

# REDDITCH BOROUGH COUNCIL

Mr Chetan Solanki  
Barratt David Wilson Homes (Mercia)  
C/O Mrs Kathryn Ventham  
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10th Floor, Bank House  
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## Refusal of Planning Permission

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<b>APPLICATION:</b>	21/01830/FUL
<b>LOCATION:</b>	Land West Of, Hither Green Lane, Redditch, Worcestershire
<b>PROPOSAL:</b>	Residential development (Class C3) with a vehicular access point onto Hither Green Lane, play areas, public open space including footways and cycleways, sustainable urban drainage systems and all other ancillary and enabling infrastructure
<b>DECISION DATE:</b>	22nd March 2024

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Redditch Borough Council as the Local Planning Authority refuses planning permission in accordance with the Town and Country Planning Act 1990 and The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) for the proposal described above. This is for the following reasons:

- 1) Redditch Borough Council can demonstrate a 5-year housing land supply, meaning that the relevant development plan policies are up to date. The application site is located within designated open space and is not allocated for development. The proposed development has not sufficiently demonstrated that the loss of open space is acceptable against the need for new housing provision in the context of the Council's 10.32 year land supply. The proposal is therefore contrary to Policy 1 Presumption in Favour of Sustainable Development, Policy 4 Housing Provision, Policy 11 Green Infrastructure, Policy 12 Open Space Provision, and Policy 13 Primarily Open Space of the Borough of Redditch Local Plan No. 4 (Adopted 30 January 2017) and to the guidance within the National Planning Policy Framework (2023).
- 2) The proposed density of the development, at 36 dwellings per hectare, combined with its layout and design, results in an urban development that is unacceptable in terms of visual impact and its affect upon the character and appearance of the area. The proposal does not create a high-quality development in terms of layout or design (including for affordable dwellings) and is out of character with the setting of the site on the edge of Redditch, and particularly the adjacent residential development on Hither Green Lane. The proposal is therefore contrary to Policy 4 Housing Provision, Policy 5 Effective and Efficient Use of Land, Policy 6 Affordable Housing, Policy 39 Built Environment and Policy 40 High Quality Design and Safer Communities of the Borough of Redditch Local Plan No. 4 (Adopted 30 January 2017), the Borough of Redditch High Quality Design SPD (June 2019) and to the guidance within the National Planning Policy Framework (2023).

- 3) The proposed development will result in the loss of designated open space under Policy 13 Primarily Open Space. The proposal has not sufficiently demonstrated that the merits of the development outweigh the value of the land as open space. The proposal is therefore contrary to Policy 13 Primarily Open Space of the Borough of Redditch Local Plan No. 4 (Adopted 30 January 2017) and to the guidance within the National Planning Policy Framework (2023).



**Ruth Bamford**  
**Head of Planning, Regeneration and Leisure Services**

### **Reason**

This proposal has been assessed against the following documents

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

Policy 1: Presumption in Favour of Sustainable Development  
Policy 2: Settlement Hierarchy  
Policy 3: Development Strategy  
Policy 4: Housing Provision  
Policy 5: Effective and Efficient use of Land  
Policy 6: Affordable Housing  
Policy 11: Green Infrastructure  
Policy 12: Open Space Provision  
Policy 13: Primarily Open Space  
Policy 15: Climate Change  
Policy 16: Natural Environment  
Policy 17: Flood Risk Management  
Policy 18: Sustainable water Management  
Policy 19: Sustainable travel and Accessibility  
Policy 20: Transport Requirements for New Development  
Policy 22: Road Hierarchy  
Policy 30: Town Centre and Retail Hierarchy  
Policy 31: Regeneration for Town Centre  
Policy 36: Historic Environment  
Policy 37: Historic Buildings and Structures  
Policy 39: Built Environment  
Policy 40: High Quality Design and Safer Communities  
Policy 43: Leisure, Tourism and Abbey Stadium  
Policy 44: Health facilities

#### **Others**

National Planning Policy Framework (2023)  
National Planning Practice Guidance  
Redditch High Quality Design SPD  
Open Space Provision SPD  
Town Centre Strategy  
Worcestershire Waste Core Strategy

## **Decision Making**

The full application was considered at the Redditch Planning Committee meeting held on Wednesday 20th March with a recommendation that the application be approved subject to conditions and the signing of a s106 agreement. Members considered the committee report, update report, officer presentation, and public speakers both for and against the application. Following discussion by members, they disagreed with the officer's recommendation that the application should be approved and considered that the application should be refused planning permission for the reasons set out above.

The officers report, update, presentation to the committee and minutes (when published) for the meeting are available to view on the Council's website: <https://moderngovwebpublic.redditchbc.gov.uk/ieListDocuments.aspx?CId=112&MId=3787&Ver=4>.

## **Informatives**

- 1) The local planning authority are aware of the requirement to work in a positive and proactive manner with the applicant in the determination of planning applications. In this case the applicant provided amended plans and additional information during the course of the application process to arrive at a positive outcome for the application.

## **For your information**

### **Appealing the decision**

If you feel aggrieved by the decision of Redditch Borough Council to refuse permission you can appeal to the Secretary of State through the Planning Inspectorate. This appeal should be made by 20th September 2024 unless supported by special circumstances. The appropriate form and further information on how to appeal can be found online at <https://www.gov.uk/appeal-planning-decision> or by contacting the Planning Inspectorate Customer Services Team on 0303 444 5000. If you want a planning appeal to follow the inquiry procedure you should notify the Local Planning Authority and also the Planning Inspectorate at least 10 working days before submitting your planning appeal.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against the decision of your local planning authority, then you must do so within: 28 days from when the enforcement notice is served, or within 6 months of the date of this decision, whichever expires earlier.

### **Purchase notices**

If Redditch Borough Council or the Secretary of State has refused planning permission or granted it conditionally, the landowner may claim that the land is incapable of reasonable beneficial use, and for this reason may serve the Council a purchase notice requiring them to purchase the land. In certain circumstances, a claim may be made against Redditch Borough Council for compensation. Further information about purchase notices can be found at: <http://www.legislation.gov.uk/ukpga/1990/8/part/VI>