



Planning Committee

Wed 24 Aug
2022
7.00 pm

Council Chamber
Town Hall
Redditch

REDDITCH BOROUGH COUNCIL

*making
difference*

www.redditchbc.gov.uk

If you have any queries on this Agenda please contact

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REDDITCH BOROUGH COUNCIL **PLANNING COMMITTEE**



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 Gavin Day (gavin.day@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.

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.

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. It should be noted that members of the public who choose to attend in person do so at their own risk.

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:

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. Supporters to speak on the application;
 - c. Ward Councillors
 - d. Applicant (or representative) to speak on the application.

Speakers will be called in the order they have notified their interest in speaking to the Democratic Services Team (by 12 noon on Monday 22nd August 2022) 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 Pauline Ross from the Democratic Services Team on 01527 881406 or by email at p.ross@bromsgroveandredditch.gov.uk before 12 noon on Monday 22nd August 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 22nd August 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, 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, 24th August, 2022

7.00 pm

Council Chamber Town Hall

Agenda

Membership:

Cllrs:	Michael Chalk (Chair)	Alex Fogg
	Timothy Pearman (Vice-Chair)	Andrew Fry
	Imran Altaf	Bill Hartnett
	Tom Baker-Price	Gareth Prosser
	Brandon Clayton	

1. Apologies

2. Declarations of Interest

To invite Councillors to declare any Disclosable Pecuniary Interests and / or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.

3. Confirmation of Minutes (Pages 1 - 16)

Confirmation of Minutes from Planning Committees of 22nd June 2022 and 13th July 2022

4. Update Reports

To note Update Reports (if any) for the Planning Applications to be considered at the meeting (circulated prior to the commencement of the meeting)

5. Application - 22/00202/FUL - 55 Alcester Road, Feckenham (Pages 17 - 28)

6. Application - 22/00359/REM - Fourth Phase Of Persimmon Brockhill Development (Pages 29 - 58)



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MINUTES

Present:

Councillor Michael Chalk (Chair), Councillor Timothy Pearman (Vice-Chair) and Councillors Tom Baker-Price (Present for Minute No's 12-18), Brandon Clayton, Alex Fogg, Bill Hartnett, Juma Begum (Substituting for Councillor Andy Fry) and Gareth Prosser

Officers:

Amar Hussain, Helena Plant, Steve Edden and Sharron Williams

Democratic Services Officer:

Gavin Day

12. APOLOGIES

Apologies for absence were received from Councillor Andy Fry with Councillor Juma Begum in attendance as Substitute.

Apologies received from Councillor Imran Altaf.

13. DECLARATIONS OF INTEREST

Councillor Baker-Price Declared an interest in relation to agenda item 8 (APPLICATION - 22/00637/FUL) - Numbers 45 to 122 High Trees Close, Oakenshaw, Redditch, B98 7BP, in that this item was on his Ward and he had campaigned on its behalf. Councillor Baker-Price withdrew from the meeting room for the duration of this item and took no part in the Committee's consideration nor voting on the matter.

14. CONFIRMATION OF MINUTES HELD ON 25TH MAY 2022

RESOLVED that

The Minutes of the Planning Committee meeting held on 25th May 2022 be approved as a true record and signed by the Chair.

.....
Chair

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15. UPDATE REPORTS

The Chair announced that a Committee Update had been circulated to all Planning Committee Members and asked if all Members had received and read the Committee Update.

All Members agreed that they had received and read the Committee Update and were happy for the Committee to proceed.

16. APPLICATION - 19/01264/FUL - ROCKHILL FARM, ASTWOOD LANE, FECKENHAM, REDDITCH

This application was being reported to the Planning Committee for determination because the application was deferred from a previous Planning Committee (July 2021). In addition, it had attracted an objection from a Statutory Consultee and therefore fell outside of the Scheme of Delegation to Officers.

Officers reported that following the submission of an additional representation received from Feckenham Parish Council (FPC) that an update had been circulated summarising the points raised by FPC, which also included the agent's response. It was also noted that a revised presentation was circulated with the Planning Update Report pack.

Officers presented the report and in doing so, drew Members' attention to the presentation slides on pages 7-19 of the Planning Update Report.

The application was for planning permission for the erection of 2 x dwellings in lieu of 1 dwelling granted as part of the site's redevelopment under planning application 17/00451/FUL (Retrospective).

Officers reported that the extant permission 17/00451/FUL (Retrospective) related to the redevelopment of the site for residential purposes. This involved the conversion/extension of some of the former farm buildings and the demolition of various structures on site, including a large Dutch barn that was located close to the road frontage. A new single dwelling would have been erected in its place as shown on page 10 of the Planning Update Report.

Work commenced in 2020 during lockdown but during redevelopment it became apparent that there would be problems due to the gradient of the slope. Due to this, the design was converted into two 2-bedroom properties as shown on page 12 of the Planning Update Report.

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Officers highlighted that both the footprint and position of the new structure were identical to the building outlined in the extant permission. Officers also drew Members' attention to the change in roof design, going from a very shallow mono pitched roof to a dual pitched roof with an overall height varying from 5.3-6.2m. Officers noted that the new design matched surrounding buildings.

Officers also informed Members that this application was deferred last year at Planning Committee as comments made by the public speakers were felt to require clarification. Advice from Counsel was therefore sought. The advice was that the extant planning permission represented a fallback position.

Officers explained that the extant planning permission had a habitable volume of 478 cubic meters, where-as the new dwellings had a total volume of 776 cubic meters. Officers then drew Members' attention to page 15 of the Planning Update Report. Officers explained that with the volume of foundations required to enact the extant planning permission the overall development would have been 740 cubic meters.

Officers explained to Members that, the proposal would be inappropriate development in the Green Belt and would conflict with Policy 8 of the Local Plan No.4.

Officers further explained that in this case, the volume of the building would be higher than the fallback position by approximately 36 cubic metres. However, in considering the spatial and visual consequences of this in the context of how the 17/00451/FUL scheme could have been implemented and the overall improvements made to openness on the site following the removal of other structures, on balance this would be considered to represent very special circumstances.

In conclusion, Officers recommended that having regard to the development plan and to all other material considerations, planning permission be granted subject to the conditions outlined on page 14/15 of the main agenda report.

At the invitation of the Chair, Councillors Hugo Hammersley and Alan Smith from Feckenham Parish Council addressed the Committee in objection to the application. Mr. Gary Phillips, architect on behalf of the applicant, addressed the Committee.

Members then asked questions of the Officers.

Members sought clarification from Officers if the original planning permission was implemented and then converted into two buildings. Officers confirmed that this aspect of the development had not been

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built in accordance with the overall extant planning permission, and that the site was developed as two separate dwellings.

Members asked if the foundations shown in page 15 of the Planning Update Report would have been usable space or just for the purposes of levelling out the site to enable construction on a single level.

Officers replied that it would not have been usable space. Members further enquired if they had dimensions for the foundations, Officers did not have full dimensions, however, they were aware that at its deepest point the foundation would have been 1.7m deep.

Members asked Officers if the volume of the dwelling space would have been the same. Officers replied that the living space would have been very similar, much of the increase in volume was due to the roof space.

Members asked if the additional roof space could be converted. Officers replied that it could be converted, however, the space would be very limited and any conversions to the roof including a dormer being installed, would need a separate planning permission.

Members asked about the roof design and that if a shallow mono pitched roof was required in the extant application why was it now deemed acceptable to have a change in roof design. Officers replied that to enable the approved scheme to be on a single level it would also have been higher due to the original site gradient which was not defined under the extant permission. However, with stepping the scheme down the applicant could make use of the site gradient, Officers highlighted that there would still be an increase in the overall height of the property with the change in roof.

Members then considered the application, which Officers had recommended be approved.

Members commented that this was a difficult application, the applicant had continued working on site during the Covid-19 pandemic and has subsequently been constructed prior to determination. The extant application was debated at Committee; however, the proposed application was completely different and if this application had been presented to the Committee for approval first, there would likely have been different Conditions attached to it as compared to the extant application.

Several Members raised concerns regarding setting a precedent with applicants changing designs once approval was granted.

Members asked Officers if they were aware of the changes taking place. Officers replied that they had not been aware initially, but

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when discovered, their approach was to work with the applicant to explore if a solution existed, as opposed to just taking formal action. Officers also highlighted to Members that when the application came to Committee in July 2021 that work was still in progress.

Officers advised the Committee that each application must be considered on its own merits and that the retrospective nature of a development should not influence their decision making. Also, Officers highlighted that there was an extant live permission for a building to be in that position which represents a fallback position.

Members commented that the living space was not significantly more and that during execution of the planning permission they found an issue with height. Officers clarified the fall back was not the Dutch barn, but the 2017 permission.

Members raised concerns with the fallback position stating that the extant permission was not enacted and that two properties were constructed and the application should be seen as a new build. Officers reiterated that Members had to bear in mind that there was an extant planning permission for a building to exist in that position on site, all be it on a different land level.

Members asked Officers if they would be able to clarify the Counsel advice sought after the application was deferred in July 2021. Officers stated that advice was sought on if the 2017 planning application was a valid fallback position. Guidance was given around how much of the original plan was implemented and a view was taken, as a whole, as to the extent of deviation from the approved plans. It was decided after consultation that it was a valid fallback position.

Members asked Officers what would happen if permission was refused. Officers clarified that the applicant could appeal the decision, or they could demolish the building and implement the extant permission.

Members compared the two properties and commented that in their opinion living space was a more reasonable comparison and the differences would not be major. Officers clarified that the contrasting volume (created largely by the contrasting roof volume) was an important consideration that required due assessment.

Members stated that they were unhappy with how the application had been altered and that it could have come back to Committee a while ago. The extant fallback position was for approval for a one building on the site, but two buildings had been constructed. This therefore changed the number of vehicles and residents. 1x4bed would likely be 2 Vehicles and 5 residents, 2x2bed could be 4 vehicles and 6-8 residents, which would impact on the Green Belt.

Additionally, Members argued that the reason given that it would have been very difficult to build a 1.5m foundation was poor in their opinion, and that the builders chose the cheapest way to build on the site and had behaved inappropriately.

Officers advised Members to make their decision based on the application as it stands and not to consider how the scheme had been arrived at. Officers clarified that Members did have a choice in how they decided the application.

Officers stated that the sub-division could be policy compliant and referred to para 80 of the NPPF regarding sub-division of buildings. However, they appreciated that the building was not existing, but the applicant did have a fallback position.

On being put to the vote, it was

RESOLVED that

Having had regard to the development plan and to all other material considerations, that Planning permission be granted subject to the Conditions as detailed on pages 14 and 15 of the main agenda report.

With the agreement of the Chair, the meeting stood adjourned between 20:11 and 20:16

17. APPLICATION - 22/00070/FUL - ALTO HOUSE, RAVENS BANK DRIVE, REDDITCH, WORCESTERSHIRE

This application was reported to Planning Committee for determination because the application was for a major development (more than 1000 sq metres of new commercial / industrial floorspace). As such, the application fell outside the Scheme of Delegation to Officers.

