

**PLANNING
COMMITTEE**

14th December 2016

Planning Application 2016/222/FUL

Erection of 1,943 sq.m business units for flexible B1c, B2 and B8 uses together with 242 sq.m for use as hot and cold food takeaway outlets (within Classes A1/A5), together with associated access, drainage works and landscaping

Former Haldex Brakes Factory Car Park, Moons Moat Drive, Church Hill, Redditch

**Applicant: A&H Construction Plc
Ward: CHURCH HILL**

(see additional papers for site plan)

The author of this report is Steven Edden, Planning Officer (DM), who can be contacted on Tel: 01527 548474 Email: steve.edden@bromsgroveandredditch.gov.uk for more information.

Site Description

The site is located within the Moons Moat North industrial estate, within a Primarily Employment Area. It fronts onto Moons Moat Drive, which runs adjacent to the A4023 Coventry Highway, a main arterial road.

The site extends to approximately 0.78 hectares and is bounded by a cold store, occupying the former Haldex Brakes factory site to the west, an industrial/distribution facility (UK-NSI Ltd) to the north, a number of industrial buildings and Brooklands Office Park to the east and Moons Moat Drive and McDonald's Drive Thru restaurant to the south.

The application site was formerly the staff car park for the now demolished Haldex Brakes factory. The site of the factory itself has now been developed with a large cold store (planning reference: 2013/223/FUL) which has separate car parking, leaving the 140 space car park redundant.

The majority of the site was previously used for car parking for the former factory building. The site is covered by a 'blanket' Redditch New Town Tree Preservation Order. Significant landscaping exists to the northern and southern boundaries. An open watercourse (stream) runs through the site. The watercourse, together with the presence of mature trees are a significant constraint.

Existing and proposed access to the site is from Moons Moat Drive.

Proposal Description

The proposal is for a full planning application for the redevelopment of the former Haldex Brakes Factory Car Park site, for flexible B1c, B2 and B8 uses along with restricted A1/A5 use.

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The development would principally involve the construction of 10 new industrial units, aimed at smaller businesses looking to move up the ladder from smaller start-up units, together with 2 new A1/A5 use units.

A total of 2,187m² of new floorspace is proposed to be created as follows:

Unit A: 264.7 m ²	(2855 ft ²)	(Flexible B1c, B2 and B8 use)
Unit B: 264.7 m ²	(2855 ft ²)	(Flexible B1c, B2 and B8 use)
Unit C: 205.2 m ²	(2214 ft ²)	(Flexible B1c, B2 and B8 use)
Unit D: 205.2 m ²	(2214 ft ²)	(Flexible B1c, B2 and B8 use)
Unit E: 205.2 m ²	(2214 ft ²)	(Flexible B1c, B2 and B8 use)
Unit F: 205.2 m ²	(2214 ft ²)	(Flexible B1c, B2 and B8 use)
Unit G: 135m ²	(1459 ft ²)	(Flexible B1c, B2 and B8 use)
Unit H: 135m ²	(1459 ft ²)	(Flexible B1c, B2 and B8 use)
Unit I: 135m ²	(1459 ft ²)	(Flexible B1c, B2 and B8 use)
Unit J: 188.4m ²	(2030 ft ²)	(Flexible B1c, B2 and B8 use)

Total B class = 1943.6m²

Unit K: 120.7 m ²	(1300 ft ²)	(Restricted A1/A5 use)
Unit L: 120.7 m ²	(1300 ft ²)	(Restricted A1/A5 use)

Total A class = 241.4m²

The B1, B2 and B8 class buildings would be approximately 6.5m to eaves with a ridge height of 8m.

The hot and cold takeaway food outlets would be located at the front of the site. These would consist of 2 single storey units with a combined floorspace of 242 sq.m, representing just over 10% of the total built floorspace. The A1/A5 buildings would have a maximum height to ridge of 7.6m. By way of comparison, the height of HSH Coldstores building immediately to the western boundary is 14m to ridge.

The units have been agreed to be let by Greggs and Subway although if consent were to be granted, the permission would not be restricted to those particular businesses.

Access to the site would be gained from the current access point off Moon Moat Drive. From here an internal road would access the various units on the site.

