

**PLANNING
COMMITTEE**

12th July 2017

Planning Application 2016/276/FUL

Erection of apartment block to north-west corner of site comprising 10 no. apartments (8 x 2 bed and 2 x 3 bed) retaining the remainder of the site as a public car park

Land off Prospect Hill, Town Centre, Redditch

**Applicant: Mr John Murphy
Ward: Abbey Ward**

(see additional papers for site plan)

The author of this report is Steve Edden, Planning Officer (DM), who can be contacted on Tel: 01527 64252 Ext. 3206 Email: steve.edden@bromsgroveandredditch.gov.uk for more information.

Site Description

The application site relates to a triangular parcel of land sited forming part of an existing (permit holders) car park.

It is situated on the eastern side of Prospect Hill on the northern edge of the Town Centre boundary. To the immediate west of the site is a newly erected 14 bed supported living apartment block, now known as Samuel Place, which has been erected following the granting of permission under reference 2014/189/FUL. Access to that development is by means of the shared access to the car park from Prospect Hill. The site is bounded to the south and east by the Redditch Ringway, whilst to the north lie office buildings including the three storey Osprey House. Immediately beyond the sites south-western boundary lies a pay and display public car park which is accessed independently off Prospect Hill.

The site itself is generally open and roughly surfaced in gravel. It supports a number of trees, many of which are protected by means of Borough of Redditch TPO No.148.

The application site forms part of the Town Centre Strategic Site in the Borough of Redditch Local Plan No.4 (Policy 31 Regeneration for the Town Centre) and has an identified capacity of around 70 dwellings.

Proposal Description

Full planning permission is sought to erect 10 new apartments which would be provided as follows:

- * 8 x 2 bed flats
- * 2 x 3 bed flats

The building would provide accommodation over three storeys and would be contemporary in appearance using a variety of materials in its construction including multi

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blend red brick, white render, dark grey rainscreen cladding combined with large areas of glazing.

Should permission be granted, the proposed development would be served via the existing car park access which itself is via Prospect Hill. To the rear (east) of the proposed apartment block, a grassed amenity area including a number of trees protected under the Borough of Redditch TPO No.148 would be provided. Beyond this, again to the east would be a private car parking area (12 spaces) to serve the development.

Relevant Policies:

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 15: Climate Change
Policy 16: Natural Environment
Policy 31: Regeneration for the Town Centre
Policy 39: Built Environment
Policy 40: High Quality Design and Safer Communities

Others

National Planning Policy Framework
National Planning Practice Guidance
SPG Encouraging Good Design
SPD Open Space Provision
Worcestershire Waste Core Strategy

Constraints

Borough of Redditch TPO No.148

Relevant Planning History

None

Consultations

Arboricultural Officer

No objection subject to conditions for soft landscape works including new planting and existing trees to be retained and protected during construction works

RBC Development Plans

Comments summarised as follows:

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The application site forms part of the Town Centre Strategic Site in the Borough of Redditch Local Plan No.4 and has an identified capacity of around 70 dwellings. The site was previously allocated in the Borough of Redditch Local Plan No.3 as a site reserved for residential development to meet the Strategic Housing Requirement, should insufficient development take place over the lifetime of Local Plan No.3. The principle of residential development on this site has long been established and is a brownfield site in a sustainable town centre location, indicating that the proposal can be supported from a Planning Policy perspective.

The (former) Prospect Hill SPD, which is referred to in some of the representations received has not been saved as part of Local Plan No.4 and therefore carries no weight. The SPD did state that development of this site should make provision for existing car parking on site or in the immediate vicinity and I am aware that there is a Commission for the New Towns/ HCA agreement relating to provision of car parking to compliment the provision of office space at Grosvenor House and St Stephens House, most recently updated in the mid 1990s.