Officers reported that following submission of a Bat Survey Report and Mitigation Strategy, that there was an additional and amended Condition attached to this application as detailed in the Planning Update Report.

Officers presented the report and in doing so, drew Members' attention to the presentation slides on pages 15-26 of the Site Plans and Presentation Pack.

This application was for the demolition of existing buildings at Alto House on Ravens Bank Drive. This included erection of a new commercial unit delivering up to 5,575 sq meters GIA of development falling within Use Classes B2, B8, E(g)(iii). The development included ancillary offices, access improvements,

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drainage, landscaping, vehicular parking, boundary treatments and associated works.

Officers drew Members' attention to Existing Site Layout and Proposed Site Layout, as shown on paged 18 and 19 of the Site Plans and Presentations Pack. Officers highlighted that vehicular and pedestrian access remained the same.

Officers highlighted the potential bat roost in a single storage garage on site which needed to be carefully considered during demolition, as outlined in the planning approval conditions. Officers highlighted the building's location on the Existing Aerial View on page 23 of the Site Plans and Presentations Pack.

Officers commented that most of the tree cover on site would be retained as a screen. Officers also commented that they considered the materials for construction to be appropriate and in keeping with the surrounding buildings.

Officers drew Members' attention to the statement from Worcestershire Highways on page 21 of the main agenda pack, stating that they had no objections, subject to the conditions regarding improvements to the nearby bus stops.

In conclusion, having had regard to the development plan and to all other material considerations, Officers recommended that the application be approved.

Members then asked questions of the Officers.

Members drew Officers' attention to page 25 of the main agenda pack, in particular the provision for 60 car parking spaces and 139 bicycle spaces. Members asked that if the application supplied only 20 bicycle spaces why was it deemed satisfactory. Officers referred highlighting to the record of dialogue detailed on page 26 of the main agenda pack; evidence was presented which Worcestershire County Council (WCC) had taken into consideration and which they were satisfied with.

Members asked for clarification that the 60 car parking spaces did not include HGV parking. Officers replied that HGV parking was on a separate (north) part of the site.

Members asked if there were any planned changes to the egress. Officers informed Members that the egress would still be the same location however, there would be some small changes to the geometry and gradients of the curbs.

Members questioned the 80-100 full time employees expected but only 60 car parking spaces were being provided. Officers explained

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that there was a travel plan as part of the scheme to promote alternative forms of transport. This included three dedicated carpool spots, pedestrian access, and bicycle spaces. Officers also detailed the contributions to improve the existing bus stops in the area.

Members then considered the application, which Officers had recommended be approved.

Members expressed concern that the 60 spaces could not be enough to cover the expected 80-100 full time employees that the development project could generate. Members also highlighted that the site was very compact so there was not enough room to accommodate more spaces which could lead to parking on Ravens Bank Drive.

Members also commented that it was a speculative guide regarding the number of jobs created, however, Council guidance was sought, and it was deemed an appropriate level of parking provision. Additionally, a working day could be 24 hours a day in 3 shifts so that could reduce the number of car parking spaces required at any one time.

Members welcomed the regeneration of the site and the generation of employment opportunities. Members also considered the application attractive and in keeping with the area and surrounding buildings.

Members sought clarification regarding the use of the money generated and how it would be used to improve the bus service. Officers clarified that the WCC had requested the financial contribution to improve the infrastructure and in this instance, it was deemed a valid request.

Members commented that other such businesses started off as B2 but ended up as a storage warehouse which had led to an increase in HGV frequency in the area.

Members commented that even if there was an increase in HGV frequency, there would be jobs coming into the area which was very important.

All Members were in agreement with the Officer's recommendation

RESOLVED that

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

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1. **The satisfactory completion of a Planning Obligation (Unilateral Undertaking) ensuring the provision of**
 - a. **A financial contribution of £2,400 towards the upgrade of the bus stop at Ravensbank Drive, 110m south of site and**
 - b. **A financial contribution of £5000 towards the upgrade of the bus stop at Moons Moat Drive**
 2. **Conditions and Informatives as summarised on pages 27 to 31 of the main agenda report; subject to Additional Condition 12 and Amended Condition 7, as detailed in the Planning Update Report.**
18. **APPLICATION - 22/00539/FUL - KINGFISHER SCHOOL , CLIFTON CLOSE, REDDITCH, WORCESTERSHIRE, B98 0HF**

This application was being reported to the Planning Committee because the site was owned by Worcestershire County Council. As such the application fell outside the Scheme of Delegation to Officers.

Officers informed the Committee that there were no update reports for the item.

Officers presented the report and in doing so, drew Members' attention to the presentation slides on pages 27-32 of the Site Plans and Presentation Pack.

The application proposed two single storey extensions to Kingfisher School to provide an Office, Mentor/Breakout Room, circulation and Outreach Room.

Officers drew Members' attention to the Existing and Proposed Site Plan on page 29 of the Site Plans and Presentation Pack, pointing out the location of the two proposed extensions. Officers further highlighted the cycle storage which needed to be moved and indicated its new proposed position.

Officers also mentioned

- Both extensions were single storey.
- There would be no increase in pupil or staff numbers so there would be no impact on parking.
- Proposed changes were inside the school building boundaries.
- There would be no overspill onto green space surrounding the school.

In conclusion, having had regard to the development plan and to all other material considerations, Officers recommended that the application be approved.

Members then considered the application, which Officers had recommended be approved.

All Members were in agreement with the Officer's recommendation

RESOLVED that

Having regard to the development plan and to all other material considerations, planning permission be GRANTED subject to the Conditions and Informative outlined on Pages 35 and 36 of the main agenda pack.

19. APPLICATION - 22/00637/FUL - NUMBERS 45 TO 122 HIGH TREES CLOSE, OAKENSHAW, REDDITCH, B98 7BP

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

Having declared an interest, Councillor Baker-Price left the meeting room and took no part in the debate or decision making process for this item.

Officers informed the Committee that there was no update report for the item.

Officers presented the report and in doing so, drew Members' attention to the presentation slides on pages 33-42 of the Site Plans and Presentation Pack.

The proposal comprised general repair and improvement works to 77 properties in total situated within High Trees Close. The works included the replacement of existing cracked concrete planters serving existing balconies with powder coated metal privacy fencing and rails; improved water proofing solutions to balconies and increased insulation; replacing the original brick kerbs with concrete kerbs; street lighting and waste removal improvements.

Officers drew Members' attention to the example of the metal balustrade on page 38 of the Site Plans and Presentations Pack. Officers highlighted that this image was to show materials and style only and that the actual railing would be 1m High.

Officers also mentioned:

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- Upgrades would affect 77 flats.
- Changes to the waste system to match a system used in Batchley, which used the same bins but housed them in a timber/galvanised metal unit.
- Change in the lamps to convert to LED providing a brighter white light.
- Replacing current brick curbs with more robust concrete curbs.

In conclusion, having had regard to the development plan and to all other material considerations, Officers recommended that the application be approved.

Members then asked questions of the Officers.

Members asked if a 1m balustrade presented a suitable safety measure. Officers explained that the current height of the planters was 750mm so there would be an increase in height compared to that of the existing. Officers also highlighted that the 1m height would be to the upper floors and that the ground floor would have a 1250mm balustrade.

At the invitation of the Chair, Mr. Andrew Rainbow, Capital Programmes and Contracts Manager for RBC addressed the Committee.

Members then considered the application, which Officers had recommended be approved.

Members commented that the upgrades would enhance the properties and public safety, improving the life of residents.

Members thanked the speaker for addressing the Committee. Members also recognised the work and consideration that had been put into the project by the development team.

Members commented that the development would much improve the visual amenities of the area comparing the proposals with the appearance of the existing deteriorating concrete planters.

Members expressed concern over the 1m railings being of insufficient height to prevent falling from the balconies. Officers replied that balcony railing heights with respect to matters of safety would be covered under separate legislation, principally that of the building regulations.

All Members were in agreement with the Officer's recommendation.

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RESOLVED that

Having regard to the development plan and to all other material considerations, planning permission be GRANTED subject to the Conditions outlined on page 39 of the main agenda pack.

The Meeting commenced at 7.01 pm
and closed at 9.01 pm



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Wednesday, 13 July 2022

MINUTES

Present:

Councillor Michael Chalk (Chair), Councillor Timothy Pearman (Vice-Chair) and Councillors Imran Altaf, Tom Baker-Price, Andrew Fry, Bill Hartnett and Anthony Lovell (Substituting for Councillor Clayton)

Officers:

Helena Plant, Paul Lester and Amar Hussain

Democratic Services Officer:

Gavin Day

20. APOLOGIES

Apologies for absence were received from Councillor Clayton with Councillor Lovell in attendance as substitute.

Apologies were also received from Councillor Prosser.

21. DECLARATIONS OF INTEREST

There were no declarations of interest.

22. CONFIRMATION OF MINUTES

RESOLVED that

The Minutes of the Planning Committee meeting held on 6th June 2022 be approved as a true record and signed by the Chair.

23. UPDATE REPORTS

There were no update reports.

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Chair

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**24. APPLICATION - 22/00506/FUL - LAND AT SHAWBANK ROAD
REDDITCH WORCESTERSHIRE B98 8YN**

The application was reported to Planning Committee for determination because the application was for major development (more than 1000 sq metres of new commercial / industrial floorspace). 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 1-9 of the Site Plans and Presentation Pack.

The application was for the construction of a warehouse storage facility on the land at Shawbank Road, Redditch. The land formed part of the rear service yard to the existing Fly by Nite rehearsal studio and offices.

Officers reported that the existing access to the site would be retained and highlighted its location, as detailed on page 2 of the Site Plans and Presentation Pack. Officers also stated that Worcester County Council Highways had no objections regarding the application and had not requested a financial contribution.

Officers further informed Members that the development would not impact any existing jobs at the Fly by Night site and would generate 5 new full-time warehouse vacancies.

Officers reported that the land was located behind the existing Fly by Night offices which was designated as a primary employment area, therefore, Officers had no objection with the proposed land use.

Officers drew Members' attention to the comments received from North Worcestershire Water Management (NWWM), as detailed on page 10 of the main agenda pack. NWWM had sought clarification on several issues in regard to drainage; and in response to this request developers had supplied further drainage information to NWWM. Officers reported that NWWM were satisfied with the response received and were confident that a solution could be achieved with a suitably worded Condition. Officers updated Members that they had spoken to NWWM earlier in the day and would therefore be able to finalise a Condition and wording imminently.

In conclusion, having had regard to the development plan and to all other material considerations, Officers recommended that delegated powers be granted.

Members then asked questions of the Officers.

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Members sought clarification that if NWWM were now happy with the drainage solution why were Officers still seeking delegated powers rather than a Committee decision. Officers clarified that NWWM were happy that a solution could be reached, however, that would be subject to a satisfactorily worded pre-commencement Condition, and that the wording and content of such a Condition had not been finalised.

