

Name of Applicant	Proposal	Expiry Date	Plan Ref.
David Billingham	Construction of detached house on rear garden land, accessed from new development (Pearmain Garden) Land Rear Of 29 Western Road, Western Road, Hagley, Worcestershire,	22.06.2016	16/0397

RECOMMENDATION: That subject to the satisfactory views of Worcestershire Highways, planning permission be granted

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

Consultations

Hagley Parish Council Consulted 24.05.2016
Objection received but further comments awaited.

Drainage Engineers Internal Planning Consultation Consulted 24.05.2016
No objection

Worcester Regulatory Services- Contaminated Land Consulted 24.05.2016
No objection

Worcester Regulatory Services- Noise, Dust, Odour & Burning Consulted 24.05.2016
No objection

Landscape & Tree Officer Consulted 24.05.2016
No objection subject to conditions

Highways Department- Worcestershire County Council Consulted 17.06.2016
Comments awaited

Publicity:

10 letters sent on the 24th May 2016 (expired 14th June 2016)
1 site notice posted on the 26th May 2016 (expired 16th June 2016)

Neighbour Responses

2 objections have been received raising the following issues:

- Loss of privacy;
- Impact on highway safety;
- Large tree removed prior to submission of application;
- Private drive will be further damaged by construction traffic;

Councillor Colella: The reason for the objection is as follows:

- Hagley has suffered from continued back land development with almost 400 houses already approved recently;
- No demand for additional house;
- Damages the general street scene;
- Increases housing density and impacts upon neighbouring property amenity and enjoyment of outdoor space; and
- Unacceptable backland development

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
C17 Retention of Existing Trees
ES4 Groundwater Protection

Others:

SPG1 Residential Design Guide

Relevant Planning History

- 08/0964 Outline application for 5 dwellings at rear of 33-37 Western Road –
(Approved on appeal 02/09/2009)
- 11/0327 Reserved matters for 5 dwellings at rear of 337-37 Western Road -
(Approved 21/06/2011)
- 14/0930 New Dwelling at Plot 2A Pearmain Gardens - (Approved 02/03/2015)

Assessment of Proposal

The site and its surroundings

The application site consists of an area of garden land that is currently associated with No. 29 Western Road. The parcel of land is located at the end of a cul de sac known as Pearmain Garden adjacent to No. 5 Pearmain Garden. The application site is located within the residential area of Hagley surrounded by houses on all sides.

The Proposed Development

This application seeks planning permission for the erection of 1 No. 4 bed dwelling within the rear garden of 29 Western Road. The dwelling would be accessed via Pearmain Garden creating a 6th dwelling accessed via this private drive.

Planning Considerations

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

- o The principle of the proposed development;
- o Impact on character and street scene;
- o Impact on the amenities of occupiers of adjacent dwellings;
- o Whether the proposed development would provide adequate access and parking provision so as to mitigate harm to highway safety; and
- o Impact on landscape features and trees

Principle of the Proposed Development

The site is located outside of the Green Belt within the residential area of Hagley 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).

Impact on Character and street scene

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 extends to approximately 0.046 hectares. The proposal would result in an overall density of approximately 22 dwellings per hectare which is not dissimilar to the density of many of the properties in the surrounding area.

The area consists mainly of substantial gable ended 2 storey dwellings on good size plots. The proposal is sited adjacent to 5 dwellings that were recently approved and constructed. Numbers 1- 5 Permain Garden were built following application No's 11/0327 and 14/0930. Prior to this outline consent was granted for 5 dwellings at the site on appeal (08/0964). The proposal follows the building line associated with these 5 properties and is a logical extension to the cul de sac. The detached dwelling has a gable end roof and front projecting gable which is similar to the adjacent dwellings. It is considered that the proposed dwelling fits comfortably into the street scene without detracting from the character of the area.

It is considered that the siting and scale of the proposed dwelling ensures local character and distinctiveness are not harmed and are therefore 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.

Residential Amenity

The proposal is examined against Policy S7 of the Bromsgrove District Local Plan and the advice contained within the Supplementary Planning Guidance Note 1 (Residential Design Guide).

