

REDDITCH BOROUGH COUNCIL

**PLANNING
COMMITTEE**

8th April 2015

**Planning Application 2015/044/FUL and
Listed Building Consent Application 2015/045/LBC**

Conversion of listed Public House into 4 separate dwellings with associated works, car parking and rear driveway, together with 2 new semidetached 2 bedroomed houses and 1 detached 3 bedroomed house within the grounds.

The White Lion, 1202 Evesham Road, Astwood Bank, Redditch, B96 6AA

**Applicant: Vicarage Farm Estates Ltd
Expiry Date: 15th April 2015
Ward: ASTWOOD BANK AND FECKENHAM**

(see additional papers for Site Plan)

The author of this report is Harjap Rajwanshi, Planning Officer (DM), who can be contacted on Tel: 01527 64252 Extension: 3364 Email: harjap.rajwanshi@redditchbc.gov.uk for more information.

Site Description

The application site is a Grade II Listed Public House with a large rear garden and is situated between no's 1204 and 1200 Evesham Road, Redditch. The site lies within the Astwood Bank and Feckenham ward and within the Astwood Bank District Centre, as defined by the Borough of Redditch Local Plan No.3 and the emerging Borough of Redditch Local plan No.4. The site consists of an irregular flat shape, approximately 0.15 hectares in area and is accessed by the existing frontage to Evesham Road and from the rear access from Foregate Street. The southern (side) and western (rear) boundary treatment, to the existing rear garden area, consists of a 3m high fence, and the northern (side) boundary treatment consists of a hedge and tree boundary treatment. The southern and northern (side) boundary treatment to the existing rear garden area fronting Foregate Street consists of a 3m high fence and a mature hedge. The surrounding area is predominantly residential comprising of detached, semi-detached and terraced dwellings to the north, south and west of the site. The street frontage to the east of the site, along Evesham Road, consists of residential dwellings, small commercial enterprises and shops.

Proposal Description

The applicant seeks Listed Building Consent and Full Planning Permission for the refurbishment and conversion of the Grade II Listed Public House into four residential units which would front Evesham Road referred to as Units 1, 2, 3 and 4. The existing rear outbuildings including a detached function room, lobby, servery and store would be demolished.

**PLANNING
COMMITTEE**

8th April 2015

Units 1, 2 and 3 would be two bedroom units and Unit 4 would be a three bedroom unit. The proposed changes to the front elevation would include the replacement of all existing softwood windows with new double glazed timber sash windows with slim glazing bars, a new door with top glazed panels for unit 1 and a new double entrance door to unit 4. The proposed ground floor side (south) elevation would have new windows and external doors, the proposed ground floor side (north) elevation would have two new windows. The proposed ground floor (west) rear elevation would have new external doors and revised windows and the proposed first floor (west) rear elevation would have three new windows.

A further three dwellings with detached garages are proposed within the existing rear garden which would have direct access onto Foregate Street.

Plots 5 and 6 would comprise of 2 semi-detached 2 storey, 2 bedrooomed dwellings dwellings. The proposed ground floor would comprise of a front kitchen and hallway and a rear lounge. The proposed first floor would comprise of a front and rear bedroom with integral ensuites. Plot 5 would be set back approximately 1.4m from Plot 6 to the front elevation.

Plot 7 would comprise of one three bedroom 2 storey detached dwelling. The proposed ground floor would comprise of a front kitchen, hall and cloak room and a rear dining room and lounge. The proposed first floor would comprise of two bathrooms to the front elevation and 3 bedrooms to the rear elevation.

The proposed materials would comprise of facing brickwork to the ground and first floors under a tiled roof, opaque stained timber boarding, metal roof cladding to the proposed porch and rendered panels to the front elevation and aluminium window frames.

A revised access road off Foregate Street, to the west of the site, would provide four designated off road visitor parking spaces and vehicular access to serve the units. The proposed seven units would have one designated parking space each.

