

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Morrison Nash Developments	Conversion of former Nursing Home into 15 No. apartments The Hall Nursing Home, Old Station Road, Bromsgrove, Worcestershire, B60 2AS	30.12.2020	20/01392/FUL

RECOMMENDATION:

- (a) MINDED to GRANT full planning permission
- (b) That DELEGATED POWERS be granted to the Head of Planning and Regeneration to determine the application following the receipt of a suitable and satisfactory legal mechanism in relation to the following matters:-
- (i) £36,181.00 as a contribution towards enhancements to open space facilities at Aston Fields Recreation Grounds for the scheme.
 - (ii) £ 4,738.00 as a contribution towards improved facilities at New Road Surgery.
 - (iii) Planning Obligation Monitoring Fee: £TBC. Revised Regulations have been 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.
- (c) And that DELEGATED POWERS be granted to the Head of Planning and Regeneration to agree the final scope and detailed wording and numbering of conditions as set out in the list at the end of this report

Consultations

Arboricultural Officer

No objection to the proposed development regarding any tree related matters subject to conditions.

Housing Strategy

No comments to make due to Vacant Building Credit effectively bringing the affordable housing contribution down to zero.

Open Space/Parks

The landscaping on site is functional and provides a small community open space and parking whilst retaining the existing tree stock with some reduction to height as consulted and requested by neighbour properties. Subject to requirement of the open space and play contribution calculation, Leisure Services would seek off site provision to improve the open space/play element at Aston Fields Recreation Grounds which is within easy walking distance to the development.

Waste Management

No objection.

Worcestershire Archive and Archaeological Service

The application impacts a designated heritage asset, recorded on the County Historic Environment Record as a Grade II listed timber-framed house of 16th century origin. The likely impact on the historic environment caused by this development may be offset by

the implementation of a conditional programme of archaeological work. Recommend appropriate conditions.

Conservation Officer

No objection to the principle of this scheme. It is not considered that the proposed works will harm the significance of the listed building. Recommend appropriate conditions.

Highways - Bromsgrove

Worcestershire County Council acting in its role as the Highway Authority has undertaken a full assessment of this planning application. Based on the appraisal of the development proposals and the additional information which has been submitted the Transport Planning and Development Management Team Leader on behalf of the County Council, has no objection subject to conditions.

North Worcestershire Water Management

The site falls within flood zone 1 (low risk of fluvial flooding) and has a low risk of surface water flooding. While we do hold reports of flooding nearby, we hold no reports of flooding at this address. No objections as there will be no drainage implications.

NHS/Medical Infrastructure Consultations

The proposed development is likely to have an impact on the services of 1 GP practice. The existing GP practice - New Road Surgery, does not have capacity to accommodate the additional growth resulting from the proposed development. The development will generate an additional 30 residents and subsequently increase demand upon existing constrained services.

In its capacity as the primary healthcare commissioner, Herefordshire and Worcestershire 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 capital required through developer contribution would form a proportion of the required funding for the provision of capacity to absorb the patient growth generated by this development.

NHS Acute Hospitals Worcestershire

No comments submitted.

Red Kite Network Nat Healy (Ecology)

The Preliminary Bat and Bird Assessment (August 2020) and Bat Emergent and Re-Entry Survey (September 2020) have been reviewed. The conclusions of the reports confirmed that bats are not present within the structure and that a European Protected Species license is not required. No objections and recommend conditions to enhance local biodiversity.

Community Safety Project Officer Community Safety

Note that this development entails substantial works on a Grade 2 listed building and that there is a stated intention to conduct the development sympathetically, to retain and in some cases to restore particular heritage features. Would encourage security measures to be in place during construction, the provision of appropriate external lighting and careful marking of allocated car spaces for the flats. Reference is also made to boundary treatment and cycle storage.

Education Authority

The proposal as submitted is for 5 x one bed dwellings and 10 x two bed dwellings. The development will yield one pupil per year group on average in the Early Years phase of education and less than one pupil per year group on average in mainstream education and therefore, is considered to have low impact on education provision. No contributions to be sought on this occasion.

Public consultation

Site Notice erected on site on 11.12.20 (expired 4.1.21).

Press Notice 27.11.20 (expired 14.12.20).

2 separate sets of public consultation (24.11.20 (expired 18.12.20) and 25.02.21 (expired 14.3.21) have taken place over the processing of the application which is reflected in the number of comments received.

22 representations

1 letter of support

3 representations

18 objections

Comments summarised as follows:-

- Welcome the development as the site has become a magnet to a range of unsociable activities.
- Inadequate arrangement of car parking.
- New access from Warwick Hall gardens will result in a loss of two car spaces within the layby.
- Increase in traffic, danger for children in the area.
- Happy that trees are to be retained as part of scheme, but hope they are maintained.
- Cars will park on the road resulting in a narrow access into Warwick Hall Gardens.