The siting and design of the property limits any potential harm to residential amenity. A distance of 27m is retained between the front elevation of the proposed dwelling and the rear elevation of No.29 Western Road ensuring no loss of privacy for the occupiers of this dwelling. This comfortably exceeds the 21m guidance set out within SPG1.

A distance of 13m is retained between the front elevation of the proposed dwelling and the rear garden of No. 29 which exceeds the 10m guidance within SPG1. This ensures that users of the rear garden of No. 29 would experience no significant loss of privacy.

The side elevation of the proposed dwelling is 2m from the boundary with No. 27. The side elevation of the property contains one small window at first floor level which provides light to an en-suite bathroom. This window can be obscurely glazed to ensure that the rear garden of No. 27 is not overlooked. Concerns have been raised regarding the family room that appears as a single storey rear extension to the proposed dwelling. This has glazed patio doors on the side that face the rear garden of No. 27. However the separation distance of 6m and the proposed 1.8m fence ensure that no substantial overlooking can occur.

The proposal does not extend beyond the rear of the adjacent property, No. 5 Permain Garden ensuring that there is no loss of light.

In terms of amenity space, the guidance in Supplementary Planning Guidance Note 1 (Residential Design Guide) requires 70sqm of amenity space which should be 10.5m in depth. Despite the sub-division of the garden both the proposed dwelling and No. 29 both comfortably exceed the minimum standards.

In view of the above, it is considered that the proposed development would not adversely affect the privacy and amenities of the occupants of neighbouring properties in accordance with the provisions of Policy S7 of the Bromsgrove District Plan and the guidance contained in Supplementary Planning Guidance Note 1 (Residential Design Guide).

Highway and Access Issues

Policy TR11 of the Bromsgrove District Local Plan requires development proposals to incorporate safe means of access and egress and provide sufficient off-street car parking in accordance with the Council's adopted standards.

Sufficient space is provided for 2 cars which meets the County Councils Parking Standards.

Comments are currently awaited from the Worcestershire County Council Highway Engineer. Members will be updated on this matter in the written updates prior to the meeting.

Subject to the views of the Highway Engineer, it is considered that the proposed development would be in accordance with the provisions of Policy TR11 of the Bromsgrove District Local Plan.

Impact on Landscape features and Trees

The proposed site plan includes a detailed planting scheme for new trees and shrubs in front of the proposed dwelling. Existing mature trees around the periphery of the site are shown to be retained. It is noted that a mature tree was removed prior to the submission of the application; however this was not subject to a TPO. The Councils Tree Officer raises no objection to the proposal subject to conditions. The proposal does not harm the landscape and accords with Policy C17 of the BDLP.

Conclusion

In view of the above, 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 subject to the satisfactory views of Worcestershire Highways, 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:

014 5202 33D

014 5202 34D

014 5607 01F

014 5607 02C

Front and rear soakaway details as submitted in email dated 6th June

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) The dwelling hereby approved shall be constructed using Hanson Oakthorpe Red-Multi bricks and Marley Ashmore Smooth Brown Tiles. If alternative materials are proposed they should be submitted to and approved in writing by 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 proposed planting scheme shown on Plan No. 014 5607 01F 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.

- 5) 2 parking spaces for the dwelling shall be provided on site and shall be reserved solely for that purpose and such spaces shall be made available for the use before the development hereby approved is occupied and then retained in perpetuity for the lifetime of the development.

Reason: To comply with the Council's parking standards

- 6) Prior to the first occupation of the dwelling hereby approved secure parking for 4 cycles to comply with the Council's standards shall be provided within the curtilage of the dwelling and these facilities shall thereafter be retained for the parking of cycles only.

Reason: To comply with the Council's parking standards

- 7) The windows to be installed on the side elevations at first floor level of the hereby approved dwelling 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 windows in perpetuity.

Reason: To protect the amenities of neighbouring residents in accordance with policy S7 of the Bromsgrove District Local Plan January 2004.

- 8) Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 2015 (or any Order revoking and re-enacting that Order), no additional windows or other openings shall be inserted in the side elevations of the approved dwelling without the prior written approval of the Local Planning Authority.

Reason: To protect the amenities of neighbouring residents in accordance with policy S7 of the Bromsgrove District Local Plan January 2004.

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