

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Persimmon Homes Ltd	<p>Hybrid applications 19/00976/HYB and 19/00977/HYB for up to 960 dwellings consisting of a full application for 128 dwellings accessed off Weights Lane, new public open space, drainage system, engineering operations associated works and an outline application (with all matters reserved with the exception of access) for the construction of the remaining dwellings with access points off Cookridge Close, Hawling Street and Weights Lane and including a new District Centre, new play facilities, new highway network, public open space, new drainage system and surface water attenuation, engineering operations and all associated works including landscaping.</p> <p>Land At Brockhill East, Weights Lane, Redditch, Worcestershire</p>		19/00976/HYB

**RECOMMENDATION:**

**(a) MINDED to APPROVE HYBRID PLANNING PERMISSION**

(b) That **DELEGATED POWERS** be granted to the Head of Planning and Regeneration to determine the outline planning application following the receipt of a suitable and satisfactory legal mechanism in relation to the following:

**i) Highways**

- **Bromsgrove & Redditch IDP** £780,000 (Redditch) and £469,429.03 (Bromsgrove)
- **TRO Application** The processing cost for a TRO for Weights Lane, in seeking to change the speed limit from 40mph to 30mph.
- **Community Transport.** Contribution £40,000 over 5 years
- **Bus Service Strategy** Contribution £324,000
- **Bus Service Infrastructure** Based on 3 pairs of stops with associated shelters only in the inbound direction. Contribution £40,000.

**ii) Education Infrastructure**

Transfer of a strip of land adjacent the new first school site to support the expansion of the school'

First school contribution calculated on a per plot basis

- £2,307 per open market 2 or 3 bed dwelling

- £3,461 per open market 4 or more bed dwelling
- £ 923 per open market 2 or more bed flat

A Middle school contribution calculated on a per plot basis

- £2,308 per open market 2 or 3 bed dwelling
- £3,462 per open market 4 or more bed dwelling
- £ 923 per open market 2 or more bed flat

**iii) Off-site Open Space** £405,000

**iv)Waste Management Contribution**

Waste and recycling bins calculated as follows:

- Dwellings within the Redditch BC authority - Refuse bins (1 x green bin / 1 x grey bin) £31.29 per dwelling
- Dwellings within the Bromsgrove DC authority - Refuse bins (1 x green bin / 1 x grey bin) £52.24 per dwelling

**v) Planning Obligation Monitoring Fee** £7,500 (TBC)

**vi) Bromsgrove and Redditch CCG** Contribution £363,374

**vii)Worcestershire Acute Hospitals Trust (WAHT)** Contribution £459,390.86

And:

- viii)** The securing of a 30% provision of on-site affordable dwelling units for dwellings Redditch BC authority
- ix)** The securing of a 40% provision of on-site affordable dwelling units for dwellings Bromsgrove DC authority
- x)** The provision and future maintenance in perpetuity of the on-site play space, SuDs facilities and open space provision with appropriate mechanism (including commuted sum) to adopt the open space
- xi)** District Centre, outlining specification and Marketing Plan

And: (c) **That DELEGATED POWERS be granted to the Head of Planning and Regeneration to agree the final scope and detailed wording and numbering of conditions as set out in the report**

## **Consultations**

### **Worcestershire Highways**

- No objection subject to conditions and financial obligations
- The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted and consultation responses from third parties, the Highway Authority concludes that there would not be a severe impact and therefore there are no justifiable grounds on which an objection could be maintained.

- Suggested Conditions and Obligations:

Conditions

- Weights Lane Improvement Scheme (S278)
- Dagnell End Road / A441 Birmingham Road Improvement Scheme (S278)
- Conformity with Submitted Details
- Vehicular visibility splays
- Electric vehicle charging point
- Cycle parking
- Residential Travel Plan
- Construction Environmental Management Plan

Planning Obligation

- **Bromsgrove & Redditch IDP** The applicant is required to contribute £780,000 (Redditch) and £469,429.03 (Bromsgrove) to mitigate for the additional demands (as detailed above in this response) on the wider transport network that the development will generate.
- **TRO Application** The processing cost for a TRO for Weights Lane, in seeking to change the speed limit from 40mph to 30mph.
- **Community Transport** There is a need for a new Community Transport service to meet the transport needs of the elderly and disabled especially due to the impact of the anticipated gradients in the area on their ability to access bus stops and the distance from Hospitals and the policy of the local Health Trust regarding not restricting medical appointments to local Hospitals. Contribution £40,000 over 5 years.
- **Bus Service Strategy** A new circular service operating a peak bus requirement of 3 buses (every 20 minutes), by creating a circular service, routing through the Brockhill East sites serving Weights Lane and Redditch Town Centre. Contribution £324,000. The contribution for the Phase 3 circular bus service is based on a peak bus requirement of 1 bus.
- **Bus Service Infrastructure** Based on 3 pairs of stops with associated shelters only in the inbound direction. Contribution £40,000.

**Mott Macdonald (MM)**

(Acting as Transport Planning Advisors to Bromsgrove District Council)

Mott MacDonald (MM) has been appointed by Bromsgrove District Council (BDC) to provide development control advice in relation to planning applications in Bromsgrove District. As part of this work they have produced the following reports.

- MM Review of Brockhill East Transport Assessment (April 2020) - A review of the Transport Assessment (TA) and associated data and information submitted by PJA
- MM Response to PJA Response (July 2020)
- MM Response to PJA Mitigation Design Update Note (October 2020)
- MM Response to PJA Dagnell End Road - Junction Design Modelling Update (January 2021)

These reports raise a range of comments and issue in relation to the various submissions made as part of this planning application. Overall, they have assessed the following areas of the proposal:

- Development Proposals (including site access, internal road layout, parking, public transport)
- Travel Demand (trip generation for the residential and district centre element, trip distribution)
- Travel Impact on local highway network
- Junction capacity assessment (including A441 / Weights Lane / Brockhill Phase 4 Development Access, Dagnell End Road / A441 and other key junctions)
- Traffic Impact on Bromsgrove
- Travel Plan

The final issues identified within the January 2021 report concludes that:

In terms of the junction modelling for the mitigation scheme, Mott MacDonald confirm that the revisions undertaken by PJA to the modelling have been done satisfactorily and demonstrate nil detriment when compared the existing junction layout in 2030 with committed development traffic. This matter is therefore considered resolved. In terms of the issue related to the primary signal head on Dagnell End Road, Mott MacDonald have identified several technical issues that will require further information from the developer to resolve.

Following further correspondence Mott MacDonald note that there is sufficient land available and the likely modification required will be relatively small and will not impact on land take or forward visibility to the signals. Therefore, at this stage, the issues noted should not hold the scheme up at this stage in the process, but the points noted above and below do need to be considered as the scheme progresses as part of the detailed design process which will include a Road Safety Audit.

Their recommendation to BDC is that MM have no further grounds to refuse this planning application.

### **North Worcestershire Water Management**

No objection subject to conditions relating to:

- A scheme for foul and surface water drainage
- SuDs management plan

### **Severn Trent Water**

No objection subject to condition relating to the following:

- Drainage plans for the disposal of surface water and foul sewage

### **Worcestershire Regulatory Service: Air Quality**

No objection

- WRS are satisfied with the findings of the report and they have no adverse comments  
Conditions
  - Domestic electric vehicle charging points
  - Secure cycle parking

- Low emissions boilers

### **Worcestershire Regulatory Service: Noise**

No objection

- Due to the close proximity of existing residential properties to the proposed development care should be taken during the construction phase to reduce any adverse impacts caused to local residents. I would therefore recommend that the applicant follow Worcestershire Regulatory Service's Code of Best Practice for Demolition and Construction Sites.

### **Worcestershire Regulatory Service: Contaminated Land**

- No Objection
  - Submission of full standard tiered risk assessment (outline element)
  - Tiered risk assessment (full element)

### **Waste Management**

No objection

### **Worcestershire Archive and Archaeological Service**

No objection

Suggested conditions:

- The submission of a programme of archaeological work
- Written scheme of investigation

### **Worcestershire County Council Education Service**

The development site lies across the planning districts of both Bromsgrove and Redditch. However, it is situated solely in the educational district of Redditch. A three-tier system of education is predominantly in place.

The schools considered to be directly related to the proposed development are the catchment area schools of Tardebigge CE First School and Holyoakes Field First School, Birchensale Middle School and Trinity High School.

In addition, the existing Holyoakes Field First School is due to relocate to Brockhill site and will serve the proposed development. There is very little capacity at first schools within the area and this is further evidenced at the next three nearest schools located to the proposed development.

With regards to middle school infrastructure, Birchensale will be impacted by other large-scale development at Foxlydiate and it is therefore prudent to identify the longer-term proposals for middle schools in the area. A further 3 schools are located within the statutory walking distance and may be considered as directly related to the development.

In response to the application, the transfer of a strip of land adjacent the new first school site to support the expansion of the school together with an education contribution for the first school phase would be sought of:

£2,307 per open market 2 or 3 bed dwelling  
£3,461 per open market 4 or more bed dwelling  
£ 923 per open market 2 or more bed flat

The contribution will be used to support the expansion of Holyoakes Field First School (Brockhill site).

In response to the application an education contribution for the middle school phase would be sought of:

£2,308 per open market 2 or 3 bed dwelling  
£3,462 per open market 4 or more bed dwelling  
£ 923 per open market 2 or more bed flat

The contribution will be used to support the expansion of a middle school serving the catchment area of the proposed development.

No contribution will be sought for education infrastructure towards the high school phase (years 9-13).

### **NHS Redditch and Bromsgrove Clinical Commissioning Group**

Redditch and Bromsgrove CCG 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 is likely to have an impact on the services of 8 GP practices in the area. The GP practices do not have capacity for the additional growth resulting from this development. CCG calculates the level of contribution required in this instance to be £363,374, which will be towards new and additional premises.

### **Worcestershire Acute Hospitals NHS Trust**

- The contribution requested for this proposed development is £459,390.86. The money will be spent to meet the marginal costs of direct delivery of healthcare for the additional population. This will include the cost of medical, nursing and other health professional staff, which may be incurred at a premium rate. The money will also meet increases in other direct costs associated with healthcare delivery, for example, diagnostic examinations, consumables and equipment.
- Most emergency demand within Worcestershire flows into Worcestershire Royal Hospital and the Alexandra Hospital. It is highly likely that demand from new housing development will follow these patterns.
- Worcestershire Acute Hospitals NHS Trust (the Trust) is currently operating at full capacity in the provision of acute and planned healthcare.
- It is further demonstrated that although the Trust has plans to cater for the known population growth, it cannot plan for unanticipated additional growth in the short to medium term.
- The Trust is paid for the activity it has delivered subject to satisfying the quality requirements set down in the NHS Standard Contract. Quality requirements are linked to the on-time delivery of care and intervention and are evidenced by best clinical practice to ensure optimal outcomes for patients. The contract is agreed annually based on previous year's activity plus any pre-agreed additional activity for clinical
- service development and predicted population growth (this does not include ad-hoc housing developments).
- The following year's contract does not pay previous year's increased activity. The contribution is being sought not to support a government body but rather to enable that body to provide services needed by the occupants of the new development, and the funding for which, as outlined below, cannot be sourced from elsewhere. The

development directly affects the ability to provide the health service required to those who live in the development and the community at large. Without the contribution, the development is not sustainable and should be refused.

### **Natural England**

No objection - Hewell Park Lake Site of Special Scientific Interest – No objection

Based on the plans submitted, Natural England considers that the proposed development will not damage or destroy the interest features for which the site has been notified and has no objection.

### **Leisure Services**

No objection

Leisure have identified two priorities in and around Abbey Stadium including outdoor changing facilities and cycling. In terms of the outdoor changing facilities that would help divert the increase in demand resulting from the proposed development outside of the leisure centre building and into the wider Abbey Stadium grounds. In relation to the potential cost of this element, based upon the 2nd quarter 2020 facility cost updates produced by Sport England, this estimates a 75 sqm changing room to be around £265,000. The priority for the Council's Leisure Department is for investment to provide a 3G artificial grass pitch at the Abbey Stadium, of which part of the £1.2m Foxlydiate contribution will pay for. Alongside the 3G pitch work, the intention would be to complete the outdoor changing facilities to promote access to this new facility.

The second priority relates to cycling. This would contribute to the emerging cycling master plan for the Borough and as part of that connect Brockhill East with the great open space of the Arrow Valley. This contribution will contribute to the Council's intention to develop the cycling "hub" on the Abbey site with the development of a closed circuit track consolidating the relationship between the Redditch Road and Path Cycle Club and the wider Borough's cycling path developments. The outline costs from the Council's civils contractor, estimated to be approximately £140,000.

We would request that we have final approval/input of the on-site scheme/design to ensure it conforms to other Play Designs and appropriate to the size of the development. We would be happy to be involved in the designing of the scheme.

### **Sport England**

No objection subject to securing the required contributions to help to meet the demand created by residents of the proposed development.

### **Worcestershire Wildlife Trust**

No objection subject to the following conditions:

- A CEMP
- A LEMP
- SUDS
- Lighting

### **Cadent Gas Ltd**

No objection

### **Conservation Officer**

No objection

### **Housing Strategy**

No objection

The % mix of open market and affordable units is acceptable and the siting of the affordable units around the site is what I would expect.

### **Arboricultural Officer**

No objection

There is a large amount of open landscaping area shown within the site which would allow opportunity to include a substantial amount of tree planting within the development. I would therefore request that an extensive native tree planting scheme is included within the development.

