

Wychavon District Council

Minutes of a Meeting of Planning Committee held in The Council Chamber, Civic Centre, Queen Elizabeth Drive, Pershore, Worcs, WR10 1PT on Thursday, 10 November 2022 commencing at 2.00 p.m.

Present:- Councillor David Wilkinson – Chairman

Members:-

Councillors:-

R C Adams	A L Dyke	T Rowley
E J Bowden	T Havemann-Mart	A Sinton
E D Cohen	A P Miller	Mrs A Steel
A M G Darby	Mrs A M Rowley	

Substitutes:-

Miss E J Kearsey	N Wright
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Non - Members:-

Councillors:-

R Davis	R Deller	M T King
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183. Chairman's Announcements (if any)

The Chairman welcomed everyone to the meeting of Wychavon Planning Committee.

He introduced himself as Committee Chairman and announced that Councillor Mrs Elizabeth Eyre was the Vice-Chairman and then introduced the Officers present: Mandy Ladds, Committee Administrator, Jenny Ager, Legal Adviser, Ciaran Power, Head of Development Management and other planning officers would be presenting items throughout the agenda. The Chairman also introduced Andrew Fell, the Council's Drainage Officer and Karen Hanchett, County Highways Officer.

The Chairman advised that if anyone had registered to speak they would be called forward at the appropriate time to a microphone and that some speakers would be joining remotely.

The Chairman pointed out the nearest fire exits and also reminded everyone that the meeting was being webcast live on YouTube.

184. **Apologies for Absence and Notification of Substitutes (if any)**

Apologies for absence had been received from Councillors Mrs E A Eyre, Mrs F S Smith and A Powell.

Councillor Miss E J Kearsey substituted for Councillor Mrs Eyre and Councillor N Wright for Cllr Mrs Smith.

The Chairman advised that as Councillor Mrs Eyre had given her apologies a Vice-Chairman would need to be elected for the meeting. The Chairman proposed that Councillor T Rowley be Vice-Chairman for this meeting.

Resolved

That Councillor T Rowley be acting Vice-Chairman for the meeting.

185. **Declarations of Interest (if any)**

The following declarations of interest were made:

- (1) **Planning Application Ref W/22/00467/FUL. Land At (Os 9260 4129) South Of, Hacketts Lane, Eckington. Erection of 6 dwellings with new access arrangements and associated works, a new school staff car park. Change of use from agricultural to school land and related works. Mr Ian O'Gorman Lockley Homes & Eckington Parish Council**

Councillors R C Adams, A M G Darby, T Havemann-Mart, A P Miller, Mrs A M Rowley, T Rowley, D Wilkinson and Mrs Steel, non-pecuniary, Mr S Rees who was listed on the public speakers list to speak for this item was a former planning officer at the Council. Before the meeting Mr Rees withdrew his request to speak.

186. **Minutes**

It was proposed by the Chairman, seconded by Councillor T Rowley and

Resolved

That the minutes of the previous meeting held on Thursday 13 October be approved as a correct record of the proceedings and signed by the Chairman.

187. **Planning Application Ref 21/02562/FUL. Land Opposite, Yew Tree Farm, Newland Road, Droitwich Spa. Demolition of Outbuildings and the Development of 52 Dwellings, Public Open Space and Associated Infrastructure. Redrow Homes Limited**

(Ms J Towers spoke for approval of this application.)

A committee update report had been provided.

The Planning Officer outlined the application.

The Chairman advised that the Local Member, Councillor R J Morris, was unable to be at the meeting and had forwarded a statement which the Chairman read out to members and which had been included in the committee updates. The Chairman also read out a statement from Councillor J Grady, who was also unable to be present. In summary he joined his fellow ward member and added his concerns regarding over development in the Droitwich area and the failure on the part of the respective agencies and organisations to recognise and respond to the problems this had caused, with regard to this specific site his colleague Councillor Richard Morris had listed the relevant concerns and had no need to add to it, whilst he recognised the planning issues we could not continue to “sign off” these infill sites until the infrastructure issues had been fully addressed.

The Local Member, Councillor N Wright, whose ward was also affected stated that although there was a need for housing he had to concur with the concerns of Councillors Morris and Grady. Droitwich had expanded incredibly and already had considerable development and further housing was proposed in the SWDPR but as Councillor Morris had said there was little increase in infrastructure which needed to be thought of seriously. He was concerned with the lack of community facilities for these developments. He had strong concerns with the density and building on good agricultural land which would be needed in the future.

The Local Member, Councillor A P Miller, stated that this site had been won on appeal and had very poor infrastructure. The roads around the site were not suitable for the amount of traffic which this site would produce and the areas surrounding it who would use this road network. The junction was poorly laid out and there was no footpath along Pulley Lane which would be used to access the site. He also had concerns with drainage and that this would impact the pumping station at Ladywood which was already over capacity. Councillor Miller did like the design of the houses and commended the insulation of the houses and would like pv panels to be part of any housing development but he could not support the application.

The County Highways Officer advised members on the highway change in their recommendation which had come about following further discussion and were now awaiting the recommendations from the safety audit.

The Drainage Officer advised members on the drainage issues.

Resolved

To delegate authority to the Director of Planning and Infrastructure in consultation with the four Local Members to grant planning permission subject to the completion of a satisfactory Road Safety Audit of the signalised junction of A38/Pulley Lane and the further assessment of this developments impact on the junction, and the completion of a S106 legal agreement to secure the obligations, planning conditions and advisory notes detailed on pages 40 to 53 the committee report.

1. Obligations

(1) Education provision as follows:

Early Years and First school places	-	£292,298
Middle School places	-	£140,236
Secondary school places	-	£249,630
Total	-	£682,164

(2) Affordable Housing as follows:

20.8 affordable units with an off-site financial contribution made equivalent to 0.8 of a social rented unit (figure to be agreed) and on-site provision of 6no. first homes and 14 social rented units.

(3) Public Open Space as follows:

Equipped play space	-	£4,039
Civic space	-	£732.84
Allotments	-	£571.64
Land acquisition	-	£1,305.78
Maintenance	-	£50,740.18
Total	-	£57,389.44

(4) Primary Health Care Provision - £21,160

(5) Highways

Solar Powered Bus Shelter, Hard-Standing and a Pair of Dropped Kerbs near the Woodland Way/ Pulley Lane Junction

	-	£10,000.00
Community Transport for elderly and disabled	-	£ 2,457.00
Cycle Signage Contribution	-	£ 1,500.00

(6) Off-site formal sports provision –

£44,049 to be used local leisure provision (built facilities)
£119,176 towards off-site formal sports pitches potentially

(7) Biodiversity Off-setting

Provision to be made to ensure biodiversity net gain equivalent to a 10% net gain overall is achieved overall, taking into account on and off-site mitigation. Financial contributions/off-site provision to be agreed.

