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**Planning Application 23/00543/FUL**

**Demolition of existing dwelling and outbuildings and erection of 6 No. dwelling houses (use class C3) with associated access, parking and landscaping**

**Conwil, Dagnell End Road, Redditch, Worcestershire, B98 9BD,**

**Applicant: Mr D Chudasama  
Ward: Abbey Ward**

**(see additional papers for site plan)**

The case officer of this application is David Kelly, Planning Officer (DM), who can be contacted on Tel: 01527 881666 Email: david.kelly@bromsgroveandredditch.gov.uk for more information.

**Site Description**

The site currently comprises a dwelling house and outbuilding in poor repair. The garden area is largely overgrown and the property has been unoccupied since circa 2010. The site is currently accessed from Dagnell End Road to the north. Berkeswell Close, which forms part of a large residential area constructed in the 1980's lies to the south east of the site and the Abbey Hotel golf course is located to the west. The land to the south is primarily open space managed by Redditch Borough Council with pedestrian access from the turning head of Berkeswell Close into the open space.

**Proposal Description**

The proposal relates to the demolition of the existing dwelling and the construction of 6 residential dwellings on the site, together with associated access, parking and landscaping. The primary access to the site would be via Berkeswell Close to the south, from which five of the dwellings would be served and a single dwelling would be accessed from Dagnell End Road. The proposal has been the subject of a number of amendments since the original application was submitted in 2023 including the reduction in the number of dwellings from 8 to 6 and amendments to the scale, design and external appearance of the proposed dwellings.

**Relevant Policies :**

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

Policy 1: Presumption in Favour of Sustainable Development

Policy 4: Housing Provision

Policy 5: Effective and Efficient use of Land

Policy 16: Natural Environment

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Policy 39: Built Environment  
Policy 40: High Quality Design and Safer Communities

## **Others**

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

### **Relevant Planning History**

2005/529/OUT	Outline Application for Residential Development	Withdrawn	25.04.2006
2006/205/OUT	Outline Application for Residential Development	Approved	03.05.2007
2010/078/EXT	Extension of time application for residential development as approved under application reference 2006/205/OUT	Refused	14.06.2010
2012/189/OUT	Application for Outline Planning Permission with all matters reserved - Residential development	Refused	29.08.2012
2014/012/FUL	Demolition of existing house and erection of 10 dwellings comprising 4 x 3 bed semi detached, 3 x 4 bed detached and 3 x 5 bed detached houses with new access from Dagnell End Road.	Withdrawn	24.03.2015
2014/281/FUL	Demolition of existing house and erection of 10 dwellings comprising 4 x 3 bed semi detached, 3 x 4 bed detached and 3 x 5 bed detached houses with new access from Dagnell End Road. Appeal Dismissed 20.01.2016	Refused	07.08.2015
18/00285/FUL	Demolition of existing 4 bed dwelling and associated outbuildings and erection of 2 No. 5 bed detached dwellings and detached garages	Refused	02.05.2018

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**Consultations**

**Worcestershire Highways - Redditch**

**Beoley (adjoining) Parish Council**

Beoley Parish Council object to this as it is considered to amount to over development of a site that originally accommodated a single dwelling. Continued sprawl within the parish should be restricted.

**Community Safety Manager**

There needs to be full consideration of the design and layout of the proposal to ensure natural surveillance in line with Secure by Design principles. Fencing should be supplemented with defensive planting. There should be an appropriate strategy in respect of the security of doors and windows Mail delivery should be compatible with Secure by Design principles.

**North Worcestershire Water Management**

The proposed development site is situated in the catchment of Dagnall End Brook. The site falls within flood zone 1 and it is not considered that there is any significant fluvial flood risk to the site. Risk to the site from surface water flooding is minimal, based on the EA's flood mapping. No objection subject to a condition for the submission and approval of a surface water drainage strategy.

**WRS - Contaminated Land**

Worcestershire Regulatory Services (WRS) have reviewed the application in relation to contaminated land as requested. No contaminated land concerns have been identified relevant to the proposal and therefore WRS have no adverse comments to raise in this respect.

**WRS - Noise**

Noise: No objection to the application in terms of road traffic noise.

Construction Phase Nuisance: The applicant should submit a Construction Environmental Management Plan detailing the proposed measures to monitor and mitigate emissions of noise, vibration and dust during the construction phase for approval.

