

**PLANNING
COMMITTEE**

10th November 2021

Planning Application 21/00615/FUL

Erection of 9 new dwellings

Land at Paper Mill Drive, Church Hill South, Redditch, B98 8QJ

Applicant: Eden Properties (Midlands) Ltd
Ward: Church Hill Ward

(see additional papers for site plan)

The case officer of this application is Steven Edden, Principal Planning Officer (DM), who can be contacted on Tel: 01527 548474, Email: steve.edden@bromsgroveandredditch.gov.uk for more information.

Councillor Mike Rouse as Ward Member has requested that this application be considered by Planning Committee rather than be determined under delegated powers

Site Description

The site comprises undeveloped land off Paper Mill Drive measuring approximately 0.4 hectares. The site is bounded by a subway to the east and a belt of mature trees which include Oak, Fir, Larch, Lombardy Poplar and Ash between 10 and 12 metres in height to the south, beyond which lies the Coventry Highway (A4023). No vehicular access to the site exists from Paper Mill Drive (B4497) which forms the northern boundary to the site. Beyond the northern boundary, Paper Mill Drive and a belt of tall mature trees, lies the residential development of Donnington and Broadwas Close. The nearest dwelling is situated approximately 45 metres to the north of the site. Beyond the eastern boundary lies number 3 Papermill Drive, a three-storey office building. Further to the east of this building lies the Oast House Public House.

The site is grassed with the land sloping gently away in a north to south direction at a gradient of approximately 1:20 towards the Coventry Highway such that the land at the southern boundary is approximately 3 metres lower than the level of the land at Paper Mill Drive (northern boundary).

Proposal Description

Full planning permission is sought of the erection of 9, two storey dwellings comprised as follows:

Plot 1 and 2: Two bedroomed semi-detached houses
Plot 3 and 4: Three bedroomed semi-detached houses
Plots 5, 6 and 7: Three bedroomed detached houses
Plots 8 and 9: Four bedroomed detached houses

A single new point of access is proposed via Paper Mill Drive.

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The dwellings would be formed of a combination of brick and render (walls) under a tiled roof.

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 15: Climate Change
Policy 16: Natural Environment
Policy 17: Flood Risk Management
Policy 18: Sustainable Water Management
Policy 19: Sustainable Travel and Accessibility
Policy 39: Built Environment
Policy 40: High Quality Design and Safer Communities

Others

Redditch High Quality Design SPD
NPPF National Planning Policy Framework (2021)

Relevant Planning History

2012/254/FUL	Erection of car showroom, workshop with MOT testing bay and valeting area	Granted	01.11.2012
2012/316/FUL	Proposed erection of used car sales centre and revised layout of previously approved new car showroom, workshop and valeting centre	Granted	13.02.2013

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Consultations

WCC Highways

No objections

Comments summarised as follows:

The site does not benefit from an existing vehicular access and the majority of Paper Mill Drive does not benefit from footpaths. Paper Mill Drive does however benefit from street lighting. The site is located within easy walking distance of a bus route / bus stop with a frequency of every 2 hrs and the site is close to amenities which can be reached by using the underpass located adjacent to the site.

Amenities available:

- Arrow Valley Park to the south of the site
- Moons Moat School - approx. 1km
- Lidl supermarket on Battens Drive (in process of being constructed), 600m walking through the park
- Employment site is 600m through the park

The applicant has provided a speed survey as evidence confirming 85th%tile speeds in the vicinity of the proposed vehicular access. The visibility splays have been checked in both horizontal and vertical planes and are deemed to be acceptable.

Paper Mill Drive is subject to a 40mph limit and the visibility in both directions is considered to be acceptable at the proposed point of access. A site entry radii of 10 metres when accessing a road with a 40mph speed limit would ensure safe entry and exit to Paper Mill Drive. It has been confirmed that proposed rear gardens to the dwellings would not encroach into the existing highway verge.

I have noted that a refuse vehicle tracking plan has been produced which is deemed to be acceptable by the RBC Waste Management team.

No objections are raised subject to the imposition of appropriately worded planning conditions and including the following enhancements:

The hardstanding and tactile crossing serving the bus stop on Paper Mill Drive (opposite No.3 Paper Mill Drive) is to be enhanced; "pedestrians crossing" road signs to be provided on the approach to the bus stops from both directions; appropriate lighting to be provided in line with the latest WCC Street Lighting Design Guide (SLDG) for the subway and footway links in the area for pedestrians/ cyclists coming to or from local schools, shops, workplace to be provided.

Arboricultural Officer

Comments summarised as follows:

No objection in principle.

I have noted that an Arboricultural report has been submitted. I do not object to the loss of the proposed trees for removal since they are of low amenity value.

