

| Name of Applicant Type of Certificate | Proposal | Map/Plan Policy | Plan Ref. Expiry Date |
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| Mr. R. Daniels 'A' | Proposed four-bedroom dormer bungalow (as augmented by plans received 17.05.2010) - Land to the rear of 51 Twatling Road, Barnt Green, B45 8HS | Res | 10/0196-DK 01.06.2010 |

Councillor Mrs. A. E. Doyle has requested that this application be considered by the Committee, rather than being determined under delegated powers.

RECOMMENDATION: that permission be **REFUSED**.

Consultations

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| Lickey and Blackwell PC | Consulted: 14.04.2010. Response received: 03.05.2010. There are concerns about the number of infill dwellings in the gardens of this area of Twatling Road. The density of these will change this area significantly. |
| WH | Consulted 14.04.2010. Response received 11.05.2010. No objection to the grant of permission. |
| ENG | Consulted 24.05.2010 Response received: 25.05.2010. |
| EHO | Consulted: 14.04. Response received: 25.05. No objection to the proposed development subject to the conditions relating to the carrying out of a preliminary risk assessment, a scheme for detailed site investigation and appropriate remediation measures. Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors [in accordance with policy ES7 of the adopted Local Plan (January 2004)]. |
| Publicity: | 2 letters sent 14.04.2010, expired 05.05.2010. Site Notice posted 20.04.2010, expires 11.05.2010. |
| | 2 Responses received. The issues raised are summarised as follows: <ul style="list-style-type: none"> ▪ This is the third property to be built on land to the rear of 51 and 53 Twatling Road. The other properties are very large dormer bungalows which are in fact two storey properties. ▪ The access is inadequate for the purposes of an additional dwelling. ▪ The proposal would result in an overall development pattern which would detract from the ambience and character of the area. ▪ The houses are by no means affordable units. ▪ The surrounding residents have endured three years of building works which have caused pollution and disruption to the natural environment. |

The site and its surroundings

The application site is a narrow plot to the rear of 51 Twatling Road with the plot on a NE/SW axis. There is a new dwelling built to the NE and one under construction to the

NW. There is a laurel hedge on the boundary of the site and the site is currently used to store materials.

Proposal

The proposal is a full planning application for the erection of a four-bedroom dormer bungalow.

Relevant Planning History

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| B/2007/0801 | Detached dormer bungalow and garage (re-submission). Granted 12.09.2007. |
| B/2007/0227 | Proposed detached dwelling on site of previous approval B/2005/0519. Granted 27.04.2007. |
| B/2005/0519 | 2 bedroom detached bungalow with separate garage. Granted 10.08.2005. |
| B/2004/0408 | Demolition of existing units and erection of 6 dwellings. Refused 25.05.2004. Appeal dismissed. |
| B/2003/0958 | Erection of 2 x one and a half storey dwellings with detached garages to land at rear and erection of two detached garages at the front with new access (relates to land at 49 and 51 Twatling Road). Granted 21.10.03. |

Relevant Policies

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| WMSS | QE1, QE2, QE3 |
| WCSP | CTC.1, D.5, SD.2, SD.3, SD.4, SD.5, T.1 |
| BDLP | DS4, DS13, S7, C4, C17, BG4, TR1, TR11 |
| Others | PPS1, PPS3, PPS9, PPG13, SPG1 |

Notes

Members should note that there have been a number of applications to develop dwellings in the rear gardens of dwellings on the north side of Twatling Road. This includes the applications outlined in the planning history relating to the above site but also there have been approvals for the erection of two additional residential dwellings in the gardens to the rear of 57 - 59 Twatling Road (B2009/0963) which was approved by Planning Committee on 1st March 2010.

I consider that the key issues in the determination of this application are:

- (i) The principle of development on this site; and
- (ii) The design, density and layout of the proposal and its effect on the amenity of adjoining occupiers and on the surrounding neighbourhood.

In this respect, policies D.5 and SD.3 of the Worcestershire County Structure Plan, policy S7 of the Bromsgrove District Local Plan and the advice of PPS3 (Housing) and SPG1 (Residential Design Guide) are most relevant in determining the application.

Principle

I consider that the principle of the development of this land is not in doubt. It falls within the defined urban area and would make use of previously developed land in accordance with policy SD3 and the advice contained in Annex B of PPS3 which defines previously developed land.

Design, Density, Layout and Amenity

The site forms part of an identified area for low density housing in respect of policy BG4. Policy BG4 states that the special character of the area should be maintained. The area consists of low density housing in a semi rural setting. The erection of the dwelling in the current proposal on a site of 0.04 Ha would result in an overall density of 23 dwellings per hectare which is less than the 30 dwellings per hectare recommended by PPS3. However, the density is higher than the 2 - 8 units per hectare recommended in the explanatory text of policy BG4. I consider that the dwelling and the cumulative effect arising from the previous approvals on the land to the rear of nos. 51 and 53 results in a higher density such that the prevailing character of the area would be changed.

