

**PLANNING
COMMITTEE**

29th April 2015

Planning Application 2015/042/FUL

**35no. 2,3 and 4 bed houses, 8no. 1 bed apartments and 1no. 2 bed bungalow
(substitution of some house types approved under 2013/289/FUL)**

Land Off, Dixon Close, Enfield, Redditch, Worcestershire

**Applicant: Mr Nick Laight
Expiry Date: 5th June 2015
Ward: ABBEY**

(see additional papers for Site Plan)

The author of this report is Stacey Green, Planning Officer (DM), who can be contacted on Tel: 01527 881342 Email: s.green@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 gas works 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.

Relevant Policies :

Borough of Redditch Local Plan No.3:

EEMP03 Primarily Employment Areas
CS06 Implementation of Development
CS07 The Sustainable Location of Development
CS08 Landscape Character
BHSG05 Affordable Housing
BHSG06 Development within or adjacent to the curtilage of an 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 Borough of Redditch Local Plan No. 4

Policy 2: Settlement Hierarchy
Policy 4: Housing Provision

**PLANNING
COMMITTEE**

29th April 2015

Policy 5: Effective and Efficient use of Land
Policy 6: Affordable Housing
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 Affordable Housing Provision
SPD Open Space Provision
SPD Designing for Community Safety
SPD Planning Obligations for Education Contributions SPD
Worcestershire Waste Core Strategy (WWCS)

Relevant Planning History

2013/289/FUL	Erection of 39 dwellings comprising 37 houses - mix of 2, 3 & 4 bedroom; and 2 no 2 bed bungalows	Approved subject to Section 106 Agreement	23.05.2014
--------------	---	---	------------

Consultations

North Worcestershire Water Management

No objection subject to the inclusion of a pre-commencement condition requiring drainage scheme details to be submitted.

Housing Strategy 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.

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.

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

Community Safety Officer

No comments received.

**PLANNING
COMMITTEE**

29th April 2015

Development Plans

No objection. The net increase in plot numbers does not have a significant impact on the density of the development and is in keeping with adjacent density levels.

Environment Agency

No Comments Received To Date

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.

Contaminated Land- Worcestershire Regulatory Services

No objection subject to a suitably worded condition for the protection of contamination

Area Environmental Health Officer

No Comments Received To Date

Crime Risk Manager

No comments or objections regarding this application.

Network Rail- Town Planning Team LNW

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.

Severn Trent Water Ltd

No objection subject to the inclusion of a drainage condition.

Waste Management

No Comments Received To Date

Worcestershire Wildlife Trust

No Comments Received To Date

Landscape & Countryside Manager

Awaiting comments

Public Consultation Response

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.

**PLANNING
COMMITTEE**

29th April 2015

19 letters of objection

- 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
- Pedestrians have to walk in the road because of the cars blocking the pavements in Dixon Close. The proposal will make this worse.
- Wildlife would be affected
- Outlook would be harmed
- There is not enough car parking being proposed in relation to the number of houses
- Access to the site should be via the Enfield Industrial Estate not through Dixon Close
- Noise and pollution would adversely impact upon the amenities of residents
- The apartment building will be intrusive and affect neighbours light and air
- Overdevelopment of the existing development and this proposal will make it worse
- Construction traffic entering and exiting the site will impact upon residential amenity
- Loss of open green space
- The 3 storey houses will block light
- The proximity of the railway line and the noise from the industrial estate would provide an inadequate standard of amenity for future occupiers of the proposed new houses
- The construction of the development will harm residential amenity with noise and dust

Assessment of Proposal

Full planning permission was granted under 2013/289/FUL for the erection of 39 dwellings. The approved scheme allowed for a mix of two, two and a half and three storey semi-detached and terraced houses, with the exception of 2 detached bungalow. Of the 39 units approved, a 30% share of these were affordable, which equated to 12 units. This application seeks to change the house types that were previously approved for plots 1, 2, 37, 38 and 39. The proposal would result in a total of 44 dwellings which is a net gain of 5 dwellings over and above the previously approved scheme. The new proposal would also provide a 30% share of affordable units, which equates to 13 units.

