

**PLANNING  
COMMITTEE**

25th May 2022

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**Planning Application 22/00468/OUT**

**Outline application (all matters reserved for subsequent consideration) for the erection of 2 No. three bedroomed houses**

**Land at Corner of Lodge Road and Union Street, Smallwood, Redditch, B98 7BP**

**Applicant: Redditch Borough Council  
Ward: Central 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](mailto:steve.edden@bromsgroveandredditch.gov.uk) for more information.

**Site Description**

The application site is 0.046 hectares in area on a corner plot, fronting Lodge Road (to the east) and Union Street (to the south).

A hard surfaced pathway runs through the site which is predominantly grassed and contains two trees. The site is bounded by rear gardens serving numbers 93 to 99 Marsden Road to the west, and by numbers 140 to 144 Lodge Road to the north. Beyond the southern boundary lies the ASDA Superstore car park. Beyond Lodge Road, to the east lies the property 127 Lodge Road.

The site is Incidental Open Space as designated on the Borough of Redditch Local Plan No.4 Policies Map.

**Proposal Description**

This is an outline application for residential development comprising 2, three bedroomed houses with all matters reserved for future consideration (access, layout, scale, appearance and landscaping).

Although the matter of access is not for consideration at this stage, an indicative plan has been submitted showing vehicular access off Union Street to the south where four car parking spaces could be created (two for each dwelling).

The two trees present on the site would need to be removed to facilitate the development (a Silver Birch and a Hawthorn).

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**Relevant Policies:**

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

Policy 1: Presumption in Favour of Sustainable Development

Policy 5: Effective and Efficient use of Land

Policy 14: Protection of Incidental Open Space

Policy 15: Climate Change

Policy 16: Natural Environment

Policy 17: Flood Risk Management

Policy 19: Sustainable travel and accessibility

Policy 39: Built Environment

Policy 40: High Quality Design and Safer Communities

**Others**

NPPF National Planning Policy Framework (2021)

Redditch High Quality Design SPD

**Relevant Planning History**

1977/288/FUL	Laying out of public space	Granted	29.09.1977
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**Consultations**

**WCC Highways**

I have no highway objections to the proposed outline application. The site is located in a residential and sustainable location off an unclassified road. Union Street benefits from footpaths and street lighting. It is noted that "Permit Holders Only" parking bays are located on Union Street. The site is located within walking distance of amenities, bus route and bus stops.

Should the application be acceptable then a revision to the existing Traffic Regulation Order (TRO) would be required, and all costs would be borne by the applicant. It is noted that 3 car parking spaces would be lost; site visits have confirmed that these parking bays are not fully occupied during the day / night.

No speed surveys would be required for the proposed vehicular access in this instance since the speeds at this location would be low due to the location of the access.

No objections are raised subject to the imposition of conditions regarding the provision of electric vehicle charging points, cycle parking provision, provision of pedestrian visibility splays and means of construction of the vehicular access.

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## **North Worcestershire Water Management**

The proposed development site is situated in the catchment of Park Brook. The site falls within flood zone 1 and it is not considered that there is any significant fluvial flood risk to the site. Correctly designed drainage will mitigate any flood risk from surface water on the site and in the surrounding area. Based on the available information there is no reason to withhold approval of this application on flood risk grounds subject to the imposition of a standard drainage condition

## **Arboricultural Officer**

There is currently a small Hawthorn on site and a semi mature Silver Birch. They are not currently covered by any Tree Preservation Order (TPO) and I would not object to their removal to facilitate any proposed development

## **Worcestershire Regulatory Services - Contaminated Land**

No objection subject to imposition of tiered contamination conditions

## **Public Consultation Response**

One neighbour representation has been received raising objections which are summarised as follows:

- Existing parking problems would be exacerbated by the proposed development
- The space is used by adults, children and dog walkers
- We need more green areas not less

## **Procedural matters**

This is an outline application with all matters reserved, and as such only the principle of development can be considered at this stage. However, if there are reasons why the development could not be designed to be appropriate to the site, these can be raised as concerns at this stage.

The application plans include an indicative layout, however this is for illustrative purposes only to demonstrate how the site **could** be developed to accommodate the two dwellings and not how the site **would** be developed.

