

PLANNING COMMITTEE

13th November 2025

Planning Application 25/00745/FUL

Demolition of existing building in education use (Use Class F1) and erection of a three-storey care home (Use Class C2) with ancillary facilities; and associated parking, landscaping and ancillary works

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

**Applicant: MACC Group Ltd
Ward: Central Ward**

(see additional papers for site plan)

The case officer of this application is Steven Edden, Principal Planning Officer (DM), who can be contacted on Tel: 01527 548474 Email: steve.edden@bromsgroveandredditch.gov.uk for more information.

Site Description

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

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

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

Proposal Description

Full planning permission is sought for the demolition of the building 'Osprey House' which was last used by Heart of Worcestershire College for education purposes.

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In its place, is it is proposed to erect a 98 bed, three storey care home with accommodation over the ground floor (29 bedrooms), first floor (35 bedrooms) and second floor (34 bedrooms).

With respect to the earlier (extant) consent on the site, the applicant states that they have reconsidered the demand for elderly accommodation in the Borough and believe that a care home with additional bedrooms would be better suited at this location. Furthermore, the conversion of Osprey House was not considered to be an appropriate option.

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

Vehicular and pedestrian access into the site would continue from Albert Street to the west and a parking area of 31 spaces (including two disabled bays) and delivery spaces would be provided to the southern half of the site. 18 cycle spaces would be provided at surface level to the west of the site.

Near to the cycle store there would also be a bin store and area for air source heat pumps next to the existing substation. Extensive external amenity space would be provided for residents, with patio terraces and seating areas, as well as larger areas of green space. Existing trees are to be largely retained and supplemented with new tree planting along with various garden structures.

The applicant is MACC Care Group Ltd, a company with considerable experience in the operation of care homes for older people who currently operate 15 dedicated care homes in England with a further three currently under construction.

The application form states that 60 full time jobs would be created working to a rotational shift pattern of employment. However, and as stated at para 4.8 of the submitted Transport Statement, only 25 to 30 (up to a maximum of 30) members of staff would be present on site at any one time, due to the shift pattern and staggered shift changes that would occur.

Relevant Policies:

Borough of Redditch Local Plan No. 4

Policy 1: Presumption in Favour of Sustainable Development

Policy 2: Settlement Hierarchy

Policy 4: Housing Provision

Policy 5: Effective and Efficient use of Land

Policy 16: Natural Environment

Policy 18: Sustainable Water Management

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

Others

Redditch High Quality Design SPD
National Planning Policy Framework (2024)

Relevant Planning History

23/01108/FUL	Change of use of existing building from education use (Use Class F1) to 33 supported living apartments (Use Class C2), erection of a three storey 83 bed care home (Use Class C2) with link and ancillary facilities; with associated underground parking, landscaping and ancillary works.	Granted	31.07.2025
2010/040/COU	Change of Use from Class B1 to D1 to education and training use on the first and second floors	Granted	31.03.2010
2009/113/COU	Change of Use from Class B1 to D1 to education and training use on the ground floor	Granted	10.07.2009
1999/139/FUL	Erection of 3 storey office with associated parking	Granted	10.06.1999

Consultations

WCC Highway Authority

No objections subject to conditions and financial obligations

Comments summarised as follows:

Planning consent was granted to the Applicant, in July 2025, for the change of use of the existing building to provide 33 Assisted Living Apartments and the erection of an associated and attached 83-bed Care Home (reference 23/01108/FUL) on the wider site.

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The Applicant has now decided to amend the proposals by removing the proposed assisted living apartments, now demolishing the existing building and erecting a larger care home facility, with 98 bedrooms. The proposed basement car park has also been removed from the scheme.

Vehicular access will continue to be taken from Albert Street, leading to a surface car park. The existing access will also provide pedestrian access to the site from the existing public footway network.

The 98-bed Care Home would have 98 rooms with single beds and the Highway Authority considers that the majority of residents will require assistance to varying degrees but it is unlikely any resident will be able to drive or would own a car.

The Highway Authority had no objection to the previous application comprising a care home and assisted living apartments and the Highway Authority has no objection to the amended scheme, being just the care home element.

Albert Street is approximately 4.3m in width and leads to the current car park at Osprey House. There are footways on each side of the carriageway, both approximately 1.8m wide. Traffic flows are relatively low as Albert Street is a cul-de-sac and forms a junction with Prospect Hill to the west. There would be no alteration to the existing vehicular access into the site. The Highway Authority has no objection to the existing vehicular access being used to serve the development proposals.

