

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Kendrick Homes Ltd	Residential development of 7 No. Dwellings associated garaging Yew Tree Farm, St Kenelms Road, Romsley, Halesowen, Worcestershire B62 0NU	02.05.2018	18/00282/FUL

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

RECOMMENDATION: That planning permission be Granted

Consultations

Highways - Bromsgrove Consulted 20.07.2018

Due to the number of objections raised to the proposed development a review of accident data was undertaken and the application considered by a qualified road safety auditor. This audit has not raised any concerns that there will be an erosion of highway safety as a result of this proposal. The traffic flows in the vicinity are relatively low, no accidents have been recorded in the immediate vicinity of the proposed development, and the existing road width fronting the proposed development is acceptable. Due to concerns raised by the local community the applicant has proposed to increase the footpath width to a minimum 2m; the applicant has also allocated to Worcestershire Highways a 0.7m verge beyond the widened footpath, this allows the highway to be widened should it be deemed necessary at a later date.

The applicant has offered a Unilateral Undertaking to the Highway Authority which provides £35,000 to the implementation of local highway schemes which will be developed in consultation with the Local Parish Council.

The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted the Highway Authority concludes that there would not be an unacceptable highways impact and therefore there are no justifiable grounds on which an objection could be maintained. The Highway Authority therefore submits a response of no objection subject to conditions.

Romsley Parish Council Consulted 23.07.2018

Objection due to impact of proposal on Highway Safety.

Waste Management Consulted 23.07.2018

No objection.

Worcestershire Wildlife Trust Consulted 10.04.2018

No objection subject to conditions.

Senior Community Safety Project Officer Community Safety Consulted 10.04.2018

No objection however consideration should be given to ensuring the site has natural surveillance.

Arboricultural Officer Consulted 19.03.2018

While retention of the Aspens would be preferred, I consider that these are reaching the end of their safe useful life expectancy and that their removal can be adequately mitigated by the indicatively shown tree and hedge planting scheme. As much as possible of the front boundary hedge should be retained during construction to provide immediate screening of the development, ecological benefit and adverse impact on the street scene. I therefore have no objection subject to conditions.

Parks & Green Space Development Officer Martin Lewis Consulted 19.03.2018

No objection subject to control on lighting, particularly at the rear of the site where an existing wildlife corridor exists and subject to the replacement of the front hedgerow.

WRS - Contaminated Land Consulted 19.03.2018

Worcestershire Regulatory Services have no adverse comments to make in relation to contaminated land.

North Worcestershire Water Management Consulted 12.04.2018

To my knowledge the site itself is not at risk of flooding. The site is currently Greenfield. The proposed development will increase the amount of impermeable area, and therefore the amount of runoff generated on this site. In order to not increase flood risk elsewhere the development will need to include measures to not increase the amount of runoff leaving this site. The submitted water management report (Rev A) sets out that the applicant will discharge all surface water via infiltration (soakaway etc) providing that site investigations suggest that ground conditions are suitable. I welcome this as discharge to the ground is always the preferred options, where ground conditions allow. No objection is therefore raised subject to condition.

Hereford and Worcester Fire Officer Consulted 04.05.2018

No objection.

Publicity

43 letters were sent to the surrounding properties on 19th March 2018 and expired on 9th April 2018. Three subsequent 17 day amendment notifications were sent on 20th July 2018, 16th October and 6th November respectively. The amendments related to a number of highways alterations put forward by the applicant. The most recent consultation expired on 23rd November 2018.

88 letters of objection have been as a result of this consultation. The comments received have been summarised as follows;

- Hazardous traffic along St Kenelms Road (including width of road not allowing vehicles to pass, non-compliance with yellow lines and poor driving, use of southern part of the street for Coop staff, shoppers and deliveries, risk to pedestrians and coach collecting school children)
- Four additional vehicular accesses on road causes will exacerbate issues
- Creation of yellow lines will not improve situation with no enforcement
- Road improvements suggested to do overcome objections raised
- Land is within the Green Belt
- Number of dwellings is not considered a village infill
- Land is a pleasant open green field
- Land is outside the village envelope

