

**PLANNING
COMMITTEE**

3rd April 2013

PLANNING APPLICATION 2012/306/FUL

**PROPOSAL: ERECTION OF TWO STOREY BUILDING CONSISTING OF 2
NO. 1 BED FLATS**

**LOCATION – LAND TO THE REAR OF 36 MARSDEN ROAD,
SMALLWOOD, REDDITCH**

**APPLICANT: MR FAROOQUI
EXPIRY DATE: 4 FEBRUARY 2013**

WARD: CENTRAL

(See additional papers for Site Plan)

The author of this report is Sharron Williams, Planning Officer (DM), who can be contacted on extension 3372 (e-mail: sharron.williams@bromsgroveandredditch.gov.uk) for more information.

Site Description

Site comprises of two areas of land that are split level with an approximate 1.5 metre drop between the two areas of land. The area adjacent to the public footpath comprises of a hardstanding area, whilst the adjacent parcel of land at the lower level is a garden area for No.38 Marsden Road.

The area generally is predominantly residential in the form of Victorian terraced housing, and a spring works building exists to the south west of the site.

Proposal Description

Permission is sought to build on the hardstanding area to provide 2 No. one bedroom flats. A flat would be on each floor and have one bedroom, bathroom, living room, and kitchen. Car parking for a total of two cars (one for each flat) would be provided at the side of the building (on the hardstanding).

The amenity provision for each flat would be mainly at the rear (on the garden land). Access to the amenity space areas (approx 28.8 and 31.9 square metres for each flat) would be via two separate external staircases. 2 metre high fencing would be provided to enclose the amenity areas.

The building would have two doorways to the flats on the front elevation with a canopy porch covering most of the front elevation. A dual pitched roof is proposed. However, to reduce the height of the proposal, the first floor flat would comprise of dormer windows and roof lights. A small garden is proposed at the front of the flats and waist height railings are proposed on the front to define the boundary of the site.

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The application is supported by a Design & Access Statement, and refers to the previous application that was refused highlighting the following changes that have been made to the proposal:-

Building reduced in width.

The building is set back from the rear elevation of 36 Marsden Road.

The gable and pitched roof design has changed.

The angle of the roof pitch has been reduced.

Increased amenity space for future occupants.

Change in design in respect to architectural features on the building.

Relevant Key Policies

All planning applications must be considered in terms of the planning policy framework and all other relevant material considerations (as set out in the legislative framework). The planning policies noted below can be found on the following websites:

www.communities.gov.uk

www.wmra.gov.uk

www.worcestershire.gov.uk

www.redditchbc.gov.uk

National Planning Policy

National Planning Policy Framework (NPPF)

Paragraph 58 of the NPPF aims to ensure that developments optimise the potential of the site to accommodate development, reflect local character, create safe and accessible environments, and a scheme that is visually attractive as a result of good architecture and appropriate landscaping.

Paragraph 215 of the NPPF states that due weight be given to relevant policies in existing plans according to the degree of consistency with the NPPF (the closer the policies of the plan to the policies of the NPPF, the greater the weight that may be given).

Regional Spatial Strategy (RSS) and Worcestershire County Structure Plan (WCSP)

Whilst the RSS and WCSP still exist and form part of the Development Plan for Redditch, they do not contain any policies that are directly related to or relevant to this application proposal. Therefore, in light of recent indications at national level that Regional Spatial Strategies and Structure Plans are likely to be abolished in the near future, it is not considered necessary to provide any detail at this point in relation to the RSS, or the WCSP.

Borough of Redditch Local Plan No.3

CS.7 The Sustainable Location of Development

B(HSG).6 Development within or adjacent to the Curtilage of an Existing Dwelling

B(BE).13 Qualities of Good Design

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In accordance with paragraph 215 of the NPPF, the above policies should be afforded due weight, as the aspirations of these policies are consistent with the NPPF.

Supplementary Planning Guidance / Supplementary Planning Documents

Borough of Redditch Supplementary Planning Guidance (SPG) on Encouraging Good Design

Borough of Redditch Supplementary Planning Document (SPD) on Designing for Community Safety

Relevant site planning history

Appn. no	Proposal	Decision	Date
2004/080	36 Marsden Rd- resubmission – change of use of ground floor retail accommodation to pizza takeaway	Refused Appeal- Allowed	12 May 2004 3 March 2005
2012/186	Land to the rear of 36 Marsden Road Erection of a two storey building consisting of 2 No. 2 bed flats	Refused	7 Sept 2012
	<i>Land across the road – garage site, Glover Street</i>		
1999/057	2 flats with 2 bedrooms and car parking	Refused Appeal - Dismissed	6 May 1999 19 Jan 2000
2000/233	2 x 1 bed flats with car parking	Outline approval	17 July 2000
2001/448	Reserved matters – two flats (now built)	Approved	30 July 2002

Public Consultation Responses

Responses in favour

1 comment received raising the following points:

- The site is compact and suitable for two flats, have no objection to the new build provided the construction is compatible with the local houses and in keeping with the streetscene.

