

Name of Applicant	Proposal	Plan Ref.
Bromford Housing Group	Demolition of the former Job Centre Plus and Masonic Hall and the erection of 14 "MyPlace" supported apartments (Use Class C2) and 5 houses (Use Class C3) Masonic Hall And Former Job Centre, Churchfields, Bromsgrove, Worcestershire, B61 8DX	16/1056

RECOMMENDATION:

- (1) Minded to **APPROVE FULL PLANNING PERMISSION**
- (2) That **DELEGATED POWERS** be granted to the Head of Planning and Regeneration Services to determine the planning application following:
 - (a) The expiry of the publicity period on 7 March 2017 and in the event that further representations are received, that **DELEGATED POWERS** be granted to the Head of Planning and Regeneration Services, in consultation with the Chairman of the Planning Committee, to assess whether new material considerations have been raised, and to issue a decision after the expiry of the statutory publicity period accordingly; and
 - (b) The receipt of a suitable and satisfactory legal mechanism in relation to financial contributions for:
 - (i) Highway improvements: £ 4,350
 - (ii) Improvements to the Recreation Ground: £ £43,960
 - (iii) Provision of bins: £3,077

Consultations

Strategic Planning- Consulted 11.11.2016
No Comments Received To Date

Highways Department- Worcestershire County Council Consulted 09.11.2016

No objection subject to conditions and S106 contributions for the processing of a Traffic Regulation Order to remove the existing on-street parking bays and other road markings fronting the site on Churchfields and Recreation Road.

Worcester Regulatory Services- Contaminated Land Consulted 09.11.2016
No Comments Received To Date

Landscape & Tree Officer Consulted 09.11.2016
No objection subject to conditions

Strategic Housing Consulted 09.11.2016

I have had a look at the above application to provide a block of 14 units and 5 houses. The applicant has advised that the 14 'Myplace' units are C2 units and therefore not to be considered for the calculation of affordable housing but also below then states these 14 units are 'best described as affordable'. Firstly I do not consider the 14 'Myplace' units should be classed as C2. These are self-contained individual flats not a residential institution.

I do not consider that they should be classed as affordable housing either. NPPF provides the definition of affordable housing as: Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision. I can see nothing in the application that provides for the 'Myplace' accommodation to meet this definition by providing it as social rented, intermediate or affordable rented or to ensure it goes to eligible households.

This site should provide for 40% affordable housing being 7 units with 5 units social rented and 2 units intermediate in accordance with our policy.

Conservation Officer Consulted 09.11.2016

No objection

Waste Management Consulted 09.11.2016

A financial contribution towards the provision of bins is required.

Leisure Services Consulted 09.11.2016

A financial contribution towards open space improvements at the recreation ground is required.

Parks & Green Space Development Officer Martin Lewis Consulted 09.11.2016

No Comments Received To Date

Urban Design Consultant Peter Dawson Consulted 09.11.2016

From a design perspective the proposals suggested an overdevelopment of the site resulting in poor parking, amenity and privacy. The architectural response to the character of the area is a poor lacking the design, massing and positive visual relationship with the locally distinct forms and details. The apartment block fails to relate to the area, being too weak in its sympathy, too large in its mass and too prominent in the street scene.

North Worcestershire Economic Development and Regeneration Consulted

09.11.2016

No objection

Aisling Nash County Archaeological Officer Consulted 09.11.2016

No Comments Received To Date

NHS England Primary Care Arden, Herefordshire & Worcestershire Consulted 09.11.2016
No Comments Received To Date

Worcester Regulatory Services- Noise, Dust, Odour & Burning Consulted 09.11.2016
No objection

Worcester Regulatory Services- Air Quality Consulted 09.11.2016
No objection subject to conditions

West Mercia Constabulary Consulted 09.11.2016
No objection

Drainage Engineers Internal Planning Consultation Consulted 15.11.2016
No objection subject to conditions.

