



BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

MONDAY 7TH JANUARY 2019
AT 6.00 P.M.

PARKSIDE SUITE, PARKSIDE, MARKET STREET, BROMSGROVE,
WORCESTERSHIRE, B61 8DA

PLEASE NOTE THAT AFTER 5PM, ACCESS TO THE PARKSIDE SUITE IS VIA THE MAIN ENTRANCE DOOR ON THE STOURBRIDGE ROAD. PLEASE ALSO NOTE THAT THERE IS NO PUBLIC PARKING AVAILABLE FOR THE NEW PREMISES. THE NEAREST PARKING IS THE PARKSIDE (MARKET STREET) PAY AND DISPLAY CAR PARK.

MEMBERS: Councillors R. J. Deeming (Chairman), P.L. Thomas (Vice-Chairman), C. Allen-Jones, S. J. Baxter, M. T. Buxton, C.A. Hotham, S. R. Peters, S. P. Shannon, M. A. Sherrey, C. J. Spencer and P. J. Whittaker

Updates to the Reports of the Head of Planning and Regeneration Services will be available in the Council Chamber one hour prior to Meeting. You are advised to arrive in advance of the start of the Meeting to allow yourself sufficient time to read the updates.

Members of the Committee are requested to arrive at least fifteen minutes before the start of the meeting to read any additional representations and to ask questions of the Officers who will also make themselves available for at least one hour before the meeting. Members are also requested to give Officers at least forty-eight hours notice of detailed, technical questions in order that information can be sought to enable answers to be given at the meeting.

AGENDA

1. To receive apologies for absence and notification of substitutes
2. Declarations of Interest

To invite Councillors to declare any Disclosable Pecuniary Interests or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.

3. To confirm the accuracy of the minutes of the meeting of the Planning Committee held on 10th December 2018 – (TO FOLLOW)
4. Updates to planning applications reported at the meeting (to be circulated prior to the start of the meeting)
5. 18/01123/FUL - Provision of 19 no. 1 bedroom apartments, car parking, external works and landscaping - All Saints Garage, 137 Birmingham Road, Bromsgrove, Worcestershire, B61 0DN - BDHT (Pages 1 - 18)
6. To consider any other business, details of which have been notified to the Head of Legal, Equalities and Democratic Services prior to the commencement of the meeting and which the Chairman considers to be of so urgent a nature that it cannot wait until the next meeting

K. DICKS
Chief Executive

Parkside
Market Street
BROMSGROVE
Worcestershire
B61 8DA

20th December 2018

BROMSGROVE DISTRICT COUNCIL

PLANNING COMMITTEE

Information for Members of the Public

The Planning Committee comprises 11 Councillors. Meetings are held once a month on Mondays **at 6.00 p.m.** in the Parkside Suite, Parkside, Market Street, Bromsgrove, B61 8DA - access to the Parkside Suite after 5pm is via the main entrance door on the Stourbridge Road. The nearest available public parking for the new premises is Parkside (Market Street) Pay and Display. .

The Chairman of the Committee, who is responsible for the conduct of the meeting, sits at the head of the table. The other Councillors sit around the inner-tables in their party groupings. To the immediate right of the Chairman are the Planning Officers. To the left of the Chairman is the Solicitor who provides legal advice, and the Democratic Services Officer who takes the Minutes of the Meeting. The Officers are paid employees of the Council who attend the Meeting to advise the Committee. They can make recommendations, and give advice (both in terms of procedures which must be followed by the Committee, and on planning legislation / policy / guidance), but they are not permitted to take part in the decision making.

All items on the Agenda are (usually) for discussion in public. You have the right to request to inspect copies of previous Minutes, reports on this agenda, together with the background documents used in the preparation of these reports. Any Update Reports for the items on the Agenda are published on the Council's Website at least one hour before the start of the meeting, and extra copies of the Agenda and Reports, together with the Update Report, are available in the public gallery. The Chairman will normally take each item of the Agenda in turn although, in particular circumstances, these may be taken out of sequence.

The Agenda is divided into the following sections:-

- Procedural Items

Procedural matters usually take just a few minutes and include: apologies for absence, approval of the Minutes of the previous meeting(s) and, where necessary, election of a Chairman and / or Vice-Chairman. In addition, Councillors are asked to declare whether they have any disclosable pecuniary and / or other disclosable interests in any items to be discussed. If a Councillor declares a disclosable pecuniary interest, he/she will withdraw from the meeting during the discussion and voting on that item. However, it is up to the individual Councillor concerned to decide whether or not to declare any interest.

- Reports of the Head of Planning and Regeneration

(i) **Plans and Applications to Develop, or Change of Use** - Reports on all applications will include a summary of the responses received from

consultees and third parties, an appraisal of the main planning issues and a recommendation. All submitted plans and documentation for each application, including consultee responses and third party representations, are available to view in full via the Public Access facility on the District Council's website www.bromsgrove.gov.uk. Recent consultee and third party responses will be reported at the meeting within the Update Report.

