



Planning Committee

Thu 13 Aug
2026
7.00 pm

Oakenshaw Community
Centre, Castleditch Lane,
B98 7YB

 **Redditch**
Borough Council
Working together for our communities

If you have any queries on this Agenda please contact

**Gavin Day
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GUIDANCE ON FACE TO FACE MEETINGS

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

PUBLIC SPEAKING

For this meeting the options to participate will be in person, by joining the meeting using a video link, or by submitting a statement to be read out by officers.

The process approved by the Council for public speaking at meetings of the Planning Committee is (subject to the discretion and control of the Chair) as summarised below:

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

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

Speakers will be called in the order they have notified their interest in speaking to the Democratic Services Team (by 12 noon on Tuesday 11th August 2026) 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.

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

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

Notes:

- 1) Anyone wishing to address the Planning Committee on applications on this agenda must notify Gavin Day from the Democratic Services Team on 01527 64252 (Ex 3304) or by email at gavin.day@bromsgroveandredditch.gov.uk before **12 noon on Tuesday 11th August 2026**.
- 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 Tuesday 11th August 2026**.
- 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, Democratic and Property Services, or Planning Officers, at the same address.

At the meeting, these Officers will normally be seated either side of the Chair, who will be seated at the front left-hand corner of the Committee table as viewed from the Public Gallery.

Planning

Thursday, 13th August, 2026

7.00 pm

Oakenshaw Community Centre

Agenda

Membership:

Cllrs:	Roger Bennett (Chair)	Bill Hartnett
	Simon Farmer (Vice-Chair)	Wanda King
	William Boyd	Nicola Lloyd
	Brandon Clayton	Ian Woodall
	Andrew Fry	

1. Apologies

2. Declarations of Interest

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

3. Confirmation of Minutes (Pages 7 - 14)

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. 25/01254/FUL - Four Winds, Birmingham Road, Mappleborough Green, Redditch, B80 7DH (Pages 15 - 48)

6. Urgent Business

To consider any Urgent Reports, details of which have been notified to the Assistant Director of Legal, Democratic and Procurement Services prior to the commencement of the meeting and which the Chair, by reason of special circumstances, considers to be of so urgent a nature that it cannot wait until the next meeting.

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Planning Committee

Thursday, 16th July, 2026

MINUTES

Present:

Councillor Roger Bennett (Chair), Councillor Simon Farmer (Vice-Chair) and Councillors Brandon Clayton, Andrew Fry and Ian Woodall

Officers:

Helena Plant and Amar Hussain

Democratic Services Officers:

Gavin Day

14. APOLOGIES

Apologies for absence were received from Councillors Bill Hartnett, William Boyd and Wanda King.

15. DECLARATIONS OF INTEREST

There were no declarations of interest.

16. CONFIRMATION OF MINUTES

The minutes of the Planning Committee meeting held on 28th May 2026 were presented to Members and it was:

RESOLVED that

the minutes of the Planning Committee meeting held on 18th June 2026 were approved as a true and accurate record and were signed by the Chair.

17. UPDATE REPORTS

The Chair announced that there was an update report in relation to Agenda Items 5 (minute No18), 6 (minute No19) and 8 (minute No21). The Update Reports were published prior to the commencement of the meeting and a copy of which was before Members.

Members indicated that they had sufficient time to read the reports and were happy to proceed with the meeting.

Chair

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18. 25/01276/FUL - 15 NEIGHBROOK CLOSE, REDDITCH, WORCESTERSHIRE, B97 5YA

The application was reported to the Planning Committee because the number of objections received exceeded that which can be considered by Officers, as such the application fell outside of the Scheme of Delegation to Officers.

Officers presented the report and in doing so, drew Members' attention to the presentation slides on pages 5 to 12 of the Site Plans and Presentations pack.

The application was for 15 Neighbrook Close, Redditch, Worcestershire, B97 5YA and sought the Change of Use from a Dwellinghouse (Use Class C3) to a Children's Care Home (Use Class C2).

The proposed Children's Care Home would be for Children between 8 and 17 years of age who would be identified as having emotional and behavioural difficulties or other specific needs. It was further detailed that no more than 3 children would be resident at any one time which would be secured under Condition 3.

There would also be 24-hour caregivers working on site who would be working in a shift pattern. It was detailed that there would be 3 caregivers on site for 1-2-1 care and a manager during the day.

There would be a further 2 parking spaces provided by the development, no other alterations would be made to the structure or external appearance of the property. It was further clarified that the main consideration for Members was the Change of Use from C3 to C2.

No objections had been received from consultees, which included Worcestershire County Council, Highways (County Highways).

At the invitation of the Chair the following addressed the committee under the public speaking section of the meeting

- Matt Bluck, Local Resident in opposition (4 minutes)
- John Williams, Local Resident in opposition (4 minutes)
- Statement against the application read out on behalf of Adam Joseph, Local resident, by Officers (2 minutes)
- Bradley Hartles, Applicant's Agent and Issha Barr, Children's Care Home Manager in support (10 minutes shared)

The following was then clarified by Officers after questions from Members.

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- That 24 letters were sent to nearby properties as part of the consultation process which was above the statutory requirement of only informing adjacent properties.
- That 4 parking spaces would be provided. It was recognised that there would be handover periods where there may be more carers on site. However, this was deemed not to be a suitable reason to refuse the application.
- There was expected to be no impact on local wildlife which included bats. Compliance with the wildlife and countryside act would fall to the developer and an informative could be added to this effect. No protected species report was required as part of the application
- The 24-hour caregivers were expected to be waking night shifts as detailed on page 16 of the main agenda pack

Members then debated the application which officers had recommended for approval.

Although Members sympathised with the residents and the impact that they would experience as part of the development, they saw no material planning reason to refuse the application. Members expressed the opinion that although they may not entirely agree with the application, without a valid objection from suitable Consultees such as the County Highways, nor a material planning reason to refuse, they should support the application. Therefore, on being put to the vote it was

RESOLVED that

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

considerations, planning permission be GRANTED subject to the Conditions as outlined on page 21 of the Public Reports pack and subject to an informative highlighting applicant's responsibilities under the Wildlife and Countryside Act

19. 26/00113/FUL- KINGFISHER SCHOOL, CLIFTON CLOSE, REDDITCH, WORCESTERSHIRE, B98 0HF

The application was 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 presented the report and in doing so, drew Members' attention to the presentation slides on pages 13 to 18 of the Site Plans and Presentations pack.

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The application was for Kingfisher School, Clifton Close, Redditch, Worcestershire and sought a new single storey building and access off Clifton Close.

Officers detailed that the building was to serve as a vocational training centre for post-16 students with special educational needs. No new staff or pupils would be generated via the development and it would enhance the kingfisher school.

The proposed site plans and building layout were detailed as shown in the Site Plans and Presentations pack.

Following a response from the Highways authority which had no objection subject to Suitable Conditions and Informatives, supplementary Conditions/Informatives were included in the Update Reports pack.

Members were in support of the application and the enhanced facilities it would provide to the educational establishment.

On being put to the vote it was:

RESOLVED that

having had regard to the development plan and to all other material considerations, planning permission be GRANTED subject to

- **Conditions 1 to 7 and Informatives 1 to 3 as outlined on pages 27 to 32 of the Public Reports pack.**
- **Conditions 8 to 13 and Informatives 4 to 5 as outlined on pages 6 and 7 of the Update Reports pack**

20. 26/00373/PIP - WALNUT TREE FARM, DARK LANE, ASTWOOD BANK, REDDITCH, WORCESTERSHIRE

The application was reported to the Planning Committee because the number of objections received exceeded that which can be considered by Officers, as such the application fell outside of the Scheme of Delegation to Officers.

Officers presented the report and in doing so, drew Members' attention to the presentation slides on pages 19 to 22 of the Site Plans and Presentations pack. Officers also corrected the report at the bottom of page 33 and 38, to confirm the proposal was for six dwellings not one.

The application was for Walnut Tree Farm, Dark Lane, Astwood Bank, Redditch, Worcestershire and sought Planning Permission in

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Principle (PIP) for up to 6 dwellings, garages and the associated access drive.

Officers detailed that the application before Member was a PIP application and therefore there was only 3 matters for consideration:

1. Location
2. Land use and;
3. Amount of development

All other matters would be considered via a further Technical Details application. Both a PIP and technical Details application would be required before Planning permission was granted.

No objection was received from consultees at the PIP stage of the application, however, Worcestershire County Council Highways (County Highways) and North Worcestershire Water Management (NWWM) noted that there were concerns which would need to be addressed at the appropriate stage of the application.

