk

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assessment must be undertaken and where necessary a remediation scheme must be prepared; these will be subject to the approval of the Local Planning Authority. Following the completion of any measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to the occupation of any buildings.

Reason

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

- 6) Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, vessel or the combined capacity of interconnected tanks or vessels plus 10%. All filling points, associated pipework, vents, gauges and sight glasses must be located within the bund or have separate secondary containment. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank/vessels overflow pipe outlets shall be detailed to discharge downwards into the bund.

Reason: To prevent pollution of the water environment

- 7) Details of any external lighting to illuminate the development shall be submitted to and approved in writing by the Local Planning Authority before the development hereby permitted is occupied. The development shall be carried out in accordance with the approved details and there shall be no other external illumination of the development.

Reason: In the interests of safeguarding residential amenity

- 8) The development shall not be commenced until a Level 2 Historic Building Record (as defined by Historic England) has been completed in accordance with the guidelines laid out in the Standards and Guidelines for Archaeological Projects in Worcestershire and provision made for its analysis, publication and dissemination and its archive deposition has been secured.

Reason: In accordance with the requirements of Paragraph 205 of the National Planning Policy Framework.

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- 9) The Development hereby approved shall not be occupied until the accesses, parking and turning facilities have been provided as shown in the Curtins drawing ref: 75001 Rev P07 titled 'Access Arrangement'

Reason: To ensure conformity with submitted details.

- 10) Development shall not begin until visibility splays are provided from a point of 1.05m 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 'X' metres in each direction measured along the nearside edge of the adjoining carriageway and offset a vertical distance of 0.6m off the 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.

The 'X' visibility distances for each access/egress include:

- Middlehouse Lane Access – 42.5m east and 41.7m west
- Fire Station Egress - 42.5m east and 41.7m west
- A441 Egress - 65m south and 62m north

Reason: In the interests of highway safety

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

Reason: To comply with the Council's parking standards.

- 12) The Development hereby approved shall not be opened to the public until 11 electric vehicle charging spaces have been provided in accordance with a specification which shall be submitted to and approved by the Local Planning Authority.

Reason: To encourage sustainable travel and healthy communities

- 13) The Development hereby approved shall not be occupied until details regarding the provision of vehicle queue detectors for the Middlehouse Lane westbound approach to the Birmingham Road / Windsor Road / Middlehouse Lane signal junction, have been agreed in writing by the Local Planning Authority (in consultation with the Local Highway Authority), and the queue detectors implemented in the ground and are open to traffic. The queue detectors shall be linked to the Birmingham Road / Windsor Road / Middlehouse Lane signal junction

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and also take account of the potential for a 'hurry call' system and Wig Wags' to be provided at the Fire Engine Egress on Middlehouse Lane.

Reason: To ensure the safety of the local highway

- 14) The Development hereby approved shall not be brought into use until the applicant has submitted a Travel Plan using Modeshift STARS Business. They must meet green level accreditation before occupation and bronze level accreditation within 12 months of occupation.

Reason: To reduce vehicle movements and promote sustainable access

- 15) The Development hereby approved shall not commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include but not be limited to the following:-

- 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.

- 16) 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) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction
- c) The location and timing of sensitive works to avoid harm to biodiversity features
- d) Responsible persons and lines of communication

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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: In the interests of biodiversity

- 17) 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) methods for how vegetation and habitats will be created and maintained at the site
- b) appropriate management actions and timings for achieving aims and objectives

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

- 18) A Badger Mitigation Strategy shall be submitted to and agreed in writing with the Local Planning Authority prior to the first commencement of development of site. The Strategy shall be implemented in accordance with the approved details.

Reason: to provide appropriate mitigation in the interests of biodiversity

Informatives:

- 1 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
- 2 The granting of this planning permission does not remove any obligations on the applicant to undertake a technical design check of the proposed highway works with the Highway Authority, nor does it confirm acceptance of the proposal by the Highway Authority until that design check process has been concluded. Upon the satisfactory completion of the technical check the design would be suitable to allow conditions imposed under this permission to be discharged, but works to the public highway cannot take place until a legal agreement under Section 278 of the Highways Act 1980 has been entered into and the applicant has complied with the requirements of the Traffic Management Act 2004.

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The applicant is urged to engage with the Highway Authority as early as possible to ensure that the approval process is started in a timely manner to achieve delivery of the highway works in accordance with the above mentioned conditions.