Each application will be considered in turn. When the Chairman considers that there has been sufficient discussion, a decision will be called for. Councillors may decide that, in order to make a fully informed decision, they need to visit the site. If this is the case, then a decision on the application will be deferred until the next meeting of the Committee. Alternatively, a decision may be deferred in order that more information can be presented / reported. If the Councillors consider that they can proceed to making a decision, they can either accept the recommendation(s) made in the report (suggesting any additional conditions and / or reasons for their decision), or they can propose an amendment, whereby Councillors may make their own recommendation. A decision will then be taken, usually by way of a show of hands, and the Chairman will announce the result of the vote. Officers are not permitted to vote on applications.

Note: **Delegation** - All items are presumed to be matters which the Planning Committee has delegated powers to determine. In those instances where delegation will not or is unlikely to apply, an appropriate indication will be given at the meeting.

Any members of the public wishing to make late additional representations should do so in writing, or by contacting their Ward Councillor(s) well in advance of the Meeting. You can find out who your Ward Councillor(s) is/are at www.writetothem.com.

Members of the public should note that any application can be determined in any manner, notwithstanding any (or no) recommendation being made to the Planning Committee.

- (ii) **Development Control (Planning Enforcement) / Building Control** - These matters include such items as to whether or not enforcement action should be taken, applications to carry out work on trees that are the subject of a Tree Preservation Order, etc.. 'Public Speaking' policy does not apply to this type of report, and enforcement matters are normally dealt with as confidential items (see 'Confidential / Exempt Business' below).

- Reports of the Head of Legal and Democratic Services

These reports relate to, for example, cases where authority is sought to commence legal proceedings for non-compliance with a variety of formal planning notices. They are generally mainly concerned with administrative and legal aspects of planning matters. 'Public Speaking' policy does not apply to this type of report, and legal issues are normally dealt with as confidential items (see 'Confidential / Exempt Business' below).

- Urgent Business

In exceptional circumstances, and at the discretion of the Chairman, certain items may be raised at the meeting which are not on the Agenda. The Agenda is published a week in advance of the meeting and an urgent matter may require a decision. However, the Chairman must give a reason for accepting any "urgent business". 'Public Speaking' policy would not necessarily apply to this type of report.

- Confidential / Exempt Business

Certain items on the Agenda may be marked "confidential" or "exempt"; any papers relating to such items will not be available to the press and public. The Committee has the right to ask the press and public to leave the room while these reports are considered. Brief details of the matters to be discussed will be given, but the Committee has to give specific reasons for excluding the press and public.

Public Speaking

Where members of the public have registered to speak on planning applications, the item will be dealt with in the following order (subject to the discretion of the Chairman):-

- Introduction of item by the Chairman;
- Officer's presentation;
- Representations by objector;
- Representations by applicant (or representative) or supporter;
- Parish Council speaker (if applicable) and / or Ward Councillor;
- Consideration of application by Councillors, including questions to officers.

All public speakers will be called to the designated area by the Chairman and will have a maximum of 3 minutes to address the Committee.

Feedback forms will be available within the Council Chamber for the duration of the meeting in order that members of the public may comment on the facilities for speaking at Planning Committee meetings.

NOTES

Councillors who have not been appointed to the Planning Committee but who wish to attend and to make comments on any application on the attached agenda are required to inform the Chairman and the relevant Committee Services Officer before 12:00 noon on the day of the meeting. They will also be subject to three minute time limit.

Councillors who are interested in the detail of any matter to be considered are invited to consult the files with the relevant Officer(s) in order to avoid unnecessary debate on such detail at the meeting. Members of the Committee are requested to arrive at least one hour before the start of the meeting to read any additional representations and to ask questions of the

Officers who will also make themselves available for at least one hour before the meeting. Members are also requested to give Officers at least forty-eight hours notice of detailed, technical questions in order that information can be sought to enable answers to be given at the meeting. Councillors should familiarise themselves with the location of particular sites of interest to minimise the need for Committee Site Visits.

Councillors are respectfully reminded that applications deferred for more information should be kept to a minimum and only brought back to Committee for determination where the matter cannot be authorised to be determined by the Head of Planning and Regeneration Services.

In certain circumstances, items may be taken out of the order than that shown on the agenda and, therefore, no certain advice can be provided about the time at which any item may be considered. However, it is recommended that any person attending a meeting of the Committee, whether to speak or to just observe proceedings and listen to the debate, be present for the commencement of the meeting at 6.00 p.m.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 - SECTION 100D

1. All applications for planning permission include, as background papers, the following documents:-
 - a. The application - the forms and any other written documents submitted by the applicant, the applicant's architect or agent, or both, whichever the case may be, together with any submitted plans, drawings or diagrams.
 - b. Letters of objection, observations, comments or other representations received about the proposals.
 - c. Any written notes by officers relating to the application and contained within the file relating to the particular application.
 - d. Invitations to the Council to comment or make observations on matters which are primarily the concern of another Authority, Statutory Body or Government Department.

