

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr John Lawson	Redevelopment to form 8no. Class E(a) retail units at ground floor and 9no. 1 and 2 bed apartments at first and second floor. 113 High Street, Bromsgrove, Worcestershire, B61 8AE,	12.05.2021	21/00196/FUL

This application is being reported to Planning Committee as it is a major planning application.

RECOMMENDATION: That planning permission be **GRANTED**

Consultations

Highways - Bromsgrove Consulted 02.09.2021

I have no highway objections into the proposed Redevelopment to form 8no. Class E(a) retail units at ground floor and 9no. 1 and 2 bed apartments at first and second floor.

The site is located in a town centre (primary shopping centre) and sustainable location on the High St. It is noted Bromsgrove Bus Station is located within acceptable walking distance from the proposed site, local bus stops are also located within acceptable walking distance. The High street provides Bromsgrove's main retail areas and amenity facilities again all available within walking distance. It is noted loading bays are provided in the vicinity of the site; however, parking restrictions are in force along the majority of the High Street.

No car parking has been provided for the proposed development due to the sites sustainable and town centre location - acceptable in this instance.

Conservation Officer Consulted 02.09.2021

No objection subject to conditions

North Worcestershire Water Management Consulted 02.09.2021

No objection subject to condition

Community Safety Consulted 02.09.2021

Comment made in relation to the raised walkway proposed, the means of securing the access gates, how gate access security will be managed, the security of the bike store, access to the stairways to the residential properties, how postal mail will be managed and sound insulation.

Public Consultation

Six letters originally sent to neighbouring properties 19.02.2021, expired 15.03.2021. Following amendments to the scheme two letters were sent individuals who had

commented on the original scheme. These letters were sent 2.09.21 and expired on 23.09.21. No comments were received in relation to the amended scheme.

The comments made on the original scheme raised the following points:

- The density and size of the flats proposed
- Lack of natural light to residential units
- Access, increased traffic and parking on double yellow lines
- Waste storage provision
- Potential for flood risk
- Loss of existing retail unit

Press advert published 26.02.21 expired 15.03.21

Site notices displayed 26.02.21 expired 22.03.21

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles

BDP17 Town Centre Regeneration

BDP19 High Quality Design

BDP20 Managing the Historic Environment

BDP23 Water Management

Other

NPPF National Planning Policy Framework

Bromsgrove Town Conservation Area Appraisal

Relevant Planning History

B/18766/1989	Alterations to shop front and fitting out to Dorothy Perkin clothes shop (as amended by plan received 21.12.89).	Approved	15.01.1989
20/01401/FUL	Replacement of Two shopfronts to form Four Shopfronts in the same aperture.	Approved	23.12.2020

Proposal Description

The application seeks the redevelopment of the existing ground floor retail units, reducing them in size, but increasing to three units fronting the High Street. The formation of a pedestrian access from the High Street in to a courtyard area behind is proposed where a further five Class E(a) retail units are proposed on the ground floor. Across the first and second floors 9no. flats are proposed. Of these, 6 are one bedroom and 3 are two bedroom units.

Assessment of Proposal

Principle of the development

Policy BDP 17 of the Bromsgrove District Plan (BDP) at 17.2.2 (a) seeks to support the retention of what were, at the time of preparing the BDP, A1 uses at the ground floor in order to maintain the retail vitality and viability of the Primary Shopping Zone in the Town Centre. Subsequent changes to the Use Classes Order, introduced in 2020, deleted Class A in favour of a broader form of categorisation of Use Classes. In this case it is proposed that the ground floor units will be Class E(a) use. Class E is defined as "Use, or part use, for all or any of the following purposes - (a) for the display or retail sale of goods, other than hot food, principally to visiting members of the public." This is commensurate with the former A1 use Class and therefore it is considered that the proposal complies with this element of Policy BDP17.

With respect to the first and second floor elements of the proposal Policy BDP17 at (d) goes on to state that a wide range of appropriate uses would be supported at first floor level, one of those listed includes residential. It is therefore considered that overall the development complies with policy BDP17 and is acceptable as a matter of principle.

Flood risk

The site lies in Flood Zone 3 which means it is at high risk from fluvial flooding from the adjacent Spadesbourne Brook which lies to the rear of the site. The application has been supported by a Flood Risk assessment and the scheme has been amended to respond to concerns raised by North Worcestershire Water Management.

The provision of retail units on the ground floor of the development means that the flood vulnerability classification as set out in Annexe 3 of the NPPF has not changed. The scheme incorporates a staircase and entrance/exit for residents of the upper floor flats via the High Street which removes the need to cross the Spadesbourne Brook in times of flood. Furthermore, the rear staircase will be an open structure ensuring that there is no loss of floodplain storage.

Having regard to all these matters, Officers at North Worcestershire Water Management raise no objections to the proposed development subject to the imposition of a condition with respect to the provision of a flood warning and evacuation plan.

