

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan Ref. Expiry Date
Mr. J. Smart 'A'	Replacement of an existing dwelling with 2 no. 5 bed detached houses - 7A Plymouth Road, Barnt Green, B45 8JE	Residential CA	<b>10/1189-DK</b> 15.09.2011

**Councillor C. B. Taylor Webb has requested that this application be considered by the Committee, rather than being determined under delegated powers.**

**RECOMMENDATION:** that permission be **GRANTED**.

### Consultations

Lickey and  
Blackwell PC

Consulted: 26.07.2011. Response received: 05.08.2011.

Lickey and Blackwell Parish Council objects to this application, especially when taken into consideration with other recent and current applications.

1. All of the 4 applications we are considering currently in this small area of our parish (10/1189,11/0610,11/0621,11/0626) are subdivisions of already sub-divided original gardens. The density of dwellings in the area is increasing and is in danger of changing the character of the area. In particular we think that applications should be considered in the light of BDC's Strategic Housing Land Availability Assessment where on page 9, under Appropriate Densities for Potential Sites, it states "Some of the smaller settlements in the district such as Barnt Green and Blackwell are characterised by large properties with large gardens. In such settlements densities of 30 dwellings per hectare or above would cause significant harm to the character and appearance of the area." Our Village Design Statement (VDS), adopted by BDC as a SPG, states that the parish should be protected from becoming part of the urban sprawl by preserving "the openness in residential areas by avoiding subdivision of plots and infill development" Therefore we would like these applications to be seen together for their impact, and would urge that they be put before the Planning Committee.
2. New Government guidelines no longer consider gardens as brown field sites, and that they should be valued.
3. The size and density of the proposal also contradicts building guidelines in the VDS which states that "New houses should generally reflect the character, setting and style of the housing in the immediate vicinity." Berry Drive consists of houses in spacious lawned plots.
4. Over the last decade or so BDC has seen a great increase in the building of large 4 and 5 bedroom houses to the point where we have a surfeit of them. So to rebalance the district's housing supply, what is needed now is smaller 2 and 3 bedroom type.

5. We are, also, aware that the properties in Plymouth Road, the cul-de-sacs off and Brookhouse Road have had a history of problems with flooding, which could be exacerbated by this development. It is reported to us that a watercourse actually runs under this property.
6. We would like to see that the hedge that bounds Plymouth Road is protected as it is the original hedge boundary. Our VDS states that we should "preserve our roadside trees and hedges" and where lost "should be replaced whenever possible. At key locations, replacements should be of sufficient size to give instant visual impact. Native species will normally be required."

Finally, we have concerns that the continued destruction of good, well maintained housing stock such as this is contrary to a sustainable housing policy.

WH Consulted 26.07.2011. Response received 24.08.2011.  
No objection.

ENG Consulted: 26.07.2011. Response received: 19.08.2011.  
No objection subject to conditions.

Conservation Officer Consulted: 26.07.2011. Response received: 08.09.2011.

I note that this site is immediately adjacent to the Barnt Green Conservation Area. The Conservation Area is generally characterised by large detached houses on large plots. 7A was constructed in part of the large garden of the neighbouring property, a distinguished late Victorian property. Although I have no objection to the demolition of the current property which is of little architectural merit, I am concerned that it is to be replaced with two detached properties therefore leading to a further sub-division of the plot.

If you are minded to grant planning permission, I consider that you should condition all the materials to be used and in addition ask for plans at a scale of at least 1:5 showing the detail of the windows and other joinery.

EHO Consulted: 26.07.2011. No response to date.

Tree Officer Consulted 12.08.2011. Response received 07.09.2011.

Objection. In the absence of the precise proximity of the proposed works to the trees on or adjacent to the site and of any works proposed within the Root Protection Area of the trees, I consider that the application will lead to the loss of trees contrary to policies DS13, C17 and C19 of the BDLP 2004 and CTC.5 of the WCSP 2001 and recommend that permission is refused.

*Additional plans received 15.09.2011 to address the Tree Officer Objection. Further response received 09.10.2011:*

The footprint of the proposed dwelling extends over 7 metres into the Root Protection Area (RPA) of the mature Copper beech tree at 7 Plymouth Road. However, as construction of the proposed dwelling should require no reduction of ground levels within the RPA, I consider that this construction is now possible without damaging the tree provided that suitable methods are employed during demolition of the existing building, the design and installation of new foundations and all works within the RPA of this and other trees on the site.

