

Name of Applicant	Proposal	Expiry Date	Plan Ref.
McCarthy & Stone Retirement Lifestyle Ltd	Demolition of existing buildings and erection of Retirement Living Housing for the elderly (category II type accommodation), including communal facilities, landscaping and car parking and affordable housing. Resubmission of application ref 15/0836 Former Fire Station And Library Building, Windsor Street, Bromsgrove, Worcestershire, B60 2BJ	27.05.2016	16/0191

RECOMMENDATION: That planning permission be Refused

Consultations

Highways Department- Worcestershire County Council Consulted 01.03.2016
Recommends that the permission be **Refused** for the following reasons:-

The proposed access onto Windsor Street is unacceptable in its present form.

- The proposed radius is too tight to permit the refuse vehicle to access the site and bin store, and the updated information showing tracking indicates that the footway is overrun. It is required that a formal bell mouth be provided with a 6m radius, the design doesn't provide this and mixes concept of bell mouth and footway cross over. The implications of the design will be conflict with pedestrians crossing and entering the site.
- Within the site the gates to the car park must be open to allow the manoeuvre to occur and if no the refuse vehicle will be forced to reverse.
- A 2.4m x 43m visibility splay is indicated but this relies on a manual for streets approach being adopted. In this instance the Highway Authority agrees with the use of Manual for Streets, however no speed data is provided to confirm that 43m is the appropriated splay line, there is no evidence provided on approach speeds to confirm that this is suitable.
- The application shows a 2m footway to the south of the access road, but this does not address pedestrian movements towards Stratford Road or across Windsor Street.
- The Transport Statement indicates that the road is up to adoptable standards, but it is clear that this is not the case.

The proposed car parking provision does not address the now adopted interim parking standards of Worcestershire County Council which requires C3 units to provide 1 space for a 1 bedroom flat and 2 spaces for a 2 bedroom flat. Given the site is located in a sustainable environment and the applicant appears to be promoting a reduced parking provision but the reasoning is not satisfactory. Additionally the submitted travel plan is unacceptable.

The proposal provides an unacceptable design to address vehicle access and fails to ensure that a safe and suitable access to the site is achieved for all people. The

application is considered to be contrary to the adopted Local Transport Plan and the National Planning Policy Framework.

Aisling Nash County Archaeological Officer Consulted 01.03.2016

No Comments Received To Date

Worcester Regulatory Services- Contaminated Land Consulted 01.03.2016

No objection subject to a condition requiring a tiered investigation.

Worcester Regulatory Services- Noise, Dust, Odour & Burning Consulted 01.03.2016

No Comments Received To Date

Landscape & Tree Officer Consulted 01.03.2016

No objection subject to conditions including a scheme of replacement tree planting.

Building Control Consulted 01.03.2016

No Comments Received To Date

Leisure Services Consulted 01.03.2016

Proposal will place increased demand on facilities within Sanders Park. Subject to financial contribution to improve the bandstand area and provide outdoor exercise equipment no objection is raised.

Strategic Housing Consulted 01.03.2016

No Comments Received To Date

Waste Management Consulted 01.03.2016

No objection subject to contribution towards waste and recycling provision.

North Worcestershire Water Management Consulted 01.03.2016

No objections subject to a condition requiring a scheme of foul and surface water drainage.

Conservation Officer Consulted 01.03.2016

Overall I still consider that the proposed scheme is a missed opportunity to improve the quality of the built environment of Windsor Street, and the setting of the heritage assets. I would concede that the existing buildings are poor and do not enhance the settings of the heritage assets, however this modified scheme has not responded to the comments I made in respect of the initial application and will, like the initial scheme, be more dominant than the existing buildings due to the increased heights and intensification of the development on the site.

I would therefore have to object to the revised scheme, like the earlier one, on the basis of the harm to the setting of the listed buildings, contrary to section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This is supported by Paragraph 132 of the NPPF which highlights that great weight should be given to an asset conservation, and significance can be lost through as a result of development within its setting. In addition Section 35A of the Bromsgrove Local Plan requires new development in areas adjacent to conservation areas to be sympathetic in terms of form, scale and materials. I do not consider that this scheme satisfies those requirements in respect of the

neighbouring Bromsgrove Town Centre Conservation Area, especially the Chapel Street area.