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The retained trees within G1 in the supplied Arboricultural Report will need to be protected during all phases of construction in accordance with BS5837 2012.

The road layout to the front of these will need to be built on a suitable grade of cellular confinement material twinned with a porous top surface to prevent damage to retained trees, in accordance with the Arboricultural Report.

Species to be used for the hedgerow planting along the boundary of the development should be of a native English hedgerow mix with a minimum of 70% Hawthorn.

North Worcestershire Water Management

Comments summarised as follows:

NWWM have undertaken a site visit with the applicant. The applicant has demonstrated that there is effectively no flow through the riparian feature on the site and it is considered that its removal would, in this instance, be acceptable. To ensure there is no potential for this to lead to poor drainage and flooding issues on the site in the future a land drain would be installed and connect the existing culvert below papermill drive to that flowing off the site to the south below the Coventry highway. The upstream headwall would then be removed. This proposal is subject to agreement with Worcestershire County Council who are the owners of the headwall in question. No objections are raised subject to the imposition of a standard drainage condition.

Worcestershire Regulatory Services (WRS) - Contaminated Land

Comments summarised as follows:

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

Worcestershire Regulatory Services (WRS) - Noise

Comments summarised as follows:

The revised noise assessment has been examined and I am now satisfied that noise levels within the proposed external amenity areas are acceptable.

The recommended noise mitigation measures detailed within the assessment, relating to Glazing, Ventilation and Boundary Fencing and the 4m acoustic fence, should be implemented.

The applicant should submit full details of the height, extent and surface density of the recommended 1.8m and 4m boundary fencing for approval.

Internal noise levels generated by the Mechanical Ventilation with Heat Recovery (MVHR) system proposed, should not exceed NR25 for Bedrooms and NR30 for all other habitable rooms.

RBC Waste Management

No objection

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Public Consultation Response

11 representations have been received in objection for the following summarised reasons:

- Proposal would damage this green space
- Unsuitable site for housing
- Harm to wildlife in the area
- Overdevelopment of the site
- Proposals would not be of any benefit to the area
- Adding a new access onto Paper Mill Drive would be dangerous and would adversely affect highway safety

One representation has been received in support of the application for the following summarised reasons

- Planning permission has been granted on the site for commercial development. A residential use is more appropriate considering the surrounding area is residential
- Good mix of dwellings without representing overdevelopment of the site

Other matters which are not material planning considerations have been raised but are not reported here as they cannot be considered in the determination of this application

Background

This site was formerly owned by Redditch Borough Council. It was declared surplus by the Executive Committee and subsequently bought by the current owner who has sought to realise the development potential of the site. Planning permission was granted for commercial uses in 2012 and 2013 as set out in the planning history above. These permissions were however never implemented, and the consents have been allowed to lapse.

Assessment of Proposal

The key issues for consideration in this case are as follows: -

Principle of development

The site is undesignated within the local plan and therefore any use should be considered in terms of its appropriateness in that location, and its likely impacts on any surrounding development. In principle, residential development on the site is considered to be appropriate given the relative proximity to the existing residential development of Donnington and Broadwas Close some 45 metres to the north of Paper Mill Drive. Further, a residential use would be compatible with the office use present at the three-storey building 3 Paper Mill Drive to the east of the site.

Housing Land Supply

Currently, The Council cannot demonstrate a 5-year supply of housing land within the Borough (currently 3.24 years where 5 is required).

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Paragraph 11 of the National Planning Policy Framework (NPPF) says that in such circumstances, policies which are the most important for determining the application are out-of-date. The so called 'tilted balance' as advocated by the framework is engaged and the presumption in favour of sustainable development, as set out in the Framework applies. Where such policies are out of date, Paragraph 11 advises that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

Significant weight should be afforded to the fact that the scheme would contribute to the Councils housing figures where the Council cannot demonstrate a 5-year supply of housing land as required under the NPPF.

Density, design and layout considerations

Section 11 of the NPPF emphasises the importance of making effective use of land, and with respect to density, Para 125 comments that:

"Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site"

The proposals are considered to comply with Policy 5 of the Borough of Redditch Local Plan (Effective and efficient use of land) and would also provide a good mix of houses ranging from 2 bedroomed to 4 bedroomed properties.

Section 12 of the NPPF relates to the achievement of a high standard of design in new development, and states that design quality should be considered throughout the evolution and assessment of individual development proposals. Policy 40 of the Local Plan comments that good quality design should contribute towards making the Borough a better place to live, work and visit.

