

## **APPENDIX A**

### **PLANNING COMMITTEE**

**10th April 2019**

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**Planning Application 18/01515/OUT**

**Outline application for the demolition of redundant factory and erection of up to 75 residential units (matter of scale to be considered under application)**

**Victoria Works, Edward Street, Enfield, Redditch, B97 6HA**

**Applicant: Mr Ian White: Birgan Ltd**  
**Ward: Central Ward**

**(see additional papers for site plan)**

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#### **Site Description**

The application site comprises a substantial vacant manufacturing and office building Victoria Works is bounded by Britten Street to the west and Edward Street to the east, with a one-way traffic system operating within these roads.

The majority of the 0.44 ha application site comprises a large rectangular, flat-roofed grey brick building.

The building provides a gross internal floor area on two levels of 5,977m<sup>2</sup> (64,337 sq. ft) with the northern end of the site being a small service yard. The site was last occupied by Smithers-Oasis Ltd, a manufacturer of floristry products, and has remained vacant since 2008.

To the north of the site lies Vernier Springs works whilst to the south lie the locally listed buildings of Ashleigh Works and Nos. 20 and 22 Bromsgrove Road.

With the exception of 'The Business Centre' immediately to the north-east, the land between Edward Street and the railway line, (referred to as the 'Clive Works' site) has been cleared of its former buildings. The site falls outside the defined Town Centre boundary as defined on the Borough of Redditch Local Plan No.4 Policies map, the railway line marking its western boundary.

#### **Proposal Description**

This is an outline application to demolish the existing factory building and to replace it with a residential scheme to provide up to 75 residential units with all matters reserved for future consideration with the exception of scale which is to be considered here. Matters

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reserved for future consideration would be those of layout, appearance, means of access and landscaping.

Other than in respect of scale, the submitted drawings are purely for illustrative purposes but are intended to show how 75 units **could be** rather than **would be** accommodated within the site.

The illustrative scheme proposes four blocks of accommodation, with Blocks 1 – 3 being two rows of town houses fronting Edward Street and Britten Street within the northern end of the site (referred to as 'Victoria Mews'); and Block 4 being an apartment building within the southern part of the site (referred to as 'Victoria Works').

#### Victoria Mews

The indicative scheme proposes 20, two bed town houses and 6, three bed townhouses in two parallel rows of 13 houses fronting Edward Street and Britten Street.

The houses fronting Edward Street, which are identified as Block 1 would all be two bed 3-storey buildings which would have level ground floor access from the pavement. The rear part of the ground floor would provide a covered parking space, accessed from the interior of the site, above which would be two floors of accommodation.

Due to the higher level of Britten Street, pedestrian access to the town houses fronting this road would be at first floor level, with the lower level being used as a covered parking space access from the rear. Houses fronting Britten Street would therefore appear as only two-storey dwellings. Use of the roof space is envisaged in order to provide the third bedroom, with rooflights within the front roof plane and incorporation of a dormer window within the rear.

#### Victoria Works apartment block

The illustrative site layout plan indicates how a total of 49 apartments (19 one bed and 30 two bed) could be provided within a 5-storey apartment block (Block 4) within the southern part of the site fronting Edward Street, (referred to as 'Victoria Works').

The car parking area for the apartments would be between the rear of the building and Britten Street, with each of the 30, two bed apartments having a single allocated parking space. Due to the differing levels within the site, the parking area adjacent to Britten Street would be largely hidden from view.

The 19, one bed apartments would be car free. Justification for this is set out within the applicants Transport Statement and will be discussed later in this report.

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This application is supported by a Transport Assessment (TA), Flood Risk Assessment (FRA) and Sustainable Urban Drainage Scheme, an Ecological Appraisal, Land Contamination report and a noise assessment.

### **Relevant Policies:**

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

Policy 1: Presumption in Favour of Sustainable Development  
Policy 4: Housing Provision  
Policy 5: Effective and Efficient use of Land  
Policy 6: Affordable Housing  
Policy 19: Sustainable travel and Accessibility  
Policy 20: Transport Requirements for New Development  
Policy 24: Development within Primarily Employment Areas  
Policy 31: Regeneration for Town Centre  
Policy 39: Built Environment  
Policy 40: High Quality Design and Safer Communities

#### **Others**

NPPF National Planning Policy Framework (2019)  
SPG Encouraging Good Design  
SPG Employment Land Monitoring  
SPG Open Space Provision  
SPD Affordable Housing Provision  
SPD Education contributions

Worcestershire Waste Core Strategy (WWCS)

### **Relevant Planning History**

None

### **Consultations**

#### **WCC Highways**

No objections raised, subject to the applicant entering into a S106 agreement to provide financial contributions for off-site infrastructure.

