

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan Ref. Expiry Date
Bromsgrove District Housing Trust 'A'	Construction of 6 no. 2 bedroom 3 person bungalows and 1 no. 2 bedroom 3 person wheelchair bungalows and associated parking provision - Housman Close P O S, Housman Close, Bromsgrove, B60 3LY	Res	11/0070-DK 31.03.2012

RECOMMENDATION: that permission be **GRANTED**.

Consultations

WH	<p>Consulted: 08.02.2012. Response received: 16.02.2012.</p> <p>No objection subject to conditions.</p> <ul style="list-style-type: none"> ▪ HC40 - Highway improvements / offsite works ▪ HN6 - Section 278 Agreement ▪ HN16 - Design of Street Lighting for Section 278.
ENG	Consulted: 08.02.2012. No response received.
LP (Policy)	<p>Consulted: 08.02.2012. No response received.</p> <p>The development would result in the loss of an area of the public open space and therefore criteria f) of policy S7 and policy RAT4 are important in this instance. Both policies seek to maintain existing areas of public open space. Although both policies do highlight circumstances where development on public open space may be deemed acceptable. For example RAT4 states "Development of open space will only be considered where it can be clearly demonstrated that there is unlikely to be any long-term need to retain it for either recreational or amenity purposes". Whilst criteria f) of S7 does not support development on open space where the open space "is desirable to maintain".</p> <p>This clearly highlights development should only be supported on areas of public open space where there is either no quantitative need or the land is not desirable to maintain. The PPG17 study assessed the quality and quantity of a variety of types of sports and recreation spaces across the district. The Housman Close site was assessed within the study with the amenity green space described as in a poor state that is in need of refurbishment. The play area within the site was also described as having low/limited play value. In addition the ward of the Charford is identified as having a modest surplus of children's play facilities. On this basis the loss of a poor quality site will not have an undue harmful impact on local residents as other facilities are in close proximity, including a new equipped play area at Tibberton Court. This has been equipped by the applicant. On this basis, no further contributions towards public open space are sought.</p>
LP (Open Space)	Consulted 08.02.2012. No response received.
WCC (CA)	<p>Response received 27.02.2012.</p> <p>The proposed development lies slightly to the east of the recorded line of the Roman road from Worcester to Lickey. It is possible that Roman</p>

remains associated with the road survive within the site. No objection subject to an archaeological survey being carried out in accordance with PPS5.

WCC (PROW)	Consulted 08.02.2012. No response received.
RA	Consulted 08.02.2012. Response received: 18.02.2012. The proposed access route which will cross the path will make it less safe than at present. Whilst we are not objecting, it is requested that adequate provision is made for pedestrian access along the pathway.
SE	Consulted 08.02.2012. Response received: 17.02.2012. The site is not considered to constitute a playing field as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2010 (Statutory Instrument 2010 No.2184). This consultation is therefore on a non statutory basis and we consider that the proposed loss of open space should be considered in the context of relevant local plan policies and the existing evidence base.
TO	Consulted 08.02.2012. Response received 21.02.2012. No objections subject to conditions.
WMC	Consulted 08.02.2012. Response received 29.02.2012. No objections. Rear gardens should be adequately secured.
WWT	Consulted 08.02.2012. No response received.
EHO	Consulted 08.02.2012. No response received.
Publicity	30 letters sent: 08.02.2012, expired 29.02.2012. Site Notice posted 14.02.2012, expired 06.03.2012. Press Notice posted: 17.02.2012, expired 09.03.2012.

4 comments received, summarised as appropriate.

- The proposal will provide a direct pedestrian link through Morris Walk from Worcester Road resulting in a loss of privacy to residents of Morris Walk.
- The current view from the bungalows consists of tidy lawns and this is preferable to the proposed car parking.
- The area around Charford is already overdeveloped and this would lead to a loss of open space.
- The alteration of the boundary between the proposed development and Morris Walk would have an impact on the shed of No. 12 Morris Walk. There could also be a loss of TV reception.
- The proposed development would result in an improvement to the area, which currently has a litter problem and an area for anti-social behaviour.