- (8) to amend the final list and level of financial contributions/obligations, including any additional obligations, that maybe considered necessary by the Director of Planning and Infrastructure following consultation with technical consultees, and where necessary, to ensure compliance with the CIL regulations

And the following planning conditions (including any additional conditions, that maybe considered necessary by the Director of Planning and Infrastructure following consultation with technical consultees):

2. Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out in accordance with the following approved plans:

Approved Drawings/ Reports List:

Site Location Plan – 1581-08-02-120 Rev A

Proposed Site Plan – 1581-08-02-100 Rev M

Street Scenes – 1581-08-02-112 Rev B

Enclosures Plan – 1581-08-02-121 Rev G

Highway Adoption – 1581-08-02-122 Rev G

Storey Height Layout – 1581-08-02-136 Rev G

Surface Materials Plan – 1581-08-02-140 Rev G

Management Company Plan – 1581-08-02-144 Rev G

Bin Refuse Plan – 1581-08-02-145 Rev G

Parking Layout – 1581-08-02-147 Rev G

House Type Brochure (October 2022)

Double Garage Twin 003 Heritage Collection – GAR_DGT3_M.1

Single Garage Type 2 (The New Heritage Collection) 2018 Release

Elevations and Floor Plans – No reference

Landscape Masterplan – c-1996-01 Revision H

Detailed Landscape Proposals Sheet 1 of 3 – c-1996-02 Revision H

Detailed Landscape Proposals Sheet 2 of 3 – c-1996-03 Revision G

Detailed Landscape Proposals Sheet 3 of 3 – c-1996-04 Revision H

Plot 19 Section – 1581-08-02-114A

Connectivity Plan – 1581-08-02-115 Rev C

Sections Plan – 1581-08-02-114

Levels and Drainage Concept – AAC5831-RPS-XX-XX-DR-C-001 Rev P03

Reason: For the avoidance of doubt

3. No development shall take place (including any ground works, demolition or clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall be based on the recommendations contained within the Ecological Assessment Report by The Environment Partnership (TEP), document ref. 8829.005, dated 22nd October 2021 and shall include the following:
 - a. Risk assessment of potentially damaging construction activities, based on further survey assessments of ponds within 250m of the site and the development's impact on connectivity for amphibians;
 - b. Identification of "biodiversity protection zones";
 - c. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements, such as ecological precautionary working method statements (PWMS) as per the report by TEP);
 - d. Tree and hedge protection measures in accordance with BS5837:2012 and based on the Arboricultural Impact Assessment by TEP, document ref. 8829.003, dated 19th October 2021;
 - e. The location and timing of sensitive works to avoid harm to biodiversity features;
 - f. The times during construction when specialist ecologists need to be present;
 - g. Responsible persons and lines of communication;
 - h. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
 - i. Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure compliance with the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 and SWDP policy 22.

4. No works or development here permitted shall take place until a full drainage strategy and SuDS proposal has been submitted to, and approved in writing by the Local Planning Authority. The scheme shall include the results of an assessment into the potential of disposing of surface water by means of a sustainable drainage system (SuDS) and shall provide an appropriate level of runoff treatment. The approved scheme shall be completed prior to the first use of the development hereby approved.

Reason: To ensure that the proposal would not have an adverse impact on the risk of flooding within the site or locality measures in accordance with the provisions of SWDP Policies 28, 29, 30 and the NPPF.

5. No works in connection with site drainage shall commence until infiltration tests have been carried out in accordance with BRE Digest 365, or such other guidance as may be agreed in writing by the Local Planning Authority. The results of the tests shall be submitted to and agreed in writing by the Local Planning Authority and the agreed recommendations shall be implemented in full prior to the first use of the development hereby approved.

Reason: To ensure that the proposal would not an adverse impact on the risk of flooding within the site or locality measures in accordance with the provisions of SWDP Policies 28, 29, 30 and the NPPF.

6. No works in connection with site drainage shall commence until a SuDS management plan which will include details on future management responsibilities, along with maintenance schedules for all SuDS features and associated pipework has been submitted to and approved in writing by the Local Planning Authority. This plan shall detail the strategy that will be followed to facilitate the optimal functionality and performance of the SuDS scheme throughout its lifetime. The approved SuDS management plan shall be implemented in full accordance with the agreed terms and conditions and shall be managed and maintained in accordance with the approved maintenance plan and thereafter.

Reason: To ensure that the proposal would not an adverse impact on the risk of flooding within the site or locality measures in accordance with the provisions of SWDP Policies 28, 29, 30 and the NPPF

7. No works in connection with site drainage shall take place until an exceedance flow routing plan for flows above the 1 in 100+40% event has been submitted to and approved in writing by the Local Planning Authority. The proposed scheme shall identify exceedance flow routes through the development based on proposed topography with flows being directed to highways and areas of POS. Flow routes through gardens and other areas in private ownership will not be permitted. The approved details shall be implemented in full prior to the first occupation of the development.

Reason: To ensure that the proposal would not an adverse impact on the risk of flooding within the site or locality measures in accordance with the provisions of SWDP Policies 28, 29, 30 and the NPPF.

8. No development shall take place until the proposed route and point of discharge for the restricted surface water discharge from the site has been submitted to, and approved in writing by the Local Planning Authority. The approved scheme shall be completed before the development is occupied.

Reason: To ensure that the proposal would not an adverse impact on the risk of flooding within the site or locality measures in accordance with the provisions of SWDP Policies 28, 29, 30 and the NPPF.

9. Notwithstanding the submitted Drainage Strategy, no development shall commence until detailed design drawings for surface water drainage have been submitted to, and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure that the proposal would not have an adverse impact on the risk of flooding within the site or locality measures in accordance with the provisions of SWDP Policies 28, 29, 30 and the NPPF.

10. Notwithstanding the information contained within the supporting water management statement, no development shall commence until detailed water efficiency measures have been submitted to, and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details

Reason: To ensure that the proposal would not have an adverse impact on the risk of flooding within the site or locality measures and to ensure the proposal incorporates satisfactory water efficiency measures in accordance with the provisions of SWDP Policies 28, 29, 30 and the NPPF.

