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12th July 2017

Planning Application 17/00499/OUT

Outline Planning Application for up to 8 residential units

**Land At Church Road / Pumphouse Lane, Webheath, Redditch,
Worcestershire, B97 5PG,**

**Applicant: Mr G Whitehouse
Ward: West Ward**

(see additional papers for site plan)

The author of this report is Andrew Fulford, Planning Officer (DM), who can be contacted on Tel: 01527 881323 Email: A.fulford@bromsgroveandredditch.gov.uk for more information.

Site Description

This application relates to a field which is located on the corner of Church Road and Pumphouse Lane. The application site is bound by existing residential development to the east and west. New residential development is currently under construction to the south of the site. Land levels vary across the site with levels falling from a peak in the northern corner to much lower levels at the southern end of the site. There is a field gate to access to the site on Church Road however due to the overgrown nature of the site this does not appear to be regularly used.

Proposed development

This application seeks outline consent for 8 dwellings with all matters reserved for future consideration with the exception of access. A proposed layout has been provided showing how 8 dwellings could be accommodated on the site however this is only indicative. It is only the principle of 8 dwellings on the site and the proposed access off Church Road which are to be considered at this stage.

Relevant Policies:

National Planning Policy Framework

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

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Policy 22: Road Hierarchy
Policy: 39 Built Environment
Policy: 40 High Quality Design and Safer Communities
Policy 48: Webheath Strategic Site

Others

Encouraging Good Design SPG
Open Space Provision SPG

Relevant Planning History

None

Consultations

Highways Redditch

No Objection subject to conditions

Parks & Green Space Development Officer Martin Lewis

No objection subject to conditions

Drainage Engineers Internal Planning Consultation

Providing everything is built in accordance with the drainage strategy I would see no reason to withhold this application on flood risk grounds should it be submitted as a full application as it conforms to legislation and guidance this is due to the comprehensive drainage strategy.

WRS - Contaminated Land

The history of the site suggests that contamination issues may potentially be a significant issue. As a result, in order to ensure that the site is suitable for its proposed use and accordance with The National Planning Policy Framework, conditions are recommended for inclusion on any permission granted.

WRS - Noise

WRS has no adverse comments regarding noise for this application.

Arboricultural Officer

No objection subject to conditions.

Leisure Services Manager

No objection subject to off-site contribution for open space improvements.

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Redditch Development Plans

The proposed use is welcomed and supported by Local Plan No.4.

Application needs to meet the requirements of Policy 48 including the need for an archaeological appraisal.

Waste Management

No objection subject to contribution for waste storage provision.

Worcestershire Archive and Archaeological Service

No objection subject to conditions

Public Consultation Response

Neighbour comments:

5 objections have been received raising the following concerns:

- o Loss of green space;
- o Loss of view;
- o Negative impact on property values;
- o Increased strain on local infrastructure;
- o Too much new development in the locality;
- o Increased highways safety concerns from additional access onto Church Road, there are already 6 others within 100m and visibility is insufficient;
- o Semi-rural character would be lost;
- o Proposed rear gardens are too small;
- o Insufficient spacing between the properties;
- o Development will impact on protected trees;
- o Insufficient parking provision;
- o Access is directly opposite a new bus stop;
- o Loss of hedgerow;
- o Occupier of neighbouring property will not agree to alter fence or hedge to improve visibility;
- o Drainage report is not independent as the applicant is a partner of the company who drafted the report;
- o Breach of building regulations due to siting of turning head within 15m of septic tank;
- o Loss of privacy;
- o Impact on security due to close proximity of dwellings at side and rear; and
- o Local schools are over-subscribed meaning increased travel by car to reach schools with capacity

Assessment of Proposal

The main issues to be considered in assessing the application are the following:

