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**PLANNING APPLICATION 2011/054/OUT**

**MIXED USE DEVELOPMENT OF 171 DWELLINGS, PUBLIC OPEN SPACE  
AND OUTLINE APPLICATION FOR 4,738 SQUARE METRES OF CLASS  
B1 (BUSINESS) FLOORSPACE AND ACCESS**

**LAND EAST OF BROCKHILL LANE, REDDITCH, WORCESTERSHIRE**

**APPLICANT: PERSIMMON HOMES LTD**

**EXPIRY DATE: 2ND JUNE 2011**

**WARD: BATCHLEY & BROCKHILL**

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**(See additional papers for Site Plan)**

**Site description**

The site consists of a large area of land which includes the following areas:

The area of land leading from the roundabout at the junction of Salters Lane, Brockhill Drive, Brockhill Lane and Hewell Road north and east where an access road has previously been granted planning permission to the south of the existing residential development at Wheelers Lane.

The area of land east of the access track that leads from Hewell Road to Lowans Hill Farm which includes the land rear of the existing industrial uses on Hewell Road.

**Proposal description**

The detailed plans associated with this application have been amended since the application was submitted, in order to address various comments raised. Therefore, this description of the proposal represents the proposed development, as amended, in order that it provides an accurate description for the purposes of consideration and determination. The overall nature of the proposal, however, remains unchanged, as only some small details have been altered.

There are two distinct elements to this proposal:

- The first is the full detailed application for 171 dwellings which would be accessed via the road leading from the roundabout, across the existing open space and then along leading eastwards and roughly parallel with the southern site boundary. The existing track to Lowans Hill Farm

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would be improved to provide access along the side of the open space corridor containing the Red Ditch. At approximately the mid point along the access road, a road leading north would join, and that road would be used to access the remainder of the housing. The housing would front the main access roads and the open space to the west of the site, and as such the layout incorporates rear parking areas and pedestrian routes which permeate the site. To the northern end of the site on the steeper slope between the proposed dwellings and the site of Lowans Hill Farm would be public open space provision.

The dwellings would be a mix of 2, 3 and 4 bed units as follows:

<b>Size</b>	<b>Private</b>	<b>Affordable</b>	<b>Totals</b>
2 bed	8	34	<b>42</b>
3 bed	54	20	<b>74</b>
4 bed	49	6	<b>55</b>
	<b>111</b>	<b>60</b>	<b>171</b>

The dwellings proposed are similar in style and design to those on the adjacent recent Brockhill development at Oaklands. They are of brick and tile construction, and 2 – 2½ storeys in height, arranged in small blocks or detached. Around the periphery the dwellings face west across the open space towards the Oaklands, south onto the main spine road proposed and across the valley towards the town centre, and north onto the open space and up the hill towards Lowans Hill Farm. All the dwellings have street frontages. To the eastern boundary of the site, the dwellings face east beyond the site towards what is shown on the masterplan as future open space.

- The second element is the outline application including access details for commercial development. Matters of appearance, landscaping, layout and scale are reserved for future consideration, and therefore only the principle of the use and the access details provided are to be considered here. The approximate location of the units is shown on the layout plan, as a result of the access details being provided.

The proposal is for B1 office/business uses to be located to the southern end of the site, along the boundary at the rear of the existing industrial occupiers. The main access road into the site would lie to the north of these units, with the residential accommodation beyond and further north. Access points from the main route into the site are shown, with an indication of how six buildings might be arranged with car parking around them to accommodate these uses, however these details are indicative only at this stage.

- The application also includes the access details for these developments, which are the road layout, including the main spine roads and the roads that would serve the residential development.

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A masterplan has been included within the application to demonstrate how this application could be Phase One of a larger development area which would include significantly more housing and a district centre including a school. However, the application for consideration here today could be built as a 'stand alone' housing development as it is a comprehensive scheme in its own right. Therefore, there should be no further consideration of further phases at this stage.

The application is supported by a design & access statement, a climate change statement, a Secured by design statement, an open space assessment, an affordable housing delivery plan, a statement of community involvement, a completed West Midlands sustainability checklist, a transport assessment, a residential and workplace travel plan, a flood risk assessment, a noise assessment, a landscape and visual appraisal, an ecological appraisal, a tree assessment, a contaminated land study and an archaeological assessment.

