

PLANNING COMMITTEE

Planning Application 17/01270/FUL

Demolition of existing garage and erection of a detached house and creation of a new access and driveway for Whiteoaks

Whiteoaks, Hill Top, Webheath, Redditch, Worcestershire, B97 5PQ,

Applicant: Mr Jason Gould
Ward: West Ward

(see additional papers for site plan)

The author of this report is Claire Gilbert, Planning Officer (DM), who can be contacted on Tel: 01527 881655 Email: claire.gilbert@bromsgroveandredditch.gov.uk for more information.

Site Description

Whiteoaks is an existing detached residential dwellinghouse situated along Hill Top, which is a public bridleway off Church Road which currently serves approximately 7 dwellinghouses. Whiteoaks is set within a large plot, which slopes away from Hill Top to the north of the site. There is a detached garage situated within the garden to the south west side of the dwellinghouse along the boundary with the neighbouring property- Coach House.

The site is currently situated within a rural setting with fields to the north and south. However, the site and the surrounding area is designated for residential development in the Borough of Redditch Local Plan No.4 2017. With the land to north falling within the site area of Planning Application Reference: 17/00831/REM for 71 dwellinghouses, which was granted permission on the 14 December 2017.

Proposal

The proposal is to demolish the existing detached garage within the garden of Whiteoaks and construct a new 4 bedroom detached two storey dwellinghouse, with a new access and parking for the existing dwellinghouse- Whiteoaks.

Relevant Policies:

Borough of Redditch Local Plan No. 4

Policy 1: Presumption in Favour of Sustainable Development

Policy 3: Development Strategy

Policy 4: Housing Provision

Policy 5: Effective and Efficient Use of Land

Policy 16: Natural Environment

Policy 17: Flood Risk Management

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Policy 18: Sustainable water Management
Policy 20: Transport Requirements for New Development
Policy 36: Historic Environment
Policy 39: Built Environment
Policy 40: High Quality Design and Safer Communities
Policy 48: Webheath Strategic Site

Others

SPG Encouraging Good Design
National Planning Policy Framework
National Planning Practice Guidance

Relevant Planning History

1979/367/FUL Extension For A Private Garage

Approved
23.08.1979

Consultations

Parks & Green Space Development Officer Martin Lewis Expired 15.12.2017

Verbal comments received confirming that an Ecology survey was not required for the proposed development, but that biodiversity mitigation measures should be provided, which should include bat and bird boxes as well as appropriate replacement planting.

Ramblers Association

No Comments Received To Date. Expired 15.12.2017

Drainage Engineers Internal Planning Consultation

Having looked at this consultation I have the following comments to make:

The site appears to be at low risk of flooding, it is in flood zone 1 (low risk of modelled river and tidal flooding), it is a low surface water flood risk, we have no records of flooding here and there are no watercourses nearby.

Due to the nature of the development being a demolition and rebuild there will be little increase in the hardstanding area. The only issue I have with the development is the drainage plans indicate surface water will be disposed of via a soakaway. This is the preferential method in line with Building Regulations hierarchy of surface water drainage however Redditch is notorious for low permeability with its clayey soils. Additionally we have recent issues approximately 270ms away with a spring, this will not affect the development but there are numerous ones in the area which gives me reservations about the effectiveness of a soakaway combined with the usual clayey soils in Redditch. In principal I do see no issues providing the porosity test results come back as acceptable.

Arboricultural Officer

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The proposed development scheme requires the removal of a mature ornamental Cherry (Prunus), a juvenile Cherry (Prunus), situated to the south west of the current dwelling, and a semi-mature Common Holly (Ilex aquifolium), situated within the eastern corner of the proposed development.

These trees do provide some visual amenity and biodiversity value to the residents of Whiteoaks and their neighbour but have limited amenity value to the wider community and so I do not have any objection their removal.

However, to mitigate these losses some replacement trees will be required, and there appears to be scope for such replanting to the north west of the proposed development in the rear garden, either as part of the current scheme or by condition.

