Report to: Planning Committee - 20th December 2012

Report of: Development Services Manager

Subject: APPLICATION P12Q0232: RESIDENTIAL DEVELOPMENT (UP TO 200 DWELLINGS) INCLUDING INFRASTRUCTURE, ANCILLARY FACILITIES, OPEN SPACE AND LANDSCAPING. CONSTRUCTION OF NEW VEHICULAR ACCESS FROM NEWTOWN ROAD AND CONSTRUCTION OF EMERGENCY ACCESS TO NEWTOWN ROAD ON LAND AT THE FORMER RONKSWOOD HOSPITAL, NEWTOWN ROAD, WORCESTER

1. Decision Required

1.1 The Development Services Manager recommends that the Committee grant planning permission, subject to the completion of a Section 106 Agreement and to the conditions set out in the plans list.

1.2 The application is referred to the Committee as the proposed development is a major planning application.

2. Background

2.1 The application site comprises a vacant parcel of land which is 5.7 hectares in size. The site forms part of a larger site which is 7.2 hectares in size and was previously occupied by the Ronkswood Hospital. The proposal relates to the largest portion of the site and also includes public highway land at Newtown Road.

2.2 The site is located to the east of the city centre on Newtown Road, which forms one of the main arterial roads into the city. The application site sits on a plateau which is elevated above much of the city and slopes from north to south and east to west.

2.3 The site is bordered by open space to the north by the former Tolladine Golf Course, which is allocated as part of the ‘Green Network’ in the adopted local plan proposals map, and by Ronkswood Hill Farm. The site is bordered by residential properties to the south and a care home to the east that is currently under construction, beyond which lies a recent development of residential properties at Darwin Avenue. The site is accessed from Newtown Road.

2.4 This site forms part of a wider site which is currently allocated for employment use in the adopted local plan. The draft South Worcestershire Development Plan allocates the site for ‘a care home, care village and residential development’ (policy ref SWDP6/14).

2.5 The application site does not contain any listed buildings, is not located in a conservation area and is not governed by any environmental designations. The site adjoins a special wildlife site and the Green Network as designated in the adopted local plan proposals map.

2.6 The submitted proposal seeks outline planning consent for the erection of up to two hundred dwellings together with associated infrastructure, landscaping and an area of open space. The site will be accessed from an access point on Newtown Road opposite the junction with Canterbury Road (western junction). The proposal also makes provision for an emergency access from Newtown Road.
2.7 The submitted proposal is outline in format and seeks approval of access details only. All remaining matters (appearance, landscaping, layout and scale) are reserved for future consideration. The proposal is supported by indicative plans showing the approximate location of buildings, internal circulation routes and open space proposed as part of the development.

2.8 To facilitate the creation of the proposed vehicular access to the site it will be necessary to remove trees along the site frontage on Newtown Road: some of these trees are protected by a Tree Preservation Order.


2.10 The proposal is submitted following public consultation which took the form of a planning exhibition consultation event in February 2012 and was the subject of pre-application discussions with the Local Planning Authority.

3. **Policies**

3.1 The Town and Country Planning Act 1990 (‘the Act’) establishes the legislative framework for consideration of this application. Section 70(2) of the Act requires the decision-maker in determining planning applications/appeals to have regard to the Development Plan, insofar as it is material to the application/appeal, and to any other material consideration. Where the Development Plan is material to the development proposal it must therefore be taken into account. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application/appeal to be determined in accordance with the Plan, unless material considerations indicate otherwise.

3.2 In this instance the Development Plan comprises the West Midlands Regional Spatial Strategy (formerly known as RPG11), which was initially published by ODPM in June 2004; the Worcestershire County Structure Plan (1996 - 2011), which was approved on 4 June 2001, and; the City of Worcester Local Plan (1996 - 2011), which was adopted on 8 October 2004.

