

Planning Committee

Wednesday, 20th March,
2024

MINUTES

Present:

Councillor Peter Fleming (Chair), Councillor Imran Altaf (Vice-Chair) and Councillors Juma Begum, Andrew Fry, Bill Hartnett, Chris Holz, Sid Khan, Anthony Lovell and Timothy Pearman

Also Present:

Councilors Joe Baker, Monica Stringfellow, Emma Marshall and Karen Ashley.

Officers:

Ruth Bamford, Helena Plant, Paul Lester, Karen Hanchett (of Worcestershire County Council, Highways) and Max Howarth (of Anthony Collins Solicitors)

Democratic Services Officers:

Gavin Day and Pauline Ross

69. APOLOGIES

There were no apologies for absence, all Members were in attendance.

70. DECLARATIONS OF INTEREST

There were no declarations of interest.

71. CONFIRMATION OF MINUTES

The minutes of the Planning Committee meeting held on 21st February 2024 were presented to Members.

RESOLVED that

the minutes of the Planning Committee meeting held on 21st February 2024 were approved as a true and accurate record and signed by the Chair.

Chair

72. UPDATE REPORTS

The Chair drew Members' attention to the update report, which had been circulated to Members prior to the meeting commencing.

Members indicated that they had had sufficient time to read the update report and that they were happy to proceed with the meeting.

73. 21/01830/FUL - LAND WEST OF, HITHER GREEN LANE, REDDITCH, WORCESTERSHIRE, B98 9AZ

The application was reported to the Planning Committee because the application required a Section 106 Agreement. As such the application fell outside the scheme of delegation to Officers.

Officers presented the report and in doing so, drew Members' attention to the presentation slides on pages 5 to 43 of the Site Plans and Presentations pack.

The application was for the Land West of Hither Green Lane, Redditch and sought residential development for 214 dwellings, including 2 custom build plots and 66 affordable dwellings. It included vehicular access, play areas, public open space and all other ancillary and enabling infrastructure.

The location of the site was detailed on pages 6 to 9 of the Site Plans and Presentations pack. Officers further informed Members that although the majority of the land (9.47 ha) was designated as primary open space under policy 13 of the Local Plan and part of the site (0.38 ha) is shown as white land. There was no public access to the site and the only access was via the private golfclub.

Officers detailed the proposed layout of the site, shown on pages 17 to 22 of the public reports pack. This included information on housing, including the number and the location of the 66 affordable units which accounted for 30% of the development. Officers further detailed that the proposed development aims to create a well-designed and efficient urban environment with 2 and 2.5-storey dwellings. The development would be laid out in a series of connected parcels, with a clear distinction between the public and private realm. The development had an approximate density of 36 dwellings per hectare.

Members commented that the Borough had a 10.3-year housing supply which was greater than the required 5-year housing supply outlined in the National Planning Policy Framework (NPPF). However, the 5-year figure was a minimum and that there was not a maximum figure in the NPPF. Therefore, regard was given to the

National picture as a whole where there was a shortage of houses being built.

The development required the removal of some trees which had TPOs attached, mitigation/replanting measures were proposed and the Arboricultural Officer had raised no objection subject to this mitigation.

North Worcestershire Water Management (NWWM) had assessed the application and the impact it would have in regard to flooding from the nearby river Arrow. NWWM had found the risk to be minimal and had not raised an objection or requested a drainage solution Condition. However, Officers included a drainage Condition (13) following advice from the Council's ecologist.

The application had been supported by extensive ecology surveys, the Council's appointed Ecologist (Thompson Ecology) and Natural England were satisfied that the survey effort was sufficient to inform the application for development. A biodiversity metric had been submitted as a part of the proposals. A net gain in biodiversity (+1.84% habitat units, +4.85% hedgerow units) would be provided through biodiversity enhancements on offsite land immediately to the east of the proposed development (the retained golf course).

Members' attention was drawn to the highway access to the site via Hither Green Lane, as detailed on pages 31 to 34 of the Site Plans and Presentations pack. Officers noted that no objection had been raised by Worcester County Council (WCC), Highways, as the development did not contradict any policies and their opinion was that the impact could not be determined as severe enough to warrant an objection to the application, subject to conditions and contributions/improvements to infrastructure identified in the report.

Officers commented that the development complies with Policy 12 Open Space Provision. The development will provide approximately 3.2 hectares of publicly available open space, and this will be retained in perpetuity.

It is considered that the amenity value of the site is limited as it is in private ownership and has limited public accessibility.

Following clarification, it has been shown that the golf course will remain open and playable to members and visitors with the reconfiguration and retention of an 18-hole golf course on the remaining site. The previous objection from England Golf has been withdrawn.

Taking the specific circumstances of the case into account, the proposal would provide equivalent open space to offset the loss of designated open space, which itself has limited public accessibility.

In conclusion and having had regard to:-

- The development would provide greater public access across the application site, with 3.4ha (around 35% of the application site) becoming publicly accessible.
- The golf course was proposed to be reconfigured to retain an 18-hole golf course to suit members as well as those visiting the hotel.
- The proposal would make a meaningful contribution to both market and affordable housing. It was recognised that the government's aim was to significantly boost the supply of housing, both market and affordable.
- The proposal would have economic benefits during construction and ongoing support for local services.
- Against these matters, there were several harms and material considerations arising from the proposed development that weigh against the proposal. Both individually and cumulatively, they did not amount to material considerations that outweigh the compliance of the proposals with the development plan as a whole and the benefits of the proposal outlined above.

On balance, Officers recommended the application for approval subject to conditions and a Section 106 agreement.

