

**PLANNING
COMMITTEE**

13th February 2019

Planning Application 18/00662/FUL

Demolition of existing dwelling and erection of five, two storey detached dwellings with ancillary garages and parking

Kenmar, Pumphouse Lane, Webheath, Redditch, Worcestershire, B97 5PP.

**Applicant: Mr A Brittain
Ward: West Ward**

(see additional papers for site plan)

The author of this report is Mr David Edmonds, Planning Officer (DM), who can be contacted on Tel: 01527 881345 Email: david.edmonds@bromsgroveandredditch.gov.uk for more information.

Site Description

The site forms part of a small group of established dwellings fronting the south side of Pumphouse Lane. It falls within the Webheath Strategic Site (number 213) which is allocated for housing development in accordance with policy 48 in the Borough of Redditch Local Plan, No. 4.

The 0.28 hectare site comprises the house and garden of a dwelling named 'Kenmar', and the southern parts of the rear gardens of the dwellings called 'Yew Tree Villa' and 'Blue Cedar' which all front this part of Pumphouse Lane. The dwelling and garden of 'Oakdene' adjoins the western boundary. No 2 Pumphouse lane fronts Pumphouse Lane to the north east of the site.

Along the southern boundary of the site there is a hedgerow with mature trees interspaced. The mature oak tree in the South West corner of the site is protected by Borough of Redditch Tree Preservation Order No. 72, 1992. Beyond the site boundary to the south and west lies the new Taylor Wimpey housing site, marketed as Millward Gardens.

The site slopes relatively evenly from north to south with the lowest point in the south west corner

Proposal Description

The application seeks full planning permission for 5 dwellings after the demolition of the existing dwelling 'Kenmar'. The layout involves the following components;

- Demolition of the existing dwelling
- The erection of one 2 storey dwelling (4 bed) fronting the site forward of the current alignment of 'Kenmar' with 2 parking spaces accessed off Pumphouse Lane and a dedicated garage and single parking space to the rear.

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- The formation of an access drive - 4.8 metres in width with a 2m x 37m visibility splay between 'Oakdene' and the new frontage dwelling with a landscaped bin collection area
- At the rear of the site it is proposed to erect two detached 4 bed dwellings on the opposing east and west boundaries of the site, served by 3 parking spaces (plot 5) and parking spaces and a garage (plot 2).
- In the centre of the site two 3 bed dwellings are proposed with attached garages and frontage parking.
- The dwellings have been designed to have a central ridge line running parallel to Pumphouse lane and in the case of the unit replacing Kenmar a gable roof feature and projecting bay window detail. Units at the rear of the site have in general a smaller gable roof feature. All units are proposed to be of traditional brick and tile construction to reflect the character of materials locally.

The application is accompanied by a number of supporting documents including; Water Management Statement, Design and Access Statement, Focus Ecology Bat Survey and Preliminary Ecology Appraisal.

Relevant Policies :

Policy 1: Presumption in Favour of Sustainable Development
Policy 2: Settlement Hierarchy
Policy 3: Development Strategy
Policy 4: Housing Provision
Policy 5: Effective and Efficient use of Land
Policy 11: Green Infrastructure
Policy 16: Natural Environment
Policy 37: Historic Buildings and Structures
Policy 39: Built Environment
Policy 40: High Quality Design and Safer Communities
Policy 48: Webheath Strategic Site

NPPF National Planning Policy Framework (2018)
NPPG National Planning Practice Guidance
SPG Encouraging Good Design
SPG Designing Community Safety

Relevant Planning History

None

Consultations

WCC Highways

No highway objections. The site has an existing vehicular access to Pumphouse Lane which is a single track road. It has a 30mph speed limit in the vicinity of the proposed development but this changes to the national speed limit in the rural part of the lane

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further to the west. The proposed access drive width of 4.5 metres would be acceptable since it would allow vehicles to pass. The refuse collection point which is behind the visibility splay is also acceptable. It is accepted that the proposal is located in a low speed area - with the 85th percentile speed being 28 mph and that therefore the visibility splays of 2m x 37m are appropriate. The proposed parking provision accords with Streetscape Design Guide.

Conditions are recommended in the event planning permission including pedestrian visibility splays, bound surface material, residential parking standards, electrical charging points, secure cycle parking, vehicular visibility splays and parking provision in accordance with the approved plans.

