

**PLANNING
COMMITTEE**

9th April 2014

Planning Application 2013/289/FUL

Erection of 39 dwellings comprising 37 houses - mix of 2, 3 & 4 bedroom; and 2 no 2 bed bungalows

Land Off, Dixon Close, Redditch, Worcestershire

**District: Enfield
Applicant: Mr N Laight
Expiry Date: 3rd March 2014
Ward: ABBEY**

(see additional papers for Site Plan)

The author of this report is Steven Edden, Planning Officer (DM), who can be contacted on Tel: 01527 548474 Email: steve.edden@bromsgroveandredditch.gov.uk for more information.

Site Description

The site measures approximately 0.9ha in area. It is bounded to the north-west by the new housing development at the former gasworks site (now known as Dixon Close); to the north-east by a small wooded area; to the south-east by a railway line and to the south-west by industrial development forming part of the Enfield Industrial Estate. The site is zoned for Primarily Employment purposes within the Borough of Redditch Local Plan No.3.

Proposal Description

Full planning permission is sought for the erection of 39 dwellings. The dwellings would be a mixture of two, two and a half and three storey semi-detached and terraced houses, with the exception of 2 of the units which would be detached bungalows.

The site would be accessed via Dixon Close, which itself is formed off Windsor Road, to the north.

The 39 residential units would be provided as follows:

- 2 x 2 bed bungalows
- 11 x 2 bed houses
- 24 x 3 bed houses
- 2 x 4 bed houses

Of the 39 units, 12 would be affordable units.

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The breakdown of affordable housing to be provided as part of this development is as follows:

- 2 x 2 bed bungalows
- 6 x 2 bed houses
- 4 x 3 bed houses

7 of the dwellings are to be provided as social rented accommodation (2 x 2 bed bungalows, 4 x 2 bed houses, and 1 x 3 bed house). 5 of the dwellings are to be provided as intermediate affordable housing for shared owner occupiers (2 x 2 bed houses and 3 x 3 bed houses).

The 12 dwellings to be provided as affordable units represents 30% of total number of houses to be provided. The 30% threshold applies under the emerging Borough of Redditch Local Plan No.4 (BOR LP No.4) under which this site is being brought forward for residential development. Since the site is designated as a Primarily Employment Area in the Borough of Redditch Local Plan No.3, it would not be appropriate to apply the 40% affordable housing threshold associated with LP.3.

Building heights would range from two storeys to three storeys with the majority of the dwellings being constructed in brickwork (walls) under tiled roof, with material colours to harmonise with the sites surroundings. Six of the plots would be rendered throughout.

Relevant Policies :

Borough of Redditch Local Plan No.3

EEMP03 Primarily Employment Areas
CS02 Care for the Environment
CS05 Achieving Balanced Communities
CS06 Implementation of Development
CS07 The Sustainable Location of Development
CS08 Landscape Character
BHSG05 Affordable Housing
BHSG06 Existing Dwelling
BBE13 Qualities of Good Design
BBE19 Green Architecture
BNE01 Overarching Policy of Intent
BNE01A Trees, Woodland and Hedgerows
S01 Designing Out Crime
CT12 Parking Standards

Emerging Draft Local Plan No.4

Policy 2: Settlement Hierarchy
Policy 4: Housing Provision
Policy 5: Effective and Efficient use of Land
Policy 6: Affordable Housing

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Policy 24: Development within Primarily Employment Areas
Policy: 39 Built Environment
Policy: 40 High Quality Design and Safer Communities

Others

NPPF National Planning Policy Framework
SPG Encouraging Good Design
SPD Open Space Provision
SPD Affordable Housing Provision
SPD Designing for Community Safety
SPD Planning Obligations for Education Contributions
Worcestershire Waste Core Strategy (WWCS)

Relevant Planning History

None

Consultations

Housing Strategy

Housing Strategy has agreed the affordable housing provision, its location and mix with the developers which will be a mix of social rented units and intermediate affordable housing which meets the prevailing housing needs of the Borough.

