

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan Ref. Expiry Date
Mr. N. Alsop 'A'	Proposed erection of one new dwelling - 2 Berry Drive, Barnt Green, B45 8XL	Residential	11/0880-DK 11.10.2011

RECOMMENDATION: that permission be **GRANTED**.

Consultations

WH	<p>Consulted: 17.10.2011. Response received: 31.10.2011.</p> <p>No objection subject to the following conditions:</p> <p>HC4 Single Access New Footway</p> <p>HC5 Visibility Splays</p> <p>HC8 Vehicle Access Construction</p> <p>HC14 Driveway Gradient</p> <p>and the following advisories:</p> <p>HN1 Mud on Highway</p> <p>HN4 Private Apparatus within the Highway</p> <p>HN5 Alteration of highway to provide new or amend vehicle crossover</p> <p>HN9 No Drainage to Discharge to Highway</p> <p>HN24 Temporary Direction Signs to Housing Developments</p>
Lickey and Blackwell PC	<p>Consulted: 17.10.2011. Response received: 15.11.2011.</p> <p>Lickey and Blackwell Parish Council objects to this proposal.</p> <ol style="list-style-type: none"> 1. 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, 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". 2. New Government guidelines no longer consider gardens as brown field sites, and that they should be valued. 3. 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. 4. We are, also, aware that the properties in Plymouth Road, and the cul de sacs off have had problems with flooding, which could be exacerbated by this development.

5. 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."

ENG

Consulted: 23.11.2011. Response received 25.11.2011.
No objection subject to conditions and no Flood Risk Assessment warranted.

SPM

Consulted: 17.10.2011. Response received 19.10.2011.
The above site is situated within the 'low density' residential area of Barnt Green in the Bromsgrove Local Plan. The proposal is for windfall housing development; therefore PPS1, PPS3, policies S3, S7 and S8 of the adopted Bromsgrove District Local Plan apply. As the site is with a 'low density' area BG4 will apply. Also of particular relevance are SPG1 and the Lickey and Blackwell Village Design Statement which is also adopted as Supplementary Planning Guidance.

WRS

Consulted: 17.10.2011. Response received: 07.11.2011.
No adverse comments.

Tree Officer

Consulted 17.10.2011. Response received: 03.11.2011.
This development would lead to an incursion into the root plate of Sycamore Tree 1 but only to an acceptable level. However every protection in line with BS 5873 should be afforded this tree beyond this incursion.

Sycamore Tree 2 should not be affected by this development but full protective measures in line with BS 5873 should be afforded this tree to ensure this is the case.

There is a pocket of decay in the main stem of Sycamore Tree 2 which needs further evaluation. Depending on the recommendations of this report additional planting may be desirable and a landscape plan would therefore be desirable.

Otherwise, I have no objection to this proposed development.

Publicity

Neighbour notification: 2 letters sent 07.11.2011.
Site Notice posted 31.10.2011, expires 21.11.2011.

Identical objection letters with 155 signatories and 1 additional letter of objection received. The principal issues raised are summarised as follows:

- The form and layout of the development is out of keeping with the surroundings and would have a harmful effect on the special character of the area.

- The proposal would result in the extensive loss of natural hedgerow screening and trees.
- The proposal is contrary to policies DS13, BG4, S7, S8 of the BDLP and the advice of PPS1, PPS3, SPG1, PPG13 and the Village Design Statement.
- The proposal will cause traffic congestion and there are also complications in respect of access because of the position of a lamppost on Plymouth Road.
- There would be a loss of residential amenity due to light, noise and overlooking and a loss of amenity for the residents of No. 4 Berry Drive arising from the position of the windows of the proposed plot 3.
- An unacceptable precedent would be set.
- The proposal would directly cause the loss of amenity, privacy and environmental quality for local and adjoining residents.
- The area cannot support any further density of housing.
- There would be an adverse impact on the biodiversity of local flora and wildlife species and the extensive loss of mature natural hedgerow and trees.
- There is a government intent to stop garden grabbing and plot sub-division for speculative gain.
- The development conflicts with the Council's sustainability/green objectives.
- The proposal is contrary to local plan policies.
- The proposal does not maintain the open aspect of the area.
- It will exacerbate the difficulties which residents already face with traffic, public amenities, drainage and flooding, etc.
- The proposal is contrary to policy S8 of the BDLP which precludes the further sub-division of plots.

The site and its surroundings

The application site is part of the garden of a large detached house on the corner of Berry Drive and Plymouth Road. There are good levels of screening on all boundaries. The site is bordered to the east by Blakes Field Drive and faces Plymouth Road to the south. It is bordered by 4 Berry Drive to the north. The existing house is a two storey detached property with a link detached garage to the north. There is an open plan arrangement to the front of the properties facing onto Berry Drive. The properties on the opposite side of Plymouth are slightly set down in respect of the site.

Proposal

The proposal is for the erection of one dwelling. The application is also supported by a Design and Access Statement and Water Management Statement.

