



# Planning Committee

Matchborough Ward

16 June 2009

**2009/052/FUL CONSTRUCTION OF 36 AFFORDABLE HOMES, 2, 3 & 4 BEDROOMS, WITH ACCESS OFF ROAD  
FORMER CLAYBROOK FIRST SCHOOL, DILWYN CLOSE, REDDITCH  
APPLICANT: WESTBURY PARTNERSHIPS  
EXPIRY DATE: 18 JUNE 2009**

## Site Description

(See additional papers for Site Plan)

Vacant site following closure and demolition of Claybrook First School. The site is roughly level, with only 0.5m of variation in height across its entirety. The site is secured by construction site style fencing and appears not to be used or accessed at all currently. It is therefore overgrown, with grass and scrub, with substantial hedging and shrubbery to the perimeters of the site. The site is bounded by Millhill Road to the south, housing to the west, north and northeast, and existing open space to the south east. Millhill Road is a distributor road for Matchborough. The site is categorised as previously developed land (PDL) or a 'brownfield' site. The site is bounded to the south east and north east boundaries by footpaths which link the different surrounding residential areas with the community facilities to the north of the site.

## Proposal Description

This is a full application for 36 dwellings of 2 and 2½ storeys, an area of public open space, vehicular access and parking on the former school site which measures 1.3ha. It is proposed that the dwellings be affordable housing to meet the local Borough need in the vicinity of the site, and thus the mix of housing has been proposed accordingly:

	2 beds	3 beds	4 beds	<b>Totals</b>
Intermediate housing	5	5	0	10
Social rented housing	13	9	4	26
<b>Totals</b>	18	14	4	36

The housing would be of brick and render with a mix of roof tiles and PV roof tiles. The housing has been designed to meet level 3 of the Code for Sustainable Homes, and thus each dwelling would have water butt and compost bin provision, as well as some energy generated via the roof. Each dwelling is designed with a rear garden area. The dwellings would be constructed from timber frames with insulated panels between for energy efficiency and insulation properties.

The existing boundary treatment to the site would largely be retained. A new access from Millhill Road would be created, and the existing access from Dilwyn Close would be closed. Vehicles would enter the site travelling north, and the on-site roads would form an F shape. The open space area would be at the south east corner of site, and measure 4423m<sup>2</sup>. Thus the residential element of the site would be approximately 0.84ha.

Plots 1-16 would back onto the western boundary of the site and face east or north east, with plots 17-25 backing onto the northern boundary of the site and facing south east. These would face plots 26-30, which would in turn back onto plots 31-36 which would lie at the northern boundary of the on-site open space and face south east onto it. Some existing trees on the site would also be retained, where they fall within rear gardens. The dwellings would be generally in pairs of semis and terraces of three, with two detached dwellings proposed, one at the entrance to the site and one at the north west corner. The six dwellings that include dormer windows are those that are 2½ storey, with the remaining thirty being two storey dwellings. This variation in height adds a stepped effect to the ridge heights when the runs of dwellings are viewed from the streetscene. All the dwellings are proposed to be of pitched roofs with side gables.

Plans were amended slightly at the request of Officers in relation to details such as porch design and boundary treatments. It is the amended proposals that are described and considered in this report, and the layout and general details remain unchanged. Some additional details such as shed designs and bin storage arrangements were also provided.

The application is supported by a Design & Access Statement, an affordable housing statement, a statement of community involvement (which states that all pre-application consultation was carried out with Officers), a climate change statement, an Open Space assessment, a Secured by Design statement, a sustainable travel statement, a residential travel plan, a tree survey and the West Midlands Sustainability Checklist which showed a 'good' rating for the proposal.