## **Assessment of Proposal**

The key issue for consideration in this case is the principle of the development as all other matters are reserved for future consideration.

## **Principle of development**

The site is designated as Incidental Open Space in the Borough of Redditch Local Plan No.4 (BORLP4). As such, Policy 14 applies.

Policy 14 is a criteria based policy and at 14.2 states that Incidental Open Space will be protected from development unless:

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- i. the need for the development is considered to outweigh the need to protect the incidental open space;*
- ii. it can be demonstrated that the site does not make an important contribution to the Green Infrastructure Network and has no particular local amenity or wildlife conservation value;*
- iii. the site does not have a strategic function separating clearly defined developed areas or acting as a buffer between different land uses;*
- iv. it can be demonstrated that there is alternative provision of equivalent or greater community benefit provided in the area at an appropriate and accessible locality; and*
- v. the incidental open space does not play an important role in the character of the area*

***i. Does the need for the development outweigh the need to protect the incidental open space?***

Notwithstanding the Councils current position regarding housing land supply, the Council will continue to require land for housing beyond the plan period in accordance with the provisions of the National Planning Policy Framework. The importance of the site in terms of its use and amenity value is considered to be limited and the need for the development is considered to outweigh the need to protect this area of Incidental Open Space.

The Councils current Open Space Needs Assessment (OSNA) comments that five of the wards in the Borough have a surplus of open space set against the Borough standards. The prevalent ward being Central with a surplus of +6.35ha/1000 population. In terms of Open Space typology there is also a surplus of play areas in Central ward.

***ii. Does the site make an important contribution to the Green Infrastructure Network and does it have a particular local amenity or wildlife conservation value?***

The small size of the site limits its local amenity value. The primarily grassed area has little quality in terms of biodiversity of species and is of limited wildlife conservation value. Some environmental harm would be caused by reason of the loss of the two trees present on the site although members will note that the Councils Tree Officer has raised no objection to their removal. Wider environmental harm is considered to be limited. Whilst the ecological value of the site is considered to be low, it is recommended that integrated bat and bird boxes together with bee bricks are installed on the dwellings in order to aid biodiversity (as required under the NPPF and the Local Plan). This can be achieved via planning condition.

The Planning Department have notified 10 properties by letter which are situated within close proximity to the site. Only one representation has been received in objection to the proposals.

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***iii. Whether the site has a strategic function separating clearly defined developed areas or whether it acts as a buffer between different land uses;***

This site is not considered to have a strategic function and does not form a buffer between different land uses.

***iv. Can it be demonstrated that there is alternative provision of equivalent or greater community benefit provided in the area at an appropriate and accessible locality?***

As set out above, the Council's current Open Space Needs Assessment (OSNA) comments that Central Ward has a surplus of open space set against the Borough standards.

Alternative, larger areas of open space with good accessibility exist at Mayfields Park which is a short walk away from the site to the south-west. This offers far greater diversity and variety than the application site.

***v. Does the incidental open space play an important role in the character of the area?***

In this case, the incidental open space does not play an important role in the character of the area.

Having regard to Criteria 1 to 5 above, no objections are raised to the principle of a residential scheme on the site.

**Scale, layout and appearance of development**

Policy is supportive of new residential development so long as it respects the character and appearance of its surroundings and does not impinge on the residential amenities enjoyed by occupiers of existing nearby development.

Whilst scale, layout and appearance are not for specific consideration at this stage, the indicative plan does demonstrate how an appropriate form of development could be accommodated within the site without harming the character and appearance of the area and without compromising the amenities enjoyed by occupiers of nearby dwellings. Whilst the submitted plan is only for illustrative purposes, separation distances between existing dwellings and the proposed new dwellings would comply with standards contained within the Council's High Quality Design SPD and gardens serving the new dwellings would also comply with minimum requirements.

**Trees and Ecology**

Policy 16 (Natural Environment) aims to protect and, where appropriate, enhance the quality of natural resources including wildlife corridors, ancient and important trees and biodiversity.

There are no ancient or 'Veteran' trees on the site and the Council's Tree Officer has raised no objection to the application.

