

Planning Committee

Mon 3rd Oct
2011
7pm

Council Chamber
Town Hall
Redditch



www.redditchbc.gov.uk

Access to Information - Your Rights

The Local Government (Access to Information) Act 1985 widened the rights of press and public to attend Local Authority meetings and to see certain documents. Recently the Freedom of Information Act 2000, has further broadened these rights, and limited exemptions under the 1985 Act.

Your main rights are set out below:-

- Automatic right to attend all formal Council and Committee meetings unless the business would disclose confidential or “exempt” information.
- Automatic right to inspect agendas and public reports at least five days before the date of the meeting.
- Automatic right to inspect minutes of the Council and its Committees

(or summaries of business undertaken in private) for up to six years following a meeting.

- Automatic right to inspect lists of background papers used in the preparation of public reports.
- Access, on request, to the background papers on which reports are based for a period of up to four years from the date of the meeting.
- Access to a public register stating the names and addresses and electoral areas of all Councillors with details of the membership of all Committees etc.

A reasonable number of copies of agendas and reports relating to items to be considered in public must be made available to the public attending meetings of the Council and its, Committees etc.

- Access to a list specifying those powers which the Council has delegated to its Officers indicating also the titles of the Officers concerned.
- Access to a summary of the rights of the public to attend meetings of the Council and its Committees etc. and to inspect and copy documents.
- In addition, the public now has a right to be present when the Council determines “Key Decisions” unless the business would disclose confidential or “exempt” information.
- Unless otherwise stated, most items of business before the Executive Committee are Key Decisions.
- Copies of Agenda Lists are published in advance of the meetings on the Council’s Website:

www.redditchbc.gov.uk

If you have any queries on this Agenda or any of the decisions taken or wish to exercise any of the above rights of access to information, please contact the following:

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Member and Committee Support Services Assistant

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REDDITCH BOROUGH COUNCIL **PLANNING COMMITTEE**



GUIDANCE ON PUBLIC **SPEAKING**

The process approved by the Council for public speaking at meetings of the Planning Committee is (subject to the discretion and control of the Chair) as follows:

in accordance with the running order detailed in this agenda (Applications for Planning Permission item) and updated by the separate Update report:

- 1) Introduction of application by Chair
- 2) Officer presentation of the report (as originally printed; updated in the later Update Report; and updated orally by the Planning Officers at the meeting).
- 3) Public Speaking - in the following order:-
 - a) Objectors to speak on the application;
 - b) Supporters to speak on application;
 - c) Applicant to speak on application.

Speakers will be called in the order they have notified their interest in speaking to the Planning Officers (by the 4.00 p.m. deadline on the Friday before the meeting) and invited to the table or lecturn.

- Each individual speaker, or group representative, will have up to a maximum of 3 minutes to speak. (Please press button on “conference unit” to activate microphone.)
 - After each of a), b) and c) above, Members may put relevant questions to the speaker, for clarification. (Please remain at the table in case of questions.)
- 4) Members’ questions to the Officers and formal debate / determination.

Notes:

- 1) It should be noted that, in coming to its decision, the Committee can only take into account planning issues, namely policies contained in the Borough of Redditch Local Plan No.3, the County Structure Plan (comprising the Development Plan) and other material considerations, which include Government Guidance and other relevant policies published since the adoption of the development plan and the “environmental factors” (in the broad sense) which affect the site.
- 2) No audio recording, filming, video recording or photography, etc. of any part of this meeting is permitted without express consent (Section 100A(7) of the Local Government Act 1972).
- 3) Once the formal meeting opens, members of the public are requested to remain within the Public Gallery and may only address Committee Members and Officers via the formal public speaking route.
- 4) Late circulation of additional papers is not advised and is subject to the Chair’s agreement. The submission of any significant new information might lead to a delay in reaching a decision. The deadline for papers to be received by Planning Officers is 4.00 p.m. on the Friday before the meeting.
- 5) Anyone wishing to address the Planning Committee on applications on this agenda must notify Planning Officers by 4.00 p.m. on the Friday before the meeting.

Further assistance:

If you require any further assistance prior to the meeting, please contact the Committee Services Officer (indicated at the foot of the inside front cover), Head of Democratic Services, or Planning Officers, at the same address.

At the meeting, these Officers will normally be seated either side of the Chair.

The Chair’s place is at the front left-hand corner of the Committee table as viewed from the Public Gallery.

Welcome to today's meeting.

Guidance for the Public

Agenda Papers

The **Agenda List** at the front of the Agenda summarises the issues to be discussed and is followed by the Officers' full supporting **Reports**.

Chair

The Chair is responsible for the proper conduct of the meeting. Generally to one side of the Chair is the Committee Support Officer who gives advice on the proper conduct of the meeting and ensures that the debate and the decisions are properly recorded. On the Chair's other side are the relevant Council Officers. The Councillors ("Members") of the Committee occupy the remaining seats around the table.

