

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan Ref. Expiry Date
B G D Ltd. 'A'	Conversion of barn to a four bedroom dwelling and construction of 2 no. four bedroom dwellings (amended plans received 28.06.2011) - 233 Worcester Road, Stoke Heath, Bromsgrove, Worcestershire, B61 7JA	Residential	10/0987-SC 10.01.2011

RECOMMENDATION: that permission be granted.

Councillor C. J. Tidmarsh has requested that this application be considered by the Committee, rather than being determined under delegated powers.

Consultations

WH Comments received 15.07.2011: No objection subject to conditions.
 EHM Comments received 08.12.2010: No objection subject to conditions.
 PROW Comments received 26.07.2011: No objection subject to conditions.
 RA Consulted 13.07.2011: No comments received as yet.
 Stoke Prior Parish Council Comments received 10.12.2010: "No objection - the development will make a significant improvement to a currently derelict site."
 Publicity 4 Neighbour notification letters posted 22.11.2010; expired 13.12.2010
 8 Further notification letters posted 29.11.2010; expired 20.12.2010
 3 Further notification letters posted 30.11.2010; expired 21.12.2010

Site notice posted 29.11.2010; expired 20.12.2010
 Press notice posted 25.11.2010; expired 16.12.2010

5 letters received. Concerns raised over the following:

- Overlooking/loss of privacy
- Loss of light
- Loss of views
- Overdevelopment
- Too close to existing rear garden boundaries - overbearing impact.

Following receipt of amended plans the following further publicity was undertaken:

15 Neighbour notification letters posted 13.07.2011; expired 03.08.2011

Site notice posted 18.07.2011; expires 08.08.2011
 Press notice posted 21.07.2011; expires 11.08.2011

4 further letters of objection received raising issues as covered above and the following additional points:

- Will further reduce light to north facing gardens increasing dampness to kitchen and conservatory of 79 Avoncroft Road.
- Reduce value of properties.

The site and its surroundings

This application relates to an existing builder's yard on an 'L' shaped plot, accessed from the eastern side of Worcester Road, Bromsgrove, and measuring approximately 0.155ha.

The existing structure on site consists of a substantial half-timbered barn with both two-storey and single-storey elements. Unattractive single-storey extensions have been added to both the northern and western elevations of the barn. The half-timbered barn appears in good condition and forms a visible and important part of the street scene, though it is set back approximately 30m from Worcester Road, by virtue of its size and lines of sight between the surrounding built form. The majority of the site is, however, open, has a grey gravelled surface and is being used for the storage of wares associated with the business.

The site is located within an area defined as residential within the BDLP 2004 and is predominantly surrounded by residential properties on all its non-highway boundaries. Of particular note is the recently completed BUPA Heathbrook House nursing home adjoining the northern boundary of the site. Across Worcester Road, to the west of the site, the land is designated Green Belt and open agricultural fields predominate.

A public footpath that provides a route between Hanbury Road and Worcester Road bisects the site.

Proposal

It is proposed to retain, extend and convert the existing half-timbered barn (Building A) to accommodate residential use. The existing extensions on the northern and western elevations are to be demolished and replaced by smaller single-storey extensions to the two-storey element of the half-timbered barn. A detached, pitched roof garage measuring 6m (W) x 6m (L) x 4.6m (H) is proposed to be located approximately 2.8 to the south of the single-storey element of the half-timbered barn.

A further two detached dwellings (Building B and Building C), both four bedroom and two-storey in scale are to be located on the southern portion of the site. Building C is located at the westernmost end of the site adjacent the highway access from Worcester Road. In terms of orientation, both buildings B and C have west facing principal elevations and gardens located to the east.

Relevant Policies

WMSS	QE3, QE5, CF2, CF3, CF4, CF5
WCSP	CTC.1, CTC.5, SD.3, SD.4, T.1
BDLP	DS13, S7, C17, TR11
DCS2	CP3
Others	PPS1, PPS3, PPG13, SPG1

Relevant Planning History

None relevant

Assessment

The application site lies within an established residential area and falls within the definition of previously developed land, as defined in Planning Policy Statement 3 (PPS3): Housing. PPS 3 states that the priority for development should be previously developed land. It is therefore viewed that the principle of residential development on the site is acceptable. It noted, however, that PPS 3 also states that, *there is no presumption that land that is previously-developed is necessarily suitable for housing development.*

The site is located within a built up area of Bromsgrove and there are numerous shops and local services located nearby. There is a regular bus service along Worcester Road into Bromsgrove town centre. The site is therefore considered to be a sustainable location and I consider it to be suitable for new housing development.

As the general principle of development is considered acceptable, the main issues in the consideration of this application, given the policies contained within the Worcestershire County Structure Plan (WCSP), and the Bromsgrove District Local Plan (BDLP), can be grouped under four main headings:

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

I am also mindful of the concerns raised by third parties. These are considered to fall within the main subject areas set out above thus I will not give them separate consideration in this report.

