

**PLANNING  
COMMITTEE**

18th July 2024

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**Planning Application 23/01108/FUL**

**Change of use of existing building from education use (Use Class F1) to 33 supported living apartments (Use Class C2), erection of a three storey 83 bed care home (Use Class C2) with link and ancillary facilities; with associated underground parking, landscaping and ancillary works.**

**Heart of Worcestershire College, Osprey House, Albert Street, Redditch, B97 4DE**

**Applicant: MACC Group Ltd  
Ward: Abbey 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 site measures 0.69 hectares in area and includes Osprey House, which is a three-storey building, and an associated surface level car park. Osprey House was last used as an education facility (Use Class F1) by the Heart of Worcestershire College, who vacated the site in May 2022, relocating to their Bromsgrove campus. The building has remained unoccupied since. There is existing vehicular access to the site from Albert Street to the west of the Site.

Mature landscaping abuts the shared boundaries. The site is located at a higher level than land to the east with an associated retaining structure in-situ. Beyond the eastern boundary lies a car parking area for Prospect House (a three-storey office block) and the turning head for Fishing Line Road. Beyond the southern boundary is a vacant area of previously developed land accessed from Prospect Hill. Albert Street which stems from Prospect Hill is located to the west. Off Albert Street are a collection of two and three storey commercially occupied buildings that form part of Empire Court, including the 'British Mills' building, which is Grade II listed.

Notwithstanding the commercial nature of the immediately adjoining areas, there is also residential development in the vicinity of the site. There are mostly semi-detached properties off Prospect Hill, Abbey Road, and Clive Road to the west, with Milward Place, a McCarthy & Stone retirement complex, situated on the intersection between Clive Road and Prospect Hill.

**PLANNING  
COMMITTEE**

**18th July 2024**

---

**Proposal Description**

Full planning permission is sought for the change of use and conversion of Osprey House into 33 supported living apartments across the existing three floors and the erection of an associated three storey 83 bed care home with link and ancillary facilities, with associated underground car parking.

The applicant states that the proposed care home has been developed with state-of-the-art equipment and facilities, allowing residents to live an enhanced quality of life. The proposal would meet the National Minimum Spatial Requirements as defined in the Care Standards Act 2000, and the Care Quality Commission standards.

Vehicular and pedestrian access into the site would continue from Albert Street to the west and a parking area of 35 spaces (including two disabled bays) would be provided to the front of the proposed development. Further parking is proposed to be provided via an underground carpark that would be accessed under the proposed new care home building providing a further 27 spaces. 10 cycle spaces would be provided at surface level, with a further 14 provided in the basement.

The layout provides shared external amenity space for the care home and the supported living apartments with external patio terraces and seating areas, as well as large areas of green space to the north and south where existing trees are to be retained and supplemented with new tree planting together with garden structures.

The applicant is MACC Care Group Ltd, a company with considerable experience in the operation of care homes for older people who currently operate 12 dedicated care homes in the West Midlands Area.

The application form states that 60 full time jobs would be created across the whole site working to a rotational shift pattern of employment. However, and as stated at para 4.8 of the submitted Transport Statement, only up to a maximum of 30 members of staff would be present on site at any one time, due to the shift pattern and staggered shift changes that would occur.

**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 11: Green Infrastructure

Policy 16: Natural Environment

Policy 17: Flood Risk Management

**PLANNING  
COMMITTEE**

**18th July 2024**

---

Policy 18: Sustainable Water Management  
Policy 19: Sustainable Travel and Accessibility  
Policy 20: Transport Requirements for New Development  
Policy 23: Employment Land Provision  
Policy 24: Development within Primarily Employment Areas  
Policy 36: Historic Environment  
Policy 37: Historic Buildings and Structures  
Policy 39: Built Environment  
Policy 40: High Quality Design and Safer Communities

**Others**

Redditch High Quality Design SPD  
National Planning Policy Framework (2023)

