

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr R Haider	<p>Conversion and change of use of existing 27 Bedroom Hotel (C1 use) into 22.no One Bedroom Apartments (C3 use) with external alterations and extensions</p> <p>Inkford Hotel, Alcester Road, Wythall, Worcestershire, B47 6DJ</p>	01.11.2019	19/00820/FUL

## RECOMMENDATION:

- (a) Minded to **APPROVE FULL 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:
  - (i) The Council receive a contribution of £2,524.30 for refuse and re-cycling bins
  - (ii) A financial contribution of £5,037 towards the NHS Clinical commissioning group (CCG) is secured
  - (iii) S106 monitoring fee (as of 1 September 2019, revised Regulations were issued to allow the Council to include a provision for monitoring fees in Section 106 Agreements to ensure the obligations set down in the Agreement are met. The fee/charge is subject to confirmation following authorisation to proceed with this provision at the meeting of Full Council on 25 September 2019).

## Consultations

### Wythall Parish Council

No objection

### Highways - Bromsgrove

Comments summarised as follows:

Recommends that this application is refused.

This application is considered to be contrary to the NPPF paragraphs 108 and 110 and the Streetscape Design Guide which forms part of the Local Transport Plan.

The site is located within a rural and unsustainable location at the junction of the A435 Alcester Road / Hill Lane. The A435 is a classified road which is a dual carriageway. Footpaths and street lighting are provided in the vicinity of the proposed development. Hill Lane is a narrow lane and does not benefit from footpaths and street lighting and no parking restrictions are in force along this lane.

It is noted some amenities are located in the area; however to reach these amenities it would involve walking along a 60mph very busy and fast flowing carriageway which does not benefit from footpaths or safe crossing points for pedestrians. A petrol station is located adjacent to the proposed development, Wythall Vets approx. 280m, Becketts Farm approx. 500m and a PH Rose and Crown approx. 1.8km from the proposed development.

A bus stop is located to the north off the dual carriageway approx. 80m distance from the proposed site for journeys into Wythall and Birmingham (no footpath), and another bus stop is located 700m south of the proposed development for journeys towards Redditch (no footpath). A grassed central reservation is provided in the vicinity along the A435 with no crossing points and metal railings are fitted within the central reservation away from the site.

Wythall Train Station is located approx. 2km from the site and Earlswood train station is located approx. 2.2km from the site, it is noted Earlswood Train Station walking / cycling route lacks adequate facilities (no street lighting and footpaths).

Due to the type of road (A435) fronting the proposed development the issues which would be created to the highway user would include pedestrians having to cross a fast flowing carriageway and the lack of cycling facilities available in the vicinity i.e. cycle lanes etc. Therefore the lack of adequate facilities in the vicinity will deter journeys on foot due to the existing conditions. Similarly these factors are unlikely to encourage cycling to services and facilities.

The existing vehicular access arrangement located off Hill Lane to be used for the proposed development are acceptable; the existing vehicular visibility splays will need to be maintained and any vegetation that impedes and is located within the splays is recommended to be cut back to a height below 0.6m if approval is granted.

The proposed development would generate more vehicular trips during the AM and PM peak periods than the Hotel. The number of trips generated by the proposed development will be negligible and therefore will not have an impact on the A435.

The applicant has provided 23 car parking spaces for the apartments and 4 disabled / visitor car parking spaces – acceptable.

In accordance with WCC latest guidance the applicant has failed to include a Residential Welcome Pack, cycling parking facilities or electric vehicle rapid charging points on site in accordance with current policies.

The application fails to accord with the adopted policy and the consequences of this will result in an unacceptable impact on the highway network which is contrary to paragraph 108 and 110 of the NPPF.

### **North Worcestershire Water Management**

The site falls within flood zone 1 (low risk of fluvial flooding) and is not shown to be susceptible to surface water flooding.

In order to ensure there is appropriate drainage for the site, a site drainage strategy condition should be attached to any consent

### **WRS - Contaminated Land**

This application has been reviewed in relation to contaminated land. No significant concerns have been identified and therefore WRS have no adverse comments to make in this respect.