The site was identified as being in the Green belt as it was outside the designated residential area of Astwood Bank. Development within the Green Belt was considered inappropriate unless very special circumstances existed, Paragraph 154 of the National Planning Policy Framework (NPPF) identified exemptions under which development within the green belt could be permitted. Officers identified two Parts which the site satisfied and therefore, an exemption would exist

- Part e (limited infilling in villages)
- Part g (redevelopment of previously developed land)

Officers further detailed that the site would also fall under the definition of grey belt land as detailed under Paragraph 155 of the NPPF. Therefore, the “location” and “Land use” considerations under a PIP application were satisfied.

Officers considered that up to 6 dwellings was acceptable when taking into consideration the existing number of dwellings and the indicative plans detailed on page 22 of the Site Plans and Presentations pack. Therefore, the “amount of development” was also deemed as acceptable.

Officers Confirmed that all other aspects of the application would be heard at the future technical details stage and that as the considerations of the location, Land use and amount of development were satisfied it was Officers recommendation to approve the PIP application.

At the invitation of the Chair the following addressed the committee under the public speaking section of the meeting

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- Statement against the application read out on behalf of James Busby, Local resident, by Officers (3 minutes)
- Mark Banwell, Local Resident in opposition (3 minutes)
- Joanna Outhwaite, Local Resident in opposition (3 minutes)
- Andrew Brough, on behalf of the applicant in support (9 minutes)

The following was then clarified by Officers after questions from Members.

- That the potential location of the dwellings were indicative only and full plans would be submitted at the Technical Details stage.
- The site was 0.44 Hectares in size.
- Due to the forthcoming National Scheme of Delegation, the subsequent application for the technical details consent might not come before Committee, even with a similar number of objections. However, Officers were not able to clarify exactly as not all details for the new scheme had been announced at the time of the meeting.
- All other aspects including Drainage, Highways Concerns, access and ecology matters would be considered under the Technical Details application.

Members expressed some concern regarding accessing the development off Dark Lane, as the access was identified as a single track dirt road with restricted width for a lot of its length and was subject to the national speed limit. Members did not believe that the access to the site would be suitable which questioned the suitability of the location.

Members expressed further concern regarding if the location was suitable with the site being within the green belt and disagreed with Officers assessment with the site having exceptions under sections e and g of para 154 of the NPPF, due to the location of the site and that it would extend beyond the existing development area and into the Green Belt.

Officers clarified to Members that their assessment was that the site also fell under the definition of grey belt under Para 155 of the NPPF being previously developed land and sought clarification on Members' stance. Members expressed the opinion that they did not agree with officers' assessment in that the encroachment of the site was beyond that of the previous permission existing on the site and was within the green belt.

Therefore, it was Members opinion that very special circumstances did not exist to permit development within the Green Belt nor, via the Grey Belt policy.

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Councillor Brandon Clayton Proposed an Alternative Recommendation that Permission in Principle application be refused as the site did not meet the definition of Grey Belt under para 155 of the NPPF. The Alternative Recommendation was seconded by Councillor Simon Farmer.

On being put to the vote it was:

RESOLVED that

having had regard to the development plan and to all other material considerations, planning Permission in Principle be REFUSED for reasons as detailed in the preamble above.

21. 26/00507/FUL - 219 WALKWOOD ROAD, REDDITCH, WORCESTERSHIRE, B97 5NX

The application was reported to the Planning Committee because the number of objections received exceeded that which can be considered by Officers, as such the application fell outside of the Scheme of Delegation to Officers.

Officers presented the report and in doing so, drew Members' attention to the presentation slides on pages 23 to 33 of the Site Plans and Presentations pack.

The application was for 219 Walkwood Road, Redditch, Worcestershire, B97 5NX and sought the Change of Use from a Dwellinghouse (Use Class C3) to a Children's Care Home (Use Class C2) with the conversion of existing garage; alterations.

The proposed Children's Care Home would be for Children between 5 and 17 years of age who would be identified as having emotional and behavioural difficulties and would be assessed to be low or medium risk. It was further detailed that no more than 3 children would be resident at any one time which would be secured under Condition 3.

24-hour care would be delivered on site with 3 caregivers working in a shift pattern providing 1-2-1 care. Additionally, there would be a manager on site 09:00 – 17:00 hours Monday to Friday.

Alterations were proposed to the dwelling via the conversion of the garage space to an office location which would alter the frontage of the property during the change of the garage door to windows. Internal alterations were detailed on pages 29 to 30 of the Public Reports pack.

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No objections had been received from consultees, which included Worcestershire County Council, Highways (County Highways).

At the invitation of the Chair the following addressed the committee under the public speaking section of the meeting.

- Mr. Eric Lee, Local Resident in opposition (3 minutes)
- Ellen Dunham Local Resident in opposition (3 minutes)
- Tim Hodgkinson, Local resident by Officers in opposition (3 minutes)
- George Weightman, on behalf of the applicant in support (9 minutes)

Members then debated the application which officers had recommended for approval.

Members noted that the flat roof detailed in the report was a potential means of escape and was highlighted as a concern, however, they appreciated that it was an existing feature and was an operational risk of the site and would need to be monitored by the management staff.

Members noted that the concerns raised by objectors were comprehensively addressed within the report on pages 52 to 54 of the Public Reports pack.

Although Members sympathised with the residents and the impact that they would experience as part of the development, they saw no material planning reason to refuse the application. Therefore, without a Material Planning reason, nor a valid objection from suitable Consultees such as the County Highways, they did not see cause to refuse the application. On being put to the vote it was:

RESOLVED that

having had regard to the development plan and to all other material considerations, planning permission be GRANTED subject to the conditions as outlined on pages 53 to 54 of the Public Reports pack.

The Meeting commenced at 7.00 pm
and closed at 9.35 pm

PLANNING COMMITTEE

13th August 2026

Planning Application 25/01254/FUL

Demolition of all existing buildings and erection of a two-storey, 66-bedroom care home for older people (Use Class C2), with associated access to Birmingham Road, parking, open space, landscaping and ancillary buildings (cross-boundary application with Stratford-on-Avon District Council).

Four Winds, Birmingham Road, Mappleborough Green, Redditch, B80 7DH

Applicant: LNT Care Developments
Ward: Winyates

(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 Stratford-on-Avon District Council).

The consideration of the impacts of a development proposal is 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 Redditch.

Site Description

The site measures 0.97 hectare site lies approximately 2.5 miles east of Redditch town centre and spans the administrative areas of Redditch Borough and Stratford-on-Avon District. It includes a mix of undeveloped land within Redditch and previously developed brownfield land in Mappleborough Green, comprising a 1950s dwelling known as Four Winds and associated curtilage. The site is well contained by existing development on three sides, with mature trees, hedgerows, and a pond along its boundaries. It is sustainably located, with nearby facilities on Birmingham Road and accessible public transport within 200 metres.

A large area of land immediately to the south-west of the application site, off Far Moor Lane, is being developed for 236 dwellings by Morris Homes. The site straddles the boundary between Redditch and Stratford-on-Avon and was approved under the following references:

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- 20/01650/FUL (Redditch BC), approved 9th October 2023; and
- 21/00204/FUL (Stratford-on-Avon DC), approved 5th October 2023.

The site immediately to the south of the application site is a residential property known as Toll House Farm. This site also straddles the boundary between Redditch and Stratford-on-Avon and has planning permission for the demolition of the existing dwelling and the erection of two new dwellings approved under the following references:

- 22/01584/FUL (Redditch BC), approved 3rd March 2023; and
- 22/01693/FUL (Stratford-on-Avon DC), approved 3rd February 2023.

Proposal Description

Full planning permission is sought for the demolition existing buildings and erection of a two-storey, 66-bedroom care home for older people (Use Class C2), with associated access to Birmingham Road, parking, open space, landscaping an ancillary buildings.

The proposal will consist of:

- A two storey, purpose-built care home
- Single room accommodation with en-suite wet room facilities.
- High quality internal and external amenity spaces and gardens.
- State of the art back of house and catering facilities, including staff showers/changing rooms.
- Wide corridors with level/amenable access throughout.
- 30.No car parking spaces (including 2 accessible bays, 6 EVCP bays and a cycle store).
- External service buildings (inc. a meter house, solar PV battery store and bin store).

The applicant is LNT Care Developments, a company with experience in the operation of care homes for older people who operate in a number of locations including Yorkshire, the Midlands and the south of England.

They currently operate two existing 66-bedroom care homes in the vicinity of the site, less than half a mile to the south of the application site is Haywood Lodge Care Home, off Birmingham Road/Warwick Highway, Mappleborough Green. This is a two-storey care home, granted planning permission by Stratford-on-Avon DC under reference 20/00521/FUL on 1st September 2020. Secondly in the northern part of Redditch is Millcroft Care Home, off Alfrick Close. This is a 3-storey care home, granted planning permission by Redditch BC on 10th May 2021 under reference 20/01638/FUL.

