

PLANNING COMMITTEE

17th January 2018

Planning Application 17/01312/OUT

Outline application (matters of layout and scale to be considered) for the demolition of outbuildings, retention of former public house (533 Evesham Road) and erection of 2 new dwellings with shared access.

533 Evesham Road, Crabbs Cross, Redditch, B97 5JP

Applicant: Mr Larkin
Ward: Crabbs Cross Ward

(see additional papers for site plan)

The author of this report is Steven Edden, Planning Officer (DM), who can be contacted on Tel: 01527 64252 Ext. 3206 Email: steve.edden@bromsgroveandredditch.gov.uk for more information.

Site Description

The site, which comprises 0.1425 hectares, is currently garden land to the north-east of and associated with the property 533 Evesham Road which was historically a public house but is now a dwellinghouse. The south-eastern boundary of the site forms the shared boundary between numbers 533 and 537 Evesham Road (Merchants Fish and Chips). Beyond the north-western boundary lies the residential development of Leckhampton Close which was developed in the early 2000's. Beyond the north-eastern boundary of the site lies an area of woodland which is designated as Public Open Space in the Borough of Redditch Local Plan No.4.

Proposal Description

Outline planning permission is sought for the erection of 2 new four bedrooled dwellings on land to the rear of the existing dwellinghouse, 533 Evesham Road.

Two matters are for consideration under the current application, which are those of layout and scale. Three matters (vehicular access to the proposed development, appearance, and landscaping) are reserved for future consideration and therefore do not need to be deliberated further at this stage.

The site layout plan shows how the two dwellings would be arranged within the site. Parking for a minimum of three cars would be provided within the curtilage of each dwelling with a short shared access road running from a south-west to a north-east direction with the access point being from Evesham Road at a point between number 531 and 533 Evesham Road.

The matter of scale is to be considered under this application and submitted drawings indicate that the proposed two four bedrooled dwellings would be no taller than the nearest existing dwelling to the proposed Plot 1 (the detached dwelling, number 5 Leckhampton close).

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Relevant Policies:

Borough of Redditch Local Plan No. 4

Policy 1: Presumption in Favour of Sustainable Development

Policy 4: Housing Provision

Policy 5: Effective and Efficient use of Land

Policy 15: Climate Change

Policy 16: Natural Environment

Policy 39: Built Environment

Policy 40: High Quality Design and Safer Communities

Others

NPPF National Planning Policy Framework

SPG Encouraging Good Design

Relevant Planning History

2017/044/OUT	Outline application (matters of access, layout and scale to be considered) for the demolition of outbuildings, retention of former public house (533 Evesham Road) and erection of 3 new dwellings with shared access.	Application Withdrawn 31.05.2017
17/00834/OUT	Outline application (matters of access, layout and scale to be considered) for the demolition of outbuildings, retention of former public house (533 Evesham Road) and erection of 3 new dwellings with shared access.	Application Refused 14.09.2017

Consultations

Parks & Green Space Development Officer

No comments received to date

Arboricultural Officer

Comments summarised as follows:

Approximately 28 metres along the south eastern boundary of the site stands a semi-mature Yew (*Taxus baccata*) that provides a good level of amenity value and according to drawing number 135-02 supplied by Form Design is to be retained. The proposed development does encroach on the BS3857:2012 recommended root protection area of this and would therefore require a no dig-method of construction to be used in this area.

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The remainder of the site predominately consists of various small fruit trees and a few ornamental conifers, with nothing of any great amenity value.

In view of the above, I hold no objections to this proposed application, in relation to any tree related issues subject to the imposition of conditions which would ensure that Root Protection Areas (RPA's) are adequately protected during the construction phase, the non-storage of plant or materials within the RPA's, excavations within the RPA's being carried out by hand and conditions ensuring that an appropriate new landscaping scheme is implemented

Highways Redditch

Comments summarised as follows:

Noting that the matter of access would be considered under a later application if permission were to be granted in principle; based on the information so far submitted, the proposed development is considered to be acceptable in highway terms and therefore no objections are raised.

The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted and consultation responses from third parties the Highway Authority concludes that there are no justifiable grounds on which an objection could be maintained.

A subsequent application should provide plans showing a 4.8m access width to be retained at all times; all vehicles should enter and leave the site in a forward gear and the location of car parking spaces for the existing dwelling should also be shown. Further, a subsequent application should show an improved pedestrian visibility splay at the junction with Evesham Road due to the intensification of the existing access point. Appropriate highway conditions should be attached to any consent.

North Worcestershire Water Management

Comments summarised as follows:

The site is located within fluvial flood zone 1, and there is little risk of surface water flooding on the site in question.

No objections are raised subject to the imposition of a standard drainage condition in the case of planning permission being granted

WRS - Contaminated Land

Comments summarised as follows:

Worcestershire Regulatory Services (WRS) have reviewed the above application and the records held in respect of potential contaminated land issues. The available records indicate that the application site is within 250m of two significant areas of unknown infilled land and therefore contamination from landfill gas may be an issue on site. As such a planning condition should be imposed requiring the applicant to carry out a risk assessment to establish whether the proposed development is likely to be affected by gas emissions in order to ensure that any risks to future occupants of the dwelling are

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adequately addressed. Subject to the imposition of such a condition, no objections are raised.

