

**PLANNING
COMMITTEE**

27th April 2011

PLANNING APPLICATION 2011/019/FUL

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

LAND AT FORMER MAYFIELDS WORKS, THE MAYFIELDS, REDDITCH

**APPLICANT: MR A COUPE
EXPIRY DATE: 6TH MAY 2011**

WARD: CENTRAL

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

(See additional papers for Site Plan)

Update for 27th April 2011 Planning Committee Meeting

Below follows the report provided for Planning Committee at their meeting on 29th March 2011, at which consideration was deferred to allow Members to view the confidential information relating to this application and the economic viability of the proposal.

Members have now seen this information in full, rather than just the summary in the report below, and are therefore able to take it into account in making a decision on this application.

The application details and recommendation remain as set out below. It is the Officer's opinion that the reduction in affordable housing provision from 9 units (40%) to 5 units is acceptable in this case due to the economic viability case.

One further comment on the application has been received and is reported within the main report below for simplicity. Therefore, the report and recommendation below remain, with that one amendment.

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.

PLANNING COMMITTEE

27th April 2011

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). The site has been vacant for a significant period of time which has allowed natural flora to begin to thrive on the site.

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 to 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 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 23 car parking spaces, a disabled parking space and a cycle parking area.

The applicant is proposing that the five apartment block to the rear of the site be provided as affordable housing.

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 & affordable housing 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

PLANNING COMMITTEE

27th April 2011

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
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
2010/166/FUL	23 apartments & landscaping	Refused	13/10/10
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

PLANNING COMMITTEE

27th April 2011

Application 2010/166/FUL was refused on the grounds of insufficient on-site parking provision with a likely resultant displacement of parking on the surrounding highway network which could compromise road safety and the lack of affordable housing provision.

The 2006 consent has lapsed as it was never commenced. It related to a block of 18 apartments to the front of the site, which now forms part of the current application (and formed part of the refused 2010 application).

Public Consultation Responses

Responses in favour

None

Responses against

Five comments received raising the following points:

- Loss of light to properties in Mount Pleasant
- Overlooking and loss of privacy of properties in Mount Pleasant
- Overdevelopment of site
- Insufficient car parking
- Increase in traffic on surrounding road network
- Access too narrow for vehicles to pass
- Insufficient parking provision
- These units will not be affordable
- Boundary treatments should remain
- Potential for increased vehicle crime in the area
- Inadequate services in the area for new development to connect to
- Smell from refuse area adjacent to residential property
- Asbestos on old site should be dealt with appropriately

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

Worcestershire Regulatory Services

No objection subject to conditions and informatives

Drainage Officer

Comments awaited

PLANNING COMMITTEE

27th April 2011

Waste Disposal Team

Will deal with details separately with applicant – no objection to those shown on plans

County Highway Network Control

No objection subject to conditions

County Education Officer

No objection subject to contributions as per SPD being achieved – need for them has been confirmed

Crime Risk Manager

No objection subject to conditions relating to various design details and concern raised regarding overlooking of parking courtyard

Severn Trent Water

No objection subject to a condition regarding drainage details

Economic Adviser

Confirmed that minimal changes to the market have occurred since the previous application, and therefore that their previous findings remain applicable, which were that whilst it would be financially viable to provide the monetary contributions required in line with current local planning policy, the provision of affordable housing would be more difficult given the current climate. However, in addition to this, it might be possible to consider a situation where payments or provision were delayed until market conditions improved and it is acknowledged that this could be included within the planning obligation. (Examples from elsewhere have been provided for information)

Procedural Matters

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

Assessment of Proposal

Background

The previous application on this site was for an almost identical scheme, however it did not include any affordable housing provision and only provided 16 car parking spaces instead of the 23 now proposed.

As the planning policy framework has not changed in the interim, it is these changes that need to be given most consideration when determining this application. However, these issues also need to be balanced against all the other relevant material considerations when reaching a conclusion on this application.

PLANNING COMMITTEE

27th April 2011

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

Principle

The site is previously developed land within close proximity to the town centre. 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, subject to the details meeting the relevant policy criteria.

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 in 2006, 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 considered that the proposed development would result in any significant or long term harm to their health and vigour.

Highways and access

The parking layout has been amended since the previous application to address the previous refusal reason and 23 parking spaces are now proposed, which equates to one space per unit. As these are small units, then this complies with the adopted maximum standards. One visitor space is also proposed. The expert adviser has not raised any objections to the parking and access details proposed. It is therefore considered that this is now compliant with policy and acceptable.

PLANNING COMMITTEE

27th April 2011

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. Recent and imminent changes to the building control requirements will increase the demands for sustainable design features in the construction of the development, and therefore this would be controlled separately under other legislation.

Planning obligation

The previous application was refused due to a lack of proposed affordable housing provision, and this has been addressed in this application.

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.

The applicant has provided supporting information to demonstrate that the development would be economically unviable if these contributions and the provision of nine units of affordable housing were required. However, the applicant has indicated that they are willing to provide the block of five units to the rear of the site as affordable housing as well as pay the financial contributions.

Expert advice from an economic consultant has been provided, agreeing that whilst it would be viable to provide the financial contributions, it would not be economically viable to provide nine units of affordable housing.

PLANNING COMMITTEE

27th April 2011

Therefore, the offer from the applicant to provide five units of affordable housing and the financial contributions detailed above, which meets most of the policy requirements, is, on balance and in the light of the evidence provided, considered to be acceptable in this case. However, it is necessary to ensure that the detailed terms of the planning obligation are such that officers from the housing team are convinced that the affordable housing element will be provided to their satisfaction, and this aspect is being dealt with by legal Officers.

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 changes to this application following the previous refusal adequately address those issues, and that in those matters, the proposed development is now compliant with the policy framework. It is further considered that there are no other material considerations that might tip the balance against the proposed development.

It is therefore considered that the principle, design, layout, siting and details of the proposed development meet the relevant planning policy criteria, and that the planning obligation proposed is an acceptable compromise given the evidence of current market conditions when considered against the planning policy criteria and that the application as now proposed is acceptable.

Recommendation

Officers are seeking an either/or resolution from Members in this case as follows, in that officers would carry out whichever of the two recommendations below applied:

Either:

1. **That having regard to the development plan and to all other material considerations, authority be delegated to the Head of Planning Regeneration to GRANT planning permission subject to:**
 - a) **a planning obligation ensuring that the five units are for the provision of social housing in perpetuity; that the County Council are paid appropriate contributions in relation to the provision of education facilities in the locality; that the 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 any future minor changes required to the content be carried out as necessary by Officers; and**

PLANNING COMMITTEE

27th April 2011

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

Or:

2.
 - a) **In the event that the planning obligation cannot be completed by 5th May 2011, Members are asked to delegate authority to officers 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 stated above as amended in any relevant subsequent update paper or by Members at the meeting.**