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**Worcestershire Archive and Archaeological Service**

The proposed development area (PDA) is directly adjacent to a Saltway of probable prehistoric/Roman date (HER ref. WSM37590) and is c. 335m west of the intersection of the Saltway and the Roman Road Icknield/Ryknild Street (HER ref. WSM30441). Further east, c. 520m from the PDA, the Scheduled Monument 'The Mount' is a site of potential prehistoric date, with a possible later reuse as a defensive stronghold in the 13th century (HER ref. WSM00045, national ref. 1005309). The PDA and its immediate area are within the conjectural bounds of Beoley Medieval Deer Park, mentioned in documentary sources from the 13th century (HER ref. WSM41573).

Whilst there are no known heritage assets recorded on the development site itself, it lies within a wider landscape of archaeological potential, with recorded, multi-period heritage assets. There are no objections raised subject to a pre commencement condition for the submission and approval of a Written Scheme of Investigation (WSI) and a prior to occupation post investigation assessment.

**Open Space/Parks**

No comments from a Leisure perspective but the views of the Councils Tree Officer should be sought.

**Arboricultural Officer**

There are no objections raised in relation to this proposed new development subject to conditions as follows:

Retained trees and their Root Protection Areas (RPA) must be protected during clearance and construction phase in accordance with BS5837:2012, using suitable protective fencing and/or ground protection as appropriate as shown in Tree Protection Plan submitted.

No storage of plant/materials within the RPAs of any retained trees.

Any excavations within the RPAs must be carried out by hand and in accordance with BS5837:2012.

Any existing or replacement tree that fails or is removed or seriously damaged/diseased within 5 years of completion is replaced with trees of suitable sizes/species.

**Thomson Environmental Consultants**

There are no issues of concern regarding the Bat Survey Report or the Great Crested Newt eDNA Survey/Non-licenced Method Statement and appropriate Licensing conditions need to be applied. A more legible version of the BNG metric should be supplied.

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Members should note that the consultees have not raised any additional concerns or condition requests in the reconsultation exercise (which expired on 11.08.24) in relation to the amended plans.

**Public Consultation Response**

59 comments received, summarised (on a topic basis) as follows:

*Environment*

Overdevelopment, high density housing has negative effect on the environment and the natural surroundings, increased pollution loss of woodland, loss of wildlife habitat (bats, newts, grass snakes, foxes, field mice, buzzards, robins, blackbirds, woodpeckers, cuckoos and even deer), increased carbon footprint.

Loss of the rural character from Dagnell End Road (CPRE comments)

*Residential amenity*

Properties on Berkeswell Close would be overlooked resulting in a loss of privacy and potentially loss of light, disturbance of the peace and quiet of the street as a result of an increased number of vehicles passing the existing dwellings. There would be loss of light and privacy to No's 27 and 28 Berkeswell Close.

*Highways/Access*

The proposed access road is not suitable for refuse vehicles, insufficient parking (including during construction) disruption during construction, harm to footpath, unsuitability of Berkeswell Close for the access of construction traffic due to a tight bend. Dagnell End Road should be used for access rather than Berkeswell Close.

Worcestershire Highways should address and re-visit the current 60 mph speed limit imposed, especially as it appears the future occupants have special dispensation to turn into to Plot 5 from the "lane" it appears with a little more thought the 6 properties can also do so (other representations have objected to the use of the Dagnell End Road for access). Berkswell Close, already narrow due to many parked cars, will become difficult to navigate.

The access to Nos. 13 and 27 Berkeswell Close would be more difficult.

Applications to develop this site since 2006 have either been refused or withdrawn.

An additional vehicle would pass properties on Thornbury Lane 450 times a year as a result of the proposal.

*Other matters*

Lack of health and education provision

Sufficient housing to meet the needs of Redditch

Air and Noise pollution

The proposal is not in keeping with the existing character of the neighbourhood

Detrimental impact on mental health

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A couple of larger more executive homes should be built  
Redditch has already met it's housing requirements, as per BORLP4 so the only reason to build them is to tidy up the derelict site  
The view from the bungalows at the bottom of Berkeswell Close would be negatively affected  
The existing dwelling is a traditional habitable building which was left to go to ruin but could be reused  
Loss of property value

### *Support comments:*

The existing site is an eyesore and the proposal is well designed development. It has an appropriate mix of homes, with ample parking and amenity space. Previous refusal reasons have been addressed.