**West Midlands Regional Spatial Strategy (RSS11)**

3.3 The WMRSS remains part of the development plan, although the Secretary of State is committed to abolishing it. The revocation of Regional Strategies has come a step closer following the enactment of the Localism Act on 15th November 2011. In a recent statement by Baroness Hanham CBE on 25th July 2012 it was confirmed that it remains the Government’s intention to abolish Regional Strategies. However, it is continuing to delay their revocation as it wishes to update assessments and undertake further consultation. The statement also re-affirms that the proposed revocation of the Regional Strategies may be regarded as a material consideration by decision makers when determining planning applications and appeals. However, until such time as the WMRSS is formally revoked by Order, limited weight should be attributed to the proposed revocation in determining this application.
3.4 In general terms, the policies provide strategic guidance for development in the West Midlands with the aim of providing for the future performance of the region’s economy. There are no policies that provide unequivocal support for or objection to the proposals. However, it sets a regional target for at least 76% of future housing within the region to be provided on previously developed land. The adopted RSS defines four Major Urban Area (MUAs) Birmingham/Solihull, the Black Country, Coventry and North Staffordshire), and five sub-regional foci of Hereford, Rugby, Shrewsbury, Telford and Worcester. The policies for the sub-regional foci indicate that development should be aimed at meeting locally generated needs at a level to support balanced and sustainable communities (para. 3.9 and policy CF2). Policy UR2 seeks to ensure regeneration in Worcester.

3.5 The RSS seeks to direct economic growth in the Major Urban Areas. In all areas in need of modernisation and renewal, policy PA5 suggests that Local Planning authorities should designate those areas which are in particular need of economic improvement. The site is not identified as having this status. With regard to employment the RSS aims to establish and maintain a portfolio of sustainably located employment sites which are attractive to developers and appropriate to market needs. It identifies three high technology corridors, one of which is the Birmingham to Worcestershire Central Technology Belt.

3.6 Worcester City is identified as a key node on this corridor which runs from Birmingham to the Malvern Hills Science Park and is an area where Advantage West Midlands (the former Regional Development Agency) wished to see investment in the future to encourage employment opportunities. Supporting paragraph 7.18 of policy PA3 - High Technology Corridors, states that land and premises for mature and growing firms that do not need to be in such close proximity to the research base should be provided in the key nodes. Overall the policy states that "corridor developments should be at key nodes well served by public transport, where there is a high quality environment and supporting infrastructure, including higher education, research facilities, leisure and cultural facilities and attractive housing" (Paragraph 7.20).

3.7 Policy PA6 addresses portfolio of employment land. It states that local planning authorities should aim to provide a range and choice of readily available employment sites to meet the needs of the regional economy. The policy goes on to state that local planning authorities should review all existing employment sites within their area to establish their continued suitability for employment development.

3.8 Given the scale and nature of the proposals I consider that little, if any, weight should be given to the proposed abolition in this case as it remains subject to two significant legal obstacles, namely: Parliamentary approval, and; the Strategic Environmental Assessment (SEA) process. To do so would require members to prejudge Parliamentary acceptance of the proposal and the outcome of the SEA process. This will, of course, change if the proposal progresses, or fails to progress, through the legislative and environmental assessment process.

Worcestershire County Structure Plan (1996-2011)

3.9 The Worcestershire County Structure Plan sets out the levels of housing and employment development for the period 1996-2011. Policy D.19 requires Worcester City to provide “about 75 hectares” of Class B employment land while policy D.20 requires “a portfolio of sites in terms of size, location and quality”.

Worcestershire County Structure Plan (1996-2011)
3.10 Policy D.26 sets out the preferred locations for office development in the County (both A2 and B1). It states that where suitable sites are not available in the town centres of the of the urban areas listed (includes Worcester), a sequential approach is to be applied to finding a suitable location for employment development in edge of centre, district or local centre and then out of centre locations accessible by a choice of means of transport. It states that district councils should follow this approach to site selection.

