

**PLANNING
COMMITTEE**

15th March 2017

Planning Application 2016/347/FUL

Full planning application to erect 5 no. Dwellings comprising 2 x 3 bed bungalows and 3 x 3 bed houses on the site of approved outline application for 6no. Dwellings [2014/105/OUT]

The Paddocks , Astwood Lane, Feckenham, Redditch, B96 6HG,

Applicant: Mr M Fitzpatrick: Sandpiper TKL

Ward: ASTWOOD BANK AND FECKENHAM

(see additional papers for site plan)

The author of this report is Steven Edden, Planning Officer (DM), who can be contacted on Tel: 01527 548474 Email: steve.edden@bromsgroveandredditch.gov.uk for more information.

Site Description

The site is located on the northern edge of Feckenham and comprises approximately 0.36 hectares. To the east, the site is surrounded by small fields whilst to the north there is a mix of pasture and arable land adjacent to the Bow Brook. North-east of the Paddocks along Astwood Lane is the retail outlet of outdoor equipment store Winfield (formerly Barretts) and then several cottages. An existing vehicular access to the site is located just before the bend into the village (travelling westwards).

Within the site, the land rises steeply from Astwood Lane, in a north to south direction. The land is partly grassed, but also contains a small pond at a raised plateau within the site. The site is presently occupied by a (B1 Class) business use, stables and a ménage.

A tall line of evergreen hedging (Leylandii trees) forms the perimeter boundary to the south.

Proposal Description

Full planning permission is sought for the erection of 5 new dwellings.

The dwellings would comprise 2 x 3 bed roomed bungalows and 3 x 3 bed roomed two storey houses formed of brickwork walls under tiled roof. Vehicular access to serve the development would be via the existing access to The Paddocks (Astwood Lane).

Relevant Policies :

Borough of Redditch Local Plan No. 4

Policy 2 Settlement Hierarchy
Policy 3 Development Strategy

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Policy 4 Housing Provision
Policy 5 Effective and Efficient use of Land
Policy 8 Green Belt
Policy 39 Built Environment
Policy 40 High Quality Design and Safer Communities

Others:

NPPF National Planning Policy Framework
NPPG National Planning Practice Guidance
SPG Encouraging Good Design
SPD Open Space Provision
Worcestershire Waste Core Strategy (WWCS)

The site lies adjacent to but outside the village settlement boundary/envelope. The site is also adjacent to but outside the Feckenham Conservation Area.

The site is within an area designated as Green Belt in the Borough of Redditch Local Plan No.4.

Relevant Planning History

2013/228/OUT	Outline application with some matters reserved - 8 no. dwellings providing mix of 4 x 2 bed, 2 x 3 bed and 2 x 4 bed, one of which will be a replacement dwelling	Refused Appeal dismissed	16.01.2014 09.10.2014
2014/105/OUT	Outline application with one matter (landscaping) reserved - 6 dwellings providing housing mix of 2 x 2 Bed, 2 x 3 Bed and 2 x 4 Bed	Approved	26.09.2014

Consultations

Feckenham Parish Council

No objection

Area Environmental Health Officer (WRS)

If the development were to be approved, standard conditions pertaining to contamination should be attached, otherwise, no objection

County Education Authority

We will not be seeking a contribution towards education infrastructure in this case

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North Worcestershire Water Management

No objections are raised subject to the imposition of a condition requiring the submission and implementation of a suitable drainage scheme

Highway Network Control

The proposed development is acceptable in highway terms and therefore no objections are raised subject to the inclusion of conditions covering access turning and parking, on site roads specification together with standard highway informatives

Police Crime Risk Manager

No objection

Parks & Green Space Development Officer Martin Lewis

Comments summarised as follows:

I have no concerns with regard to on-site species.

In line with the NPPF, to ensure developments result in a 'net gain' for biodiversity - enhancement of the local ecology and its opportunities shall be require through the provision of 6 suitable Schwegler (or similar approved) bird and bat boxes on and around the buildings/landscaping proposed to provide further roosting opportunities suitable for species likely to be using the semi-rural environment such as house sparrows, swallows etc.

Public Consultation Response

Neighbours

One letter received supporting the application. None received in objection

Background

Members may recall that a similar (albeit outline) application for 6 dwellings was reported to the Planning Committee in 2014. That application proposed 6 new dwellings providing a mix of 2 x 2 bed, 2 x 3 bed and 2 x 4 bed houses. Permission was granted with an attached planning obligation to provide off-site financial contributions in September 2014.

Although that application was granted in outline, the only matter reserved for future consideration was that of landscaping. All other matters (access, layout, scale, and appearance) were granted (ref 2014/105/OUT).

