

PLANNING COMMITTEE

11th October 2017

Planning Application 17/00749/OUT

Outline application for the erection of 8 apartments in a single block (matters of vehicular access and layout to be considered under application)

The Golden Cross Public House, Town Centre, Unicorn Hill, Redditch, Worcestershire, B97 4RA,

**Applicant: New River Retail
Ward: Central Ward**

(see additional papers for site plan)

The author of this report is Emily Farmer, Planning Officer (DM), who can be contacted on Tel: 01527 881657 Email: emily.farmer@bromsgroveandredditch.gov.uk for more information.

Site Description

The site is the car park to the Golden Cross Public House. The site is bounded by Gloucester Close to the north and west and Hewell Rd to the East. The Golden Cross PH itself is located to the south, beyond which lies Unicorn Hill. Redditch railway station lies approximately 100m to the south-west of the application site.

Immediately to the north of the application site is a similar apartment block containing 16 flats (known as Ryland House).

Proposal Description

The proposal is an outline application for 8 apartments. The matters of access and layout are to be considered under this application. The (remaining) matters of appearance, scale and landscaping would be considered as part of any future reserved matters application, if this application were to be approved.

Relevant Policies :

Borough of Redditch Local Plan No. 4

Policy 1: Presumption in Favour of Sustainable Development

Policy 2: Settlement Hierarchy

Policy 3: Development Strategy

Policy 4: Housing Provision

Policy 5: Effective and Efficient use of Land

Policy 19: Sustainable travel and Accessibility

Policy 31: Regeneration for the Town Centre

Policy 39: Built Environment

Policy 40: High Quality Design and Safer Communities

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Others

NPPF National Planning Policy Framework
SPG Encouraging Good Design
SPD Open Space Provision
Worcestershire Waste Core Strategy (WWCS)

Relevant Planning History

2016/036/OUT	Erection of four apartments (matters of vehicular access and layout to be considered under application)	Application granted 06.04.2016
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Consultations

North Worcestershire Water Management

No objections are raised subject to the imposition of a standard condition to address drainage matters

Highways Network Control

No objection. A car park free development would be acceptable given the highly sustainable location of the site which is a short walk away from the train and bus stations and numerous public car parks.

WRS - Contaminated Land

The history on the site suggests that there may potentially be some land contamination issues. WRS therefore request the imposition of appropriate conditions to address this matter.

WRS - Noise

Due to the proposed location of the site, the applicant should submit a noise assessment in line BS8233:2014 in order to specify glazing, ventilation and if necessary noise mitigation measures for the external amenity area(s).

Crime Risk Manager

No objection

Arboricultural Officer

No objection

Redditch Development Plans

The application can be supported having regard to policy.

Town Centre Co-ordinator

I have no objection to the above application from a Town Centre Strategy perspective.

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Public Consultation Response

No responses have been received following letters sent to all neighbouring properties on 31st July 2017.

Assessment of Proposal

The main issues for consideration are as follows:

Principle

The National Planning Policy Framework (NPPF) advises, in Paragraph 49, that planning applications for residential development should be "considered in the context of the presumption in favour of sustainable development".

The application site is within Redditch Town Centre and it is also within the Town Centre Strategic Site boundary, as allocated within the Borough of Redditch Local Plan No.4. Policy 31 Regeneration for the Town Centre is therefore relevant to this application. Paragraph 31.6 includes an aim for increasing residential accommodation. Therefore, there are no objections to the principle of a residential scheme on the site, providing the details are considered to be acceptable.

This application follows previously granted outline application 2016/036/OUT for the erection of four apartments on this site; therefore the principle for apartments has been established on the site. It should be noted that application 2016/036/OUT would not be able to be implemented if the current application were to be approved and implemented.

Layout of development

Policy 39 requires all development in the Borough contribute positively to the local character of the area. It is considered that the proposal will balance well with the existing residential buildings in the locality and sit comfortably within its plot.

The proposals would meet all of the Council's spacing standards, as contained within the adopted SPG 'Encouraging Good Design' including minimum separation distances between the existing neighbouring buildings.

Although the matters of scale and appearance are not for consideration at this stage, it is considered that a future proposal under a reserved matters application could adequately address these matters based on the layout proposed here. As such, any future reserved matters application would respect the character and appearance of the area.

Residential amenity considerations

Your officers are satisfied that no loss to residential amenity would result from the proposed development by virtue of loss of light, visually intimidating impact or loss of privacy given the separation distances that would exist between the proposed development and nearby properties. WRS have requested a noise survey be submitted to specify any glazing or ventilation which may be necessary in the external amenity areas.