The national housing supply shortage should be considered

### **Assessment of Proposal**

#### Principle

It is considered that the site would fall within the residential area in respect of the Borough of Redditch Local Plan No. 4 (BoRLPNo. 4). Whilst the site is not specifically allocated for residential development, it has been accepted (notably in the previous appeal on the site in relation to application 2014/281/FUL) that the principle of residential development would be acceptable. Outline planning permission was granted for residential development of the site under application 2006/205/OUT on 03rd May 2007.

The application site also comprises an area to the south of the main site to facilitate access which is designated as Primarily Open Space in the BoRLPNo 4. Policy 13 in relation to Primarily Open Space states that in considering applications for development on Primarily Open Space the following will be taken into account:

- i. the environmental and amenity value of the area;
- ii. the recreational, conservation, wildlife, historical, visual and community amenity value of the site;
- iii. the merits of retaining the land in its existing open use, and, the contribution or potential contribution the site makes to the Green Infrastructure Network, character and appearance of the area;
- iv. the merits of protecting the site for alternative open space uses;
- v. the location, size and environmental quality of the site;
- vi. the relationship of the site to other open space areas in the locality and similar uses within the wider area;
- vii. whether the site provides a link between other open areas or as a buffer between incompatible uses;
- viii. that it can be demonstrated that there is a surplus of open space and that alternative provision of equivalent or greater community benefit will be provided in the area at an appropriate, accessible locality; and
- ix. the merits of the proposed development to the local area or the Borough generally.

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It is noted that the proposal would result in the loss of a small area (282sqm or 0.028ha) of the open space separating Church Hill North and Hither Green Lane. The views of Leisure Services are noted and the area would be located in the NE corner of the area of open space. The loss of this area was considered acceptable in applications 2006/205/OUT and 2014/281/FUL and Officers consider that the benefits of additional housing provision outweigh the loss of the small area of open space.

## Character and Appearance

Policy 40 of the BoRLP No. 4 requires new development be of a high quality design that reflects or complements the local surroundings and materials. Further detail in relation to design is set out in the Redditch High Quality Design SPD. These are consistent with the objectives of the NPPF (the Framework) to secure good design.

The proposal has been the subject of a sequence of amendments in respect of the layout and design and appropriate re-consultation has taken place in relation to the current proposal. Consent was originally sought for 8 dwellings but this has been reduced to 6 in order to take the constraints of the site (notably the existing site configuration and the presence of protected trees) into account.

Paragraphs 4.2.11 and 4.2.12 of the Redditch High Quality SPD requires that new residential development should embody the particular characteristics of the built and natural environment in which it is located to provide a sense of place and identity. The use of particular materials and details in construction, the mix of building types, periods and styles, the street pattern and street furniture, the layout, scale and massing of buildings or arrangement and landscaping of spaces can be reflected in new development to ensure it retains and enhances the local character of an area. The submitted Design and Access Statement appropriately references the character of dwellings in the area notably those on Berkswell Close/Lechlade Close. The layout of the immediate area is typical of a 1980's suburban settlement and Officers consider that the proposed revised layout of the scheme would reasonably reflect the layout and configuration of the immediate area, taking the constraints of the site into account. It is also considered that the proposed form, density, design and materials appropriately reflect the immediate area. There are L shaped bungalows immediately adjoining on Berkswell Close. This has been addressed through the provision of a transitional storey and a half arrangement for plot 1 at the southern end of the site. The properties to the frontage on Dagnell End Road provide a strong frontage in line with para 4.2.17 and the rural context of this frontage has also been considered in terms of appropriate landscaping and set back from the road. There are a number of protected trees towards the frontage but these will be augmented with a mixed native species hedge to ensure the retention of the rural character of Dagnell End Road.

In respect of refuse collection, there is a bin collection point (BCP) appropriately sited and landscaped. Each of the proposed properties will be afforded a small shed to accommodate cycle storage in accordance with the SPD. The proposed garages which serve the properties will be equipped with an EV Charging Point as required under current Building Regulations. No planning conditions are therefore required. There are

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highway improvement works outlined below which seek to improve the cycle and pedestrian connectivity of the site.

