

# **PLANNING COMMITTEE**

**4th March 2020**

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**Planning Application 19/01263/FUL**

**Demolition of Dutch Barn, alterations and extensions to existing farmhouse, conversion of two barns to dwellings to include extensions and alterations, erection of two new detached dwellings and erection of garages and associated works**

**Marlpit Farmhouse, Marlpit Lane, Headless Cross, Redditch, Worcestershire, B97 5AW,**

**Applicant: Mr Brian Hands  
Ward: West Ward**

**(See additional papers for site plan)**

Case Officer: Claire Gilbert, Planning Officer (DM), who can be contacted on Tel: 01527 881655 Email: [claire.gilbert@bromsgroveandredditch.gov.uk](mailto:claire.gilbert@bromsgroveandredditch.gov.uk) for more information.

## **Site Description**

The proposed development covers a small farmstead known as Marlpit Farm, which lies to the east of Redditch Golf Course, and is accessed via a small section of Marlpit Lane which leads to the site from Belmont Close. The farmstead currently comprises the farmhouse, and to the west, two ranges of historic barns, one to the south west the other to the North West. Further to the west is a modern farm building.

## **Proposal Description**

This application seeks consent to demolish the existing modern outbuilding, renovate the existing farmhouse, convert the 2 existing historic barns into dwellinghouses and construct 2 new dwellinghouses.

Planning permission was refused for the demolition of the existing buildings and erection of 5 new dwellings at this site last year under planning application 18/00100/OUT. The refusal reasons related to highway safety matters and the complete loss of the heritage assets (farmhouse and barns) on the site.

## **Relevant Policies:**

### **Borough of Redditch Local Plan No. 4**

Policy 1: Presumption in Favour of Sustainable Development

Policy 2: Settlement Hierarchy

Policy 4: Housing Provision

Policy 5: Effective and Efficient use of Land

Policy 13: Primarily Open Space

Policy 16: Natural Environment

Policy 17: Flood Risk Management

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Policy 18: Sustainable water Management  
Policy 19: Sustainable travel and Accessibility  
Policy 20: Transport Requirements for New Development  
Policy 36: Historic Environment  
Policy 37: Historic Buildings and Structures  
Policy 39: Built Environment  
Policy 40: High Quality Design and Safer Communities

## **Others**

Redditch High Quality Design SPD  
National Design Guide  
NPPF National Planning Policy Framework (2019)  
NPPG National Planning Practice Guidance

## **Relevant Planning History**

18/00100/OUT	Outline Application for the demolition of existing dwellinghouse and outbuildings and erection of five two storey detached dwellings with detached double garages and ancillary access and parking	Refused	25.05.2018
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## **Consultations**

### **Arboricultural Officer**

**Consulted 7 November 2019 expired 1 December 2019**

**Re consulted 13 January 2020 expired 30 January 2020**

I hold no objections to this proposed application, in relation to any tree related issues, subject to certain conditions relating too: adequate tree protection, no storage of plant/materials within the RPAs of any retained trees and any excavations within the root protection areas must be carried out by hand.

### **Cllr Dormer (Ward Councillor)**

**Consulted 7 November 2019 expired 28 November 2019**

**Re- consulted 13 January 2020 Expired 30 January 2020**

No Comments Received To Date

### **Cllr Thain (ward Councillor)**

**Consulted 7 November 2019 expired 28 November 2019**

**Re- consulted 13 January 2020 Expired 30 January 2020**

No Comments Received To Date

### **Worcestershire County Council Highway Authority**

**Consulted 7 November 2019 Expired 1 December 2019**

**Re consulted 13 January 2020 Expired 30 January 2020**

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I have no highway objections, subject to conditions including car and cycle parking provision, provision of electrical vehicle charging points, conformity with submitted details and vehicular visibility splay.

### **WRS - Contaminated Land**

**Consulted 7 November 2019 Expired 01 December 2019**

Given the history of the site WRS consider that there is potential for contamination to exist on the site. The degree and extent of contamination is currently unknown. More information relating to ground conditions is required to determine whether or not remediation will be required (prior to any construction work commencing).

In order to ensure that the site is suitable for its proposed use and in accordance with the National Planning Policy Framework, contamination investigation and remediation conditions are recommended.

### **Crime Risk Manager**

**Consulted 7 November Expired 01 December 2019**

No objections to this application. I'm sure the developer is aware so this is a reminder- all doors and windows in all the buildings should meet the specifications outlined in Approved Document Q of the Building Regulations.

