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**PLANNING APPLICATION 2010/210/OUT**

**OUTLINE PLANNING APPLICATION FOR RESIDENTIAL DEVELOPMENT  
(USE CLASS C3) WITH ALL MATTERS RESERVED**

**FORMER DINGLESIDE MIDDLE SCHOOL; ADJACENT OPEN SPACE  
AND GARAGING TO THE REAR OF NUMBERS 1 TO 11 AUXERRE  
AVENUE, WOODROW NORTH, REDDITCH**

**APPLICANT: WORCESTERSHIRE COUNTY COUNCIL  
EXPIRY DATE: 11TH NOVEMBER 2010**

**WARD: GREENLANDS**

The author of this report is Steven Edden, Planning Officer (DC), who can be contacted on extension 3206 (e-mail: [steve.edden@redditchbc.gov.uk](mailto:steve.edden@redditchbc.gov.uk)) for more information.

**(See additional papers for Site Plan)**

**Site Description**

The site measures approximately 7.27 hectares and is circa 380m in length from southwest to northeast and 200m in width from northeast to southeast. It is bounded by the road Woodrow North to the east and south, rear gardens of existing dwellings on Throckmorton Road to the north, and Woodrow Park to the west.

The site slopes quite steeply up to a plateau from Woodrow North and from the houses to the rear of Throckmorton Road. The former Dingleside Middle School which was closed in August 2008 (and has since been demolished) had been situated on the plateau which itself slopes gently up from northeast to southwest. The majority of the site is open grassland although to all perimeter boundaries, existing mature and semi-mature planting is a significant feature, screening much of the interior from public highways. A triangle of land to the rear of numbers 1 to 11 Auxerre Avenue is also included within the site which contains a number of Council owned storage units in various states of repair. Despite their condition, some of these are in use. This part of the site was subject to a Supplementary Planning Document (granted March 2006) which will be referred to later in the report.

The areas beyond the northern, eastern and southern boundaries of the site are primarily residential in character, consisting largely of two storey terraced housing dating from the mid twentieth century. Beyond Fladbury Close (residential) to the east lies the Park Farm Industrial Estate. Beyond Doverdale Close, to the south, lies the Woodrow District Centre, approximately 5 minutes walk away from the application site.

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The site is accessed off Woodrow North, at a point approximately 50m from the south-west corner of the site.

The former buildings, and tarmac play areas are undesignated in the Borough of Redditch Local Plan No.3 (the same as the adjacent residential areas). The triangular shaped area of land to the rear of Auxerre Avenue is designated as housing site 139 which is allocated for residential purposes in the Local Plan. The remaining area that is grassed and landscaped is designated as Primarily Open Space in Local Plan No.3 with the exception of a long strip of land running adjacent/parallel to Woodrow North which is designated as Incidental Open Space.

## **Proposal Description**

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

Whilst all matters are reserved, an overall *indicative* Masterplan has been produced identifying how 220 units could be accommodated within the site which also sets general parameters of scale, height and density against which future development proposals would be considered. The indicative proposals as shown on the Masterplan represent a density of 30.5 dwellings per hectare.

Total unit numbers could be split as follows:

- 12 x 1 bed units (5.5%)
- 60 x 2 bed units (27.3%)
- 98 x 3 bed units (45.5%) and
- 50 x 4 bed units (22.7%)

Within this split of units a wide range of accommodation types would be provided including bungalows, terraced housing, detached and semi-detached housing and apartments. The indicative dwelling composition is illustrated below:

Detached	5 x 3 bed
Semi Detached	4 x 3 bed, 6 x 4 bed
Terrace	18 x 2 bed, 68 x 3 bed, 36 x 4 bed
Apartments	12 x 1 bed, 42 x 2 bed, 21 x 3 bed

Building heights would range from one storey to three storeys. Three storey accommodation is proposed at two apartment blocks towards the centre of the former Dingleside school playing field and single storey bungalows are sited to the rear of 1-11 Auxerre Avenue.

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A potential phasing programme is provided to identify the most likely and logical progression of development (four phases identified).