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles

BDP2 Settlement Hierarchy

BDP3 Future Housing and Employment Development

BDP6 Infrastructure Contributions

BDP7 Housing Mix and Density

BDP8 Affordable Housing

BDP16 Sustainable Transport

BDP19 High Quality Design

BDP20 Managing the Historic Environment

BDP21 Natural Environment

BDP22 Climate Change

Others

NPPF National Planning Policy Framework (2019)

NPPG National Planning Practice Guidance

Bromsgrove High Quality Design SPD

Relevant Planning History

The site contains an extensive planning history relating to various planning applications and Listed Building Consent applications relating to extensions and alterations.

The most recent applications have been reported for the reference of Members.

20/01393/LBC	Conversion of former Nursing Home into 15 No. apartments.	Pending	
17/01259/LBC	2 storey extension linking to south-east corner of existing nursing home, to provide additional bedrooms and associated facilities. Application is a renewal of lapsed permissions Ref: 12/0412 and 12/0413	Approved	15.02.2018
17/01258/FUL	2 storey extension linking to south-east corner of existing nursing home, to provide additional bedrooms and associated facilities. Application is a renewal of lapsed permissions Ref: 12/0412 and 12/0413 as amended by plans received	Approved	15.02.2018
12/0413	2 storey extension linking to south-east corner of existing nursing home, to provide additional bedrooms and associated facilities. Application is a renewal of lapsed permissions Ref's: 2006/0812 & 2006/0813 - Listed Building Consent	Approved	13.08.2012
12/0412	Two storey extension linking to south-east corner of existing nursing home, to provide additional bedrooms and associated facilities. Application is a renewal of lapsed permissions Ref's: 2006/0812 & 2006/0813	Approved	13.08.2012

Proposal Description

Permission is sought to convert the former nursing home into 7 No. one bedroom and 8 No. two bedroom apartments with amenity provision and off street car parking. Existing structures are to remain apart from low quality additions such as lean tos and conservatories. Existing openings will be reused as much as possible. Minimal works are proposed to the original 16th century and 18th Century buildings except to remove the modern additions. All repairs will be carried out with like for like materials. No additional extensions are proposed as part of the conversion.

Site Description

Warwick Hall, formerly known as The Halls Nursing Home, is located off Warwick Hall Gardens, close to the A38 and 0.7 miles walk from Bromsgrove Station. Warwick Hall is a Grade II listed building which has been extensively extended. The building has previously been used as a Nursing Home and has since closed down. The building has fallen into disrepair and becoming damp due to break-ins and theft of pipework. The windows have been boarded up and the site is substantially overgrown.

Assessment of Proposal

Principle

The original buildings date back to the 16th Century, and late 18th and early 19th century. They originally formed part of Warwick Hall or Warwick Hall Farm. The setting of the buildings has been lost due to the number of modern extensions to create the nursing home, constructed in the latter part of the 20th century, and the development of the modern houses around the site which were constructed in the middle of the 20th century. Few historic features of interest remain internally following the various works to create the Nursing Home. The Nursing Home became vacant a couple of years ago and has remained unused since then, deteriorating as well as experiencing unsocial behaviour.

The site is within an area designated as Residential in the Bromsgrove District Plan and given its close proximity to public transport links and within walking distance to the town centre, the principle of residential development in this sustainable location would be acceptable complying with Policy BDP1 of the District Plan.

Policy BDP7 of the District Plan applies and encourages mixed and vibrant communities with a focus on 2-3 bedroom dwellings. However, with schemes comprising 10 or more units, a wider mix of dwelling types is required. Whilst the proposed conversion scheme includes the removal of modern additions, conversion works are limited internally due to the status of the building to ensure that the character of the building is maintained. Given the previous use of the building the conversion works lend themselves towards 1 and 2 bedroom accommodation. The provision of 1 and 2 bedroom units in this location would be acceptable and complies with Policy BDP7.

The scheme provides sufficient functional space for residential development and incorporates appropriate amenity space for the occupiers complying with Policies BDP19 of the District Plan, the provisions of the NPPF, and the Council's SPD on High Quality Design.

Conservation

The Conservation Officer has no objection to the principle of this scheme. The proposed use would enable this designated heritage asset to be brought back into use, and as such save the asset from further decline. It is considered that the proposed works will not harm the significance of the listed building. The County Archaeological Service has also raised no objection to the scheme, subject to a suitable recording condition. The proposal complies with the requirement of the 1990 Act, Policy BDP20 of the District Plan, and the NPPF.

