

**PLANNING
COMMITTEE**

Wednesday 12th September

Planning Application 18/00648/FUL

Perimeter bunding and balancing ponds to store water and reduce flood risk along multiple site of the Church Hill Brook.

Land South Of Ravensbank Drive, Ravensbank Drive, Church Hill North, Redditch, Worcestershire.

**Applicant: Mr Joseph Baker
Ward: Church Hill**

(see additional papers for site plan)

The author of this report is Emily Farmer, Planning Officer (DM), who can be contacted on Tel: 01527 881657 Email: emily.farmer@bromsgroveandredditch.gov.uk for more information.

Site Description

The existing site is a woodland area with a full coverage of trees and hedgerow created during the development of Redditch New Town. The trees on site are not subject to a Tree Preservation Order. The site is allocated as Public Open Space in the Borough of Redditch Local Plan No. 4 (BoRLP4). The site is part of a green corridor in which the Church Hill Brook transects. This is the first section of the Church Hill Brook within Redditch Borough. Ravensbank Drive runs along the northern boundary of the site with Fairford Close bounding the site to west and Thornhill Road Industrial Estate to the east. There is a public footpath that travels along the south of the site broadly in a west to north east direction and links Hillmorton Close to Ravensbank Drive.

Background

This land was once used as a balancing area however over time a concrete structure within the channel of the watercourse has become dilapidated and as a result high flows of water travel downstream and this creates flooding problems at Moons Moat Drive, Arley Close, Hillmorton Close and Fairford Close to the east and south of the site. The site is managed by the Borough of Redditch Woodland Management Scheme. The forestry team at Redditch Borough Council have recently removed a large number of non-native Poplar trees on site with a view to undertake a replanting scheme after these flood alleviation works have been carried out. This application has been submitted by North Worcestershire Water Management and has been funded by a grant.

Proposal Description

The proposed development is to create a balancing area south of Ravensbank Drive in the existing woodland. The balancing area will store water back and create a wetland environment. This application is to divert the existing watercourse away from the properties at Fairford Close by creating a meander. The excavated material will be used to form a bund to retain water within a floodable area. This floodable area will be a partial wetland to create a habitat. There will be a control structure which will be a 900mm

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diameter pipe which will be partially buried. The height of the bund at the low point adjacent to the footpath is approximately 700mm high and at the emergency overflow the bund would have a maximum height of 1015mm.

Relevant Policies :

Borough of Redditch Local Plan No. 4

Policy 1: Presumption in Favour of Sustainable Development

Policy 11: Green Infrastructure

Policy 13: Primarily Open Space

Policy 16: Natural Environment

Policy 17: Flood Risk Management

Policy 40: High Quality Design and Safer Communities

Others

National Planning Policy Framework (2018)

Relevant Planning History

No relevant Planning History.

Consultations

Worcestershire Archive and Archaeological Service

No objection subject to condition.

Highways Redditch

No objection subject to condition.

Planning Services- Bromsgrove District Council

No objection.

Drainage Engineers Internal Planning Consultation

The increase of river length and the provision of impoundments will have a positive effect on the flood risk of properties downstream. It will also see the creation of habitat for aquatic and semi aquatic species as additional earth scrapes around the channel to form small pools which will be inundated by the stream on a semi regular basis. This will also provide attenuation of lower flows which are not of sufficient rate to be controlled by the throttle pipe.

Arboricultural Officer

Although the proposed scheme will undoubtedly cause some disturbance to this woodland area, in view of the current phase of tree management on the site this would appear to be the most appropriate timing for this nature of work if required.

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Worcestershire County Council Countryside Service

The definitive line of footpath RD-798 as shown on plan P2190/62/18/05/15 comes close to the new bund but does not appear to be affected. As the bund is to be constructed very close to the definitive line then it should be ensured that this is not obstructed.

Ramblers Association

The bund will pass in close proximity to Footpath RD-798 but will not impact upon it. As the bund is low it should not impact upon walkers' enjoyment of this attractive area.