2. In relation to any matters referred to in the reports, the following are regarded as the standard background papers:-

Policies contained within the Local Plan below, and Planning Policy Statements, specifically referred to as follows:-

| | | |
|------|---|-------------------------------------|
| BDP | - | Bromsgrove District Plan 2011-2030 |
| SPG | - | Supplementary Policy Guidance |
| NPPF | - | National Planning Policy Framework |
| NPPG | - | National Planning Practice Guidance |

3. Any other items listed, or referred to, in the report.

Note: For the purposes of the Local Government (Access to Information) Act 1985, unless otherwise stated against a particular report, "background papers" in accordance with Section 100D will always include the Case Officer's written report and any letters or memoranda of representation received (including correspondence from Parish Councils, the Highway Authority, statutory consultees, other 'statutory undertakers' and all internal District Council Departments).

Further information

If you require any further information on the Planning Committee, or wish to register to speak on any application for planning permission to be considered by the Committee, in the first instance, please contact Pauline Ross, Democratic Services Officer, at p.ross@bromsgroveandredditch.gov.uk, or telephone (01527) 881406

This page is intentionally left blank

| Name of Applicant | Proposal | Expiry Date | Plan Ref. |
|-------------------|---|-------------|--------------|
| BDHT | Provision of 19 no. 1 bedroom apartments, car parking, external works and landscaping. All Saints Garage, 137 Birmingham Road, Bromsgrove, Worcestershire, B61 0DN | 18.01.2019 | 18/01123/FUL |

RECOMMENDATION: That planning permission be delegated to the Head of Planning and Regeneration to GRANT full planning permission subject to the satisfactory completion of a planning obligation (S106 agreement) in relation to:

- (i) The provision of 12 no. affordable housing units as social rented units and the provision of 7 no. affordable housing units as shared ownership units in perpetuity
- (ii) The provision of a financial contribution (£37,240.00) towards teen and adult fitness facilities at the public open space area at Recreation Road, Bromsgrove
- (iii) A contribution of £2400 for the provision of recycling and refuse waste bin facilities

Consultations

Worcestershire Archive and Archaeological Service

Recommend that a programme of archaeological works should be secured and implemented by means of a suitably worded condition attached to any grant of planning permission.

Waste Management

A financial contribution towards the provision of bins is required

Housing Strategy

Strategic Housing are happy to support this application which comprises 12 no. affordable flats to be provided for social rent and 7 no affordable flats to be provided as a shared ownership product. The mix and tenure of the proposed flats will assist in meeting Bromsgrove District Council's current housing need

WRS - Contaminated Land

No objection subject to a tiered investigation condition

WRS - Noise

No objection

WCC Highways - Bromsgrove

No objections raised subject to the imposition of planning conditions

The development site is located within an urban area with a variety of land uses present. The site is located within a sustainable location with day to day transport services available to the proposed development.

Birmingham Road is a single lane carriageway and is subject to a 30mph speed limit in the vicinity.

All Saints Road is a residential street with footways located on both sides of the carriageway which includes street lighting and off – street parking. No Waiting At Any Time restrictions are in place on sections of All Saints Road. However these restrictions are not in force on All Saints Road on the opposite side to the proposed vehicular access away from the junction.

At the western end All Saints Road has a mini-roundabout junction with the B4091 Stourbridge Road and Santridge Lane.

Public Rights of Way exist in the vicinity but do not cross the proposed development.

No parking restrictions are also present along Birmingham Road in the vicinity of the proposed development. However there are no parking restrictions present opposite the row off shops located on Birmingham Rd.

Extracts from the applicants Transport Statement:

5.2.3 The proposed vehicular access provides a visibility splay for emerging vehicles of 2.4m (X) by 19.8m (Y) to the west (left turn out) and 2.4m (X) by 43m (Y) to the east (right turn out). The extent of visibility available to the west is acknowledged as being below the Manual for Streets - 2007 (MfS) extents identified for a posted 30mph speed limit; however, as already the proposed vehicular access is located as per an existing vehicular crossover and as a formalised, single vehicular access is considered to be a highway gain over the extant land use situation – ***I consider this to be acceptable***

5.2.4 Furthermore, the proposed vehicular access lies in relatively close proximity to the All Saints Road/Birmingham Road/Burcot Lane mini-roundabout junction, which is approximately 40m to the east of the proposed vehicular access. As such, vehicles passing the proposal on All Saints Road will either be slowing down to enter the mini-roundabout junction or accelerating out of the mini-roundabout junction, either way, it is reasonable to expect that vehicular speeds at this location are lower than the posted speed limit – ***I agree with these assertions . The visibility splays provided are acceptable in this instance.***

6.4 Vehicular Trip Rate Summary

6.4.1 It is suggested that even as “new” trips on to the highway network, the forecast trip generation, as a worst case, is likely to be imperceptible to regular users of the local highway network. However, the proposal replaces a land use that is a higher vehicular trip generator in both peak hours and across the day – ***I agree. This would result in a reduction in vehicle trip generation.***

5.3.3 The proposed residential development will provide 19 secure cycle parking racks within the parking court, located adjacent to the housing blocks, thereby providing a level of over-looking. The level of cycle parking provision proposed is policy compliant. ***This is considered to be acceptable, these stands are recommended to be Sheffield type stands and not wall mounted.***

5.3.5 There are no disabled parking/motorcycle parking/electric vehicle charging provisions required, for 1 bedroom flats, as set out in the Worcestershire County Councils Parking Standards . ***The applicant should provide 1 electrical vehicle charging point car parking space to be shared by 19 apartments.***

7.1.4 A Travel Plan Statement (TPS) will also be submitted with the planning application, the TPS will provide a more in-depth assessment of modal choices available in the local area and the wider Bromsgrove community. The TPS will also provide details relating to how sustainable travel will be facilitated and encouraged for residents and visitors associated with the redevelopment site – ***The applicant should a submit TP to WCC for consideration.***

Bus stops are located on Birmingham Rd in the vicinity of the proposed development.

