

| Name of Applicant<br>Type of Certificate    | Proposal  | Map/Plan<br>Policy | Plan Ref.<br>Expiry Date         |
|---|---|--------------------|----------------------------------|
| <b>TAYLOR WIMPEY<br/>UK LIMITED<br/>'B'</b> | Submission of Reserved Matters to 11/0431 (internal access, appearance, layout, scale and landscaping) for the erection of 76 dwellings<br>Land at Selsdon Close, Wythall<br><br><b>As amended by:</b><br>Proposed Site Layout Plan received 26.10.2011<br><br><b>As augmented by:</b><br>Letter received 30.09.2011<br>Pond Setting Out Details Plan received 30.09.2011<br>Enclosures and External Surfacing Plan received 30.09.2011<br>Open Space Equipment List Plan received 24.10.2011 | ADR                | <b>11/0723-DMB</b><br>16.11.2011 |

**RECOMMENDATION:** that **RESERVED MATTERS** be **APPROVED**.

### Consultations

|                              |   |
|------------------------------|---|
| WH                           | Consulted - views received 11.10.2011:<br>No objection subject to Conditions relating to: <ul style="list-style-type: none"> <li>▪ Driveway gradient</li> <li>▪ Access, turning and parking</li> <li>▪ Cycle parking</li> <li>▪ Access location</li> <li>▪ Parking for site operatives</li> <li>▪ Welcome pack</li> </ul> |
| Drainage<br>Engineer         | Consulted - views received 30.09.2011: <ul style="list-style-type: none"> <li>▪ No objection</li> </ul>   |
| Severn Trent<br>Water:       | Consulted - views received 02.09.2011:<br>No objection subject to Condition relating to: <ul style="list-style-type: none"> <li>▪ Surface and foul water drainage</li> </ul>  |
| WRS:<br>Contaminated<br>Land | Consulted - views received 21.10.2011: <ul style="list-style-type: none"> <li>▪ No objection</li> </ul>   |
| WRS: Noise                   | Consulted - views received 25.10.2011:<br>No objection subject to measures outlined in submitted Noise Report and 1.8m high close-boarded fencing for the purposes of noise screening along the boundary with the railway.  |
| WRS:<br>Air Quality          | Consulted 26.08.2011: views awaited   |

- Urban Designer Consulted - views received 20.09.2011:  
In summary:
- The design standards in this reserved matters submission are generally good, and better than in many other residential development proposals which I have reviewed; albeit not up to the excellent standard achieved by the earlier outline submission.
  - Areas which I consider require some further consideration are the geometry of Main Street and the adjacent housing blocks; locations of more compact house layout and of affordable housing; a clarification of the tree planting policy; and issues of sustainable design, in drainage and energy generation.
- Head of Leisure Services Consulted - views received 24.10.2011:
- No objection subject to clarity on:
  - Balancing pond operation
  - Fenceline to balancing pond
  - Final confirmation of play space provision
- Strategic Housing Manager Consulted - views received 25.10.2011
- No objection
- WWT Consulted - views received 02.09.2011:
- No objection
- Tree Officer Consulted - views received 15.09.2011:
- No objection
- West Mercia Constabulary Consulted 26.08.2011: views awaited
- Community Safety Consulted 26.08.2011: views awaited
- Climate Change Officer Consulted 26.08.2011: views awaited
- Central Networks Consulted - views received 24.10.2011:
- No objection
- National Grid Consulted 26.08.2011: views awaited
- Network Rail Consulted - views received 24.10.2011:
- No objection
- Wythall PC Consulted - views received 08.09.2011:
- No objection
- Publicity 21 letters sent 25.08.2011 (expired 15.09.2011)  
5 identical site notices posted 27.09.2011 (expired 18.10.2011)  
1 press notice published 23.09.2011 (expired 14.10.2011)
- 5 letters objecting to the scheme on the following principal grounds:
- Loss of Green Belt site
  - Proposed access opposite Three Oaks Road is dangerous
  - Lea Green Lane is too narrow and lack of pavement will make it dangerous for pedestrians with extra traffic
  - There is only one entry to this site to serve the community. This should be served by two roads for traffic and access onto the estate