### **Community Safety Project Officer Community Safety**

**Consulted 7 November 2019 Expired 1 December 2019**

We have no comments other than to support those of the crime risk manager where he refers to the requirements of ADQ.

### **Worcestershire County Council Countryside Service**

**Consulted 7 November 2019 Expired 1 December 2019**

No Comments Received To Date

### **Conservation Officer**

**Consulted 7 November 2019 Expired 1 December 2019**

The re-use of the redundant farmhouse and conversion of the historic barns is welcomed. The final designs for the barns has come about after much discussion and generally follows the guidance on the conversion of rural buildings provided in the recently adopted High Quality Design SPD. There is no objection to the modern barns being replaced with two houses which have been designed to be barn like in appearance.

It is suggested that all materials and joinery details at a scale of 1:5 are conditioned to be approved by the Local Planning Authority prior to the commencement of works on site.

### **Red Kite Network- Ecology**

**Consulted 7 November 2019 Expired 1 December 2019**

Having reviewed the supporting ecological information supplied as part of the application, I can confirm that surveys have been conducted in accordance with best practice and survey effort is proportional and relevant in the context of the proposed application. There

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should be conditions attached to this application in relation to requirements for natural England licence, detailed mitigation, precautionary methods of working recommendations and protection of breeding birds.

### **Redditch Borough Council Strategic Planning and Conservation Consulted 7 November 2019 expired 1 December 2019**

No Comments Received To Date

### **North Worcestershire Water Management Consulted 7 November 2019 expired 1 December 2019**

It's not ideal but looking at the levels they are correct in that it's not physically possible for the entire site to be gravity drained. So if we insist on this it means the scheme can't really go ahead and in my opinion it's not so much of a problem that we can't accept it with some assurances around measures that will be put in place to prevent impacts if it fails. We will require further information on top of what is already provided. I have included a condition that will make sure we get this to attach to the application.

Condition: No works or development shall take place until complete details for scheme for surface water drainage have been submitted to, and approved in writing by the Local Planning Authority.

### **Worcestershire Archive and Archaeological Service Consulted 1 November 2019 Expired 1 December 2019**

No objection, but recommend that 2 conditions should be attached to any consent seeking for a programme of archaeology works to be undertaken at this site.

### **Western Power Distribution Consulted 1 November 2019 Expired 1 December 2019**

No Comments Received To Date

### **Hereford & Worcester Fire and Rescue Consulted 15 November 2019 Expired 9 December 2019**

No Comments Received To Date

### **Waste Management- Redditch Borough Council Consulted 15 November 2019 Expired 9 December 2019**

No Comments Received To Date

### **Public Consultation Response**

15 neighbour notification letters sent 7 November 2019 expired 01 December 2019

17 neighbour amendment notification letters sent 13 January 2020 expired 30 January 2020

Site notices displayed on 08/11/2019 expired 02 December 2019

Press Notice (Redditch Standard) on 15 November 2019 expired 02 December 2019

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## **Representations**

8 objections and 1 support received:

### **Objections:**

- Width of access inadequate
- Inadequate access for emergency vehicles
- Highway Safety
- Increase in vehicular traffic in area is a potential health and safety issue
- Loss of hedgerows- impact on wildlife, would expose houses that back onto lane increasing security risk and exposure to noise pollutions and visibility into bedrooms
- Relocation of footpath closer to dwellinghouse and proposed installation of pedestrian barriers will provide a high level platform for people to view into house and garden.
- The use of Marlpit Lane as a vehicle access route to the proposed housing development will create conflict between pedestrians and vehicle movement resulting in an unacceptable safety hazard to current users.
- Proposal does not address concerns on highway safety that formed a refusal reason on last application
- The development would be detrimental and inconvenient to other road users in Belmont Close and would be a potential safety hazard.
- Other non-material planning considerations

### **Support:**

- Proposal will tidy up site and entrance and enhance the area, including reduce rat population would not cause any more traffic than there used to be when green keepers used the site

## **Assessment of Proposal**

### **Planning Considerations**

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

- o Primarily Open Space;
- o Historic Environment;
- o Residential Amenity;
- o Highways Considerations;
- o Landscape and Trees;
- o Natural Environment; and
- o Contamination

### **Primarily Open Space**

This application site (with the exception of the farm house- which is within the residential area) predominantly falls within an area designated as Primarily Open Space in the Borough of Redditch Local Plan No.4 (BORLP4). While the site forms part of Redditch Golf Course and therefore has limited access to the public, it is noted that all Primarily

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Open Space is a valuable part of the Green Infrastructure network, which fulfils a number of functions. All primarily Open Space does therefore have protection under Policy 13 of the BORLP4.