Running Order

Items will normally be taken in the order printed but, in particular circumstances, the Chair may agree to vary the order.

Refreshments : tea, coffee and water are normally available at meetings - please serve yourself.

Decisions

Decisions at the meeting will be taken by the **Councillors** who are the democratically elected representatives. They are advised by **Officers** who are paid professionals and do not have a vote.

Members of the Public

Members of the public may, by prior arrangement, speak at meetings of the Council or its Committees. Specific procedures exist for Appeals Hearings or for meetings involving Licence or Planning Applications. For further information on this point, please speak to the Committee Support Officer.

Special Arrangements

If you have any particular needs, please contact the Committee Support Officer.

Infra-red devices for the hearing impaired are available on request at the meeting. Other facilities may require prior arrangement.

Further Information

If you require any further information, please contact the Committee Support Officer (see foot of page opposite).

Fire/ Emergency instructions

If the alarm is sounded, please leave the building by the nearest available exit – these are clearly indicated within all the Committee Rooms.

If you discover a fire, inform a member of staff or operate the nearest alarm call point (wall mounted red rectangular box). In the event of the fire alarm sounding, leave the building immediately following the fire exit signs. Officers have been appointed with responsibility to ensure that all visitors are escorted from the building.

Do Not stop to collect personal belongings.

Do Not use lifts.

Do Not re-enter the building until told to do so.

The emergency Assembly Area is on Walter Stranz Square.

Declaration of Interests: Guidance for Councillors

DO I HAVE A "PERSONAL INTEREST" ?

- Where the item relates or is likely to affect your **registered interests** (what you have declared on the formal Register of Interests)

OR

- Where a decision in relation to the item might reasonably be regarded as affecting **your own** well-being or financial position, or that of your **family**, or your **close associates** more than most other people affected by the issue,

you have a personal interest.

WHAT MUST I DO? **Declare the existence, and nature, of your interest and stay**

- The declaration must relate to specific business being decided - a general scattergun approach is not needed
- **Exception** - where interest arises only because of your membership of another **public body**, there is no need to declare unless you **speak** on the matter.
- You **can vote** on the matter.

IS IT A "PREJUDICIAL INTEREST" ?

In general only if:-

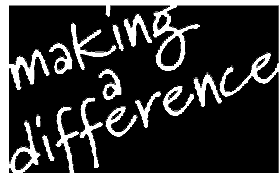
- It is a personal interest **and**
- The item affects your **financial position** (or conveys other benefits), or the position of your **family, close associates** or bodies through which you have a **registered interest** (or relates to the exercise of **regulatory functions** in relation to these groups)

and

- A member of public, with knowledge of the relevant facts, would reasonably believe the interest was likely to **prejudice** your judgement of the public interest.

WHAT MUST I DO? **Declare and Withdraw**

BUT you may make representations to the meeting before withdrawing, **if** the public have similar rights (such as the right to speak at Planning Committee).



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7pm

Council Chamber Town Hall

Agenda

Membership:

Cllrs: Michael Chalk (Chair) Bill Hartnett
Roger Hill (Vice-Chair) Robin King
Peter Anderson Wanda King
Andrew Brazier Brenda Quinney
Malcolm Hall

1. Apologies	To receive apologies for absence and details of any Councillor nominated to attend the meeting in place of a member of the Committee.
2. Declarations of Interest	To invite Councillors to declare any interest they may have in the items on the Agenda.
3. Planning Application 2011/227/FUL - Church Hill District Centre, Tanhouse Lane, Church Hill (Pages 1 - 18) Head of Planning and Regeneration	To consider a Planning Application for a mixed use development, including medical centre and retail building with car parking and landscaping, 51 dwellings, new high street and associated open space, to form a regenerated District Centre. Applicant: LSP Developments, Bellway Homes and Accord Housing Association (Report and Site Plan attached) (Church Hill Ward);

4. Exclusion of the Public

During the course of the meeting it may be necessary, in the opinion of the Chief Executive, to consider excluding the public from the meeting on the grounds that exempt information is likely to be divulged. It may be necessary, therefore, to move the following resolution:

“that, under S.100 I of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, the public be excluded from the meeting for the following matter(s) on the grounds that it/they involve(s) the likely disclosure of exempt information as defined in the relevant paragraphs of Part 1 of Schedule 12 (A) of the said Act, as amended.