- Concern over mix of affordable units
- No consideration in the dwelling mix for older residents
  
- The dwellings are bland and lack imagination or thought to the exterior finish
  
- Impact on amenity of the occupiers of existing dwellings
- Regular use of the link access to Lea Green Lane will lead to accessibility issues and invasion of privacy
- Increase in anti-social behaviour, potential vandalism, criminal damage and property theft
- Security issues
  
- Flooding and surface water run-off concerns
- Sewers are not adequate to cope with increased usage
- Maintenance of watercourse following completion of the development
  
- Loss of wildlife and wildlife habitat
  
- Prospect of lighting pollution for any additional security car park lighting
  
- Impact on school places

**Members are encouraged to review all submitted documentation, including the third party letters summarised above. These are available to view online via the Council's Public Access system or within the planning application file.**

### The site and its surroundings

The application site consists of 3.15 hectares (2.48 hectare net) of undeveloped agricultural pasture land to the east of Lea Green Lane. A gated entrance located via an unmade track located between 36 Lea Green Lane and 40 Lea Green Lane currently provides access to the site. The site lies to the south east of Hollywood and to the north from Wythall train station, which connects to Birmingham and Stratford. The eastern boundary is bordered by the railway line which levels with the site at this point and elevates to the northern boundary. Pylons cross the site adjacent the railway boundary. Rear gardens of residential properties fronting Lea Green Lane are located to the southern and western boundaries. The northern boundary is formed by rear gardens of residential properties along Lea Green Lane and Selsdon Close, as well as an open field. Lea Green Drive is located to the southern boundary. Open countryside is located on the opposite side of the railway line to the east.

The site consists of a single field and the remnant of a smaller field to the south. The land, consisting of rough grassland, has a sloping nature which divides the site into two topographical recognisable areas: the higher, south-western portion - a relatively flat, narrow plateau lying at approximately 149 metres AOD, part of which aligns existing development on the south western and southern boundaries; and the lower, north-eastern corner of the site occupying the valley basin at approximately 140.5 metres AOD,

bounded to the east by the railway embankment and to the north by a hedgerow and beyond that a field pasture.

There is a perimeter hedgerow to the north, south and west, with a single internal hedgerow, with evidence of subdivision in the past by fencing. These hedgerows contain a number of trees. The site is in poor landscape condition. A collection of former stable buildings and containers associated with this equestrian use presented in a poor state of repair are located to the south-western boundary.

The site is designated as an ADR (Area of Development Restraint) under the Bromsgrove District Local Plan and the Draft Core Strategy 2 (retitled "Development Site"). In agricultural classification terms, the site is deemed Grade 4 land, surrounded by Grade 3.

### Proposals

This is an application for the approval of reserved matters following the granting of outline planning permission B/2011/0431 for the erection of 76 dwellings.

The application seeks approval of internal access, appearance, layout, scale and landscaping Reserved Matters.

Members will recall that access was determined at the outline stage with vehicular and pedestrian access obtained off Selsdon Close to the north through the extension of the existing cul-de-sac, which serves the existing eleven dwellings. The existing 5.5 metre wide carriageway and footway will be extended into the site to form the principal access road. A dedicated walking/cycling access formed by the existing track to the south leading off Lea Green Lane is also proposed.

An equipped area of play is proposed to the south of the site, with a landscape buffer to the majority of the eastern, southern and western boundary. A balancing pond is located to the north-east boundary. The watercourse is retained to the northern boundary.

The development will provide a mix of dwelling types and sizes, with the net residential density equating to 31 dwellings per hectare. The proposed mix below indicates 1, 2, 3 and 4 bed units.

| <b>Property Type</b> | <b>No. of bedrooms</b> | <b>No. of units</b> | <b>Proportion of mix</b> |
|----------------------|------------------------|---------------------|--------------------------|
| House                | 2 bed                  | 15                  | 20%                      |
|                      | 3 bed                  | 13                  | 17%                      |
|                      | 4 bed                  | 44                  | 59%                      |
| Apartment            | 1 bed                  | 4                   | 5%                       |
| <b>Total</b>         |                        | <b>76</b>           | <b>100%</b>              |

The mix of house types comprises detached, semi-detached and terraced dwellings, with one block of one bed apartments. All dwellings (including the apartment block) are two-

storey in height. Car parking will be provided on site within the curtilage of a plot, on a private driveway, or within small groups relating to a small group of dwellings.