In respect of separation distances, the flank wall of plots 3 and 4 are adequately separated from the rear elevations of plots 1, 2 and 5, 6 respectively. Plot 1 is approximately aligned with the position of No. 27 Berkeswell Close and separated from this property by 20m such that no loss of residential amenity would occur. Overall, the separation distances between the proposed dwellings within the site, and, in respect of any adjoining properties would fully accord with the requirements of the SPD. The proposed private amenity spaces would substantially exceed the 70sqm requirement of the SPD and notably the private amenity space of plot 5 has been increased to mitigate any impact arising from the shading arc of the protected oak tree located close to the NW boundary.

In terms of landscaping, the proposal is accompanied by a Landscape and Ecological Enhancement Plan and Boundary Treatment Plan which set out the approach to these matters in detail. Existing mature trees and hedgerows are to be retained and enhanced with new tree and shrub planting. The planting (notably of native hedges and wildflower gardens) has been designed to enhance the biodiversity of the site. There are communal areas, as set out on the estate plan that will be maintained by the management company.

In terms of sustainability, the dwellings will be designed to meet the minimum requirements of Part L of the building regulations including air permeability testing. It is also stated that water consumption would accord with the requirements of Part G of the building regulations (which seek to minimise consumption and waste) in accordance with 4.2.65 of the SPD. It is considered that public and private spaces have been clearly defined within the scheme and there is sufficient overlooking of these spaces to comply with Secure by Design principles.

**Trees**

There are a number of Tree Preservation Orders on the site namely TPO NO.189 (2022) covering individual oak trees towards the Dagnell Road frontage and an area wide TPO comprising mixed species Redditch New Town No.3 TPO (1965). The application is accompanied by an Arboricultural Impact Assessment and Tree Protection Plan. The revised layout of the proposal has taken the position of the trees into account with a notably large private amenity space for plot 5. There are no objections raised by the Councils Tree Officer in terms of the impact on protected trees of replacement planting subject to conditions to safeguard the Root Protection Areas (RPA's) of the protected trees during construction.

**Ecology**

The application is accompanied by a Preliminary Ecological Appraisal, Bat Survey and Great Crested Newt eDNA Survey. The submission of the proposal pre dates the requirement for Biodiversity Net Gain (BNG) under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). However, the application is accompanied by a BNG Assessment. Dagnell End Meadow SSSI is



located approximately 700m to the west of the site. The proposal entails the demolition of the existing dwellinghouse and outbuilding and therefore a Bat Survey has been carried out. The survey revealed the presence of two day roosts in the dwellinghouse one containing a common pipistrelle and one containing a soprano pipistrelle. The outbuilding did not show any evidence of bat roosting. There were also moderate levels of commuting and foraging activity by common pipistrelles. The pond surveyed 100m to the south of the site was negative for Great Crested Newt eDNA. The BNG Assessment shows that the proposal will result in a net loss of garden and corresponding increase in built environment but also includes areas of managed habitat that have moderate value to wildlife. The development will result in a net loss of 0.12 units (10.94%) and linear habitat gain of 0.31 units with trading rules not satisfied and additional habitat value would be required on or offsite. Since the submission of the application pre dates the implementation of the BNG regulations, it is not necessary to demonstrate biodiversity gain on site or make arrangements for off site credits. However, there are biodiversity enhancements outlined in the Landscape Enhancement Plan which are considered appropriate. The views of the Councils external ecologist are noted and there are no objections raised in respect of protected species subject to conditions in relation to appropriate lighting, the securing of a Bat Mitigation License and Construction Environmental Management Plan (CEMP) with appropriate ecological mitigation.

#### Highways

There are a number of highway issues to consider. The application is accompanied by Transport Statement and supplementary information has been provided by the applicant to address the matters raised by WCC. One of the reasons for the dismissal of the previous appeal on the site (Ref: 2014/281/FUL) was the issue of visibility at the access onto Dagnell End Road where the access to the scheme was located. The main issue with the access and visibility was the intervisibility between vehicles on Dagnell End Road and the new site access. The visibility splay in the easterly direction is severely restricted by the presence of a mature tree to the detriment of both users of Dagnell End Road and the site access. Visibility to the West from the access is acceptable, although the access is not particularly visible to motorists on Dagnell End Road. In order to address this matter, only one dwelling (Plot 5) will be accessed from Dagnell End Road, utilising the existing residential access, meaning there will be no intensification in the use of the access. The remaining 5 properties will be accessed from Berkeswell Close. It is not proposed that the estate road is adopted by the Highways Authority and the access to the site will remain private.

