

**PLANNING
COMMITTEE**

29th May 2025

Planning Application 24/00844/FUL

Erection of 72 apartments comprising 57, one bedroomed and 15, two bedroomed units to be provided as an affordable housing product (social rent)

Former Clive Works, Edward Street, Enfield, Redditch, B97 6HA

**Applicant: Mr Carl Taylor: Green Square Accord Housing Association
Ward: Central Ward**

Case Officer: Steven Edden, Principal Planning Officer (DM), who can be contacted on Tel: 01527 548474 Email: steve.edden@bromsgroveandredditch.gov.uk for more information.

Site Description

The Former Clive Works is a brownfield site, situated on the periphery of Redditch Town Centre. The railway station and railway line abuts the site to the east. The site is currently being used by the Applicant, Green Square Accord as a construction site office / compound in connection with the construction of the Victoria Works development to the immediate west. The Clive Works complex of buildings which included two mid-19th century villas, namely No16. Boxwood House and the Master's house, and a complex of brick built industrial buildings also dating from the mid-19th century were all demolished in the mid-2010s.

Background

At the RBC Planning Committee of 15th January 2020, members resolved to delegate consent to the Head of Planning and Regeneration to grant outline planning permission for residential development on this site subject to the completion of a S106 planning obligation and planning conditions. The application is pending determination at the time of writing due to the planning obligation having not been completed but is likely to be withdrawn by the applicant if the current full (detailed) application is granted permission.

This application, reference 19/01060/OUT, sought outline consent for residential development (up to 73 units) with all matters reserved except for access. A site layout plan together with proposed elevations and floorplans was submitted for indicative purposes only. Access to the site which is in the same location as is proposed under the current application was agreed.

The application site in question is the final of four sites immediately adjoining and located off Edward Street and Britten Street which have been developed by Green Square Accord Housing Association for affordable housing. The other sites are shown in a light blue colour on the site location plan accompanying the presentation pack and are largely completed and are listed as follows:

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Planning application 2016/024/FUL. Granted 02.10.2019
Demolition of Redditch Trades and Labour Club and erection of 40 units comprising 26 No. 1 bedroom flats and 14 No. 2 bedroom flats.

Planning application 18/01515/OUT. Granted 27.06.2019
Outline application for the demolition of redundant factory (Victoria Works) and erection of up to 75 residential units.

Planning application 19/01600/REM. Granted 24.06.2020
Reserved Matters application for the erection of 75 residential units.

Planning application 20/01060/FUL. Granted 19.03.2021
Former Car Park. Land to the North of Clive Works.
Erection of three storey building to contain 12, one bed flats.

Proposal Description

Full planning permission is sought of the erection of 72 apartments comprising 57, one bed roomed and 15, two bed roomed units to be provided as an affordable housing product (social rent).

The development comprises of three blocks. Blocks A and B are to be joined forming an 'L' shape. Block C would be detached and located to the Eastern Part of the site.

Each of the blocks would provide residential accommodation over three storeys.

Vehicular access to the site would be via Edward Street to the west as per the proposal under earlier application 19/01060/OUT.

Each of the 15, two bed roomed apartments would have a single allocated car parking space. 4 visitor parking spaces would be provided. The 57, one bed apartments would be car free.

A detached single storey building would accommodate a bin store, with separate access within the same building accommodating a cycle store. The two uses would be separated internally via a partition wall.

A small electricity substation building would be discreetly located to the rear of the site.

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Relevant Policies:

Borough of Redditch Local Plan No. 4

Policy 1: Presumption in Favour of Sustainable Development

Policy 2: Settlement Hierarchy

Policy 3: Development Strategy

Policy 4: Housing Provision

Policy 5: Effective and Efficient use of Land

Policy 6: Affordable Housing

Policy 12: Open Space Provision

Policy 15: Climate Change

Policy 16: Natural Environment

Policy 19: Sustainable travel and Accessibility

Policy 20: Transport Requirements for New Development

Policy 31: Regeneration for Town Centre

Policy 39: Built Environment

Policy 40: High Quality Design and Safer Communities

Others

National Planning Policy Framework (2024)

Redditch High Quality Design SPD

Open Space Provision SPD

Town Centre Strategy

Worcestershire Waste Core Strategy

Relevant Planning History

19/01060/OUT	Outline planning application for residential development (up to 73 units) with all matters reserved except for Access	Delegated to grant:	Planning Committee of 15th January 2020
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Consultations

WCC Highways

No objections

Comments summarised as follows:

The accompanying Transport Statement (TS) states that the vehicular access to the site would be via Edward Street (a one-way road) and would be 6m wide and in the same location as the existing site access which leads to the temporary construction compound. Pedestrian footways are provided either side of the access and pedestrian / vehicle visibility would be excellent. No objections are raised to the proposed vehicular access.

