

**PLANNING
COMMITTEE**

14th January 2015

Planning Application 2014/272/FUL

Proposed erection of 14 no. flats comprising 10 x 2 bed flats and 4 x 1 bed flats

Former Ambulance Station, Cedar Park Road, Batchley, Redditch

Applicant: Cedar Real Estate Developments Ltd
Expiry Date: 16th March 2015
Ward: BATCHLEY AND BROCKHILL

(see additional papers for Site Plan)

The author of this report is Steven Edden, Planning Officer (DM), who can be contacted on Tel: 01527 548474 Email: steve.edden@bromsgroveandredditch.gov.uk for more information.

Site Description

The application site is an irregularly shaped plot, 0.23 hectares in extent. It consists of a mostly level plateau on the south western part. This part of the site contains an existing concrete car park and formerly contained a collection of single storey flat roofed ambulance vehicle storage buildings. These were recently demolished.

The remainder of the site is grassed and falls away in a northerly direction towards properties in Cedar View.

The site is bounded to the north and northwest by rear gardens serving dwellings in Cedar View and associated open space. To the west is a large single storey hall which is used by the St. Johns Ambulance Service and is accessed from Cedar View, to the north. Along the south eastern boundary, the site is bounded by residential development served by Cedar Park Road. Further to the south lies 'The Cedars' Nursing Home, a Grade II Listed building. The site is accessed via Cedar Park Road where this road terminates. The area is characterised by being residential in nature.

Proposal Description

This is a full planning application to erect a total of fourteen flats. The development proposed would consist of two, two storey blocks of flats, one accommodating 6 no. 2 bed flats and 2 no. 1 bed flats and the other accommodating 4 no. 2 bed flats and 2 no. 1 bed flats.

Each block would have a bin store accessed externally. An open area containing parking for 18 cars would be located between the two apartment blocks. The proposed site density would equate to 61 dwellings per hectare.

Each block would be formed of brickwork walls under a pitched tiled roof.

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Vehicular access to serve the development would be formed via the existing (and former access to the Ambulance station buildings) where Cedar Park Road terminates, directly opposite number 23 Cedar Park Road.

Relevant Policies :

Borough of Redditch Local Plan No.3

CS02 Care for the Environment
CS06 Implementation of Development
CS07 The Sustainable Location of Development
CS08 Landscape Character
BBE13 Qualities of Good Design
CT12 Parking Standards
BNE01A Trees, Woodland and Hedgerows
S01 Designing out Crime

Emerging Draft Local Plan No. 4

Policy 2: Settlement Hierarchy
Policy 3: Development Strategy
Policy 4: Housing Provision
Policy 5: Effective and Efficient use of Land
Policy: 39 Built Environment
Policy: 40 High Quality Design and Safer Communities

Others:

NPPF National Planning Policy Framework
NPPG National Planning Practice Guidance
SPG Encouraging Good Design
SPD Open Space Provision
SPD Planning Obligations for Education Contributions
Worcestershire Waste Core Strategy (WWCS)

The site itself is undesignated within both Local Plan No.3 and the draft Local Plan No.4.

Relevant Planning History

2014/235/DEM Application for prior notification of proposed demolition:
To demolish single storey units:
NGA GDO Notification acceptable 24.09.2014

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Consultations

Highway Network Control

Highways comment that the proposed development is acceptable in highways and parking terms and therefore raise no objection subject to the inclusion of conditions covering access, turning and parking and on site roads specification.

The County request that a contribution under the 'Infrastructure Delivery Plan' be sought as part of the application.

North Worcestershire Water Management

The site is located within fluvial flood zone 1, and there is little risk of surface water flooding on the site in question. No objections subject to the imposition of a standard drainage condition.

Area Environmental Health Officer

It is recommended that the applicant be directed to the WRS Technical Note which contains guidance regarding demolition and new construction work. Standard contaminated land conditions should be attached to any consent.

Severn Trent Water Ltd

No objection. Drainage details to be subject to agreement with Severn Trent

Police Crime Risk Manager

No objection

Waste Management

No Comments Received To Date

Community Safety Officer

No Comments Received To Date

Education Authority

Confirm that a financial contribution towards education provision would be required in this case

Public Consultation Responses

None received at the time of writing

Assessment of Proposal

The key issues for consideration in this case are as follows:

Principle

The site is undesignated within both LP No.3 and the emerging LP No.4, and therefore any use should be considered in terms of its appropriateness in that location, and its likely impacts on any surrounding development. In this case the surrounding area is

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residential in character and therefore the principle of a residential use is considered to be appropriate.