Drainage Engineer (North Worcestershire Water Management)

The site is located Flood zone 1 and as such there is no significant fluvial flood risk. The surface water from Pumphouse Lane tends to run along ditches to the south does not tend to pool or flow through the application site. The indicative drainage plan is acceptable in principle but there needs to be permeable paving and roof drainage directed to a gravel sub base rather than 'created attenuation'. Conditions are suggested related to implementation of approved surface and foul water drainage involving sustainable drainage principles.

Tree Officer

There are no objections subject to the protection of the root protection areas of all the trees particularly the Atlas Cedar in the southern part of the remaining garden of the dwelling 'Blue Cedar and the Oak trees along the southern boundary. The proposed repositioned detached garage in the south east corner allows for adequate protection under BS5837:2012 for the Atlas Cedar'. The repositioning of the dwelling at plot 6 to provide a greater separation with Oak trees reduces shading to the proposed rear garden such that future pruning pressures should be acceptable.

Conservation Officer

'Kenmar' comprises a 19th century residential property, which can be clearly seen on the 1st edition of the OS which dates from around 1885. The property has been much extended to the front and altered internally. Therefore it is not considered to be a non-designated heritage asset in terms of the NPPF.

To the north west of 'Kenmar' is the Grade II listed Pumphouse Farm, a late 18th century farmhouse. This building is located up a small road off Pumphouse Lane and is separated from the lane by a row of cottages. Therefore there is no intervisibility between 'Kenmar' and the listed building. Accordingly it is concluded that 'Kenmar' is not within the immediate setting of this listed building.

Worcestershire Regulations Services (Noise)

No objections in terms of noise adversely impacting future residents. However, it is recommended that applicant adheres to the 'WRS Demolition and Construction Guide'

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Worcestershire Regulation Services (Contamination)

No potential land contamination issues have been identified, and therefore there are no adverse comments

Waste Management

The development is required to have safe hard surface collection point of appropriate size adjacent to highway at Pumphouse Lane serving the 4 properties to the rear. The amended proposal showing a proposed bin collection area is appropriate and its size adequate for standard use.

Hereford and Worcester Fire and Rescue - No response received

Severn Trent Water (STW)

No objection subject to a pre-commencement condition requiring the approval of foul and surface water drainage details followed by their implementation before the development is brought into use. STW also advise that there may be a public sewer located within the application site, although none are currently shown on public records. Severn Trent will seek to assist in obtaining a solution which protects both the public sewer and the proposed development.

Senior Community Safety Project Officer

The application makes no reference to Secured by Design Principles in the Design and Access Statement. There are some criticisms of the design including:

- Active frontages and boundary treatments to plots 1 and 2 could be better
- Fences rather than post and wire fences along southern boundary should be considered
- Car ports for plots 3 and 4 allow access into the rear gardens and should be substituted for garages
- The site needs to be well lit street lighting and house lighting to elevations with doors

Worcestershire Wildlife Trust

No objections since the Council has sufficient and up to date ecological information set out in the applicant's Focus Ecology Bat Survey and Worcestershire Wildlife Consultancy reports. This accords with the law and relevant guidance. Various specific comments are raised on questions arising from the reports which can be summarised as follows:

- Assuming that the follow-up surveys are completed to an appropriate standard and mitigation to the level (or similar) set out in the submitted reports can be carried out, it seems highly likely that an EPS licence would be granted.
- The mitigation the applicant proposes is proportionate and sensible so provided that it is capable of being implemented as required, the development should be licensable
- However there is a strong recommend for a condition using the wording from para. D 6.2 of BS42020:2013 Biodiversity - Code of practice for planning and

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development. This covers the need for a licence to be granted before works proceed and would be very helpful in this case

- It is also recommended that the conditions oblige the developer to adhere to the recommendations of the two reports and also a pre-commencement condition requiring a specification and programme of implementation for the enhancement of biodiversity through the provision of a list of features to be implemented.

This package of measures is sound and provides reassurance that harm to bats would not be a reason to refuse the application, subject to various conditions designed to secure detailed mitigation.