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The Highway Authority considers it reasonable for the Applicant to resurface the existing footway along the Edward Street site frontage, as it is in a poor condition, especially within the vicinity of site access. This will improve conditions for residents, especially those with mobility impairments, as well as making walking a more attractive mode of travel. This requirement can be covered by condition.

The proposed development is lies on the boundary of the town centre in a highly sustainable location. The site is located within easy walking distance of amenities, bus route and bus stops, bus station and Redditch Railway Station.

For the 2019 application, the Highway Authority was of the opinion the development would result in additional demands on the local transport network. Hence, it was deemed appropriate for the Applicant to provide financial contributions to improve cycle access to employment areas within Redditch, thereby seeking to encourage mode shift from the private car, but also mitigating vehicle impacts on the A38, based on anticipated commuter trips to employment land in Bromsgrove. In 2019, contributions were requested for enhancements to the Cycle Route 18 Scheme and the A38 Route Enhancement Scheme.

The Highway Authority are requesting financial contributions under the current application as follows:

Cycle Route 18 Scheme: £63,638.00
A38 Route Enhancement Scheme: £47,853.00
Community Transport: £3,628.80

The applicant proposes 15 residents' parking spaces, with one space allocated to each of the two-bed apartments; 4 visitor parking spaces with the one-bed apartments operating as car free units.

The Highway Authority is of the opinion that, given the sustainable location of this site, a reduced car parking provision can be justified. The Highway Authority note the adjacent Victoria Works consent ref 19/01600/REM where all of the 19no. 1 bed apartments provided as part of that scheme were car free. The Highway Authority also accepts that social housing tends to have lower car ownership than private market housing. In conclusion, the Highway Authority has no objection to the proposed reduced parking provision.

Cycle parking (88 spaces) is to be provided within two blocks of 46 and 42 spaces, a detached block shared with a bin store and the other incorporated within the ground floor of Block B. The Highway Authority has no objection to the cycle parking arrangements. Cycle parking use should be monitored, as part of a Travel Plan.

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The Highway Authority is satisfied that traffic can be accommodated on the local highway network, without causing any material detrimental impact on the effective operation of the network and that there are no justifiable grounds on which an objection could be maintained. The Highway Authority recommends no objection, subject to conditions and financial obligations. Conditions would cover the following matters: access turning and parking provision, provision of visibility splays, footway reinstatement, provision of a residential travel plan and travel welcome pack and the submission of a Construction Traffic Management Plan.

As set out above, the financial obligations would cover:

Cycle Infrastructure Improvements: £63,638.00
Highway Improvements Contribution: £47,853.00
Community Transport: £3,628.80

Community Safety Manager

No objections to amended scheme

Conservation Officer

Comments summarised as follows:

The proposed development subject of this application has significantly altered the elevational design of that suggested in the illustrative drawings within the Outline application, with the new design being more akin to the industrial buildings and heritage of the site, which is very welcomed, and results in a design which reflects and respects the heritage of Redditch. The scale of the apartments reflects that of the surrounding built form, and better reflects that of the previous industrial and domestic buildings on the site and improves on the overall design and appearance of the proposed development.

The proposed development meets the requirements set out in the Design and Heritage policies of the Local Plan and the High Quality Design SPD. I therefore support these proposals, subject to the conditioning of materials for use including hard landscaping.

Network Rail

Comments summarised as follows:

Information has been communicated to the developer with respect to safe working and protection of the railway line given the close proximity of the site to land owned by Network Rail. Planning Conditions are recommended to protect the railway line during the operational phases and for the lifetime of the development with respect to: Risk Assessment and method statement; provision of trespass proof fence, details of works within 10m of railway boundary, drainage, vehicle safety protection measures.

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RBC Waste Management

No objection

Worcestershire Archive and Archaeological Service

Comments summarised as follows:

There is no archaeological objection to the proposed planning application.

