

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

11<sup>th</sup> DECEMBER 2018

**ADDENDA AND CORRECTIONS**

REFERENCE NO.	PAGE	ADDENDA AND CORRECTIONS
<b>PART A</b>  18/0446/FULL	14	<p><u>Worcestershire Regulatory Services</u> (Noise): No objection subject to a condition to secure the proposed glazing specification to all dwellings with a frontage to Silverwoods Way and the roundabout to have a 4(16)8 glazing specification and for all other dwellings to have a 4(20)4 glazing specification</p> <p><u>NHS</u> – Further comments received on Wednesday 5<sup>th</sup> December 2018 advising that their comments have been misinterpreted in the Officer report as the contribution is not to cater for a '<i>short term funding gap</i>' when in reality the contribution is a request towards impact that the development creates on the Trust ability to provide health services.</p> <p>The funding is dependent on activity it delivers and whether the Trust meets the quality standards and timeframes. The Trust is already delivering services over the capacity and is therefore only paid 70 % towards each patient. Most importantly, the Trust does not recover the deficit. The lack of adequate funding will have a long term effect. It affects the Trust's ability to provide a safe and efficient service. It will also jeopardise the additional income received through the CQUIN. The impact will also increase the bed occupancy rate which is already at a very high level (97,27% in comparison to the safe level of 85%). The Contribution would alleviate the impact on Accident and Emergency services by allowing the Trust to provide care needed by this development instead of putting the Trust in ever increasing deficit and unable to cope with the impact associated with (new) developments. Without the contribution, the Council is putting the occupants in this development at a serious long-term risk.</p> <p>As to your planning assessment, it is questionable that you have suggested putting affordable housing before the health needs of the potential occupants of this development.</p>

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		<p>The Local Planning Authority has been provided a list of appeal decisions (all related to NHS Trust and the impact that the development will have on the Trust ability to provide services) including from Secretary of State, which are material planning consideration.</p> <p><u>Officer comments</u> – The contribution is to meet a identified budgetary gap in respect of the first year of occupation as it is stated by the NHS (in their first comments), that ‘The Trust will receive no commissioner funding to meet each dwelling’s healthcare demand in the first year of occupation due to the preceding year’s outturn activity volume based contract and there is no mechanism for the Trust to recover these costs in subsequent years’.</p> <p>The applicant has also confirmed that the Commissioning for Quality and Innovation (the “CQUIN”) payment framework makes a proportion of NHS healthcare provider income conditional on achieving certain improvement goals. It is the Officers view that the proposed development should not be held as a reason for not meeting these improvement goals.</p> <p>The Council has a specific policy requiring affordable housing (CP04) in order to meet a local housing need and it is for the planning judgement of the decision-taker to decide what priority should be given between affordable housing and health care provision. In addition, the NHS when working out the additional demand on services as a result of the development have not taken into account that a proportion of the development is for affordable housing and would comprise those on the waiting lists in Wyre Forest, and who are already resident in the District. The NHS have not provided any evidence to suggest that these people are not already accounted for in terms of the use of NHS services.</p> <p>Furthermore, the NHS do not take into account that the occupiers of the proposed open market may be existing residents of the District and not from inward migration from other parts of the UK.</p> <p>Applications 18/0446/FULL and 18/0285/FULL would not be financially viable if this contribution was being sought and the affordable housing provision offered in each of these applications are below the policy requirement due to viability.</p>

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		<p>The NHS have provided appeal examples where they have secured a contribution previously at other Councils. However, Officers have also been able to obtain appeal examples where it has been concluded by the Planning Inspectorate that the health care contribution are not necessary in order to make the development acceptable in planning terms and that the contribution does not accord with the CIL regulations or the Framework.</p>
<p><b>PART B</b> 18/0160/FULL</p>	<p>30</p>	<p><u>Correction</u> – The Proposal should read: Erection of 18 dwelling houses together with new access off Baldwin Road and car parking, following demolition of existing buildings</p> <p><u>Correction</u> - Delegated approval following agreement of where the S106 contributions are to be provided on the provision of public open space and health care facilities/services</p> <p><u>Highways Authority</u> : No objections subject to conditions. It is advised that further to the refusal comment, the applicant has submitted a revised plan to demonstrate a consistent design approach in accordance with the Streetscape Design Guide Pedestrian Prioritised Street and has addressed the issues of pedestrian connectivity and statutory services provision by providing a 2m footway on both sides of the carriageway. Two sections of build out on the access road, highlighted by contrasting block work will function as a speed reduction measure towards achieving the design speed of 15 mph.</p> <p><u>Countryside Manager</u> : No objections subject to conditions. It is advised that the a recent badger survey has been submitted which confirms the presence of an active badger set and that the proposed development is within close proximity to the sett that it would require the applicant to apply for a Natural England Licence prior to any work commencing.</p>