Arboricultural Officer

There are no protected or other significant trees within this site, but the woodland block adjacent is a significant semi-mature landscape feature. The amended site layout plan demonstrates that due consideration has been given in relation to tree T14's impact on plots 15/16 – and therefore the amended layout on drawing 1610/01J for those plots is acceptable.

Due to the close proximity of plot 17 to the woodland, appropriate building control guidance should be sought on required foundation depths, given the likely presence of shrinkable soils and existence of high water demand species (hawthorn and willow) within influencing distance.

Overall the supplied arboricultural information is acceptable and details can be controlled through conditions.

Development Plans

The application site lies within Redditch Borough and is located within the Abbey ward. The site is on land which falls within a Primarily Employment Area on the Borough of Redditch Local Plan No.3 Proposals Map. However, this designation has been revised through the emerging Borough of Redditch Local Plan No.4 as a site allocated for housing development to meet the strategic housing requirement for Redditch, as defined on the Borough of Redditch Local Plan No.4 (Proposed Submission) Policies Map.

When applying the NPPF principle of the presumption in favour of sustainable development this proposal can be supported as development within the Borough's urban area is considered to be a sustainable location.

Paragraph 22 of the NPPF comments that: Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.

Through the Employment Land Review (ELR) process, and in accordance with Para. 22 of the NPPF above, this allocation was revised during the preparation of the draft BORLP4. Therefore, a proposal for residential use on this site can be supported.

Local Plan No.3 Policy

Policy CS.7 The Sustainable Location of Development states "Uses that attract a lot of people will be directed to the Town Centre. Other development will be directed to the urban area, where there will be a sequential approach to the location of all development.

This proposal is in conformity with the principles of locating development within or on the edge of the urban area to meet housing needs and furthermore presents an opportunity for brownfield redevelopment.

In accordance with the NPPF Para 215, due weight should be given to this policy as it is consistent with paragraphs 17(viii) and 111 of the NPPF, which encourage the effective reuse of previously developed brownfield land.

Emerging draft Local Plan No.4 Policy

Policy 2 Settlement Hierarchy states "Redditch urban area, as the Main Settlement shall be the focus for development as it provides the highest level of services and facilities provision and offers the most sustainable location for development."

This site falls within Redditch's urban area and therefore the location of this site for development is supported.

The proposal site was assessed for its contribution to the ELR in 2012, where it was concluded that this site could no longer be protected for employment related uses in line with the NPPF. Subsequently, it was assessed as part of the 2013 Strategic Housing Land Availability Assessment (SHLAA), and deemed suitable for residential needs.

Therefore, this proposal for residential development on former employment land can be supported under the emerging BORLP4.

Policy 5 Effective and Efficient Use of Land states “Effective and efficient use of land must be sought in all new development schemes. With respect to residential development, this will be achieved in the following ways:

ii. densities of between 30 and 50 dwellings per hectare will be sought in Redditch Borough, and 70 dwellings per hectare will be sought on sites for residential development that are within or adjacent to Redditch Town Centre and the District Centres;”

This proposal equates to 48.75dph, based on a net developable area of 0.80ha, as advocated in the SHLAA, para. 5.15. This falls within the desired density range identified in Policy 5.

Policy 6 Affordable Housing states “On sites of 10 or more dwellings (net), a 30% contribution towards the provision of affordable housing will be expected. On-site provision should be made and must incorporate a mix of dwelling types and sizes... A mix of the following tenures will generally be sought: Social rented; Intermediate housing/ Affordable rent.”

A 30% contribution towards affordable housing provision is considered appropriate as this site has only been proposed for residential development under the emerging BORLP4. It would not be appropriate to apply the 40% threshold associated with BORLP3.

