

PLANNING COMMITTEE

18th March 2019

Planning Application 19/00075/OUT

Outline application for the erection of 2 No. 2-bed dormer bungalows with associated infrastructure (affordable housing)

Land adjoining 1 Fladbury Close, Woodrow North, Redditch, B98 7RX

Applicant: Redditch Borough Council
Ward: Greenlands 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 548474 Email: steve.edden@bromsgroveandredditch.gov.uk for more information.

Site Description

The site is a grassed corner plot which lies adjacent to 1 Fladbury Close, Woodrow North. The area is approximately 600m² (0.06 ha) in size and lies at the corner of a cul-de-sac. The site is Incidental Open Space as designated on the Borough of Redditch Local Plan No.4 Policies Map.

Properties to the immediate North (1 to 5 Fladbury Close) are bungalows whilst those to the South (51 to 60 Fladbury Close) are two storey houses. Beyond Woodrow North (to the West) lies the former Dingleside Middle School (now a development of 160 dwellings) constructed under planning ref 2013/066/RM.

There are four semi-mature Maple trees on the site which would have been planted as part of the landscaping for the original Fladbury Close development.

Proposal Description

This is an outline application for residential development comprising 2, two bedroomed dormer bungalows with all matters reserved for future consideration (access, layout, scale, appearance and landscaping).

Although the matter of access is not for consideration at this stage, an indicative plan has been submitted showing vehicular access off Fladbury Close where four car parking spaces would be created. An existing parking area immediately to the east of the site comprising a row of six car parking spaces would be retained as part of the scheme.

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Relevant Policies :

Borough of Redditch Local Plan No. 4

Policy 1: Presumption in Favour of Sustainable Development

Policy 11: Green Infrastructure

Policy 14: Protection of Incidental Open Space

Policy 16: Natural Environment

Others

NPPF National Planning Policy Framework (2019)

SPG Encouraging Good Design

Relevant Planning History

2008/360/RC4	Outline application for Residential Development	Granted	07.01.2009
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Consultations

WCC Highways

The site is located within a sustainable residential location. An on-road cycle route is available on Studley Rd close to the proposed development. There are a number of direct pedestrian access routes leading to other residential areas including the main bus routes. Street lighting and footpaths are located in the vicinity of the proposed development.

No objections are raised, noting that conditions with regards to visibility splays, vehicular access, Parking and Electric Vehicle Charging Points would not be attached at this stage but under a future reserved planning matters application where means of access is to be considered.

Drainage Engineer: North Worcestershire Water Management

Based on the available information there is no reason to withhold approval of this application on flood risk grounds. I don't deem it necessary for this planning application to recommend attaching a drainage condition as a future building control application will deal with this aspect.

Arboricultural Officer

The development site contains four semi mature Norway Maple trees. This group of trees offer a good degree of visual amenity value to the site and local street scene being highly visible from Woodrow North Drive. The proposal highlights a need to remove one of the trees within the group to allow the installation of four parking bays to serve the new properties. There would also be some minor encroachment into the BS5837:2012 recommended Root Protection Areas (RPA) of the other three trees within the group by

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the footprint of the path network serving the new properties. However the low degree of incursion would not be expected to adversely affect the health or stability of these trees. It is likely that some minor root pruning will be required during the installation of the path network due to its footprint incursion into the RPA of the trees. This will need to be done correctly and in accordance with BS recommendations to ensure the welfare of the trees. I feel that the loss of only one tree from the group would not have a major impact on the overall value of the group and find the level of incursion into the RPA's of the other trees acceptable.

Plans detailing the routing of any utility services to the new development would need to be provided as part of a detailed application since this would have the potential to cause root damage to the trees.

I would have no objection to the proposed development in view of tree related matters subject to the imposition of a suitably worded planning condition.

RBC Strategic Planning Team

Comments summarised as follows:

As an area of Incidental Open Space, Policy 14 of the Borough of Redditch Local Plan No.4 (BORLP4) would apply.

Whilst incidental open space can make an important contribution to the Green Infrastructure Network and overall open space provision in the Borough and will normally warrant protection from development, it is acknowledged that it may be necessary to develop some areas of incidental open space. Under the terms of Policy 14, applicants are required to demonstrate the merits of any proposed development in relation to the value of the open space and Criteria 1 to 5 set out within the Policy.