Strategic Planning- Consulted 01.03.2016

No Comments Received To Date

Urban Designer Consulted 01.03.2016

The development site is ideally located for the proposed use of care home and affordable apartments. However, the amended layout still fails to adequately justify the proposals and demonstrates a lack of consideration for the surrounding context, contrary to what has been highlighted in the Design and Access Statement.

Key issues to address include the scale of the development (particularly height), proximity to the boundary, negative impact on historic asset, poor Windsor Street frontage and a lack of structural tree planting to the main elevation.

Many of the points raised in my response dated 16/10/2015 have been ignored. As with my previous response, without considerable amendments I would not be in a position to endorse this proposal.

Parks & Green Space Development Officer Martin Lewis Consulted 01.03.2016

No objection subject to conditions

Economic Development & Regeneration Service Consulted 14.03.2016

No Comments Received To Date

Publicity:

79 letters sent on the 1st March 2016 (expired 22nd March 2016)

1 site notice posted on the 7th March 2016 (expired 28th March 2016)

Press Advert published in the Bromsgrove Standard on the 11th March (expired 25th March)

Neighbour Responses

29 responses have been submitted. 25 of these support the proposal and make the following comments:

- Site is becoming an eyesore;
- The development would improve Windsor Street;
- Additional footfall would be created for Town Centre which would boost local businesses;
- Larger retailers may be enticed into the town;
- There is a need for elderly accommodation;
- Sustainable location for retirement accommodation with facilities nearby; and
- Affordable housing is needed;

3 representations were made raising the following issues:

- Development needs adequate parking;
- A shared dining room facility is required; and
- Future residents could be disrupted in the evenings;

1 letter of objection was received stating the following:

- The minor tweaks do not address the previous refusal reasons;
- Already enough elderly accommodation in Bromsgrove Town (22 sites identified within ½ a mile);
- Loss of site allocated for retail; and
- Affordable housing for families and young people is required

Relevant Policies

NPPF National Planning Policy Framework

Bromsgrove District Local Plan 2004 (BDLP):

DS13 Sustainable Development
S7 New Dwellings Outside the Green Belt
C17 Retention of Existing Trees
TR11 Access and Off-Street Parking
S35A Development in Conservation Areas
S39 Alterations to Listed Buildings
BROM11 Town Centre Zone
SPG1 Residential Design Guide

Bromsgrove District Plan Proposed Submission

BDP8 Affordable Housing
BDP10 Homes for the Elderly
BDP13 New Employment Development

Relevant Planning History

15/0836	Demolition of existing buildings and erection of 49 Retirement Living Apartments (category II type accommodation) including communal facilities, landscaping and car parking and 37 affordable apartments	Refused	10.12.2015
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Assessment of Proposal

The Site and its Surroundings

The application site is located within Bromsgrove Town within the defined Town Centre Zone. The site consists of Bromsgrove library, the former fire station building and associated offices. The site has 2 separate accesses; one off the Stratford Road serving the library and the other off the Stratford Road serving the fire station building. An MOT garage is located to the north of the site with residential properties located to the east on the Stratford Road. The High Street is located to the west with the current fire station facing the rear of a number of High Street units. The Bromsgrove United Reformed Church (URC) is positioned on the southern boundary and Weldron House and Day Centre are located to the south east.

The Proposed Development

This application seeks to demolish the fire station, offices and library. In place of these buildings the following is proposed:

- o 4-storey building containing 49 age restricted retirement apartments (20 x 1 bed and 29 x 2 bed) with associated private amenity space, parking and communal facilities; and
- o An affordable housing scheme consisting of 9 x 1 bed and 28 x 2 bed units within a 4-storey apartment building

Planning Considerations

The application is a resubmission of previous application 15/0836 which was refused on the following grounds:

- 1) Harm to the setting of the Conservation Area
- 2) Poor urban design that detracts from the character of the area
- 3) Insufficient parking provision and inadequacies with the parking layout; and
- 4) Adverse impact on local infrastructure

This report will therefore primarily focus on whether the above refusal reasons have been overcome under the following headings:

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

i) The Principle of the Proposed Development

As identified on the Proposals Map the site is located within the Town Centre Zone. In accordance with Policy BROM11 of the BDLP and NPPF a wide range of uses are considered acceptable in principle including retail, residential, community and commercial uses.

Policy BDP8 of the Proposed Submission Version of the Bromsgrove District Plan states that any proposals with a net increase of 10 or more dwellings will be expected to provide up to 30% affordable housing within their scheme. The scheme provides over 40% affordable housing which is a notable benefit where there is a substantial need for affordable housing.