Members sought clarification on the parking arrangements mentioned under Condition 7, as detailed on page 13 of the main agenda pack. Officers clarified that the image “209-0222-04-PROPOSED SITE PLAN” mentioned in the above Condition referred to the image on page 7 of the Site Plans and Presentations Pack. Officers further explained that car parking provision would be maintained on the existing Fly by Nite site which Worcester County Council Highways had deemed as adequate. Officers also highlighted that the only Conditions requested by Highways referred to additional accessibility parking and cycle storage which were covered under the Conditions. Officers informed Members that the site was currently used to store heavy goods vehicles, however, the applicant had provision to move these elsewhere in order to accommodate the development.

Members sought information from Officers regarding the expected nature of the drainage Condition. Officers informed Members that it would likely be a sustainable drainage solution (SuDS).

Members then considered the application, which Officers had recommended be delegated to the Head of Service.

Members commented that it would have been preferable to be able to give a solution rather than delegate but understood there was no time to provide a suitable update /Condition, so understood the recommendation had to stay as delegated.

Members commented that they were happy with the NWWM Officer who was dealing with the application so were in favour to delegate the decision pending a suitable Condition from NWWM.

All Members were in agreement with the Officer’s recommendation.

RESOLVED that

Having had regard to the development plan and to all other material considerations, delegated powers be granted to the Head of Planning, Regeneration and Leisure Services to determine the planning application subject to:

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- a) **Conditions and Informatives as summarised on pages 11 to 14 of the main agenda report; and**
- b) **an additional pre-commencement drainage Condition.**

The Meeting commenced at 7.00 pm
and closed at 7.18 pm

**PLANNING
COMMITTEE**24th August 2022**Planning Application 22/00202/FUL****Demolition of existing dwelling and construction of a new replacement dwelling****55 Alcester Road, Feckenham, Redditch, Worcestershire, B96 6JP,****Applicant: Mr SMITH
Ward: Astwood Bank And Feckenham 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 comprises a single detached two storey dwelling (with cellar) in a poor state of repair on the northern side of the B4090 Alcester Road (Saltway). The original dwelling was a double fronted cottage with chimneys to end gables and has been subject to significant alteration in the past by way of a two storey side and two storey and single storey rear extensions. The dwelling is now finished with render under a slate roof. There exists a vehicular access and parking to the front of the existing dwelling. The dwelling has a long narrow rear garden at the northern end of which a timber outbuilding has been constructed. To the west lies 53 Alcester Road, a dwelling which has previously been subject to extension/alteration. The site lies in open countryside to the east of the village of Feckenham and within the Green Belt.

Proposal Description

The application is for the demolition of the existing dwelling and the construction of a replacement including a new detached garage. The proposed dwelling is of a similar style to that being demolished, being of a broadly symmetrical design and replicating details such as a chimney which exist on the existing dwelling. It is proposed that the dwelling will be finished in red brickwork with slate roof tiles and painted timber windows. A number of energy efficient features are incorporated into the dwelling such as recessed photovoltaic panels with the dwelling having been designed to achieve net zero operational energy. A detached garage is also proposed to the east of the proposed dwelling and set back from the front. The design is broadly similar to that of the main dwelling being red brick under a slate tiled roof.

Relevant Policies :

Policy 1 Presumption in Favour of Sustainable Development
Policy 8 Green Belt
Policy 15 Climate Change

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Policy 16 Natural Environment
 Policy 36 Historic Environment
 Policy 37 Historic Buildings and Structures
 Policy 39 Built Environment
 Policy 40 High Quality Design and Safer Communities
 High Quality Design SPD
 National Planning Policy Framework
 National Planning Practice Guidance

Relevant Planning History

21/01020/HHP RIO	Single storey extension.	Refused	04.08.2021
21/01397/HHP RIO	Flat roof single storey extension from rear of original house as shown on the drawings. Height will be less than 4m.	Prior approval not required	21.10.2021

Consultations**Worcestershire Archive And Archaeological Service**

The application is judged to impact a non-designated heritage asset of built historic environment interest that will be completely lost through development. Given its historic character, as an early-19th century wayside cottage that makes a positive contribution to local landscape, it would be preferable to see the retention of the heritage asset rather than its demolition (as per policy BDP20.10). Should you be minded to grant planning permission for this scheme, the loss of the non-designated heritage asset should be offset, through a programme of archaeological works secured and implemented by means of a suitably worded condition(s) attached to any grant of planning permission. This should comprise a Level 3 Historic Building Recording, as defined by Historic England, of the building prior to demolition.

Cadent Gas Ltd

Recommend informative note

Feckenham Parish Council

Objection. Feckenham Parish Council notes and agrees with the quoted views of Redditch Borough Council's Conservation Officer: "we would not be supporting the demolition of the Non-Designated Heritage Asset. The building is a wayside cottage that, alongside the neighbouring property, contributes strongly to the character and history of the area. Despite alterations that have happened at the property, the original form and architecture of the building is still clearly legible. Policy BDP20.10 supports this as states that 'The demolition of buildings or the removal of trees and other landscape

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features which make a positive contribution to an area's character or appearance will be resisted.' Furthermore, Policy BDP20.3 states that 'Development affecting Heritage Assets, including alterations or additions as well as development within the setting of Heritage Assets, should not have a detrimental impact on the character, appearance or significance of the Heritage Asset or Heritage Assets'. The demolition of the Non-Designated Heritage Asset would have an irreversible impact on its character, appearance and significance."

Conservation Officer

Thank you for consulting me in respect of this application for planning permission.

55 Alcester Road, comprises an early 19th century dwelling which can be clearly seen on the First Edition of the 1885 OS, but is also present on the Tithe Map of 1838. It is of brick construction now rendered, beneath a pitched slate roof. There are extensive 20th century extensions to the east, which almost double the width of the building, in addition to further extensions to the rear. It was originally a modest wayside dwelling located on Alcester Road, the Roman Road between Droitwich and Alcester

It is considered a non designated heritage asset, due to it's age and its origins as a wayside cottage. Although it has been much extended its original modest form is clearly discernible.

The applicant is proposing to demolish the existing building and to construct a replacement dwelling, with similar modest proportions to the front, and more extensive gabled and flat roofed projections to the rear.

Policy 37 of the Redditch Local Plan supports applications for development which conserve and enhance a building, its setting and features of special architectural or historic interest. Guidance in the NPPF must also be considered. Paragraph 194 requires applicants to describe the significance of any heritage asset affected, the level of detail being proportionate to the assets importance and no more than is sufficient to understand the potential impact of the proposals on significance; Paragraph 195 requires LPAs to take account of the significance of affected heritage assets when considering the impact of a proposal, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal; Paragraph 197, requires when determining applications that the desirability of new development making a positive contribution to local character and distinctiveness should be taken into consideration; and Paragraph 203 requires that the effect of a proposal on the significance of a non designated should be taken into account in determining the application, and a balanced judgement will be required having regard to the scale of harm and the significance of the asset.

The building is a wayside cottage that, alongside the neighbouring property, contributes strongly to the character and history of the area. Despite the later extensions, the original form and architecture of the building is still clearly legible. The property is not on the Redditch Local Heritage List, although like the Statutory List properties can be added at

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any time. That said although this property is considered a non designated heritage asset, due to the alterations that have been carried out its significance is relatively low and it would probably not be eligible for inclusion on the local list.

The proposed replacement dwelling would appear to draw on the architecture of the existing building, and comprises a modest front elevation, with cottage like proportions, but is deeper in plan form than the existing to incorporate the required space. It would therefore sit more comfortably in the streetscene than the scheme initially proposed.

Although a new building could undoubtedly be more energy efficient in way it is heated and insulated, so reducing its 'operational' emissions, the embodied energy of the original structure and proposed structure should also be brought into the equation. This includes the energy used during construction, maintenance and demolition or reuse. A whole building approach measures carbon emitted at all stage of a building's lifespan and demonstrates the importance of embodied carbon emissions. It is suggested that this information is also considered when deciding whether environmentally this is the best way forward.

The retention and upgrading of the existing structure would be preferred, and this option does not appear to have been fully explored. It is acknowledged, however, that the building is of low heritage significance, and this must be weighed against the benefits of the proposed scheme as required by paragraph 203 of the NPPF, when determining the application.

If you are minded to grant consent it is suggested that a full building recording is conditioned with guidance from WAAS on the appropriate level.

Highways Redditch

No objection subject to conditions.

Public Consultation Response

No comments received

Assessment of Proposal**Green Belt**

The site lies in the Green Belt where there is a presumption against new development. Policy 8.3 of the Borough of Redditch Local Plan No. 4 (BoRLP) states that applications for development within the Green Belt should be determined in accordance with national planning guidance on Green Belts. In this regard, paragraphs 147-149 of the National Planning Policy Framework (NPPF) are relevant to the determination of this application.

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The NPPF identifies that the fundamental aim of national Green Belt policy is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belts are their openness and their permanence. Paragraph 147 of the Framework states that ‘inappropriate development’ in the Green Belt is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 149 regards the construction of new buildings in the Green Belt as inappropriate development, subject to a number of listed exceptions.

Paragraph 149 d) sets out one such exception – “the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces”. The site comprises a dwelling and the proposal seeks its replacement, therefore the new building, with reference to paragraph 149 d) above, is in the same use. It is therefore necessary to go on to consider whether the replacement building is *materially larger* than the one it replaces (my emphasis). There is no definition of materially larger set out in the NPPF. Whilst being mindful of the Tandridge DC v SSCLG (2015) case which made it clear that the assessment of Green Belt impact should not be a purely arithmetical one, appeal decisions considering this matter have indicated that increases of less than 10% can be considered not materially larger.

With respect to the current proposal the supporting statement provided with the application confirms the following:

	Existing	Proposed
Footprint	107m ²	132m ²
Floorspace	200m ²	230m ²
Volume	498m ³	650m ³
Height to eaves	4.65m	4.98m
Height to ridge	6.08m	6.3

The proposal, when compared with the existing therefore represents a 23% increase in footprint, 15% increase in floorspace, 30% increase in volume and a 3.6% increase in overall height. Taking all these factors in the round it is considered that the proposed dwelling would be materially larger than the one it replaces contrary to paragraph 149 d) of the NPPF and is therefore inappropriate development in the Green Belt.

Loss of non-designated heritage asset

The existing dwelling has been identified as a non-designated heritage asset with a Heritage Impact Assessment having been submitted in support of the application. The council’s Conservation Officer has provided views on the proposal as set out above as well as those of Worcestershire Archaeology and Archive Service. Policy 37 of the BoRLP seeks to support applications for development which conserve and enhance a building, its setting and features of special architectural or historic interest. Paragraph 203 of the NPPF requires that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining planning applications. Furthermore, in weighing applications which directly affect non designated

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heritage assets a balanced judgement will be required having regard to the scale of harm or loss and the significance of the heritage asset.

Clearly, through the demolition of the dwelling, the loss of the asset will be total. However, it is noted that the proposed dwelling is considered by the Conservation Officer to be of low heritage significance, commenting that due to the alterations that have been carried out it would probably not be eligible for inclusion on the local list.