11. (A) No development shall take place until a programme of archaeological work, including a Written Scheme of Investigation, has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

- 1) The programme and methodology of site investigation and recording.
- 2) The programme for post investigation assessment.
- 3) Provision to be made for analysis of the site investigation and recording.
- 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation.
- 5) Provision to be made for archive deposition of the analysis and records of the site investigation.
- 6) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

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

Reason: In accordance with the requirements of paragraphs 194 and 205 of the National Planning Policy Framework 2021 (as amended) and SWDP 6 & 24 of the South Worcestershire Development Plan 2016.

12. Before development commences, a lighting design strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall have regard to Worcestershire County Councils Street Lighting Design Guide and the recommendations made in paragraph 5.23 of the Ecological Assessment Report by The Environment Partnership (TEP), document ref. 8829.005, dated 22nd October 2021, and shall include the following:
- a. Identification of the areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places, or along important routes used to access key areas of their territory, for example, for foraging; and
 - b. Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. No other external lighting be installed without prior consent from the local planning authority.

Reason: In the interests of highway safety and to ensure compliance with the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 and minimise impacts on protected species in accordance with Policy SWDP22.

13. Before the first occupation of the any dwelling hereby permitted a schedule of landscape maintenance of the public open space for a minimum period of 20 years. The schedule shall include details of the arrangements for its implementation, long-term design objectives, management responsibilities and maintenance schedules for all landscape areas (excluding domestic gardens). The approved landscape maintenance schedule shall be fully implemented.

Reason: To ensure the proposed development does not have an adverse effect on the character and appearance of the area in accordance with policies SWDP21 and SWDP25 of South Worcestershire Development Plan.

14. A Ecological Design Strategy (EDS) shall be submitted to and approved in writing by the local planning authority within one month of the commencement of the development hereby approved. The strategy shall be based on the recommendations made in the Ecological Assessment Report by The Environment Partnership (TEP), document ref. 8829.005, dated 22nd October 2021, and shall include the following:

- a. Purpose and conservation objectives for the proposed works;

- b. Review of site potential and constraints;
- c. Detailed designs and working methods to achieve stated objectives (including, where relevant, type and source of materials to be used);
- d. Extent and location of proposed works shown on appropriate scale maps and plans;
- e. Timetable for implementation;
- f. Persons responsible for implementing the works;
- g. Initial aftercare;
- h. Details for disposal of any wastes arising from works.

The EDS shall be implemented in accordance with the approved details and all features be retained in that manner thereafter.

On completion of the ecological mitigation and enhancement works, a statement of compliance shall be submitted to the local planning authority by the Ecological Clerk of Works confirming that specified and consented measures have been implemented.

Reason: To ensure that the proposed development contributes to the conservation and enhancement of biodiversity within the site and for the wider area in accordance with SWDP 22 and to ensure compliance with the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017.

15. A landscape and ecological management plan (LEMP) shall be submitted to and be approved in writing by the local planning authority within one month of the commencement of the development hereby approved. The content of the LEMP shall include the following:

- a. Description and evaluation of the features to be managed;
- b. Ecological trends and constraints on site that might influence management.
- c. Aims and objectives of management;
- d. Appropriate management options for achieving aims and objectives;
- e. Prescriptions for management actions;
- f. Preparation of a work schedule, including an annual work plan capable of being rolled forward over a five-year period and longer term thereafter;
- g. Details of the body or organisation responsible for implementation of the plan;
- h. Ongoing monitoring and remedial measures.

A report describing the results of monitoring shall be submitted to the local planning authority at intervals identified in the LEMP strategy. The plan and monitoring report shall also set out where the results of the monitoring show that conservation aims and objectives of the LEMP are not being met, how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

Reason: To ensure that the proposed development contributes to the conservation and enhancement of biodiversity within the site and for the wider area in accordance with SWDP 22.

16. All planting and seeding/turfing comprised in the submitted landscape scheme, hereby approved, shall be carried out in the first planting season following the first occupation/use of the development OR in accordance with the submitted implementation programme. All planting shall be watered as necessary and competitive weed growth controlled to ensure successful establishment. Any trees or plants that die, or are removed; or become seriously damaged or diseased within a period of five years from the completion of the planting, shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure the proposed development does not have an adverse effect on the character and appearance of the area in accordance with policies SWDP21, SWDP22 and SWDP25 of South Worcestershire Development Plan 2016.

17. Prior to the development hereby permitted being brought into use, details of renewable and/or low carbon energy generation measures shall be submitted to and approved in writing by the Local Planning Authority. The measures shall contribute to at least 10% of the predicted energy requirements for each dwelling. The details to be submitted shall include:-

- the overall predicted energy requirements of the approved development;
- the predicted energy generation from the proposed renewable/low carbon energy measures; and
- an implementation timetable for the proposed measures.

The development shall be carried out in accordance with the approved details.

Reason: To ensure the development supports the delivery of low carbon/renewable energy and safeguards natural resources in accordance with policy SWDP27 of the South Worcestershire Development Plan.

18. Notwithstanding the information provided within in the Biodiversity Net Gain Design Stage Assessment (8829.007 Version 3.0) and Ecological Assessment Report (8829.005 Version 2.0) produced by The Environment Partnership, no dwelling hereby permitted shall be occupied until a package of biodiversity off-setting scheme that achieves a minimum 10% gain over the baseline position and timetable for implementation has been submitted to and approved in writing Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure the development contributes to the conservation and enhancement of biodiversity within the site and the wider area in accordance with policy SWDP22 of the South Worcestershire Development Plan and to ensure compliance with the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017.

19. Prior to the construction of any dwelling(s) hereby permitted, details of all facing materials used in the construction of those dwelling(s) hereby permitted shall be submitted to and approved in writing by the local planning authority. Thereafter the works shall be carried out in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the new materials are in keeping with the surroundings and/or represent quality design in accordance with policies SWDP21 and SWDP24 of the South Worcestershire Development Plan.

20. The development to which this permission relates shall be carried out generally in accordance drawing Site Layout 1581-08-02-100 Rev M unless otherwise approved in writing by the Local Planning Authority (in consultation with WCC Highways).

Reason: In the interests of highway safety, adequate vehicle parking provision and to promote sustainable access.