Design and layout

The proposed development would equate to a density of 61 dwellings per hectare which is higher than that of the terraced and semi-detached residential development of Fir Tree Close and Cedar Park Road to the south, but lower than that of Bowood Court which is located behind numbers 13 to 23 Cedar Park Road and lies to the east of the application site.

There is no distinct character to the buildings in the local area which range from 'The Cedars' Nursing Home, a Grade II listed building dating from 1840, to the recently constructed terraced residential development of Fir Tree Close which is situated to the north of The Cedars and to the immediate south of the application site.

The design of the proposed development most closely reflects the contemporary nature of Fir Tree Close. The scale and appearance of the two blocks which share a 'cross shaped' floor plan over two storeys are considered to respect the character of the surrounding area and would not result in an overdevelopment of the site.

The development would comply with minimum spacing standards as far as distances between it and existing development are concerned and therefore officers are satisfied that existing residential amenities would not be prejudiced by granting approval.

Amenity space would be provided on site by means of large areas of communal space around each of the apartment blocks.

Landscaping

Little landscaping exists within the site other than a silver birch tree which is located to the rear of the proposed Block B. The applicant is keen to preserve the tree if possible since its retention would enhance the scheme. Drawings submitted indicate that the tree can be retained although it is not protected by means of a preservation order and could be removed without consent at any time.

A proposed landscaping condition would soften the development further, enhancing the visual amenities of the area.

It is therefore considered that the proposals would not cause any detrimental impacts to the character of the area or its surroundings, and as such is considered to be compliant with policy.

Highways, access and parking

County Highways officers have raised no objections to the proposed access and parking arrangements, commenting that the additional vehicle trips associated with such a development would not have a detrimental impact upon the surrounding highway

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network. Parking provision on site would comply with the Councils standards for one and two bedroomed flats and is therefore considered to be acceptable.

Officers are satisfied that the conditions as requested by Highway Network Control are necessary and reasonable having regard to government guidance which exists with respect to planning conditions (Para 206 of the NPPF). It is not considered appropriate in this case to seek the infrastructure contribution following legal advice which has been received.

Sustainability

The site lies within the urban area of Redditch in close proximity to the Town Centre, and is therefore considered to be in a highly sustainable location with employment generating uses, retailing opportunities, schools and other amenities located nearby. The site is considered to be within walking and cycling distance of such amenities therefore placing less reliance on the private motor car, in line with planning policy objectives.

Planning Obligation required

The size of the proposed development is above the policy threshold for requiring contributions which should be sought via a planning obligation which in this case would cover:

- A contribution towards playing pitches, play areas and open space in the area, due to increased demand/requirement from future residents, in compliance with the SPD; and
- A contribution towards County education facilities. The County have confirmed that there is a need in this area to take contributions towards three schools: Holyoakes Field First, Birchensale Middle and Trinity High and Sixth Form College; and
- A contribution to provide refuse and re-cycling bins for the new development in accordance with Policy WCS.17 of the adopted Worcestershire Waste Core Strategy

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

Conclusion

It is considered that the proposals comply with the relevant planning policy framework, and would be unlikely to cause any harm to amenity or safety. Subject to the satisfactory completion of the planning obligation, a favourable recommendation can be made.

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RECOMMENDATION

That having regard to the development plan and to all other material considerations, authority be delegated to the Head of Planning & Regeneration to GRANT planning permission subject to:

- a) **The satisfactory completion of a S106 planning obligation ensuring that:**
- Contributions are paid to the Borough Council in respect to off-site open space, pitches and equipped play in accordance with the Councils adopted SPD; and
 - A financial contribution is paid to the County Council in respect to education provision; and
 - A financial contribution is paid to the Borough Council towards the provision of wheelie bins for the new development

and

- b) **Conditions and informatives as below:**

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) 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.

- 3) 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

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- 4) 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

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

Drawing number 1333.1 site survey
Drawing number 1333.5 site location and layout
Drawing number 1333.6 site sections
Drawing number 1333.7 Block A plans and elevations
Drawing number 1333.8 Block B plans and elevations
Drawing number 1333.9 roof plans
Design and Access Statement
Travel Plan, Energy Statement, Secured by Design Statement

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

- 6) 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;
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

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- 7) The development 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 and to ensure the free flow of traffic using the adjoining Highway in accordance with the National Planning Policy Framework.