The application has been supported with a Transport Assessment that assesses the trip generation of the current site and compares that to the proposed use. It is clear that there

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is a reduction in trips as a result of the new development which results in a reduced highway impact and results in there being no justification to seek contributions to improve network infrastructure. However it is important to recognise that as a result of the proposal that new demands are expected through an increase in walking and cycling activity. The site can access rail, retail and leisure activities on foot within a few minutes walk, however improvements are needed to local cycle route 18 to ensure that the site provides a high quality link to employment areas to encourage sustainable transport. Based on this additional demand it is appropriate to seek contributions to that route. The applicant has chosen to make contributions to the Highway Authority to deliver personal travel planning in lieu of the provision of a residential travel plan and this is best addressed through a section 106 agreement.

The application does not seek to determine the internal layout at this stage although a detailed layout has been provided. The layout demonstrates the parking and turning facilities which could be delivered. Parking provision would be lower than the published standards, however, the Highway Authority concurs with the applicant that given the highly sustainable location of the site, a reduced parking level would be acceptable. This would of course need to be assessed as part of any future reserved matters application but is not considered to be an impediment to the proposal.

The Highway Authority concludes that there would be no justifiable grounds on which an objection could be maintained.

#### **Planning Obligations**

Specific Purpose - Improvements to local cycle route 18 to include signage and markings

Contribution - £20,000

Trigger - Prior to the First Occupation of Any Dwelling

Specific Purpose - Personal Travel Planning

Contribution - £15,000 (£200 per dwelling)

Trigger - to the First Occupation of Any Dwelling

#### **Worcestershire Archive and Archaeological Service**

No objections subject to the inclusion of an archaeology condition

#### **WCC Education**

State that in this case, a contribution would be payable to the County Council for education provision in accord with the adopted SPD in the case of development providing two bedroomed (or more) open market dwellings. Contributions would support works at the catchment area schools: Holyoakes Field First and Birchensale Middle School

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#### **North Worcestershire Water Management**

No objection to the proposed development subject to the imposition of a condition regarding a site drainage strategy

#### **Economic Development**

The application site comprises a substantial vacant manufacturing and office building lying almost immediately to the west of Redditch Railway Station and the adjacent Town Centre.

Whilst the site is identified on the adopted proposals map as an area that is primarily for employment purposes, there are a number of factors we feel need to be taken into account in terms of the determination of the application, as follows:

- \* The site has been vacant since 2008 (when the previous occupier Smithers-Oasis vacated) and since this time the property has been actively marketed by a number of agents, without success in securing an occupier for the existing unit;
- \* The location of the site for a business occupier is not considered to be overly attractive; this is mainly due to the accessibility of the site and the lack of yard space. It is also understood that the building has a restricted height due to the first floor configuration and it is our understanding that the way that the building was originally constructed makes it difficult to retrofit to meet varying occupier requirements;
- \* The current building is unsightly and does not provide a positive frontage or relationship with the wider uses in this area and therefore it's removal could provide a betterment to the current use;
- \* The area that is subject to the application is located in close proximity to the identified 'Town Centre Strategic Site', which is a policy that seeks to deliver new development uses within Redditch. The application site therefore has some synergies with the adjacent strategic site, which is currently being considered for comprehensive development, linked to providing greater numbers of residential units within the town centre;
- \* The application site is considered to be situated in a sustainable location and surrounded by a mix of uses and the proposal would help to deliver an active use on land that is currently underutilised. Furthermore, the development of residential uses in this location would help to support the facilities and services that are located in close proximity to the site.

Whilst the loss of employment land is something to be resisted, in this instance, the agents have marketed the site for a period well in excess of the policy provisions within the adopted Local Plan and limited interest for a continuing economic use has been shown during this time. Therefore, it is felt that considering alternative uses that provide a potential betterment in design terms, as well as delivering active use in this area is a positive next step.

