

**PLANNING
COMMITTEE**

13th January 2021

Planning Application 20/01320/S73

Amendment to condition 2 as per approval 2016/024/FUL

Amendments to site layout, with reduction in carparking bays, changes to building footprint and position, removal of steps in building (height). Adjustment to external levels. Amendments to elevations, including number and positions of dormers and windows. Omission of gate to undercroft. Amendments to internal layout and change in unit mix.

Former Redditch Trades And Labour Club, 38-40 Bromsgrove Road, Redditch, Worcestershire, B97 4RJ,

**Applicant: Accord Housing Group
Ward: Central Ward**

(see additional papers for site plan)

The case officer of this application is Sharron Williams, Planning Officer (DM), who can be contacted on Tel: 01527 534061 Ext 3372 Email: sharron.williams@bromsgroveandredditch.gov.uk for more information.

Site Description

The application site formerly accommodated the Trades and Labour Club building (now demolished) and car park off Britten Street and Bromsgrove Road. The site is bounded by these roads that are designated Local Distributor Roads in Borough of Redditch Local Plan No.4. The site is an unallocated site in Local Plan No.4 but is within an established residential area of the Town.

The site is across the road to Ashleigh Works and along with No.s 20-22, The Elms (adjacent to the site), and 44, 52 Bromsgrove Road are locally listed.

Proposal Description

Permission is sought under section 73 of the Town and Country Planning Act 1990 to vary condition 2 of 2016/024/FUL which refers to the approved plans of that permission. Minor revisions to the scheme are proposed in respect to the car parking arrangements, internal and external alterations that consequently amend the number of bedrooms for the proposed flats.

Relevant Policies :

Borough of Redditch Local Plan No. 4

Policy 1 Presumption in favour of Sustainable Development

Policy 2: Settlement Hierarchy

Policy 4: Housing Provision

Policy 5: Effective and Efficient use of Land

Policy 6: Affordable Housing

Policy 17: Flood Risk Management

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Policy 19: Sustainable travel and Accessibility
Policy 20: Transport Requirements for New Development
Policy 22: Road Hierarchy
Policy 31: Regeneration for Town Centre
Policy 36: Historic Environment
Policy 37: Historic Buildings and Structures
Policy 39: Built Environment
Policy 40: High Quality Design and Safer Communities

Others

NPPF National Planning Policy Framework (2019)
NPPG National Planning Practice Guidance
SPD Affordable Housing Provision
SPD Open Space Provision
Redditch High Quality Design SPD

Relevant Planning History

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.	Approved	02.10.2019
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Background information

Members may recall that an application (Ref: 2016/024/FUL) was considered at Planning Committee on 17 July 2019. The scheme included the demolition of the Trades and Labour Club and erection of 40 units, 26 No. 1 bedroom flats and 14 No. 2 bedroom flats.

Members may also recall that the application was considered favourably and was subject to a S106 planning obligation ensuring contributions towards:-

- Open space, equipped play and sport provision enhancements,
- Domestic and recycling bins,
- Town Centre enhancements,
- And provide 6 affordable units within the scheme.

Since the approval of the application, Accord Housing Association now have an interest in the site and propose to implement the scheme. Members may recall that on 4 Dec 2019 Members were requested to approve changes to the S106 obligation to reflect a change of tenure for the scheme. The housing association had requested a change in tenure to 100% affordable rent and for the contributions to be reduced to zero. This was accepted following the submission and consideration of a viability assessment. The S106 obligation was amended to remove references to the contributions concerned and to require the developer to provide 40 affordable rent units in perpetuity.

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Consultations

Conservation Officer

The footprint of the proposed building appears to be similar to that approved by the 2016 application. The elevations in terms of massing have been modified. The revised scheme now has a two storey element immediately adjacent to The Elms, Bromsgrove Road, and then steps up more gently to three storeys and then four storeys on the corner of Bromsgrove Road and Britten Street. The corner component has a flat roof, while the other elements have pitched roofs with zinc effect dormer windows. The proposed windows are small pane metal framed windows, giving the building an industrial appearance, which sits better with the Ashleigh Works on the other corner of Bromsgrove Road and Britten Street. In terms of the nearby non-designated heritage assets, this is a much improved scheme compared to that granted permission by 2016/024 FUL.

Crime Risk Manager

No objections or comments

Highways Redditch

No objections and recommend conditions.

North Worcestershire Water Management

No objection to the amendments proposed to condition 2, drainage details to be submitted as imposed under condition 5 of planning application ref: 2016/024/FUL.