- Application will set a precedent
- Pavement will be blocked by bins on waste collection day
- Disruption during construction period
- Loss of a view
- Proposed dwellings are not affordable
- There are enough homes of this style in Romsley
- Previous permissions refused locally
- Application would set a precedent
- Impact on ecology (bats/birds/badgers/deer/field mice/foxes/loss of trees and hedgerow etc)
- Date of Ecology Survey was in November
- Light pollution
- Overlooking of properties to the south
- Disruption during construction

Cllr. Sherrey Consulted 15.11.2018

The application should be called into planning committee due to the level of public interest and concerns predominately relating to the safety of the highways

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles

BDP2 Settlement Hierarchy

BDP4 Green Belt

BDP7 Housing Mix and Density

BDP16 Sustainable Transport

BDP19 High Quality Design

BDP21 Natural Environment

Others

NPPF National Planning Policy Framework (2018)

SPG1 Residential Design Guide

Relevant Planning History

17/01377/OUT	Proposed 8 No. homes and associated garages.	Withdrawn	10.01.2018
--------------	--	-----------	------------

Proposal

The application site is located within the Green Belt, with three boundaries adjacent to the designated village envelope. The site is located within the settlement of Romsley and is currently a grass field with a hedgerow along St Kenelms Road. The proposed development is for the construction of 7 dwellings.

The dwellings will consist of the following;

Plot 1 and 2 – Five bed detached dwellings

Plot 3 – Three bed detached dwelling

Plot 4 – Three bed semi-detached dwelling

Plot 5 – Two bed semi-detached dwelling

The proposed access for the dwellings will be sited from St Kenelms Road and the dwellings would be sited in a linear form continuing the existing street scene to the west. The proposal also comprises of engineering operations to facilitate the construction of an addition 2m width to the footpath within the red line plan along St Kenelms Road.

Assessment of Proposal

Green Belt

The development of new buildings in the Green Belt is considered inappropriate, except for a closed list of exceptions outlined in BDP4 of the Bromsgrove Local Plan and the National Planning Policy Framework (2018). BDP4 allows for limited infilling in Green Belt settlements. This policy is compliant with the NPPF which allows for limited infilling in villages under Paragraph 145(e). Romsley is a small settlement as defined in BDP2 of the District Plan. Furthermore, Romsley is one of the settlements within the District where a village envelope has been defined and therefore represents a village in respect of the definition within the NPPF.

The term 'limited infilling' is not defined, however it normally comprises of the development of a modest size gap in an otherwise substantially built-up frontage which is broadly linear in formation. There is no requirement within either the Local Development Plan or the NPPF for the site to be wholly within a defined village envelope. In this instance, the existing site is a break within a ribbon of development along both sides of St Kenelms Road. The linear form of development will create 7 dwellings which bridge this gap in the street scene and the layout follows the overall scale and density of the surrounding built form. The purpose of the policy is to allow for limited infilling which is within the village both physically and functionally. The application site is located opposite the post office and local convenience store and is adjacent to the pub along one of the main routes into the village; therefore the application site is considered to be both physically and functionally linked to the settlement and therefore can be considered as part of this village. Furthermore the scale of 7 dwellings when taking into consideration the size of the village of Romsley is considered to be limited infilling. Having regard to this, the development would present 'limited infilling' and would thus, not represent inappropriate development in the Green Belt within the context of Green Belt policies.

The proposed development also requires engineering operations to extend the width of the footpath to the south of the site within the red line. Paragraph 146 of the NPPF allows for engineering operations provided that they preserve openness and do not conflict with the purposes of the Green Belt. The engineering operations consist of widening the footpath to 2m with the re-siting of the front hedgerow. The proposed footpath is within the context of the existing street and will be a minor increase in hardstanding within the context of other built form. The proposal is considered to preserve openness and is an acceptable form of development in the Green Belt.

Design

St Kenelms Road has a mix of character, the existing street scene comprises of a mix of two storey and single storey dwellings which vary with pitched and hipped roof types. The

north of the street is fairly spacious with a verdant character given its edge of settlement location. The dwellings on the north of the street are generally set back within their plot and set in from their side boundaries. The buildings to the south and east of the site are sited hard on the footpath and to the south of the site there is also the cul-de-sac Kenelm Court which consists of 10 bungalows. The proposed dwellings have been designed to reflect the character and density of the locality. The scheme sites the two larger dwellings on the west of the site and the dwellings get smaller and more rural in character when travelling towards the east to reflect the rural character at the edge of the settlement. The dwellings have been set back to provide parking and turning and some trees and hedging are shown along the front boundary to maintain the verdant edge of settlement character. For these reasons, it is considered that the proposal would reflect the traditional pattern of development along St Kenelms Road in accordance with policies BDP7 and BDP19 of the BDP and SPG1.