Publicity:

43 letters sent on the 9th November 2016 (expired 30th November 2016)
43 letters of re-consultation sent on the 21st February (expires 7th March 2017)
1 site notice posted on the 10th November 2016 (expired 1st December 2016)
Press Advert published in the Bromsgrove Standard on the 18th November (expired 2nd December)

Neighbour Responses

2 responses have been submitted. These responses object to the development on the following grounds:

- Inadequate parking for the apartments;
- On-street parking is already a major concern and spaces would be lost;
- Inappropriate location for “My Place” apartments due to busy nature of the area;
and
- Construction traffic will be a hazard and block roads

Relevant Policies

NPPF National Planning Policy Framework

Bromsgrove District Plan

BDP1 Sustainable Development Principles
BDP16 Sustainable Transport
BDP17 Town Centre Regeneration
BDP19 High Quality Design
BDP21 Natural Environment

Others:

SPG1 Residential Design Guide

Relevant Planning History

14/0982	Demolition of Job centre and Erection of 7 dwellings	Approved
16/0830	Prior notification of proposed demolition	Approved

Assessment of Proposal

The Site and its Surroundings

The application site is located within Bromsgrove Town within the defined Town Centre Zone. The site consisted of the Job Centre and Masonic Hall, however both of these buildings have now been demolished. The site is located on the corner Churchfields and Recreation Road and there are currently accesses onto both roads. An extra care development is currently under construction and this is located adjacent to the north and east boundaries. Traditional residential properties are located to the east with the recreation ground positioned to the south of the site. A children's day nursery is also adjacent to the eastern boundary of the site.

The Proposed Development

This application seeks to erect the following:

- o 14 "My Place" supported apartments for adults with learning difficulties ; and
- o 2 pairs of semi-detached properties

Planning Considerations

The application will be considered under the following headings:

- i) The principle of the proposed development;
- ii) Street Scene & Character Impact;
- iii) Residential Amenity;
- iv) Access, Highways & Parking; and
- v) Planning Contributions

i) The Principle of the Proposed Development

Following a Full Council Meeting on the 25th January 2017 the Bromsgrove District Plan (BDP) has been adopted. The Former Bromsgrove District Local Plan (BDLP) has now been deleted and will no longer be a material consideration in planning decisions.

The Policies Map associated with the BDP highlights that the site is located within the Town Centre Zone. In accordance with the NPPF a wide range of uses are considered acceptable in principle including retail, residential, community and commercial uses. However, the site forms part of a specifically designated area within the BDP under Policy BDP17 (Town Centre Regeneration). Allocation TC2 (Recreation Road) highlights that the site would be ideal for a mix of C2 and C3 uses. The proposal, taken at face value,

therefore fully accords with this policy. However, the Strategic Housing Manager is of the view that the 'My Place' apartments do not constitute a C2 use as the proposal constitutes self-contained individual flats not a residential institution. Secondly he is of the view that there is nothing within the application to confirm that the apartments meet the NPPF definition for affordable housing. If the whole of scheme is considered to be market housing then an affordable housing contribution would be required.

In response, the Applicant has set out that the occupation of the units is only open to adults with particular long term conditions, and not to the general public. Bromford Housing Association confirms that the occupants are selected by themselves, in conjunction with a steering group, of which the Council's care commissioners are usually party to. A community hub is provided in order to provide support to residents, together with specialist housing support for up to 18 hours a week. Care is also provided by a number of care providers and this is co-ordinated by a member of Bromford's staff, based in the proposed ancillary resource centre.

In the view of the Applicant, the 'MyPlace' model has been accepted as a Class C2 use by other local Councils and has stated that case law and appeal decision are available confirming that the model is a Class C2 use. Although these details have not yet been provided by the Applicant it is considered, on balance, that the use is more akin to a C2 use. Therefore the scheme as a whole does not attract an affordable housing contribution as there are only 4 market dwellings.

ii) Street Scene & Character Impact

Policy BD19 of the BDP and the guidance within SPG1 requires such proposals to have a density appropriate for the site and a form and layout appropriate to the area.

The site is bound on 2 sides by the high density extra care development that consists mainly of substantial 3 storey buildings. The development also relates closely to the residential properties on Recreation Road that are opposite the application site. These are generally traditional 2 storey properties with chimneys and bay windows that were built in the early twentieth century and front onto the highway. The whole of the proposed scheme is a 2 storey development that reflects both the adjacent day nursery and the residential development on Churchfields.

There are 2 distinct elements to the scheme. Firstly on the southern part of the site there is a 2 storey apartment building which has frontages on to both Churchfields and Recreation Road. The northern part of the site contains 4 dwellings. They consist of 2 pairs of semi-detached dwellings that front onto Churchfields. These dwellings are of a similar scale to those on the opposite side of Churchfields and follow the same pattern of development. In addition the dwellings include features which are evident on other surrounding properties such as gable end roofs and chimneys. Such design features will help integrate the development into the locality.

The proposed apartment building retains a distance of 2.1m from both Churchfields and Recreation Road. This is not dissimilar to other buildings along Recreation Road including the extra care and care home developments that are currently under-construction. Taking into account the shallow pitch proposed on the proposed 2 storey building the development would not appear unduly prominent. On this corner plot a

number of windows have been provided on both Recreation Road and Churchfields to provide visual interest.

