

PLANNING COMMITTEE

14th March 2018

Planning Application 17/00737/FUL

14no. one bedroom apartments involving the erection of a new apartment block and conversion of former Forge Mill Public House and associated car parking, green space and infrastructure.

The Forge Mill, 164 Evesham Road, Headless Cross, Redditch B97 5ER

**Applicant: Certus UK Associates Limited
Ward: Headless Cross And Oakenshaw Ward**

(see additional papers for site plan)

The author of this report is Sarah Hazlewood, Planning Officer (DM), who can be contacted on Tel: 01527881720 Email: sarah.hazlewood@bromsgroveandredditch.gov.uk for more information.

Site Description

The site comprises the former Forge Mill Public House set at the back of the pavement occupying the majority of the width of the road frontage. The building itself has two storeys and is of some age, appearing on the first issue OS maps. The building is finished in render and retains a number of its original features. Vehicular access to the rear of the site currently exists to the southern side of the building. To the rear the site is largely laid to hardstanding with mature trees forming the boundary between the site and the properties on Malvern Road.

Proposal Description

The application seeks permission for the conversion and extension of the existing public house building to form 8no. one bedroom apartments with a two storey detached block proposed to the rear of the site to form a further 6no. one bedroom apartments. Vehicular parking would be provided in the centre of the site with an area of amenity space provided between the rear of the detached block and the rear boundary.

Relevant Policies:

Others

NPPF National Planning Policy Framework
NPPG National Planning Practice Guidance

Borough of Redditch Local Plan No. 4

Policy 1: Presumption in Favour of Sustainable Development
Policy 4: Housing Provision

PLANNING COMMITTEE

14th March 2018

Policy 5: Effective and Efficient use of Land
Policy 36: Historic Environment

Relevant Planning History

2016/135/FUL	Conversion of pub to 2no. residential units and erection of 2 houses to rear of site.	Approved	30.06.2016
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Consultations

Leisure Services Manager

No Comments Received To Date

Waste Management

No Comments Received To Date

Housing Strategy

I have looked at the application above. They have not identified which of the units they propose as affordable housing but I expect 4 units to be provided as affordable housing. Due to the block sizes I would propose that the four units are provided as affordable rent units.

Drainage Engineers Internal Planning Consultation

No objection subject to conditions.

Parks & Green Space Development Officer Martin Lewis

I have no issues with the proposals following review of the ecological documentation.

Due to the loss of open space and trees/hedges etc. with their associated nesting opportunities for birds etc. mitigation and enhancement will be required to account for the loss of habitat.

Highways Redditch

No objection subject to conditions

In addition an IDP contribution for 14 flats totalling £20, 545.28 would be required.

Arboricultural Officer

No objections to the proposed development, in relation to any tree related issues, under the following conditions:

PLANNING COMMITTEE

14th March 2018

'The existing trees should be retained in accordance with the proposed layout.

'Retained trees and their Root Protection Areas (RPA) must be protected during clearance and construction phase in accordance with BS5837:2012, using suitable protective fencing and/or ground protection as appropriate

'No storage of plant/materials within the RPAs of any retained trees.

'That any existing tree that fails or is removed or seriously damaged/diseased within 5 years of completion is replaced with trees of suitable sizes/species.

Viability consultant

Comments received regarding the viability of the scheme with reference to financial contributions

Town Centre Co-ordinator

I have no objections to the application however please note we would be looking for a contribution of £7588.00 (£542 per dwelling) for town centre enhancements should we be approving this scheme.

Education Authority

It is concluded that an education obligation will not be sought on the development as submitted and detailed above. The pupil yield from one bedroomed dwellings is not anticipated to impact on local education infrastructure.

Public Consultation Response

Four letters of objection have been received raising material planning considerations. It is noted that one letter was received prior to the scheme being amended and following consultation on the amended drawings, no further comments were received.

The issues raised include:

- The loss of the public house
- The overbearing impact of the proposed development
- Anti social behaviour arising from the use of the site as a public house
- Overlooking

A further representation has been recorded as an objection however this raises only procedural matters.

Assessment of Proposal

Principle

PLANNING COMMITTEE

14th March 2018

The principle of the use of the site for residential purposes has already been established through the granting of the previous planning permission in 2016 for the conversion of the public house to two dwellings and the construction of a further two dwellings in the rear of the site. This permission remains extant and could be implemented at any time. Furthermore, at the heart of the National Planning Policy Framework there is a presumption in favour of sustainable development.