The Parking Agreement which is in place states that parking should be provided in association with the office buildings either on the Prospect Hill site or within a 400m vicinity. Proposals for development on the Prospect Hill site should be taken on their merits and whether they comply with this Parking Agreement. There are clauses in the Parking Agreement which state that the location and a reduction in the quantity of parking spaces may be varied in certain circumstances. One of the closest car parks to Grosvenor House and St Stephens House is Car Park 7, which is located on Church Road, well within the 400m distance stated in the Parking Agreement. This car park offers contractual parking for businesses around Church Green and the immediate vicinity. There may be opportunities for contractual parking facilities in other multi-storey car parks through discussion with the Kingfisher Centre Management, which also fall within the 400m zone. It is not accepted that parking for Grosvenor House and St Stephens House on this site has to be provided on the site itself.

According to our records, no objections were raised by the public regarding the strategic housing site allocation in Local Plan 4.

Education Authority

The Local Authority will not be seeking a Planning Obligation for an Education Contribution for the development, as submitted.

North Worcestershire Water Management

No objection subject to the inclusion of a pre-commencement condition requiring drainage scheme details to be submitted

Contaminated Land Worcestershire Regulatory Services

No objection subject to suitably worded conditions with respect to contamination

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Worcestershire Archaeological Service

No objections subject to the inclusion of an archaeology condition

Highway Network Control

Comments that the proposed development is in a highly sustainable location and that the provision of 12 car parking spaces is acceptable in highway terms, particularly when a public car park, which is not used to capacity, is located in close proximity to the site.

It is appropriate that promoters of planned development contribute toward the measures needed to support the delivery of the growth set out in the adopted Borough of Redditch Local Plan. A financial contribution of £14,675 is therefore sought to mitigate the cumulative impact of the Local Planning Authority's planned growth and additional demands on the wider transport network that the development will generate. The contribution is proportionate in scale to the development and is reasonable and should be secured by planning obligation.

The development site is located in the vicinity of cycle and walking routes which provide links to Redditch town centre. The development sites must have adequate connectivity to the cycle / walking network through appropriate route signage.

The identified schemes for which this development will contribute towards are:

- o The provision of dropped kerbs and tactile paving to improve the footways and crossing points along Prospect Hill
- o The provision of improved signage indicating routes for pedestrians and cyclists to the Town Centre along Prospect Hill which is part of the recommended route for cyclists providing links to Redditch Town Centre.

The County Council raise no objection to the development in highway safety terms subject to the satisfactory completion of the legal agreement set out above and subject to the imposition of appropriate planning conditions covering access, turning and parking provision, cycle parking and electric vehicle rapid charging point provision.

Police Crime Risk Manager

No objection

Town Centre Co-ordinator

I support the principle of residential development on this site

Public Consultation Response

6 representations received in objection

Comments are summarised as follows:

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- * We are a business in Grosvenor House and lease a number of car parking spaces in the Prospect Hill car park. The car park provides convenient and close parking to our employees. If the development goes ahead it will have a detrimental effect on our ability to attract new employees into the area, given that affordable, convenient parking in the area is difficult to find.
- * The proposals will impact on the viability of Grosvenor House and St. Stephens House.
- * The Bromford development (Samuel Place) has already taken car parking spaces from the wider car park area and the proposed development will result in the loss of further car parking
- * The development would be over-intensive
- * On-Street parking is likely to increase

Assessment of Proposal

Principle of development

The application site is part of a larger site that in 2007 was the subject of a Supplementary Planning Document. At that time the larger site was a reserve housing site, identified through BOR LP3, with the capacity for some 61 dwellings on brownfield land. The urban location of the site, in the context of the core principle of the NPPF as promoting sustainable development, is noted.

The Prospect Hill SPD was not saved beyond the lifetime of LP3 and therefore, since the adoption of LP4 in January of this year, the contents of the SPD hold no weight. However, the Borough of Redditch Local Plan No.4 identifies the site as a Town Centre Strategic Site covered by Policy 31, a policy which seeks to reinforce and strengthen the role of the Town Centre. The development complies with the aims of this policy by increasing residential accommodation; one of the guiding principles identified in the Town Centre Strategy and by facilitating the residential aspect of a mixed use that is envisaged for the wider Prospect Hill site. The Policy clarifies that smaller land parcels do not need to be developed at the same time but that individual sites do need to promote good linkages with the Town Centre.