Public Consultation Response

Seven letters of objection have been received all from properties in vicinity of the site, which are summarised as follows:

- Development of back land residential gardens is inappropriate, in principle, particularly when there are greenfield sites elsewhere within Webheath strategic housing site
- Overdevelopment of the site and larger dwelling types not harmonising with the character and appearance of Pumphouse Lane
- Whilst the amended proposal for 5 houses are better than original proposal for 6, it is still too many on a back garden site
- Highway safety - Pumphouse Lane is busy and narrow, pedestrian/ cyclist and vehicular conflict/ accidents which would be made worse if the road is used as an emergency access for the Taylor Wimpey development.
- Inconvenience to residents along Pumphouse Lane
- Noise and disturbance of extra traffic on Pumphouse Lane
- Insufficient car parking on the proposed site leading to visitors parking blocking existing accesses on Pumphouse Lane
- Unacceptable loss of privacy to occupants of adjacent properties - both in their houses and gardens
- Loss daylight and sunlight to adjacent properties
- Flaws in the drainage plans - with outlet into a culvert along the southern boundary which does not exist.

Assessment of Proposal

It is considered the main issues are:

- Principle of development
- Whether it represents good design and the effect on character
- Whether it provides acceptable living conditions for the occupants of neighbouring dwellings and the future occupants of the proposed dwellings

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- Effect of the proposed development on highway safety and whether it accords with parking standards
- Effect on designated and undesignated heritage assets
- Effect on existing trees and green infrastructure
- Effect on flood risk including drainage
- Effect on wildlife particularly protected species and their habitats

Principle of development

Policy 1 of the Borough of Redditch Local Plan No. 4 (BoRLP) reflects the presumption in favour of sustainable development found in Para 11 of the NPPF and states that planning applications that accord with the policies of the plan should be approved, unless material considerations indicate otherwise.

The proposed development forms part of the Webheath Strategic Site, specifically allocated to support a part of Redditch's housing requirement, as such residential development on the site is appropriate, in principle, subject to compliance with other relevant policies and the details of policy 48 of the BoRLP.

Furthermore the Council cannot currently demonstrate a 5 year supply of housing land within the Borough. Paragraph 11 of the National Planning Policy Framework 2018 (NPPF) says that in such circumstances relevant policies for the supply of housing should not be considered up-to-date. The so called 'tilted balance' as advocated by the framework is engaged and the presumption in favour of sustainable development, as set out in the framework applies. Where relevant policies are out of date, Para 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.

Therefore the proposed development would be acceptable in principle and would in housing supply terms make a limited contribution towards the delivery of homes in the Borough.

Character and appearance of the area

BoRLP Policy 39 and 40 'Built Environment' and 'High Quality Design and Safer Communities' requires proposed developments, amongst other things, to contribute positively to local character and integrate with the surrounding environment, provide connectivity, security by design and provision of space for needs including for waste. Whilst BoRLP Policy 5 requires the resource of land to be used in an efficient way which will maximise its potential by using appropriate development densities.

The NPPF paragraph 127 requires, amongst other things, that proposed developments should function well and add to the quality of the area, have a good design, layout and landscaping, be sympathetic to local character and history and create a sense of place.

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In this context the proposed development includes a frontage two storey dwelling of a scale, design and siting to harmonise with the rural fringe character of this part of Pumphouse Lane. A suitable amount of space has been retained around the dwelling so its frontage and private garden area reflect that of the existing dwellings, so protecting the established character of this group of dwellings.

The dwellings on the southern side of Pumphouse lane have long south facing gardens with those on the east and west of the site supporting some substantial structures adjacent to their southern boundaries. To the south east of the site detached structures are located, whilst there is also development currently under construction to the south and west of the site. These factors contribute to the character of the area and whilst dwellings sitting directly behind other dwellings are not a characteristic of the site or its immediate neighbours, it is not an alien feature in the wider context of the site. Furthermore the position of the access, closely flanked by existing dwellings, means the prominence of the site when viewed from Pumphouse lane is significantly reduced. Your Officers consider therefore that the site is capable of accommodating development laid out as proposed without causing harm to the character of the area.