The desk-based assessment submitted with the 2019 application, particularly the geotechnical data, indicated that archaeology across most of the site is highly likely to have either been removed or heavily truncated. Given the depth of modern disturbance it would not be proportionate, in this instance, to recommend further archaeological investigation by condition, as the potential for surviving archaeological remains of significance is very low.

North Worcestershire Water Management

Comments summarised as follows:

Based on the available information I feel there is no reason to withhold approval of this application on flood risk grounds.

A 'Flood Risk Assessment' has been provided with this application and having reviewed this I can see that all the considerations we would usually expect to see have been included. This includes, but is not limited to, a surface water drainage strategy and Drainage maintenance & management plans. Providing that the 'Drainage Strategy' plan (drawing No.100, revision P0) is included in the approved plans and adhered to, I do not deem it necessary to recommend attaching a drainage condition.

Worcestershire Regulatory Services - Contaminated Land

No objection subject to land remediation conditions

Worcestershire Regulatory Services - Noise

No objections subject to the adherence to the recommendations set out within the report from Stroma Built Environment Ltd dated 24/05/2024 with respect to glazing, ventilation and plant

RBC Leisure Services

Request a contribution towards enhancing existing open space and sport facilities in the locality

NHS Herefordshire & Worcestershire Integrated Care Board (ICB)

Request a contribution towards the need for additional primary healthcare provision in order to mitigate the impacts of the development

Affected practices: Nightingales PCN; Kingfisher PCN

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The level of contribution required in this instance has been calculated to be £33,600. This sum should be secured through a planning obligation linked to any grant of planning permission.

Public Consultation Response

No comments received

Assessment of Proposal

Principle of development

The site falls within a large strategic site designated to regenerate the Town Centre. This strategic site includes three parcels of land which have been identified and amalgamated for consideration as one. The parcels of land include land at Prospect Hill, Edward Street and Church Road. Due to the opportunities to create linkages between these sites, they have been amalgamated to form one Strategic Site. Policy 31 of the Borough of Redditch Local Plan No.4 applies and encourages the following for regeneration purposes:-

- Realise the potential development opportunities
- Improve and diversify the Town Centre offer
- Improve the physical environment
- Expand on the business and cultural offer of the Town Centre
- Increase residential accommodation.

In addition, the Town Centre Strategy identifies the following as priority projects:-

- Tackling the ringway
- Improving public spaces
- Sense of arrival and signage
- Improving the café and restaurant offer
- Enhancing the evening and night time economy
- Enhancements to Church Green
- Tackling the train station
- Rejuvenation of Silver Street area
- Improved lighting, safety and security in the Town Centre
- Public art programme
- Encouraging Town Centre living.

These projects are considered to be priorities in terms of delivering changes needed to ensure the future of Redditch as a sustainable Town Centre, where appropriate financial contributions will be sought to ensure the delivery of these priority projects.

To deliver significant amounts of the Council's residential, retail and office requirements, development in the Town Centre should not compromise the above projects and should incorporate a mix of uses including residential, employment, retail and leisure.

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The proposal put forward for this part of the strategic site is residential and as such is in accordance with one of several uses considered to be acceptable in this location of the Town. The site is approximately 0.45 hectares in area with 72 units of accommodation proposed; representing a density of 160dph. This is a similar density to that considered favourably on the nearby Victoria Works application site (ref 18/01515/OUT and 19/01600/REM) and the former Trades and Labour Club site (ref 2016/024/FUL).

Chapter 11 of the 2024 National Planning Policy Framework (NPPF) requires local planning authorities to give substantial weight to the value of using suitable brownfield land within settlements for homes and to promote and support the development of under-utilised land, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (Paragraph 125).

Paragraph 130 of the NPPF states that local planning authorities should refuse applications which they consider fail to make efficient use of land.

Policy 5 of the Borough of Redditch Local Plan No.4 (Effective and efficient use of land) encourages densities of 70 dwellings per hectare adjacent to the Town Centre and District Centres. It then goes on to say that higher densities will be sought in locations close to public transport interchanges.

The principle of residential development on this site, as was the case previously (under application 19/01060/OUT) is considered to be acceptable.

Highway safety and public transport links

Means of access is proposed off Edward Street, which is a single lane one-way road connecting to Bromsgrove Road. County Highways have considered the application and have no objection to the means of access subject to conditions.

In relation to transport issues, Chapter 9 (Promoting sustainable transport) of the NPPF requires that:

“Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.”

