

PLANNING COMMITTEE

Planning Application 19/00320/FUL

Residential development of 9 bungalows.

Land At Church Road, Pumphouse Lane, Webheath, Redditch

Applicant: A and D Cutler
Ward: West Ward

(see additional papers for site plan)

The author of this report is Helena Plant, Planning Officer (DM), who can be contacted on Tel: 01527 881335 Email: h.plant@bromsgroveandredditch.gov.uk for more information.

Site Description

The site comprises an irregularly shaped area of open grassed space situated at the junction of Pumphouse Lane and Church Road, Webheath. The site is surrounded by existing residential development; to the west existing houses on Pumphouse Lane, to the south east an existing dwelling, Holly Cottage, accessed from Church Road and to the south and south west corner of the site newly constructed dwellings by Taylor Wimpey/Barratt Homes. The remainder of the boundaries are formed by hedgerows.

The site size is 0.4993 ha with the land dropping away to the south west from its highest point at the junction of Pumphouse Lane and Church Road.

There are a number of trees on the site which are subject to Tree Preservation Orders (TPO's). These relate to a single tree within the existing hedgerow just south of the junction of Pumphouse Lane and Church Road, a group of TPO'd trees which broadly run along the northern boundary of Holly Cottage with the application site and a single tree on the south western boundary between the application site and the Taylor Wimpey/Barratt Homes site.

The site forms part of the Webheath Strategic site as allocated by Policy 48 of the Borough of Redditch Local Plan No. 4.

Proposal Description

The application is a full application which proposes the erection of 9no. detached bungalows across the whole of the site. Four of the bungalows are proposed to have 3 bedrooms and five are proposed to have 2 bedrooms. Vehicular access is proposed to be from Church Road, between Holly Cottage and Pumphouse Lane. Pedestrian footpaths are proposed within the site, including a tactile crossing point which will tie in with existing provision on the opposite side of Church Road. All of the 3 bedroomed dwellings are shown as benefitting from a single garage, these are shown to be integral to plots 1 and 2 and detached to plots 8 and 9.

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The plans indicate that two trees will be lost from the site, however all those subject to preservation orders are shown to be retained.

Relevant Policies:

Borough of Redditch Local Plan No. 4:

Policy 1: Presumption in Favour of Sustainable Development
Policy 2: Settlement Hierarchy
Policy 3: Development Strategy
Policy 4: Housing Provision
Policy 5: Effective and Efficient Use of Land
Policy 19: Sustainable Travel and Accessibility
Policy 20: Transport Requirements for New Development
Policy 39: Built Environment
Policy 40: High Quality Design and Safer Communities
Policy 48: Webheath Strategic Site

Others

NPPF National Planning Policy Framework (2019)
SPG Encouraging Good Design

Relevant Planning History

17/00499/OUT	Outline Planning Application for up to 8 residential units	Approved	20.10.2017
18/01296/FUL	Residential development of 10 bungalows	Withdrawn	27.02.2019

Consultations

Highways Redditch

Worcestershire County Council acting in its role as the Highway Authority has undertaken a full assessment of this planning application. Based on the appraisal of the development proposals the Transport Planning and Development Management Team Leader on behalf of the County Council, under Article 18 of the Town and Country Planning (Development Management Procedure)(England) Order, 2015 has no objection subject to conditions.

The justification for this decision is provided below.

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I have no highway objections to the proposed residential development of 9 bungalows located on Land at Church Road. A previous planning application 18/01296/FUL for the development of 10 dwellings was withdrawn. The vehicular access has not been modified and is located in the same position as the previous withdrawn planning application.

The site is located between the junction of Church Rd / Pumphouse Lane and Holly Cottage on Church Rd within a residential area. A footpath is located on the opposite side off the proposed development; this footpath is a shared pedestrian / cycle footpath approx. 2m in width; which also benefits from pedestrian tactile drop kerbs at the vehicular access to dwellings 56 - 70. A bus stop with a flag is also located opposite the proposed development site.

A previous planning application 17/00499/OUT was approved for development of 8 dwellings. The vehicular visibility splays provided previously are still deemed to be acceptable since no changes have been made to the location of the vehicular access.