The design, layout and appearance of the proposed development is considered to be appropriate in its context, with the proposed use of brickwork and render, with tiles above, respecting the appearance of number 3 Paper Mill Drive, an existing building in closest proximity to the site. Final details of the external finishes proposed have not been stipulated at this stage and therefore a condition is recommended that these be agreed in order to ensure that the materials used are satisfactory having regard to the site and its surroundings.

Ground levels fall away across the site in a north to south direction such that the southernmost part of the site is approximately 3 metres lower than that of the northern most part. The proposed development would be two storey and due to the difference in levels, the development would not be considered to be overly prominent and the visual amenities of the area as such would not be injured.

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Your officers are satisfied that the density of development proposed would be acceptable and accordingly the proposals are not considered to represent an overdevelopment of the site.

Residential amenity considerations

A noise survey has been submitted which concludes that noise levels are highest from the Coventry Highway (A4023) where noise levels arising from traffic flow from the B4497 Paper Mill Drive are lower by comparison. An acoustic fence is proposed to the southern boundary of the site in order to provide occupiers with a satisfactory level of amenity. In order to provide occupiers with a better outside living environment having regard to noise transmission, the development has been orientated such that front elevations would face towards the Coventry Highway with gardens to the rear facing Paper Mill Drive. Timber boundary fences would be screened by appropriate new native species hedgerow via planning condition in order that the proposed development better assimilates with the surrounding area.

All garden areas meet the Council's minimum requirements for rear garden sizes. Your officers are satisfied that the proposed development would provide all occupiers with an acceptable standard of inside and outdoor amenity space.

Properties situated with Broadwas and Donnington Close further north would be well screened from the proposed development by virtue of the considerable changes in ground level which exist, in addition to the presence of mature tree screening to the northern side of Paper Mill Drive.

Highways and Access considerations

Members will note the comments received by Worcestershire County Highways who believe that the scheme is acceptable having regard to highway safety considerations.

Parking to serve the development at 2 spaces for every two and three bed roomed dwelling and 3 spaces for each four bed roomed dwelling would meet parking standards based upon Worcestershire County Council's Streetscape Design Guide.

RBC Waste Management have been consulted on the application and are satisfied that their fleet of refuse vehicles can safely enter and exit the site in a forward gear.

Sustainability

The site is located within the Redditch Urban area and the sites' location is considered to be sustainable. Bus stops are located either side of Paper Mill Drive in very close proximity to the site and the existing subway offers convenient and safe access from the site to Arrow Valley Park and beyond to the south. Members will be aware that the recently granted permission for the new Lidl Supermarket at the corner of Battens Drive (B4497) and the Coventry Highway (A4023) is currently under construction. This store is located within walking distance of the site thus reducing reliance on carborne travel. Improvements to highway and pedestrian safety would be realised via recommended Condition 16 (see below).

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Ecology and landscape

The application is supported by a Preliminary Ecological Appraisal (PEA) conducted in accordance with industry standard best practice. Your officers are satisfied that sufficient survey effort has been undertaken given the context of the site and the proposed development.

The proposed development will require land-take of areas within the plantation woodland and amenity grassland. The woodland edge has been retained to retain habitat connectivity and native tree planting is proposed as mitigation.

Based on the limited extent of this loss and the retention of the function as a habitat corridor there is considered to be a relatively low risk to wildlife in this case. All works would be carried out in accordance with the recommendations set out within the PEA. The Councils Tree Officer has raised no objection to the application and appropriate tree protection together with new planting would be secured by planning conditions.

Paragraph 180 of the NPPF comments that opportunities to incorporate biodiversity in and around developments should be encouraged. The site is near to well established green network corridors and as such, to enhance ecological biodiversity, permanent bat and bird nesting opportunities would be integrated within the scheme.

Other matters

Sections 100ZA (4-6) of the Town and Country Planning Act 1990 requires the applicant's written agreement to the terms of a pre-commencement condition. Written agreement to the terms of relevant recommended conditions has been sought and agreed by the applicant.

Conclusion and Planning balance

The Councils lack of 5-year housing land supply means that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

Significant weight should be afforded to the economic and social objectives set out under Paragraph 8 of the NPPF. The scheme would contribute to the Councils housing figures where the Council cannot demonstrate a 5-year supply of housing land as required under the NPPF. Account should be taken of the opportunities the development would create for local businesses in the construction of the development and the longer term economic and social benefits.

The NPPF's environmental objective requires applications for development to protect and enhance our natural environment. Whilst some loss of trees is necessary to facilitate the development, habitat and landscape mitigation is proposed by means of condition.

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The detailed design, form and layout of the development is considered to be appropriate in its context and is considered to be a policy compliant form of development. No issues have been identified which would make this application unacceptable in planning terms.