3.11 Sustainable Development Policies SD6 and particularly SD7 reiterate the sequential approach to site selection. Supporting paragraph 4.43 of policy SD7 states that in the case of employment development regard should be had in the application of the sequential approach for the need to provide a portfolio of sites to cater for the different requirements in terms of size location and infrastructure provision.

3.12 With regard to residential development proposals Policy D.9: Density of Housing Development states that in order to make efficient use of land, District Planning Authorities in carrying out their planning functions will be expected to discourage low density housing development, of less than thirty dwellings per hectare net, unless there are local circumstances including the character of the surrounding area which indicate otherwise. Sites within or adjacent to the urban area or rural settlements should be developed at densities between thirty and fifty dwellings per hectare net. Within town and local centres where there is good public transport accessibility and around major nodes along good quality public transport corridors, densities of about seventy dwellings per hectare net should be achieved.

3.13 Transportation policies T1, T2, T4 and T10 in the Structure Plan relate to the accessibility of new development proposals by a range of transport means and car parking.

**City of Worcester Local Plan (2004)**

3.14 The following policies are considered to be relevant to the proposals:-

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<tr>
<th>Policy</th>
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<td>NE5</td>
<td>Landscape protection</td>
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<td>NE7</td>
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<td>BE1</td>
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<td>BE21</td>
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<td>E1</td>
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<td>CLT10</td>
<td>Requirements for additional educational facilities related to development</td>
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<td>CLT34</td>
<td>Open space standard and contributions</td>
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3.16 The Balanced Housing Market Development Plan Document is also relevant in the determination of this application. The Worcester Balanced Housing Market DPD supersedes many of the housing policies contained within the Local Plan; as such it is a material consideration in the determination of planning applications:-

- Policy H5 deals with windfall housing sites. It states that planning permission will normally be granted for housing development on windfall sites provided that the site is not allocated for other non-residential uses in the LDF, or otherwise subject to policies that would mean that residential use was not appropriate. The site is currently being promoted through the LDF as a site suitable for housing, and is allocated as such in emerging policy.

- Policy H6 deals with housing types and densities and the provision of affordable housing within windfall sites is dealt with within policy H7 which seeks to provide affordable housing at a level of 40% of the developable area.

**National Planning Policy Framework**

3.17 On the 27th March 2012 the government published the National Planning Policy Framework (NPPF), which replaced the national Planning Policy Statements (PPS’s) and Planning Policy Guidance (PPG’s) relevant in the assessment of planning application W/03/01772/CU. The NPPF largely carries forward existing planning policies and protections in a significantly more streamlined and accessible form. It also introduces the presumption in favour of sustainable development and makes adjustments to some specific policies.

3.18 Paragraph 7 of the NPPF explains the three dimensions to sustainable development – an economic role, a social role and an environmental role. Paragraph 17 sets out 12 principles that planning should achieve. The NPPF also sets out how decision-takers should proceed taking account of the date of adoption of the relevant policy and the consistency of the policy with the NPPF.

3.19 Key elements of the NPPF relevant to this application are:-

- Paragraph 14 - which sets down the presumption in favour of sustainable development.

- Paragraph 22 - which states that the long term protection of sites allocated for employment should be avoided and applications should be treated on their own merits where there is no reasonable prospect of the site being used for employment use.

- Paragraph 47 - which sets out what Councils should do to boost significantly the supply of new homes. This requires the need to identify annually sites sufficient to provide five years' worth of housing requirements with additional buffers of 5% and 20%, depending on whether there has been a record of persistent under delivery of housing, to ensure choice and competition in the market for land.

- Paragraph 49 - which states significantly that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a five year supply of deliverable housing sites.
• Paragraphs 208 – 216, which set out how weight should be attributed to Development Plan policies.

3.20 The NPPF makes it clear that Development Plan policies have to be considered in the light of the publication of the NPPF.