Whilst Pedestrian access to the site is adequate there are no dropped kerbs, with tactile paving, at the pedestrian desire line. As such, it would be desirable to provide such a facility, especially as many future residents of the site may have mobility issues. The Highway Authority is of the opinion the applicant should contribute towards the costs of improving uncontrolled pedestrian crossing facilities which can be covered by a suitable legal agreement if planning consent were subsequently granted.

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

WCC has a duty to consider the transport needs of elderly and disabled residents. A service must be provided for all elderly and disabled residents for those unable to access a bus due to disability. WCC requests a contribution of £2,596.50 towards community transport for this site. This can be secured by an appropriate legal agreement.

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

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Taking account of the above, the Highway Authority is of the opinion that the levels of traffic associated with the proposed use can be readily accommodated by local highways and there would be no severe / significant impact on the operation of the local highway network.

The Refuse and Servicing Strategy contained within the Transport Statement which shows swept path analysis for: a large car, refuse vehicle and fire engine entering the site and turning within the site is considered acceptable to the Highway Authority.

31 car parking spaces would be provided, with two spaces being suitable for disabled drivers and four spaces having electric vehicle charging facilities. 25-30 staff would be on site at any one time.

The Transport Assessment advises a parking accumulation assessment has been undertaken, using the data from the TRICS assessment. The parking accumulation uses the TRICS data to identify how many vehicles will be entering and leaving the site across each hour to ascertain the maximum net demand for car parking at the site. It has been assumed that all trips entering the site in an hour will be on site at the same time to identify the highest possible level of demand for car parking. The results suggest that, at peak demand, there will still be a minimum of 4 car parking spaces, or 13% of spaces, free at any point during the day. This level of spare capacity is deemed acceptable to stop any potential for queuing whilst users are waiting for spaces.

The Highway Authority accepts that the proposed car parking provision is reasonable in this case. Future surveys, in relation to any Travel Plan monitoring, would confirm usage, especially by staff.

Cycle parking provision as shown (18 spaces) is considered to be acceptable to the Highway Authority.

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

Financial contributions should be secured via a S106 agreement as follows:

Community Transport contribution: **£2,596.50**

Pedestrian Infrastructure Improvements: **£13,500.00**

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North Worcestershire Water Management

Comments summarised as follows:

The proposed development site is situated in the catchment of the Batchley Brook & Hewell Stream. The site falls within flood zone 1 and it is not considered that there is any significant fluvial flood risk to the site. Correctly designed drainage will mitigate any flood risk from surface water on the site and in the surrounding area.

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

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

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

Worcestershire Regulatory Services – Contaminated Land

No objection subject to land remediation conditions

Arboricultural Officer

The landscape scheme submitted is clear and shows a net gain of trees on site with the species selected being appropriate for the development.

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

Community Safety Officer

Comments summarised as follows:

The submitted layout proposes a closed to vehicles cul-de-sac design; this is generally positive from a crime prevention point of view as hostile elements perceive there are reduced avenues of escape and that there is less opportunity for discreet reconnaissance. Such a design also promotes the challenging of unrecognised suspicious behaviour. The re-orientation of the building is positive as it provides a 'courtyard' style appearance from the main entrance and suggests good natural surveillance is present.

It is recommended that the cycle store is located closer to the building noting that Secured by Design advises that external open communal bicycle stores should be as close to the building as possible but in any event within 50 metres of the primary entrance.

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Conservation Officer

Comments summarised as follows:

The site lies adjacent to the Grade II listed British Mills building (list entry number: 1296838). The significance of the listed building derives from its special architectural and historic interest as c1840s industrial complex which comprises a former Needle and Fish-hook factory building and factory owners house.

No objections are raised to the demolition of Osprey House. The removal of built form from this part of the site is considered to be beneficial to the setting of the British Mills listed building. Whilst the former site of Osprey House would be used for car parking, it allows greater space to appreciate the significance of the listed building whereas the previous scheme (23/01108/FUL) sought an increased density of development. The proposals would cause no harm to the setting or significance of British Mills listed building and is in accordance with s66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Chapter 16 of the NPPF.