The Transport Statement outlines that there are no existing highway safety issues that would warrant mitigation as part of the development proposals. In terms of sustainability, the closest bus stops are located on the B4497 Paper Mill Drive approx 375m walking distance of the site. Bus No. 62 operates an hourly Monday to Saturday service on this route. Redditch Train Station is located approx 3.3km from the site. Church Hill Centre and Middle School are located approx 1.6km to the south of the site and there is a dedicated lit cycleway via Chelmarsh Close which would enable pedestrian and cycle access to these facilities. Whilst the site would be regarded as peripheral in respect of the wider residential area, there is existing infrastructure which would facilitate access to

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services and facilities. In order to enhance the utility of the infrastructure above, the applicant has offered to extend the existing footway on Thornbury Lane onto Paper Mill Drive and provide a dropped kerb crossing with tactile paving to improve access to the bus stop on the southern side of Paper Mill Drive. The parking provision has been considered acceptable. In terms of construction traffic, it has been confirmed that the Dagnell End Road access can be used for this purpose. There have been no objections raised by Worcestershire Highways, subject to conditions including a Construction Traffic Management Plan (CTMP).

WCC have requested a contribution toward Community Transport. The matter of similar infrastructure contributions has recently been considered in *The University Hospitals of Leicester NHS Trust, R (On the Application of) v Harborough District Council* [2023] EWHC 263 (Admin). WCC has a duty to provide community transport for elderly and vulnerable residents under the Transport Act 1985. The outcome of the above case is that contributions towards the generalised provision of transport, rather than specific deficiencies arising from the development would usually fail to comply with reg.122(2) of the CIL Regulations 2010. It should be noted that the improvements to the footway at Paper Mill Drive to improve access to bus services would be reasonably related to the development proposed and therefore compliant in respect of the CIL regulations. The highway improvements can be secured via Section 278 of the Highways Act 1980.

**Response to the Third Party Comments**

*Environment*

In terms of the representations received, these have cited the loss of trees, habitat and open space. Whilst these matters have been evaluated in some detail above, the application has been supported with appropriate ecological surveys to address any impact on protected species. It is considered that the Biodiversity Duty of the Council in respect of the site has been discharged. There would be a limited loss of trees but this would be mitigated by additional tree planting in a more managed environment that presently exists. In terms of overdevelopment, the scheme has been considerably reduced from the appeal scheme considered under 2014/281/FUL (10 dwellings) to the previous iteration of this proposal (8 dwellings) to the current proposal for 6 dwellings. It is considered that a balance must be achieved in terms of integrating with adjoining development whilst at the same time ensuring the efficient and effective use of available land for housing.

*Residential Amenity*

In terms of the comments made in terms of the impact of the proposal with respect to Nos. 27 and 28 Berkeswell Close, it has been outlined above that the position of the site is such that the separation distances from any adjoining properties would fully accord with the requirements of the Redditch High Quality Design SPD.

*Highways*

The Third Party Representations have raised two main issues in relation to the proposal. Firstly, in terms of access to the site, it is requested that the current Dagnell End Road

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access is used instead of access via Berkswell Close. It is important to note that the former access option has been definitively ruled out on highway safety grounds in the appeal on the 2014 application. The reason is that the presence of protected trees does not enable sufficient visibility to be secured at this access. Secondly, Third Parties have raised concern in relation to disruption due to access for construction vehicles and in increase in the use of Thornbury Lane/Berkeswell Close by the future residents of the development. In terms of access for construction vehicles, the applicant has confirmed that the Dagnell End Road access can be utilised for construction vehicles and safe protocols put in place (temporary traffic lights/banksmen etc). for the temporary duration of the construction. A Construction Traffic Management Plan (CTMP) has been applied. It is not considered that the increased vehicle movements arising from an additional six dwellings would be so detrimental such that consent should be withheld. The Framework clearly states that development should only be prevented or refused on highway grounds if the residual cumulative impact on the road network would be severe.