4. **Planning history**

4.1 The wider former Ronkswood Hospital site has been subject to the following applications:-

P11Q0245- Development of a Care Home and Extra Care apartments along with associated works and landscaping

P05Q0191- Outline application for Use Class B1 business park with access not reserved (approved). Time limit for submission of reserved matters relating to this proposal extended to 14 years under planning application P06Q0199.

P04J0101- Residential development comprising 35no dwellings. (approved). This has now been completed and forms the dwellings at Darwin Avenue to the east of the application site.

5. **Consultations**

5.1 The following comments from statutory consultees have been received in relation to this proposal:-

**Natural England** - no objection

**West Mercia Constabulary** - Request for an on-site police post to be provided on the site. Request subsequently withdrawn

**Severn Trent Water** - No objections subject to condition

**Tree Officer** - No objection

**South Worcestershire Land Drainage Partnership** - No objections

**Regeneration and Business Engagement Team** - No objection

**Cleaner and Greener Department** - Concerns regarding the indicative internal road layout and suitability for access for long refuse vehicles

**Worcester City Council Landscape and Ecology Officer** – No objection in principle. Suggested amendments to site layout and buffer planting zones to improve site setting

**Worcestershire Wildlife Trust** - No objection subject to conditions

**Hereford and Worcester Fire and Rescue Service** - No comments

**Worcestershire Regulatory Services** - No objections subject to conditions

**Housing Strategy Team** - No objection
City Archaeologist - No objection subject to conditions

West Mercia Constabulary - No objections. Concerns expressed regarding indicative internal layout.

Worcestershire County Council Directorate of Children’s Services - Education contributions sought in accordance with Worcester City Council’s SPD on obligations for educational facilities.

Highway Authority - No objection subject to conditions and applicant entering into legal agreement regarding payment of contributions towards the Worcester Transport Strategy.

5.2 At the time of writing this report no other consultation responses have been received. Any additional responses received will be reported to members in the form of a late paper.

5.3 Neighbours: 2 letters have been received from neighbouring residents. Concerns have been expressed regarding the following:-

- traffic- impact on highway network
- parking
- views of the site from elsewhere in the City
- desire for fewer houses and bungalows to be incorporated within the site

6. Comments of the Development Services Manager

6.1 In my opinion, the main issues raised by the proposal relate to the following matters:-

1. Principle of the proposed residential development
2. Impact on the highway network
3. Submitted travel plan
4. Proposed site access
5. Proposed indicative site layout
6. Conformity with surrounding land uses/impact on the amenity of adjoining land users
7. Landscaping, ecology and trees
8. Developer contributions

These issues will now each be considered in turn.

Principle of the Proposed Residential Development

6.2 The site is allocated in the adopted Local Plan for employment use (Brownfield Employment Site) and as such Policy E1 (Allocated Employment Land on Brownfield Sites) is applicable. This policy allocates the application site for employment use in order to meet current and proposed employment land provision (Class B1 provision). In line with this allocation the site benefits from outline planning permission for the development of a business park.
6.3 In the proposed South Worcestershire Development Plan Preferred Options the application site is allocated for residential development (site allocation SWDP SWDP6/13).

6.4 The South Worcestershire Development Plan is in draft form and does not form part the planning policy framework against which this planning application will be determined. As such, it carries little, if any, weight as a material consideration in planning terms. The proposed development of the brownfield site for residential use is contrary to the provisions of the current Development Plan, regardless of its proposed allocation in the Preferred Options of the South Worcestershire Development Plan, and therefore constitutes a departure from the current Development Plan.

6.5 Notwithstanding the above, it is worthwhile noting that I have not received an objection to this proposal from the Council’s Regeneration and Business Engagement Officer.

