

PLANNING COMMITTEE

17th June 2020

Planning Application 19/01622/FUL

Erection of two three-storey buildings to provide 19no. one bed apartments for affordable rent and 90 sq. m. of office space for use by Accord Group

Car Park Land adjacent Clive Works, Edward Street, Enfield, Redditch

Applicant: Mr G Stoyan: Accord Housing Group
Ward: Central Ward

(see additional papers for site plan)

Case Officer: Steven Edden, Principal Planning Officer (DM), who can be contacted on Tel: 01527 548474 Email: steve.edden@bromsgroveandredditch.gov.uk for more information.

Site Description

The site is roughly rectangular in shape and covers an area of approximately 0.16 hectares (ha). It has historically served as a car park to the (now demolished) Victoria Works Industrial building to the west. Members will be aware that residential development on the Victoria works site was approved in outline form under application 18/01515/OUT. A reserved planning matters application for 75 units (ref 19/01600/REM) is currently pending determination.

The site is currently over grown containing a number of self-set trees and shrubs; with some existing mature trees primarily to the south-east corner.

The site bounds the railway line serving the Train Station to the east and is accessible from Edward Street to the west.

To the north of the site lies a car park serving 'The Business Centre', whilst to the south is the former 'Clive Works' site which has been cleared of its former buildings. Members may recall that application 19/01060/OUT: Outline application for residential development (up to 73 units) was presented before the Planning Committee on 15.01.2020 where the Committee resolved to delegate the granting of planning permission subject to the completion of a S106 agreement to the Head of Planning and Regeneration.

The site falls within a Primarily Employment Area and lies just outside the Town Centre as defined on the Borough of Redditch Local Plan No.4 Policies map, the railway line marking the western boundary to the Town Centre.

Proposal Description

Full planning permission is sought of the erection of 19no. one bed apartments. All would be provided as affordable rented properties. As part of the development, 90 sq.m of office space is proposed to be created. This would be used by the applicant: The Accord Group

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in connection with the day to day running of the residential development and the adjacent development (pending determination) for the erection of 75 units (ref 19/01600/REM).

The development proposes two three storey blocks as follows:

Block / Building 1

Ground floor: Office space (90 sq.m), together with 1no. one bed flat

First Floor: 3no. one bed flats

Second Floor: 3no. one bed flats

Block / Building 2

Ground floor: 4no. one bed flats

First Floor: 4no. one bed flats

Second Floor: 4no. one bed flats

Vehicular and pedestrian access to the site would be via the existing (improved) vehicular access onto Edward Street.

10 car parking spaces would be provided for the 19 flats together with 5 car parking spaces for the office use. 3 Motorcycle spaces together with 1 Delivery/Drop off space would also be provided. Parking spaces would be allocated and managed by the applicant (Accord Group).

Relevant Policies:

Borough of Redditch Local Plan No. 4

Policy 1: Presumption in Favour of Sustainable Development

Policy 5: Effective and Efficient use of Land

Policy 6: Affordable Housing

Policy 19: Sustainable travel and Accessibility

Policy 20: Transport Requirements for New Development

Policy 24: Development within Primarily Employment Areas

Policy 31: Regeneration for Town Centre

Policy 39: Built Environment

Policy 40: High Quality Design and Safer Communities

Others

NPPF National Planning Policy Framework (2019)

Redditch High Quality Design SPD

SPG Employment Land Monitoring

SPG Open Space Provision

SPD Affordable Housing Provision

SPD Education contributions

Worcestershire Waste Core Strategy (WWCS)

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Relevant Planning History

None

Consultations

WCC Highways

No objections

Comments summarised as follows:

The proposed development is in a town centre commercial and sustainable location off an unclassified road. The site benefits from an existing vehicular access. Edward Street benefits from footpaths and street lighting on both sides of the road. The site is located within acceptable walking distance of amenities, bus route and bus stops, bus station and Redditch Railway Station.

The parking provision (10 spaces) is acceptable on the basis that these are allocated to 10 apartments.