Thirty affordable units are provided, which equates to a provision of 40% affordable housing made within the site. This is consistent with Policy S15 of the adopted Local Plan.

This mix of affordable homes is as follows:

| Proposed Mix         | Social Rent | Intermediate |
|----------------------|-------------|--------------|
| 1 Bed 2 Person Flat  | 4           |              |
| 2 Bed 3 Person House |             | 7            |
| 2 Bed 4 Person House | 8           |              |
| 3 Bed 4 Person House |             | 3            |
| 3 Bed 5 Person House | 6           |              |
| 4 Bed 6 Person House | 2           |              |
|                      | 20          | 10           |

An area of public open space of 0.35 hectares is provided in the north eastern corner of the site and informal/casual children's play space in the south of the site in the form of a LEAP. The layout shows the provision of an equipped children's play space with an activity zone of 907 square metres. There is also an identified 0.16 hectares of informal/casual children's play space.

Surface water from the proposed development currently drains into the local watercourse along the northern boundary of the site. Surface water will be restricted to ensure run off does not exceed the existing greenfield condition. Suitable attenuation will be provided through the use of a balancing pond in the north eastern corner and storage of 345 square metre is provided.

#### Relevant Policies

|            |  |
|------------|--|
| WMSS       | UR3, UR4, RR1, RR3, RR4, CF2, CF3, CF5, CF6, PA1, QE1, QE2, QE3, QE4, QE6, QE7, QE8, QE9, T1, T2, T3, T4, T5, T7   |
| WCSP       | SD.2, SD.4, SD.5, CTC.1, CTC.5, CTC.6, CTC.8, CTC.9, CTC.14, CTC.15, D.6, D.43, T.1, T.3, T.9  |
| BDLP       | DS3, DS8, DS11, DS13, S7, S14, S15, C4, C5, C12, C16, C17, C36, C37, C38, C39, RAT5, RAT6, TR1, TR8, TR11, TR13, ES1, ES2, ES4, ES6, ES7, ES11, ES14A, WYT15   |
| Draft CS 2 | CP2, CP3, CP4, CP6, CP7, CP14, CP17, CP19, CP20, CP21, CP22, CP23  |
| Others     | PPS1, PPS1 Climate Change Supplement, PPG2, PPS3, PPS5, PPS7, PPS9, PPG13, PPG17, PPS22, PPG24, PPS25, Circular 05/05, Circular 06/98, Circular 06/05, SPG1, SPG11, Bromsgrove District Housing Needs Study (2004), Strategic Housing Market Assessment (2007), Housing Market Assessment (2008) |

## Relevant Planning History

- 11/0431 Outline application with means of access from Selsdon Close and pedestrian/cycle access from Lea Green Lane to be determined (internal access, layout, scale, appearance and landscaping reserved for subsequent approval), for the erection of up to 76 dwellings (Class C3), public open space, balancing pond and associated earthworks to facilitate surface water drainage, landscaping, car parking, and other ancillary works: (resubmission of 10/0920)  
Approved: 15th July 2011
- 10/0920 Outline application with means of access from Selsdon Close and pedestrian/cycle access from Lea Green Lane, to be determined (internal access, layout, scale, appearance and landscaping reserved for subsequent approval), for the erection of up to 76 dwellings (Class C3), public open space, balancing pond and associated earthworks to facilitate surface water drainage, landscaping, car parking, and other ancillary works  
Refused: 11th March 2011  
Appeal: Withdrawn 18th July 2011

## Notes

The principle of the proposed development (76 units) has been established through the granting of outline permission 11/0431. Therefore, the issues for consideration by Members are limited to matters of the internal vehicular access, layout, scale, appearance and landscaping.

I have therefore attached very little weight to objections raised by residents with regards to the release of this site for housing provision, surface water drainage, vehicular access into the site, wildlife issues and the impact on school places, as the principle of development has already been established by the outline permission.