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- i) Principle of Development;
- ii) Housing Density and Mix;
- iii) Residential Amenity;
- iv) Street Scene and Character Impact
- v) Highways Considerations;
- vi) Landscape and Trees;
- vii) Ecology;
- viii) Drainage and Flood Risk; and
- ix) Planning Contributions

i) Principle of Development

The application site is located within the Webheath Strategic Site which is covered by Policy 48 of the Borough of Redditch Local Plan No.4. Policy 48 allocates the wider site for between 400 and 600 dwellings. Following the granting of permission 2015/298/RM the first 200 dwellings are now under construction. Outline planning permission has been granted for a further 80 dwellings under reference 2016/131/OUT. There is also scope for up to 200 further dwellings on the remaining parcel of land within the allocation. The basic principle of residential development on this allocated site is acceptable however detailed matters such as ecology, landscaping and highways will need to be assessed against Policy 48 and the other relevant policies in the adopted Plan.

ii) Housing Density and Mix

Policy 5 expects densities of between 30 and 50 dwellings per hectare to be achieved to ensure the efficient use of land. The scheme proposes just 8 dwellings on the 0.5ha site which is a density of 16 dwellings per hectare. The indicative layout indicates that approximately 0.134 hectares of the site would remain undeveloped. This is because the land is required for surface water drainage. Alternative drainage solutions were sought but adjoining landowners were not agreeable to permitting drainage across their land. In summary whilst the density is less than ideal it is considered that due to the identified constraints no further dwellings can realistically be accommodated.

Policy 48 seeks a wide mix of housing types across the full extent of the Strategic Site. The applicant proposes a mix of 3 and 4 bedroom dwellings consisting of terraced and detached properties although it is important to remember that this suggested housing mix is not fixed at this stage. It is not realistic to expect a scheme of 8 dwellings to provide a full mix of house types and sizes therefore in the context of the much larger development that contains a wider mix of house types this is considered to be acceptable.

iii) Residential Amenity

Concerns have been raised by local residents regarding the impact on adjoining properties in terms of loss of privacy, loss of outlook and insufficient amenity space. As stated previously, the layout plan has been provided for indicative purposes only and

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therefore it is not within the scope of this application to consider the specific amenity impact of this layout. However, in general terms it is considered that there is scope for 8 dwellings to be satisfactorily accommodated on the site without unduly impacting on the occupiers of adjoining properties whilst also ensuring sufficient amenity space for the proposed occupiers of the dwellings. It is therefore considered that the development can have an acceptable amenity impact in accordance with Policy 39 of the Local Plan and the Achieving Good Design SPD.

iv) Street Scene and Character Impact

Policy 48 emphasises that the design must be of high quality and appropriate to its surroundings and maximise opportunities to enhance the character of Webheath. Pumphouse Lane and Church Road is generally characterised by detached properties on fairly large plots with a mix of bungalows and conventional 2-storey dwellings. The indicative plan shows smaller terraced properties fronting onto Pumphouse Lane. This layout could be improved by substituting the terraced properties with the larger properties on plots No.'s 7 and 8. The site provides an opportunity to have development that addresses both Church Road and Pumphouse Lane and the indicative layout achieves this to a certain extent. The siting of plots 7 and 8 and the rear of the site is reflective of the pattern of cul de sac developments that are prevalent on the adjacent scheme that is under construction.

On balance, it is considered that the site can accommodate 8 dwellings in a manner that is reflective of the character of the area in accordance with Policy 48 of the Local Plan.

v) Highways Considerations

A single access is proposed off Church Road to serve all 8 dwellings. Visibility splays have been shown on the indicative layout plan. A Highways Statement has also been submitted with the application and this concludes that the level of traffic generated by the development would not have a material impact on the operation of the local road network. The County Council's Highway Engineer has considered both the Statement and the plans and has raised no objection to the scheme subject to conditions regarding the provision and retention of visibility splays and satisfactory construction of the access to the site and each individual dwelling. The proposal therefore accords with Policies 19, 20 and 21 of the Redditch Local Plan.

vi) Impact on Landscape and Trees

A number of mature trees are located on the site although the majority are on the periphery of the site. A tree survey was submitted with the application, which has been considered by the Council's Tree Officer. The application seeks to retain the important trees on the site and accordingly the Tree Officer raises no objection to the principle of 8 dwellings on the site. The proposal therefore accords with Policies 16 and 39 of the Local Plan.