Relevant Policies:

Borough of Redditch Local Plan No.3

BHSG06 Development within or adjacent to the curtilage of an existing dwelling
BBE13 Qualities of Good Design
CS07 The Sustainable Location of Development
CS08 Landscape Character
CT12 Parking Standards
ETCR09 District Centres

Emerging Borough of Redditch Local Plan No. 4

Policy 2: Settlement Hierarchy
Policy 4: Housing Provision

REDDITCH BOROUGH COUNCIL

PLANNING COMMITTEE

8th April 2015

Policy 5: Effective and Efficient use of Land
Policy 37: Historic Buildings and Structures

Others:

NPPF National Planning Policy Framework
NPPG National Planning Practice Guidance
SPG Encouraging Good Design
SPD Designing for Community Safety

Relevant Planning History

2014/353/FUL	Conversion of listed Public House into 4 separate dwellings with associated works, car parking and rear driveway, together with 4 new semi-detached 2 bedroomed houses within the grounds.	Withdrawn	19.02.2015
2014/355/LBC	Conversion of listed Public House into 4 separate dwellings with associated works, car parking and rear driveway, together with 4 new semi-detached 2 bedroomed houses within the grounds.	Withdrawn	19.02.2015
1999/150/LBC	Listed Building Application - Conversion Of Old Cart Shed To Antique Shop	Approved	20.09.1999
1992/101/LBC	Listed Building Application - Replacement Signs And Lighting To New Brewery Styling	Approved	28.04.1992
1991/548/ADV	Advertisement - Various Illuminated Signs	Approved	19.03.1992
1988/460/LBC	Demolition of Store Behind Garage	Approved	22.08.1988
1986/321/FUL	Change of One Ground Floor Room To Games Room		15.09.1986
1981/044/FUL	Proposed Car Park	Refused	26.03.1981

Consultations

Highway Network Control

No objection subject to a condition and informative regarding on-site highway works

**PLANNING
COMMITTEE**

8th April 2015

Arboricultural Officer

No objection subject to landscaping condition.

Natural England

No Comments Received To Date

Severn Trent Water Ltd

No Comments Received To Date

Contaminated Land- Worcestershire Regulatory Services

No objection subject to condition.

Development Plans

The principle of residential development proposed in this application is compliant with the NPPF. The site is considered appropriate for housing to contribute towards the strategic housing requirement up to 2030 in the Borough of Redditch Local Plan No.4. Residential development is considered an appropriate use of the land in this District Centre location and is sympathetic to the existing functions of the District Centre. Furthermore, the applicant has been sympathetic to the District Centre environment by providing vehicular access/ parking from Foregate Street only, thus avoiding any vehicular conflict with the primary retailing function. The density level is low for a District Centre location, but appropriate given the location of the Listed Building within the site. The Listed Building has been treated sympathetically under appropriate professional guidance.

North Worcestershire Water Management

No objection subject to condition regarding drainage details.

Mr Nick Joyce Architects

No Objection

Worcestershire Archive And Archaeological Service

No objection subject to condition

Public Consultation Response

Responses against

Ten letters raising the following summarised comments:

- o Over intensive development, the number of dwellings should be reduced

**PLANNING
COMMITTEE**

8th April 2015

- o Traffic congestion (with new access) on Foregate Street, highways and pedestrian safety concerns
- o Inadequate parking for proposed plots
- o White Lion - loss of community facility and historic landmark
- o Residential amenity - loss of privacy

Assessment of PLANNING APPLICATION Proposal

Principle of development

Having regard to the presumption in favour of sustainable development as set out in the NPPF, it is considered that the principle of residential development within this District Centre location is acceptable as the application site is situated within a sustainable location which is accessible by a variety of modes of transport and is situated within an established residential urban area of Redditch as defined within the Borough of Redditch Local Plan 3. It is considered the application site's sustainable location can therefore meet the Council's future demands for housing. The proposal is also sympathetic to the District Centre location by providing vehicular access and off road parking off Foregate Street, thus avoiding vehicular conflict with the primary retailing function.

Design, appearance and layout

Achieving good design is of fundamental importance whereby new developments should respect and respond to the local distinctiveness of an area.

Policy B(HSG).6 of the adopted Local Plan is supportive of new residential development adjacent to the curtilage of a dwelling house providing it respects the character and appearance of its surroundings and does not impinge on the residential amenities enjoyed by occupiers of existing nearby development.

The proposed development of three dwellings (plots 5 to 7) is considered to be acceptable in design, appearance, scale, siting and layout.

With regard to the first block of two semi-detached dwellings, Plot 5 would be set back from Plot 6 by 1.4m to provide a visual break between the dwellings and enhance the proposal's appearance.