**Relevant Planning History**

2010/040/COU	Change of Use from Class B1 to D1 to education and training use on the first and second floors	Granted	31.03.2010
2009/113/COU	Change of Use from Class B1 to D1 to education and training use on the ground floor	Granted	10.07.2009
1999/139/FUL	Erection of 3 storey office with associated parking	Granted	10.06.1999

**Consultations**

**WCC Highway Authority**

No objections subject to conditions and financial obligations

Comments summarised as follows:

The Care Home has 83 rooms with single beds and the Highway Authority considers that the majority of residents will require assistance to varying degrees but it is unlikely any resident will be able to drive or own a car. Visitors are more likely to take a resident out for short periods.

With respect to the Supported Living proposal, it is understood that these will adults, who can live independently but will require assistant with some tasks. Some of these residents may be able to drive and may own a car, hence the need for some parking provision. Friends and family will visit residents. There is no indication that families with school aged

**PLANNING  
COMMITTEE**

**18th July 2024**

---

children would occupy the apartments. If this were to be the case a (financial) impact on transport provision would result. Such a matter could be covered by condition.

Albert Street is approximately 4.3m in width and leads to the current car park at Osprey House. Traffic flows are relatively low as Albert Street is a cul-de-sac and forms a junction with Prospect Hill to the west. There would be no alteration to the existing vehicular access into the site. The Highway Authority has no objection to the existing vehicular access being used to serve the development proposals. Whilst Pedestrian access to the site is adequate there are no dropped kerbs, with tactile paving, at the pedestrian desire line. As such, it would be desirable to provide such a facility, especially as many future residents of the site may have mobility issues. The Highway Authority is of the opinion the applicant should contribute towards the costs of improving uncontrolled pedestrian crossing facilities which can be covered by a suitable legal agreement if planning consent were subsequently granted.

The Transport Statement (TS) concludes it is considered that cycling represents a viable option for employees to access the site from surrounding residential areas and the Highway Authority agrees with this assumption. The TS also concludes it is viable for staff to use buses or trains to access the site, as could visitors. The Highway Authority accepts the site offers the choice of sustainable travel options, as an alternative to the private motorised vehicle.

WCC has a duty to consider the transport needs of elderly and disabled residents. A service must be provided for all elderly and disabled residents for those unable to access a bus due to disability. WCC requests a contribution of £5,292.00 towards community transport for this site. This can be secured by an appropriate legal agreement.

The Highway Authority acknowledges educational use is likely to have a more traditional peak period traffic pattern. Traffic associated with a Care Home will be influenced by staff shift patterns. Family and friends tend to visit during the day, evenings or at weekends. Traffic associated with Supported Living sites tends to mainly occur outside peak periods, with visitors tending to visit during the day, evenings or at weekends.

Taking account of the above, the Highway Authority is of the opinion the levels of traffic associated with the proposed use can be accommodated by local highways and there would be no severe / significant impact on the operation of the local highway network. The Refuse and Servicing Strategy contained within the Transport Statement which shows swept path analysis for: a large car, refuse vehicle and fire engine entering the site and turning within the site is considered acceptable to the Highway Authority.

In terms of car parking, 62 spaces are proposed in total.

The development proposes to provide 30 staff spaces, for 60 FTE employees, 21 dedicated spaces for the Care Home and 11 dedicated spaces for the Supported living accommodation, giving a total of 62 car parking spaces. The Highway Authority is of the opinion the proposed car parking provision is acceptable.

**PLANNING  
COMMITTEE**

**18th July 2024**

---

Some provision for electric charging of ultra-low emissions vehicles (EVCP) should be provided. As such the Highway Authority would recommend an appropriate condition to this effect in the case of permission being granted.

The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted, the Highway Authority concludes that there are no justifiable grounds on which an objection could be maintained subject to conditions and financial obligations. Conditions relating to: EVCP provision; Employment Travel Plan, Travel Welcome Pack, Construction Management Plan, and minimum age requirements for supporting living accommodation are recommended.