Density, form and layout

The proposed development would be at a density of around 18.5 dwellings per hectare (dph). The surrounding area is comprised of development of mixed densities, with higher ratios of around 27 dph located to south along Avoncroft Road and Fircroft Close, and generally lower ratios of between 15 and 20 dph for residential development located to the east and north, between Worcester Road and Hanbury Road. The proposed density is not therefore considered to be inappropriate within this context.

It is considered that the proposed density can be achieved at the site without resulting in over development. Building B has the smallest rear garden at approximately 130sq m, with building C having a slightly larger space and building A providing significantly greater private amenity space. Section 9 of SPG1 recommends that larger family houses with 6 habitable rooms have a minimum area of 70m², thus, having regard to SPG1, I am of the view that sufficient amenity space would be provided within the site.

Further to this, each unit would provide parking spaces to comply with the County Council's standards.

The form and design of the dwellings in the surrounding area is fairly mixed. Predominantly the nearby dwellings are detached, gable ended and two-storey in nature; however, a bungalow immediately adjoins at the south-eastern corner and the recently

constructed BUPA nursing home is hip roofed and located immediately to the north. Building A is existing and the works proposed do not alter its basic form or character. Both the proposed buildings B and C are of a similar design, with both hipped roof and gable end elements. I do not consider the form and design of the proposed dwellings to be incongruous within the surrounding context described above.

Building C is to be located adjacent to the vehicular access from Worcester Road and it is this building that will be most visible within the street scene. Parking is located forward of the west facing principal elevation and the building is set back approximately 8m from Worcester Road. I note that building C is located forward of the property at 237, however I am satisfied that, given the disjointed building line in the immediate area and the 8m set back, this will not create an encroachment harmful to the openness of the street scene. It is noted that the northern elevation of building C is located immediately adjacent the access drive and this does have the potential to be overbearing given the largely blank façade. The applicant has attempted to mitigate this potential by hipping the roof at this point and I am satisfied that the 4.7m height to the eaves is not excessive in this context.

Building B will be less prominent and has been positioned substantially in line with the existing dwellings of Avoncroft Road. Only part of its southern elevation will be visible from Avoncroft Road and I am satisfied that the existing boundary and the setback from Avoncroft Road would allow this building to be assimilated well within the street scene.

It is therefore considered that the proposed development would not harm the existing pattern of development and that the form and layout of the dwellings proposed would respect the character of the surrounding dwellings.

Visual Amenity

The site, in its current form, is not considered to be of any particular public amenity value and I would not have any concerns over it being developed. As noted above, the buildings proposed are not viewed to be incongruous within the local context. The current grey surfacing of the builder's yard is slightly incongruous in an otherwise residential area and, as such, it is viewed that the proposed dwellings will assimilate well within the street scene.

Residential Amenity

As previously noted, the site is predominantly surrounded by residential development. The proposed development therefore has the potential to harm the amenity of the occupiers of these surrounding properties and it will be necessary to consider matters of overlooking, loss of light and any unacceptable harm by virtue of an overbearing effect.

The Local Planning Authority has received a number of objections from local residents concerned regarding the specific impact of buildings B and C.

Building C would be located 1.6 metres away from the rear garden of 77 Avoncroft Road. I note the close proximity of building C to the gardens to the south and the concerns raised by nearby residents in relation to loss of privacy, light and the overbearing impact of the development. The side elevation of building C, however, does not contain windows at first floor level, thus there would not be any direct overlooking of private gardens. I

note that there are first floor windows in the front and rear elevations of the proposed dwellings but views of the adjoining gardens could only be gained from these at an angle. I am of the view that any resulting views of the adjoining gardens would be from a sufficient enough distance and angle for no unacceptable overlooking to occur in accordance with SPG1.

The concerns raised by the occupiers of Avoncroft Road regarding the proposal creating an unacceptable loss of light to their properties are noted. It is viewed, however, that given building C is located to the north of the properties on Avoncroft Road, the path of the sun throughout the day will significantly reduce any impact on these properties in terms of loss of light. It is considered that any loss of light would be restricted to the bottom of these properties' rear gardens and no loss of light would be caused to the dwellings themselves. I am not, therefore, of the view that any unacceptable loss of amenity, by virtue of loss of light, would be caused to the occupiers of Avoncroft Road.

When considering the overbearing physical impact of the proposed buildings on the surrounding occupiers, it is important to note the design of the buildings and their distance from adjoining occupiers' boundaries and their dwellings themselves. Though buildings B and C are two storey, eaves height and roof height are limited to 4.6m and 6.5m respectively, a ridge height more typical of a dormer bungalow. The roof of building C on the southern elevation has been hipped as part of the amended plans and I am of the view that this would soften this building's physical presence. Furthermore, as noted above, building C would be set off from the adjacent boundaries by at least 1.6 metres creating a buffer between the new dwelling and adjoining gardens. SPG1 guides a minimum distance of 12.5m should be provided where windows of habitable rooms are to face blank walls. The proposals provide at least 13m between the rear windows of properties on Avoncroft Road and the new development and, as such, whilst the close proximity of the proposals will impact on the residential amenity of the adjacent dwellings to a certain extent, on balance, the impact is not viewed as sufficient to warrant refusal.