Access to the development, whilst not for consideration here, as shown on the indicative Masterplan, would be via the existing access point which served the former school, off Woodrow North.

The application is supported by a:-

Design & Access Statement, Planning Statement, a Statement of Community Consultation, Desk Top Contamination Study, Arboricultural Survey, Phase I Habitat Survey / Ecological Survey Assessment, MG grassland survey, Transport Statement, Travel Plan, Flood Risk Assessment, and a copy of the West Midlands Sustainability Checklist. The applicant is also agreeable to enter into a S106 Agreement.

### **Relevant Key Policies:**

All planning applications must be considered in terms of the planning policy framework and all other relevant material considerations (as set out in the legislative framework). The planning policies noted below can be found on the following websites:

[www.communities.gov.uk](http://www.communities.gov.uk)

[www.wmra.gov.uk](http://www.wmra.gov.uk)

[www.worcestershire.gov.uk](http://www.worcestershire.gov.uk)

[www.redditchbc.gov.uk](http://www.redditchbc.gov.uk)

### ***National Planning Policy***

PPS1	Delivering Sustainable Development
PPS3	Housing
PPS9	Biodiversity and Geological Conservation
PPG13	Transport
PPG17	Planning for Open Space, Sport and Recreation
PPS25	Development and Flood Risk

### ***Regional Spatial Strategy***

UR4	Social Infrastructure
QE3	Creating a high quality built environment for all
SR1	Climate Change
SR2	Creating Sustainable Communities
SR3	Sustainable Design and Construction
CF2	Housing beyond the Major Urban Areas
CF3	Level and Distribution of New Housing Development
CF5	Delivering affordable housing and mixed communities
CF6	Making efficient use of land
CF7	Delivering affordable housing
EN2	Energy Conservation
T3	Walking and Cycling

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***Worcestershire County Structure Plan***

SD.1	Prudent Use of Natural Resources
SD.2	Care for the Environment
SD.3	Use of Previously Developed Land
SD.5	Achieving balanced communities
CTC.1	Landscape Character
CTC.5	Trees, Woodlands and Hedgerows
CTC.8	Flood Risk and Surface Drainage
CTC.15	Biodiversity Action Plan
D.5	The Contribution of Previously Developed Land to Meeting Housing Provision
D.6	Affordable Housing Needs
D.43	Crime Prevention and Community Safety
T.4	Location of Development
T.4	Car Parking
T.10	Cycling and Walking
IMP.1	Implementation of Development

***Borough of Redditch Local Plan No.3***

R.1	Primarily Open Space
R.2	Protection of Incidental Open Space
R.3	Provision of Informal Unrestricted Open Space
R.4	Provision and Location of Children's Play Areas
R.5	Playing Pitch Provision
CS.1	Prudent Use of Natural Resources
CS.2	Care for the Environment
CS.5	Achieving balanced communities
CS.6	Implementation of Development
CS.7	The Sustainable Location of Development
CS.8	Landscape character
B(HSG).5	Affordable Housing
B(HSG).6	Development within/adjacent to the curtilage of a dwelling
B(BE).13	Qualities of Good Design
B(BE).19	Green Architecture
B(BE).28	Waste Management
B(NE).1	Overarching Policy of Intent
B(NE).1a	Trees, Woodland and Hedgerows
L.2	Education Provision
S.1	Designing Out Crime

***Supplementary Planning Guidance / Documents (SPG / SPDs)***

Encouraging Good Design  
Affordable Housing Provision  
Education Contributions  
Open Space Provision  
Designing for Community Safety

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Land to the rear of properties 11-11 Auxerre Avenue Development Brief

## **Relevant Site Planning History**

Minor extension / alteration / new classroom unit applications dating from when the site was in operation as a school, but not relevant to the consideration of this application for residential development.

A triangle of land to the rear of numbers 1 to 11 Auxerre Avenue is included within the site which contains a number of Council owned storage units in various states of repair. This part of the site was subject to a Supplementary Planning Document (granted March 2006) and was prepared in order to guide the development of housing site 139 which is allocated for residential purposes in the Local Plan.