Neighbour Amenity

The proposed dwelling at plot 1 will be sited adjacent to the existing dwelling No. 24 St Kenelms Road. Given the orientation of these dwellings no concerns are raised in respect of overlooking, overbearing or loss of light to the occupiers of this property. Furthermore, the proposed dwellings have been designed not to cause an adverse relationship for the future occupiers of the development given the staggered linear form and distances achieved. The neighbour's comments have been considered in respect of overlooking and loss of privacy to the properties opposite. However, the separation distance achieved given the set back of the proposed dwellings within the plots is approximately 31 metres and the orientation of the proposed dwellings would not directly face onto the dwellings on the south of St Kenelms Road opposite. Therefore, overall it is considered that the proposed dwellings would have an acceptable amenity impact on all the surrounding properties in accordance with the guidance within SPG1 and Policy BDP1 of the BDP.

Highways

The proposed development proposes 4 vehicular accesses to facilitate the 7 dwellings. A significant number of objections have been received from the local residents and the Parish Council in respect of the existing parking/blocking of road issues due to its width, close proximity to the Co-op shop and the fact that the road is one of the main arteries into the village. Due to the number of objections raised the County Highways Authority has undertaken a review of accident data and the application has been considered by a qualified road safety auditor. This review of the data has not raised any concerns or demonstrated that the proposal will result in an erosion of highway safety. The traffic flows in the vicinity are relatively low, no accidents have been recorded in the immediate vicinity of the proposed development, and the existing road width fronting the proposed development is acceptable.

Due to the existing situation on the roads and the concerns raised by the local community the applicant has proposed to increase the footpath width to a minimum 2m; the applicant has also allocated to Worcestershire Highways a 0.7m verge beyond the widened footpath, this would allow the highway to be widened should it be deemed necessary in the future. The applicants have also agreed to provide a unilateral undertaking to County Highways for works to the highways outside of the application site. These works are outside of the red line of the application site and having regards to County Council

comments these are not required to make the application acceptable. This does not therefore form part of my assessment and is therefore not conditioned within this recommendation. Furthermore in order to ensure no displacement of vehicles from the proposed development occurs the applicant has provided off-street car parking spaces for each dwelling within the proposed development this includes a turning area to enable vehicles to enter and leave the site in a forward gear.

Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if the proposed development would have an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe. Therefore having regards to the above, Worcestershire County Council have confirmed that the existing situation will not be worsened as a result of the proposed development and in addition to this the applicant has provided some mitigation to the existing situation. Therefore although residents are experiencing issues of vehicles illegally parking and/or blocking the road, the existing issues do not make it reasonable to refuse planning permission in respect of highways matters.

Trees/Ecology

The proposal results in a loss of the Aspens trees on the west boundary, this does not cause concerns given these trees are reaching the end of their safe useful life expectancy and their removal can be adequately mitigated. The front hedge will be required to be removed due to the works widening the footpath. Although the loss of this hedge is not ideal, this is a single species hedge and can be replaced adequately by condition. The Tree officer has raised no objection to the scheme on the basis of the trees to be removed and the replanting proposed.

The applicants have submitted a Preliminary Ecological Appraisal which has suggested that there was no evidence of roosting bats, badgers or reptiles and amphibians on site and has recommended various mitigation measures to avoid committing an offence to any possible protected species. Concerns have been raised locally in respect of the loss of wildlife as a result of this proposal. Whilst the habitat has been identified as less than ideal through the ecology survey, it as an open farmland space with trees and open countryside to the north. Therefore it has been considered necessary to condition the recommendations as outlined within the Ecology Appraisal and the landscaping plan to ensure that the development results in a net gain of ecological habitats.