21. Before development commences, a detailed scheme for the site access works at Woodland Way, shall be submitted to the Local Planning Authority (and Worcestershire County Council Highways). The development shall not be occupied or brought into use until the submitted scheme, which is broadly in accordance with drawing revised Site Layout 1581-08-02-100 Rev M, subject to any necessary changes identified during the detailed design and Road Safety Audit processes, has been agreed in writing by the Local Planning Authority, in consultation with Worcestershire County Council Highways, and has been implemented in full

Reason: In the interests of achieving safe and suitable highway access for all users.

22. The development hereby approved shall not be occupied until an emergency vehicle access, broadly in accordance with drawing Site Layout 1581-08-02-100 Rev M, subject to any necessary changes identified during the detailed design and Road Safety Audit processes, has been agreed in writing by the Local Planning Authority, in consultation with Worcestershire County Council Highways, and has been implemented in full.

Reason: In the interests of achieving safe and suitable highway access for all users.

23. The Development hereby approved shall not be occupied until the visibility splays shown on drawing Site Layout 1581-08-02-100 Rev M have been provided comprising 4.5mx120m to the north-east and south-west of the Woodland Way/Site access junction. The splays shall at all times be maintained free of obstruction exceeding a height of 0.6m above adjacent carriageway.

Reason: In the interests of highway safety.

24. The Development hereby permitted shall not be first occupied until details of proposed measures to protect the attenuation pond from pedestrian ingress have been submitted to and approved in writing by the local planning authority. The measures shall be constructed and implemented in full accordance with the approved details.

Reason: In the interest of pedestrian safety.

25. The Development hereby permitted shall not be first occupied until sheltered and secure cycle parking to comply with the Council's adopted highway design guide has been provided in general accordance the details shown on Site Layout Plan (1581-08-02-100 Rev M). These facilities shall thereafter be retained for the lifetime of the development.

Reason: To comply with the Council's parking standards.

26. No dwelling hereby permitted shall be occupied until an electric vehicle charging point has been provided for that individual dwelling. Each charging point shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851 and the Worcestershire County Council Streetscape Design Guide. The electric vehicle charging points shall be retained for the lifetime of the development unless they need to be replaced in which case the replacement charging point(s) shall be of the same specification or a higher specification in terms of charging performance.

Reason: To encourage sustainable travel and healthy communities.

27. No dwelling hereby permitted shall be occupied until the car parking spaces allocated to that property have been provided, as shown on drawing Site Layout 1581-08-02- 100 Rev M, in accordance with the standards and dimensions required by Worcestershire County Council's Streetscape Design Guide. Car parking spaces shall be kept clear of obstruction and retained only for the parking of vehicles in connection with the use of each property as a dwelling house.

Reason: To ensure that satisfactory provision is made for the parking of vehicles.

28. Before the Electrical Substation is brought into use 1no. vehicle parking space, conforming to dimensions set out with Worcestershire's Streetscape Design shall be completed in accordance with details and materials to be submitted to and approved by in writing by the Local Planning Authority. Thereafter, the parking space shall be retained and maintained for the duration of use and shall not be used for any other purpose.

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

29. Before the Foul Pumping Substation is brought into use 1no. vehicle parking space, conforming to dimensions set out with Worcestershire's Streetscape Design shall be completed in accordance with details and materials to be submitted to and approved by in writing by the Local Planning Authority. Thereafter, the parking space shall be retained and maintained for the duration of use and shall not be used for any other purpose.

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

30. The Development hereby approved shall not be occupied until a Travel Plan in accordance with the County Council guidelines has been submitted to and approved in writing by the Local Planning Authority (in consultation with Worcestershire County Council Highways) This plan will thereafter be implemented, monitored for a minimum of 5 years and shall be updated in agreement with Worcestershire County Council's Travel Plan Officer and thereafter implemented as updated.

Reason: To promote sustainable access.

31. The Development hereby approved shall not be occupied until a Residential Travel Welcome Pack to be provided to each dwelling at the point of occupation, has been submitted to and approved by the Local Planning Authority (in consultation with Worcestershire County Council Highways).

Reason: To promote sustainable access.

32. Notwithstanding information submitted on approved plans, prior to above ground works commencing, details of the levels of the existing site and floor slab levels of each approved dwelling(s), relative to the existing development on the boundary of the site, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure the proposed development does not have an adverse effect on the character and appearance of the area in accordance with policies SWDP21 and SWDP25 of South Worcestershire Development Plan.

33. Prior to the first occupation of the development hereby approved, details of superfast broadband facilities or alternative solutions to serve the dwellings hereby approved shall be submitted to and approved in writing by the local planning authority. The submitted details shall include an implementation programme. The facilities shall be provided in accordance with the approved details.

Reason: To ensure the provision of suitable superfast broad for future occupiers in accordance with policy SWDP26 of the South Worcestershire Development Plan.

INFORMATIVE NOTES

1. Alteration of highway to provide new or amended vehicle crossover

This permission does not authorise the Applicant to carry out works within the publicly maintained highway since such works can only be carried out by the County Council's Approved Contractor, Ringway Infrastructure Service who can be contacted by email worcestershirevehicle.crossing@ringway.co.uk. The Applicant is solely responsible for all costs associated with construction of the access.

Section 278 Agreement

The granting of this planning permission does not remove any obligations on the Applicant to undertake a technical design check of the proposed highway works with the Highway Authority, nor does it confirm acceptance of the proposal by the Highway Authority until that design check process has been concluded. Upon the satisfactory completion of the technical check the design would be suitable to allow conditions imposed under this permission to be discharged but works to the public highway cannot take place until a legal agreement under Section 278 of the Highways Act 1980 has been entered into and the Applicant has complied with the requirements of the Traffic Management Act 2004.

The Applicant is urged to engage with the Highway Authority as early as possible to ensure that the approval process is started in a timely manner to achieve delivery of the highway works in accordance with the above-mentioned conditions.

The Applicant should be aware of the term "highway works" being inclusive of, but not limited to, the proposed junction arrangement, street lighting, structures and any necessary traffic regulation orders.

Section 38 Agreement Details

If it is the Applicant's intention to request the County Council, as Highway Authority, to adopt the proposed roadworks as maintainable at the public expense, then details of the layout and alignment, widths and levels of the proposed roadworks, which shall comply with any plans approved under this planning consent unless otherwise agreed in writing, together with all necessary drainage arrangements and run off calculations shall be submitted to the County Council's Network Control Manager,

Worcestershire County Council, County Hall, Spetchley Road, Worcester, WR5 2NP. No works on the site of the development shall be commenced until these details have been approved by the County Council as Highway Authority and an Agreement under Section 38 of the Highways Act, 1980, entered into.

