

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan. Ref Expiry Date
BROMSGROVE DISTRICT HOUSING TRUST 'B'	Renovation of existing building into 6 No. 1 bed 2 person flats and 1 No. 2 Bed 3 person flat (nos. 44-48 and no 2 Windsor Gardens). Erection of 10 No. 1 2 person flats - 44-48 Windsor Gardens, Bromsgrove	Residential	10/1184-DK 24/05/2010

RECOMMENDATION: that permission be **GRANTED**.

Consultations

WH	Consulted 02.03.2011. Response received 12.04 as follows: No objection subject to the following condition: HC36 Cycle Parking (Multi unit) and the following advisory: HN14 Affected Street Lighting/Illuminated signs.
ENG	Consulted 02.03.2011. Response awaited.
Strategic Housing	Consulted 03.05.2011. Response awaited.
LP	Consulted 02.03.2011. Response awaited.
EHO	Consulted: 02.03.2011. Response received 23.03.2011. Further to your consultation dated 2nd March 2011 I have reviewed the submitted application and can confirm that I have no adverse comments to make in relation to potential contaminated land. Records do not indicate any potentially contaminative historic use of the proposed development site.
BC	Consulted: 02.05.2011. Response awaited.
WCC PROW	Consulted: 02.03.2011. Response received 23.03.2011. Objection. The close boarded fencing would harm the amenity of the public right of way. Amended details received from the applicant. Re-consulted 03.05.2011. Views awaited.
RA	Consulted 02.03.2011. Response awaited.
EDO	Consulted 02.03.2011. Response awaited.
WCC Education Services	Consulted 02.03.2011. Response received 02.03.2011. The proposal is for affordable housing and therefore no contributions towards education will be required.
Tree Officer	Consulted 02.03.2011. Response awaited.
Conservation Officer	Consulted 02.03.2011. Response received: 09.03.2011 The existing building formerly known as The Green, The College and Elmshurst was built in 1866 and is a good quality Victorian villa which retains many historic details. The existing access was once the carriage

entrance to the property and includes one rusticated stone gate pier, stone and blue brick retaining walls and a second pair of rusticated stone piers at the former pedestrian entrance on New Road. The retention and conversion of the building is welcomed, however the loss of the timber sash windows and their replacement with PVC units would undermine its character. An amendment should therefore be sought to either retain and overhaul the existing windows with additional secondary glazing, or install replacement timber double glazed units which are of a superior lifespan, quality and appearance to PVC.

This building and the other historic Victorian and Edwardian buildings along College Road have significant architectural interest and the designation of a new Conservation Area has previously been explored, but no public consultation has been carried out as yet. I am concerned that the new building directly in front of the existing building would undermine this group interest and restrict views of Elmshurst from New Road. It also appears that the proposals would result in the loss of the stone retaining wall which is contemporary with the house, and some established trees which contribute to the setting of the building of local interest.

I realize that the draft local list has no official status, and that the designation of a new College Road Conservation Area shall not be taken forward in the near future, but improvements could be made to the siting of the new building to better respect the setting of the historic building. As a minimum the proposed PVC replacement windows should be omitted from the scheme.

Publicity

2 Site Notices posted 25.03.2011, expired 15.04.2011.

Press Notice posted 10.03.2011, expired 31.03.2011.

Neighbour Notification:

27 letters sent 04.03.2011, expired 25.03.2011.

1 letter received from the Victorian Society 20.03. summarised as follows:

We are pleased that the intention is to restore the house, leaving the exterior unchanged in most respects. However, we note that the intention is to replace the timber sash windows of the house with PVC. This would definitely change the character of the house, and we object to this proposal. The original window frames should be copied and new double glazed windows used where it is not possible to use secondary glazing on the original frames. The glazed veranda porch should be restored to its original length and if the front door is original it should be kept.

The proposal to build a block of two storey flats (Plot 1-6) along the east side of Elmshurst's garden would prevent the view from New Road of what is one of the most important houses in this Victorian range of

dwelling, reducing considerably the visual aspect of the road. The plans show the flats encroaching on the traditional entrance to the property. We consider this new build is inappropriate and too large in this position.

We therefore object to the proposals

- (a) to change the windows of the house to PVC
- (b) to build two storey flats at the front of the house
- (c) to make any alteration to the existing boundary walls or original gate piers, other than repair to the brick frontage.

