

Late Representations

Planning Committee 3 November 2022

<p>Item No. 6</p>	<p>Application No. - OUT/2021/3576</p> <p>Description of Development - Full planning application for 212 dwellings (Class C3) served via access from Abbots Lane and Upper Hill Street; strategic landscaping and earthworks; temporary car parking; surface water drainage and all other ancillary and enabling works. Outline planning application for new residential development upto 478 units (Class C3); ancillary Class E development up to 950sqm of floorspace; strategic landscaping and earth works; surface water drainage and all other ancillary infrastructure and enabling site works with means of access to be taken from the connections from Abbots Lane and Upper Hill Street (part of the full application) for consideration; all other matters (layout, appearance, scale and landscaping) reserved for subsequent approval.</p> <p>Site Address - Land off Abbots Lane and Upper Hill Street</p> <p>Recommendation</p> <p>Planning committee are recommended to delegate the grant of planning permission to the Strategic Lead for Planning subject to conditions and the completion of a S106 Legal Agreement to secure the contributions summarised within this report and to delegate refusal of planning permission to the Strategic Lead for Planning if the obligations summarised in the committee report and as updated in the late representation document are not secured as specified.</p> <p>Consultation</p> <p>Following the publishing of the agenda, four additional representations have been received and the material planning considerations that have been raised that differ to those in the committee report have been summarised below:</p> <ul style="list-style-type: none">• The argument that the public benefits will outweigh the harm on the heritage assets is subjective given that it is for flats and the city needs houses.• Why is there a need for more apartments when City South has been approved?• The proposed RPZ is unworkable – no consideration of who is going to enforce it ... civil enforcement officers? Most of the breaches will be out of their normal hours.• developer contributions - it should only comply with IM1 if (close to) 100% of the amount requested has been agreed.• Question mark remains over the traffic data and AQ data.• Other sites more constrained than Abbots Lane are building at less density, the only difference is the previous use.• Concerned that there is no UHCW consultation response.• Policies applied inconsistently by officers to different applications.• Unacceptable for decision to be delegated. If it is being considered by planning committee, they should have the final say.
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- Viability of sites should be established at the Local Plan stage; the constraints e.g., contamination should have been known to the developer at the time the land was purchased.
- This should be refused on policy H3.3

The NHS CCG had given a revised amount for contributions requested from this development.

The total amount now requested is £344,498.00

Highways Contributions

With regards to requested contributions from highways, discussions have been ongoing since the agenda was published. The latest position is as follows:

Contribution	Requested Contribution	Contribution Offered
RPZ	£55,000	Agreed £55,000
Docking Stations	£98,100 (To be supplied as one lump sum or 1 per phase)	Agreed £98,100 (1 per phase)
Mobility Credits	£400,200	Ongoing Discussions
EV Car Club	Direct Provision	Agreed Direct Provision
TP Monitoring	£6800	Agreed £6800

As highlighted above, all but mobility credits have been agreed at this point. There are still ongoing discussions regarding mobility credits so the recommendation made will therefore stand in relation to this aspect.

Applicant Correspondence

Regarding the contributions for Education and NHS the developer has, since the agenda being published, committed to the figures, subject to a review mechanism being triggered before any reserved matters approval, and will be proportioned out as follows:

Healthcare

Plots 3 and 4 = £105,846

Plots 1 and 2 = £238,652

The above sums are in accordance with the CCG's request (having done a pro rata from 700 units to 690).

Education

Plots 3 and 4 = £280,841.01

Plots 1 and 2 = £633,216.99

Additional/Amended Conditions

Wording to conditions and 1 and 4 have been extended to clarify the outline and full elements of the application.

There are minor amendments proposed to the wording of conditions 11, 18 and 19 to so that they relate to each phase. The information being requested in those conditions has not been altered.

There are minor amendments proposed to pre commencement conditions 8 and 30 to enable them to carry out site remediation and preparatory works.

An additional condition has been added to require a phasing plan.

Removal of Condition 28 - This is to be removed as the developer does not have control over the subway wall the condition refers to.