I have noted that one of the residential car parking spaces is to be fitted with an Electrical Vehicle Charging Point; commercial use to be provided with an EVCP: acceptable.

Highway contributions of £13,801.44 have been calculated based on the number of trips to be generated by the proposed development. This contribution should be used towards improvement to the local walking and cycling infrastructure, a bus shelter on Bromsgrove Road, lining and signing for cycle routes.

The Highway Authority concludes that there would not be an unacceptable impact on highway safety and therefore there are no justifiable grounds on which an objection could be maintained.

Conditions regarding construction of the vehicular access, provision of electric vehicle charging points, vehicular visibility splays and a residential welcome pack are recommended

North Worcestershire Water Management

Comments summarised as follows:

A site drainage strategy has been submitted. No objections are raised subject to the compliance with the drainage strategy and:

- o Drainage Calculations - 057C41-SITE2.SRCX
- o Proposed Drainage Plan - 19254-C01 (Rev B)

Economic Development

Whilst the loss of employment land is something to be resisted, in this instance, the agents have marketed the site for a period well in excess of the policy provisions within the adopted Local Plan and limited interest for a continuing economic use has been

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shown during this time. Therefore, it is felt that considering alternative uses that provide a potential betterment in design terms, as well as delivering active use in this area is a positive next step.

It is considered that the proposal is in line with emerging aspirations to see more residential development to be delivered in the town centre environs. The delivery of new uses and residential units in particular, is something that the Government are keen to see within central locations of towns across the country.

Therefore, given the evidence provided and the emerging thoughts with regards to redevelopment of the town centre and its adjacent sites, we are supportive of the proposal which seeks to deliver an active use on a vacant brownfield site that will add some vitality and vibrancy to this part of the town.

Worcestershire Regulatory Services - Contaminated Land

No objection subject to land remediation conditions

Worcestershire Regulatory Services - Noise

We have reviewed 'Planning Noise Assessment: Edward Street, Redditch' prepared by STROMA Built Environment ref: 08-19-79215-AC-1v2 and are happy to support the conclusions drawn that document.

The construction of the building envelope should achieve a sound insulation performance as per 4.12 of the submitted report.

Glazing and ventilators should be installed within the respective façade as per the specifications within Table 4 to ensure suitable noise attenuation is achieved.

Providing the development is constructed in accordance with the recommendations contained within this document, no objections are raised.

NODE Urban Design Advisor

Comments summarised as follows:

The development blocks are generally orientated perpendicular to one another. Consideration should be given to the potential to create a stronger active frontage.

The bin storage is located to the northwest corner of the site which is sensible, given its proximity and is supported subject to the design of the bin store being appropriate to limit its visual impact.

Pedestrian pathways providing access to the communal garden at the rear should provide adequate natural surveillance or overlooking.

The buildings are proposed to be three storeys which is appropriate given the scale of residential schemes planned, and approved, in the local context.

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The two blocks take a different design approach to one another and provide an interesting visual mix. Block one is designed to defer to the industrial heritage of the area, with an aesthetic reminiscent of historic factory premises. I consider this appropriate. Furthermore, the inclusion of a flat-roofed adjoining element finished in rainscreen cladding, providing access to the apartments and circulation core is an interesting, contrasting, addition.

Block two is more contemporary, and is completely clad in black timber with a standing seam metal roof. I have no objection to this and the use of brass coloured windows provides an interesting visual contrast to the darker façade.

The design approach is welcomed, and strikes a good balance between contemporary and historic architectural patterns and forms.

Whilst the inclusion of communal garden areas is also welcomed, and will provide amenity space for residents and office workers, consideration should be given to the environmental quality of the garden fronting the railway. Consideration should be given to the increasing the number of habitable rooms to windows in the development in order to provide improved passive surveillance to the second garden area.

Waste Management

No objection

NHS/Medical Infrastructure Consultations

Redditch and Bromsgrove CCG has identified that the development will give rise to a need for additional primary healthcare provision to mitigate impacts arising from the development.