Drainage

Based on information from North Worcestershire Water Management the site itself is not at risk of flooding. The site is currently Greenfield. The proposed development will increase the amount of impermeable area, and therefore the amount of runoff generated on this site. In order to not increase flood risk elsewhere the development will need to include measures to not increase the amount of runoff leaving this site. The submitted water management report (Rev A) sets out that the applicant will discharge all surface water via infiltration (soakaway etc) providing that site investigations suggest that ground conditions are suitable. No concerns have been raised on this matter subject to conditions.

Conclusion

Other concerns that have not been yet addressed in this report however have been raised during the consultation with the local community include; no affordable dwellings proposed, there are enough dwellings of this style in Romsley, disruption during construction, the development will result in loss of a view, previous applications locally have been refused and that the proposal would set a precedent for future proposals. I will address these matters in turn.

No affordable housing has been proposed as part of this proposal however given the scheme is not for over 10 units the relevant policies do not require this to be provided. BDP7 of the Local Plan does however require proposals for housing take account of identified housing needs in terms of size and type. To ensure mixed and vibrant communities are created developments are required to focus on 2-3 bed properties given the need for this scale dwelling across the district. The current proposal proposes five 2-3 bed properties and is therefore considered to reflect this identified local need.

In respect of whether Romsley has enough of this type of dwelling, both locally and nationally there is a shortfall of housing. Bromsgrove District Council cannot currently demonstrate its five year land supply and therefore this would not be the case.

Although construction is a short term disruption it is acknowledged that St Kenelms Road is a main road into the village and therefore it has been considered reasonable to condition a construction plan to consider the timings of work, the schedule of deliveries and the parking for operatives to ensure that any disruption to the village is kept to a minimum.

The development is proposed to be on an existing green field and there will be a change of view to the neighbouring dwellings, particularly those sited to the south. The loss of a view is not however a material planning consideration.

Whether other applications have been refused locally or whether the proposal would set a precedent locally do not justify refusal of this application. Each application is considered on its individual merits and therefore would need to be assessed against the current local and national policies at the point of submission of the Local Planning Authority.

Comments have been received from Community Safety in respect of the layout of the proposed development. They have suggested that external lighting be considered and that the front hedge be no greater than 1m in height for community safety reasons. The ecologist and tree officer have both requested that the hedgerow be reinstated to offset for any loss in habitats. Furthermore these officers have also raised concerns in respect of external lighting and required the maintenance of dark routes to protect wildlife which is outlined in the submitted ecology appraisal. On balance it is considered that given the location of the site is in a busy part of the village on the main road with a shop and pub in close proximity it is considered that the activity around the site will reduce any issues of community safety concerns and therefore the lighting can be reduced and the hedgerow re-instated to protect wildlife.

The proposal is considered to be an appropriate form of development within the Green Belt. Furthermore, the scheme has been designed to reflect the local character of the

area in respect of layout, density and design. No objections have been received from the consultees and the development does not raise any other planning considerations.

RECOMMENDATION: That planning permission be granted.

Conditions:

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the grant of this permission.

Reason :- In accordance with the requirements of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2) The development hereby approved shall be carried out in accordance with the following plans and drawings:

360-01-01 - Planning Layout, Location Plan and Street Scene

360-04-01 - Plots 1 and 2 Floor Plans

360-04-02 - Plots 1 and 2 Elevations

360-05-01 - Plot 3 Floor Plans

360-05-02 - Plot 3 Elevations

360-06-01 - Plots 4 and 5 Floor Plans

360-06-02 - Plots 4 and 5 Elevations

360-07-01 - Plots 6 and 7 Floor Plans

360-07-02 - Plots 6 and 7 Elevations

356-02-702 P5 – Highways Overlay

REASON: To provide certainty to the extent of the development hereby approved in the interests of proper planning.

- 3) Prior to their first installation, details of the form, colour and finish of the materials to be used externally on the walls and roofs shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: To ensure that the development is satisfactory in appearance, to safeguard the visual amenities of the area

- 4) Prior to occupation of the proposed dwellings, 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.
- c) Details of ecological enhancements such as bat boxes and additional planting

The approved scheme shall be implemented within 12 months from the date when (any of the building(s) hereby permitted are 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 BDP19 and BDP21 of the Bromsgrove District Plan January 2011-2030.