The site has been identified as an allocation for housing to meet the strategic housing requirement up to 2030 on the Borough of Redditch Local Plan No.4 Policies Map. Therefore, residential development on this site is considered an appropriate use of the land in this location. From a planning policy perspective, this application can be supported.

Education Authority

If development goes ahead in this area, there will be a need for a contribution towards local education facilities in accordance with your Supplementary Planning Document on planning obligations for education facilities.

Area Environmental Health Officer

No objection subject to mitigation measures included within the acoustic report being incorporated into the proposed development via the imposition of conditions.

Highway Network Control

Comments that the proposed development is acceptable in highway terms and therefore raises no objection, subject to the inclusion of conditions covering access turning and parking, on site roads specification, the submission of a travel plan and a Construction Management Plan together with standard highway informatives.

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The County request that a contribution under the 'Infrastructure Delivery Plan' be sought as part of the application.

Severn Trent Water Ltd

No objection subject to the inclusion of drainage conditions

Network Rail

Network Rail has no objection in principle but due to the proposal being next to Network Rail land and infrastructure and to ensure that no part of the development adversely impacts the safety, operation and integrity of the operational railway we would request that conditions be applied in the case of the proposals being granted consent. Such conditions should include a risk assessment and a method statement for the works to be carried out on site; details of a suitable trespass proof steel fence of at least 1.8m in height to be installed adjacent to Network Rail's boundary; and drainage details to be submitted to the Network Rail Drainage Engineer for comment.

Community Safety Officer

No objections in principle subject to the use of appropriate robust boundary treatments. Although shared alleyways to the rear are few in number, comments that the use of such alleyways is not encouraged and should generally be avoided. Comments that windows should be placed in elevations of houses overlooking the street or private drives. Encourages the developer to apply for Secured by Design certification for the development.

Police Crime Risk Manager

Endorses comments received from the Community Safety Officer

North Worcestershire Water Management

The proposed development is not shown to be affected by fluvial flooding however there is a flood zone 3 area located close by to the west of the proposed site. There is no evidence of any major past surface water flooding issues on the proposed site itself.

According to Severn Trent Water maps there are both public foul and surface water sewers located nearby to the proposed site. Connection will be required by the relevant water authority (in this case Severn Trent Water). No objections are raised to the proposed development subject to the inclusion of drainage conditions in the case of permission being granted.

Public Consultation Responses

The application has been advertised by writing to neighbouring properties within the vicinity of the application site, by display of public notices on site, and by press notice.

Responses against

54 letters received. Comments are summarised as follows:

- Dixon Close is already congested with insufficient car parking to serve the development. The proposal will make things worse
- Emergency vehicles will have difficulty in accessing the site due to the presence of parked cars on Dixon Close
- Lack of on-site play space to serve the development
- Loss of open 'green' space
- Detrimental impact upon highway safety
- Noise pollution would increase impacts upon amenity
- Wildlife would be affected
- Construction traffic entering and exiting the site will impact upon residential amenity
- Outlook would be harmed
- Overdevelopment of the site
- Access to the site should be via the Enfield Industrial Estate not through Dixon Close
- Residential development being sited so near to existing employment uses at Enfield Industrial Estate would provide an inadequate standard of amenity for future occupiers of the proposed new houses
- General community safety concerns relating to proximity of development to the existing railway line
- Concerns regarding impacts upon existing trees bounding the site

One letter has been received in support of the application commenting that many existing Dixon Close residents have garages which could be used for parking a vehicle rather than being used for storage space, thereby alleviating many of the parking problems which are considered to exist. The letter comments that there are several areas where pavements are unoccupied and where cars can be safely parked without harming highway safety. So long as residents park considerately it is not felt that additional houses will cause highway safety problems.

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.