The proposed access drive allows the rear garden areas to be developed efficiently with a 3 and 4 bedroom mixture of 2 storey dwellings, whilst providing the sufficient space around the buildings to facilitate the longer term retention of significant green infrastructure trees and hedgerows as well as providing sufficient amenity space to serve the needs of future occupants. The site density is below that advocated by Policy 5. However the spacing around the frontage unit would respect that more rural character of Pumphouse Lane whilst still providing for additional units to the rear of the site with a transition to the more urban estate development being implemented to the south of the site. The house types are of a scale and design with a range of materials which are appropriate to the site context. Being a relatively short cul- de-sac the site would have reasonable connectivity, would provide reasonable defensible overlooking and would provide for the needs of occupants including an appropriate space for waste collection adjacent to the frontage. Therefore the layout would be sympathetic to the local character, provide an efficient use of land with an appropriate sense of place and would accord with the aforementioned policies and guidance.

Living conditions

The encouragement of good design in planning policies and guidance is set out in the 'Encouraging Good Design' Supplementary Planning Guidance, 2001. The spacing standards in appendix C indicates acceptable relationships between building and those which are pertinent to the site include; 22 metres between rear dwelling windows directly facing each (other taking account of changes in levels) and a usable rear garden of 11 metres in length or an area of 70 square metres

The layout and nature of the proposed house types is such that the separation distance between directly facing rear or front facing windows of proposed and existing dwellings,

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or between proposed dwellings, are comfortably above 22metres. For example the distance separation between the nearest rear windows of 'Blue Cedar' and front windows of the proposed dwelling at plot 2 is 33 metres. The difference in levels and the retention of the Blue Cedar tree overhanging the northern edge of the site would help further reduce intervisibility. Similarly the separation distance between Yew Tree Villa and the proposed dwellings at plot 3 is 31 metres, which is again comfortably above 22 metres. In the context of the level changes across the site these generous separation distances help protect the amenity of existing and proposed residents.

The proposed dwelling at plot 1 would be on a staggered alignment in relation to Yew Tree Villas such that its front elevation of the plot 1 dwelling would be 5 metres in front of the front of the front elevation of Yew Tree Villas and the rear elevation of the plot 1 dwelling would be 6 metres behind the rear alignment of Yew Tree Villas. However the separation between the two dwellings and the relative positioning of windows would not result in harm to residential amenity. Moreover, the staggered alignment would provide a more consistent stepped alignment in the street scene between Oakdene and Yew Tree Villas than the current arrangement.

All the proposed gardens to the units are of sufficient length and area to ensure that sufficient useable amenity area is provided. Whilst the introduction of a rear access drive and parking to rear of existing residential properties will introduce comings and goings, the numbers of dwellings and separation distances combined with enclosure by fences would ensure that there is not unacceptable harm in terms of noise and disturbance. No objections have been received from WRS however their advice to impose conditions in terms of construction management is noted and included in the recommendation.

Highway Safety and Parking Standards

BoRLP Policy 20 iii) requires that all proposals should incorporate safe and convenient access for all road users with access arrangements designed to reflect the function and character of the development and its wider surroundings. Similarly the NPPF paragraph 108b) states that development should provide a safe and suitable access to the site for all users.

Worcestershire County Highways do not object to the proposed development, subject to conditions. It is considered that the access arrangements including visibility splays and access drive width are appropriate for the development. It has been demonstrated with reference to adopted highway plans that the proposed 2m x 37m visibility splay is appropriate and that its extent lies entirely within the adopted highway limits and that there are no significant existing obstructions in visibility splays. Moreover it is considered that the additional traffic on Pumphouse Lane would not cause unacceptable highway safety hazards. In coming to this conclusion consideration has been given to the siting of the proposed access for emergency vehicles to the west of the site

The proposed curtilage parking provision which fully accords with Streetscape Design Guide will ensure that any occasional additional car parking on Pumphouse Lane would

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be minimal and therefore not cause an unacceptable problem in terms of highway safety or neighbours inconvenience.

Therefore, subject to the conditions recommended by the highway authority the proposed development would be acceptable in highway safety terms and would accord with the aforementioned highway policies.

Heritage Assets

In view of the conclusions of the Conservation Officer it is accepted that the proposed development would not have any implications on the integrity or setting of designated or undesignated heritage asset. Accordingly, there would be no conflict with BoRLP policy 36 'Historic Environment' or paragraph 190 of the NPPF

Trees/Green Infrastructure

Taking account of the conclusions of the Council's Tree Officer it is considered that the proposed development would not cause unacceptable harm in the short or long term in respect of retained trees and hedges. Consideration has been given to root protection, pruning pressures to prevent shading of the proposed dwellings/ gardens and drainage infrastructure. In particular, there is sufficient space around trees to both protect retained trees and hedges and reduce the prospect of pressure of future occupants to undertake tree works and hedgerows to reduce shading to houses and gardens.

