

**PLANNING
COMMITTEE**

14th January 2015

Planning Application 2014/323/FUL

30 No. Residential Units - including 6 No. dwellings and 24 No. one bedroom flats

**Hewell Road Swimming Pool Site, Hewell Road, Batchley, Redditch,
Worcestershire, B97 6BA**

Applicant: Mr G Stoyan (Accord Group)
Expiry Date: 3rd February 2015
Ward: BATCHLEY AND BROCKHILL

(see additional papers for Site Plan)

The author of this report is Nina Chana, Planning Officer (DM), who can be contacted on Tel: 01527 548241 Email: nina.chana@bromsgroveandredditch.gov.uk for more information.

Site Description

The site is long and narrow and measures approximately 0.63 hectares. The site houses the now derelict swimming pool building. Batchley Brook runs along the northern boundary of the site, beyond which is residential. Beyond the southern side of the site lie the dwellings on Bridley Moor Road. The vehicular entrance to the site is on the eastern boundary, off which is the roundabout which serves Hewell Road and Windsor Road. The opposite side of Hewell Road is predominantly a commercial/industrial area. There is a footbridge which links the site to a public right of way on the northern boundary.

Proposal description

Full planning permission is sought for the construction of 30 units - 6 no. dwellings and 24 no. one bedroomed flats. The dwellings are proposed to consist of 1 no. detached two bedroomed, three persons bungalow and 5 no. 2 bedroomed four persons houses. This would consist of one row of three terraced houses and one pair of semi-detached dwellings. Additionally proposed is a block of 24 no. one bed, two person flats. The site would be accessed off the Hewell Road and Windsor Road roundabout via the current access. This is a 100% affordable housing scheme. Five of the dwellings are proposed to be two storeys and the block of flats is proposed to be three storeys high.

Relevant Policies :

Borough of Redditch Local Plan No.3:

CS02 Care for the Environment
CS05 Achieving Balanced Communities
CS06 Implementation of Development
CS07 The Sustainable Location of Development
CS08 Landscape Character
BHSG05 Affordable Housing
BBE13 Qualities of Good Design
BBE19 Green Architecture

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CT12 Parking Standards
S01 Designing Out Crime

Emerging Borough of Redditch Local Plan No. 4

Policy 2: Settlement Hierarchy
Policy 4: Housing Provision
Policy 5: Effective and Efficient use of Land
Policy 6: Affordable Housing
Policy 11: Green Infrastructure
Policy 12: Open Space Provision
Policy 16: Natural Environment
Policy 17: Flood Risk Management
Policy: 39 Built environment
Policy: 40 High Quality Design and Safer Communities

Others:

NPPF National Planning Policy Framework
NPPG National Planning Practice Guidance
SPD Open Space Provision
SPD Designing for Community Safety
Worcestershire Waste Core Strategy (WWCS)

Relevant Planning History

2012/180/DEM	Application for a prior notification of proposed demolition - To demolish swimming pool, connected office space, boiler room and treatment plant room	Agreed for 5 years	15.08.2012
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Consultations

Arboricultural Officer

There are no protected trees within or adjacent to this site. The majority of tree stock is of limited quality and amenity value, consisting largely of self-seeded sycamore, ash, willow and silver birch, of semi-mature age, predominantly towards the southern end of the site alongside the water course.

There will need to be a satisfactory landscaping scheme to mitigate for this level of tree and habitat loss along the brook, as highlighted in the Arboricultural Report (see 3.4.2) and the Ecological Report (see 6.1 to 6.1.2). The current proposed site layout doesn't indicate an adequate level of mitigation planting, and the attached "Habitat Enhancement Map" does not relate to the same proposed layout, so requires some updating.

For any trees being retained, there must also be adequate protection in line with requirements of BS5837:2012, as described in 3.4.1 of the Arboricultural Report. This is to ensure no damage occurs either to the trees or their roots. Once the final layout is

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agreed, for any trees being retained a Tree Protection Plan should be provided, as well as an Arboricultural Method Statement if applicable, to show clearly how they are to be adequately protected during site clearance and construction phases.

Therefore no objections are raised subject to the imposition of conditions regarding the mitigation, protection and replacement of trees.

Environment Agency

No Comments Received To Date

North Worcestershire Water Management

EA (Environment Agency) maps indicate that this site is within Flood Zone 3 and there is some surface water flood risk to the site. Severn Trent Water (STW) maps show that there is a public surface water sewer to the north-eastern boundary line of the site, and there are two public foul sewers to the northern side of the Batchley Brook.

Due to the proximity of the Batchley Brook, and the nature of the surrounding area, it is extremely important that this development is built to a standard that will ensure that residents are not at risk of fluvial or pluvial flooding, and that the development does not cause or exacerbate flood risk elsewhere.

No objection subject to conditions relating to various drainage management matters.

Highway Network Control

No objection subject to conditions relating to access, turning and parking, on Site Roads - Submission of Details, Phasing, Construction Environmental Management Plan, and informatives relating to Private Apparatus and drainage within the Highway and requirements under other legislation.

Crime Risk Manager/Community Safety Team

Various matters raised and passed to the applicants to address – many cannot be controlled through the planning process.

Severn Trent Water Ltd

No Comments Received To Date

Waste Management

No Comments Received To Date

Worcestershire Wildlife Trust

No Comments Received To Date

Development Plans

The principle of residential development is supported and would contribute towards meeting the Borough's housing requirement.

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The density level slightly exceeds the density guideline in policy in this location. However, the brook improvements and improved functionality of the amenity open space will improve the quality of the area. The density level is therefore acceptable for this scheme.

