

**PLANNING
COMMITTEE**

14th September 2010

PLANNING APPLICATION 2010/166/FUL

**RESIDENTIAL DEVELOPMENT OF 23 APARTMENTS AND ASSOCIATED
LANDSCAPING**

LAND AT FORMER MAYFIELDS WORKS, THE MAYFIELDS, REDDITCH

APPLICANT: MR A COUPE
EXPIRY DATE: 5TH OCTOBER 2010

WARD: CENTRAL

The author of this report is Ailith Rutt, Development Control Manager, who can be contacted on extension 3374 (e-mail: ailith.rutt@redditchbc.gov.uk) for more information.

(See additional papers for Site Plan)

Site Description

Cleared site, sloping down to north and east, steeply inclined. Site lies in residential area, and is overlooked to a small extent by the rear of properties which front onto Mount Pleasant (on the east, facing west) and lie much further up the hill. These have rear garage blocks facing the site, built into the terraced hillside at a lower level than the Mount Pleasant dwellings. To the east lies more modern residential development at a significantly lower level than the site. There is no uniform character or pattern of development in terms of layout, style, design, materials, age etc in this area.

The site has a heap of used building materials on it towards the rear, which is likely to be the materials from which the previous buildings on the site were made. Some buildings to the rear of the site remain, but are not of substantial construction. There are some scrub plants to the rear of the site, and a tall conifer hedge to the eastern boundary which shields the site from views from the residential properties on Hillside, to the east. The site slopes downwards both from west to east and from south to north (front to back).

Proposal description

This is a full planning application for the erection of 23 apartments on this site in two blocks. The block to the front would be 2-3 storeys at the front and four at the rear due to the difference in land levels and accommodate 18 apartments. A vehicular access would be located to the eastern side of this block leading to a parking courtyard behind, beyond which a three storey block of five apartments would be located, with amenity space for all the occupants laid out around the parking courtyard and tot the rear of the site.

The front apartment block would have a hipped roof with projecting gables to front and rear, and is shown as brick at ground floor level with a string course of soldier bricks, and render above with a tiled roof. The maximum size of the

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building footprint would be 30m x 19m with a maximum ridge height at the rear of 14m.

The rear apartment block would have a fully hipped roof, with protruding gables to front and rear at either end, and in the centre at the front to form an entrance feature. The block is shown as brick at ground floor level with a string course of soldier bricks, and render above. The roof would be tiled. The maximum size of the building footprint would be 16m wide and 11.4m deep. The height to ridge would be 9.3m.

The courtyard between the two blocks would provide 16 car parking spaces and a cycle parking area.

The application is supported by a Design & Access Statement, a community involvement statement, climate change statement, Secured by design statement, transport statement, planning supporting statement & S106 statement.

Relevant key policies:

All planning applications must be considered in terms of the planning policy framework and all other relevant material considerations (as set out in the legislative framework). The planning policies noted below can be found on the following websites:

www.communities.gov.uk

www.wmra.gov.uk

www.worcestershire.gov.uk

www.redditchbc.gov.uk

National planning policy

PPS1 (& accompanying documents) Delivering sustainable development
PPS3 Housing

Worcestershire County Structure Plan

SD3 Use of previously developed land
SD4 Minimising the need to travel
T1 Location of development
T3 Managing car use#
IMP1 Implementation of development

Borough of Redditch Local Plan No.3

CS6 Implementation of development
CS7 The sustainable location of development
S1 Designing out crime
B(HSG)6 Development within or adjacent to the curtilage of an existing dwelling
B(BE)13 Qualities of good design

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C(T)12 Parking standards

Supplementary Planning Guidance / Supplementary Planning Documents

Encouraging good design
Open Space
Education
Designing for community safety

Other relevant corporate plans and strategies

Worcestershire Community Strategy (WCS)
Redditch Sustainable Community Strategy (SCS)
RBC Corporate and performance plan

Relevant site planning history

Appn. no	Proposal	Decision	Date
2010/021/FUL	5 apartments in block at rear	Withdrawn	7/3/2010
2006/187/FUL	18 apartments and ancillary development	Granted	20/7/2006

It should be noted that the 2006 consent showed a block very similar to that now proposed at the frontage of the site, with amenity space and parking to the rear, however the consent has lapsed and cannot now be implemented. The more recent application was intended to add the rear block as now proposed, however at that time it was realised that the earlier consent had lapsed and so the application was not progressed.