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, C4, C17, BG4, TR1, TR11

Relevant Policies (Cont'd)

Others PPS1, PPS3, PPS9, PPG13, SPG1
Draft CS2 CP18

Relevant Planning History

B1634	Erection of six dwellings on part of the grounds of 'Woodbury', Plymouth Road / Mearse Lane. Granted 06.10.1975.
B/2010/1011	Proposed Demolition of Existing Dwelling and Erection of Three New Dwellings. Withdrawn 07.01.2011.
B/2010/0610	Proposed Demolition of Existing Dwelling and Erection of Three New Dwellings. Refused 12.09.2011.

Notes

The previous application on this site for the erection of three dwellings (B/2010/0610) was refused by Planning Committee on 12.09.2011. This proposal is for the erection of a single dwelling which would form part of the scheme previously considered.

Members should note the large number of representations received and these are available to view on the file. The key test in assessing the application is whether the objections are well founded in planning policy terms such that there would be an identified harm to the character and amenity of the 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 plot sub-division and the resulting density and layout in respect of the character of the area,
- (iii) The impact of the proposal on the amenity of neighbouring residents.

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

Principle

I note 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 is unacceptable and each application must be considered on its own merit. I consider that the principle of the development is acceptable provided that the proposal fulfils the requirements of the development plan.

I note that the representations appear to challenge the principle of development at this location. However, the site is located within the defined urban area and as such, I do not consider that current national and local planning policy establishes a presumption against development at this location. I examine the proposal on the basis of policies S7, S8 and BG4 of the BDLP and the advice of SPG1.

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. 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.

There have been many comments received in opposition to plot sub-division. 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 relates appropriately to Plymouth Road. I do not consider that the plot sub-division is of particular detriment such that permission can be refused on that basis. I note that permission was granted in B/1993/0142 for the erection of five dwellings at 27 Plymouth Road referred to as 'The Hollies' which similarly amounts to plot sub-division. I note that the application is a spacious corner plot.

In terms of the layout of the proposal, it would be located between No. 2 Berry Drive and No.1 Blakes Field Drive. It would not conflict with the layout prevalent in the area.

The design of the proposal would consist of a large detached house with a narrow profile and a two storey set forward central range. I note the mix of designs in the area and I do not consider that the proposed design is inappropriate.

I have examined the original consent for the site (B1634) and there are no conditions which would preclude this proposal. I do not consider that the character of the existing property (2 Berry Drive) would be harmed by the proposal. Overall, I consider that the proposal is acceptable in terms of its design, density and layout.

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. The orientation of the plots is such that there is no conflict in terms of the requirements of Figure 14 of SPG1. The proposal is positioned to the front of a long driveway leading to No. 25b. In any event, the retention of the hedge on Plymouth Road mitigates any impact. There is a 45m separation distance to No. 23 opposite. There is 40m to No. 1 Blakes Field Drive.

The comments received from 4 Berry Drive are noted. However, any windows on the proposed dwelling are located between 46m and 52m from windows on No.4. This is twice the standard distance of SPG1 and the angle is oblique. I note that there are no windows main living room windows facing in the direction of No. 4 and in any event, there is screening and only oblique views would be afforded.

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

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

Other Issues

This proposal would not result in the removal of dwellings and thereby the issue of harm to bats would not arise. I note that a bat survey is presented with the application. There are numerous representations received in respect of trees, hedges and ecology. I note that most of the trees on the site are being retained and the part of the hedge removed on Plymouth Road amounts to 2m out of a total length of 63m. There is no objection from the Tree Officer.

The site is below the threshold for the provision of an open space contribution. The history of the site indicates little likelihood of contamination and there is no objection from Environmental Health. The representations raised concerns about drainage. Members should note that a Water Management Statement has been presented with the application which recommends a Sustainable Urban Drainage System (SUDS). The Drainage Engineer has raised no objection subject to conditions and a Flood Risk Assessment is not warranted at this location. The objections in respect of increased traffic and the impact of construction traffic are noted.

Conclusion

Members should note the number of representations received opposed to the application. However on the basis of the characteristics of the area and on the prevailing policies of the development plan, the proposal is acceptable. I do not consider that there is any harm which would impact negatively on the character of the area, the amenity of residents or on any environmental assets of acknowledged importance. Permission should be granted.

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

C1 (Time Limit)
C1A (In accordance with Approved Plans)
C3 (Materials)
C7 (Foul and Storm Drainage)
C10 (Landscaping Scheme)
C13 (Retention of Existing Trees)
HC4 (Single Access New Footway)
HC5 (Visibility Splays)
HC8 (Vehicle Access Construction)
HC14 (Driveway Gradient)

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 2004 (BDLP) and other material considerations as summarised below:

WMSS	QE1, QE2, QE3.
WCSP	CTC.1, D.5, SD.2, SD.3, SD.4, SD.5, T.1
BDLP	DS4, DS13, S7, S8, C4, C17, BG4, TR1, TR11.

11/0880-DK - Proposed erection of one new dwelling - Land between 2 Berry Drive and 1 Blakesfield Drive, Plymouth Road, Barnt Green, B45 8XL - Mr. N. Alsop

Others PPS1, PPS3, PPS9, PPG13, SPG1.
Draft CS2 CP18

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.