These paragraphs are as follows:

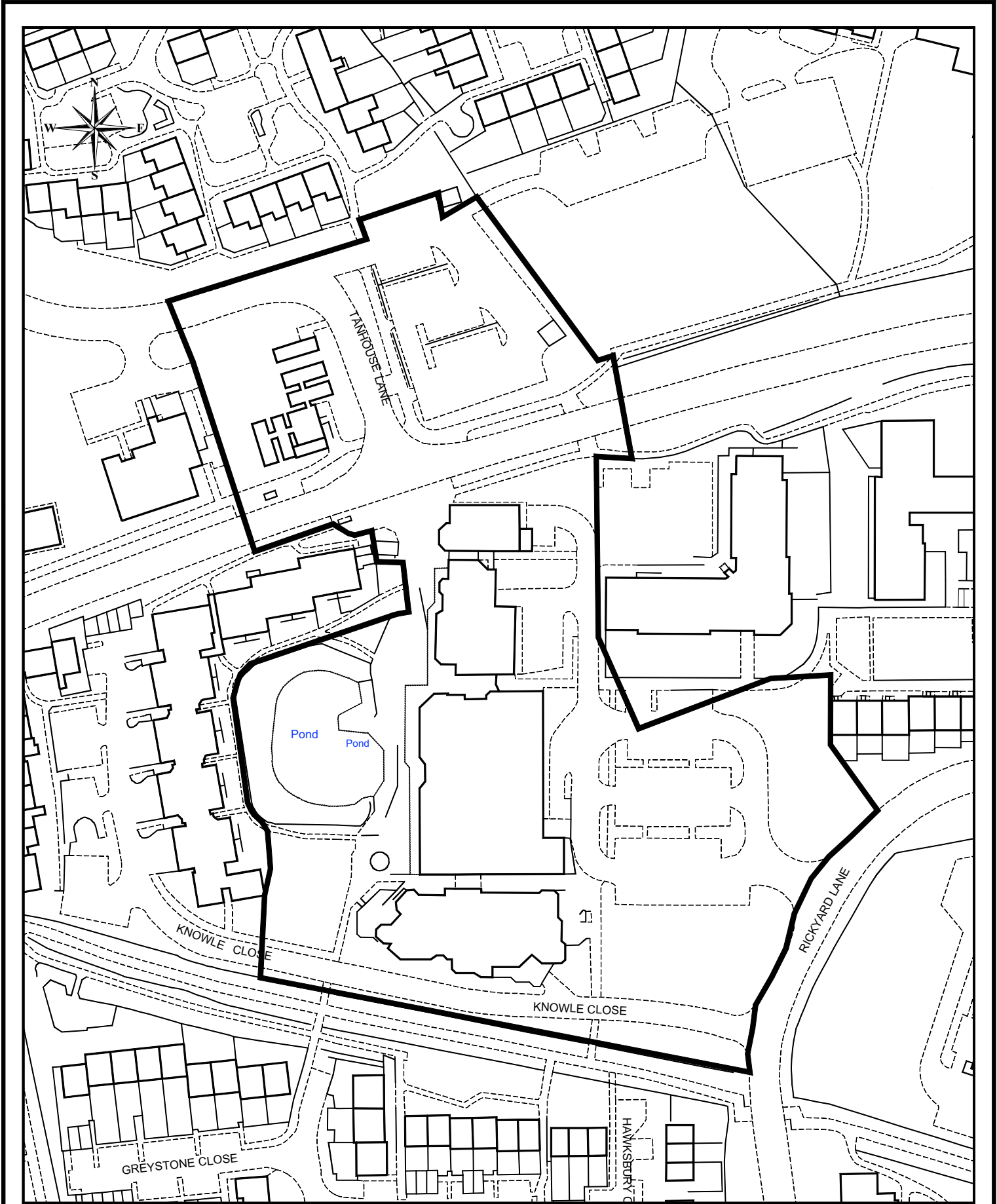
subject to the “public interest” test, information relating to:

- Para 1 - any individual;**
- Para 2 - the identity of any individual;**
- Para 3 - financial or business affairs;**
- Para 4 - labour relations matters;**
- Para 5 - legal professional privilege;**
- Para 6 - a notice, order or direction;**
- Para 7 - the prevention, investigation or prosecution of crime;**

may need to be considered as “exempt”.

5. Confidential Matters (if any)

To deal with any exceptional matters necessary to consider after the exclusion of the public (none notified to date.)



www.redditchbc.gov.uk

Planning Services
Town Hall
Walter Stranz Square
Redditch
Worcs B98 8AH

Project: **2011/227**

Drawn: DW

Drawing: **Church Hill Centre Redevelopment**

Scale: 1/1250

Drawing No: **P2118.84**

Date: SEP 2011

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Redditch Borough Council LA100024252 2011

REDDITCH BOROUGH COUNCIL**PLANNING
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PLANNING APPLICATION 2011/227/FUL**MIXED USE DEVELOPMENT INCLUDING MEDICAL CENTRE AND
RETAIL BUILDING WITH CAR PARKING AND LANDSCAPING, 51
DWELLINGS, NEW HIGH STREET AND ASSOCIATED OPEN SPACE TO
FORM A REGENERATED DISTRICT CENTRE****CHURCH HILL DISTRICT CENTRE, TANHOUSE LANE, REDDITCH****APPLICANT: LSP DEVELOPMENTS, BELLWAY HOMES &
ACCORD HOUSING ASSOCIATION****EXPIRY DATE: 23RD NOVEMBER 2011****WARD: CHURCH HILL**

The author of this report is Ailith Rutt, Development Management Manager, who can be contacted on extension 3374 (e-mail: ailith.rutt@bromsgroveandredditch.gov.uk) for more information.