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It is considered that the proposal is in line with emerging aspirations to see more residential development to be delivered in the town centre environs and this site could act as a 'first phase' in delivering comprehensive development around the Railway Station area and the identified 'Town Centre Strategic Site', which is located on the opposite side of the road along Edward Street. The delivery of new uses and residential units in particular, is something that the Government are keen to see within central locations of towns across the country.

Therefore, given the evidence provided and the emerging thoughts with regards to redevelopment of the town centre and its adjacent sites, we are supportive of the proposal which seeks to deliver an active use on a vacant brownfield site that will add some vitality and vibrancy to this part of the town.

#### **WRS - Contaminated Land**

No objection subject to land remediation conditions

#### **WRS - Noise**

The Noise Assessment prepared by Resound Acoustics has been reviewed which concludes that providing appropriate external building fabric materials are used, particularly glazing, internal sound levels should be achieved that meet the internal noise level criteria set out in BS 8233:2014 and WRS technical guidance. I am satisfied that noise does not pose a constraint to the proposed development, and the development should not unduly constrain operations at Vernier Springs.

A noise assessment, specifying glazing standards and ventilation to achieve internal noise levels in line with BS8233 should be submitted as part of any application for reserved matters.

#### **Urban Design: Place Services**

Comments summarised as follows:

The proposed mixture of apartments and 2-3 bedroom dwellings across the application site is considered to be acceptable with the apartments and mews style dwellings addressing many of the site constraints. The promotion of an active frontage will benefit the streetscene where levels have been used to benefit the built form.

It is noted the break in development to the south east corner of the site benefits both screening to parking while allowing the neighbouring locally listed building to be appreciated in its own entity. This allows a break where new development can progress and be designed in a manner that doesn't mimic but reference. The principle of the development as submitted is considered to be acceptable.

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#### Public Consultation Response

2 letters have been received raising comments which are summarised below:

- Traffic levels may increase to the detriment of highway safety
- There are already parking problems in Edward Street. Concerns that existing problems would be exacerbated. Sufficient on-site parking should be provided
- As an established manufacturing production business based next door to the proposed site we have a number of concerns we will need to continue to have full access to our site for our staff, suppliers and customers - this includes HGV and other lorries
- Vernier Springs are not a noisy operator but we may require noisier processes in the future. Having regard to the proposed residential use we need to ensure that this is not an issue now or in the future.
- Any Utility interruptions during the build would have massive implications for us as a business in terms of loss of production, effects on machinery, loss of heating or water for any period of time
- Dust arising from construction works could upset our existing air compressing units and very accurate CNC machines. As a minimum a high screen should be erected to reduce this possibility from occurring

#### **Procedural matters**

This outline application includes an indicative layout and various indicative sketches and perspectives, however this is for illustrative purposes only to demonstrate how the site **could** be developed to accommodate 75 residential units, and not how the site **would** be developed.

#### Assessment of Proposal

##### Principle of development

The site falls within a Primarily Employment Areas where Policy 24 states that non employment development will only be permitted where:

- i) such development would not cause or accentuate a significant shortage of land for employment use in the Borough or area concerned; and
- ii) it is no longer viable as an employment area either following a period of unsuccessful marketing or undertaking a viability assessment. Consultation must be undertaken with the Economic Development and Regeneration Service by the applicant to ascertain this; or

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- iii) the site is no longer appropriate for employment use because of at least one of the following reasons and these problems are incapable of resolution in the foreseeable future:

It impinges upon residential amenity;

It causes substantial transport network, highway or traffic problems;

It creates other adverse environmental effects; or

Technical reasons such as land stability or fundamental infrastructure problems.

A marketing report prepared by Fisher German confirms that the application site has remained vacant since 2008 and has been on the market until its purchase by the applicant in early 2017. The report identifies the following significant constraints to commercial re-use:

- accessibility – access to the property is via a one-way road network which is very restrictive;
- the lack of a suitable yard for loading and storage;
- restricted height – a first floor runs throughout most of the building which restricts the usability of the space, particularly for warehouse operations; and
- a lack of natural light – the building has minimal windows and therefore internally is very dark.