NHS Integrated Health Board (ICB)

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

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

A developer contribution will be required to mitigate the impacts of this proposal. The ICB calculates the level of contribution required in this instance to be **£43,200.00**

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

Public Consultation Response

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

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

- Albert Street is the only road leading into the site which accommodates a number of businesses and residents. At peak times parked cars mean that 2 cars cannot pass in separate directions at the same time causing existing problems for businesses. The use of double yellow lines to prevent vehicles from parking either on the kerb or on the side of the road would be a simple yet sufficient solution. There are numerous parking spaces available for business but often cars are

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parked at the side of the road because it is easier / convenient to do so. If the implementation of double yellow lines is not possible, alternative access arrangements should be considered

Background

Planning permission was granted on 31.07.2025 under application 23/01108/FUL for the change of use of Osprey House to form 33 supported living apartments and the erection of a new three storey 83 bed care home, linked to Osprey House and immediately to the north. Aside from appearance changes to the care home, the differences under the current proposed scheme compared with that of the last is the demolition of Osprey House with no supported living apartments together with the increase in the size of the care home (from) 83 bedrooms (to) 98 bedrooms, a net increase of 15 bedrooms. The underground parking area proposed under 23/01108/FUL has been removed with all parking being at surface level.

Assessment of Proposal

Principle of development

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

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

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

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

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Use Class D1 (now Use Class F1). The lawful education use (Class F1) use continued from this point up until May 2022.

In light of the above, the lawful use of the site is Use Class F1 and therefore for non-employment uses. Under application 23/01108/FUL, it was concluded that the change of use of the site to another non-employment use (in this case C2) would have no material impact upon the delivery of employment land across the Borough as a whole, and therefore would not conflict with the provisions of relevant development plan policies. This remains to be the case having regards to the consideration of the current application.

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

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

Osprey House is neither listed, within a Conservation Area, nor a Non-Designated Heritage Asset. There are no policy requirements requiring its retention and indeed in this case the Councils Conservation Officer welcomes its demolition considering that its removal would enhance the setting of the nearby listed buildings.

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

Design and character considerations

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

The care home building, arranged as an 'L' shape would be three storeys and would respond to the prevailing height of other buildings in the near vicinity.

The removal of Osprey House is considered to be beneficial to the setting of the British Mills listed building. Whilst the former site of Osprey House would be used for car parking, it would allow greater space to appreciate the significance of the listed building whereas the previous scheme (23/01108/FUL) sought an increased density of development in a 'horseshoe' shaped arrangement.

The design and scale of the proposed care home is considered to reflect that of the buildings that once stood on the site and the proposed materials (red brick walls) under an artificial slate roof, would also reflect those of the adjacent buildings. The design of the development generally echo's the industrial heritage of the surrounding buildings. Specific materials would be conditioned and would need to be agreed in writing by your officers in association with the Councils Conservation Officer.

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

Residential amenity considerations and response to public comments

Despite the extensive publicity, only one representation has been received raising concerns. The Highway Authority have raised no objections to the proposed means of vehicular access to the site having regard to vehicular and pedestrian safety. An alternative vehicular access to the site via Fishing Line Road to the east was suggested by a resident under consideration of application 23/01108/FUL but this would not be practical given the significant level differences across the site.

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

Any request for the double yellow lining of the rest of the (northern) side of Albert Street would need to be made directly to Worcestershire County Highways independent of this application where such a request would be considered on its merits. However, the existing arrangement, having regard to the merits of this application is considered acceptable to the highway authority who would have considered the existing lawful (education) use of the site together with the extant planning consent on this site in arriving at their conclusions.

A Construction Traffic Management Plan condition would be attached to the consent in the event of planning permission being granted to control and manage safe working during the construction period.

The development comfortably meets the Councils minimum separation distances and amenity space for residents would provide a secure and screened area. The soft landscaping would comprise trees, shrubs, flowerbeds and lawn which is considered to be acceptable to your officers including the Councils Tree Officer. The above ground built form proposed on the site has been reduced considerably comparing the extant scheme ref 23/01108/FUL with that of the proposed. Soft landscaping and amenity areas to serve future occupiers have increased as a result.

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

Highway safety and parking considerations

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

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

Trees and Ecology

An Arboricultural Impact Assessment (AIA) has been submitted with the application and requires the removal of two individual trees and the partial removal of one tree group. The AIA confirms that the proposed trees to be lost are of low arboricultural merit and have no visibility from the wider surrounding area. The same trees were proposed for removal under the earlier scheme and as before the Councils Tree officer has raised no objection to their removal.