Background

To the immediate north of the site lies the former Windsor Road gasworks site which gained permission for residential development under an appeal decision in 2002. Two subsequent reserved matters applications were granted in 2007, the first, ref 2006/484 granted permission for 146 residential units. The second application, ref 2006/541 granted permission for 109 residential units. The 255 dwellings approved have now been completed and are occupied. The former gasworks site has been named 'Dixon Close' and it is from the termination of Dixon Close at the far south-western corner of the former gasworks site from where access to serve the further 39 new dwellings is proposed to be gained.

Assessment of Proposal

The key issues for consideration in this case are listed as follows:

Principle

The site is on land which falls within a Primarily Employment Area on the Borough of Redditch Local Plan No.3 Proposals Map. However, this designation has been revised through the emerging Borough of Redditch Local Plan No.4 as a site allocated for housing development to meet the strategic housing requirement for Redditch, as defined on the Borough of Redditch Local Plan No.4 (Proposed Submission) Policies Map.

The site was assessed for its contribution to the Councils Employment Land Review (ELR) in 2012, where it was concluded that the site could no longer be protected for employment related uses. As stated by the Planning Policy Team, under Paragraph 22 of the NPPF, Councils are required to avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose and where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits. In 2013 the site was assessed as part of the Strategic Housing Land Availability Assessment (SHLAA), and deemed suitable for residential needs.

Density and mix of development

The Borough Council seeks to achieve the effective and efficient use of land for residential schemes by achieving densities of between 30 and 50 dwellings per hectare across sites with densities of 70 dwellings per hectare on sites that are within or adjacent to Redditch Town Centre and the District Centres.

This proposal equates to 48.75dph, based on a net developable area of 0.80ha which falls within the desired density range and would respect the density of development at the recently completed development of 255 dwellings at Dixon Close to the north.

The Strategic Housing Market Assessment (SHMA) indicates that there is likely to be a sustained need for 3 and 4 bedroomed properties. It also suggests that there may be a high demand for smaller properties during the Plan period, especially to meet the needs of older person households. Whilst this would suggest that smaller properties might predominantly need to be bungalow developments, there is still a need to meet the demand from newly forming households at the bottom of the housing market. This proposal is considered to offer a good range of property types and tenures to meet Redditch needs.

Design and Community Safety Considerations

Policy both nationally and locally requires new developments *inter alia* to respect and respond to the local distinctiveness of an area. The layout of the development takes its lead from the existing Dixon Close residential development to the north and represents the most logical way in which to develop the site having regard to the sites vehicular access from Dixon Close with dwellings largely fronting onto the access road which would

form an extension to Dixon Close, and with rear gardens to Plots 1 to 16 facing towards the wooded area to the north-east and gardens to plots 17 to 29 facing towards the railway line to the east.

In general terms, the layout of the development forms a cul-de-sac arrangement as encouraged from a secured by design perspective. Defensible space to properties has been introduced, and the general lack of terraced properties has resulted in the minimal use of shared rear access alleyways which are not encouraged having regards to Secured by Design. Satisfactory passive surveillance over public and parking areas has been introduced in order to address community safety issues including the use of robust boundary treatments.

Dwelling heights would range between 2, 2.5 and 3 storey and elevational treatment which includes the use of bay windows, chimneys and porches would complement the form of dwellings present in Dixon Close.

Highways and access

As stated by County Council Network Control, officers would agree that the proposal would have no highway safety implications and would not adversely affect the road network. Proposed parking arrangements comply with local standards and highways have confirmed that details so far submitted satisfy them that the proposed new road could be adopted by the County Council. Planning conditions and informatives are recommended for inclusion in the case of permission being granted.

Emergency access issues have been assessed and the Fire Officer has responded by commenting that the proposed layout plan is acceptable.

The County Highways Engineer has requested a contribution to mitigate for the additional demands on the wider transport network that the development will generate.

The Local Planning Authority are aware that planning conditions should only be sought where they meet all of the following tests (as set out in the Community Infrastructure Regulations 2010, as amended, and at paragraph 204 of the NPPF) namely to be:

Necessary to make the development acceptable in planning terms;
Directly related to the development; and
Fairly and reasonably related in scale and kind to the development.