The existing GP practices do not have capacity to accommodate the additional growth resulting from the proposed development. The development could generate approximately 38 residents and subsequently increase demand upon existing constrained services. Affected practices: St Stephen's Surgery; Elgar House Surgery; The Dow Surgery; Hillview Medical Centre; Maple View Medical Practice; The Bridge Surgery

A developer contribution will be required to mitigate the impacts of this proposal. Redditch and Bromsgrove CCG calculates the level of contribution required in this instance to be £5,993. Redditch and Bromsgrove CCG therefore requests that this sum be secured through a planning obligation linked to any grant of planning permission, in the form of a Section 106 planning obligation.

NHS Acute Hospitals Worcestershire

The Trust has requested a contribution of £14,930 which will be used directly to provide additional services to meet patient demand. The Trust is currently operating at full capacity in the provision of acute and planned healthcare. This development imposes an additional demand on existing over-burdened healthcare facilities and failure to make the requested level of healthcare provision will detrimentally affect safety and care quality for

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both new and existing local population. The contribution is necessary to maintain sustainable development.

The Trust requests that this sum be secured through a planning obligation linked to any grant of planning permission, in the form of a Section 106 planning obligation.

Town Centre Co-ordinator

No objection

Housing Strategy

I am pleased to support this application which would provide much needed affordable rented accommodation that will assist in meeting Redditch Borough Council's housing need. Its location gives easy access to public transport and shopping facilities and is a good use of space combining office and residential use on one site

Worcestershire Archive and Archaeological Service

No objections subject to the inclusion of an archaeology condition

Arboricultural Officer

Comments summarised as follows:

The proposed site on Edward Street is mainly hard standing and shrub beds as was previously used as a car park. Many trees on the proposed site are all of low amenity value and vary in age and species. The application seeks to remove a large volume of the trees and retain three alongside new planting. No objections are raised subject to the retention of the trees to be retained and compliance with the recommendations set out within the submitted Wardell Armstrong's Impact assessment report and the submission of a full landscaping scheme to be submitted with Tree/Plant species to be used.

Public Consultation Response

None received

Assessment of Proposal

Principle of development

The site falls within a Primarily Employment Areas where Policy 24 states that non employment development will only be permitted where:

- i) such development would not cause or accentuate a significant shortage of land for employment use in the Borough or area concerned; and
- ii) it is no longer viable as an employment area either following a period of unsuccessful marketing or undertaking a viability assessment. Consultation must

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be undertaken with the Economic Development and Regeneration Service by the applicant to ascertain this; or

- iii) the site is no longer appropriate for employment use because of at least one of the following reasons and these problems are incapable of resolution in the foreseeable future:

It impinges upon residential amenity;

It causes substantial transport network, highway or traffic problems:

It creates other adverse environmental effects; or

Technical reasons such as land stability or fundamental infrastructure problems.

The Councils Economic Development team comment that the site has been actively marketed for employment use for well in excess of the 2 years and 3 month period set out in the Councils Employment Monitoring SPG, without success and your officers have concluded that the loss of the site not cause or accentuate a significant shortage of land for employment use in the Borough.

The submitted evidence confirms that the site is no longer viable for continued employment use and that therefore the requirements of Policy 24, criteria i) and ii) have been satisfied. Therefore the principle of development is considered to be acceptable.

Density of Development

The 2019 National Planning Policy Framework requires local planning authorities and developers to make effective use of previously-developed land, especially if this would help to meet identified needs for housing where land supply is constrained.

Section 11 of the Framework emphasises the importance of making effective use of land, and with respect to density, Para 123 comments that:

“Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site”

The paragraph continues by stating that minimum density standards should be considered and that local planning authorities should refuse applications which they consider fail to make efficient use of land.

Policy 5 of the Borough of Redditch Local Plan (Effective and efficient use of land) encourages densities in excess of 70 dwellings per hectare *“in locations close to public transport interchanges”*.

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The density of the proposed development would represent 115 dph which is considered appropriate in its context.

Layout and appearance of development

The layout of the development is constrained by the proximity of the railway line to the east and the future residential uses to the west (Victoria works); to the south (Clive Works) and the presence of trees, notably to the south-east corner of the site.