The Councils Economic Development team comment that the site has been actively marketed for employment use for well in excess of the 2 years and 3 month period set out in the Councils Employment Monitoring SPG, without success and your officers have concluded that the loss of the site not cause or accentuate a significant shortage of land for employment use in the Borough.

The submitted evidence confirms that the site is no longer viable for continued employment use and that therefore the requirements of Policy 24, criteria i) and ii) have been satisfied. Therefore the principle of development is considered to be acceptable.

#### **Density of Development**

The site measures a little less than ½ hectare in area and proposed 75 units of accommodation would represent a density significantly higher than 100dph.

The 2019 National Planning Policy Framework requires local planning authorities and developers to make effective use of previously-developed land, especially if this would help to meet identified needs for housing where land supply is constrained.



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Section 11 of the Framework emphasises the importance of making effective use of land, and with respect to density, Para 123 comments that:

*“Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site:*

The paragraph continues by stating that minimum density standards should be considered and that local planning authorities should refuse applications which they consider fail to make efficient use of land.

Policy 5 of the Borough of Redditch Local Plan (Effective and efficient use of land) encourages densities in excess of 70 dwellings per hectare *“in locations close to public transport interchanges”*.

#### **Scale**

Scale is a matter to be considered under the current application. Whilst the ‘Victoria Mews’ apartment block is proposed to be five storeys in height, this would not exceed the height of the Ashleigh Works building to the south. Indicative plans show that the fifth storey is predominantly set back from the fourth to limit its visual impact. The proposed town houses would be three storeys in height to Edward Street and due to the difference in ground levels, would appear as two storey to Britten Street. The scale of development proposed is considered to be acceptable given the context of the sites surroundings.

The applicant has previously explored the potential of redevelopment as a single form of residential type, such as a solely apartment or town house scheme, but has concluded that a mix of accommodation is required to maximise appeal to the market and produce a viable scheme. The proposed mix of development is considered to reflect the objectives of the planning policy framework by resulting in a more visually interesting scheme.

#### **Layout and appearance**

Although layout and detailed appearance are matters reserved for future consideration, the illustrative designs shows how new development could be designed to enhance the area and respect the historic context of surrounding ‘industrial heritage’ buildings, such as Ashleigh Works and the locally listed buildings fronting Bromsgrove Road.

Photographs submitted with the application illustrate the significant degree to which the existing monolithic building detracts from the character and appearance of both Edward Street and Britten Street.

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Enhancement can be achieved by strong street frontages reflecting the historic street pattern, and the incorporation of the following design features:

#### Victoria Works apartments

- the use of red facing brick at upper floor levels, rather than more modern materials such as steel or render, in order to reflect materials used in the surrounding area;
- contrast to be provided by the use of a medium / light red brick at ground floor level and the use of grey weatherboard cladding to the top floor;
- two large end gables, with grey slated roof;
- animation of the elevations through the use of glass balustrade balconies to the second and third floors;
- incorporation of large warehouse-style windows with engineering brick arches and sills which create a vertical emphasis.

#### Victoria Mews town houses

- proportions and design approach typical of traditional town houses;
- the use of a similar palette of materials to the apartment building, being red facing brick and slate roof;
- the use of blue engineering brick feature window arches and sills;
- the use of black railings to the front of the properties fronting Edward Street, behind which would lie small areas of greenery; and
- the 'hiding' of all car parking spaces from public view, these being exclusively to the rear of the new housing.

Overall, the proposed approach is considered to achieve a visually interesting scheme which respects the historic context of the surrounding area.

Your officers consider that it is important for the site to provide an active frontage to both Edward Street and Britten Street despite the relative narrowness of the site. Separation distances between the rear of the two rows of townhouses has been maximised as far as practicable, within the constraints of the width of the site. The separation distances range from between 18.5m and 19.5m which is a little under the 21m width set out in the Councils SPG but is considered acceptable in this case, given the sites urban location.

#### Impact of the proposals on highway safety

Access is not for consideration under this application. However, illustrative plans show that a single vehicular access point to the development would be created from Edward Street. The proposed access would be 5m wide with 2m footways on either side. The vehicle access would provide access for residents' cars to the Victoria Works apartments to the left. To the right, access would be provided for residents' cars to the town houses.