It is noted in the supporting documentation that in order to improve the dwelling to meet modern habitable standards further work to the fabric of the dwelling would be necessary. Problems that the dwelling suffers from include walls with no insulation, damp and poor wiring and plumbing that require replacement. It is also of note that the dwelling benefits from a householder prior notification approval for single storey extensions to the rear which, if undertaken, would further erode the fabric of the existing dwelling. In addition, the Conservation Officer has commented that the proposed design of the replacement dwelling is sympathetic to the surroundings.

Taking all these matters in to account it is considered that harm would arise through the loss of the heritage asset, although given those matters outlined above this harm would be limited.

Protected species

The application is supported by a preliminary bat roost assessment and a bat survey and site assessment. The bat survey found that: "bat activity was greatest at the front of the dwelling and was seen to be mostly associated with the hedgerows and mature trees that line the corridor of Alcester Road. No bats were seen to emerge from potential bat roosting sites within the dwelling house or the mature oak tree at the front of the site and bat activity over the site was generally considered to be low." Whilst no bats were found to be roosting at the site recommendations are made, which can be reasonably controlled by condition, with respect to precautionary working methods and biodiversity enhancement at the site.

Amenity and Design

No comments have been received from the occupiers of the adjoining dwelling (53 Alcester Road), however notwithstanding this it is considered necessary to assess the impact of the proposal on the amenity of the occupiers of this dwelling.

The proposed dwelling is sited broadly in the same position as the existing. There is an existing window on the side elevation of number 53 which will look directly towards the proposed dwelling. A single storey element of the proposal will be 7.7m from this window. This is slightly further away compared with an existing single storey element of the existing dwelling. A two storey rear projection is proposed which is 12.5 metres away from this window. This separation distance meets with the guidance in the adopted High

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Quality Design SPD at 4.2.49. it is therefore considered that the proposal will not result in any harmful overbearance to the occupiers of 53 Alcester Road.

One small window is proposed in the first floor side elevation facing 53 Alcester Road serving a corridor element to a bedroom and which the plans indicate will be obscurely glazed. No windows are proposed in the ground floor side elevation facing the neighbouring dwelling. Whilst it is inevitable that some overlooking could arise from bedrooms 4 and 1 this will be at oblique angles and is not considered to be materially more harmful than if the existing dwelling were retained and refurbished.

With respect to overshadowing, given that the proposed dwelling is sited to the east of 53 Alcester Road it is likely that a limited level of overshadowing may occur at the start of the day. However, this has to be tempered against the impact of the presence of the existing dwelling and that the proposed dwelling is not significantly higher than the existing or set any closer than the existing dwelling. Taking these factors in to account the proposal is not considered to have a harmful impact through overshadowing.

The design of the proposed dwelling seeks to replicate the existing with respect to architectural features, materials and overall scale and proportion. It is noted that the Conservation Officer refers to it as cottage-like and that it will sit comfortably in the street scene. Overall, it is considered that the design of the dwelling is appropriate for the rural context within which it sits.

Other considerations and Green Belt balance

The development represents inappropriate development in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt, and paragraph 148 of the Framework requires that substantial weight must be given to any harm. In addition, it has been found that harm would arise through the loss of a heritage asset however given the low significance of the building this is considered to have limited weight against the proposal. Inappropriate development should not be approved except in very special circumstances, which will not exist unless the harm to the Green Belt, by reason of inappropriateness, and any other harm is clearly outweighed by other considerations.

With respect to the Green Belt impact in support of the application a permitted development fall back has been advanced. The dwelling benefits from the approval of a larger house extension prior approval for two single storey rear extensions. In considering whether the permitted development scenario outlined should be given weight the Courts have held that the fall back has to only be "more than a merely theoretical prospect". The likelihood of the fallback occurring may, however, affect the weight given to it. The supporting information submitted with the application has outlined that if this application were to fail then the permitted development rear extensions would be constructed as an alternative. This being the case the dwelling could be expanded without further recourse to the council. It is considered likely that this course of action would be undertaken by the occupiers given that it would provide greater ground floor accommodation, a situation which is reflected in the design of the proposed replacement

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dwelling. Calculations provided with the application show that with respect to all factors, with the exception of eaves and ridge height, the proposed dwelling would be smaller than the existing plus permitted development extensions:

	Existing with PD	Proposed	% Difference
Footprint	152m ²	132m ²	-11.2%
Floorspace	244m ²	230m ²	-5.7%
Volume	688m ³	650m ³	-5.5%
Height to eaves	4.65m	4.98m	+7.1%
Height to ridge	6.08m	6.3m	+3.6%

The increase in ridge and eaves height has been explained as being necessary to achieve modern building regulations with the modest increase sitting below the 10% threshold that has been found to be 'not materially larger' as set out in this report above. Having regard to the above it is likely that the permitted development extensions would be implemented at the site in the event that this application was not successful and therefore this represents a realistic fallback. If this were to occur, a greater amount of built form would be present in the Green Belt than proposed under this application. This matter is afforded significant weight. With respect to the proposed garage this would add an additional floorspace of 34 square metres of built form to the site. Whilst the height of the proposed garage would exceed that which could be constructed under permitted development, the site does benefit from Class E permitted development rights which means that a significantly larger building could be constructed, in a location which is more detached from the dwelling having a significantly greater impact on the openness of the Green Belt than that which is proposed. Again, this matter is afforded significant weight.

The application is accompanied by a statement to explain how the dwelling will incorporate features to achieve net zero carbon in operational energy. This principally means that the dwelling will be heated through an air source heat pump and a solar array will be installed in the south facing roof slope. In addition to this an embedded carbon statement has explained how, where possible, the existing fabric of the building will be reclaimed and re used in the proposed development of the site. Examples of this include setting aside the existing roof slates for use on the garage roof or as stone chippings in the rear garden and the existing brick walls being crushed to fill the existing basement. Policy 15 of the BoRPLP supports this approach to development and therefore it is afforded moderate weight.

The highway authority have not objected to the proposal. However this weighs neither for or against the proposal so is a neutral factor in the determination of the application.

It has been found that the proposal represents inappropriate development in the Green Belt which is harmful to the Green Belt by definition and therefore is afforded substantial weight. In addition, the proposal will result in the loss of a non-designated heritage asset, which given its low significance is afforded limited weight. On the other hand, the

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proposal benefits from a permitted development fallback position which would result in a greater amount of development in the Green Belt than the proposal and this is afforded significant weight. Furthermore, the proposal seeks to achieve net zero carbon operational energy and this is afforded moderate weight. It is therefore considered that these other considerations taken together clearly outweigh the totality of harm to the Green Belt and harm through the loss of a non-designated heritage asset and therefore very special circumstances necessary to justify inappropriate development in the Green Belt exist.

RECOMMENDATION:

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

Conditions:

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

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

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

2017-PL01
2017-PL11 Rev G
2017-PL10 Rev E
2017-PL15 Rev A
2017-PL14 Rev D
2017-PL13 Rev E
2017-PL16 Rev A

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

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

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

5. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (1) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

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

6. The Development hereby approved shall not be occupied until the first 5 metres of the access into the development, measured from the edge of the carriageway, has been surfaced in a bound material.

Reason: In the interests of highway safety.

7. The Development hereby permitted shall not be first occupied until the proposed dwelling has been fitted with 2 electric vehicle charging points. The charging points shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851 and the Worcestershire County Council Streetscape Design Guide. The electric vehicle charging points shall be retained for the lifetime of the development unless they need to be replaced in which case the replacement charging point(s) shall be of the same specification or a higher specification in terms of charging performance.

Reason: To encourage sustainable travel and healthy communities.

8. The Development hereby permitted shall not be first occupied until sheltered, safe, secure and accessible cycle parking to comply with the Council's adopted highway

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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.

9. The Development hereby approved shall not be occupied until the parking and turning facilities have been provided as shown on drawing 2017 - PL13 Rev E.

Reason: To ensure conformity with submitted details.

10. The dwelling hereby approved shall be constructed in accordance with and incorporating those features outlined in the Embedded Carbon Statement by Jeff Scoffham and Net Zero Carbon House statement by Engineering Services Consultancy Ltd.

Reason: In the interests of sustainable development.

11. Prior to occupation of the development hereby approved details of biodiversity enhancement measures to be installed at the site in accordance with the submitted protected species survey shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented on site within one month of the first occupation of the development

Reason: In order to enhance biodiversity at the site.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order) no development included within Schedule 2, Part 1, Classes A to E shall be carried out without express planning permission first being obtained from the Local Planning Authority.

Reason: To protect the openness of the Green Belt.

Procedural matters

This application is being reported to the Planning Committee because an objection has been received from a consultee which has not been resolved through the course of dealing with the application.

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**PLANNING
COMMITTEE**24th August 2022

Planning Application 22/00359/REM

Application for reserved matters approval (appearance, landscaping, layout and scale) for the construction of 72 dwellings and associated works and infrastructure, pursuant to the hybrid planning permissions 19/00976/HYB and 19/00977/HYB (Cross boundary application with Bromsgrove DC 22/00255/REM).

Fourth Phase Of Persimmon Brockhill Development, Weights Lane, Redditch, Worcestershire

**Applicant: Persimmon Homes South Midlands Ltd
Ward: Batchley And Brockhill Ward**

(see additional papers for site plan)

The case officer of this application is Mr Paul Lester, Planning Officer (DM), who can be contacted on Tel: 01527 881323 Email: paul.lester@bromsgroveandredditch.gov.uk for more information.

Consideration and Determination of Cross Boundary Application

Two identical applications have been submitted which include land within two LPA boundaries (Redditch and Bromsgrove).

The consideration of the impacts of a development proposal are not altered by political boundaries and cannot be considered in isolation. Members need to consider the application as a whole, (not just that part of the development within its own administrative boundary) and come to a decision based upon that consideration. However, Members will only be determining the application in so far as it relates to the administrative boundary of Bromsgrove.

Site Description

The application site forms part of the Brockhill allocation, which is a greenfield site which extending to circa 56 hectares and is irregular in shape, comprising of heavily grazed improved grassland and large arable field parcels typically subdivided by fencing. The allocation site's boundaries extend adjacent to Brockhill Lane to the west, Weights Lane to the north, the Redditch/Birmingham railway line to the east; Phase I (Pointer's Way) and Phase II (Meadow View) to its south; and the recently started Phase 3. These phases have or are being built by Persimmon. A further phase by Bovis Homes is located off the Weights Lane roundabout. To the north of the application site off Weights Lane is an area of employment development known as Weights Farm Business Park.

Phase 4 covers 9.2ha and will be sited within the context of the above. Within Phase 4, the most relevant features are the existing woodland, trees and hedgerow cover, which

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are mainly set over a steep topography (1:3) and contain numerous trees protected by Tree Preservation Orders (TPOs).

Proposal Description

Following the granting of the hybrid application for up to 960 dwellings, this application seeks consent for the Phase 4 Reserved Matters and the erection of 72 dwellings and associated works and infrastructure,

The principle of the proposed development (for up to 960 units) has been established through the granting of Hybrid permission 19/00977/HYB. Therefore, the issues for consideration by Members are limited to matters of layout (including internal vehicle access), scale, appearance and landscaping.