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

There are several elements to this site. It includes the existing district centre car park to the north of the Church Hill Way bus only route, and the vacant land opposite this car parking area. The district centre itself, including the retail units and the open space to the west which is hard surfaced with seating, the car park to the south accessed from Rickyard Lane, and the former Book & Candle public house.

The site is bounded largely by residential development, in the form of bungalows to the north, the YMCA to the east, two storey housing to the south which drops away from the centre and three storey flats to the west, with balconies overlooking the district centre. These flats are at a slightly higher level than the district centre, whilst the remaining boundaries of the site are on about the same level. On the approach to the district centre from the north, along Tanhouse Lane, a church and a medical centre are also located, in close proximity to the district centre. To the north east of the site lie two schools, whose grounds abut the district centre and the staff car park is currently accessed via the north car park.

This area is in a poor state of repair and thus not very inviting to customers of the site. It serves a large population in the surrounding residential district of Church Hill, which also includes some employment provision to the south east.

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Proposal Description

The application has three main elements to it:

- Erection of a two storey L shaped building to the north east on the location of the existing car park, to accommodate 6 retail /medical units at ground floor level and a medical centre at first floor with ground floor access. The building would have gated service access to the rear accessed from Tanhouse Lane. The six ground floor units are proposed to house the existing district centre occupiers and would therefore accommodate two A5 hot food takeaway uses, three A1 retail uses and one D1 dentist use. One of the A1 uses is proposed to be a pharmacy, one a hairdresser and one a convenience store. An ATM is proposed on the corner of the building, where it would be visible from all approaches, located in the external wall of the convenience store.

The medical centre would replace one of the two practices currently occupying the existing facility on Tanhouse Lane immediately to the west of the existing district centre, and include additional facilities for the benefit of the whole community. It would include 8 consulting rooms, 2 treatment rooms and a minor surgery suite as well as the necessary associated requirements such as staff and administrative accommodation.

- Erection of a 51 unit residential development south of Church Hill Way in the form of a high street, leading to a vehicular crossing of the bus route with bus priority. This development would have a boulevard style feel to it, comprising two storey dwellings with front parking spaces accessed from the 'high street' and rear garden areas. The dwellings would be arranged in terraces, with a terrace of 7 units and a terrace of 8 units to the west side of the high street facing east, a terrace of 5 units facing south onto Knowle Close in the approximate location of the public house, three terraces comprising 6, 6 and 7 units facing west on the eastern side of the high street, a terrace of 5 facing south west on the approach to the high street from the south, and finally a terrace of 7 units facing north east to the rear of the larger terrace facing west at the southern end of the site. This final terrace would have a separate access road from Rickyard Lane leading towards the rear of the YMCA building. An area of allotments would be included to the rear of the more northerly western terrace, for the benefit of occupiers. The allotment access leads between terraces westwards from the boulevard. Of these 51 units, 39 would be provided as social housing, as follows:

Size of unit	Market	Social	Total
2 bed house	6	24	30
3 bed house	6	13	19
4 bed house		2	2
Totals	<i>12</i>	<i>39</i>	51

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- Erection of car park on existing vacant waste land to north west of site opposite existing north car park. This car park would serve the retail and medical elements of the proposed development, and is thus located opposite this proposed building. It would be accessed from the straight section of Tanhouse Lane immediately north of the bus route and contain 31 spaces + 5 disabled spaces. A further 8 spaces would remain along the northern boundary of the site adjacent the route into the Church Hill Middle School, which would remain available for access, from the bend in Tanhouse Lane as currently. Cycle parking provision is also proposed at the northwest corner of the junction of the proposed new high street and the bus route.

As a result of the regeneration proposed, a new access to the YMCA building at Gordon Anstis House to the east of the site would be required, as currently access is gained through the south car park for the centre. This is proposed adjacent to the bus way and south of it, leading from the boulevard eastwards to the existing car park, which would remain unaltered other than the location of the access point.

The application is supported by a Design & Access Statement, a Planning Statement, the sustainability checklist, a Transport Statement, a Framework Travel Plan, a preliminary ground investigation report, a flood risk assessment & drainage strategy, an ecology & habitat survey, a bat survey, an arboricultural survey, an archaeological assessment, a noise assessment and a statement relating to retail impact and open space provision.

The planning statement includes information relating to community engagement, climate change, secured by design, national planning policy tests and information relating to the applicant's intention of the retention of social housing on the site. It also notes that there would be a likely increase in job roles as a result of the development, both during construction and in the longer term.