WRS - Noise

Comments summarised as follows:

Given the proposed location, away from the main road and screened by the main building, it would not be necessary for the applicant to submit a noise assessment to support the application. No objections are raised.

Public Consultation Response

4 letters received in objection. All comments received are summarised as follows:

- The proposals would result in an invasion of privacy by virtue of overlooking and a loss of outlook
- Loss of light and overshadowing would occur from development
- This would be an overdevelopment of the site
- Noise from vehicles entering and exiting the site would be a disturbance to nearby neighbours
- The increased use of the existing access is a highway safety concern
- Wildlife including trees on the site would be adversely affected

Other issues which are not material planning considerations have been raised, but are not reported here as they cannot be considered in the determination of this application.

Assessment of Proposal

Principle

The National Planning Policy Framework (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".

The site lies within a sustainable urban location where the principle of developing such land for residential purposes can be supported subject to compliance with other relevant policies contained within the development plan. Therefore, there are no objections to the principle of a residential scheme on the site, providing the details are considered to be acceptable.

Scale and layout of development

Policy is supportive of new residential development in such locations so long as it respects the character and appearance of its surroundings and does not impinge on the residential amenities enjoyed by occupiers of existing nearby development. The proposed development is considered to respect the scale and layout of the existing back of land development to the immediate west of the site (numbers 1 to 6 Leckhampton Close) which is a small residential development comprising large detached two storey houses.

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Submitted plans indicate that the appearance of the proposed development would be acceptable and would respect the wider character of area.

The dwellings would sit comfortably within their respective plots with each dwelling meeting all of the Councils spacing standards, as contained within the adopted SPG 'Encouraging Good Design' including minimum garden areas. In addition, minimum separation distances between existing dwellings and the proposed new dwellings would be maintained.

Your officers therefore consider that the general layout and scale of the proposed development would respect the character and scale and density of existing development within the wider area.

Residential amenity considerations

Your officers are satisfied that no loss to residential amenity would result from the proposed development by virtue of loss of light or visually intimidating impact given the separation distances that would exist between the proposed dwellings and nearby properties. Although noise disturbance during construction is an inevitable consequence of granting permission for new development, such noise and general inconvenience is temporary and not in itself a reason to refuse permission.

Impact of the proposals on highway safety

Policy requires all developments to incorporate safe means of access and egress appropriate to the nature of the local highway network and to provide sufficient off-street parking. Three off-road car parking spaces would be provided for each of the four dwellings, meeting the Councils standards.

Representations have been received questioning the acceptability of the access to serve such a development. County Highways have however, 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. Means of access would be examined in more detail as part of any future reserved planning matters application at which point in time, the inclusion of planning conditions may be appropriate.

Landscaping matters

Landscaping would be considered in more detail as part of any subsequent reserved planning matters application, should permission be granted in outline. However, at this stage, the Councils Tree Officer has raised no objection to the proposed development, subject to the imposition of conditions which would be appropriate to impose on any subsequent approval.

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Conclusion

It is considered that the proposals comply with the planning policy framework and would be unlikely to cause any harm to the visual or residential amenities of the area. Subject to the compliance with the conditions as listed in full below, a favourable recommendation can be made with respect to this application for outline planning permission (matters of layout and scale only).

RECOMMENDATION:

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

Conditions

- 1) Application for approval of matters reserved in this permission must be made not later than the expiration of three years beginning with the date of the grant of this permission.
 - (b) The development to which this permission relates must be begun not later than whichever is the later of the following dates:-
 - (i) the expiration of three years from the date of the grant of outline planning permission; or
 - (ii) the expiration of two years from final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.
 - (c) The matters reserved for subsequent approval include the following:-
Access, Appearance, Landscaping

Reason:- In accordance with the requirements of Section 92 (2) of the Town and Country Planning Act 1990.

- 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

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

Location and Block Plan Drawing No: 135-00 A
Site Plan Drawing No: 135-01 A
Site Plan Drawing No: 135-02 A
Ground Floor Plans Drawing No: 135-03 A
First Floor Plans Drawing No: 135-04 A
Loft Plans Drawing No: 135-05 A
Roof Plans Drawing No: 135-06 A
Cross Section through site Drawing No: 135-08 A
Ecological Appraisal July 2017 Ref: 1098

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

- 4) Gas protection measures should be incorporated within the foundations of the proposed structures, approved in prior to commencement of the development by the Local Planning Authority, or a risk assessment should be undertaken to establish whether the proposed development is likely to be affected by gas emissions from the landfill site, provided to and approved by the Local Planning Authority, prior to commencement of the development. Where significant risks are identified or insufficient data hinders an appropriate risk assessment, a targeted site investigation proposal or proposed remedial measures must be provided to and approved in writing by the Local Planning Authority, prior to commencement of the development.

Reason: To ensure that the risks to buildings and their occupants from potential landfill gas are adequately addressed.

- 5) Prior to installation, 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 and in accordance with National Planning Policy Framework.

- 6) Prior to implementation 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

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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

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 pre-application advice and discussion.

Procedural matters

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