Senior Community Safety Project Officer Community Safety

No Comments Received To Date

WRS - Contaminated Land

WRS have reviewed the above planning application for potential contaminated land issues of which none have been identified. Therefore WRS have no adverse comments to make in relation to contaminated land.

Public Consultation Response

Three site notices were placed on site on 18th June 2018 and expired on 14th July 2018. An advertisement was placed in the Redditch Standard on 29th June 2018 and expired on 16th July 2018. 69 neighbour letters were sent in the post to the neighbouring properties on 18th June 2018 and expired on 12th July 2018.

Five letters of representation have been received following this public consultation. Two letters are in support of the scheme and three letters have been received as a representation. No objections have been received.

The comments within the representations are summarised as follows;

- No mention within the documentation of date or projected cost of scheme
- Source of funding not known
- Cost of consultation not known
- Note: Funding and costs are not material planning considerations.
- Date of ecological survey
- Water vole sighting
- How will the developer prevent large amounts of soil being washed into the existing stream depleting oxygen and impacting downstream wildlife
- Will consideration be given during the works to assessing and protecting the outside bank from further damage
- Query on the event that the volume reach full capacity and then be suddenly released what the impact would be further downstream
- Replanting and retention of shrubs and trees along residential boundary to site would be welcomed.
- Will the public footpath be altered?

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Given a number of these comments received following the public consultation raise queries on technical issues the applicant has responded to these matters for clarity. The applicant's response has been summarised as follows;

- Not all quotes have been received to date for the final cost of the project. It is anticipated to be approximately £8k.
- The source of funding is by grant.
- All costs on site are to be minimised as much as possible.
- The ecological survey was carried out in February due to the availability of Worcestershire Wildlife Consultancy. The ground was in good condition at the time and the consultant had complete visibility of the site.
- Rats are very common around most watercourses in urban areas and therefore the siting may not have been a water vole. In any event, the ecological report has recommended some precautionary measures in respect of water voles which can be conditioned.
- To ensure the soil is not washed into the stream depleting the oxygen levels and impacting on wildlife the earth will be compacted on site to form the bund which is necessary to make it stable. Vegetation will be planted throughout the wetland and this will input oxygen into the system. Additionally works will be done when the ground is not saturated so the ground will be in a more stable condition and disturb less soil.
- To ensure the outside bank is protected from damage the applicant confirms they will put some erosion control measures in. These will most likely take place before the ground works
- The control structure will control downstream flows to a rate at which the pipe size allows for. As this is a flood storage area, the control structure will be smaller in diameter than culvert 63. This is so that the water will back flow into the storage area and flows downstream of the control structure should be at an acceptable level to which it can cope with. The structure will be concreted in so will not move and therefore there will be no sudden release. Should the balancing area reach capacity the design for the exceedance is to spill a small amount of water to the south east of the site away from the residential properties.
- The footpath is not proposed to be altered as part of the scheme. The Public Right of Way is shown as a straight line on the plans however these are indicative and do not reflect the existing path used. The bund will run along the north of the footpath to protect this from overspill.

Assessment of Proposal

Principle

The site comprises of Green Infrastructure and is an allocated Public Open Space. The National Planning Policy Framework defines Green Infrastructure (GI) as 'a network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities'. Policy 11 of the Borough of Redditch Local Plan No. 4 (BoRLP4) proposes that the multifunctionality of the GI Network means that it can also contribute to delivering objectives regarding

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biodiversity, climate change, Historic Environment and flood risk. Policy 17 of the BoRLP4 requires where practicable, that flood risk be reduced by increasing flood storage, improving flood flow routes and/or removing existing obstructions to flow. Having regard to this, the proposed development is considered to be acceptable in principle.

Open Space

Policy 13 states that proposals for development on Primarily Open Space land that contribute to the GI Network in the Borough may be deemed acceptable. The land will remain as public open space and will be inspected and maintained by Redditch Borough Council's Land Drainage Team. The public footpath will be unaltered given the proposed height of the bund no concern is raised on the impact of the enjoyment of this space by users of the footpath. Therefore in this instance, the GI Network can be improved whilst maintaining this land as open space.