The Local Planning Authority has not received sufficient information in this case to be satisfied that the requested contributions meet the above 3 no. tests. Accordingly, it is considered that it would be inappropriate to request such a contribution.

On site open space / amenity requirements

For a development of this size, it would not be normal to provide on-site communal open space. Leisure services have expressed their preference for a commuted sum to be paid

in order to improve and enhance existing open space within the vicinity. An equipped child's play area exists approximately 300 metres due north of the site which was provided as part of the existing Dixon Close development.

Private amenity space for all of the houses would be in compliance with the Councils adopted SPG 'Encouraging Good Design' and as such, officers are satisfied that the scheme could not be regarded as an over-development of the site. Environmental Health has examined the proposals and has raised no objection subject to the introduction of an acoustic fence to protect residents from noise associated with the use of the adjacent railway line.

Impact on nearby residents

The majority of the representations received from the public concern impact upon amenity due to increased vehicle movements to and from the site and associated highway safety implications. Parking to be provided as part of the scheme complies with local standards and the highway authority have raised no objection to the application. The proposals meet the stated separation distances between existing and new residential development and the proposed development would safeguard privacy enjoyed by existing occupiers. Further, officers are satisfied that no loss to residential amenity would result from the proposed development by virtue of loss of light or outlook.

Clearly many forms of new built development have the potential to disturb and inconvenience nearby occupiers during the construction phase. In the case of permission being granted for this development, due to the relationship of adjoining dwellings it is recommended that hours of operation on site be restricted by condition. Action can be taken separately and immediately by Environmental Health Officers under the Environmental Protection Act if a statutory noise nuisance is considered to exist.

Trees and landscaping

Following receipt of the Tree Officers original comments, further tree survey work has been undertaken and plots 15/16 have been redesigned and moved away from the northern boundary and the adjacent wooded area. The Tree Officer is now satisfied with the proposed development following subject to the inclusion of a further landscaping planning condition in the case of permission being granted.

Affordable Housing

Discussions have taken place between the Housing Strategy Team who state that they are in agreement with the provision, location and mix between social rented units and intermediate affordable housing and therefore this issue is considered to have been addressed.

Planning Obligation required

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

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- A contribution towards playing pitches, play areas and open space in the area, due to increased demand/requirement from future residents, is required in compliance with the SPD.
- A contribution to provide refuse and re-cycling bins for the new development in accordance with Policy WCS.17 of the adopted Worcestershire Waste Core Strategy
- A contribution towards County education facilities. The County have confirmed that there is a need in this area to take contributions towards three schools: Holyoakes Field First School, Birchensale Middle and Trinity High School
- The provision of 12 units on the site to be restricted to affordable housing in perpetuity

At the time of writing, the planning obligation is in draft form.

Conclusion

Officers consider that this detailed application is wholly acceptable having regards to the sites constraints and all other material considerations. Approval of this application would meet some of the demonstrated housing need in the Borough. The proposal is considered to comply with the planning policy framework and is unlikely to cause harm to amenity or safety. Subject to the satisfactory completion of the planning obligation, this application can be recommended for approval.

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:

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) The satisfactory completion of a S106 planning obligation ensuring that:**
- * Contributions are paid to the Borough Council in respect to off-site open space, pitches and equipped play in accordance with the Councils adopted SPD
 - * Contributions are paid to the Borough Council towards the provision of wheelie bins for the new development
 - * Contributions are paid to the County Council towards County education facilities in accordance with the Councils adopted SPD
 - * 12 units on the site are restricted to affordable housing in perpetuity

and

b) Conditions and informatives below:

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the grant of this permission.

Reason :- In accordance with the requirements of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2) Prior to the commencement of development details of the form, colour and finish of the materials to be used externally on the walls and roofs shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: To ensure that the development is satisfactory in appearance, to safeguard the visual amenities of the area and in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3.