WRS advise that consideration is given to the presence of asbestos containing materials (ACMs) in the hotel building and any ACMs removed during alterations should be disposed of appropriately such that the development site may not be considered contaminated land under Part 2A at a later date. Appropriate asbestos surveys prior to demolition/alterations and handling of ACMs during works should be undertaken by competent and qualified professionals with experience of surveying and handling ACMs.

### **WRS - Noise**

BS 8223:2014 sets out guidance on sound insulation and noise reduction for buildings. No objections are raised providing the recommendations set out in the Hoare Lea Noise Assessment (revised June 2019) are implemented in full.

### **Police Crime Risk Manager**

It is not considered that the proposed development would have any effect on crime and disorder in the area providing that the requirements of Approved Document Q (ADQ) of the Building Regulations are complied with and all doors (both communal and to each individual flat) and windows meet the standards in ADQ.

### **Worcestershire Wildlife Trust**

No objection subject to the imposition of biodiversity enhancement and appropriate Sustainable Urban Drainage (SuDS) conditions.

### **Waste Management**

No objections in principle. This residential development will require 5 x grey 1100 refuse bins and 5 x green 1100 recycling bins at a cost of £252.43 each (£2,524.30 in Total). The bins will require a footprint of 15m on which to be housed, details of which will need to be agreed.

### **Worcestershire CC Educational Services**

The proposals as submitted sit in the catchment area of Meadow Green Primary School and Woodrush Community High School. Analysis of pupil numbers show that the proposed development is likely to yield less than one pupil on average per year group.

Due to the low impact from the proposed development we will not be seeking a planning obligation to mitigate the proposed development.

### **NHS/Medical Infrastructure Consultations**

Redditch and Bromsgrove CCG has identified that the development will give rise to a need for additional primary healthcare provision to mitigate impacts arising from the development.

The existing GP practices do not have capacity to accommodate the additional growth resulting from the proposed development. The development could generate approximately 32 residents and subsequently increase demand upon existing constrained services. Affected premises: Hollyoaks Medical Practice.

A developer contribution will be required to mitigate the impacts of this proposal. Redditch and Bromsgrove CCG calculates the level of contribution required in this instance to be £5,037. Payment should be made before the development commences.

Redditch and Bromsgrove CCG therefore requests that this sum be secured through a planning obligation linked to any grant of planning permission, in the form of a Section 106 planning obligation.

### **NHS Acute Hospitals Worcestershire**

The Trust has requested a contribution of £7,409, which will be used directly to provide additional services to meet patient demand. The Trust is currently operating at full capacity in the provision of acute and planned healthcare. This development imposes an additional demand on existing over-burdened healthcare facilities and failure to make the requested level of healthcare provision will detrimentally affect safety and care quality for both new and existing local population. The contribution is necessary to maintain sustainable development.

### **Publicity**

A total of 25 neighbour notification letters were sent on 21.06.2019 expired 15.07.2019

Site notices (x2) displayed on 24.06.2019 expired on 18.07.2019

The development was advertised in the Bromsgrove Standard on 28.06.2019 and expired 15.07.2019

### **Representations**

7 representations have been received

3 objections have been received and are summarised as below:

- Lack of local amenities for future occupiers
- Public transport links poor
- Potential for crime in the area may increase
- General highway safety concerns

4 comments have been received which neither object or support the application and are summarised as below:

- support the idea of transforming it from its current dilapidated state into long-term residential dwellings; welcoming the visual change and prospect of new neighbours to the area. However, the application which proposes to change from its current C1 use to C3 use raises highway safety concerns
- The postcode of B47 6DJ used in the planning application for this hotel does not appear correct.
- The number of dwellings looking to be built seems high.
- The A435 should have speed restrictions

Other non-material planning considerations have also been raised; these do not form part of the assessment of the proposal.