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This has been conditioned prior to occupation of the development as on the previous 2016 application. Given there are other residential flats in the locality and the appearance is to be considered under the reserved matters application, it is considered that the adequate mitigation could be addressed by such a condition.

Impact of the proposals on highway safety

A car free development would be acceptable on this site, given its sustainable location close to the town centre, train station, bus station and close proximity to a number of public car parks. In addition there are no highway implications which might result in the proposed development giving rise to harm to highway safety.

Planning Obligations

The size of the proposed development is above the policy threshold for requiring contributions which should be sought via a planning obligation. The following would be required under the adopted policy framework:

1. 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 SPD
2. A contribution to provide refuse and re-cycling bins for the new development in accordance with Policy WCS.17 of the adopted Worcestershire Waste Core Strategy

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

Conclusion

It is considered that the proposals comply with the planning policy framework and would be unlikely to cause any harm to amenity or safety. Subject to completion of the Section 106 agreement and conditions the application is 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 OUTLINE planning permission subject to:-

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

and

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2) the Conditions as set out below:

Conditions:

- 1)
 - a) Application for approval of matters reserved in this permission must be made not later than the expiration of three years beginning with the date of the grant of this permission.
 - (b) The development to which this permission relates must be begun not later than whichever is the later of the following dates:-
 - (i) the expiration of three years from the date of the grant of outline planning permission; or
 - (ii) the expiration of two years from final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.
 - (c) The matters reserved for subsequent approval are the following: -
Appearance, Landscaping, Scale

Reason:- In accordance with the requirements of Section 92 (2) of the Town and Country Planning Act 1990.

- 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) The development hereby permitted shall be carried out in accordance with the Approved Plans/ Drawings listed in this notice:

003 Rev D - Proposed Site Layout

Reason: For the avoidance of doubt and in the interests of proper planning.

- 4) Prior to first use or occupation of the development, the applicant should submit a noise assessment in line with BS8233:2014 in order to specify glazing, ventilation and if necessary noise mitigation measures for the external amenity area(s) to be 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.

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Reason:- In the interests of the future occupiers of the development and in accordance with National Planning Policy Framework.

- 5) No works or development shall take place until a scheme for foul and surface water drainage has been submitted to, and approved in writing by the Local Planning Authority.

Reason: The applicant needs to demonstrate that they have considered drainage and that the drainage will be sufficient and appropriate for the site by means of a plan.

- 6) Unless otherwise agreed by the Local Planning Authority development, other than that required to be carried out as part of an approved scheme of remediation, must not commence until conditions 1 to 6 have been complied with:
1. A preliminary risk assessment must be carried out. This study shall take the form of a Phase I desk study and site walkover and shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and any other relevant information. The preliminary risk assessment report shall contain a diagrammatical representation (conceptual model) based on the information above and shall include all potential contaminants, sources and receptors to determine whether a site investigation is required and this should be detailed in a report supplied to the Local Planning Authority. The risk assessment must be approved in writing before any development takes place.
 2. Where an unacceptable risk is identified a scheme for detailed site investigation must be submitted to and approved in writing by the Local Planning Authority prior to being undertaken. The scheme must be designed to assess the nature and extent of any contamination and must be led by the findings of the preliminary risk assessment. The investigation and risk assessment scheme must be compiled by competent persons and must be designed in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11".
 3. Detailed site investigation and risk assessment must be undertaken and a written report of the findings produced. This report must be approved by the Local Planning Authority prior to any development taking place. The investigation and risk assessment must be undertaken by competent persons and must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11".

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4. Where identified as necessary a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to identified receptors must be prepared and is subject to the approval of the Local Planning Authority in advance of undertaking. The remediation scheme must ensure that the site will not qualify as Contaminated Land under Part 2A Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
5. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.
6. Following the completion of the measures identified in the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval of the Local Planning Authority prior to the occupation of any buildings.
7. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where necessary a remediation scheme must be prepared, these will be subject to the approval of the Local Planning Authority. Following the completion of any measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to the occupation of any buildings.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Informatives

- 1) The Local Planning Authority has been in discussion with the applicants in regards to the details relating to the S106 financial contributions. The scheme itself has not required amendment as it has been considered policy compliant.

Procedural matters

This application is being reported to the Planning Committee because the application requires a S106 Agreement. As such the application falls outside the scheme of delegation to Officers.