**Relevant key policies:**

All planning applications must be considered in terms of the planning policy framework and all other relevant material considerations (as set out in the legislative framework). The planning policies noted below can be found on the following websites:

[www.communities.gov.uk](http://www.communities.gov.uk)

[www.wmra.gov.uk](http://www.wmra.gov.uk)

[www.worcestershire.gov.uk](http://www.worcestershire.gov.uk)

[www.redditchbc.gov.uk](http://www.redditchbc.gov.uk)

***National planning policy***

PPS1 (& accompanying documents) Delivering sustainable development  
PPG3 Housing  
PPS4 Planning for sustainable economic growth  
PPS7 Sustainable development in rural areas

***Regional Spatial Strategy***

Whilst the RSS still exists and forms part of the Development Plan for Redditch, it does not contain any policies that are directly related to or relevant to this application proposal. Therefore, in light of recent indications at national level that such policy is likely to be abolished in the near future, it is not considered necessary to provide any detail at this point in relation to the RSS.

***Worcestershire County Structure Plan***

SD2 Care for the environment  
SD4 Minimising the need to travel  
D6 Affordable housing needs  
T1 Location of development

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T3	Managing car use
T4	Car parking
T10	Cycling and walking
RST4	Recreational walking routes
RST5	Recreational cycling routes
IMP1	Implementation of development

***Borough of Redditch Local Plan No.3***

CS2	Care for the environment
CS5	Achieving balanced communities
CS6	Implementation of development
CS7	Sustainable location of development
CS8	Landscape character
S1	Designing our crime
B(HSG)5	Affordable housing
B(BE)13	Qualities of good design
B(BE)19	Green architecture
B(BE)28	Waste management
B(BE)29	Construction waste
B(NE)1a	Trees, woodland and hedgerows
B(NE)3	Wildlife corridors
B(RA)3	Areas of development restraint
L2	Education provision
E(EMP)6	North west Redditch master plan – employment
C(T)12	Parking standards
R1	Primarily open space
R3	Provision of informal unrestricted open space
R4	Provision and location of children's play areas

***Supplementary Planning Guidance / Supplementary Planning Documents***

Encouraging good design  
Open Space  
Education  
Designing for community safety  
Affordable housing

***Other relevant corporate plans and strategies***

Worcestershire Community Strategy (WCS)  
Worcestershire Local Area Agreement (WLAA)  
Worcestershire Local Transport Plan (WLTP)  
Redditch Sustainable Community Strategy (SCS)

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## ***Local Plan designations***

The site includes land designated under 'IN67' for employment purposes, an area designated as an ADR (area of development restraint) and some Primarily Open Space.

The relevant policies seek to protect IN67 land for employment generating uses such as B1, B2 and B8; ADR land for residential development beyond April 2011; and POS from most types of development under the criteria in Policy R1 of the Local Plan.

## ***Core Strategy update***

The Core Strategy is the document that will eventually replace the local plan, and is currently working through the process towards adoption. It has been published and consulted upon, and therefore counts as emerging policy to which some weight can be given in the decision making process. The current version is the 'revised preferred draft core strategy'.

The Core Strategy contains objectives for the overall approach to development in the Borough up until 2026, as well as strategic policies. The policies that could be considered of relevance to this decision are:

- 4 Sustainable travel and accessibility
- 8 Housing provision
- 9 Effective and efficient use of land
- 21 Historic environment
- 29 Brockhill East strategic site

Policy 29 includes a list of criteria which development on this site and others near it should meet in order for proposals to be considered favourably.

## **Relevant site planning history**

There is no history relevant on this particular site, however the consent granted under reference 2010/008/FUL for 14 residential units on the adjacent site which included the initial access road has a small link and is included within the blue line of the application site because it is within the applicant's control.

## **Public Consultation responses**

### **Responses in favour**

None

### **Responses against**

110 comments received raising the following points:

- Application is premature, ahead of the adoption of the core strategy
- Existing land use of agriculture is more important than residential and so should be retained