### **Relevant Policies**

#### **Bromsgrove District Plan**

BDP1 Sustainable Development Principles  
BDP2 Settlement Hierarchy  
BDP3 Future Housing and Employment Development  
BDP4 Green Belt  
BDP6 Infrastructure Contributions  
BDP7 Housing Mix and Density  
BDP8 Affordable Housing  
BDP12 Sustainable Communities  
BDP16 Sustainable Transport  
BDP19 High Quality Design  
BDP21 Natural Environment  
BDP23 Water Management  
BDP25 Health and Well Being

#### **Others**

NPPF National Planning Policy Framework (2019)  
NPPG National Planning Practice Guidance  
Bromsgrove High Quality Design SPD  
Worcestershire Waste Core Strategy

### **Relevant Planning History**

10/0347	Change of use of existing hotel (Use Class C1) to 9 residential units (Use Class C3)	Granted subj to S106	02.07.2010
B/1999/0512	Single and two storey extensions to hotel	Granted	16.08.2000
B/1996/0653	Single storey extensions	Granted	13.01.1997
B/1992/0680	Extension to existing hotel with car parking and access	Granted	12.10.1992

### **Assessment of Proposal**

#### **Site**

The application site is located adjacent to the junction between the A435 and Hill Lane. The former hotel is predominantly two storeys in height and has an irregular footprint arranged around an enclosed courtyard. The hotel contains 27 bedrooms, seminar rooms

and a restaurant. It is understood that the hotel last ceased trading in October 2014 and has been vacant since. To the west of the building is a 29 space car park and to the south is a formal garden area. The site is adjoined to the south and east by open countryside and is within an area designated as Green Belt.

## **Proposal**

This application seeks full planning permission to convert the existing hotel into 22 no. 1 bedroomed flats. Minor extensions to the existing building are proposed which would represent a 24 square metre increase in gross floor area. The existing car park to serve the proposed development is to be reduced in size (from) 29 spaces to 27 spaces by the introduction of 4 no. disabled parking spaces adjacent to the building.

## **Assessment**

The site is situated within the West Midlands Green Belt as defined in the Bromsgrove District Local Plan.

The main issues are considered to be:

- The Principle of the development
- Housing Land Supply
- Green Belt
- Sustainability of the location
- Highway safety considerations
- Density of development
- Residential amenity considerations
- Noise
- Flooding and drainage
- Ecology
- Planning Obligations

### Principle of the development

Planning application 10/0347 granted consent for the existing hotel to be changed to residential use subject to compliance with the terms of a S106 Planning Obligation in July 2010. At that time, the Planning Committee agreed with the recommendation of officers in concluding that the continued viability of the hotel was becoming increasingly difficult and that a residential use would be appropriate in principle. It was acknowledged that occupiers of the new units would be relatively reliant on private transport and that there were (and remain to be) few amenities within a reasonable walking distance of the site. It was however concluded that vehicle movements generated by the proposed 9 unit scheme would not be any greater than that which could be associated with a 29 bedroomed hotel.

The applicant has commented that the (lapsed) consent 10/0347 (9 unit scheme) represented in their view, an inefficient use of space which would not provide sufficient financial return to justify applying to renew that application. The applicant has also identified that due to previous alterations and extensions to the building there was likely

to be little scope to increase the floor area of the building substantially due to its green belt location. A structural report has concluded that the existing building is sound in terms of its structural integrity and that the building lends itself to relatively straightforward subdivision into smaller units, taking into consideration the buildings existing internal layout.

Having regard to the current development plan, the Bromsgrove District Plan adopted 2017 and the National Planning Policy Framework as amended 2019 there remain no objections to the principle of a residential scheme subject to other material considerations as set out below.

### Housing Land Supply

Paragraph 73 of the NPPF requires the Council to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. In addition there must be an additional buffer of between 5% and 20%, depending on the particular circumstances of the LPA.

The Council has identified that (inclusive of the 5% buffer required by the NPPF) it can currently demonstrate a housing land supply of 3.45 years (at 1<sup>st</sup> April 2019). Therefore despite progress which has been made in identifying sites and granting planning permissions the Council still considers that it cannot demonstrate a five year housing land supply.

