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13th January 2021

Planning Application 20/00188/OUT

Redevelopment of site, including demolition of existing structures, for mixed-use commercial (flexible uses covering A1, A2 and B1) and residential development.

5 Bates Hill, Redditch, Worcestershire, B97 4AN, ,

**Applicant: Doosqam Developments
Ward: Abbey Ward**

(see additional papers for site plan)

The case officer of this application is Mr Anthony Young, Planning Officer (DM), who can be contacted on Tel: 01527 881234 Email: anthony.young@bromsgroveandredditch.gov.uk for more information.

Site Description

The site is located off Bates Hill just to the North of Redditch town centre, adjacent the ring road and near to the railway station.

The application site has an area of around 1,565sqm (0.156 Ha / 0.386 Acres) with existing hardstanding car park and one small single storey disused commercial building currently on site with associated outbuildings and structures once used as a car washing facility.

The site forms part of a gradual stepping of plots down the gradient of Bates Hill which is bound on the South by retaining walls to adjacent higher level plots off Unicorn Hill and to the West by an embankment sloping up to the level of the ring road.

The site lies within the Church Road / Northwest Quadrant Strategic Town Centre Regeneration Site and thus benefits from Local Authority identification as part of a redevelopment masterplan forming a new gateway to the retail core, exploiting the proximity of the train station and Kingfisher Centres to increase the offering of varied commercial stock and encourage town centre living.

Proposal Description

The Applicant seeks outline planning permission for a proposed mixed-use development. All matters are reserved for future approval.

An illustrative plan has been submitted comprising 76 flats (totalling 39 1-bed, 30 2-bed and 7 3-bed) and 727.7sqm of Commercial space, equating to 10 Units of A1, A2 and B1.

Relevant Policies :

Redditch Local Plan

Policy 1 – Presumption in Favour of Sustainable Development

Policy 2 – Settlement Hierarchy

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Policy 3– Development Strategy
Policy 5 – Effective and Efficient Use of Land
Policy 6 – Affordable Housing
Policy 15 – Climate Change
Policy 17 – Flood Risk Management
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 38 – Conservation Areas
Policy 39: Built Environment
Policy 40: High Quality Design and Safer Communities

Others

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

Relevant Planning History

2007/391/FUL	Redevelopment Of Site For An Office And Retail Mixed Use Development	Approved	14.12.2007
2010/297/EXT	Extension of time application for redevelopment of site for an office and retail mixed use development as approved under planning application 2007/391/FUL	Approved	17.08.2011

Consultations

Strategic Policy

No objection raised in principle.

Town Centre Co-ordinator

No objection from a Town Centre Strategy perspective as the proposed town centre uses would contribute to the vitality and viability of the Town Centre. A Section106 town centre contribution is requested for £41,192.00. The Council endorsed the Redditch Town Centre strategy which was developed alongside earlier versions of the Borough of

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Redditch Local Plan No 4 (BORLP4) and demonstrated a need for the following projects to take place

- Tackling the Ringway
- Improving Public Spaces and Car Parking
- Sense of Arrival and Signage
- Improving the Café and Restaurant Offer
- Enhancing the evening and night time economy
- Enhancements to Church Green
- Tackling the Train Station
- Rejuvenation of Silver Street/Royal Square
- Improved Lighting, Safety and Security in the Town Centre
- Public Art Programme
- Encouraging Town Centre Living

Housing Strategy

It is expected that 30% of the units would be affordable housing with 30/70 split social rented and shared ownership.

Highways - Redditch

No objections subject to the following conditions:

- Pedestrian visibility splays
- Pedestrian access
- Vehicular access
- Car parking provision
- Car park management plan
- Electric vehicle charging points
- Cycle parking
- Motorcycle parking provision
- Residential Travel Plan
- Residential Welcome Pack
- Employment Travel Plan
- Waste Management Plan
- Highway Improvements/Offsite works/Site access
- Construction Environmental Management Plan

The Highway Authority has also requested a S106 contribution of £10,000 for provision of on-street Car Club parking bays.

