

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan Ref. Expiry Date
Mr. B. Stockford 'B'	Conversion of existing redundant former workshop and stores to a two bedroomed starter home - Land to rear of No.1 Station Drive, Hagley, Worcestershire, DY9 0NX	Residential	10/0453-SC 13.07.2010

Councillor C. R. Scurrell has requested that this application be considered by the Committee, rather than being determined under delegated powers.

RECOMMENDATION: that planning permission be **APPROVED**

Consultations

WH Drainage Engineer	No objection subject to conditions 10.06.2010. Consulted 21.05.2010. No response received to date.
Hagley Parish Council	<p>Objects to the proposal. 25.06.2010.</p> <ul style="list-style-type: none"> ▪ Whatever the correct description of the present building, it has almost certainly never been a separate tenement, but merely an ancillary building to a nearby house. This is not a case of the conversion of a light industrial workshop (which would be non-conforming use) to residential. ▪ The property forms part of Station Road Conservation Area. This means that any planning applications need to reflect the nature of the area, which is of good quality Victorian or Edwardian dwellings, all of them fronting to the street. There is no precedent for permitting back-land development in this area, and no precedent should be permitted. ▪ The site is extremely cramped, almost certainly with insufficient space for vehicles to turn within the site or the drive leading to it. This means that occupiers will be obliged to drive backwards all the way to the street and to back out into the street, which is a busy road. This will be dangerous. ▪ On most sides, the property adjoins private gardens of other houses, which will inevitably be overlooked from the upstairs windows of the proposed house. This will adversely affect the privacy of the neighbours. This could only be addressed by requiring opaque glazing to all upstairs windows; that is sometimes appropriate for one or two windows, but never for them all.
Conservation Officer	<p>Objects to the proposal. 23.06.2010</p> <p>"Thank you for consulting me on this revised application to convert the existing workshop to residential use. I understand that improvements have been made to the site boundary to address highway concerns but no attempt has been made to improve the design quality of the scheme which is well below the standard we should be accepting in a designated Conservation Area. I would refer you to my previous objections made on 7th April and 7th May for application 10/0224 which are still relevant to this current application."</p>

Comments received 07.05.2010:

"The amended plans only appear to make a very small alteration to the smaller dormer window, and do not address my comments on the scheme or those raised by local residents in terms of the impact on the wider Conservation Area. The agent asserts that our previous Conservation Officers were supportive of the scheme, yet one of the objection letters refers to design comments made by a previous Conservation Officer criticizing the proposals. Regardless since the previous applications were submitted in June 2004 and Jan 2006, we now have English Heritage guidance documents on the Management of Conservation Areas published in Feb 2006 (see section 7) and PPS5 Planning for the Historic Guidance published March 2010 (see policy HE7 and paras 76-80 of the accompanying Practice Guide) which provides more guidance for local authorities on the standard of design we should expect in Conservation Areas.

I would therefore reiterate my previous objections to the scheme as detrimental to the character and appearance of the Hagley Conservation Area."

Comments received 07.05.2010:

"I have no objection in principle to the conversion of this building to residential, however the design of the proposed external alterations is well below the standard expected in a Conservation Area and would make an unattractive building even more unsightly. Ideally I would like to see the workshop demolished and a new building erected in its place but an alternative scheme retaining the workshop without the large dormers may be achievable.

I would therefore recommend refusal of this application as detrimental to the character and appearance of the Hagley Conservation Area."

Tree Officer
Strategic
Planning
Publicity

Consulted 21.05.2010. No response received to date.

Consulted 21.05.2010. No response received to date.

4 Neighbour notification letters posted 21.05.2010 expire 11.06.2010
1 additional neighbour notification letters posted 27.05.2010, expires 17.06.2010

Site notice posted 15.06.2010 expires 06.07.2010

Press notice posted 10.06.2010 expires 01.07.2010

4 objections received raising the following issues:

- Vehicular access, parking and manoeuvring issues - concern lack of sufficient space will result in safety issues, may cause surrounding properties to be damaged and have implications for the use of current rights of way to surrounding properties.
- Development would act as a precedent for further infill development.
- Visitor parking would be accommodated in Station drive, an area already overrun with vehicles using the railway station and is busy with parents and school children.