It is noted that the Council's Urban Design Consultant raised concerns over an earlier draft of this scheme. Some of these concerns have been alleviated through the removal of one dwelling and re-design of the layout to remove a backland element of the scheme. The amendments have reduced the density of the scheme and provided additional space for soft landscaping. Whilst the Urban Design Consultant still has concerns over the design of the apartment building it is considered by officers that this will be an acceptable addition to the street scene in this area where there is a mix of buildings types and uses in accordance with Policy BDP19 of the BDP and the guidance within SPG1.

iii) Residential Amenity

The nearest residential properties are located on the opposite side of Recreation Road (no's 25-35) and the 3 storey apartment building adjacent to the northern boundary of the site which is not yet occupied. A minimum distance of 20m is retained between the dwellings on Churchfields and the front elevation of the proposed development. This is considered sufficient to maintain privacy for the occupiers of the existing properties.

The side elevation of plot 19 is in close proximity side elevation of the recently erected apartment building. There is a breach of the 45 degree guideline when measured from the nearest window on the front elevation of the apartment building. However, this is similar to the relationship that used to exist with the Masonic Hall which has now been demolished. There are no habitable windows on the side elevation of plot 19 ensuring that they do not overlook the adjacent apartment building.

It is considered that the proposal will not unduly impact upon the amenity levels experienced by the occupiers of adjacent residential properties. However, it is also important to consider the amenity levels that would be experienced by the occupiers of the proposed development. It is noted that parts of the rear garden of Plot 19 would be overlooked by the apartment scheme however due to the substantial size of this garden it is considered that this would not create an unacceptable living environment.

The traditional layout of the dwellings proposed on Churchfields results in all 4 dwellings having substantial rear gardens that vary between 15m and 32m in length. Such large private gardens comfortably exceed the minimum standards set out within SPG1. A private area is also provided for the occupiers of the My Place apartments which is considered to be acceptable.

In summary it is considered that the proposal creates an acceptable living environment for the occupiers of the proposed development and does not unduly impact on the occupiers of nearby residents in accordance with Policy BDP19 of the BDP.

iv) Access, Highways & Parking

The site proposes a vehicular access off Recreation Road to serve the "My Place" apartments with a car park consisting of 8 spaces provided for the 14 units. Each dwelling has been provided with 2 parking spaces. In this highly sustainable location the Council's Highways Engineer the raises no objection to the level of parking provision.

The Highways Engineer raises no objection to the scheme subject to conditions. The proposal therefore accords with Policy BDP16 of the BDLP, the adopted Local Transport Plan and paragraphs 32 and 35 of the NPPF.

v) Planning Contributions

In accordance with paragraph 204 of the NPPF and section 122 of the CIL planning obligations have been sought to mitigate the impact of this major development, if the application were to be approved. The obligations would cover open space improvements to the recreation ground, the provision of bin storage and highways improvements. Financial contributions on these matters have been informally agreed with the applicant and work on the legal agreement is underway. Subject to the signing of the S106 agreement the proposal would have no adverse impact on infrastructure in the local area.

Conclusion

The development is in a sustainable location that can deliver benefits to the Town Centre. It is considered to be acceptable in terms of amenity, character and highways considerations.

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 - (b) The receipt of a suitable and satisfactory legal mechanism in relation to financial contributions for:
 - (i) Highway improvements: £ 4,350
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 - (iii) Provision of bins: £3,077

Suggested Conditions

- 1) The development hereby permitted shall be carried out in accordance with the Approved Plans/ Drawings listed in this notice:

1563-01
1563-02Q
1563-12F

1563-13F
1563-16A
1563-17A
1563-18B
1563-19B
1563-20B
1563-21F

Reason: For the avoidance of doubt and in the interests of proper planning.

- 2) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004

- 3) Details of the form, colour and finish of the materials to be used externally on the walls and roofs shall be subject to the approval, in writing, of the local planning authority before any work on the site commences.

Reason: To protect the visual amenity of the area.

- 4) Prior to the commencement of development hereby permitted the existing on-street parking bays and other road markings on Churchfields and Recreation Road fronting the application site shall be removed in accordance with a scheme which shall be submitted to and approved in writing by the Local Planning Authority. No commencement shall take place until the approved scheme has been fully implemented.

