

Agenda Item 8

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan Ref. Expiry Date
Mr. D. Jones 'A'	Erection of three bedroomed detached bungalow and garage - 6 St Catherines Road, Blackwell	Residential	10/0973-MT 07/12/10

RECOMMENDATION: that permission be **GRANTED** subject to the receipt of satisfactory comments from the Drainage Engineer, Tree Officer and Environmental Health Manager.

Consultations

WH	Comments received 16/11/10: No objection
Lickey & Blackwell PC	Comments received 11/11/10: Objection - <i>'Our Village Design Statement is against sub-division of plots, and there is a new presumption against "garden-grabbing".'</i>
ENG	Consulted 23/11/10: No comments received to date
TO	Consulted 18/10/10: No comments received to date
EHM	Consulted 23/11/10: No comments received to date
WWT	Comments received 09/11/10: <i>'The building in question doesn't look likely to be a bat roost, not so much because it's small but more because the materials don't look suitable. Accordingly I don't think you need to commission a full bat survey, but I would recommend that you consider timing the demolition to late autumn or early spring (which are the times when even transient bats are least likely to be present). In addition you ought to consider a sensitive demolition by hand rather than with a JCB if possible.</i> <i>Clearly any permission should come with biodiversity enhancement attached and given the surroundings you might consider including a bat roost in any new loft, or a couple of internal bat tubes within the building.'</i>
Publicity	Three neighbour notification letters posted 20.10.10 expire 10.11.10; one additional letter posted 08/11/01 expires 29/11/10 Site Notice posted 03.11.10 expires 24.11.10 1 letter received: concerns raised over the development affecting the traditional pattern and character of the area, harm to wildlife, impact on residential amenity and loss of trees.

The site and its surroundings

The application site relates to an existing 4 bedroom detached dwelling with a spacious curtilage. The dwelling is currently being renovated and its rear garden is in an overgrown and neglected condition containing piles of debris and materials associated with the ongoing works. The site is adjoined by existing residential development to all of its boundaries and is located within a Residential Area as defined in the BDLP.

Proposal

It is proposed to erect 1 no. 3 bedroom bungalow within the rear garden of the dwelling. The proposed dwelling would be accessed from St Catherine's Road via a new access drive that would run along the northern side boundary of the site. The new dwelling would be for sale on the general market.

Relevant Policies

WMSS QE3, CF4
WCSP CTC.1, CTC.5, CTC.8, T.1, T.4
BDLP DS13, S7, S8, C17, TR11, ES1
Others PPS1, PPS3, PPG13, SPG1, Lickey & Blackwell Village Design Statement

Relevant Planning History

B/2003/0881 2 dwellings (Outline) - Granted 22/08/03
B/2006/0840 2 dwellings (Outline) (renewal of B/2003/0881) - Granted 04/10/06

Notes

The proposals are located within residential garden land. Members will note that garden land has been removed from the definition of 'previously developed land' set out at Annex B of PPS3, on which there was a presumption in favour of development. In light of these amendments it is now necessary to consider the principle of the development in this location.

It should be noted that the amendment to PPS3 does not mean that garden land may not be developed for housing, but it does give local planning authorities the opportunity to consider the feasibility of a site in strategic and contextual terms.

In this case the site is located within a built up area. There is a shop and a school in the vicinity and there are a number of bus services running along nearby roads. The site is therefore considered to be a sustainable location and I consider it to be suitable for new housing development.

Members are also reminded of the requirement in PPS3 and other national policy documents to use land efficiently and effectively, and the national planning policy objective of increasing the housing supply. Given the predominance of the Green Belt within the Bromsgrove District there is inherently a shortage of land that is suitable for new housing development. It is considered that the development of this site would represent an opportunity to make the effective use of land in a sustainable location.

Allowing suitable development in residential garden and backland sites will also help to relieve development pressures on more sensitive Green Belt sites.

On the above basis it is considered that the principle of the development of this site for new housing is acceptable.