Given the above, the principle of residential use is therefore considered acceptable.

Design and Layout of development

The shape and sloping nature of the site together with, in particular, Tree Preservation Order 148 are significant constraints to development. Never-the less, the site is identified as a strategic site in a highly sustainable, key edge of Town Centre location where higher housing densities are encouraged. The scheme is considered to represent a relatively high density form of development whilst integrating well and being sensitive to the surrounding local context which is a key requirement of the development plan.

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The proposed apartment scheme is unashamedly modern in appearance but reflective of both the three storey Osprey House building immediately to the north of the site and also to the 14 unit apartment scheme 'Samuel Place' to the immediate west.

The pallet of materials proposed includes red brick and white render which are present in many of the surrounding buildings. In addition, dark grey rainscreen cladding and significant areas of glazing have been introduced to enhance its design. Whilst having accommodation over three storeys, unlike Samuel Place which is two storey, the building would be flat roofed, reducing its overall height (a little over 9 metres) such that it would be only marginally taller than the Samuel Place apartment scheme. The buildings location within the site would not be particularly imposing from main public vantage points.

Given the varied nature of the buildings along this section of Prospect Hill the design of the development is considered to be appropriate.

The siting of the development and its relationship with nearby occupiers is such that the development would not cause harm to amenity. No objections have been received from occupiers who reside at Samuel Place, the nearest residential use.

Private amenity space for future occupiers of the development which would be located to the immediate east of the apartment block comprises a large communal grassed area incorporating two mature trees which are protected under TPO 148. The space provided would be in compliance with the Councils adopted SPG 'Encouraging Good Design' and as such, officers are satisfied that the scheme could not be regarded as an over-development of the site.

Trees and ecology

Existing protected trees are integral to the scheme and will help to assimilate the proposed development into the landscape. Additional planting would be provided by way of a landscaping scheme condition. Subject to the imposition of such a condition together with a condition which would protect retained trees during the construction process, the Councils Tree Officer has raised no objection.

Highway Matters

Following a visit to the site on Wednesday 28th June at 10.30am, it was observed that there were only four cars using the public Pay and Display facility and the permit holder parking appeared to be no more than approximately 60% full, which indicates that it is not currently being used to capacity. The objections received largely focus on the on-going viability of Grosvenor House and St Stephens House as an office facility. The RBC Development Plans Officer has stated that the parking agreement referred to by many of the objectors does not require that parking be provided for those uses on the site itself, just within a 400m vicinity.

There is considered to already be an over provision of car parking within Redditch Town Centre. In addition to five multi-storey car parks operated by the Kingfisher Shopping

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Centre, there is provision at Bates Hill, Ipsley Street, Victoria Street, Redditch Train Station and Church Green, the majority of which are all accessible within a 400m vicinity of Grosvenor House and St Stephens House and there may be opportunities for contractual parking facilities in other multi-storey car parks through discussion with the Kingfisher Centre Management, which also fall within the 400m zone.

No objections were raised by the public regarding the strategic housing site allocation in Local Plan 4.

St Stephens House was refurbished in around 2012 and has largely remained empty since this time. Furthermore, there is currently a valid Prior Notification Permission in place which allows St Stephens House to be converted to residential use (54 apartments).

Parking to be provided for occupiers of the proposed new development is considered to be acceptable to County Highways and as part of any approval, the applicant has agreed to enter into a planning obligation which would provide dropped kerbs and tactile paving to improve the footways and crossing points along Prospect Hill together with improved signage for pedestrians and cyclists to the Town Centre.

