

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan Ref. Expiry Date
Mr John Smart 'A'	Replacement of an existing dwelling with 2No. 5 bed detached houses 7A PLYMOUTH ROAD BARNT GREEN BIRMINGHAM WORCESTERSHIRE B45 8JE	Residential Conservation Area	12/0341 DK 09.07.2012

Councillor Deeming has requested that this application is not dealt with under delegated powers but is taken to Planning Committee for determination (Verbal request 12.06.2012).

RECOMMENDATION: that permission be REFUSED.

Consultations

WH Consulted 23.05.2012. No response received.

Lickey and Blackwell PC Consulted: 23.05.2012. Response received:
Lickey and Blackwell Parish Council are confused as to how this application differs from 10/1189. Our comments are the same as were submitted for 10/1189 on 5th August 2011. Lickey and Blackwell Parish Council object to this application, especially when taken into consideration with other recent and current applications. 1. All of the 4 applications being considering along with 10/1189 in this small area of our parish (11/0610, 11/0621,11/0626) are subdivisions of already sub-divided original gardens. Our Village Design Statement (VDS), adopted by BDC as a SPG, states that the parish should be protected against becoming part of the urban sprawl by the following means: preserve the openness in residential areas by avoiding subdivision of plots and infill development, especially if it joins areas of housing previously seen as distinct and separate maintain current density levels, which vary through the parish, wherever possible." Therefore we would like these applications to be seen together for their impact, and would urge that they be put before the Planning Committee. The application site is adjacent to the Barnt Green Conservation Area and so should be treated sensitively if it is not to have a negative impact on the Area. 7. There are trees with TPOs on the site. Finally, we have concerns that the continued destruction of good, well maintained housing stock such as this is contrary to a sustainable housing policy.

ENG Consulted: 23.05.2012. Response received: 23.05.2012.
No objection.

Conservation Officer Consulted: 23.05.2012. No response received. Response to previous application 10/1189 was as follows:

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 widows and other joinery.

EHO Consulted: 23.05.2012. No response received.

Tree Officer Consulted 23.05.2012. No response received.
Response to previous application (10/1089) was:

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 23.05.2012, expired 13.06.2012.
Site Notice posted 25.05.2012, expired 15.05.2012.
Press Notice posted 01.06.2012, expired 22.06.2012.
No comments received to date.

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 which incorporates a Heritage Statement.

Relevant Planning History

B/2010/1189 Replacement of an existing dwelling with 2No. 5 bed detached houses (As augmented by plan received 15.09.2011, as amended by plans received 13.09.2011). Granted 15.11.2011.

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.
NPPF	Paragraphs 56 – 68. SPG1.
Draft CS2	CP18
Others	SPG1.

Notes

Members should note that this application relates to the replacement of an existing dwelling with 2 detached houses. It is an *amendment* to the application B/2010/1089 for the erection of two detached dwellings. The difference with the current proposal is that it relates to a different design incorporating set forward extensions at opposite ends of the proposed dwellings.

On Tuesday 27 March 2012, the Government released the National Planning Policy Framework (NPPF). The NPPF makes it clear that its policies apply immediately. From the 27 March onwards the National Planning Policy Guidance Notes and Planning Policy Statements cease to exist, including all relevant circulars and guidance (a list of which is contained in Annexe 3 to the NPPF). Planning applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The Development Plan currently consists of Local and Regional planning policy documents. The NPPF is also a significant material consideration in planning decisions. The Development Plan will continue to include all the saved Policies of the Bromsgrove District Local Plan. Due weight will be given to these policies according to their *degree of consistency* with the framework set out in the NPPF (the closer the Policies in the Plan to the policies in the Framework, the greater the weight that may be given). Weight may be given to emerging policies in some circumstances.

I consider that the key issue in the determination of this application is the impact of the proposed amendment on the overall design of the scheme and the character of the streetscene and adjoining conservation area. The comments of the Parish Council are noted but the principle of development has been accepted in B/2010/1089 and for the sake of expediency the issue of principle will not be considered further here. The issues of density and layout in the context of policies BG4 and S7 of the BDLP have also been previously considered acceptable in application B/2010/1089.