Where a Local Planning Authority cannot demonstrate a five year housing supply, Paragraph 11 (d) of the NPPF is engaged. This states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless:

- “i. the application of policies in this Framework (listed in footnote 6) that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; **or**
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

Footnote 7 to the NPPF states that this includes (for applications involving the provision of housing) situations where the LPA cannot demonstrate a five year supply of deliverable housing sites with the appropriate buffer, as set out in paragraph 73. Footnote 6 states these policies include 'irreplaceable habitats' which para 175 states includes Green Belts.

The key matters on which this decision turns are therefore considered to be: -

- Does NPPF Greenbelt policy indicate that this development should be restricted;
- Ultimately, whether or not the proposal would represent a sustainable form of development, having regard to local planning policies and the NPPF.

The relevant test is whether or not the proposal would represent a sustainable form of development, having regard to local planning policies and the NPPF, and particularly whether specific NPPF policies within para 11 and Footnote 7 indicate this development should be restricted. Para 8 of the NPPF explains that there are three overarching objectives to sustainable development:

- an economic objective – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- a social objective – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- an environmental objective – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

It can be seen that sustainability is thus a multi-faceted and broad-based concept. It is often necessary to weigh certain attributes against each other in order to arrive at a balanced position.

### Green Belt

The application site resides within an area designated as Green Belt. The key policy within the Bromsgrove District Plan is BDP4 and Chapter 13 of the NPPF, specifically paragraphs 145 and 146. Within this designation, the policy focus is on preventing "inappropriate" development in the Green Belt with the fundamental aim being to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence. It should be noted that development defined as 'inappropriate' is by definition harmful to the Green Belt, and attracts substantial weight in decision making. Such development should only be approved in very special circumstances where the harm by reason of inappropriateness (and any other harm) is clearly outweighed by other considerations.

Paragraph 146 comments that (under part d) that the re-use of buildings provided that the buildings are of permanent and substantial construction need not be classed as inappropriate providing the development preserves openness and does not conflict with the purposes of including land within it. The building is considered to be of permanent and substantial construction and the buildings return to active use together with the removal of the various signs would be of benefit to the Green Belt. I am therefore satisfied that the proposals would meet the requirements of Paragraph 146.

The building has been much altered and extended in the past, and I have noted from the Committee report pertaining to earlier application 92/0680 which granted permission for



extensions to the building, that at that time, the extensions proposed represented significant additions increasing the gross floor area of the hotel from 300 to 500 square metres. Subsequent extensions have further increased the hotels floor space.

Paragraph 145 of the NPPF comments that an exception to inappropriate development is (c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. The application proposes two small extensions to the existing building, firstly, a modest extension to the proposed apartment 19 which would bring an external wall further into the enclosed courtyard. Secondly, a modest extension to apartment 5 which would bring an external wall out in the direction of Hill Lane to the north. Both extensions would run parallel to the line of the existing walls. The extensions proposed would represent an increase of 24 square metres (GFA).

Whilst modest, the extensions proposed, would, as per previous extensions to the hotel represent inappropriate development under the terms set out under Paragraph 145, part c since the extensions would be disproportionate having regards to the 'original' building ('original' being defined in the NPPF as a building as it existed on 1<sup>st</sup> July 1948 or, if constructed after that date, as it was built originally).

Paragraph 143 of the framework comments that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Openness has both a spatial and visual aspect. I have concluded that only the extension to the proposed apartment 5 would result in spatial and visual harm. Further, the wider benefits which would result from granting permission in visual terms from bringing the building back into active re-use would in this case outweigh any harm caused. This, together with the obvious economic and social benefits as set out under Paragraph 8 of the Framework, represent the very special circumstances which need to be demonstrated under Paragraph 143.

### Sustainability of location

Paragraph 79 of the NPPF seeks to avoid the creation of isolated homes in the countryside. For the purposes of this application, the site is outside any village boundary / envelope.