Condition

- All retained trees and hedge lines upon the site will need to be afforded protection in accordance with BS5837:2012 through out any ground and development works on the site and an arboricultural method statement and protection plan will need to be submitted.

### **Health and Safety Executive**

No objection

### **Network Rail**

No objection

- Risk Assessment and Method Statement (RAMS) for all works to be undertaken within 10m of the operational railway under construction
- Suitable boundary fencing
- Details of scaffolding works within 10m of the railway boundary
- Vibro-Impact Machinery
- Drainage proposals and Network Rail land
- Excavation and Earthworks and Network Rail land:
- Parking / Hard Standing Area

### **CPRE**

We are not opposing the principle of development. We did not oppose this site at the Examination of the Plans and do not do so now. There are however some aspects of the plan about which we are not happy and would hope you can persuade the applicants to revise their plans to take account of these issues.

- There is a lot of open space (which is potentially good), but this all appears to be sloping land, some steep enough to need zigzag footpaths. It is important that open space should be land that can be beneficially used for recreation, for example sports fields. I appreciate that much of the site is sloping, but think that there must be areas that are flat enough to be levelled to make sports pitches.
- Policy BDP7 emphasises 2 and 3 bedroom houses. The majority of what is proposed in the detailed part of the application is 3-bedroom. I suspect that more 2-bedroom houses may be required, perhaps also more 1-bedroom affordable houses. However I am not fully familiar with housing demand in Redditch. The



housing make up for application of this scale ought to be driven by what the town needs, not what the developer may find most profitable.

These issues perhaps relate more to the outline aspects of the application, rather than where it is a full application. Care needs to be taken that granting planning consent for such a wide area, which will be required to be in accordance with the plans submitted does not have the effect of predetermining issues as to later phases of the development in a manner that may subsequently prove to be unwelcome. Furthermore, the need to determine at this stage issues relating to later phases (such as financial contributions) may delay the formal grant of consent for Phase 1. In view of the state of housing land supply in Bromsgrove and the longwinded negotiations over Foxlydiate, Perryfields, and Whitford, there may be a good reason for the councils to grant detailed consent for the early phases quickly, leaving later phases for subsequent negotiation.

### **Tutnall And Cobley Parish Council**

Tutnall and Cobley Parish Council has no comment regarding this planning application.

### **Alvechurch Parish Council**

No objection, however, it is the intention of the Parish Council to write making representations regarding traffic management, congestion on the A441 and disruption to the free flow of traffic on this busy arterial link between Redditch and Alvechurch/Birmingham during the construction phase of the development; if both Councils are minded to approve the application.

This was followed by a further representation in October 2020 which stated the following:

Since making these comments, APC has had very recent contacts with Bordesley residents complaining about the current excess vehicle speeds and problems for pedestrians, especially school children, in crossing this very busy road.

Useful discussion has followed with County Cllr Hotham about measures that can be introduced on this part of the A441 including a further vehicle activated speeding sign, and exploring a change in the speed limit from 40mph to 30 mph between the Redditch boundary going northbound to the bus stop and shelter, the mid way point in the A441 Bordesley section having houses on both sides of the road. Since this kind of speed reduction is compatible with Dept of Transport advisory documents on Village Signs, APC hopes this can be introduced soon and ahead of construction work starting at Weights Lane.

With County Cllr Hotham we have also examined the case for a pedestrian refuge or other crossing arrangement to be installed at or near the A441 junction with Dagnell End Road. This builds on his earlier comment made about this planning application. Accordingly, the Parish Council is pleased to see that the pedestrian crossing topic has been addressed in the Weights Lane development transport assessment as part of the traffic load mitigation measures. See following: mitigation works examined by PJA and shown on the documents list for this planning application:

Assuming the planning application is approved and in the primary interests of Bordesley residents, APC urges quick action on these mitigation measures by Worcestershire County Council as highway authority and Persimmon as developers. We hope there will

be no undue delays from the issues around cyclists and their benefit from the use of the Toucan style of crossing.

In our earlier comments on this planning application we drew attention to traffic flow on the A441 through Bordesley during the construction phase of this next development on the overall site.

The previous phase of site construction in this area caused both huge congestion for A441 road users going to and coming from Redditch and major difficulty for Bordesley residents wishing to leave or enter their properties because of traffic congestion and queuing. Traffic was often stationary for long periods of time largely due to poor management of temporary traffic light signals and their lack of synchronicity with the permanent traffic lights at the A441 / Dagnell End Road junction.

From that wholly unacceptable situation persisting in Bordesley for over a year while housing construction was underway, APC formally complained to the RBC chief executive, provided a detailed critical report on traffic management failures and met to discuss this with the Redditch Head of Planning and the then WCC senior highways manager. We were told that better WCC supervision would happen in future cases of temporary traffic lights installations with monitoring of the use of "spotters" in reducing excessive traffic queuing.

We will expect to see as part of the conditions attached to planning approval for this development, an agreement between WCC, the developer and its agents for a much improved traffic management plan for the A441 at and near the Weights Lane site during the construction period. This should include provision for regular meetings between the developers agents, WCC officers and APC to ensure the A441 traffic management plan is working satisfactorily. An important addition to overall traffic management will be made if contractors and their materials approach the site by exiting the M42 at junction 3 and entering Redditch by the Eastern Gateway.

### **Cllr Hotham**

Comments made as County Councillor, not Bromsgrove Councillor.

I have just seen this application and as county councillor for the very close neighbouring area of Bordesley I would like to request that a section 106 contribution is required to complete the pavement over the brook on the A441 towards M and S. I would also suggest that money should be found to alter the traffic lights to allow for a pedestrian crossing to be installed.

Further comments submitted:

Should this be given approval I would like to ask for improvements to be made to the Redditch Road. Please could the pavement be continued past the bridge on the petrol station side to allow residents of the new properties to access on foot the associated supermarket. In addition, I would like ideally like to request a signalled pedestrian crossing so residents could also access the pub on the other side of the road safely. Should this not be possible please could a central refuge area be considered.

## **Redditch Borough Council**

At the Redditch Planning Committee meeting on 13th January 2020. Members endorsed the comments made by officers under the officer appraisal regarding design, housing and transport and as attached in appendix one of that committee report, which provide comments on 19/00976/HYB.

## **Pre Consultation Exercise**

The NPPF recognises that early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. The Council's adopted Statement of Community Involvement suggests examples of pre-application community involvement.

The applicant held a public consultation event to share information about the proposed development and to canvass thoughts and views about the project. This event provided the opportunity for local residents to raise questions regarding the proposal, and are summarised below:

- Off-site traffic
- On-site Traffic/ School Traffic/ Parking
- Public Facilities (Doctors etc.)
- Local Centre/ Community Centre
- Bus stop/ route

These concerns form a material consideration in the assessment of this planning application and the concerns raised have been addressed within this report.

## **Publicity**

- 823 letters sent 25<sup>th</sup> July 2019 (expired 18<sup>th</sup> August 2019)
- Additional letters sent 5<sup>th</sup> November 2020 (expired 22<sup>nd</sup> November 2020)
- Site notices posted 23<sup>rd</sup> July 2019 (expired 16<sup>th</sup> August 2019)
- Press notices published in the Bromsgrove Standard and Redditch Standard 22<sup>nd</sup> July 2019 (expired 12<sup>th</sup> August 2019)

74 representations received **objecting** to the scheme on the following principal issues:

## **Principle**

- The site is unsuitable for housing development
- The site is not sustainable
- Further development will have a negative impact on Redditch
- Redditch and Bromsgrove have already had its share of housing with additional sites coming forward
- Alternative sites should be considered, there is sufficient brownfield sites available
- Development will result in a loss of countryside
- Development will result in a loss of Green Belt land

## **Form of Development**

- Out of scale
- Detrimental visual impact

- Loss of views
- Insufficient open space

### **Air Quality**

- Concerns regarding the increase in air pollution
- Perceived health issues arising from poor air quality

### **Highways and Access**

- Development will add to the already congested roads in this area and through Redditch
- Brockhill Lane is unsuitable for further traffic
- Highways safety
- Pedestrian safety concerns
- Lack of public transport
- Rat running to avoid the queues
- Insufficient parking for new dwellings
- Increase in on street parking for the rest of the Brockhill Estate
- A441 no bypass/Bordesley By-Pass
- Residents already cannot exit the Millwood Meadows (Bovis Homes) roundabout this will make situation worse
- Long queues

### **Noise and Disruption**

- Concerns regarding the increased noise from traffic and development
- Concerns regarding the disruption during development from site traffic and work
- Delays and disruption caused by highways work

### **Drainage and Flood Risk**

- Drainage in the area is not adequate for the development
- Increase existing drainage issues
- Development will increase the risk of flooding

### **Biodiversity and Trees**

- Destruction of wildlife habitats
- Concerns regarding the removal of tree and hedgerows and the effect this will have on the ecology of the site and wildlife
- Impact on protected species

### **Infrastructure**

- There is a general lack of infrastructure to support the development and this should be in place before the development takes place
- Concerns about the additional number of children seeking places at local school
- Concerns about the increase in waiting times at dentists and doctors
- Impact on hospitals
- Impact on existing parks and open space
- Lack of public services and shops
- Lack of internet infrastructure

### **Other Matters**

- Lack of public consultation
- Lighting impact

Other issues have been raised but these are not material planning considerations and have not been reported.

### **Relevant Policies**

Bromsgrove District Plan  
RCBD1: Redditch Cross Boundary Development  
BDP1 Sustainable Development Principles  
BDP2 Settlement Hierarchy  
BDP3 Future Housing and Employment Development  
BDP6 Infrastructure Contributions  
BDP7 Housing Mix and Density  
BDP8 Affordable Housing  
BDP12 Sustainable Communities  
BDP16 Sustainable Transport  
BDP19 High Quality Design  
BDP20 Managing the Historic Environment  
BDP21 Natural Environment  
BDP22 Climate Change  
BDP23 Water Management  
BDP24 Green Infrastructure  
BDP25 Health and Well Being

High Quality Design Supplementary Planning Document (June 2019)

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

(The policies are relevant in terms of understanding Redditch's Housing Need as discussed later in this report)

Policy 3 Development Strategy

Policy 4 Housing Provision

Appendix 1 RCBD1 Redditch Cross Boundary Development

### **Others**

- National Planning Policy Framework ('NPPF') (2019)
- The Planning Practice Guidance ('PPG') published in March 2014; online and continually updated
- National Design Guide (2019)
- Worcestershire Waste Core Strategy

## **Relevant Planning History**

- Phase 1 (2011/177/OUT): Mixed use development of 171 dwellings, public open space (no matters reserved) and outline application for 4,738 square metres of Class B1 (Business) floorspace and access. Planning consent was granted on 3rd October 2011.
- Phase 2 (2014/256/OUT): Mixed use development of 296 dwellings, play area, Community House and public open space and outline application for up to 3,100 square metres of Class B1 (Business) floorspace and access. Planning consent was granted on 29th March 2017.
- New School: (16/000007/REG3) New two-form entry First School with associated external areas including access road, hard play, grass pitches, forest schools area, and parking. Planning consent was granted on 13th October 2016.
- Lowans Hill Farm: (2014/210/FUL) Reconstruction of farmhouse building to create two dwellings. Conversion of existing barns to create five dwellings and erection of garage buildings and stores. Planning consent granted on 16th March 2015.
- Land at Weights Lane (2012/120/OUT) Mixed use development of up to 200 dwellings, 5,000 sqm (gross) Class B1 office floorspace with associated open space and access arrangements. Planning consent granted on 11th March 2014.
- Land at Weight Lane (reserved matters): (2015/265/RM) Layout, appearance, scale and landscaping for the erection of 200 no. dwellings with associated infrastructure and landscaping and the discharge of conditions 5, 9, 15 and 16 of the outline application reference 2012/120/OUT. Planning Permission was granted 16th December 2015.

## **Assessment of Proposal**

### **1.0 Context and Site Description**

- 1.1 The application site is a greenfield site which extends to circa 56 hectares and is irregular in shape, comprising of heavily grazed improved grassland and large arable field parcels typically subdivided by fencing. The site's boundaries extend adjacent to Brockhill Lane to the west, Weights Lane to the north, the Redditch/Birmingham railway line to the east and Phase I (Pointer's Way) and Phase II (Meadow View) to its south. These phases have been built by Permission and a further phase by Bovis Homes off the Weights Lane roundabout is currently being completed.
- 1.2 The boundaries of the site are typically defined by vegetation, including trees, hedgerows and blocks of new and established woodland, or the urban edge of Redditch, particularly that formed by Phases I and II of Brockhill East. The site contains three blocks of broad leaf plantation woodland on higher ground with other vegetation comprising of hedgerows and scattered trees particularly along the Red Ditch. The Red Ditch flows through the site in a north-south direction.