I have taken on board the comments from the local residents whilst making my comments. Accident data (Personal Injury Accidents) was also interrogated at this location between dates; 01/08/2015 and 31/07/2018 (36) months) the findings were that no accidents were recorded during this period.

The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted and the Highway Authority concludes that there would not be a highway safety impact and therefore there are no justifiable grounds on which an objection could be maintained.

Conditions pertaining to the following matters are recommended:

- Provision of pedestrian visibility splays
- Bound material to vehicular access
- Electric vehicle charging point provision
- Cycle parking provision
- Conformity with submitted details
- Visibility splays to approved plan
- Existing access closure
- Submission of a travel plan

Mott MacDonald Highway consultants

Mott MacDonald (MM) have been commissioned by BDC to provide a review of this planning application in so far as highway safety is concerned.

Original comments:

MM recognise that the amount of parking to be provided for the development is compliant with the WCC Streetscape Design Guide which states that one car parking space and one cycle space should be provided for each one bedroom flat. The Streetscape Design Guide 2018 states that visitor parking does not need to be provided within the development but should be permitted in the surrounding street due to their short-term duration and infrequency. Parking demand on adjacent streets is however already high and parking restrictions cover most of All Saints Road, such that on street parking in this area is not likely to be possible. The WCC Street Streetscape Design Guide states that if high on street parking demand or parking restrictions prevent provision of off-road parking then provision of one space per five dwellings should be provided within the

development. If it is the case that there is insufficient capacity for visitor parking on the surrounding road network, an additional four visitor parking spaces should be provided within the development site.

We propose the following recommendations for this scheme prior to our approval on highway matters:

- Due to the proposed visibility splay being lower than the Manual for Streets guidelines, it is recommended that the access arrangement is reconsidered and evidence submitted to support any departure from minimum design standards
- More relevant input data in terms of trip generation should be submitted

Amended comments:

The applicants transport consultants Hydrock Limited have responded to the matters above and have now proposed to move the access junction approximately 6m to the south east which as a consequence improves visibility to 43m on each side as shown on the site plan revision E. This revised proposal is now in step with guidance and therefore is considered acceptable.

The Transport Statement should be updated to reflect the reality of the public transport and accessibility situation within the vicinity of the site, noting that public transport options are limited and are likely to lead to a higher number of car trips than would otherwise be expected for a site of this nature. No proposals have been offered to enhance either and therefore there needs to be a recognition that this site will be accessed primarily by vehicular modes, meaning that adequate consideration of matters such as access visibility, and resident / visitor parking is given.

MM recognise that the amount of parking to be provided for the development is compliant with the WCC Streetscape Design Guide which states that one car parking space and one cycle space should be provided for each one bedroom flat. Regarding the provision of visitor parking within the site, MM suggest that a solution could be either: four designated visitor spaces should be provided within the site; or, an appropriate proportion of flats, (four), should be sold as car-free, meaning that the resident and visitor car parking requirement can be reduced; or, a series of 24-hour parking surveys should be commissioned to demonstrate that existing on-street car parking on All Saints' Road is sufficient and therefore the requirement for on-site visitor parking can be relaxed if it can be demonstrated that capacity on immediately adjacent streets exists to accommodate any overspill.

Arboricultural Officer

No objection. The site currently contains no soft landscaping areas or tree stock. A soft landscaping scheme including the planting of 7 ornamental feature trees will provide a suitable level of structure and seasonal interest to the scheme and will greatly increase the bio-diversity value of the current site.

West Mercia Constabulary

No objection

Hereford & Worcester Fire and Rescue

No objection

Drainage Engineer (NWWM)

No objections to the submitted proposed drainage strategy.

Conservation Officer

The applicant has submitted a detailed Heritage Statement which has examined the significance of the two listed buildings and the contribution of setting to that significance. It has concluded that in terms of All Saints Church, the current development site makes a neutral contribution to significance. While in respect of the listed Crab Mill, the site currently makes a neutral to negative contribution to significance. I would not disagree with these conclusions. I would also agree that the existing garage buildings are set back and only two storey and therefore do not challenge the prominence of the Crab Mill Pub, located on the opposite side of the road. The site is clearly visible in the main view of the Crab Mill, looking south along the Birmingham Road towards the north elevation of the pub. The demolition of the garage would allow the opportunity to redevelop the site in a more sympathetic way to the listed buildings and the late 19th century housing in All Saints Road. On this basis careful thought has to be given to the design of any scheme on this site and its potential impact on the setting and in turn the significance of the Crab Mill.