The main issues to consider in the determination of this application therefore are whether the siting and design of the proposed dwellings, as well as means of access, are acceptable when assessed against BDLP policy S7.

Policy S7 of the BDLP sets out a number of criteria against which residential proposals should be considered.

## **Form and Layout**

Members will note the scheme proposes a total of 76 dwellings, equating to a density of 31 dwellings per hectare. Members will be aware that the adopted Local Plan no longer includes a policy requiring residential development to meet a minimum density and that the Government has also amended PPS3 (June 2010) by removing the minimum density figure requirements. Notwithstanding this, I am of the view that the density of 31 dwellings per hectare achieves an efficient use of land and will result in a development that respects its surroundings whilst providing for a range and choice of dwellings.

The development contains a mix of unit types, ranging from four, three and two bedroom houses to 1 bedroom apartments. All units are two-storey in appearance. The proposal includes a mix of detached, semi-detached, terraced units, in addition to four apartments set in a singular block. The affordable housing element of the proposal has been pepper potted within the development. The scheme therefore presents a strong mix of housetypes with a good streetscene presence at the gateway to the site leading off Selsdon Close. Contrary to the views expressed by third parties, I am of the view that the design principles are generally sound in that the proposed development would provide a sustainable, attractive, safe and convenient place to live. I raise no issue on the external finish to the dwellings.

The scheme includes natural surveillance where necessary (parking areas, pedestrian routes and public open space). Members will note the applicant has orientated dwellings (with specific reference to Plots 58 and 59) to provide clear surveillance to the walking/cycling route leading off Lea Green Lane to address the concerns of the West Mercia Constabulary Crime Risk Manager expressed as part of the outline application. I am of the view the proposed design and layout of the site adequately provides sufficient space within the gardens of the plots for bin stores, bin collection and cycle parking.

### **Affect upon Trees and Vegetation**

No trees or vegetation of merit lie on the site. The proposed landscaping scheme for the site is acceptable with regard to the existing features of the site. As such I do not raise any objection on this issue.

### **Harm to Amenities of Neighbouring Properties**

SPG1 sets out design guidance for residential development including separation distances to existing dwellings so as to avoid detriment to residential amenity due to overlooking, overshadowing and overbearing affects. The Guidelines suggests that new development with main windows overlooking existing private spaces should be set back by a distance of 5 metres per storey from the site boundary where it adjoins a private garden area.

I am satisfied that the majority of the scheme has been designed to comply with the guidance in SPG1 with the exception of the first floor kitchen/lounge window serving the flat facing onto the garden of Plot 11. I am content to impose an obscure glaze condition to this secondary window to protect the amenity of the future occupiers of this Plot. I am satisfied that the relationship of the proposed dwellings and existing dwellings is such so as to avoid any significant harm to residential amenity. A suitable Condition has been imposed on the outline consent in relation to noise mitigation, with particular regard to those proposed dwellings adjacent the railway line to the eastern boundary.

I would also advise Members that there is an hours of construction condition attached to the outline permission, which will help reduce concerns raised by nearby residential properties with regards to the potential nuisance generated by the construction of the site.

## **Traffic Implications**

Members will recall that the vehicular access into the site from Selsdon Close has been agreed as part of the outline permission. Therefore, I would reiterate that the internal road layout, parking/turning and surfacing are the only matters required for consideration in this application before Members.

Following the submission of amended plans, WH has raised no objection to the scheme on the internal road system (including the suitability of visibility splays, design and function) subject to the imposition of suitable Conditions relating to driveway gradients, access, turning and parking facilities and cycle parking provision.

## **Public Open Space**

The scheme includes an equipped play area. Following discussions, the scope and type of play equipment has now been agreed with Leisure Services, together with a 1.8 metre high steel fence to the north-eastern boundary with the site adjacent to the attenuation pond. This can be secured through the landscaping Condition attached to the outline planning consent.

Both the equipped play area to the south and the public open space to the north benefit from good surveillance created by the design of the development. As such I raise no issue on such provision.