I hold no objections to this proposed application, in relation to any tree related issues, subject to conditions.

Worcestershire Archive and Archaeological Service

The proposed development area (PDA) is located on the north side of what is now called Hill Top, in an area where the settlement pattern is of medieval origin. The earliest map showing the lane (WSM21768) is an 1813 Ordnance Surveyors' drawing and it is also marked on the Tardebigge tithe map of 1839, where it is listed as owned by George Bolton Ladbury. To the north of the application site earthwork remains of medieval and later date including a holloway, ridge & furrow and a former quarry have previously been identified (WSM21764), while the presence of a number of fields with 'black' in their names just to the south and west of the PDA also suggests previous occupation here.

'Black' field names are often associated with areas of intense occupation, usually Roman, as ploughing over these settlements frequently brings up dark soil. Consequently it is judged that the PDA has the potential to contain as yet unknown heritage assets of archaeological interest that may be damaged or destroyed by the development.

Accordingly, we would advise that any impact on the historic environment caused by this development can be offset by the implementation of a conditional programme of archaeological works. This should comprise the archaeological monitoring and recording (Watching Brief) of any groundworks associated with the development that have the potential to expose, damage or destroy any archaeological remains that are present.

Worcestershire County Council Countryside Service

As bridleway RD-546 is used as the access road to the development it should be noted that under section 34 of the Road Traffic Act 1988 any person who, without lawful authority, drives a motor vehicle on a public right of way commits an offence. The applicant should make themselves satisfied that they, and anyone else who may use public rights of way for private vehicular access in connection with the development, has a right to do so. They may wish to seek legal advice on the matter. The County Council is responsible for maintaining rights of way to a standard suitable for their usual public use.

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The application should have no detrimental effect on the public right of way provided that the applicant notes the above point and adheres to a set of obligations.

Highways Redditch

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 would not be a severe impact and therefore there are no justifiable grounds on which an objection could be maintained.

The Highway Authority therefore submits a response of no objection subject to conditions.

Severn Trent Water Ltd

As the proposal has minimal impact on the public sewerage system I can advise we have no objections to the proposals and do not require a drainage condition to be applied.

Public Consultation Response

6 neighbour notification letters sent out on 24.11.2017. Expired 15.12.2017

A further notification letter was sent on 05.01.2018 (to all contributors). Expired 19.01.2018

3 objections were received for the initial proposal and 3 objections were received following amendments to the scheme. These raised the following concerns:

- The proposed development is on a single track bridleway, which already struggles to cope with the cars and vans of the existing properties that extends to a minimum of 14 vehicles, without any visitors vehicles.
- Adding another property to this lane will severely increase the amount of traffic down the lane. Therefore blocking us in even more.
- Extra road traffic is dangerous, as there are regular dog walkers, horses and people walking up and down this narrow bridle way, a four-bedroom house will considerably increase the traffic.
- The legal requirement for the width of a road leading to a house is a minimum of 5.5 meters, at the narrowest part of the bridle path leading to the proposed house it is only four meters.
- Hill Top is a quiet residential road and the proposed 4-bedroom residential dwellings would have a negative impact on the existing highway network in terms of trip generation. There is also highway safety grounds to consider as Hill Top is located to a bridleway that is regularly used by members of the general public.
- The application raises concerns relating to highway safety as a result of increased vehicle movements along Hill Top.
- This application appears to be a case of garden grabbing, which should be discouraged.
- The Webheath area is already well over developed, with even more plans to build. There will be absolutely no benefits from having another house being built on a

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small historic bridle path. It will cause a detrimental impact on the current and future amenity and is unnecessary.