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

- 3 Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.
- 4 The 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.
- 5 Any work involving the removal or disturbance of ground or structures supporting or abutting the publicly maintained highway should be carried out in accordance with details to be submitted to and approved in writing by the Highway Authority.
- 6 It is expected that contractors are registered with the Considerate Constructors scheme and comply with the code of conduct in full, but particular reference is made to "respecting the community" this says:

Constructors should give utmost consideration to their impact on neighbours and the public

- Informing, respecting and showing courtesy to those affected by the work.
- Minimising the impact of deliveries, parking and work on the public highway.
- Contributing to and supporting the local community and economy.
- Working to create a positive and enduring impression and promoting the Code.

The CEMP should clearly identify how the principal contractor will engage with the local community; this should be tailored to local circumstances. Contractors should also confirm how they will manage any local concerns and complaints and provide an agreed Service Level Agreement for responding to said issues.

Contractors should ensure that courtesy boards are provided, and information shared with the local community relating to the timing of operations and contact details for a site coordinator in the event of any difficulties.

This does not offer any relief to obligations under existing Legislation

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- 7 Worcestershire County Council has published guidance on how it expects travel plans to be prepared, this guidance is freely available from the County Councils Travel Plans Officer. As part of this process the applicant must register for Modeshift STARS Business and ensure that their targets have been uploaded so that progress on the implementation of the Travel Plan can be monitored. Worcestershire County Council can assist applicants with this process should they need.

Modeshift STARS Business is a nationally accredited scheme which assists in the effective delivery of travel plans, applicant can register at www.modeshiftstars.org

Procedural matters

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

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Planning Application 22/00329/S73

Planning application 18/01049/FUL Date of decision - 21.12.20 Variation of condition 20 to revise opening hours for bank and public holidays from 08:00-20:00hrs to 08:00-22:00hrs. All other hours of opening to remain the same.

Lidl Store, Battens Drive, Redditch, Worcestershire, B98 0LJ.

Applicant: Lidl Great Britain Ltd
Ward: Winyates Ward

(see additional papers for site plan)

The case officer of this application is Sharron Williams, Planning Officer (DM), who can be contacted on Tel: 01527 534061 Ext 3372 Email: sharron.williams@bromsgroveandredditch.gov.uk for more information.

Site Description

The site previously occupied a health and fitness club. Following the approval of planning application 18/01049/FUL, a Lidl store has been built and is close to completion. The site has its own provision of car parking that fronts Battens Drive. Vehicular access is shared with the Arrow Valley Country Park off Battens Drive which is a District Distributor Road in the Borough of Redditch Local Plan No. 4 (BORLP4). The site is washed over as Primarily Open Space in the BORLP4, however the former building had been excluded from this designation in the Local Plan.

Proposal Description

Condition 20 of planning permission 18/01049/FUL states the following:-

The retail unit hereby permitted shall not trade to the public outside the following hours:

08:00-22:00 Mondays to Saturdays
10:00-17:00 on Sundays
08:00-20:00 on bank and public holidays

Reason: To define the permission.

Permission is sought under this application to vary the opening hours for bank and public holidays only from 08:00-20:00hrs to 08:00-22:00hrs. All other hours of opening are to remain the same.

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

Policy 1: Presumption in Favour of Sustainable Development

Policy 13: Primarily Open Space

Policy 19: Sustainable travel and Accessibility

Policy 22: Road Hierarchy

Policy 30: Town Centre and Retail Hierarchy

Policy 31: Regeneration for Town Centre

Policy 39: Built Environment

Policy 40: High Quality Design and Safer Communities

Policy: 41 Shopfronts and Shopfront Security

Others

NPPF National Planning Policy Framework (2021)

NPPG National Planning Practice Guidance

Redditch High Quality Design SPD

Relevant Planning History

18/01049/FUL	Demolition of existing buildings and erection of a class E retail foodstore with associated car parking, access, landscaping and associated engineering works, and relocation of existing substation.	Approved	21.12.2020
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Consultations**West Mercia Constabulary**

No objections to this application.

Community Safety

No objections.

WRS - Noise

No objection to the variation of condition application in terms of any noise / nuisance issues.

Open Space/Parks

No comments submitted.

Highways Redditch

I have no highway objections to the proposed variation of opening hours for bank and public holidays. Proposal has no highway implications.

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Public Consultation Response

Neighbour consultation/Site Notice and Press Notice

No comments submitted.

