

**PLANNING
COMMITTEE**

6th August 2014

Planning Application 2013/254/FUL

Proposed demolition of 'Uphill', and erection of two detached dwellings

Land at Uphill, Sambourne Lane, Astwood Bank

Applicant: Elevate Design Build
Expiry Date: 4th December 2013
Ward: ASTWOOD BANK AND FECKENHAM

(see additional papers for Site Plan)

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Site Description

The application site which is roughly square in shape lies to the southern side of Sambourne Lane. The existing dormer bungalow 'Uphill' together with associated outbuildings is situated towards the centre of the plot, with detached properties beyond its western and eastern boundary. The southern boundary to the site is the side garden boundary to number 1201 Evesham Road.

Sambourne Lane is effectively open to the north with ribbon development consisting of two storey and single storey buildings to its southern side.

Proposal Description

This is a full planning application to erect of 2 no. five bedroomed detached dwellings on the site of the existing bungalow 'Uphill' which, together with its associated outbuildings would be demolished in order to facilitate the new build. Access to the dwellings would be via a new vehicular access / egress onto Sambourne Lane, positioned roughly mid-way between the plot. Both properties would share the new access. The existing bungalow (to be demolished) currently accesses the site via Sambourne Lane at a point towards the north-east corner near to the boundary with the bungalow Grandview. This existing access would be permanently closed if planning permission were to be granted.

Relevant Policies

Borough of Redditch Local Plan No.3:

CS07 The Sustainable Location of Development
BHSG06 Development within or adjacent to the curtilage of an existing dwelling
BBE13 Qualities of Good Design
BRA08 Development at Astwood Bank
CT12 Parking Standards

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Emerging Borough of Redditch Local Plan No.4:

- Policy 2: Settlement Hierarchy
Policy 5: Effective and Efficient Use of Land
Policy 39: Built Environment
Policy 40: High Quality Design and Safer Communities

Others:

- NPPF National Planning Policy Framework
SPG Encouraging Good Design

The site is situated within the settlement boundary for Astwood Bank.

Relevant Planning History

2008/265/FUL	Demolition Of Existing Dwelling And Erection Of 4 No. Dwellings	Refused 18.09.2008
		Dismissed at Appeal 28.05.2009

Consultations

Area Environmental Health Officer

No objection

Highway Network Control

No objection subject to the imposition of planning conditions relating to access, turning and parking provision and the closure of the existing vehicular access.

Severn Trent Water Ltd

No objection. Drainage details to be subject to agreement with Severn Trent Water

Public Consultation Responses

Responses in support

1 letter received. Comments summarised as follows:

- Opportunity for Astwood Bank to continue to become a forward looking village. Additional housing can only enhance the village vitality

Responses against

5 letters received. Comments summarised as follows:

- Proposed development would be out of character with appearance of surrounding area and would therefore be contrary to planning policies
- The development would impact on neighbours by reason of dust, dirt, and noise during the construction period

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- The proposal would result in a loss of privacy to nearby properties through overlooking
- Enough housing in Astwood Bank as it is
- Approval would set a precedent for other similar proposals nearby

Background

An application for the demolition of Uphill and the erection of four new dwellings was submitted in 2008. This application was refused planning permission as an inappropriate backland / back of garden scheme, which was considered to be out of keeping with the prevailing character and appearance of the area, noted by the absence of such backland style developments. The application went to appeal and the Inspector agreed with the Council that the backland form of development would be visually conspicuous and harmful to the visual amenities of the area. The current proposal does not represent back land development, but instead, the development of two detached dwellings fronting/ facing towards Sambourne Lane each with large gardens to the rear terminating at the boundary to the property 1201 Evesham Road.

Assessment of Proposal

The key issues for consideration are as follows:

Principle

The planning policy framework has changed from that which existed in 2008, by the introduction of the National Planning Policy Framework (NPPF), which replaced the suite of Planning Policy Guidance Notes (PPG's) and Planning Policy Statements (PPS's) which were relevant in the consideration of the earlier application. The NPPF advises, in paragraph 49, that planning applications for residential development should be "considered in the context of the presumption in favour of sustainable development".

As before, under the 2008 application, since the site is located within the defined settlement of Astwood Bank and the site is not designated for any particular purpose within Local Plan No.3 or the emerging LP No.4, there are no objections to the principle of a residential scheme on the site, providing the details are considered to be acceptable.

Design, appearance and general layout

The NPPF advises, in paragraph 58, that planning decisions should aim to ensure that developments function well and add to the overall quality of the area, respond to local character and history and reflect the identity of local surroundings and materials and are visually attractive as a result of good architecture and appropriate landscaping. Paragraph 60 continues to state that planning decisions should "seek to promote or reinforce local distinctiveness". Paragraph 61 states "visual appearance and the architecture of individual buildings are very important factors".

Policy B(HSG).6 of the adopted Local Plan is supportive of new residential development within the curtilage of a dwelling house so long as it respects the character and

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appearance of its surroundings and does not impinge on the residential amenities enjoyed by occupiers of existing nearby development.