Council's appointed Urban Design specialist

Benefits of the illustrative proposal:

- It is building up to the back of pavement

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- it is putting cars out of the way in a basement

Disbenefits:

- Does not provide much active frontage at street level because of the steep slope on the site, and the basement car park
- The intensity of the development for the site may be too great
- Reservations about the viability of seven floors of apartments grouped around a small courtyard at the rear of the site.
- courtyard and the apartments adjacent to it would be overlooked by the Wetherspoons terrace
- The building would be prominent.
- The external appearance of the building could better express the internal functioning of the building
- More expressive modelling of the roofline should be considered.

Conservation Officer

Adjacent to the ring road, the site is largely vacant although on the east end there is a small single storey building of no architectural merit. The Church Green Conservation lies to the east incorporating buildings at the north east end of Bates Hill where it meets Unicorn Hill. To the south of the site are the rear and side elevations of the Danillo Cinema Building, now occupied by Wetherspoons, which is locally listed. At the top of Unicorn Hill is 2 Church Green West and 2-6 Unicorn Hill, also locally listed.

The significance of the Danillo Cinema building is derived from its fine Art Deco architecture which has survived with relatively little alteration externally and its simple and striking façade incorporates some original stained glass. Although little remains of its original interior, externally the building maintains its architectural identity and its distinctive profile frames the views west from this part of the town centre.

The significance of 2 Church Green West and 2-6 Unicorn Hill is derived largely from the architectural quality of its upper floors.

The significance of the Church Green Conservation Area is derived largely from the 18th and 19th buildings enclosing the open space around the Grade II listed Stephen's Church. The Church forms a highly visible landmark on this hilltop location. The topography allows long views out of the area, notably from the top of Prospect Hill and from Bates Hill/Unicorn Hill, to the north and west and the countryside beyond, due to the settlement being located on top of the Hill.

The redevelopment of this site is welcomed. Although it is outside of the Conservation Area, it is clearly within its setting, and its vacant state detracts from the character and appearance of the Conservation Area.

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The proposed development will undermine the topography of the area and form a dominant feature at the bottom of Bates Hill adjacent to the ring road. From the information available it is likely to be visible in views out of the Conservation Area from the top of Bates Hill /Unicorn Hill, a view highlighted in the Conservation Area Appraisal, and would therefore detract from the wider rural views from the Conservation Area noted above.

The scheme lacks any architectural quality and would appear to have been solely designed to extract the maximum floorspace of this small site, ignoring the existing topography, as it attempts to level out the steep hill in terms of built form. The previous scheme (2007/391/FUL), or something similar, which works with the topography would be preferred, and this mirrors the development on the south side of Unicorn Hill

The Danillo Cinema Building (Now the Wetherspoons pub) is located to the rear of the site but the significance of this building is largely derived from the Art Deco front range, it is unclear from the information provided whether the proposed building will be seen behind it, some contextual drawings would be useful.

It is considered that the harm to the significance of the Conservation Area is less than substantial and would have to be balanced against the public benefits. Recommend refusal in its current form.

County archaeologist

Good potential for survival of below ground archaeology from the Medieval period onwards.

The impact on the historic environment caused by this development may be offset by the implementation of a conditional programme of archaeological works. This would comprise an archaeological evaluation in the first instance to establish the nature and significance of any archaeological deposits. Should significant archaeology be uncovered further would be required.

Council's appointed ecologist

No objection subject to on-site biodiversity enhancements and protection of breeding birds.

WRS

Air quality – Measures to reduce air pollution to be secured by promoting more sustainable modes of transport– cycling, EV charging (domestic and commercial) and Low Emission Boilers.

Noise - The submitted noise assessment has been submitted in support of and appears to have been carried out in line with relevant guidance and British Standards.

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WRS accept that a representative assessment cannot be made currently due to the COVID -19 pandemic and request that mitigation is secured by condition in relation to a detail scheme.

Contamination - The history of the site suggests that contamination issues may potentially be a significant issue.