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- Loss of Green Belt land
- No housing targets to meet, so unnecessary in principle
- Redditch has existing empty homes and offices, so no need for this development
- There are better alternative sites in Redditch
- B1 development should occur ahead of or alongside the residential development and not later
- Should not assume that further phases of development would be acceptable, especially on designated Green Belt
- Approval would set precedent for future development
- Should not be allowed in order for the Council to benefit from financial incentives
- Should re-attach conditions from previous Inspector's decision
- Loss of open space for balancing ponds is unacceptable
- Insufficient screening proposed
- Loss of cone of vision to road infrastructure is unacceptable
- Inadequate parking provision proposed for B1 uses
- Insufficient cycle paths proposed
- Proposal would result in increased traffic on surrounding road network
- Location is not near local shops and facilities
- Would result in increased demand on local facilities
- Insufficient capacity in existing drainage infrastructure
- Potential increased risk of flooding to industrial sites
- Harmful impact of noise from existing industrial sites on proposed residential and B1 uses
- Should be built to a highly sustainable standard
- Should ensure barn owl protection
- Has potential to bring some positive benefits and opportunities to the area

Other issues which are not material planning considerations have been raised, but are not reported here as they cannot be considered in the determination of this application. Likewise, anonymous responses have not been summarised here as those making the comments cannot be included within the process.

**Consultee responses**

***County Highway Network Control***

No objections in relation to details of access/parking arrangements. Negotiations regarding the details relating to planning obligations are currently ongoing and further information will therefore be provided on the Update paper in relation to these matters.

***Worcestershire Regulatory Services Environmental Health***

No objection subject to conditions and informatives

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***Drainage Officer***

No objections subject to conditions and informatives

***Economic Development Unit***

Support the proposals as they would work towards meeting the identified needs of the Borough in employment terms

***Development Plans***

Confirm that the proposals are largely compliant with existing and emerging policy framework and raise a few minor issues that are dealt with separately

***Biodiversity Officer***

No objections subject to mitigation measures being implemented

***Tree and Landscape Officer***

Broadly in support of proposals, subject to additional recommendations which could be addressed through the imposition of conditions

***Leisure Team***

No objections

***Housing Officer***

Broadly in support of proposals subject to some alterations to tenure type that could be addressed through the planning obligation and have already been agreed with the applicants and included in the draft agreement

***Waste Management Team***

No objection subject to the provision of litter and dog bins on primary paths which can be dealt with through the imposition of conditions and via clauses in the planning obligation

***County Education Officer***

No objection subject to clauses within the planning obligation as proposed by the applicant. Confirmation that capacity in local schools exists for this site, but not sufficient to cater for any further phases of development in this area. Therefore, it is suggested that contributions be sought towards the provision of a new school on a later phase, rather than in relation to places that would be needed by the development. This has been included within the planning obligation.

***County Archaeology***

Survey work is ongoing and further information will be reported in the update paper

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***Crime Risk Manager***

Raised concerns regarding residential development layout and potential security issues which have been raised with the agent and addressed through the submission of amended plans

***Worcestershire Wildlife Trust***

Welcome design features that encourage biodiversity and so raise no objections subject to conditions to ensure their full implementation

***Severn Trent Water***

No objection subject to a condition regarding drainage details and an informative regarding the protection of on site sewers

***Environment Agency***

No objection following receipt of additional detailed information.

***Bromsgrove District Council***

No comments received

***Health and Safety Executive***

No comments to make – scheme not of sufficient size to be considered

**Procedural matters**

This application is reported to Planning Committee for determination because it is a major application recommended for approval, because it has a planning obligation requirement and because more than two letters of objection have been received.

**Assessment of proposal**

The assessment section of this report has been split into two sections below, one to deal with the detailed residential element of the application and one to deal with the outline business element. A section at the end will pick up on any issues which cut across both parts of the proposal.

**Detailed residential proposal**

Principle

The residential element of the proposal is located within an area designated within Local Plan 3 as an ADR and as such the site is protected for potential residential development to meet local needs beyond the end of the plan period. The emerging core strategy identifies this site and other land around it as a sustainable location for residential development to meet local needs and thus considers it a strategic site. It also identifies a local housing need.

The other evidence that has been compiled to inform the compilation of the core strategy has also identified a need for residential development and that a



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development of this size would be required in order for the Borough's housing land supply to be met.

Therefore, it is considered that the principle of the development of this site for residential purposes accords with both the current and the emerging local policy framework. The detail should therefore be considered.

Affordable Housing

The previous approval of 14 residential units on the adjacent site fell below the threshold at which affordable housing provision is sought (15 units) and thus did not contribute to the Borough stock. However, it was noted that should further development come forward on the adjacent site (i.e. this application site) that the previous consent should be taken into consideration when determining the quantum of affordable housing provided on the site.

