



# Planning Committee

Batchley Ward

3 March 2009

**2008/342FUL ERECTION OF A TWO STOREY DETACHED DWELLING AND GARAGE  
5 WILLOW WAY, BATCHLEY  
APPLICANT: ABBEY AND LYNDON  
EXPIRY DATE: 22 DECEMBER 2008**

Members may recall considering this application at their meeting in January 2009, and raising concerns which meant that they delegated the application to Officers. The concern of Members related to the vehicular access/egress of the property, and the safety of creating this driveway onto a one-way street. Some Members were keen to see a sign placed on the highway opposite the site in order to clarify to drivers the road network they enter as they leave the site. The resolution is summarised as follows:

## **RESOLVED that**

**having regard to the Development Plan and to all other material considerations, authority be delegated to the Acting Head of Planning and Building Control, to GRANT Planning Permission, subject to:**

- 1) the conditions and informatives as detailed in the report; and**
- 2) negotiations being pursued to address issues relating to additional signage indicating a one-way road system opposite the application site and, should such negotiations be unsuccessful, the matter be brought back to Committee for further consideration.**

This matter therefore returns for your attention under the final clause of paragraph 2) above for the reasons set out below.

Following liaison with Officers from the County Highway Network Control team and others within the Highway Authority, they have confirmed that such a sign would not be required, and that it should not form a requirement of the planning permission. In terms of procedures, your own planning Officers do not consider that such a requirement would meet the test of reasonableness as set out in the legislation.

Further information is also considered pertinent to the consideration of this case, and that is that the other residential properties along this section of Willow Way all benefit from Permitted Development Rights under the planning legislation which would mean that they could create a vehicular drive in their front garden over which this Local Planning Authority would have no control, and it therefore further seems unreasonable to request it in this case when it could not be required in others.

Therefore, as the concerns raised by Members have not been wholly addressed, the report, as previously provided, along with this extra information, is now re-presented for a decision to be made.

Report as printed on 6 January 2009 agenda papers follows:

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AND GARAGE  
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WARD: BATCHLEY**

**Site Description (See additional papers for Site Plan)**

The site consists of a parcel of land at the side of 5 Willow Way which formed part of the garden area for this property but has recently been fenced off following the submission of this application. The site has shrub and hedge planting and a single storey building attached to No. 5 Willow Way. The single storey building would need to be demolished in order to implement the proposed development. The site is relatively level and is very slightly elevated in relation to 6 Willow Way.

**Proposal description**

A 3 bedroom two storey dwelling is proposed with an attached single size garage. Part of the dwelling would be set slightly further forward of the adjacent property (No.5), and have garden area to the rear. Access to the development is via a new access off Willow Way.

**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](http://www.communities.gov.uk)  
[www.wmra.gov.uk](http://www.wmra.gov.uk)  
[www.worcestershire.gov.uk](http://www.worcestershire.gov.uk)  
[www.redditchbc.gov.uk](http://www.redditchbc.gov.uk)

***National Planning Policy***

PPS1 (& accompanying documents) Delivering sustainable development  
PPS3 Housing

***Regional Spatial Strategy***

CF2 Housing beyond Major Urban Areas  
CF3 Level and Distribution of New Housing Development  
CF5 The reuse of land and buildings for housing  
CF6 Making efficient use of land  
T2 Reducing the Need to Travel  
T7 Car Parking Standards and Management

### ***Worcestershire County Structure Plan***

SD.3 Use of Previously Developed Land

SD.4 Minimising the need to travel

T.4 Car Parking

### ***Borough of Redditch Local Plan No. 3***

CS.3 Use of Previously Developed Land

CS.4 Minimising the Need to Travel

CS.7 The Sustainable Location of Development

B(HSG).6 Development within or adjacent to the curtilage of and Existing Dwellings

B(BE).13 Qualities of Good Design

B(BE).19 Green Architecture

C(T).12 Parking Standards

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

### **Relevant Site Planning History**

None

### **Public Consultation Responses**

#### Responses in favour

1 letter of support from CPRE. Site is garden area of 5 Willow Way with boundary hedging on all three sides of the site. Some planting will need to be removed to implement the development. Generally CPRE support development of the site.

#### Two letters of comment raising the following points:-

- Proposed drive may affect the existing lamppost which will probably need to be relocated.
- Concern about noise during construction and that parking for builders is kept within the confines of the application site.

### **Consultee Responses**

#### ***County Highway Network Control***

No objections subject to conditions.

#### ***Environmental Health***

No objections

#### ***Severn Trent Water Ltd***

No objection subject to conditions.

### **Assessment of Proposal**

The key issues for consideration are as follows:-

#### Principle

The site currently forms part of the garden area of 5 Willow Way which is residential and is situated in a primarily residential area. Therefore, the

principle of residential development in this location is considered to be acceptable because it is brownfield land within the urban area of Redditch.

### Design and Layout

The building line of the proposed dwelling is similar to that of No. 5 Willow Way, although it would be slightly further forward, it would be in keeping with the layout and character of the surrounding housing.

The proposal complies with the Council's SPG on Encouraging Good Design and is designed to complement the adjacent housing with the use of materials to match the existing properties.

### Landscape and Trees

No details have been provided as part of the application although it is indicated in the Design and Access Statement that all disturbed areas of hedges and planting will be reinstated on completion of the new dwelling.

### Highways and Access

Adequate off street car parking would be provided for the proposed dwelling. The existing property had no provision of off street car parking and this would remain the same if planning permission is granted for the proposal.

County Highway Network Control has no objection to the proposal. Comments have been made by a neighbour that the location of the access could affect a lamppost. This matter can be easily remedied (if necessary the lamppost repositioned). An informative could be imposed advising the applicant of the possibility of relocating the lamppost.

### Sustainability

The applicant has provided a Climate Change Statement. This specifies that the design of the overall floor area has been kept to the minimum with very little wasted circulation space to reduce the overall building material used. The house will be constructed using highly insulated walls, roof and floor and the heating system will be based on the use of a gas fired high efficiency condensing boiler. In addition, serious consideration will be given to the use of passive solar heating panels to offset the hot water requirements of the dwelling.

### Conclusion

The proposal is considered to comply with policy and is unlikely to cause significant harm to amenity.

### **Recommendation**

**Having regard to the development plan and to 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.
3. Landscape scheme to be submitted and implemented.
4. Failure of planting to be replaced.

5. Limited working hours during construction.
6. Car parking for site operatives.
7. Dwelling to be built to a minimum Level 3 requirement set out under Code for Sustainable Homes.
8. Drive area to be of a permeable surface and retained as such.
9. Access, turning and parking

### Informatives

1. Applicant to be advised that lamppost may need to be relocated.
2. Mud on highway.
3. Private apparatus within the highway.
4. Alteration of highway to provide new or amend vehicle crossover.
5. Drainage details to be in agreement with Severn Trent.