Car parking areas are provided around the site with a total of 60 spaces provided for the industrial units (including 5 accessible spaces) and 18 spaces for the food outlets (including 1 accessible space). Cycle parking is provided within the centre of the site adjacent to Unit E.

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Landscaped areas are to be retained and provided around the periphery of the site and along the brook corridor. Existing protected trees would be retained and some additional planting is proposed.

Relevant Policies :

Borough of Redditch Local Plan No.3:

EEMP02 Design of Employment Development
EEMP03 Primarily Employment Areas
EEMP3A Development Affecting Primarily Employment Areas
CS07 The Sustainable Location of Development
CS08 Landscape Character
ETCR01 Vitality and Viability of the Town Centre
ETCR04 Need and the Sequential Approach
CT12 Parking Standards

Emerging Borough of Redditch Local Plan No. 4

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 24: Development within Primarily Employment Areas
Policy 30: Town Centre and Retail Hierarchy
Policy 39: Built Environment
Policy 40: High Quality Design and Safer Communities

Others:

SPG Encouraging Good Design
NPPF National Planning Policy Framework
NPPG National Planning Practice Guidance

Constraints

Redditch New Town TPO No.7
Blacksoils brook

Relevant Planning History

2013/223/FUL	Construction of Cold Storage Depot with associated offices, plant room and site security office.	Approved	21.11.2013
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Consultations

Arboricultural Officer

No objections subject to the imposition of appropriate planning conditions

Development Plans

In both adopted Local Plan No.3 and Emerging Local Plan No.4 the application site is located within a Primarily Employment Area (PEA)

Adopted Local Plan No.3

Policy E(EMP).3 Primarily Employment Areas states that Primary Employment Areas are designed to accept applications for B1 (Business), B2 (General industry) and B8 (storage and distribution). The Policy allows non-employment uses where certain criteria are fulfilled:

- i. it can be demonstrated that the site is not capable of being developed for employment use and that the loss of the site for employment use will not have an unacceptable impact on the supply of employment land in the Borough; or
- ii. the use of the site for employment purposes raises unacceptable environmental or traffic problems which could be alleviated by alternative use or uses; and in all cases;
- iii. the use is compatible with surrounding land uses in accordance with Policy E(EMP).3a (Development Affecting Primary Employment Areas).

The applicant justifies the proposed A1 and A5 uses on viability grounds. There must be sufficient evidence provided to support this within the confidential viability report submitted with the application. If this is not the case then the proposed does not satisfy criteria i or ii and cannot be considered suitable development.

Submission Borough of Redditch Local Plan No.4

The policies contained within the submission version of the Local Plan should now be afforded significant weight. The relevant policies are set out as follows:

Policy 24 Development within Primarily Employment Areas states that non-employment development will only be permitted when certain criteria are met. These are:

- i. such development would not cause or accentuate a significant shortage of land for employment use in the Borough or area concerned;
- ii. it is no longer viable as an employment area either following a period of unsuccessful marketing or undertaking a viability assessment. Consultation must be undertaken with the Economic Development and Regeneration Service by the applicant to ascertain this; and
- iii. the site is no longer appropriate for employment use because of at least one of the following reasons and these problems are incapable of resolution in the foreseeable future: it impinges upon residential amenity; it causes substantial

transport network, highway or traffic problems; it creates other adverse environmental effects; or technical reasons such as land stability or fundamental infrastructure problems.

It is again necessary that sufficient evidence is provided within the confidential viability report to demonstrate that development without the retail element would not be viable.

It is noted that application 2009/186/FUL has been included as precedent; however it is noted that this application was recommended for refusal by officers, due to it being inappropriate from a policy perspective.

Area Environmental Health Officer

I have reviewed the report entitled 'Report on Ground Investigation at Moons Moat Drive, Redditch' produced by Applied Geology, dated August 2016, reference AG2491-16-Z35. The report was found to be acceptable and followed relevant guidance and good practice.

Gas monitoring at the site identified some elevated levels of carbon dioxide and as such the site has been classified as Situation 2 under the CIRIA C665 guidance (Section 8.3 Floor Slab and Gas Protection of Ground Investigation Report). Therefore some levels of gas protection measures will need to be incorporated within the design of the development. Proposals for these measures will need to be agreed prior to construction taking place and therefore WRS recommend that an appropriate gas protection measure condition is attached to any planning permission granted to ensure this is undertaken. No objections raised subject to the imposition of conditions.