The application states that 50-60 full time jobs would be created across the whole site working to a rotational shift pattern of employment. However, only up to a maximum of 30 members of staff would be present on site at any one time, due to the shift pattern and staggered shift changes that would occur.

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Relevant Policies :

Borough of Redditch Local Plan No. 4

Policy 1: Presumption in Favour of Sustainable Development

Policy 2: Settlement Hierarchy

Policy 4: Housing Provision

Policy 5: Effective and Efficient use of Land

Policy 11: Green Infrastructure

Policy 16: Natural Environment

Policy 17: Flood Risk Management

Policy 18: Sustainable Water Management

Policy 19: Sustainable Travel and Accessibility

Policy 20: Transport Requirements for New Development

Policy 23: Employment Land Provision

Policy 24: Development within Primarily Employment Areas

Policy 36: Historic Environment

Policy 37: Historic Buildings and Structures

Policy 39: Built Environment

Policy 40: High Quality Design and Safer Communities

Others

Redditch High Quality Design SPD

National Planning Policy Framework (2024)

NPPG – Planning Practice Guidance

Relevant Planning History

No relevant planning history

Consultations

Worcestershire Archive And Archaeological Service

Written Scheme of Investigation has been submitted and approved.

No objection subject to conditions

Conservation Officer

No objections

North Worcestershire Water Management

No objection subject to conditions complying with drainage strategy

WRS - Contaminated Land

No objection subject to unexpected contamination condition

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WRS - Noise

Internal Noise: The submitted noise impact assessment appears satisfactory. When the detail design is finalised, the applicant should submit the sound reduction specifications of the glazing and background ventilation products they wish to install, for approval.

External Noise: The proposed external amenity area to the west is predicted to experience acceptable daytime noise levels. The proposed external amenity areas to the north and south are predicted to experience noise levels above 60dB. I would therefore recommend that some form of noise mitigation is considered for these areas.

Plant Noise: No objection.

External Lighting: The proposed external lighting scheme is acceptable in terms of potential light nuisance.

Commercial Kitchen Ventilation System: No objection following submission of further information.

Demolition / Construction Phase Nuisance: The applicant should submit a Nuisance Management Plan

WRS - Air Quality

No objection subject to conditions

- Domestic electric vehicle charging points
- Secure cycle parking
- Low emissions boilers

Worcestershire Highways - Redditch

No objections subject to conditions:

- Employment Travel Planning
- Employment Travel Welcome Packs

NHS Herefordshire & Worcestershire Integrated Care Board

Herefordshire and Worcestershire Integrated Care Board (ICB) have identified that the development will give rise to a need for additional primary healthcare provision to mitigate impacts arising from the development.

The intention of Herefordshire and Worcestershire ICB is to promote Primary Healthcare Hubs with co-ordinated mixed professionals. This is encapsulated in the strategy document: The NHS Five Year Forward View. The development would give rise to a need for improvements to capacity, in line with emerging ICS estates strategy, by way of new and additional premises or infrastructure, extension to, or reconfiguration of, existing premises, or improved digital infrastructure and telehealth facilities. This housing development falls within the boundary of a practice which is a member of Kingfisher Primary Care Network (PCN) and the Nightingales PCN, as such, a number of services for these patients may be provided elsewhere within the PCNs. The CCG would therefore

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wish to secure the funding for Kingfisher PCN and Nightingales PCN for the patients within this vicinity to improve overall access.

The ICB calculates the level of contribution required in this instance to be £28,800.

NHS Acute Hospitals Worcestershire

Worcestershire Acute Hospitals NHS Trust does not object to the proposed 66-bed care home at Four Winds, Mappleborough Green, provided a Section 106 healthcare contribution of £28,682 is secured to mitigate the additional demand on acute hospital services. The Trust argues that the development will generate approximately 49 new patient events annually, including A&E attendances, emergency and elective admissions, outpatient appointments and diagnostic tests, which cannot be accommodated within existing capacity at the Alexandra Hospital and Worcestershire Royal Hospital, both of which are already operating at or above capacity. The Trust considers the contribution necessary, directly related to the development and compliant with CIL Regulation 122, with funds intended to support expanded healthcare infrastructure such as emergency care facilities, stroke services, diagnostic imaging capacity and outpatient provision. Without mitigation, the Trust contends the development would place unacceptable pressure on local healthcare services and conflict with local planning policies and the NPPF's objective of creating sustainable, healthy communities.

This response was to Stratford-on-Avon District Council so will be addressed in any s106 agreement for Stratford-on-Avon District Council. To avoid duplication, it has not been included in the Redditch BC s106.

Waste Management

Note that private waste collection is proposed. No objection.

Arboricultural Officer

No objection subject to conditions

- Arboricultural Method Statement
- Tree protection fencing
- Tree works

Thomson Ecology on behalf of the LPA

No objection following update information, subject to conditions

- Badger Survey
- Construction Environmental Management Plan (Ecology)
- Biodiversity Gain Plan (BGP)
- Habitat Management and Monitoring Plan (HMMP)
- Biodiversity Enhancements

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Public Consultation Response

The application has been publicised by writing to adjacent occupiers, by press notice and by site notice.

Two objections have been received that raise the following objections:

- Lack of neighbour consultation and notification prior to submission of the application.
- Concerns regarding the need for an additional care home given existing provision nearby.
- Highway safety concerns relating to traffic speeds, congestion and access onto Birmingham Road.
- Loss of the remaining undeveloped green space in the area.
- Impact on wildlife, including foxes and muntjac deer using the site.
- Concerns regarding existing drainage and flood risk issues.
- Loss of privacy and overlooking of neighbouring properties in Packington Close from bedroom windows and external amenity areas.
- Visual impact arising from the scale, height and proximity of the proposed building.
- Potential light pollution.
- Requests for additional landscaping and tree planting.

One representation is neutral on the proposal. They acknowledge that a care home would be a more acceptable form of development than some alternatives, provided impacts on neighbouring residents are appropriately mitigated.

Assessment of Proposal

Section 70(2) of the Town and Country Planning Act 1990 and Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations (including the NPPF) indicate otherwise. The development plan for the site comprises the Borough of Redditch Local Plan No. 4 (January 2017).

Other material considerations include in this case the Councils High-Quality Design SPD (Adopted June 2019). The main issues and considerations in the determination of this application are set out below.

In respect of broad planning principles, the site is a sustainable location for the proposed development, confirms that the part of the site within Redditch Borough 'is located within the Redditch urban area. Policy 2 (Settlement Hierarchy) designates Redditch as the Main Settlement, which should be the focus for development as it provides the highest level of services and facilities provision and offers the most sustainable location for development. In this regard, the site is located within a sustainable location within walking distance of facilities, encouraging sustainable lifestyles for future residents and staff.

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Noting that the part of the site within Stratford DC is also within the Built-Up Area Boundary of Mappleborough Green (a Local Service Village) and is surrounded on three sides by existing development, the proposed development also complies within Policy 3. It is concluded, therefore, that the principle of the development proposed is acceptable.

Open Space

Part of the application site is designated as open space under Policy 13 (Primarily Open Space) of the BORLP4. This area comprises privately owned, open land which is not accessible to the general public. The proposed development will retain an element of open space, in the form of external, landscaped amenity areas for the use of residents of, and visitors to, the care home.

Policy 13 seeks to protect and, where appropriate, enhance open space. Proposals resulting in the partial or total loss of Primarily Open Space will not normally be permitted unless it can be demonstrated that the need for development outweighs the value of the land as an open area. In assessing such proposals, the Council must consider a range of factors including the environmental, recreational, wildlife, visual and community value of the site, its contribution to the Green Infrastructure Network, whether a surplus of open space exists, and the wider merits of the proposed development.

Policy 11 Green Infrastructure seeks to safeguard the Green Infrastructure (GI) Network and new development will be required to contribute positively to the GI. The GI Network is a multifunctional resource that includes, but is not limited to, green spaces and corridors, waterways, natural heritage and wildlife habitats.

Policy 12 Open Space Provision, under this policy the Borough Council is committed to maintaining minimum standards of open space provision, as outlined in the Open Space Needs Assessment and Playing Pitch Strategy. New development will be required to improve open space, sports, and recreation facilities, in line with the Borough Council's Adopted Open Space Provision Supplementary Planning Document. New open space should be strategically located to contribute to the Green Infrastructure Network and increase its multifunctionality. The Borough Council will support, in principle, the development of new open space, sports and recreation facilities.

