



Planning Committee

Lodge Park Ward

6 January 2009

**2008/365/OUT OUTLINE RESIDENTIAL DEVELOPMENT
LAND BETWEEN SKILTS AVENUE AND LODGE POOL DRIVE, LODGE
PARK
APPLICANT: PROPERTY SERVICES, REDDITCH BOROUGH COUNCIL
EXPIRY DATE: 13 JANUARY 2009**

Site Description

(See additional papers for Site Plan)

The site area is a grassed area which lies between Skilts Avenue and Lodge Pool Drive, Lodge Park. The area is approximately 2900 square metres (0.3ha).

There are some mature Oak trees on the site which are not the subject of a Tree Preservation Order.

Proposal description:

This is an outline application for residential development with all matters reserved for future consideration (access, layout, scale, appearance and landscaping).

The application is supported by a Design & Access Statement, a sustainability checklist and details relating to any potential planning obligation.

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

Regional Spatial Strategy

UR4	Social infrastructure
CF5	Delivering affordable housing and mixed communities
QE3	Creating a high quality built environment for all

Worcestershire Country Structure Plan

CTC5	Trees, woodlands and hedgerows
IMP1	Implementation of development

Borough of Redditch Local Plan No.3

CS6	Implementation of development
CS7	Sustainable location of development
CS8	Landscape character
S1	Designing out crime
B(HSG).1	Housing provision
B(HSG).4	Density of development
B(HSG).5	Affordable housing
B(HSG).6	Development within or adjacent to the curtilage of an existing dwelling
B(BE).13	Qualities of good design
B(NE).1a	Trees woodland and hedgerows
B(NE).6	Contaminated land
B(NE).9	Flood risk and surface water drainage
CT5	Walking routes
CT6	Cycle routes
R1	Primarily Open Space

SPDs

Encouraging Good Design
Design for Community Safety
Open Space Provision
Affordable Housing
Planning obligations for education contributions

Relevant site planning history

None.

Public Consultation responses

Responses in favour

None.

Responses against

21 letters received to date raising the following points:

- Loss of mature Oak trees
- Loss of recreational land – children's 'play area'
- Traffic issues in relation to school
- Loss of open, 'green' space

Other issues which are not material planning considerations have been raised, but are not reported here as they cannot be considered in the determination of this application.

Consultee responses

County Highway Network Control

No objection

Environmental Health

No objection subject to conditions / informatives regarding construction times, lighting and odour control

Crime Risk Manager

No response received

Severn Trent Water

No objection subject to a condition regarding drainage details

County Council Education Team

Confirmed that if 5 or more dwellings proposed, contributions towards education provision as per the SPD would be required.

Drainage Officer

No response received

Procedural matters

This is an outline application with all matters reserved, and as such, only the principle of development can be considered at this stage, as no details are available. However, if there are reasons why the development could not be designed to be appropriate to the site, these can be raised as concerns at this stage.

The application plans and documents include an indicative layout, however this is for illustrative purposes only to demonstrate how the site *could* be

developed, and not how it *would* be developed. This therefore has no weight in the determination of the application.

Under normal circumstances, some matters might be required through entering into a S106 planning obligation to ensure the provision of certain matters. However, in this case the applicant is the Council, and the Council as Planning Authority cannot enter into an agreement with itself as land owner. Therefore, in this case, conditions can be attached in the place of an obligation. Should the site be sold and then subsequent applications be made by the new owner/developer, then the requirements of the conditions would remain in force regardless of ownership.

Assessment of proposal

The key issue for consideration in this case is the principle of the development, as all other matters are reserved for future consideration. As part of this, matters regarding density, sustainability and planning obligations can be considered.