North Worcestershire Water Management

The development site is located in the Blacksoils Brook catchment which is a tributary of the Arrow. Within the context of the catchment area the site is located in its upper extent and the whole of the site is classified as flood zone 1 by the national Environment Agency fluvial flood mapping. Due to the close proximity of the site to the Blacksoils brook and as there no known flood levels or modelled levels it is required that the FFL are set at a minimum height of 300mm above the adjacent road level of 93 AOD. This will ensure in the event of any site flooding FFL will be higher than flood water which will escape into the road.

Subject to the imposition of appropriate planning conditions, no objections are raised

Highway Network Control

The applicant has submitted additional information which satisfactorily addresses our originally submitted comments.

It is appropriate that promoters of planned development contribute toward the measures needed to support the delivery of the growth set out in the emerging Redditch Local Plan and the already adopted Redditch Local Plan. A financial contribution is therefore sought to mitigate the cumulative impact of the Local Planning Authority's planned growth. The

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contribution is proportionate in scale to the development and is reasonable and should be secured by planning obligation.

The applicant has looked at site accessibility from the perspective of direction of travel and distance and concluded that the existing walking routes provide the most direct access and therefore additional infrastructure is not required. Having carefully reviewed this position the Highway Authority agrees that the existing routes are advantageous but some enhancement is required. Consequently there is a planning obligation (legal agreement) to address this.

The Highway Authority identified that a contribution should be made of £56,425.45, however it is recognised that the financial viability of the site is a material planning consideration. The applicant has undertaken an open book appraisal of the site and it has been confirmed by the Local Planning Authority that the site can only provide a £10,000 contribution. In this circumstance it is considered appropriate to reduce the obligation accordingly.

The planning obligation will require a developer contribution of £10,000 to mitigate for the additional demands on the wider transport network that the development will generate and will provide for Walking and Cycling Infrastructure in Moons Moat Industrial Estate.

The County Council raise no objection to the development in highway safety terms subject to the satisfactory completion of the legal agreement set out above and subject to the imposition of appropriate planning conditions

Police Crime Risk Manager

No objection

North Worcestershire Economic Development And Regeneration

B Class Employment uses

It is considered that this size of unit is likely to be attractive to the market as it offers the 'next step' from start-up space. It is also understood that the units would be offered as a freehold option, which is likely to further improve the attractiveness of the development. Therefore, in economic terms, it is considered that this aspect of the proposal is well conceived and is likely to be in high demand.

This part of the proposal is also considered to be in conformity with local and national planning policies. The site is allocated within the current, and emerging, Local Plan for Redditch and therefore the uses being proposed are considered to be acceptable and should be supported. In addition, it is also worth noting that the site is currently under-utilised and this proposal would introduce active economic uses and make the most of this previously developed site.

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A1/A5 uses

The applicants have identified that the retail element is required because the land on which the units will sit is not currently viable for development as it is dissected by a drainage ditch. Therefore, this part of the site can only be made available by diverting the ditch and because of the associated cost, it requires a 'higher value' use (retail) in order to make it viable. Therefore, if this use does not come forward the land would remain sterile.

The proposal will help to meet some of the key aims and objectives identified in the recently adopted 'Economic Priorities for Redditch'. Some of the key priorities identified within the Strategy that are pertinent to this proposal, include:

- o Ensuring that sufficient land for employment is allocated;
- o Keep employment land provision under review to ensure that we have an adequate supply to meet business growth requirements.

This current proposal will, therefore, help to meet some of the key economic development priorities adopted by Redditch Borough Council.

In conclusion, the benefits of this proposal are clear:

- o Re-use of Previously Developed Land to provide an active, economic use;
- o Delivery of SME sized units that will provide opportunities for local businesses to expand and grow. Currently there are not many units of the proposed size available within the market place;
- o Generation of £2.7million of capital expenditure and the creation of circa 60 permanent jobs (as identified by the applicant)

The proposal is considered to be broadly in line with the planning policy context and will provide new employment units to help meet the needs of SME companies, which is wholeheartedly supported by NWEDR. Clearly, the proposed retail element of the scheme is not in line with planning policy, however, this is only a small element of the proposal and it is understood that the applicants have submitted a viability appraisal to identify why this particular use is required.