Policy 13.2 identifies the criteria which are taken into consideration when assessing proposals that affect Primarily Open Space. The "Planning and Design and Access Statement -additional information" submitted in support of the application addresses this criteria and concludes that the proposed development would outweigh the value of the land as open space.

While proposals resulting in a loss of Primarily Open Space are not normally granted planning permission, it is acknowledged that when considered against most of the criteria in Policy 13 this site does make very little contribution to the Borough's provision of open space. The loss of this area of Primarily Open Space is therefore considered to be acceptable.

### **Historic Environment**

Marlpit Farm is an historic farmstead which currently comprises the farmhouse, and two ranges of historic barns as well as a modern farm building. The Farmhouse is recorded on the Historic Environment Record (HER), as a 'Late 19th century/early 20th century farmhouse'. The associated barns are not separately listed on the HER, but are considered to be of historic value.

The Council's Conservation Officer considers that being a largely extant and unaltered collection of farm buildings, the farmstead can be considered to be a non-designated heritage asset. With their significance and importance being derived from the still legible form, relative intactness, comprising a good example of local architectural detailing and character, and the evidence it provides of past rural land use in this area, to which Worcestershire Archaeological Team agree.

Policy 36.2 of the Redditch Local Plan requires that Non-designated heritage assets and their settings need to be conserved and enhanced in a manner appropriate to their significance and contribution to the historic environment. In addition Policy 36.3 sets out that heritage assets are an irreplaceable resource and those at risk should be protected. This is also partly reiterated in Policy 37.3.

Policy 37.2i also supports the conservation and enhancement of historic buildings, and Policy 37.2iv encourages the use of the Worcestershire Farmsteads Guidance. These policies are supported by the NPPF; notably Paragraph 192, which sets out that, local planning authority's should take account of 'the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation'.

Overall the re-use of the redundant farmhouse and conversion of the historic barns is welcomed by the Conservation Officer and Worcestershire Archaeology Team. It is also

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noted that the conservation Officer has raised no objection to the modern barns being replaced with two houses which have been designed to be barn like in appearance.

The conservation Officer and the Worcestershire Archaeological Team have however suggested that certain conditions should be attached to any permission that is granted in relation to materials and joinery details and a programme of archaeological work.

### **Residential Amenity**

Concerns have been raised by local residents regarding the impact of the proposal on their existing amenities. The issues that have been raised include: increase in noise, air pollution, light pollution and loss of privacy from the increased vehicle activity using Marlpit Lane to access the proposed development.

The section of the Marlpit Lane which forms the access to the site is not regularly used by vehicular traffic at present, as the existing buildings on the site (dwelling house and barns) are either unoccupied or are mainly accessed from within the golf course. It is therefore acknowledged that the proposed development would increase the level of vehicular traffic that currently uses this section of Marlpit Lane.

However, the section of Marlpit Lane that forms to the access into the site is an existing road, which can be used by vehicular traffic. It is also acknowledged that if the existing dwelling house was reoccupied and the existing barns used in connection with another site, the frequency and volume of vehicles using the existing access lane could increase from their existing levels. Therefore given the scale of the proposed development, it is not considered that; the volume of traffic that the proposed development would give rise too, would cause an adverse impact on the amenities of the occupiers of the neighbouring properties.

It is also noted that the proposed garden areas and separation distances between the dwelling houses shown on the proposed site plan would comply with the Councils spacing standards set out in Borough of Redditch High Quality Design SPD. Due to this is not considered that the proposal would cause any adverse amenity issues for the future occupiers of the proposed dwellinghouses.

### **Highways Considerations**

Concerns have been raised by local residents regarding the impact of the proposal on highway safety, particularly the suitability of the access lane and the impact on the high volume of pedestrians and cyclists that use the access road.