I would not necessarily object to a three storey elevation to Birmingham Road, where the neighbouring modern houses are three storeys, as is The Crab Mill, and the 19th Century Princess Buildings further down Birmingham Road. I do however, have concerns with the detailing. Extensive grey roofs are proposed whereas red/brown clay tile is the predominant roof covering in Bromsgrove, although there are some grey slate roofs. The roof does appear to be excessively bulky, and it may be preferable to have a flat roof to the Birmingham Road with a parapet detail to try and reduce this bulk. Pitched roofs may work better on the All Saints Road elevation which is two storey, but a red Clay tile would be preferable to grey concrete.

The proposed windows maintain the vertical emphasis seen in other buildings, however the balconies appear as a very dominant feature exacerbated by the use of white render. There are some rendered buildings in All Saints Road, but these generally appear to be red brick buildings where the render has been applied as a later makeover.

I would agree with the Heritage Statement that a modern designed development could be appropriate to this site but I consider more thought needs to be given to the level of detailing and the use of materials to ensure some level of coherence with the listed Crab Mill and the terraces in All Saints Road.

I consider that in its current form the development would detract from the setting of the Crab Mill pub and would therefore cause harm to the significance of a designated heritage asset. In terms of the NPPF this would amount to less than substantial harm and would have to be weighed against the public benefits of the scheme. Better detailing of this scheme would reduce the impact on the setting of the listed building. If you are minded to approve I would suggest that you condition all materials.

Publicity:

158 letters sent on the 14th September 2018 (expired 8th October 2018)

3 site notices posted on the 17th September 2018 (expired 11th October 2018)

Press Advert published in the Bromsgrove Standard on the 21st September 2018 (expired 8th October 2018)

Neighbour Responses

78 responses have been submitted objecting to the development on the following grounds:

- Insufficient parking spaces for the proposed development
- Parking issues along All Saints Road would be exacerbated by the development
- Due to the displacement of parking onto All Saints Rd and other nearby streets
- Contributions should be sought to improve All Saints Road traffic issues
- Vehicle trip generation is unrealistic
- Bromsgrove desperately needs new affordable homes but existing traffic issues need to be addressed first
- Overdevelopment of the site
- Public transport in the area is poor
- The development would not be in keeping with the surrounding area
- An imposing form of development
- Noise pollution will increase
- Quality of living conditions currently enjoyed by nearby residents will be prejudiced

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles
BDP2 Settlement Hierarchy
BDP7 Housing Mix and Density
BDP8 Affordable Housing
BDP19 High Quality Design
BDP20 Managing the Historic Environment

Others

NPPF National Planning Policy Framework (2018)
NPPG National Planning Practice Guidance
SPG1 Residential Design Guide
SPG 11 Outdoor Play Space
Worcestershire Waste Core Strategy (WWCS)

Relevant Planning History

None

Assessment of Proposal

The Site and its Surroundings

The site has a total area of 1,563.7m² (0.156 Ha) and comprises the existing All Saints' garage, a Vauxhall motor dealership which incorporates a showroom, workshops and offices as well as a large forecourt area at the junction of All Saints' Road and Birmingham Road on the edge of Bromsgrove Town Centre.

The site lies opposite the Grade II Listed public house, The Crabmill Inn on Birmingham Road and within the vicinity of the Grade II Listed All Saints' Church, which lies set back within its own grounds diagonally opposite the site at the junction of Birmingham Road and Burcot Lane.

The site is surrounded by a mix of buildings which comprise mainly dwellings on the north western side of Birmingham Road and in All Saints' Road with more commercial properties, the listed public house which is generally 3 storey is height reducing to 2 storey in part at the south west end. Small retail units with flats over are situated to the south eastern side of Birmingham Road.

Directly to the south west of the site on Birmingham Road is a staggered terrace of 7 no. 3 storey houses with primarily white horizontal uPVC weather boarding to the main Birmingham Road façade, with the remaining gable and rear facades being dark brown brickwork. The properties have dark grey/brown profiled concrete interlocking tiles. Properties in All Saints Road date from various periods but are predominately semi-detached or terraced and 2 storeys in height with dark red / brown tiled roofs.

Proposal

Bromsgrove District Housing Trust seek planning permission to erect an three storey apartment block to provide 19 no.1 bedroom mixed tenure general needs apartments, which would comprise 7 no. apartments for shared ownership and 12 no apartments for social rent.

All the existing buildings on the site would be demolished as part of the re-development proposals. Vehicular access to the site would be via All Saints Road. 19 car parking spaces would be created for the proposed apartment block, to the rear.

The application is supported by a design and access statement, a site investigation report, bat survey, transport statement and travel plan statement prepared by Hydrock Ltd and a heritage statement.

The Principle of the Development

The site is not allocated for any particular use within the Bromsgrove District Plan but is surrounded by residential development with the character of the area being one dominated by residential uses. The principle of residential development on the site is therefore considered to be acceptable in principle.