### **Relevant key policies:**

All planning applications must be considered in terms of the planning policy framework and all other relevant material considerations (as set out in the legislative framework). The planning policies noted below can be found on the following websites:

[www.communities.gov.uk](http://www.communities.gov.uk)  
[www.wmra.gov.uk](http://www.wmra.gov.uk)  
[www.worcestershire.gov.uk](http://www.worcestershire.gov.uk)  
[www.redditchbc.gov.uk](http://www.redditchbc.gov.uk)

### ***National planning policy***

PPS1 (& accompanying documents) Delivering sustainable development  
PPS3 Housing  
PPG13 Transport  
PPG17 Planning for open space, sport & recreation  
PPS25 Development & flood risk

### ***Regional Spatial Strategy***

SR2 Creating sustainable communities  
SR3 Sustainable design and construction  
UR4 Social infrastructure  
CF4 The reuse of land and buildings for housing  
CF5 Delivering affordable housing and mixed communities  
CF7 Delivering affordable housing  
QE3 Creating a high quality built environment for all  
QE4 Greenery, urban greenspace and public spaces  
T7 Car parking standards and management

### ***Worcestershire Country Structure Plan***

SD3 Use of previously developed land  
CTC5 Trees, woodlands and hedgerows  
D5 Contribution of previously developed land to meeting the housing provision  
T4 Car parking  
RST12 Recreational provision in settlements  
IMP1 Implementation of development

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

CS1 Prudent use of natural resources  
CS2 Care for the environment  
CS6 Implementation of development  
CS7 Sustainable location of development  
CS8 Landscape character  
S1 Designing out crime  
B(HSG).5 Affordable housing  
B(HSG).6 Development within or adjacent to the curtilage of an existing dwelling  
B(BE).13 Qualities of good design  
B(BE).19 Green architecture  
B(NE).1a Trees woodland and hedgerows  
L.2 Education provision  
E(TCR).2 Town centre enhancement  
CT12 Parking standards  
R.3 Provision of informal unrestricted open space  
R.4 Provision and location of children's play areas  
R.5 Playing pitch provision

### ***SPDs***

Encouraging good design  
Designing for community safety  
Planning obligations for education contributions  
Open space provision.

The site is shown on the proposals map partly as white land adjacent to primarily open space and partly as allocated for housing development.

### **Relevant site planning history**

None relevant – all relates to previous school buildings on site

### **Public Consultation responses**

#### Responses in favour

One comment received raising the following points:

- Supporting the proposal, including the retention of some on-site open space and the existing boundary treatment

#### Responses against

Two comments received raising the following points:

- Overdevelopment of site – 36 units significantly more than 20 originally proposed
- Retirement bungalows are needed more than affordable housing
- Should be building eco friendly homes
- Pollution from traffic, noise and light
- Possible loss of light to adjacent neighbours' properties at SW of site
- Overlooking across western boundary of site
- Future impact of boundary landscape buffer on western side of site if it grows too big.

### **Consultee responses**

#### ***Development Plans Team***

Clarification of a few minor points relating to sustainability were requested to ensure the full compliance with the relevant policy requirements. The proposal is considered to be in accordance with the current adopted Development Plan as it is in a sustainable location and provides for the needs of the Borough in the form of affordable housing, and on this basis this application is in conformity with planning policy. The application also delivers aspects of the emerging Core Strategy Vision for Redditch Borough which is also considered to be favourable. It is pointed out that there is a slight surplus of open space provision within this ward.

### ***Environmental Health***

No objection subject to condition restricting construction working hours.

### ***Drainage Officer***

No comments received.

### ***Waste Team***

No objection in principle – further comments awaited regarding details of scheme.

### ***Tree Officer***

Additional information requested, and conditions regarding planting scheme details sought.

### ***County Highway Network Control***

No objection subject to conditions regarding access and parking provision, the timing of off-site highway works and the implementation of the travel plan.

### ***County Environment Team***

No comments received.

### ***County Education***

No comments to make – affordable housing is exempt from contribution requirement of SPD.