Therefore there proposed development accords with BoRLP Policy 11 'Green Infrastructure' in that this proposed development would not cause unacceptable harm to retained trees and hedgerows. Glimpsed views of these trees and hedge can be seen from Pumphouse Lane.

Flood Risk and Drainage

North Worcestershire Water Management concludes that flood risk and drainage concerns can be adequately mitigated for by conditions requiring the implementation of an approved surface and foul water drainage scheme utilising sustainable drainage principles. Therefore it is concluded that the proposed development is compliant with BoRLP Policy 17 'Flood Risk Management and paragraph 163 of the NPPF.

Wildlife/ Protected Species

A Bat Survey report, dated 2017, compiled by 'Focus Ecology' was submitted with the application which revealed an active bat roost within the house supporting a single brown long eared bat. The report considers that taking account of the demolition of this house and the resultant loss of a non-breeding day time roost and appropriate guidance that it would be appropriate to assess the scale of impact on bat species as 'medium'. It states that any works which disturb the roost or the associated habitat of a protected species necessitates a bat mitigation licence from Natural England, the granting of which depends

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on a number of factors, including on full planning permission being granted and all related planning conditions being discharged.

Additionally a Preliminary Ecological Appraisal compiled by 'Worcestershire Wildlife Consultancy', (WCC), dated November 2018, has been submitted. They advise that the bat survey carried out by Focus Ecology have potentially provided sufficient information to enable the Council to make an informed decision. However they recommend that a note is attached to any planning permission granted stating that there is likely to be a need for two further surveys in spring/ summer of 2019 to apply for and obtain a Natural England EPS Licence. The appendices include the details of some of the necessary ecological enhancements required including a Schwegler bat box, diagrammatic details of a ridge tile bat access point, etc.

WCC have submitted a supplementary letter of containing points of clarification dated 25th January 2019 which can be summarised as follows:

- The LPA, with the knowledge of a single bat present have enough information to determine the application and further surveys are not required for the purposes of making a planning decision.
- The further bat surveys are only necessary after planning permission for Natural England licence purposes
- The provision of a single bat box per residence and two bat boxes on the oak trees would provide enough accommodation for any increase in the bats using the house since the 2017 bat survey
- It is unlikely that Natural England would not grant a licence for the demolition of the dwelling provided the further survey work has been undertaken and subject to proportionate mitigation conditions.

BoRLP 16.6 requires that any damage to nature conservation is minimised and there needs to be adequate protection of the site's nature conservation value and appropriate and adequate compensation measures.

NPPF paragraph 170d) advises that decisions should minimise impacts on and provide net gains for biodiversity. The still extant ODPM circular 06/2005 'Biodiversity and Geological Conservation' advises the presence of a protected species which would be harmed if the development is carried out is a material consideration and the extent they may be harmed needs to be established before the planning permission is granted.

The Council as a 'competent authority' have had explicit regard to the three licensing tests under the Habitats Directive. These tests are whether it is imperative to override the ecological harm, whether there is a satisfactory alternative and whether the maintenance of favourable conservation status can be achieved. These tests need to be conducted in a proportionate way depending on severity of the impact.

In this context it is considered that the analysis, conclusions and recommendations of these two reports provide a sound basis for concluding that protected species would not

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be unacceptably harmed. However it is necessary to secure a detailed and comprehensive mitigation package through the imposition of appropriate conditions.

Planning conditions are recommended including requiring implementation in accordance with the recommendation of the two reports, approval and implementation of a specification including methodology and implementation program for the provision of biodiversity enhancement features, control over external lighting and prevention of development without a Natural England licence.

Conclusions

It is concluded that the proposed development is acceptable in principle, represents good design harmonising with the character and appearance of the area and does not cause unacceptable harm to living conditions. Moreover it meets parking standards; it does not cause unacceptable harm in terms of highway safety, heritage assets, drainage, green infrastructure or biodiversity. Any impacts arising from the development are considered to be satisfactorily addressed through conditions. The development is therefore considered to represent sustainable policy compliant development which does not conflict with the BoRLP and which would also make a meaningful contribution to housing provision in the Borough. Subject to conditions and informatives listed below, the scheme is supported by your Officers.