Heritage

The site lies within the Town Centre Conservation Area. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area. Historic Environment policies in BDP20 of the Bromsgrove District Plan amongst other things, support development which sustain and enhance the significance of heritage assets. In addition, development affecting heritage assets, should not have a detrimental impact on the character, appearance or significance of the heritage asset or heritage assets, including their setting (BDP 20.3). Guidance in the NPPF must also be considered.

The character and significance of the Conservation Area is described in the 2011 Conservation Area Appraisal as follows: "The Bromsgrove Town Conservation Area

contains an assortment of notable historic buildings dating from predominantly the 18th and 19th centuries but with some earlier surviving timber framed buildings. A range of architectural styles is represented from English vernacular, to restrained Georgian and more elaborate Victorian Gothic buildings. This variety of elevational treatments and styles demonstrate high quality construction and craftsmanship, giving a rich texture to the town centre, and are tangible reminders of the town's past prosperity. The narrowness of the historic building plots, varied rooflines and the overall height of the buildings give an overall impression of vertical emphasis, and a strong sense of enclosure. The more modern developments unfortunately detract from this being generally set back from the established building line, sometimes a storey lower and include detailing which gives a horizontal rather than vertical emphasis. These infill sites do at least give opportunities for redevelopment in the future without requiring the loss of more historic buildings.”

The Conservation Officer has been consulted on the proposal and comments that the Conservation Area Appraisal indicates that the building subject to the application has a neutral impact on the character on the Conservation Area, however it is thought that in light of the well considered street frontage in materials reflecting the local character, the building has a neutral to positive impact on the character. The rear elevation, however, has given no thought to the local character and the historic appearance of the rear of the High Street which can be seen further along Market Street, where in places the assortment of the subservient rear buildings still survive.

With respect to the detail of the scheme proposed no objection to the scale of the proposed rear element is raised as it will not be seen from the High Street. Furthermore, the creation of the courtyard accessed from the High Street reflects the historic courts which were once present at the rear of many of the buildings in the High Street. It is also acknowledged that the development will improve the appearance of a neglected area to the rear of the High Street as well as introducing vitality by way of the small shop units. Overall the Conservation Officer raises no objection to the proposal, subject to the imposition of conditions, and considered that the development will comply with the requirements of the 1990 Act as well as the policies contained within the BDP and NPPF.

Other matters

Two objections were received in relation to the application, however these comments were made in relation to a previous version of the scheme prior to amendment to address consultee comments. Consultations in relation to the amended scheme were sent to these two individuals, however no further comments were raised. Notwithstanding, officers note that the residential units are served by windows to each room within each flat and whilst clearly smaller units, they are of adequate size. Provision has been made for waste receptacles to serve the development and additional retail units are now proposed, such that there no loss of retail floorspace.

The development makes no provision for on site car parking for residents of the proposed development. The Highway Authority have been consulted on the application and raise no objections to the development. They have specifically cited the proximity of the bus station and the location of the site within the town centre, providing ready access to a range of services and facilities as a reason to justify the lack of car parking provision in this case. Officers have no reason to disagree with this assessment and note that it reflects a similar

position adopted with respect to a number of schemes along the length of the High Street for residential development above the existing commercial uses.

The comments of the Community Safety Officer are noted. With respect to the majority of issues raised, for example the locking mechanism on the access gates, these are not matter which can reasonably be controlled by the planning system. Concerns expressed relating to sound insulation will be covered by Building Regulations. The suggestion to incorporate palisade fencing into the scheme in relation to securing the covered walkway area would not be appropriate given the location of the site within the Conservation Area.

A preliminary ecological appraisal has been submitted with the application given the works involved and the proximity of the Spadesbourne Brook. In this case no evidence of nesting birds, roosting bats or amphibians was identified. Therefore no restrictions on the time works can take place is necessary, however a precautionary condition is recommended with respect to unexpectedly encountering bats during the course of construction.

RECOMMENDATION: That planning permission be **GRANTED**

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:

20-814-1 P1
20-814-10 P3
20-814-11 P2
20-814-12 P3
20-814-15 P2

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

3. 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.

4. Prior to the first occupation of the site, a flood warning and evacuation plan should be submitted to and approved in writing by the local planning authority. A copy of this plan must be made available to all future owners / occupiers of the residential

units. The building owner is responsible for ensuring the plan is kept updated with any future changes to local flood warning systems.

Reason: In order to protect residents of the development from the risk of flooding.

5. Should any bat be discovered during building work, that work should cease immediately, and The Bat Conservation Trust should be notified for advice on how to proceed without an offence being carried out.

Reason: In order to protect any bats during the course of construction which may be present on the site.

6. Notwithstanding the details shown on the plans hereby approved, prior to their first installation, details of the form, colour and finish of the materials to be used externally on the walls and roofs and the rainwater goods 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

7. Prior to installation on site, joinery details of all windows, doors and rooflights at a scale of 1:2 shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In order to maintain the character and appearance of the Conservation Area.

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