- 8) Development shall not begin until the engineering details and specification of the proposed roads and highway drains have been submitted to and approved in writing by the Local Planning Authority, and the development shall not be occupied until the scheme as been constructed in accordance with the approved drawings.

Reason: To ensure an adequate and acceptable means of access is available before the dwelling or building is occupied in accordance with the National Planning Policy Framework.

- 9) A Construction Environmental Management Plan shall be submitted to and approved in writing by the local planning authority prior to commencement of development. This shall include the following:-
- a. Measures to ensure that vehicles leaving the site do not deposit mud or other detritus on the public highway;
 - b. Details of site operative parking areas, material storage areas and the location of site operatives facilities (offices, toilets etc);
- The measures set out in the approved Plan shall be carried out in full during the construction of the development hereby approved. Site operatives' parking, material storage and the positioning of operatives' facilities shall only take place on the site in locations approved by in writing by the local planning authority.

Reason: To protect the amenities of nearby properties during the construction of the development and to protect the natural and water environment from pollution in accordance with the National Planning Policy Framework.

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

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- 11) No development approved by this permission shall be commenced until:
- a) A desktop study identifying previous site uses, potential contaminants and other relevant information and using this information a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors has been undertaken and submitted in approval for writing by the LPA;
 - b) If deemed necessary as a result of the desktop study, a site investigation has been designed using the information obtained from the desktop study and any diagrammatical representations (Conceptual Model), and has been submitted to and approved in writing by the LPA;
 - c) The site investigation has been undertaken in accordance with details approved and a risk assessment has been produced;
 - d) A method statement detailing the remediation requirements using the information obtained from the site investigation has been approved in writing by the LPA.

Reason: To identify contamination which may pose a risk to the environment or harm to human health and in accordance with National Planning Policy Framework.

- 12) If during development, contamination not previously identified is found to be present at the site, no further development (unless otherwise agreed in writing with the LPA) shall be carried out until either;
- a site investigation has been designed and undertaken in accordance with details approved in writing by the LPA, a risk assessment has been produced and a method statement detailing the remediation requirements using the information obtained from the site investigation has been approved by the LPA or;
 - If the above has been previously undertaken, the developer has submitted and obtained written approval from the LPA for an addendum to the method statement detailing how this unsuspected contamination shall be dealt with.

Reason: To ensure that the development complies with approved details in the interests of protection of Controlled Waters and in accordance with National Planning Policy Framework.

- 13) All remediation works detailed in the method statement shall be undertaken and a report submitted to the LPA providing verification that the works have been carried out in accordance with the approved details.

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Reason: To protect controlled waters by ensuring that the remediated site has been claimed to an appropriate standard and in accordance with National Planning Policy Framework.

Informatives

- 1) Proactive engagement by the local planning authority was not necessary in this case as the proposed development was considered acceptable as initially submitted.
- 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) If it is the Developer's intention to request the County Council, as Highway Authority, to adopt the proposed roadworks as maintainable at the public expense, then details of the layout and alignment, widths and levels of the proposed roadworks, which shall comply with any plans approved under this planning consent unless otherwise agreed in writing, together with all necessary drainage arrangements and run off calculations shall be submitted to the County Council's Network Control Manager, Worcestershire County Council, County Hall, Spetchley Road, Worcester, WR5 2NP. No works on the site of the development shall be commenced until these details have been approved and an Agreement under Section 38 of the Highways Act, 1980, entered into.
- 4) It is not known if the proposed roadworks can be satisfactorily drained to an adequate outfall. Unless adequate storm water disposal arrangements can be provided, the County Council, as Highway Authority, will be unable to adopt the proposed roadworks as public highways.

The applicant is, therefore, advised to submit the Engineering details referred to in this conditional approval to the County Council's County Network Control Manager, Worcestershire County Council, County Hall, Spetchley Road, Worcester, WR5 2NP at an early date to enable surface water disposal arrangements to be assessed.

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- 5) The applicant should be aware that this permission also includes a legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) and that the requirements of that and the conditions listed above must be complied with at all times.

- 6) Whilst the full remit of the Secured by Design Scheme covers more than Land Use Planning and Development Control, Redditch Borough Council actively encourage developers to take full account of Crime Prevention and Community Safety issues throughout the design and construction of any development as an integral part of achieving good design. Applicants are advised that further details of Secured by Design and relevant construction specifications can be found at www.securedbydesign.com or by contacting the West Mercia Constabulary Crime Risk Manager on 01527 586181

Procedural matters

This application is being reported to the Planning Committee because the recommendation is that permission be granted subject to a planning obligation.