Principle

The site is designated as Primarily Open Space within the Local Plan, where Policy R1 applies. Policy R1 is a criteria based policy, whereby in assessing applications for development on Primarily Open Space certain factors will be taken into account. These factors and your Officers' responses to these are as follows:

i) The environmental and amenity value of the area

Given the topography of the land the site has no particular or notable amenity value

ii) The recreational, conservation, wildlife, historical and visual and community amenity value of the site

The site as a whole performs a visual open space function but has little wildlife etc generally. It could be beneficial to retain some open space on the application site, and it is noted that the indicative layout does leave areas of the site free from development, to give a spacious feel to the site.

iii) The merits of retaining the land in its existing open use, and the contribution or potential contribution the site makes to the character and appearance of the area

The site does not make a significant visual impact on the character and appearance of the surrounding area, and is surrounded on three sides by built form. As such, it is not considered to retain significant merit in this context.

iv) The merits of protecting the site for alternative open space uses

It would be difficult to suggest appropriate alternative open space uses on this site given its topography.

v) The location, size and environmental quality of the site

The location, size and quality of the open space is considered to be compromised by the site's close proximity to built form.

vi) The relationship of the site to other open space areas in the locality and similar uses within the wider area

There are other open spaces within Lodge Park, including the adjacent Lodge Park Pool area which can be used for similar and more wide ranging recreational purposes.

vii) Whether the site provides a link between other open areas or a buffer between incompatible land uses

In this case the site neither provides a link between the open areas nor a buffer between incompatible land uses.

viii) That it can be demonstrated that there is a surplus of open space and that alternative provision of equivalent or greater community benefit will be provided in the area at an appropriate, accessible locality

The Council's Open Space Needs Assessment shows that there is a deficit and therefore no surplus of open space in the Lodge Park Ward.

ix) The merits of the proposed development to the local area or the borough generally

It is understood that the merits to the Borough generally are for a built leisure initiative and thus are significant in the consideration of this proposal.

The assessment of the site in relation to the above criteria has shown that the site might perform a visual open space function and that it lies in a ward with a deficit of open space in relation to the Borough average. However, the policy criteria also allow the consideration of the merits of the proposal to the Borough as a whole when determining applications such as this.

The site measures 0.29ha in total and therefore development at a minimum of 30dph as recommended in PPS3 would result in a minimum of 9 dwellings on this site. The indicative layout showing seven detached dwellings is considered to meet the government guidelines as stated in PPS3 as some of the land within the application site is not marked for development on that layout. The surrounding character and pattern of development is at approximately 30-35 dph, and therefore it is considered that development could occur on this site in such a way that it would be acceptable and not inappropriate to the surrounding area.

Given that the supporting information provided with this application demonstrates that the proposal meets the criteria listed under Policy R1, in principle there are no objections to the development of the site for residential purposes.

Sustainability

The site lies within the urban area of Redditch, and is therefore considered to be in a sustainable location. The applicant has provided a plan demonstrating the links to the site with the cycle and public transport provision in the area, and it is considered that the site could easily be accessed by a variety of modes of transport, in line with planning policy objectives.

Planning obligations

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

- A contribution towards County education facilities would normally be required, and the County have confirmed that there is a need in this area to take contributions towards three schools – Oak Hill First, Woodfield Middle and Trinity High Schools;
- 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 SPD;

As noted above, a planning obligation cannot be entered into in this case; however these matters can all be achieved through the imposition of conditions.

Other issues

There are no concerns or objections raised by consultees, and therefore the issues raised by residents in relation to highway matters and traffic noise cannot be substantiated, and thus the proposal is considered to be acceptable.

Conclusion

The proposal is considered to comply with the planning policy framework and unlikely to cause harm to amenity or safety and as such is therefore considered to be acceptable.

Recommendation

That having regard to the development plan and to all other material considerations, planning permission be GRANTED subject to conditions and informatives as summarised below:

1. Time limit for commencement of development and for submission of reserved matters, including definition of reserved matters to follow
2. Limit on operating hours during construction
3. Secured by design principles to be incorporated into reserved matters scheme and a statement submitted with application(s) to demonstrate how this has been done
4. Planning obligation content requirements at reserved matters stage

5. Tree survey and mitigation measures to be included in reserved matters application – either with landscaping submission or layout if submitted separately and earlier

Informatives

1. Lighting
2. Odour control
3. Secured by design