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vii) Ecology

In accordance with the relevant legislation the local planning authority has a duty to ensure any proposal will not impact adversely upon protected species. An ecological survey was submitted with the application which did not identify any fundamental issues. The retention of the southern end of the site for drainage purposes provides an opportunity for a wildlife habitat that can be secured and maintained through a management plan condition. Subject to the imposition of appropriate conditions there would be no undue harm to protected species in accordance with Policy 16 of the Local Plan and the NPPF.

viii) Drainage and Flood Risk

The site is located within flood zone 1 and therefore is at the lowest risk of flooding from watercourses. The applicant has submitted a Sustainable Drainage Statement that explains how foul and surface water drainage will be addressed. Surface water will drain to the southern end of the site which will remain undeveloped. Leisure Services have confirmed that they would not wish to adopt this modest area and therefore the applicant would need to set up a management company to maintain the area once the development is complete. The Drainage Engineer is supportive of the strategy presented and therefore the application accords with policies 17 and 18 of the Local Plan.

ix) Planning Contributions

To make the development acceptable in planning terms a Section 106 is proposed to cover the following matters:

- Open Space Provision - Under the Open Space Provision SPD the provision of unrestricted open spaces, provision of children's play areas and the provision of playing pitch facilities need to be provided for the scale of housing development. The provision will be met through an off-site contribution to enhance an existing facility in the locality.
- Waste Storage Provision - In accordance with the Worcestershire Waste Core Strategy a contribution will be sought to cover the cost of wheelie bins for each residential dwelling.

Conclusion

The development is acceptable in terms of highways, landscape, drainage, ecological, character and amenity considerations. The principle of 8 dwellings on an allocated site is therefore considered to be acceptable in accordance with the relevant policies of the Local Plan and the NPPF.

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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:-

- 1) The satisfactory completion of a S106 planning obligation ensuring the following provision:
 - a) a financial contribution for the provision of waste storage**
 - b) a financial contribution for open space provision****

and

- 2) Conditions and informatives as summarised below:**

Conditions:

- 1) Application for the approval of the matters reserved by conditions of this permission shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun not later than whichever is the latest of the following dates:-
 - i. The expiration of three years from the date of this permission; or
 - ii. The expiration of two years from the final approval of the reserved matters;or,
 - iii. In the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2) Approval of the details of the appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 (as amended) and to enable to the Local Planning Authority to exercise proper control over these aspects of the development

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- 3) The development hereby permitted shall be carried out in accordance with the Approved Plans/ Drawings listed in this notice:

16/06348/c01

16/06348/c05

16/06348/c06

Reason: For the avoidance of doubt and in the interests of proper planning.

- 4) No part of the development hereby permitted shall commence until visibility splays have been provided on each side of the proposed access on a line joining a point 2.4 metres back from the nearside edge of the adjoining carriageway measured along the centreline of the access, to a point 55 metres in each direction measured along the nearside edge of the carriageway from the centre of the new access. Nothing shall be planted, erected and/or allowed to grow which exceeds a height of 0.6metres on the triangular area of land so formed in order not to obstruct the visibility described above.

REASON: In the interests of highway safety.

- 5) The development hereby permitted shall not be brought into use until the access, turning area and parking facilities shown on the approved plan have been properly consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted and approved in writing to the Local Planning Authority and these areas shall thereafter be retained and kept available for those users at all times. The details to be submitted shall include a 2m wide footway around the access radii and informal crossing facilities in accordance with relevant guidance and best practice and shall be suitable for adoption by the Local Highway Authority.

REASON: In the interests of Highway safety and to ensure the free flow of traffic using the adjoining Highway.

- 6) Before any part of the approved development is brought into use access from each dwelling to a suitable appropriate public highway shall be provided, constructed to at least Base Course level to the appropriate standards with appropriate drainage and that access shall be maintained as such thereafter.