The submitted street scene plan illustrates the contemporary design and appearance of plots 5 to 7 and would respect both the scale and height of the neighbouring dwellings as the maximum height of the proposed dwellings would be 6.9m. The proposal would not be over-intensive in appearance as the density would be appropriate for the site as the surrounding area contains a mixture of housing styles and densities with irregular shapes rather than homogenous designs, appearances or layouts.

**PLANNING
COMMITTEE**

8th April 2015

Whilst being different from that of neighbouring dwellings, plots 5 to 7 would be acceptable by virtue of no defined house type prevailing in the street scene as the surrounding pattern of development varies and comprises of detached, semi-detached, terraced and residential apartment housing.

The proposed dwellings would be set off the neighbouring dwellings boundary by 1m which complies with the spacing standard requirements of The Encouraging Good Design SPG. The proposed development by virtue of its siting and scale would not have an overbearing or visually intimidating impact upon nearby properties.

The proposed garden sizes for plots 1, 5 and 7 would comply with the minimum sizes set out in the Council's SPG. The proposed garden sizes for plots 2 to 4 and plot 6 would be less than the recommended 11m (L) or 70m² garden area set out in the SPG. However, SPG guidance allows smaller gardens where gardens within the surrounding area are not to this standard. Therefore, the proposed garden space areas for these plots would be considered acceptable as the surrounding residential dwellings to the north of the application site are characterised by smaller gardens.

Having regards to Policies B(BE).13 and B(HSG).6 of the Borough of Redditch Local Plan No.3, the Council's Encouraging Good Design SPG and the NPPF, the proposal is considered to be acceptable by virtue of its design, appearance, density and layout and therefore the proposal would not harm the character and appearance of the street-scene.

Impact upon Grade II Listed Building

It is considered that Plots 5 to 7 by virtue of siting, scale, design and materials would not have a detrimental impact on the setting of the Grade II Listed public house which is a heritage asset. The proposed refurbishment and sympathetic conversion of the Grade II Listed public house to four residential units, including the replacement/new fenestration and new doors are considered to be acceptable as the proposal would respect and enhance the heritage asset.

Impact upon nearby residential amenity

Paragraph 17 of the NPPF advises to seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

The proposed first floor front elevation bedroom window and the proposed first floor side elevation en suite windows of Plot 6 would be conditioned to be obscure glazed. The proposed first floor side elevation bedroom window of Plot 6 would not directly overlook any private residential amenity space of the neighbouring dwellings. The proposed first floor side elevation en suite windows of Plot 5 would be conditioned to be obscure glazed and the side elevations of Plot 7 would consist of blank gable end walls.

Window to window separation distances to the neighbouring dwellings from the proposed ground and first floor of units 5 to 7 to the neighbouring dwellings to the south of the site

**PLANNING
COMMITTEE**

8th April 2015

(which front Foregate Street) would be in excess of the 22m (L) required by the Encouraging Good Design SPG.

Although window to window separation distances from the proposed ground and first floor of units 5 to 7 to the proposed ground and first floor windows of the neighbouring units 1 to 4 to the north of the site (which front Evesham Road) would be less than the 22m (L) required by The Encouraging Good Design SPG, the proposed rear boundary treatment would consist of a 1.8m (H) fence and trees would screen any potential overlooking to Plot Nos. 1 to 4.

Therefore, the proposal would not directly overlook any private residential amenity space of neighbouring dwellings and would not have a detrimental impact upon neighbour amenity in terms of loss of light, outlook or privacy by virtue of its siting, orientation, scale and design and would therefore respect the amenity of the adjacent dwellings.

Permitted development rights would be removed for all units to prevent the conversion to habitable rooms and thus use of the roof-space of the dwellings in order to safeguard the privacy of all units and neighbouring dwellings and to ensure units one and two accord with parking provisions with the adopted standards (an additional bedroom would result in an increase in the number of parking spaces required). Due to the layout of the proposal, limited garden sizes, the relationships between dwellings and to prevent the site from becoming overdeveloped with built form, it is considered that permitted development rights to extend and to erect outbuildings should also be removed from the whole development.

Access and Parking

The parking provision accords with the adopted standards and is therefore considered acceptable. The condition recommended by the highway officer is considered necessary and is included below.

Conclusion

It is considered that the proposal is in compliance with the relevant policy framework therefore the proposal can be considered favourably.

Assessment of LISTED BUILDING Proposal

The main issue to address in this application for Listed Building Consent is the proposal's impact on the special interest of the Listed Building.