## **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. In addition, a well publicised (pre-application) public consultation exercise organised by the applicant's agents, took place at Woodrow Library in March 2010, where at least 45 members of the public attended.

### **Responses in favour**

None received

### **Responses against**

30 letters received in objection to the application.

All but two of the letters are identical.

Comments are summarised as follows:

- To allow the development would be considered contrary to the provisions of the Strategic Housing Land Availability Assessment (SHLAA) which excludes part of the site from development
- Considered contrary to Open Space Needs Assessment 2009
- The undeveloped steeply sloping area of land behind rear gardens of Throckmorton Road, rising to the former school's position should not be developed – this area is highly sensitive
- Proposal would destroy natural habitat for wildlife and valuable green space
- The amenity and recreational value of the land would be lost
- Crime in the area would increase, leading to an increase in more policing in the area
- Visual amenity will be severely compromised
- Inadequate ecological survey
- A site of Special Scientific Interest (SSSI) and several Special Wildlife Sites (SWSs) are situated to the north and west of the site – concerns that these may be affected by the development

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- Visually, this area offers a 'break' between high density residential development which exists to the north and south of the school
- The indicative plan is considered to represent too high a proposed density and lacks sufficient on-site amenity space
- Lacking in sufficient links to other open space areas
- Concerns that the right of way that exists via Auxerre Avenue to garages/ rear garden structures to properties in Throckmorton Road may be hindered by the proposed development
- Objections raised in particular, to the proposed erection of five detached single storey/dormer bungalows which are proposed to be built on a sloping area of land behind Throckmorton Close
- The five bungalows above would overlook existing properties on Throckmorton Road – this area should not be developed
- Existing residents are liable to be flooded if new development is takes place due to the fact that the land falls away steeply in the direction of Throckmorton Road to the north
- Permeable surfaces and French drains should not be used since the maintenance involved with such drainage is considerable
- If on-street parking increases, emergency vehicle access could be severely compromised
- Public consultation event was considered to be misleading

### Petition

A petition containing 75 signatures (stapled to one of the identical letters referred to and with comments summarised above) has been received via a resident objecting to the proposed development.

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

It should also be noted that the application is for pure outline permission, and therefore matters of detail are reserved for potential future consideration.

### **Consultee Responses**

#### ***County Highway Network Control***

The transport assessment provided as part of the application has shown that the highway infrastructure is suitable to allow development.

The point of access would need to be improved for this level of development, which can be dealt with at the reserved matters stage.

Any reserved matters permission will require the imposition of highway conditions. However, it is not proposed to attach any to any permission granted here, since access is to be considered as a future reserved matter.

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***Environment Agency***

Comments awaited

***Council's Waste Management Service***

Comments awaited

***Council's Arboricultural Officer***

No objection as landscaping details would be provided as part of the subsequent reserved matters.

***Police Crime Risk Manager***

No objections are raised to the application. It would be beneficial if this development was subject to secured by design status in the future.

***Development Plans (Planning Policy)***

The proposal include the loss of a playing pitch, which would normally be resisted. However, the application does seek to justify the loss of the playing pitch by highlighting that an alternative user for this site could not be found.

The principle of accommodating housing on this site is broadly considered to be acceptable. The site has been identified in emerging planning policy documentation.

40% of the dwellings should be provided for affordable housing, and this should be included within each phase of the development, regardless of the number of units within each phase.

The applicant has addressed the criterion set out in Policy R.1 in their supporting information. It is considered that the principle of development in this location is acceptable.

***Council's Community Safety Officer***

Comments awaited

***Council's Drainage Officer***

Comments awaited

***Worcestershire Wildlife Trust***

Comments awaited

***Council's Greenspace & Biodiversity Officer***

Comments awaited

***Environmental Health***

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No objection subject to conditions relating to construction hours and informatives relating to lighting and odour

***Severn Trent Water***

No objection. Drainage details to be subject to agreement with Severn Trent

***Sport England***

An assessment has demonstrated that there is an excess of playing fields in the catchment and the site has no special significance for sport. It is noted that the site has also been assessed under the Councils SHLAA and is to become a strategic site in the emerging Core Strategy. Sport England does not raise any objections to the granting of planning permission for this development.