The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted the Highway Authority concludes that there would not be an unacceptable highways impact and therefore there are no justifiable grounds on which an objection could be maintained.

North Worcestershire Water Management

Recommends conditions

WRS - Contaminated Land

Recommends conditions

WRS - Noise

No objection to the application in terms of road traffic noise adversely impacting future residents.

In order to minimise any nuisance during the construction phase from noise, vibration and dust emissions the applicant should refer to the WRS Demolition & Construction Guidance (attached) and ensure its recommendations are complied with.

Arboricultural Officer

The revised Block Plan for the proposed development at Church Road, Webheath (Ref:19/00320/FUL) is much more amenable; the reduction of the number of dwellings allows for T1 to be in a better position with regards to future potential pruning due to the larger rear garden.

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I am agreeable to some level of crown management of T1 and T14 to facilitate the development, however I am not agreeable to the level indicated within the supplied Arb Report from Crawshaw Arborcare Ltd. I am agreeable to:

1. T1 having a crown lift to 3 meters above the current ground level and a 'Crown Clean' removing deadwood and hazard beam fractures.
2. T14 having a 'Crown clean' with the deadwood removed and any hazard beam fractures removed.

I hold no objection to the revised proposed development with regards to tree related issues, in view of the above and with conditions.

Worcestershire Archive and Archaeological Service

Recommends conditions

Waste Management

The amendments should now allow for improved access for our crews.

Worcestershire Wildlife Trust

Thank you for sending us details of this application. We note the contents of the various associated documents and in particular the findings presented in the PEA and reptile reports by Focus Ecology. Having considered the ecological reports we do not wish to object to the application and we agree with the biodiversity protection and enhancement recommendations set out by Focus. Accordingly, we recommend that you append conditions covering a CEMP (to protect retained habitats during construction), a LEMP (detailing long-term biodiversity enhancement measures and management), SUDS and site lighting (paying particular attention to the potential for bats to use site boundaries for foraging) to any permission you may be otherwise minded to grant. Appropriate model wording for such conditions can be found in Annex D of BS42020:2013 Biodiversity - Code of practice for planning and development.

Public Consultation Response

A total of 38 letters were sent to neighbours of the application site. These were sent on 25th March 2019 and expired on 18th April 2019.

In response to this exercise, 5 letters have been received, one anonymously, all raising objections to the proposal.

The matters raised cover the following matters:

- The proposal is on the last piece of green space in the area
- The proposal is overdevelopment of the area

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- Increase in traffic on Church Road, poor visibility and limited access
- The proposed vehicular access is dangerous
- Concerns over how drainage will be dealt with on the site
- The impact of the proposal on wildlife and protected species
- Issues which have arisen as a result of the development of adjacent land
- Moving the proposed access to Pumphouse Lane would be dangerous

Matters which do not form material planning considerations have not been listed here.

Assessment of Proposal

Principle

The site lies within a wider area of Webheath allocated for residential development under Policy 48 of the Borough of Redditch Local Plan No. 4 (BoRLP4). Parts of the strategic site, broadly to the south of this application site, have already benefitted from planning permission for residential development and construction works are ongoing.

Policy 48.5i seeks to ensure that the development of the strategic site incorporates a mix of housing types including those which meet the needs of the ageing population. The policy goes on to state that the provision of bungalows would be welcomed.

Taking these matters in to account it is considered that the principle of developing the site for residential purposes and in the manner proposed with respect to the type of residential development proposed is considered acceptable.

Amenity

With respect to the impact on amenity the plans indicate that 36 metres will remain between the proposed plot 8 and 'Sunrise', Pumphouse Lane. Similarly 36 metres will remain between plot 7 and 'Trees' on Pumphouse Lane. It is considered that sufficient distance will remain between the proposed dwellings and these existing properties such that no adverse impact on amenity will arise through the proposed development. Plot 9 is proposed directly to the east of 'Sunrise'. This property has a garage closest to the boundary with the application site and similarly a garage is proposed to plot 9 closest to the boundary with 'Sunrise'. As it is also constructed to face Pumphouse Lane whereas the proposed dwelling at plot 9 is backed on to Pumphouse Lane no significant overlooking impact will arise to the garden areas of each of these dwellings.