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Pedestrian and cycle access would be via Edward Street with 2m footways alongside the vehicle access into the parking areas providing ground floor access to the apartments and town houses.

There would be direct pedestrian access to each town house from Edward Street and Britten Street.

It is envisaged that bin stores for the new houses would be located within two centrally located bin store holding areas. The bin store for the apartment building would be located centrally to the left of the access road.

In relation to the town house parking, this would not be located directly in front of each new house, but to the rear. Your officers consider that car parking immediately to the front of dwellings would result in visual clutter, would create a multitude of dropped kerbs and would lead to future pressure for front curtilages to be paved over. Further, setting back the two rows of town houses by at least 5 metres from Edward and Britten Street respectively would significantly reduce rear window separation distances between the rows, harming future amenity. Therefore, to meet the Highway Authority's standard of two parking spaces per dwelling, the scheme proposes the provision of two tandem spaces per unit, one of which would be within a covered enclosure at ground floor level, with the main living accommodation of the house being within the above two floors.

In relation to the parking for the proposed apartments, each 2-bed apartment would have its own dedicated parking space, with the 1-bed units being 'car free'. A detailed justification for this approach has been set out within the submitted Transport Statement and is agreed by the Highway Authority.

The indicative layout also includes two additional parking spaces, specifically for the charging of electric vehicles. It is also proposed that there would be a 7Kw electric charging point for each town house.

A total of 132 cycle parking spaces would be provided within the development, with 80 spaces being provided within two secure and covered areas to the rear of the proposed Victoria Works apartment building and 2 spaces per dwelling to be provided within each proposed townhouse.

Worcestershire County Council provides a personalised Travel Planning advice service for all future residents of residential developments in lieu of the need for a formal Travel Plan process. The applicant has agreed with the Highway Authority to commit to provide Worcestershire County Council an agreed sum to allow them to provide travel plan advice to future residents.

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In relation to transport issues, Section 9 (Promoting sustainable transport) of the NPPF requires that:

*“Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help reduce congestion and emissions, and improve air quality and public health.”*

Subsequent paragraphs set out the Government’s priorities for maximising travel choice, with particular emphasis of public transport, cycling and walking.

Policy 19 of the Local Plan (Sustainable Travel and Accessibility) focuses on the need to reduce private car use and increase the use of public transport.

The proposed parking for the town houses meets the WCC parking standards based upon Worcestershire County Council’s Streetscape Design Guide.

Parking for the apartments, at one space allocated to each 2-bed apartment also meets the requirements of the Streetscape Design Guide and the indicative layout provides for adequate servicing.

In relation to the parking provision for the 1-bed units, the County’s ‘Streetscape Design Guide’ states:

*“For both residential and commercial developments in town and city centres the applicant may choose not to provide car parking spaces at all. Consideration must be given to the opportunity to access the site sustainability, the availability and capacity of public car parks, existing parking restrictions, the number of linked trips and the implementation of an approved Travel Plan or welcome pack.”*

The application site lies in a highly sustainable location, adjacent to the Town Centre and within 2 minutes’ walk of the rail and bus stations. In addition, the applicant has agreed to fund personalised Travel Planning advice to future residents in lieu of a Travel Plan and welcome parks. Residents would therefore be fully aware of parking at the point of purchase and would be provided with detailed, personalised advice on alternative modes of travel. Moreover, the applicant has undertaken a Parking Survey which confirmed the availability of over 50 unrestricted parking spaces from 7 pm onwards within the vicinity of the site. Car park free development for the 1-bed apartments is therefore considered to comply with the provisions of adopted guidance.

The proposed development therefore does not raise any transport or highway concerns.

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#### Landscaping

Although landscaping is a Reserved Matter, the illustrative scheme shows how opportunities for landscaping can be maximised within the constraints of the site's urban location and limited width.

The scheme proposes landscaping around the car parking area of the apartment block, especially along the Britten Street frontage which would enhance the appearance of the area. It also provides for the apartment block to have a small set-back from the Edward Street footpath allowing for some tree planting and landscaping to the front of the building.

Small set-backs from the back of the pavement also allow for the provision of green areas in front of the front entrances of the town houses (as opposed to the property's opening out directly onto the footpath). In addition, the illustrative scheme allows for the provision of small planted areas between the curtilages to the rear.