***Council's Housing Enabling Officer***

This site represents a strategically significant affordable housing development which will provide not only a great opportunity to effect regeneration of a currently cleared site, but will also assist in the wider regeneration of the Woodrow and Greenlands areas of the Borough.

Whilst in indicative form only at this stage, the applicant has sought to deliver a greater mix of mid to larger size family homes (from 2 to 4 bedrooms), with the scheme seeking to provide a wide range of housing types including bungalows, flats, and terraced houses. This would meet the demand within the Borough for larger family houses.

As part of any reserved matters application, the applicant is urged not to cluster the affordable housing in a particular part of the site, but to develop the total affordable housing provision proportionately across all four planned phases.

***Procedural matters***

This application is put before the Planning Committee due to the fact that it is a 'major' application (as defined in the NI 157 returns). Under the agreed scheme of delegation to Planning Officers, 'major' applications should be reported to Committee, where the recommendation is one of approval.

This is an outline application with all matters reserved, and as such, *only* the principle of development can be considered at this stage. However, if there are reasons why the development could not be designed to be appropriate to the site, these can be raised as concerns at this stage.

The application plans and documents include an indicative layout and information regarding numbers, types and sizes of dwellings, however this is for illustrative purposes only to demonstrate how the site *could* be developed, and not how it *would* be developed. This therefore has no weight in the determination of the application.



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## **Assessment of Proposal**

The key issue for consideration in this case is the principle of the development, as all other matters are reserved for future consideration. As part of this, matters regarding sustainability and planning obligations should be considered. Since an indicative plan has been submitted, and several concerns have been raised in the representations received, other matters will be clarified, although many of the concerns raised would need to be addressed in detail at any subsequent reserved matters application stage and not given significant weight in determining this application.

## **Principle**

The application site comprises an area of white land, designated site 139, Primarily Open Space, and Incidental Open Space.

The principle of residential development is acceptable with respect to the white land. This includes the site of the former school buildings (now demolished) and the hard play area, immediately behind what was the school building.

The area of land to the rear of 1-11 Auxerre Avenue is allocated within the local plan for residential development as site 139. The principle of residential development here is also considered to be acceptable.

A relatively thin strip of land running parallel to Woodrow North between the former playing fields to the school and the road, (at the eastern end of the site) is defined as Incidental Open Space, where Policy R.2 of the Local Plan applies. However, the indicative plan shows that only a small amount of development could take place in this area. Your Officers consider that the vast majority of this area should not be developed, and the indicative plan shows that this area would not be substantially developed. The relative narrowness of this area would make development difficult since it could mean the removal of the substantial mature hedgeline, which your officers consider should be retained. Further, the land rises steeply from Woodrow North, to the raised plateau where the former playing fields are located, making the appearance of any built form in this area potentially highly conspicuous and out of keeping with the surrounding area. It is therefore considered that built form should be kept to a minimum on this part of the site and that this could be restricted through the imposition of a condition at this stage.

The remainder of the site is designated as Primarily Open Space in Local Plan No.3 and shown as such on the detailed proposals map where Policy R.1 would apply. This policy states that proposals which lead to the total or potential loss of Primarily Open Space will not normally be granted planning permission unless it can be demonstrated that the need for the development outweighs the value of the land as an open space area.

The criteria in Policy R1 are noted and considered below:

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*i) The environmental and amenity value of the area*

The environmental and amenity value of the wider area is predominantly linked to Woodrow Park, which extends to approximately 13.28 hectares providing an extensive area of open space within the urban area of Redditch. The open space area that is the application site is contained as a result of its former use as a school playing field which is enclosed with fencing and hedge / tree planting around the perimeter of the site, and thus reduced its visual appearance as an open space area. The fact that the areas to the immediate east and west of the former school buildings are heavily enclosed with hedge and tree planting, restricts this part of the site's visual openness as an open space area and restricts its level of accessibility for members of the public, and as such lessens its amenity value.