Waste management

Large numbers of bins would be required, but there appears to be nowhere on the illustrative plans to locate them. Crew accessibility would also need to be factored, as this is on a steep slope with very limited access opposite a busy surgery.

NHS Clinical Commissioning Group

Redditch and Bromsgrove CCG calculates the level of contribution required in this instance to be £28,704.

County Education

The Education Authority has based its assessment on the illustrative proposal. The middle school contribution of £43,025 would be used to support schools improvements at Birchensale Middle School or any other middle school serving the education planning area.

North Worcestershire Water Management

No objection subject to approval of a scheme of surface water drainage.

Crime Prevention

At the detailed planning stage, concerns would be safety and security with regard to the parking area and living accommodation and general security of the commercial units.

Tree Officer

Agreeable for the loss of the trees to facilitate the new development providing a new tree planting scheme is submitted.

Community Safety Project Officer

This development has the potential for a positive impact on this location which experiences some crime and safety issue as identified by the data and by the public comments. For this to happen however it is critical that the development is secure against crime and community safety is emphasised.

Leisure services

Off-site contribution for under provision of open space on site towards:

Open Space: improvement/upgrade to the access route through tile house allotment open space (leading to Terrys Field)

Play: Improvements to the play facilities in Terrys Field

Severn Trent

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No objection subject to approval of means of foul and surface water drainage.

Public Consultation Response

A total of 36 letters were sent on 19th February 2020 (expired 14th March 2020).

Site notices were displayed around the application site on 26th February 2020 (expired 21st March 2020).

The application was advertised in the Redditch Standard on 28th February 2020 (expired 16^h March 2019).

A total of 5 letters of support and 1 objection received.

Expressions of support relate to improving the health and vitality of the town centre and developing an unsightly and unsafe area which will also benefit the town.

The objection relates to insufficient parking for residential and commercial units, likely to cause traffic issues.

Assessment of Proposal

Five Year Housing Land Supply

The Council is unable to demonstrate a 5 year supply of housing land and therefore the NPPF paragraph 11(d)(ii) 'tilted balance' applies. This means applying a presumption in favour of sustainable development, and for decision taking means granting permission unless any adverse impacts of doing so would significantly outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

However, the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making.

Principle of commercial and residential use

The principle of development on this site is acceptable in line with Policy 2 – Settlement Hierarchy of the Local Plan. It will also represent the regeneration and efficient use of Previously Developed Land, actively encouraged by Policy 5.

Heritage

The site is outside the Church Green Conservation Area and therefore has potential to impact upon its setting. The spire of Grade II listed Stephen's Church Church is also visible from certain vantage points in the vicinity of the site. The conservation officer has also pointed out locally listed buildings namely, the Danillo Cinema Building, 2 Church Green West and 2-6 Unicorn Hill. She was also of the view that the application should be refused due to insufficient information to fully assess this application, notably a detailed heritage statement as required by both Local Plan policy and the NPPF. These concerns were raised with the applicant with an invitation to respond, but no further heritage statement was submitted.

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There is no doubt that the building as illustrated would run counter to the topography of the area and form a dominant feature at the bottom of Bates Hill adjacent to the ring road. As pointed out by the conservation officer, it is likely to be visible in views out of the Conservation Area from the top of Bates Hill /Unicorn Hill, a view highlighted in the Conservation Area Appraisal, and potentially detract from the wider rural views from the Conservation Area. The building design is only illustrative, and therefore little weight should be attached to it. However, it should, at least, make members aware that it appears to be the applicant's clear intention to progress details that will, undoubtedly, include a high building should this outline application be approved, and which may run counter to Policy 38.2 v which seeks to ensure views into or out of a conservation area are protected and enhanced. In addition, 38.6 contains policies in respect of the Church Green Conservation Area including.

- ii Protecting views in, out and within the area
- iii Supporting high quality schemes on sites that currently detract from or make a negative contribution to the area

The level of heritage information to be submitted with a planning application should be proportionate to the significance of the heritage asset and the likely level of impact. I am of the view that the level of potential heritage harm is understood and it is unlikely that further submissions will be any more enlightening at this stage. The harm to the significance of the Conservation Area has been identified as less than substantial and therefore would have to be balanced against the public benefits.