Highways

The site is located in a residential location off an unclassified road, the site benefits from an existing vehicular access, footpaths and streetlighting. It is noted a parking bay is located 60m from the proposed development on Warwick Hall Gardens which has the ability to park up to 6 vehicles. The site is located within walking distance of amenities, bus route and bus stops which are located approx. 300m. Bromsgrove Railway Station is located close to the proposed development.

Concerns have been raised by the residents with regards to highways and parking. Further evidence has been provided via a Highway Technical Note that has deemed the parking arrangements to be acceptable in this instance. With regards to visitor parking spaces these are permitted to be counted within the street due to their short-term duration and infrequent occurrence.

The proposal does not fully comply with Streetscape Design Guide in terms of parking provision. The guidance recommends 1 space per 1 bed dwelling and 2 spaces per 2 bed dwelling (7 x 1 bed and 8 x 2 bed) which equates to a total of 23 car parking spaces. The applicant has provided 18 car parking spaces, resulting in a shortfall of 5 car parking spaces which is acceptable in this instance based on the justification in the Technical Note, as well as noting that the majority of the amenities/facilities are also accessible via bus and a short cycle ride, and the site is located within a sustainable location. It is important to note that each apartment has at least one car space and electric charging point too. Cycle parking has been provided on site in accordance with WCC cycle parking standards.

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

Sustainability

As mentioned above, the application site is located close to a regular bus route that provides a prompt public transport route to the Town and wider area. The proposed development therefore benefits from the NPPF's "presumption in favour of sustainable development" and also complies with the NPPF's objective of significantly boosting the supply of housing. In addition, the scheme meets the NPPF's requirement to make "effective use" of under-utilised land in a relatively sustainable location.

Members will be aware that the Council cannot demonstrate a 5 year supply of housing land within the District. Para. 11 of the NPPF says that in such circumstances relevant policies for the supply of housing should not be considered up-to-date. The so called tilted balance as advocated by the NPPF is engaged and the presumption in favour of sustainable development, as set out in the NPPF applies. Where relevant policies are out of date Para. 11 advises that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. Therefore, significant weight should be afforded to the fact that the scheme would make a meaningful contribution to the Councils housing figures where the Council cannot demonstrate a 5 year supply of housing land as required under the NPPF.

Trees

There are a number of mature trees and shrubs lining the Northern side of the existing drive entrance and parking area at the front of the building. Work is required to some of the trees such as dead wooding and general tidying up of canopies as well as reducing the height of the line of mature Leylandii conifers that are positioned along the southern boundary with Warwick Hall Gardens. It is intended that the overall height of these trees will be reduced to maintain the quality of the trees, allow more light into the site, as well as maintain a valuable screen of the site for the other residents of Warwick Hall Gardens.

The proposed car parking and bin collection area is likely to be within the RPA of several mature trees within the site. Therefore, the new proposed parking bays will need to be installed by use of a suitable grade of No Dig construction over the existing ground levels to ensure that the development has no adverse impact on these trees. The Council's Arboricultural Officer recommends appropriate conditions.

Waste

Originally the bin store for the development was located at the entrance of the site. Whilst this would have been practical, it would have also been highly visible from the streetscene. The bin storage area has now been relocated to closer to the parking area within the site. It is intended that the building's management team will move the full bins to a collection point at the entrance of the site on the appropriate bin collection day. The design of the bin store is to be conditioned.

Ecology

A Preliminary Bat and Bird Assessment (August 2020) and Bat Emergent and Re-Entry Survey (September 2020) have been submitted to support the application with conclusions that bats are not present within the structure and that a European Protected Species license is not required. The Council's Ecology Advisor raises no objections to the proposal but recommends suitable conditions to enhance local biodiversity.

Neighbour objections

Whilst there is 1 letter supporting the proposal, the majority of objections submitted relate to car parking issues in the area, and that the scheme will hinder existing on street car parking provision.

A parking bay exists within the cul de sac of Warwick Hall Gardens and the original site layout showed this car parking bay being split to enable access from the south of the site to provide car parking for the scheme. The scheme has since been amended to remove this provision and therefore, the existing car parking bay will not be affected by the development. Other objections relate to car parking issues for the potential occupiers; however, these have been addressed above in this report.

Planning obligations

Due to the scale of the development a Section 106 Agreement is proposed for this scheme to cover the following matters:-

The site lies within the practice area of New Road Surgery. They are fully utilising all of their clinical rooms and would therefore have no capacity to provide services to the cumulative number of residents that will move into the apartments close to their practice

area. Therefore, a financial contribution will be sought to enable additional primary healthcare provision for the surgery to mitigate impacts arising from the development.

Whilst some limited amenity provision would be available on site, Leisure Services seek an off site provision to improve the open space/play facilities at Aston Fields Recreation Grounds.