The proposal would not unduly harm the character and/or setting of the Listed Building or harm the special interest of the Listed Building in relation to Policy 37: (Historic Buildings and Structures) of the Borough of Redditch Local Plan No.4 and the conservation principles contained within section 12 of the NPPF (2012).

**PLANNING
COMMITTEE**

8th April 2015

The proposed refurbishment and sympathetic conversion of the Grade II Listed public house to four residential units, including the replacement/new fenestration and new doors are considered to be acceptable as the proposal would respect and enhance the heritage asset.

The Council's Conservation Officer has been consulted on the application and has raised no objection to the proposal.

Conclusion

It is considered that the proposal is in compliance with the relevant policy framework therefore the proposal can be considered favourably. I therefore recommend that Listed Building Consent be granted.

RECOMMENDATION (2015/044/FUL)

That having regard to the development plan and to all other material considerations, planning permission be GRANTED subject to the following 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 implemented in accordance with the following plans:

Drawing No. 14-1461/006
Title: Existing Plans & Elevations at scale 1:100
Date received: 18.02.2015

Drawing No. 14-1461/007 B
Title: Proposed Plans & Elevations at scale 1:100
Date received: 18.02.2015
Drawing No. 1
Title: Assessment of Existing Tree at scale 1:100
Date received: 05.03.2015

Drawing No. 14-1461/201
Title: Garage Elevations, Plots 5, 6 & 7 at scale 1:50
Date received: 18.02.2015

**PLANNING
COMMITTEE**

8th April 2015

Drawing No. 14-1461/110L

Title: Amended Plan: Site, Location & Block Plan at scale 1:200 & 1:500

Date received: 13.03.2015

Drawing No. 14-1461/106H

Title: Amended Plan: Proposed Plans, Elevations & Sections, Plots 5, 6 & 7 at scale 1:100

Date received: 13.03.2015

Reason: To accurately define the permission for the avoidance of doubt and to ensure that the development is satisfactory in appearance in order to safeguard the visual amenities of the area in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3

- 3) Prior to the commencement of development 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 and in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3.

- 4) Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no further developments within the meaning of Classes A-E of Schedule 2, Part 1 of The Town and Country Planning (General Permitted Development) Order 1995 (as amended) can be built at the application site without the written approval of the Local Planning Authority.

Reason:- In the interests of neighbours privacy and amenity and to prevent the displacement of parking onto the surrounding road network in accordance with Policies B(BE).13, B(BE).14 and C(T).12 of the Borough of Redditch Local Plan No.3.

- 5) No development shall take place until a Programme of Historic Building recording and Interpretation, 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:
1. The programme and methodology of site investigation and recording.
 2. The programme for post investigation assessment.
 3. Provision to be made for analysis of the site investigation and recording.

**PLANNING
COMMITTEE**

8th April 2015

4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Reason: In accordance with the requirements of paragraph 141 of the National Planning Policy Framework.

- 6) 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 approved under condition No. 5 and the provision be made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: In accordance with the requirements of paragraph 141 of the National Planning Policy Framework.

- 7) The dwellings hereby permitted shall not be occupied until the access, turning area and parking facilities shown on the approved plan have been properly consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted and approved in writing to the Local Planning Authority and these areas shall thereafter be retained and kept available for those users at all times.

Reason:- In the interests of highway safety, to ensure the free flow of traffic using the adjoining highway and in accordance with the National Planning Policy Framework.

- 8) The site is within 250m of a former landfill site. A risk assessment should be undertaken to establish whether the proposed development is likely to be affected by gas emissions from the site. Where significant risks are identified or insufficient data hinders an appropriate risk assessment, a targeted site investigation proposal or proposed remedial measures must be carried out. Details in this respect should be submitted to and approved in writing by the Local Planning Authority, prior to commencement of the development. Any remediation measures approved shall be fully implemented prior to first use or occupation of the development.

Reason:- To ensure that the risks to buildings and their occupants from former landfill sites are adequately addressed in accordance with the National Planning Policy Framework.

- 9) During the course of any site clearance and development, the hours of work for all on-site workers, contractors and sub-contractors shall be limited to between;

REDDITCH BOROUGH COUNCIL

**PLANNING
COMMITTEE**

8th April 2015

0800 to 1800 hours Monday to Friday

0900 to 1200 hours Saturdays

and NO WORKING shall take place at any time on Sundays, Bank Holidays or Public Holidays or at any time outside of the above permitted working hours unless first agreed in writing by the Local Planning Authority.