Following the granting of consent, the site has been acquired by Sandpiper Homes who have decided submit a different proposal rather than implement the scheme approved under application 2014/105/OUT.

Assessment of Proposal

The main issues for consideration are as follows:

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Impact of development upon the openness of the Green Belt

The site lies within the Green Belt and therefore Policy 8 of the Borough of Redditch Local Plan No.4 applies. Within the Green Belt, development is limited to that which is not inappropriate and which would preserve its openness. Inappropriate development is, by definition, harmful to the Green Belt.

The National Planning Policy Framework (NPPF) which replaces the former PPG2, comments that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. The NPPF goes on to say that 'when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very Special Circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.'

Paragraph 89 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions include (bullet point 6):

Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

It is accepted that the site in question constitutes previously developed land. As such, it is necessary, in terms of assessing the acceptability or not of a scheme submitted under (bullet point 6) to Paragraph 89 set out above, whether the proposal would have a greater impact on the openness of the Green Belt than that of the existing development on the site which would be removed.

The existing structures on the site are listed as follows:

- | | | |
|-----|--------------------------------|-------------------|
| i) | Large workshop/commercial unit | 1649 cubic metres |
| ii) | Stables | 356 cubic metres |

The total volume of buildings to be removed would be 2005 cubic metres.

The total volume of buildings to be erected under this application would be under 1842 cubic metres. By way of comparison, the total volume proposed under application 2014/105/OUT was 1930 cubic metres.

Calculations using floorspace are as follows:

Existing footprint: 464.55 square metres
Proposed footprint: under 418 square metres

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By way of comparison, the total floorspace proposed under application 2014/105/OUT was 409 square metres.

Whilst as a purely arithmetic comparison, the proposed scheme is clearly smaller both in terms of floorspace and volume than that of the existing built form, it is also necessary to consider that the proposed dwellings with associated parking areas and fenced private garden areas would cover a greater proportion of the site than that of the existing structures present on the site which principally comprise one large rectangular commercial unit, itself measuring over 1600 cubic metres.

Following submission of this application, amended plans have been received which have both reduced the number of proposed dwellings from 6 to 5 and the volume of the built form. In particular, the heights of the proposed 2 storey dwellings at 6.5m to ridge are now no higher than those dwellings approved under application 2014/105/OUT. The bungalows have hipped roofs and measure under 5m to ridge. Having regard to the existing commercial unit which measures 5.5 metres in height, your officers now consider that the proposed development constitutes the development of a previously developed site which would have no greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

Design and Layout

The site lies adjacent to the Conservation Area (to the south). Feckenham is a historic village settlement and therefore, the impact upon the character and appearance of the area has to be carefully examined.

The design of the development is considered to be appropriate having regard to the character of the area. The two bungalows would be located to the south-east corner of the site and would not be particularly visible from High Street / Astwood Lane. The three, 2 storey houses would be more so, but have been designed such that they respect the context of their surroundings with an emphasis on symmetry and the use of small dormer windows. A traditional red facing brick would be used on external walls under a small plain clay tiled roof which is also considered to be appropriate.

Impact of the proposals on highway safety

No representations have been received questioning the acceptability of the access to serve the development. As under earlier applications, County Highways have concluded that the access is acceptable, and that there are no highway implications which might result in the proposed development giving rise to harm to highway safety subject to the inclusion of planning conditions.

Parking provision on site would accord with parking standards, having regards to requirements for three bedroomed units.

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Planning Obligations

The size of the proposed development is above the policy threshold for requiring contributions which should be sought via a planning obligation. The following would be required under the adopted policy framework:

1. A contribution towards playing pitches, play areas and open space in the area due to the increased demand/requirement from future residents is required in compliance with the SPD
2. A contribution to provide refuse and re-cycling bins for the new development in accordance with Policy WCS.17 of the adopted Worcestershire Waste Core Strategy

At the time of writing, the planning obligation is in draft form.

Conclusion

Officers consider that this revised application is acceptable having regard Paragraph 89 of the National Planning Policy Framework because the proposals would have no greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. The design of the development is considered to respect the character of the area and the proposals would not cause harm to amenity or safety. Approval of this application would also meet some of the demonstrated housing need in the Borough. Subject to the satisfactory completion of the planning obligation, this application can be recommended for approval.