Councils Viability Consultant

In regard to the proposed economic viability of this project, I can confirm that Blackswan Ltd, acting on behalf of the Council have examined all the information provided and received by the applicant. In this case we do not disagree with the viability arguments put forward by the applicant and consider that the proposals would not be financially viable without the two proposed A1/A5 units. We do not consider that the full contribution requested by the County Council is justified having regard to financial viability although the applicant should accept the payment of a smaller contribution of £10,000.

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Natural England

No objection - with conditions

This application is in close proximity to Ipsley Alders Marsh Site of Special Scientific Interest SSSI. However, given the nature and scale of this proposal, Natural England is satisfied that there is not likely to be an adverse effect on this site as a result of the proposal being carried out in strict accordance with the details of the application as submitted. If the Local Authority is minded to approve the application, a drainage strategy, detailing surface water flow and flood risk, should be submitted by the applicant prior to the commencement of development. This is to prevent contaminated water from flowing into the SSSI. A condition is also needed requiring the use of oil interceptors as part of the development to prevent contaminated water from flowing into the SSSI. The oil interceptors will collect oil and fuel from the excess surface water and prevent it from draining into a watercourse, which would otherwise pollute and damage the notified features of the SSSI. This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the NPPF.

Parks & Green Space Development Officer

No objections subject to the imposition of appropriate conditions (as per comments received from Natural England)

Public Consultation Response

No comments received

Assessment of Proposal

Principle of development including viability issues

The site is within an area designated as a Primarily Employment Area in the Borough of Redditch Local Plan No.3 where the primary aim of Policy E(EMP).3 is to maintain uses within Classes B1 (Business), B2 (General Industry) or B8 (Storage or Distribution) of the Town and Country Planning (Use Classes) Order 1987 (as amended) and to safeguard employment land.

For the most part, the application seeks the redevelopment of this vacant employment site for employment purposes. The proposals clearly accord with the economic policies of the adopted and emerging Local Plan which seek to safeguard employment sites in the Primarily Employment Areas for employment development. The vast majority of the proposals are therefore without question, compliant with the development plan. The only element of the development that is not an employment use are the 2 small retail units which would be located to the front of the site.

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Having considered the merits of the proposed A1 and A5 uses, your officers have concluded that the small amount of space (242sqm) to be created is justified in this case having sought advice from the Councils Independent Viability Advisor who has assessed the applicants viability report.

Policy E(EMP).3 allows non-employment uses where it can be demonstrated that the site is not capable of being developed for employment uses, and where the loss of land will not have a significant impact on employment land supply.

In this case, the small area of land on which the retail units would sit is not viable for development as it is currently bisected by a drainage ditch. It can only be made available by diverting the ditch which would then make the land available for development. The Councils viability advisor agrees with the applicant's assertions that the cost of the diversion which involves significant civil engineering works including the construction of a wider bridge carrying the estate road over the new stream channel is such that it would not be viable to develop this small area of the site for another employment unit. The plot is therefore sterile land and there is consequently no loss in employment land. Further, it would involve the reclamation of land to make the most effective and efficient use of the site which accords with Policy 5 of the submission version of Local Plan No. 4.

The applicant asserts that although leaving the 'sterilised' area of the site undeveloped and leaving the existing watercourse in place reduces underlying costs associated with the civil engineering works necessary to divert the watercourse, the loss of value reduces the profit on cost to 6.53% which is completely unviable. The Councils Viability Advisor agrees with the evidence put forward by the applicant to substantiate these claims.

Local Plan policies also require non-employment uses to be compatible with the surrounding employment area. Your officers consider that the proposed A1 and A5 uses would be compatible with the surrounding employment uses.

In conclusion, your officers concur with the applicant that in this case, the retail component would constitute 'enabling' development. As verified by the Councils Viability Advisor, the scheme as a whole is marginal, and the retail component increases the schemes viability and serves to help deliver the accompanying industrial units.