Subsequent paragraphs set out the Government’s priorities for maximising travel choice, with particular emphasis on public transport, cycling and walking.

Policy 19 of the Local Plan (Sustainable Travel and Accessibility) focuses on the need to reduce private car use and increase the use of public transport.

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County Highways have considered the highly sustainable location of the site and consider that a car free development with respect to the proposed one bed roomed unit would be acceptable. Occupiers of the 2 bed units would each have a dedicated car parking space. Members attention is drawn to application 19/01600/REM (Victoria Works) where a car free development (for the 1 bed units) was considered to be acceptable.

The application site lies in a highly sustainable location, adjacent to the Town Centre and within 2 minutes' walk of the rail and bus stations and offers a genuine choice of transport modes.

A direct pedestrian link from the site to the railway station from Bromsgrove Road is shown on the submitted plans and is set out as a specific obligation within the draft S106 agreement which would allow residents of this development together with other existing residents to the west and north of the site to be able to access the train station without having to walk to the bottom of Unicorn Hill before turning left to access the railway station (which they have to at present). The provision of such a footpath link was agreed as an obligation in the draft S106 agreement for the earlier application 19/01060/OUT.

A residential welcome pack condition together with a separate travel plan condition is recommended to be imposed in the case of planning permission being granted.

The proposed development therefore does not raise any transport or highway concerns.

Layout and appearance of development

The development is considered to offer a strong and active frontage to Edward Street and Bromsgrove Road and your officers consider that three storey development is appropriate given the context of the site.

The overall appearance of the proposed development is considered to enhance the area and respect the historic context of surrounding 'industrial heritage' buildings, such as Ashleigh Works.

The appearance of the development reflects the historic street pattern, including the incorporation of large warehouse-style windows.

Great attention has been paid to architectural detailing reflecting the industrial heritage of the area.

Polyester Powder coated (PPC) aluminium windows add quality, with dark grey roof tiles with a thin leading edge above walls which would be finished in a texture and colour to match bricks used in the construction of the adjacent Victoria Works site. Walls would be timber framed using a 'Weberwall' brick (manufactured by the company Weber) which is a fast-fix, lightweight brick finish product. The applicant states that the timber frame construction method proposed for use at the Clive Works site using the Weberwall finish

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is a highly sustainable material which is being used more frequently in new developments to address the damaging effects of climate change. The applicant states that the embodied carbon dioxide (CO₂e) in building with traditional bricks is four times that of using a timber frame method and that by not using a traditional brick as a construction method, there would be a saving of approximately 47,000 tonnes of carbon dioxide just in construction materials on the site. The speed of the build is also noted to be quicker and has other benefits including reduced deliveries to the site, less noise pollution with less carbon dioxide being emitted by delivery vehicles.

Whilst undeniably more sustainable than the use of a traditional brick building having regards to the battle being fought against climate change, an alternative to traditional brick needs careful consideration, especially at a landmark and visually conspicuous location.

For this reason, your officers have examined a number of sample panels on site and have visited existing sites where Weberwall has been used as an alternative to brick. The appearance of the development including the quality of the overall finish is of paramount importance given the sensitivity of this highly prominent central site. Your Officers are now satisfied that appropriate finishes can be sourced which reflect and respect the character and appearance of this historic area. Members will note that the Conservation Officer has been consulted and supports the proposals considering that the scale of the apartments reflects that of the surrounding built form, and better reflects that of the previous industrial and domestic buildings on the site and results in a design which reflects and respects the heritage of Redditch.

Overall, the proposed development is considered to represent a welcome addition to this important gateway location on the approach to the train station and is thus considered to be appropriate in design terms.

Landscaping and Biodiversity

Your officers consider that the opportunities for appropriate landscaping have been maximised within the constraints of the site's urban location.

Car parking is arranged via an internal courtyard and has been largely screened from public views. Parking has not been allowed to dominate the development and where possible as much planting as possible has been introduced at the site to enhance the visual amenities of the area and to aid biodiversity. On this note, the application is subject to the mandatory Biodiversity Net Gain (BNG) Condition, introduced by the Government in 2024 where the informative item listed within this report sets out the requirements of the legislation. Given the current use of the site as a construction compound with very limited vegetation the development is expected by result in a 45% uplift in BNG where the legislation currently requires a 10% uplift. Planning Conditions are recommended which would set out the precise species, locations and standards of trees to be planted along with shrub and other soft landscaping.