Reason: To ensure that an appropriate vehicular and pedestrian access is provided to each dwelling.

- 7) The development hereby permitted shall not occupied until one parking space for each dwelling has been equipped with an electric vehicle rapid charging point and once provided it shall be retained and maintained as such at all times.

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Reason: To deliver sustainability benefits in accordance with policy 15 of the Local Plan

- 8) The development hereby approved shall be implemented in full accordance with the drainage strategy set out within Sustainable Drainage Strategy undertaken by BWB Consulting (dated 5th May 2017).

Reason: To ensure satisfactory drainage

- 9) A preliminary risk assessment must be carried out. This study shall take the form of a Phase I desk study and site walkover and shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and any other relevant information. The preliminary risk assessment report shall contain a diagrammatical representation (conceptual model) based on the information above and shall include all potential contaminants, sources and receptors to determine whether a site investigation is required and this should be detailed in a report supplied to the Local Planning Authority. The risk assessment must be approved in writing before any development takes place.
- 10) Where an unacceptable risk is identified a scheme for detailed site investigation must be submitted to and approved in writing by the Local Planning Authority prior to being undertaken. The scheme must be designed to assess the nature and extent of any contamination and must be led by the findings of the preliminary risk assessment. The investigation and risk assessment scheme must be compiled by competent persons and must be designed in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11"
- 11) Where an unacceptable risk has been identified, a detailed site investigation and risk assessment must be undertaken and a written report of the findings produced. This report must be approved by the Local Planning Authority prior to any development taking place. The investigation and risk assessment must be undertaken by competent persons and must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11".
- 12) 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.

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- 13) 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.
- 14) 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.
- 15) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken 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 (conditions 9-15): 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.

- 16) Any reserved matters application shall be supported by an Arboricultural Report and Method Statement.

Reason: To ensure the wellbeing of the trees to be retained and continuity of tree cover and, maintaining and enhancing the quality and character of the area.

- 17) Any reserved matters application shall be supported by a utility services route plan.

Reason: To ensure the wellbeing of the trees to be retained and continuity of tree cover and, maintaining and enhancing the quality and character of the area.

- 18) No development shall take place until a programme of archaeological work including a Written Scheme of Investigation, has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

- a) The programme and methodology of site investigation and recording.
- b) The programme for post investigation assessment.

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- c) Provision to be made for analysis of the site investigation and recording.
- d) Provision to be made for publication and dissemination of the analysis and records of the site investigation
- e) Provision to be made for archive deposition of the analysis and records of the site investigation
- f) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Reason: To comply with the requirements of paragraph 141 of the National Planning Policy Framework.

- 19) The final phase of the development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 15 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To comply with the requirements of paragraph 141 of the National Planning Policy Framework.

- 20) The development hereby approved shall not be commenced until a site wide Ecological Management plan for the long term protection and management of the trees, hedgerows, habitats (including the proposed area of open water) and species present on the site has been submitted to and approved in writing by the Local Planning Authority. These plans should incorporate a full mitigation strategy based on the Ecological Appraisal dated 17th January 2017 a by Red Kite Network Ltd and include timescales for the implementation of the Management Plan.

Reason: To enhance the ecological value of the site and the features which have been identified as valuable for notable and protected species. The condition is required prior to commencement as it should inform the delivery and construction of the development

- 21) No part of the development hereby permitted shall begin until a Construction Management Plan to include details of:
- a. Parking for site operatives and visitors;
 - b. Area for site operatives' facilities;
 - c. Parking and turning for delivery vehicles;
 - d. Areas for the storage of plant and materials;
 - e. Wheel washing equipment;
 - f. Boundary hoarding (set back behind any visibility splays);
 - g. Any temporary site access; and
 - h. Hours of working

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has been submitted to, and approved in writing by, the Local Planning Authority.
Only the approved Plan shall be implemented throughout the construction period.

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

Procedural matters

This application is being reported to the Planning Committee because the application requires a S106 Agreement and because two (or more) objections have been received. As such the application falls outside the scheme of delegation to Officers.