

**PLANNING
COMMITTEE**

14th December 2016

Planning Application 2016/238/FUL

Proposed additional bay to existing workshop (including new Bus wash Roof and acoustic fence)

Bus Depot , Plymouth Road, Southcrest, Redditch, B97 4PA

**Applicant: Mr Simon Dunn
Ward: CENTRAL**

(see additional papers for Site Plan)

The author of this report is Sarah Willetts, Planning Officer (DM), who can be contacted on Tel: 01527 881607 Email: Sarah.willetts@bromsgroveandredditch.gov.uk for more information.

Members will recall the previous applications at Committee on 9th November 2016 for both the office building and new workshop at this site.

With respect to Application 2016/0238 Members resolved that authority be delegated to the Head of Planning and Regeneration Services to GRANT Planning Permission, subject to the receipt of a satisfactory noise survey and Conditions and informatives. The original Officer report and Update Report for Application 2016/238/FUL are attached at Appendices 1 and 2 for information.

That noise survey has now been received and as a result of its recommendations, the development has been amended to include a new acoustic roof structure and an extension of the proposed acoustic fence. As a result of these additions the matter is being brought back to the Planning Committee for consideration.

Report Update

The report findings are clear; that the wash would not create unacceptable noise issues during the day but as general background noise levels naturally fall in the evening, the open bus wash noise could potentially become more intrusive at these times. The report makes recommendations to ensure the amenities of the neighbouring houses are not disturbed by noise. These include:

1. the extension of the acoustic fence 5m beyond the wash to either side
2. and a new acoustic roof structure

The applicants agent has considered the scheme in light of these recommendations and has now provided details of a new roof for the bus wash for consideration As the roof is

development in its own and was not part of the original scheme as considered by Members, this update provides, and is details of the mitigation measures and provides an opportunity to reconsider the conditions previously considered.

The Additional Proposals

The new roof structure is constructed out of insulated panels maximum height of 8m with a sloping roof down to 6.5m is 12.4m long and 12.4m wide open ended to the north and south. The extended acoustic fence running the length of the wash and beyond to both North and South is a total length of 64m.

Design and Appearance

Whilst the acoustic fence and roof structure will be visible its impact will be lessened given the difference in levels of the neighbouring properties (over 5m) and a substantial hedge/tree line separating the properties in Aspell Close and Plymouth Road and it is considered that a refusal on these grounds could not be sustained.

Amenity

Both the fence and the suggested insulated roof shelter over the bus wash now provide mitigation to allow further consideration of a change to the originally proposed condition to restrict both daily activity and hours of operation. The request is that given the mitigation proposed it is now reasonable to consider the full removal of condition originally suggested to limit daily activity as the noise levels have been substantially reduced.

Regulatory services are now satisfied that the enclosure and roof structure will reduce noise however this has to be seen balanced against a request for a new unrestricted 24hour bus wash use adjacent to existing houses. Regulatory services have considered this request and have reservations of a 24hours operation of the wash therefore have suggested a limit on night time hours operation to ensure residential amenity levels are preserved

It is considered that the measures as proposed would now adequately mitigate any noise issues. The Local Planning Authority are satisfied that the combination of these measures (enclosure and acoustic fence) will overcome the previous open wash area with a partial relaxation of the operation of the hours of the bus wash.

RECOMMENDATION

that having regard to the development plan and to all other material Considerations, Planning Permission be GRANTED subject to the following Conditions and informatives:

- 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) The development hereby approved shall be implemented in accordance with the following plans:

PL 002 C
PL 007 B
PL 008 B
PL 009 A

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

- 3) 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 of the new workshop shall be 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 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.

- 4) The finished details of the new bus wash and roof and acoustic fence shall be carried out in accordance with the details as shown in Plan PL002 C Dated 28.11.16 and details contained in Noise Survey Ref NS150 Dated 11.11.16 and shall not be altered without the prior approval in writing by the Local Planning Authority.

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.

- 5) Unless otherwise agreed by the Local Planning Authority development, other than that required to be carried out as part of an approved scheme of remediation, must not commence until conditions 1 to 6 have been complied with:

1. *A preliminary risk assessment must be carried out. This study shall take the form of a Phase I desk study and site walkover and shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and any other relevant information. The preliminary risk assessment report shall contain a diagrammatical representation (conceptual model) based on the information above and shall include all potential contaminants, sources and receptors to determine whether a site investigation is required and this should be detailed in a report supplied to the Local Planning Authority. The risk assessment must be approved in writing before any development takes place.*
2. *Where an unacceptable risk is identified a scheme for detailed site investigation must be submitted to and approved in writing by the Local Planning Authority prior to being undertaken. The scheme must be designed to assess the nature and extent of any contamination and must be led by the findings of the preliminary risk assessment. The investigation and risk assessment scheme must be compiled by competent persons and must be designed in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11".*
3. *Detailed site investigation and risk assessment must be undertaken and a written report of the findings produced. This report must be approved by the Local Planning Authority prior to any development taking place. The investigation and risk assessment must be undertaken by competent persons and must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11".*
4. *Where identified as necessary a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to identified receptors must be prepared and is subject to the approval of the Local Planning Authority in advance of undertaking. The remediation scheme must ensure that the site will not qualify as Contaminated Land under Part 2A Environmental Protection Act 1990 in relation to the intended use of the land after remediation.*
5. *The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.*
6. *Following the completion of the measures identified in the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval of the Local Planning Authority prior to the occupation of any buildings.*

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where necessary a remediation scheme must be prepared, these will be subject to the approval of the Local Planning Authority. Following the completion of any measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to the occupation of any buildings.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

- 6) No works or development shall take place until a scheme for surface water drainage has been submitted to, in the form of a full drainage plan, and approved in writing by the Local Planning Authority. The scheme shall include the results of an assessment into the potential of disposing of surface water by means of a sustainable drainage system (SuDS) and shall provide an appropriate level of runoff treatment. If infiltration techniques are used then the plan shall include the details of field percolation tests. The approved scheme shall be completed prior to the first use of the development hereby approved.

Reason: In order to ensure satisfactory drainage conditions that will not create or exacerbate flood risk on site or within the surrounding local area.

- 7) No demolition, site clearance or development shall take place until all trees and hedges/shrubs to be retained on the site and around the boundaries of the site have been protected in accordance with the specification set out in British Standard BS:5837 2005: Guide for Trees in relation to Construction, and such protection measures shall remain in situ for the duration of the development and in accordance with Policies B(NE)1a and B(NE)3 of the Borough of Redditch Local Plan No.3.

Reason:-To ensure the protection of trees and hedgerows in the interests of visual amenity.

- 8) Prior to the commencement of development, details of cycle parking provision shall be submitted to and agreed in writing by the Local Planning Authority. The details agreed shall be implemented on site prior to the occupation and use of the building hereby permitted, unless otherwise agreed in writing by the Local Planning Authority.

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Reason: In the interests of sustainability and in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan.

- 9) The Bus Wash shall not be operational between the hours of 23.00 hrs and 07:00 on any day of the week without the prior written consent of the Local Planning Authority.

Reason: To ensure 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.

Informatives

- 1) The attention of the applicant is drawn to the need to keep the highway free from any mud or other material emanating from the application site or any works pertaining thereto.
- 2) 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.
- 3) Drainage arrangements shall be provided to ensure that surface water from the parking / hard surface and / or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.

This application is being reported to the Planning Committee because following the resolution that Authority be delegated to the Head of Planning and Regeneration Services to GRANT planning permission (at the meeting of 9th November 2016) the scheme has been amended. As such the application falls outside of the scheme of delegation to officers.