Members should note the comments received from neighbouring residents in respect of the impact of the proposal on the character of the area. The form and layout of the proposal need to be considered against the provisions of policy S7. The dwelling would be aligned to the new dwelling built in the rear garden of no. 53 in a tandem arrangement contrary to the advice of paragraph 5.8 of SPG1. The dwelling approved in the rear garden of no. 49 (B/2010/0196) is set forward of the current proposal resulting in a diagonal arrangement with respect to the current proposal and the dwelling built at the rear of no. 53. The principle of developing rear gardens has been established in the vicinity. However, the cumulative effect of the proposal on the form and layout of development in the area needs to be considered. The design of the proposal is similar to developments already approved in the rear gardens of 51 and 53 under B/2007/0227 and B/2007/0453 respectively. It is noted that the arrangement of the dwelling on the plot is unusual with narrow elevations to the north and south with the principle elevation appearing to be the one to the south. There are dormer windows facing east and velux windows facing west.

In terms of the boundary treatments present on the site, these consist of a hedge of varying heights towards the boundary with no. 49. To the south, there is a 2 metre high wooden fence with the boundary of no. 51 with the application site elevated above this property. There are entirely open boundaries to the access road leading to the new dwellings to the east and north. Whilst the proposal will not lead to the loss of mature trees or boundary hedges, the limited potential of existing screening is noted.

Residential Amenity

In terms of the amenity and privacy of adjoining occupiers, the advice of paragraphs 8.0 - 8.4 of SPG1 are most relevant. A minimum separation distance of 21 metres is required to achieve a degree of privacy between conventional two storey dwellings. There is adequate distance to Nos. 51 and 53 of 40 metres but the difference in levels is noted. There is merely 10 metres separation distance between the kitchen window on the proposal and the gable wall of the new dwelling constructed opposite in the garden to the

rear of no. 53. There is a small window and door serving a utility room in the dwelling opposite and I consider the separation distance inadequate. In terms of the dwelling currently under construction to the NW, the kitchen is set forward and there is 30 metres between the kitchen and the lounge in the current proposal. There is only a 5 metre separation distance from the dwelling approved on the rear garden of no. 49. Whilst there is only a single obscure glazed window to the side of this property, the windows to the west elevation on the proposal will face blank elevations. The bedroom windows to the front and living room windows to the side are set off by less than the required 10 metres from the dwelling built immediately to the rear of no. 53 contrary to the advice of paragraph 8.5 of SPG1. This limited distance is further exacerbated by the current limited boundary treatment. There is also less than 10 metres from the first floor bedroom to the rear garden of the property built to the NW. There is also potential for overlooking the property currently under construction from the windows of the rear bedroom on the proposal. There is virtually no separation distance with the boundary of no. 49. Overall, there would be a poor outlook from the proposal in the direction of no. 49 since this lies to the SE and a significant overshadowing of the dwelling would occur because of the position of the dwelling previously approved at the rear of no. 49. The loss of light to the garden of the new dwelling constructed at the rear of no. 53 because of the position of the proposal is also noted.

In terms of the provision of private amenity space, paragraph 9.0 recommends that a minimum of 70m² of space is required for a dwelling with six habitable rooms. The proposal provides this minimum. However, the amenity space is entirely located at the front with the small spaces at the side and rear of the proposal being of limited utility. It does not include any space for parking in the event of the garage being used for other purposes. It is noted that the dwelling has eight habitable rooms and a larger amount of private amenity space is required commensurate with this. Overall, the garden is inadequate for the size of the dwelling contrary to the advice of SPG1.

Overall, the proposal does not conform with the advice of SPG1 and or with the requirements of policy S7(e).

Other Issues

The site is below the threshold for the provision of an open space contribution in the context of SPG11. The risk of contamination on the land can be addressed through the conditions recommended by Environmental Health. The development can be adequately serviced and would not perpetuate a traffic hazard. Members should note the views of Worcestershire Highways.

Conclusion

The proposal would result in a pattern of development which would increase the density of this low density area. There would be a loss of amenity to adjoining properties by virtue of overlooking and loss of light because of the proximity of the proposal to properties in the immediate vicinity. There is insufficient amenity space available for the proposed dwelling. The comments received stating that the dwelling is not affordable or that there would be further disruption during construction are not attached significant weight. However, the comments which relate to the loss of character from the area as a

result of the proposal and the cumulative effect on character arising from surrounding dwellings has been duly considered above.

RECOMMENDATION: that permission be **REFUSED** for the following reasons:

1. The proposed dwelling does not respect the density and character of the area. As such the proposal is contrary to policies S7 and BG4 of the Bromsgrove District Local Plan 2004 and the advice of Supplementary Planning Guidance Note 1, the Council's Residential Design Guide.
2. The proposed development would not respect the amenity of adjoining occupiers contrary to policies DS13 and S7 of the Bromsgrove District Local Plan 2004 and the advice of Supplementary Planning Guidance Note 1, the Council's Residential Design Guide.