Financial contributions should be secured via a S106 agreement as follows:  
Community Transport contribution: £5,292.00 to be paid prior to first occupation  
Pedestrian Infrastructure Improvements: £13,500 to be paid prior to first occupation

**Worcestershire Regulatory Services – contaminated land**

No objection subject to land remediation conditions

**RBC Community Safety Manager**

No objection

**RBC Conservation Officer**

No objection. Comments summarised as follows:

The British Mills complex had originally extended into the site, but the buildings appear to have been demolished by the end of the twentieth century, and Osprey House was subsequently constructed. The applicant has submitted a detailed heritage statement, which also contains a setting assessment, and I would agree with its contents. The remaining 19th century buildings in the vicinity of the British Mills complex contribute to the setting of the listed building, as does the relationship with Prospect Hill which remains legible although it has been partially eroded by later development. The development site with its extensive carparking contributes little to the setting.

The design of the proposed care home wing on the north side of the courtyard would appear to reflect the buildings that once stood on the site and the British Mills complex, being a similar height, with a pair of gable ends fronting the latter at the west end of the site. The proposed materials reflect the historic buildings although it is suggested that all materials are conditioned.

**Arboricultural Officer**

No objection subject to the imposition of conditions pertaining to: Protection of retained trees in accordance with BS5837:2012 during the construction period; excavations within Root Protection Areas to be carried out by hand in accordance with BS5837:2012

**PLANNING  
COMMITTEE**

**18th July 2024**

---

**North Worcestershire Water Management**

Comments summarised as follows:

The proposed development site is situated in the catchment of the Batchley Brook & Hewell Stream. 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.

A Flood Risk Assessment and drainage plan has been provided with the application, it provides details of the proposed cellular attenuation system provided for the scheme and the proposed off site flow rate. This has been attenuated to an acceptable level up to the 1 in 100 year storm level with a 40% allowance for climate change. This is supported by accompanying calculations.

Details of the maintenance of all drainage features on the site should be detailed in a management plan / strategy and included in the normal operating procedures of the site. This should also indicate the company / operator who is responsible for this maintenance.

No objections are raised subject to the imposition of a surface water drainage strategy (condition) being imposed to any consent.

**NHS Integrated Health Board (ICB)**

Herefordshire and Worcestershire Integrated Care Board (ICB) have identified that the development will give rise to a need for additional primary healthcare provision to mitigate impacts arising from the development. The proposed development would be likely to have an impact on the services of 2 GP practices.

The existing practices affected do not have capacity to accommodate the additional growth resulting from the proposed development. Affected practices which are a member of the Primary Care Network (PCN): Nightingales PCN, Kingfisher PCN.

A developer contribution will be required to mitigate the impacts of this proposal. The ICB calculates the level of contribution required in this instance to be £14,400.00, to be paid prior to first occupation of the development.

The ICB requests that this sum be secured through a planning obligation linked to any grant of planning permission.

# **PLANNING COMMITTEE**

**18th July 2024**

---

## **Public Consultation Response**

The application has been publicised by writing to adjacent occupiers, by press notice and by site notice.

One letter supporting the application has been received. Comments are summarised as follows:

- Following Covid, staff working from home has drastically reduced the requirement for offices which has meant tenants not renewing their leases and large amounts of office space being available. Much existing office space is currently vacant within the town despite residential conversions from former office use
- Osprey House has been vacant for some years and it is highly unlikely that it would be let again as offices.
- There is a huge demand for residential accommodation, particularly for older persons with a care element. By providing this sort of older person's accommodation it will free up the houses and flats where they are currently living which are often too big for one or two older persons which can then be released onto the market for families.
- The use will provide employment opportunities for staff when operating and will generate significant economic activity during the construction phase. Once up and running the many support services required will directly benefit local businesses.
- The proposal makes excellent use of land close to the town centre
- The use is not likely to be as car dependant as would be the case were the site to be used for office development
- The building is attractive and will improve the appearance of the current site