At the invitation of the Chair, the following speakers addressed the Committee under the Council's Public Speaking Rules

Residents and interested parties in objection to the application (2 minutes each)

- Charles Robinson – Representative of North Redditch Community Alliance (NoRCA)
- Councillor Karen Ashley – RBC Councillor
- Councillor Alan Bailes – BDC Ward Member for Alvechurch South
- Councillor Joe Baker - RBC Councillor
- Julian Grubb – Interested Party
- Councillor Adam Rock - Interested Party, Beoley Parish Council (BDC)
- Mike Chalk – Interested Party (Statement read out by Democratic Services)
- Councillor Emma Marshall – in her capacity as a County Councillor at WCC
- Councillor Gemma Monaco – RBC Councillor (Statement read out by Democratic Services)

Ward Member (3 minutes)

- Councillor Monica Stringfellow

In support of the application (18 minutes shared)

- Cathryn Ventham – Agent for the Planning Application (of Stantec)
- Reiss Sadler – Applicant’s Economic Consultant (of Marons)
- Josh Norris – Applicant’s Highways Consultant (of Mode Transport)

There was a planned adjournment after the public speaking between 20:25 and 20:35 hours.

Having recommended, Officers clarified the following points after questions from Members.

- That the proposed development had a housing density of 35 dwellings per hectare(dph), whereas the current local development on Hither Green Lane was approximately 20dph.
- A noise assessment had been carried out by the relevant consultee (Worcestershire Regulatory Services) and Conditions 24 and 25 were included to address noise concerns, including during the construction phase.
- Although comments were raised during the public speaking in regard to flooding, NWWM who were the expert consultee on matters of flooding had raised no objection to the application.
- In some instances, areas designated as Primarily Open Space have been rolled forward from previous versions of the local plan, so the reason for their designated at that time may not be clear. However, Policy 13 described what was important about open space and sets out a list of factors for Members to consider, these included regard to conservation and wildlife. The report identified that the site was not significant in wildlife terms in relation to some other areas of the Borough.
- It was a point for the Committee to ascertain as to what extent weight should be given to the 5-year provision of housing supply nationally, compared to locally which already had a 10-year supply.
- There would be no impact as to the size of the golf course currently on site in terms of holes, the legal mechanisms detailed on page 72 of the Public Reports pack, required that the reconfiguring of the course would be completed prior to the commencement of any residential development.

- There would initially be a loss of 9.85 hectares of open space. Once the development was completed there would be 3.4 hectares of publicly accessible open space provided.
- Condition 9 detailed that archaeological surveys needed to be submitted prior to the commencement of building works, if discoveries were made once development had commenced the build plan would be affected accordingly.

Following comments from the public speakers, WCC Highways addressed the concerns raised regarding the highways impact of the development. Officers informed Members that appropriate modelling had been undertaken on a number of highways which could be impacted, including Hither Green Lane, Dagnel End and the A441. Officers had concluded that, although it was accepted that there would be an impact, it could not be described as severe. Therefore, Highways could not raise an objection to the development.

WCC, Highways could not confirm if Diamond Busses, who serviced Redditch had been consulted with in regard to the financial viability of a long-term service for the area. However, Section 106 contributions had been discussed with the County's Transport team who were the relevant consultee, and the contributions would provide an hourly service for 5 years. After the 5-year period, an assessment would need to be undertaken by the provider as to the financial viability of maintaining the service.

The emergency access route was explained in that it was not a reflection of the suitability of the road network, and there was no intent to use the access. However, WCC, Highways sought an alternative entrance/exit route in the event of an accident preventing the use of the regular access, this was a requirement for any larger developments of over 200 houses. The emergency access would be controlled by bollards which could be retracted.

During consideration of this item a vote was taken to continue the meeting after 22:00 hours, this was proposed by Councillor Bill Hartnett and Seconded by Councillor Sid Khan, on being put to a vote it was Carried.

Following the vote and prior to the debate by Members, there was a further adjournment between 21:52 and 21:58 hours.

Having recommenced, Members proceeded to consider the application which Officers had recommended be approved.

Members expressed the opinion that the national state of housing supply should not be a strong consideration for the Borough who already had a healthy supply.

It was further noted that the application was out of character with the local development, in that the housing was of a much higher density and differed in design to the local dwellings. Concern was also expressed as to the apparent visual differences between the market and affordable units.

Councillor Bill Hartnett proposed an Alternative Recommendation to refuse the application, the Alternative Recommendation was seconded by Councillor Juma Begum. The reasons stated for the refusal were:

1. Redditch council had an adequate supply of housing land, so on balance the Council should prioritise the protection of open space as identified in the Local Plan over the NPPF.
2. The proposed new development was out of character with the existing Hither Green Lane development.

Members expressed a concern regarding the Highways and flooding considerations; however, they accepted that without objections from the relevant consultees these should not form part of any refusal.

The Bio-diversity impact was discussed with the loss of a large amount of open space with its associated habitat, additionally the impact to the green corridor was detailed, Members expressed the opinion that both of these would have a negative impact on the local wildlife. With the agreement of the Proposer and Secunder of the Alternative Recommendation, “**3. The loss of the Primary open space**” was added as a refusal reason for the Alternative Recommendation.

On being put to a vote it was

RESOLVED that

having had regard to the development plan and to all other material considerations, that planning permission be REFUSED, for the reasons as detailed in the preamble above, the detailed wording of which to be determined by the Head of Planning, Regeneration and Leisure services.

The Meeting commenced at 7.00 pm
and closed at 10.22 pm

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