

PLANNING COMMITTEE

Planning Application 18/01600/OUT

Outline application for the erection of 5 affordable housing No. 2-bed dormer bungalows with associated infrastructure

Sandygate Close, Webheath, Redditch, Worcestershire

Applicant: Peter Liddington, Redditch Borough Council
Ward: West 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 site is a grassed area approximately 2226 sqm (0.23 ha) in size and comprises an area of Incidental Open Space as designated on the Borough of Redditch Local Plan No.4 Policies Map.

The site is a grassed area at the end of the cul-de-sac at Sandygate Close and there is currently a path to link the two ends of Sandygate Close. Along the southern most boundary stands an original boundary tree line, predominantly consisting of a number mature Ash trees and small early mature Oak trees. The area consists of a mix of two storey semi-detached and terrace dwellings.

Proposal Description

This is an outline application for residential development comprising 5 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 the provision of a continuation of the cul-de-sac and two parking spaces per dwelling.

The application is supported by a design and access statement, a Preliminarily Ecological Survey (PEA) and justification with respect to the loss of the Incidental Open Space.

Relevant Policies :

Borough of Redditch Local Plan No. 4

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Policy 1: Presumption in Favour of Sustainable Development
Policy 11: Green Infrastructure
Policy 14: Incidental Open Space
Policy 16: Natural Environment

Others

NPPF National Planning Policy Framework (2019)
SPG Encouraging Good Design

Relevant Planning History

None.

Consultations

Hereford & Worcester Fire And Rescue

No Comments Received To Date

Arboricultural Officer

The site of the proposed development is largely empty of substantial vegetation; along the eastern boundary stands a scrub area, predominantly consisting of Blackthorn and Hawthorn along with a few young Oak trees. This provides little in the way of visual amenity value but provide some level of screening for the residents on Downsell Road. I do not object to the removal or reduction of this scrub area providing that some screening is retained either from the existing vegetation or a submitted and approved landscape schedule. Along the southern most boundary stands an original boundary tree line, predominantly consisting of a number mature Ash trees and small early mature Oak trees. These tree provide a high level of screening to the residents of Reyde Close from the proposed development, I do not envisage that the development would require their removal, as such the trees should be protected in accordance with BS5837:2012 throughout all phases of the development.

Highways Redditch

No objection is raised to the proposed outline application for the erection of 5 x 2 bed dwellings with associated infrastructure. The site is located within a residential area which consists of an existing adopted footpath located within the red line area. Access to bus routes is available via the various pedestrian routes located in vicinity. The surrounding roads also benefit from street lighting footpaths. I have no highway objections in principal to the proposed access road to be connected to the existing Sandygate Close. The applicant has provided a 2.0m footpath surrounding the new 4.5m access road which is acceptable in principal.

Redditch Strategic Planning And Conservation

The application site is located within the West Ward in Redditch Borough and comprises an area of incidental open space (white land) which falls within residential development on the Borough of Redditch Local Plan No.4 Policies Map. In terms of having no distinct

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policy designation (white land), this proposal for residential development is considered to be appropriate and in keeping with the surrounding uses. However, in terms of white land, this application should take account Policy 14 (Protection of Incidental Open Space). 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, West Ward has a surplus of open space per 1000 population of 4.81 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 West Ward shows an increase in the surplus of open space (4.93ha per 1000 population). Strategic Housing Land Availability Assessment (SHLAA). This site is identified in the SHLAA (ref: UCS 2.16) as having potential for residential development. The site was identified as surplus under the Disposal of Assets programme and landowner information indicated no constraints to delivery. In terms of BORLP4 and the appropriateness of this proposal, whilst it is acknowledged that the site may have potential for residential development, from a Strategic Planning perspective, this application cannot be supported unless the applicant can demonstrate that the merits of the development outweigh the benefits of retaining the open space.

North Worcestershire Water Management:

The site is in flood zone 1 (low risk of modelled river and tidal flooding), the Environment Agency's surface water flood maps show a low surface water flood risk and we have no records of flooding at this location. As a result I see no reason in relation to drainage and flood risk why this application cannot progress to the full application stage.

