

**PLANNING  
COMMITTEE**

12th December 2018

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Planning Application      18/01160/FUL

Conversion of existing dwelling to 2No. 1 bed flats with extension for 3No. 1 and 2 bed additional flats.

302A Evesham Road, Crabbs Cross, Redditch, Worcestershire, B97 5HJ.

Applicant:                      Mr Matthew Kelly  
Ward:                                Crabbs Cross Ward

**(see additional papers for site plan)**

The author of this report is Emily Farmer, Planning Officer (DM), who can be contacted on Tel: 01527 881657 Email: emily.farmer@bromsgroveandredditch.gov.uk for more information.

**Site Description**

The application site is located within a run of dwellings in the residential area along Evesham Road in Crabbs Cross. The site is located on the west of Evesham Close, south of Jubilee Avenue and North of Yvonne Road. The site comprises of a detached dwellinghouse adjacent to the substation which is to the south. The site is accessed off Evesham Road and the access passes between nos. 302 and 302a. The land to the rear of the dwelling on site consists of a block of former garages and over the last 20 years this part of the site has been used for the storage of construction materials by builders.

**Proposal Description**

The proposed development is for the subdivision of the existing dwelling to create two 1 bed flats and a two storey rear extension to create an additional two 1 bed flats and one 2 bed flat. The dwelling will have one flat on each storey. The proposed rear extension will extend from the rear of the dwelling and dog-leg to the south behind the substation. The proposed extension will have two 1 bed flats on the ground floor and the one 2 bed flat at first floor. The proposal also comprises of a rear grass communal garden and the formation of eight parking spaces to the rear and one space to the front with a 7kw electric charging point. The existing garage to the front of the dwelling will be retained for the refuse and recycling and a secure cycle store.

**Relevant Policies :**

**Borough of Redditch Local Plan No. 4**

- Policy 1: Presumption in Favour of Sustainable Development
- Policy 5: Effective and Efficient use of Land
- Policy 17: Flood Risk Management
- Policy 19: Sustainable travel and Accessibility
- Policy 39: Built Environment
- Policy 40: High Quality Design and Safer Communities

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## **Others**

NPPF National Planning Policy Framework (2018)  
SPG Encouraging Good Design

### **Relevant Planning History**

2014/165/FUL	The erection of a single dwelling with associated residential curtilage.	Refused and Dismissed at Appeal	12.01.2015
1999/221/FUL	Sectional Garage	Granted	29.07.1999
1987/512/FUL	To Erect Two Concrete Garages On The Car Park To Rear Of Garden	Granted	20.10.1987
1987/401/FUL	Erect A Single Garage	Granted	08.09.1987

### **Consultations**

#### **Arboricultural Officer**

No objection.

#### **Highways**

No objection subject to conditions controlling number of parking spaces, cycle provision and Electronic Vehicle Charging Point.

#### **Drainage Engineers Internal Planning Consultation**

No objection subject to a condition for a drainage plan demonstrating the disposal of surface water and SuDs measures.

#### **Hereford & Worcester Fire And Rescue**

No Comments Received To Date

#### **WRS - Contaminated Land**

No objection subject to a risk assessment condition.

#### **Severn Trent**

No Comments Received to Date

### **Public Consultation Response**

17 neighbour letters were sent in the post to the neighbouring properties on 2<sup>nd</sup> November 2018 and expired on 26<sup>th</sup> November 2018.

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Two letters of objection were received as a result of this consultation. The contents of these representations is summarised as follows;

- Insufficient parking
- Increased vehicular movements
- Increase in noise and pollution levels
- Given proximity of bus stop accidents likely
- No local demand for 1-2 bed flats
- Site better suited to family home
- Fencing around substation could be changed to close boarded and this would result in insufficient light to future occupiers of the flats

## **Assessment of Proposal**

### Principle

The application site is located within the residential area as defined in the Borough of Redditch Local Plan No. 4. The existing site comprises of a detached dwelling and builders yard to the rear. The applicant has bought the site with the intention of restoring the area of land to the rear to residential. Given the site is within the Residential area, the redevelopment of the site for residential use is acceptable in principle. The land to the rear has been used for the storage of builder's materials for a period of 20 years. This area does not benefit from planning permission however is lawful through the passage of time. The proposal includes this area of land to be used for the parking of vehicles to facilitate the five flats on site.