- The proposed house is out of character with the houses on the lane.
- We have major concerns about the effect in which this added building will have on our existing septic tank. The amended plans are still far too close to the existing easement. We would also decline any application for another property to join onto such septic tank.
- It would have an adverse effect on the residential amenity of us and our neighbours by reason of overlooking, loss of privacy and overshadowing, amongst other things.
- It represents significant overdevelopment of the existing site and results in the loss of residential garden land, which would result in a development that is out-of-scale and out of character in terms of its appearance with the existing neighbourhood.
- It would have a detrimental visual impact for existing residents which would have an impact on amenity, particularly when taking into account the cumulative impact associated with the wider development of the Webheath Strategic Site.
- Policy 5 of the Redditch Local Plan clearly states that development of private residential land will generally not be supported unless it can be integrated fully into the neighbourhood, and would not have a detrimental impact on current and future amenity, character and environmental quality of the neighbourhood. The proposed development will have a detrimental impact on our current and future amenity and would have a negative impact on the character and environmental quality of the neighbourhood.
- The proposed development is in conflict with the statutory development plan, and Planning Permission should be refused.

Other non-material planning issues have been raised within the representations, which cannot be taken into consideration as part of the determination of this application.

Assessment of Proposal

Principle of proposal

The site is located within a strategic site for residential development in the Redditch Borough Local Plan No. 4 adopted 2017.

The principle of development on this site is therefore considered to be acceptable provided that it does not jeopardise the future use of any part of the site or the achievement of the development principles, that the design of the proposal is appropriate to its surroundings and that it does not have any adverse impacts on the neighbouring occupiers or the environment.

Character and appearance of area

Concerns have been raised in regards to the impact of the proposal on the character and appearance of the area, particularly as the proposal is for a new dwelling within the garden area of Whiteoaks.

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The site is currently situated within a rural setting, along a bridleway which is a small access road that currently serves seven dwellinghouses. The dwellinghouses situated along Hill Top are varied in character and plot size.

Whiteoaks is a large detached dwellinghouse set centrally within a large spacious plot. The proposed dwellinghouse would be situated to the south western side of Whiteoaks. It would be a four bedroom two storey house set back from the bridleway, with a driveway to the front and a garden to the rear. The design and scale of the proposed house would reflect that of whiteoaks and others along Hill Top, with a low ridge and eaves height, a linear frontage with a central doorway and the windows at first floor level set within the eaves.

Overall therefore it is considered that the design and scale of the proposed dwellinghouse would be in keeping with the character and appearance of the area.

Amenity

Concerns have been raised from the neighbouring occupiers in regards to the impact that proposed dwellinghouse would have on their existing amenities.

The proposed dwelling house would be situated along the boundary with the adjoining property- The Coach House. This boundary is located to the side of their garden. Currently there is a large detached garage along this boundary. This garage has a pitched roof with a gable end that faces The Coach House; it has a height of 4.8 metres to the ridge and 2.7metres to the eaves.

The section of the proposed dwellinghouse that would be along this boundary would be a 2.5 metre high boundary wall which would form part of a single storey store. The nearest two storey element of the proposed dwellinghouse would be situated approximately 2.3 metres away from this boundary at the front and 3 metres at the rear; as the site tapers. The two storey part of the proposed dwelling would have a ridge height of 6.7metres and an eaves height of 4.7metres.

Given the size of the existing garage and the distance that the two storey element of the proposed dwellinghouse would be from this boundary, it is not considered that the proposal would have an unacceptable adverse impact on the amenity of the occupiers of The Coach House in terms of overbearingness, loss of light or outlook.

Given the change in levels at the rear of the site, and the close proximity of the rear boundary along part of the site, Planning Officers did initially raise concerns in regards to the impact of the proposal dwelling on the privacy of the future occupiers of the proposed development to the rear of the site. However, following amendments to the layout of the proposed dwellinghouse and the insertion of an obscure glazed window in the rear elevation (which serves a bathroom), it is no longer considered that the proposal would have an adverse impact on the amenities of the future occupiers of the development to the rear of the site.

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Highways

Concerns have been raised from the neighbouring residents in regards to the access road to the property, which is a single access bridleway. However, County Highways who have formally assessed the application have not raised any objection to the proposal subject to certain conditions regarding parking provision and the proposed new vehicular access for the existing house.