- 3) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include proposed boundary treatment and other means of enclosure, hard surfacing materials, new planting, trees and shrubs to be retained, together with measures to be taken for their protection while building works are in progress.

Reason:- In the interests of the visual amenity of the area and in accordance with Policy CS.8 of the Borough of Redditch Local Plan No.3

- 4) All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing by the local planning authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes or species unless the local planning authority gives written approval to any variation.

Reason:- In the interests of the visual amenity of the area and in accordance with Policy CS.8 of the Borough of Redditch Local Plan No.3

- 5) During the course of any site clearance and development, the hours of work for all on-site workers, contractors and sub-contractors shall be limited to between:

REDDITCH BOROUGH COUNCIL

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0800 to 1800 hours Monday to Friday
0900 to 1200 hours Saturdays

and NO WORKING shall take place at any time on Sundays, Bank Holidays or Public Holidays or at any time outside of the above permitted working hours unless first agreed in writing by the Local Planning Authority.

Reason: In the interests of neighbours amenity and in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3

- 6) The Development hereby permitted shall not be brought into use until the access, turning area and parking facilities shown on the approved plan have been properly consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority and these areas shall thereafter be retained and kept available for those uses at all times.

Reason:- In the interests of highway safety, to ensure the free flow of traffic using the adjoining highway and in accordance with the National Planning Policy Framework.

- 7) Development shall not commence until the engineering details and specification of the proposed roads and highway drains have been submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:- To ensure an adequate and acceptable means of access is available before the dwelling or building is occupied and in accordance with the National Planning Policy Framework.

- 8) The development hereby permitted shall not be brought into use until the applicant has submitted to and have approved in writing a travel plan that promotes sustainable forms of access to the site with the Local Planning Authority. This plan thereafter will be implemented and updated in agreement with Worcestershire County Councils Travel plan co-ordinator.

Reason: To reduce vehicle movements and promote sustainable access in accordance with the provisions of the National Planning Policy Framework

- 9) A Construction Environmental Management Plan shall be submitted to and approved in writing by the local planning authority prior to commencement of development. This shall include the following:-

- a. Measures to ensure that vehicles leaving the site do not deposit mud or other detritus on the public highway;
- b. Details of site operative parking areas, material storage areas and the location of site operatives facilities (offices, toilets etc);

The measures set out in the approved Plan shall be carried out 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: To protect the amenities of nearby properties during the construction of the development and to protect the natural and water environment from pollution in accordance with the provisions of the National Planning Policy Framework.

- 10) If during development, contamination not previously identified is found to be present at the site, no further development (unless otherwise agreed in writing with the LPA) shall be carried out until either;
 - a site investigation has been designed and undertaken in accordance with details approved in writing by the LPA, a risk assessment has been produced and a method statement detailing the remediation requirements using the information obtained from the site investigation has been approved by the LPA or;
 - If the above has been previously undertaken, the developer has submitted and obtained written approval from the LPA for an addendum to the method statement detailing how this unsuspected contamination shall be dealt with.

Reason: To ensure that the development complies with approved details in the interests of protection of Controlled Waters and in accordance with National Planning Policy Framework.

- 11) The development hereby approved shall be implemented in accordance with the following plans:
 - Planning, Design and Access Statement 11.11.13
 - ADC Acoustic Report dated 24.10.13
 - Arboricultural Impact Assessment Nov 2013
 - Tree Survey Plan: 13/1019/ESA/S/001 rev A
 - Tree Protection and Constraints Plan: 13/1019/ESA/L/001 rev A
 - Drawing 1610/01 rev J (Site Plan)
 - Drawing 1610/02, 1610/03, 1610/04, 1610/05, 1610/06,
 - Drawing 1610/07, 1610/08A, 1610/09, 1610/10, 1610/11,

- Drawing 1610/12, 1610/13, 1610/14

Reason: To accurately define the permission for the avoidance of doubt and to ensure that the development is satisfactory in appearance in order to safeguard the visual amenities of the area in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3

- 12) Prior to the development hereby approved commencing, full details of a scheme for foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The details thus approved shall be fully implemented prior to first use or occupation of the development.