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Waste Matters

The Councils Waste Management Team raise no objection to the application in terms of capacity and location proposed for the communal bin stores.

Residential amenity considerations

Your officers are satisfied that no loss of residential amenity would result from granting permission and that the scheme would provide occupiers of the development with a good standard of amenity with future residents benefiting from a communal landscaped area to the rear. An appropriate species of street trees are proposed within and outside the courtyard areas adding significant quality to the scheme in terms of both urban design principles and improving amenity for residents. All of the proposed apartments would meet the Housing Quality Indicators (HQI standards) in terms of minimum room sizes.

No objections have been received from the wider community following the expiry of the publicity period.

Affordable housing

The Borough of Redditch Local Plan Policy 6 (Affordable Housing) requires the provision of 30% (minimum) affordable housing on sites proposing major housing development, incorporating a mix of tenure types. In this case, the applicant is Green Square Accord who will be providing all 72 apartments as an affordable housing product (social rent) and therefore exceeds policy requirements in this case. The draft S106 agreement requires the provision of affordable housing in perpetuity and is the mechanism for controlling this matter.

Community Safety matters

No objections are raised to the current scheme (as amended) which incorporates cycle storage either within Block B or within a detached building which benefits from appropriate surveillance. Car parking would be allocated.

A planning condition is recommended to address external lighting measures proposed which would include lighting for the parking court and external motion activated lights to be provided at the entrance to the buildings.

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Housing Land Supply

The Council cannot demonstrate a 5 year supply of housing land within the Borough (as required in the NPPF). At December 2024 the 5 year housing land supply was only 2.8 years.

Government policy, set out in Paragraph 11 of the NPPF is that where there is a lack of 5 yr HLS, the most important policies for determining the application are out-of-date and that planning permission should be granted unless, firstly, (i) the application of policies in the Framework protecting areas particular importance (set out in footnote 7) provides a strong reason for refusing the development or secondly, (ii) by granting permission, any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

In this case, part (i) does not apply. In terms of part (ii) no adverse impacts have been identified that would significantly and demonstrably outweigh the benefits of this scheme.

Significant weight should be afforded to the fact that the scheme would make a meaningful contribution to the Councils housing figures in a highly sustainable location.

Section 106 Planning obligation

In accordance with Paragraph 56 of the NPPF and Section 122 of the CIL regulations, planning obligations have been sought to mitigate the impact of this major development, if the application were to be approved. A S106 agreement has been drafted and the obligations in this case would cover:

- Contributions towards off site open space provision due to increased demand/requirements from future residents, required in compliance with the SPD. In this case, a contribution to support improvements to the existing toddler and junior play area at the site at Terrys Memorial Playing Fields, open space improvements at the Garden of Remembrance at Plymouth Road and playing pitch infrastructure at Redditch Cricket Hockey and Rugby Club and Redditch HDA Bowling Club have been suggested.
- Contributions for refuse and re-cycling bins for the new development in accordance with Policy WCS.17 of the adopted Worcestershire Waste Core Strategy
- Contributions to Worcestershire Highways in accordance with the Infrastructure Delivery Plan (IDP) and the WCC Local Transport Plan Development Control (Transport) Policy
- Contributions to the NHS Integrated Care Board (ICB) towards GP Surgeries

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- The provision of affordable housing in perpetuity
- Contributions towards securing improvements and environmental enhancements to the Town Centre in accordance with Policy 31 of the BOR LP4
- Provision of a footpath link from Bromsgrove Road to the Railway Station
- 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. At the time of writing, the planning obligation is in draft form.

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.

Conclusion

The site is an important landmark site close to the Town Centre currently operating as an open, hardsurfaced temporary construction compound which has a highway negative impact upon the visual amenities of the area.

The site has long been identified as being suitable for residential development in accordance with Policy 31 of the Local Plan No. 4. The site is optimally positioned for the train station, bus station and the wide range of facilities within the Town Centre. The application benefits from the NPPF's presumption in favour of sustainable development and complies with Local Plan Policy 5 in respect to high density development, as well as providing a meaningful contribution towards the Council's 5 year supply of housing.

Detailed elevations show a vibrant, attractive and sustainable scheme which respects the industrial heritage of the former area around Britten and Edward Street and that of existing buildings.

Subject to suitable conditions and completion of a legal agreement the application is considered to be a policy compliant form of development. No issues have been identified which would make this application unacceptable in planning terms.