One letter has been received providing comments which are summarised as follows:

- Whilst the addition of a supported living facility and a care home is much needed and we are not opposing the scheme we ask that an alternative entrance to the site be considered. The planned proposal to use Albert Street as the access road to the development is very narrow and construction vehicles will struggle to pass
- We are concerned about pedestrian and construction vehicle conflict, particularly with respect to persons using existing businesses within British Mills during the construction period
- Mud on the road is also a concern

**PLANNING  
COMMITTEE**

**18th July 2024**

---

**Assessment of Proposal**

Principle of development

The application site is located within the Redditch urban area, close to the defined Town Centre boundary. Policy 2 (Settlement Hierarchy) of the Borough of Redditch Local Plan No.4 (BORLP4) designates Redditch as the Main Settlement, which should be the focus for development as it provides the highest level of services and facilities provision and offers the most sustainable location for development. In this regard the site is located within a highly sustainable location within easy walking distance of local shops and facilities encouraging sustainable lifestyles for future residents and staff.

Policy 4 (Housing Provision) of the BORLP4 states that the Council will encourage the provision of housing for elderly people and that consideration will be given to the extent that the proposed scheme reflects to the requirements of the Worcestershire Extra Care Housing Strategy 2012-2026. This Strategy estimates that an additional 4,703 units of extra care housing is required across Worcestershire by 2026, with 438 units in Redditch. The delivery of such accommodation is encouraged from private developers, and it is determined that these proposals make a positive contribution to the delivery of this strategy, and thus the proposed development aligns with the requirements of Policy 4.

The site is identified as employment land in the Local Plan where Policies 23 and 24 apply. Nevertheless, the proposed development is not considered to conflict with these policies.

Planning permission for a change of use of the existing building was granted in 2009 (ref 2009/113/COU – ground floor only) and again in 2010 (ref 2010/040/COU - first and second floors). These two planning permissions, which were then lawfully implemented, changed the use from the former Use Class B1 (now effectively Class E(g)) to the former Use Class D1 (now Use Class F1). The lawful education use (Class F1) use continued from this point up until May 2022.

In light of the above, the lawful use of the site is Use Class F1 and therefore for non-employment uses. It has therefore been concluded that the change of use of the site to another non-employment use (in this case C2) would have no material impact upon the delivery of employment land across the Borough as a whole, and therefore does not conflict with the provisions of relevant development plan policies.

The site is no-longer required by Heart of Worcestershire College, and the site was marketed since the College's departure in 2022 with no interest attracted for re-use for an education facility or indeed a designated employment use. The proposed development would ensure that a currently vacant building is maintained and brought back into active use.

# **PLANNING COMMITTEE**

**18th July 2024**

---

The proposed development would create employment opportunities during the construction of the build and a variety of positions whilst the care home is in operation and would satisfy a current growing demand/need for this type of accommodation.

The principle of the proposed development is therefore considered to be acceptable.

## **Design and character considerations**

The Councils Conservation Officer has been consulted owing to the proximity of the site to the British Mills complex to the immediate west and a heritage statement, which also contains a setting assessment has been submitted.

The care home building would be three storeys responding to the existing building and the prevailing height of other buildings in the near vicinity.

The 'link' between the two main building blocks has been designed to create a break in the elevation, remaining subservient to the two buildings and reducing the overall massing of the development as a whole. The design and scale of the proposed care home wing on the northern side is also considered to reflect that of the buildings that once stood on the site and the proposed materials (red brick walls) under an (artificial slate roof) would also reflect those of the adjacent buildings with fenestration designed to echo the industrial heritage of the surrounding buildings. Specific materials would be conditioned and would need to be agreed in writing by your officers in association with the Councils Conservation Officer.