Policy BDP10 Homes for the Elderly which encourages the provision of housing for the elderly in suitable locations within the district. The provision of 86 age-restricted apartments in a town centre location would usually be an ideal location to meet the acknowledged high level of need for elderly accommodation.

However, the site is specifically designated within the Proposed Submission Version of the Bromsgrove District Plan under Policy BDP17 (Town Centre Regeneration).

Allocation TC6 (Windsor Street) highlights that the site would be ideal for a retail led mixed use scheme. Whilst the emerging Plan has not been adopted, the Plan has been examined and no objections have been submitted in relation to this site. With no further examination hearing sessions proposed it is considered that weight can be attached to this policy. The proposed scheme is entirely aged restricted accommodation and therefore is contrary to this policy.

Some evidence was submitted to justify that there is no demand for retail on the site, which consists of a 2 page statement by Andrew Thompson & Co Chartered Surveyors. It stated that a developer had a retail scheme drawn up for the site and the Chartered Surveyor was employed to directly approach a range of retailers. No positive interest was received from retailers during the marketing campaign in September and October 2014.

Whilst ideally the site would contain a retail element it is important that opportunities to redevelopment redundant brownfield sites in the Town Centre are grasped. Residential accommodation of 86 units would provide substantial additional footfall for businesses in the Town Centre and could therefore deliver economic benefits for the Town Centre. It is also acknowledged that Bromsgrove District has an aging population and there is a need elderly accommodation.

On balance, whilst the lack of any retail provision is contrary to Policy BDP17 of the Proposed Submission Version of the Bromsgrove District Plan, it is considered that the wider benefits of the scheme overcome this harm.

ii) Street Scene & Character Impact

The site is located in Bromsgrove Town Centre in an area that has a number of designated historic assets. The site is adjacent to the United Reformed Church (URC) Chapel (Grade II), Sunday School (Grade II), Bromsgrove Town Centre Conservation Area and is also in close proximity to Wendron House (Grade II). It is necessary to consider whether the proposal retains or enhances the character and setting of the adjacent listed buildings and Conservation Area in accordance with policies S35A and S39 of the BDLP and paragraph 132 of the NPPF.

It is important to consider what changes have been made to the previous scheme 15/0836. The main changes can be summarised as follows:

- o The side elevation adjacent to Windsor Street has shifted northwards meaning the frontage gap on Windsor Street between the 2 buildings has been reduced by 4.1m;
- o A new pedestrian entrance has been added to the Windsor Street elevation of the retirement living development; and
- o Some minor changes to the treatment of the Windsor Street elevation

It is considered that the changes above are relatively minor and do not address the substantial concerns that were raised by the Urban Design Consultant or the Council's Conservation Officer. Members also placed weight on this issue in determining the previous application under reference 15/0836.

The Conservation Officer and Urban Design Consultant both feel that the proposed development is not an appropriate response to the redevelopment of the site causing harm to both the historic assets and the street scene in general. The proposed scheme is still predominately four storeys meaning that the building has substantial bulk and a dominant appearance which is out of keeping with the context of the site. Although there are unlikely to be views of the development from the High Street itself, it will be seen in the context of the rear High Street development. There are some attractive rear elevations notably 108 - 112 and 126 -130, and the rear of these historic buildings will be viewed in the context of the new development when looking along Windsor Street from south west and north east.

The proposed scheme will provide a huge contrast to Chapel Street that falls within Conservation Area. Whilst the existing buildings are large they are not as extensive as the proposed scheme which will extend to the back of the site where there is currently car parking. The proposed scheme will be at odds with scale and grain of this part of the Conservation Area.

The listed URC Chapel is the heritage asset most likely to be impacted upon by the scheme, being immediately adjacent to the site. The scale and bulk of the development adjacent to this grade II listed building remains unchanged. Consequently the Conservation Officer still highlights that in comparison to the current situation the proposal is generally much higher and far more of the site is developed which increases the massing and dominance of the proposed scheme in relation to the adjacent listed building.

It is acknowledged that the gap in the street scene on Windsor Street has been reduced slightly by 4.1m. However, concerns are still raised by both the Conservation Officer and Urban Design Consultant about the large gap in the street scene created by the building not fronting onto Windsor Street itself and car parking being located adjacent to the new access road between the two components of the development. It is still considered that it would have been preferable for the parking area to be hidden behind the building and this would have enabled the development to provide street enclosure at pedestrian level. With Windsor Street being the main road the building should have addressed this frontage in a more comprehensive manner. The minor tweaks to the Windsor Street elevation do not satisfactorily address this issue. It is quite clear that the design of the retirement living complex still treats the Windsor Road elevation as if it is of secondary importance leading to an inferior design outcome.