### ***Crime Risk Manager***

No objection subject to conditions or the submission of additional details regarding perimeter fencing and pedestrian gates, and the prevention of vehicular access onto the on-site open space. Additional details have been received as noted above.

### ***Severn Trent Water***

No objection subject to a condition regarding drainage details and informative note regarding building near sewers.

### ***Sustrans***

No comments received.

## ***Natural England***

No objections, support building to minimum of level 3 of code for sustainable homes, and employing sustainability principles in design of proposal.

## **Assessment of proposal**

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

### Principle

Part of the application site is designated within the Local Plan for housing development, and as such housing on that portion of the site is considered to be acceptable in principle, subject to the details also being considered to be acceptable. The remainder of the site is undesignated, or 'white land' in the local plan, lying between a residential area and an area of designated open space. As such, the principle of additional housing within an established residential area is also considered to be acceptable, subject to the details also being considered to be acceptable.

### Density

The land designated within the local plan for housing recommended that a development of 20 dwellings would be appropriate, however that was a site measuring only 0.63ha in area, a density of almost 32dph, whereas this application includes a much larger site. Therefore, when excluding the on-site open space, this proposal would represent development at 43dph, which lies within the range proposed as acceptable on a site such as in national planning policy, and this is therefore considered to be acceptable. As noted above, the development of a larger site than that specifically designated within the local plan is considered to be acceptable in this case, and therefore the density and number of dwellings proposed is also considered to be compliant with the policy requirements. From this perspective, this proposal cannot therefore be considered to be overdevelopment of the site. Further, it is considered to reflect the character and pattern of the surrounding residential development in terms of layout and density.

### Public open space

The policies of the local plan require that for proposals of this size, open space provision should be made; either by providing areas to meet the size standards specified in the SPD and then transferring them to the Borough Council for ongoing maintenance, with a commuted sum for said; or by providing financial contributions towards off site provision/enhancement and maintenance where appropriate. In this case, it is proposed that the open space be provided within the site, and subsequently transferred to the Council for its ongoing care. This is considered to be acceptable in principle, in that it accords with policy, and is considered to be in an

appropriate location adjacent to additional designated primarily open space, as it would be to the south east of the site, bordering existing open space fronting Road. The details of this would need to be concluded in a planning obligation (S106 legal agreement) in order that this arrangement can be ensured to last in perpetuity and to ensure that the land is in a satisfactory condition prior to its transfer, in order to be and remain compliant with policy.

### Design and layout

The proposed dwellings are considered to be of an appropriate design relative to the surrounding area, such that they would be visually acceptable on this site. They are arranged in such a way that each dwelling would have sufficient amenity space, and be at a sufficient distance from existing and proposed to avoid any detrimental impacts on residential amenity. There are therefore no concerns regarding loss of light or privacy, or of overlooking, as these details are all in compliance with adopted policy.

The layout proposed is such that the streetscene would address the open space, and be complementary to the surrounding area.

### Secured by design

The proposed development has been designed in accordance with the principles of Secured by Design, as required by local plan policy and the adopted SPD, and as such the proposal is considered to be acceptable, and likely to discourage crime as much as possible. Therefore in order to implement the development in accordance with the application plans, these features would result and so no specific condition relating to this is required. Features of particular importance raised by the Crime Risk Manager have been addressed through the submission of additional information and so the development is now considered to be compliant with policy and SPG and thus acceptable in this regard.

### Landscaping and trees

It is proposed that the existing landscaping and trees to the periphery of the site be retained and maintained as part of the proposal, and this is considered to be acceptable, in that the existing planting is semi-mature and appropriate to the site and its surroundings. Although residents raise concerns that it might grow to be overly large, as it has not already done so since the site became vacant in 2001, it seems unlikely that such further growth would occur as a result of residential development, particularly as future residents on the site would be more likely to prune and maintain such boundary treatments more than currently takes place.

## Parking and access

The parking provision for the proposed development complies with the parking standards contained within the local plan, and is therefore considered to be acceptable in this case, as there appear no reasons to deviate from such.