Reason: In the interests of highway safety

- 5) Prior to any of the new vehicular accesses being brought into use the entrance to that access shall be set back 2.0 metres from the rear of the adjoining footway. On each side of the set back entrance splays shall be formed at an angle of 45 degrees with the highway boundary and the whole of the splayed areas shall be graded and cleared so that no part thereof exceeds a height of 0.6m above the relative level of the adjoining carriageway.

Reason: In the interest of highway safety.

- 6) Prior to any of the new vehicular accesses being brought into use the entrance to that access shall be set back 2.0 metres from the rear of the adjoining footway. On each side of the set back entrance splays shall be formed at an angle of 45 degrees with the highway boundary and the whole of the splayed areas shall be graded and cleared so that no part thereof exceeds a height of 0.6m above the relative level of the adjoining carriageway.

Reason: In the interest of highway safety.

- 7) No part of the development hereby permitted shall be brought into use until the access, turning area and parking facilities serving that part as shown on the approved plan have been provided and these areas shall thereafter be retained and kept available for those users at all times.

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

- 8) Prior to the first occupation of any C3 dwelling hereby approved secure parking for 4 cycles 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 the first occupation of any C2 dwelling hereby approved secure parking for 6 cycles to comply with the Council's standards shall be provided within the curtilage of the application site and these facilities shall thereafter be retained for the parking of cycles only.

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

- 10) No part of the development hereby permitted shall begin until a Construction Management Plan to include details of:

- a. Parking for site operatives and visitors;
- b. Area for site operatives' facilities;
- c. Parking and turning for delivery vehicles;
- d. Areas for the storage of plant and materials;
- e. Wheel washing equipment;
- f. Boundary hoarding (set back behind any visibility splays); and
- g. Any temporary site access

have been submitted to, and approved in writing by, the Local Planning Authority. Only the approved Plan shall be implemented throughout the construction period.

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

- 11) Any section of the parking area for plot 19 that falls within the RPA of the Horse Chestnut at the Northern end of the site is to be constructed using a suitable grade of Cellular No dig method of construction and with a porous road surface.

Reason: To protect an important tree

- 12) The Chestnut tree at the Northern end of the site and Silver Birch tree at the midpoint of the South East boundary are to be given full protection in accordance with BS5837:2012 throughout any ground or development work on the site.

Reason: To protect important landscape features

- 13) 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 in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and where remediation is necessary a remediation scheme must be prepared and approved in writing by the Local Planning Authority in advance of the scheme commencing.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to development commencing other than that required to be carried out as part of an approved scheme of remediation.

Reason: To ensure that the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecosystems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

- 14) No works or development shall take place until a scheme for foul and surface water drainage has been submitted to, and approved in writing by the Local Planning Authority. The scheme shall conform to the non-statutory technical standards for SuDS (Defra, 2015). If infiltration techniques are used then the plan shall include the details of field percolation tests.

Reason: To ensure satisfactory drainage

Informatives

- 1) This permission does not authorise the applicant to carry out works within the publicly maintained highway.

Dropped kerbs to enable access onto properties for vehicles must only be constructed by Ringway Infrastructure Services, Worcestershire County Councils approved contractor. The applicant is solely responsible for all costs associated with construction of the access. For further information, please contact Ringway direct on 01905 751651 or email: worcestershirevehicle.crossing@ringway.co.uk

- 2) This permission does not authorise the applicant to carry out works within the publicly maintained highway.

Dropped kerbs to enable access onto properties for vehicles must only be constructed by Ringway Infrastructure Services, Worcestershire County Councils approved contractor. The applicant is solely responsible for all costs associated with construction of the access. For further information, please contact Ringway direct on 01905 751651 or email: worcestershirevehicle.crossing@ringway.co.uk

- 3) 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.
- 4) The applicants attention is drawn to the requirement that, in all cases where an agreement under Section 278 of the Highways Act 1980 is entered into, the street lighting will be designed by the developer of the site in accordance with the design brief agreed with the Highway Authority and their design shall include any necessary amendments to the existing system. The design brief should be discussed with the Highway Authority prior to the commencement of the design.
- 5) With any demolition of office and community buildings it is advised that consideration is given to the presence of asbestos containing materials (ACMs) in the office building and any ACMs removed during alterations should be disposed of appropriately such that the development site may not be considered contaminated land under Part 2A at a later date. Appropriate asbestos surveys prior to demolition and/or alterations and handling of ACMs during works should be undertaken by competent and qualified professionals with experience of surveying and handling ACMs.
- 6) Your attention is drawn to the provisions of the Section 106 Agreement which accompanies this permission.

Case Officer: Mr Andrew Fulford Tel: 01527 881323
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