The area is frequently used by the public who use the footpath to the south of the development site. The site has good surveillance with the close proximity of dwellings, is proposed to be a shallow gradient and is not designed to hold significance amounts of water for long periods of time. Therefore no concerns are raised in respect of public safety.

Drainage

The ground level of the adjacent properties on Fairfield Close and Hillmorton Close are currently at a similar level to that of the watercourse. There is therefore currently an inherent risk of property flooding. The scheme will address these matters with the use of a natural balancing pond to protect the nearby properties. The balancing area will have a wetland environment and there will be a bund around the balancing area to further protect these properties and the footpath to the south. Given the failure of the existing concrete structure within the channel of the watercourse flood issues have been raised downstream at Moons Moat Lane and Arley Close. The proposal will control the downstream flow by using a polyplastic pipe of 900mm diameter which will be partially buried to allow for gravels to fill the bottom to create a natural effect. The development intends to redirect the flow away from the existing properties before being discharged through the new polyplastic pipe which will control the water flow downstream and store the surplus water within the balancing pond. The excavated material from the channel and wetland will be used to form the protection bund raising the ground level and containing the water within the balancing area. The excavated material from the channel and wetland will be used to form the protection bund raising the ground level and containing the water within the balancing area. The height of the bund at the low point by the footpath is approximately 700mm high and at the emergency overflow the bund would have a maximum height of 1015mm. The height of the bund at its highest point nearest the properties is proposed to be no higher than existing. The purpose of these works is to have a positive effect on the flood risk of properties both adjacent to the site and further downstream.

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Trees

The site is registered with the Rural Payments Agency as a woodland area and is managed as such within the Borough of Redditch Woodland Management Scheme. The woodland was created during the development of Redditch new town being heavily planted with hybrid Poplar trees inter planted with a sparse quantity of mixed native broad leaf stock predominantly Oak. Over recent years due to the age and size of the Poplar trees their removal has been targeted while retaining as much of the other species within the site as possible. The last phase of this work was carried out in 2016-17 with the intention being to carry out mitigation replanting of suitable species trees to re-establish an appropriate level of tree stock across the site. The planting of 100 Cricket Bat Willow (Salix Alba) has already taken place across the site immediately following the last phase of Poplar tree removal. There is further re-stocking planned of 200 trees to comprise 50 Pendunculate Oak, 50 Common Alder, 50 Silver Birch and 50 White Beam. The planting of these trees does not form part of this planning application, however it is understood that the planting will be carried out following the proposed remediation work under this application. As the site has a woodland designation it is highly important during construction of the flood alleviation works to retain as much of the existing tree stock as possible. The site now having been cleared of all the Poplar and in view of the size of the remaining tree stock on the site would make this the ideal time to implement such a scheme given the number of trees onsite is low.

The flood alleviation scheme would likely require the loss of a number of trees however the moving and replanting of these trees due to their size would be possible as long as the work is done during their dormancy. This has been conditioned. The scheme as shown on "Planning Layout Option 1C" drawing number P2190/62/18/05/15 highlights that the re-routed channel would cause an incursion into the BS5837:2012 recommended Root Protection Area of a mature Oak tree standing on the embankment of the existing channel to the rear of 25 Fairford Close. However the degree of encroachment envisaged is very low and not likely to affect the health or stability of this tree and therefore is acceptable.

Highways

The applicants have provided a Construction Management Plan which confirms that the site will be accessed from Ravensbank Drive through a gap in the tree line from the recent works by Redditch Borough Councils tree team which can be utilised to enter the site. On Ravensbank Drive there is sufficient room on the road for vehicles to pass whilst loading machinery onto the site. Having regard to this, the Highways Authority is satisfied with the approach to construction proposed and raises no concern to any impact on the Highway Network.

The public right of way to the south of the site is not affected by the proposed development. The Worcestershire County Council Countryside Service has raised no objection to the scheme on this matter.