The development is considered to offer a strong frontage to Edward Street without being so close to the highway such that the development would result in a loss of amenity to residential occupiers of both the Victoria works site and the application site, particularly having regards to loss of privacy.

Block ones' massing, orientation and appearance is similar to many existing units on Britten Street, with a secondary mass to act as a 'new addition' stair core. This has an office space on the ground floor to be directly accessible from Edward Street, for staff and customers.

The upper floors of the block are apartments, with 3 units per floor, with an additional unit on the ground floor at the rear, overlooking the communal garden.

You officers consider that three storey development is appropriate given the context of the site.

Block one is designed to defer to the industrial heritage of the area and the overall design of this block is considered to be acceptable. Materials would be traditional red brick (walls) under a slate coloured tiled roof. The use of 'cirttal' style windows with glazing bars of slender proportions would respect the local vernacular and historic mill buildings present in the immediate area.

Your officers concur with the comments received from the Councils Urban Design Advisor with respect to the adjoining element to block one, finished in rainscreen cladding which would provide access to the apartments and a circulation core. The secondary element would contrast completely with the primary part of the building and has been designed having regard to the Clive Works development (to the south); that is, openings to the rear (south facing) elevation have been minimised in order that adequate separation distances between both developments can be achieved whilst maintaining an appropriate quantum of development on both sites.

Block two has been designed to be a contrasting feature building providing attractive elevations to both the front (west) and rear (east). It has been planned to reduce the dominance of services to the building. By using enclosed bin shelters this prevents large bin stores dominating the building.

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Block two is more contemporary in appearance, and clad in black timber with a standing seam metal roof. Brass coloured windows are considered to provide an interesting visual contrast to the darker façade.

Your officers concur with the Urban Design Advisors (UDA) comments in that the proposals strike a good balance between contemporary and historic architectural patterns and forms.

The applicant has responded to comments raised by the UDA by providing visuals of the proposed bin store area, the design of which is considered to be acceptable and pathways and the communal garden areas now offer appropriate passive surveillance.

Impact of the proposals on highway safety

In relation to transport issues, Section 9 (Promoting sustainable transport) of the NPPF requires that:

“Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help reduce congestion and emissions, and improve air quality and public health.”

Subsequent paragraphs set out the Government’s priorities for maximising travel choice, with particular emphasis of public transport, cycling and walking.

Policy 19 of the Local Plan (Sustainable Travel and Accessibility) focuses on the need to reduce private car use and increase the use of public transport.

In relation to the parking provision for one bedroomed flats units, the County’s ‘Streetscape Design Guide’ states:

“For both residential and commercial developments in town and city centres the applicant may choose not to provide car parking spaces at all. Consideration must be given to the opportunity to access the site sustainability, the availability and capacity of public car parks, existing parking restrictions, the number of linked trips and the implementation of an approved Travel Plan or welcome pack.”

The application site lies in a highly sustainable location, adjacent to the Town Centre and within 2 minutes’ walk of the rail and bus stations. A residential welcome pack condition is recommended to be imposed in the case of planning permission being granted. Residents would therefore be fully aware of parking. A Parking Survey has confirmed the availability of over 50 unrestricted parking spaces from 7pm onwards within the vicinity of the site.

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Although Car park free development for this development of 1-bed apartments would be considered to comply with the provisions of adopted guidance, in this case, 10 car parking spaces are being provided and would be allocated to 10 of the 19 apartments.

The proposed development therefore does not raise any transport or highway concerns.

Waste Matters

The capacity and location proposed for the communal bins stores has been agreed by the Councils Waste Management Team who have raised no objection to the application.

Residential amenity considerations

Your officers are satisfied that no loss of residential amenity would result from granting permission and that the scheme would provide future occupiers of the development with a decent standard of amenity.

No objections have been received from WRS following their examination of the Noise Assessment Report submitted as part of this reserved matters application.