Members may decide at the detail stage that the form and scale of building as illustrated would not be acceptable in this location, should it come forward as a formal proposal. At this outline stage, however, it is only the principle of development that is for consideration.

The public benefit of some form of residential/commercial development on this site is unquestioned. It will contribute to the housing supply shortfall, bring back into efficient and productive use a piece of unsightly previously development land in a prime town centre location, which can only assist in adding vitality to the town centre. However, the illustrative design would weigh against those benefits, should it become a formal proposal. An alternative design, on the other hand, that has taken the opportunity to be sufficiently sympathetic to its location and one which addresses the identified urban design shortcomings, should be assessed with a view to adding to that basket of public benefits.

Given the above, I am satisfied that in terms of principle, the benefits of developing a mixed use scheme on this site would outweigh the heritage harm, the significance of which has been identified as less than submission. The proposal, therefore, at this outline stage, complies with the heritage policies of the Local Plan.

Design and amenity

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BRLP Policy 39 – Built Environment seeks to ensure all new development in the Borough contributes positively to the local character of the area and Policy 40 lists criteria to encourage good design to make the Borough a better place to live, work and visit.

The Council's High Quality Design SPD provides design guidance to assist with interpreting these policies.

As referred to above, the application is in outline with all matters reserved. The Council's appointed urban designer has provided a critique of the illustrative proposal, which is hoped will assist the applicant in formulating a detailed scheme. It is also noted that there are a pair of semi-detached cottages immediately to the rear of the site boundary whose main elevation would immediately face the rear of the illustrative building. The separation distance would fall well short of that stipulated in the Council's Design SPD. The illustrative building would also be immediately opposite residential property on Bates Hill, which is usually accepted to be below the minimum standard when the relationship is across a public highway, but consideration may need to be given to the sheer height of the building in relation to the affected property. Again, these are matters for the detail stage.

There are potential noise issues that would impact on the future residents of the development from traffic on Ringway and from the elevated beer terrace to Wetherspoons just beyond the rear of the site. WRS has considered the submitted Noise Impact Assessment and considers that the proposed mitigation measures would be sufficient to maintain reasonable living conditions for occupants.

The waste management officer has raised concerns about the adequacy of bin storage and collection, but this is a design matter for the detail stage

The proposed development is acceptable in principle, and a scheme at the detail stage has the potential to be in compliance with Policy 39 and 40 of the Development Plan.

Highways

At the heart of BRLP Policy 19 and 20 is the importance of improving accessibility and mobility, whilst avoiding past trends of increased traffic and longer journeys.

The proposed development is located in a sustainable location in accordance with Policy 2 Settlement Hierarchy. The highway safety and parking concerns have been taken into account, however, in the light of there being no objection raised by the Highway Authority, subject to conditions, I am satisfied that these concerns, in terms of paragraph 109 of the NPPF, would not cause an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Given the above, and with the application of conditions, the scheme would be compliant with Policies 19 and 20 of the Borough of Redditch Local Plan.

Flooding and Drainage

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BRLP Policy 17 deals with flood risk management and Policy 18, sustainable water management, seeking to ensure, amongst other things, that development addresses flood risk from all sources and does not increase the risk of flooding elsewhere, with appropriate use of SuDs techniques.

North Worcestershire Water Management raise no objection subject to approval of a scheme of surface water drainage.

Planning Obligations

In accordance with Paragraph 56 of the Framework, planning obligations are sought to mitigate the impact of the development, if the application were to be approved.

The applicant has agreed in principle to the following contributions, to be secured by way of Section S106 Planning Obligation:

- A contribution towards off-site public open space and play provision
- Town centre contribution
- Contribution to education provision
- Contribution to local GP practices;
- Contribution to provision of on-street Car Club parking bays
- Affordable housing provision
- S106 monitoring fee (As of 1 September 2019, revised Regulations were issued to allow the Council to include a provision for monitoring fees in Section 106 Agreements to ensure the obligations set down in the Agreements are met).