The perceived unsustainable location of the site has been referred to in many of the public representations received and also by County Highways who comment that the A435 is a classified road which is dual carriageway. Highways have noted that footpaths and street lighting are provided in the vicinity of the proposed development but not along Hill Lane.

The applicant has commented that to the eastern side of the dual carriageway is a petrol filling station and convenience store. They continue by commenting that the site is located within 500m of the Becketts Farm complex which provides a farm shop offering a bakers, butchers, greengrocers, delicatessen, florist, takeaway and restaurant. They comment that other commercial businesses are located nearby. Within a 1000m radius lie other amenities including two churches, village hall a second PFS with convenience store

and further still (radius of 2000m) are many other amenities including school, medical centre and railway station.

Within 800 metres there are 3 bus stops for local services including the 150, 884 and A4 services.

WCC Highways have noted that to reach nearly all of the amenities referred to, a car is likely to be needed and although some amenities are located relatively close-by, reaching them would involve walking along a 60mph very busy and fast flowing carriageway which does not benefit from footpaths or safe crossing points for pedestrians.

Due to the close proximity of the A435), I agree that pedestrians having to cross a fast flowing carriageway together with the lack of cycling facilities available in the vicinity would deter journeys on foot and by bicycle.

I have concluded, notwithstanding the applicants own assertions, that the site is in a relatively unsustainable location and would conflict with Paragraphs 108 and 110 of the NPPF which comment that:

**108.** In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users

**110.** Within this context, applications for development should:

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles

### Highway safety

Traffic generated by a development is required to be accommodated and parking facilities should be provided without detriment to highway safety. WCC Highways comment that the existing vehicular access arrangement located off Hill Lane to be used for the proposed development is acceptable.

The proposed development would be considered to generate more vehicular trips during the AM and PM peak periods than the Hotel but the number of trips generated by the proposed development would be negligible overall and would therefore not have a detrimental impact on the A435.

Parking to serve the development: 27 spaces overall is considered to be acceptable.

In terms of highway safety implications, the proposed development is considered to be acceptable.

### Density of development

The scheme does represent a high density development for the financial and practical reasons set out earlier in this report. I have however noted that Policy BDP7 of the District Plan comments that developments should make the most efficient use of land and that high densities are encouraged provided that development maintains the character and local distinctiveness of the area. Further, both Policies BDP7 and 8 refer to the several studies, including the Worcestershire Strategic Housing Market Assessment 2012 that have identified that there is a significant unmet demand for smaller and more affordable properties where Bromsgrove has a high proportion of large 4 and 5 bedroomed homes. This application would therefore help to redress the balance between large homes currently available helping to provide realistic alternatives for the increasing elderly population.

### Residential amenity considerations

Policy BDP1 of the BDP comments that in considering all proposals for development, regard will be had to the compatibility with adjoining uses and the impact on residential amenity. The proposed change of use is not considered to give rise to any greater impact on the amenities of nearby residential occupied than that of a 27 bedroomed hotel and is therefore considered to be acceptable in this respect.

### Noise

Policy BDP19 seeks to ensure that development incorporates sufficient measures to reduce the potential impact of noise pollution to future occupiers of development. The site is clearly very close to the main source of noise (the A435) which carries high volumes of traffic throughout the day, with significant traffic movement continuing through the night. The applicant has submitted a noise report to accompany the application. Where it is considered that permission should be given, for example where there are no alternative quieter sites available, conditions should be imposed to ensure that a commensurate level of protection against noise. The report identifies that the British standard in this case BS 8233 can be met with the use of suitable glazing. WRS are of the view that these measures are sufficient to protect future occupiers from road noise. A condition set out later in this report would ensure that the recommendations set out in the noise survey are implemented.

Noise levels within in the formal garden area to the immediate south of the building to be converted are likely to be beyond the upper limit recommended for external amenity space. I therefore acknowledge that this space will not provide an altogether acceptable amenity area. Noise levels within the Courtyard area will however be lower. Given that the proposed units are proposed as apartments where generally a lower level of amenity space is acceptable, I am satisfied that the proposals are acceptable in residential amenity terms.