*Other matters*

In terms of contributions towards health and education provision, it is considered that the scheme is below a threshold for which contributions should be sought. In terms of sufficient housing provision in Redditch, the five year housing land supply figures are maxima and therefore the provision of additional housing would accord with the BoRLP No.4 and the Framework in respect of the overriding objective of national policy as set out in the Framework to maximise housing delivery. There have been no objections from statutory consultees in respect of noise or air pollution. The loss of a view or the loss of property value are not material planning considerations.

Planning balance and conclusion

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 require applications for planning permission to be determined in accordance with the Development Plan unless material considerations indicate otherwise. It is considered that the proposal would result in the provision of additional housing and the design and layout of the proposal is acceptable when evaluated against the BoRLP No. 4 and the Redditch High Quality Design SPD. The scheme has been amended and there are no fundamental concerns raised in the consultation or reconsultation exercise that suggest that consent should be withheld.

**RECOMMENDATION:**

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

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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:

Drawing Ref: 1430 01 rev H Proposed Site Plan  
Drawing Ref: 1430 02 rev B Plot 1 Proposed Floor Plan and Elevations  
Drawing Ref: 1430 03 rev C Plot 2 Proposed Floor Plan and Elevations  
Drawing Ref: 1430 04 rev D Plot 3 Floor Pan and Elevations  
Drawing Ref: 1430 05 rev B Plot 4 Floor Plan and Elevations  
Drawing Ref: 1430 06 rev D Plot 5 Floor Plan and Elevations  
Drawing Ref: 1430 07 rev B Plot 6 Floor Plan and Elevations  
Drawing Ref: 1430 010 rev C Proposed Site Sections  
Drawing Ref: 1430 011 rev B Proposed Materials Schedule  
Drawing Ref: 1430 012 rev C Proposed Boundary Treatments  
Drawing Ref: 1430 013 Site Location Plan  
Drawing Ref: 1430 014 rev B Density Plan  
Drawing Ref: 1430 015 rev B Estate Plan  
Drawing No. 1404 1 rev 0 Landscape Enhancement and BES

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

- 3) 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 possible infiltration techniques are to be used and the plan shall include the details and results of field percolation tests. 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 run off treatment proposals for surface water drainage. Where the scheme includes communal surface water drainage assets proposals for dealing with the future maintenance of these assets should be included. The scheme should include proposals for informing future home 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: to ensure that a suitable drainage system is in place in accordance with policy 17 of the Borough of Redditch Local Plan No. 4.

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- 4) No development shall take place until a programme of archaeological work including a Written Scheme of Investigation, has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:
- a) The programme and methodology of site investigation and recording.
  - b) The programme for post investigation assessment.
  - c) Provision to be made for analysis of the site investigation and recording.
  - d) Provision to be made for publication and dissemination of the analysis and records of the site investigation
  - e) Provision to be made for archive deposition of the analysis and records of the site investigation
  - f) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (4) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: In accordance with the requirements of paragraph 205 of the National Planning Policy Framework.

- 5) All retained trees and their Root Protection Areas must be protected during the clearance and construction phase in accordance with BS5837:2012, using suitable protective fencing and/or ground protection as appropriate. There shall be no storage of plant/materials 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) The development hereby approved shall be carried out in accordance with the BS5837 Arboricultural Impact Assessment Ref: BALDS006-23, Revision A and Tree Protection Plan BALDS006-23 TPP, Revision C.

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

- 7) All hard and soft landscaping works shall be carried out in accordance with Drawing No. 1404 1 rev 0 Landscape Enhancement and BES. The works shall be carried out prior to the occupation of any part of the development. Any trees or plants which within a period of 5 years from the completion of the development die,

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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 order to secure the appropriate landscaping of the area.

- 8) The development hereby approved shall not commence unless the Local Planning Authority has been provided with:

A Low Impact Class Licence (LICL)/Bat Mitigation Class Licence (BMCL) or Bat Mitigation Licence to cover the development works, to include mitigation measures as proposed in Bat Report ref. Conwil-KW-XX-XX-RP-E-001.

Reason: To avoid adverse impacts on bats and to enable the development to proceed lawfully.