Furthermore, I am mindful of the previous (expired) outline planning permission for two dwellings at the site (including the replacement of the existing dwelling) and the inclusion of the site in the Council's Strategic Housing Land Availability Assessment (SHLAA). Although these matters do not provide the applicant with a fallback position or a determination as to whether planning permission should be granted for residential development, they do indicate that the principle of residential development has already been established on this site.

As noted earlier, the site is located in a Residential Area thus it will fall to be considered under Policy S7 of the BDLP. This provides that proposals involving development of new dwellings outside the Green Belt will be considered favourably providing that they meet the following criteria:

- a. the proposal does not lead to development at a density inappropriate for the site;
- b. the form and layout of the development is appropriate to the area;
- c. the proposal minimises the loss of mature hedges, trees and landscaping;
- d. the proposal does not adversely affect the existing amenities of adjoining occupiers;
- e. the proposal does not involve a loss of open space, allotments or other amenity areas which it is desirable to maintain;
- f. the development can be appropriately serviced;
- g. the proposal would not have unacceptable traffic implications or perpetuate a traffic hazard;
- h. it conforms with other relevant policies of the Plan.

The site would also involve plot subdivision thus Policy S8 of the BDLP would apply. This provides that the District Council will not permit proposals for plot sub-division or housing on backland sites where such development would be detrimental to the character, traditional pattern or amenity of the location.

It is considered that the criteria set out at Policy S7 and the provisions of Policy S8 can be grouped together under four main headings:

- Density, form and layout
- Character/Visual amenity
- Residential amenity
- Highways and servicing issues

I will address each of these matters under a separate heading below.

I am also mindful of the concerns raised by Lickey and Blackwell Parish Council. The issues of plot sub division and 'garden grabbing' relate to the subject areas identified above thus I will not give them separate consideration in this report.

Density, form and layout

Policy S7 requires the density of a proposed development to be appropriate for the site. In this case it is considered that the dwelling would sit comfortably within a spacious plot. The Council's Residential Design Guide (SPG1) advises that a minimum private amenity area of 70m² is provided for family dwellings. In this case an area in excess of 250m² of private amenity space will be provided for the new dwelling, and an area far in excess of this would remain at the existing dwelling. Taking these matters into consideration I am of the view that the density of the proposed development would be appropriate for the site.

The proposed bungalow would be of a simple pitched roof form with two gable walls on its front elevation. These features would reflect the design of the other dwellings along this part of St Catherine's Road and I find the form of the development to be acceptable.

This part of St Catherine's Road has a very mixed development pattern. There is a building line set by numbers 2 to 18 but there are also a number of dwellings to the rear of this line (namely numbers 10, 10a, 12a, 16 and number 3 St Catherine's Close) including some more recent backland development. The addition of a new dwelling to the rear of the building line would therefore reflect the established development pattern of the area and I would not have any concerns in relation to the layout of the proposal.

Character/Visual Amenity

The explanatory text to Policy S8 of the BDLP states that *'in certain instances and localities it may be acceptable to develop back garden for new housing which is in keeping with the character and quality of the local environment... The District Council will pay careful attention to the established density of development in any particular area and will not favour proposals which introduce densities which are inconsistent with the character of the surrounding development; where dwelling to plot ratios are out of keeping with the area; where developments are proposed which would lead to the unacceptable loss of trees and hedges; or where such changes would lead to or threaten a substantial change to the character or amenity of an area.'*

In relation to this policy, Members should note that the established density of the area is very low at an average of 7 dwellings per hectare. The existing development on the site is below this at just 4 dwellings per hectare. The proposed development would increase the density of the development on the site to 8 dwellings per hectare. Given the higher density of the surrounding area, I am not of the view that the increasing the density of development on the site would have any adverse impact on the character of the location.

Taking the above matter into consideration, and given the mixed form and layout of the surrounding area, it is not considered that the proposal would be detrimental to the character, traditional pattern or amenity of the location. I am therefore of the view that the proposal would be in accordance with Policy S8 of the BDLP.

I am aware of the guideline within the Lickey & Blackwell Village Design Statement to preserve the openness in residential areas by avoiding sub-division of plots and in-fill development, especially if it joins areas of housing previously seen as distinct and

separate. This proposal is however shown to represent a low density development and I am of the view that the openness of the area would be retained.