The site and its surroundings

The application site comprises an area of public open space which is bordered by the rear boundaries of properties which front onto Housman Close, Bromsgrove. There is an existing footpath which crosses the site running in a NW/SE orientation. The path is located along the boundary with Morris Walk to the west. The site is currently not equipped with any play facilities.

Proposal

The proposal is for the construction of 6 no. 2 bedroom 3 person bungalows and 1 no. 2 bedroom 3 person wheelchair bungalow and associated parking provision. The application also includes vehicular access way from Morris Walk and new parallel parking will be provided to serve the 14 existing bungalows on Morris Walk. The new bungalows will be provided in a semi-detached formation at a right angle to Morris Walk. It is proposed that the six bungalows will be restricted to occupation by residents aged 55 and over.

Relevant Policies

WMSS	QE3, CF5, CF6
WCSP	CTC.1, D.5, D.6, SD.2, SD.3, SD.4, SD.8, T.1
BDLP	DS13, S3, S7, S14, S15, RAT4, TR1, TR11
DCS2	CP2, CP3, CP6, CP8, CP14
Others	PPS1, PPS3, PPG13, SPG1, SPG11

Relevant Planning History

P11/0153	Construction of seven 2 bedroom, 3 person bungalows, vehicular access and off street parking. Pre application advice.
----------	---

Assessment

The main issues in the consideration of the application are the following:

- (i) The principle of development given the status of the land as public open space
- (ii) The design, density and layout of the proposal and its impact on the character of the area
- (iii) The impact of the proposal on the amenity of adjoining occupiers
- (iv) Highway and access issues

(i) Principle

Policies S7 and RAT4 of the BDLP are most relevant in the determination of the application. In particular, policy RAT4 states that: 'Development of open space will only be considered when it can be clearly demonstrated that there is unlikely to be any long term need to retain it for either recreational or amenity purposes. This is also reflected in criterion (f) of policy S7.

In policy terms, there is a strong presumption against the development of public open space. However, there are a number of material considerations which Members need to consider in examining the proposal.

- The development will provide 100% affordable housing for older persons. There is an acute shortage of affordable housing in the District, as evidenced in the *Council's Housing Strategy 2011 - 2015*. The housing waiting list amounts to 2,978 people with

a need for all house types and sizes, with a notable need for 2 bedroom properties including bungalows.

- The desirability of retaining this area of public open space. The comments of Strategic Planning are noted. The Open Space, Sport and Recreation Local Needs Survey 2008 concluded that this site is of poor quality and in need of refurbishment.
- The applicant has refurbished an existing area of public open space at Tibberton Court to the south of Austin Road. This includes the provision of play equipment and the demolition of some dwellings has provided for a more consolidated area of public open space at this location. There is also a modest surplus of children's play areas in the area.
- Evidence of anti social behaviour (ASB) on the Housman Close site. There have been a total of nine recorded incidents of ASB since 2008.

Whilst there is a strong presumption against the loss of public open space, it is noted that the site in question is not particularly desirable to maintain and is disadvantaged in that it is poorly overlooked, being largely surrounded by rear gardens. The evidence put forward in terms of ASB and the poor rating of the site in the Open Space Survey outlined above must be weighed against the need for affordable housing provision. In this case, it is considered that there are sufficient material considerations to outweigh the presumption against the loss of open space. It is noted that an additional area of equipped public open space has been provided at Tibberton Court in an area which was formerly a drying area for the flats. There are also alternative larger and better equipped sites in the locality.

(ii) Density, Design and Layout

Policy S7 requires developments to respect the character and layout of development in the area and be of a density appropriate to the area. The site area is 0.16Ha. The proposal would result in an overall density of 43 dwellings per hectare. This is not an excessive density and comparable with the locality which comprises a mix of bungalows, semi detached dwellings and flats.

In terms of layout, the development would be at a right angle to Morris Walk and be parallel to the existing development on Housman Close. It is noted that the proposed layout does not follow the logical pattern of a linear extension of Morris Walk. However, the area has a variety of layouts and there are examples in the locality of this type of arrangement notably to the north and south sides of Austin Road where there are houses and flats positioned at right angles to each other. It is also noted that the proposal will not be visible from Rock Hill, Austin Road or Housman Close and so there is a very limited impact on the streetscene. The intention of the applicant to make the best and most efficient use of the land and maximise the delivery of affordable housing is noted and accords with the requirements of PPS3. The proposed layout enables the most efficient use of the land and this is a benefit weighing in favour of the scheme.