Public Consultation responses

Responses in favour

One comment received raising the following points:

- This windfall development opportunity would improve an eyesore site and provide a sustainable location for needed residential development

Responses against

Five comments received raising the following points:

- Dominant impact of large apartment blocks on neighbouring residents
- Front block should be reduced in height and bulk
- Loss of privacy through east facing windows proposed
- Inadequate on-site parking provision
- Car parking likely to overspill onto highway at a distance from the site or in contravention of parking regulations and restrictions nearby
- Traffic noise disturbance
- Existing boundary screening should be retained
- Bin store area is located adjacent residential properties

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- Impact on drainage facilities
- Removal of asbestos from existing building should be done properly

The last issue is not a material planning consideration but has been raised, and so is reported here for information only and cannot be considered in the determination of this application.

Consultee responses

Development Plans Team

No objection in principle, subject to contributions, dwelling types and all other details being acceptable

Environmental Health

No objection subject to conditions and informatives

Drainage Officer

Comments awaited

Waste disposal team

Waste compound needs to be of sufficient size to accommodate refuse receptacles for a development this size. Confirmation from the applicant has been sought to ensure that the proposed compound is large enough.

County Highway Network Control

No objection subject to conditions

County Education Officer

No objection subject to contributions as per SPD being achieved – need detailed

Crime Risk Manager

No objection subject to condition relating to various design details

Severn Trent Water

No objection subject to a condition regarding drainage details

Economic Adviser

Comments awaited – these will relate to the information provided by the applicant regarding the viability of the development and their request to be excused from the usual contributions required by the policy framework

Procedural matters

This application is reported to Planning Committee for determination because it falls within the 'major applications' category and is recommended for approval.

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Assessment of proposal

Background

The previous approval on this site is a material consideration to which some weight can be attached when determining this application. However, any changes in the planning policy framework that have occurred since its determination and which also have a bearing on the proposal should also be taken into consideration, along with the additional block of flats also now proposed, and the cumulative impact of the whole scheme therefore. It is therefore recommended by Officers that the entire scheme, as now proposed, be re-considered, as set out below.

The key issues for consideration in this case are as follows:

Principle

The site is previously developed land, and within close proximity to the town centre, such that the principle of development is considered to be acceptable. It is not under any specific use designation within LP3, and is within a residential area. Therefore, the principle of residential development on this site is considered to be acceptable.

Design and layout

The details of design, siting and appearance of the block proposed at the front of the site are as for those previously approved, and the policy framework relating to these has not changed since that decision was made. Therefore, these elements are considered to be acceptable and in compliance with the relevant policies and guidance.

The addition of the second block to the rear is also considered to be acceptable. It would be at sufficient distance from both existing properties and those proposed at the front of the site that it would be unlikely to cause significant harm to amenity and would not have any impact on the streetscene. Whilst it would reduce the overall amenity space provision on the site relative to the previous scheme, it is considered that sufficient would remain that the proposed scheme would be acceptable.

Landscaping and trees

The existing tree screening to the perimeter of the site is to be retained and thus the existing views of the site from surrounding residential properties would not increase. Minimal details of landscaping proposed have been provided, other than the layout for the site and therefore it is recommended that a condition be imposed to agree these details and implement them as appropriate.

Any of the trees that have been on the site since 1965 are also protected by a TPO and therefore would remain on site and retain their protection. It is not

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considered that the proposed development would result in any significant or long term harm to their health and vigour.

Highways and access

No concerns have been raised by the highways adviser, who has commented that a reduction from the maximum parking standards is considered to be acceptable in this sustainable location in close proximity to the town centre.

Sustainability

The site lies within a sustainable location, and is therefore an appropriate location for a development of this type. Minimal information has been provided regarding the construction to sustainable standards of the proposed development, and therefore rather than recommend a condition seeking a particular level of the code for sustainable homes, it is considered more appropriate to require that the standard of sustainable construction be agreed prior to the development commencing, and for monitoring to be carried out to ensure this through the construction phase. This would be done in liaison with the Building Control team.