## **Other Issues**

I note the issue raised by third parties regarding the perceived lack of housing provision for the elderly within the development. Members will note that the site contains a mix of dwelling types, with an emphasis on smaller house types, together with an element of affordable housing. The development plan does not contain any policies that direct residential schemes to contain such specific housing provision or which set out the proportion of housing to be provided for older people in new developments. To a degree, it is perfectly plausible that the smaller units would be suitable for such residents.

Furthermore, the 30 affordable dwellings will need to be designed to Lifetime Homes Standard, whereby the design of each unit must have in built flexibility to suit all lifestyles and to respond to changing circumstances of the family unit from first time home to retirement.

Whilst I sympathises with this issue, the proposed mix of housing types catering for difference sectors of the community in this instance is presently outside the scope of the planning regime. I thus consider it would be extremely difficult to refuse the application on this issue without a robust planning policy background to support this stance.

## **Conclusions**

Although I note the views of third parties, the principle of development has been established through the granting of outline planning permission 11/0431. The proposed layout follows the broad principles set out in the Masterplan presented to Members at the outline stage.

I am of the view that the proposed development would represent an appropriate form of residential development, which reflects the character and appearance of the area. I am therefore of the view that the detailed design of the site is acceptable on such grounds. The scheme will provide distinctive features within the street scene, a suitable relationship between buildings and streets, an acceptable pattern of development and would be appropriate in terms of its form, scale, appearance and materials.

The proposed internal highway details ensure that there would be a safe movement of vehicles through the site and that there is adequate parking/turning provision to serve the plots. The proposed landscaping of the site is considered appropriate for this scheme and retains the important existing natural features of the site in its design with sufficient boundary treatments to the existing adjoining residential properties and future occupiers of the plots. I am content the scheme will not lead to adverse neighbour amenity issue given the careful design and siting of the new dwellings.

I therefore find no reason to refuse permission and recommend approval of the submitted Reserved Matters.

### **RECOMMENDATION that RESERVED MATTERS be APPROVED**

1. This approval must be read in conjunction with outline planning permission 11/0431 and the conditions attached thereto
2. The development hereby permitted shall be carried out in accordance with the approved plans/drawings listed in this Notice.
3. HC14 (driveway gradient)
4. HC25 (access, turning and parking)
5. HC36A (cycle parking)
6. HC36B (cycle parking)
7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order), no openings or windows shall be provided at second floor level or within the roofslope to the rear elevations to Plots 44 to 52 (inclusive), Plots 54 to 59 (inclusive) and Plots 61 and 62 unless otherwise agreed in writing by the Local Planning Authority.
8. Notwithstanding the approved plans, prior to the occupation of Plots 12-15 (inclusive), the first floor lounge/kitchen window to the northern elevation shall be fitted with obscured glazing and any opening lights shall be at high level and top hinged only. The obscure glass shall remain so in perpetuity.

### **Reasons:**

1. The outline permission and the approval of reserved matters must be considered together
2. For the avoidance of doubt and in the interests of proper planning
3. In the interests of highway safety
4. In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway
5. To comply with the Council's parking standards
6. To comply with the Council's parking standards

7. To protect the amenities of adjacent occupiers in accordance with policies S7 and DS13 of the Bromsgrove District Local Plan 2004 and policy SD.2 of the Worcestershire County Structure Plan 2001
8. To protect the amenities of adjacent occupiers in accordance with policies S7 and DS13 of the Bromsgrove District Local Plan 2004 and policy SD.2 of the Worcestershire County Structure Plan 2001

## Notes

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

|      |  |
|------|--|
| WMSS | UR3, UR4, RR1, RR3, RR4, CF2, CF3, CF5, CF6, PA1, QE1, QE2, QE3, QE4, QE6, QE7, QE8, QE9, T1, T2, T3, T4, T5, T7   |
| WCSP | SD.2, SD.4, SD.5, CTC.1, CTC.5, CTC.6, CTC.8, CTC.9, CTC.14, CTC.15, D.6, D.43, T.1, T.3, T.9  |
| BDLP | DS3, DS8, DS11, DS13, S7, S14, S15, C4, C5, C12, C16, C17, C36, C37, C38, C39, RAT5, RAT6, TR1, TR8, TR11, TR13, ES1, ES2, ES4, ES6, ES7, ES11, ES14A, WYT15 |

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.