Reason:- To allow proper consideration of the proposed foul and surface water drainage systems and to ensure that the development is provided with a satisfactory means of drainage and in accordance with National Planning Policy Framework

- 13) Prior to development commencing full details of a trespass proof fence to prevent pedestrian trespass onto the adjacent railway at a minimum height of 1.8 metres, including details of provision for its future maintenance and renewal shall be submitted to and approved in writing by the Local Planning Authority and Network Rail. The details thus approved shall be fully implemented prior to first use or occupation.

Reason :- In the interests of health and safety and to protect the visual amenities of the area. in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3.

- 14) Prior to development commencing full details of an acoustic fence to be erected along the south-west and south-east boundaries to the application site including details of provision for its future maintenance shall be submitted to and approved in writing by the Local Planning Authority. The details thus approved shall be fully implemented prior to first use or occupation.

Reason :- In the interests of safeguarding the residential amenities of the area in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3.

Informatives

- 1) This permission does not authorise the laying of private apparatus within the confines of the public highway. The applicant should apply to Worcestershire County Council for consent under the New Roads and Streetworks Act 1991 to install private apparatus within the confines of the public highway. Precise

details of all works within the public highway must be agreed on site with the Highway Authority.

- 2) Due to the close proximity of other residents, the applicant is directed to the following document for best practice during construction:

Worcestershire Regulatory Services "Code of Best Practice for Demolition and Construction Sites"

which can be found on the WRS website at

<http://www.worcsregservices.gov.uk/pdf/WRS%20contractor%20guidance%20July%202011%20V.1.2.pdf>

- 3) If it is the Developer's intention to request the County Council, as a Highway Authority, to adopt the proposed roadworks as maintainable at the public expense, then details of the layout and alignment, widths and levels of the proposed roadworks, which shall comply with any plans approved under this planning consent unless otherwise agreed in writing, together with all necessary drainage arrangements and run off calculations shall be submitted to Worcestershire County Council. No works on the site of the development shall be commenced until these details have been approved and an Agreement under Section 38 of the Highways Act, 1980, entered into.
- 4) The applicant's attention is drawn to the requirement to provide a Risk Assessment and Method Statement for development works which are to be carried out within 10 metres of operational railway land. This should be agreed prior to the commencement of any development on the site. The Method Statement should be sent to: Outside Parties Engineer, Network Rail, Desk 122, Floor 1, Square One, 4 Travis Street, Manchester M1 2NY
- 5) The applicant should be aware that this permission also includes a legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) and that the requirements of that and the conditions listed above must be complied with at all times.
- 6) Whilst the full remit of the Secured by Design Scheme covers more than Land Use Planning and Development Control, Redditch Borough Council actively encourage developers to take full account of Crime Prevention and Community Safety issues throughout the design and construction of any development as an integral part of achieving good design. Applicants are advised that further details of Secured by Design and relevant construction specifications can be found at www.securedbydesign.com or by contacting the West Mercia Constabulary Crime Risk Manager on 01527 586181

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- 7) The local planning authority have worked with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with this planning application through pre-application advice and discussion.
2. a) **In the event that the planning obligation cannot be completed by the end of May 2014, Members are asked to delegate authority to officers 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 would 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; and**
- b) **In the event of a refusal on this ground and the applicant resubmitting the same or a very similar planning application with a completed legal agreement attached, authority be delegated to the Head of Planning & Regeneration to GRANT planning permission subject to the conditions stated above as amended in any relevant subsequent update paper or by Members at the meeting**

Procedural matters

This application is being reported to the Planning Committee because the application is classified as 'major'; the recommendation is that permission be granted subject to a planning obligation and because two or more objections have been received.