The access and road layout proposals within the site are also considered to be acceptable, subject to the imposition of conditions relating to the surfacing and materials of the road (as requested by the Highways Officer) and their provision prior to the occupation of the development. The works to the highway outside the site, to provide an entrance to it, should also be progressed to an agreed stage prior to construction work commencing on site, in order to ensure that there is a suitable access for construction vehicles to utilise.

The means of access to the site from Road, be it junction or roundabout, is outside the remit of this application as it is outside the boundary of the site. However, it will be a matter for agreement between the developer and the highway authority. This matter therefore deserves no further consideration here, as the Highway Officer has confirmed that a safe access to current standards can be achieved in the location shown on the plans.

## Sustainability

Whilst the site lies at a distance from Redditch town centre, it is well served by public transport within close proximity, in line with government guidelines on walking distances to bus stops and public transport interchanges. As such, it is possible to travel using public transport, from the site to a variety of useful locations such as to a variety of shopping, leisure and employment destinations within the wider town of Redditch.

In terms of the built form of the proposed development, the applicant has committed to building to a minimum of level 3 of the Code for Sustainable Homes, as is required for affordable housing, and has also demonstrated other innovative features would be included in the design in order to work towards the objectives of sustainable construction. These include PV roof tiles, water butts, compost bins and methods of construction. Further measures could also be included, and to ensure that these policy objectives are met, the imposition of conditions is recommended below. Whilst a representation has been received claiming that the proposed development does not include 'eco homes', your officers are satisfied that the proposal would be built to recognised standards of sustainability and as such consider this element of the proposal to be compliant with policy and to be welcomed.

## Planning obligations

The size of the proposed development is above the policy threshold for requiring contributions which should be sought via a planning obligation.

Normally, the following would be required under the adopted policy framework:

- A contribution towards County education facilities, however affordable housing schemes are exempted from this requirement in the SPD, and therefore this would only be required if the scheme were for market housing, as noted by the County Council. However, if the application were to be for a mix of market and social housing, then contributions would be required in relation to the market housing proposed;
- A contribution towards playing pitches, play areas and open space in the area due to the increased demand/requirement from future residents is required in compliance with the SPG;
- That 40% of the dwellings be provided as affordable units for affordable housing in line with SPD policy, however in this case the applicant has confirmed that all 36 units will be for this. Therefore, this must also be included in the agreement to ensure the retention of the units for this purpose in perpetuity.

However, in this case there are variations to this. The open space provision on-site has already been discussed earlier, and is in compliance with the SPG, but must be controlled through a planning obligation. Leisure services have confirmed that there is almost sufficient provision in the ward for equipped play, and that there are sufficient playing pitches, and therefore have requested that a toddler equipped play area be included within the on-site open space.

On balance, it is considered that the reduction in planning gain is acceptable on this site, given the gain in affordable units that would result from the proposed development.

Therefore, the heads of terms now proposed to be included in the planning obligation are as follows:

- The transfer of the open space on-site to the Council, along with a contribution towards its ongoing maintenance as calculated using the adopted policy, and the inclusion within it of an equipped toddler play area (details to be agreed with the Council)
- The provision of 100% of the dwellings on the site for affordable housing in accordance with the current practices of the Council as appropriate.

This is now considered to be sufficient to make the development acceptable, and to be in compliance with local and national policy objectives.

Other issues

One of the conditions requested to be imposed by Severn Trent Water (STW) would not meet the tests in the conditions circular, and requires works that can be controlled by STW through other legislation, and is therefore not recommended to be imposed. An informative note to this effect is recommended.

Space is shown on the amended plans for the location of waste bins to await emptying on collection day, and secure storage is provided within the rear of the properties, with easy access to the front collection stand points, such that this is considered to be appropriate and acceptable.