6.6 Guidance set down in paragraph 22 of the NPPF is pertinent in the determination of this application. This guidance states that the long term protection of sites allocated for employment should be avoided and applications should be treated on their own merits where there is no reasonable prospect of the site being used for employment use. As set out above the site is allocated for employment use in the current local plan and currently benefits from outline consent for the development of the site as a business park. The site has been marketed for this use for some time and it is considered that there is little prospect of the site being developed for these purposes in the future. As set out above there is no objection to the submitted proposal from the Council’s Regeneration and Business Engagement Officer. I give considerable weight to this national guidance and consider that in this particular case there are other material considerations which outweigh the aforementioned allocation and render the proposal acceptable in principle.

6.7 The application site is situated in a sustainable location with good connections to the public transport network. The site comprises a brownfield site which, in accordance with the expectations of the NPPF, makes the most effective use of land by re-using previously-developed land. As such it is considered that the submitted proposal accords with the broad aims of the NPPF.

**Impact on the Highway Network**

6.8 The submitted proposal seeks outline planning consent for the erection of up to 200 dwellings. In accordance with the expectations of local plan policy BE1 it is necessary to ensure that the proposed development contributes to the interests of highway safety. This is also reflected in the general objectives of the NPPF which has sustainable development at its core, including the promotion of sustainable transport.

6.9 The consultation response of the Highway Authority details the impact of the proposed development on the wider highway network. These comments outline a potential severe impact on the wider highway network and as such a transportation contribution has been sought to mitigate against these severe impacts. This contribution seeks to deliver the improvements set down in the Worcester Transport Strategy across the highway network, including a package of infrastructure and service schemes which includes the following:
• Key radial and Orbital Corridors in Worcester, including Local Highway improvements such as traffic signal/UTMC upgrades and amended TRO's to enhance traffic flows. (This will improve the flow of all traffic and help to protect buses from the effect of increased traffic, with the aim of enabling service frequency to be maintained without increasing crew/vehicle resources, thereby reducing the need for subsidy.

• Local Passenger Transport Infrastructure and Services improvements along key radial corridors (including bus stop improvements, traffic signals upgrade and service enhancements)

• Improvements to non-Highways Agency managed strategic highway links, including A4440, A38, A44, A449 (and associated links with the Highways Agency network at M5 Junctions 6 & 7) Access to the strategic rail network, including Worcestershire Parkway

• Local Rail Station improvements to Worcester Foregate Street and Worcester Shrub Hill stations

• Smarter Choices Measures which maximise use of walk, cycle and passenger transport modes (drawing on the Worcester and Redditch ‘Choose How You Move’ projects)

6.10 The development will have a local impact, needing a specific junction improvement. It will also have a wider transport impact. The schemes set out above are infrastructure requirements needed to address the harm caused by developments envisaged by the Draft SWLP and are therefore related to those developments.

6.11 The applicant has agreed to the payment of a sum of £906,000 to mitigate against this impact has and confirmed that a travel plan which achieves at least a 10% reduction in private car travel will be submitted to the Local Planning Authority and the Highway Authority for approval prior to the first occupation of the development. The Highway Authority has confirmed that the sum of £906,000 and the terms of the payment of this sum to be acceptable and, as such, has removed its objection to the submitted proposal.

6.12 Both the Local Planning Authority and the Highway Authority have sought counsel’s opinion on the justification for seeking a transportation contribution in the absence of a local plan policy for the payment of contributions in relation to residential development proposals. Both opinions concur that it would be reasonable and appropriate for the Local Planning Authority to seek a contribution in light of the cumulative severe impacts on the highway network resulting from the proposed development. It is considered that the requested contribution is justified and accords with the expectations of the NPPF paragraph 204 in that they satisfy the relevant tests set out in The Community Infrastructure Levy (CIL) Regulations, which came into force on 6 April 2010.