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RECOMMENDATION:

That having regard to the development plan and to all other material considerations, authority be delegated to the Assistant Director for Planning, Leisure and Culture Services to GRANT planning permission subject to:-

a) The satisfactory completion of a S106 planning obligation ensuring that:

- * Contributions are paid to the Borough Council in respect to off-site open space, and equipped play in accordance with the Councils adopted SPD
- * Contributions are paid to the Borough Council towards the provision of waste and recycling facilities for the new development
- * Contributions are paid to the Borough Council towards the provision of improvements and environmental enhancements to the Town Centre
- * Contributions are paid to Worcestershire County Council for the provision of highway and cycle infrastructure improvement and Community Transport
- * Contributions are paid to the NHS Integrated Care Board (ICB) towards GP Surgeries
- * Provision of affordable housing in perpetuity
- * Provision of a footpath link from Bromsgrove Road to the Railway Station
- * S106 monitoring fee/s are paid to the Borough Council

and

b) The conditions 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.

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

appropriate references to be inserted here

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

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- 3) Prior to their first installation, details of the form, colour and finish of the materials to be used externally on the walls and roof (including all windows and doors, mortar details, rainwater guttering and all hardsurfacings) shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

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

- 4) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include proposed boundary treatment and other means of enclosure, hard surfacing materials, new planting, trees and shrubs to be retained, together with measures to be taken for their protection while building works are in progress.

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

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

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

- 6) The Development hereby approved shall not be first occupied until the access, turning areas and parking, as shown on Drawing No. SK/SL100/, have been provided.

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway

- 7) Development shall not be first occupied until visibility splays are provided from a point 0.6m above carriageway level at the centre of the access to the application site and 2.4 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 43 metres in each direction measured along the nearside edge of the adjoining carriageway. Nothing shall be planted, erected and/or allowed to grow on the triangular area of land so formed which would obstruct the visibility described above.

Reason: In the interests of highway safety

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- 8) The Development hereby approved shall not be first occupied until the existing public footway along the Edward Street frontage of the site has been resurfaced to a standard acceptable to the Local Highway Authority, using materials to match the footway to either side of the affected section.

Reason: In the interests of highway safety

- 9) The Development hereby approved shall not be first occupied until the Applicant has submitted a Travel Plan in accordance with the County Council guidelines in writing to the Local Planning Authority that promotes sustainable forms of access to the development site and has been approved in writing by the Local Planning Authority. This Plan will thereafter be implemented, monitored for a minimum of five years and shall be updated in agreement with WCC's Travel Plan Officer and thereafter implemented as updated.

Reason: To ensure residents of the development site are offered a genuine choice of sustainable travel modes and to promote sustainable access to the development site.

- 10) The Development hereby approved shall not be first occupied until the Applicant has submitted to and had approval in writing from the Local Planning Authority a residential Travel 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 ensure residents of the development site are offered a genuine choice of sustainable travel modes and to promote sustainable access to the development site.

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

- 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 (offices, toilets etc);
- The hours that delivery vehicles will be permitted to arrive and depart, and arrangements for unloading and manoeuvring.
- Details of any temporary construction accesses and their reinstatement.
- A highway condition survey, timescale for re-inspections, and details of any reinstatement.

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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 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) 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

- 13) Unless otherwise agreed by the Local Planning Authority, development, other than that required to be carried out as part of an approved scheme of remediation, must not commence until conditions 1 to 6 have been complied with:

1. A preliminary risk assessment must be carried out. This study shall take the form of a Phase I desk study and site walkover and shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and any other relevant information. The preliminary risk assessment report shall contain a diagrammatical representation (conceptual model) based on the information above and shall include all potential contaminants, sources and receptors to determine whether a site investigation is required and this should be detailed in a report supplied to the Local Planning Authority. The risk assessment must be approved in writing before any development takes place.
2. Where an unacceptable risk is identified a scheme for detailed site investigation must be submitted to and approved in writing by the Local Planning Authority prior to being undertaken. The scheme must be designed to assess the nature and extent of any contamination and must be led by the findings of the preliminary risk assessment. The investigation and risk assessment scheme must be compiled by competent persons and must be designed in accordance with the Environment Agency's "Land Contamination: Risk Management" guidance.
3. Detailed site investigation and risk assessment must be undertaken and a written report of the findings produced. This report must be approved by the Local Planning Authority prior to any development taking place. The investigation and risk assessment must be undertaken by competent persons

and must be conducted in accordance with the Environment Agency's "Land Contamination: Risk Management" guidance.