The applicant has indicated that the development would require the demolition of the entirety of the existing built form on this site, however they have also indicated that the development would be carried out in phases, which would follow on consecutively. In summary, this would be as follows:

<i>Phase One</i>	<i>Erection of parking facilities to north on vacant land</i>
<i>Phase Two</i>	<i>Erection of retail/medical building facilities</i>
<i>Phase Three</i>	<i>Move tenants from old to new facilities</i>
<i>Phase Four</i>	<i>Demolish existing district centre and public house</i>
<i>Phase Five</i>	<i>Erection of residential development, southern access road and open spaces/allotments</i>

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Relevant Key Policies

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

www.communities.gov.uk

www.wmra.gov.uk

www.worcestershire.gov.uk

www.redditchbc.gov.uk

National Planning Policy

PPS1 (& accompanying documents) Delivering sustainable development

PPS3 Housing

PPS4 Planning for sustainable economic growth

PPS5 Planning for the historic environment

PPG13 Transport

PPG17 Planning for open space, sport and recreation

PPS22 Renewable energy

Regional Spatial Strategy

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

Worcestershire County Structure Plan

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

Borough of Redditch Local Plan No.3

CS1 Prudent use of natural resources

E(TCR)9 District centres

E(TCR)10 District centre redevelopment

S1 Designing out crime

B(HSG)5 Affordable housing

B(BE)13 Qualities of good design

B(BE)17 Shopfront security

C(CF)1 Community facilities

C(T)7 Public transport infrastructure

C(T)12 Parking standards

R3 Provision of informal unrestricted open space

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- R4 Provision and location of children's play areas
R5 Playing pitch provision

Supplementary Planning Guidance / Supplementary Planning Documents

Church Hill District Centre
Education
Open Space
Affordable Housing
Community Safety
Encouraging Good Design

Other Relevant Corporate Plans and Strategies

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

Emerging Policies

The government has recently published its draft National Planning Policy Framework document (NPPF). Whilst it is a consultation document and, therefore, subject to potential amendment, nevertheless it gives a clear indication of the Government's 'direction of travel' in planning policy. Therefore, the draft National Planning Policy Framework is capable of being a material consideration, although the weight to be given to it will be a matter for the decision maker's planning judgment in each particular case. The current Planning Policy Statements, Guidance notes and Circulars remain in place until cancelled.

It is not considered in this case that this policy direction is significantly different from that in the other Development Plan documents that are relevant to this decision, and therefore is not referenced further due to it having only little weight at this stage.

The Core Strategy is the document that will eventually replace the local plan, and is currently working through the process towards adoption. It has been published and consulted upon, and therefore counts as emerging policy to which some weight can be given in the decision making process. The current version is the 'revised preferred draft core strategy' (January 2011).

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

- 4 Sustainable travel and accessibility
8 Housing provision
9 Effective and efficient use of land

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- 17 Town centre and retail hierarchy
- 19 District centre redevelopment
- 20 Health of district centres
- 21 Historic environment
- 23 High quality and safe design
- 26 Health facilities

Manual for Streets was first published 2007 with Manual for Streets 2 being published September 2010 as a companion guide. These two documents superseded Design Bulletin 32 and its companion guide Places, Streets and Movement which had been in use for 30years. Manual for Streets provides guidance on technical matters, which highway engineers are encouraged to develop to produce local standards and design guidance in accordance with the local context. Based upon the guidance given in Manual for Streets, Worcestershire County Council adopted in February 2011 a Highway Design Guide which identifies requirements used to ensure that the design details of roads and streets, parking areas etc. are acceptable. As these documents supersede previous national and local documents that would have been used to inform the compilation of older planning policy documents, they are also considerations to be taken into account when determining the application.

Relevant Site Planning History

None

Public Consultation Responses**Responses in favour**

One comment received in support of the proposals providing that the landscaping is retained and enhanced

Responses against

Three comments received raising the following points:

- Through road would result in the creation of a through route to Birmingham, which would lead to an increase in traffic volume and provide a race track
- Increase in traffic would increase queuing traffic at the Rickyard Lane/Moons Moat Drive junction
- Crossing of bus lane would result in encouraging its illegal use by non public transport vehicles
- Insufficient parking proposed
- Having to cross Tanhouse Lane to get between the car park and the shops would result in a highway danger
- Would increase bus way fatalities

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Consultee Responses

County Highway Network Control

No objection subject to conditions requiring that the highways agreements are in place prior to the commencement of development and engineering details are agreed.

Development Plans Officer

Proposal is largely in conformity with the planning policy framework, and where it does not meet policy criteria justification of specific circumstances is mostly considered to be acceptable in order to meet planning policy strategic objectives. Lack of future expansion space is noted, as well as the smaller floor areas of the units relative to the sizes proposed in the SPD.

Drainage Engineer

No comments received

Housing Enabling Officer

Supports provision of social housing and confirms it to be in accordance with identified needs in the area

Arboricultural/Landscape Officer

No comments received

Climate Change Officer

No comments received

Biodiversity Officer

No comments received

Leisure Services

No comments received

Waste Management

No comments received

Community Safety Officer

No objections subject to conditions relating to surface treatments, fencing, landscaping and street furniture, and informatives relating to CCTV and lighting.