Affordable housing

The Borough of Redditch Local Plan Policy 6 (Affordable Housing) requires the provision of 30% affordable housing on sites of 11 or more dwellings. In this case, the applicant is the Accord Housing Group who proposes to provide all 19 of the units as affordable rent. The S106 agreement attached to this application is the mechanism for controlling the provision of affordable housing on the site in perpetuity.

Housing Land Supply

As referred to with respect to recent reports presented to the Planning Committee for new residential development, currently, the Council cannot demonstrate a 5 year supply of housing land within the Borough. At 1st April 2019 the 5 year housing land supply was only 3.29 years.

Paragraph 11 of the National Planning Policy Framework (NPPF) says that in such circumstances, policies which are the most important for determining the application are out-of-date supply of housing should not be considered up-to-date.

Significant weight should be afforded to the fact that the scheme would make a meaningful contribution to the Councils housing figures where the Council cannot demonstrate a 5 year supply of housing land as required under the NPPF.

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Sustainability

The application site is located within easy walking distance of Redditch Town Centre which provides the expected wide range of commercial, retail and leisure facilities. It is also within two minutes' walk of the Town's rail and bus stations. The proposed residential redevelopment therefore benefits from the Frameworks "presumption in favour of sustainable development" and also complies with the Frameworks objective of significantly boosting the supply of housing.

In addition, the scheme meets the Frameworks requirement to make "effective use" of under-utilised land, with the proposed density of redevelopment reflecting the site's highly sustainable location.

Solar thermal collector panels would be installed to the west and east facing roof slope to block two providing hot water for heating.

Section 106 Planning obligation

In accordance with Paragraph 56 of the NPPF and Section 122 of the CIL regulations, planning obligations have been sought to mitigate the impact of this major development, if the application were to be approved. A S106 agreement has been drafted and the obligations in this case would cover:

- Contributions towards off site open space provision due to increased demand/requirements from future residents, required in compliance with the SPD. In this case, a contribution to support improvements to the existing toddler and junior play area at the site at Terrys Field together with open space improvements for informal recreation at Plymouth Road has been agreed
- Contributions for refuse and re-cycling bins for the new development in accordance with Policy WCS.17 of the adopted Worcestershire Waste Core Strategy
- Contributions to Worcestershire Highways in accordance with the Infrastructure Delivery Plan (IDP) and the WCC Local Transport Plan Development Control (Transport) Policy
- Contributions to the NHS Clinical Commissioning Group (CCG) towards GP Surgeries
- Contributions towards NHS Worcestershire Acute Hospital Trust (WHAT) Contribution. The agreement to a final sum to be Delegated to the Head of Planning and Regeneration Services (subject to verifying any deductions based on services already provided by the WAHT) – see *** below

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- The provision of 30% (5 units) on the site to be restricted to affordable housing in perpetuity
- Contributions towards securing improvements and environmental enhancements to the Town Centre in accordance with Policy 31 of the BOR LP4
- A Section 106 (Planning Obligation) monitoring fee

The applicant confirms its agreement to make financial contributions / obligations with respect to the matters set out above. At the time of writing, the planning obligation is in draft form.

*** Members will note that the Worcestershire Acute Hospitals Trust (NHS Trust) has requested a contribution of £14,930, which would be used directly to provide additional services to meet patient demand. Officers accept that the principle of the request does meet the Community Infrastructure Levy Regulations (CIL) 2010 Regulation 122 tests. Legal advice is currently being sought having regard to the calculation method and as such the final sum is to be delegated to the Head of Planning and Regeneration Services until this matter has been concluded.

Planning Conditions

Sections 100ZA (4-6) of the Town and Country Planning Act 1990 requires the applicant's written agreement to the terms of a pre-commencement condition. Written agreement to the terms of relevant recommended conditions has been sought and agreed by the applicant.

Conclusion

The site has been identified as being suitable for residential development. As referred to earlier in this report, the Council cannot currently demonstrate a five year supply of housing. Significant weight should be afforded to the contribution the scheme would make in this respect.

The detailed design, form and layout of the development is considered to be appropriate in its context and subject to suitable conditions and completion of a legal agreement is considered to be a policy compliant form of development. No issues have been identified which would make this application unacceptable in planning terms.