- 1.3 The topography of the site is undulating with a number of localised high points that form a prominent ridge running into the site from north-west to south-east. The undulating ground means that existing gradients can be very steep, in particular in the northern most land parcel south off Weights Lane.
- 1.4 Further constraints within the site include the Red Ditch which flows within its own valley north-south until it leaves the site beneath Pointer's Way. A high-pressure gas main also crosses the site from north-east to south-west. A fuel pipeline crosses the northern part of the site, south of Weights Lane, before leaving the site in a westerly direction.
- 1.5 The only buildings within the site consist of the former farm buildings at Lowan's Hill Farm. These had planning permission to be converted into 5 dwellings plus the construction of 2 new farmhouses to provide a total of 7 dwellings. Lowan's Hill Farm is located immediately to the north of housing development constructed within Phase I off Cookridge Close. Cookridge Close itself has recently been extended up to the remaining buildings at Lowan's Hill Farm. This road will provide access to a new two-form entry primary school that was granted planning permission (by the County Council) as part of the allocation in 2016.
- 1.6 Development surrounding the site includes Brockhill East Phase I (known as Pointer's Way) and Brockhill East Phase II (known as Meadow View). A further area of housing development (known as Millwood Meadows) is under construction to the east of the railway line by Bovis Homes and this also forms part of the wider local plan allocation. To the north of the application site off Weights Lane is an area of employment development known as Weights Farm Business Park. The area lies west of the railway line and predominantly occupies land north of Weights Lane. This area includes some individual houses which remain in residential use, converted agricultural buildings and, more recently, steel clad industrial units. It also contains areas of open hardstanding, car parking areas, a waste transfer use and car sales/repairs. Within the area, Weights Lane splits with the public highway curving west to provide access to a limited number of individual houses and a scrapyards. Vehicle access through from Weights Lane to Brockhill Lane is not possible albeit it does provide pedestrian/cycle access. The other spur off Weights Lane within the employment area consists of a private drive giving access to a further dwelling.
- 1.7 To the east Weights Lane passes beneath the Redditch/Birmingham railway line through a narrow bridge. The bridge is not sufficiently wide enough to allow two vehicles to pass and this will be addressed as part of the planning application process as Weights Lane represents one of the principal access points. Beyond the bridge to the east, Weights Lane contains a weigh bridge and a pair of semi-detached houses.
- 1.8 Brockhill Lane forms in part the western edge of the site and links residential development within Redditch to Hewell Lane/Hewell Grange. Beyond the urban edge of Redditch, Brockhill Lane is a narrow country road bordered by hedges and trees. To the south of the lane are large areas of woodland including Brockhill Wood.

## 2.0 Proposal

- 2.1 The application is submitted in hybrid form comprising elements seeking both full (detailed) and outline planning permission. The application straddles the border between Redditch Borough Council (19/00977/HYB) and Bromsgrove District Council (19/00976/HYB).

### Full Element

- 2.2 The full application consists of the construction of 128 dwellings. Access will be provided off a realigned Weights Lane, which would also provide access to other development parcels falling within the outline proposal. The realigned Weights Lane access would provide access to the site and then travel in a westerly direction to provide access to other development parcels within Phase III. The full planning application includes an internal access road which would travel from the extended Weights Lane in a southerly direction, ultimately linking into Hawling Street and the development under construction on Phase II of Brockhill East. In conjunction with the outline component, the development will deliver a comprehensive road network linking Weights Lane in the north-east to Pointer's Way in the south-west.
- 2.3 The full planning application provides a range of market and affordable homes, the breakdown of market and affordable dwellings are set out in the table below.

Market Housing	Height
6 x 2 bed dwellings	2 storey
55 x 3 bed dwellings	2 storey
17 x 3 bed dwellings	2.5 storey
12 x 4 bed dwellings	2 storey
<b>Total</b> 84 dwellings	

Affordable Housing	Height
<b>Shared Ownership</b>	
9 x 2 bed dwellings	2 storey
7x 3 bed dwellings	2 storey
<b>Rent</b>	
4 x 1 bed flats	2 storey
3 x 2 bed bungalow	1 storey
12 x 2 bed dwellings	2 storey
7 x 3 bed dwellings	2 storey
2 x 4 bed dwellings	2.5 storey
<b>Total</b> 44 dwellings	

- 2.4 In terms of the split between the two authorities, there are a total of 76 dwellings in Redditch and 52 dwellings in Bromsgrove. As set out above, there are different affordable housing thresholds for the different LPAs. Redditch has a requirement for 30% affordable housing therefore the proposal includes 23 affordable housing units in Redditch. Bromsgrove has an affordable housing requirement of 40%



therefore there are 21 affordable housing units in Bromsgrove. This means that the proposal provides fully policy compliant affordable housing in both LPAs.

- 2.5 The affordable homes are spread throughout the site to avoid large concentrations in a particular location. The proposed dwellings would be predominantly two storeys with the occasional 2.5 storey dwelling located on feature junctions and would be in detached and semi-detached formats. New public open space would be throughout the site. A corridor of open space would follow the gas pipeline which crosses the wider site in a south-west – north-east direction. Further areas of open space would be located between the railway line and Weights Lane. This would provide for a range of functions including as an attenuation basin/nature conservation area as well as areas of grassland/informal recreation.
- 2.6 Two groups of trees located to the south of the full area would be retained. Other trees within the site would also be retained. A further corridor of open space would be maintained between the existing committed residential development within Phase II and the new full application within Phase III.
- 2.7 Parking is provided alongside existing dwellings to avoid domination of street frontages with parked vehicles. Parking provision is based on two spaces per dwelling with many dwellings also benefiting from garages.
- 2.8 It is envisaged that the area of the full application would be developed as the first phase of Brockhill Phase III. It would be linked through to Hawling Street albeit construction traffic would be limited to Weights Lane only. The approach with the detailed application allows for construction to continue once the Phase II development has been completed in a relatively seamless fashion.
- 2.9 A key consideration in delivering the design of the new housing within the full component is the relatively steep slopes which currently exist. To maintain access routes at a gradient which can be satisfactorily accommodated by the community, it has been necessary to follow the contours of the site which has resulted in relatively straight vehicular routes. To avoid these becoming susceptible to higher traffic speeds a number of speed restraint measures have been introduced.
- 2.10 In addition, some pedestrian routes through the site do not accord with the 1:12 gradient normally required. This is unavoidable as without vast engineering operations to remodel the landscape, the existing topography of the site means that gradients will remain beyond those normally considered acceptable.
- 2.11 Nevertheless the design of the proposal has sought to provide the best and most convenient routes within the development and will provide a direct link to Hawling Street and will help create both linked streets, improved permeability and an integrated development.

## Outline Element

- 2.12 The outline component includes detailed points of access to the local highway network, but all other matters are reserved for subsequent approval (these reserved matters comprise of scale, appearance, layout and landscaping).
- 2.13 Three new access points are proposed, which includes the following:
- Weights Lane along the northeast site boundary;
  - the extension of Hawling Street (Phase 2) along the southeast site boundary; and
  - the extension of Cookridge Close (Phase 1) along the southern site boundary.
- 2.14 The application proposes 23ha of residential development (excluding land for the district centre) and would deliver up to 832 dwellings in a range of types and tenures. A mixed-use district centre of 0.8ha would be provided. A new internal highway network. 30ha of public open space would be provided to include informal and formal open space, existing and proposed structural planting, drainage and play. Sustainable Drainage Systems (SuDS) would be provided within areas of public open space.
- 2.15 A further five residential parcels are proposed to be developed from the remaining area of Brockhill East Phase III.
- 2.16 The first area comprises of an extension in a westerly direction of the full application. This would involve the extension of the Weights Lane spur in a westerly direction and new residential development created on either side of it. This location is immediately to the south of the existing alignment of Weights Lane. It also has sloping topography with land falling from the high point on the site to the south of this phase into the wider development parcel. As with the detailed application, the design and layout of the proposal at reserved matters stage would require careful consideration to take onboard the topography and deliver an integrated and attractive new development.
- 2.17 Through the centre of the site would be a further three parcels of residential development. It also includes a separate area for the district centre. The district centre is located immediately adjacent to the approved primary school site which is, in turn, located to the north of Lowan's Hill Farm buildings. The district centre is to be accessed off Cookridge Close in the same way that the school and other residential parcels are to be accessed. Cookridge Close would form one of the principal access routes into the development and provide a loop road from the realigned Weights Lane south onto Pointer's Way and onto Brockhill Way.
- 2.18 The new district centre would be adjacent to the school site and contain a convenience store no larger than 500 square metres, a new community building, additional smaller scale retail units, car parking and associated landscaping. Discussions are being held with a potential operator to bring this forward, albeit it would be reliant on the new population associated with the residential development forming part of Brockhill Phase III.

- 2.19 A further residential parcel is shown north of the proposed district centre. This would be located south of the gas pipeline, which cuts across the site. This residential area is located below the highest ridge line on the site to avoid any skyline issues. As with other residential components on this portion of the site, gradients are steep which will again be a consideration on the ultimate design and layout of the development parcel.
- 2.20 A further residential component is shown beyond the pipeline corridor, again located to avoid the highest ground to the north. These would also be located to the north-east of the valley created by the Red Ditch.
- 2.21 The residential parcel is shown to the north-west of the site, north of the fuel pipeline and south of Weights Lane. It is located immediately to the west of existing residential properties located on the western portion of Weights Lane, in the vicinity where the road narrows down to form a footpath/cycling link only. Again, this residential parcel will be set below the highest parts of the site which is closest to Weights Lane. As with other areas of new housing within the scheme, each residential parcel is set within its own landscaped setting to ensure it is assimilated with the rural context.
- 2.22 The final residential parcel would be located on the western edge of the site. This is located to the north-east of Brockhill Lane. This residential parcel has been designed to avoid the highest land on the very western edge of the site. Access to this area would be via by a spur road off the main central road linking Cookridge Close with the realigned Weights Lane. Immediately to the north of this land parcel would be an area of woodland which falls outside of the site and would be retained. The Red Ditch flows out of the woodland in a southerly direction within its own valley. No access would be provided from the site to Brockhill Lane with all vehicular traffic travelling via the new road network to join the central spine route.
- 2.23 The final mix of dwellings has not been specified, however it is anticipated that this development would deliver a similar range of housing as the previous phases which comprise of predominantly 2-4 bedroom semi-detached and detached properties. A policy compliant affordable housing will be provided. This varies depending on the local authority with 30% required in Redditch and 40% in Bromsgrove.
- 2.24 A significant portion of the site would consist of new public open space. This would be formed by a series of substantial areas predominantly on the highest ground within the site forming a substantial corridor. A further significant corridor would be formed by the valley of the Red Ditch which crosses the site in a north-south direction. In addition to these principal areas of open space further corridors would be created. The line of a gas main which runs south-west – north-east through the site would be maintained as a green corridor. Similarly, the fuel pipeline which zigzags through the northern portion of the site and adjacent to Weights Lane would also be maintained as a green corridor. The design of the residential parcels and the district centre/primary school have all been created to maintain their separate identities and ensure they are surrounded by substantial areas of landscaping. This design approach would deliver significant amounts of green

infrastructure and allow for the creation of further corridors of space within which the new residential community can be created. As part of this green infrastructure, a series of amenity walking routes would be created linked together to provide a coherent and substantial pedestrian/cycle network. As part of this approach the substantial areas of woodland planting on the site and significant areas of hedgerows would be retained and integrated. Within the green infrastructure there have also been identified play area locations on suitable intersections in the pedestrian network. Further smaller scale play provision can be made within the residential areas.

- 2.25 The application has not been subject to an Environmental Impact Assessment (EIA). In December 2018, the Secretary of State directed that the proposed development was not 'EIA development' within the meaning of the 2017 Regulations.
- 2.26 The Secretary of State overall concluded that the potential impacts arising from the development would have been considered when the site was allocated during the Local Plan process. He also considers that the potential impacts are not complex and could be considered under normal planning practice and that relevant information could be set out in suitable assessments, particularly on traffic, emissions, impacts on sensitive sites and archaeology, and submitted to support any planning application.

### **3.0 Main Issues**

3.1 The main planning issues to consider in respect of this application are;

- Strategic Planning Background
- The Principle of Development
- Loss of Agricultural Land
- Design
- Transportation and Accessibility
- Heritage Assets
- Air Quality
- Green Infrastructure
- Ecology
- Water Management and Flood Risk
- Ground conditions
- Landscape and Visual Impact
- Noise
- Residential Amenity and Public Safety
- Infrastructure Requirements
- Planning Balance

### **4.0 Strategic Planning Background**

4.1 Through the preparation of shared evidence on housing needs matters, it first became apparent early in the plan making process for the Bromsgrove District Plan 2011-2030 (BDP) and the Borough of Redditch Local Plan No.4 2011-2030

(BORLP4) that Redditch Borough would be unable to meet its own housing needs on land solely within its jurisdiction. The 2012 Worcestershire Strategic Housing Market Assessment revealed that overall housing need to 2030 for Redditch was found to be around 6,380 dwellings, but land could only be found to accommodate 3,000 dwellings, leaving a shortfall of around 3,400. Bromsgrove and Redditch Councils worked through the Duty to Cooperate to find and assess possible locations where this shortfall could be met. The Duty to Co-operate is a statutory requirement on local planning authorities, county councils and other prescribed bodies to work together on strategic planning matters through the preparation of plans.