The site and its surroundings

The application comprises development on two discrete sites at Windsor Gardens at Nos. 2 and 44-48. The site is managed by BDHT. The proposed site at 44-48 consists of a Georgian style residence with an access road from Windsor Gardens and an area of amenity space primarily to the south west. There are a number of mature trees. The site is bordered to the SW by College Walk and there are substantial trees and hedges on this side limiting the views from the footpath.

The second site, at No. 2 Windsor Gardens consists of a single storey brick building which was formerly occupied by the Women's Royal Voluntary Service and is currently derelict. The site adjoins Windsor St. car park to the NE. The immediate area to both sites largely consists of postwar housing in a variety of arrangements. The site at No. 44-48 adjoins the Town Centre Conservation Area.

Proposal

The application consists of 17 affordable housing units with 16 No. 1 bedroom flats and one two bedroom flat. The development can be divided into the following components:

- 1) The demolition of No. 2 Windsor Gardens and its replacement with four flats,
- 2) The conversion of the existing Victorian building to seven intermediate rented flats and the erection of six intermediate rented flats in the curtilage

The site will be serviced by a total of 26 parking spaces. The application is accompanied by a Building Survey, Design and Access Statement and a Supporting Planning Statement.

Relevant Planning History

P10/0073 Refurbishment of existing block to 6 one bedroom and 1 two bedroom flats and proposal for 8 new one bedroom flats in two separate blocks. Pre application advice.

Relevant Policies

WMSS QE1, QE2, QE3.
WCSP CTC.1, D.5, SD.2, SD.3, SD.4, SD.5, T.1
BDLP DS13, S7, S14, S15, S35A, C4, C17, TR1, TR11.

Others PPS1, PPS5, PPS3, PPG13, Circular 06/98, SPG1.

Notes

I consider that the main issues in the determination of this application are:

- (i) The principle of development and the requirement for affordable housing,
- (ii) The design of the proposal and its impact on the amenity of the existing adjoining occupiers,
- (iii) The impact of the proposal on existing historic character on the site and on the adjoining conservation area,
- (iv) The highway implications of the proposal.

In this respect, I consider that policies T1 and SD3 of the WCSP, policies DS13, S7, S14 and TR11 of the BDLP are most relevant in determining the proposal. The advice of SPG1 and PPS5 (Planning and the Historic Environment) are also of relevance.

(i) Principle

The site is located within the urban area of Bromsgrove. The redevelopment of the site of No. 2 Windsor Gardens amounts to brownfield development which is acceptable in principle. The remainder of the development consists of the conversion of an existing building and development in the curtilage of same. Whilst the automatic consideration of gardens as brownfield land has been removed in the amendment to PPS3, I do not consider that the principle of developing this site is in doubt and much depends on the particular characteristics of the site. I would concur with the view of the applicant as expressed in paragraph 6.21 of the Planning Statement to that effect.

The applicant is Bromsgrove District Housing Trust and the supporting statement provided. The applicant has strongly raised the point about the lack of affordable housing in Bromsgrove and for every social rented, age restricted one bedroom flat that BDHT advertises, there are 21 applications and the Council's housing waiting list currently stands at 3,200 people. The Council's Housing Strategy 2006-2011) seeks to address the shortage of affordable housing as top priority.

In accordance with the guidance of PPS3 and the case of *Linson Construction Pension Fund v Warrington BC and DETR (2002)*, I consider that the need for affordable housing is a material consideration to which considerable weight is attached.

(ii) Design Density Layout

The site area comprises 0.23 hectares and I do not consider that the density of development proposed for either site would be unacceptable.

I consider that the form and layout of the proposal for 6 units at No. 2 Windsor Gardens acceptable. It occupies the position of the existing building and matches more closely the residential use and scale of the surrounding buildings. It also follows the street pattern of Windsor Gardens.

The layout of the proposed units to the SW of the existing building at Nos. 44-48 follows the pattern of development on College Walk rather than following New Road. I note that the proposed block is set back from the original building and most aspects of this building will still be visible with the large curtilage still providing an appropriate setting.

Residential Amenity

I consider that policy S7 and the advice of SPG1 is most relevant in determining the impact of the proposal on residential amenity. The policy requires that the amenity of adjoining occupiers is not detrimentally affected and SPG1 sets standards in terms of separation distances between proposed development and private amenity space.