Therefore, no objection subject to conditions:

1. Arboricultural Method Statement
2. Retention of Existing Trees
3. No works within RPA's

Publicity

Neighbour notification:

3 letters sent 26.07.2011, expired 16.08.2011.

Site Notice posted 11.08.2011, expires 02.09.2011.

1 comment received, summarised as follows:

No objection in principle apart from the fact that the houses are sited too closely together. There would be an invasion of privacy for the occupants of both houses. The proposal would not be a marketable prospect.

The site and its surroundings

The application site comprises an elongated bungalow on the west side of Plymouth Road with a large extension at the rear oriented towards the south. A large vernacular revival style dwelling (No. 7) is located to the south east. On the opposite side, there is a modern property adjoining (No. 9). There is a very large garden to the rear with a specimen mature cedar, which is likely to have originally been in the garden of the adjoining property (No. 7). There are mature trees and hedges on all of the boundaries. The site adjoins Barnt Green conservation to the east.

Proposal

The proposal is for the replacement of the existing dwelling at No. 7A Plymouth Road with 2No. 5 bed detached houses. The application is accompanied by a Bat Survey and a Design and Access Statement.

Relevant Planning History

B/17000/1988 Extension forming swimming pool and changing room. Granted 10.10.1988.

BU/163/1963 House. Granted.

## Relevant Policies

WMSS	QE1, QE2, QE3
WCSP	CTC.1, D.5, SD.2, SD.3, SD.4, SD.5, T.1
BDLP	DS4, DS13, S7, S8, S35A, S36, C4, C17, BG4, TR1, TR11
DCS2	CP18
Others	PPS1, PPS3, PPS9, PPG13, SPG1

## Notes

The application site is located within the low density housing area and adjoins a conservation area.

I consider that the key issues in the determination of this application are:

- (i) The principle of development on this site;
- (ii) The impact of the proposal on the layout and character of the site and adjoining conservation area; and
- (iii) The impact of the proposal on the amenity of neighbouring residents.

In this respect, policies BG4, S7, S8 and S35A of the Bromsgrove District Local Plan and the advice of PPS3 (Housing) and SPG1 (Residential Design Guide) are most relevant in determining the application.

### (i) Principle

Members should be aware of the amendments to PPS3 in respect of the exclusion of gardens from the definition of previously developed land. This does not mean that all proposals for residential development on gardens are unacceptable and each application must be considered on its own merit. The comments in this respect from Lickey and Blackwell Parish Council are noted.

I consider that the principle of the development is acceptable provided that the proposal fulfils the requirements of the development plan.

### (ii) Design Density and Layout

The site forms part of an identified area for low density housing in respect of policy BG4. Policy BG4 states that the special character of the area should be maintained. The area consists of low density housing in a semi rural setting. The erection of the dwellings in the current proposal on a site of 0.35Ha would result in a site density of 6 dwellings per hectare. I note that the explanatory text of policy BG4 provides for an indicative density of 1 - 4 units per acre (approximately 3 - 10 units per hectare). I consider that the proposal falls within the parameters of policy BG4 and is therefore acceptable in policy terms.

Policy S8 seeks to prohibit plot sub-division and housing on backland sites where such development would be detrimental to the character of the wider area. I do not consider that the proposal amounts to backland development since it follows the street pattern of Plymouth Road and would not result in a tandem arrangement. I note that the dwelling

are set off the adjoining boundaries by 1m and the same distance from their common boundary. This is slightly less than the set off of the existing dwelling.

I have concerns about the set forward wings on both of the proposed dwellings to the front and I do not consider that this is acceptable in terms of the character of the streetscene. Amendments have been received.

Policy S35 states that development 'in and adjoining conservation areas' needs to be sympathetic to the character of buildings in the area. This is complex on Plymouth Road, by virtue of the eclectic mix of properties therein. Whilst the proposals are not architecturally unique or outstanding, neither is the property being replaced. The dwellings would reflect the scale and proportions of the adjoining No. 7 more appropriately than the current dwelling. The views of the Conservation Officer are noted.