The table below sets out the house types, tenures, bedroom numbers and totals of each.

	Tenure	No. of Beds	Dwelling Type	Total of each Dwelling Type	Combine d Total of Each Dwelling Size	Total Affordable Housing by Type	Overall Total
Market	Private	2	Alnmouth	7	7		42
		3	Danbury	4	20		
			Glenmore	2			
			Sherwood	4			
			Barnwood	1			
			Charnwood	2			
			Dorridge	3			
			Himbleton	4			
		4	Greenwood (2.5 storey)	5	9		
			Kennet (2.5 storey)	2			
Rivington	2						
5	Kiedler	6	6				
Affordable	Shared ownership	2	Alnmouth	8	8	12	30
		3	Danbury	4	4		
	Social Rent	1 bed flat	HQI Type 50	2	2	18	
		2	Alnmouth	5	5		
		3	Rendlesham	9	9		
		4	Grizedale	2	2		
Total						72	

Total 2/3 bedroom units = 53

A total of 42 market homes are proposed to be provided across the site to provide 9%, two-bedroom dwellings: 41%, 3-bedroom dwellings, 37% 4 bed dwellings and 13% 5 bed dwellings. There is a focus on the provision of 2- and 3-bedroom properties (which

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will make up over 50% of the overall phase).

The proposals include the provision of 30 affordable housing units, which equates to 42% of the total dwellings proposed. The affordable housing mix would provide: 6% 1 bed units; 43% 2 bed units; 43% 3 bed units; and 6% 4 bed units. The mix is reflective of the requirements set out by the Housing Strategy Team. The affordable housing tenure is split between shared ownership and affordable rent, 40%:60%. These units would be provided in clusters across the whole of the site.

As part of the proposal, mostly 2 storey dwellings are proposed. However, there are also some 2.5 dwellings incorporating dormers.

The Reserved Matters to be considered under this application are:

- Layout - the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development. This includes the internal road configuration.
- Scale - the height, width and length of each building proposed within the development in relation to its surroundings;
- Appearance - the aspects of a building or place within the development which determines the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture; and
- Landscaping - the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes—
 - o (a) screening by fences, walls or other means;
 - o (b) the planting of trees, hedges, shrubs or grass;
 - o (c) the formation of banks, terraces or other earthworks;
 - o (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and
 - o (e) the provision of other amenity features

To be clear, the issue of external access has already been determined and approved, so it is not included in the current application.

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

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Policy 17: Flood Risk Management
Policy 19: Sustainable travel and Accessibility
Policy 20: Transport Requirements for New Development
Policy 22: Road Hierarchy
Policy 31: Regeneration for Town Centre
Policy 36: Historic Environment
Policy 37: Historic Buildings and Structures
Policy 39: Built Environment
Policy 40: High Quality Design and Safer Communities
Policy 46: Brookhill East
Appendix 1 RCBD1 Redditch Cross Boundary Development

Others

NPPF National Planning Policy Framework (2021)
NPPG National Planning Practice Guidance
Borough of Redditch High Quality Design SPD (June 2019)

Bromsgrove District Plan

RCBD1: Redditch Cross Boundary Development
High Quality Design Supplementary Planning Document (June 2019)

Relevant Planning History

The application site forms part of a larger site that was the subject of a cross boundary hybrid planning applications for the following proposal.

Hybrid applications 19/00976/HYB and 19/00977/HYB for up to 960 dwellings consisting of a full application for 128 dwellings accessed off Weights Lane, new public open space, drainage system, engineering operations associated works and an outline application (with all matters reserved with the exception of access) for the construction of the remaining dwellings with access points off Cookridge Close, Hawling Street and Weights Lane and including a new District Centre, new play facilities, new highway network, public open space, new drainage system and surface water attenuation, engineering operations and all associated works including landscaping.

This was approved at Redditch Planning Committee on 27th January 2021 subject to the signing of s106 agreement. Following the signing of the s106 agreement, the Redditch decision (19/00977/HYB) was issued on 1st November 2021. A copy of the decision notice is included in Appendix 1.

Condition requirements to be addressed as part of the Reserved Matters submission include the following:

- Condition 6 requires the development to be carried out in accordance with the Framework Plan 8506-L-02 J and the principles described in the Design and Access Statement. Any Reserved Matter application shall include a statement providing an

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explanation as to how the design of the development responds to the relevant Design and Access Statement.

- Condition 7 requires an external materials plan.
- Condition 16 requires the specification, extent and methodology of cut and fill works.
- Condition 17 requires details of the finished ground floor levels (shown on P4-1).
- Condition 24 requires details of the hard landscaping (shown on P-03)
- Condition 27 requires an Arboricultural Method Statement and Tree Protection Plan.
- Condition 28 requires details of the mix of type and size of market dwellings.
- Condition 29 requires a plan identifying the number and location of the affordable housing units.
- Condition 30: requires boundary treatment details (shown on P-03).
- Condition 31: requires refuse storage details.
- Condition 37: requires details of cycle parking (shown on P-02).

Other Planning History

- Phase 1 (2011/177/OUT): Mixed use development of 171 dwellings, public open space (no matters reserved) and outline application for 4,738 square metres of Class B1 (Business) floorspace and access. Planning consent was granted on 3rd October 2011.
- Phase 2 (2014/256/OUT): Mixed use development of 296 dwellings, play area, Community House and public open space and outline application for up to 3,100 square metres of Class B1 (Business) floorspace and access. Planning consent was granted on 29th March 2017.
- New School: (16/000007/REG3) New two-form entry First School with associated external areas including access road, hard play, grass pitches, forest schools area, and parking. County application planning consent was granted on 13th October 2016.
- Land at Weights Lane (2012/120/OUT) Mixed use development of up to 200 dwellings, 5,000 sqm (gross) Class B1 office floorspace with associated open space and access arrangements. Planning consent granted on 11th March 2014.
- Land at Weight Lane (reserved matters): (2015/265/RM) Layout, appearance, scale and landscaping for the erection of 200 no. dwellings with associated infrastructure and landscaping and the discharge of conditions 5, 9, 15 and 16 of the outline application reference 2012/120/OUT. Planning Permission was granted 16th December 2015.

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Consultations

Tutnall And Cobley Parish Council

Tutnall and Cobley Parish Council has no reason to object as long as the infrastructure is capable of supporting the development proposed.

Worcestershire Archive and Archaeological Service

No Objection

Conservation Officer

No objection

North Worcestershire Water Management

No objection subject to drainage strategy plan.

WRS - Noise

No objection

Housing Strategy

Confirm that the percentage of affordable housing and the split between social rent and shared ownership is acceptable. Also, the location of units throughout the site is acceptable.

WRS - Contaminated Land

WRS have no adverse comments to make for contaminated land subject to a Import of soil and soil forming materials condition.

Highways - Bromsgrove

No objection following submission of amended plans and additional information. Conditions recommended regarding provision of turning/parking/visibility.

WRS - Air Quality

No objection

Waste Management

No objection

Arboricultural Officer

No objection subject to the tree protection measure set out in the FPCR Environmental and Design Ltd dated 2022

Severn Trent Water Ltd

No objection

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Public Consultation Response

86 letters sent 18th March 2022
Site notices displayed 23rd March 2022
Press notice published 1st April 2022

5 representations received raising the following issues:

- Concern regarding site access/traffic/highway safety
- Construction traffic and noise
- Objection to further housing here and loss of greenfield
- Detrimental to trees and wildlife

Assessment of Proposal

Phasing

The proposal relates to the fourth of seven phases proposed to complete the Brockhill development. The phasing of the development is reflected in the hybrid planning permission (condition 1). A phasing plan has been approved as part of the discharge of conditions.

Layout

The layout responds directly to the challenging topography across the site and relates to earlier development phases and is a direct continuation of Phase 3. 72 units will outlook onto the area of public open space (POS), which will create natural surveillance and a focal point for way-finding whilst being respectful to existing residents and creating adequate separation from the nearby industrial estate. Residents living on plots 129-141 and 177-189 (numbered continuously from Phase 3) will also benefit from views out to the surrounding countryside.

The route of the main road offers a direct, logical route for all users and will connect Phases 1, 2 and 3 through to 5, 6 and 7 in a sinuous form. This will provide in-built traffic calming whilst maintaining a legible movement structure.

Servicing plots 129-157 is a secondary road described in the DAS as a lane. As required by highways, this is terminated with a turning head to aid traffic calming. To reflect the edge of development feel, a range of detached, semi-detached and terraced properties are arranged in a 'neighbourly cluster' and will offer informal surveillance of the street.

The distribution of affordable rent and shared ownership properties is proposed to be in a diverse and reasonable manner. Housing Officers have been consulted and agree that the affordable housing provision, mix and cluster arrangements within the layout are acceptable.

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The proposed layout is faithful to the masterplan from the outline approval, in its site planning strategy, in its density, and in its detailed layout. The proposal is in accordance with Policy 46 Brockhill East and RCBD1. Overall, the proposed layout is considered to accord with policies 39 and 40, Redditch High Quality Design SPD and the NPPF.

Landscaping

The DAS, Framework Plan and Illustrative Masterplan envision a vast amount of GI (approximately 57% of the total scheme) and a high-quality public realm across the Design and Access Compliance Statement – Phase 4, Land at Brockhill East, Redditch development. Central to this is the retention of the ridgeline landscape and associated woodland, of which 7ha falls within Phase 4. To ensure its preservation whilst creating an attractive outlook for residents and visitors, development is set well below the ridgeline to avoid encroachment on to the highest ground and any identified views.

The DAS recommended enhancing the ridgeline by creating a 'ridgeway' amenity walking route along the ridgeline with key viewpoints provided with seating, including small blocks of native woodland planting to further green the skyline and retaining and augmenting boundary vegetation, including tree and hedgerow planting. Phase 4 reflects these requirements by retaining and enhancing the vegetation and woodland through additional tree and hedgerow planting (full details of the soft landscaping proposals will be submitted following the reserved matters application as part of the hybrid permission). Neither a play area nor SuDS are located within this phase, as these are provided in Phase 3.

In relation to the landscaping around the proposed dwellings, to break up the street scene, street trees and other landscaping features will be included along the main street. This will also provide an attractive route through the scheme. Trees will be used within the private curtilage of some properties to provide structure and create privacy for the residents. Different species and sizes will be used to define the character areas and street hierarchy. A mixture of shrub and herbaceous species will be planted in front gardens to create texture, colour and year-round interest. A landscape management plan will be submitted at a later date as details are reserved by a condition.

Overall, it is considered that this proposal satisfactorily achieves the aims of the Design & Access Statement and development plan policy.

Scale including Housing Mix and Affordable Housing Provision

The hybrid planning permission-imposed planning conditions relevant to the scale of development. Condition 1 of the permission requires the scale of phases to be submitted and considered. The scale or quantum of development is fixed by condition 5 of the Hybrid permission, which limits development to 960 homes across the site. Phase 3 approved 128 homes and this phase proposed 72.

