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14<sup>th</sup> January 2015

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**Planning Application 2014/311/FUL**

**Proposed 9 No. Terraced dwellings on site of Former Methodist Church (existing Church Tower and Spire to be retained)**

**Headless Cross Methodist Church, Evesham Road, Headless Cross, Redditch, Worcestershire, B97 5ER**

**Applicant: Mr Phil Thomas**  
**Expiry Date: 11th December 2014**  
**Ward: HEADLESS CROSS AND OAKENSHAW**

**(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 x3364 Email: harjap.rajwanshi@redditchbc.gov.uk for more information.

**Site Description**

The application site is situated between no's 136 and 144 Evesham Road, Headless Cross, Redditch and is on an unclassified Road. The application site consists of an irregular flat shape, approximately 0.15 hectares in size. The former Methodist Church with rear parking and ancillary accommodation used for community facilities is currently sited within the curtilage of the site. A rear tarmac driveway currently used as a parking area is accessed off The Rough. The area is predominantly residential comprising of detached, semi-detached and terraced dwellings and residential apartments. Beyond the western (rear) boundary which consists of a 2m high wall, lie residential dwellings situated on Malvern Road. Beyond the northern (side) boundary, which consists of a hedge and tree boundary treatment, lie residential dwellings. Beyond the southern (side) boundary, which consists of a 2m high fence and wall, lie residential apartments and beyond the eastern (front) boundary, which consists of a 2m (H) rail fence, lie residential dwellings on the opposite side of Evesham Road.

**Proposal Description**

The application seeks full planning permission to erect nine terraced dwellings which would measure a maximum of 10m to roof ridge. Two separate blocks of residential units are proposed:

The first block would consist of four terraced units which would front onto Evesham Road. Units one and two would be two bedroom dwellings set back behind the retained church tower and units three and four would be three bedroom dwellings. Vehicular access to serve the units would be to the east of the site off Evesham Road and would consist of two designated off road car parking spaces directly in front of unit 2 (to provide one

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parking space each for units one and two) and two designated off road car parking spaces directly in front of units three and four (one space per dwelling).

The second block would consist of five, three bedroom terraced units. Vehicular access to serve these units would be to the north west of the site off The Rough and would consist of two car parking spaces for each unit and visitor parking to the rear of the site.

Both proposed terraced blocks would utilise the same floor plan and elevation design with a gable roof and a front and rear dormer. The ground floor would comprise of a front kitchen and hallway and a rear living/dining room, a front and rear bedroom with a central bathroom at first floor and a front en-suite and rear bedroom at second floor.

All dwellings would be formed of brickwork under a tiled roof and two dwellings in each block would be rendered to both the front and rear elevations.

**Relevant Policies:**

**Emerging Borough of Redditch Local Plan No. 4**

Policy 36: Historic Environment  
Policy 37: Historic Buildings and Structures  
Policy: 39 Built Environment  
Policy: 40 High Quality Design and Safer Communities

**Borough of Redditch Local Plan No.3:**

BBE13 Qualities of Good Design  
BBE 11 Buildings of Local Interest  
BHSG06 Development within or adjacent to the curtilage of an existing dwelling  
CS07 The Sustainable Location of Development  
CS08 Landscape Character  
CT12 Parking Standards

**Others:**

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

**Relevant Planning History**

2014/164/DEM Proposed demolition of Headless Cross

Granted 27.06.2014

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Methodist Church and ancillary halls

|              |  |           |            |
|--------------|--|-----------|------------|
| 1980/016/FUL | Demolition Of Existing Committee Room Erection Of A Single Storey Toilet & General Repairs | Granted   | 28.02.1980 |
| 2004/145/FUL | Demolition Of Existing Church & Construction Of New Church And Ancillary Facilities        | Withdrawn | 26.10.2004 |

**Consultations**

**Highway Network Control**

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

**Education Authority**

No Contributions required

**Leisure Services Manager**

No objections

**Development Plans**

This application will result in loss of a heritage asset and therefore in principle is contrary to local and national policy, which seeks to protect and enhance our historic environment. Whilst it would be preferable in policy terms to retain the existing heritage asset in its entirety on the site, in light of the prior approval, the revised scheme retaining the Church Tower and Spire is considered to be an acceptable compromise.

**North Worcestershire Water Management**

No objection subject to conditions regarding drainage details

**Waste Management**

No objection subject to waste bin requirements being met

**Contaminated Land- Worcestershire Regulatory Services**

No objection subject to condition regarding potential to find contaminants later

**Severn Trent Water Ltd**

No Comments Received To Date

**Arboricultural Officer**

No objection subject to landscaping condition

**Community Safety Officer**

No Comments Received To Date

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**Worcestershire Archive And Archaeological Service**

No objection subject to condition regarding photographic recording of the heritage asset

**Worcestershire Wildlife Trust**

No objection subject to condition regarding habitat survey prior to commencement on site

**Public Rights of Way**

No objection

**Conservation Advisor**

Concerned at loss of heritage asset – would prefer to see it retained and converted to provide a sympathetic re-use

**Public Consultation Response**

Three letters of objection have been received wishing to retain the building currently on the site for its historic and landmark value to the town

One letter of support for the proposal has been received stating that whilst it would be preferable to retain and convert the entire building, the reason it was identified on the local list was the tower and spire and as this application would retain this portion it should be supported.