Therefore, the 171 units proposed here and the 14 already approved have been added together, before establishing the 40% policy requirement of 74 units. These will largely be provided across the current application site, although all of the 14 units previously approved will now be provided as affordable housing as part of this development and the remaining 60 be located within this site. This is considered to be an appropriate approach, as it takes a holistic view of the two sites together, which are in the same control, in order that the Borough as a whole benefits from the full provision in accordance with policy requirements.

Open space, play and recreation

The open space shown on site is greater in area than the policy requirement and includes some informal equipped play. Contributions towards playing pitches off site are also proposed by the applicant to meet the three strands of the policy – open space, equipped play and playing pitches. It is noted that it is the intention of the applicant to transfer the open space to the Council for future maintenance, with a commuted sum towards the maintenance costs. This also complies with the policies set out in the SPD.

It is likely that if further development phases were to occur as per the proposed masterplan, that playing pitches would be provided in the vicinity of the current application site.

Design and layout

The design and appearance of the proposed dwellings is similar in style, materials, bulk massing and size to those of adjacent residential estates at Brockhill further to the west, particularly the recent Oaklands development. It is therefore considered that the overall character of the proposed residential development would be appropriate to the surrounding developments in the area.

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The layout of the proposed dwellings is such that each property would have sufficient amenity space and separation to meet the adopted standards. Therefore there are no concerns regarding overlooking, loss of light, privacy etc between the proposed dwellings.

Both the layout and the design of the dwellings is sympathetic to the topography of the site, such that taller buildings are further down the slope and therefore the overall impact in landscape terms is considered to be appropriate and acceptable.

Landscaping and trees

There is minimal existing planting on the site currently, with the exception of some hedgerows that form field boundaries. These are reflected wherever possible in the form and layout of the proposed new development. The survey of the site and the proposals are considered to be acceptable and the new development proposed includes significant additional trees, including tree-lined avenues along the main thoroughfares.

Highways, parking and access

The highways engineers have raised no objections to the layout and parking arrangements proposed and as such these are considered to be acceptable. The application proposes two spaces per dwelling, which is above the standards for the smaller units, but meets the standards for the larger units. Now that standards are for guidance only, due to the recent change in PPG13 which removed the concept of maximum standards.

Due to the significant size and nature of the proposal, the County Highway Officer is also advising on the impact of the proposed development on the wider highway network, in order that appropriate requirements can be included in the planning obligation. It is likely that contributions towards the upgrading of existing junctions near the site would be required in order to mitigate any potential harm caused by the additional traffic flows in the area generated by the new development. The applicant has indicated a willingness to provide contributions towards upgrading the Hewell Road roundabout outside the swimming pool and the Birmingham Road/Windsor Road junction adjacent the railway bridge. The applicant also proposes to put some money in a bond for a set period in case it becomes apparent that further highway measures such as adding double yellow lines or other road markings are required once the development is implemented. The bond would then be used to pay for such identified works. Negotiations continue and further details will be reported in the Update paper.

Sustainability

Due to the increasing standards demanded through the Building Control regulations separate from the planning process, it is anticipated that this development would be implemented to a highly sustainable standard, if

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consent is granted. The supporting information indicates that in most areas the proposal is to a good standard of sustainability.

### Planning Obligation

The size of the proposed development is above the policy threshold for requiring contributions which should be sought via a planning obligation:

- A contribution towards County education facilities would normally be required in relation to the private market housing proposed; and
- A contribution towards playing pitches, play areas and open space in the area due to the increased demand/requirement from future residents is required in compliance with the SPG; and
- The proposal would also require that 40% of the dwellings be provided as affordable units for social housing in line with SPD policy and their retention for this purpose in perpetuity.

However, in this case, the issues are slightly different, as noted under the separate headings above. Therefore, in this case, the planning obligation as proposed would seek the following:

- A contribution towards a future school in the area and a time limit for return of unspent funds; and
- The transfer of the on-site open space to Council ownership with a commuted sum for ongoing maintenance; and
- A contribution towards off-site playing pitches; and
- 74 residential units to be provided as affordable housing and retained as such in perpetuity; and
- Highways matters as agreed with County colleagues.

An agreement is being drafted with input from the applicant's and the Council's solicitor on this basis.

### Other issues

The layout and some boundary treatment detailing has been amended to address the concerns of the Crime Risk Manager, and the update will provide confirmation that these amendments are now acceptable.