Applications should be determined in accordance with the policies in the plan unless material considerations indicate otherwise. In the case of residential development,

Paragraph 11 of the National Planning Policy Framework 2018 (NPPF) states that 'decisions should apply a presumption in favour of sustainable development' for decision taking where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date. This includes, for applications involving the provision of housing, where the local planning authority cannot demonstrate a five- year supply of deliverable housing sites. The first key question therefore is whether the Council can demonstrate a five-year housing supply.

The Council has published its 5 Year Housing Land Supply Report with a base date of 1st April 2017. This concludes that the Council cannot currently demonstrate a five year housing land supply being able to demonstrate 4.57 year supply of deliverable land for Housing. This document concludes that the Council falls short of a 5 Year Supply of Land for Housing.

In these circumstances, this application should be considered with regard to the presumption in favour of sustainable development as set out in Paragraph 11d of the NPPF. This means that planning permission should be granted unless the adverse impact of doing so would significantly outweigh the benefits when assessed against the Framework as a whole, or in specific circumstances where development should be restricted. Local Plan policies continue to be relevant to determining site-specific issues and whether a development can be considered 'sustainable'.

Provision of affordable housing

The principal social benefit of the proposed development would be the provision of additional housing, all of which would be affordable. The tenure and mix of affordable housing proposed is support by Housing Strategy. Given the NPPF priority to significantly boost the supply of housing the additional dwellings to be provided must carry significant weight in this balance. In April 2016, 10.5% of the dwellings in the District were affordable housing stock. This is lower than both the affordable housing provision in Worcestershire (15%) and England (17.3%).

Housing development is recognised as an important driver of economic growth and there would be economic benefits to the construction industry from the proposed development.

Once the dwellings were occupied there would be an increase in the level of disposable income from the occupants which would be likely to be spent in the local area with some increase in the demand for local goods and services.

Design, Layout and appearance

The site is in a highly sustainable, key location at the corner of Birmingham Road and All Saints Road. The sites existing buildings are considered to detract from the character of the area and adversely impact upon nearby heritage assets.

As this proposal is situated adjacent to and within the setting of the Crab Mill Inn, the development must be considered against Paragraph 193 of the NPPF in terms of its impact on the significance of designated heritage assets.

The NPPF covers new development impacting on heritage assets (such as listed buildings and conservation areas) and states that Local Planning Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and, the desirability of new development making a positive contribution to local character and distinctiveness.

Notwithstanding the fact that the Council cannot demonstrate a five- year supply of housing sites, an assessment of the impact of the development on heritage assets must be a consideration.

Paragraph 196 indicates that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed, as a separate exercise, against the public benefits of the proposal, including securing its optimum viable use.

As noted by the Conservation Officer, the demolition of the garage buildings allow the opportunity to redevelop the site in a more sympathetic way to the listed buildings and the late 19th century housing in All Saints Road.

The scheme is considered to represent a relatively high density form of development whilst integrating well and being sensitive to the surrounding context which is a key requirement of the development plan.

The site layout has been informed by the recommendations within the Heritage Statement and responds to the particular nature of the site, with the constraints and opportunities that have been identified.

The proposed new building creates a strong 'L' shaped stepped linear edge to Birmingham Road and All Saints' Road, creating a focal point building with a prominent corner feature at this important junction on the main route into Bromsgrove town centre from the north. The stepped frontage to Birmingham Road is considered to assimilate well with the stepped building line of the existing 3 storey town houses directly to the south west of the site and is considered to be sensitive to the scale of the Crabmill Inn public house building directly opposite the site.

The stepped frontage is continued around onto All Saints Road, where the building height reduces to 2 stories, again to reflect the irregular building line of the dwellings to the North West along All Saints Road.

The building is set back from the edge of the pavement to allow the creation of a landscaped fore garden, which would provide a green edge to the building. A 900mm metal railing would be located at back of pavement around the perimeter of the site, behind which is a hedge and a series of Hornbeam street trees planted at regular centres. Overlooking to both the street frontage and courtyards has been maximised to foster safety and security.

Overall, the appearance of the proposed development including its elevational treatment is considered to be acceptable and would complement the mixed character of built form located within the immediate vicinity of the site.

The Conservation Officer has highlighted concerns regarding the design of the building and the choice of materials and seeks for the proposed building to better reflect the listed Crab Mill Inn. However, I disagree with the assertions that it would be preferable to incorporate a flat roof and parapet detail to the to the Birmingham Road elevation. Further I consider the ratio of render to brickwork to be acceptable having regard to the form of the building and its location. The applicant and I however agree that a brown tile would be preferable to a grey slate type roofing material which can be controlled by a condition requiring materials to be submitted and agreed by the Council prior to their installation.

In terms of the NPPF any harm which is considered to occur would amount to less than substantial harm and would have to be weighed against the public benefits of the scheme in accordance with Paragraph 196. The significant public benefits in this case include:

- Helping to address the significant identified shortfall in deliverable housing land across the District;
- The delivery of 19 affordable dwellings on-site
- Support to local services; and
- Providing local employment opportunities.