Having regard to the presumption in favour of sustainable development set out within the Borough of Redditch Local Plan No.4 and the National Planning Policy Framework and in the absence of justifiable reasons to refuse the proposed development, subject to compliance with conditions as listed in full below, a favourable recommendation can be made.

RECOMMENDATION:

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

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:

Appropriate references to be inserted here

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

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

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

- 4) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include proposed boundary treatment and other means of enclosure, hard surfacing materials, new planting, trees and shrubs to be

retained, together with measures to be taken for their protection while building works are in progress.

Reason: In the interests of the visual amenity of the area

- 5) All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing by the local planning authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes or species unless the local planning authority gives written approval to any variation.

Reason: In the interests of the visual amenity of the area

- 6) Prior to occupation of the development hereby approved, full details of the height, extent and surface density of the recommended 1.8m and 4m acoustic boundary fencing shall be submitted to and approved in writing by the Local Planning Authority. The details thus approved together with the recommended noise mitigation measures detailed within the amended Noise Report 21082A-1-R1 relating to Glazing, Ventilation and Boundary Fencing and the 4m acoustic fence, shall be fully implemented prior to the first occupation of the development. Details confirming that internal noise levels generated by the Mechanical Ventilation with Heat Recovery (MVHR) system(s) do not exceed Noise Rating (NR)25 and NR30 for all other habitable rooms shall be submitted for the approval in writing of the Local Planning Authority prior to first occupation of the development.

Reason: In the interests of the amenity of future residents.

- 7) No development above foundation level of the scheme hereby approved shall take place until a site drainage strategy has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the results of an assessment into the potential of disposing of surface water by means of a sustainable drainage system (SuDS) and shall provide an appropriate level of runoff attenuation and treatment. 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) The Development hereby approved shall not be occupied until pedestrian visibility splays of 2m x 2m measured perpendicularly back from the back of footway shall be provided on both sides of the proposed vehicular accesses. The splays shall thereafter be maintained free of obstruction exceeding a height of 0.6m above the adjacent ground level.

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Reason: In the interests of highway safety.

- 9) 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, has been surfaced in a bound material.

Reason: In the interests of highway safety.

- 10) The Development hereby permitted shall not be first occupied until the proposed dwelling 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.

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

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

- 12) The Development hereby approved shall not be occupied until the access, parking and turning facilities have been provided as shown on drawing 20-51-30 and 20-51-04A.

Reason: To ensure conformity with submitted details.

- 13) The Development hereby approved shall not commence until the visibility splays shown on drawing 20-51-04A 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.

- 14) 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.

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Reason: To reduce vehicle movements and promote sustainable access.

- 15) 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: -
- o Measures to ensure that vehicles leaving the site do not deposit mud or other detritus on the public highway;
 - o Details of site operative parking areas, material storage areas and the location of site operatives' facilities (offices, toilets etc);
 - o The hours that delivery vehicles will be permitted to arrive and depart, and arrangements for unloading and manoeuvring.
 - o Details of any temporary construction accesses and their reinstatement.
 - o 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 shall only take place 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.

- 16) The Development hereby approved shall not be occupied until drawings of the following have been submitted to and approved in writing by the Local Planning Authority, comprising:

- Enhancement to tactile crossings at bus stops on Paper Mill Drive
- 'Pedestrian crossing' road signs to be provided on the approach to the bus stops on Paper Mill Drive in both directions
- Suitable lighting scheme for the subway and footpath links to the site to be provided in line with the latest WCC Street Lighting Design Guide (SLDG).

The development hereby approved shall not be occupied until the above works have been constructed in accordance with the approved details

Reason: To ensure safe and sustainable access of the site

Informatives

- 1 The granting of this planning permission does not remove any obligations on the applicant to undertake a technical design check of the proposed highway works with the Highway Authority, nor does it confirm acceptance

of the proposal by the Highway Authority until that design check process has been concluded. Upon the satisfactory completion of the technical check the design would be suitable to allow conditions imposed under this permission to be discharged but works to the public highway cannot take place until a legal agreement under Section 278 of the Highways Act 1980 has been entered into and the applicant has complied with the requirements of the Traffic Management Act 2004.

- 2 The applicant is encouraged 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.
- 3 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.
- 4 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.
- 5 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.
- 6 This permission does not authorise the re-siting of any street lighting columns or illuminated road traffic sign(s) affected by the proposed development. The applicant should contact the Network Control Manager, Worcestershire County Council, County Hall, Spetchley Road, Worcester WR5 2NP for the necessary approval. Precise details of all works within the public highway must be agreed with the Highway Authority.

Procedural matters

This application is being reported to the Planning Committee because the application has been 'called in' to the Planning Committee by one of the Church Hill Ward Members Cllr Rouse