- The proposed development overlooks 5 properties significantly with negative impact on the occupants' quality of life.
- Concern regarding the provision of basic housing utilities and the disruption their provision would cause.
- Lack of distance from front of the building to neighbouring boundaries.
- Current building has been wrongly described as a workshop when is in-fact currently used as a store for building supplies.
- Proposed building does not enhance the character of the local setting or conservation area.
- Existing building will be significantly changed in a manner that is out of keeping with other existing buildings.
- Lack of light to proposed dwelling due to majority north facing windows, overhanging tree canopy and walled courtyard.
- Developing the site would have implications for shared access to garages at the rear.
- Existing building to rear of no.25 Station Road should not be used as a precedent as it was, it is believed, built without planning permission.
- Parking on Station Drive is becoming an increasing problem with current restrictions not being enforced. Further development will aggravate this.
- Hagley Parish Plan 4.3 Housing Guidance H/G/2 states that further infill, consolidation and backland development, which compromise the feeling of the local environment, should be resisted.
- Issue of potential damage to overhanging trees.
- On previous applications, the existing property has been described differently. In reality the current site is a garage with some storage space.
- Impact of noise from driveway on surrounding properties.
- Height of proposed building will reduce light into rear garden.
- Concern regarding an increased 'built up' appearance from the local recreation ground.
- Concern regarding density of housing and lack of amenity space for the proposed dwelling. Inconsistent with surrounding dwellings.
- New dwelling will have views directly towards garages.
- The infill nature of the development is not consistent with the guidance in para. 5.5 -8, SPG1.
- The space between 27 Station Road and the proposed development is insufficient.
- The development will be detrimental to the character, traditional pattern and amenity of the location. The density introduced will be inconsistent with the character of the surrounding development and in particular the garden plot ratio will be out of keeping with the area.

The site and its surroundings

This application relates to an 'L' shaped site located on the southern side of Station Road, Hagley, formed in part by a narrow driveway, which runs between No. 27 Station Road and No.1 Station Drive.

Currently the site supports a brick-built, mono pitch-roofed, two-storey structure with garage facilities at ground floor level with store over. The building is oriented to face the access track and is served by a lean-to store area adjoining the building to the west. The building is in poor condition and backs on to Hagley recreation ground in which three large trees are situated. The canopies of these trees overhang the roof of the existing building. The site is within a designated Residential Area and also within the Station Road Conservation Area.

Proposal

This proposal relates to the conversion and extension of the existing building to provide a two bedroom dwelling. Extensions at ground floor will convert the garage areas into a living room and kitchen/dining area and an enclosed courtyard garden will be formed in the area of the existing store. Two garages adjacent the proposed dwelling will be demolished, subject to meeting the requirements for demolition within a conservation area, and replaced with a car-port structure.

At first floor it is proposed to add a new pitched roof to the building with two large north facing dormers serving the proposed bedrooms. Four velux roof-lights will be provided on the rear elevation of the roof.

Relevant Policies

WMSS	QE3, CF2, CF3, CF4, CF6, T2, T7
WCSP	CTC.1, CTC.5, CTC.20, T1, SD.1, SD.2, SD.3, SD.4, SD.5
BDLP	DS13, S3, S7, TR11, S35A
Others	SPG1, SPG10, SPG4, PPS5, PPS3, PPG13

Relevant Planning History

00/1031	Single storey garage replacing existing concrete structure garage - granted with conditions.
04/0725	Conversion of existing garages and store to two-bedroom dwelling - refused.
05/1051	Conversion of existing workshop and stores into office accommodation - withdrawn.
06/0012	Conversion of existing workshop and stores into office accommodation - refused.
10/0224	Conversion of existing redundant former workshop and stores to a two bedroomed starter home - withdrawn.

Notes

The application site lies within an established residential area and falls within the definition of previously developed land, as defined in Planning Policy Statement 3 (PPS3): Housing. PPS 3 states that the priority for development should be previously developed land. It is noted, however, that a recent revision to PPS 3 also states that, "There is no presumption that land that is previously-developed is necessarily suitable for housing development..." and that Local Planning Authorities "...when identifying

previously-developed land for housing development...need to consider sustainability issues as some sites will not necessarily be suitable for housing."

With respect to assessing the suitability of this particular site, the main issues, given the policies contained within Planning Policy Statement 3: Housing, West Midlands Spatial Strategy (WMSS), the Worcestershire County Structure Plan (WCSP), and the Bromsgrove District Local Plan (BDLP), are viewed to be:

1. The principle of developing a housing unit on this previously developed site.
2. The suitability of the site to support an additional unit given the character of the area, the impact on the amenity of adjoining occupiers and the amenity provided for the unit.
3. The impact of the development on the character and appearance of the Conservation Area given the duty of the Local Planning Authority to ensure that development preserves or enhances the character or appearance of that area.
4. Highways Safety.

I am also mindful of the concerns raised by third parties. These are largely considered to fall within the main subject areas set out above and are addressed within the relevant sections of this report.

