

Name of Applicant

Proposal

Plan Ref.

Mr Steve Bond Redevelopment of site to create 4 apartments

16/0723

47 Fiery Hill Road, Barnt Green,
Birmingham, Worcestershire, B45 8JX

Councillor Deeming has requested this application is called into committee following the level of public interest following the amended plans to introduce 4 additional spaces as per members resolution at the committee meeting on 5th September 2016.

RECOMMENDATION: That planning permission be Granted

Consultations

Conservation Officer Consulted 20.09.2016
No objection.

Highways Department- Worcestershire County Council Consulted 20.09.2016
No Objection.

Landscape & Tree Officer Consulted 20.09.2016
No Objection subject to conditions.

Barnt Green Parish Council Consulted 20.09.2016
No Objection.

Three Neighbours have objected, there comments are listed in the assessment of this proposal below.

Relevant Policies

S35A Development in Conservation Areas
S36 Design of Development in Conservation Areas
S37 Demolition in Conservation Areas

Others:

NPPF National Planning Policy Framework
SPG1 Residential Design Guide

Bromsgrove District Local Plan 2004 (BDLP):

DS13 Sustainable Development
S7 New Dwellings Outside the Green Belt

Relevant Planning History

TPO15/093 Remove 21 x Leylandii Conifers as they have grown too tall at 10 metres and obscure the property especially to the front. Plant replacement Laurel or Box species boundary hedge to the front. Remove 1 x Holly and 1 x Cherry as they are growing too close to property.

Assessment of Proposal

Following the previous planning meeting held on Monday 5th September 2016, the committee members resolved to approve the application and granted delegated powers to the head of Planning and Regeneration to issue the decision following the receipt of an amended plan illustrating eight parking spaces.

This plan was received on 7th September and a 14 day consultation period on this revision was undertaken. As a result, the following comments were received;

- Proposal would result in a cluster of parked cars
- Spaces do not appear large enough
- Cars would find it difficult to manoeuvre when number of cars using spaces
- Cars will have to reverse out onto Fiery Hill Road
- Site is overlooked by Pedestrians on train foot bridge
- Proposal does not preserve or enhance the conservation area.

Barnt Green Parish Council has not objected to the amended scheme.

Members are requested to note the views received. However, Worcestershire Highways has raised no objection to the amended plan and I consider there are no new issues raised that were not previously considered by Members. I am thus minded to approve the application in the revised format. A copy of the previous report from your Committee on 5th September 2016 is attached for reference.

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:

Drawing Numbers: 02 Rev E Proposed Site Plan
03 Proposed Floor Plan
04 Elevations
05 Street Scene
01 existing Site Plan
Scale 1:500 Pedestrian Splays

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.

- 4) Prior to the commencement of any works to external openings, details of the joinery shall be submitted to and approved in writing by the Local Planning Authority and the development shall proceed in accordance with the approved details. The details shall include large scale plans and sections and information regarding finish, texture and colour.

Reason: To preserve and enhance the Conservation area in accordance with Policies S36 of the Bromsgrove District Local Plan and the NPPF.

- 5) All existing tree as shown to be retained within the site in Drawing Number (2) dated July 2016 and those within influencing distance of the development in the grounds of 1 Cherry Hill Drive are afforded full protection in accordance with BS5837:2012 throughout any ground, demolition or development work on the site.

Reason: To ensure the protection of trees and hedgerows in the interest of visual amenity within the conservation area.

- 6) Any section of the footprint and the parking area of the proposed development that falls within the Root Protection Area of trees standing within the grounds of 1 Cherry Hill Drive shall be constructed on Pile and Beam foundation.

Reason: To mitigate against any potential influence by the development on these trees.

- 7) The method of construction for the parking bays off Cherry Hill Drive should be fully permeable to ensure that full water availability and gaseous exchange potential of the tree is not detrimentally affected.

Reason: To mitigate against any potential influence by the development on these trees.