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

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

The development proposals for the site are subject to the general biodiversity gain condition, as set out under Schedule 7A (Biodiversity Gain in England) of the Town and Country Planning Act 1990, as inserted by Schedule 14 of the Environmental Act 2021, which requires developments to deliver a minimum of 10% net gain in biodiversity. A Biodiversity Net Gain Assessment has been submitted to support the planning application. The proposals meet the Trading Rules of the Metric by achieving a 33.28% net gain in habitat units. The development is therefore acceptable in this regard and the pre-commencement condition is set out within the informative section.

Community Safety matters

Your officers are satisfied that issue of crime prevention/Secured by Design has been appropriately assessed and the configuration of the building is designed to maintain natural surveillance. The main entrance would overlook the car parking area to enable surveillance of the main vehicle and pedestrian routes. Your Officers have no objection to the location of the cycle store building which would be located within 50m of the care homes entrance, the distance referred to by the Community Safety Officer. Submitted plans do not however specify its construction. Your Officers would expect this to take the form of a small building, enclosed on all sides, (Sheltered) and secured rather than an open structure. A Planning Condition would ensure that control over the security and appearance of the cycle store and also the refuse store, located immediately to the south could be exercised.

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Section 106 Planning obligation

In accordance with Paragraphs 56 to 58 of the NPPF and Section 122 of the CIL regulations, a planning obligation has been sought to mitigate the impact of this major development, if the application were to be approved. The Planning obligation would cover:

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

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

Planning Conditions

Sections 100ZA (4-6) of the Town and Country Planning Act 1990 requires the applicant's written agreement to the terms of a pre-commencement condition. Written agreement to the terms of relevant recommended conditions has been sought and agreed by the applicant.

Conclusion

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

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

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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 the following matters are delivered:

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

and

b) Conditions and informatives as listed below:

Conditions:

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the grant of this permission.

Reason: In accordance with the requirements of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

(9-) 1: Site Location Plan dated 01 July 2025
0001 3: Proposed Ground Floor Plan dated 01 July 2025
0002 3: Proposed First Floor Plan dated 01 July 2025
0003 3: Proposed Second Floor Plan dated 01 July 2025
0027 2: Proposed Roof Plan dated 01 July 2025
0101 3: Proposed West & North Elevations dated 01 July 2025
0102 3: Proposed East & South Elevations dated 01 July 2025
22798-22-01: Topographical Survey dated 01 July 2025
9002 7: Proposed Site Plan dated 01 July 2025
2506MAC-OSP-1 A: Landscape Layout pages 1-4 dated 01 July 2025
CS230607-101 B: External Levels dated 01 July 2025
CS230607-102 B: Drainage Strategy dated 01 July 2025

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Arboricultural Impact Assessment dated 01 July 2025
Biodiversity Metric Calculation and Assessment dated 01 July 2025
Flood Risk Assessment and Surface Water Drainage Statement 01 July 2025
Preliminary Ecological Appraisal dated 01 July 2025
Secure by Design Statement dated 01 July 2025
Transport Statement T23501 dated 01 July 2025
Travel Plan T23501 dated 01 July 2025
Ground Investigation Report dated 01 July 2025

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

- 3) Prior to their first installation, details of the form, colour and finish of the materials to be used externally on the walls and roofs shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

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

- 4) No works in connection with site drainage shall commence until a scheme for a surface water drainage strategy for the proposed development has been submitted to, and approved in writing by the Local Planning Authority. The strategy shall include details of surface water drainage measures, including for hardstanding areas, and shall include the results of an assessment into the potential of disposing of surface water by means of a sustainable drainage system (SuDS). If a connection to a sewer system is proposed, then evidence shall be submitted of the in principal approval of Severn Trent water for this connection. The scheme should include run off treatment proposals for surface water drainage. Where the scheme includes communal surface water drainage assets proposals for dealing with the future maintenance of these assets should be included. The scheme should include proposals for informing future owners or occupiers of the arrangements for maintenance of communal surface water drainage assets. The approved surface water drainage scheme shall be implemented prior to the first use of the development and thereafter maintained in accordance with the agreed scheme.

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

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

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with the guidance in the British Standard BS5837:2012 and shall remain as erected until the development has been completed.

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

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

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

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

Reason: To encourage sustainable travel and healthy communities.

- 8) The Development hereby approved shall not be brought into use until an Employment Travel Plan has been submitted to and approved in writing by the Local Planning Authority.

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

- 9) The Development hereby approved shall not be first occupied until an Employment Travel Welcome Pack has been submitted to and has had approval in writing from the Local Planning Authority. The pack shall be provided to each member of staff at their work induction.