6.13 Although the Regulations mainly concentrate on the mechanics of putting together a CIL regime, they also include some significant changes to planning obligations made under Section 106.
The Regulations now put the Government’s policy test for the use of Section 106 obligations on a statutory footing, thereby removing the discretion of local planning authorities as to whether or not the test, as previously set out in Circular 05/2005, is strictly applied. Regulation 122 of the Community Infrastructure Levy Regulations now requires that a planning obligation should be:-

1. necessary to make the development acceptable in planning terms;
2. directly related to the development; and
3. fairly and reasonably related in scale and kind to the development

6.14 This is reflected in paragraph 204 of the NPPF. I am satisfied that the contribution sought by the Highway Authority sufficiently complies with the requirements of paragraph 204 of the NPPF and regulation 122 of the 2010 Regulations. Given the above it is considered that the submitted proposal, with the benefit of a payment towards the Worcester Transport Strategy (WTS) and a robust travel plan, will not result in harm to the highway network and as such accords with the expectations of local plan policy BE1 and the general guidance set down in the NPPF.

**Submitted Travel Plan**

6.15 The NPPF advocates the use of travel plans in promoting sustainable transport choices. Accordingly the application is supported by a Residential Travel Plan prepared by PFA Consulting which sets out a range of mechanisms and initiatives to reduce unnecessary travel and encourage sustainable travel and sets out targets for these.

6.16 The Highway Authority has raised objections to the submitted travel plan as it is considered that it does not provide sufficient evidence to show that a reduction of a sufficient magnitude in private car use can be achieved and as such the development could have a far greater impact on the highway network than has been modelled above. Assessments undertaken by the Highway Authority to determine the impact this development has on both the local and strategic highway network has assumed a reduction in car trips of between 8 and 10%. The Travel Plan does not provide sufficient evidence to show that a reduction of this magnitude can be achieved. Given this the submitted proposal is likely to have a greater impact on the wider network than has been modelled due to the greater number of trips generated. The Highway Authority has requested that a condition be attached to any planning permission that is granted for the submission of a robust travel plan prior to the first occupation of the development which sets out a reduction of at least 10% in private car trips, to be agreed in writing by the City Council. I consider this to be an appropriate request to ensure that the development does not result in further impacts on the highway network. A suitably worded condition is therefore recommended as set out in the plans list.

**Proposed Site Access**

6.17 It is proposed that the two existing vehicular accesses to the site on Newtown Road are closed to traffic and a new single vehicular access be provided by incorporating a northern arm to the existing Newtown Road/Canterbury Road (west) traffic signal controlled junction.
In addition to this, it is proposed that Newtown Road will be widened to provide a dedicated right-turn lane on the western approach to the junction. Controlled pedestrian crossings will be maintained on all arms of the junction with a staggered pedestrian crossing on the eastern arm. The existing bus lane arrangements will remain.

6.18 Emergency access to the site will be provided on Newtown Road, approximately one hundred and fifty metres to the east of the proposed main access junction. Pedestrian access to the site will be gained from several points along Newtown Road along the site frontage. Part of the pedestrian footpath network which currently runs along the site frontage at Newtown Road will be incorporated within the application site running adjacent to Newtown Road. The indicative masterplan submitted in support of the application shows the proposed dwellings provided with car parking within parking courts and adjacent to properties. This plan is indicative only and will be considered in detail at the reserved matters stage.

6.19 The Highway Authority has raised no objection in principle to the proposed junction, subject to the payment of the aforementioned contribution towards the WTS and the submission of a robust travel plan which sets out the measures to achieve a reduction in private car use. Given this, it is considered that the submitted proposal accords with the expectations of local plan policy BE1 with regards to the contribution towards the interests of highway safety (criterion g).

**Design and Layout of the Proposal**

6.20 The proposal is outline in format. Indicative plans showing the layout of the proposed development have been submitted which show a scheme of 200 dwellings comprising a mixture of detached, semi-detached, and terraced properties varying in height from 2 to 3 storeys. The site will be accessed from Newtown Road at a junction opposite Canterbury Road. The indicative layout makes provision for two local areas of play (LAP) and a local equipped area of play (LEAP) and a sustainable drainage pond.