4. Where identified as necessary a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to identified receptors must be prepared and is subject to the approval of the Local Planning Authority in advance of undertaking. The remediation scheme must ensure that the site will not qualify as Contaminated Land under Part 2A Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
5. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.
6. Following the completion of the measures identified in the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval of the Local Planning Authority prior to the occupation of any buildings.
7. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where necessary a remediation scheme must be prepared, these will be subject to the approval of the Local Planning Authority. Following the completion of any measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the 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

- 14) Prior to its first installation, details of any lighting to serve the development shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the equipment and supporting structures, positions, sizes, heights, type, luminance/light intensity, direction and cowling of all external lights to the building and other parts of the application site and the hours at which such lighting is to be operated. The agreed scheme shall be implemented in accordance with the approved details (unless the Local Planning Authority gives prior written approval to any subsequent variations), and shall thereafter be retained in that form.

Reason: In the interest of public safety, and to safeguard residential amenities

- 15) Prior to first commencement of development, a Risk Assessment and Method Statement (RAMS) shall be submitted to the Council and Network Rail for review. This shall include any details of any vibro-impact works. The development shall be implemented in accordance with the approved details.

Reason: To ensure that the development can be carried out without adversely affecting the safety, the de-stabilisation of and operational needs of the railway.

- 16) Prior to first occupation of the site the developer shall provide details of a trespass proof fence adjacent to the boundary with the railway to the Council and Network Rail for review. The development shall be implemented in accordance with the approved details.

Reason: To protect the adjacent railway from unauthorised access

- 17) Prior to first commencement of development details of any earthworks, excavations and scaffolding works within 10m of the railway boundary, shall be submitted to the Council and Network Rail for review. The development shall be implemented in accordance with the approved details.

Reason: In the interests of protecting the railway and its boundary

- 18) Prior to first commencement of the development, details of the disposal of both surface water and foul water drainage directed away from the railway shall be submitted to the Local Planning Authority and Network Rail. The development shall be implemented in accordance with the approved details.

Reason: To protect the adjacent railway from the risk of flooding, soil slippage and pollution.

- 19) Prior to first commencement of development, details of appropriate vehicle safety protection measures along the boundary with the railway shall be submitted to the Council (in consultation with Network Rail). The development shall be implemented in accordance with any approved details.

Reason: to prevent the design and layout of the development from impacting the adjacent operational railway with accidental vehicle incursion.

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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 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 and the conditions listed above must be complied with at all times.
- 3) **Biodiversity Net Gain**
The application is subject to statutory biodiversity net gain legislation under the Environment Act 2021, and the Biodiversity Gain Condition will be applied.

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition”) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Redditch Borough Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition.

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and (i)the original planning permission

to which the section 73 planning permission relates* was granted before 12 February 2024; or (ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.

4. The permission which has been granted is for development which is exempt being:

4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

- i) the application for planning permission was made before 2 April 2024;
- ii) planning permission is granted which has effect before 2 April 2024; or
- iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

4.2 Development below the de minimis threshold, meaning development which:

i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and

ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

- i) consists of no more than 9 dwellings;
- ii) is carried out on a site which has an area no larger than 0.5 hectares; and
- iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.6 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

* “original planning permission means the permission to which the section 73 planning permission relates” means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission (“the earlier Biodiversity Gain Plan”) there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
 - ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.
- 4) This permission does not authorise the Applicant to carry out works within the publicly maintained highway since such works can only be carried out by the County Council's Approved Contractor, Ringway Infrastructure Service, unless agreed otherwise with the WCC S278 Team.

Ringway can be contacted by email:-

worcestershirevehicle.crossing@ringway.co.uk. The applicant is solely responsible for all costs associated with construction of the access.

- 5) 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:-

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

The CTMP 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.

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- 6) WCC has published guidance on how it expects travel plans to be prepared, this guidance is freely available from the County Council's Travel Plans Officer. WCC can assist Applicants with this process should they need. The site shall not be first occupied until the WCC Travel Plan Team have approved the Travel Plan in writing

Procedural matters

This application is reported to Planning Committee for determination because the application is for major development. Further, the application requires a S106 Agreement. As such the application falls outside the scheme of delegation to Officers.