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The Net density is 38.7 dwellings per hectare (dph), which respects the phases 'edge of development' location whilst efficiently using land around the dedicated open space.

The DAS requires that building heights be primarily two storeys. This is reflected in the proposals, where primarily 2-storey dwellings mimic local character and occasional 2.5-storey dwellings provide interest and focal points along the street scene.

A range of terraced, semi-detached and detached properties are proposed to create an interesting and attractive setting with varying ridge heights. Two flats will also be delivered. To generate further appeal along the main and secondary roads, the provision and length of front gardens have been varied. Longer front gardens create a more open scene, whereas shorter gardens or frontage parking create a sense of enclosure.

As outlined in the table proposal section of the report, the housing mix and affordable housing mix is considered appropriate.

In conclusion, it is considered the scale of development is acceptable, promoting a good quality design that responds appropriately to the character of the area, in accordance with Borough Local Plan policies 46, RCBD1 and 39 and 40, Redditch High Quality Design SPD and the NPPF. Furthermore, the scale of proposal is considered to comply with the relevant conditions imposed on the hybrid planning permission.

Appearance

All the houses are of an attractive, functional modern design. A materials palette is proposed featuring two-tone brickwork, consisting of Rannoch Red contrast brick and Yorkshire Red Blend or Lindum Reserve contrast brick and Yorkshire Red Blend, Cream render tiled roofs in either Seawave Grey or Duo Anthracite and black coloured garage doors in steel timber effect panel or similar material; and RWPs and gutters to be black.

All dwellings face onto the street with articulation of corners achieved using distinctive materials, bays, and additional windows to habitable rooms, which ensure that blank gables to the street are avoided. This assists in pedestrian way finding through the scheme and the creation of a sense of place. Dual aspect units have been introduced to ensure all elevations make a positive contribution to the public realm and junctions.

To ensure the development is fully legible, boundary treatments will define public and private spaces. These will generally consist of 1.8m high brick walls (to match individual plots) or 1.8m timber close board fences.

The material information provided to date is satisfactory. Overall, the appearance is considered acceptable and to be in accordance Borough Local Plan policies 46, RCBD1 and 39 and 40, Redditch High Quality Design SPD and the NPPF.

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Highways and Parking

The Highway Authority has been consulted and several changes have been made to the plans to ensure the development is acceptable. As a result of these changes (including, forward visibility, road alignment, design of the internal roadways to a maximum of 20mph, confirmation on the number of parking spaces which now meet the required adopted standards) WCC as Highway Authority has advised that it has no objection.

Impact on Residential Amenity

Overall, it is considered that, given the degree of separation, position, and orientation between the proposed dwellings and neighbouring properties, the proposal would not result in harm to the amenity of the occupants of neighbouring properties or future occupants of the proposed dwellings, in accordance with the above policies.

In relation to the construction phase of this phase, under condition 39 of the hybrid permission, a Construction Environment Management would be required prior to the commencement of the 4th phase.

Other Matters

Within the supporting information for the reserved matters application, additional information has been provided by the applicant regarding reprofiling/cur and fill activities across the site. The source of any material proposed to be used as fill and to increase site levels is not known. WRS Contamination considers that in addition to the contaminated land conditions placed on the permission granted under the hybrid application, an imported soils/soil forming materials be placed on any approval granted as part of the reserved matters.

Conclusion

This is an allocated development site. The four reserved matters under consideration are found to comply with the relevant conditions imposed as part of the hybrid permission and to adhere to the masterplan, the principles of the Design and Access Statement and the NPPF. In the planning balance and taking account of material planning considerations, the development is acceptable and, subject to the conditions set out below, is recommended for approval.

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RECOMMENDATION: That the Reserved Matters of Layout, Scale, Appearance and Landscaping be approved subject to the following conditions:

Conditions:

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

Site location ref: P-01
 Site layout ref: P-02 Rev A
 External materials plan ref: P-03 Rev A
 Affordable housing plan ref: P-04 Rev A
 Tenure plan ref: P-05 Rev A
 Storey heights plan ref: P-06 Rev A
 Refuse storage plan ref: P-RS-01 Rev A
 Kielder V1 P-H-01
 Kielder V2 P-H-01-1
 Greenwood V1 P-H-02
 Greenwood V2 P-H-02-1
 Himbleton P-H-03
 Dorridge V1 P-H-04,
 Dorridge V2 P-H-04-1
 Kennet P-H-05
 Rivengton P-H-06
 Charnwood P-H-07
 Barnwood P-H-08
 Sherwood P-H-09
 Glenmore P-H-10
 Danbury P-H-11
 Alnmouth P-H-12
 Grizedale P-H-13
 Rendlesham P-H-14
 HQI P-H-15
 Tree retention plan ref: 8506-TPP-01
 Drainage strategy ref: P4-1
 Dimension and visibility general arrangement 19039 4 Rev A

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

- 2) 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

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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: 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.

- 3) Development shall be undertaken in accordance with the mitigation/protection identified in the Arboricultural Method Statement produced by FPCR Environmental and Design Ltd dated 2022.

Reason: To ensure the satisfactory protection of the existing trees and hedges

- 4) The areas shown for parking and turning on the approved plans shall be laid out and surfaced to the satisfaction of the Local Planning Authority before the relevant property/properties are occupied and shall be permanently set aside and reserved for the purpose.

Reason: In the interests of highway safety.

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 / Industrial floorspace), and as such the application falls outside the scheme of delegation to Officers.

REDDITCH BOROUGH COUNCIL

Persimmon Homes Ltd
 C/O Miss Catherine O'Toole
 Pegasus Group
 Unit 5
 The Priory
 Old London Road
 Canwell
 Sutton Coldfield
 B75 5SH

Grant of Planning Permission subject to Section 106 Agreement

APPLICATION:	19/00977/HYB
LOCATION:	Land At Brockhill East, Weights Lane, Redditch, Worcestershire
PROPOSAL:	Hybrid planning application for up to 960 dwellings consisting of a full application for 128 dwellings accessed off Weights Lane, new public open space, drainage system, engineering operations and associated works and an outline application for the construction of the remaining dwellings with access points off Cookridge Close, Hawling Street and Weights Lane and including a new District Centre, new play facilities, new highway network, public open space, new drainage system and surface water attenuation, engineering operations and all associated works including landscaping.
DECISION DATE:	1st November 2021

Redditch Borough Council as the Local Planning Authority grants planning permission subject to section 106 agreement in accordance with the Town and Country Planning Act 1990 and The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) for the proposal described above. This permission is subject to conditions which must be complied with and are set out below:

Conditions

- 1) With the exception of Phase 3 (approved in full as part of this permission - 128 dwellings accessed off Weights Lane, new public open space, drainage system, engineering operations associated works) a detailed phasing plan for the development shall be submitted to and approved in writing by the local planning authority prior to the submission of the first reserved matters application. The phasing plan shall specify the proposed timing for delivery of the housing and other build elements of the development. Any subsequent amendment to the phasing of the development shall be submitted in the form of a revised phasing plan to the Local Planning Authority for approval in writing and the development shall be carried out in accordance with the approved revised details. The development shall be carried out in accordance with the approved details, unless otherwise approved in writing by the Local Planning Authority.

Reason: In order to secure a satisfactory delivery of development.

- 2) No development shall commence on any part of the development other than works specified in Phase 3 (128 dwellings accessed off Weights Lane, new public open space, drainage system, engineering operations associated works) until all of the following reserved matters for each separate development phase of the development, have been submitted to and approved by the Local Planning Authority: (1) Appearance (2) Landscaping (3) Layout (4) Scale (5) Access (internal estate roads). An application for approval of reserved matters for all phases of the development must be made to the Local Planning Authority not later than the expiration of Ten (10) years beginning with the date of the grant of hybrid planning permission.

Reason: To comply with Article 5 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (or any Order revoking and re-enacting that Order) and to ensure a comprehensive layout in the interests of proper planning of the area and to allow sufficient time to attract future occupiers. To comply with the provisions of Section 92 of the Town and Country Planning Act, 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2002).

- 3) Unless otherwise approved in writing by the Local Planning Authority, the development of Phase 3 (128 dwellings accessed off Weights Lane, new public open space, drainage system, engineering operations associated works) shall be begun within 18 months of the date of this permission. Each subsequent phase of the development hereby permitted shall be begun within three (3) years of the date of approval of the last of the reserved matters to be approved for that phase.

Reason: To prevent the accumulation of unimplemented planning permissions and in accordance with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

- 4) The development hereby permitted shall be carried out in accordance with the following approved plans and particulars:

Hybrid Scheme:

- P-01Rev C - Location Plan
- 8506-L-02 RevJ Framework Plan
- DAS RevB

Full Element:

- P-02 Scheme Proposals Phase 3 Rev V
- P-03 Rev-B External Materials
- P-04 Rev D - Affordable Housing Plan
- P-05 Rev D - Tenure Plan
- P-06 Rev E - Storey Heights Plan
- P-08 Rev A- Gas Main Plan
- P-H-01 Corfe
- P-H-02 Himbleton
- P-H-03 Leicester
- P-H-04 Clayton
- P-H-05 Hatfield
- P-H-06 Hanbury
- P-H-07 Alnwick
- P-H-14 Clayton Corner
- P-H-17 Dalby

- P-H-18 Lumley
- P-H-19 Gisburn
- P-H-08 HQI 65
- P-H-09 HQI 79
- P-H-10 HQI 84
- P-H-11 HQI 73
- P-H-12 HQI 60
- P-H-13 HQI 50
- P-H-15 HQI 114
- P-H-16 HQI 83
- PS-01 Rev A Pumping Station
- GG-01 Rev A Gas Governor
- SS-01 Sub Station

Technical Drawings:

- FRA - 19039 Drainage Strategy - Sheet 1A & Sheet 2A
- 2809-12-P4 Dagnell End Road -GA
- 2809-TR-03-06 Highway Improvements Access

Reason: To define the permission and in order to secure the satisfactory delivery of the development.

- 5) The total number of dwellings authorised by this permission shall not exceed 960.

Reason: In order to secure a well planned development.

- 6) The submission of all Reserved Matters and the phased implementation of the development shall be in substantial accordance with the Framework Plan 8506-L-02 J and the principles described in the Design and Access Statement. Any Reserved Matter application shall include a statement providing an explanation as to how the design of the development responds to the relevant Design and Access Statement.

Reason: In order to secure a well planned development.

- 7) No development above ground floor slab level of phase 3 or any subsequent phase shall take place until samples of the materials to be used in the construction of the external surfaces of the dwellings hereby permitted have been submitted to and approved in writing by the Local Planning Authority (to include those materials to be used externally on the walls and roofs, doors and windows, door and window frames and block work materials on drives/specific crossing points). Development shall be carried out in accordance with the approved details unless otherwise agreed in writing.

Reason: To ensure the satisfactory appearance of the development

- 8) Prior to the commencement of phase 3, 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 sections 1 to 4 have been complied with:

1. A preliminary risk assessment (a Phase I desk study) 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 DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11".