- 4.2 The result of this joint working and assessment was the proposal of two large sites to the northwest of Redditch, and within Bromsgrove District as the most suitable and sustainable sites which could deliver the homes needed. The sites were Foxlydiate and Brockhill East and at the time, both areas were within the Green Belt. Policy RCBD1 Redditch Cross Boundary Development in the BDP was drafted to take the proposed sites forward for removal from the Green Belt and subsequent allocation for development. The policy and the evidence underpinning it was heavily scrutinised at the joint examination into the two plans, held from March 2014 – December 2016. Upon issuing his final reports to the two Councils in December 2016, the Inspector ultimately found that the selection of the two sites proposed for allocation at Foxlydiate and Brockhill East was appropriately justified. This allowed the two plans (BDP and BORLP4) to be progressed to adoption in January 2017 and at this point, both sites were removed from the Green Belt and allocated for development.
- 4.3 Brockhill is allocated as Site 2 in Policy RCBD1. It is allocated for approximately 600 dwellings which will integrate with the Strategic Site at Brockhill East.
- 4.4 Alongside the allocation, policy RCBD1 also sets out detailed principles and criteria that should be adhered to in order achieve sustainable communities on the cross boundary allocation sites. This includes the main requirements for:
  - Up to 40% affordable housing, with a mix of house types and tenures
  - An overall Transport Assessment taking account of the individual and cumulative effects of development on transport infrastructure. This will need to define the mitigation necessary to maintain the safety and operation of the road network.
  - Significant improvements in passenger transport to result in integrated and regular bus services.
  - An overall Strategy and Management Plan for Green Infrastructure which maximises opportunities for biodiversity and recreation.
  - Walking and cycling routes well integrated with the Green Infrastructure network and a number of other detailed requirements which are equally important.

- Development proposals should incorporate provision for any necessary infrastructure to be delivered in parallel with the implementation of new development.

- 4.5 The policy is also included as an Appendix to the Borough of Redditch Local Plan No.4 (BORLP4) for cross-referencing and completeness.
- 4.6 Planning applications should be assessed against the statutory development plan for the area, which for Bromsgrove is the BDP. The BDP allocates the Brockhill site for development to meet the needs of Redditch Borough and that cannot be changed until the plan is formally reviewed. A review of the Bromsgrove District Plan has commenced and is in the early stages, with adoption of the plan not expected in the short term.
- 4.7 The review of the BDP will look ahead for a minimum period of at least 15 years. Only at this time and through the formal plan-making process, which culminates in an examination before a Government appointed Inspector, can the issue of unmet need from neighbouring authorities (whether this be Redditch or from the West Midlands conurbation) be assessed and an appropriate policy response determined.
- 4.8 A review of the Borough of Redditch Local Plan No.4 is not programmed at present, however circumstances may change. Bromsgrove District Council will have the same requirement under the Duty to Cooperate to work with neighbouring authorities on cross-boundary matters throughout the plan review process, just as it did during the preparation of the BDP. As further evidence is gathered and the housing need figure for Bromsgrove evolves into a housing requirement policy for the plan, consideration will be given to the supply and demand for new homes across the Redditch and Bromsgrove areas, including possible consideration of the 'ownership' of cross-boundary development sites.

## **5.0 Principle of Development**

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that any application for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Members will be aware that the Development Plan for the area comprises the Bromsgrove District Plan (BDP) 2017.
- 5.2 Several representations refer to the application constituting inappropriate development in the Green Belt. Brockhill was taken out of the Green Belt with the adoption of the Bromsgrove District Plan in 2017, the site was then confirmed as a residential led development site. For the avoidance of doubt, a refusal of this application would not have the effect of restoring the Green Belt designation which once existed. Nor would it alter the District Plan allocation of this site for development.
- 5.3 The NPPF seeks to promote sustainable development. The achievement of this aim requires consideration of the inter-linked social, economic and environmental dimensions. Pursuing sustainable development involves seeking positive

improvements in the quality of the built environment and in the quality of life; this includes improving the conditions in which people live, work and travel, and also widening the choice of homes (paragraphs 7-8).

- 5.4 With regard to transport, paragraph 111 of the NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan and the application should be supported by a transport statement or transport assessment so that the likely impact of the proposal can be assessed. Plans and decisions should take account of opportunities for sustainable transport modes; safe and suitable access for all; and cost-effective improvements to the transport network, to limit significant impacts. However, permission should only be refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.5 Paragraph 130 states that permission should be refused for development of poor design, which fails to take opportunities for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.
- 5.6 Using the most up to date monitoring information in April 2020, Redditch Borough Council cannot demonstrate a 5 year supply of deliverable housing land sites, Redditch has 3.24-year supply. This means that paragraph 11d of the National Planning Policy Framework is engaged for the reasons set out below.
- 5.7 Paragraph 11 as a whole sets out a presumption in favour of sustainable development and the second part for Decision-Taking states:
- “For Decision-Taking this means:
- c) approving development proposals that accord with an up-to-date development plan without delay; or
  - d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
    - i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
    - ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”
- 5.8 Footnote 7 of the NPPF states that “This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with appropriate buffer as set out in paragraph 73)”. Therefore the presumption in favour of sustainable development is engaged by reason of the inability of Bromsgrove DC, as determining authority, and Redditch BC who’s housing need this site relates to being able to demonstrate a five year supply of housing land, and thus the most important policies for dealing with the application could be viewed to be out of date.

- 5.9 The trigger in paragraph 11d was perhaps drafted with speculative, non-allocated, windfall sites in mind and it is felt that sites such as Brockhill which benefit from inclusion in a development plan were not the intended focus of the test. These sites would be expected to be in accordance with the development plan and thus be approved “without delay” (paragraph 11c). Nonetheless, the Councils are in a position where they do not have a five year supply of housing sites, the site does not fall within an area protected by policies in the Framework as listed at footnote 6 (SSSI, Green Belt, AONB etc) and therefore, by default, paragraph 11d is engaged.
- 5.10 However, determination of the application does not rest wholly on section ‘d’ of the NPPF above, as the policies within the development plan which do not restrict the supply of housing remain material and still carry substantial weight. However, mindful of the five year housing supply position for Redditch, the considerations under section ‘d’ take on added weight.
- 5.11 This means that planning permission should be granted unless the adverse impact of doing so would significantly outweigh the benefits when assessed against the Framework as a whole, or in specific circumstances where development should be restricted. Local Plan policies continue to be relevant to determining site-specific issues and whether a development can be considered ‘sustainable’.
- 5.12 It is therefore considered that other material factors must be considered and whether the approval of the application would undermine the Bromsgrove District Plan and whether the proposal would ensure a sustainable and well-designed development.

## **6.0 Loss of Agricultural Land**

- 6.1 Paragraph 170(b) of the NPPF as amplified by Footnote 53 of the NPPF states - “Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.”
- 6.2 There is no evidence that the housing needs of Redditch can be met by avoiding development of such land having regard to the extent of the authority and other land restrictions. The loss of such land constitutes a dis-benefit of the proposal but not one which would justify refusal when balanced against issues of five year housing land supply and the limited availability of land to meet such need. The Local Plan’s Inspector was aware of this issue when he endorsed this site for residential development in the plan.

## **7.0 Design**

- 7.1 The NPPF at paragraph 124 states that *“The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested,*



*is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process”.*

- 7.2 The NPPF at paragraph 127 advises that planning policies and decisions should ensure that developments:
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
  - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
  - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
  - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
  - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
  - f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 7.3 Paragraph 130 confirms that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, because of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).
- 7.4 Within Bromsgrove Policy BDP 19 sets out that the Council will deliver high quality people focused space through requiring development to use appropriate tools and relevant guidance to achieve good design. The policy requires development to enhance the character and distinctiveness of local areas, create enhanced gateway locations and key approach corridors, ensure developments are accessible to all users, ensure permeable, safe and easy to navigate street layouts and avoid road dominated layouts by supporting the design of streets which follow the user hierarchy of pedestrian first, cyclists second, public transport user third, specialist service vehicle user fourth and other motor traffic fifth. The Policy goes on to indicate designing out crime and the fear of crime should be considered. Trees that are appropriate should be retained and integrated within the development. The development should incorporate sufficient appropriate soft landscaping and measures to reduce the potential impact of pollution.

- 7.5 Throughout the application process the applicant has worked to ensure that the development on the site represents high quality design and aspirations of place making. Whilst it is recognised that the Master plan for the site is illustrative, because of the hybrid nature of the application, there are elements which are sought in full, and when read as a whole the development seeks to create a good relationship between the existing buildings around the site and the proposed housing. It is noted that where possible attention has been paid to ensure that the housing areas are not in conflict with the existing housing in both design terms and the relationship to ensure neither are overbearing to each other.
- 7.6 The original Capacity Plan has been revised since submission, this is following feasibility in relation to the outline area of the scheme to ensure that Persimmon make best use of the land available and address the various constraints associated with the site. The largest constraint of the site is in relation to the topography and this now ensures that the road gradients match the detailed scheme requirements, which have been discussed at length with officers. In accordance with the Landscape and Visual Appraisal, the scheme now ensures that there is no built development on or close to the highest points of the site and instead these areas will be attractive green spaces and the creation of footpaths enabling viewing points across Redditch.
- 7.7 Turning to the design of the dwellings it should be noted that throughout the application process changes have been made to the design of some of the house types and location of the dwellings.
- 7.8 In terms of the house types these have been altered and designed to provide a character area for this section of the site, demonstrating a small palette of materials which reflect a quality to the design of the buildings. Changes have been made to the house types across the site and where necessary additional side facing windows have been provided which ensure overlooking to both street frontages and offer architectural interest to side elevations. The house types have been designed with a palette of materials to complement the existing housing on the previous phases. Whilst the palette of materials is minimal, it is considered that this will ensure high quality design through the choice of high quality materials.
- 7.9 The house types are predominately 2 storey, with some 2.5 storey and bungalows. It should be noted that the dwellings in the full application area are able to demonstrate a minimum garden depth of 10.5m, and it is considered that the separation distances between properties with a back to back relationship is sufficient to avoid overlooking. It is considered that sufficient amenity space would be provided to the proposed new dwellings.
- 7.10 The full element of the application will have a density of approximately 31 dwellings per hectare, the remaining residential areas brought forward through the reserved matters would have approximately 36 dwellings per hectare. The development of the site and density is influenced strongly by topography, open space provision, protected trees, pipeline off-setting zones. The density is acceptable in this location and is entirely compatible with the earlier two phases. It is considered that the development responds to the identified constraints whilst demonstrating efficiency in terms of land use.

- 7.11 In terms of pedestrian and vehicular routes through the site, streets and areas of the site are now permeable and generally do not limit movement and create only very limited cul-de-sacs in certain locations. Through routes also provide ease of movement for vehicles and waste collection and reduces the need for turning heads. The parking relationships to properties to ensure that parking is as close to dwellings as possible.
- 7.12 The layout of the remainder of the site is still to be determined and would be reviewed under the submission of phased reserved matters, and again attention would be paid to ensuring sufficient visitor parking provision can be accommodated. Car parking has been designed to be easily accessible from the dwellings. The reserved matters would look at the scale and design of the dwellings to ensure that they are appropriate to the site and achieve adequate separation between the dwellings and proposed and existing other uses and are of a suitable design in relation to the site as a whole and the surrounding area.
- 7.13 With regards to the boundary treatments, hedges rather than dwarf walls are encouraged to retain the soft approach to landscaping around the site. Areas of close boarded fencing will be visible from the public realm and it is noted that there are many areas of incidental open space adjacent to properties. Whilst these areas help to provide a softer approach to landscaping in the wider context of the scheme, it is important to establish both areas of defensible space and those which will fall under a management company. This element of the proposal is being dealt with under the s106 agreement to deal with open space and landscape maintenance. It is also therefore considered reasonable and necessary to condition submission of further landscape details to encourage robust planting schemes to these areas to help improve the overall streetscene and site.
- 7.14 Throughout the application process the architectural design approach across the site has been re-visited to ensure that multi-modal through-routes have been incorporated. As such it is considered that the application meets with the provisions of the District Plan and would conserve and enhance the setting of Brockhill as a whole.

## **8.0 Transportation and Accessibility**

- 8.1 Policy RBCD1.4 criterion II states that –  
*“An overall Transport Assessment will be produced taking account of the prevailing traffic conditions and the individual and cumulative effects of development on transport infrastructure. This will define the mitigation necessary to protect the safety and operation of the road network, including sustainable travel measures and any new and improved access arrangements”.*
- 8.2 A detailed Transport Assessment (TA) has been prepared by PJA in support of the hybrid planning application. The assessment process has been lengthy and detailed to ensure the transportation evidence being used to support this application is robust. The approach adopted has been a traditional method with engagement between WCC and BDC and also the Council’s retained independent highways consultant, to ensure that the outcomes of the assessment can be

appraised fully. The TA has assessed the impact of development upon the local and strategic highway networks in terms of traffic generation and has also considered the accessibility of the site via alternative modes of travel.

- The proposals will take vehicular access from the Weights Lane carriageway, positioned to the north of the site. Weights Lane will be diverted into the site to the west of the existing railway bridge. Priority T junctions will then take access from the south side of the extended carriageway. Further improvements to the Weights Lane corridor will be provided to manage traffic flows under the railway bridge and to provide pedestrian infrastructure.
- A further access is to be provided via the Brockhill East Phase 1 and 2 residential estate roads to the south of the site (Cookridge Close and Hawling Street). Cookridge Close is an estate road within the completed Brockhill Phase 1 development.
- In addition to the Weights Lane improvement scheme, improvements are identified to the Dagnell End Road / A441 Birmingham Road signal junction and this scheme is to be delivered by the applicant as part of a S278 Agreement.