Reason: In the interests of neighbours amenity and in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3

- 10) Prior to the development hereby approved commencing, full details of a scheme for foul and surface water drainage, along with soil porosity tests, 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 of the development.

Reason:- To allow proper consideration of the proposed foul and surface water drainage systems and to ensure that the development is provided with a satisfactory means of drainage and in accordance with National Planning Policy Framework.

- 11) No development shall take place until full details of both hard and soft landscape works 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 and in accordance with Policy CS.8 of the Borough of Redditch Local Plan No.3

- 12) 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 and in accordance with Policy CS.8 of the Borough of Redditch Local Plan No.3

- 13) No demolition, site clearance or development shall take place until the trees to be retained on the site and around the boundaries of the site have been protected in accordance with the specification set out in British Standard BS: 5837:2012. Guide

REDDITCH BOROUGH COUNCIL

PLANNING COMMITTEE

8th April 2015

for Trees in relation to Construction, and such protection measures shall remain in situ for the duration of the development and in accordance with Policies B(NE)1a and B(NE)3 of the Borough of Redditch Local Plan No.3.

Reason:-To ensure the protection of trees in the interests of visual amenity and in accordance with Policy CS.8 of the Borough of Redditch Local Plan No.3

- 14) The first floor bedroom window of plot 6 fronting Foregate Street and all first floor elevation ensuite windows of plots 5 and 6 shall be obscure glazed, and shall remain so in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the privacy of neighbouring residents in accordance with policy BBE.13 of the Borough of Redditch Local Plan No 3.

Informatives

- 1) The local planning authority have worked with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with this planning application through negotiation and amendment.
- 2) This permission does not authorise the laying of private apparatus within the confines of the public highway

The applicant should apply to the Worcestershire County Council's Network Control Manager, County Hall, Spetchley Road, Worcester WR5 2NP (telephone 0845 607 2005), for consent under the New Roads and Streetworks Act 1991 to install private apparatus within the confines of the public highway.

Precise details of all works within the public highway must be agreed on site with the Highway Authority.

- 3) This permission does not authorise the applicant to carry out works within the publicly maintained highway.

Dropped kerbs to enable access onto properties for vehicles must only be constructed by Ringway Infrastructure Services, Worcestershire County Councils approved contractor. The applicant is solely responsible for all costs associated with construction of the access. For further information, please contact Ringway direct on 01905 761160 or email: worcestershirevehicle.crossing@ringway.co.uk

Procedural matters

This application is being reported to the Planning Committee because two (or more) objections have been received.

**PLANNING
COMMITTEE**

8th April 2015

RECOMMENDATION (2015/045/LBC)

That having regard to the development plan and to all other material considerations, Listed Building Consent be GRANTED subject to the following conditions:

- 1) The development to which this Listed Building Consent 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 18 of the Listed Buildings and Conservation Areas Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004. .

- 2) The development hereby approved shall be implemented in accordance with the following plans:

Drawing No. 14-1461/006
Title: Existing Plans & Elevations at scale 1:100
Date received: 18.02.2015

Drawing No. 14-1461/007 B
Title: Proposed Plans & Elevations at scale 1:100
Date received: 18.02.2015

Drawing No. 1
Title: Assessment of Existing Tree at scale 1:100
Date received: 05.03.2015

Drawing No. 14-1461/201
Title: Garage Elevations, Plots 5,6 & 7 at scale 1:50
Date received: 18.02.2015

Drawing No. 14-1461/110L
Title: Amended Plan: Site, Location & Block Plan at scale 1:200 & 1:500
Date received: 13.03.2015

Drawing No. 14-1461/106H
Title: Amended Plan: Proposed Plans, Elevations & Sections, Plots 5, 6 & 7 at scale 1:100
Date received: 13.03.2015

Reason: To accurately define the permission for the avoidance of doubt and to ensure that the development is satisfactory in appearance in order to safeguard

REDDITCH BOROUGH COUNCIL

**PLANNING
COMMITTEE**

8th April 2015

the visual amenities of the area in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3

Informatives

- 1) The local planning authority have worked with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with this planning application through negotiation and amendment.

Procedural matters

This application is being reported to the Planning Committee because two (or more) objections have been received.