Drainage Details for Section 38

It is not known if the proposed roadworks can be satisfactorily drained to an adequate outfall. Unless adequate storm water disposal arrangements can be provided, the County Council, as Highway Authority, will be unable to adopt the proposed roadworks as public highways.

The Applicant is, therefore, advised to submit the engineering details referred to in this conditional approval to the County Council's County Network Control Manager, Worcestershire County Council, County Hall, Spetchley Road, Worcester, WR5 2NP at an early date to enable surface water disposal arrangements to be assessed.

No Drainage to Discharge to Highway

Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.

Protection of Visibility Splays

The Applicant's attention is drawn to the need to ensure that the provision of the visibility splay(s) required by this consent is safeguarded in any sale of the application site or part(s) thereof.

Extraordinary Maintenance

The attention of the Applicant is drawn to Section 59 of the Highways Act 1980 which allows the Highway Authority to recover additional costs of road maintenance due to damage by extraordinary traffic.

Before any work is commenced upon the development hereby approved representatives of Worcestershire County Council, as the Highway Authority and the Applicant, shall carry out a joint road survey/inspection on the roads leading to this site. Any highlighted defects shall be rectified to the specification and satisfaction of the Highway Authority before work is commenced on the development hereby approved. A further joint survey/inspection shall be undertaken following completion of development hereby approved and any necessary remedial works shall be completed to the specification and satisfaction of the Highway Authority within 1 month or other agreed timescale.

Works Adjoining Highway

Any work involving the removal or disturbance of ground or structures supporting or abutting the publicly maintained highway should be carried out in accordance with details to be submitted to and approved in writing by the Highway Authority.

Temporary Direction Signs to Housing Developments

This consent does not authorise the erection of temporary direction signs on the public highway. Should the Applicant wish to direct traffic to the development site they should seek the consent of the Highway Authority. All temporary directional sign proposals should be submitted to the Network Control Manager, Worcestershire County Council, County Hall, Spetchley Road, Worcester, WR5 2NP. No signs should be erected without the consent of the Highway Authority.

2. It is expected that contractors are registered with the Considerate Constructors scheme and comply with the code of conduct in full, but particular reference is made to "respecting the community" this says:

Constructors should give utmost consideration to their impact on neighbours and the public

- Informing, respecting and showing courtesy to those affected by the work;
- Minimising the impact of deliveries, parking and work on the public highway;
- Contributing to and supporting the local community and economy; and
- Working to create a positive and enduring impression and promoting the Code.

The CEMP should clearly identify how the principal contractor will engage with the local community; this should be tailored to local circumstances. Contractors should also confirm how they will manage any local concerns and complaints and provide an agreed Service Level Agreement for responding to said issues.

Contractors should ensure that courtesy boards are provided, and information shared with the local community relating to the timing of operations and contact details for a site coordinator in the event of any difficulties.

This does not offer any relief to obligations under existing Legislation.

Travel Plan Requirements

Worcestershire County Council has published guidance on how it expects travel plans to be prepared, this guidance is freely available from the County Councils Travel Plans Officer. As part of this process the Applicant

must register for Modeshift STARS Business and ensure that their targets have been uploaded so that progress on the implementation of the Travel Plan can be monitored. Worcestershire County Council can assist Applicants with this process should they need.

Modeshift STARS Business is a nationally accredited scheme which assists in the effective delivery of travel plans, Applicant can register at www.modeshiftstars.org.

This does not offer any relief to obligations under existing Legislation.

3. The applicant is advised to ensure, in respect of the public right of way within the site:

No disturbance of, or change to, the surface of the path or part thereof should be carried out without our written consent.

No diminution in the width of the right of way available for use by the public.

Buildings materials must not be stored on the right of way.

Vehicle movements and parking to be arranged so as not to unreasonably interfere with the public's use of the right of way.

No additional barriers are placed across the right of way. No stile, gate, fence or other structure should be created on, or across, a public right of way without written consent of the Highway Authority.

The safety of the public using the right of way is to be ensured at all times.

The developer should also be aware of the Department of Environment Circular 1/09 (part 7) which explains that the effect of development on a public right of way is a material consideration in the determination of applications for planning permission and that the grant of planning consent does not entitle developers to obstruct a public right of way.

If the development cannot be carried out without temporarily closing the public right of way for the safety of the public during works, application should be made at least 8 weeks in advance to the Public Rights of Way Mapping Team of Worcestershire County Council.

The Definitive Map is a minimum record of public rights of way and does not preclude the possibility that unrecorded public rights may exist, nor that higher rights may exist than those shown.

188. **Planning Application Ref W/22/00467/FUL. Land At (Os 9260 4129) South Of, Hacketts Lane, Eckington. Erection of 6 dwellings with new access arrangements and associated works, a new school staff car park. Change of use from agricultural to school land and related works. Mr Ian O'Gorman Lockley Homes & Eckington Parish Council**

(Councillor T Knight (Chairman) and Mr C Chapman, on behalf Eckington Parish Council, spoke in support of the application.)

(Major T Kirk spoke in objection to the application.)

(Mr M Glaze and Mr T Cocks spoke in support of the application.)

A site visit had taken place.

The Planning Officer outlined the application and apologised for the error in the heading on the presentation.

The Local Member did not support the officer's recommendation for refusal of the application. Eckington residents had gone to a lot of expense not just in monetary terms but in relationships to get the neighbourhood plan produced and now after all they had gone through to get this plan, because of highways comments, it was recommended for refusal. Councillor R Davis did not agree with the highways comments about Jarvis Street and measures to ease parking had been thought of by the residents. There had been a public consultation on the neighbourhood plan with 400 residents attending and 80% had been in favour of it. He did not want to see an appeal and asked members to support the application.

The County Highways Officer advised members why they had objected to this application and that they could not support it because of highway safety concerns for pedestrians and cyclists in Jarvis Street.