The principle of the development

With respect to assessing the principle of developing this particular site, in reference to PPS 3, it is noted that:

- A key objective is that Local Planning Authorities should continue to make effective use of land by re-using land that has been previously developed.
- The site is within a well established residential area. This enables existing urban areas to be a source of employment and recreational opportunities, reducing the need to travel to such facilities.
- The site is well-connected to public transport, with Hagley railway station located within close proximity.
- The site is also located within close proximity to open community green space and also provides limited private outdoor amenity space.

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. In reference to Policy S7, it is noted that:

- The proposal relates to the conversion of an existing building. A similar building exists at the rear of 25 Station Road. Additionally, to the rear of No.6 Station Drive is a further development along the same 'building line.' In this context, it is not considered that the form or layout of the development can be said to be inappropriate for the area.
- It is also noted that the site has an area of 475m² and that the density of the site will be 21 dwellings per hectare. Given the development involves the conversion of an existing building to a small two bedroom home, I consider that this density is acceptable in the context of the local area.

Further to the above matters, it should be noted that the development of previously developed sites helps to relieve development pressures (albeit to a limited extent) on more sensitive Green Belt sites. As members will be aware, a moratorium on new housing development was put in place in 2003 through the adoption of Supplementary Planning Guidance Note 10 (SPG10) to manage a situation of oversupply. It is noted a previous application in 2004 for a similar conversion of the existing building to a 2 bed dwelling was refused on the basis of the guidance provided within SPG10.

Guidance provided in SPG10 has now been superseded by policies contained in PPS3, the adopted Regional Spatial Strategy and the revised housing figures published by the Inspectorate in response to the Phase 2 revision of the RSS. This revised guidance means that SPG10 is no longer enforceable and therefore windfall development of this scale would not result in an over-supply of housing.

Taking the above matters into consideration, the principle of the site as being suitable to support additional residential accommodation is viewed as acceptable.

Conservation Area - Character and Visual Amenity

The Council's Conservation Officer has been consulted on this application and whilst no objection is raised to the principle of developing this site, the submitted designs are viewed as "well below the standard we should be accepting in a designated Conservation Area." It follows that the Conservation Officer recommends the refusal of this application as it is "...detrimental to the character and appearance of the Hagley Conservation Area."

The above concerns regarding design are duly noted and in any assessment of development within a Conservation Area, significant weight is to be given to the Council's Conservation Officer's consultation response. At the same time, I note that the applicant previously submitted similar designs in 2006 and that no objection was raised by the Council's Conservation Officer in post at this time. Conservation Officer comments relating to the 2006 proposals stated,

"...Whilst not entirely convinced about the lean-to entrance, overall this is an improvement on the existing, and subject to materials and the colour of timber cladding, I would not wish to object."

Policy CTC.20 of the Worcestershire County Structure Plan (WCSP) and policies S35A and S36 of the Bromsgrove District Local Plan (BDLP) highlight that the Council will seek to preserve or enhance the character or appearance of Conservation Areas and will under take measures as appropriate to promote and improve the environmental quality of such areas.

Comments received from the Conservation Officer suggesting that the current building should be demolished and replaced with an entirely new building reaffirm the view that the current building is of a poor aesthetic quality. The applicant, following Conservation Officer comments, has revised previously submitted designs, reducing the size of one of the dormer windows. Whilst this revision is only a minor change, it is viewed as an improvement on previously submitted designs.

Whilst I acknowledge the Conservation Officer's concerns relating to the design of the current proposal, it is also necessary to acknowledge that for this development to be acceptable in terms of S35A, it need only preserve the character or appearance of the Conservation Area with reference to the aesthetic contribution made by the existing poor quality building. With reference to the refusal of similar designs in 2006, it is noted that the design of the conversion of the existing building was not raised as a conservation issue or refusal reason. Indeed, the refusal reason relating to the Conservation Area attached to the 2006 application's refusal is concerned with the loss of the screening due to the demolition of adjacent garages. However, given Conservation Area Consent is only required when demolition exceeds 115m³, the proposed demolition of the garages contained within this current application could ostensibly be completed without the need for Conservation Area Consent.

Thus, on balance, having regard to the poor quality of the current building and its off-street location, I am of the view that the proposed development would not materially harm the character and appearance of the Station Road Conservation Area and would, subject to conditions controlling materials, indeed preserve its character and appearance by virtue of renovating a poor quality structure.

Residential Amenity Issues

It is noted that residents of properties adjoining the application site have expressed concern with regards to the loss of privacy due to overlooking.