The proposed development has been assessed against the criteria set out in Policy 13 of the Local Plan. In undertaking this assessment, regard has been had to the Council's Open Space Needs Assessment (2023) which forms part of the evidence base for the Local Plan Review.

The study identifies the application site as forming part of an area of Natural and Semi-natural Green Space, measuring approximately 1.26 hectares in total. This includes land to the north which lies outside the application site boundary. It is noted that the site does not currently benefit from any form of public access.

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The Open Space Study assess the quantity, quality and distribution of Natural and Semi-natural Green Space across Redditch Borough. The following matters are considered relevant to the assessment of this proposal:

Quantity of provision (borough-wide)

The study confirms that there are 112 Natural and Semi-natural Green Spaces across the Borough, with a combined area of 167.9 hectares. This equates to 1.97 hectares per 1,000 population, which the Study identifies as the appropriate quantity standard to be applied across the Borough.

Quantity of provision (ward-level)

Within the Winyates Ward, within which the application site is located, has a higher level of provision than the Borough average, comprising 17 sites totalling 18.49 hectares. This equates to 2.26 hectares per 1,000 population. Even taking into account the net reduction in open space arising from the proposed development, provision within the Ward would remain in excess of the Borough-wide standard.

Accessibility of alternative provision

The study shows that the majority of Natural and Semi-natural Green Spaces in Winyates Ward have unrestricted public access, including Alders Marsh Nature Reserve, which extends to approximately 16 hectares and is located less than 0.5 miles to the west of the application site.

Having regard to the above, it is considered that there is a surplus of Natural and Semi-natural Green Space within Winyates Ward.

The application site extends to approximately 0.97 hectares and is identified as Natural and Semi-Natural Open Space within the Council's Open Space Strategy. However, the evidence confirms that the site is privately owned and is not publicly accessible. There is no public right of access, no public footpath crossing the site and no recreational use undertaken by the wider community. The submitted assessment notes that whilst the site is identified as restricted access open space, it does not function in the same way as other restricted-access facilities such as allotments or schools because it is not accessible to the public by prior arrangement or otherwise.

In considering the environmental, amenity and ecological value of the site, it is acknowledged that the land contributes to local openness and presently contains undeveloped greenfield land. However, the proposed development incorporates a substantial landscape strategy including new tree planting, new hedgerows, enhancement of the existing pond and extensive areas of landscaping around the care home. The proposal includes biodiversity enhancements, new planting and wildlife-supporting landscaping will be incorporated throughout the development.

In relation to Green Infrastructure, Policy 11 seeks to safeguard and enhance the Borough's Green Infrastructure Network. Whilst the site forms part of the wider green

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infrastructure resource, the submitted assessment concludes that it does not perform a strategic linking role between open spaces and does not function as a critical corridor or buffer between incompatible land uses. The proposed landscaping and habitat enhancements are considered capable of maintaining and enhancing the site's contribution to Green Infrastructure through improved planting, habitat creation and biodiversity measures.

Particular weight is given to the evidence regarding the quantity of Natural and Semi-Natural Green Space within Winyates Ward. The Open Space Assessment demonstrates that the ward currently provides 2.25 hectares of Natural and Semi-Natural Green Space per 1,000 population compared with the Borough standard of 1.969 hectares per 1,000 population.

The Council has also considered whether the site should be retained for alternative open space purposes. Whilst this is a material consideration, the site has historically functioned as private land associated with a dwelling and has never operated as publicly accessible open space. There is no evidence before the Council that the site is required to meet an identified deficiency in Natural and Semi-Natural Green Space provision or that its retention for alternative open space purposes would deliver greater community benefit.

Officers acknowledge that the site contributes positively to visual openness, biodiversity and the wider Green Infrastructure network and these matters attract moderate weight in favour of retention. However, when balanced against the demonstrated surplus provision, lack of public accessibility and benefits arising from the proposal, The merits of the proposal (including care home provision, and other matters) are fully assessed in the Planning Balance and Conclusion section of the report below, to determine whether Policy 13 is satisfied.

Need for the Development

Policy 4 (Housing Provision) of the BORLP4 states that the Council will encourage the provision of housing for elderly people and that consideration will be given to the extent that the proposed scheme reflects the requirements of the current Strategic Housing Market Assessment and/or Worcestershire Extra Care Housing Strategy 2012-2026. The Housing and Economic Development Needs Assessment (HEDNA) which identifies the future employment and housing needs across Redditch Borough for the period 2021-2040. This document identifies a need for Accommodation for Older People including care homes of which this development could contribute to. The delivery of such accommodation is encouraged from private developers, and it is determined that these proposals make a positive contribution to the delivery of this strategy, and thus the proposed development aligns with the requirements of Policy 4.

It is recognised the proposed development would free up some market housing and much of this would be expected to be local, coupled with the overall level of housing land

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supply in Redditch (less than 3 years), the impact of the proposal on housing land supply in the area is a further consideration that would favour the proposal.

The application is supported a Comprehensive Planning Need Assessment (CPNA) prepared by Carterwood on behalf of the applicants. It identifies a substantial need for additional care home bedspaces, both in the market catchment, which includes part of Redditch Borough and part of Stratford-on-Avon District, and within Redditch Borough as a whole. It also recognises that the proposed development of the application site will play a significant role in helping to meet that substantial need. The CPNA concludes the following:

“The Carterwood Planning Need Assessment identifies a significant shortfall of full market-standard care home bedrooms in the market catchment and the Redditch Borough Council local authority area. Even at minimum market-standard level, the shortfalls of care home bedspaces are clear, particularly for those who require dementia care.

As the proposed care home site straddles two local authority areas, regard has been had to both Worcestershire and Warwickshire Adult Social Care Commissioning and housing need assessments. Both commissioning authorities provide key demand drivers for new care home beds, particularly for complex care and dementia care, given the expected growth in the elderly demographic. Redditch Borough Council identifies a requirement for an additional 237 residential care beds by 2040, while Stratford-on-Avon District Council identifies an additional need for 251 residential care beds by 2032.

A good proportion of those requiring care are likely to be self-funded, with their choice of care home based on location, quality of care and accommodation, and proximity to friends and family, rather than funding alone.

The proposed care home is specifically designed for purpose by LNT, an experienced developer and care home operator. It will provide a well-specified care home, best suited to caring for residents, including those who require dementia care within a specialist unit, with spacious, flexible, infection-control-compliant accommodation to enable care to be administered most efficiently and effectively.”

The CPNA also identifies that the proposed development will have the following significant social and economic benefits:

- Improved individual health management and quality of life;
- Reduced unpaid carers burden;
- Reduced loneliness;
- Appropriate homes for the community;
- Creation of jobs in the construction phase;
- Creation of a range of full and part time care and support jobs when operational;
- Release of under-occupied family homes; and

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- Reduced reliance on the NHS.

The proposal would provide a purpose-built care home specifically designed for residential and dementia care. The development would provide 66 en-suite bedrooms together with communal facilities, specialist support spaces, landscaped gardens and facilities specifically tailored to the needs of elderly residents. The proposal would therefore provide accommodation designed to modern care standards and capable of meeting the needs of residents requiring varying levels of care and support.

Officers have also had regard to representations raising questions regarding the need for a further care home given the presence of existing facilities within the wider area. Whilst existing provision is acknowledged, no technical evidence has been submitted demonstrating that the identified future need for additional bedspaces has already been met. In contrast, the evidence before the Council identifies a continuing and growing shortfall in provision across the relevant catchment area and within Redditch Borough. Officers therefore attach significant weight to the identified quantitative need for additional specialist accommodation.

In addition to meeting identified accommodation needs, the proposed development would deliver wider social and economic benefits. The applicant estimates that the development would generate between 50 and 60 jobs during operation, equivalent to approximately 48 full-time positions, whilst also supporting local supply chains and providing a community facility for older people with local connections. The proposal would assist in reducing social isolation, provide specialist care services and may contribute to reducing pressure on health services through the provision of dedicated residential care accommodation.

Specialist care accommodation can assist in releasing under-occupied family housing back to the general housing market, thereby contributing indirectly to housing delivery objectives. Whilst only limited weight is attached to this benefit, it nevertheless represents a positive consideration in favour of the development.

Officers have carefully considered representations questioning the need for an additional care home within this locality, particularly given the existence of other care facilities within Redditch and the wider catchment area. The presence of existing care homes does not in itself demonstrate that current or future needs are being met, and the assessment of need must be based upon the available evidence regarding demand, demographic change and existing supply.