### Flooding and drainage

Policy BDP23 seeks to ensure, amongst other things, that development addresses flood risk from all sources and does not increase the risk of flooding elsewhere.

The site falls within Flood Zone 1 according to the Environment Agency flood mapping (low risk of fluvial flooding; i.e. from a river) and is not shown to be susceptible to surface water flooding. NWWM have raised no objection subject to a drainage strategy condition.

### Ecology

The application includes an Ecological Appraisal of the site. There would not be significant harm to ecological interests arising from the scheme, owing to the limited ecological potential within the site. No protected species have been found. Biodiversity enhancement is recommended for the site by means of a proposed planning condition.

### Planning Obligations

In accordance with Paragraph 56 of the NPPF and Section 122 of the CIL regulations, a planning obligation has 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:

- A financial contribution of £2,524.30 for refuse and re-cycling bins for the new development in accordance with Policy WCS.17 of the adopted Worcestershire Waste Core Strategy
- A financial contribution of £5,037 towards the NHS Clinical Commissioning Group (CCG). Clarification regarding the purpose of the contribution is currently being sought. Members will be updated in this respect at the Committee
- A Section 106 monitoring fee (as of 1 September 2019, revised Regulations were issued to allow the Council to include a provision for monitoring fees in Section 106 Agreements to ensure the obligations set down in the Agreement are met. The fee/charge is subject to confirmation following authorisation to proceed with this provision at the meeting of Full Council on 25 September 2019).

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

Members will note that the Worcestershire Acute Hospitals Trust (NHS Trust) has requested a contribution of £7,409, which would be used directly to provide additional services to meet patient demand. Officers accept that the request is material. However, following legal advice received, the contributions requested by the NHS Trust requiring a developer to make annual shortfalls in National Health Service revenue are considered to be unlawful. Legal advice received concludes that the requests do not meet the Community Infrastructure Levy Regulations (CIL) 2010 Regulation 122 tests; the requests are contrary to policy and they do not serve a planning purpose; and/or do not fairly and reasonably relate to the proposed development. This is on the basis of consideration of all information received from the Acute Hospitals Trust.

It should be noted that Policy BDP8 of the BDP comments that applications for 'major' development will be expected to provide a proportion of affordable dwellings on site. As a 'brownfield' site, Policy BDP8 requires that up to 30% of the total number of units be provided as affordable units. In this case, this would equate to 6 units in total.

Paragraph 63 of the NPPF states that:

*“To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount.”(equivalent to the existing gross floorspace of the existing buildings)*

Further guidance to that contained within Paragraph 63 of the NPPF which allows for a ‘Vacant Building Credit’ to be applied to any such proposals can be found at Paragraph 21 (reference ID:23b-021-20160519) of the National Planning Policy Guidance which states:

*“National policy provides an incentive for brownfield development on sites containing vacant buildings. Where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought”*

Accordingly, the Guidance requires a ‘credit’ to be applied which is the equivalent of the gross floorspace of any vacant building being re-used as part of the scheme and deducted from the overall affordable housing calculation.

A very small increase in floorspace is being proposed as part of this application (24m<sup>2</sup>). However, this figure is considered to be insignificant when compared to the floorspace of the buildings total floorspace which is 835m<sup>2</sup>. As such, no affordable housing provision is sought in this case.

## Conclusion

The proposals are considered to represent inappropriate development in the green belt by reason of the additional extensions to the building. However, the harm caused would be limited in terms of spatial and visual aspects. The wider benefits which would result from granting permission in visual terms from bringing the building back into active re-use would in this case outweigh any harm caused. This, together with the economic and social benefits as set out under Paragraph 8 of the Framework, represent the very special circumstances which need to be demonstrated under Paragraph 143.

Whilst the principle of residential development is considered to be acceptable, the location of the site can be seen to be unsustainable in terms of its reliance of the private motor vehicle for trips to and from the site.