In terms of design, the development would be simple and utilitarian, similar to the dwellings on Morris Walk, albeit the proposal has a higher density. The units at each end of the site are linked in a semi-detached arrangement with three units in a terrace in the

middle. I do not consider that the design of the proposal would have a detrimental impact on the streetscene, given the limited visibility from public vantage points. Overall, it is not considered that the proposal would have a detrimental impact on the character of the area.

(iii) Residential Amenity

The proposal is examined against the advice of paragraphs 8.0 - 8.4 of Supplementary Planning Guidance Note 1 (Residential Design Guide).

The proposed plots would be separated by 14m from the gable ends of the properties 12 and 15 Morris Walk. It is noted on the site that the gradient runs from NW to SE. The view of these properties is also obscured by the substantial hedge which currently forms the boundary with the footpath linking Austin Road to Rock Hill. The rear elevation of the proposed development would be approximately 28m from the rear elevation of the properties 17 - 29 Housman Close.

The rear elevations of the proposal are also set off the common boundary with these properties by 9m. There is also adequate separation of the gable ends of the proposed development from Nos. 6 - 12 Austin Road and 37 - 45 Housman Close at the opposite end. The proposal for single storey dwellings complies with the requirements of SPG1 in terms of light and privacy.

Each of the dwellings would be afforded approximately 45sqm of private amenity space and there are additional shared areas to the front. In terms of the proposed occupancy of the units and the small size of them, I consider that the private amenity space proposed is adequate and the proposed gardens have a greater depth than that afforded to the existing dwellings on Morris Walk.

(v) Highway and Access Issues

Members should note that there is no objection from WH, subject to conditions. The Highway Engineer has commented in respect of the footpath and stated that it is publicly maintained and access across it will require a S278 Agreement between the applicant and WCC. However, I note that the footpath is not on the Definitive Public Rights of Way Map and WCC Public Rights of Way have not commented on the application. It is considered that the issue of the footpath can be addressed and access maintained.

Other Matters

The comments from Strategic Planning in respect of contributions are noted. The applicant has extended and equipped the public open space at Tibberton Court and therefore additional contributions towards public open space are not justified. Similarly, no education contributions are sought since the scheme relates to 100% affordable housing.

Members should also note that the proposal also includes the provision of an additional 14 car parking spaces in a parallel arrangement serving the properties on Morris Walk. This is not considered to have a detrimental impact on the streetscene and the current residents will benefit from, given the absence of existing parking in proximity to the

dwellings. The new development will be served by 12 parking spaces which will adequately serve future residents and visitors.

Members should note that the development is accompanied by a Phase 1 Habitat Survey and Arboricultural Survey. The former concludes that the site is of low ecological value. Therefore, the development will not have an impact on any protected or notable species. The hedgerows and trees around the boundary of the site are of greater value and these are largely being retained. There would be very little impact on biodiversity provided that any pruning or removal of hedges takes place outside the bird nesting season. The comments from the County Archaeologist are noted and a suitable condition will be attached.

Conclusion

The proposal would result in the loss of an area of existing public open space. However, the area to be lost is small, of poor quality with a history of anti social behaviour. The proposal will result in the provision of 7 affordable dwellings and there is a significant shortfall of this type of development in the District. The proposal is supported by policies S14 and S15 of the BDLP. In accordance with the emerging guidance of the National Planning Policy Framework, the development will not result in demonstrable harm to assets of acknowledged importance. The application should be supported.

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

1. The development must be begun not later than the expiration of three years beginning with date of this permission.

Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan@1:1250 (Ref: 52006 D11), Received 31.01.2012.

Proposed Site Plan@1:200 (Ref: 52006D12), Received 31.01.2012.

Proposed Floor Plans, Elevations and Section@1:50 (Ref: 52006 D13), Received 31.01.2012.