Worcestershire County Council Countryside Service

No Comments Received To Date

Public Consultation Response

10 representations have been received raising objections which are summarised as follows:

- Existing grassed area is used by local children to play football
- There is a lack of on street parking currently
- The end of the cul-de-sac where the proposed access is to be located is currently used for parking by local residents
- Other land locally would be better used for housing
- Fear emergency services will be unable to drive down road if blocked.
- Nuisance whilst building works take place
- Open space was a reason to move to area
- Letters sent over Christmas which is an inconvenient time
- Significant development has been taking place in Webheath in recent years
- No extra facilities are proposed to cope with additional residents to area
- Front views from No. 11 will be flank wall of bungalows and driveway
- South facing dwellings on Sandygate Close will be breached in their Right to Light.
- Proposal will devalue surrounding dwellings
- Application has not complied with Redditch validation checklist

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- Applicant has not justified development against policy 14 of the BORLP4
- No information on ecology has been received.

In addition to the individual objections a petition has also been submitted and has been signed by 21 addresses from Sandygate Close, Downsell Road and Boxnott Close.

A further consultation was sent on 20th February 2019 following receipt of the information on ecology and justification relating to Policy 14 of the Local Plan. Two additional representations have been received to date following this second consultation however no additional matters have been raised that are not listed above.

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 three dwellings, and not how the site **would** be developed

Assessment of Proposal

An Independent Preliminary Ecological Appraisal has been commissioned by the Council and has been carried out. The report concludes that the site is of low ecological value and that further surveys are not necessary. Development of the site is deemed to be acceptable from an ecological perspective subject to the imposition of appropriate conditions to cover biodiversity enhancement and to ensure that construction working is appropriately managed to ensure that wildlife is not prejudiced

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 comments that: "Areas of open space that are not Primarily Open Space are spaces of incidental open space. Whilst incidental open space can make an important contribution to the Green Infrastructure Network and overall open space provision in the Borough, it is acknowledged that it may be necessary to develop some areas of incidental open space."

Policy 14 is a criteria based policy where in the consideration of applications for development on Incidental Open Space, the following (5 criteria) will be taken account. The policy criteria has been addressed within the applicants justification and the case officers consideration of the details of the site:

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

The Council's Strategic Market Housing Assessment shows a shortfall of over 300 units of affordable housing per year to meet the need in the Borough. This application is for the development of affordable housing which will assist the Council in meeting this need and meet its strategic purpose of ' Help me to find somewhere to live in my locality'.

Furthermore Webheath has limited affordable housing and this application will assist in balancing the housing market in the area. This is reflected in the West Ward Census 2011 data on tenure.

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;

The Green Infrastructure on the site will be maintained and the existing path will be retained to ensure links for pedestrians are unaffected the proposal. The local residents have stated that this area of land is currently used by the local children to play football and forms an important amenity space for safe play. The indicative site layout does show that a small area of approximately 320sqm will be retained to the south of the site as green open space. In addition to this the applicant has highlighted a number of larger areas of open space in close proximity to the site as detailed under subheading iv.

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

Given the scale of this small piece of incidental open space it does not have a strategic function separating clearly developed areas or act as a buffer. The land is surrounded by existing development and the proposal continues to maintain the public pedestrian link through the site along with the established hedgerow corridor.

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

The incidental open space acts a pedestrian route for foot and cycle traffic in the area and this passage is to be retained. The applicants have stated that the land at Birchfield Road Public Open Space and Play Area, (within 200m of the site), offers a wider community open space which provides a better amenity provision for destination and recreation. Additional recreation provision can also be found at Springvale Road (within 200m of the site) providing a children's play area, goal posts for informal football along with basketball hoop. The Ward also offers a wider landscape of woodland at the nearby Pitcheroak Woods with vast areas of woodland and nature trails and wildlife features for the enjoyment of local people.

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

The character of the area consists of a residential development made up of dwellings of a similar scale and design. The green open space is a small area of land at the end of the cul-de-sac. The dwellings would reflect the overall character and scale of the surrounding development maintaining some green space adjacent to the turning area and south of Nos. 19-26 Sandygate Close.