Drainage

North Worcestershire Water Management (NWWM) has confirmed that the site appears to be at low risk of flooding and that due to the nature of the proposal, they have commented that there will be little increase in the hardstanding area.

The only issue they have raised is with regards to the proposed soak away they have shown on the proposed site plan. Soakaways are the preferential method in line with Building Regulations hierarchy of surface water drainage, however NWWM have commented that Redditch is notorious for low permeability with its clayey soils. Additionally to this they are aware of recent issues near to the site with a spring, this will not affect the development but there are numerous ones in the area which gives me reservations about the effectiveness of a soakaway combined with the usual clayey soils in Redditch. As such although in principal NWWM have no issues with the scheme, they do want to ensure that the appropriate drainage method is used and as such have requested that a porosity test is carried out and submitted prior to development to prove infiltration is a viable means of discharging surface water.

Trees

The Councils Tree Officers have commented that the proposed development would require the removal several trees within the application site. Although they believe these trees do provide some visual amenity and biodiversity value to the residents of Whiteoaks and their neighbour, they believe that they would offer limited amenity value to the wider community and as such they have not raised any objection to their removal.

However, to mitigate these losses they have suggested that replacement trees should be planted. They have commented that there appears to be scope for such replanting to the north west of the proposed development in the rear garden, either as part of the current scheme or by condition. As such subject to certain conditions including landscaping, the councils Tree Officer has raised no objection to the proposal.

Conclusion

Overall it is considered that the proposed development would accord with the policies in the Local Plan and would be acceptable.

RECOMMENDATION:

That having regard to the development plan and to all other material

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Considerations, planning permission be GRANTED subject to the following 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. The development hereby approved shall be carried out in accordance with the following plans and drawings:

Drawing No. 100 Rev. B Location Plans
Drawing No. 201 Rev. C Proposed Site Plan
Drawing No. 202 Rev. D Proposed House Plans
Drawing No. 203 Rev. E Proposed Elevations
Drawing No. 203 Rev. D Proposed GF plan
Drawing No. 205 Rev. D Street Scene
Drawing No. 206 Rev. C Proposed site plan and section
Drawing No. 207 Rev. C Detailed Site Plan

Reason: To provide certainty to the extent of the development hereby approved in the interests of proper planning.

3. 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

4. Prior to installation, full details of a scheme for foul and surface water drainage shall be submitted to the Local Planning authority for their approval. This drainage scheme shall include the results of a porosity test from within the site for the proposed soakaway.

The approved details shall then 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.

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5. No development shall be commenced until details of a landscaping scheme, including a planting schedule, showing details of retained and new landscape planting have been submitted to and approved in writing by the Local Planning Authority.

Such approved planting shall be completed prior to the first occupation of the dwellings or such other time as is agreed as part of the details to be submitted. The planting schedule shall include all those trees, hedgerows, shrubs or existing features of the land to be retained, removed and/or treated, new planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme. All such planting shall be maintained to encourage its establishment for a minimum of five years following contractual practical completion of the development. Any trees or significant areas of planting which are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective within this period, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

Reason: This is a pre commencement condition as it is necessary to understand which trees are to be retained in order that they can be suitably protected during constructed as required by condition 7 of this permission. In order to secure a well-planned development in accordance with Policy C17 and DS13 of the Bromsgrove District Local Plan 2004 and emerging policy BDP19 of the Bromsgrove District Plan Proposed Submission.

6. All trees that are to be retained trees within and adjacent to the site shall be protected throughout the clearance and construction phase of the development hereby approved in accordance with BS5837:2012, using suitable protective fencing and/or ground protection as appropriate.

Reason: In order to protect the trees which form an important part of the amenity of the site.

7. No storage of any plant or materials shall take place; throughout the clearance and construction of the development hereby approved, within the Root protection areas of the trees that are shown to be retained on the proposed site plan.