Proposed Street Elevation and Block Plan@1:100 (Ref: 52006 D14), Received 31.01.2012.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Details of the form, colour and finish of the materials to be used externally on the walls and roofs shall be subject to the approval, in writing, of the local planning authority before any work on the site commences.

Reason: To protect the visual amenity of the area in accordance with policy DS13 of the Bromsgrove District Local Plan January 2004 and policy CTC.1 of the Worcestershire County Structure Plan 2001.

4. The windows to be installed in the proposed gable wall elevations serving bathrooms on the approved plan(s) shall be fitted with obscure glazing and any opening lights shall be at high level and top hinged only. The obscure glass shall be maintained in the said window in perpetuity.

Reason: To protect the amenities of neighbouring residents in accordance with policy DS13 of the Bromsgrove District Local Plan January 2004.

5. Prior to the commencement of the development, full details of the occupancy criteria which are to be used to select occupants of the development shall be submitted to the Local Planning Authority for approval. Subsequently, the occupation of the units shall only be taken up by persons meeting the approved occupancy criteria, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the proposed flats are provided at an affordable level to meet local housing need in accordance with policy S15 of the Bromsgrove District Local Plan 2004.

6. No development shall take place until a programme of Archaeological Work, including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:
 1. The programme and methodology of site investigation and recording.
 2. The programme for post investigation assessment.
 3. Provision to be made for analysis of the site investigation and recording.
 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
 5. Provision to be made for archive deposition of the analysis and records of the site investigation
 6. Nomination of a competent person or persons / organisation to undertake the works set out within the Written Scheme of Investigation.

No demolition / development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).

The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: In order to ensure that the archaeological resources of the site are protected in accordance with the requirements of PPS5 (Planning for the Historic Environment).

7. Before the commencement on site of any works which are the subject of this permission, a scheme of landscaping and planting shall be submitted to, and approved by the Local Planning Authority in writing. The scheme shall include the following:-
- (a) full details of all existing physical and landscape features on the site including the position, species and spread of all trees and major shrubs clearly distinguishing between those features to be retained and those to be removed;
 - (b) full details of all proposed fencing, screen walls, hedges, tree and shrub planting where appropriate.

The approved scheme shall be implemented within 12 months from the date when any of the buildings hereby permitted are first occupied.

Any trees / shrubs / hedges removed, dying, being severely damaged or becoming seriously diseased within 5 years of the date of the original planting shall be replaced by plants of similar size and species to those originally planted.

Reason: In order to protect the trees which form an important part of the amenity of the site in accordance with policies DS13 and C17 of the Bromsgrove District Local Plan January 2004 and policies CTC.1 and CTC.5 of the Worcestershire County Structure Plan 2001.

8. The development hereby approved shall be carried out in strict accordance with the recommendations of the Arboricultural Report undertaken by Wolverhampton Tree Service dated 28.01.2012.

Reason: In order to protect the trees which form an important part of the amenity of the site in accordance with policies DS13 and C17 of the Bromsgrove District Local Plan January 2004 and policies CTC.1 and CTC.5 of the Worcestershire County Structure Plan 2001.

9. Prior to the commencement of the development hereby permitted engineering details of the footway alterations shall be submitted and approved in writing by the Local Planning Authority, and the development shall not be occupied until the scheme has been constructed in accordance with the approved details.

Reason: To ensure the safe and free flow of traffic onto the Highway and to accord with policy TR11 of the Bromsgrove District Local Plan 2004.

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

12/0070-DK - Construction of 6 no. 2 bedroom 3 person bungalows and 1 no. 2 bedroom 3 person wheelchair bungalows and associated parking provision - Housman Close P O S, Housman Close, Bromsgrove, B60 3LY - Bromsgrove District Housing Trust

WMSS	QE3, CF5, CF6
WCSP	CTC.1, D.5, D.6, SD.2, SD.3, SD.4, SD.8, T.1
BDLP	DS13, S3, S7, S14, S15, RAT4, TR1, TR11
DCS2	CP2, CP3, CP6, CP8, CP14
Others	PPS1, PPS3, PPG13, SPG1, SPG11

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.