2. The detailed site investigation and risk assessment must be undertaken in accordance with the approved Scheme and a written report of the findings produced. This report must be approved by the Local Planning Authority prior to any development taking place.

3. Where the site investigation identified remediation is required, 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 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.

- 9) Prior to the submission of any Reserved Matters for each Development Phase must not commence until sections 1 to 5 have been complied with:

1. A preliminary risk assessment must be carried out. This study shall take the form of a Phase I desk study and site walkover and shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and any other relevant information. The preliminary risk assessment report shall contain a diagrammatical representation (conceptual model) based on the information above and shall include all potential contaminants, sources and receptors to determine whether a site investigation is required and this should be detailed in a report supplied to the Local Planning Authority. The risk assessment must be approved in writing before any development takes place.
2. Where an unacceptable risk is identified a scheme for detailed site investigation must be submitted to and approved in writing by the Local Planning Authority prior to being undertaken. The scheme must be designed to assess the nature and extent of any contamination and must be led by the findings of the preliminary risk assessment. The investigation and risk assessment scheme must be compiled by competent persons and must be designed in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11".
3. Detailed site investigation and risk assessment must be undertaken and a written report of the findings produced. This report must be approved by the Local Planning Authority prior to any development taking place. The investigation and risk assessment must be undertaken by competent persons and must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11".
4. 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.
5. 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.
6. 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.
7. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where necessary a remediation scheme must be prepared, these will be subject to the approval of the Local Planning Authority. Following the completion of any measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to the occupation of any buildings.

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

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

Reason: In accordance with the requirements of paragraph 194 of the National Planning Policy Framework.

- 11) Each development phase shall not be occupied until the site investigation and post investigation assessment for each phase has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (10) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: In accordance with the requirements of paragraph 194 of the National Planning Policy Framework.

- 12) Within 12 months of the commencement of any development phase development hereby approved, the content, design and location of an historic environment interpretation panel shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

Reason: In accordance with the requirements of paragraph 194 of the National Planning Policy Framework.

- 13) No works or development above foundation level for phase 3 shall take place until a finalised scheme for surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall specifically include:-

- Detailed drainage design, showing all private foul and surface water connections,
- A simple index assessment considering the water quality of surface water runoff,
- Consideration of what SuDS features can be incorporated into the site drainage to provide an appropriate level of runoff treatment.
- Full details of the proposed balancing area

This scheme should be indicated on a drainage plan and the approved scheme shall be completed prior to the first use of the full application hereby approved.

Reason: To prevent the risk of flooding and to improve and protect water quality

- 14) No development within a reserved matters phase shall commence until a full scheme for the provision of a Sustainable Urban Drainage System (SuDS) for each phase has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied in that phase until the SuDS has been constructed in accordance with the approved scheme. Thereafter, the SuDS shall be maintained in accordance with the approved details.

Reason: To ensure that a suitable drainage system is place in order to prevent pollution to controlled waters and achieve recharge to the aquifer underlying the site.

- 15) No dwelling shall be occupied on phase 3 or any subsequent phase until a drainage system to allow for the disposal of foul and surface water sewerage has been completed in accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that a suitable drainage system is place.

- 16) No development within a reserved matters phase until a full engineering design solution providing full specification, extent and methodology details of the cut and fill works to that Phase shall be submitted to and approved in writing by the Local Planning Authority. The specification should clarify how the undisturbed ground at higher levels is to be retained in a stable manner, together with the foundation design at lower levels. The development shall be carried out as approved.

Reason: In order to secure a well-planned development.

- 17) Other than Phase 3, no development within a relevant phase shall take place until there has been submitted to and approved in writing by the Local Planning Authority details of the finished ground floor levels of all the approved buildings and the finished ground levels for all other areas of the site. The sections shall show the development relative to the ground levels adjoining the site. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development is carried out at suitable levels and in relation to adjoining land and buildings and in the interests of amenity and highway requirements.

- 18) All proposed works shall be carried out in accordance with the recommendations as set out in the following report prepared by FPCR.

- Brockhill East (Phase 3) Ecological Appraisal (FPCR, June 2019)
- Brockhill East (Phase 3) Herpetofauna Survey Report (FPCR, June 2019)
- Brockhill East (Phase 3) Bat Report (FPCR, June 2019)
- Brockhill East (Phase 3) Badger Report (FPCR, June 2019)
- Brockhill East (Phase 3) Bird Report (FPCR, June 2019).

Reason: To ensure that the proposal results in a net gain of biodiversity.

- 19) Notwithstanding the submitted details, no development within a reserved matters phase shall commence until a Construction Ecological Management Plan (CEcMP) for each phase has been submitted to and approved in writing by the local planning authority. The CEcMP shall include, but not limited to the following no works shall take place until a Construction Ecological Management Plan (CEcMP) has been submitted to and approved in writing by the local planning authority. The CEcMP shall include, but not limited to the following:

- i. Risk assessment of potentially damaging construction activities
- ii. Identification of "biodiversity protection zones"
- iii. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
- iv. The locations and timing of sensitive works to avoid harm to biodiversity features (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour after sunset)
- v. The times during construction when ecological or environmental specialists need to be present on site to oversee works
- vi. Responsible persons and lines of communication
- vii. The role and responsibilities on site of an ecological clerk of works (ECoW) or similar person
- viii. Use of protective fences, exclusion barriers and warning signs
- ix. Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works

The approved CEcMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: To prevent pollution of the water environment and to ensure that the proposal results in a net gain of biodiversity.

- 20) Notwithstanding the submitted details, no development within a reserved matters phase shall commence until a Landscape and Ecological Management Plan (LEcMP) for each phase has been submitted to, and be approved in writing by, the local planning authority.

The content of the LEcMP shall include, but not limited to the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management including those in relation to dormice and bats.
- d) Appropriate management options for achieving aims and objectives including appropriate enhancement measures.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer.
- i) Ongoing monitoring and remedial measures.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEcMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To safeguard Biodiversity as set out by Wildlife and Countryside Act 1981 (as amended), Natural Environment and Rural Communities Act 2006 and the NPPF.

- 21) Notwithstanding the submitted details, no development within any phase shall be occupied until details of external lighting for each phase have been submitted to and approved in writing by the Local Planning Authority. The details shall clearly demonstrate that lighting will not cause excessive light pollution or disturb or prevent bat species using key corridors, forage habitat features or accessing roost sites. The details shall include, but not limited to, the following:

- i. A drawing showing sensitive areas and/or dark corridor safeguarding areas
- ii. Description, design or specification of external lighting to be installed including shields, cowls or blinds where appropriate.
- iii. A description of the luminosity of lights and their light colour
- iv. A drawing(s) showing the location and where appropriate the elevation of the light fixings.
- v. Methods to control lighting control (e.g timer operation, passive infrared sensor (PIR)).

All external lighting shall be installed in accordance with the specifications and locations set out in the approved details. These shall be maintained thereafter in accordance with these details. Under no circumstances shall any other external lighting be installed.

Reason: To safeguard the site from increased light pollution, visual amenity and maintain the existing value of biodiversity on and adjacent to the site to protect foraging/commuting bats in accordance with the Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005 and the National Planning Policy Framework.

- 22) A landscape management plan, including long term design objectives, a schedule of phased construction, management responsibilities and maintenance schedules for all landscape areas, both hard (such as details shall include proposed finished levels or contours, car parking layouts, other vehicle and pedestrian footpaths/access and circulation areas, hard surface materials) and soft (other than small, privately owned, domestic gardens) shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of each phase of the development. The landscape management plan shall be carried out as approved. The method statements shall include:

- a. purpose and objectives for the proposed works;
- b. detailed designs and working methods necessary to achieve the stated objectives;
- c. extent and location of proposed works shown on appropriate scale maps;
- d. timetable for implementation;
- e. persons responsible for implementing the works; and
- f. initial aftercare and long-term maintenance.

Reason: In order to protect the trees, hedges and landscaping features which form an important part of the amenity of the site and in order to secure a well-planned development.

- 23) No development within a relevant phase shall commence until full details of retained and new soft landscape works have been submitted to and approved in writing by the Local Planning Authority. Such approved planting shall be completed in the first planting season post occupation of the first dwelling within the relevant phase. The planting schedule shall include all those trees, hedgerows, shrubs or existing features of the land to be retained, removed and/or treated, new planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme.

All such planting shall be maintained to encourage its establishment for a minimum of five years following contractual practical completion of the development. Any trees or significant areas of planting which are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective within this period, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

Reason: In order to secure a well-planned development.

- 24) No development within a reserved matters phase shall commence until full details of all proposed hard surface areas have been submitted to and approved in writing by the Local Planning Authority. Such details shall include proposed finished levels or contours, car parking layouts, other vehicle and pedestrian footpaths/access and circulation areas, hard surface materials. Development shall be carried out in accordance with the approved details. The approved hard landscaping plan shall be implemented within two years from the date post occupation of the first dwelling within the relevant phase.

Reason: In order to secure a well-planned development.

- 25) Full details of the layout of the public open space areas, including details of planting specification and schedules, surfacing, enclosures, play equipment, seating and the future management and maintenance of the site to allow public access, shall be submitted to and approved in writing by the Local Planning Authority. The public open space shall be implemented in accordance with the agreed details.

Reason: In the interests of visual and neighbouring amenity and the adequate provision of public open space.

- 26) All trees and hedges that are to be retained should be afforded protection in accordance with BS5837:2012 recommendations and as defined within Arboricultural Assessment by FPCR provided with the application throughout any demolition, ground or development work on the site.

Reason: To ensure the environment of the development is improved and enhanced.

- 27) Prior to the commencement of the development on each reserved matters phase, an Arboricultural Method Statement and Tree Protection Plan for each phase of development shall be submitted to and approved in writing by the Local Planning Authority. At all times until the completion of each of the phases of development, such fencing and protection measures shall be retained as approved. Within all fenced areas, soil levels shall remain unaltered and the land kept free of vehicles, plant, materials and debris.

Reason: To ensure the environment of the development is improved and enhanced.

- 28) Prior to the commencement of any reserved matters phase, 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 with the approved details.

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

- 29) Plans and particulars of the Reserved Matters referred to in Condition 2 shall include a plan identifying the number and location of the affordable housing units to be provided within each relevant phase. The plan shall confirm the size (bedroom numbers), type and tenure of each affordable housing unit. The development shall be carried out in accordance with the approved details.

Reason: To enable the Local Planning Authority to regulate and control the development of the land and to ensure the adequate provision of affordable housing.

- 30) Prior to the commencement of any reserved matters phase until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatments to be erected. Boundary treatments shall be completed in accordance with the approved details and prior to the occupation of the dwelling to which the boundary relates.

Reason: In order to secure a well-planned development.

- 31) Prior to the commencement of any reserved matters phase details of the facilities for the storage of refuse to be provided in that phase. No individual dwelling shall be occupied until the approved refuse storage facilities to serve that dwelling have been constructed in accordance with approved details.