Conclusion

Paragraph 8 of the NPPF defines sustainable development as having three dimensions: economic, social and environmental. In this case, given the 5 year housing supply shortfall, the presumption in favour of sustainable development for decision taking means, the 'tilted balance' under paragraph 11 d) ii) applies. This does not change the statutory status of the Local Plan as the starting point for decision making.

In view of the above assessment, I am satisfied that the proposal complies with the relevant policies of the Local Plan and no other material considerations have been identified that would indicate that the Local Plan should not be followed.

Furthermore, application of the 'tilted balance' means applying a presumption in favour of sustainable development and granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against policies in the NPPF taken as a whole.

In terms of economic benefits, the proposal would make a contribution to the Council's supply of housing. It is also acknowledged that there would be some economic benefits associated with the proposal during the construction phase and it will bring back into efficient and productive use a piece of unsightly previously development land in a prime

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town centre location, which can only assist in adding vitality to the town centre and economic support for shops and services.

The proposal would also fulfil the environmental and social dimensions of sustainable development, because the site is in a sustainable location, therefore reducing the requirement to travel by private vehicle and would contribute to supporting a sustainable community. The illustrative plan has revealed design issues, as discussed above, but there is no reason to believe that these matters could not be addressed via the subsequent RSM application.

I conclude that the adverse impacts of this proposal, in terms of principle of development at this outline stage, would not significantly and demonstrably outweigh the benefits.

For the reasons set out in the report, it is considered that the proposal complies with the Local Plan and is sustainable development and should therefore be approved without delay.

RECOMMENDATION:

That having regard to the development plan and to all other material considerations, authority be delegated to the head of Planning and Regeneration to GRANT planning permission subject to:-

a) The satisfactory completion of a S106 planning obligation ensuring that:

- A contribution towards off-site public open space and play provision
- Town centre contribution
- Contribution to education provision
- Contribution to local GP practices;
- Contribution to provision of on-street Car Club parking bays
- Affordable housing provision
- S106 monitoring fee (As of 1 September 2019, revised Regulations were issued to allow the Council to include a provision for monitoring fees in Section 106 Agreements to ensure the obligations set down in the Agreements are met).

And

b) Conditions and informatives as summarised below:

Conditions:

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1. Application(s) for the approval of the matters reserved by conditions of this permission shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun not later than whichever is the latest of the following dates:-

- (i) The expiration of three years from the date of this permission; or
- (ii) The expiration of two years from the final approval of the reserved matters; or,
- (iii) In the case of approval on different dates, the final approval of the last such matter to be approved.

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

2. Details of the access, appearance, landscaping, layout and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development commences and the development shall thereafter be in accordance with the approved details.

Reason: In accordance with Section 92 of the Town and Country Planning Act 1990 (as amended) and to enable to the Local Planning Authority to exercise proper control over these aspects of the development.

3. The development hereby approved shall be carried out in accordance with the red edge plan – WGG/GW/GW0107/1

Reason: To define the permission and in the interests of proper planning

4. Further to Condition 2, appearance shall include details of the form, colour and finish of the materials to be used on the external surfaces of the development. The development shall then be carried out accordance with the approved details.

Reason: To ensure a high-quality appearance is achieved, to safeguard the visual amenities of the area.

5. Further to condition 2, a scheme of hard and soft landscaping detailing treatment of all parts of the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. This landscaping scheme shall include:

(a) planting plans (to a recognized scale) and schedules indicating the location, number, species, density, form and size of proposed tree, hedge and shrub planting;

(b) written specifications including cultivation and other operations associated with tree, plant and grass establishment;

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(c) the position, design, materials, means of construction of all site enclosures and boundary treatments (e.g. fences, walls, railings,), where appropriate;

(d) a timetable for the implementation of the soft and hard landscaping scheme.

The approved soft and hard landscaping scheme shall be carried out strictly in accordance with the approved timetable of implementation and shall thereafter be protected, maintained and managed in accordance with the approved details.