Assessment of Proposal

Members will be aware that work has been progressing on this site in respect to the development of a Lidl store following the approval of 18/01049/FUL on 21 December 2020. The store is close to completion and is likely to open in the very near future.

Before the store opens, permission is sought to revise the opening hours for bank/public holidays. Members will be aware that there are generally 8 bank/public holidays every year and are as follows:-

New Year's Day, Good Friday, Easter Monday, early May Bank holiday, Spring bank holiday, Summer bank holiday, Christmas Day and Boxing Day. This year there has been an additional Bank Holiday in connection with the Queen's Jubilee.

The Government states, in the Sunday Trading Act 1994, that in respect to trading for large shops over 280 sqm, such as the new Lidl store, trading hours are restricted on Sundays. Stores can only be open for 6 consecutive hours between 10:00 – 18:00hrs and must be closed on Easter Sunday and Christmas Day. The Sunday Trading Act does not restrict the opening hours of smaller shops.

The variation of the opening hours for bank/public holidays will result in the store being open for an additional 2 hrs for the 8 days concerned, the hours will then match the intended general opening hours for the store on Monday to Saturday. Whilst the condition has been imposed to generally safeguard the amenities of neighbouring occupiers, it is considered that the 2 additional hours per bank/public holiday is unlikely to be harmful to the occupiers concerned taking into consideration the proximity of nearby residential properties.

During the consultation period, no objections or comments were made by neighbours. West Mercia Police, Community Safety, and Worcestershire Regulatory Services have no objection to the variation in the opening hours. It is considered unlikely that the variation in the opening hours for the bank/public holidays would have a detrimental impact on the amenities of the surrounding area and as such the proposal is considered to be acceptable and in accordance with policy 40 of the Local Plan No.4, and guidance set out in the Council's High Quality Design SPD.

The condition shall be revised to read as follows:-

The retail unit hereby permitted shall not trade to the public outside the following hours: 08:00-22:00 Mondays to Saturdays (which shall include any bank and public holidays falling on these days) and 10:00-17:00 on Sundays.

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Reason: To define the permission.

Other matters

Members will recall that a planning obligation formed part of the approval of 18/01049/FUL. The obligation included a financial contribution towards the cost of improving Green Space amenities within Arrow Valley Park to address the loss of primarily open space in the area because of the development. In addition, to ensure the vitality and viability of the town centre was maintained, the obligation also ensured that the existing Lidl store in the town centre remained open, that commitment runs until June 2023.

The contribution has been paid, however, the obligation in relation to the town centre store still applies. The existing obligation does not include the approval of subsequent S73 applications. Therefore, a new planning obligation is required for this application to ensure the town centre store remains open. The applicant has been requested to submit a revised planning obligation to cover this matter.

Finally, as this S73 application seeks an amendment to an earlier Planning Permission, it is necessary to issue a new decision notice. It is a requirement that this new decision notice contains all relevant conditions attached to the original consent. Some of these conditions have already been discharged so these have not been included here.

RECOMMENDATION:

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

- a) **The satisfactory completion of a suitable legal mechanism ensuring that:**
 - 1. **Commitment to ensuring that the town centre Lidl store stays open until the end of June 2023.**
 - 2. **A Section106 monitoring fee**
- 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 from 21 December 2020.

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:-

Location Plan Dwg. No. 4392-CA-0000-DR-A-01001-Rev 02
Proposed Site Plan Dwg. No. 4392-CA-0000-DR-A-00055-Rev 01
Topographical Survey with Land Registry Boundary Dwg. No. 4392-CA-0000-DR-A-01002-Rev 02
Proposed Floor Layout Plan Dwg. No. 4392-CA-00-GF-DR-A-01100-Rev 10
Proposed Elevations Dwg. No. 4392-CA-00-ZZ-DR-A-02100-Rev 11
Proposed Roof Plan Dwg. No. 4392-CA-00-GF-DR-A-01110-Rev 03
Western Power Distribution Substation Dwg. No. EKV0015
New Proposed Site Sections Option 3 2% Fall Dwg. No. 2017-310-SK138 P2
Planting Plan and Schedule Dwg. No. RED1811_PP01 Rev D
Planting Species RED1811-DOC1-A
SCP Technical Note SCP/18006/TN01

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

- 3) Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (England) (or any Order revoking and re-enacting that Order), the building shall be limited to a Limited Assortment Retailer under Use Class E and shall not be used for any other purpose within that Class.