With respect to the impact on Holly Cottage, Church Road the proposed plans indicate that Plot 2 will directly adjoin this property and plot 1 will face towards this property. It is noted however that between plot 1 and Holly Cottage there is the garden to plot 2 with intervening boundary treatment indicated. With respect to plot 1, the side elevation of the proposed dwelling will face towards Holly Cottage. In this side elevation a small secondary window to the lounge is proposed. Having regard to this as well as the boundary between the proposed plot 1 and Holly Cottage being formed by TPO'd trees,

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that the proposed development is only of a single storey scale and it is sited to the north of Holly Cottage it is considered that no adverse amenity impact will arise through the proposed development.

The proposed plots 3-5 are sited between 18 and 21 metres from the recently constructed properties to the south and a similar relationship exists between plots 5 and 6 and the new properties to the west of the application site. Given this distance and the fact that the proposed development is of single storey scale it is considered that there would be no adverse impact on the amenity of the occupiers of these dwellings. It is of note that none of the representations received raise the matter of amenity.

Trees

As noted above, the site contains a number of trees which are subject to Tree Preservation Orders. As a result the councils Tree Officer has been consulted on the proposal. Having considered the scheme in view of the protected trees no objection is raised subject to the imposition of conditions relating to the provision of protective fencing, no storage in the root protection area of any retained tree, hand excavation to take place within the root protection area of any tree and the replacement of any trees which fail within 5 years of the development.

It is considered that the proposed conditions are reasonable and in view of this that it would be unreasonable to withhold planning permission based on the impact of the proposal on protected trees.

It is noted within the representations that concerns are raised regarding the potential for future development of garden areas, such as patios, to affect the root protection areas of the protected trees on the site. The submitted site plan does not show details of any works within the root protection areas with a patio feature indicated adjoining the proposed dwelling. In any event, the council has to determine the application on the basis of the submitted drawings, not any potential development that may or may not arise in the future.

Highways

Vehicular access to the site is proposed by way of a new access off Church Road between the junction of Pumphouse Lane and Holly Cottage. Concerns are raised within the representations received regarding a number of matters relating to highway safety. These cover issues such as speeding on Church Road, poor visibility, the presence of a bus stop opposite the proposed access, the frequency of use of a post box near the application site and the impact of cars which stop to use it, the impact of other highway works in the vicinity of the application site and the increase in traffic on Church Road. The Highway Authority has been consulted on the proposed access arrangements and raises no objection to the proposal subject to the imposition of conditions. It is noted within the consultation response that outline planning permission has previously been granted and which remains extant for the development of the site for 8 dwellings and this application approved a vehicular access in the same location. In addition, the Waste Services Team are now content that on the basis of amendments to the internal layout of

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the site that access will be possible for refuse collections. It is therefore considered that the proposal complies with Policies 19 and 20 of the BoRLP4.

Drainage

One representation has been received which raised concerns relating to the ability of the site to be adequately provided with drainage. Concerns are raised relating to comments made by consultees at the time of dealing with the previous application on the site, as well as private drainage arrangements which exist with respect to a soakaway. In relation to this application, North Worcestershire Water Management have been consulted. Comments are provided in relation to the provision of a drainage strategy for the site and the details which should be included. No objection is raised to the proposal subject to the submission of a suitable drainage strategy, which can be adequately controlled by condition. On this basis no objection to the proposal can be raised on drainage grounds.

Ecology

One representation raises concerns relating to the impact of the proposal on the ecology of the area. In this respect, the application is accompanied by a Preliminary Ecological Appraisal and Reptile Survey and Worcestershire Wildlife Trust have been consulted on its contents. They raise no objection to the proposal on the basis of the reports, subject to the imposition of conditions relating to biodiversity protection and enhancement. In the absence of an objection on this basis it is considered unreasonable to refuse planning permission on the basis of the impact of the proposal on protect species.