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

The recreational value of the site is currently limited. Large areas of the site are classified as restricted open space to which there is no public access. This includes the area of land which was not included within the SHLAA area to the immediate west of the former school buildings. In this respect, Officers would inform members that historical aerial photographs taken of the school site prior to the buildings demolition clearly show that the area to the west of the school, and included within the application site for development show boundaries demarking the playing fields from the adjacent Woodrow Park, with the only access to this area being via the school by means of the former tarmac playground and also through a central band of trees to the east. The photographs show that the area was marked out with white lines for sports activities.

In addition, officers have received a written statement from the Caretaking, Cleaning and Grounds Officer, Worcestershire County Council, commenting that the area in question, to the west of the application site was maintained and used by the school for team games and sports up until the point that the school closed and has therefore always been connected to the previous school as a playing field. Your Officers therefore believe that the area already identified as part of the SHLAA could have included the area to the west of the former school buildings, and that, being former playing fields, they should be considered in the same way as the former playing fields to the east.

Due to the above, recreation opportunities are limited to those which take place on the slope to the north and the former garage site to the rear of Auxerre Avenue. Within the slope, new routes into the adjacent Woodrow Park would be opened up, and new green space would be provided within the site which would become publicly accessible. The indicative plan shows that the majority of the sloping area of land behind properties in Throckmorton

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Close would not be developed. This could also be restricted through the imposition of a condition, however it is not considered to be necessary at this stage.

There are a number of hedgerows and mature trees which contribute to the environmental value of the site. A Phase 1 Habitat Survey has been prepared which reveals that the site is of low ecological value with the exception of some trees and hedges which may provide limited habitat value.

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

A comprehensive exercise of seeking to place the site in a long term sustainable and viable ownership to continue sports provision has been explored by the applicant, but no appropriate occupier has been secured. The former school site is vacant, has restricted visibility and makes little contribution to the character and appearance of the area, and is increasingly becoming a maintenance burden to the applicant as well as being a poor use of land.

- iv) The merit of protecting the site for alternative open space uses*

A significant area of open space already exists directly adjacent to the site in the form of Woodrow Park. Extensive public consultation has revealed that the site is not particularly well used by the public and therefore the retention and opening up of additional space would offer no great additional benefit to the area than already offered at present by Woodrow Park. Consultation between the applicant, Planning Officers and RBC Parks and Leisure team have identified that a better solution would be to enhance the existing open space at Woodrow Park to facilitate greater use through upgrading existing sports and recreation facilities and by the addition of improved access routes benefiting from natural surveillance and lighting. Monies would be secured through a Section 106 legal agreement – see later.

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

The responses given under criteria i) to iv), above, capture information in response to this criteria.

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

The local area is well served in terms of open space and recreation facilities. In addition to Woodrow Park, other playing fields, recreational/open space areas can be found at Greenlands Playing fields circa 500 metres to the northwest of the application site and at Arrow Valley Park, 400 metres to the

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east of the site. There are equipped play areas nearby, one of which is directly adjacent to the site with the other, at Bengrove Close, to the southern side of Woodrow North, to the southwest of the site. These include informal kick about areas as well as toddler and junior facilities. In addition, the site is within walking distance of the Redditch BMX/Skate Park, to the northeast.

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

The majority of the application site currently acts as a barrier to movement as it is fenced off from public use. The site does not act as a buffer between incompatible land uses. Residential development surrounds the site and increased permeability through the site would make it easier for people in the northern residential areas to access services and facilities at the Woodrow District Centre, for example.