I will consider the proposal at No. 2 Windsor gardens first. The windows to the front of the proposal are set 23m away from the properties opposite 31 – 37 Windsor Gardens. I note the set forward of the buildings opposite at Nos. 39-49 and these are approximately 20m away. However, I note that there is substantial screening provided by evergreen trees which would mitigate any loss of residential amenity to either the proposal or properties opposite. Whilst the 23m separation distance is less than the 27.5m requirement of SPG1 for these types of property, I note that the distance includes a street and the building follows the logical position of the existing development which also includes first floor living rooms. I note that the other side of the building will face Windsor St. car park and screening along this boundary will be important. I note that other properties to the west on Windsor Gardens also have this aspect. There are no windows to the side of the block Nos. 4 -10 Windsor Gardens and no windows on the proposal will face this blank elevation. In terms of the amenity space for the four units, each will have well in excess of the minimum 30sqm requirement for flats and small house types as outlined in paragraph 9.2 of SPG1.

In terms of the conversion of the existing building, I note that fewer windows are proposed than are currently present on the rear elevation. There are no properties directly opposite to the NW and substantial screening to No. 15 New Road. There is a 20m separation between the range of properties 67-89 Windsor Gardens and the building. Whilst this is less than the requirements of SPG1, I note that there is residential accommodation currently on the first floor of the building and the proposal will not have any greater impact. The properties in the range opposite also have a staggered arrangement.

In terms of the proposed block to the SW of the existing building, this is at a right angle to the building and complies with Fig. 15 of SPG1 in this respect. There are no windows to the side elevation facing the existing buildings to the north or New Road to the south. The building will be at least 38m from No. 15 New Road and with the existing extensive boundary treatment, I do not consider that a loss of amenity would arise. There is approximately 15m separation to the side of No. 19 New Road. This property is virtually invisible from the application site and there will be a separation distance of 5m per storey to the private garden of No. 19 and in any event only the side elevation will face the proposal.

(iii) Impact of the proposal on the historic character of site

The conversion of the existing building into 7 units of accommodation has no impact on the form or character of the area and the proposed fabric of the building will be retained. Members should note the comments from the Conservation Officer in this respect. The applicant has also agreed to retain the original windows if possible and, if not, to use timber rather than PVC.

There are more constraints in terms of the development of the six units to the SW. I note the comments of the Victorian Society in this respect. However, the space is currently underutilized and whilst the layout would not match the pattern of development on New Road, it enables as many facades as possible on the attractive Victorian building to remain visible and is set back from the original. Whilst, I do not consider that the setting of the building would be necessarily enhanced, I take into account that it is not listed and its historic interest has been substantially harmed by the unsympathetic linked rear extension. I note the advice of PPS5 in this respect:

In considering the impact of a proposal on any heritage asset, local planning authorities should take into account the particular nature of the significance of the heritage asset and the value that it holds for this and future generations. This understanding should be used by the local planning authority to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal'

In this instance, I do not consider that the heritage asset would be so detrimentally harmed to justify refusing permission.

(iv) Highways

Members should note that no objection has been received from Worcestershire Highways in respect of the proposal which includes a total of 26 car parking spaces. The proposal accords with policy TR11 of the BDLP.

Other issues

There are a number of trees which will be removed in the proposal and the views of the Tree Officer are awaited. There are a large number of trees which can be retained on the New Road frontage providing screening for the proposal. The views of the Tree Officer are awaited. The comments of the Drainage Engineer are also awaited. The scheme will provide 100% affordable housing and therefore contributions in terms of open space and education are not required. The scheme has been amended to account for the views of WCC Footpaths Officer and further views on this matter are awaited.

Conclusions

The principle of development at this site is acceptable and I consider that the proposal would make more efficient and beneficial use of the site. The scheme will provide much needed affordable housing in a sustainable location and the shortage of such

accommodation is an important material consideration is considering this application. The overall design and layout of the proposal is satisfactory and I consider that the proposal would make more beneficial use of the existing building and remove a currently vacant building at No. 2 Windsor Gardens. There are no overriding amenity concerns. Permission should be granted.

RECOMMENDATION: that permission be **GRANTED** sfc:

1. C1
2. C3
3. C7
5. C10
6. C13
7. Prior to the commencement of the development, full details of the occupancy criteria which are to be used to select occupants of the flats shall be submitted to the Local Planning Authority for approval. Subsequently the occupation of these units shall only be taken up by persons meeting the approved occupancy criteria, unless otherwise agreed in writing by the Local Planning Authority.
8. HC36