Impact on streetscene

The application site is located within the low density housing area and adjoins a conservation area. Therefore in terms of the NPPF, I consider that paragraphs 56 – 68 of the NPPF are most relevant. These sections are entitled '*Requiring Good Design*' and augment the design requirement of the local plan policy S7 and the advice of SPG1. The latter document states that careful consideration needs to be made of all development forward of the existing building line.

The proposed dwellings would occupy a position set back approximately 3m from the position of the front of the existing bungalow. The proposed projections would come forward approximately 1.5m from the position of the front of the existing bungalow. The applicant has pointed out that the existing dwelling is set below the level of Plymouth Road, Whilst this is accepted, the dwelling is approximately 13m from the road which is approximately the same position as most of the properties on this side of Plymouth Road. There is a reasonable amount of tree cover along most sections of the road frontage on this side but there is a break at Nos. 7 – 9.

Previous applications

The applicant has provided evidence of examples of set forward garages and extensions on Plymouth Road, notably at Nos. 10 and 26. There are other examples presented but these are older properties and the advice of SPG1 would have carried less weight.

The examples presented are on the opposite side of Plymouth Road and the properties here are set back by in excess of 30m but I accept that there is some convergence towards the Twatling Road end. I accept that there is a more mixed streetscene in the direction of Mearse Lane so the main focus of attention is the building line and streetscene surrounding the application site.

In the case of No. 26, application B/2011/0917 related to a large side extension which projected forward of the existing property. It was an amendment to a larger scheme which had been refused (B/2011/0692). The plot occupies a corner position with Ashley Court and is located along a section of Plymouth Road with a much more varied building line. Having considered the Officer's report, it is clear that this factor weighed in favour of allowing the application. The individual circumstances are different in the case of the current proposal.

In the case of No. 10 Plymouth Road, this relates to a replacement dwelling approved in 2007 (B/2007/0977). There is a large detached garage and games room set forward of the principal elevation of the replacement dwelling. The replacement dwelling was set back some 48m from Plymouth Road and the detached garage is 36m set back. The Officer considered that this would obviate any harm arising as a result of the set forward garage. Despite the set back of the proposed property, I consider a side or rear garage would have been more appropriate. As explained to the applicant in the recent meeting, previously application do not always set a precedent for future proposals; a positive precedent carries more weight than a negative one.

In the case of this proposal, the set forward elements are considerably closer to the highway and the site also adjoins the conservation area to the east. Paragraph 58 of the NPPF places importance on the character of the streetscene and recommends (paragraph 64) that permission should be refused for development of poor design that fails to take the opportunity to improve the character and quality of the area. I consider that this is even more imperative giving the proximity of the conservation area.

Conservation Area

Policy S35A of the BDLP is consistent with the NPPF in requiring development within or adjacent to conservation areas to conserve the character of such areas. Paragraph 131 of the NPPF states that Local Planning Authorities should take account of the desirability of new development making a positive contribution to local character and distinctiveness. I do not consider that the proposal meets this objective.

Other Matters

Having examined the plans, it is evident that there are no significant changes in design (other than those outlined above) which require additional assessment of residential amenity; the impact on this was considered acceptable in B/2010/1189. Furthermore, the proposed amendment would not affect the issue of ecology and this has previously been considered. The views of the Tree Officer are awaited.

Conclusion

The nature of the proposed amendment to approved application B/2010/1189 has been considered and it is clear that it conflicts with the objectives of the development plan and national planning policy framework. Permission should be refused.

RECOMMENDATION: that permission be **REFUSED** for the following reason:

The proposal would have a detrimental impact on the character of the streetscene and adjoining conservation area contrary to policies S7, BG4 and S35A of the Bromsgrove District Local Plan 2004 and the principles outlined in the National Planning Policy Framework 2012 and Supplementary Planning Guidance Note 1, the Council's Residential Design Guide.