Resolved

That this application be refused for the following reasons:

1. The scheme would result in additional conflicts between pedestrians, cyclists and vehicles (including service vehicles) using the shared space route, Jarvis Street, by encouraging additional trips (vehicles and pedestrians) and 'through' traffic to the school car park. This would have an unacceptable impact on highway safety contrary to advice in the National planning Policy Framework and Policy SWDP21 of the adopted South Worcestershire Development Plan. The harm caused would outweigh any benefits of the scheme.
2. Whilst noting the applicants willingness to enter into a Section 106 legal agreement, no secure arrangements are in place to secure:
 - monies in lieu of on-site formal sports pitches / built leisure facilities and potentially in lieu of sufficient on-site public open space of the range of types set out under policy SWDP39;

- the provision of a contribution to go towards off-site affordable housing;
and

- the provision on site of 4 manageable homes as defined in the Eckington Neighbourhood Plan.

As such, the proposed development does not meet the objectives of sustainable development and cannot be delivered with acceptable impacts on the community and the environment. Therefore, the application is contrary to adopted South Worcestershire Development Plan Policies SWDP1, 7, 15 and SWDP 39, Eckington Neighbourhood Plan policies H1, H9 and JS1, guidance in the Council's Developer Contributions SPG and Affordable Housing SPG, as well as guidance contained in the National Planning Policy Framework.

INFORMATIVE NOTES

1. Positive and Proactive Statement.

In dealing with this application, the Council has worked with the applicant in the following ways:-

* providing pre-application advice;

* seeking further information following receipt of the application;

* seeking amendments to the proposed development following receipt of the application; and

* considering the imposition of conditions and or the completion of a s.106 legal agreement

In such ways the Council has demonstrated a positive and proactive manner in seeking solutions to problems arising in relation to the planning application. This is in accordance with paragraph 38 of the NPPF. Despite these efforts, the Council still considers that planning permission should be refused for the reasons set out above.

2. The following plans are relevant to this decision:

Ritchie and Ritchie Architects drawing numbers

100D; 101B; 250B; 251D; 252E; 253B; 254C; 255A 453A;

7789_160_P; 7789_161_L; 7789_162_A; 7789_163_A; 7789_164_A.

189. **Planning Application Ref W/22/01136/FUL. Green Gables, Lincomb Lane, Lincomb, Hartlebury, Stourport On Severn, DY13 9RE. New build bungalow to replace existing barn approved for residential conversion. Mr Peter Smith**

The Planning Officer outlined the application.

The County Highways Officer advised that they had a recommendation for refusal but not on safety grounds that the site was not in a sustainable location however there was a fall back position and they no longer had this objection.

Councillor A P Miller advised that the Local Member, Councillor S Bateman, had an emergency and was unable to attend the meeting.

It was agreed by members that if the application was approved that delegation be given to the Director of Planning & Infrastructure to include the additional conditions. These conditions have been included in the resolution below.

Resolved

Approval, subject to conditions and the Applicant first entering into a S106 Agreement to secure the affordable housing contribution of £12,797.00.

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Unless where required or allowed by other conditions attached to this permission/consent, the development hereby approved shall be carried out in accordance with the information (including details on the proposed materials) provided on the application form and the following plans/drawings/documents :

Location Plan received 16.09.2022
Plan reference 4175-01 entitled 'Survey as Existing'
Plan reference 4175-02C entitled 'Proposed Replacement Dwelling'
Section 6 (Recommendations) of the Preliminary Ecological Appraisal, (J. O'Rourke) February 2022.

Reason: To define the permission.

3. Prior to the first use/occupation of the development hereby permitted, the details set out in the submitted Water Management Statement shall be fully implemented and remain thereafter.

Reason: To ensure that an appropriate sustainable drainage system is provided to serve the development in accordance with policy SWDP29 of the South Worcestershire Development Plan 2016.

4. No development shall take place (including any ground works, demolition or clearance) until a Reasonable Avoidance Measures Method Statement for Great Crested Newts has been submitted and approved in writing by the Local Planning Authority.

The development shall be implemented in accordance with the approved RAMS.

Reason: To ensure compliance with the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 and to ensure the development contributes to the conservation and enhancement of biodiversity within the site and the wider area in accordance with policy SWDP22 of the South Worcestershire Development Plan.

5. Before the commencement of construction works of the development hereby permitted hereby permitted a scheme of landscaping shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include:-

- (i) a plan(s) showing details of all existing trees and hedges on the application site. The plan should include, for each tree/hedge, the accurate position, canopy spread and species, together with an indication of any proposals for felling/pruning and any proposed changes in ground level, or other works to be carried out, within the canopy spread.
- (ii) a plan(s) showing the layout of proposed tree, hedge and shrub planting and grass areas.
- (iii) a schedule of proposed planting - indicating species, sizes at time of planting and numbers/densities of plants.

All planting and seeding/turfing shall be carried out in accordance with the approved details in the first planting and seeding/turfing seasons following the completion or first occupation/use of the development, whichever is the sooner.

The planting shall be maintained in accordance with the approved schedule of maintenance. Any trees or plants which, within a period of five years from the completion of the planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure the proposed development does not have an adverse effect on the character and appearance of the area and to ensure the development contributes to the conservation and enhancement of biodiversity within the site and wider area in accordance with policies SWDP21, SWDP 22 and SWDP25 of South Worcestershire Development Plan.

6. Prior to the occupation of the development hereby approved, the access drive, parking and turning areas shall be provided in accordance with the approved plan reference 4175-02C entitled 'Proposed Replacement Dwelling'.

Reason: In the interests of highway safety and to ensure adequate parking.

7. No dwelling hereby permitted shall be occupied until an electric vehicle charging point has been provided for that individual dwelling. Each charging point shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851 and the Worcestershire County Council Streetscape Design Guide. The electric vehicle charging points shall be retained for the lifetime of the development unless they need to be replaced in which case the replacement charging point(s) shall be of the same specification or a higher specification in terms of charging performance.

Reason: To encourage sustainable travel and healthy communities.

8. Prior to the first occupation of the dwelling hereby approved secure parking for one cycle to comply with the Council's standards shall be provided within the curtilage of each dwelling and these facilities shall thereafter be retained for the parking of cycles only.

Reason: To comply with the Council's parking standards.

9. Prior to installation, details of renewable and/or low carbon energy generation measures shall be submitted to and approved in writing by the Local Planning Authority. The measures shall contribute to at least 10% of the predicted energy requirements of the development. The details to be submitted shall include:-

- the overall predicted energy requirements of the approved development;
- the predicted energy generation from the proposed renewable/low carbon energy measures; and
- an implementation timetable for the proposed measures.