Design and layout

Units A - B being located at the rear of the site have been designed as standard industrial style units, incorporating a roller shutter door allowing access to the warehouse area and a small office/toilet area to the front of each unit.

The external envelope of units A - B includes full height vertical cladding with horizontal timber cladding above the roller shutter doors. Contrasting cills, flashings, rain water goods, doors and window frames have also been included to enhance to appearance of the units.

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Units C - D have been designed as mid-level industrial style units, with Units E-F being designed as aesthetically pleasing units with large corner glazing units.

The external envelope of units C - F includes low level brickwork with horizontal cladding over, each roller shutter door and large glazing panel (to units E and F) has horizontal timber cladding over. The flashings, cills, doors and window frames have been included in a contrasting colour to the main horizontal cladding to enhance the visual appearance.

Units G - I being located to the West of the site have been designed as mid-level industrial style units. Unit J being located to the West of the site and being visible from the approach into the site from Moons Moat Drive has been designed as an aesthetically pleasing industrial style unit as it is both the largest unit to the west block on the site and is also one of the first units to be seen as the site is entered from Moons Moat Drive. Unit J includes a feature glazing panel to the unit and adjacent entrance door with first floor window over, an increased amount of timber cladding has also been included to add interest.

The external envelope of units G - J includes low level brickwork with vertical cladding over along with contrasting cills, flashings, rain water goods, doors and window frames which have been included to enhance the appearance of the units.

Units K and L (the A1/A5 units) located at the entrance of the site fronting Moons Moat Drive comprise largely of glazed panels with smooth composite panels to all elevations and feature timber cladding to the front and 1 No. side elevation. The units have staggered mono pitched roofs which, together with the glazing panels and composite panels achieves a modern and pleasing design.

Your officers are satisfied that the design and external appearance of the proposed development would respect the context of the site and would therefore comply with Policies B(BE).13, B(BE).14 and E(EMP).2 of the Borough of Redditch Local Plan No.3.

Highways, access and parking

County Highways have raised no objections to the proposed development on highway safety grounds.

The applicant has agreed to enter into a planning obligation which requires a sum be paid to the County Council for the provision of localised improvements to the cycle and walking network in order to promote sustainable travel due to the increased demand.

Cycle parking would be provided on site and secured by a recommended planning condition. Car parking on site is in accordance with the Councils standards

No objections have been received from nearby occupiers on highway safety grounds.

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Planning Obligation required

As referred to above, WCC highways have asked for contributions towards the provision of localised improvements to the cycle and walking network in accordance with the requirements of the County Councils Infrastructure Delivery Plan. The applicant has agreed to enter into that obligation and at the time of writing, the Unilateral Undertaking is in draft form. Your officers are not seeking financial contributions in this case, having regard to the Borough of Redditch Local Plans policies concerning such development proposals.

Conclusion

Overall, it is considered that the application proposals comprise sustainable development in accordance with the definition set out in the NPPF. The proposed development performs well against all three dimensions to sustainable development outlined at Paragraph 7 of the NPPF providing substantial economic benefits by redeveloping a vacant site within an employment area for employment uses generating jobs both during the construction and operational phase of the development.

The proposals would make an important contribution towards the well-being of the town's community through investment in the local economy and provision of employment opportunities (approximately 60 permanent jobs to be created).

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

Subject to the completion of the planning obligation and compliance with conditions as listed below, a favourable recommendation can be made.

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 planning obligation (Unilateral Undertaking) to provide a financial contribution to Worcestershire County Council for localised improvements to the cycle and walking network and**
- b) The conditions and informatives set out below:**

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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) 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 and in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3.

- 3) No works or development shall take place until a scheme for surface water drainage has been submitted to, and approved in writing by the Local Planning Authority. The scheme shall include the results of an assessment into the potential of disposing of surface water by means of a sustainable drainage system (SuDS) and shall provide an appropriate level of runoff treatment. The approved scheme shall be completed prior to the first use of the development hereby approved.

Reason: To allow proper consideration of the surface water drainage systems and to ensure that the development is provided with a satisfactory means of drainage and in accordance with National Planning Policy Framework.

- 4) Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor:

Reason: To prevent pollution of the water environment in accordance with the provisions of the National Planning Policy Framework.