8.3 All accesses have been demonstrated to be achievable and will mitigate the impacts of the proposals.

### **Dagnell End Road / A441 Birmingham Road Junction**

- 8.4 The junction currently experiences congestion during weekday peak hours and is located on a primary route connecting Redditch to the wider areas to the north, including Birmingham and access to the M42. A mitigation scheme has been identified for the junction, providing a 'nil-detriment' situation in terms of capacity, with wider benefits to the local community by providing a signal-controlled pedestrian crossing, operated by push button.
- 8.5 The junction scheme utilises land purchased by the applicant from the Local Planning Authority for the sole purpose of delivering a junction improvement in this location, in what is a constraint location in terms of land ownership. The improvement scheme is shown in the PJA Drawing Ref: 2809 P 12 Rev P4.
- 8.6 In terms of the phasing this work, the full element of the Hybrid can be started prior to the Dagnell End Road improvement scheme being required. This is justified to ensure sufficient time for the applicant team to obtain full technical approval for the junction scheme, without halting the delivery of construction on site. There is also a need to build in space between the Weights Lane improvements finishing and the Dagnell End Road works starting.
- 8.7 The Highway Authority accepts this position in retaining people in jobs and housing continuing to be built (also affecting the wider supply chain) at a time of recession relating to Covid-19. It is acknowledged that this will place some minor additional traffic impacts on an already congested junction for a short time, but on the premise that an improvement scheme is to be delivered in the medium term. As few network safety issues are identified at the junction, and the scale of impact

being relatively small and typical of daily variation movements, the Highway Authority believes this balanced view and way forward to be acceptable.

- 8.8 It is recognised that these works will address some of the concerns raised by Alvechurch Parish Council. Construction traffic associated with the development is considered further in section 17 of this report.

### **Infrastructure Delivery Plan (IDP) Contributions**

- 8.9 A number of junction improvement schemes are to be improved through the IDP process in place in both Redditch and Bromsgrove. The IDP identifies infrastructure required to accommodate the Local Plan and contributions from allocated developments are made to deliver these schemes.

- 8.10 The required amounts include:

- Redditch IDP - £780,000: This is a total IDP contribution of £1.3 million, less the £520,000 IDP cost to improve the Dagnell End Road junction, which forms a separate S278 Agreement.

Contributions from the Redditch IDP would be directed to junctions shown to receive a modest impact from the proposals. These junctions include the Windsor Road / Hewell Road Junction and the A441 / Millrace Road / B4184 'Riverside Roundabout' (near Sainsburys).

- Bromsgrove IDP – £469,429.03: The contribution towards improvements to A38 junctions including:
  - A38 Buntsford Drive           £328,196.42
  - A38 Charford Road           £76,619.35
  - A38 New Road                 £35,368.31
  - A38/A448 Oakalls             £29,244.95

- 8.11 These contributions combined with those collected for other strategic developments will help deliver the mitigation strategy identified in the IDP documents.

### **Connectivity**

- 8.12 Policy RCBD1.4 criterion XIV. is relevant in consideration of this issue: *“XIV. Any proposals for development on either site must not individually or cumulatively jeopardise the future use of any other part of the site (s) or impede the delivery of the two sustainable communities”.*
- 8.13 A travel plan has been prepared by PJA which has considered site accessibility and has proposed a series of measures aimed at ensuring the site is accessible by modes of travel other than private car. The travel plan has proposed significant improvements to bus services serving the site, including proposals to modify existing routes to ensure enhanced connectivity.

- 8.14 The TA and Travel Plan has been the subject of extensive discussion with WCC Highways, to ensure that the range of measures proposed can effectively manage travel patterns and mitigate the impact of development, whilst at the same time ensuring that the site is highly accessible for future residents.
- 8.15 The site is reasonably well located in terms of its proximity to existing pedestrian infrastructure providing access to a range of local amenities. This in part has been provided as part of the earlier Brockhill phases, to which the new proposals will now connect too by a further well designed internal site.
- 8.16 Redditch town centre, offering a wider range of amenities is located within a 25-minute walk or 8-minute cycle from the site. Although further amenities, employment and a primary school, provided as part a district centre, will be situated within the wider Brockhill East site.
- 8.17 Beyond the full application site, the eventual design of walking and cycling routes, taking account of levels constraints across the outline site will be identified and agreed at a Reserve Matters Application stage.

### **Public Transport**

- 8.18 The closest bus stops located to the north of the site at a distance of less than 1km on the Birmingham Road. Bus stops to the south of the site are located on Hewell Road and Batchley Road at distances of circa 1km and 1.4km.
- 8.19 To improve access to public transport, there is an in-principle agreement for the applicant to pay a Section 106 contribution that could contribute to the implementation of a new circular bus service within the site, bring bus access to within a short distance of each dwelling. This would be provided in conjunction with the public transport contribution taken for the Phase 2 proposals. The service is to operate a round trip of approximately 6 miles. Using an average speed of 8 mph compared to the normal average of 10.9 mph to take account of the gradients, the round trip will take 45 minutes. The Highway Authority would envisage the service becoming commercial after 6 years.
- 8.20 The bus service to Phase 3 can only commence when a through route is available through the site, providing access from Weights Lane and the Brockhill Phase 2 site. An initial bus service serving the Phase 2 site will commence prior to the commencement of a Phase 3 bus, initially involving re-routing an existing service. Once a through route is delivered (via Phase 3), the Phase 2 service will cease to operate and will be replaced by a new and enhanced circular service.
- 8.21 The circular service would operate via the bus station in the same manner as existing circular services (47/48 and 57/58) and could potentially serve the Sainsbury Store/ Sports Centre area, part of the Enfield/Batchley area, Weights Lane and Brockhill Phase 2 in addition to the Phase 3 development.
- 8.22 Contributions to bus infrastructure are also identified to provide new stops within the site along the new bus route.

## **Conclusion on Transportation and Accessibility issues**

- 8.23 Whilst the application is of a significant scale and will result in an increase in movements across all modes of transport, the application accords with the expected quantum of development in the adopted local plan and appropriate mitigation is presented. The access arrangements have been subject to considerable scrutiny and found to be acceptable by the County Highway Authority and the Council's appointed Highway Consultants Mott MacDonald (MM). A package of physical works and financial contributions as described by the County Highway Authority are proposed via a legal agreement to ensure any impacts on the network are mitigated.
- 8.24 The Highway Authority and Bromsgrove District Council's Highway Consultants – Mott Macdonald (MM) have independently undertaken a robust assessment of the TA. Based on the analysis of the information submitted and consultation responses from third parties the Highway Authority concludes that there would not be a severe residual cumulative impact.
- 8.25 It is also concluded that the proposed development would not cause any unacceptable harm to highway safety. In this respect, the scheme would not conflict with any relevant policies, including those which require transport and safety considerations to be taken into account.
- 8.26 It is noted that many objectors are concerned with a range of highways issues however based upon the response from WCC Highways and the work that Mott MacDonald do on behalf of Bromsgrove Council there are no justifiable grounds on which an objection could be maintained on highway grounds.
- 8.27 As a consequence, it is considered that the proposed development would deliver sustainable development in accordance with the requirements of Policy RCBD1.9 (II-IV), and BDP16.

## **9.0 Heritage Assets**

- 9.1 The application site is in close proximity to the Brockhill site, Grade II\* Registered Hewell Grange Park and Garden (NHLE ref. 1000886) and associated heritage assets, located c.830m west of the site; and Bordesley Abbey Scheduled Monument (NHLE ref. 1005304), located c.730m east of the site.
- 9.2 In accordance with section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA), special regard has been paid to the desirability of preserving listed structures or their settings or any features of special architectural or historic interest which they may possess.
- 9.3 Policy BDP20 managing the Historic Environment is relevant in that it sets out a presumption in favour of *“development proposals which sustain and enhance the significance of Heritage Assets including their setting.”*

- 9.4 Policy RCBD1.4 criterion XV is relevant to consideration of this issue. It states: XV. To ensure the protection of Heritage Assets, future proposals including development boundaries should be in conformity with Policy BDP20 and informed by an understanding of the Setting of Heritage Assets set out in the most recent Setting Assessment(s) produced, or formally endorsed, by the Council in accordance with Current Historic England guidance. Specifically, built development should not take place in the 'no development' areas identified in the Hewell Grange and Lanehouse Farm Setting of Heritage Assets Assessments (both dated December 2015).
- 9.5 Paragraph 193 of the NPPF states that: "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance."
- 9.6 Paragraph 196 of the NPPF states that: 196. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
- 9.7 Paragraph 200 of the NPPF states that Local planning authorities should look for opportunities for new development within.... the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.
- 9.8 English Heritage have no objection to the proposal they indicate that the principle of development is established in the Local and District Plans. However, given the topography of the site it is vital that the local authority pay close attention to the eventual layout and height of the proposed dwellings to ensure they do not occupy the highest ground and therefore the most prominent parts of the site in the wider landscape.
- 9.9 The Council conservation officer has indicated no harm to the significance of any other designated or non designated heritage assets, either directly or through changes to their setting, is anticipated because of the proposed development. It is noted that special consideration of the further reserved matters phases will be required to ensure no undue impact on heritage assets.
- 9.10 It is considered that the proposed development would not conflict with the relevant legislation cited above and would accord with the requirements of the development plan in respect of RCBD1 XV and BDP20. Any residual adverse impacts upon the setting of these heritage assets could be mitigated by planning conditions with respect to landscaping.



## **10.0 Air Quality**

- 10.1 Worcestershire Regulatory Services and the Council's Climate Change officer were consulted on the application. The site does not form part of or is situated in the immediate vicinity of a known Air Quality Management Area (AQMA).
- 10.2 Nonetheless, in order to mitigate the impact of development, air quality mitigation measures which seek to promote sustainable travel and low emission boilers are proposed.
- 10.3 It is considered that these measures could be secured by condition and would comply with Policies BDP1.4(b), BDP19 (s)(i) (ii).

## **11.0 Green Infrastructure**

- 11.1 Policy RCBD1.4 criterion XII requires that "All development must be of a high quality design and locally distinctive to its surrounding rural and urban character; contribute to the areas' identity and create a coherent sense of place; and respect and enhance the setting of any heritage asset. There should be a continuous network of streets and spaces, including the provision of public open spaces, creating a permeable layout with well-defined streets.
- 11.2 The site proposes a large area of undeveloped open space (approximately 30 hectares) which would be accessible to both future residents and the public this has evolved as a result of analysis of the site and its setting. This would be privately managed by a management company the arrangements for which would be secured through the s106 agreement.
- 11.3 Alongside this Retention of the ridgeline landscape and associated woodland, with proposed development set well below the ridgeline to avoid encroachment on to the highest ground, a ridgeway amenity walking route will be provided along the ridgeline with key viewpoints out provided with seating. Boundary vegetation will be retained and supplemented with further tree planting. Gaps within retained hedgerows will be planted up with suitable, locally occurring native species and retention of the Red Ditch corridor as a key green infrastructure corridor through the Brockhill East development as a whole.
- 11.4 Areas of amenity space will be provided including areas for play and relatively formal areas of greenspace, to be defined at the reserved matters stage. Two potential play spaces are currently indicated on the Illustrative Masterplan. New key pedestrian / recreation routes will connect through the green infrastructure from peripheral access points on Weights Lane and the public right of way at the northern site boundary with routes through the site, including along the 'ridgeway' and the Red Ditch valley to connect to Pointer's Way at the southern tip of the site. The layout of the footpaths will be designed with the intention of reducing gradients across the site for the purpose of accessibility.
- 11.5 The undulating nature of the site makes it unsuitable for the construction of large playing pitches so such provision would be sought off-site via a planning obligation and financial contribution toward enhancement of existing facilities.

11.6 The proposal would be in general accordance with policies RCBD1 XII and BDP25.

## **12.0 Ecology**

12.1 Policy RCBD1.4(V) states that:

*“Both sites will have an overall Strategy and Management Plan for Green Infrastructure which maximises opportunities for biodiversity and recreation, whilst protecting existing biodiversity habitats and landscape geodiversity. Green Corridors should be created around Spring Brook in Site 1 Foxlydiate and the Red Ditch in Site 2 Brockhill. Both sites should be sensitively designed to integrate with the surrounding existing environment and landscape. In particular, development should be respectful and sympathetic to the topography of the sites, with no development on prominent ridge lines and where appropriate retain tree lined boundaries”.*

12.2 An Ecological Appraisal and supporting reports in relation to bats, birds, badgers and herpetofauna have been prepared by FPCR Environment and Design Ltd. These have all assessed the likely effects of the proposed development in terms of Ecology and Wildlife, in the context of the site and surrounding area.

12.3 No statutory or non-statutory designated sites occur within the site boundary. There are no statutory sites of international nature conservation importance within a 15km radius of the site.

12.4 No statutory designated sites are present within the site. Two Sites of Special Scientific Interest (SSSI) and three statutory locally designated sites Local Nature Reserves (LNR) were identified in 2km of the site.

12.5 Important ecological features which are considered relevant to these assessments are Hewell Park Lake Site of Special Scientific Interest (SSSI), Dagnell End Meadow SSSI, Local Nature Reserves (LNR), Local Wildlife Sites (LWS) including Butler’s Hill Wood. Dominant habitats within the site included arable land and improved grassland. Other habitats included species-poor semi-improved grassland, broadleaved woodland plantations, an orchard, a built structure, gardens, amenity grassland, tall ruderal vegetation, scrub, watercourses, ditches, mature trees and hedgerows.

12.6 All areas of orchard, broad-leaved plantation woodland, scrub, watercourse and mature and semi-mature trees are retained as part of the development. The proposals retained the majority of the hedgerows across the site. The proposals require loss of one hedgerow and three additional small sections to facilitate construction of the site access.

12.7 Natural England have no objection to the proposal. Worcestershire Wildlife Trust (WWT) have raised no objection to the scheme, subject to the imposition of suitable conditions relating to the ecological mitigation and enhancement.