The application is supported by a Comprehensive Planning Need Assessment prepared by Carterwood, a recognised specialist consultancy in the care sector. The assessment identifies a current and future shortfall in market-standard care home accommodation across both the defined catchment area and Redditch Borough. In particular, the evidence highlights expected growth in the population aged over 80, being the age cohort

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most likely to require residential and dementia care provision. The assessment further identifies unmet demand for both residential and dementia care bedspaces.

Officers have reviewed the conclusions of the assessment and note that no substantive technical evidence has been submitted by objectors or any statutory consultee to demonstrate that the identified need is incorrect, overstated or likely to be met through existing committed developments. Whilst existing care home provision within the locality is acknowledged, there is no evidence before the Council to indicate that current supply is sufficient to accommodate the forecast increase in demand identified within the submitted assessment.

The proposal would provide 66 purpose-built bedrooms designed to contemporary care standards, including specialist dementia care accommodation. Officers consider it particularly important that the development would contribute towards meeting a recognised need arising from an ageing population, consistent with the objectives of Policy 4 of the Borough of Redditch Local Plan No.4, which supports the provision of accommodation for older people.

Whilst future demand forecasts inevitably involve a degree of judgement, having regard to the submitted evidence, the identified demographic trends, the absence of any competing technical assessment and the support afforded by local planning policy, officers are satisfied that a clear need exists for additional specialist care accommodation within the area. Significant weight is therefore afforded to the delivery of the proposed care home as a public benefit of the development.

Highway and Access

Policies 19 and 20 of the Local Plan set out a series of aspirations and requirements in relation to transportation and highway matters when considering planning applications. Furthermore, the Framework at paragraph 115 states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe. Worcestershire County Council, acting as Highway Authority, has undertaken a full assessment of the proposal and raises no objection subject to conditions. The Highway Authority concludes that the development would not result in a severe impact on the local highway network and that no off-site highway mitigation works are required within Worcestershire.

The proposal would utilise an upgraded access from Birmingham Road, retaining and improving the existing northern access whilst closing the southern access. The proposed access arrangements include a 6-metre-wide carriageway, footways on both sides and appropriate visibility splays. As Birmingham Road falls within Warwickshire County Council's jurisdiction, detailed consideration of the access design and visibility requirements remains a matter for that authority.

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The Highway Authority is satisfied that the site layout provides appropriate internal circulation, parking and servicing arrangements, including space for delivery and refuse vehicles to enter and leave in a forward gear. Thirty parking spaces are proposed, including accessible spaces and EV charging provision, and whilst this falls between the parking standards of the two authorities, it is considered acceptable given the nature of the use and the opportunity for future expansion if required.

The submitted Transport Statement demonstrates that the care home would generate relatively low levels of traffic, with a maximum of approximately 10 two-way vehicle movements during the weekday peak hours. The Highway Authority accepts that this level of traffic would have a negligible impact on the wider road network. Whilst turning movements at the site access would increase compared with the existing use, it is considered that an appropriately designed access can accommodate the development safely.

The site is acknowledged to be predominantly car-dependent; however, the Highway Authority notes that walking, public transport and limited cycling opportunities are available, with bus services operating from stops within walking distance of the site. On balance, the site is considered sufficiently sustainable that a highway objection on accessibility grounds could not be justified.

Accordingly, the Highway Authority recommends conditions requiring the submission and implementation of an Employment Travel Plan and Travel Welcome Packs to encourage sustainable travel choices by staff.

Based on the analysis of the information submitted, the Highway Authority concludes that there would not be a severe detrimental impact on the local highway network under the control of this Highway Authority and no related off-site works are deemed necessary within the Worcestershire County Council area.

Design and Appearance

The scheme has been assessed against the design objectives of the Framework together with Policies 39 and 40 of the Borough of Redditch Local Plan No.4.

The site occupies a transitional location on the edge of the urban area where development is characterised by a mix of detached dwellings, bungalows, areas of landscaping and more recent residential expansion. The proposal adopts a two-storey form which reflects the prevailing scale of surrounding development and is considered to represent an appropriate response to its edge-of-settlement context. The building has been positioned centrally within the plot, allowing for substantial landscaped buffers around the site and reducing the prominence of built development when viewed from surrounding areas.

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In terms of layout, the scheme demonstrates a logical and legible arrangement. The principal entrance is clearly identifiable from the site access and car park, while the internal layout is organised around centrally located communal facilities. This arrangement promotes ease of movement for residents and visitors and provides strong visual and physical links between the building and the proposed landscaped gardens. The layout has clearly been informed by the operational requirements of a modern care home whilst also prioritising resident wellbeing and accessibility.

The architectural treatment is considered acceptable. The proposed palette of red brick, accent brickwork, render and weatherboard-style cladding draws upon materials found within the surrounding area and provides visual interest through variation in texture and colour. Whilst the building is of a larger footprint than nearby residential properties, the articulation of the elevations and use of contrasting materials assists in breaking down the overall massing and reducing the visual impact of the development. The design is therefore considered to successfully balance the operational requirements of the care home with the need to respect local character.

The scheme incorporates extensive landscaped gardens and courtyard spaces providing approximately 3,852sqm of amenity space. These areas will deliver outdoor recreation opportunities for residents whilst also contributing positively to the site's appearance and biodiversity value. The retention and reinforcement of planting around the site boundaries will assist in assimilating the development into its surroundings and reducing its visual impact, particularly given the site's proximity to the Arden Special Landscape Area.

With regard to internal amenity space, the care home has been designed to meet the provision of the Care Standards Act. I have noted that the care standard requirement for single bedrooms is 12m² (excluding the ensuite bathroom) and the proposed scheme provides 14.6m² for each single bedroom. Further, the Care Standards Act require 4.1m² of communal sitting, dining and recreational space per resident and the proposed scheme provides 9.5m² per resident. With respect to external amenity space, the total area proposed amounts to 3852m² which equates to a ratio of 58 m² per resident. It is therefore considered the proposal will deliver ample external and internal amenity space for its residents and thus, with respect to amenity considerations, the proposal is acceptable.

Overall, it is considered that the proposal represents a well-designed form of development that responds appropriately to the site's context, provides a high-quality living environment for future residents and incorporates attractive landscaping and accessible design principles. Subject to the conclusions of the accompanying landscape, highways and residential amenity assessments, the scheme is considered to comply with the design objectives of the Framework, Policies 39 and 40 of the Redditch Local Plan

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Residential amenity

Policy 40 of the Borough of Redditch Local Plan No.4 requires development to secure a high standard of amenity for existing and future occupiers. The Framework similarly seeks to ensure that development creates places with a high standard of amenity for existing and future users.

A number of representations have raised concerns regarding overlooking, loss of privacy, building height, visual impact, noise and external lighting. These matters have been carefully considered in the assessment of the proposal.

The site is bordered by residential development to the north, west and south. The proposed care home has been positioned centrally within the site, enabling substantial landscaped buffers to be retained around the site boundaries. The Design and Access Statement confirms that the layout was specifically developed having regard to surrounding residential properties, existing vegetation and site constraints.

Whilst the proposed building is larger in footprint than surrounding dwellings, it is limited to two storeys and reflects the prevailing scale of development in the locality, which includes detached dwellings and more recent residential development. Officers are satisfied that the scale and massing of the proposal would not appear excessively dominant or overbearing when viewed from neighbouring properties.

The proposal comfortably exceeds the Council's minimum separation standards between habitable room windows. Given the separation distances achieved, together with the retention of existing boundary vegetation and the introduction of additional landscaping, it is not considered that the proposal would result in unacceptable overlooking, loss of privacy or loss of outlook for neighbouring occupiers.

The principal external amenity areas for residents are located within secure landscaped gardens surrounding the building. These areas comprise pathways, lawned areas, trees, shrubs and seating spaces and are characteristic of the type of outdoor environment expected within a modern care home setting. Due to the size of the site, the position of the building and the landscape buffers proposed, the use of these areas by residents would not give rise to unacceptable impacts upon neighbouring residential amenity.

The proposal has been assessed by Worcestershire Regulatory Services (Noise), who raise no objection to the development. The submitted Noise Impact Assessment has been reviewed and found to be acceptable. Conditions are recommended requiring details of glazing specifications and mitigation measures where necessary to ensure suitable living conditions for future occupants.

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In respect of plant and mechanical equipment, WRS raise no objection, subject to standard controls. Similarly, the proposed external lighting strategy has been assessed and found acceptable in terms of potential light nuisance, subject to a condition requiring detailed lighting specifications to be approved prior to installation.

The development will inevitably generate some additional activity associated with visitors, staff and servicing. However, the submitted Transport Statement identifies relatively modest vehicle movements associated with the operation of the care home and Worcestershire Highways raises no objection. Officers are therefore satisfied that activity generated by the development would not result in unacceptable disturbance to neighbouring occupiers.