**Assessment of 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 erecting residential dwellings in this 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 site is not designated for any specific use and the proposed use would be compatible with the surrounding existing land uses and as such is considered to be acceptable.

Headless Cross Methodist Church is noted on the Local List of buildings of historic interest, and its special features are identified. Whilst it would be preferable in policy terms to retain the existing heritage asset on the site a prior notification has been issued allowing the demolition of the Church. However, following negotiations, the applicant has submitted a revised scheme, showing the retention of the church tower and spire. The preservation of the tower and spire, being one of the most significant aspects of the building, mitigates somewhat against the loss of the heritage asset as a whole.

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As the proposal includes the retention of the tower to the front of the site, it is recommended that a management plan for its future maintenance, including financing this, be required by condition in order that its future is protected.

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 is considered to be acceptable in design, appearance and layout. Two dwellings within the first and second blocks would be set back by 1m to provide a visual break between the dwellings and enhance the proposal's appearance. The proposed dwellings would measure a maximum of 10m in height and the submitted street scene plan illustrates how the proposal's contemporary design and appearance would respect the scale and height of the neighbouring dwellings on Evesham Road. The proposed first floor front and rear elevation dormers would respect the depth of the proposed roof slope and would have square proportions. 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.

The layout of the proposed dwellings, whilst being different from that of neighbouring dwellings, 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. All the proposed dwellings garden sizes would comply with the minimum sizes set out in the Councils SPG and the proposed dwellings would be set off the neighbouring dwellings boundary by 1m. The building line of dwellings fronting onto Evesham Road is staggered and would therefore not be disrupted by the proposed development.

It is considered the proposal by virtue of siting, scale and design would not have a major detrimental impact on the setting of the church tower and spire which is part of a heritage asset and a locally listed building.

Having regards to Policies B(BE).13 and B(HSG).6, 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 nearby residential amenity.

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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 development by virtue of its siting and scale would not have an overbearing or visually intimidating impact upon nearby properties. The proposal 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. Rear facing windows serving the proposed development would not face rear facing windows to any existing or proposed development. All gable end elevation windows and front dormer bathroom windows of the proposed dwellings fronting Evesham Road and The Rough would be conditioned to be obscure glazed and would therefore not overlook any private residential amenity space.

All dwellings would have a boundary treatment which would consist of a 1.8m fence and the existing 2m western boundary wall would be retained. The north east boundary treatment would consist of a 1.8m fence which would provide screening from the proposed car park to the adjacent dwellings No's 136-138 Evesham Road.

Permitted development rights would be removed for units one and two to prevent the conversion to habitable rooms and thus use of the roofspace of the dwellings in order to safeguard the privacy of units 5-9 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 and the relationships between dwellings, it is considered that permitted development rights to extend and to erect outbuildings 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 included below.

Planning Obligation

The size of the proposed development requires contributions which should be sought via a planning obligation which in this case would cover:

- o 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
- o 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.

It has been confirmed in this case that there is sufficient capacity in the local schools that a contribution as required by the Education SPG could not be justified.

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

Conclusion

It is considered that whilst the loss of the heritage asset completely cannot be prevented, the retention of the main special feature and its positive impact on the streetscene is an acceptable compromise. Therefore, on balance, it is considered that as the remainder of the scheme is in compliance with the relevant policy framework then the proposal can be considered favourably.

**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 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 Borough Council towards the provision of wheelie bins for the new development;**

**and**

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

*Plan references to be inserted as appropriate*

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

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- 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) All gable end elevation windows and all dormer windows fronting Evesham Road 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.

- 6) No demolition, site clearance or 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.
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.

The works shall be completed in accordance with the programme agreed.



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Reason: In accordance with the requirements of paragraph 141 of the National Planning Policy Framework and Policy B(BE)11 of the Borough of Redditch Local Plan No.3.

- 7) The Development hereby permitted shall not be brought into use 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 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.

- 8) 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

- 9) 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.

- 10) 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

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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.

- 11) No development shall take place until full details of both hard and soft landscape works, except those soft landscape works within the curtilages of the dwellings, 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) Condition as requested by WWT – detailed text to be clarified and attached
- 13) Prior to the commencement of development, a management plan relating to the retention and maintenance of the heritage asset to the front of the site shall be submitted to and approved in writing by the Local Planning Authority. The asset shall be maintained in accordance with the agreed management plan, and amended as necessary over the passage of time.

Reason: In the interests of the protection of the heritage asset in accordance with Policy B(BE)11 of the Borough of Redditch Local Plan No.3.

**Informatives**

- 1) The local planning authority has 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 pre-application advice and discussion.
- 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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- 3) This permission does not authorise the laying of private apparatus within the confines of the public highway. The applicant should apply to Worcestershire County Council 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.

**Procedural matters**

This application is being reported to the Planning Committee because the application requires a S106 Agreement, more than two letters of objection have been received, and because the ward councillor has requested that it be reported. As such the application falls outside the scheme of delegation to Officers.