Planning obligation

The previous 18 unit scheme included a planning obligation which related to open space and education provision only. One change to the policy framework that is considered to be particularly significant in this case is the reduction of the threshold where social housing is sought, in that the previous scheme fell below the threshold at the time of 25 units or more, whereas the threshold now is 15 or more units, and thus social housing is required under the policy framework.

The size of the proposed development is above the policy threshold for requiring contributions which should be sought via a planning obligation:

- A contribution towards County education facilities would normally be required, and the County have confirmed that there is a need in this area to take contributions towards three schools – St Lukes First, Birchensale Middle and Trinity High;
- A contribution towards playing pitches, play areas and open space in the area, due to the increased demand/requirement from future residents, is required in compliance with the SPD.
- The proposal would also normally require that 40% of the dwellings (in this case 9 units) be provided as affordable units for social housing in line with SPD policy. This must also be included in the agreement to ensure the retention of the units for this purpose in perpetuity.

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The applicant has provided supporting information to demonstrate that the development would be economically unviable if these contributions were required.

Expert advice from an economic consultant is awaited regarding this position, and therefore a dual recommendation is included below. It is likely that one of the two options will exist, and Members will be advised at the meeting of the up to date situation:

Either, the information provided by the applicant is accepted and there are justifications in this case for accepting the proposed development without the contributions to infrastructure and social housing;

Or, the information provided by the applicant is not accepted. In this case there are two possible outcomes – either Officers could refuse the application under delegated powers due to the lack of an agreed planning obligation and thus the application would be contrary to planning policy and likely to cause harm to the site and surroundings by increasing demand on facilities without mitigation, or they could negotiate with the applicant to enter into a planning obligation. In the latter case, then the recommendation below would apply.

In the event that the information is not available prior to the committee meeting, then Officers will seek delegated authority from Members to deal with the application as appropriate, with a variety of options, as noted below.

Other issues

In the event that the proposal is considered favourably, it is recommended that conditions be attached following the comments received from consultees.

Conclusion

It is considered that the principle, design, layout, siting and details of the proposed development meet the relevant planning policy criteria, and therefore the only remaining outstanding issue is that of the planning obligation. However, this is considered to be of considerable significance and weight, and therefore the outcome of the application is considered to depend on this.

Therefore, the recommendations below provide for difference options, and seek delegated authority to Officers to deal with the application accordingly.

Recommendations

- 1) 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:**

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- a) a planning obligation ensuring that 9 units are for the provision of social housing in perpetuity; that the Borough Council are paid appropriate contributions in relation to the development for pitches, play areas and open space provision in the locality to be provided and maintained; and that the County Council are paid appropriate contributions in relation to local education provision; and
- b) conditions and informatives as summarised below:

Conditions

1. Time limit for commencement of development
2. Materials to be agreed and implemented
3. Landscaping details to be agreed and implemented
4. Boundary treatments to be agreed and implemented (including retention of existing)
5. Refuse compound details to be agreed and implemented prior to occupation
6. Hard surfacing details to be porous and agreed
7. Sustainable standard to be agreed and implemented
8. As requested by Highways
9. As requested by Environmental Health
10. Secured by Design
11. Drainage details as requested by Severn Trent Water
12. Approved plans specified

Informatives

1. Reason for approval
 2. As requested by Environmental Health
 3. As requested by Highways
 4. Secured by Design
 5. As requested by Severn Trent Water;
- 2) In the event that it is accepted that there are exceptional circumstances to justify the granting of planning permission without a planning obligation, and 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 conditions and informatives as summarised in 1 b) above; and

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- 3) In the event that the planning obligation is considered necessary and cannot be completed by 5 October 2010,
- a) Members are asked to delegate authority to the Head of Planning and Regeneration to REFUSE the application on the basis that without the planning obligation the proposed development would be contrary to policy and therefore unacceptable due to the resultant detrimental impacts it could cause to community infrastructure by a lack of provision for their improvements, and that none of the dwellings could be restricted to use for affordable housing in line with current policy requirements; and
 - b) In the event of a refusal on this ground and the applicant resubmitting the same or a very similar planning application with a completed legal agreement attached, authority be delegated to the Head of Planning and Regeneration to GRANT planning permission subject to the conditions summarised in 1 b) above, as amended in any relevant subsequent update paper or by Members at this meeting.