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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, and equipped play in accordance with the Councils adopted SPD
- * Contributions are paid to the Borough Council towards the provision of waste and recycling facilities for the new development
- * Contributions are paid to the Borough Council towards the provision of improvements and environmental enhancements to the Town Centre
- * Contributions are paid to Worcestershire County Council for localised improvements to local walking and cycling infrastructure, a bus shelter on Bromsgrove Road, lining and signing for cycle routes.
- * Contributions are paid to the NHS Clinical Commissioning Group (CCG) towards GP Surgeries
- * Contributions are paid to the NHS Acute Hospitals Trust (final figure to be agreed)
- * A minimum of 5 units of accommodation are restricted to affordable housing in perpetuity
- * A S106 monitoring fee/s are paid to the Borough Council

and

b) The conditions as listed 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 their first installation, details of the form, colour and finish of the materials to be used externally on the walls (including all windows and doors), roofs and all hardsurfacings 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.

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Reason: To ensure that the development is satisfactory in appearance, to safeguard the visual amenities of the area

- 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

- 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

- 5) The development hereby approved shall be carried out in accordance with the following plans and drawings:

appropriate references to be inserted here

Reason: To provide certainty to the extent of the development hereby approved in the interests of proper planning.

- 6) No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The Plan shall include details of measures to prevent mud or other detritus being carried onto the highway, details of site operative parking areas, material storage areas and the location of site operatives facilities, adherence to construction working hours of 8am-6pm Monday to Friday and 8am-1pm on Saturdays with no construction working on Sundays. The measures set out in the approved Plan shall be carried out and complied with in full during the construction of the development hereby approved.

Reason: To ensure the provision of adequate on-site facilities and in the interests of highway safety.

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- 7) Prior to the first occupation of the development hereby approved, a scheme for the provision of bat roost opportunities and bird nest boxes within the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented by suitably qualified personnel to the satisfaction of the Local Planning Authority prior to the first use of the development approved.

Reason: In the interests of biodiversity and in accordance with the provisions of National Planning Policy Framework

- 8) The Development hereby approved shall not be occupied until the visibility splays shown on drawing 104 have been provided. The splays shall at all times be maintained free of level obstruction exceeding a height of 0.6m above adjacent carriageway.

Reason: In the interests of highway safety.

- 9) The Development hereby permitted shall not be first occupied until details of a scheme of electric vehicle charging points has been submitted and approved in writing by the Local Planning Authority. Thereafter the charging points shall be kept available for the charging of electric vehicles.

Reason: To encourage sustainable travel and healthy communities

- 10) The Development hereby approved shall not be occupied until the applicant has submitted to and had approval in writing from the Local Planning Authority a residential welcome pack promoting sustainable forms of access to the development. The pack shall be provided to each resident at the point of occupation.

Reason: To reduce vehicle movements and promote sustainable access

- 11) The Development hereby approved shall not be occupied until the first 5 metres of the access into the development, measured from the edge of the carriageway, has been surfaced in a bound material.

Reason: In the interests of highway safety.

- 12) 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

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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.

7. 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

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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

- 13) 1. No development shall take place until a Written Scheme of Investigation for a programme of archaeological works have been submitted to and approved by the Local Planning Authority in writing. The scheme shall include an assessment of significance and research questions and:

- a) The programme and methodology of site investigation and recording.
- b) The programme for post investigation assessment.
- c) Provision to be made for analysis of the site investigation and recording.
- d) Provision to be made for publication and dissemination of the analysis and records of the site investigation.
- e) Provision to be made for archive deposition of the analysis and records of the site investigation.
- f) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

2. The development shall not be occupied until the site investigation and post investigation has been completed in accordance with the programme set out in the Written Scheme of Investigation and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To protect any below-ground archaeological interests.

Informatives

- 1) 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 negotiation and amendment.
- 2) 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.

Procedural matters

This application is reported to Planning Committee for determination because the application is for major development. Further, the application requires a S106 Agreement. As such the application falls outside the scheme of delegation to Officers.