Existing trees and vegetation to the periphery of the site would be retained and maintained. A comprehensive landscaping scheme has been submitted which the Councils Tree Officer raised no objections to. This proposes the planting of a number of mixed specimen trees. The proposal would also include recreational areas that includes seating areas and raised planters to be used as a 'growing garden', with a greenhouse to the east of the site. The scheme seeks to provide year-round colour, structure and interest with a high percentage of wildlife and pollinator friendly species.

Overall, the design, scale and appearance of the development including its landscaping is considered appropriate within its context.

## **Residential amenity considerations and response to public comments**

Despite the extensive publicity, only one representation has been received raising concerns. The Highway Authority have raised no objections to the proposed means of vehicular access to the site having regard to vehicular and pedestrian safety. An alternative vehicular access to the site via Fishing Line Road to the east would not be practical given the significant level differences across the site and the provision of the existing retaining structure.

**PLANNING  
COMMITTEE**

**18th July 2024**

---

Whilst some parking is permitted on the northern side of Albert Street, the carriageway has double yellow lines (no parking and waiting at any time) on its southern side and partly to its northern side. There are footways on both sides of Albert Street providing safe pedestrian access.

Your officers appreciate that disturbance during the construction period is an inevitable consequence of granting permission for such new development. However, matters such as noise disturbance and general inconvenience is temporary and not in itself a reason to refuse permission.

A Construction Environment Management Plan condition would be attached to the consent in the event of planning permission being granted to control and manage safe working during the construction period which would cover matters such as the prevention of mud / detritus onto the public highway.

The development comfortably meets the Councils minimum separation distances and your officers are satisfied that no loss of residential amenity including loss of light and privacy would result from granting permission.

The principal amenity space for residents would provide a secure and screened area. The soft landscaping would comprise trees, shrubs, flowerbeds and lawn together with hard landscaping which is considered to be acceptable to your officers including the Councils Tree Officer.

The care home would be monitored by the Care Quality Commission who are the independent regulator of health and social care in England.

With regard to internal amenity space, the care home has been designed to meet the provisions of the Care Standards Act. I have noted that the care standard requirement for single bedrooms is 12m<sup>2</sup> (excluding the ensuite bathroom) and the proposed scheme solely provides ensuite single bedrooms at between 19-24m<sup>2</sup>. Further, the Care Standards Act require 4.1m<sup>2</sup> of communal sitting, dining and recreational space per resident and the proposed scheme provides 7.2m<sup>2</sup> per resident in the care home (not including external areas).

With respect to external amenity space, just under half of the site, amounting to 3927m<sup>2</sup> would be landscaped which is considered to deliver sufficient external amenity space for its residents. Thus, with respect to amenity considerations, the proposal is acceptable.

**Highway safety and parking considerations**

A detailed transport statement has been submitted with the application. Worcestershire County Council Highways authority have examined the transport statement together with all submitted drawings including vehicle tracking plans and agree that the access arrangements together with parking provision proposed would be safe and suitable to

**PLANNING  
COMMITTEE**

**18th July 2024**

---

serve the proposed use. Subject to the imposition of reasonable and relevant conditions together with the delivery of the monies requested by WCC Highways as set out which are considered to mitigate against the impact of the development, the proposals are considered to be acceptable in terms of their highway safety impacts.

Ecology

The applicants have provided a Preliminary Ecological Appraisal which confirms that no protected species will be impacted by the proposed development. Bat and bird box provision would be conditioned in the interests of biodiversity enhancement.

Community Safety matters

Your officers are satisfied that issue of crime prevention/Secured by Design has been appropriately assessed and the configuration of the building is designed to maintain natural surveillance. The main entrance would overlook the access road and car parking area to enable surveillance of the main vehicle and pedestrian routes.

