

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Shaun Hussey	Erection of a detached dwelling 25 Pearmans Croft, Hollywood, Worcestershire, B47 5ER,	13.08.2015	15/0499

Councillor Sue Baxter has requested that this application be considered by Planning Committee rather than being determined under delegated powers.

RECOMMENDATION: That planning permission be Granted

Consultations

Severn Trent Water Consulted 26.06.2015
No Comments Received To Date

Highways Department- Worcestershire County Council Consulted 25.06.2015
No Comments Received To Date

Worcester Regulatory Services- Contaminated Land Consulted 25.06.2015
No Comments Received To Date

Worcester Regulatory Services- Noise, Dust, Odour & Burning Consulted 25.06.2015
No Comments Received To Date

Landscape & Tree Officer Consulted 25.06.2015

No objection is raised to the proposed development subject to a condition protecting the group of Field Maple trees.

Drainage Engineers Internal Planning Consultation Consulted 25.06.2015

No objection is raised subject to conditions to provide a scheme for foul and surface water drainage, no buildings or structures within 5m of the watercourse and finished floor levels no lower than existing levels and flood proofing of the development has been incorporated where appropriate.

Wythall Parish Council Consulted 25.06.2015

Wythall Parish Council objects on the following grounds:

- Overlooking aspect from existing houses into the proposed new dwelling;
- This is an Infill;
- Close proximity to properties in adjacent roads; and
- Disturbance to wildlife and the closeness of proposed dwelling to the stream; and
- Increased in traffic in a quiet cul-de-sac, during and after proposed development.

Publicity:

14 letters sent on the 25th June 2015 (expired 16th July 2015)

1 site notice posted on the 30th June 2015 (expired 20th July 2015)

Neighbour Responses

24 responses have been submitted, all of which are objections and they raise the following issues:

- Dwelling is too close to the brook and would harm the habitat;
- Trees and hedgerows need to be removed which would harm local landscape character;
- Loss of view;
- Loss of privacy;
- There would be a harmful visual impact as the dwelling is too large and amounts to an over-development of the site;
- External appearance of the dwelling would detract from the character of the area;
- Drainage cannot cope;
- Harm to local wildlife including bats, birds, hedgehogs and insects;
- No room for more traffic;
- Already enough new housing in the area e.g. Bleakhouse Farm;
- Flood risk is a concern;
- The land was conservation land set up by Wythall Countryside Carers. They paid for the trees that may need to be removed;
- Continued loss of green space in Wythall; and
- Impact on house prices

Councillor Baxter: I wish to draw to the attention of Members, the views of local residents.

Relevant Policies

NPPF National Planning Policy Framework

Bromsgrove District Local Plan 2004 (BDLP):

DS13 Sustainable Development

S7 New Dwellings Outside the Green Belt

S8 Plot Sub-Division

ES4 Groundwater Protection

C17 Retention of Existing Trees

TR11 Access and Off-Street Parking

SPG1 Residential Design Guide

Relevant Planning History

None

Assessment of Proposal

The site and its surroundings

The application site is located within the residential of Hollywood. The application site relates to an area of residential garden at the end of a cul de sac known as Pearmans Croft. The site is located adjacent to a stream and surrounded by residential development on all sides.

The Proposed Development

Permission is sought to erect a 4 bedroom detached dwelling within the rear garden of 25 Pearmans Croft. The proposed dwelling is 2 storeys high and positioned adjacent to no. 25.

Planning Considerations

The main issues to be considered in assessing the application are the following:

- Principle of the proposed development
- Density, form and layout
- Residential amenity
- Highways and servicing issues
- Others Matters Raised

Principle of the Proposed Development

The site is located outside of the Green Belt within the residential area of Wythall as defined on the Proposals Map. The proposal would involve the sub-division of a residential garden to create a 4 bedroom dwelling adding an additional unit to housing supply in Bromsgrove District in a sustainable location.

The basic principle of residential development is, therefore, considered to be acceptable and would accord with the advice of the National Planning Policy Framework and the provisions of Policies DS3, DS13, S7 and S8 of the Bromsgrove District Local Plan. However, it is considered that the proposed development will need to comply with the criteria of Policies S7 and S8, other relevant policies of the Bromsgrove District Local Plan and the detailed guidance contained within SPG1 (The Residential Design Guide).

Density, form and layout

Policy S7 of the Bromsgrove District Local Plan 2004 relates to new dwellings outside the Green Belt and requires such proposals to have a density appropriate for the site and a form and layout appropriate to the area.

The application site for the single dwelling is 0.03ha which equates to 33 dwellings per hectare. This density is broadly comparable with the remainder of the cul de sac and therefore is considered to be acceptable.

Pearmans Croft consists of a mix of detached and semi-detached 2 storey dwellings that were probably built in the 1970s or 1980s. The proposed dwelling is broadly similar in design to the adjacent dwelling, 25 Pearman Croft and is on a plot of similar size. The dwelling would also follow the building line within the street. The proposed dwelling has a greater width than other dwellings in the area however the widest element appears as a subservient extension that minimises the impact on the street scene. The proposal would therefore be in accordance with the requirements of S7 of the BDLP 2004 and SPG1.

Residential Amenity

SPG1 provides detailed guidance to ensure that proposals for new dwellings do not impact upon amenity levels experienced by the occupiers of nearby dwellings. The closest dwellings in this instance are No.'s 20 and 22 Falstaff Avenue. At the nearest point the proposed dwelling would be 18m from the rear No. 20 and 19m from No. 19. However there is a single storey element on the rear of the proposed dwelling and a conservatory is located on the rear of No. 22 Falstaff Avenue. The most relevant distance is that between first floor facing windows of nearby properties and the proposed dwelling. In the case of No. 22 the distance is 23.5m and for No. 20 the distance is 21m. This achieves the guidance within SPG1 where 21m is required between 2 storey dwellings with facing windows to maintain privacy.