The Highway Authority have undertaken a robust assessment of the planning application and based on their analysis of the information submitted and the amendments that have been made to the scheme following the refusal of Planning Application Reference: 18/00100/OUT, they have confirmed that subject to certain conditions they raise no objections to the proposal. This is because they consider that the site is in a sustainable location, and that the site benefits from an existing access with acceptable visibility splays in both directions from the exiting access. They also note that Marlpit Lane does not

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benefit from footpaths but note that street lighting is present. It is also noted that the width of the access road (Marlpit Lane) has been increased to a width of 4.1metres.

They have also noted the objections which have been raised by the residents in regards to pedestrian safety, but have confirmed that due to the scale of the proposed development they do not believe that pedestrian safety in this location would be compromised.

### **Impact on Landscape and Trees**

The Councils Tree officer has raised no objection to the proposed development, subject to certain conditions relating to tree and hedgerow protection in line with BS5837:2012, that no storage should take place within the Root protection areas of the trees and that any excavations within the root protection areas is carried out by hand.

### **Natural Environment / Ecology**

The NPPF and Policy 16 of the Local Plan recognise the importance of conserving and enhancing biodiversity. The impact on biodiversity should be minimised with net gains provided where possible. In determining applications if significant harm resulting from a development cannot be avoided through relocation to an alternative site, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

Ecological Information has been provided with this application, which set out that there are protected species issues on this site which include the presence of bat roosts within two of the buildings and great crested newts within the proximity of the site.. Due to this a natural England Licence to avoid an offence under the Conservation of Species and Habitats Regulations 2010 (the Regulations). There is no requirement for an EPS derogation licence to be provided prior to grant of planning permission, but the decision taker must be assured that there would be a reasonable prospect of the licence being granted by Natural England, having regard to the requirements of the Habitats Directive. The three derogation tests that need to be taken into consideration are:

1. Preserving public health or public safety or other imperative reasons of overriding public interest;
2. There is no satisfactory alternative; and
3. The action will not be detrimental to maintaining the population of the species concerned at a favourable conservation status in its natural range.

In so far as the first test, the public interest of the proposal can be of a social, environmental or economic interest. In this case it is acknowledged that Redditch Borough Council cannot currently demonstrate a five year housing land supply, and that the proposed development would contribute to the housing supply in the Borough which could also bring employment and work to the Borough. It is also acknowledged that the proposal would also result in the historic farmstead and heritage asset being put back into a viable use and therefore would secure the future of these buildings. It is therefore



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considered that the proposal would have both an economic, social and environment benefit and as such would be in the public interest.

In relation to the second test, no other alternative options have been put forward as part of this proposal. It is noted that the buildings could remain as they are, however due to the age and historic importance of these buildings it is considered important that they are put into a viable use for their future protection.

With regards to the third test, the ecology information which has been submitted with this application does recommend certain mitigation, compensation and enhancements measures to take place in relation to bats. The Newt HSI report sets out that an appropriate scheme of mitigation, compensation and enhancement must be produced for this site, and adhered to during the course of the development works. It sets out some suggestions to include in the scheme. The preliminary assessment provided does also set out that once the development proposals are confirmed, a detailed Ecological Mitigation and Enhancement Strategy should be written.

The Councils Ecological consultant has set out in their comments on this application that having reviewed the supporting ecological information, they can confirm that surveys have been conducted in accordance with best practice and survey effort is proportional and relevant in the context of the proposed application. They also confirm that suitable outline mitigation proposals have been provided in relation to bats and great crested newts, but that further more details mitigation should be supplied post decision. They also set out that the precautionary recommendations for bats in relation to building 3 should be conditioned and that there should be a general condition in appended to any permission that is granted in relation to protection of breeding birds.

Overall therefore due to the above, it is considered that there would be a reasonable prospect of a licence being granted by Natural England.

### **Drainage**

North Worcestershire Water Management have reviewed the proposal and although they did initially raise concerns over the type of foul drainage that was proposed- a pumping system. Following further discussions with the applicant and further consideration of the matter, they now believe that due to the levels it would not be physically possible for the entire site to be gravity drained.

They have therefore raised no objection to the proposal provided a drainage scheme condition is appended to any consent that is granted

### **Contamination**

Worcestershire Regulatory Services (WRS) have reviewed the supporting information and available records to determine any potential contaminated land issues. It is understood that the site is part of Redditch Golf Club and that some of the barns have been used more recently for storage of equipment used for ground maintenance that that one of the barns has been used as a workshop.