The 44 residential units would be provided as follows:

- 6 x 1 bed flat
- 2 x 2 bed maisonette
- 1 x 2 bed bungalow
- 9 x 2 bed houses
- 24 x 3 bed houses
- 2 x 4 bed houses

PLANNING COMMITTEE

29th April 2015

The breakdown of the 13 affordable houses to be provided as part of this development is as follows:

8 social rented units

- 1 x 2 bed bungalow
- 4 x 1 bed flats
- 2 x 2 bed houses
- 1 x 3 bed house

5 intermediate units

- 2 x 2 bed houses
- 3 x 3 bed houses

The 30% affordable housing threshold applies under the emerging Borough of Redditch Local Plan 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 current Local Plan, it would not be appropriate to apply the 40% affordable housing threshold associated with Local Plan no. 3.

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 are now occupied. The former gasworks site has been named 'Dixon Close; and it is from the termination of Dixon Close at the farm south-western corner of the former gasworks site from where access to serve the further 39 new dwellings is proposed to be gained.

Principle

The principle of the development was established under the previously approved housing scheme. However, this is explained again below.

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

**PLANNING
COMMITTEE**

29th April 2015

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 density of the development equates to 55dph, based on a net developable area of 0.8ha. This falls within the desired density range for an edge of centre site, and would respect the density of existing development at Dixon Close.

The proposal is considered to offer a good range of property types and tenures to meet the needs of Redditch.

Impact on nearby residents

The majority of the representations received from the public concern impact upon amenity due to increased vehicle movement 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 previously approved scheme was found to be acceptable in terms of its impact on adjoining occupiers. It is considered that the substituted house types would not give rise to any loss of privacy and loss of light or outlook.

Affordable Housing

The proposal has increased the provision of affordable housing by 1 unit over and above the previously approved scheme. Thus, the proposed development will provide 13 affordable units in total, which represents 30% of the total number of units to be provided. Housing Strategy have confirmed that they are satisfied with the provision, location and mix between social rented units and intermediate affordable housing.

Design and Community Safety Considerations

The previously approved scheme was found to be acceptable in terms of its layout and design, and no principle objections were received from the Community Safety Officer. It is considered that the substituted house types would not compromise the approved layout and design of the scheme for the following reasons:

With respect to plots 37 and 38 of the previous application, a pair of semi-detached 2 storey houses were approved, sitting perpendicular to the highway. A two storey block of six apartments is proposed to substitute a pair of semi-detached houses. The apartment building would front the highway and make good use of the elongated shape of this part of the site. To my mind, the apartment building would fit more comfortably on this part of the site compared to the previously approved houses whereby the side wall and associated fencing would front the highway.

**PLANNING
COMMITTEE**

29th April 2015

Under the previous application (2013/289), a pair of 3 storey, 4 bedroom semi-detached houses were approved on plots 1 and 2. This application proposes a similar type of house with the provision of 4 bedrooms across 3 floors. It is considered that the proposed houses would have a more interesting frontage with the inclusion of ground level bay windows and centrally located dormer windows within the roof. The lower ridge height is considered to be more appropriate than that previously approved.

A detached bungalow was approved at plot 39 of the previously approved scheme. It is proposed to substitute the bungalow with two maisonettes which have the appearance of a two storey house. It is considered that this building would sit comfortably in the plot and would not cause any harm to the amenities of the existing occupiers at 53 Dixon Close.

Trees and Landscaping

In respect of the previously approved application, the Tree Officer was satisfied that the proposed development would be acceptable subject to the inclusion of a landscaping planning condition.

I await comments from the Tree Officer in respect of the revised scheme and Members will be updated at the meeting.

Highways

Having regard to the previously approved scheme, it was accepted that the proposal would not adversely impact on highway safety or the road network, subject to the imposition of planning conditions and informatives. Parking arrangements were found to be satisfactory by complying with local standards.

The house type substitutions do not give rise to any highway safety implications and County Highways have not raised any objections subject to the inclusion of conditions and informatives. Parking arrangements in respect of the new house types continue to comply with local standards and are thus considered to be acceptable.

An emergency vehicular access has been proposed off the Enfield Industrial Estate. Subject to approval of the application, a condition would be included to ensure that the emergency access point is kept available for use by emergency vehicles in perpetuity. This is considered necessary in order to provide safe and convenient access to the site.