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		<p><u>Officer comments</u> - The applicant has therefore been able to overcome the reasons for refusal in the Officer Report. It has been confirmed by the Countryside Manager that the badger survey is sufficient and that the impact of the development on the badger sett can be appropriately mitigated. Amendments have been submitted to address the concerns raised by the Highways Authority and the development would now provide a safe and suitable access to the site for all users and has been redesigned to give priority first to pedestrians and cycle movements. The development would therefore be acceptable and would comply with Policies SAL.CC1, SAL.CC2 and SAL.UP5 of the Adopted Site Allocations and Policies Local Plan and the National Planning Policy Framework.</p> <p>The proposed development would achieve economic, social and environmental benefits. The design and layout would be acceptable and in keeping with the other housing developments that are permitted under the extant planning permissions. The most environmental effects would be appropriately mitigated, while the canal corridor would remain unchanged. The scheme would also contribute to the five year supply of housing and would meet the local policy requirement in relation to the provision of affordable units and public open space provision. The development would not result in a detrimental impact on highway safety and safe and suitable access would be provided for all users. Although the development would intrude into a visually open area at present it is considered that this impact would not be significant or demonstrable to outweigh the benefits.</p> <p>It is therefore recommended that this application be granted <b>delegated</b> authority to <b>APPROVE</b> subject to the following:</p> <p>a) the signing of a <b>Section 106 Agreement</b>; and</p> <p>b) the following conditions:</p> <ol style="list-style-type: none"> <li>1 Full time limit</li> <li>2 To secure approved plans</li> <li>3 To require details of external materials, including hard surfacing</li> <li>4 To require details of site and finished floor levels</li> <li>5 To secure boundary treatment details</li> </ol>

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		<p>6 Except for the details agreed under Condition 6, no other fences, gates or walls shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a highway (including a shared surface or footpath)</p> <p>7 To require details of external lighting</p> <p>8 To require details of landscaping scheme</p> <p>9 To require landscape management and maintenance plan</p> <p>10 Access, turning and parking facilities to be provided.</p> <p>11 To require details of cycle storage</p> <p>12 To require details of 'Residential Welcome Pack' to promote sustainable forms of access</p> <p>13 Construction Environmental Management Plan for highway safety during the construction phase</p> <p>13 Construction Environmental Management Plan for safety of canal embankment</p> <p>14 To require details of a surface water drainage scheme</p> <p>15 To require details of foul and surface water drainage</p> <p>16 To require a further badger survey to be undertaken prior to any works commencing.</p> <p>17 To require mitigation measures to prevent badgers from entering the site during construction works and for good working practice during the works.</p> <p>18 To require ecological enhancement measures.</p> <p>19 Removal of Permitted Development Rights</p> <p>20 To require details of emergency access plan</p> <p>21 To require a preliminary risk assessment for contamination and remediation scheme</p> <p>22 Programme of Archaeological Work including Written Scheme of Investigation</p> <p>23 Implementation of approved Written Scheme of Investigation</p>
18/0529/FULL	44	<p><u>NHS</u> – Further comments received on Wednesday 5<sup>th</sup> December 2018 advising that their comments have been misinterpreted in the Officer report as the contribution is not to cater for a '<i>short term funding gap</i>' when in reality the contribution is a request towards impact that the development creates on the Trust ability to provide health services.</p>

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18/0675/FULL	78	<p><u>Highway Authority</u> : additional comments - The access details are acceptable in accordance with Drawing No 3335Access-100 and the visibility condition has now been met</p>