RECOMMENDATION

That having regard to the development plan and to all other material considerations, authority be delegated to the Head of Planning & Regeneration to GRANT planning permission subject to:

- a) The satisfactory completion of a planning obligation ensuring that:**
- * Contributions are paid to the Borough Council in respect to off-site open space, pitches and equipped play in accordance with the Councils adopted SPD
 - * A financial contribution is paid to the Borough Council towards the provision of wheelie bins for the new development

and

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b) Conditions and informatives as set out below:

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 their first installation, 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

- 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 extensions or outbuildings under Classes A, B, C, D and E to Schedule 2, Part 1 shall be erected within the site edged red without first applying for planning permission.

Reason:- To ensure that the openness of the green belt is safeguarded from inappropriate development

- 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 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

- 5) Development shall not begin until the engineering details and specification of the proposed roads and highway drains have been submitted to and approved in writing by the Local Planning Authority, and the development shall not be occupied until the scheme has been constructed in accordance with the approved drawings.

Reason: To ensure an adequate and acceptable means of access is available before the dwelling or building is occupied.

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

appropriate references to be added here to include plans and other associated documents

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

- 7) Prior to the development hereby approved commencing, full details of a scheme for foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The details thus approved shall be fully implemented prior to first use or occupation of the development.

Reason:- To allow proper consideration of the proposed foul and surface water drainage systems and to ensure that the development is provided with a satisfactory means of drainage

- 8) No development approved by this permission shall be commenced until:

- a) A desktop study identifying previous site uses, potential contaminants and other relevant information and using this information a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors has been undertaken and submitted in approval for writing by the LPA;
- b) If deemed necessary as a result of the desktop study, a site investigation has been designed using the information obtained from the desktop study and any diagrammatical representations (Conceptual Model), and has been submitted to and approved in writing by the LPA;
- c) The site investigation has been undertaken in accordance with details approved and a risk assessment has been produced;
- d) A method statement detailing the remediation requirements using the information obtained from the site investigation has been approved in writing by the LPA.

Reason: To identify contamination which may pose a risk to the environment or harm to human health

- 9) If during development, contamination not previously identified is found to be present at the site, no further development (unless otherwise agreed in writing with the LPA) shall be carried out until either;

- a site investigation has been designed and undertaken in accordance with details approved in writing by the LPA, a risk assessment has been produced and a method statement detailing the remediation requirements using the information obtained from the site investigation has been approved by the LPA or;

- If the above has been previously undertaken, the developer has submitted and obtained written approval from the LPA for an addendum to the method statement detailing how this unsuspected contamination shall be dealt with.

Reason: To ensure that the development complies with approved details in the interests of protection of Controlled Waters and in accordance with National Planning Policy Framework.

- 10) All remediation works detailed in the method statement shall be undertaken and a report submitted to the LPA providing verification that the works have been carried out in accordance with the approved details.

Reason: To protect controlled waters by ensuring that the remediated site has been claimed to an appropriate standard

- 11) Prior to commencement of the development hereby approved, a scheme for the provision of bat roost and bird nesting opportunities 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

- 12) The proposed private pathways and parking areas 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

- 13) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include proposed boundary treatment and other means of enclosure, hard surfacing materials, new planting, trees and shrubs to be retained, together with measures to be taken for their protection while building works are in progress.

Reason:- In the interests of the visual amenity of the area

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- 14) All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing by the local planning authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes or species unless the local planning authority gives written approval to any variation.

Reason:- In the interests of the visual amenity of the area

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 attention of the applicant is drawn to the need to keep the highway free from any mud or other material emanating from the application site or any works pertaining thereto.
- 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.
- 4) If it is the Developer's intention to request the County Council, as Highway Authority, to adopt the proposed roadworks as maintainable at the public expense, then details of the layout and alignment, widths and levels of the proposed roadworks, which shall comply with any plans approved under this planning consent unless otherwise agreed in writing, together with all necessary drainage arrangements and run off calculations shall be submitted to the County Council's Network Control Manager, Worcestershire County Council, County Hall, Spetchley Road, Worcester, WR5 2NP. No works on the site of the development shall be commenced until these details have been approved and an Agreement under Section 38 of the Highways Act, 1980, entered into.
- 5) It is not known if the proposed roadworks can be satisfactorily drained to an adequate outfall. Unless adequate storm water disposal arrangements can be provided, the County Council, as Highway Authority, will be unable to adopt the proposed roadworks as public highways. The applicant is, therefore, advised to submit the Engineering details referred to in this conditional approval to the County

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Council's County Network Control Manager, Worcestershire County Council, County Hall, Spetchley Road, Worcester, WR5 2NP at an early date to enable surface water disposal arrangements to be assessed

- 6) The applicant should be aware that this permission also includes a legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) and that the requirements of that and the conditions listed above must be complied with at all times.

Procedural matters

This application is being reported to the Planning Committee because the recommendation is that permission be granted subject to a planning obligation