6.21 The indicative plans show a layout and dwelling style which is in keeping with the application site surroundings. The application site borders a care home currently under construction which varies between two and three storeys in height, beyond which lies residential units of two-three storeys in height. To the south the site borders two storey residential units. The indicative masterplan shows a development of between two and three storeys in height which is considered to be appropriate to the application site and consistent with the overall character of the surrounding area. The indicative layout shows adequate separation between the proposed dwellings and the units that border the application site.

6.22 The proposed development would generate an average net density of thirty seven dwellings per hectare, excluding the area devoted to SUDS drainage and highways improvements. This would accord with the expectations of the Balanced Housing Market DPD (paragraph 4.37) which suggests an appropriate density for suburban areas of between 35-55 dwellings per hectare. This is considered to represent an efficient use of this previously-developed site whilst remaining consistent with the suburban character of the area surrounding the application site.

6.23 The submitted proposal makes provision for open space in the form of two (LAP’s) and a (LEAP) as well as further pockets of open space throughout the site and a linear perimeter green route to the site’s southern and western boundaries.
6.24 Concerns have been raised by the West Mercia Constabulary in relation to the proposed internal site layout, specifically in regard the location of the proposed LAP/LEAP in relation to the site boundary and the potential for anti-social behaviour, contrary to the expectations of local plan policy BE1 and the guidance set down in the NPPF. These concerns have been noted and raised with the applicant. The current submission is outline in format with all matters except access reserved for future consideration. The internal site layout, including the location of areas of open space, is indicative in nature. The detailed site layout will be considered on submission of the reserved matters application, at which point a detailed consideration of the proposed layout will take place, including consideration of the points raised above.

6.25 Similarly it is considered appropriate that the concerns expressed by the Cleaner and Greener Department regarding the capacity of the internal layout to accommodate refuse vehicles are resolved during the consideration of the reserved matters application for layout. The internal layout shown is indicative in nature. Efforts will be made to ensure that the layout subject of the reserved matters application is informed by the guidance given by statutory consultees, including those made by the City Council’s Landscape Officer regarding the proposed landscaping at the site access and buffering to the site’s northern boundary.

Conformity with Surrounding Land Uses and Impact on the Amenity of Adjoining Land Users

6.26 The proposed use of the site for residential use is considered to be compatible with the surrounding area in land use terms which comprises residential units and an extra care facility currently under construction.

6.27 Indicative layout plans show a proposed development which will measure between two and three storeys in height. Due to the distance between the site and the nearest adjoining buildings it is considered that the proposal is unlikely to give rise to overlooking, noise disturbance or loss of light to adjoining land users. Nevertheless, as the application is outline in format with all matters except access reserved for future consideration detailed consideration of the proposed layout will take place at the reserved matters stage to ensure the development achieves an acceptable standard of design, layout and appearance to satisfy the aims and objectives that relevant Development Plan policies, locally adopted supplementary planning guidance/documents and the NPPF seek to protect and promote.

Landscaping, Ecology and Trees

6.28 The application site forms part of a local plateau which is seen from a broad area of the city centre. The site slopes from north to south and east to west from a height of 82 metres AOD to 74 metres AOD. The site comprises uneven, open space with areas of concrete hardstanding, remnants of demolished buildings and pathways and occasional piles of building rubble. Low mounds of grass covered spoil/ earth associated with the construction works are found to the east of the site.

6.29 The application site boundaries comprise a mixture of 1.8 metre high post and wire mesh fencing, red brick walls, Heras security fencing and informal grass and undergrowth border.
Boundary vegetation comprises a mixture of hedge and trees of varying heights. Significant trees are found to the site’s southern boundary and the existing vehicular access point to the site: some of these trees are the subject of individual/group Tree Preservation Order.