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It is noted that a number of residents have raised concerns over the loss of this Public Open Space as it is used by children locally to play football. Although it is acknowledged that the local residents enjoy the use of this open space this must also be weighed against the fact that the Council cannot currently demonstrate a five year land supply for housing. In addition to this, the council has a shortfall of over 300 units of affordable housing per year to meet the need in the Borough. Significant weight should be afforded to the fact that the scheme would make a meaningful contribution to the Councils housing figures and in particular the provision of affordable housing. Account should also be taken of the opportunities the development would create for local businesses in the construction of the development. It is also noted in terms of Primarily Open Space standards, West Ward has a surplus of open space per 1000 population of 4.81 ha.

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 5 dwellings could be accommodated within the plot. Objections have been raised in respect of amenity in particular to Nos. 10, 11 and 12 Sandygate close which face onto the open space. The proposed dwellings are shown on the indicative plan to achieve a distance 12.7m from the closest dwelling. The Councils Supplementary Document Encouraging Good Design does not have a minimum separation distance from window to flank wall however this distance is considered sufficient to ensure the amenity of these dwellings is maintained. Concern has also been raised on the Right to Light for these properties. Although it is noted that the proposed dwellings will be to the south of the existing dwellings sufficient space is considered to be provided to ensure the dwellings do not lose an unacceptable amount of light. Furthermore this orientation and separation distance is a common layout within residential areas. There is also space on site to provide additional distance to these dwellings should this be considered reasonable during the Reserved Matters stage. It is acknowledged that these dwellings will lose the view of the green space however the loss of a view is not a planning consideration. The proposal is considered to comply with standards contained within the Councils SPG on Encouraging Good Design and gardens serving the new dwellings would also comply with minimum requirements

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

Trees

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.

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The Councils Arboricultural Officer has raised no objections to the development subject to a condition affording full protection to all trees on site during construction.

Drainage

The site is in flood zone 1 and the Drainage engineer has not raised any concerns or suggested any conditions to be placed on the recommendation.

Highways

Worcestershire County Council Highways Authority has not raised any objections to the proposal. It has been noted that an objection from residents has been raised on the grounds of current on street parking and the accessibility of the site to the bin men. It is noted that a number of residents have been using the end of the cul-de-sac for on street parking however given this is on the public road it is not controlled by the Council and therefore cannot be secured under this application. The indicative plans show how the cul-de-sac could be extended to provide vehicular access to the proposed dwellings and each dwelling has been provided with 2 parking spaces. The application has therefore provided sufficient parking for the size and number of units having regards to the County Council standards and therefore is not considered to have a severe impact on the existing situation. In respect of the bin men the dwellings have sufficiently provided for their own parking and therefore will not exacerbate the existing situation.

Public Comments

Several objections and a petition have been received as a result of the public consultation. Matters such as the loss of the public open space, on street parking, loss of a view and Right to Light have been addressed within this report. A number of other matters have been raised which I will now address.

Residents have raised concerns over the level of development in Webheath over recent years and suggested that no facilities have been constructed to cope with the additional population. Residents have also suggested other sites are available locally to build. Both locally and nationally there is a shortfall of housing and windfall sites such as these provide dwellings to meet the housing requirement. Each application is to be considered on its individual merits and therefore an additional five dwellings does not create a requirement to provide additional facilities to accommodate any demand rising from them. Other sites may be vacant in the Borough however the Local Planning Authority can only assess an application as put forward and cannot suggest alternative sites which may be in different ownership.

Concern has been raised in respect of access to emergency services to the site. The indicative plan shows how the cul-de-sac could be extended to provide vehicular access to the site and should vehicles block the road due to poor parking this would be a matter for the police.

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Concern was raised on the lack of information submitted by the applicant in respect of Ecology and justification relating to Policy 14 of the Borough of Redditch Local Plan No. 4. Further information was submitted by the applicant and this information was sent out for further consultation on 20th February 2019. The planning assessment on these matters is addressed within this report.

Concern has been raised on the nuisance caused during construction of the development. Construction is temporary however it has been considered reasonable to condition the working hours of construction. In addition to this nuisance by noise and dust can be considered under separate legislation should this be necessary.

Concerns were raised on the date of the initial public consultation over Christmas and the Redditch validation checklist. The public consultation was undertaken compliant with legislation and comments are accepted after the consultation until the decision is made. The application has been considered to be valid having regards to the National validation requirements and sufficient information has been submitted for members to consider.

The devaluation of the properties and an individual's reasons for purchasing a property are not material planning considerations.

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.