Other considerations

A number of matters require control through conditions. Given the known heritage assets in the vicinity, notably, British Mills and Windsor Mills (both Grade II listed buildings), together with the fact that the development area is situated adjacent to part of a medieval street system of Redditch which runs in a broadly north-south direction along the line of what is now Birmingham Road, suitable archaeological conditions are proposed to include a written scheme of investigation. This approach would be consistent with Paragraph 141 of the NPPF. Other necessary and relevant conditions are listed in full later in this report.

Planning obligations

Because the proposed development is above the policy threshold for requiring contributions which should be sought via a planning obligation, a S106 agreement has been drafted. The obligation in this case would cover:

- Contributions towards off site open space provision due to increased demand/requirements from future residents, required in compliance with the SPD
- Contributions for refuse and re-cycling bins for the new development in accordance with Policy WCS.17 of the adopted Worcestershire waste Core Strategy
- Contributions towards securing improvements and environmental enhancements to the Town Centre in accordance with Policy 31 of the BOR LP4

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- Contributions to Worcestershire Highways in accordance with the Infrastructure Delivery Plan (IDP) and the WCC Local Transport Plan 3 Development Control (Transport) Policy

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

Conclusion

The site has been identified as being suitable for residential development over a significant period of time. The proposals comply with the aims and objectives of the relevant policies and would not inhibit development of the wider part of the site.

The detailed design, form and layout of the development is considered to be appropriate in its context and subject to suitable conditions and legal agreement is considered to be a policy compliant form of development. No issues have been identified which would make this application unacceptable in planning terms.

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
- * Contributions are paid to the Borough Council towards the provision of wheelie bins for new development
- * Contributions are paid to the Borough Council towards securing improvements and environmental enhancements to the Town Centre
- * Contributions are paid to Worcestershire County Council for localised improvements to the cycle and walking network

and

b) The conditions and informatives as listed 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.

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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 their first installation, 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

- 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

- 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

- 5) 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.

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

appropriate references to be inserted here

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

- 7) 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.

- 8) 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.

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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.

- 9) 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.

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.

- 10) Prior to occupation of the development, full details of refuse storage facilities 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.

Reason:- In the interests of providing adequate refuse storage capacity in a visually acceptable manner. To ensure refuse storage is reasonably accessible to facilitate the collection of refuse from the development. In the interests of amenity and in accordance with the Local Plan Policies.

- 11) 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.

- 12) Prior to the commencement of development, details of cycle parking provision shall be submitted to and agreed in writing by the Local Planning Authority. The details agreed shall be implemented on site prior to the occupation and use of the building hereby permitted, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of sustainability

- 13) The development hereby permitted shall not be brought into use until one of the new parking spaces has been equipped with an electric vehicle rapid charging point and once provided it shall be retained and maintained as such at all times.

Reason: In the interests of sustainability

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- 14) No development shall take place until a Written Scheme of Investigation for a programme of archaeological works have been submitted to and approved by the Local Planning Authority in writing. The scheme shall include an assessment of significance and research questions and:
- a) The programme and methodology of site investigation and recording.
 - b) The programme for post investigation assessment.
 - c) Provision to be made for analysis of the site investigation and recording.
 - d) Provision to be made for publication and dissemination of the analysis and records of the site investigation.
 - e) Provision to be made for archive deposition of the analysis and records of the site investigation.
 - f) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Reason: To ensure that any below-ground archaeological interests are properly discovered and protected to avoid any possible damage

The development shall not be occupied until the site investigation and post investigation has been completed in accordance with the programme set out in the Written Scheme of Investigation and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To protect any below-ground archaeological interests.

- 15) All trees shown as being retained shall be protected in accordance with the requirements of BS5837:2012 during the course of all on-site development works

Reason: To ensure adequate protection to trees in the interests of the visual amenities of the area

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.

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

- 3) 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.

Procedural matters

This application is reported to Planning Committee for determination because the application is for major development. In addition, the application requires a S106 Agreement. Such applications fall outside the scheme of delegation