Reason: To define the permission.

- 4) The building shall have a limited gross external area (GEA) of 1,727 sqm, with a net sales area of 1,039 sqm. 80% of the net sales area shall be used for the sale of convenience goods and 20% of the net sales area shall be used for comparison goods in accordance with the Planning and Retail Statement and the Proposed Site Plan Dwg. No. 4392-CA-0000-DR-A-00055-Rev 01 and Proposed Floor Layout Plan Dwg. No. 4392-CA-00-GF-DR-A-01100-Rev 10.

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

- 5) The drainage scheme (approved under condition 6 of Ref:18/01049/FUL dated 21 October 2021) 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.

- 6) The landscaping details for the development (approved under condition 8 of Ref: 18/01049/FUL dated 6 August 2021) shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing by the

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local planning authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes or species unless the local planning authority gives written approval to any variation.

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

- 7) The Development hereby approved shall not be brought into use until the access, parking and turning facilities have been provided as shown on Dwg. No. 4392-CA-0000-DR-A-00055-01.

Reason: To ensure conformity with the submitted details.

- 8) Works to the access to give priority to the Country Park shall be in accordance with details approved under condition 10 of Ref: 18/01049/FUL dated 6 Sept 2021). The approved details shall be implemented in full before the development is first brought into use and shall be maintained as such in perpetuity.

Reason: In the interests of highway safety.

- 9) The 10 electric vehicle charging facilities (approved under condition 11 of Ref: 18/01049/FUL dated 21 August 2021) shall be provided before the development is first brought into use and the 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.

- 10) The Development hereby approved shall not be brought into use until 6 accessible car parking spaces have been provided and thereafter shall be kept available for disabled users as approved.

REASON: To provide safe and suitable access for all.

- 11) The Development hereby approved shall not be brought into use until 7 secure motorcycle parking spaces have been provided and thereafter shall be kept available for motorcycle parking as approved.

REASON: To provide safe and suitable access for all.

- 12) The Development hereby approved shall not be brought into use until sheltered and secure cycle parking for 40 spaces have been provided and thereafter the approved cycle parking shall be kept available for the parking of bicycles only.

REASON: To comply with the Council's parking standards.

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- 13) The Employment Travel Plan hereby approved, reference JW/18006/TP/2 dated June 2018 shall be implemented and monitored in accordance with the regime contained within the Plan. In the event of failing to meet the targets within the Plan a revised Plan shall be submitted to and approved in writing by the Local Planning Authority to address any shortfalls, and where necessary make provision for and promote improved sustainable forms of access to and from the site. The Plan thereafter shall be implemented and updated in agreement with the Local Planning Authority and thereafter implemented as amended.

REASON: To reduce vehicle movements and promote sustainable access.

- 14) The approved Construction Environmental Management Plan (approved under condition 16 of Ref: 18/01049/FUL dated 1 July 2021) shall be carried out and complied with in full during the construction of the development hereby approved.

Reason: To ensure the provision of adequate on-site facilities and in the interests of highway safety.

- 15) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and where remediation is necessary a remediation scheme must be prepared and approved in writing by the Local Planning Authority in advance of the scheme commencing. 5 of 10
Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to development commencing other than that required to be carried out as part of an approved scheme of remediation.

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

- 16) The retail unit hereby permitted shall not trade to the public outside the following hours:

08:00-22:00 Mondays to Saturdays, (which shall include any bank and public holidays falling on these days) and 10:00-17:00 on Sundays.

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Reason: To define the permission.

- 17) The boundary and security measures for the development shall be in accordance with details approved under condition 21 of Ref: 18/01049/FUL dated 1 July 2021.

Reason: In the interests of minimising crime and disorder.

- 18) The car parking management for the development shall be in accordance with details approved under condition 22 of Ref: 18/01049/FUL dated 1 July 2021.

Reason: In the interests of highway safety.

- 19) The litter management strategy for the development shall be in accordance with details approved under condition 23 of Ref 18/01049/FUL dated 1 July 2021.

Reason: In the interests of the biodiversity and visual amenity of the surrounding area.

- 20) Trolley storage for the development shall be in accordance with details approved under condition 24 of Ref 18/01049/FUL dated 17 May 2022.

Reason: In the interests of the biodiversity and visual amenity of the surrounding area.

Procedural matters

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

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.