Paragraph 11 (d) of the NPPF has however been engaged due to the fact that the Local Planning Authority cannot demonstrate a five year housing supply. This states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless:

- i. the application of policies in this Framework (listed in footnote 6) that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

It is considered that the proposal does satisfy the three overarching objectives of sustainable development. I have concluded that no clear reasons for refusing the development exist, nor are there any adverse impacts that would arise that would significantly and demonstrably outweigh the benefits of the proposal when assessed against the policies in the NPPF as a whole.

The scheme would make efficient use of the land whilst maintaining the character of the area in accordance with Policy BDP7 helping to meet a significant unmet demand for smaller properties, increasing Bromsgrove Districts Housing supply by 22 where the Council can only demonstrate a housing land supply of 3.45 years where 5 years supply is necessary.

Overall, it is considered that the benefits of the proposed development would indeed 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 FULL PLANNING PERMISSION** subject to the imposition of the Conditions listed below
- (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:
  - (i) The Council receive a contribution of £2,524.30 for refuse and re-cycling bins
  - (ii) A financial contribution of £5,037 towards the NHS Clinical commissioning group (CCG) is secured
  - (iii) A Section106 monitoring fee (as of 1 September 2019, revised Regulations were issued to allow the Council to include a provision for monitoring fees in Section 106 Agreements to ensure the obligations set down in the Agreement are met. The fee/charge is subject to confirmation following authorisation to proceed with this provision at the meeting of Full Council on 25 September 2019).

#### **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) 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.

- 3) 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

- 4) No development shall take place until full details of both hard and soft landscape works to include plans showing all utility services to be installed and their routing have been submitted to and approved in writing by the Local Planning Authority. These details shall include proposed boundary treatment and other means of enclosure, hard surfacing materials, new planting, trees and shrubs to be retained, together with measures to be taken for their protection while building works are in progress.

Reason:- In the interests of the visual amenity of the area

- 5) All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing by the local planning authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes or species unless the local planning authority gives written approval to any variation.

Reason:- In the interests of the visual amenity of the area

- 6) No works or development shall take place until a site drainage strategy for the proposed development has been submitted to, and approved in writing by the Local Planning Authority. The strategy shall include details of surface water drainage measures, including for hard-standing areas, and shall conform with the non-statutory technical standards for SuDS (Defra 2015). The surface water drainage measures shall provide an appropriate level of runoff treatment. The development shall be implemented in accordance with the approved strategy prior to the first use of the development and thereafter maintained.

Reason: In order to ensure satisfactory drainage conditions that will not create or exacerbate flood risk on site or within the surrounding local area.

- 7) Prior to the first occupation of the development hereby approved, a scheme for the provision of bat roost opportunities and bird nest boxes within the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented by suitably qualified personnel to the satisfaction of the Local Planning Authority prior to the first use of the development approved.

Reason: In the interests of biodiversity and in accordance with the provisions of National Planning Policy Framework

- 8) The Development hereby permitted shall not be first occupied until details of a scheme of electric vehicle charging points has been submitted and approved in writing by the Local Planning Authority. Thereafter the charging points shall be kept available for the charging of electric vehicles.

Reason: To encourage sustainable travel and healthy communities.

- 9) 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

- 10) Prior to occupation of the development, full details of refuse storage facilities shall be submitted to and approved in writing by the Local Planning Authority. The details thus approved shall be fully implemented prior to first use or occupation.

Reason: In the interests of providing adequate refuse storage capacity in a visually acceptable manner. To ensure refuse storage is reasonably accessible to facilitate the collection of refuse from the development.

- 11) Prior to occupation of the development, the recommendations regarding window alterations set out on page 14 (Section 8) of the Hoare Lea Noise Assessment (revised June 2019) shall be implemented in full.

Reason: In the interests of protecting residential amenities and to comply with the requirements of BS 8233

**Case Officer:** Steven Edden Tel: 01527 64252 Ext. 3206  
Email: [steve.edden@bromsgroveandredditch.gov.uk](mailto:steve.edden@bromsgroveandredditch.gov.uk)