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Archaeology

The proposed application impacts two heritage assets, the remains of a Medieval fishpond and the remains of the Medieval deer park boundary. The Medieval deer park of Beoley Manor cuts through the eastern part of the application. The historic southern dam of the fishpond is outside of the red line of these proposed works however is adjacent. Therefore the development will have some impact on the heritage assets of archaeological interest. The County Council Historic Environment Policy and Advisory Manager has advised that the significance of these assets is not such as to recommend refusal of this application however has requested a programme of archaeological work including a written scheme of investigation to ensure this asset is recorded. This can be secured by condition.

Ecology

The applicants have submitted a Preliminary Ecological Appraisal by Worcestershire Wildlife Consultancy dated February 2018. The survey includes a site visit undertaken by a qualified ecologist who has confirmed that no further surveys are required in respect of bats, birds, dormice, great crested newts, otters, water voles, white-clawed crayfish and reptiles. The report adds a further precaution in respect of possible water voles and White-clawed crayfish habitats with the recommendation that a licensed ecologist acting as the onsite Ecological Clerk of Works be present during any works to infill the existing watercourse. In the event any white-clawed crayfish or water voles are encountered all works would need to cease and the relevant mitigation work or Natural England License required would need to be sought prior to continuing. These measures can be conditioned as part of the application. It is understood with the replanting scheme proposed and the wetland resultant from the works there is the benefit of a net gain in biodiversity on site in accordance with Policy 16 of the BoRLP4.

Conclusion

The proposed development is considered to be a sustainable form of development in this location which would have local benefits in respect of flood alleviation, biodiversity and landscaping. The proposed development is therefore considered to be acceptable.

RECOMMENDATION:

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

Conditions:

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

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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 documents:

P2190/21/62/18/5/10 – Concept Plan
P2190/21/62/18/5/15 – Planning layout Option 1C
P2190/21/62/18/5/14 – Longitudinal and Cross sections – Option 1B
P2190/21/62/18/5/16 – Proposed Cross Sections Ch. 30 – Ch. 110
P2190/21/62/18/5/17 – Proposed Cross Sections Ch. 120 – Ch. 190
Church Hill Brook flood alleviation works Highways plan

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

- 3) Any tree needing removal to allow for construction of the proposed flood alleviation works shall be either moved and replanted or replaced with a Light Standard Grade tree of the same species in suitable position within the site in the first planting season following completion of the scheme.

Reason: In order to protect the trees which form an important part of the amenity of the site.

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

Reason: In accordance with the requirements of paragraph 199 of the National Planning Policy Framework

- 5) No development shall take place until fencing has been erected, in a manner to be agreed with the local planning authority, around the southern bank of the Medieval

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pond and no works shall take place within the area inside that fencing without the consent of the local planning authority

Reason: In accordance with the requirements of paragraph 199 of the National Planning Policy Framework

- 6) Prior to completion the site investigation and post investigation assessment shall be completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (4) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: In accordance with the requirements of paragraph 199 of the National Planning Policy Framework

- 7) All proposed works shall be carried out in accordance with the recommendations as set out in the Preliminary Ecological Appraisal by Cotswold Wildlife Surveys dated February 2018.

Reason: To ensure that the proposal results in a net gain of biodiversity having regard to Policy 16 of the Borough of Redditch Local Plan No. 4 and Paragraph 170 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) This permission does not authorise the applicant to carry out works within the publicly maintained highway since such works can only be carried out by the County Council's Approved Contractor, Ringway Infrastructure Service who can be contacted by email worcestershirevehicle.crossing@ringway.co.uk. The applicant is solely responsible for all costs associated with construction of the access.
- 3) Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.
- 4) The attention of the applicant is drawn to the need to keep the Highway free from any mud or other material emanating from the application site of any works pertaining thereto.

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- 5) The applicant is advised to be aware of their obligations under the Wildlife & Countryside Act 1981 (as amended by the Countryside & Rights of Way Act 2000) to avoid disturbance of nesting

Procedural matters

This application is being reported to the Planning Committee because the application is on Redditch Borough Council land. As such the application falls outside the scheme of delegation to Officers.