Whilst incidental open space does not form part of the assessment of open space in the Borough, it should be noted that in terms of Primarily Open Space standards, Greenlands Ward has a deficit of open space per 1000 population of 1.67 ha. The Borough standards have recently been recalibrated to take account of updated Census information and an audit of all open spaces. A revised standard for Greenlands Ward shows an increase in the deficit of open space (1.75ha per 1000 population).

Public Consultation Response

1 letter has been received in objection to the application.
Comments received are summarised below:

- Concerns that the rear (west facing) elevations to Fladbury Close will be difficult to access / maintain if permission is granted

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- This is the only area of green space left within the vicinity of properties in Fladbury Close. It should not be built on
- Woodrow North is a busy road carrying much traffic which has increased following the development of the Dingleside School site. The construction of two more properties would exacerbate an existing highway safety problem
- Lack of consultation with nearby residents prior to the planning application being submitted

Procedural matters

This is an outline application with all matters reserved, and as such only the principle of development can be considered at this stage. However, if there are reasons why the development could not be designed to be appropriate to the site, these can be raised as concerns at this stage.

The application plans include an indicative layout, however this is for illustrative purposes only to demonstrate how the site **could** be developed to accommodate two dormer bungalows, and not how the site **would** be developed.

Assessment of Proposal

Members will note that outline planning permission was granted on this site in January 2009 under reference 2008/360/RC4. The consent at that time did not specify the quantum of development proposed although an indicative plan was submitted showing how two dwellings **could** be accommodated within the plot. A subsequent reserved matters application was never submitted and therefore this consent expired on 7th January 2012. The Planning Committee at that time considered that residential development on this area of Incidental Open Space was acceptable although your officers consider that this historical decision should be afforded little weight. Whilst the land is currently designated as Incidental Open space, as it was at the time of the earlier applications determination, the development plan for the area was the Borough of Redditch Local Plan No. 3 rather than the current Local Plan No. 4.

The key issue for consideration in this case is the principle of the development as all other matters are reserved for future consideration.

Principle of development

The site is designated as Incidental Open Space in the Borough of Redditch Local Plan No.4 (BORLP4). As such, Policy 14 would apply.

Policy 14 is a criteria based policy and at 14.2 states that Incidental Open Space will be protected from development unless:

i. the need for the development is considered to outweigh the need to protect the incidental open space;

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ii. it can be demonstrated that the site does not make an important contribution to the Green Infrastructure Network and has no particular local amenity or wildlife conservation value;

iii. the site does not have a strategic function separating clearly defined developed areas or acting as a buffer between different land uses;

iv. it can be demonstrated that there is alternative provision of equivalent or greater community benefit provided in the area at an appropriate and accessible locality; and

v. the incidental open space does not play an important role in the character of the area.

i. Does the need for the development outweigh the need to protect the incidental open space?

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. 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, 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.

Significant weight should be afforded to the fact that the scheme would make a meaningful contribution to the Councils housing figures where the Council cannot demonstrate a 5 year supply of housing land as required under the NPPF. Account should be taken of the opportunities the development would create for local businesses in the construction of the development.

Some environmental harm would be caused by reason of the loss of one of the semi-mature maple trees although wider environmental harm is considered to be limited. Your officers consider that any adverse impacts arising from granting permission for the residential development of this site would NOT significantly and demonstrably outweigh the benefits of the application.

ii. Does the site make an important contribution to the Green Infrastructure Network and does it have a particular local amenity or wildlife conservation value?

The small size of the site limits its local amenity value. The primarily grassed area has little quality in terms of biodiversity of species and is of limited wildlife conservation value. Only one of the four existing trees on the site would need to be removed in order to facilitate the development

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The Planning Department have notified 40 properties which are situated within close proximity to the site. Only one representation has been received in objection to the proposals.

iii. Whether the site has a strategic function separating clearly defined developed areas or whether it acts as a buffer between different land uses;

This site is not considered to have a strategic function and does not form a buffer between different land uses.

iv. Can it be demonstrated that there is alternative provision of equivalent or greater community benefit provided in the area at an appropriate and accessible locality?