6.30 The proposal is supported by a Landscape and Visual Appraisal and an indicative landscaping scheme, although landscaping has been reserved for future consideration at the reserved matters stage.

6.31 With regard to the indicative landscaping scheme it is considered that the proposed development is pulled too close to the site boundaries, in particular to the western boundary, in which is it proposed to create a buffer planting/zone and to the sensitive southern boundary at Newtown Road. The submitted proposal shows the loss of trees to facilitate the proposed access arrangements, some of which are the subject of a Tree Preservation Order. I have not received any in principle objections to this from the Council’s Tree Officer subject to suitable replacement planting. In the context of the overall proposed indicative layout and landscaping scheme it is considered that this detail is lacking at this stage and the indicative landscaping layout does not consider how the loss of these trees will be addressed in the new landscape design. However, as detailed in earlier sections of this report, when assessing the merits of the submitted proposal it should be noted that this application is in outline format with all matters except access reserved for future consideration - the landscaping proposals are therefore only indicative and do not infer any acceptance or approval of this detail and landscaping layout. The reserved matters application will be the appropriate point at which the detailed landscape layout is assessed and a scheme which addresses the aforementioned issues is considered.

6.32 The submitted proposal is also supported by an Ecological Assessment. This survey concludes that the majority of this brownfield site is of negligible ecological interest. The loss of such habitats, for example within areas of hardstanding and amenity grassland, is not considered to be significant in ecological terms. Other habitats within the application site, for example hedgerows and scrub, are of some ecological interest at the site level. These habitats will be lost through the proposed development. The ‘Assessment concludes that the loss of these habitats for development purposes is not considered to be significant in ecological terms. The retention of some of the existing trees and new planting will provide opportunities for improving biodiversity, which can be considered in detail at the reserved matters application stage.

6.33 Two trees, one within the application site and one just outside of it, have been identified as having some potential to support roosting bats. Subject to appropriate conditions Natural England and Worcestershire Wildlife Trust are satisfied that the proposed development should not result in potential harm to this protected species or its habitat.

6.34 I have not received any objections to this proposal from the Council’s Ecologist and on balance consider that the proposal accords with the objectives of local plan policy NE5 and guidance set down in the NPPF.
Developer Contributions

6.35 In accordance with local plan policy CLT34 and SPG11 ‘Contributions to Open Space from New Residential Development’ a commuted sum open space contribution is required for this development.

This figure is dependent on the overall number of dwellings proposed on submission at the reserved matters stage. The applicant has agreed to the payment of this contribution.

6.36 In accordance with local plan policy CLT10 and SPD ‘Education Contributions’ a commuted sum education contribution is required for all market dwellings of two bedrooms in size and above. This figure is dependent on the overall number, mix and size of dwellings proposed on submission of the reserved matters application. The applicant has agreed to the payment of this contribution.

6.37 The applicant has also agreed to make provision for 40% affordable housing in accordance with the requirements of Policy H7 of the Balanced Housing Market DPD.

6.38 Earlier sections of this report make reference to the Highway Authority’s comments in relation to the impact of the proposal on the wider highway network and the level of contribution towards transport infrastructure necessary to mitigate against this. As referred to in earlier sections of this report the applicant has agreed to a contribution of £906,000 towards the WTS.

6.39 This contribution, the commuted sum payments and affordable housing provision requires a Section 106 Agreement to be entered into. The draft Heads of Terms for this Agreement can be found at Appendix 1.

7. Recommendation of the Development Services Manager: That Committee is minded to grant planning permission for the development subject to the applicant entering into an agreement under Section 106 of the Town and Country Planning Act in accordance with the agreed Heads of Terms and subject to the Legal Services Manager being satisfied with the nature of such an Agreement delegate to the Development Services Manager to grant the necessary planning permission, subject to the conditions set out in the plans list.

Ward(s): Warndon Parish South
Contact Officer: Nichola Robinson Tel: 01905 772567
Background Papers: P12Q0232