As referred to earlier in this report, the Council's Strategic Market Housing Assessment shows a shortfall of over 300 units of affordable housing per year to meet the need in the Borough. Significant weight should be afforded to the fact that the scheme would make a meaningful contribution to the Council's housing figures and in particular the provision of affordable housing. Account should be taken of the opportunities the development would create for local businesses in the construction of the development. Limited environmental harm would be caused in this case and 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. As such, and in accordance with Paragraph 11 of the NPPF, permission should be granted. 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, planning permission be GRANTED subject to the following conditions:

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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.

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 not be occupied until pedestrian visibility splays of 2m x 2m measured perpendicularly back from the back of footway shall be provided on both sides of the dwelling 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.

- 5) 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.

- 6) The Development hereby permitted shall not be first occupied until each dwelling has been fitted with an electric vehicle charging point and thereafter the charging point shall be kept available for the charging of electric vehicles.

REASON: To encourage sustainable travel and healthy communities.

- 7) The Development hereby approved shall not be occupied until an area has been laid out within the curtilage of the dwelling for the parking of 2 cars 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 sheltered and secure cycle parking to comply with the Council's adopted highway design guide has been provided 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.

- 9) 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. In addition there shall be no storage of plant/materials within the RPAs of any retained trees during the course of all on-site development works.

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

- 10) Prior to occupation of the proposed dwellings, a scheme of landscaping and planting shall be submitted to, and approved by the Local Planning Authority in writing. The scheme shall include the following:-

a) Full details of retained vegetation, if any, along the eastern boundary and details of all existing physical and landscape features on the site including the position, species and spread of all trees and major shrubs clearly distinguishing between those features to be retained and those to be removed;

b) full details of all proposed fencing, screen walls, hedges, floorscape, earth moulding, tree and shrub planting where appropriate.

The approved scheme shall be implemented within 12 months from the date when (any of the building(s) hereby permitted are first occupied) (change of use hereby permitted carried out).

Any trees/shrubs/hedges removed, dying, being severely damaged or becoming seriously diseased within 5 years of the date of the original planting shall be replaced by plants of similar size and species to those originally planted.

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

- 11) 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

- 12) Prior to commencement of development a biodiversity strategy for the site should be submitted to and approved in writing by the local planning authority. The strategy shall identify measures to be implemented to increase the value of habitats on site for wildlife species likely or known to occur nearby. Such measures shall include:
- retention and maintenance of green corridor feature along the eastern and south-eastern edges of the site;
 - inclusion of at least two bat roosting features similar in specification to the enclosed bat boxes produced by Ibstock Brick or Schwegler;
 - retention of scrub habitat suitable for nesting birds and nesting/hibernating hedgehogs;
 - design site to allow hedgehogs free access through the development area and into the wider area;
 - enhancement of the site through inclusion of at least three bird nesting boxes suitable for house sparrow and starling amongst other species;
 - creation of log piles; and
 - incorporation of planting in public areas that provides opportunities for pollinators and other wildlife

Reason:- To minimise impact of the development on biodiversity in accordance with the requirements of the National Planning Policy Framework. The condition is required to be a pre-commencement condition given any works carried out may have an impact on the biodiversity of the site and therefore it would be important to establish the strategy prior to implementation.

- 13) 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) Identification of "biodiversity protection zones".
 - b) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - c) The location and timing of sensitive works to avoid harm to biodiversity features.
 - d) The times during construction when specialist ecologists need to be present on site to oversee works.
 - e) Direction of security/construction lighting away from biodiversity protection zones and tree canopies.
 - f) Responsible persons and lines of communication.

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g) The responsibilities of site operatives/managers to consult suitably qualified ecologists should protected or priority species be found during works.

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. The condition is required to be a pre-commencement condition given any works carried out may have an impact on the biodiversity of the site and therefore it would be important to establish the strategy prior to implementation.

- 14) Prior to occupation, a "lighting design strategy for biodiversity" for the retained green corridor along the eastern site boundary shall be submitted to and approved in writing by the local planning authority. The strategy shall:
- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using this corridor or having access to their breeding sites and resting places.
 - c) The strategy shall be in compliance with Institution of Lighting Professionals' Guidance Note 08/18. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

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

- 15) 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,

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Reason; In the interests of securing affordable housing and to implement the purpose of the 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.