Reason: To ensure the proposed dwellings have adequate refuse storage facilities and that such facilities ensure that the Local Authority refuse bins do not detract from the character and appearance of the development through failure to provide a space for their storage between collections.

- 32) No development above ground floor slab level of phase 3 shall take place until a scheme of glazing, ventilation (passive and mechanical) and acoustic barrier products/fencing to be installed has been submitted to and approved in writing by the Local Planning Authority to confirm that the dwellings will meet the required sound reduction specification in order to achieve the BS8233:2014 recommended internal and external noise level.

Reason: To protect the amenity of future occupiers

- 33) Prior to the commencement of each phase of the development, details for the installation of fixed telecommunication infrastructure and High Speed Broadband shall be submitted to and approved in writing by the Local Planning Authority. Details shall include connections to multi-point destinations and all residential and commercial buildings to provide sufficient capacity, including duct sizing, to cater for all future phases of the development with sufficient flexibility to meet the needs of existing and future residents. The infrastructure shall be laid out in accordance with the approved details for each phase and at the same time as other services during the construction process. High Speed Fibre Optic Broadband shall be installed into the buildings before they are occupied.

Reason: To ensure that the needs of future residents to connect to the internet does not necessarily entail engineering works to an otherwise finished and high quality living environment in accordance with Policy 29.

- 34) No more than 85 dwellings hereby approved shall be brought into use until the highway improvements to the Weights Lane corridor as shown in the PJA Drawing Ref: 02809 TR 03 Rev P6, or similar scheme acceptable to the Highway Authority, has been approved in writing and completed to the satisfaction of the Local Planning Authority (in consultation with the Local Highway Authority) and is open to traffic. The scheme is to include a continuous footway along the south side of the Weights Lane carriageway between the development site and connecting to existing footways running alongside the A441 Birmingham Road carriageway, by tying into the consented Brockhill Phase 4 footway proposals.

Reason: To ensure the safe and free flow of traffic onto the highway.

- 35) No more than 128 dwellings hereby approved shall be brought into use until the highway improvements to the Dagnell End Road / A441 Birmingham Road junction as shown in the PJA Drawing Ref: 2809 P 12 Rev P4, or similar scheme acceptable to the Highway Authority, has been approved in writing and completed to the satisfaction of the Local Planning Authority (in consultation with the Local Highway Authority) and is open to traffic. The junction is to include Microprocessor Optimised Vehicle Actuation (MOVA) signal control.

Reason: To ensure the safe and free flow of traffic onto the highway.

- 36) No dwelling in a relevant phase shall be first occupied until that dwelling has been fitted with an electric vehicle charging point. The charging points shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851 and the Worcestershire County Council Streetscape Design Guide. The electric vehicle charging points shall be retained for the lifetime of the development unless they need to be replaced in which case the replacement charging point(s) shall be of the same specification or a higher specification in terms of charging performance.

Reason: To encourage sustainable travel and healthy communities.

- 37) No relevant phase shall be first occupied until details of 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. Thereafter the approved cycle parking shall be kept available for the parking of bicycles only.

Reason: To comply with the Council's parking standards and to encourage sustainable travel and healthy communities.

- 38) The Residential Travel Plan hereby approved shall be implemented in accordance with the regime contained within the Plan. Monitoring must also include vehicle counts on years 1,3 and 5 (minimum). 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.

- 39) No demolition works nor development within a development phase shall commence on site until a Construction Environmental Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. This shall deal with the treatment of any environmentally sensitive areas, their aftercare and maintenance as well as a plan detailing the works to be carried out showing how the environment will be protected during the works. Thereafter all works for that Development Phase shall be carried out in accordance with the approved Statement throughout the construction period.

The CEMP shall provide for the following where relevant:

- I. The parking of vehicles of site operatives and visitors
- II. Loading and unloading of plant and materials (including times)
- III. Storage of plant and materials used in constructing the development
- IV. Measures to control the deposition of mud onto the local road network.
- V. Measures to control the emission of dust and dirt during construction
- VI. Measures to control noise and vibration during construction
- VII. Details of any temporary construction accesses and their reinstatement.
- VIII. Details of any changes to construction vehicle routing and site management following the Weights Lane connection to the site being made.
- IX. A highway condition survey, timescale for re-inspections, and details of any reinstatement.
- X. Locations and measures to control the emissions where in situ bioremediation or soil washing takes place.
- XI. Hours of operation and working
- XII. The timing of the works
- XIII. The measures to be used during the development in order to minimise environmental impact of the works, considering both potential disturbance and pollution
- XIV. Any necessary pollution protection methods
- XV. Information on the persons/bodies responsible for particular activities associated with the method statement that demonstrates they are qualified for the activity they are undertaking.

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: In order that the Local Planning Authority can properly consider the effect of the works on the amenity of the locality and to ensure the provision of adequate on-site facilities and in the interests of highway safety. This is a pre-commencement condition and is necessary to protect residential amenity.



Ruth Bamford
Head of Planning, Regeneration and Leisure Services

Reason

This proposal has been assessed against the following documents

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 17: Flood Risk Management
 Policy 19: Sustainable travel and Accessibility
 Policy 20: Transport Requirements for New Development
 Policy 22: Road Hierarchy
 Policy 31: Regeneration for Town Centre
 Policy 36: Historic Environment
 Policy 37: Historic Buildings and Structures
 Policy 39: Built Environment
 Policy 40: High Quality Design and Safer Communities
 RCBD1: Redditch Cross Boundary Development

Others

NPPF National Planning Policy Framework (2021)
 NPPG National Planning Practice Guidance
 Open Space Provision
 Redditch Town Centre Strategy
 Worcestershire Waste Core Strategy

Members of the Planning Committee met on the 27th January 2021 and considered the main published report an update report, second update report 27.01.21 and resolved to grant planning permission subject to a legal agreement, as per the officer recommendation.

Conclusions

The Brockhill site is a strategic mixed-use allocation in Redditch Borough and Bromsgrove District, located on the northwest edge of Redditch. It is a long standing strategic site that was previously designated as a combination Area of Development Restraint (ADR), Green Belt and an employment site (under IN67), this is taken forward through Policy 46 in the adopted Redditch local plan for around 1,025 dwellings and other supporting uses. It is also allocated through policy RBCD.1 of the adopted Bromsgrove District Plan for approximately 600 dwellings. As part of the plan-making process supporting the BDP, Bromsgrove District Council agreed through the Duty to Cooperate to assist Redditch Borough Council in delivering its housing target. This planning application sees policy RBCD.1 and the remaining allocation under Policy 46 being realised, with up to 960 homes making a substantial contribution towards meeting the housing needs of Redditch.

The application should therefore be approved to both help the Government's goal of significantly boosting the supply of housing, and to assist Redditch Borough Council in delivering the homes needed to support its adopted plan and assist towards its future supply of housing land.

In conclusion, and having regard to the NPPF, BoRLP and all other material considerations that have become evident through consideration of this application, it is concluded that the limited harm identified does not significantly and demonstrably outweigh the benefits, as set

out in terms of the presumption in favour of sustainable development test in paragraph 11 of the Framework. It is the benefits of the scheme that significantly and demonstrably outweigh the harm, such that it is concluded that the development should be permitted in line with the adopted Local Plan and National Planning Policy Framework.

Account of all the matters raised in the representations has been taken. The Government is seeking to boost significantly the supply of housing. Neither Council presently has a five-year housing land supply. This sustainable proposal would provide additional housing in an area where there is an identified shortage. The benefits of the proposals clearly outweigh the harm.

The officers report to committee, update reports and minutes are available to view on the Council's website:

<https://moderngovwebpublic.redditchbc.gov.uk/ieListDocuments.aspx?CId=112&MId=3467&Ver=4>

Informatives

- 1) In dealing with this application the local planning authority have worked with the applicant in a positive and proactive manner, seeking solutions to problems arising from the application in accordance with the NPPF and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The authority has helped the applicant resolve technical issues.
- 2) A Legal Agreement forms part of this planning permission.
- 3) Highways Informatives

Section 278 Agreement

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

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

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

Drainage Details for Section 38

It is not known if the proposed roadworks can be satisfactorily drained to an adequate outfall. Unless adequate storm water disposal arrangements can be provided, the County Council, as Highway Authority, will be unable to adopt the proposed roadworks as public highways.

The applicant is, therefore, advised to submit the engineering details referred to in this conditional approval to the County Council's County Network Control Manager, Worcestershire County Council, County Hall, Spetchley Road, Worcester, WR5 2NP at an early date to enable surface water disposal arrangements to be assessed.

No Drainage to Discharge to Highway

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

Protection of Visibility Splays

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.

Extraordinary Maintenance

The attention of the applicant is drawn to Section 59 of the Highways Act 1980 which allows the Highway Authority to recover additional costs of road maintenance due to damage by extraordinary traffic.

Before any work is commenced upon the development hereby approved representatives of Worcestershire County Council, as the Highway Authority and the applicant, shall carry out a joint road survey/inspection on the roads leading to this site. Any highlighted defects shall be rectified to the specification and satisfaction of the Highway Authority before work is commenced on the development hereby approved. A further joint survey/inspection shall be undertaken following completion of development hereby approved and any necessary remedial works shall be completed to the specification and satisfaction of the Highway Authority within 1 month or other agreed timescale.

Works Adjoining Highway

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.

Temporary Direction Signs to Housing Developments

This consent does not authorise the erection of temporary direction signs on the public highway. Should the applicant wish to direct traffic to the development site they should seek the consent of the Highway Authority. All temporary directional sign proposals should be submitted to the Network Control Manager, Worcestershire County Council, County Hall, Spetchley Road, Worcester, WR5 2NP. No signs should be erected without the consent of the Highway Authority.

Construction Environmental Management Plan (CEMP)

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 up most consideration to their impact on neighbours and the public

- o Informing, respecting and showing courtesy to those affected by the work.
- o Minimising the impact of deliveries, parking and work on the public highway.
- o Contributing to and supporting the local community and economy.

- o Working to create a positive and enduring impression and promoting the Code.

The CEMP should clearly identify how the principle 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.

For your information

Appealing the Decision

If you feel that the conditions are not acceptable you can appeal to the Secretary of State through the Planning Inspectorate. This appeal should be made by 1st May 2022 unless supported by special circumstances. The appropriate form and further information on how to appeal can be found at <http://www.planningportal.co.uk/planning/appeals/planningappeals> or by contacting the planning Inspectorate Customer Services Team on 0303 444 5000. If you want a planning appeal to follow the inquiry procedure you should notify the Local Planning Authority and also the Planning Inspectorate at least 10 working days before submitting your planning appeal.

Purchase Notices

If Redditch Borough Council or the Secretary of State has refused planning permission or granted it conditionally, the landowner may claim that the land is incapable of reasonable beneficial use, and for this reason may serve the Council a purchase notice requiring them to purchase the land. In certain circumstances, a claim may be made against Redditch Borough Council for compensation. Further information about purchase notices can be found at: <http://www.legislation.gov.uk/ukpga/1990/8/part/VI>

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