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Paragraph 180 of the NPPF comments that opportunities to improve biodiversity in and around developments should be integrated where this can secure net gains for biodiversity. To enhance ecological biodiversity, an appropriately worded planning condition is recommended to be imposed at this outline stage

Impact of the proposals on highway safety

The matter of access to and from the development would be considered in more detail under a future reserved matters application. Access via Union Street in the manner proposed under the submitted Indicative Plan is considered at this stage to be acceptable.

Off-road / on site car parking spaces would be provided for the development meeting the Council's parking standards. The development would result in the loss of three car parking spaces. However, Worcestershire County Council Highways have raised no objection to the application noting that the site is in a sustainable, edge of town centre location. The National Planning Policy Framework (NPPF) at Paragraph 111 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. In this respect the proposals are considered to be acceptable.

Residential amenity considerations

Your officers are satisfied that no loss of residential amenity would result from granting permission having regards to the density of the proposed development and separation distances that could be achieved between the proposed dwellings and existing nearby properties. Residential amenity concerns have not been raised via the public during the publicity period. An hours of working condition for site operatives is recommended to be imposed in the event of planning permission being granted in the interests of protecting nearby residential amenity.

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. Such conditions include recommended conditions 8 and 9 which are considered to meet the tests of relevance and reasonableness as set out under Paragraph 56 of the NPPF.

Conclusion

Having regard to the requirements set out under Policy 14 above, your officers have concluded that the need for the development outweighs the need to retain the land as an area of Incidental Open Space.

The proposal would amount to sustainable development and would not conflict with the Borough of Redditch Local Plan No.4 as a whole. Subject to compliance with conditions as listed in full below, a favourable recommendation can be made.

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**RECOMMENDATION:**

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

**Conditions:**

- 1) Details of appearance, landscaping, layout, access and scale (hereafter called 'the reserved matters') shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

Reason: In accordance with the requirements of Section 92 (2) of the Town and Country Planning Act 1990

- 2) Application for approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission.

Reason: In accordance with the requirements of Section 92 (2) of the Town and Country Planning Act 1990.

- 3) The development hereby permitted shall begin no later than two years from the date of the approval of the last of the reserved matters to be approved.

Reason: In accordance with the requirements of Section 92 (2) of the Town and Country Planning Act 1990.

- 4) The development hereby approved shall be implemented in accordance with the following plans:

P2049.185 - SITE LOCATION PLAN dated 30th March 2022

Reason: To accurately define the permission for the avoidance of doubt

- 5) 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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- 6) During the course of any site clearance and development, the hours of work for all on-site workers, contractors and sub-contractors shall be limited to between;

0800 to 1800 hours Monday to Friday

0800 to 1200 hours Saturdays

and no working shall take place at any time on Sundays, Bank Holidays or Public Holidays or at any time outside of the above permitted working hours unless first agreed in writing by the Local Planning Authority.

Reason: In the interests of neighbour's amenity

- 7) Prior to the first occupation of the development hereby approved, a scheme for the provision of bee bricks, bat roost opportunities and bird nest boxes within the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented by suitably qualified personnel to the satisfaction of the Local Planning Authority prior to the first use of the development approved.

Reason: In the interests of biodiversity and in accordance with the provisions of National Planning Policy Framework

- 8) No works or development shall take place until a scheme for surface water drainage has been submitted to and approved in writing by the Local Planning Authority. This scheme shall be indicated on a drainage plan. If possible infiltration techniques are to be used and the plan shall include the details and results of field percolation tests. If infiltration drainage is not possible on this site, an alternative method of surface water disposal should be submitted for approval. There shall be no increase in runoff from the site compared to the pre-development situation up to the 1 in 100 year event plus an allowance for climate change. If a connection to a sewer system is proposed, then evidence shall be submitted of the in principle approval of Severn Trent water for this connection. The scheme should include runoff treatment proposals for surface water drainage. The drainage scheme shall be implemented prior to the first use of the development and thereafter maintained.

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

- 9) 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, must not commence until conditions 1 to 6 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 the Environment Agency's "Land Contamination: Risk Management" guidance.

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 the Environment Agency's "Land Contamination: Risk Management" guidance.

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

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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

- 10) 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 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

- 11) 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

- 12) The Development hereby permitted shall not be first occupied until the proposed dwellings (1 per dwelling) have 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

- 13) 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

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**Informatives**

- 1) 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
  
- 2) 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

**Procedural matters**

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