The proposed care home has been specifically designed to accommodate elderly residents, including those requiring dementia care. The Design and Access Statement confirms that all bedrooms will be provided with en-suite wet room facilities and will exceed the minimum bedroom size standards typically associated with care accommodation. Bedrooms are proposed at approximately 14.6m² compared with the recognised benchmark of 12m².

The scheme also provides a generous level of communal internal space. The submitted Design and Access Statement confirms a provision of approximately 9.5m² of communal space per resident, significantly exceeding the typical benchmark of 4.1m² per resident. Facilities include lounges, dining areas, activity spaces, café facilities, a cinema room, hair salon and landscaped gardens.

In terms of outdoor amenity provision, approximately 3,852m² of landscaped external space is proposed, equating to approximately 58m² per resident. These areas will be directly accessible from communal rooms and ground-floor bedrooms and have been designed to support wellbeing, social interaction and independent movement throughout the site.

The submitted landscape strategy includes new tree planting, shrubs, flowerbeds, lawned areas and surfaced pathways providing an attractive and usable environment for residents throughout the year. Officers consider that the development would provide a high-quality living environment that meets the specialist requirements of future residents.

Having regard to the siting, scale and design of the development, the separation distances achieved, the landscaping proposed and the conclusions of the Council's technical consultees, officers are satisfied that the proposal would not result in unacceptable harm to the living conditions of neighbouring occupiers. Furthermore, the development would provide an exceptionally high standard of accommodation and amenity for future residents of the care home. The proposal therefore complies with

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Policy 40 of the Borough of Redditch Local Plan No.4 and the relevant provisions of the Framework.

Heritage Assets and Archaeology

Section 66 of the Listed Buildings and Conservation Area Act places a statutory duty on LPAs to have special regard to the desirability of preserving the setting of listed buildings. Policy 36 Historic Environment is relevant in that it sets out that designated heritage assets will be given the highest level of protection and should be conserved and enhanced.

The site contains no designated or non-designated built heritage assets. There is no nearby designated Conservation Area. The application has been supported with a by a Historic Environment Desk-Based Assessment by Orion.

Conservation have reviewed the proposal, they have concluded that Four Winds is of no architectural interest and from a Conservation perspective there is no objection to its demolition.

The proposed wider development site lies to the south west of Lower House (Grade II), a 16th century part timber framed part brick house with later extensions and alterations. Due to the modern construction in the vicinity the house is best appreciated in its immediate setting. It is separated from the proposed development site by the more recently constructed Packington Close cul de sac, which together with intervening vegetation obscures views from the house to the site.

It is therefore considered that development on this site as proposed would have a negligible impact on the significance of the listed building and they have no objection.

A programme of archaeological works has been secured with the submission of a Written scheme of investigation (WSI).

Overall, the proposal accords with Policy 36 of BORLP and the Framework.

Flooding and Drainage

A Drainage Strategy has been submitted in support of the application. The site lies within Flood Zone 1 and is not identified as being at significant risk of fluvial flooding. The strategy has been prepared following consultation with the Lead Local Flood Authorities (LLFAs) and Severn Trent Water.

Ground investigation and soakaway testing demonstrated that infiltration drainage is not feasible at the site due to poor drainage characteristics within the underlying soils and Mercia Mudstone geology. Consequently, surface water disposal by infiltration has been ruled out in accordance with the drainage hierarchy.

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The proposed drainage strategy comprises a sustainable drainage system (SuDS) incorporating below-ground attenuation, permeable paving and rain garden features.

The drainage system has been designed to accommodate the 1 in 100 year storm event including a 40% climate change allowance. The applicant's modelling demonstrates that runoff from the site will be restricted to greenfield rates and that surface water can be safely managed on site without increasing flood risk to adjacent land or downstream receptors. The submitted strategy concludes that the development will improve the existing surface water regime through attenuation and controlled discharge.

Foul drainage is proposed to connect to the existing Severn Trent combined sewer in Birmingham Road.

During pre-application discussions, North Worcestershire Water Management supported the principle of a restricted discharge to the adjacent watercourse and requested that opportunities for above-ground SuDS features be maximised. In response, the drainage strategy was amended to include rain gardens and additional surface water treatment measures.

This has been reviewed by NWWM and they have no objection. Officers attach significant weight to the specialist advice of North Worcestershire Water Management as the Council's technical drainage consultee. It is considered that the proposed. Overall, it is considered that the development would comply with policies 17, 18, and 40 of Local Plan and the Framework.

Ecology and Biodiversity

Policy 16 of the Borough of Redditch Local Plan No.4 seeks to protect and enhance biodiversity and ecological networks. Paragraphs of the National Planning Policy Framework require planning decisions to contribute to and enhance the natural environment, minimise impacts on biodiversity and secure measurable biodiversity gains where possible. Biodiversity Net Gain (BNG) is now a statutory requirement under Schedule 7A of the Town and Country Planning Act 1990, requiring a minimum 10% gain compared with the pre-development biodiversity baseline.

The application was originally supported by a Preliminary Ecological Appraisal and has subsequently been supplemented by an updated Biodiversity Impact Assessment (May 2026) and Great Crested Newt eDNA Survey information.

The site comprises a range of habitats including modified grassland, vegetated garden areas, mature trees, native and ornamental hedgerows, areas of broadleaved woodland, blackthorn scrub, an on-site pond and a drainage ditch located along the western boundary. Collectively, these habitats provide a baseline biodiversity value of 9.99 habitat units, 0.31 hedgerow units and 0.17 watercourse units. The woodland, pond, scrub,

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hedgerows and mature trees are considered the principal ecological features of interest and have informed the design evolution of the scheme. The submitted assessment confirms that no irreplaceable habitats are present within the application site.

The ecological strategy has sought to apply the mitigation hierarchy through retention of the woodland area, pond, significant trees and boundary vegetation wherever practicable within the development layout.

The Preliminary Ecological Appraisal identified that pond P1 located adjacent to the northern boundary had potential suitability for Great Crested Newt and recommended further survey work. An updated eDNA survey was subsequently undertaken in April 2026 by a licensed ecologist.

The pond was assessed as having "Good" Habitat Suitability Index (HSI) value for Great Crested Newt, with a score of 0.73. However, eDNA testing returned a negative result (0/12 samples), indicating likely absence of Great Crested Newt. Eight ponds were identified within 500 metres of the site, although only Pond P1 required survey as the remaining ponds were beyond 100 metres and separated by barriers including the A435 Birmingham Road.

The ecological reports conclude that Great Crested Newts are unlikely to be present within the site and no further survey work is required. Nevertheless, precautionary construction methods are recommended to protect common amphibians during the construction process.

The submitted landscape scheme provides significant ecological enhancements including:

- Retention of broadleaved woodland;
- Retention of the woodland pond;
- Retention of mature trees where possible;
- Pond enhancement and ecological management;
- Native woodland understorey planting;
- Creation of species-rich grassland areas;
- Creation of new scrub habitats;
- Provision of new native hedgerows;
- Creation of extensive new tree planting; and
- Enhancement of the existing ditch corridor.

The detailed landscape plans indicate the provision of approximately 56 new trees, extensive native hedgerow planting, woodland enhancement planting around the existing pond and the creation of meadow grassland areas throughout the site.

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The Biodiversity Impact Assessment concludes that the development would deliver:

- +92.08% hedgerow unit gain;
- +89.42% watercourse unit gain; but
- A residual deficit of habitat area units on-site due primarily to the loss of some existing habitat and tree coverage necessary to facilitate the development.

Whilst the development does not achieve the required BNG solely within the application site, the assessment confirms that the statutory minimum 10% Biodiversity Net Gain requirement will be achieved through a combination of on-site habitat enhancements and the provision of off-site biodiversity units/credits. This approach is expressly identified within the submitted Biodiversity Impact Assessment and would be secured through the statutory Biodiversity Gain Plan process.

This has been reviewed and no objections are raised. Officers are satisfied that the submitted ecological evidence provides a comprehensive assessment of the site's ecological value and potential impacts. The retention of the woodland area, pond and significant boundary vegetation represents a positive outcome and demonstrates application of the mitigation hierarchy.

Particular weight is given to the proposed habitat enhancements which include pond improvements, native woodland enrichment planting, new native hedgerows, meadow grassland creation and substantial new tree planting. These measures will improve habitat connectivity and contribute positively to the wider Green Infrastructure Network identified by Policies 11 and 16 of the Local Plan.

