

1. SUMMARY

1.1 This update relates to the following: -

- The provision of accessible housing units;
- Ecological matters; and
- Procedural Issues.

1.2 Due to the issues set out below there is a change to the recommendation to the application which is set out in the committee report. The revised recommendation is as follows:

It is recommended, subject to no outstanding objection from the Local Authority's Ecologist, the Panel DEFERS AND DELEGATES the decision to GRANT planning permission to the Head of Planning subject to the following:

- 1. Referral to the Secretary of State**. In the event the Secretary of State opts not to call the application to defer to recommendation 2 and 3 below**
- 2. The conditions listed in Section 15 of this report and the additional Condition at paragraph 2.2 of this Update.**
- 3. The completion of a Section 106 Legal Agreement to secure a Review of Development finances with regard to affordable housing provision.**

2. Issues and Matters Arising

Provision of Accessible Housing

- 2.1 Policy HO2(1.c) requires that proposals for 20 or more dwellings 30% should be delivered as accessible and adaptable dwellings in accordance with Building Regulations M4(2) and 5% should meet wheelchair accessible standards required by Buildings Regulations M4(3).
- 2.2 Such provision broadly reflects the requirement of Policy H9 of the former Local Plan that the applicant themselves have referred to in their submission. As such, Officer's have set out an additional condition that should be imposed. The

Notwithstanding the drawings hereby approved, details regarding the provision of units designed to meet Categories M4(1), M4(2) and M4(3) of Approved Document Part M of Building Regulations 2010 (as amended) shall be submitted to, and approved, in writing by the Local Planning Authority, unless it is satisfactorily demonstrated that such provision would be unviable, prior to the commencement of above ground floor slab level building works of that building. Thereafter, the development shall be completed in accordance with the approved details.

Reason: In order to maximise the practical provision of accessible housing, in accordance with Borough Local Plan Policy HO2.

- 2.3 Subject to the imposition of the condition referred to above it is considered that the development would accord with the objectives of Policy HO2 of the BLP.

Ecology Matters

- 2.4 This Council's Ecologist has been unable to review the Water Framework Directive that the applicant has submitted in response to the comments from the Environment Agency. As such the recommendation remains as set out above subject to no outstanding objection from the Council's Ecologist.
- 2.5 Should there be an objection from the Ecologist that may warrant a refusal of the development the scheme will be brought back to Committee to be determined in accordance with the Council's Scheme of Delegation.

Procedural Issues

- 2.6 In addition to the ecological and accessibility issues Officers have been made aware of an e-mail that relates to administrative issues regarding the naming of documents and consultation. The Local Authority have undertaken all necessary consultation with local residents and statutory and non-statutory consultees with the recommendation before Committee is based upon a balanced consideration of all responses received as well as all relevant material planning considerations. All information has been publicly available and whilst unfortunate any incorrect reference in document titles is not considered to prevent the application from being determined nor has prejudiced any party.