- 12.8 Subject to implementation of appropriate mitigation measures, the proposed development would comply with Policy RCBD1.9 (V) and BDP21 and 24.

### **13.0 Water Management and Flood Risk**

- 13.1 Policy RCBD1.4 (VI) states that:

*“Flood risk from the Spring Brook on Site 1 Foxlydiate and the Red Ditch on Site 2 Brockhill East should be managed through measures that work with natural processes to improve the local water environment. A detailed, site specific, Flood Risk Assessment will be required. This must provide a model of the nearby ordinary watercourses to ascertain the design flood extents, including the 1% plus climate change allowances, and determine the developable area of the site. This will inform the sequential approach and the need to include any necessary avoidance or mitigation measures such as the incorporation of open space and green infrastructure within the floodplain regime. Surface water runoff must be managed to prevent flooding on, around and downstream of both sites through the use of Sustainable Drainage Systems (SuDS)”.*

- 13.2 A Flood Risk Assessment and Drainage Strategy has been prepared by Travis Baker.

- 13.3 In relation to the full element, the proposed site is located in the north western side of Redditch and the whole of this part of the site drains to the River Arrow. It is all classified as flood zone 1 and there is minimal surface water flood risk indicated on the EA surface water flood risk mapping. The section of the site seeking full permission is located on the northern part of the overall site. There is no watercourse draining this part of the site and overall the land slopes steeply to the south.

- 13.4 The proposed drainage layout detailed in the FRA for the application is considered to be acceptable. The method outlined is acceptable; the proposed discharge rate of surface water to the Arrow via a surface water sewer (ultimately adopted by STW) is also acceptable.

- 13.5 As a result, through implementation of the identified mitigation measures and subject to conditions the proposed development will not result in any adverse impact to the water environment and the scheme would comply with the policy requirement of policies RCBD1.4 (VIII) and policies BDP19 and 23 of BDP.

### **14.0 Ground Conditions**

- 14.1 A ground conditions assessment has been undertaken (in accordance with relevant planning and technical guidance) in relation to potential impacts on human health from soil contamination, risks from ground gas, and the potential effects on Controlled Waters receptors.

- 14.2 Based upon the information available at this stage, there are no potential issues or concerns at the site that cannot be successfully managed and/or mitigated via condition that would preclude the possibility of the proposed development.

## **15.0 Landscape and Visual Impact**

- 15.1 The site is not subject to any special landscape designation.
- 15.2 This Landscape and Visual Appraisal (LVA) has been carried out by FPCR Environment and Design Ltd.
- 15.3 The Landscape and Visual Appraisal (LVA) has assessed landscape character and visual amenity and the resulting landscape and visual effects of the proposed development on the receiving landscape and visual resource.
- 15.4 The following points provide a summary of site assessment.
- The site comprises undulating agricultural land, with small blocks of internal woodland along a dividing ridgeline across the site, limited internal boundary hedgerow and occasional trees, the Red Ditch watercourse and peripheral hedgerows, woodland and trees. Brockhill Wood and Butler's Hill Wood, along with a small ridgeline just west of the site provide containment to the north and west. To the north-east the site tips towards the Arrow Valley.
  - Whilst the site has the potential to be widely visible due to the nature of the topography, surrounding settlement land uses and woodland limit the number of visual receptors identified with views to the site. Whilst there will inevitably be some adverse landscape and visual effects at the outset (Year 1 of completion), it is judged that the effects of the proposed development and the consequential effects will, however, be localised and limited in their extent.
- 15.5 WCC Landscaping Adviser has reviewed Landscape and Visual Appraisal, they conclude that this application is continuing the trajectory set out in previous phases of development and has the potential to deliver excellent integration and green infrastructure to the benefit of the new settlement. They welcome the statement that management of the site landscape and green infrastructure will be addressed in a management plan.
- 15.6 It is noted in some comments, objections have been raised regarding negative visual impact and a loss of views especially from residents of Bordesley. It is inevitable that the development will be visible from some vantage points. It is a substantial development proposal on a site which has varying levels. The LVA identifies a Moderate Adverse for both completion and 15 years post completion for some residents in Bordesley. There is however significant scope for landscaping to mitigate impacts and soften views. New woodland planting would link it together to present a wooded backdrop to the development as the green infrastructure proposals approach maturity.
- 15.7 Taken all this into account, the proposed development would result in high quality design that would comply with BDP19.

## **16.0 Noise**

- 16.1 Sharps Gayler LLP has carried out a noise assessment to assess the current ambient and background noise levels at proposed and existing receptor locations.
- 16.2 A noise survey was undertaken between 6th April and 10th April at two locations on part of full application site, 50m from the skip hire business within the Weights Farm Business Park and 10 metres from the rail track.
- 16.3 The results of the baseline noise survey and noise prediction calculations indicate that the noise levels should not be a determining factor in granting planning permission in accordance with current guidance.
- 16.4 The report concludes that mitigation measures would need to be incorporated into the site design to ensure that the required internal daytime, and internal night-time noise levels, are achieved.
- 16.5 The remainder of the (outline) application site is further setback from the main noise sources. Standard construction methods, dictated by thermal requirements, would be adequate in those areas to attenuate noise to meet the recommended internal noise levels.
- 16.6 Following review from WRS Noise, they no longer have any objections regarding the proposal, subject to a condition.
- 16.7 As such it is considered that the proposed development would comply with the criteria based elements of BDP19. The Council is satisfied that there would not be any unacceptable impact in respect of noise from traffic for future residents.

## **17.0 Residential Amenity**

### **Construction Phases**

- 17.1 The primary source of potential harm to residential amenity would arise during the construction phase of the development, both to existing residents in the established residential dwellings surrounding the site, predominantly within phases 1 and 2, but also of future occupiers as the development progresses and new residents move into homes which will border parts of the development still under construction.
- 17.2 In order to mitigate harm during the construction phase, a robust Construction Environment Management plan is proposed. This will include a requirement to provide specific details regarding the construction phase, including loading and unloading of plant and materials (including times), storage of plant and materials used in constructing the development, measures to control the deposition of mud onto the local road network, measures to control the emission of dust and dirt during construction, measures to control noise and vibration during construction, proposed routing of vehicles.

17.3 Alvechurch Parish Council and a large of objectors have raised concern regarding this element, in relation to how it has previously been managed and how it will be managed going forward. It is considered that the condition 39 will control this element and once agreed would give local people confidence that this matter will be managed more efficiently in the future.

## **18.0 Utilities**

18.1 Running through the site are several existing overhead lines (11kV) (OHL), a gas main line and a fuel pipeline. Initial enquiries with the relevant statutory undertakers suggest that the site can be served by the existing electricity, gas and telecoms networks surrounding the site without the need for reinforcement works.

18.2 The gas main line is aligned north-east to south-west and requires a 28m easement. This needs to be considered as part of the development proposals. As part of the supply strategy for the site, Powergrid propose undergrounding the OHLs, which run through the centre of the site, north to south.

18.3 Consultees have no objections to the development.

18.4 Policy 29 Broadband and Telecommunications requires that expansion of electronic communications networks, (including telecommunications and high speed broadband) all developments should make provision for the service infrastructure required at the design stage of any proposal suitable for occupiers of all development.

18.5 It is noted that the Millwoods Meadows Residents Group have raised concerns regarding poor internet infrastructure. Due to Bovis Homes not installing fibre cabling into their properties and that they consider that new houses proposed will put further stress on the network.

18.6 A planning condition is proposed to ensure that sufficient internet is installed prior to the occupation of each phase of the development.

## **19.0 Infrastructure Requirements**

19.1 Policy RCBD1.4 criterion XIII states that:  
*XIII. Development proposals should incorporate provision for any necessary infrastructure to be delivered in parallel with the implementation of new development;*

19.2 In broad terms the s106 would secure funding for a range of consequential requirements. These requirements are summarised in the following section of the report.

19.3 Paragraph 54 of the NPPF states that:  
*“Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.”*

19.4 Financial contributions to mitigate the impact of the development cannot be secured by condition, and consequently an obligation is required.

19.5 Paragraph 56 of the NPPF states that:

*“Planning obligations must only be sought where they meet all of the following Tests” (Set out in Regulation 122(2) of the Community Infrastructure Levy Regulations 2010):*

- a) necessary to make the development acceptable in planning terms;*
- b) directly related to the development; and*
- c) fairly and reasonably related in scale and kind to the development.*

### **Education Provision**

19.6 Members will note the views of third parties relating to the impact of the development on existing services and functions. In terms of education demand, WCC has considered the impact of this proposed development on local schools. Worcestershire County Council will be seeking a planning obligation towards education infrastructure.

19.7 Taking account of the current and forecast pupil numbers and the anticipated impact of housing growth, the County Council is minded to seek the transfer of a strip of land adjacent the new first school site to support the expansion of the school together with an education contribution for the first school phase would be sought of:

£2,307 per open market 2 or 3 bed dwelling

£3,461 per open market 4 or more bed dwelling

£ 923 per open market 2 or more bed flat

The contribution will be used to support the expansion of Holyoakes Field First School (Brockhill site).

19.8 In response to the application an education contribution for the middle school phase would be sought of:

£2,308 per open market 2 or 3 bed dwelling Education Planning Obligation Assessment

£3,462 per open market 4 or more bed dwelling

£ 923 per open market 2 or more bed flat

The contribution will be used to support the expansion of a middle school serving the catchment area of the proposed development.

19.9 Subject to the applicant entering into a Section 106 Agreement for education facilities, they raise no objection to the application on such grounds.

### **Waste**

19.10 Provision for the collection of waste

- Dwellings within the Redditch BC authority - Refuse bins (1 x green bin / 1 x grey bin) £31.29 per dwelling
- Dwellings within the Bromsgrove DC authority - Refuse bins (1 x green bin / 1 x grey bin) £52.24 per dwelling

### **Off site Outdoor Sports Facilities**

19.11 A sum of £405,000 is sought for offsite outdoor sports facilities as the topography of the site is unsuitable for large sports pitches.

### **Highway Contributions**

19.12 The County Highway Authority are seeking an obligation for a contribution towards a range of on site and off site highway improvements summarised in their representation.

### **District Centre**

19.13 The s106 will specify an area of not less than 0.8 ha of land within the Development to be provided for the District Centre Uses as well as identifying a range of uses, car parking and associated infrastructure expected to be brought forward as part of any reserved matters phase, and a marketing plan/strategy to promote developer interest in developing this part of the proposal.

### **Planning Obligation Monitoring Fee**

19.14 On 1st September 2019, the Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019 were introduced. These regulations make a number of changes to both the Community Infrastructure Levy (CIL) itself and introduce new requirements to report and monitor on the collection of planning obligations.

19.15 Approval was received at a meeting of Executive Committee on 29th October 2019 to include a monitoring charge within all future planning obligation agreements (Section 106 agreements and Unilateral Undertakings), with immediate effect. Delegated powers were granted to allow the Head of Planning and Regeneration, in consultation with the Portfolio Holder for Planning and Regulatory Services, to develop and implement a charging approach in line with the regulations.

19.16 The developer is aware that an obligation and associated fee will be required. This figure has been calculated as £7,500.

### **Redditch Town Centre (Enhancement Contribution)**

19.17 The RBC endorsed Town Centre strategy, demonstrated a need for projects to take place to improve the town centre for residents.

19.18 This need is set in the context of the town centre needing to maintain and enhance its role. Therefore for this development proposal to be as sustainable as possible,



the future residents will rely on the town centre for a large proportion of their work, access to the train, shopping and leisure activities.

19.19 Therefore, it is considered appropriate for new residential development to contribute to these important town centre projects. A contribution of £542 for each dwelling has been requested.

### **Medical Infrastructure**

19.20 I note the views of third parties in relation to the issue of medical facilities to serve the development. Concerns have been raised over the ability of local facilities to accommodate additional medical related demand arising from the development and I understand these concerns. Members will note I have consulted the Redditch and Bromsgrove Clinical Commissioning Group (CCG) on this issue. The consultation response from the Worcestershire Acute Hospitals NHS Trust is also relevant here.

19.21 The CCG indicated that the proposed development is likely to have an impact on the services of 8 GP practices. The GP practices do not have capacity for the additional growth resulting from this development. The existing GP practices do not have capacity to accommodate the additional growth resulting from the proposed development.

19.22 A developer contribution will be required to mitigate the impacts of this proposal. Redditch and Bromsgrove CCG calculates the level of contribution required in this instance to be £363,374. Payment should be made before the development commences.

19.23 Worcestershire Acute Hospitals Trust (WAHT) in their representation of 25<sup>th</sup> July 2020, the WAHT seek a contribution of £459,390.86.

### **20.0 Planning Balance**

20.1 The delivery of housing is viewed by Government as being important and a critical component of delivering economic growth. It therefore, falls that the benefits that would be secured through housing delivery must be given substantial weight.

20.2 The proposed development would deliver a significant level of construction based jobs over the plan period and would also create opportunities within the local supply chain and as a result of increased (induced) economic activity, derived from expenditure from new residents.

20.3 In addition to direct construction job creation, there will also be an indirect effect through the supply of materials and the expenditure of wages in the local economy.

20.4 The employment opportunities created will vary from design professions and engineers at the start of the development, to those within the construction and utility industries when the development reaches the implementation stages. These employment opportunities incorporate workers from all sectors ranging from those

involved in manual labour, to professionals, managerial roles and also in the latter stages sales and marketing.

