

Name of Applicant

Proposal

Plan Ref.

Mr Mike Lewis	Replacement dwelling. (Part retrospective) 40 Marlborough Avenue, Bromsgrove, B60 2PD	16/0820
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Councillor Thomas has requested that this application be considered by Planning Committee rather than being determined under delegated powers.

RECOMMENDATION: That planning permission be Granted

Consultations

Highways Department- Worcestershire County Council Consulted 18.08.2016
No Objection.

Drainage Engineers Internal Planning Consultation Consulted 18.08.2016
No Objection.

Three letters of objection have been submitted and the contents of which are summarised as follows;

- Proposal does not overcome concerns raised in the appeal decision.
- Improvement to impact to No. 38, however harm has been moved to No. 42
- Density of plot inappropriate
- Footprint of dwelling larger than previous refusal
- Limited public benefits do not outweigh the harm to the neighbour amenities
- Resultant dwelling is an imposing structure out of keeping with the street scene

Members are to note that these objections were received prior to the amended plans before you this committee. The neighbours have been re-consulted and any additional comments received will be available on the update report.

Councillor Thomas requested, given the history of this application and the objections received to give members the opportunity to discuss the proposal.

Relevant Policies

Bromsgrove District Local Plan 2004 (BDLP):

DS13 Sustainable Development

S7 New Dwellings Outside the Green Belt

S10 Extensions to Dwellings Outside the Green Belt

Others:

NPPF National Planning Policy Framework

SPG1 Residential Design Guide

Relevant Planning History

15/0808	Replacement dwelling (part retrospective)	Refused	05.11.2015
15/0964	Replacement dwelling. (Part retrospective)	Refused Appeal Dismissed	14.01.2016

Assessment of Proposal

The application site is located within the residential area within Bromsgrove and therefore a replacement dwelling is considered acceptable in principle. It is noted that the applicant has begun some works prior to planning permission, however as the proposal would be considered acceptable in principle the demolition work is not considered inappropriate.

The site has been subject to a number of applications. The most recent was application reference 15/0964 which was recently refused at appeal. The appeal inspectorate considered that the impact on the amenity of the dwelling No. 38 was indicative of the over development of the site. The inspectorate also considered that given the limited public benefit of this proposal, the harm was not outweighed and the appeal was dismissed.

Since the appeal decision the scheme has been altered to incorporate a single storey garage to the side of the dwelling. This is to achieve a greater distance to the boundary with the property No. 38. The redesign has increased the footprint of the proposed dwelling, however it should be noted that the first floor area has been reduced as part of the scheme. The distance to the boundary to No. 42 is 1.5m as the previous proposal and the depth is 0.5m greater.

Marlborough Avenue is characterised by a variety of dwellings with a mixture of semi-detached and detached dwellings with hipped and pitched roofs. The resultant building is wider at two storey level; however, it maintains the feature of a gable front and single storey side garage. Given the separation distances to the boundary on either side of the dwelling it is not considered the dwelling would appear cramped within its plot or impact on the amenity of the neighbouring buildings. Therefore, the new dwelling is considered to be appropriate with the form and layout of the area and would not adversely affect the amenities of the adjoining properties.

The demolition of the dwelling has started prior to the decision of this application and therefore part of the proposal has been considered retrospectively.

RECOMMENDATION: That planning permission be Granted

Conditions:

- 1) 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

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

P01 Scheme 3B Proposed Floor Plans
P02 Scheme 3B Proposed Elevations
P03 Scheme 3B Street Scene Elevations
P04 Scheme 3B Existing Street Scene (Proposed Super imposed)
P05 Scheme 3B Site Plan

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, roofs, windows and doors 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.

Informatives

- 1) The local planning authority have worked with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with this planning application through negotiation and amendment.
- 2) The applicant is advised the for safety purposes the existing entrance should be set back 2metres from the rear of the adjoining footway. On each side of the set back entrance splays shall be formed at an angle of 45 degrees with the highway boundary and the whole of the splayed areas shall be graded and cleared so that no part thereof exceeds a height of 0.6m above the relative level of the adjoining carriageway.
- 3) The attention of the applicant is drawn to the need to keep the Highway free from any mud or other material emanating from the application site of any works pertaining thereto.
- 4) This permission does not authorise the laying of private apparatus within the confines of the public highway.

The applicant should apply to the Worcestershire County Council's Network Control Manager, County Hall, Spetchley Road, Worcester WR5 2NP (telephone 01905 751651), for consent under the New Roads and Streetworks Act 1991 to install private apparatus within the confines of the public highway.

Precise details of all works within the public highway must be agreed on site with the Highway Authority.

Case Officer: Emily Farmer Tel: 01527 881657
Email: Emily.farmer@bromsgroveandredditch.gov.uk