### Conclusion

It is considered, for the reasons given above, that the scheme complies with all the relevant policy requirements, and would be unlikely to cause harm or danger to amenity or safety.

### Recommendation

**Officers are seeking an either/or resolution from Members in this case as follows, in that officers would carry out whichever of the two recommendations below applied:**

#### ***Either:***

- 1. That having regard to the development plan and to all other material considerations, authority be delegated to the Head of Planning & Building Control to GRANT planning permission subject to:
  - a) a planning obligation ensuring that the 36 units are for the provision of affordable housing in perpetuity; for the transfer of the on-site open space to Redditch Borough Council for its retention; that the Council are paid appropriate contributions for the maintenance of the transferred open space and that provision for an equipped toddler play area be included within the on-site open space; and**
  - b) conditions and informatives as summarised below:****

#### Conditions

1. Commencement within three years
2. Materials to be submitted and agreed
3. No occupation until water butts, compost bins and PV tiles in place and operational (locations as shown on plans)
4. All built to minimum standard level 3 of code for sustainable homes

5. Travel plan to be implemented (details to be agreed as necessary)
6. Boundary treatment – details of retention/protection to be agreed
7. Hard and soft landscaping details to be agreed
8. Permeable surfaces wherever hard
9. Construction work hours restriction
10. Drainage as per STW request
11. Planting scheme details as per tree officer request
12. Tree protection details
13. Access, turning and parking to be provided prior to occupation
14. No development on site until off-site highway works completed to an agreed stage, in order to allow vehicular access for construction traffic from Road
15. Details of on site roads to be agreed and implemented
16. Parking for site operatives/compound details for during and post-construction to be agreed and implemented
17. Details of means of preventing vehicular access to open space to be submitted, agreed, implemented and retained (location as shown on plan unless agreed otherwise)

### Informatives

1. Reason for approval
2. External materials should be of local/recycled materials wherever possible, whilst remaining appropriate to the site and surroundings
3. Note Severn Trent letter re not building too close to sewers
4. No burning on site during construction
5. Avoid mud on highway
6. No apparatus on highway
7. S38 details

**Or:**

- 2) a) **In the event that the planning obligation cannot be completed by 18 June 2009, Members are asked to delegate authority to Officers to REFUSE the application on the basis that, without the planning obligation the proposed development would be contrary to policy and therefore unacceptable due to the resultant detrimental impacts it could cause to community infrastructure by a lack of provision for their improvements, and that none of the dwellings could be restricted to use for affordable housing in line with current policy requirements; and**
- b) **In the event of a refusal on this ground and the applicant resubmitting the same or a very similar planning application with a completed legal agreement attached, authority be delegated to the Head of Planning and Building**

**Control to GRANT planning permission subject to the conditions summarised above as amended in any relevant subsequent update paper or by Members at this meeting.**

## **Glossary of terms**

*Social rented housing* is housing owned and managed by local authorities and registered social landlords for which guideline target rents are determined through the national rent regime.

*Intermediate affordable housing* is housing at prices and rents above those of social rent, but below market price or rents, and which meet these criteria:

- Meet the needs of eligible households including availability at a cost low enough for them to afford, determined with regard to local incomes and local house prices
- Include provision for the home to remain at an affordable price of future eligible households or, if these restrictions are lifted, for the subsidy to be recycled for alternative affordable housing provision.

*Affordable housing* includes social rented and intermediate housing, provided to specified eligible households whose needs are not met by the market. Affordable housing should:

- Meet the needs of eligible households including availability at a cost low enough for them to afford, determined with regard to local incomes and local house prices
- Include provision for the home to remain at an affordable price of future eligible households or, if these restrictions are lifted, for the subsidy to be recycled for alternative affordable housing provision.

(It should be noted that where the local authority or registered social landlord is not the owner/manager of the dwelling, this does not preclude it from being considered to be affordable housing, if it meets the relevant criteria.)

(Definitions taken from PPS3 Housing)