WRS - Contaminated Land

Worcestershire Regulatory Services (WRS) have reviewed the application in relation to contaminated land. WRS previously reviewed application reference 2016/024/FUL and recommended a condition for unexpected contamination. WRS consider that this recommendation is still valid and relevant to the application and should still apply.

Housing Strategy

No comments to make on the application.

Arboricultural Officer

Recommend conditions.

Waste Management

Happy with the waste collection arrangements.

Public Consultation Response

1 letter of objection

Main concerns centre around parking provision and the methodology used in the Transport Statement which is being used to justify just 21 parking spaces for 40no flats. The statement refers to available on-street parking spaces within the locality and their usage capacity/stress. There have been long standing issues with parking availability on Vicarage Crescent which is why the parking restrictions were put in place. Vicarage View and Cemetery Lane also suffer from parking issues. Elm Road, Britten Street and Edward

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Street are often lined with parked cars due to people trying to avoid paying for parking at the railway station. I feel that justifying such a low provision of off-street parking, well below minimum parking standards, in this manner is wishful thinking and would have a severe detrimental effect to current residents in the locality as well as the new ones on this application site.

Assessment of Proposal

Revisions to the approved scheme are summarised as follows:-

1) Proposed flats mix has changed:

- The approved drawings provided 14 No. 2 bed flats and 26 No. 1 bed flats. The revisions now show 10 No. 2 bed flats and 30 No. 1 bed flats.
- The changes have been required in order to accommodate a plantroom and sprinkler tank room. Other internal alterations include improved communal internal circulation that has required changes to the mix of flats on the first and second floor.

2) Site layout:

- The gable end of the building has moved off the northern boundary to allow room for construction.
- Gates proposed for the undercroft have been removed to ease management of the site and aid collection of waste from binstore.
- Some trees, hedging, soft landscaping to the west boundary (with The Elms) will be partially removed at the rear of the site to accommodate parking bays.
- Due to further consideration of the site levels and the extent of the root protection area of existing trees, the proposed car parking layout would have an impact on significant trees and hedging. Therefore, the proposed 30 No. car parking spaces is proposed to be reduced to 21. This enables the retention and ensures the protection of the root protection area of the trees/hedging concerned.

3) Elevations:

- All steps within the building removed i.e ground floor all on one level, no intermediate stairs.
- Proportions of windows adjusted generally including the reduction of a number of windows on Bromsgrove Road and Britten Street elevation. Also access doors added to the plantroom and sprinkler room.
- Storey heights adjusted as previous plans did not allow for correct upper floor depths or service voids.

Officers consider the internal changes to the scheme to be acceptable. The revised elevational treatment does slightly simplify the overall design, however, the same materials approved under the previous scheme are still proposed, (two colours of red brickwork, terracotta blockwork, zinc dormers and metal double glazing in anthracite grey). The use of these materials, changes to the proportions of the windows, and simplifying the dormers has enhanced the scheme. Whilst there are slight changes to the

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overall height, the changes are minimal, but the slight reduction in height adjacent The Elms is welcomed. The Conservation Advisor has reviewed the revisions and considers the amendments to be an overall improvement to the approved scheme. Officers consider the elevational changes to be acceptable in accordance with policies 39 and 40 of the Local Plan No.4.

Revisions also include a reduction of car parking; this is necessary to protect the significant trees and hedging adjacent to The Elms.

Section 9 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."

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 County's 'Streetscape Design Guide' states that "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 sustainably, 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."

One neighbour objection has been submitted in respect to the reduction in car parking. County Highways have considered the revised scheme. In addition, they have also considered the neighbour objection before making a recommendation. County Highways have no highway objections to the revised scheme as the site is located in a highly sustainable town centre location, within acceptable walking distance of amenities, bus route and bus stops as well as Redditch Railway Station and Bus Station approximately 180m from the site and as such gives residents reasonable access to alternative means of travel without relying on car travel.

The Highway Officer accepts the arguments put forward in the Transport Statement that supports the application, summarised below:-

- 30 cycle spaces that will be covered and secure will still be provided as part of the revised scheme.
- All 21 car parking spaces shall be provided with electrical vehicle charging points (only 2 were included in the previous scheme).
- The 21 residents' parking spaces will be numbered and allocated to individual flats according to need. Given that this site will be managed by an affordable housing company Redditch Co-op homes, (who are also part of the Accord Group), it is likely that the allocation of the car parking spaces will be adequately managed.
- There is scope to access alternative modes of transport as it is within 2 minutes' walk of the rail and bus stations. It is also within 5 minutes' walk to all key day-to-day facilities.