Section 106 Planning obligation

In accordance with Paragraph 57 of the NPPF and Section 122 of the CIL regulations, A planning obligation has been sought to mitigate the impact of this major development, if the application were to be approved. The Planning obligation would cover:

- Contributions to the NHS Integrated Health Board (ICB) towards GP Surgeries
- Contributions to WCC towards the provision of pedestrian infrastructure improvements
- Contributions to WCC towards the provision of Community Transport
- A Section 106 (Planning Obligation) monitoring fee/s

The applicant confirms its agreement to make financial contributions / obligations with respect to the matters set out above.

Planning Conditions

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.

**PLANNING  
COMMITTEE**

**18th July 2024**

---

**Conclusion**

Section 38 (6) of the Planning and Compulsory Purchase Act 2004, requires applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The proposed development is considered to be an acceptable use in principle, in this location and the design and scale of the proposed building is considered to be appropriate having regards to character locally. Living conditions, highways impacts, parking provision and the impact on community infrastructure are all considered to be acceptable. Subject to suitable conditions and completion of a legal agreement, the application is considered to be a policy compliant and sustainable form of development. No issues have been identified which would make this application unacceptable in planning terms.

**RECOMMENDATION:**

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

**a) The satisfactory completion of a S106 planning obligation ensuring the following matters are delivered:**

- Contributions to the NHS Integrated Health Board (ICB) towards GP Surgeries
- Contributions to WCC towards the provision of pedestrian infrastructure improvements
- Contributions to WCC towards the provision of Community Transport
- A Section 106 (Planning Obligation) monitoring fee/s

**and**

**b) Conditions and informatives as listed below:**

**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.

**PLANNING  
COMMITTEE**

**18th July 2024**

---

- 2) The development hereby approved shall be carried out in accordance with the following plans and drawings:

Site Location Plan (9-) 1: 12 Oct 2023  
Proposed Site Plan - Ground Floor (9-) 2. Rev 3: : 12 Oct 2023  
Proposed Site Plan - Basement (9-) 3. Rev 3 : 12 Oct 2023  
Proposed Basement Plan (00) 2. Rev 2 : 12 Oct 2023  
Proposed Ground Floor Plan (00) 3. Rev 1 : 12 Oct 2023  
Proposed First Floor Plan (00) 4. Rev 1 : 12 Oct 2023  
Proposed Second Floor Plan (00) 5. Rev 1 : 12 Oct 2023  
Proposed Roof Plan (00) 6. Rev 1 : 12 Oct 2023  
Proposed West & North Elevations - Colour (21) 1: Amended 22 Dec 2023  
Proposed East & South Elevations - Colour (21) 2: Amended 22 Dec 2023  
Proposed Courtyard Elevations - Colour (21) 3. Rev 2 : 12 Oct 2023  
Exceedance Flood Routing CS230607-103 Rev A : 12 Oct 2023  
Drainage Strategy CS230607-102 Rev A : 12 Oct 2023  
External Levels CS230607-101 Rev A : 12 Oct 2023  
Topographical Survey 22798-22-01: 12 Oct 2023  
Landscape Layout Plan 2307MAC-OSP-1, 2, 3 and 4 Version E : 12 Oct 2023  
Arboricultural Impact Assessment (AIA) : 12 Oct 2023  
Wharton PEA ref 230801 1734 PEA V1A: 12 Oct 2023  
Secure by Design Statement: 22 Dec 2023

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 works in connection with site drainage shall commence until a scheme for a surface water drainage strategy for the proposed development has been submitted to, and approved in writing by the Local Planning Authority. The strategy shall include details of surface water drainage measures, including for hardstanding areas, and shall include the results of an assessment into the potential of disposing of surface water by means of a sustainable drainage system (SuDS). If a connection to a sewer system is proposed, then evidence shall be submitted of the in principal approval of Severn Trent water for this connection. The scheme should include run off treatment proposals for surface water drainage. Where the scheme includes communal surface water drainage assets proposals for dealing with the

**PLANNING  
COMMITTEE**

**18th July 2024**

---

future maintenance of these assets should be included. The scheme should include proposals for informing future owners or occupiers of the arrangements for maintenance of communal surface water drainage assets. The approved surface water drainage scheme shall be implemented prior to the first use of the development and thereafter maintained in accordance with the agreed scheme.