The minimum separation distance between facing windows of building B and building C is approximately 20.5m. Whilst SPG1 requires 21m, it is viewed that the development provides suitable privacy between windows and does not create issues of overlooking or loss of outlook in accordance with S7 and SPG1.

Highways and servicing issues

The Highways Engineer has been consulted and has not raised an objection in relation to the proposal. Having regard to this specialist advice, I am satisfied that the proposal is in accordance with policy TR11 and criterion (h) of policy S7 of the BDLP.

Conclusion

The proposed designs are considered to be acceptable, representing a sustainable use of an area of previously developed land within an established residential area in accordance with PPG3, policy S7 of the BDLP2004 and SPG1.

RECOMMENDATION: that permission be granted.

C001 (Standard time - three years)

C001A (In accordance with approved plans)

C003 (Materials)

C007 (Drainage)

HC4 Single access - new - footway

Before any other works hereby approved on the application site are commenced, the new entrance shall be set back 2 metres from the rear of the adjoining footway. On each side of the set back entrance splays shall be formed at an angle of 45 degrees with the highway boundary and the whole of the splayed areas shall be graded and cleared so that no part thereof exceeds a height of 0.6m above the relative level of the adjoining carriageway.

REASON: In the interest of highway safety in accordance with TR11 of the BDLP 2004.

HC5 - Visibility splays

No other development (hereby permitted) shall commence until visibility splays have been provided on each side of the proposed access on a line joining a point 2.4 metres back from the nearside edge of the adjoining carriageway measured along the centreline of the access, to a point 25 metres in each direction measured along the nearside edge of the carriageway from the centre of the new access. Nothing shall be planted, erected and/or allowed to grow which exceeds a height of 0.6metres on the triangular area of land so formed in order not to obstruct the visibility described above.

REASON: In the interest of highway safety in accordance with TR11 of the BDLP 2004.

HC8 - Vehicle access construction

Before any other works hereby approved are commenced, the construction of the vehicular access shall be carried out in accordance with a specification to be agreed in writing with the Local Planning Authority.

REASON: In the interest of highway safety in accordance with TR11 of the BDLP 2004.

HC25

Access, turning and parking

The development hereby permitted shall not be brought into use until the access, turning area and parking facilities shown on the approved plan have been properly consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted and approved in writing to the Local Planning Authority and these areas shall thereafter be retained and kept available for those users at all times.

REASON: In the interests of Highway safety and to ensure the free flow of traffic using the adjoining Highway in accordance with TR11 of the BDLP 2004.

HC36

Cycle Parking (Multi Unit)

Prior to the first occupation of any dwelling hereby approved secure parking for 4 cycles to comply with the Council's standards shall be provided within the curtilage of each dwelling and these facilities shall thereafter be retained for the parking of cycles only.

REASON: To comply with the Council's parking standards in accordance with TR11 and TR13 of the BDLP 2004

HC51 - Parking for Site Operatives

The development shall not begin until parking for site operatives and visitors has been provided within the application site in accordance with details to be submitted to and approved by the Local Planning Authority and such provision be retained and kept available during the construction of the development.

REASON: To prevent indiscriminate parking in the interests of Highways safety in accordance with TR11 of the BDLP 2004.

Informatives

HN4 - Private Apparatus within the Highway

This permission does not authorise the laying of private apparatus within the confines of the public highway

The applicant should apply to the Worcestershire County Council's Network Control Manager, County Hall, Spetchley Road, Worcester WR5 2NP (telephone 0845 607 2005), for consent under the New Roads and Streetworks Act 1991 to install private apparatus within the confines of the public highway.

Precise details of all works within the public highway must be agreed on site with the Highway Authority.

HN5 - Alteration of highway to provide new or amend vehicle crossover

This permission does not authorise the applicant to carry out works within the publicly maintained highway since such works can only be carried out by the County Council's Approved Contractor following the issue of a license under Section 184 and 278 of the Highways Act, 1980.

The applicant should contact Worcestershire County Council's Highways Network Control Manager, County Hall, Spetchley Road, Worcester WR5 2NP (telephone 0845 607 2005), regarding the issue of the necessary license authorising the access works to be carried out by the County Council's Approved Contractor at the applicant's expense.

HN12 - Protection of Visibility Splays

The applicant's attention is drawn to the need to ensure that the provision of the visibility splay(s) required by this consent is safeguarded in any sale of the application site or part(s) thereof.

HR2 - Direction Sign

The sign would give directions to private premises and is not authorised by the Road Traffic Signs Regulations and General Directions 2002. Notwithstanding the question of legality, the presence of such signs would establish a precedent resulting in a proliferation of similar signs. This would create an unacceptable distraction to highway users and prejudice observation of statutory signs erected by the Highway and Police Authorities.

Note

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

WMSS	QE3, QE5, CF2, CF3, CF4, CF.5
WCSP	CTC.1, CTC.5, SD.3, SD.4, T.1
BDLP	DS13, S7, C17, TR11
DCS2	CP3
Others	PPS1, PPS3, PPG13, SPG1

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.