Design

The proposal seeks the retention and substantial extension and alteration of the public house to the front of the site. The proposal seeks to retain the overall form of the existing building, including the chimneys and fenestration details. The block to the rear of the site has been designed such that it is of the same height and scale as the building to the front of the site. The design includes porch canopy features, Juliette balconies and archway detailing to the proposed windows.

With respect to the public house building it is considered to be a non - designated heritage asset given its age. The scope of the works proposed in this case are considered acceptable given the balance between retaining the character features of the building and proposing a development which delivers a residential development on the site.

Given that there is no particular prevailing form of architecture in the vicinity of the application site, other than it is generally of two storey scale, it is considered that the design of the proposed conversion and extensions and the new block to the rear of the site is acceptable.

Amenity

The proposed extensions and conversion of the public house result in windows serving principle habitable rooms being positioned closer to flats to the north of the application site. However, due to the orientation of the windows relative to one another and the resulting oblique angle it is considered that no harmful overlooking impact between the existing and proposed development will arise that would result in the refusal of planning permission.

With respect to the construction of the block of flats to rear of the application site it is proposed that these will be of two storey scale. Boundary treatment exists that ensures there will be no views from the ground floor windows to the dwellings on Malvern road. At the first floor level windows will serve bedrooms and bathrooms. The windows to the bathrooms are shown as being entirely obscurely glazed. Windows to the bedrooms are shown as being two thirds obscurely glazed with the top third of these windows not being obscurely glazed. It is considered that views from the non-obscurely glazed areas to the gardens of the properties on Malvern Road, given the height of the non-obscurely glazed parts would be limited. The block of flats proposed would be 6.35 metres from the boundary with the properties in Malvern Road however the distance between the

PLANNING COMMITTEE

14th March 2018

proposed block of flats and the dwellings is 31.5 metres. This is in excess of the distance required by SPG 1 and whilst the proposed development is likely to be visible from the dwellings on Malvern roads the distance between the existing and proposed development is considered sufficient to ensure that no harmful overbearing impact would arise.

Whilst the proposed block of flats is to the east of the dwellings on Malvern Road it is considered that sufficient distance exists between these dwellings and the proposed that there would be no significant overshadowing impact arising from the proposed development. Furthermore, any overshadowing that would occur would only affect a limited part of the garden area to these dwellings, with a significant part unaffected by the proposed development.

With respect to the dwelling at 166 Evesham Road sufficient distance exists between the windows proposed to the front of unit 14 and this dwelling together with the oblique angle will ensure that no harmful overlooking impact to this dwelling will arise. Obscure windows are proposed in the sides of the proposed block of flats such that no harmful overlooking to the garden of this property will arise.

Between the extensions to the public house and the proposed block of flats to the rear as distance of 19.6 metres is proposed. It is considered that this is sufficient in this context to not cause a harmful overlooking impact.

Taking all these matters in to account it is considered that no harmful impact to the amenity of the occupiers of the adjacent dwellings will arise that is severe enough to warrant refusal of planning permission.

Financial contributions

A scheme of this nature would ordinarily require the completion of a S106 agreement to secure various financial contributions in relation to matters such as open space, highway improvements and the provision of affordable housing.

In this case, however, the applicant has submitted a viability appraisal which has been verified by the Council's independent specialist.

The Planning Practice Guidance advises that where the applicant is able to demonstrate to the satisfaction of the Local Planning Authority that the planning obligation would cause the development to be unviable, the local planning authority should be flexible in seeking planning obligations.

In this case following verification of the applicant's viability appraisal the scheme has been found to only be able to afford £14, 350 in contributions and due to the specifics circumstances of this it is considered that the reduced level of contribution is acceptable in this instance.

PLANNING COMMITTEE

14th March 2018

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:

And

b) Conditions and informatives as summarised 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.

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 carried out in accordance with the following plans and drawings:

SJD-134-010 Rev C
SJD-134009- Rev F

REASON: To provide certainty to the extent of the development hereby approved in the interests of proper planning.

3. 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

4. The scheme for surface and foul water drainage serving this application detailed by the following drawings and documents shall be completed prior to the occupation of the development hereby approved.

Drawing : 706-01 - DRAINAGE & EXTERNAL WORKS LAYOUT

Document :Surface Water Drainage and Storage Calculations for Forge Mill, Redditch

**PLANNING
COMMITTEE**

14th March 2018

Reason: In order to ensure satisfactory drainage conditions that will not create or exacerbate flood risk on site or within the surrounding local area.

5. 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 and approved in writing to the Local Planning Authority and these areas shall thereafter be retained and kept available for those users at all times.

Reason: In the interests of Highway safety and to ensure the free flow of traffic using the adjoining Highway.