Economic Development Unit

No comments received

WRS: Environmental Health

No objection subject to conditions regarding noise, light and odour.

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WCC Education

Confirm that local schools have sufficient capacity and therefore that no contributions are required in this location towards education provision

WCC Archaeology

No objection subject to conditions requiring that the site is surveyed for archaeological remains, and if found recorded, subject to details and methodology being agreed.

Crime Risk Manager

No comments received

Severn Trent Water

No objection subject to a condition regarding drainage details

Worcestershire Wildlife Trust

No comments received

Procedural matters

This application is reported to Planning Committee for determination because it is a major application recommended for approval and because it requires a planning obligation.

Whilst the occupiers of the ground floor units in the proposed new district centre building may change, the uses proposed should be taken into account when determining this application. Further, the permitted change of use from A5 to A1 should also be acknowledged.

The SPD regarding the regeneration of the district centre proposes a range of options and should be taken as a guide to the type of development that would be acceptable in this case. However, some elements of this policy document may have been overtaken since its adoption in 2007 by more recent policies and standards that have been adopted. In such cases, it is appropriate to apportion weight to both this document and those that have superseded it, according to their position within the adoption process.

Assessment of Proposal

The key issues for consideration in this case are the principle of the development, the details of the residential areas, the layout and access issues and the impact on amenities.

Principle

The need for the district centre to be regenerated is documented in a variety of different ways within both the planning and wider policy documents relating to Redditch, as the Council seeks to make improvements to the Borough and improve the quality of life for its residents. This was originally intended to be for retail purposes, as a replacement for the existing retail and associated

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outlets within the existing centre. However, this remit has widened for a variety of reasons. This is partly because the vision has been expanded to incorporate the re-provision of the medical practice, again in order to provide both new and improved facilities in an accessible location, for the residents of Church Hill. Further, due to the current economic climate, which could not have been foreseen at the inception of policies, and also due to the change in patterns of behaviour and access to services and facilities, it is now proposed to include some residential development. This is both to address an identified need, and also to assist in enabling the commercial elements of the development to be economically viable.

In summary, whilst some of the details of the current proposal differ from those originally anticipated during the compilation and formulation of policy relating to the regeneration of the district centre, it is necessary to consider both the acceptability of these differences and to balance them against the benefits of the overall scheme proposals to the residents of the town, and especially of the Church Hill area.

The benefits of new and improved facilities in this area do not need to be stressed, as Members will be aware of these from their local knowledge and understanding of the existing situation. However, they must be largely compliant with planning policy in order to be considered to be acceptable in planning terms.

Whilst the district centre proposed represents a reduction in floor area relative to the current district centre, it is considered to be acceptable because it has been demonstrated that the existing district centre has never been full to capacity and it is therefore considered unlikely that additional provision is required in this catchment.

The policy of the emerging core strategy seeks to limit the number of units that are A5 (hot food takeaway) to less than 25% of the total units within a district centre, in order that vitality and viability is maintained throughout both the daytime and evening economy. Whilst the percentage of A5 units proposed is greater than 25% of the number of units in the scheme, as they reflect the existing position, it is not considered appropriate to raise concerns on this matter. It is also noted that the two units proposed as A5 would retain their permitted development rights (PDRs) to change their use to A1 (retail), A2 (financial & professional services) or A3 (food & drink) without the need to seek further planning permission. This would bring them more into line with the policy objectives. Further, the presence of the medical centre within the district centre would help to serve the daytime economy significantly, relative to other uses which tend to open either in the day or at night.

The SPD relating to the regeneration of the district centre gives approximate numbers and sizes of retail units that should be part of this scheme. It seeks approximately 5 retail units (which technically would not include the 2 A5

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uses) and the floor area it seeks is greater than that proposed here. However, given the history of vacant units in the existing centre and the current economic climate, the provision of expansion space would be difficult to achieve. Whilst there are no other vacant pockets of land within the application site where such future development could be provided, the application site does not include the whole of the defined district centre boundary and it is therefore considered that it would be unreasonable to require the additional space as part of this proposal.

Whilst the proposed development would result in the loss of a public house, there are no policies which seek to retain such community facilities. Given this policy framework and the proposed community facilities included within this application, it is considered acceptable in this case to lose a facility that has not recently been operating in any case.

Residential Element of SchemeDesign and layout

Given the constraints on this site of the existing topography and development around it, the residential development has been designed to maximise the site potential without prejudicing the amenities of existing residents. Development fronting the road network and easily accessible by various transport modes is welcomed as a practical and desirable style of development. The dwellings are of an appropriate design to the site and its surroundings, being two storey brick and tile dwellings with feature render panels, and a mix of protruding gables and recessed eaves elements.

The dwellings proposed are sufficiently spaced that they meet the adopted local standards in order that there would be no harm to existing or future residential amenities in terms of overlooking and loss of privacy and are therefore considered to be acceptable.