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

- 5) All retained trees or hedgerows and their Root Protection Areas must be protected during clearance and construction phase in accordance with BS5837:2012, using suitable protective fencing and/or ground protection as appropriate. No storage of plant/materials shall take place within the Root Protection Areas of any retained trees. This fencing and /or ground protection shall be constructed in accordance with the guidance in the British Standard BS5837:2012 and shall remain as erected until the development has been completed.

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

- 6) Any excavations within tree root protection areas must be carried out by hand and in accordance with BS5837:2012 and all tree management pruning work should be carried out in accordance with recognised good practice by reference to British Standard 3998 (2010)

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

- 7) Permanent residents of the supported living apartments shall be aged 21 years or above.

Reason: In the interests of clarity and having regard to Department for Transport School Travel guidance. Any school age residents may be entitled to free school transport and the applicant would be liable for such costs for the first five years.

- 8) The development hereby approved shall not be brought into use until electric vehicle charging spaces have been provided in accordance with a specification which shall be submitted to and approved by the Local Planning Authority and thereafter such spaces and power points shall be kept available and maintained for the use of electric vehicles as approved.

Reason: To encourage sustainable travel and healthy communities.

- 9) The Development hereby approved shall not be brought into use until the Applicant has submitted a Travel Plan using Modeshift STARS Business. They

**PLANNING  
COMMITTEE**

**18th July 2024**

---

must meet green level accreditation before occupation and bronze level accreditation within 12 months of occupation.

Reason: To reduce vehicle movements and promote sustainable access

- 10) 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 Travel Welcome Pack promoting sustainable forms of access to the development. The pack shall be provided to each employee prior to their commencement of employment.

Reason: To reduce vehicle movements and promote sustainable access

- 11) 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.

- 12) 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 parts 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 under part 1, 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. If an unacceptable risk is identified under part 2, a 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 under parts 2 and 3, 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, if required under part 4, 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 under part 5, 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

**PLANNING  
COMMITTEE**

**18th July 2024**

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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

- 13) Prior to the first occupation of the development hereby approved, a scheme for the provision of 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

- 14) The development hereby approved shall be used for the purposes specified in the application (Residential Care Home and for supported living apartments) and for no other purpose (including any other purpose in Use Class C2 of the schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument amending, revoking or re-enacting that Order).

Reason: The proposals have been considered on the basis of occupation of the development by persons set out under the application and have been determined as such.

**Informatives**

- 1) The local planning authority have worked with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with this planning application through negotiation and amendment.
- 2) The applicant is advised to be aware of their obligations under the Wildlife & Countryside Act 1981 (as amended by the Countryside & Rights of Way Act 2000) to avoid disturbance of nesting wild birds and protected species such as bats when carrying out the development

**PLANNING  
COMMITTEE**

**18th July 2024**

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- 3) Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting [cadentgas.com/diversions](http://cadentgas.com/diversions)

Prior to carrying out works, including the construction of access points, please register on [www.linesearchbeforeudig.co.uk](http://www.linesearchbeforeudig.co.uk) to submit details of the planned works for review, ensuring requirements are adhered to.

- 4) 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:

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

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

The CEMP should clearly identify how the principal 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.

- 5) 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.

**PLANNING  
COMMITTEE**

**18th July 2024**

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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](http://www.modeshiftstars.org)

- 6) The applicant should be aware that this permission also includes a legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) and that the requirements of that obligation must be complied with

**Procedural matters**

This application is being reported to the Planning Committee because the application is for major development. Further, the application requires a planning obligation. As such the application falls outside the scheme of delegation to Officers.