The development shall be carried out in accordance with the approved details.

Reason: To ensure the development supports the delivery of low carbon/renewable energy and safeguards natural resources in accordance with policy SWDP27 of the South Worcestershire Development Plan.

10. Prior to the installation details of any external lighting to be provided in association with the development shall first be submitted to and approved in writing by the Local Planning Authority. The details shall include times when the external lighting will not be switched on. Only external lighting in accordance with approved details shall be provided on the application site.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) there shall be no other external lighting provided on the application site.

Reason: To ensure the development contributes to the conservation and enhancement of biodiversity within the site and the wider area in accordance with policy SWDP22 of the South Worcestershire Development Plan.

INFORMATIVE NOTES

1. Positive and Proactive Statement. No problems have arisen in dealing with this application. The planning application sought an acceptable form of development consistent with the requirements of relevant policies and material considerations. No amendments or alterations were therefore required and no further positive or proactive action was deemed necessary.
2. Hartlebury parish footpath HR-586 is coincident with vehicular access to the development Site. Under section 34 of the Road Traffic Act 1988, any person who, without lawful authority, drives a motor vehicle on a public right of way commits an offence. The applicant should make themselves satisfied that they, and anyone else who may use public rights of way for private vehicular access in connection with the development, has a right to do so. They may wish to seek legal advice on the matter. The County Council is responsible for maintaining rights of way to a standard suitable for their usual public use.

Where possible, the definitive line of public rights of way should be kept open and available for use throughout the construction phase. However, if Public Safety demands a temporary closure, application should be made at least 8 weeks in advance to: The Public Rights of Way Mapping Team at countryside@worcestershire.gov.uk.

190. **Planning Application Ref W/22/01280/FUL. Land Rear Of, Sunnyhill House, Stoke Road, Wychbold. Full planning permission for 33 dwellings comprising 100% Affordable Housing, including public open space, landscaping, sustainable drainage and associated infrastructure - (Variation of condition 2 of 18/02398/FUL). Mr Jonathan Sproule**

(Councillor T Webb, Dodderhill Parish Council, spoke against approval of the application.)

(Ms L Cox and Mr R Poynton spoke against approval of the application.)

(Mr S Dudley spoke for approval of the application.)

A committee update report had been provided.

The Local Member did not support approval of the application. Councillor R Deller advised that the villagers had pride in the area and are generally supportive of development in the parish. He had brought this application to committee as residents had grave concerns and felt they had been let down by the Council due to lack of communication and their concerns not being heard. They had concern with the field that it would be built on and with land stability. He asked that this application be deferred to enable a new land stability report be commissioned to make sure the land is safe and has not substantially moved. He also requested a health and safety executive look at the bore hole to make sure it is maintained, capped and safe. Councillor Deller was also concerned that it reduced the green open space on the site and was dimly lit, and asked that if the application was approved to ensure there are strong and stringent conditions that are enforced. He also asked requested that it be deferred for a workable drainage solution be agreed. If it did go ahead he asked that conditions be attached and it be built in one phase and that the site be properly maintained.

The Drainage Officer advised members on the drainage issues.

Resolved

That this application be deferred to enable officers to obtain more information on land stability and drainage.

191. **Planning Application Ref W/22/01557/FUL. Evesham Marina, Kings Road, Evesham. Full planning application for the erection of 9 residential units with access and parking provision. T+S Properties LTD**

(Dr L Campbell spoke against approval of the application.)

(Mr J Griffin spoke for approval of the application.)

A committee update report had been provided.

The Planning Officer outlined the application.

The Local Member, Councillor M T King, did not support the application. He advised that he did not feel a 25% increase in the number of blocks was minor. This application would be at the far end of Kings Road and with parking on both sides was effectively a single track road. He could not understand how, with the other 80 units already approved, there was adequate traffic capacity. The application would increase traffic congestion not just for these residents but all residents in Kings Road and there was not an adequate access to the site for traffic. Councillor King also had concerns with the lack of capacity for vehicles to the site, with the drainage system, the appropriateness of the buildings and felt this was the wrong development for the area.

Resolved

That this application be approved subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Unless where required or allowed by other conditions attached to this permission/consent, the development hereby approved shall be carried out in accordance with the information (including details on the proposed materials) provided on the application form and the following plans/drawings/documents – 001C, 101D, 102D, 103, 104, 105, F106, F107, F108, 109, 901B, 903 and 904C, 906, 112, 113.

Reason: To define the permission.

3. No development above floor slab level shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The details to be submitted shall include:-

- trade description and/or samples of external brickwork, roofing and cill and lintel materials.

The development shall be carried out using the materials as approved.

Reason: To ensure that the new materials are in keeping with the surroundings and/or represent quality design in accordance with policy SWDP21 of the South Worcestershire Development Plan.

4. The development hereby approved shall not be occupied until the access road, parking and turning facilities have been provided in accordance with Drawing No. 102C.

Reason: To conform with the submitted details.

5. The development hereby approved shall not be brought into use until 9 electric vehicle charging spaces have been provided in accordance with a specification which shall be submitted to and approved by the Local Planning Authority and thereafter such spaces and power points shall be kept available and maintained for the use of electric vehicles as approved.

Reason: To encourage sustainable travel and healthy communities.

6. The development hereby permitted shall not be first occupied until sheltered and secure cycle parking to comply with the Council's adopted highway design guide has been provided in accordance with details as shown on drawing numbers 101C, 112 and 113 and thereafter the approved cycle parking shall be kept available for the parking of bicycles only.

Reason: To comply with the Council's parking standards.

7. No development shall take place, including any works of demolition, until a Construction Environment Management Plan - Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall provide for:
- (a) the parking of vehicles of site operatives and visitors;
 - (b) loading and unloading of plant and materials;
 - (c) storage of plant and materials used in constructing the development;
 - (d) details of the routing of HGV,s and delivery lorries on the highway network associated with the proposed development to and from the site together with agreed traffic management measures;
 - (e) responsible persons and lines of communication;
 - (f) measures to control the emission of dust and dirt during construction;
 - (g) delivery, demolition and construction working hours.

The approved construction method statement shall be adhered to throughout the construction period for the development. approved. Site operatives' parking, material storage and the positioning of operatives' facilities shall only take place on the site in locations approved in writing by the Local Planning Authority.