- 5) Prior to the commencement of any works on site including any site clearance, demolition, excavations or import of machinery or materials, the trees or hedgerows which are shown retained on the approved plans both on and adjacent to the application site shall be protected with fencing around their Root Protection Areas. This fencing shall be constructed as detailed in Figure 2 and positioned in accordance with Section 4.6 of British Standard BS5837:2012 and shall be maintained as erected until all development has been completed.

Reason: In order to protect the trees, hedges & landscape features which form an important part of the amenity of the site and adjacent properties in accordance with policies BDP1, BDP19, BDP22, BDP21 & BDP22 of the Bromsgrove District Plan 2011 - 2030 & S11 of the National Planning Policy Framework.

- 6) Development shall not commence until a method statement for the protection of the water environment from pollution during the course of construction has been submitted to and approved in writing by the local planning authority. The statement shall assess the risks from all pollution sources and pathways (including silt, cement and concrete, oils and chemicals, herbicides, aggregates, contaminated land and waste materials) and describe how these risks will be mitigated for this development. Development shall be carried out in accordance with the approved details.

Reason: Given the proximity of the site to the adjacent ditch to ensure that the site does not result in flooding. This is required to be a pre commencement condition, as often the first phases of a development (ground works) can pose the highest risk.

- 7) No building operations shall take place until a scheme for surface water drainage for all impermeable areas 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 and results of field percolation tests. If soakaway drainage is not possible on this site, an alternative method of surface water disposal should be submitted for approval. The scheme shall include the results of an assessment into

the potential of disposing of surface water by means of a sustainable drainage system (SuDS). There shall be no increase in runoff from the site compared to the pre-development situation up to the 1 in 100 year event plus an allowance for climate change. The scheme shall provide an appropriate level of runoff treatment. The development shall be implemented in accordance with the approved strategy prior to the first use of the development and thereafter maintained.

Reason: Given the proximity of the site to the adjacent ditch to ensure that the site does not result in flooding.

- 8) No part of the development hereby approved shall begin until a Construction Management Plan to include details of:
- a. Parking for site operatives and visitors
 - b. Area for site operatives' facilities
 - c. Parking and turning for delivery vehicles
 - d. Areas for the storage of plant and materials
 - e. Wheel washing equipment
 - f. Boundary hoarding (set clear of any visibility splays)
 - g. Hours of operation for the construction phase of the development

have been submitted to, and approved in writing by, the Local Planning Authority. Only the approved plan shall be implemented throughout the construction period.

Reason: To ensure the provision of adequate on-site facilities, in the interests of highway safety and to prevent indiscriminate parking in accordance with the NPPF. This condition is required to be pre-commencement as site operatives would be required to access the site from the start of any site clearance or development.

- 9) All proposed works shall be carried out in accordance with the recommendations as set out in the Preliminary Ecological Appraisal by Cotswold Wildlife Surveys dated November 2017.

Reason: To ensure that the proposal results in a net gain of biodiversity having regard to BDP21 of the Bromsgrove District Local Plan No. 4 and Paragraph 170 of the NPPF.

- 10) The Development hereby approved shall not be occupied until the first 5 metres of the accesses into the development, measured from the edge of the carriageway, have been surfaced in a bound material.

REASON: In the interests of highway safety.

- 12) The Development hereby approved shall not be occupied until an area has been laid out within the curtilage of each dwelling for the following parking provision:

2 and 3 bed dwellings ' 2 car parking spaces per dwelling
5 bed dwellings ' 3 car parking spaces per dwelling

all at a gradient not exceeding 1 in 8. This area shall thereafter be retained for the purpose of parking a vehicle only.

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

- 13) The Development hereby permitted shall not be first occupied until one of the proposed car parking spaces at each dwelling has been fitted with an electric vehicle charging point and thereafter the charging point shall be kept available for the charging of electric vehicles.

REASON: To encourage sustainable travel and healthy communities.

- 14) The Development hereby approved shall not be occupied until the access, parking and turning facilities have been provided as shown on drawing 356-02-702 P5

Reason: To ensure conformity with submitted details.

- 15) The Development hereby approved shall not be occupied until the access, turning area and parking facilities shown on the drawing 356-02-702 P5 has been provided. These areas shall thereafter be retained and kept available for their respective approved uses at all times.

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

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