Reason: To safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits, and to enhance the setting within the immediate locality

6. If within a period of five years from the date of the completion of the building works or completion of the landscaping scheme pursuant to condition 6 (whichever is later), any planted tree, hedge or shrubs are felled, removed, uprooted, destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged, diseased or defective, it/they shall be replaced by planting as originally approved, unless the Local Planning Authority gives its written approval to any variation. This replacement planting shall be undertaken before the end of the first available planting season (October to March inclusive for bare root plants), following the removal, uprooting, destruction or death of the original trees or plants.

Reason: To ensure the environment of the development is improved and enhanced.

7. Prior to any works above foundation level commencing on site a scheme for surface water drainage will be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide appropriate levels of surface water attenuation. This scheme shall be indicated on a drainage plan and the approved scheme shall be completed 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.

8. Unless otherwise agreed by the Local Planning Authority development, other than that required to be carried out as part of an approved scheme of remediation, shall not commence until conditions A to G have been complied with:

A) A preliminary risk assessment shall 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.

B) Where an unacceptable risk is identified a scheme for detailed site investigation shall be submitted to and approved in writing by the Local Planning Authority prior to being undertaken. The scheme shall be designed to assess the nature and extent of any contamination and shall be led by the findings of the preliminary risk assessment. The investigation and risk assessment scheme shall 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"

C) Detailed site investigation and risk assessment shall be undertaken and a written report of the findings produced. This report shall be approved by the Local Planning Authority prior to any development taking place. The investigation and risk assessment shall be undertaken by competent persons and shall be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11"

D) 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 shall be prepared and is subject to the approval of the Local Planning Authority in advance of undertaking. The remediation scheme shall 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.

E) The approved remediation scheme shall 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.

F) Following the completion of the measures identified in the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation carried out shall be produced, and is subject to the approval of the Local Planning Authority prior to the occupation of any buildings.

G) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall be undertaken and where necessary a remediation scheme

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shall 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 shall 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. Prior to the first occupation of the development, details of new bird boxes to be placed on the approved building, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and completed prior to the first occupation of the approved development and the approved bird boxes maintained and retained thereafter in perpetuity, unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of local biodiversity gain, having regard to the Wildlife and Countryside Act 1981, Natural Environment and Rural Communities Act 2006, the Conservation of Habitats and Species Regulations 2017 (Habitats Regulations 2017).

10. The reserved matters application shall include details of bins provision and secure cycle storage facilities, for residents, staff, customers and visitors, and shall be implemented and bins provided in accordance with the approved details prior to first occupation.

Reason: In the interest of safeguarding residential amenity and to encourage sustainable means of travel

11. The Development hereby approved shall not commence until pedestrian visibility splays of 2m x 2m measured perpendicularly back from the back of footway shall be provided on both sides of the access. The splays shall, thereafter, be maintained free of obstruction exceeding a height of 0.6m above the adjacent ground level.

Reason: In the interests of highway safety.

12. The Development hereby approved shall not commence until details of the proposed pedestrian accesses serving the development have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

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13. The Development hereby approved shall not commence until details of the vehicular access have been submitted to and approved in writing by the Local Planning Authority. Construction shall ensure the first 5 metres of the access into the development, measured from the edge of the carriageway, has been surfaced in a bound material.

Reason: In the interests of highway safety.

14. A detailed drawing, at a scale of 1:200 of the following shall be submitted to and be approved in writing by the Local Planning Authority, before the relevant part of work is begun. The detail thereby approved shall be carried out in accordance with that approval.

- and
- a) Swept path analysis of vehicles using the proposed vehicular access;
 - b) Swept path analysis of service/delivery vehicles to assess any impact on existing on-street parking bays.

Reason: In the interests of highway safety.

15. The Development hereby approved shall not commence until details of proposed car parking within the curtilage of the development has been submitted to and approved in writing by the Local Planning Authority.