The updated Great Crested Newt survey evidence provides sufficient information to conclude that the development is unlikely to adversely affect this protected species. Appropriate precautionary mitigation measures can be secured through planning conditions.

Whilst a habitat unit deficit remains on-site, the statutory biodiversity requirement will be addressed through the purchase and securing of off-site biodiversity units and through the submission of a Biodiversity Gain Plan. Subject to securing these measures by condition and legal agreement where necessary, officers are satisfied that the proposal complies with the biodiversity objectives of the Environment Act 2021, the Framework and Policy 16 of the Borough of Redditch Local Plan No.4.

Trees

The site contains a number of trees protected by Tree Preservation Orders (TPO 160 (2016) and TPO 176 (2021)), including mature oak trees located around the site boundary which are proposed to be retained and protected throughout the development.

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The proposed development will necessitate the removal of a number of trees and hedgerow sections, including several low-quality Category C specimens, mature poplars, willows, ornamental trees and sections of mixed hedgerow vegetation to facilitate the new access, building footprint and associated infrastructure. The assessment concludes that these losses can be adequately compensated through replacement tree planting and landscaping as part of the comprehensive landscape scheme.

The report identifies two mature oak trees (T6 and T8), including a TPO-protected oak, as the most significant arboricultural features on the site. These trees are to be retained and protected. Whilst parts of the development encroach into their root protection areas, the assessment concludes that impacts can be appropriately mitigated through specialised construction techniques, hand excavation, root pruning where necessary, root enhancement measures and arboricultural supervision.

The assessment finds that the principal risks to retained trees arise from construction activities, service installation, hardstanding works and operations within root protection areas. To mitigate these impacts, protective fencing will be erected prior to commencement of development and retained throughout the construction period. An Arboricultural Method Statement will also be required to govern works in sensitive areas and ensure compliance with BS5837:2012.

Subject to the implementation of the recommended tree protection measures, site supervision and replacement planting, the report concludes that the development can be carried out without causing unacceptable harm to retained trees. Furthermore, the proposed landscaping scheme is expected to provide a positive medium to long-term effect on canopy cover, biodiversity and the visual integration of the development within the surrounding landscape.

Accordingly, subject to conditions securing tree protection fencing, an Arboricultural Method Statement, arboricultural supervision and replacement landscaping, the proposal is considered acceptable in arboricultural terms.

Other Matters

WRS Contamination has assessed the site and have no objections subject to conditions.

Officers have carefully considered all representations received. Matters relating to need, highways, flooding, ecology, privacy, visual impact and lighting are addressed in the relevant sections of this report. For the reasons set out therein, officers do not consider the objections justify refusal of planning permission.

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Infrastructure Requirements

In accordance with Paragraph 56 of the Framework and Section 122 of the CIL regulations, planning obligations have been sought to mitigate the impact of this major development, if the application were to be approved. A Unilateral Undertaking has been drafted and the obligation in this case would cover:

- Contributions to NHS Herefordshire & Worcestershire Integrated Care Board towards GP Surgeries
- A Section 106 (Planning Obligation) monitoring fee

The applicant confirms its agreement to make financial contributions / obligations with respect to the matter set out above. At the time of writing, the planning obligation is in draft form subject final agreement.

There is no requirement for an affordable housing contribution under Policy 6. As the nature of the accommodation is a C2 Residential Institution use and not Class C3 dwelling houses, this has been adequately justified by the applicant. The use can be adequately conditioned to restrict its use to C2.

Planning Balance and Conclusion

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. In reaching a decision on this application, regard has been had to all relevant policies of the Borough of Redditch Local Plan No.4, the National Planning Policy Framework and all other material considerations.

The proposal would result in the partial loss of land designated as Primarily Open Space under Policy 13 of the Local Plan. This attracts moderate weight as a harmful effect of the development. Whilst the site forms part of a designated open space allocation, significant weight is given to the fact that the site is privately owned, inaccessible to the public, performs no recreational function and does not serve as publicly available open space. Furthermore, evidence submitted with the application demonstrates that Winyates Ward contains a surplus of Natural and Semi-Natural Green Space above the Borough standard and would continue to do so even if the application site was removed from the calculations. Alternative and higher quality publicly accessible provision exists nearby.

The proposal would also introduce built development onto presently undeveloped land and would alter the appearance of the site. Limited weight is attached to this harm. However, the development is proposed within a site that is enclosed by existing development on three sides and incorporates substantial landscape buffers, new planting, hedgerow reinforcement and enhancement of the existing pond. Officers are

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satisfied that the proposal would assimilate satisfactorily into its surroundings and would not result in unacceptable harm to local character or visual amenity.

Some tree and hedgerow removal will be required to facilitate the development. This harm attracts limited weight. The Council's Arboricultural officer raises no objection subject to conditions and replacement planting will be secured through the approved landscaping scheme. In the medium to long term, the proposed landscape strategy is expected to provide positive effects in terms of canopy cover, biodiversity and visual integration.

Against these harms, substantial weight is attached to the provision of a specialist 66-bed care home for older people. Policy 4 of the Local Plan supports accommodation which meets the needs of an ageing population. The submitted evidence identifies a significant need for additional care provision within both Redditch Borough and the wider catchment area. Demographic evidence also demonstrates a substantial projected increase in the population aged over 80, the age group most likely to require residential care services. The proposal would therefore make a meaningful contribution towards meeting identified future needs.

Substantial weight is also afforded to the social benefits arising from the proposal. The development would provide specialist accommodation designed to meet the needs of elderly patients, improve wellbeing and social inclusion, provide accessible living accommodation and assist families requiring specialist care facilities within the locality. The proposal would also contribute to wider health and care objectives through the provision of purpose-built accommodation specifically designed for later-life care.

Moderate weight is attached to the economic benefits of the scheme. The proposal is expected to create approximately 50–60 jobs during operation, equivalent to around 48 full-time positions, together with associated construction employment and expenditure within local supply chains. The development would therefore contribute positively to the local economy.

Moderate weight is attached to the biodiversity and environmental enhancements proposed. In addition, the proposal incorporates extensive landscaping, habitat enhancement, new tree planting, hedgerow planting and pond improvements which would enhance the ecological value of the site.

Taking all matters into account, officers conclude that the identified harms arising from the loss of designated open space, visual change and limited tree loss are outweighed by the substantial social, economic and community benefits associated with the delivery of a modern care home addressing an identified need for older persons accommodation, together with the biodiversity and landscaping enhancements proposed. The proposal is

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therefore considered to represent sustainable development and, when assessed as a whole, accords with the Development Plan.

Accordingly, planning permission should be granted subject to the completion of the Section 106 Agreement and the conditions set out within this report.

RECOMMENDATION:

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

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

- (i) A financial contribution of £28,800 towards GP Surgeries**
- (ii) A Section 106 monitoring fee of £526.90**

And

b) Conditions and informatives as summarised below:

Conditions:

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

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

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

B80 7DH - A-01 - LOCATION PLAN
B80 7DH - A-02 - TOPOGRAPHICAL SURVEY
B80 7DH - A-03-1-A - PROPOSED SITE PLAN
B80 7DH - A-04 - PROPOSED GROUND FLOOR PLAN
B80 7DH - A-04-1 - PROPOSED FIRST FLOOR PLAN
B80 7DH - A-04-2 - PROPOSED ROOF PLAN
B80 7DH - A-05 - PROPOSED ELEVATIONS PLAN
B80 7DH - A-05 - PROPOSED ELEVATIONS PLAN
B80 7DH - A-05-1 - PROPOSED INTERNAL ELEVATIONS
B80 7DH - A-07 - PROPOSED SITE SECTIONS

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

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

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

4. No development above slab level shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, refuse or other storage units, etc.); retained historic landscape features and proposals for restoration. Soft landscape works shall include 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.

Reason: To minimise the effect and enhance the character of the development.

5. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of 5 years from the date of planting of any tree, that tree or any tree planted in replacement for it, is removed, uprooted, destroyed, dies or becomes seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place within the next planting season (October-March), unless the Local Planning Authority gives its written consent to any variation.

Any tree, hedge or shrub scheduled for retention which is lost for any reason during development works, shall be replaced with a tree, hedge or shrub of a size and species to be agreed in writing with the Local Planning Authority and planted during the first planting season after its loss.

Reason: To retain the character of the landscape.

6. 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 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

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Reason: In accordance with the requirements of paragraph 218 of the National Planning Policy Framework.

7. No development shall commence until an Arboricultural Method Statement (AMS) has been submitted to and approved in writing by the Local Planning Authority. The AMS shall include details of:

- Construction activities within or adjacent to root protection areas;
- Foundation construction methods;
- Drainage and service runs;
- Ground level changes;
- Site access arrangements;
- Arboricultural supervision and monitoring requirements;
- Root protection and root enhancement measures.