#### Drainage

The application is accompanied by a Flood Risk Assessment and Sustainable Urban Drainage Scheme. This proposes a significant improvement to surface water drainage at the site via the use of rainwater harvesting and the use of an underground crate attenuation system within the vicinity of the apartment car parking area, the outfall from which would connect to the public sewer which runs along Edward Street. NWWM raise no objections to the application subject to the imposition of a drainage condition.

#### Residential amenity considerations

Your officers are satisfied that no loss of residential amenity would result from granting permission and would provide future occupiers of the development with a decent standard of amenity. Although noise disturbance during construction is an inevitable consequence of granting permission for new development, such noise and general inconvenience is temporary and not in itself a reason to refuse permission. A detailed, further noise survey would need to be submitted as part of any reserved matters application which would be expected to pay particular attention to the northern part of the site beyond which lies existing businesses. No objections have been received from WRS (noise) following consultation.

#### Affordable housing

Borough of Redditch Local Plan Policy 6 (Affordable Housing) requires the provision of 30% affordable housing on sites of 11 or more dwellings, incorporating a mix of tenure types.

Paragraph 63 of the NPPF states that:

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*“To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount.”(equivalent to the existing gross floorspace of the existing buildings)*

Further guidance to that contained within Paragraph 63 of the NPPF which allows for a ‘Vacant Building Credit’ to be applied to any proposals that involve the demolition of an existing building can be found at Paragraph 21 (reference ID:23b-021-20160519) of the National Planning Policy Guidance which states:

*“National policy provides an incentive for brownfield development on sites containing vacant buildings. Where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought”*

Accordingly, the Guidance requires a ‘credit’ to be applied which is the equivalent of the gross floorspace of any vacant building being demolished as part of the scheme and deducted from the overall affordable housing calculation.

The calculation of any Vacant Building Credit (VBC) should be based on an assessment of comparable gross external area, or floorspace (GEA). The gross internal floorspace of the existing building is 5,977 sq. m which is an equivalent to a GEA of 6,156 sq. m. The GEA of the application scheme has been calculated to 6,079 sq. m. Full details of relevant calculations are set out in the Floor Areas Schedule submitted as part of the application. Because no increase in the amount of floorspace at the site would result, as such no affordable housing provision is due.

#### **Sustainability**

The application site is located within easy walking distance of Redditch Town Centre which provides the expected wide range of commercial, retail and leisure facilities. It is also within two minutes’ walk of the Town’s rail and bus stations. The proposed residential redevelopment therefore benefits from the Frameworks “presumption in favour of sustainable development” and also complies with the Frameworks objective of significantly boosting the supply of housing.

In addition, the scheme meets the Frameworks requirement to make “effective use” of under-utilised land, with the proposed density of redevelopment reflecting the site’s highly sustainable location.

As referred to with respect to recent reports presented to the Planning Committee for new residential development, currently, the Council cannot demonstrate a 5 year supply of

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housing land within the Borough. Paragraph 11 of the National Planning Policy Framework (NPPF) says that in such circumstances relevant policies for the supply of housing should not be considered up-to-date. The so called tilted balance as advocated by the framework is engaged and the presumption in favour of sustainable development, as set out in the Framework applies. Where relevant policies are out of date, Paragraph 11 advises that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole, or specific policies in the Framework indicate development should be restricted.

Significant weight should be afforded to the fact that the scheme would make a meaningful contribution to the Councils housing figures where the Council cannot demonstrate a 5 year supply of housing land as required under the NPPF.

#### Other matters

Sections 100ZA(4-6) of the Town and Country Planning Act 1990 requires the applicant's written agreement to the terms of a pre-commencement condition. Written agreement to the terms of relevant recommended conditions has been sought and agreed by the applicant.

#### 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. In this case, a contribution to support improvements to the existing toddler and junior play area at the site at Terrys Field together with open space improvements for informal recreation at Plymouth Road has been agreed

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

Contributions towards County Education facilities in accordance with the Councils adopted SPD towards supporting works at the catchment area schools: Holyoakes Field First and Birchensale Middle School (for non-affordable dwellings providing 2 or more bedrooms)

The applicant confirms its agreement to make financial contributions with respect to the matters set out above

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#### Conclusion

The existing building is an unattractive monolithic structure which has a highly negative visual impact on two important 'gateways' into the Town Centre, from the train station and from Bromsgrove Road.