- 8) Prior to the installation of the bike and bin store a full specification for the construction of this feature should be supplied of the council's consideration and

agreement. This should incorporate the use of a suitable grade of No Dig Cellular Ground Support material within its method of construction.

Reason: To avoid any potential adverse influence on the tree with the neighbouring property.

- 9) 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 (any of the building(s) hereby permitted are first occupied) (change of use hereby permitted carried out).

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 .

- 10) Gas protection measures should be incorporated within the foundations of the proposed structures, approved in prior to commencement of the development by the Local Planning Authority, or a risk assessment should be undertaken to establish whether the proposed development is likely to be affected by gas emissions from the landfill site, provided to and approved by the Local Planning Authority, prior to commencement of the development. Where significant risks are identified or insufficient data hinders an appropriate risk assessment, a targeted site investigation proposal or proposed remedial measures must be provided to and approved in writing by the Local Planning Authority, prior to commencement of the development.

REASON: To ensure that the risks to buildings and their occupants from potential landfill gas are adequately addressed.

- 11) Before any other works hereby approved on the application site are commenced, the new entrance shall be constructed in accordance with the approved site plan. 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.

REASON: In the interest of highway safety.

- 12) Before any other works hereby approved are commenced, visibility splays shall be provided from a point 0.6m above ground level at the centre of the access to the application site and 2.4metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 43metres in each direction along the nearside edge of the adjoining carriageway. Nothing shall be planted, erected and/or allowed to grow on the triangular area of land so formed which would obstruct the visibility described above.

REASON: In the interest of highway and public safety.

- 13) Before any other works hereby approved are commenced, the construction of the vehicular access shall be carried out in accordance with the specification of the Worcestershire Highways Design Guide unless otherwise agreed in writing by the Local Planning Authority. For its first 5m measured back from the carriageway edge the access shall be constructed in a bound material.

REASON: In the interests of highway safety.

- 14) The development hereby permitted shall not be brought into use until the access, turning area and parking facilities shown on the approved plan have been properly consolidated, surfaced, drained and otherwise constructed in accordance with the specification of the Worcestershire Highways Design Guide unless otherwise agreed in writing by the Local Planning Authority. These areas shall thereafter be retained and kept available for those users at all times.

REASON: In the interests of Highway safety and to ensure the free flow of traffic using the adjoining Highway.

- 15) 4 car parking spaces shall be provided on site (50% provision) and shall be reserved solely for that purpose and such spaces be made available for the use before the development hereby approved is occupied and shall be retained in perpetuity.

REASON: In the interests of Highway safety and to ensure the free flow of traffic using the adjoining Highway.

- 16) Prior to the first occupation of the dwellings hereby approved secure parking for 8 cycles to comply with the Council's standards shall be provided within the curtilage and these facilities shall thereafter be retained for the parking of cycles only.

REASON: To comply with the Council's parking standards

Informatives

- 1) The local planning authority is aware of the requirement in the NPPF and Article 35 of the Town and Country Planning (Development Management Procedure)

(England) Order 2015 to work with applicants in a positive and proactive manner, seeking solutions to problems arising from applications.

In this case the applicant:

- sought detailed pre-application advice from the authority and acted upon this advice in advance of the application submission

The proposal therefore delivers a policy compliant sustainable form of development.

- 2) The applicant is advised that the developer's contractors should ensure that access and egress from Barnt Green Station are not impacted or blocked by the proposal.
- 3) The applicant is advised they would be required to seek permission from Severn Trent Water to connect to their foul system as proposed.
- 4) 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.
- 5) 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.

- 6) This permission does not authorise the applicant to carry out works within the publicly maintained highway since such works can only be carried out by the County Council's Approved Contractor, Ringway Infrastructure Service who can be contacted by email worcestershirevehicle.crossing@ringway.co.uk. The applicant is solely responsible for all costs associated with construction of the access.
- 7) Drainage arrangements shall be provided to ensure that surface water from the driveway and/or Vehicular turning area does not discharge onto the Public Highway. No drainage or effluent from the proposed development shall be allowed to discharge into any Highway drain or over any part of the Public Highway.

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