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

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

- 6) The Development hereby permitted shall not be brought into use until the access, turning area (if applicable) and parking facilities shown on the approved plan have been properly consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority and these areas shall thereafter be retained and kept available for those uses at all times.

Reason: In the interests of highway safety, to ensure the free flow of traffic using the adjoining highway and in accordance with the National Planning Policy Framework

- 7) 3 car parking spaces shall be provided on the site for the use by the disabled in a location to be agreed in writing by the Local Planning Authority. Such spaces shall be satisfactorily identified and reserved solely for that purpose and shall be made available prior to the developments occupation.

Reason: In accordance with the provisions of the National Planning Policy Framework

- 8) Prior to the first occupation of any unit hereby approved secure parking for 6 cycles to comply with the Council's standards shall be provided within application site and these facilities shall thereafter be retained for the parking of cycles only.

Reason: To comply with the Council's parking standards

- 9) Prior to the first occupation of any unit hereby approved secure parking for 3 motorcycles to comply with the Council's standards shall be provided within application site and these facilities shall thereafter be retained for the parking of motorcycles only.

Reason: To comply with the Council's parking standards

- 10) Prior to the first occupation of any unit hereby approved 1 parking space shall be provided with an electric vehicle charging point and shall be provided within application site and these facilities shall thereafter be retained for the parking of electric vehicles only.

Reason: To comply with the aims and objectives of the National Planning Policy Framework

- 11) The development hereby permitted shall be brought into use in accordance with the submitted travel plan which promotes sustainable forms of access to the site.

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This plan will be implemented and updated in agreement with Worcestershire County Councils Travel plan co-ordinator.

Reason: To reduce vehicle movements and promote sustainable access in accordance with the provisions of the National Planning Policy Framework

- 12) No development shall take an Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. Where any encroachment into the Root Protection Area of the trees situated on the northern boundary occurs, a Cell Web No Dig Construction in conjunction with a porous road surface shall be used.

Reason: To safeguard trees which contribute positively to the visual amenities of the area in accordance with Policy CS.8 of the Borough of Redditch Local Plan No.3

- 13) No development shall take place until full details of both hard and soft landscape works to include plans showing all utility services to be installed and their routing have been submitted to and approved in writing by the Local Planning Authority. These details shall include proposed boundary treatment and other means of enclosure, hard surfacing materials, new planting, trees and shrubs to be retained, together with measures to be taken for their protection while building works are in progress.

Reason:- In the interests of the visual amenity of the area and in accordance with Policy CS.8 of the Borough of Redditch Local Plan No.3

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

Reason:- In the interests of the visual amenity of the area and in accordance with Policy CS.8 of the Borough of Redditch Local Plan No.3

- 15) No site clearance, demolition, excavation or development shall take place until full details of tree protection measures (in accordance with BS5837:2012) has been submitted to and approved in writing by the Local Planning Authority. The details thus approved shall be fully implemented throughout the course of development.

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Reason:- To prevent damage to, and preserve the tree(s) in the interests of visual amenity and in accordance with Policy B(NE).1a of the Borough of Redditch Local Plan No.3

- 16) The development hereby approved shall be implemented in accordance with the following plans:

appropriate references to be inserted here

Reason: To accurately define the permission for the avoidance of doubt and to ensure that the development is satisfactory in appearance in order to safeguard the visual amenities of the area in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3

- 17) Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation, must not commence until conditions 1 to 4 have been complied with:

1. Ground investigation at the site has identified potential risks from ground gas. A 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.
2. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.
3. Following the completion of the measures identified in the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval of the Local Planning Authority prior to the occupation of any buildings.
4. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where necessary a remediation scheme must be prepared, these will be subject to the approval of the Local Planning Authority. Following the completion of any measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to the occupation of any buildings.

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

- 18) Finished floor levels shall be set at a minimum height of 300mm above the adjacent road level of 93 AOD.

Reason: To ensure that in the event of the site flooding, FFL will be higher than flood water which will escape into the road. Required in accordance with the provisions of the NPPF.

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) The applicant should be aware that this permission also includes a legal agreement (Unilateral Undertaking) and that the requirements of that and the conditions listed above must be complied with at all times.

Procedural matters

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