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

16. No building or use hereby permitted shall be occupied or use commenced until a car park management plan setting out how the car parking will be managed has been prepared, submitted to and approved in writing by the Local Planning Authority. The Plan shall also include a detailed parking survey of both on-street and off-street parking availability within 300m of the site. The measures shall thereafter be implemented in accordance with the approved car park management plan for the lifetime of the development.

Reason: To ensure the safe operation of approved car park.

17. The Development hereby approved shall not commence until details of proposed electric vehicle charging spaces have been submitted to and approved in writing by the Local Planning Authority.

Reason: To encourage sustainable travel and healthy communities.

18. The Development hereby approved shall not commence until details of proposed motorcycle parking have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To provide safe and suitable access for all

19. The Development hereby approved shall not be occupied until the applicant has submitted a Residential Travel Plan in writing to the Local Planning Authority that promotes sustainable forms of access to the development site and this has been approved in writing by the Local Planning Authority. This plan will thereafter be implemented and updated in agreement with Worcestershire County Councils Travel Plan Co-ordinator and thereafter implemented as updated.

Reason: To reduce vehicle movements and promote sustainable access.

20. The Development hereby approved shall not be occupied until the applicant has submitted to and had approval in writing from the Local Planning Authority a residential welcome pack promoting sustainable forms of access to the development. The pack shall be provided to each resident at the point of occupation.

Reason: To reduce vehicle movements and promote sustainable access.

21. The Development hereby approved shall not be brought into use until the applicant has submitted a Travel Plan in writing to the Local Planning Authority that promotes sustainable forms of travel to the development site and this has been approved in writing by the Local Planning Authority. The submitted details shall use Modeshift STARS Business to carry out this process and include mechanisms for monitoring and review over the life of the development and timescales for implementation. The approved Travel Plan shall be implemented, monitored and reviewed in accordance with the approved details.

Reason: To reduce vehicle movements and promote sustainable access.

22. No building or use hereby permitted shall be occupied or use commenced until a waste management plan, setting out how waste will be stored and collected, has been prepared, submitted to and approved in writing by the Local Planning Authority. The measures shall thereafter be implemented in accordance with the approved waste management plan for the lifetime of the development.

Reason: To ensure appropriate waste management facilities are provided to accommodate all waste generated by the development.

23. The Development hereby approved shall not commence until drawings of the highway improvements/offsite works/site access works comprising:-
- The new dropped kerb vehicular footway crossing;
 - Reinstatement of the existing redundant dropped kerb vehicular footway crossing to standard footway construction, by lifting and relaying existing kerbs, resurfacing the channel and footway surfacing;

- Provision of demarcation at the rear of the public footway where a building or boundary treatment does not abut it;
- Relocation of two existing street lighting columns; and
- Resurfacing of the existing public footway along the site frontage.

Have been submitted to and approved in writing by the Local Planning Authority; and the building shall not be occupied until these works have been constructed in accordance with the approved details.

Reason: To ensure the safe and free flow of traffic onto the highway.

24. The Development hereby approved shall not commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include but not be limited to the following:-

- Measures to ensure that vehicles leaving the site do not deposit mud or other detritus on the public highway;
- Details of site operative parking areas, material storage areas and the location of site operatives facilities (offices, toilets etc);
- The hours that delivery vehicles will be permitted to arrive and depart, and arrangements for unloading and manoeuvring.
- Details of any temporary construction accesses and their reinstatement.
- A highway condition survey, timescale for re-inspections, and details of any reinstatement

The measures set out in the approved Plan shall be carried out and complied with in full during the construction of the development hereby approved. Site operatives' parking, material storage and the positioning of operatives' facilities on the site in locations approved by in writing by the Local Planning Authority.

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

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

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

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

2) 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 (1) 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.

26. Notwithstanding the submitted Noise Assessment, prior to the development progressing beyond foundation level, a further noise assessment, along with noise mitigation measures, in relation to an approved development, shall be submitted to and approved by the Local Planning Authority and the development shall be carried out in accordance with the approved details and retained as such thereafter.

Reason: To safeguard the living conditions of future occupants.

27. The reserved matters submission shall include details of crime prevention and safety measures.

Reason: For the benefit of future occupiers and the wider community.