Paragraph 8.5 of SPG1: Residential Design Guide states that windows overlooking existing private spaces should be set back by a distance of 5m per storey from the site boundary where it adjoins a private garden area. As the proposed dormer windows are at first floor level, these windows should be set back by a minimum of 10m from the site boundary. In this case, one of the proposed dormer windows is only set back 4.7m from the common boundary with No.1 Station Drive. It is noted, however, that the presence of a substantial garage and driveway to the garage are located to the rear of No.1 Station Drive. The siting of this structure is such as to inhibit direct overlooking and any significant loss of light to the rear garden of that dwelling. It is also noted that a degree of direct overlooking could occur into the garden of number 27. However given the orientation of the window and the screening provided into that area by existing tree growth, which is protected by virtue of being within the Conservation Area, then it is considered that the impact on amenity would not be so demonstrably harmful as to refuse consent.

Letters of objection also mention:

- a) Concern regarding lack of amenity space for the proposed dwelling.

Paragraph 9.2 of SPG1 guides that small house types, whilst not having the same functional need for private amenity space as larger family dwellings, should provide a garden area of approximately 42m². The proposed walled courtyard garden measures approximately 28m². However, given the proximity of the site to the recreation ground, it is viewed that this limited space is sufficient and that proposed designs satisfy the requirement set out in PPS3 for good access to open amenity space.

b) Impact of noise from driveway on surrounding properties.

The access drive currently serves a number of garages, including a recently constructed garage at the rear of No.1 Station Drive. Also, there is an existing right of way to the rear of No.3 Station Drive. Given that no control in terms of hours of use or number of movements exists with respect to these existing rights, it is not considered that the development would bring about a materially more harmful situation.

c) The space between 27 Station Road and the proposed development is insufficient.

SPG1 provides guidance relating to the minimum separation distance between buildings to ensure acceptable privacy. A minimum separation of 21m is required to achieve a degree of privacy within conventional two-storey dwellings. The proposed designs satisfy this 21m requirement over a 90 degree field of vision. SPG1 guides that where significant variations in levels between the existing dwellings and the new development occur, the minimum separation distance must be adjusted accordingly. Given the application site and the surrounding land are predominantly flat, it is viewed that there is not significant difference in levels and no need to adjust the 21m required.

Highways

This application is a resubmission of an application (10/0224) previously withdrawn following the Council's Highways Officer's recommendation for refusal. In consideration of application 10/0224 the Council's Highways Officer commented,

"The application site is required to provide one external car parking space (excluding garages) and in this instance there is a right of access to be maintained. The proposed garages are not considered to be a car parking space and there is insufficient space to allow a vehicle to manoeuvre in front of the garage doors. There is insufficient spaces in front of the proposed dwelling to park a car and maintain the existing right of access to allow a vehicle to pass. Therefore the application fails to provide adequate car parking provision and maintains the right of access."

The current proposal has now addressed the above highways concerns and the Highways Officer has indicated that the proposal is now acceptable in terms of highways requirements subject to conditions relating to cycle parking and surfacing. I note the concerns of local residents regarding vehicular access, parking and manoeuvring, however, given the weight attached to the Highways Officer's comments, it is viewed that the proposal satisfies the requirements for vehicular turning and parking and complies with TR11 of the BDLP.

Trees

I note that the Tree Officer has made no comment on the application as yet. Nonetheless it is acknowledged that the existing building is shaded to the south by the existing overhanging tree canopy. The substantially similar previously submitted designs of the 2006 application raised no objection from the Council's Tree Officer and it is viewed that

the tree implications of the current proposal, given its essentially identical dimensions to the 2006 application, can be suitably addressed through the imposition of conditions to be confirmed by the Council's Tree Officer in the update.

Conclusion

This proposal would fulfil the requirements set out in Policies DS13, S3, S7, TR11, S35A of the BDLP 2004, the Council's Residential Design Guidance SPG1, PPS3 and PPS5, by not adversely affecting the character or appearance of the Conservation Area or the amenities of neighbouring residents to such an extent as to warrant refusal, whilst also maintaining a form and layout of development that is existing and appropriate to the area.

Taking the above points into consideration and on balance, it is considered that the proposal constitutes an appropriate form of development in the location proposed and I recommend that permission be granted.

RECOMMENDATION: that permission be **APPROVED**

1. C01
2. C03
3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification, no development permitted under Article 3 and described within Classes A, B, C, D or E of Part 1 shall take place without the prior written consent of the Local Planning Authority.
4. HC25
5. HC36
6. Prior to the commencement of the development hereby approved, details of the car-port to be erected shall be submitted to and approved in writing by the Local Planning Authority.

Reasons

3. To protect the amenities of the locality and residential amenities of the adjoining occupiers in accordance with policy S7 of the Bromsgrove District Local Plan and policy CTC.1 of the Worcestershire County Structure Plan 2001.
6. To protect the character and appearance of the local conservation area in accordance with S35A of the Bromsgrove District Local Plan 2004.