Alternative open space use to the south-west of the site and to the north of Woodrow North exists offering far greater diversity and variety than the application site.

v. Does the incidental open space play an important role in the character of the area?

In this case, the incidental open space does not play an important role in the character of the area.

Having regard to Criteria 1 to 5 above, no objections are raised to the principle of a residential scheme on the site.

Scale, layout and appearance of development

Policy is supportive of new residential development 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.

Whilst scale, layout and appearance are not for specific consideration at this stage, the indicative plan does demonstrate how 2 dormer bungalows could be accommodated within the site without harming the character and appearance of the area and without compromising the amenities enjoyed by occupiers of nearby dwellings. Whilst the submitted plan is only for illustrative purposes, separation distances between existing dwellings and the proposed new dwellings would comply with standards contained within the Councils SPG on Encouraging Good Design and gardens serving the new dwellings would also comply with minimum requirements.

Trees and Ecology

Policy 16 (Natural Environment) aims to protect and, where appropriate, enhance the quality of natural resources including wildlife corridors, ancient and important trees and biodiversity.

Three of the four trees present on the site would be retained by granting planning permission and the Councils Tree Officer has raised no objection to the application.

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Paragraph 175 of the NPPF comments that opportunities to incorporate biodiversity in and around developments should be encouraged. To enhance ecological biodiversity, permanent bat and bird nesting opportunities should be integrated within the scheme. An appropriately worded planning condition is recommended to be imposed at this outline stage.

Impact of the proposals on highway safety

The matter of access to and from the development would be considered in more detail under a future reserved matters application. Access via Fladbury Close in the manner proposed under Indicative Plan P2049/144/1 is considered at this stage to be acceptable.

Two off-road car parking spaces would be provided for each of the 2 dormer bungalows, meeting the Council's parking standards.

Residential amenity considerations

Your officers are satisfied that no loss of residential amenity would result from granting permission having regard to the density of the proposed development and separation distances that could be achieved between the proposed dwellings and existing 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.

Conclusion

Having regard to the requirements set out under Policy 14 above, your officers have concluded that the demonstrated need for the development outweighs the value of the land as an area of Incidental Open Space.

The proposal would amount to sustainable development, and would not conflict with the Borough of Redditch Local Plan No.4 as a whole.

Subject to compliance with conditions as listed in full below, a favourable recommendation can be made.

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) Details of appearance, landscaping, layout, access and scale (hereafter called 'the reserved matters') shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

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

- 2) Application for approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission.

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

- 3) The development hereby permitted shall begin no later than two years from the date of the approval of the last of the reserved matters to be approved.

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

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

Drawing No: P2049/144/2: site location plan edged red dated 23rd January 2019

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

- 5) 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

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 neighbour's amenity

- 6) Prior to the first occupation of the development, details shall be submitted that shall include bird nesting boxes, bat roosting boxes, and appropriate native species planting to take account of the need to recreate habitat for wildlife and biodiversity. The details thus approved shall be fully implemented prior to first use occupation of the development.

Reason:- To ensure the creation of wildlife habitat and wildlife corridors within development and minimise impact of the development on biodiversity in accordance with the requirements of the National Planning Policy Framework.

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- 7) All retained trees within the site shall be afforded protection in accordance with BS5837:2012 recommendations throughout any ground or development work on the site and existing ground levels within the BS5837:2012 recommended Root Protection Areas of the trees to be retained shall be maintained. Any root or crown pruning on the trees to be retained must be in accordance with BS3998:2010 recommendations.

Reason:- In the interests of the protecting the existing trees in to protect the visual amenities of the area

- 8) The housing shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework 2019, or any future guidance that replaces it. A scheme outlining the following:

- i. the type and tenure of the affordable housing
- ii. the arrangements for the management of the affordable housing
- iii. the criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the units.

Reason:- In the interests of securing affordable housing and to implement the purpose of the application.

Informatives

- 1) The local planning authority has worked with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with this planning application through negotiation and amendment.
- 2) An arboricultural method statement together with plans showing the routing of any ground installed utility services should be supplied as part of any subsequent full or reserved matters application

Procedural matters

This application is being reported to the Planning Committee because the applicant is Redditch Borough Council. As such the application falls outside the scheme of delegation to Officers.