- 9) The development hereby approved shall not commence until a sensitive lighting plan has been provided to and approved in writing by the Local Planning Authority.

Reason: to avoid the negative effects of lighting on bats, birds and small mammals.

- 10) A Construction Environmental Management Plan (CEMP) shall be provided to and approved by the Local Planning Authority prior to the commencement of the development hereby approved. This CEMP will include any scheduling of pre-construction surveys for bats, great crested newts, badgers, nesting birds and reptiles, and precautionary working methods related to these species/species groups.

Reason: To avoid incidental disturbance or harm to mammals, common reptiles and amphibians during construction works.

- 11) The Development hereby approved shall not be occupied until pedestrian visibility splays of 2m x 2m measured perpendicularly back from the back of edge of carriageway shall be provided on both sides of the access to parking spaces. The splays shall thereafter be maintained free of obstruction exceeding a height of 0.6m above the adjacent ground level.

Reason: In the interests of highway safety.

- 12) The development hereby approved shall not 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.

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- 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 have been provided for each dwellinghouse and thereafter the cycle parking shall be kept available for the parking of bicycles only.

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

- 14) The Development hereby approved shall not be occupied until the visibility splays shown on drawing 24249-01 Rev 1 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.

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

Reason: To reduce vehicle movements and promote sustainable access.

- 16) The Development hereby approved shall not commence until a Construction 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:-

- The routing of the construction vehicles to the proposed development. Measures to ensure that vehicles leaving the site do not deposit mud or other detritus on the public highway;
- Details of site operative parking areas, material storage areas and the location of site operatives' facilities as required;
- The number of construction vehicles, type and size of the construction vehicles, frequency of the vehicles, hours that delivery vehicles will be permitted to arrive and depart, and arrangements for unloading and manoeuvring;
- Traffic management measures for construction vehicles on Dagnell End Rd to include any temporary signage and the use of a banksman to oversee all vehicular manoeuvres.
- Any temporary traffic management measures such as signage and / or cones in the highway will require a permit. Applications can be made via [www.worcestershire.gov.uk](http://www.worcestershire.gov.uk)
- Measures to demonstrate that those immediately affected by the construction works will be kept informed and due consideration and courtesy will be shown to the local community.

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The measures set out in the approved Plan shall be carried out and complied with in full during the construction of the development subject to the granting of planning permission.

Reason: In the interests of highway safety.

- 17) 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  
0900 to 1300 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 residential amenity.

**Informatives**

- 1) In dealing with this application the Local Planning Authority have worked with the applicant in a positive and proactive manner, seeking solutions to problems arising from the application in accordance with the NPPF and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Authority has helped the applicant resolve technical issues such as:

- o impact of the development upon amenity of neighbours,
- o improving the design of the proposed development,
- o ensuring appropriate consideration of highways and access

The proposal is therefore considered to deliver a sustainable form of development that complies with development plan policy.

- 2) 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.
- 3) 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.



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- 4) The granting of this planning permission does not remove any obligations on the applicant to undertake a technical design check of the proposed highway improvement works with the Highway Authority (Worcestershire County Council, WCC), 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 relevant 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 to allow the works and the applicant has complied with the requirements of the New Roads and Streetworks Act 1991 (NRSWA) and Traffic Management Act 2004. The person or organisation shall follow the necessary procedure by applying to WCC Streetworks Team for road space for a period to be agreed.

WCC normally use Section 278 to allow the developer to employ a contractor and for that contractor to work on the existing public highway in the same way as if WCC were conducting the works.

When any work is undertaken by a party acting on behalf of a developer on the existing adopted highway it will also be necessary to electronically provide notices to WCC (start date, location, workspace area) to allow these works to take place in accordance with NRSWA. Also, details regarding temporary traffic management controls for works in the public highway are to be submitted to WCC for approval using the online application process.

The applicant is urged to engage with WCC 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 term "highway improvement works" includes, but is not limited to, a proposed junction or access arrangement, highway drainage, street lighting, structures in or adjacent to highway, and any necessary traffic regulation orders or statutory notice.

**Procedural matters**

This application is being reported to the Planning Committee because eleven (or more) objections have been received and the recommendation is for approval. Part of the land which is subject to the application is within the ownership of Worcestershire County Council. As such the application falls outside the scheme of delegation to Officers.