The location of the market housing units in the south east corner of the site is considered to be acceptable, as with such a high quantity of social housing it would be difficult to intersperse the two tenure types.

Parking and access

The residential units each have their own dedicated parking spaces which meet the current policy requirements, and these are therefore considered acceptable. Each dwelling will have its own driveway parking accessed from a highway. The layout, access and parking arrangements are all considered to be acceptable and conform to policy objectives.

Every dwelling has at least one and in most cases two parking spaces in front of it, and this is considered to comply with the standards as set out in the local plan appendix. The highways officer advises that these are safe and usable, and therefore these are considered to be acceptable.

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Sustainability

The social housing element would be implemented to Code for Sustainable Homes level 3, which is above the basic level of building regulations requirements, and as such it is considered appropriate to encourage such standards. Whilst each property has parking provision allocated to it, this is not in sufficient quantities that it would be likely to lead to an overuse of private transport, and therefore in combination with the close proximity of the retail and medical facilities to the dwellings, the proposed is considered to be very sustainable in nature.

Planning obligation

The size of the proposed residential development is above the policy threshold for requiring contributions which should be sought via a planning obligation. Normally, the following would be required under the adopted policy framework:

- A contribution towards County education facilities in relation to the market housing, as noted by the County Council; and;
- A contribution towards playing pitches, play areas and open space in the area due to the increased demand/requirement from future residents is required in compliance with the SPG and/or on-site provision, transfer and a contribution towards future maintenance; and;
- That 40% of the dwellings be provided as affordable units for affordable housing in line with SPD policy and the retention of the units for this purpose in perpetuity.

It should be recognised that the proposed development will have additional benefits for the community and the Borough and it is therefore considered reasonable to review the policy contribution requirements.

The comments from the County Education team note that there is no justification for seeking a contribution towards education provision in this case, and therefore it is recommended that this not be required.

Under the terms of the open space SPD, for a residential development of this size 5886m² of on site open space should be provided, and then maintained as such in perpetuity. In this case, the sum of all the areas of open space, including the smaller pockets that result from the shape of the layout, is only 2726m² and there is therefore a deficit. However, the applicant is also requesting that no contributions or transfer be required in this case, but that they agree to its maintenance in perpetuity as open space and manage it themselves. This is a reduction in on site open space provision of 54%, as only 46% of the total requirement would be provided. Further, within this ward there is an identified deficit of open space provision relative to the overall borough average. However, this is because the boundaries of the ward are

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drawn tightly around the residential areas and exclude the Arrow Valley Country Park and other large areas of open space adjacent to this ward and which are highly accessible to both current and proposed future residents.

The proposed scheme includes 12 market housing units, which represent 23.5% of the total residential units. This means that the remaining 76.5% of the units is significantly above the 40% threshold of 21 units that the affordable housing SPD requires. In contrast to this, the SPD relating to the regeneration of the district centre suggested that *all* the housing should be market housing due to the substantial quantity of existing social housing provision in the area. These two policies clearly contradict each other, although the district centre SPD does justify its proposed departure from the 40% policy.

On balance, it is considered that the reduction in planning gain is acceptable on this site, given the gain in affordable units that would result from the proposed development and the benefits to the local community of the alternative provision.

Therefore, the heads of terms now proposed to be included in the planning obligation are as follows:

- The maintenance of the on site open space as such in perpetuity; and;
- The provision of 39 of the dwellings on the site for affordable housing in accordance with the current practices of the Council as appropriate.

This is now considered to be sufficient to make the development acceptable, and to be in compliance with local and national policy objectives, as well as addressing local need and recognising the benefits of the proposed scheme.

Overall Scheme

Design and layout of district centre building

The positioning of the main facilities building proposed, in this prominent corner location very close to the bus stops and with the proposed car park opposite, is considered to reflect an appropriate siting which would be easily identifiable and accessible to all users. The design of the building is such that whilst large in footprint, it is only two storey and therefore would not result in an overly dominant building for any surrounding residents or the school.

The building would be of similar materials and design to other built form in the vicinity of the site, being of brick and tile with render detailing. Entry points are well defined and the fenestration details are proportionate to the bulk and scale of the building. The proposed building is therefore considered to comply with the planning policy framework as it would be of an appropriate design and layout for its use, siting and context.

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Landscaping, trees and biodiversity

There is very little existing landscaping and planting on the site, and the proposal includes the introduction of tree planting within the streetscene along the high street to assist in giving a sense of place and a boulevard style atmosphere, as well as enhancing biodiversity and wildlife corridors. These are therefore to be welcomed, along with the planted areas and the proposed allotments. The proposed species of new trees are considered to be appropriate to their restricted locations such that they would not result in a need for their removal soon after construction.