County Highways will not be looking for IDP Contributions in this instance, since the proposed residential development would generate fewer trips than the former nursing home as confirmed within the Technical Note submitted by the applicant.

In respect to waste collection, given the building was formerly used as a nursing home, it already has communal bins provided for the site. Therefore, a contribution towards communal bins will not be sought on this occasion.

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 applicant is agreeable to the Heads of Terms and a Section 106 Agreement is in the process of being drafted.

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 5 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. As such, no affordable housing provision is sought in this case.

Conclusion

The proposed use is acceptable in this sustainable location. The proposed use would enable the reuse of a Grade II listed building and prevent from declining into a dilapidated condition. Whilst there may not be the full provision of car parking for the intended use, it is in close proximity to public transport facilities. The location of the site to public transport

links to a wide range of facilities within the Town Centre and beyond means the site is ideally located for residential development, and benefits from the NPPF's presumption in favour of sustainable development.

RECOMMENDATION:

- (a) MINDED to GRANT full planning permission
- (b) That DELEGATED POWERS be granted to the Head of Planning and Regeneration to determine the application following the receipt of a suitable and satisfactory legal mechanism in relation to the following matters:-
 - (i) £36,181.00 as a contribution towards enhancements to open space facilities at Aston Fields Recreation Grounds for the scheme.
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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 plans (to be inserted) including Heritage Statement.

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 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) Prior to any demolition work, a method statement in respect to the demolition of the modern additions, and appropriate finishing works shall be submitted to and approved by the LPA. The approved method statement shall be implemented before the development is first brought into use.

Reason: To ensure that the works are made good following the removal of the modern additions in order to preserve the Listed Building.

- 5) Prior to their first installation, details of the colour finish of the bin store and storage compound 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.

- 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 the proposed dwellings car parking spaces (1 per dwelling) have been fitted with an electric vehicle charging point. The charging points shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851 and the Worcestershire County Council Streetscape Design Guide. The electric vehicle charging points shall be retained for the lifetime of the development unless they need to be replaced in which case the replacement charging point(s) shall be of the same specification or a higher specification in terms of charging performance.

REASON: To encourage sustainable travel and healthy communities.

- 8) The Development hereby permitted shall not be first occupied until sheltered, safe, secure and accessible 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.

- 9) The Development hereby approved shall not be occupied until the access, parking and turning facilities have been provided as shown on drawing No. (to be defined).

Reason: To ensure conformity with submitted details.

- 10) Prior to first installation, a hard and soft landscaping details shall be submitted to and approved by the LPA. The approved works shall be carried out in accordance with the approved details 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.

- 11) The proposed parking spaces at the front of the site within the canopy spread of existing trees shall be installed by use of a suitable grade of No Dig construction over the existing ground levels. Prior to their first installation a plan and specification of the method of construction to be used shall be submitted to and approved by the LPA. The development shall then be carried out in accordance with the approved details.

Reason: In order to protect the trees which form an important part of the amenity of the site.

- 12) All retained trees and their Root Protection Areas must be protected during clearance and construction phase in accordance with BS5837:2012, using suitable protective fencing and/or ground protection as appropriate. No storage of plant/materials within the Root Protection Areas of any retained trees. This fencing and /or ground protection shall be constructed in accordance with the guidance in the British Standard BS5837:2012 and shall remain as erected until the development has been completed.

Reason: In order to protect the trees which form an important part of the amenity of the site.

- 13) Development shall not begin until an arboricultural method statement and protection plan shall be submitted to and approved by the LPA in respect to works to be carried out on the retained trees. The development shall then be carried out in accordance with the approved details.

Reason:- In order to protect the trees which form an important part of the amenity of the site.

- 14) 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.

Reason: To ensure that any below-ground archaeological interests are properly discovered and protected to avoid any possible damage

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

Reason: To protect any below-ground archaeological interests.

- 16) Prior to implementation of the proposed development, details shall be submitted shall include [bird nesting boxes, bat roosting boxes, amphibian/reptile refugia, and appropriate native species planting to take account of the need to recreate habitat for wildlife and biodiversity in accordance with the Worcestershire Biodiversity Action Plan. The details thus approved shall be fully implemented prior to first use or occupation of the development.

Reason:- To ensure the creation of wildlife habitat and wildlife corridors within development and minimize impact of the development on the biodiversity

- 17) Prior to first installation, a "lighting design strategy for biodiversity" shall be submitted to and approved in writing by the local planning authority. The strategy shall:

a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using or having access to their breeding sites and resting places.

The strategy shall be in compliance with Institution of Lighting Professionals' Guidance Note 08/18. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. The approved strategy shall be implemented before the development is first brought into use.

Reason: In the interests of protecting and enhancing biodiversity in the area.

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