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) The development hereby approved shall be carried out in accordance with the following plans and drawings:
 - Location Plan, Drawing no. 1839.01A
 - Proposed Site Plan, Drawing no. 1839.02H
 - House Type Plans & Elevations, Plots 1 & new plot 2 & Garage Plans – Plot 1, Drawing no. 1830.03D
 - House Type Plans & Elevations, New Plots 3, 4 & 5 & Garage Plans – Plot 2 , Drawing no. 1839/04A

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

- 3) Prior to the occupation of the development, details of the boundary treatments to all boundaries of the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:-To ensure the development is afforded privacy and security between neighbours and the public realm and in the interest of the visual amenity of the street scene.

- 4) No building operations shall take place until a scheme for surface and foul water drainage has been submitted to, and approved in writing by the Local Planning Authority. The scheme shall include the results of an assessment into the potential of disposing of surface water by means of a sustainable drainage system (SuDS) and shall provide an appropriate level of runoff attenuation and treatment. The approved scheme shall be completed prior to the first use of the development hereby approved.

Reason: In order to ensure satisfactory drainage conditions that will not create or exacerbate flood risk on site or within the surrounding local area and to minimise the risk of pollution.

- 5) The Development hereby approved shall not be occupied until pedestrian visibility splays of 2m x 2m measured perpendicularly back from the back of edge of carriageway shall be provided on both sides of the access. The splays shall thereafter be maintained free of obstruction exceeding a height of 0.6m above the adjacent ground level.

REASON: In the interests of highway safety.

- 6) 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.

REASON: In the interests of highway safety.

- 7) The Development hereby approved shall not be occupied until an area has been laid out within the curtilage of each dwelling for the parking of:

- 2 cars for a 3 bed dwelling
- 3 cars for a 4 bed dwelling

at a gradient not exceeding 1 in 8. This area shall thereafter be retained for the purpose of parking a vehicle only.

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REASON: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

- 8) The Development hereby permitted shall not be first occupied until the proposed garages have been fitted with an electric vehicle charging point in accordance with details that shall first be submitted to and approved in writing by the Local Planning Authority and thereafter the charging point shall be kept available for the charging of electric vehicles.

REASON: To encourage sustainable travel and healthy communities.

- 9) The Development hereby permitted shall not be first occupied until sheltered and secure cycle parking to comply with the Council's adopted highway design guide has been provided in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority and thereafter the approved cycle parking shall be kept available for the parking of bicycles only.

REASON: To comply with the Council's parking standards.

- 10) The Development hereby approved shall not be occupied until the access, parking and turning facilities have been provided as shown on drawing 1839.02H. These areas shall thereafter be retained and kept available for their respective approved uses at all times.

Reason: To ensure conformity with submitted details and in the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

- 11) Development shall not be occupied until visibility splays are provided from a point 0.6m above carriageway level at the centre of the access to the application site and 2.0 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly) for a distance of 37 metres in each direction 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.

- 12) Before any materials or machinery are brought on to the site or any development, demolition, installation of services or site clearance works of any kind are commenced the developer shall erect protective fencing to ensure that ;
- The Atlas Cedar has its RPA protected in full in accordance with BS5837:2012 during all phases of construction

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- The Oak along the southern boundary has its RPA protected in full in accordance with BS5837:2012 during all phases of construction
- The remainder of retained vegetation is protected in accordance with BS5837:2012 during all phases of construction.

all as illustrated by BS 5837:2012 on a line concurrent with the tree protection distances given in BS 5837:2012 and to the specific approval of the local planning authority.

The developer shall maintain such fences to the satisfaction of the local planning authority until all development, the subject of this permission, has been completed. No activities on the land within the fenced areas shall be permitted including excavation, changing of levels or disturbance in any way from the passage or storage of vehicles and machinery unless such activity is given the specific prior permission of the local planning authority.

Reason: In order to protect the trees which form an important part of the amenity of the site. This information is required prior to commencement to ensure that all initial works are undertaken in a manner so as to protect the longevity and health of the trees which have a recognised amenity value within the locality.