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

The adopted Open Space Needs Assessment 2005 identifies that a surplus of open space within the ward exists. In 2009, the Council undertook an update of the 2005 Open Space Needs Assessment. This document has not been formally adopted by the Council but has been published following Member endorsement. The 2009 study shows a deficit of open space as a result of ward boundary changes. Although the updated study identifies a shortfall, the spaces removed from Greenlands Ward by the boundary change of course still exist and offer unrestricted, easily accessible open space provision to the residents of Greenlands. Regardless of whether the 2005 or 2009 figures are used, open space per 1000 population is in advance of national averages as set out in the Councils 'Public Open Space Standards within the Borough Study'.

The Open Space Needs Assessment 2009 refers to much of the site as school playing field rather than general open space, highlighting its restricted use as a public open space.

- ix) *The merits of the proposed development to the local area or the Borough generally*

The benefits in favour of development include meeting identified housing need, including affordable housing need, contributions to sports facilities in the Borough and improvements to existing play areas. In addition, Officers consider that the re-use of an existing vacant site, improved access, improved permeability through the site and improvements to Woodrow Park would

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provide significant benefits to the residents of the area as well as the residents of the proposed development.

To the north of the site, beyond the former school playing fields and between rear gardens serving some properties in Throckmorton Road, lies a further area designated as Primarily Open Space in the Local Plan and is included within the application site area. This partly links the former playing fields to the land to the rear of 11 to 11 Auxerre Avenue. The land here falls away steeply from the raised plateau of the former school site, down to fences serving rear gardens in Throckmorton Road. The topography means that any potential development taking place in this area, if it were to be permitted at all would need to be sympathetically sited such that it would not harm the character and appearance of the area nor residential amenity. The indicative plan shows that the majority of this part of the site would not be developed, although it could be included for development as part of any future Reserved Matters application. Your Officers have informally commented that this area could most appropriately be developed only for on-site amenity purposes, since on site open space would need to be provided as part of any Reserved Matters application.

From a practical point of view, other than for the loss of the strip of land to the north of the site linking the former playing fields to rear gardens in Throckmorton Road there is considered to be no real loss of open space provision given that it was only for the purposes of the school.

### Density and Layout

These details would be considered at reserved matters stage and would need to comply with the planning policy framework at the time, such that the amenities of existing residents would be taken into account and protected in terms of spacing standards etc.

### Drainage and flooding

Representations received refer to the potential of flooding and impact upon existing residents properties. A full flood risk assessment including an outline drainage strategy has been prepared. This is considered to be a robust approach to attenuating drainage for the site and these measures are considered to lead to an overall improvement in water management. This is therefore considered to be a matter that can be addressed sufficiently that it would not prevent the residential development of the site.

### Affordable Housing

This would be provided at 40% across the site and there would be a requirement for the location and split of this provision to be agreed with the developer on a phased basis which will occur when the formal phasing plan is agreed as part of a reserved matters application. It is considered that a reasonable approach, through imposition of conditions, would be that each phase would contain a proportion of affordable housing as agreed with

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officers/housing strategy and that overall the site would deliver the required 40%. This is to build in a degree of flexibility to allow the developer to deliver a viable scheme in the future. However, it would also ensure that the required provision would occur.

To keep flexibility in place, the S106 and indicative layout would need to remain flexible in that final unit numbers, typologies and affordable housing tenure split can be set at the time reserved matters are submitted in relation to an agreed phasing plan. This would have the benefit of capturing the most up to date housing need at the point of reserved matters which may be a number of years hence.

### Landscaping and Ecology

A phase 1 habitat survey has been undertaken and proportional study work for ecology prepared for the purposes of a wholly outline application. Habitat Regulations provide the mechanism for guiding the protection of species should any evidence be found at the time of construction. No mature trees or significant amounts of hedgerow would need to be removed to accommodate the development. Therefore there are no concerns in this regard.

### Highways and access

Access is not for consideration at this stage. Representations received do not refer to highway matters. Highway Network Control consider that should the existing access be used to serve the new development (as would be likely), only minor alterations to this would need to take place in order for access to the site to be acceptable. It is therefore considered that it would be possible to provide a suitable access for the proposed development, such that no concerns are raised.