### Character of the area

Evesham Road is characterised by a mix of development consisting of two storey dwellings, bungalows and three storey flats varying of pitched and hipped roofs. There are a couple of more densely arranged cul-de-sacs on the east side of Evesham Road however on the west of Evesham Road within the grouping this application site is located there is a run of more traditional dwellings comprising of semi-detached and detached properties. These properties are fairly consistently spaced however due to the substation adjacent to No. 302A there is a greater distance between the application site and No. 304 than the pattern of development along this run. The proposed extension is sited to the side/rear of the proposed house, however given its siting set back from the main dwelling and the space provided between the dwellings due to the substation this side projection is considered to reflect the general layout of development along this part of the street scene. Furthermore a number of the dwellings along this run of development have rear projections and therefore the depth of the extension although fairly deep is considered to reflect the layout of development in this run. Furthermore the design of the extension is considered to reflect the simple character of the dwelling and does not detract from the existing built form. The design is therefore considered to be acceptable in this location.

### Neighbour Amenity

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The neighbouring property 302 Evesham Road is a bungalow and the site access is currently on the boundary to this dwelling. The existing access will be used for the proposed development however the use of this access for vehicles in association with the residential use is considered to be a betterment to the current usage in association with the builders yard and therefore this arrangement is considered to be acceptable. There are a number of side windows on the bungalow however the side windows proposed on the dwelling are to facilitate bathrooms and therefore will be obscurely glazed. The side windows in the extension are a greater distance to the bungalow and given the window position and orientation of this bungalow it is not considered that the proposal will result in an unacceptable level of overlooking. In addition to this the extension is not within the 45 degree code of the rear windows of this bungalow and therefore will not result in a loss of light into this property.

The property to the south of the site is No 304 Evesham Road and the proposed extension extends fairly significantly beyond the rear of their property. However, the applicant has shown that the 45 degree code will not be breached to the rear windows of this property and no first floor side windows are proposed. The proposed development is therefore not considered to cause harm to the amenity of the occupier of this dwelling.

Given the depth of the garden and the position of all neighbouring properties no concerns are raised in respect of neighbour amenity as a result of this development. No objections have been received from the adjacent dwellings and no objections have been raised in respect of the neighbour's amenity.

### Highways

The application site is located within a sustainable location with a bus stop directly outside of the site. Furthermore the development proposes a total of 8 spaces to the rear and 1 space to the front with an electric charging point. The site also provides cycle parking. Having regards to the parking provisions provided Worcestershire County Council Highways Department have commented on this application and are satisfied that this provides sufficient parking for the site. Comments have been received in respect of Highways safety matters due to the bus stop at the front of the site. It is noted that the bus stop is in close proximity to the access however the access currently exists and the likely vehicular traffic using this access is likely to be similar if not less than the existing situation given the commercial use on site. Highways have not raised objection to this access. The hedgerow at the front of the site could be maintained by the future occupiers of this site to ensure visibility is not impeded at the vehicular entrance due to the location of the bus stop.

### Drainage

Following consultation with North Worcestershire Water Management there is a public foul gravity pipe which runs along the rear of the existing properties. They have therefore advised that consultation is sought from Severn Trent. To date, Severn Trent has not

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made comment on this application. In the absence of comments from Severn Trent advice has been sought from the Councils Building Control Officer who has advised that the size and depth of the pipe would likely have implications on the depth of the footings however it would be feasible to build the extension as proposed subject to a build over agreement between Severn Trent and the applicant. These details would fall outside of the planning application considerations as a building regulations issue and therefore a recommendation can be made subject to satisfactory comments from Severn Trent.

## Trees

The site of the proposed development is largely void of any substantial vegetation with the exception of a hedge consisting of privet and mixed conifers that runs along the Evesham Road to the east and forms part of the boundary with the neighbouring property to the south. Subject to the protection of these trees throughout the construction of the application no objection has been raised in respect to trees onsite.

## Response to public comments

Currently, the Council cannot demonstrate a 5 year supply of housing land within the Borough. Paragraph 11 of the National Planning Policy Framework (NPPF) says that in such circumstances relevant policies for the supply of housing should not be considered up-to-date. Therefore, in this case, the presumption in favour of sustainable development, as set out at paragraph 11 of the NPPF applies. Where relevant policies are out of date paragraph 11 advises that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole, or specific policies in the Framework indicate development should be restricted. In this instance the site is located within the residential area and as justified within this report material harm has not been identified as a result of the proposal. Furthermore the applicants are best placed to provide for any local need or demand. In any event this would not be a planning consideration.