- 20.5 The development will also generate additional household expenditure from new residents which will deliver direct benefits to local firms, as well as the wider economy.
- 20.6 The proposed development would contribute to the social context of delivering sustainable development through delivery of significant housing (both market and affordable to meet the identified needs of the local community). The development would deliver district centre. The proposals provide an extensive open space network across the site to include informal and formal open space.
- 20.7 If there are any significant and demonstrable adverse impacts of the proposed development, they lie in the effects on the surrounding landscape and environment. There must be some resulting environmental harm from the loss of open countryside, some trees and hedgerows, although, the principle of having to use greenfield sites if housing land supply issues are to be resolved seems unavoidable.
- 20.8 It is also recognised that in accepting that the full element of the application can be started prior to the Dagnell End Road improvement scheme being required, this will place minor additional traffic impacts on an already congested junction for a short time. However, these works will be delivered in the medium term.
- 20.9 I consider that there are no residual impacts that would outweigh the considerable weight which must be afforded to the support in principle of development in the absence of being able to demonstrate a five year supply of deliverable housing sites as required by the NPPF. The supply of up to 960 homes including the appropriate level of affordable housing to address an acknowledged need for market and affordable housing would have a significant economic and social benefits and contribute to the Government's aim to boost significantly the supply of housing.
- 20.10 There would also be some environmental benefits to set against the identified environmental harm; in particular the inclusion in the development of significant new green infrastructure and open space has potential benefits for biodiversity as well as social benefits.
- 20.11 As a result, it is concluded that the sum of the benefits that would be delivered by the project would demonstrably outweigh the sum of harm and that consequently, the material considerations in this case and presumption in favour of sustainable development should apply and planning permission should be granted in accordance with the advice set out in paragraph 11 of the NPPF.

## **21.0 Conclusions**

- 21.1 The Brockhill site is a strategic mixed-use allocation in Bromsgrove District, located on the northwest edge of Redditch. It is allocated through policy RBCD.1 of the adopted Bromsgrove District Plan, for around 600 dwellings. As part of the

plan-making process supporting the BDP, Bromsgrove District Council agreed through the Duty to Cooperate to assist Redditch Borough Council in delivering its housing target. This planning application sees policy RBCD.1 and the allocation being realised over both authority areas with up to 960 homes making a substantial contribution towards meeting that target.

- 21.2 The application should therefore be approved to both help the Government's goal of significantly boosting the supply of housing, and to assist Redditch Borough Council in delivering the homes needed to support its adopted plan and assist towards its future supply of housing land.
- 21.3 In conclusion, and having regard to the NPPF, BDP and all other material considerations that have become evident through consideration of this application, it is concluded that the limited harm identified does not significantly and demonstrably outweigh the benefits, as set out in terms of the presumption in favour of sustainable development test in paragraph 11 of the Framework. In fact it is the benefits of the scheme that significantly and demonstrably outweigh the harm, such that it is concluded that the development should be permitted in line with the adopted Local Plan and National Planning Policy Framework.
- 21.4 Account of all the matters raised in the representations has been taken in account. The Government is seeking to boost significantly the supply of housing. This sustainable proposal would provide additional housing in an area where there is an identified shortage. The benefits of the proposals clearly outweigh the harm.
- 21.5 Having considered all material planning considerations, I am thus minded to recommend approval of the hybrid planning permission.

**RECOMMENDATION:** That planning permission be

**(a) MINDED to APPROVE HYBRID PLANNING PERMISSION**

(b) That **DELEGATED POWERS** be granted to the Head of Planning and Regeneration to determine the outline planning application following the receipt of a suitable and satisfactory legal mechanism in relation to the following:

**i) Highways**

- **Bromsgrove & Redditch IDP** £780,000 (Redditch) and £469,429.03 (Bromsgrove)
- **TRO Application** The processing cost for a TRO for Weights Lane, in seeking to change the speed limit from 40mph to 30mph.
- **Community Transport.** Contribution £40,000 over 5 years
- **Bus Service Strategy** Contribution £324,000
- **Bus Service Infrastructure** Based on 3 pairs of stops with associated shelters only in the inbound direction. Contribution £40,000.

**ii) Education Infrastructure**

Transfer of a strip of land adjacent the new first school site to support the expansion of the school'

First school contribution calculated on a per plot basis

- £2,307 per open market 2 or 3 bed dwelling
- £3,461 per open market 4 or more bed dwelling
- £ 923 per open market 2 or more bed flat

A Middle school contribution calculated on a per plot basis

- £2,308 per open market 2 or 3 bed dwelling
- £3,462 per open market 4 or more bed dwelling
- £ 923 per open market 2 or more bed flat

**iii) Off-site Open Space** £405,000

**iv)Waste Management Contribution**

Waste and recycling bins calculated as follows:

- Dwellings within the Redditch BC authority - Refuse bins (1 x green bin / 1 x grey bin) £31.29 per dwelling
- Dwellings within the Bromsgrove DC authority - Refuse bins (1 x green bin / 1 x grey bin) £52.24 per dwelling

**v) Planning Obligation Monitoring Fee** £7,500 (TBC)

**vi) Bromsgrove and Redditch CCG** Contribution £363,374

**vii)Worcestershire Acute Hospitals Trust (WAHT)** Contribution £459,390.86

And:

- viii)** The securing of a 30% provision of on-site affordable dwelling units for dwellings Redditch BC authority
- ix)** The securing of a 40% provision of on-site affordable dwelling units for dwellings Bromsgrove DC authority
- x)** The provision and future maintenance in perpetuity of the on-site play space, SuDs facilities and open space provision with appropriate mechanism (including commuted sum) to adopt the open space
- xi)** District Centre, outlining specification and Marketing Plan

And: (c) **That DELEGATED POWERS be granted to the Head of Planning and Regeneration to agree the final scope and detailed wording and numbering of conditions as set out in the report**

**Conditions:**

**Timeframes and Compliance**

1. With the exception of Phase 3 (approved in full as part of this permission - 128 dwellings accessed off Weights Lane, new public open space, drainage system, engineering operations associated works) a detailed phasing plan for the development shall be submitted to and approved in writing by the local planning authority prior to the submission of the first reserved matters application. The phasing plan shall specify the proposed timing for delivery of the housing and other build elements of the development. The development shall be carried out in accordance with the approved details, unless otherwise approved in writing by the Local Planning Authority.

Reason: In order to secure a satisfactory delivery of development.

2. No development shall commence on any part of the development other than works specified in Phase 3 (128 dwellings accessed off Weights Lane, new public open space, drainage system, engineering operations associated works) until all of the following reserved matters for each separate development phase of the development, have been submitted to and approved by the Local Planning Authority: (1) Appearance (2) Landscaping (3) Layout (4) Scale (5) Access (internal estate roads). An application for approval of reserved matters for all phases of the development must be made to the Local Planning Authority not later than the expiration of Ten (10) years beginning with the date of the grant of hybrid planning permission.

Reason: To comply with Article 5 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (or any Order revoking and re-enacting that Order) and to ensure a comprehensive layout in the interests of proper planning of the area and to allow sufficient time to attract future occupiers. To comply with the provisions of Section 92 of the Town and Country Planning Act, 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2002).

3. Unless otherwise approved in writing by the Local Planning Authority, the development of Phase 3 (128 dwellings accessed off Weights Lane, new public open space, drainage system, engineering operations associated works) shall be begun within 18 months of the date of this permission. Each subsequent phase of the development hereby permitted shall be begun within three (3) years of the date of approval of the last of the reserved matters to be approved for that phase.

Reason: To prevent the accumulation of unimplemented planning permissions and in accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

### **Approved Plans**

4. The development hereby permitted shall be carried out in accordance with the following approved plans and particulars:

Hybrid Scheme:

- P-01Rev A – Location Plan
- 8506-L-02 RevJ Framework Plan
- DAS RevB

Full Element:

- P-04 Rev D – Affordable Housing Plan
- P-05 Rev D – Tenure Plan
- P-06 Rev E – Storey Heights Plan
- P-08 Rev A- Gas Main Plan
- P-H-01 Corfe
- P-H-02 Himbleton
- P-H-03 Leicester
- P-H-04 Clayton
- P-H-05 Hatfield
- P-H-06 Hanbury
- P-H-07 Alnwick
- P-H-14 Clayton Corner
- P-H-17 Dalby
- P-H-18 Lumley
- P-H-08 HQI 65
- P-H-09 HQI 79
- P-H-10 HQI 84
- P-H-11 HQI 73
- P-H-12 HQI 60
- P-H-13 HQI 50
- P-H-15 HQI 114
- P-H-16 HQI 83

Technical Drawings:

- FRA – 19039 Drainage Strategy – Sheet 1A & Sheet 2A
- 2809-12-P4 Dagnell End Road –GA
- 2809-TR-03-06 Highway Improvements Access

Reason: To define the permission and in order to secure the satisfactory delivery of the development.

**Total Number of Dwellings**

5. The total number of dwellings authorised by this permission shall not exceed 960.

Reason: In order to secure a well planned development.

## **Design Guide**

6. The submission of all Reserved Matters and the phased implementation of the development shall broadly accord with the Framework Plan 8506-L-02 J and the principles described in the Design and Access Statement. Any Reserved Matter application shall include a statement providing an explanation as to how the design of the development responds to the Design and Access Statement.

Reason: In order to secure a well planned development.

## **Materials**

7. No development above ground floor slab level of phase 3 or any subsequent phase shall take place until samples of the materials to be used in the construction of the external surfaces of the dwellings hereby permitted have been submitted to and approved in writing by the Local Planning Authority (to include those materials to be used externally on the walls and roofs, doors and windows, door and window frames and block work materials on drives/specific crossing points). Development shall be carried out in accordance with the approved details unless otherwise agreed in writing.

Reason: To ensure the satisfactory appearance of the development

## **Contamination Phase 3**

8. Prior to the commencement of phase 3, 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 sections 1 to 4 have been complied with:
  1. A preliminary risk assessment (a Phase I desk study) submitted to the Local Authority in support of the application has identified unacceptable risk(s) exist on the site as represented in the Conceptual Site Model. A scheme for detailed site investigation must be submitted to and approved in writing by the Local Planning Authority prior to being undertaken to address those unacceptable risks identified. 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 DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11".
  2. The detailed site investigation and risk assessment must be undertaken in accordance with the approved Scheme and a written report of the findings produced. This report must be approved by the Local Planning Authority prior to any development taking place.

3. Where the site investigation identified remediation is required, 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.

4. 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.

5. 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.

6. 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.

### **Contamination reserved matters**

9. Prior to the submission of any Reserved Matters for each Development Phase must not commence until sections 1 to 5 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 DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11".

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 DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11".

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.

**Archaeology (Written Scheme, Programme, Recording)**

10. No development shall take place on any development phase until a programme of archaeological work, including a Written Scheme of Investigation, has been submitted to and approved by the local planning authority in writing for that development phase and site investigation has been undertaken and completed. The scheme shall include an assessment of significance and research questions; and:

- a) The programme and methodology of site investigation and recording.
- b) The programme for post investigation assessment.
- c) Provision to be made for analysis of the site investigation and recording.
- d) Provision to be made for publication and dissemination of the analysis and records of the site investigation
- e) Provision to be made for archive deposition of the analysis and records of the site investigation
- f) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Reason: In accordance with the requirements of paragraph 189 of the National Planning Policy Framework.

**Archaeology (Publication)**

11. Each development phase shall not be occupied until the site investigation and post investigation assessment for each phase has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (10) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: In accordance with the requirements of paragraph 189 of the National Planning Policy Framework.

**Archaeology**

12. Within 12 months of the commencement of any development phase development hereby approved, the content, design and location of an historic environment interpretation panel shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

Reason: In accordance with the requirements of paragraph 189 of the National Planning Policy Framework.

### **Drainage Phase 3**

13. No works or development above foundation level for phase 3 shall take place until a finalised scheme for surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall specifically include:-

- Detailed drainage design, showing all private foul and surface water connections,
- A simple index assessment considering the water quality of surface water runoff,
- Consideration of what SuDS features can be incorporated into the site drainage to provide an appropriate level of runoff treatment.
- Full details of the proposed balancing area

This scheme should be indicated on a drainage plan and the approved scheme shall be completed prior to the first use of the full application hereby approved.

Reason: To prevent the risk of flooding and to improve and protect water quality.

### **Drainage other phases**

14. No development within a reserved matters phase shall commence until a full scheme for the provision of a Sustainable Urban Drainage System (SuDS) for each phase has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied in that phase until the SuDS has been constructed in accordance with the approved scheme. Thereafter, the SuDS shall be maintained in accordance with the approved details.

Reason: To ensure that a suitable drainage system is place in order to prevent pollution to controlled waters and achieve recharge to the aquifer underlying the site.

### **Foul and surface water sewerage**

15. No dwelling shall be occupied until a drainage system to allow for the disposal of foul and surface water sewerage has been completed in accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that a suitable drainage system is place.

### **Cut and Fill**

16. No development within a reserved matters phase until a full engineering design solution providing full specification, extent and methodology details of the cut and fill works to that Phase shall be submitted to and approved in writing by the Local Planning Authority. The specification should clarify how the undisturbed ground at

higher levels is to be retained in a stable manner, together with the foundation design at lower levels. The development shall be carried out as approved.

Reason: In order to secure a well-planned development.

### **Levels**

17. Other than Phase 3, no development within a relevant phase shall take place until there has been submitted to and approved in writing by the Local Planning Authority details of the finished ground floor levels of all the approved buildings and the finished ground levels for all other areas of the site. The sections shall show the development relative to the ground levels adjoining the site. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development is carried out at suitable levels and in relation to adjoining land and buildings and in the interests of amenity and highway requirements.