### Sustainability

The site represents a highly sustainable location. There are a wide range of facilities and services in close proximity including schools, shopping facilities, with the Woodrow District Centre roughly five minutes away (by foot) to the south, and employment providers at the Park Farm Industrial estate lying a short distance to the east. The site is also within relatively close proximity to the hospital and has good road and bus links to Redditch Town Centre and beyond. A number of cycle ways and footpaths also link to wider areas.

All affordable homes would need to be constructed to achieve Level 3 (minimum) of the Code for Sustainable Homes. Officers would similarly expect the 'for sale' units to meet this minimum requirement, and are therefore recommending that a condition be attached to any consent requiring this. Officers would inform members however, that it is expected that all new private residential schemes will need to reach Code Level 3 minimum shortly although a formal announcement is yet to be made. By the time any construction takes place on site, it would be expected that the new

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development would need to meet this minimum requirement, or any sustainability targets which might replace CSH in the future.

## Planning obligations

The size of the proposed development is above the policy threshold for requiring contributions which should be sought via a planning obligation. Normally, the following would be required under the adopted policy framework:

- A contribution towards County education facilities
- A contribution towards playing pitches/play areas/open space in the area due to the increased demand/requirement from future residents
- That 40% of the dwellings be provided as affordable housing in line with SPD policy. This must also be included in the agreement to ensure the retention of the units for this purpose in perpetuity.

The applicant in this case is Worcestershire County Council, and confirmation has been received that in this case a contribution towards County education facilities would not be required. A draft S106 Agreement has been prepared confirming that contributions would be paid towards the provision of sports facilities in the Borough, together with contributions towards the improvement and maintenance as public open space at Woodrow Park and the provision of leisure equipment at nearby sites. The S106 would also require that at least 40% of the dwellings be provided as affordable housing as set out above.

## Conclusion

There is considered to be no overriding case for the retention of the application site for open space uses, and therefore, the application is considered to be acceptable, having regards to Policy R.1 of the Borough of Redditch Local Plan. In addition, Sport England deems the loss of the playing field to be acceptable in principle and the proposal would meet some of the demonstrated housing need in the Borough. The proposal is considered to comply with the planning policy framework and unlikely to cause harm to amenity or safety and as such is therefore considered to be acceptable.

## Recommendation

- 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 applicant entering into a S106 planning obligation ensuring that at least 40% of the units are to be provided as affordable housing in perpetuity; that the Council are paid appropriate contributions in relation to the development for**

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sports facilities, play areas and open space enhancement in the locality to be provided and maintained; and

**b) the following conditions and informatives:**

Conditions

1. Time limit for commencement of development and for submission of reserved matters, including definition of reserved matters to follow
2. Development to be carried out in accordance with plans submitted with application
3. Full drainage details to be submitted for approval in writing of the LPA
4. Development to be built to a minimum Level 3 requirement set out under Code for Sustainable Homes
5. Update to Phase 1 Ecological Survey to be submitted prior to the submission of any reserved matters application
6. Limited working hours during construction period

Informatives

1. Reason for approval
  2. Vegetation clearance works should be undertaken outside the bird breeding season (March – August inclusive) or under strict instruction of a suitably experienced ecologist
  3. Secured by design requirements to be incorporated
  4. Any future layout should be broadly commensurate with the indicative Masterplan material submitted with this planning application
  5. This permission includes an agreement to enter into a legal agreement under S106 of the Town and Country Planning Act 1990
  6. Reserved matters application will be required to be accompanied by details of a travel plan
  7. No burning on site
  8. Lighting
- 2. In the event that the planning obligation cannot be completed by 30th January 2011, Members are asked to delegate authority to officers to:**
- a) **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 at least 40% of the dwellings could not be restricted to use for affordable housing in line with current policy requirements; and**



**PLANNING  
COMMITTEE**

7th December 2010

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- b) In the event of the applicant resubmitting the same or a very similar application with an acceptable and completed S106 legal agreement attached, authority be delegated to the Head of Planning & Regeneration to GRANT planning permission subject to the conditions stated in this report and any subsequent update report and any conditions agreed at the determining Planning Committee meeting.