Reason: In order to protect the trees which form an important part of the amenity of the site.

8. Any excavation work that is required to take place within the Root Protection Areas of any trees on and adjacent to the site must be carried out by hand and in accordance with BS5837:2012.

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Reason: In order to protect the trees which form an important part of the amenity of the site.

9. No development shall take place until a programme of archaeological work including a Written Scheme of Investigation for has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

- a) The programme and methodology of site investigation and recording.
- b) The programme for post investigation assessment.
- c) Provision to be made for analysis of the site investigation and recording.
- d) Provision to be made for publication and dissemination of the analysis and records of the site investigation
- e) Provision to be made for archive deposition of the analysis and records of the site investigation
- f) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Reason: In accordance with the requirements of paragraph 141 of the National Planning Policy Framework.

10. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: In accordance with the requirements of paragraph 141 of the National Planning Policy Framework.

11. Before any other works hereby approved on the application site are commenced, the new entrance shall be set back 2 metres from the nearside edge of the adjoining carriageway. On each side of the set back entrance splays shall be formed at an angle of 45 degrees with the highway boundary and the whole of the splayed areas shall be graded and cleared so that no part thereof exceeds a height of 0.6m above the relative level of the adjoining carriageway.

Reason: In the interests of highway safety.

12. Before any other works hereby approved are commenced, visibility splays shall be provided for the proposed access for the existing dwelling house from a point 0.6m above ground level at the centre of the proposed access and 2 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 15 metres in each direction along the nearside edge of the adjoining carriageway. Nothing shall be planted, erected and/or allowed to grow

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on the triangular area of land so formed which would obstruct the visibility described above.

Reason: In the interests of highway safety.

13. The proposed vehicular access shall be constructed in a bound material for its first 5m measured back from the carriageway edge.

Reason: In the interests of highway safety.

14. The development hereby permitted shall not be brought into use until the access, turning area and parking facilities shown on the approved plans have been properly consolidated, surfaced, drained and otherwise constructed. These areas shall thereafter be retained and kept available for those users at all times.

Reason: In the interests of Highway safety and to ensure the free flow of traffic using the adjoining Highway.

15. 3 car parking spaces shall be provided on site for the proposed dwelling and 3 car parking spaces to be provided for the existing dwelling. These car parking spaces shall be reserved solely for that purpose and such spaces be made available for the use before the development hereby approved is occupied.

Reason: To comply with the Council's parking standards

16. Prior to the first occupation of the dwelling hereby approved secure parking for 4 cycles to comply with the Council's standards shall be provided within the curtilage of the dwelling and these facilities shall thereafter be retained for the parking of cycles only.

Reason: To comply with the Council's parking standards

17. The development hereby permitted shall not be brought into use until one of the new parking spaces has been equipped with an electric vehicle rapid charging point (32 Amp, 7 KW) and once provided it shall be retained and maintained as such at all times.

Reason: To comply with the Council's parking standards

18. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development that falls within Schedule 2, Part 1, Classes A, B or C shall be carried out on the dwelling house hereby approved other than those expressly authorised by this permission.

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Reason: To ensure the site is not overdeveloped and that acceptable standards of amenity are maintained in accordance with Policy 1 and 40 of the Borough of Redditch Local Plan No.4 and the NPPF.

19. Before the first occupation of the dwellinghouse hereby approved the bathroom window to be installed within the first floor of the rear elevation (as shown on Drawing No. 203 Rev. E) shall be fitted with obscure glazing (to a minimum level of 3) and any part of the window that is than less 1.7metre above the floor of the room in which it is installed shall be non-opening. This window shall then remain as such in perpetuity.

Reason: To protect the privacy of neighbouring residents in accordance with Policy BDP1 of the Bromsgrove District Plan January 2017.

Procedural matters

This application is being reported to the Planning Committee because two (or more) objections have been received. As such the application falls outside the scheme of delegation to Officers.