There are 2 bedroom windows on the first floor rear elevation of the proposed dwelling, one retains a distance of 9m to the shared boundary with No. 22, for the other window the distance is 10m. This is broadly reflective of the guidance within SPG1 that suggests a distance of 10m is required to prevent overlooking of residential gardens. Whilst one of the windows falls marginally short of the recommended distance it is not considered that this would result in a significant loss of privacy for those using the rear garden of no. 22 Falstaff Avenue. In this instance the nearest window would look towards the bottom corner of the rear garden of No. 22 which is furthest from the property.

Further dwellings are located to the north of the proposed dwelling on a road called 'The Hurst'. The nearest dwelling on The Hurst to the proposed dwelling is No.9 which retains a distance of 20m to the side elevation of the proposed dwelling. This comfortably exceeds the requirement SPG1 which states a distance 12.5m is required between a side with no habitable windows and a facing elevation. The side elevation does contain one window at first floor however this serves a bathroom and can be obscurely glazed.

The front elevation of the proposed dwelling retains a distance of 27m from the front elevation of No.22 Pearmans Croft on the opposite side of the road. This again exceeds the 21m guidance within SPG1.

The depth of the rear garden varies between 6.4m and 9m and has a garden area of approximately 87sqm. So whilst the garden depth falls short of the guidance within SPG1 the garden area exceeds the 70sqm requirement. The proposal also reduces the size of the rear garden of adjacent property, no. 25 to approximately 85sqm. The amount of private amenity space for both the existing and proposed dwelling is therefore considered acceptable for family homes.

Overall I consider that the proposal would have no significant adverse impact on residential amenity in accordance with S7 and SPG1.

Highways and servicing issues

Sufficient parking space has been provided for 2 cars, this accords with the County Council's Parking Standards. Comments are awaited from the County Council's Highway Engineer, although an update can be provided before the Committee meeting.

Subject to comments from the Highway Engineer, it is considered that the proposal is in accordance with Policy TR11 and criterion (h) of Policy S7 of the BDLP.

Landscape & Trees

This property falls within the area subject to Bromsgrove District TPO (10) 1963 which is an area designation order. The Tree Officer acknowledges that there are no trees within the curtilage of this property or any adjoining property that are old enough to be covered by this order.

There is a mixed species conifer hedge running around the western boundary of the site that is formally maintained to a height of approximately 2 metres. The hedge offers some limited screen value to properties standing beyond the western boundary in the adjoining close, the open land / stream corridor directly adjoining the application property and one property standing directly opposite the application address.

A section of hedge to the front of the property will need to be removed to accommodate the proposed dwelling. The Tree Officer has no objection to this due to the species quality of the hedge and limited amenity value it offers.

There is a group of Field Maple stems standing within the stream corridor adjoining the site. However the planned level of development would not have any detrimental effect on this group of trees. The Tree Officer has no objection to the proposal subject to the protection of this group of trees during construction. The proposal accords with Policy C17 of the BDLP.

Other Matters Raised

Concerns have been raised over flooding and poor drainage. However, the site falls entirely within flood zone 1 (low risk of fluvial flooding) and is not shown to be susceptible to surface water flooding. North Worcestershire Water Management acknowledge the proximity of the watercourse but raise no objection subject to conditions.

Conclusion

Subject to comments from the Council's Highway Engineer, it is considered that the proposed development would be in accordance with the advice of the National Planning Policy Framework, the provisions of Policies S7 and S8 of the Bromsgrove District Local Plan and the guidance of Supplementary Planning Guidance Note 1 - Residential Design Guide (Adopted January 2004).

RECOMMENDATION: That planning permission be granted

Conditions:

- 1) The development hereby permitted shall be carried out in accordance with the Approved Plans/ Drawings listed in this notice:

PCH/LP/01A
PCH/HP/02A
PCH/HP/03A
PCH/CP/04A
PCH/SE/05

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

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

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

- 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.

- 4) The windows to be installed on the first floor side elevation on the approved plans shall be fitted with obscure glazing and any opening lights shall be at high level and top hinged only. The obscure glass and the opening light 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) The group of Field Maple trees standing within the stream corridor shall be afforded full protection in accordance with BS5837:2012 recommendations throughout any development works on the site.

Reason: To protect trees in accordance with Policy C17 of the BDLP.

- 6) No works or development shall take place until a scheme for foul and surface water drainage has been submitted to, and approved in writing by the Local Planning Authority. If infiltration techniques are used then the plan shall include the details of field percolation tests.

Reason: To secure satisfactory drainage conditions in accordance with policy ES4 of the Bromsgrove District Plan 2004.

- 7) There shall be no new buildings, structures (including gates, walls or fences) or raised ground levels within 5 metre of the top of the banks of the watercourse or within the floodplain of the watercourse.

Reason: To minimise flood risk in accordance with the NPPF.

- 8) 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, floorscape, earth moulding, tree and shrub planting where appropriate.

The approved scheme shall be implemented within 12 months from the date when the dwelling hereby permitted is 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 S7 and C17 of the Bromsgrove District Local Plan January 2004.

Informative

- 1) It is recommended that finished floor levels within the development shall be set no lower than existing levels and flood proofing of the development should be incorporated where appropriate.

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