Taking into consideration the impact of the scheme on heritage assets, by virtue of the developments location, layout, design and scale, any 'less than substantial harm' to the significance of the heritage asset is considered to be outweighed by the significant public benefits identified, in particular the provision of on-site affordable housing.

Highway and Parking matters

Policy BDP1: Sustainable Development Principles taken from the Bromsgrove District Plan requires that in considering new development, regard will be had to: Accessibility to public transport options and the ability of the local and strategic road networks to accommodate additional traffic”.

WCC highways have confirmed that no objections are raised to the proposals in terms of highway safety. Mott MacDonald have been commissioned to independently assess the merits of the application in terms of highway impact. The access has been moved approximately 6m to the south east which as a consequence improves visibility to 43m on each side. Both WCC highways and MM consider this to be acceptable.

Both WCC highways and MM recognise that the amount of parking to be provided for the development is compliant with the WCC Streetscape Design Guide which states that one car parking space and one cycle space should be provided for each one bedroom flat.

In terms of visitor parking, the Streetscape Design Guide 2018 states that visitor parking does not need to be provided within the development but should be permitted in the surrounding street due to their short-term duration and infrequency.

MM have noted that parking demand on adjacent streets is already high and have recommended that four designated spaces be provided within the site; or, an appropriate proportion of flats, (four), should be sold as car-free, meaning that the resident and visitor car parking requirement can be reduced; or, a series of 24-hour parking surveys should be commissioned to demonstrate that existing on-street car parking on All Saints' Road is sufficient and therefore the requirement for on-site visitor parking can be relaxed if it can be demonstrated that capacity on immediately adjacent streets exists to accommodate any overspill.

Representations received from the public concern comment that insufficient parking would be provided for visitors which would have consequential associated highway safety implications.

The applicant has clarified that it would not be viable to provide additional visitor spaces within the site and comment that the site is well served by public transport and that the development will be provided with 19 cycle parking spaces in accordance with the recommendations within the Worcestershire County Council Streetscape Design Guide, which will promote this as a sustainable form of transport via a travel plan.

Whilst it is acknowledged that occasional visitor parking on All Saints Road may be limited there is sufficient parking in nearby Burcot Lane with 2 hour restriction between 8 am and 6 pm Monday to Saturday directly opposite the site and unrestricted parking on Birmingham Road also directly opposite the site, which would adequately accommodate the 4 visitor spaces which Mott MacDonald suggest should be provided for.

BDHT have stated that the intention would be that parking permits would be issued for the car park, on the basis that each household would have a maximum of one car parking space. Further, BDHT comment that if any households do not have a car, then the spare spaces will be allocated for visitors. If these households then subsequently have a car then a visitor space will be turned back into a permit allocated space. This would ensure that any spare spaces not permit allocated to residents are available for visitors.

It has been concluded that parking to be provided for the development would comply with policy requirements having regard to the sustainable nature of the location and the availability of on-street parking opportunities within the vicinity of the site.

As referred to earlier in this report, having regard to the presumption in favour of sustainable development as set out in Paragraph 11d of the NPPF and that that planning permission should be granted unless the adverse impact of doing so would significantly outweigh the benefits when assessed against the Framework as a whole, subject to the imposition of the planning conditions as recommend by WCC highways, no objections are raised to the application in terms of highway impacts.

Impact on existing residential amenities

Policy BDP1: Sustainable Development Principles requires that in considering new development, regard will be had to:

“e) Compatibility with adjoining uses and the impact on residential amenity”

The proposed location of the development on the site is considered to ensure that effects on residential amenity are minimised, taking into consideration separation distance between existing properties and the proposed apartment block.

The proposed development would not have an overbearing or visually intimidating impact upon nearby properties. It is considered that daylight to existing habitable rooms would not be prejudiced and that no loss of privacy would occur.

Flood Risk and Drainage

The site is located in Flood Zone 1 and is at low risk of flooding. A site drainage strategy has been submitted as part of this application which has been examined by North Worcestershire Water Management who raise no objection

Ecology and trees

The applicant has undertaken surveys to ascertain the presence of protected species on the site. No protected species have been found. The landscaping proposals as shown on Landscape plan ADL238 which include the planting of 7 feature trees mean that habitat for birds will be improved and thus the proposals would represent a net gain in ecological value.

Planning obligations

In accordance with Paragraph 56 of the NPPF and Section 122 of the CIL regulations, planning obligations have been sought to mitigate the impact of this major development, if the application were to be approved.

A S106 agreement has been drafted. The obligation in this case would cover:

- The provision of 19 units on the site to be restricted to affordable housing in perpetuity
- Contributions towards off-site open space enhancement at Recreation Road Bromsgrove, due to increased demand from future residents, required in compliance with SPG11
- Contributions for refuse and re-cycling bins for the new development in accordance with Policy WCS.17 of the adopted Worcestershire Waste Core Strategy

At the time of writing, the planning obligation is in draft form.

The Planning Balance and Conclusion

The site has been identified as being suitable for residential development.