The development shall thereafter be carried out in full accordance with the approved AMS.

Reason: To ensure retained trees are protected throughout the construction phase.

8. No development, including site clearance and demolition works, shall commence until protective fencing for retained trees has been erected in accordance with the approved Arboricultural Impact Assessment and Tree Protection Plan. The protective fencing shall be installed prior to any materials being brought onto the site and shall be retained in its approved position for the duration of construction works. No materials, plant, machinery, spoil, excavation or changes in ground level shall take place within the protected areas.

Reason: To safeguard trees to be retained in the interests of visual amenity, biodiversity and compliance with BS5837:2012.

9. 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 immediately to the Local Planning Authority. The applicant is advised to immediately seek the advice of an independent geo-environmental consultant experienced in contaminated land risk assessment, including intrusive investigations and remediation.

No further works should be undertaken in the areas of suspected contamination, other than that work required to be carried out as part of an approved remediation scheme, unless otherwise agreed by the Local Planning Authority, until requirements 1 to 4 below have been complied with:

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1. Detailed site investigation and risk assessment must be undertaken by competent persons in accordance with the Environment Agency's 'Land Contamination: Risk Management' guidance and a written report of the findings produced. The risk assessment must be designed to assess the nature and extent of suspected contamination and approved by the Local Planning Authority prior to any further development taking place.
2. 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.
3. The approved remediation scheme must be carried out in accordance with its terms prior to the re-commencement of any site works in the areas of suspected contamination, other than that work required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.
4. Following completion of measures identified in the approved remediation scheme a verification 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 on site.

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

10. Following disposal or removal of the tyre crumb identified in the approved Geoenvironmental Report (Calabrian, 2025) a verification report demonstrating that the material has been suitably transferred or disposed of must be prepared and is subject to the approval of the Local Planning Authority prior to the occupation of any buildings on site.

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

11. No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The plan shall include:

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- a) Demolition and Construction working hours;
- b) Dust suppression measures;
- c) Noise and vibration mitigation;
- d) Site traffic management;
- e) Wheel washing facilities;
- f) Construction compound arrangements.

The CEMP shall include measures for the protection of ecological features during construction, including retained trees, woodland, hedgerows, common amphibians, bats, nesting birds, badgers, hedgehogs and reptiles. The development shall thereafter be carried out in accordance with the approved CEMP

Reason: To safeguard residential amenity during construction and to minimise adverse impacts on ecological receptors during the construction phase and to safeguard biodiversity interests on and adjacent to the site.

12. The development hereby permitted shall not be brought into use until a full Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include but not be limited to:-
- the identification of targets for vehicle trip reduction and modal shift from single occupancy car use to walking, cycling and public transport;
 - the measures to be implemented to meet these targets including an accessibility strategy to specifically address the needs of employees with limited mobility requirements;
 - the timetable/ phasing of the implementation of the Travel Plan and its operation thereafter for a minimum period of five years, including the responsible body for each action;
 - the mechanisms for monitoring and review;
 - the mechanisms for reporting;
 - the remedial measures to be applied in the event that targets are not met;
 - mechanisms to secure variations to the Travel Plan following monitoring and reviews; and
 - appointment and contact details of a travel plan coordinator.

Thereafter, the Travel Plan shall be implemented, monitored and reviewed in line with the approved details for a minimum period of five years following occupation.

Reason: To reduce single occupancy car travel and provide a genuine alternative for employees to travel by active and sustainable modes of transport.

13. The development hereby approved shall not be first occupied until employment Travel Welcome Packs, promoting sustainable forms of access to the development, has been submitted to and approved by the Local Planning

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Authority. The pack shall be provided to each staff member prior to their first occupation.

Reason: To ensure staff of the development site are offered a genuine choice of sustainable travel modes and to promote sustainable access to and from the site.

14. No development, including site clearance, shall commence until a pre-commencement badger survey has been undertaken by a suitably qualified ecologist. The results of the survey, together with any necessary mitigation measures, shall be submitted to and approved in writing by the Local Planning Authority. Where a badger sett is identified and works may affect it, details of any necessary licensing requirements and mitigation measures shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details.

Reason: To ascertain whether badgers are present on the site and to ensure appropriate protection measures are implemented in the interests of biodiversity and protected species.

15. Prior to the commencement of development, a Biodiversity Gain Plan shall be submitted to and approved in writing by the Local Planning Authority. The Biodiversity Gain Plan shall accord with the approved Biodiversity Metric and Biodiversity Impact Assessment and shall include:

- Information about the steps taken or to be taken to minimise the adverse effects of the development on biodiversity;
- The pre-development biodiversity value of the site;
- Details of any off-site biodiversity gains allocated to the development;
- Details of any biodiversity credits purchased or proposed to be purchased;
- The post-development biodiversity value of the site; and
- Evidence demonstrating delivery of the statutory Biodiversity Net Gain requirement.

The development shall thereafter be carried out in accordance with the approved Biodiversity Gain Plan.

Reason: To secure measurable biodiversity net gain in accordance with Schedule 7A of the Town and Country Planning Act 1990, the Environment Act 2021 and Policy 16 of the Borough of Redditch Local Plan No.4.

16. No development shall commence until a Habitat Management and Monitoring Plan (HMMP) has been submitted to and approved in writing by the Local Planning Authority. The HMMP shall include:

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- A non-technical summary;
- Management responsibilities;
- Details of habitat creation and enhancement measures;
- Habitat management prescriptions;
- Biodiversity monitoring arrangements; and
- A programme for monitoring and maintenance for a minimum period of 30 years from completion of the development.

The approved HMMP shall be implemented and maintained for the duration specified within the approved document.

Reason: To ensure the long-term management, monitoring and maintenance of habitats required to deliver biodiversity net gain.

17. Prior to commencement of development, a Biodiversity Enhancement Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include details of biodiversity enhancement measures including:

- At least two bird boxes on retained trees;
- Three bird nesting features integrated within or attached to buildings;
- At least one bat roosting feature integrated within or attached to a building or retained tree.

The approved measures shall be installed prior to first occupation of the development and thereafter retained.

Reason: To secure additional biodiversity enhancements and contribute to the objectives of Policy 16 of the Borough of Redditch Local Plan No.4 and the National Planning Policy Framework.

18. Notwithstanding the details within the noise assessment, prior to the installation of glazing, details of the specification of glazing to be installed shall be submitted and approved by the Local Planning Authority in order to demonstrate that they meet or exceed the sound reduction specification detailed in the noise assessment. The glazing shall be installed in full accordance with the approved details.

Reason: To safeguard the amenities of the occupiers of the proposed development.

19. The premises shall be used for the purpose specified in the application (Residential Care Home) and for no other purpose (including any other purpose in Class C2 Use Class of the schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument amending, revoking or re-enacting that Order).

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Reason: The application has been considered on the basis of occupation by persons in Class C2 accommodation and the Local Planning Authority wishes to consider any future changes to occupation of the building that would be detrimental to the character of the area and the amenities of occupants of adjoining premises.

Informatives

- 1) The local planning authority have worked with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with this planning application through negotiation and amendment.
- 2) It is expected that contractors are registered with the Considerate Constructors scheme and comply with the code of conduct in full. Constructors should give utmost consideration to their impact on neighbours and the public.
 - Informing, respecting, and showing courtesy to those affected by the work.
 - Minimising the impact of deliveries, parking, and work on the public highway.
 - Contributing to and supporting the local community and economy.
 - Working to create a positive and enduring impression and promoting the Code.

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

Contractors should ensure that courtesy boards are provided, and information shared with the local community relating to the timing of operations and contact details for a site coordinator in the event of any difficulties. This does not offer any relief to obligations under existing Legislation.

3) Biodiversity Net Gain

The application is subject to statutory biodiversity net gain legislation under the Environment Act 2021, and the Biodiversity Gain Condition will be applied.

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun

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because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition.

1. The application for planning permission was made before 12 February 2024.

2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.

3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and (i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or (ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.

4. The permission which has been granted is for development which is exempt being:

4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

- i) the application for planning permission was made before 2 April 2024;
- ii) planning permission is granted which has effect before 2 April 2024; or
- iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

4.2 Development below the de minimis threshold, meaning development which:

- i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to

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use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

- i) consists of no more than 9 dwellings;
- ii) is carried out on a site which has an area no larger than 0.5 hectares; and
- iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.6 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

* "original planning permission means the permission to which the section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ("the earlier Biodiversity Gain Plan") there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii) in the case of planning permission for a development where all or any part of the

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onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan

Procedural matters

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