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WRS records also indicate that within the north eastern part of the site there is an area of infilled ground, possibly a former pond. They consider that there is the potential for contamination to be present within the infill material and depending on the nature of the infill there is the potential for ground gases to be present which could impact the proposed development.

Given this, WRS consider that there is potential for contamination to exist on the site, but that more information relating to ground conditions is required to determine whether or not remediation will be required. WRS have therefore recommended that prior to commencement of development on the site, they recommend that site investigation conditions should be attached to any permission granted in order to ensure that the site is suitable for its proposed use.

### **Community Safety**

Neither the Crime Risk manager from West Mercia Police or the Councils Community Safety Officer have raised objections to this application. They did however note that all doors and windows in all the buildings should meet the specifications outlined in Approved Document Q of the Building Regulations. An informative relating to this matter shall be included on the permission.

### **Planning Balance and conclusion**

Paragraph 11 of the NPPF sets out that plans and decisions should apply a presumption in favour of sustainable development. For decision taking this means:

- c) Approving development proposals that accord with an up to date development plan without delay; or
- d) Where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:
  - i. the application of policies in this framework that protect areas of assets of particular importance provides a clear reason for refusing the development proposed; or
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole.

Redditch Borough Council cannot currently demonstrate an up-to-date 5 year housing land supply, although it is noted that this does not automatically lead to the granting of planning permission.

In this case the principle of residential development on this site that is designated as partly residential, but mainly primarily open space is considered to be acceptable. Particularly, due to the fact that the proposal will secure a viable future use of the house and historic barns on this site, which are considered to be heritage assets. Concerns have been raised in relation to Highway safety and impact on the existing amenities of

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the nearby residents. It has been assessed that the proposal would not have a detrimental impact on the existing amenities of the nearby residents. The impact of the proposal on protected species and their habitats has also been taken into consideration, and subject conditions it is considered that there would be a reasonable prospect of a licence being granted for the proposed development by Natural England.

Overall, for the reasons set out above the proposed development is considered to accord with the development plan and the NPPF and therefore in line with para 11c) it is considered that the proposal should be granted.

### **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:

Drawing No. 1815.01A Location Plan

Drawing No. 1815.02E Proposed Site Plan- Colour

Drawing No. 1815.03F Proposed Site Plan

Drawing No. 1815.04A Proposed House Type- Plot 3 +Wagon Shed Plots 2 + 5

Drawing No. 1815.05A Proposed house Type- Plot 4

Drawing No. 1815.06B Farmhouse +Proposed garage Plans + Elevations- Plot 1

Drawing No. 1815.07B Barn +Workshop Proposed Plans + Elevations- plots 2 + 5

Drawing No. 1815.08B Block Plans

Drawing No. 1815.09B Proposed Drainage Plan

Drawing No. 1815.10A Vehicular and Pedestrian Visibility Spay + Highways  
Extents Plan

Drawing No. 1815.11B Proposed Site Sections

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

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- 3) Prior to the commencement of development, a Natural England licence should be obtained for the proposed development and a detailed scheme of ecological mitigation, compensation and enhancement measures shall be submitted to and approved by the Local Planning Authority for the site for both bats and Great Crested Newts.

Reason: To safeguard biodiversity and protected species under the Wildlife & Countryside Act 1981 (as amended by the Countryside & Rights of Way Act 2000) and in accordance with the NPPF

- 4) Due to the suitability of the buildings on site for nesting birds, all works (construction and demolition works) shall take place outside of the breeding bird season (March to August inclusive). If timing constraints conflict with this, then all of the buildings should be checked prior to any works commencing by a suitably qualified ecologist for active nests. The ecologist will be able to identify any nesting birds and should advise of appropriate safe working distances. All active nests must be left undisturbed until young have fledged, as advised by the ecologist.

Reason: To safeguard biodiversity and protected species under the Wildlife & Countryside Act 1981 (as amended by the Countryside & Rights of Way Act 2000) and in accordance with the NPPF

- 5) A licensed bat worker shall be present on the site to supervise the removal of the roofing materials on Barn 3 (as illustrated in 4.2.2 preliminary Roost Assessment Plan on page 27 of the Focus Ecology Bat Survey Report dated August 2019). All roof materials shall be removal by hand. The licensed bat worked should remain on call during the continuing demolition works of this barn.

In the event that roosting bats are discovered during these works, works must cease immediately and natural England contacted to advise on any licensing requirements to allow lawful completion of the works.