6. 14 car parking spaces shall be provided on site and shall be reserved solely for that purpose and such spaces be made available for the use before the development hereby approved is occupied.

Reason: To comply with the Council's parking standards

7. Prior to the first occupation of the dwelling hereby approved secure parking for 14 cycles to comply with the Council's standards shall be provided within the curtilage of the dwellings and these facilities shall thereafter be retained for the parking of cycles only.

Reason: To comply with the Council's parking standards

8. 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 (32 Amp, 7 KW) and once provided it shall be retained and maintained as such at all times.

Reason: To comply with the Council's parking standards

9. 4 suitable Schwegler (or similar) bird boxes and 4 Schwegler (or similar) bat boxes shall be installed towards the top of walls away from windows and other potential light sources on and around the buildings/landscape proposed to provide additional roosting opportunities suitable for species likely to be using the local environment.

Boxes shall be located in warm locations where they will receive full/partial sun in a variety of orientations to receive a range of climatic conditions. The boxes must be at least 3 metres above ground to prevent disturbance from people and/or predators. Exact locations and types should be determined and agreed with an ecologist for approval by the authority prior to installation on site. The boxes shall be installed before first occupation of any of the flats on the site.

Reason: In line with the NPPF, to ensure developments result in a 'net gain' for biodiversity

PLANNING COMMITTEE

14th March 2018

10. The windows as indicated to be obscurely glazed the approved plans shall be fitted with obscure glazing to a minimum of Pilkington Level 4 and any opening lights shall be at high level and top hinged only. The obscure glass shall be maintained in the said window in perpetuity.

Reason: To protect the amenities of neighbouring residents

11. The existing trees should be retained in accordance with the proposed layout. Retained trees and their Root Protection Areas (RPA) must be protected during clearance and construction phase in accordance with BS5837:2012, using suitable protective fencing and/or ground protection as appropriate. No storage of plant/materials shall be within the RPAs of any retained trees and that any existing tree that fails or is removed or seriously damaged/diseased within 5 years of completion is replaced with trees of suitable sizes/species.

Reason: In order to retain trees which form landscape features within the site.

Informatives:

The attention of the applicant is drawn to the need to keep the Highway free from any mud or other material emanating from the application site of any works pertaining thereto.

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 01905 751651), 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.

This permission does not authorise the applicant to carry out works within the publicly maintained highway since such works can only be carried out by the County Council's Approved Contractor, Ringway Infrastructure Service who can be contacted by email worcestershirevehicle.crossing@ringway.co.uk. The applicant is solely responsible for all costs associated with construction of the access.

Drainage arrangements shall be provided to ensure that surface water from the driveway and/or Vehicular turning area does not discharge onto the Public Highway. No drainage or effluent from the proposed development shall be allowed to discharge into any Highway drain or over any part of the Public Highway.

#Paragraph 125 of the NPPF states: 'By encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.'

PLANNING COMMITTEE

14th March 2018

Light pollution is a key biodiversity threat. It is important to limit any further potential negative impacts of artificial light causing un-necessary light pollution.

Instances of external lighting spill need to be reduced or eliminated. Ideally, lighting of the following types (in the absence of superior alternatives) should be specified:

- *Narrow Spectrum Lights with no UV content

- *Low pressure sodium and warm white LED

- *Directional down lights - illuminating below the horizontal plane which avoid light trespass into the environment.

TO PREVENT THE EMISSION OF DIRECT LIGHT UPWARDS AND AT ANGLES NEAR THE HORIZON.

- Use luminaires with reflectors and clear covers, preferably of flat glass. Avoid tilting the luminaires from their horizontal position.

- Use luminaires with a percentage of upper hemisphere emission installed below 0,2% (preferably 0%) in relation to the total output flux of the luminaire, and be sure to avoid directing light near the horizon (the first 10°, 20°), as it produces a sky glow 6 to 160 times greater than the same flux reflected off the ground.

- Use only asymmetric beam floodlights, with asymmetries adapted to the area to be lit, not installed at a tilt.

Any proposed landscape, car park or external building lighting needs to be either PIR activated (as appropriate) or timed, and appropriately designed to prevent light pollution or spill, as such this element should be subject to design approval to minimise potential disturbance of potential bat/bird/mammal forage or roosting sites and routes.

Works undertaken during the bird nesting season (March - late August) to clear any form of tree or vegetation must be preceded by a nesting bird survey. Any birds which are found to be nesting must be protected - the nest and all surrounding vegetation must be left undisturbed until such time that the young have fledged.

Procedural matters

This application is being reported to the Planning Committee because the application requires a S106 Agreement and because two (or more) objections have been received. As such the application falls outside the scheme of delegation to Officers.