Residential Amenity

As noted earlier the site is surrounded by existing residential development. However, given the single storey nature of the development and its spacious surroundings I am not of the view that any harm to the amenity of the surrounding occupiers would result. It is noted that the windows in the north side elevation of the proposed dwelling would be within close proximity to the adjoining private garden. There is however a high boundary wall between the two properties beyond which there are a number of outbuildings. These features would prevent any views being gained of the adjoining private garden from the proposed development.

I am mindful of the advice contained in SPG1 whereby concerns are raised over tandem development proposals involving a shared access. It is generally considered that a shared access drive can cause disturbance and lack of privacy to the house at the front of the arrangement. In this instance however the dwelling that may potentially be affected by the proposed access arrangement is owned by the applicant and within the application site boundary. The Council can therefore request that measures are taken to reduce the impact on the occupier of the existing dwelling by imposing conditions on any planning permission granted. This may involve, for example, a fence or landscaping so to screen the drive from the existing dwelling. This can be secured through the standard Landscaping Scheme condition (C010).

Highways and servicing issues

Members will note that no objection has been raised to the proposal by the County Highways Authority. The Council's Drainage Engineer has been consulted on the application but no comments have been received to date. I will update Members on this matter at their meeting.

Other matters

Members will note the views of WWT in relation to biodiversity. Concerns were raised by your officer over the potential for the existing shed to the southern boundary of the site to provide a habitat for bats. Although this building is featured on the submitted Block Plan at 1:200, the applicant is uncertain if it is to be demolished, or retained and refurbished as part of the development. Either proposal would have a potential impact on any bats using the building but, having regard to the comments of WWT, I no longer consider this to be an issue. There is however still some potential for transient bats to use the building in future. I would therefore recommend that the advice of WWT is conveyed to the applicant in the form of a note attached to any planning permission granted.

I also note the comments in relation to biodiversity enhancement. PPS9 states that *'Development proposals provide many opportunities for building-in beneficial biodiversity or geological features as part of good design. When considering proposals, local planning authorities should maximise such opportunities in and around developments, using planning obligations where appropriate.'* Having regard to this advice, I recommend that

WWT's recommendation to incorporate bat tubes into the design of the building is imposed on the applicant by condition.

Conclusion

The proposal is considered to be acceptable in principle and it is generally found to be in accordance with policies S7 and S8 of the BDLP. There are however outstanding matters to address in relation to trees, drainage and land contamination. On this basis I am minded to recommend that the application is approved but this is contingent on the receipt of satisfactory comments from the Drainage Engineer, Tree Officer and Environmental Health Manager.

RECOMMENDATION: that permission be **GRANTED** subject to the receipt of satisfactory comments from the Drainage Engineer, Tree Officer and Environmental Health Manager.

Conditions:

1. C001 (time limit for implementation)
2. C003 (materials to be submitted to LPA for approval)
3. C010 (landscaping scheme)
4. C007 (storm and foul drainage)
8. C022 (removal of permitted development rights)
9. Bat tubes shall be incorporated into the construction of the building hereby approved. Details of the bat tubes, including their proposed location on the building, shall be submitted to and approved in writing by the local planning authority before any work on the site commences. The approved bat tubes shall be installed before the dwelling hereby approved is first occupied.

Notes

1. The applicant is advised to time the demolition or refurbishment of the existing shed building to the southern boundary of the site to between late autumn or early spring.

This decision has been taken having regard to the policies within the West Midlands Spatial Strategy, the Worcestershire County Structure Plan (WCSP) June 2001 and the Bromsgrove District Local Plan January 2004 (BDLP) and other material considerations as summarised below:

WMSS	QE3, CF4
WCSP	CTC.1, CTC.5, CTC.8, T.1, T.4
BDLP	DS13, S7, S8, C17, TR11, ES1
Others	PPS1, PPS3, PPG13, SPG1, Lickey & Blackwell Village Design Statement

It is the Council's view that the proposed development complies with the provisions of the development plan and that, on balance, there are no justifiable reasons to refuse planning permission.