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County Highways have undertaken a robust assessment of the planning application and conclude that there would not be an unacceptable impact and therefore there are no justifiable grounds on which an objection could be maintained.

Conclusion

Officers consider the above revisions to this sustainable scheme to be acceptable.

The original legal agreement S106 (30th Sept 2019) set out that should a subsequent variation application be granted under S73 of the Act, that the permission referred to in that agreement would also include any subsequent S73 application. There is no need therefore for a new legal agreement to accompany this S73 proposal

Normally a change in bedroom numbers would have implications on contributions sought for open space provision. However, the revised S106 (Deed of Variation dated 20th December 2019) that also forms part of the development would be unaffected on this occasion.

RECOMMENDATION:

That having regard to the development plan and to all other material considerations, permission be **GRANTED subject to the following conditions summarised as follows:**

Conditions:

- 1) The development to which this permission relates must be begun not later than 2 October 2022.

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 plans to be defined.

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 materials to be approved shall be similar to those cited in Materials Specification Sheet Dwg. No. 206. The development shall then be carried out in accordance with the approved details.

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Reason: To ensure that the development is satisfactory in appearance, to safeguard the visual amenities of the area.

- 4) 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 in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and where remediation is necessary a remediation scheme must be prepared and approved in writing by the Local Planning Authority in advance of the scheme commencing.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to development commencing other than that required to be carried out as part of an approved scheme of remediation.

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

- 5) No development above foundation level of the scheme hereby approved shall take place until a scheme for surface and foul water drainage 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.

- 6) 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.

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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.

- 7) 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.

- 8) No site clearance or development shall take place until all trees and hedges and their root protection areas (RPA) to be retained on the site and around the boundaries of the site must be protected during clearance and construction phase in accordance with British Standard BS:5837 2012, and shall remain in situ for the duration of the development.

Reason:-To ensure the protection of trees and hedgerows in the interests of visual amenity.

- 9) No development above foundation level of the scheme hereby approved shall take place until all hard and soft landscaping details have been submitted to and agreed by the Local Planning Authority. The approved 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.

- 10) No development above foundation level of the scheme hereby approved shall take place until details to include bird nesting boxes, bat roosting boxes, external lighting plans and appropriate native species planting have been submitted to and agreed by the Local Planning Authority in order to take account of the need to recreate habitat for wildlife and biodiversity in accordance with the Worcestershire Biodiversity Action Plan. The approved details shall be fully implemented prior to first occupation of the development.

Reason:- To ensure the creation of wildlife habitat and wildlife corridors within development and minimise impact of the development on the biodiversity.

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- 11) The Development hereby approved shall not be occupied until the access, parking and turning facilities have been provided as shown on Dwg. No. to be defined.

Reason: To ensure conformity with submitted details.

- 12) The Development hereby permitted shall not be first occupied until the proposed indicated electric vehicle charging spaces as indicated on Dwg. No. (to be defined) have been fitted with an electric vehicle charging point in accordance with the Worcestershire County Council Streetscape Design Guide. The electric vehicle charging points shall be retained for the lifetime of the development unless they need to be replaced in which case the replacement charging point(s) shall be of the same specification or a higher specification in terms of charging performance.

REASON: To encourage sustainable travel and healthy communities.

- 13) The Development hereby permitted shall not be first occupied until sheltered, safe, secure and accessible cycle parking to comply with the Council's adopted highway design guide has been provided in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority and thereafter the approved cycle parking shall be kept available for the parking of bicycles only.

REASON: To comply with the Council's parking standards.

- 14) The Development hereby approved shall not be occupied until the applicant has submitted to and had approval in writing from the Local Planning Authority a residential welcome pack promoting sustainable forms of access to the development. The pack shall be provided to each resident at the point of occupation.

Reason: To reduce vehicle movements and promote sustainable access.

- 15) The Development hereby approved shall not commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include but not be limited to the following:-
- o Measures to ensure that vehicles leaving the site do not deposit mud or other detritus on the public highway;
 - o Details of site operative parking areas, material storage areas and the location of site operatives facilities (offices, toilets etc);
 - o The hours that delivery vehicles will be permitted to arrive and depart, and arrangements for unloading and manoeuvring.
 - o Details of any temporary construction accesses and their reinstatement.
 - o A highway condition survey, timescale for re-inspections, and details of any reinstatement.

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. Site operatives'

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parking, material storage and the positioning of operatives' facilities shall only take place on the site in locations approved by in writing by the local planning authority.

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

Procedural matters

This application is reported to Planning Committee for determination because the application is for major development (more than 1000 sq metres of new commercial / Industrial floorspace), and as such the application falls outside the scheme of delegation to Officers.