Responses against

3 comments (2 from the same person) received raising the following points:

- Concern regarding right to light, given the proposed building would be at a higher level than properties in Marsden Road. A two storey dwelling in the proposed position would have a considerable impact on light available to existing properties.

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- The proposal would be a full storey higher of the gardens of Marsden Road and the area would be overlooked. There would be extra disturbance and noise due to the enclosing nature of the development.
- The density and design of the area is terraced houses with long gardens backing onto one another. The proposal neither falls into current street lines nor is in the style or proportion of the area.
- Smallwood area is under the Residents Parking Scheme, acknowledging that parking is an issue in the area. The proposed flats will create additional pressure on parking. The land is informally used for parking currently.
- Part of the application site is currently customer car parking for Lazio Pizza and was imposed as such under a planning condition. Car parking is a problem in this area in the late afternoon and evenings.

Consultee Responses

County Highway Network Control

No objection subject to conditions. Whilst the site may have been allocated for car parking for the pizza takeaway, there is sufficient car parking available in the adjacent car park on Glover Street to accommodate any shortfall in on street parking as a result of this proposal.

WRS (Environmental Health)

Records show that the proposed site is directly adjacent to a previous unspecified factory and engineering works. In addition, it is about 116 m from a previous transport site. Records also show that buried tanks are close to the proposed site of the development. Therefore, recommend that the general contaminated land condition be imposed.

Crime Risk Manager

Pre application advice was given on the first planning application, would request that these details be incorporated within the proposal.

Severn Trent Water

No objection subject to a condition regarding drainage details.

Assessment of Proposal

This application is a resubmission of a proposal for 2 No. 2 bedroom flats that was refused planning permission (7 September 2012) for the following reasons:-

- 1 Due to the difference in levels, orientation and close proximity between the proposed flats and the rear of properties on Marsden Road, the development would have an overbearing and detrimental impact on the amenities of the occupiers of the existing properties. As such the proposal would be contrary to Policies B(BE).13 and B(BE).14 of the Borough of Redditch Local Plan No.3 and the Borough of Redditch Supplementary Planning Guidance on Encouraging Good Design.

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- 2 The design of the building in terms of roof design and elevational treatment would not be in keeping with the general character and pattern of the streetscenes of this area. As such the proposal would be intrusively out of character with the area and would be contrary to Policies B(BE).13 and B(BE).14 of the Borough of Redditch Local Plan No.3 and the Borough of Redditch Supplementary Planning Guidance on Encouraging Good Design.

The proposal has been revised and the key issues for consideration in this case are:-

Principle

The site is within the urban area and is undesignated in the Borough of Redditch Local Plan No. 3. However, the area is predominantly residential. Therefore, the principle of some form of residential development on the land is acceptable. Given the urban location of the site, which is preferable sequentially to more remote sites, the proposal would comply with policy CS.7 of Local Plan No.3.

Design and layout

Under the previous application (2012/186), the design of the proposed flats lined up with adjacent buildings on the road and was two storeys in height. A hipped roof was proposed and elevational treatment / detailing was shown to create interest. However, there is a substantial difference in levels between the hardstanding area of the application site and the rear of existing dwellings of Marsden Road with the hardstanding area being at a higher level. Due to the close proximity of the existing dwellings on Marsden Road, and their orientation in relation to the site as well as the difference in levels, it was considered that the mass of the resultant building would have had an overbearing and detrimental impact on the amenities of the occupiers of the existing properties. The proposed building also comprised of a hipped roof being out of character for the housing in this area, and the application was subsequently refused for the above reasons.