The CEMP should generally comply with the requirements of Worcestershire Regulatory Services Code of Best Practice for Demolition and Construction Sites 2nd Edition September 2020 and the Construction Logistics and Community Safety (CLOCS) Standard www.clocs.org.uk/clocsworks

Reason: To protect existing and new occupiers of residential areas from the unreasonable effects of noise, vibration, light and dust nuisance, to avoid and mitigate for any potential impact on protected species, minimise the risk of accidents and ensure public rights of way are kept available where possible for the duration of the construction, in accordance with Policies SWDP4, 21 and 22 of the South Worcestershire Development Plan.

8. Unless otherwise agreed by the Local Planning Authority development, other than that required to be carried out as part of an approved scheme of remediation, must not commence until conditions 1 to 6 have been complied with:
- 1. A preliminary risk assessment must be carried out. This study shall take the form of a Phase I desk study and site walkover and shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and any other relevant information. The preliminary risk assessment report shall contain a diagrammatical representation (conceptual model) based on the information above and shall include all potential contaminants, sources and receptors to determine whether a site investigation is

required and this should be detailed in a report supplied to the Local Planning Authority. The risk assessment must be approved in writing before any development takes place.

2. Where an unacceptable risk is identified a scheme for detailed site investigation must be submitted to and approved in writing by the Local Planning Authority prior to being undertaken. The scheme must be designed to assess the nature and extent of any contamination and must be led by the findings of the preliminary risk assessment. The investigation and risk assessment scheme must be compiled by competent persons and must be designed in accordance with the Environment Agency's "Land Contamination: Risk Management" guidance.
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 the Environment Agency's "Land Contamination: Risk Management" guidance.
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 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 in accordance with Policy SWDP 31 of the South Worcestershire Development Plan.

9. Prior to installation, details of renewable and/or low carbon energy generation measures shall be submitted to and approved in writing by the Local Planning Authority. The measures shall contribute to at least 10% of the predicted energy requirements of the development. The details to be submitted shall include:-

- the overall predicted energy requirements of the approved development;
- the predicted energy generation from the proposed renewable/low carbon energy measures; and
- an implementation timetable for the proposed measures.

The development shall be carried out in accordance with the approved details.

Reason: To ensure the development supports the delivery of low carbon/renewable energy and safeguards natural resources in accordance with policy SWDP27 of the South Worcestershire Development Plan.

10. The development hereby permitted shall not be occupied until full details of all foul and surface water drainage systems to serve the development have been submitted to and approved in writing by the Local Planning Authority. The approved drainage works shall be implemented in accordance with the approved details before the first occupation/use of the development hereby permitted and shall be retained thereafter.

Reason: To ensure development would not result in unacceptable risk of pollution or harm to the environment and to ensure the proposed development does not exacerbate flood risk and deals with surface water run-off from the site in a sustainable manner, in accordance with policies SWDP28, SWDP29 and SWDP 30 of the South Worcestershire Development Plan.

11. Before the first occupation of the development hereby permitted a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved in writing by the local planning authority. The boundary treatment shall be completed before the first occupation of the development hereby permitted. Development shall be carried out in accordance with the approved details.

Reason: To protect the amenities of properties and ensure the proposed development does not have an adverse effect on the character and appearance of the area in accordance with policies SWDP21 and SWDP25 of South Worcestershire Development Plan.

12. Prior to the first use/occupation of the development hereby permitted, the details set out in the submitted Water Management Statement shall be fully implemented and remain thereafter.

Reason: To ensure that an appropriate sustainable drainage system is provided to serve the development in accordance with policy SWDP29 of the South Worcestershire Development Plan 2016.

13. Prior to the first occupation of any of the dwellings hereby approved, details of superfast broadband facilities or alternative solutions to serve the dwellings hereby approved shall be submitted to and approved in writing by the local planning authority. The submitted details shall include an implementation programme. The facilities shall be provided in accordance with the approved details.

Reason: To ensure the proposal incorporates satisfactory telecommunication facilities in line with policy SWDP26 of the South Worcestershire Development Plan 2016.

14. Notwithstanding the details shown on the Landscape Plan, DWG No. 904C, before the first occupation of the development hereby permitted a scheme of landscaping shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include:-

- (i) a plan(s) showing details of all existing trees and hedges on the application site. The plan should include, for each tree/hedge, the accurate position, canopy spread and species, together with an indication of any proposals for felling/pruning and any proposed changes in ground level, or other works to be carried out, within the canopy spread.
- (ii) a plan(s) showing the layout of proposed tree, hedge and shrub planting and grass areas.
- (iii) a schedule of proposed planting - indicating species, sizes at time of planting and numbers/densities of plants.
- (iv) a written specification outlining cultivation and other operations associated with plant and grass establishment.
- (v) a schedule of maintenance, including watering and the control of competitive weed growth, for a minimum period of five years from first planting.

All planting and seeding/turfing shall be carried out in accordance with the approved details in the first planting and seeding/turfing seasons following the completion or first occupation/use of the development, whichever is the sooner.

The planting shall be maintained in accordance with the approved schedule of maintenance. Any trees or plants which, within a period of five years from the completion of the planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure the proposed development does not have an adverse effect on the character and appearance of the area in accordance with policies SWDP21 and SWDP25 of South Worcestershire Development Plan.

15. Before the first occupation of the development hereby permitted a schedule of landscape maintenance for a minimum period of 10 years has been submitted to and approved in writing by the local planning authority. The schedule shall include details of the arrangements for its implementation, long-term design objectives, management responsibilities and maintenance schedules for all landscape areas (excluding domestic gardens). The approved landscape maintenance schedule shall be fully implemented.

Reason: To ensure the proposed development does not have an adverse effect on the character and appearance of the area in accordance with policies SWDP21 and SWDP25 of South Worcestershire Development Plan.

16. The development hereby permitted shall be carried out in strict accordance with the biodiversity enhancement measures as shown on the Landscape Plan, DWG No. 904C and submitted with this application and retained thereafter.

Reason: To ensure the development contributes to the conservation and enhancement of biodiversity within the site and the wider area in accordance with policy SWDP22 of the South Worcestershire Development Plan.

INFORMATIVE NOTES

1. Positive and Proactive Statement. No problems have arisen in dealing with this application. The planning application sought an acceptable form of development consistent with the requirements of relevant policies and material considerations. No amendments or alterations were therefore required and no further positive or proactive action was deemed necessary.

The Meeting closed at 5.20 p.m.

Chairman