Officers are satisfied that the conditions as requested by County Highways are necessary and reasonable having regard to government guidance which exists with respect to planning conditions (Para 206 of the NPPF). It is not considered appropriate in this case to seek the infrastructure contribution following legal advice which has been received.

PLANNING COMMITTEE

29th April 2015

Onsite open space / amenity requirements

For a development of this size, it would 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 play at Forge Mill and sports provision at the Abbey Stadium. It is noted that 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 Council's 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.

Planning obligations

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:

- A contribution towards play areas at Forge Mill and sports provision at Abbey Stadium, due to increased demand/requirements from future residents, is required in compliance with the SPD.
- A contribution to 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 Holyoakes Field First School.
- The provision of 13 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 site's constraints and all other material considerations. It is evident that this application is very similar to that previously approved under 2013/2589/FUL with changes relating to house type substitutions only. The proposal would continue to 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 satisfactory completion of the planning obligation, this application can be recommended for approval.

**PLANNING
COMMITTEE**

29th April 2015

RECOMMENDATION:

That having regard to the development plan and to all other material considerations, authority be delegated to the head of Planning and 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 new development
- Contributions are paid to the County Council towards County education facilities in accordance with the Councils adopted SPD
- 13 units on the site are restricted to affordable housing in perpetuity

and

b) The satisfactory comments of the Arboricultural Officer

and

c) conditions and informatives as summarised below:

Conditions:

- 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

**PLANNING
COMMITTEE**

29th April 2015

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;
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 (if applicable) 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.

**PLANNING
COMMITTEE**

29th April 2015

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
COMMITTEE**

29th April 2015

Planning, Design and Access Statement 17.02.15
ADC Acoustic Report dated 24.10.13
Arboricultural Impact Assessment Nov 2013
Drawing 1610/42B (Site Plan)
Drawing 1610/14
Drawing 1610/03, 1610/04, 1610/05, 1610/07, 1610/08A, 1610/29B
Drawing 1610/40, 1610/41,
Drawing 1610/10

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.

- 15) During the course of all on-site redevelopment works and final fitting out, all construction traffic, contractors and deliveries access and egress from the site

**PLANNING
COMMITTEE**

29th April 2015

shall be via the Enfield Industrial Estate. No development traffic shall access the site via Dixon Close unless first agreed in writing by the Local Planning Authority.

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

- 16) Prior to the Commencement of Development, details of an emergency access to the site via the Enfield Industrial Estate shall be submitted to and approved in writing by the Local Planning Authority. The emergency access works approved shall be implemented prior to the completion of development works on the site. This access point shall be kept available for use by emergency vehicles in perpetuity.

Reason: In the interests of residential amenity and in order to provide safe and convenient emergency access to the site in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3.

- 17) The approved emergency access shall be kept available as a secondary access / egress for construction traffic, contractors and deliveries during the construction period. Upon completion of development works this access shall be used for emergency vehicles only.

Reason: To allow a secondary access would allow all construction vehicles to access the site at all times via the Enfield Industrial Estate without having to access via Windsor Road, thereby safeguarding residential amenity in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3.

Informatives

- 1) 1. This permission does not authorise the laying of private apparatus within the confines of the public highway. The applicant should apply to the Worcestershire County Council's Network Control Manager, County Hall, Spetchley Road, Worcester WR5 2NP (telephone 0845 607 2005), 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. If it is the Developer's intention to request the County Council, as 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 the County Council's Network Control Manager, Worcestershire County Council, County Hall, Spetchley

**PLANNING
COMMITTEE**

29th April 2015

Road, Worcester, WR5 2NP. 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.

3. It is not known if the proposed roadworks can be satisfactorily drained to an adequate outfall. Unless adequate storm water disposal arrangements can be provided, the County Council, as Highway Authority, will be unable to adopt the proposed roadworks as public highways.

The applicant is, therefore, advised to submit the Engineering details referred to in this conditional approval to the County Council's County Network Control Manager, Worcestershire County Council, County Hall, Spetchley Road, Worcester, WR5 2NP at an early date to enable surface water disposal arrangements to be assessed.

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. 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 discussion.

Procedural matters

This application is reported to Planning Committee for determination because the application is for major development, requires a S106 Agreement and more than two objections have been received.