Reason: To ensure staff and visitors 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 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:-

o Measures to ensure that vehicles leaving the site do not deposit mud or other detritus on the public highway;

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- o Details of site operative parking areas, material storage areas and the location of site operatives' facilities (offices, toilets etc);
- o The hours that delivery vehicles will be permitted to arrive and depart, and arrangements for unloading and manoeuvring.
- o Details of any temporary construction accesses and their reinstatement.
- o A highway condition survey, timescale for re-inspections, and details of any reinstatement.

The measures set out in the approved Plan shall be carried out and complied with in full during the construction of the development hereby approved. Site operatives' parking, material storage and the positioning of operatives' facilities shall only take place on the site in locations approved by in writing by the local planning authority.

Reason: To ensure the provision of adequate on-site facilities and in the interests of highway safety.

- 11) The development hereby permitted shall not be first occupied until sheltered, safe, secure and accessible cycle parking to comply with the Council's adopted highway design guide has been provided in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority and thereafter the approved cycle parking shall be kept available for the parking of bicycles only.

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

- 12) The development hereby approved shall not be first occupied until refuse storage and collection facilities shall be constructed in accordance with details first submitted to and approved, in writing, by the Local Planning Authority.

Reason: To ensure an appropriate bin collection area is installed in the interests of visual amenity and highway safety.

- 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 parts 1 to 6 have been complied with:

1. A preliminary risk assessment must be carried out. This study shall take the form of a Phase I desk study and site walkover and shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and any other relevant information. The preliminary risk assessment report shall contain a diagrammatical representation (conceptual model) based on the information above and shall include all potential contaminants, sources and receptors to determine whether a site investigation is required and this should be detailed in a report supplied to the Local Planning Authority. The risk assessment must be approved in writing before any development takes place.

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2. Where an unacceptable risk is identified under part 1, a scheme for detailed site investigation must be submitted to and approved in writing by the Local Planning Authority prior to being undertaken. The scheme must be designed to assess the nature and extent of any contamination and must be led by the findings of the preliminary risk assessment. The investigation and risk assessment scheme must be compiled by competent persons and must be designed in accordance with the Environment Agency's "Land Contamination: Risk Management" guidance.
3. If an unacceptable risk is identified under part 2, a detailed site investigation and risk assessment must be undertaken and a written report of the findings produced. This report must be approved by the Local Planning Authority prior to any development taking place. The investigation and risk assessment must be undertaken by competent persons and must be conducted in accordance with the Environment Agency's "Land Contamination: Risk Management" guidance.
4. Where identified as necessary under parts 2 and 3, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to identified receptors must be prepared and is subject to the approval of the Local Planning Authority in advance of undertaking. The remediation scheme must ensure that the site will not qualify as Contaminated Land under Part 2A Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
5. The approved remediation scheme, if required under part 4, must be carried out in accordance with its terms prior to the commencement of development, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.
6. Following the completion of the measures identified in the approved remediation scheme under part 5, a validation report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval of the Local Planning Authority prior to the occupation of any buildings.
7. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where necessary a remediation scheme must be prepared, these will be subject to the approval of the Local Planning Authority. Following the completion of any measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the 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

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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 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

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

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

Informatives

- 1) The local planning authority have worked with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with this planning application through negotiation and amendment.
- 2) The applicant is advised to be aware of their obligations under the Wildlife & Countryside Act 1981 (as amended by the Countryside & Rights of Way Act 2000) to avoid disturbance of nesting wild birds and protected species such as bats when carrying out the development
- 3) Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The

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applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions

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

4) Construction Environmental Management Plan (CEMP)

It is expected that contractors are registered with the Considerate Constructors scheme and comply with the code of conduct in full, but particular reference is made to "respecting the community" this says:

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

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

The CEMP should clearly identify how the principal contractor will engage with the local community, this should be tailored to local circumstances. Contractors should also confirm how they will manage any local concerns and complaints and provide an agreed Service Level Agreement for responding to said issues.

Contractors should ensure that courtesy boards are provided and information shared with the local community relating to the timing of operations and contact details for a site coordinator in the event of any difficulties.

This does not offer any relief to obligations under existing Legislation.

5) Travel Plan Requirements

Worcestershire County Council has published guidance on how it expects travel plans to be prepared, this guidance is freely available from the County Councils Travel Planning Team.

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

7) 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

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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).

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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.

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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.

Procedural matters

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