Comments have been received in respect of the positions of the proposed windows and the insufficient light into the proposed flats to the detriment of the future occupiers of the site should the boundary treatment of the substation be changed at a later date. The boundary treatments of the substation could be altered however the only two windows directly face onto this substation. One window is a secondary window within an open plan kitchen/living room and the other is a bedroom window which although is the only window into this room is a large window to allow for sufficient lighting. In any event the likelihood of the sub-station altering the boundary treatments is not something that should be considered at this application stage and the height of the enclosure would unlikely be high as to cause a loss of light into these rooms.

## Conclusion

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The application site is located within the residential area and therefore there is a presumption in favour of sustainable development. The proposed extension is considered to be an appropriate design within the locality and does not cause harm to the neighbouring dwellings. The application site is in a sustainable location with the bus stop in close proximity to the site and the development provides sufficient parking. Having regards to this the proposal is considered to be an acceptable form of development in this location.

**RECOMMENDATION:**

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

**a) Satisfactory comments from Severn Trent**

**b) The conditions and informative 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) All new external walls and roofs shall be finished in materials to match in colour, form and texture those on the existing building.

Reason:- To ensure that the development is satisfactory in appearance, to safeguard the visual amenities of the area and in accordance with Policies in the Local Plan.

- 3) The development hereby approved shall be carried out in accordance with the following plans and drawings:

3305\_013C Proposed Plan

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

- 4) The Development hereby approved shall not be occupied until the first 5 metres of the access into the development, measured from the edge of the carriageway, has been surfaced in a bound material.

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REASON: In the interests of highway safety.

- 5) The Development hereby approved shall not be occupied until the parking, electric charging point, cycle facilities and turning facilities have been provided as shown on drawing 3305-013 Rev C.

Reason: To ensure conformity with submitted details.

- 6) No building operations shall take place until a site drainage strategy for the proposed development has been submitted to, and approved in writing by the Local Planning Authority. If infiltration techniques are used then the plan shall include the details of field percolation tests.

Reason: To ensure the applicant can demonstrate how they will dispose of their surface water and any SuDS measures to be utilised in line with Policy 17 of the Redditch Local Plan. The SuDS measures are required to attenuate water prior to discharging off site at an accepted rate.

- 7) (a) No development shall commence until an assessment of the risks posed by any ground gases or vapours has been submitted to and approved in writing by the Local Planning Authority. Such an assessment shall be carried out in accordance with current UK guidance and best practice.  
(b) Where the approved risk assessment (required by condition (a) above) identifies ground gases or vapours posing unacceptable risks, no development shall commence until a detailed remediation scheme to protect the development from the effects of such ground gases or vapours has been submitted to and approved in writing by the Local Planning Authority. Following approval, such remediation scheme shall be implemented on site in complete accordance with approved details unless otherwise agreed in writing by the Local Planning Authority.  
(c) Following implementation and completion of the approved remediation scheme (required by condition (b) above) and prior to the first occupation of  
(d) No development shall commence until a long term monitoring and maintenance scheme (to include monitoring the long-term effectiveness of the remediation and reporting on the same), where required, has been submitted to and approved by the Local Planning Authority. The approved scheme must be carried out in accordance with its terms, recommendations and time tables.

All further reports produced shall be submitted to and approved in writing by the Local Planning Authority, and then carried out in accordance with its terms, recommendations and time tables.

REASON: To ensure that the risk to buildings and their occupants from potential landfill or ground gases are adequately addressed

- 8) All trees shown as being retained shall be protected in accordance with the requirements of BS5837:2012 during the course of all on-site development works

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Reason: To ensure adequate protection to trees in the interests of the visual amenities of the area

- 9) Prior to occupation of the proposed development visibility splays are to be provided from a point 0.6m above carriageway level at the centre of the access to the application site and 2.4 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 43 metres measured along the nearside edge of the adjoining carriageway and offset a distance of 0.6m from the edge of the carriageway. Nothing shall be planted, erected and/or allowed to grow on the triangular area of land so formed which would obstruct the visibility described above.

REASON: In the interests of highway safety.

**Procedural matters**

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