The current application initially included amendments to address the reasons for refusal of the previous application, and was still submitted as 2 No. 2 bedroom flats. Officers still raised concerns regarding the size of the footprint and the overall height of the scheme and its potential impact on the neighbouring properties. As a result of negotiations between officers and the agent, the scheme was reduced to 2 No. 1 bedroom flats resulting in a reduction in the overall dimensions and the provision of first floor windows comprising of dormer windows and rooflights. The resultant changes would create the following dimensions for the scheme compared to that refused under 2012/186:-

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	Refused application 2012/186	Current proposal as amended
Size of the footprint of the proposed building	10.5 x 5.5 metres Total floorarea = 57.7 m ² excluding bays	8.0 x 6.4 metres Total floorara = 51.2 m ²
Overall height of the building	7.6 metres	6.4 metres
Rear amenity space for each flat	28.5 and 28.5 m ²	29.6 and 33.6 m ²
Spacing between the side wall of the flats and the rear wall of the following properties:- 36 Marsden Road 38 Marsden Road 40 Marsden Road	Approximately 9.8 metres Approximately 11.5 metres Approximately 12.5 metres	Approximately 12.7 metres Approximately 14.6 metres Approximately 14.6 metres
Spacing between the rear wall of the flats and the rear wall of the following properties (not directly facing):- 42 Marsden Road 44 Marsden Road	Approximately 15.0 metres Approximately 17.0 metres	Approximately 17.5 metres Approximately 19.2 metres

The above information demonstrates that the amendments have reduced the overall footprint of the proposed building creating better distances between the proposal and the existing dwellings of Marsden Road. In addition, the overall height of the proposal has been reduced by 1.2 metres in order to reduce the overbearing impact of the proposal on neighbouring properties. Also, because the footprint has been reduced the overall mass has reduced, again reducing the potential overbearing impact of the proposal on neighbouring occupiers. The amended scheme has resulted in an increase in the amenity space for the proposed 1 bedroom flats.

It is considered that the amendments address issues regarding overbearing and detrimental impact on the amenities of the occupiers of the existing properties and as such would comply with policy B(BE).13 of the Borough of Redditch Local Plan No.3.

The Council's Supplementary Planning Guidance (SPG) on Encouraging Good Design requires 35 sq m of amenity provision for flats. The proposal provides approximately 29.6 and 33.6 m² of amenity space for each flat at the rear. In addition, a narrow amenity provision at the front of the flats equates to approximately 12.4 m². Therefore, the total amenity provision would comply with the requirements of the SPG.

Under the previous application, officers expressed concerns about the design of the building in respect to the hipped roof. Also the elevational treatment for the front elevation seemed a little busy and more akin to suburban housing rather than relating to the local Victorian architecture in the area. As such, the

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proposal was considered to be intrusively out of character with the area and contrary to policy B(BE).13 of the Borough of Redditch Local Plan No.3. The revised application has design elements that relate better to the local architecture in the area, with the omission of the hips to the roof, and the provision of a mono-pitched canopy and dormer windows. As such the proposal would be more in character with the area and would comply with Policy B(BE).13 of the Borough of Redditch Local Plan No.3 and the Borough of Redditch Supplementary Planning Guidance on Encouraging Good Design.

Highways and Access

Under reference 2004/080, the appeal decision for the takeaway imposed a condition requiring the car parking facilities to be provided and to be used for car parking thereafter for the takeaway. County Council Network Control are aware of the appeal condition but have also noted how much these spaces are being used at present, and have raised no objection to the proposal and recommend standard conditions and informatives. It is important to note that the required provision of off street car parking would be provided for these 1 bedroom flats.

Conclusion

The principle of the proposal in this location is considered to be acceptable. However, the proposal was previously refused because of its overbearing impact on the neighbouring properties as well as design features that did not relate so well with the streetscene.

It is considered that the amendments made to this proposal appear to address the potential overbearing impact that the scheme could have on the neighbouring occupiers. In addition, the design features that have been introduced as a result of the amendments made enable the proposal to be more in keeping with the neighbouring properties and as such the proposal would comply with policy B(BE).13 of Local Plan No.3 and the Borough of Redditch SPG on Encouraging Good Design.

Recommendation

That having regard to the development plan and to all other material considerations, planning permission be GRANTED subject to conditions and informatives as summarised below:-

1. Development to commence within 3 years.
2. Details of materials to be submitted and approved.
3. Plans approved specified.
4. Landscaping scheme to be submitted and approved.
5. Landscaping scheme to be implemented.
6. Access and parking facilities.
7. Contaminated land condition.
8. Hours of work during construction to be limited.
9. Permeable hardsurfacing to be used.

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10. Drainage condition.
11. Boundary treatment to be implemented.

Informatives

1. Reason for approval.
2. LPA acted in a positive and proactive manner.
3. Private apparatus within the highway.
4. Alteration of highway to provide new or amend vehicle crossover.
5. Secured by design.
6. Drainage advisory note.

Procedural matters

This application is being reported to the Planning Committee because the recommendation is that permission be granted and there have been more than 2 letters of objection to the proposal. As such the application falls outside the scheme of delegation to officers.