

PLANNING COMMITTEE

4th December 2019

Planning Application 2016/024/FUL

Demolition of Redditch Trades And Labour Club and erection of 40 units, 26 No. 1 bedroom flats and 14 No. 2 bedroom flats.

**Redditch Trades and Labour Club, 38-40 Bromsgrove Road, Redditch,
Worcestershire.**

**Applicant: Café Quote
Ward: West Ward**

(see additional papers for site plan)

The author of this report is Sharron Williams, Planning Officer (DM), who can be contacted on Tel: 01527 534061 Email: sharron.williams@bromsgroveandredditch.gov.uk for more information.

RECOMMENDATION:

That Members endorse the revised recommendation as detailed below and the associated comments under the heading The Amendments.

Background

Members will recall that at the meeting of Redditch Borough Council on 17th July 2019, they resolved;

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:
 - 1. Contributions are paid to the Borough Council in respect to off-site open space, and equipped play and sport provision in accordance with the Councils adopted SPD.
 - 2. Contributions are paid to the Borough Council towards the provision of domestic and recycling bins for the new development in accordance with the County's Waste Strategy.
 - 3. Contributions are paid towards Town Centre enhancement in accordance with the Town Centre Strategy.
 - 4. Affordable housing be provided as part of the scheme – 6 affordable units (4 No. 1 bed units and 2 No. 2 bed units to be sold with 20% discount).
- b) Conditions and informatives as summarised in the report pack.

(See original report under APPENDIX An and update report under APPENDIX B).

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Procedural Matters

This matter is reported to members because the scheme of delegation to planning officers requires that:

All planning decisions, actions or advice/responses on behalf of the Local Planning Authority cannot be dealt with under delegated powers (so must be reported to committee) where:

- The application is for major development (more than 10 residential units) where the recommendation is for approval.
- Any application where the Council will be required to become a party to a Planning Legal Agreement under Section 106.
- Deletion of one or more heads of terms in a Planning Legal Agreement under Section 106.

The Amendments

Following the resolution of the Planning Committee on 17th July 2019, the completion of the S106 agreement and the issuing of the planning permission, Accord Housing Association (the Developer) has an interest in the site and now intends to implement the scheme approved. However, substantial changes will be made to the tenure of the scheme which will now change from Open Market to 100% Affordable Rent. In light of this change, the Developer together with the Applicant have asked for all the commuted sums for items such as open space enhancements, waste and recycling provision and Town Centre enhancements to be reduced to zero and have backed this up with a Viability Assessment.

Members may recall that at the time of processing the application, viability arguments were put forward in relation to a late request from the NHS when the scheme was generally an open market proposal. Blackswan Property Ltd considered the viability arguments at that time. For the purposes of consistency, Blackswan has considered the new viability arguments put forward in respect to the intended change in tenure and request for the contributions to be reduced to zero.

Under NPPG (Sept 2019) it is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment. Such circumstances could include, for example where development is proposed on unallocated sites of a wholly different type; where further information on infrastructure or site costs is required; where particular types of development are proposed which may significantly vary from standard models of development for sale (for example build to rent or housing for older people).

In this situation, the proposed development has changed from an open market scheme to fully rented development and as such raises viability issues. Blackswan has considered the arguments put forward in the Viability Assessment and has recommended that the Council accept the arguments as proof of non-viability.

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Whilst it is disappointing that contributions would be reduced to zero, the intended tenure changes does mean that there would be much needed affordable accommodation in this area of the Town, and should be considered as compensation for the loss of the S106 contributions.

As part of the requirement of Policy 6 of Local Plan No.4, 6 No. units were secured under the original S106 as affordable housing. Whilst there is now a tenure change to the scheme, all 40 units would be secured under the revised S106 Agreement, and the tenure of these units would change from 20% discount market sale to affordable rent.

Conclusion

Your Officers conclude that contributions to be paid towards open space enhancements, Town Centre enhancements, and waste and recycling provision shall be reduced to zero. 40 No. Affordable housing units (26 No. 1 bed units, and 14 No. 2 bed units) shall be affordable rent in perpetuity.

There is a need for a consequential change to the terms of the original resolution, as taken on 17th July 2019 and subsequently minuted.

Criteria 1-4 as set out on the first page of this report are now amended, as detailed in the revised recommendation.

Revised recommendation

That the Section 106 Agreement for application 2016/024 be varied to permit the deletion of criteria 1-3 and the amendment to criteria 4:-

1-3 Contributions to be paid to the Council towards the provision of waste and recycling bins, as well as the enhancement of open space areas locally and the Town Centre to be removed from the obligation.

4. 40 No. Affordable housing units (26 No. 1 bed units, and 14 No. 2 bed units) shall be affordable rent in perpetuity.

All other requirements as set out under b) associated conditions and informatives remain.