- 13) 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

- 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.

- 15) 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

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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

- 16) No development (including demolition of 'Kenmar') shall commence unless or until the submission to the local planning authority of either

a) a Natural England European protected species licence issued by Natural England pursuant to Regulation 53 of the Conservation of Habitats and Species Regulations 2010, as amended, or;

b) a statement, in writing, from Natural England to the effect the development would not require a licence

REASON: To ensure that a full suite of surveys at appropriate times of the year has been submitted and assessed regarding protected species (bats). This condition is required prior to commencement to ensure that initial works, including demolition take full consideration of the potential for EPS.

- 17) The works shall be carried out in strict accordance with the recommendations set out in the Preliminary Ecological Appraisal published by Worcestershire Wildlife Consultancy – (November 2018) – both general recommendations and the additional recommendations in table 4. And in accordance with the mitigation strategy of the Focus Ecology 'Bat Survey Report' (September 2017)

REASON: To protect the habitat of bats and the wider ecology of the site.

- 18) Prior to the commencement of development hereby approved a specification (including methodology and programme of implementation) for the enhancement of biodiversity through the provisions of features including bat boxes on houses and/ or trees and ridge tile bat entry to the lofts of the proposed houses shall be submitted to and approved by the Local Planning Authority. The works so approved shall be carried out in accordance with the approved programme of implementation.

REASON - To enhance biodiversity in accordance with the requirements of the NPPF. This condition is required prior to commencement to ensure that initial works, including demolition take full consideration of the potential for EPS and any necessary compensatory works.

- 19) Details of an external lighting scheme proposed to illuminate the development shall be submitted to and approved in writing by the Local Planning Authority before the development is occupied. The development shall be carried out in

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accordance with the approved details prior to the first occupation of the development and there shall be no other external illumination of the development.

Reason: In the interests of providing adequate levels of illumination for walking and cycling to the site in the interests of providing a sustainable form of development

- 20) No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

a) Direction of security/construction lighting away from protection zones, tree canopies and watercourses.

b) Responsible persons and lines of communication.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority

Reason:- To minimise impact of the development on biodiversity in accordance with the requirements of the National Planning Policy Framework.

- 21) Before the foundations of the dwellings hereby approved are constructed, a cross sectional drawing of the site showing Finished Floor Levels (FFL) of the proposed dwellings in relation to dwellings to the south of the site boundary (Hopesay Close) has been submitted to, and approved in writing by the Local Planning Authority. The details thus approved shall be fully implemented as part of the development.

Reason:- To allow proper consideration of the impacts of the sloping nature of the site with respect to visual and residential amenity in accordance with National Planning Policy Framework.

Informatives

- 1) In dealing with this application the local planning authority have worked with the applicant in a positive and proactive manner, seeking solutions to problems arising from the application in accordance with the NPPF and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The authority has helped the applicant resolve technical issues such as:
- the impact of the development in the street scene,
 - impact of the development upon amenity of neighbours,
 - improving the design of the proposed development.
 - Others

**PLANNING
COMMITTEE**

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The proposal is therefore considered to deliver a sustainable form of development that complies with development plan policy.

- 2) The applicants' attention is drawn to the comments made by the Community Safety Officer dated 10th July 2018. The applicant is urged to consider this advice in undertaking the detailed elements of the build.
- 3) This permission does not authorise the applicant to carry out works within the publicly maintained highway since such works can only be carried out by the County Council's Approved Contractor, Ringway Infrastructure Service who can be contacted by email worcestershirevehicle.crossing@ringway.co.uk. The applicant is solely responsible for all costs associated with construction of the access.
- 4) Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.
- 5) 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 of any works pertaining thereto.
- 6) The applicant is advised to be aware of their obligations under the Wildlife & Countryside Act 1981 (as amended by the Countryside & Rights of Way Act 2000) to avoid disturbance of nesting wild birds and protected species such as bats when carrying out these works.
- 7) Severn Trent Water advise that there may be a public sewer located within the application site. Although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under the Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and contact must be made with Severn Trent Water to discuss the proposals. Severn Trent will seek to assist in obtaining a solution which protects both the public sewer and the building.
- 8) It is recommended that the applicant adheres to the 'WRS Demolition and Construction Guide'

Procedural matters

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