A proposal for 100% affordable housing is welcomed.

Some attention needs to be given to the absence of play area provision within the scheme.

Public Consultation Response

One objection has been received raising the following matters:

- Loss of play area
- Impact on residential amenity and privacy

Assessment of Proposal

Principle

The site is land which is designated as 'white land' in the current Borough of Redditch Local Plan No 3. This indicates that any use, as long as it is compatible with the surrounding uses would be appropriate in this location. This proposal is on previously developed land therefore the reuse is welcomed.

The play area, which sits to the rear of the site and the Batchley Brook are designated as Primarily Open Space in the current adopted plan, however, this land has been identified as an allocated housing site in the emerging Borough of Redditch Local Plan No 4.

Planning policy actively encourages the reuse and regeneration of previously developed land and also seeks to achieve the effective and efficient use of land for residential schemes by achieving densities of between 30 and 50 dwellings per hectare. The proposal represents a density of 55.5 dwellings per hectare; when taking the brook naturalisation and improvements into consideration and the improved functionality of the amenity open space associated with this proposal, the density ratio is reasonable and acceptable in policy terms, as there is a significant portion of the site that would remain undeveloped.

Therefore, for all these reasons, the principle of residential development in this location is acceptable.

Design, Appearance and Layout

Policy both nationally and locally requires new developments inter alia to respect and respond to the local distinctiveness of an area. The layout has been given careful consideration due to the fact that the site is narrow and of a rectangular shape. The location of the vehicular access into the site has dictated the layout and design of the proposal. It has been designed with careful consideration to enable a development which would appear both balanced and acceptable in terms of character and appearance. The single bungalow would be constructed at the forefront of the site, followed by the five two storey dwellings and finally at the rear of the site would sit the three storey block of 24 no.

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units. The layout of this development represents the most logical way in which to develop the site, the nature of which is restrictive in terms of an acceptable and effective development.

The proposed development is considered to be acceptable in appearance, with each plot achieving garden sizes which accord with minimum sizes set out in the Council's adopted SPG. The development would not be inappropriate and over intensive in appearance and the dwellings would enhance the existing surrounding area.

The design and materials the developer is proposing to use would be similar to the character of the existing residential properties which were built around the 1930's, however your Officers are of the opinion that such a proposal would enhance and add character to the area.

Impact of the development upon nearby residential amenities

The proposed development by virtue of its siting and scale would not have a detrimental impact on the neighbouring properties. All new developments have to be assessed on whether the council's minimum separation distance of 22 metres would be achieved between rear facing windows serving a proposed development and the rear facing windows of the existing development. This has been achieved in relation to this proposal. The rear elevation of the block of flats would face the rear gardens of some of the properties on Bridley Moor Road. The balconies on the rear elevation on the second and third floor would have wooden louvres to reduce the impact of any potential overlooking issues into these rear gardens and the amenities of the occupiers of the existing dwellings.

Further matters relating to community safety will be addressed on the update report as the comments of the consultees have been passed to the applicants and further information is awaited.

Highways and access

County Highways have examined the proposals and have raised no objections to the scheme on highway safety grounds. The parking provision provided on the site would accord with parking standards.

Officers are satisfied that the conditions and informatives requested by Highway Network Control are necessary and reasonable and they are therefore included in the recommendation below.

Affordable housing

The proposal is to provide 100% of the units as affordable housing, which would assist in meeting the Borough's needs, and as such is welcomed. The relevant policy framework requires that a percentage of developments of this size be provided as affordable, however in this case the whole development is being offered as such and this can be ensured in perpetuity in the planning obligation (see below).

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Planning Obligations Required

The size of the proposal 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 the increased demand/requirement from future residents, in compliance with the Supplementary Planning Document;
- 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; and
- The affordable housing to be retained as such in perpetuity.

A contribution towards County education facilities is not required as the proposal is for 100% affordable housing.

Conclusion

The proposed new development is considered to accord with national and local policy criteria. Officers consider that this detailed application is wholly acceptable having regard to the site's constraints and all other material considerations. Approval of this application would meet the future housing demand in a sustainable location within the Borough and would be an appropriate use of a previously developed site. The proposal is considered to comply with the planning policy framework and is unlikely to cause harm to amenity or safety. Subject to the satisfactory completion of the planning obligation, this application can be recommended for approval.

RECOMMENDATION:

That having regard to the development plan and to all other material considerations, authority be delegated to the head of Planning and 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 for off-site open space, pitches and equipped play; and
 - A contribution is paid to the Borough Council for the provision of wheelie bins for the new development;

And

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b) Conditions and informatives as summarised below:

- 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

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

Plan references to be inserted

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

- 5) 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

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- 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

- 6) The Development hereby permitted shall not be brought into use until the access, turning area (if applicable) and parking facilities shown on the approved plan have been properly consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority and these areas shall thereafter be retained and kept available for those uses 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.

- 7) 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.

Informatives

- 1) This planning permission does not authorise the applicant to carry out works within the publicly maintained highway since such works can only be carried out by the County Councils Approved Contractor following the issue of a licence under Section 184 and 278 of the Highways Act, 1980.

The applicant should contact Worcestershire County Councils Highway Network Control Manager, County Hall, Spetchley Road, Worcester, WR5 2NP (telephone 0845 607 2005), regarding the issue of the necessary license authorising the access works to be carried out by the County Councils Approved Contractor at the applicants expense.

- 2) 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.

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Procedural matters

This application is being reported to the Planning Committee because the application requires a S106 Agreement, is a major application (more than 10 dwellings) and because the land owner is Redditch Borough Council. As such the application falls outside the scheme of delegation to Officers.