### **Ecology**

18. All proposed works shall be carried out in accordance with the recommendations as set out in the following report prepared by FPCR

- Brockhill East (Phase 3) Ecological Appraisal (FPCR, June 2019)
- Brockhill East (Phase 3) Herpetofauna Survey Report (FPCR, June 2019)
- Brockhill East (Phase 3) Bat Report (FPCR, June 2019)
- Brockhill East (Phase 3) Badger Report (FPCR, June 2019)
- Brockhill East (Phase 3) Bird Report (FPCR, June 2019).

Reason: To ensure that the proposal results in a net gain of biodiversity.

### **Construction Ecological Management Plan (CEcMP)**

19. Notwithstanding the submitted details, no development within a reserved matters phase shall commence until a Construction Ecological Management Plan (CEcMP) for each phase has been submitted to and approved in writing by the local planning authority. The CEcMP shall include, but not limited to the following no works shall take place until a Construction Ecological Management Plan (CEcMP) has been submitted to and approved in writing by the local planning authority. The CEcMP shall include, but not limited to the following:

- i. Risk assessment of potentially damaging construction activities
- ii. Identification of "biodiversity protection zones"

- iii. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
- iv. The locations and timing of sensitive works to avoid harm to biodiversity features (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour after sunset)
- v. The times during construction when ecological or environmental specialists need to be present on site to oversee works
- vi. Responsible persons and lines of communication
- vii. The role and responsibilities on site of an ecological clerk of works (ECoW) or similar person
- viii. Use of protective fences, exclusion barriers and warning signs
- ix. Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works

The approved CEcMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: To prevent pollution of the water environment and to ensure that the proposal results in a net gain of biodiversity.

### **Landscape and Ecological Management Plan**

20. Notwithstanding the submitted details, no development within a reserved matters phase shall commence until a Landscape and Ecological Management Plan (LEcMP) for each phase has been submitted to, and be approved in writing by, the local planning authority.

The content of the LEcMP shall include, but not limited to the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management including those in relation to dormice and bats.
- d) Appropriate management options for achieving aims and objectives including appropriate enhancement measures.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).

- g) Details of the body or organisation responsible for implementation of the plan.
- h) Legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer.
- i) Ongoing monitoring and remedial measures.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEcMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To safeguard Biodiversity as set out by Wildlife and Countryside Act 1981 (as amended), Natural Environment and Rural Communities Act 2006 and the NPPF.

### **Lighting strategy**

21. Notwithstanding the submitted details, no development within any phase shall be occupied until details of external lighting for each phase have been submitted to and approved in writing by the Local Planning Authority. The details shall clearly demonstrate that lighting will not cause excessive light pollution or disturb or prevent bat species using key corridors, forage habitat features or accessing roost sites. The details shall include, but not limited to, the following:
- i. A drawing showing sensitive areas and/or dark corridor safeguarding areas
  - ii. Description, design or specification of external lighting to be installed including shields, cowls or blinds where appropriate.
  - iii. A description of the luminosity of lights and their light colour
  - iv. A drawing(s) showing the location and where appropriate the elevation of the light fixings.
  - v. Methods to control lighting control (e.g timer operation, passive infrared sensor (PIR)).

All external lighting shall be installed in accordance with the specifications and locations set out in the approved details. These shall be maintained thereafter in accordance with these details. Under no circumstances shall any other external lighting be installed.

Reason: To safeguard the site from increased light pollution, visual amenity and maintain the existing value of biodiversity on and adjacent to the site to protect ^foraging/commuting bats^ in accordance with the Conservation of Habitats

and Species Regulations 2017, the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, the National Planning Policy Framework

### **Landscape Management Plan**

22. A landscape management plan, including long term design objectives, a schedule of phased construction, management responsibilities and maintenance schedules for all landscape areas, both hard (such as details shall include proposed finished levels or contours, car parking layouts, other vehicle and pedestrian footpaths/access and circulation areas, hard surface materials) and soft (other than small, privately owned, domestic gardens) shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of each phase of the development. The landscape management plan shall be carried out as approved. The method statements shall include:
- a. purpose and objectives for the proposed works;
  - b. detailed designs and working methods necessary to achieve the stated objectives;
  - c. extent and location of proposed works shown on appropriate scale maps;
  - d. timetable for implementation;
  - e. persons responsible for implementing the works; and
  - f. initial aftercare and long-term maintenance.

Reason: In order to protect the trees, hedges and landscaping features which form an important part of the amenity of the site and in order to secure a well-planned development.

### **Landscaping**

23. No development within a relevant phase shall commence until full details of retained and new soft landscape works have been submitted to and approved in writing by the Local Planning Authority. Such approved planting shall be completed in the first planting season post occupation of the first dwelling within the relevant phase. The planting schedule shall include all those trees, hedgerows, shrubs or existing features of the land to be retained, removed and/or treated, new planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme.

All such planting shall be maintained to encourage its establishment for a minimum of five years following contractual practical completion of the development. Any trees or significant areas of planting which are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective within this period, shall be replaced as soon as is reasonably practicable with others of species, size and number

as originally approved, unless the Local Planning Authority gives its written consent to any variation.

Reason: In order to secure a well-planned development.

### **Hard Surface Areas**

24. No development within a reserved matters phase shall commence until full details of all proposed hard surface areas have been submitted to and approved in writing by the Local Planning Authority. Such details shall include proposed finished levels or contours, car parking layouts, other vehicle and pedestrian footpaths/access and circulation areas, hard surface materials. Development shall be carried out in accordance with the approved details. The approved hard landscaping plan shall be implemented within two years from the date when any of the

Reason: In order to secure a well-planned development.

### **Public Open Space**

25. Full details of the layout of the public open space areas, including details of planting specification and schedules, surfacing, enclosures, play equipment, seating and the future management and maintenance of the site to allow public access, shall be submitted to and approved in writing by the Local Planning Authority. The public open space shall be implemented in accordance with the agreed details.

Reason: In the interests of visual and neighbouring amenity and the adequate provision of public open space.

### **Trees Full**

26. All trees and hedges that are to be retained should be afforded protection in accordance with BS5837:2012 recommendations and as defined within Arboricultural Assessment by FPCR provided with the application throughout any demolition, ground or development work on the site.

Reason: To ensure the environment of the development is improved and enhanced.

### **Trees further phases**

27. Prior to the commencement of the development on each reserved matters phase, an Arboricultural Method Statement and Tree Protection Plan for each phase of development shall be submitted to and approved in writing by the Local Planning Authority. At all times until the completion of each of the phases of development, such fencing and protection measures shall be retained as approved. Within all fenced areas, soil levels shall remain unaltered and the land kept free of vehicles, plant, materials and debris.



Reason: To ensure the environment of the development is improved and enhanced.

### **Housing Mix**

28. Prior to the commencement of any reserved matters phase, details of the mix of type and size of market dwellings to be provided in that phase, shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure the creation of a mixed and vibrant community.

### **Affordable Housing Mix**

29. Plans and particulars of the Reserved Matters referred to in Condition 2 shall include a plan identifying the number and location of the affordable housing units to be provided within each relevant phase. The plan shall confirm the size (bedroom numbers), type and tenure of each affordable housing unit. The development shall be carried out in accordance with the approved details.

Reason: To enable the Local Planning Authority to regulate and control the development of the land and to ensure the adequate provision of affordable housing.

### **Boundary Treatments**

30. Prior to the commencement of any reserved matters phase until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatments to be erected. Boundary treatments shall be completed in accordance with the approved details and prior to the occupation of the dwelling to which the boundary relates.

Reason: In order to secure a well-planned development.

### **Storage of Refuse**

31. Prior to the commencement of any reserved matters phase details of the facilities for the storage of refuse to be provided in that phase. No individual dwelling shall be occupied until the approved refuse storage facilities to serve that dwelling have been constructed in accordance with approved details.

Reason: To ensure the proposed dwellings have adequate refuse storage facilities and that such facilities ensure that the Local Authority refuse bins do not detract from the character and appearance of the development through failure to provide a space for their storage between collections.

## **Noise**

- 32.No development above ground floor slab level of phase 3 shall take place until a scheme of glazing, ventilation (passive and mechanical) and acoustic barrier products/fencing to be installed has been submitted to and approved in writing by the Local Planning Authority to confirm that the dwellings will meet the required sound reduction specification in order to achieve the BS8233:2014 recommended internal and external noise level.

Reason: To protect the amenity of future occupiers

## **Broadband**

- 33.Prior to the commencement of each phase of the development, details for the installation of fixed telecommunication infrastructure and High Speed Broadband shall be submitted to and approved in writing by the Local Planning Authority. Details shall include connections to multi-point destinations and all residential and commercial buildings to provide sufficient capacity, including duct sizing, to cater for all future phases of the development with sufficient flexibility to meet the needs of existing and future residents. The infrastructure shall be laid out in accordance with the approved details for each phase and at the same time as other services during the construction process. High Speed Fibre Optic Broadband shall be installed into the buildings before they are occupied.

Reason: To ensure that the needs of future residents to connect to the internet does not necessarily entail engineering works to an otherwise finished and high quality living environment in accordance with Policy BDP1.4(h).

## **Weights Lane Improvement Scheme (S278)**

- 34.No more than 100 dwellings hereby approved shall be brought into use until the highway improvements to the Weights Lane corridor as shown in the PJA Drawing Ref: 02809 TR 03 Rev P6, or similar scheme acceptable to the Highway Authority, has been approved in writing and completed to the satisfaction of the Local Planning Authority (in consultation with the Local Highway Authority) and is open to traffic. The scheme is to include a continuous footway along the south side of the Weights Lane carriageway between the development site and connecting to existing footways running alongside the A441 Birmingham Road carriageway, by tying into the consented Brockhill Phase 4 footway proposals.

Reason: To ensure the safe and free flow of traffic onto the highway.

### **Dagnell End Road / A441 Birmingham Road Improvement Scheme (S278)**

35. No more than 128 dwellings hereby approved shall be brought into use until the highway improvements to the Dagnell End Road / A441 Birmingham Road junction as shown in the PJA Drawing Ref: 2809 P 12 Rev P4, or similar scheme acceptable to the Highway Authority, has been approved in writing and completed to the satisfaction of the Local Planning Authority (in consultation with the Local Highway Authority) and is open to traffic. The junction is to include Microprocessor Optimised Vehicle Actuation (MOVA) signal control.

Reason: To ensure the safe and free flow of traffic onto the highway.

### **Electric vehicle charging point**

36. No relevant phase shall be first occupied until each dwelling in that relevant phase has been fitted with an electric vehicle charging point. The charging points shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851 and the Worcestershire County Council Streetscape Design Guide. The electric vehicle charging points shall be retained for the lifetime of the development unless they need to be replaced in which case the replacement charging point(s) shall be of the same specification or a higher specification in terms of charging performance.

Reason: To encourage sustainable travel and healthy communities.

### **Cycle parking**

37. No relevant phase shall be first occupied until details of sheltered and secure 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. Thereafter the approved cycle parking shall be kept available for the parking of bicycles only.

Reason: To comply with the Council's parking standards and to encourage sustainable travel and healthy communities.

### **Residential Travel Plan**

38. The Residential Travel Plan hereby approved shall be implemented in accordance with the regime contained within the Plan. Monitoring must also include vehicle counts on years 1, 3 and 5 (minimum). In the event of failing to meet the targets within the Plan a revised Plan shall be submitted to and approved in writing by the Local Planning Authority to address any shortfalls, and where necessary make provision for and promote improved sustainable forms of access to and from the site. The Plan thereafter shall be implemented and updated in agreement with the Local Planning Authority and thereafter implemented as amended.

Reason: To reduce vehicle movements and promote sustainable access.

### **Construction Environmental Management Plan**

39. No demolition works nor development within a development phase shall commence on site until a Construction Environmental Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. This shall deal with the treatment of any environmentally sensitive areas, their aftercare and maintenance as well as a plan detailing the works to be carried out showing how the environment will be protected during the works. Thereafter all works for that Development Phase shall be carried out in accordance with the approved Statement throughout the construction period.

The CEMP shall provide for the following where relevant:

- I. The parking of vehicles of site operatives and visitors
- II. Loading and unloading of plant and materials (including times)
- III. Storage of plant and materials used in constructing the development
- IV. Measures to control the deposition of mud onto the local road network.
- V. Measures to control the emission of dust and dirt during construction
- VI. Measures to control noise and vibration during construction
- VII. Details of any temporary construction accesses and their reinstatement.
- VIII. Details of any changes to construction vehicle routing and site management following the Weights Lane connection to the site being made.
- IX. A highway condition survey, timescale for re-inspections, and details of any reinstatement.
- X. Locations and measures to control the emissions where in situ bioremediation or soil washing takes place.
- XI. Hours of operation and working
- XII. The timing of the works
- XIII. The measures to be used during the development in order to minimise environmental impact of the works, considering both potential disturbance and pollution
- XIV. Any necessary pollution protection methods
- XV. Information on the persons/bodies responsible for particular activities associated with the method statement that demonstrates they are qualified for the activity they are undertaking.

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: In order that the Local Planning Authority can properly consider the effect of the works on the amenity of the locality and to ensure the provision of adequate on-site

facilities and in the interests of highway safety. This is a pre-commencement condition and is necessary to protect residential amenity.

**Case Officer:** Mr Paul Lester Tel: 01527 881323  
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