Reason: To safeguard biodiversity and protected species under the Wildlife & Countryside Act 1981 (as amended by the Countryside & Rights of Way Act 2000) and in accordance with the NPPF

- 6) 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

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- 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.

- 7) 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 (6) 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.

- 8) No development shall commence on this site, other than that required to be carried out as part of an approved scheme of remediation, until points 1 to 6 of this condition have been complied with:

1. 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.

2. 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"

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3. 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"

4. 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.

5. 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.

6. 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.

7. 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.

- 9) No works or development shall take place above foundation level until complete details for scheme for foul and surface water drainage have been submitted to, and approved in writing by the Local Planning Authority.

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This should include, but is not limited to:-

- o Full foul and surface water detailed drainage plan
- o Management plan for the proposed FWPS
- o Surface water calculations
- o Evidence of permission to discharge to the adjacent land

The approved scheme shall be fully implemented prior to the first use of the development hereby approved.

Reason: In order to ensure satisfactory drainage conditions that will not create or exacerbate flood risk on site or within the surrounding local area.

- 10) Prior to the commencement of any works on site including any site clearance, demolition, excavations or import of machinery or materials, all trees and hedgerows which are to be retained both on or adjacent to the application site shall be protected with fencing around the root protection areas. This fencing shall be constructed in accordance with the guidance in the British Standard BS5837:2012 and shall remain as erected until the development has been completed.

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

- 11) Throughout the demolition and construction phase of the development hereby approved, no storage of plant or materials shall take place within the Root protection areas of any trees or hedges on or adjacent to the site.

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

- 12) Any excavations that are to be undertaken within the Root Protection Area of any trees or hedgerows within or adjacent to the site must be carried out by hand in accordance with BS5837:2012.

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

- 13) 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

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- 14) Prior to installation, details of all joinery shall be submitted at a scale of 1:5 to the local planning authority and approved in writing. The development shall then be carried out in accordance with the approved details.

Reason: To maintain the character and appearance of the buildings and the historic farmstead.

- 15) Prior to its first installation details of a soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority.

The approved planting shall be completed prior to the first occupation of the dwellings hereby approved or such other time as is agreed as part of the details to be submitted. The planting schedule shall include all those trees, hedgerows, shrubs or existing features of the land to be retained, removed and/or treated, new planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme.

All such planting shall be maintained to encourage its establishment for a minimum of five years following contractual practical completion of the development. Any trees or significant areas of planting which are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective within this period, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

Reason: In order to secure a well-planned development.

- 16) The Development hereby approved shall not be occupied until the access, parking and turning facilities have been provided as shown on drawing 1815.02E.

Reason: To ensure conformity with submitted details.

- 17) The Development hereby approved shall not commence or be occupied until the visibility splays shown on drawing 1815.10A have been provided. The splays shall at all times be maintained free of level obstruction exceeding a height of 0.6m above adjacent carriageway.

Reason: In the interests of highway safety.



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- 18) The Development hereby permitted shall not be first occupied until 2 sheltered and secure cycle parking spaces per dwellinghouse 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. Thereafter the approved cycle parking shall be kept available for the parking of bicycles only.

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

- 19) The Development hereby approved shall not be occupied until the first 5 metres of the access into the development, measured from the edge of the carriageway (Belmont Close), has been surfaced in a bound material.

Reason: In the interests of highway safety.

- 20) The Development hereby permitted shall not be first occupied until the proposed dwellings have each been fitted with an electric vehicle charging point. The charging points shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851 and the Worcestershire County Council Streetscape Design Guide. The electric vehicle charging points shall be retained for the lifetime of the development unless they need to be replaced in which case the replacement charging point(s) shall be of the same specification or a higher specification in terms of charging performance.

Reason: To encourage sustainable travel and healthy communities.

- 21) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no development included within Schedule 2, Part 1, Classes A to E and Schedule 2, Part 2, Class A shall be carried out without express planning permission first being obtained from the Local Planning Authority.

Reason: To protect the character and appearance of the historic farmstead and the character and appearance of the wider public open space.

**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](mailto:worcestershirevehicle.crossing@ringway.co.uk). The applicant is solely responsible for all costs associated with construction of the access.

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- 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 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 wild birds and protected species such as bats when carrying out the works for the development hereby approved.
- 5) All doors and windows in all the buildings should meet the specifications outlined in Approved Document Q of the Building Regulations.

**Procedural matters**

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