

**Appeal made against the refusal of planning permission**

<b>Appeal reference</b>	APP/P1805/A/11/2158231
<b>Planning Application</b>	11/0182-SC
<b>Proposal</b>	Construction of 5 no. 2 storey 2 bed dwellings on land to the side and rear with revised access from highway (plans as amended 09.06.2011 and 13.06.2011 realigning Plot 1 adjacent No. 52 and reducing height of Plots 2 - 5)
<b>Location</b>	Land to the side and rear of 52 Chadcote Way, Catshill, Bromsgrove, B61 0JT
<b>Ward</b>	Catshill
<b>Decision</b>	Refused by Planning Committee - 18th July 2011

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**Discussion**

The proposal was for five, two-storey, two-bedroomed houses on land to the rear and to the side of 52 Chadcote Way.

The application was determined under delegated powers and refused due to the following reasons as detailed below:

1. The number of proposed dwellings and their layout would result in the overdevelopment of the site, creating a cramped and contrived form of development of an inappropriate design harmful to the established character of the local area. This would adversely affect the appearance and amenities of the surrounding area and is contrary to policies DS13, S7 and S8 of the Bromsgrove District Local Plan 2004, policy CTC.1 of the Worcestershire County Structure Plan 2001, Supplementary Planning Guidance Note 1: Residential Design Guide and the principles of good design advocated in Planning Policy Statement 1 and Planning Policy Statement 3.
2. The proximity of the proposed dwellings to the neighbouring properties would create a visually intimidating affect, would unduly harm the outlook, privacy and amenities of the neighbouring properties and fails to meet the provisions of Supplementary Planning Guidance Note 1: Residential Design Guide. The development would therefore be detrimental to the amenities of adjoining occupiers and is contrary to policies DS13 and S7 of the Bromsgrove District Local Plan 2004.
3. The proposal would lead to unacceptable traffic implications and negatively impact on the amenities of existing residents by virtue of exacerbating the on-road parking issues inherent in Chadcote Way contrary to policy T.1 of the Worcestershire County Structure Plan, policy DS13, criterion (h) of policy S7 and

policy TR11 of the Bromsgrove District Local Plan and the guidance contained in PPS1, PPS3 and PPG13.

The Inspector found the main issue to be its Green Belt location and:

- The effect of the proposed development on the visual character of its surroundings, including the street scene in Chadcote Way.
- The effect on the amenity of neighbouring residents in terms of noise, privacy, sunlight, daylight and outlook.
- The effect of vehicular traffic associated with the development on parking and general road safety conditions in Chadcote Way.

### **The Proposal**

It is proposed to erect 5 no. 2 bedroom dwellings on the site. A detached dwelling would be accommodated to the west of the site adjacent to number 52 Chadcote Way, and a terraced development comprising four units would be erected towards the eastern end of the site. All of the units would be for sale on the general market.

### **Discussion**

The appeal proposal represents the response to an earlier refusal of planning permission for the erection of five dwellings on the appeal site. The most obvious change to the previously-submitted scheme has been the relocation of Unit 1 in the development from a position near the Chadcote Way road frontage, to a position close to the northern gable end wall of 52 Chadcote Way, allowing for a realignment of the proposed access road to create optimum conditions at the junction of the access road with Chadcote Way.

However, the Inspector considers that this amendment would result in an unsatisfactory feature of the frontage development. When viewed from the street, the proposed narrow fronted house would assume an unduly cramped position set back slightly from but very close to No. 52. The new dwelling would be out of proportion with No. 52 and would by reason of its unduly tight relationship with the existing house disrupt the rhythm of dwellings fronting the street on its eastern side.

The Inspector is satisfied that the appeal site has the general characteristics of a 'backland' site. However, this form of development does not comply with the saved policy S8 regarding plot sub-division. Although the Units on Plots 2 - 5 to the rear of 52 Chadcote Way would occupy the greater part of the width of the site in that location and thus would have little effect on the street scene in Chadcote Way due to the distance from that road, they would, in their compact terraced block formation, appear uncharacteristic with the spacious ambience of the backland area between the dwellings on Chadcote Way and those on Wildmoor Lane. Therefore the new infill development could not be described as integrating closely with the surrounding housing layout.

On this point, it is concluded that the appeal development would harm the street scene on Chadcote Way and the visual character of the area enclosed by the dwellings on Chadcote Way, Springs Avenue and Wildmoor Lane.

With regard to residential amenity, the Inspector is content that the separation distances between proposed Unit 1 and 52 Chadcote Way, between those dwellings and proposed Units 2 - 5 and between Units 2 - 5 and 35a Wildmoor Lane would be sufficient to ensure no general loss of privacy for existing neighbouring residents to any material extent. The separation distances would comfortably exceed the 21 metres minimum separation distance for two storey conventional dwellings set out in the Residential Design Guide (SPG1).

In contrast, the relationship between the terraced block of Units 2 - 5 and the existing houses at 1 - 23 Springs Avenue would be more sensitive. It is the Inspector's opinion that whilst the proposed access way would introduce new and potentially noisy activity from the passage of motor vehicles, any disturbance would be slight and intermittent and any resultant loss of amenity; for example, in the enjoyment of their back gardens; would not be serious or sustained.

The recommended separation distance between façade windows and blank walls in SPG1 is 12.5 metres. The Inspector notes that the distance between the proposed Unit 5 and the gardens of 1 and 1b Springs Avenue would fall short of the recommended separation distance. Despite the fact that the gable wall of Unit 5 would be of a lesser scale than the sectional profile of Units 3 and 4, it would nevertheless, result in quite a dominating presence for anyone standing in the rear gardens of Nos. 1 and 1b. As the proposed gable wall of Unit 5 would be sited to the south of the gardens under consideration, it would have the potential to cast a shadow over at least part of the rear gardens. That potential would be at its greatest during the winter months when the elevation of the sun is at its lowest.

On the point of residential amenity, the Inspector is satisfied that the proposed development would result in a material loss of amenity for the occupants of 1 and 1b Springs Avenue, in terms of visual over dominance and a loss of sunlight to those properties.

Finally, the Inspector acknowledges that street parking occurs on Chadcote Way. At least one and, in some cases, two parking spaces would be provided for each of the proposed dwellings. The parking court and access way leading to it would be of limited capacity to accommodate additional parking demand from visitors or service vehicles. It is therefore accepted that in these circumstances the appeal development could generate some demand for parking space on Chadcote Way itself and exacerbate parking conditions on the public road at times of heavy parking demand. However the Inspector is not convinced that conditions would be so worsened as to endanger the safety of road users.

The Inspector therefore concludes that whilst there might be some residential amenity impact from on-street parking, the access to the site has been designed to meet professional engineering standards and there is no convincing evidence that the

proposed development would have any material effect on the safety of road users on Chadcote Way.

### **In conclusion**

The Inspector is satisfied that although the appeal development would not be built on land that is previously-developed, the development would satisfy sustainable development objectives, insofar as the site is in an urban area and in a location accessible to regular public transport services. However, the conclusions reached on the first and second main issues in this appeal, which take into consideration the representations of neighbouring residents, outweigh all other matters raised.

Therefore the Inspector dismissed the appeal.

### **Costs application**

No application for costs was made.

### **Appeal outcome**

The appeal was **DISMISSED** (21st November 2011).

### **Recommendation**

**The Committee is asked to RESOLVE that the item of information be noted.**