Informatives

Archaeology

A fee will be charged to the applicant for the provision of a Brief (an outline scope of works) for the archaeological work required and for the checking of any responding Written Scheme of Investigation (contractors detailed method statement) and archaeological reports required to facilitate discharge of the recommended conditions.

The applicant or their successor in title must contact the officer below to arrange provision of the brief prior to the commencement of works. It will be the applicant's (or their successor in title) responsibility to contract an appropriate archaeological organisation to undertake the programme of works as detailed in the brief. The Planning Advisory Section of the Worcestershire Archive and Archaeology Service will offer advice on all stages of the proceedings. Emma Hancox:

Tel: 01905 844824 Email: ehancox@worcestershire.gov.uk

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Alteration of highway to provide new or amended vehicle crossover

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.

Section 278 Agreement

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.

No Drainage to Discharge to Highway

Drainage arrangements shall be provided to ensure that surface water from the vehicular access 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.

Protection of Visibility Splays

The applicant's attention is drawn to the need to ensure that the provision of the visibility splay(s) required by this consent is safeguarded in any sale of the application site or part(s) thereof.

Extraordinary Maintenance

The attention of the applicant is drawn to Section 59 of the Highways Act 1980 which allows the Highway Authority to recover additional costs of road maintenance due to damage by extraordinary traffic.

Before any work is commenced upon the development hereby approved representatives of Worcestershire County Council, as the Highway Authority and the applicant, shall carry out a joint road survey/inspection on the roads leading to this site. Any highlighted defects shall be rectified to the specification and satisfaction of the Highway Authority before work is commenced on the development hereby approved. A further joint survey/inspection

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shall be undertaken following completion of development hereby approved and any necessary remedial works shall be completed to the specification and satisfaction of the Highway Authority within 1 month or other agreed timescale.

Works Adjoining Highway

Any work involving the removal or disturbance of ground or structures supporting or abutting the publicly maintained highway should be carried out in accordance with details to be submitted to and approved in writing by the Highway Authority.

Temporary Direction Signs to Housing Developments

This consent does not authorise the erection of temporary direction signs on the public highway. Should the applicant wish to direct traffic to the development site they should seek the consent of the Highway Authority. All temporary directional sign proposals should be submitted to the Network Control Manager, Worcestershire County Council, County Hall, Spetchley Road, Worcester, WR5 2NP. No signs should be erected without the consent of the Highway Authority.

Construction Environmental Management Plan (CEMP)

It is expected that contractors are registered with the Considerate Constructors scheme and comply with the code of conduct in full, but particular reference is made to "respecting the community" this says:

Contractors should give utmost consideration to their impact on neighbours and the public:

- Informing, respecting and showing courtesy to those affected by the work.
- Minimising the impact of deliveries, parking and work on the public highway.
- Contributing to and supporting the local community and economy.
- Working to create a positive and enduring impression, and promoting the Code.

The CEMP should clearly identify how the principle contractor will engage with the local community, this should be tailored to local circumstances. Contractors should also confirm how they will manage any local concerns and complaints and provide an agreed Service Level Agreement for responding to said issues. Contractors should ensure that courtesy boards are provided and information shared with the local community relating to the timing of operations and contact details for a site coordinator in the event of any difficulties.

This does not offer any relief to obligations under existing Legislation.

Travel Plan Requirements

Worcestershire County Council has published guidance on how it expects travel plans to be prepared, this guidance is freely available from the County Councils Travel Plans Officer. As part of this process the applicant must register for Modeshift STARS Business and ensure that their targets have been uploaded so that progress on the implementation of the Travel Plan can be monitored. Worcestershire County Council can assist applicants with this process should they need.

Modeshift STARS Business is a nationally accredited scheme which assists in the effective delivery of travel plans, applicant can register at www.modeshiftstars.org

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Procedural matters

This application is being reported to the Planning Committee because the application is for major development (more than 1000 sq metres of new commercial / Industrial floorspace) and requires a S106 Agreement. As such the application falls outside the scheme of delegation to Officers.