RECOMMENDATION:

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

Conditions:

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

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

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

17-58-800E
17-58-801
17-58-01C

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17-58-810
17-58-811
17-58-812
17-58-820
17-58-821
17-58-822
17-58-830B
17-58-831B
17-58-840A
17-58-841A
17-58-850A
17-58-851A
17-58-860
17-58-861
17-58-862
17-58-863
17-58-890
17-58-891
17-58-892

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

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

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

4. No works or development shall take place until a site drainage strategy for the proposed development has been submitted to, and approved in writing by the Local Planning Authority. If infiltration techniques are used then the plan shall include the details of field percolation tests.

The peak runoff rate from the development for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event plus an appropriate allowance for climate change must never exceed the peak runoff rate for the same event. The scheme shall be designed so that flooding does not occur on any part of the site for a 1 in 30 year rainfall event and not in any part of any building for the 1 in 100 year rainfall event plus climate change. Flows resulting from rainfall in excess of a 1 in 100 year rainfall event shall be managed in exceedance routes that minimise the risk to people and property.

The runoff volume from the development in the 1 in 100 year 6 hour rainfall event shall not exceed the Greenfield runoff volume for the same event.

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The surface water drainage measures shall provide an appropriate level of runoff treatment. The development shall be implemented in accordance with the approved strategy prior to the first use of the development and thereafter maintained.

Reason: In order to ensure that the site is provided with adequate drainage provision. The condition is required prior to commencement due to the drainage being required to be installed early in the construction process.

5. The Development hereby approved shall not be occupied until an area has been laid out within the curtilage of the dwelling for the parking of 2 cars PER DWELLING at a gradient not exceeding 1 in 8. This area shall thereafter be retained for the purpose of parking a vehicle only.

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

6. The Development hereby permitted shall not be brought into use until each of the proposed dwellings have been fitted with an electric vehicle charging point and thereafter the charging point shall be kept available for the charging of electric vehicles.

Reason: To encourage sustainable travel and healthy communities.

7. The Development hereby permitted shall not be first occupied until sheltered and secure cycle parking to comply with the Council's adopted highway design guide has been provided in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority and thereafter the approved cycle parking shall be kept available for the parking of bicycles only.

Reason: To comply with the Council's parking standards.

8. Development shall not begin until visibility splays are provided from a point 0.6m above carriageway level at the centre of the access to the application site and 2.4 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 55 metres in each direction measured along the nearside edge of the adjoining carriageway and offset a distance of 0.6m from the edge of the carriageway. Nothing shall be planted, erected and/or allowed to grow on the triangular area of land so formed which would obstruct the visibility described above.

Reason: In the interests of highway safety.

9. The Development hereby approved shall not be brought into use until the access, turning area and parking facilities shown on the site layout plan 17-58-800D and the visibility splay plan 17-58-801 have been provided. These areas shall thereafter be retained and kept available for their respective approved uses at all times.

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Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

10. All retained trees and their Root Protection Areas must be protected throughout all phases of development in accordance with BS5837:2012, using suitable protective fencing.

Reason: In order to protect trees to be retained on site

11. There is to be no storage of materials or plant within the Root Protection Areas of retained trees as well as neighbouring trees.

Reason: In order to protect trees to be retained on site.

12. Any excavations within the Root Protection Areas must be carried out by hand and in accordance with BS5837:2012, as indicated within the submitted Arb Report from Crawshaw Arborcare Ltd.

Reason: In order to protect trees to be retained on site.

13. Any existing tree that fails or is removed or seriously damaged/diseased within 5 years of completion shall be replaced with trees of suitable sizes/species.

Reason: To ensure the long term ecological value of the site.

14. 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. The condition is required to be prior to commencement as the investigation of any archaeological deposits needs to be completed before any other construction works at the site.

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15. 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 14 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.

16. (a) No development shall commence until an assessment of the risks posed by any ground gases or vapours has been submitted to and approved in writing by the Local Planning Authority. Such an assessment shall be carried out in accordance with current UK guidance and best practice.