### (iii) Residential Amenity

In terms of the amenity and privacy of adjoining occupiers, the advice of paragraphs 8.0 - 8.4 of SPG1 are most relevant. A minimum separation distance of 21m is required to achieve a degree of privacy between conventional two storey dwellings.

There is a 65m gap between the rear elevations of both plots 1 and 2 from the rear garden of No. 5 Woodside Close. Therefore, I do not consider that there would be any loss of privacy or amenity to this property and the extensive boundary treatment is noted. There is a separation distance of 79m to Nos. 6 - 8 opposite because of the substantial set back of these properties from Plymouth Road.

I note that the sides of the proposed dwellings are close to the boundaries of No. 7 and No. 9 Plymouth Road and the proposal is for 2 storey properties compared with the present bungalow. I note that there is a first floor dormer style window on No. 9 and a second floor window on No. 7. In the case of the latter it is set in by approximately 9m from the boundary of the application site. The window on No. 7 faces NW and therefore, I do not consider that the proposal would result in a significant loss of light. The first floor windows on this property have a view of the proposal which is obscured by the existing garage. I note that a planning application for a replacement dwelling has been approved at No. 9 (ref.: 11/0630). The first floor side windows on plots 1 and 2 serve en-suites and I do not consider that there would be a loss of privacy subject to conditions.

In terms of amenity space for the dwellings, the proposal would exceed the requirements of paragraph 9.0 of SPG1 for both of the plots.

Overall, the proposal conforms with the advice of SPG1 and with the requirements of policy S7 (e).

### Tree and Ecological Issues

The scheme was the subject of an objection from the Tree Officer (see above). The site adjoins the Conservation Area and, as such the trees on the adjoining No. 7 are protected. There is also a Giant Redwood in the rear garden which is the subject of a TPO. This tree is a considerable distance from the proposed development. However, there is a beech tree which overhangs the site from No. 7. The applicant has presented a

plan illustrating the position and spread of the existing trees and there is no objection from the Tree Officer subject to conditions.

The application is accompanied by a Bat Survey and no evidence of bats was uncovered in the existing property. I consider that the proposal would not be in conflict with the advice of PPS9, or the Natural Environment and Rural Communities Act 2006.

### Other Issues

The site is below the threshold for the provision of an open space contribution in the context of SPG11. Members should note the points raised in the representation received. Although, the properties are located close to one another, the existing bungalow is also located close to the boundary with adjoining properties and the set off is sufficient to comply with SPG1. In terms of the marketability of the dwellings, this is a matter for the applicant and not a material planning consideration.

### Conclusion

Members should note the Draft National Planning Framework which needs to be considered in assessing the application. Paragraph 110 states:

'The presumption in favour of sustainable development means that Local Plans should be prepared on the basis that objectively assessed development needs should be met, unless the impacts of doing so *would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole.* Applications should be considered in accordance with the presumption'

Taking all matters into consideration, permission should be granted.

**RECOMMENDATION:** that permission be **GRANTED** subject to the following conditions:

1. C1
2. C1A
3. C3
4. C5 (modified)
5. C7
6. Prior to the commencement of any works on site including any site clearance, demolition, excavations or import of machinery or materials, the applicant shall submit an Arboricultural Method Statement and Tree Protection Plan for the approval of the Local Planning Authority. This will provide details of all proposed works within the Root Protection Area of trees on and adjacent to the site and the methods of construction and protection that will be employed to prevent damage to the trees and their root systems.
7. Prior to the commencement of any works on site including any site clearance, demolition, excavations or import of machinery or materials those methods detailed in the approved Arboricultural Method Statement and Tree Protection Plan shall be installed, employed and maintained as approved. The methods of protection and construction shall be maintained as approved for the duration of all

works on site shall be varied without the specific prior approval of the Local Planning Authority.

8. No works of any kind shall be permitted within or through the Root Protection Areas of trees on or adjacent to the site without the prior specific written permission of the Local Planning Authority. This specifically includes any works such as changes in ground levels, installation of equipment or utility services, the passage or use of machinery, the storage, burning or disposal of materials or waste or the washing out of mixing or fuel tanks.
9. No trees or hedges on the application site, or the branches or roots of trees growing onto the site from adjacent land, shall be topped, lopped, felled or uprooted without the specific written permission of the Local Planning Authority.