The site has been vacant since 2008 and is considered unsuitable for any form of continued commercial re-use. Its proposed redevelopment therefore meets the requirements of Local Plan Policy 24.

The site is ideally located for residential redevelopment, being located within easy walking distance of Redditch Train Station, the bus station and the wide range of facilities within the Town Centre. The application therefore benefits from the NPPF's presumption in favour of sustainable development and Local Plan Policy 5's support for high density development.

The illustrative scheme shows how a mixed scheme of high density apartments and lower density town houses could create a new vibrant and attractive development which would successfully reflect the Victorian industrial heritage of remaining buildings.

The proposed scheme would arguably serve as a catalyst for the redevelopment of the wider area in a manner which would be compatible with the Borough Council's objectives for enhanced vitality and viability of the Town Centre and promotion of sustainable development.

As confirmed by WCC highways, the proposed residential use would result in fewer vehicle trips compared to the site's former use and would not lead to any highway or parking concerns.

Your officers have therefore concluded that the application would amount to sustainable development, and would not conflict with the Borough of Redditch Local Plan No.4 as a whole. Subject to compliance with conditions as listed in full below, a favourable recommendation can be made.



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#### **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:-**

**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, and equipped play in accordance with the Councils adopted SPD
- \* Contributions are paid to the Borough Council towards the provision of domestic and recycling bins for the new development
- \* Contributions are paid to Worcestershire County Council towards County education infrastructure in accordance with the Councils adopted SPD
- \* Contributions are paid to Worcestershire County Council for localised improvements to the cycle network and for personal travel planning

**and**

**b) The conditions and informatives as listed below:**

#### **Conditions:**

- 1) Details of the means of access, appearance, landscaping, and layout, (hereafter called 'the reserved matters') shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

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

- 2) Application for approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission.

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

- 3) The development hereby permitted shall begin no later than two years from the date of the approval of the last of the reserved matters to be approved.

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

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- 4) The development hereby approved shall be carried out in accordance with the following plans and drawings:

***appropriate references to be inserted here***

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

- 5) A Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. This shall include but not be limited to the following:-

- a) Measures to ensure that vehicles leaving the site do not deposit mud or other detritus on the public highway;
- b) Details of site operative parking areas, material storage areas and the location of site operatives facilities (offices, toilets etc);
- c) The hours that delivery vehicles will be permitted to arrive and depart, and arrangements for unloading and manoeuvring.
- d) measures to minimise dust from construction
- (e) measures to suppress construction noise

The measures set out in the approved Plan shall be carried out and complied with in full during the construction of the development hereby approved.

Reason: To ensure the provision of adequate on-site facilities and in the interests of highway safety and neighbour amenity

- 6) No development above foundation level of the scheme hereby approved shall take place until a site drainage strategy has been submitted to, and approved in writing by the Local Planning Authority. The scheme shall include the results of an assessment into the potential of disposing of surface water by means of a sustainable drainage system (SuDS) and shall provide an appropriate level of runoff attenuation and treatment. The approved scheme shall be completed prior to the first use of the development hereby approved.

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

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- 7) 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".
  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

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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

- 8)
  1. 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.
  2. 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.

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Reason: To protect any below-ground archaeological interests.

#### **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 negotiation and amendment.
- 2) The granting of this planning permission does not remove any obligations on the applicant to undertake a technical design check of the proposed highway works with the Highway Authority, nor does it confirm acceptance of the proposal by the Highway Authority until that design check process has been concluded. Upon the satisfactory completion of the technical check the design would be suitable to allow conditions imposed under this permission to be discharged, but works to the public highway cannot take place until a legal agreement under Section 278 of the Highways Act 1980 has been entered into and the applicant has complied with the requirements of the Traffic Management Act 2004.
- 3) A noise assessment, specifying glazing standards and ventilation to achieve internal noise levels in line with BS8233 should be submitted as part of any application for reserved matters.

#### **Procedural matters**

This application is reported to Planning Committee for determination because the application is for major development. Further, the application requires a S106 Agreement. As such the application falls outside the scheme of delegation to Officers.