Unlike under the earlier application in 2008, the current proposal is not a back land scheme but frontage development which in the view of your officers respects the ribbon of development along this side of Sambourne Lane. Members may be aware that similar schemes involving demolition and rebuild have been permitted in relatively recent years, to the east of the application site (the properties now known as 'Updown House', 'Springfield' and 'Summer Meadow').

Amended plans submitted demonstrate that the development is now acceptable in terms of its design and layout since it is considered that the dwellings would now respect the character and appearance of the Sambourne Lane street-scene with the proposals complying with minimum separation distances between dwellings. The new development would provide private amenity space in excess of the Councils minimum standards, with garden sizes being commensurate with those which exist nearby.

In terms of appearance, the dwellings would be formed of brick walls, under a tiled roof with general detailing respecting the character of the surrounding area.

Impact upon nearby residential amenity

No detrimental impacts to residential amenity would result from the proposed development by virtue of loss of privacy, light or visually overbearing impact, given the separation distances that would exist between the proposed dwellings and nearby properties.

Access and parking

County Highways have raised no objection to the proposed access subject to the permanent closure of the existing vehicular access. Car parking provision on site easily complies with local standards.

Sustainability

The site lies within the village of Astwood Bank and within a short walking distance of local shops and other amenities, and is therefore considered to be in a sustainable location.

Biodiversity

Given that an existing dwelling is to be demolished in order to accommodate two new dwellings, a bat emergence survey has been carried prior to the applications determination, at the correct time of year. Such surveys are required in order to comply with legislative requirements and national advice since bats are designated as a protected species. The bat survey report submitted has concluded that the building to be demolished has not been identified as a bat roost. There are therefore no concerns on this matter and the proposal is considered to comply with policy requirements. In accordance with good practice and the aims of the NPPF to promote biodiversity two

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conditions are recommended (listed as conditions 6 and 7) regarding the timing of development and the provision of bat boxes.

Conclusion

The proposal is considered to comply with the planning policy framework and would not cause harm to amenity or safety.

RECOMMENDATION:

That having regard to the development plan and to all other material considerations, planning permission be GRANTED subject to the following conditions:

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) Prior to the commencement of development 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 and in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3.

- 3) During the course of any site clearance and development, the hours of work for all on-site workers, contractors and sub-contractors shall be limited to between;
0800 to 1800 hours Monday to Friday
0900 to 1200 hours Saturdays
and NO WORKING shall take place at any time on Sundays, Bank Holidays or Public Holidays or at any time outside of the above permitted working hours unless first agreed in writing by the Local Planning Authority.

Reason: In the interests of neighbours amenity and in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3

- 4) The Development hereby permitted shall not be brought into use until the access, turning area (if applicable) and parking facilities shown on the approved plan have been properly consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted to, and approved in writing by, the Local

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Planning Authority and these areas shall thereafter be retained and kept available for those uses at all times.

Reason:- In the interests of highway safety, to ensure the free flow of traffic using the adjoining highway and in accordance with the National Planning Policy Framework.

- 5) The development hereby approved shall be implemented in accordance with the following plans:

Appropriate references to be added here

Reason: To accurately define the permission for the avoidance of doubt and to ensure that the development is satisfactory in appearance in order to safeguard the visual amenities of the area in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3

- 6) Prior to commencement of the development hereby approved, a statement detailing the timing of demolition in respect to the structures present on site (to be removed) shall be submitted to and approved in writing by the Local Planning Authority. Any demolition shall be carried out in accordance with the statement approved.

Reason: In the interests of biodiversity and in accordance with the provisions of the National Planning Policy Framework

- 7) Prior to commencement of the development hereby approved, a scheme for the provision of bat roost opportunities / bat boxes within the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented by suitably qualified personnel to the satisfaction of the Local Planning Authority prior to the first use of the development approved.

Reason: In the interests of biodiversity and in accordance with the provisions of the National Planning Policy Framework

- 8) The proposed drive and parking area shall be finished in a permeable surface and retained as such thereafter.

Reason: To ensure adequate surfacing for the parking area and driveway that enables permeable drainage to prevent potential flood risk and in accordance with Policy B(BE).19 of the Borough of Redditch Local Plan No.3

- 9) Prior to the occupation of the dwellings hereby approved the existing vehicular access onto the adjoining highway shall be permanently closed. Details of the

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means of closure and reinstatement of this existing access shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of work on the development hereby approved.

Reason: To ensure the safe and free flow of traffic using the adjoining County highway in accordance with the National Planning Policy Framework.

Informatives

- 1) The local planning authority have worked with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with this planning application through negotiation and amendment.
- 2) The applicant is advised that development should not begin until drainage details, incorporating sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development have been submitted to and approved by Severn Trent Water Ltd.
- 3) This permission does not authorise the laying of private apparatus within the confines of the public highway. The applicant should apply to Worcestershire County Council for consent under the New Roads and Streetworks Act 1991 to install private apparatus within the confines of the public highway. Precise details of all works within the public highway must be agreed on site with the Highway Authority.

Procedural matters

This application is being reported to the Planning Committee because two (or more) objections have been received.