(b) Where the approved risk assessment (required by condition (a) above) identifies ground gases or vapours posing unacceptable risks, no development shall commence until a detailed remediation scheme to protect the development from the effects of such ground gases or vapours has been submitted to and approved in writing by the Local Planning Authority. Following approval, such remediation scheme shall be implemented on site in complete accordance with approved details unless otherwise agreed in writing by the Local Planning Authority.

(c) Following implementation and completion of the approved remediation scheme (required by condition (b) above) and prior to the first occupation of the development, a verification report shall be completed in accordance with current UK guidance and best practice, and submitted to and approved in writing by the Local Planning Authority to confirm completion of the remediation scheme in accordance with approved details.

(d) No development shall commence until a long term monitoring and maintenance scheme (to include monitoring the long-term effectiveness of the remediation and reporting on the same), where required, has been submitted to and approved by the Local Planning Authority. The approved scheme must be carried out in accordance with its terms, recommendations and time tables. All further reports produced shall be submitted to and approved in writing by the Local Planning Authority, and then carried out in accordance with its terms, recommendations and timetables.

Reason: To ensure that the risk to buildings and their occupants from potential landfill or ground gases are adequately addressed. The condition is required to be pre commencement as where remediation is necessary, this remediation may involve work/techniques that need to be completed before any development is commenced.

17. 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

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to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with DEFRA and the Environment Agency's '*Model Procedures for the Management of Land Contamination, CLR 11*' and where remediation is necessary a remediation scheme must be prepared and approved in writing by the Local Planning Authority in advance of the scheme commencing. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to development commencing other than that required to be carried out as part of an approved scheme of remediation.

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.

18. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following:

- sensitive method of clearance for the habitats on site, as well as prescriptions for the retention and management of hedgerows on site.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

19. A landscape and ecological management plan (LEMP) shall be submitted to and be approved in writing by the local planning authority prior to the occupation of the development. The content of the LEMP shall include the following:

- long term biodiversity enhancement measures and management, sustainable urban drainage systems and site lighting.

The approved plan will be implemented in accordance with the approved details.

Reason: To enhance the biodiversity of the site.

20. The works shall be carried out in strict accordance with the recommendations set out in the Protected Species Survey carried out by Focus Ecology dated November 2018 and submitted with this application.

Reason: To protect this potential habitat of protected species.

21. Prior to installation on site details of the boundary treatments to be provided on site shall be submitted to and approved in writing by the Local Planning Authority. The

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development shall be carried out in accordance with the approved details and the boundary treatment installed before first occupation of the dwellings on site.

Reason: To ensure the development is afforded privacy and security between neighbours and the public realm and in the interest of the visual amenity of the street scene

22. 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

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.

Informatives

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

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

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

2. If it is the applicant's intention to request the County Council, as Highway Authority, to adopt the proposed roadworks as maintainable at the public expense, then details of the

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layout and alignment, widths and levels of the proposed roadworks, which shall comply with any plans approved under this planning consent unless otherwise agreed in writing, together with all necessary drainage arrangements and run off calculations shall be submitted to the County Council's Network Control Manager, Worcestershire County Council, County Hall, Spetchley Road, Worcester, WR5 2NP. No works on the site of the development shall be commenced until these details have been approved by the County Council as Highway Authority and an Agreement under Section 38 of the Highways Act, 1980, entered into.

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. Validation of the installation of gas protection measures must be completed in accordance with current guidance and best practice, namely comprise BS8485:2015+A1:2019 "Code of practice for the design of protection measures for methane and carbon dioxide ground gases for new buildings" and CIRIA C735 "Good practice on the testing and verification of protection systems for buildings against hazardous ground gases"

Typically the following is required, as a minimum:

A formal technical specification of the membrane installed and confirmation of appropriate installation by a suitably qualified and independent third party such as:

- a validation report from an experienced geo-environmental consultant including details of a visual inspection of the installed membrane and a photographic record and/or;
- a validation report from LA Building Control or NHBC inspector or registered membrane installer including details of a visual inspection of the installed membrane and a photographic record.

Procedural matters

This application is being reported to the Planning Committee because two (or more) objections have been received.