The detailed design, form and layout of the development is considered to be appropriate in its context.

It is considered that, in the absence of the Council being able to demonstrate a five year housing supply, the policies within the Development Plan with regards to housing have to be seen as out of date. In such circumstances the NPPF sets out that the issue to consider is whether the proposal represents sustainable development and if it does there is a presumption in favour of the scheme.

For the reasons as set out in the report, it is considered that the proposal does satisfy the three dimensions of sustainable development. Given the view taken that the development is sustainable the question to be considered is whether there are any adverse impacts that would significantly and demonstrably outweigh the benefits of the proposal when assessed against the policies in the NPPF as a whole.

The impacts of the development have been assessed and no adverse impacts would outweigh the benefits of the scheme. Overall, it is considered that the benefits of the proposed development significantly and demonstrably outweigh the impacts identified in this report.

Therefore, in conclusion, the application is recommended for approval, subject to conditions and a Section 106 agreement.

RECOMMENDATION:

- (a) Minded to **APPROVE PLANNING PERMISSION**
- (b) That **DELEGATED POWERS** be granted to the Head of Planning and Regeneration to determine the planning application following the satisfactory completion of a S106 planning obligation ensuring that:
 - 12 no. affordable housing units be provided as social rented units and 7 no. affordable housing units be provided as shared ownership units in perpetuity
 - A financial contribution (£37,240.00) to be provided towards teen and adult fitness facilities at the public open space area at Recreation Road, Bromsgrove
 - A contribution of £2400 for the provision of recycling and refuse waste bin facilities is secured and
- c) **The conditions set out below**

Conditions:

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the grant of this permission.

Reason :- In accordance with the requirements of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2) Prior to their first installation, details of the form, colour and finish of the materials to be used externally on the walls and roofs shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: To ensure that the development is satisfactory in appearance, to safeguard the visual amenities of the area

- 3) The development hereby approved shall be carried out in accordance with the following plans and drawings:

Appropriate references to be inserted here

Reason: To provide certainty to the extent of the development hereby approved in the interests of proper planning.

- 4) The development hereby permitted shall not be occupied until details of an electric vehicle charging point to serve the development has been submitted to and agreed in writing by the Local Planning Authority. Once provided it shall be retained and maintained in perpetuity at such at all times.

Reason: In the interests of sustainability

- 5) The Development hereby approved shall not be occupied until pedestrian visibility splays of 2m x 2m measured perpendicularly back from the back of footway shall be provided on both sides of the access. The splays shall thereafter be maintained free of obstruction exceeding a height of 0.6m above the adjacent ground level.

Reason: In the interests of highway safety.

- 6) The Development hereby approved shall not be occupied until the first 5 metres of the access into the development, measured from the edge of the carriageway, has been surfaced in a bound material.

Reason: In the interests of highway safety.

- 7) 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 which shall first be submitted to and approved in writing by the Local Planning Authority 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.

- 8) The Development hereby approved shall not be occupied until the access, parking and turning facilities have been provided as shown on drawing 07E.

Reason: To ensure conformity with submitted details.

- 9) The Development hereby approved shall not be occupied until the visibility splays shown on drawing 07E have been provided. The splays shall at all times be maintained free of level obstruction exceeding a height of 0.6m above adjacent carriageway.

Reason: In the interests of highway safety.

- 10) The Development hereby approved shall not be occupied until the existing vehicular / pedestrian accesses shall be permanently closed in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority. It is recommended that all accesses to be closed and footway made good; the whole of the frontage footway will require reconstruction to avoid a "patchwork quilt" effect.

Reason: To ensure the safe and free flow of traffic using the adjoining highway.

- 11) The Development hereby approved shall not be occupied until the applicant has submitted a travel plan in writing to the Local Planning Authority that promotes sustainable forms of access to the development site and this has been approved in writing by the Local Planning Authority. This plan will thereafter be implemented and updated in agreement with Worcestershire County Councils Travel plan co-ordinator and thereafter implemented as updated.

Reason: To reduce vehicle movements and promote sustainable access.

- 12) During the course of any site clearance and development, the hours of work for all on-site workers, contractors and sub-contractors shall be limited to between;
0800 to 1800 hours Monday to Friday
0900 to 1200 hours Saturdays
and NO WORKING shall take place at any time on Sundays, Bank Holidays or Public Holidays or at any time outside of the above permitted working hours unless first agreed in writing by the Local Planning Authority.

Reason: In the interests of neighbours amenity

- 13) 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:
- a) The programme and methodology of site investigation and recording.
 - b) The programme for post investigation assessment.
 - c) Provision to be made for analysis of the site investigation and recording.

- d) Provision to be made for publication and dissemination of the analysis and records of the site investigation
- e) Provision to be made for archive deposition of the analysis and records of the site investigation
- f) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

- 14) 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 (1) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: In accordance with the requirements of paragraph 199 of the National Planning Policy Framework.

- 15) 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 DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11"

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 DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11"

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

Case Officer: Steven Edden Tel: 01527 548474
Email: steve.edden@bromsgroveandredditch.gov.uk

This page is intentionally left blank