### **Outline business proposal**

The location of the B1 units proposed falls within the IN67 designation within Local Plan 3, which is designated for B1, B2 and B8 uses. Both the Local

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Plan and the evidence base for the emerging core strategy identify a need for this type of development and an appropriateness to site it in this location. As such, the principle of the B1 units proposed in this location is considered to be acceptable.

There are no concerns raised by the Highways Officer in relation to the access road and the access points leading from it to the B1 locations, and therefore there are no concerns raised regarding access and safety. Matters of pedestrian/cycle access and parking requirements would be dealt with under the detailed layout provided in a future application and so are not of concern here. The adjacent highway is of a suitable standard that it could support a future bus service which might assist in accessing the site sustainably, however bus service provision is not a matter that can be controlled through the planning arena.

Other issues

Matters of scale, appearance, layout and landscaping are reserved for a future application where such details would be provided and considered under the policy framework at that time.

Linked issues

The policy framework identified the need for the B1 units within the plan period 2006-2011, however the residential development of the ADR land was not required until after that plan period. Due to the timing of this application beyond the beginning of 2011, and therefore the current local plan period, it is not considered necessary to require that the B1 units be provided ahead of the residential development as the need for the residential element of the proposals here is as current as that for the B1 uses. [In fact, the residential development and resultant implementation of the spine road would make the use of the IN67 land for employment uses more likely and thus to some extent the residential development could be seen as enabling the potential employment uses to come forward.]

The regulations require a time limit for commencement of development to be attached to a planning consent, and also, where reserved matters are involved, that a time limit for the submission of further details be attached. In this case, two linked conditions are recommended, to cover the full residential element of the proposal and also the outline B1 elements, such that the residential should commence within the usual three years from granting of consent, and that the B1 element cannot commence until the relevant outstanding reserved matters have been granted and that these should be submitted within three years of the consent being granted and implemented within five years. This reflects the usual standard conditions, but combines them appropriately for the nature of this application.

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**Conclusion**

It is acknowledged that applications should be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, it is considered necessary to place weight on the emerging core strategy as well as the local plan.

In consideration of all the above matters, it is therefore considered that the proposal complies with the relevant local and national planning policy framework and would be unlikely to cause harm to interests of amenity or safety, providing sufficient conditions are imposed.

**Recommendation**

Officers are seeking an either/or resolution from Members in this case as follows, in that officers would carry out whichever of the two recommendations below applied:

**Subject to the outstanding highway and archaeology matters noted above being addressed,**

***Either:***

- 1. That having regard to the development plan and to all other material considerations, authority be delegated to the Head of Planning & Regeneration to GRANT planning permission subject to:**
  - a) a planning obligation ensuring that**
    - **On site open space is provided and maintained in perpetuity; and**
    - **A contribution towards off site playing pitches and equipped play facilities is paid to the Council; and**
    - **74 residential units are for the provision of social housing in perpetuity; and**
    - **A financial contribution is paid to the County Council towards the future provision of a school in the vicinity of the site; and**
    - **A contribution towards off site highway improvements is provided to the County Council as agreed; and**
    - and**
  - b) conditions and informatives as summarised below:**

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### Conditions

1. Development to commence within three years
2. Development to occur only once all reserved matters approved for the part of the site being developed
3. Reserved matters – define and require submission within five years
4. Materials to be agreed
5. Landscaping – what further details required and when to be implemented
6. Tree protection and mitigation
7. Litter and dog bin provision
8. Secured by design
9. Drainage as per STW request
10. As requested by highways
11. As requested by WRS
12. Implementation of appraisals and assessments in full
13. As per archaeology report
14. Approved plans specified
15. Marketing strategy for B1 uses to be agreed and implemented.
16. Any others as reported on the update paper

### Informatives

1. Reason for approval
2. Note that there is a S106 agreement attached
3. Secured by Design
4. Drainage info
5. Highways info
6. Environmental health info
7. Any others as reported on the update paper

**Or:**

2. **In the event that the planning obligation cannot be completed by 2nd June 2011, Members are asked to delegate authority to the Head of Planning & Regeneration to refuse the application on the basis that without the planning obligation the proposed development would be contrary to policy and therefore unacceptable due to the resultant detrimental impacts it could cause to community infrastructure by a lack of provision for their improvements, and that none of the dwellings could be restricted to use for affordable housing in line with current policy requirements.**