Transport, highways and access

Care has been taken in designing this scheme to ensure that the bus only route along Church Hill Way, which sees a significant quantity of public transport trip usage, is maintained and protected in order that the bus services are not compromised in any way. Therefore, whilst the SPD sought to open up the bus route to other traffic, this is not now proposed. Rather, a single vehicular crossing of the bus route is proposed, and would retain the existing bus priority. The high street has been designed in order that there is no straight route that encourages speeding, and so that drivers would be aware of the crossing point and would stop to ensure that there are no buses travelling before crossing. The layout of the parking areas for the residential properties would also help to increase natural reduction of speeds due to cars stopping to park or pulling out of parking bays into to street such that drivers would need to be aware of these and adjust their speed accordingly.

Locating the car parking and the district centre on the same side of the bus way should reduce the pedestrian traffic across it and therefore any safety issues associated with crossing it. The existing two pedestrian crossings would also be retained as part of the proposals, and therefore there is no perceived risk to pedestrian safety as a result of this proposal.

The parking provision for the district centre replacement is 39 spaces and 5 disabled spaces. Whilst this is less spaces than currently exist in the two car parks that serve the district centre, it should be noted that they also serve the public house which would be lost as part of this scheme, as well as the vacant units in the district centre. Therefore, a reduction in spaces is considered to be acceptable, as there would be a reduction in the uses that they serve and the replacement residential development would include its own provision. There is no evidence to suggest that the existing provision is ever close to or exceeding its capacity. It is in close proximity to all of the facilities proposed, and in an accessible and usable layout. It is therefore considered to be acceptable.

Security and crime risk

Comments are awaited from the relevant consultees on this matter and therefore if possible further information will be included within the Update paper. However, the proposed layout is considered to be such that it allows

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for high levels of casual observation and surveillance from users of the buildings and minimises opportunities for the secretion of people and objects. The large windows of the ground floor units will aid in providing a secure environment. The planting scheme is also considered not to hinder any security issues. The proposals are therefore considered to be acceptable in this regard.

There are no plans for any external shopfront security shutters, which is welcomed, and it is recommended that a condition be imposed to ensure that any shutters fitted are internal, in order that the design of the premises is not altered but that security can be maintained.

Sustainability and accessibility

The district centre building includes solar photo voltaic (PV) cells on its roof and would meet its own water heating needs from this. This addresses the sustainability objectives of the planning policy framework and more recent emerging documents and is therefore welcomed as being compliant with policy.

The accessibility of the site to non-car modes of transport also makes it a very appropriate location for development. The district centre is served by a bus route that results in more than 30 bus movements per hour at peak times, and is in an area where cycling is also possible, with many cycle routes and a road network that is spacious and slow moving.

Conclusion

On balance, whilst the proposal would result in an under provision of open space and play equipment and the crossing of the bus route by vehicular traffic, it is considered that the benefits of the regenerated district centre that would result for all members of the community are such that in this instance these missed opportunities are inevitable, and not sufficiently significant to warrant a recommendation for refusal.

Recommendation

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

Either:

- 1) **That having regard to the development plan and to all other material considerations, authority be delegated to the Head of Planning & Regeneration to GRANT planning permission subject to:**
 - a) **a planning obligation ensuring that:**

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- **The on-site open space is maintained as such in perpetuity;
and**
- **The 12 units are for the provision of social housing in
perpetuity;**

and**b) conditions and informatives as summarised below:**Conditions

1. Time limit for commencement of development – three years from decision date
2. Materials to be agreed prior to commencement of development (by phase)
3. Surfacing materials to be agreed prior to commencement of development
4. All hard surfacing to be permeable or sustainably drained – where not permeable, drainage details to be supplied and agreed prior to their implementation
5. Planting and replacement details to be agreed
6. Gated rear garden accesses - details to be agreed in order to ensure that they are secure
7. Shop windows to remain transparent to allow for passive surveillance and security
8. shop shutters to be internal only, if necessary
9. Implement tree protection prior to and throughout construction phase
10. con land
11. to be built to sustainability standards as detailed in the submission (CSH3/BREEAM)
12. PDR removal from residential properties to prevent over development of gardens
13. details of ventilation and extraction leading to flues shown on plans
14. approved plans specified
15. Flat roof materials and details to be submitted and agreed (to prevent public access)
16. Fencing details to be submitted and agreed
17. Street furniture details to be submitted and agreed
18. Allotment access gate details to be submitted and agreed

Informatives

1. Reason for approval
2. Advertisement consent application(s) will be required prior to display of any signage, e.g. on district centre building

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3. NB S106 attached
4. highways informatives
5. Security features such as CCTV and lighting

Or:

- 2) a) **In the event that the planning obligation cannot be completed by 22nd November 2011, Members are asked to delegate authority to the Head of Planning & Regeneration to refuse the application on the basis that without the planning obligation the proposed development would be contrary to policy and therefore unacceptable due to the resultant detrimental impacts it could cause to community infrastructure by a lack of provision for their improvements, and that none of the dwellings could be restricted to use for affordable housing in line with current policy requirements.**