Whilst the mix of materials has altered the Urban Designer still feels that the development does not respond to the different characteristics of the surrounding streets. The Conservation Officer has also highlighted that there is still a fair bit of grey which is not common in the Bromsgrove area which is traditionally red brick.

Overall the proposed scheme has not been substantially altered since the refusal of application 15/0863 and is still considered to be a missed opportunity to improve the quality of the built environment of Windsor Street, and the setting of the heritage assets. The proposal will be more dominant than the existing situation due to the increased heights and intensification of the development on the site. The proposal due to its scale and massing would detract from the character of Windsor Street and cause harm to the

setting of the Conservation Area and adjacent listed buildings contrary to policies S35A and S39 of the BDLP and paragraph 132 of the NPPF.

iii) Access, Highways & Parking

The site proposes 2 main accesses. One access is off the Stratford Road to serve the affordable housing the development and another access is off Windsor Street. The new access road off Windsor Street will also maintain access to Weldron House.

Separate parking areas are provided for the 2 elements of the scheme with 28 spaces for the affordable housing scheme and 37 spaces for the retirement living. The parking levels remain unchanged from the previous application. The proposed parking levels for the affordable housing scheme off Stratford Road falls short of the minimum requirements with less than 100% parking. The Highway Authority interim parking guidance suggests that for a 1 bedroom unit 1 car space and 1 cycle space and for a 2 bedroom unit 2 car spaces and 2 cycle spaces.

The Council's Highway Engineer has highlighted that the proposed access onto Windsor Street has not been altered since the previous scheme and is therefore still considered to be unacceptable in its present form for the following reasons:

- o The proposed radius is too tight to permit the refuse vehicle to access the site and bin store;
- o Speed data is required to confirm that 43m is the appropriated splay line;
- o The application shows a 2m footway to the south of the access road, but this does not address pedestrian movements towards Stratford Road or across Windsor Street; and
- o The road is not up to adoptable standards.

The Highway Engineer requested that further information be provided. This has now been provided in the form of a Travel Plan and a plan showing the tracking of refuse vehicles within the site. However, amended comments from the Highway Engineer highlight that his initial concerns have not been overcome.

It is therefore still considered that the proposal will disrupt the free flow of traffic on Windsor Street and Stratford Road resulting in a severe highway impact. This is contrary to Policy TR8 of the BDLP, the adopted Local Transport Plan and paragraphs 32 and 35 of the NPPF.

iv) 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 Sanders Park, the provision of affordable housing and the provision of bin storage.

The applicant has confirmed that they would enter into a Section 106 agreement and precise terms have recently been informally agreed. Work on the S106 agreement is underway but as yet has not been completed and signed. This overcomes one of the previous reasons for refusal. I will update Members on this issue at your Committee.

Conclusion

Whilst the development is in a sustainable location that could deliver benefits to the Town Centre it is considered that the apartment blocks are considered to represent poor design and cause permanent and substantial harm to the setting of the Conservation Area and adjacent listed buildings. It is also considered that the proposal would have a severe impact on the highway network. I am therefore of the view that the revised scheme has not addressed the reasons for the refusal of the previous scheme and therefore the revised scheme remains unacceptable.

RECOMMENDATION: That planning permission be Refused

Reasons for Refusal

- 1) Due to its scale, mass and bulk the proposed development would have a significant negative impact on the character and appearance of the Conservation Area, as well as the setting of the adjacent listed buildings. This would be contrary to the statutory requirements contained in Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF and policies S35A and S36 of the BDLP.
- 2) Due to its orientation, siting, scale and overall bulk the retirement living complex fails to address the site context and topography which represents poor urban design that fails to improve the character and quality of the Windsor Road street scene which is contrary Policies S7 and DS13 of the BDLP and paragraph 64 of the NPPF.
- 3) Due to insufficient parking provision and inadequacies with the parking layout and site access the proposal will disrupt the free flow of traffic on Windsor Street and Stratford Road resulting in a severe impact on the highway network. The application is there contrary to Policy TR11 of the BDLP and paragraphs 32 and 35 of the National Planning Policy Framework.

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