

**PLANNING
COMMITTEE**

4th December 2019

Planning Application 19/00815/OUT

Outline application for the construction of one 3 bedroomed dwelling

Land Adjacent To 34 Badger Close, Winyates, Redditch, Worcestershire, B98 0JE, ,

**Applicant: Mr Peter Liddington
Ward: Winyates Ward**

(see additional papers for site plan)

The author of this report is Nina Chana, Planning Officer (DM), who can be contacted on Tel: 01527 548241 Ext 3207 Email: nina.chana@bromsgroveandredditch.gov.uk for more information.

Site Description

The application site is located within Winyates which is an established residential area. The site is a plot of land which is located at the end of a cul de sac, adjacent to 34 Badger Close. To the southern boundary of the site is a footpath, the eastern boundary is the fence to the rear garden of 22 Badger Close and the site fronts onto Badger Close. The site is flat and extends to 0.02 hectares, it is laid to grass and there is no presence of any trees.

Proposal Description

This is an outline application for the construction of a single dwelling with all matters reserved for future consideration (access, layout, scale, appearance and landscaping). It is an open market scheme.

Although the matter of access and layout is not for consideration at this stage, an indicative plan has been submitted showing how the site could be developed to accommodate one dwelling. This is for illustrative purposes only to demonstrate how the site could be developed not would be developed.

Relevant Policies :

Borough of Redditch Local Plan No. 4

Policy 1: Presumption in Favour of Sustainable Development

Policy 5: Effective and Efficient use of Land

Policy 40: High Quality Design and Safer Communities

Others

**PLANNING
COMMITTEE**

4th December 2019

NPPF National Planning Policy Framework (2019)
Redditch High Quality Design SPD

Relevant Planning History

None

Consultations

Highways Redditch

No objection subject to conditions

North Worcestershire Water Management

No objection subject to condition

Tree Officer

No objection subject to tree protection condition

Public Consultation Response

3 representations have been received raising objections which are summarized as follows:

- Overlooking
- Future foundations for a dwelling would affect the footings, fencing of the neighbouring dwelling
- Loss of view
- Proposal would devalue surrounding dwellings

Assessment of Proposal

Principle of development

The site is located in a sustainable location with access to services and facilities within Redditch which is the main settlement within the Borough and the site is within 120m of a bus stop and regular bus service. On this basis residential development is considered to be appropriate in principle on the site.

Part of the site was a designated a Toddler Play Area, which were provided in quantity with similar new residential developments across the New Town areas in the 1970s.

**PLANNING
COMMITTEE**

4th December 2019

However, the majority of these Toddler Play Areas were taken out some years' ago by this Authority after reviewing the appropriate Play Area Policies.

Part of the site is an adopted highway as it was part of the original footpath network. There is no Statutory Undertakers' equipment within this parcel of land, so it was not classified as a highway for that reason.

If the Planning application is successful, then an application will be made to the Department for Transport under Section 247 of the Town and Country Planning Act 1990 to stop up the highway. Upon satisfactory completion of this process, the former adopted highway will then revert back to the owner of the sub-soil, which is this Authority.

Scale, Layout and Appearance of Development

Policy 5 states that development of such land will not be supported unless it lies within an existing settlement, integrates fully into the neighbourhood and demonstrates there would be no detrimental impact on amenity, character and environmental quality of the neighbourhood.

The site is a vacant piece of land which is large enough to accommodate a dwelling. That dwelling would have to be designed to be acceptable in terms of its character and appearance and must not harm the amenities of the area or adjoining occupants. The proposal would also need to provide sufficient functional space for the needs of its occupants.

Whilst scale, layout and appearance are not for specific consideration at this stage, the indicative plan does demonstrate how a dwelling could be accommodated within the plot .

The indicative plan shows the frontage of the new dwelling has been stepped forward from the existing frontage line of its neighbour, No.34. It is the same distance as the step between the existing dwellings Nos. 32 and 33. Consequently, the stepped frontage details have been retained

Objections have been raised in respect of amenity. The proposed dwelling is shown on the indicative plan to achieve a distance 20.96m from No 22 Badger Close. The Councils High Quality Design Supplementary Document has a minimum separation distance of 21m from window to flank wall and this distance is considered sufficient to ensure the amenity of these dwellings is maintained . This would mean that a garden depth of 8.8 metres would be required which can be provided through the siting of the dwelling. It is acknowledged that this dwelling will lose the view of the green space; however the loss of a view is not a material planning consideration.

The proposal is considered to comply with standards contained within the Councils SPG on High Quality Design and the garden serving the new dwellings would also comply with minimum requirements.

PLANNING COMMITTEE

4th December 2019

Your officers therefore consider that the proposed development would respect the character and appearance and density of existing development within the wider area. Furthermore the amenity of adjoining occupiers can be safeguarded as part of the scheme.

Highway safety and parking

A future dwelling would benefit from off road parking as demonstrated on the indicative layout which shows the required two car parking spaces for a 3 bed dwelling. The County Highway Authority has not objected to the application subject to conditions.

Trees

There is a mature Oak tree sited on the opposite side of the public footpath which runs adjacent to the site. The Tree Officer has been consulted and he has raised no objection subject to a tree protection condition.

Drainage

The site is located within Flood zone 1 and NWWM has no objection to the proposal in principle but has requested that a full drainage plan be submitted as part of any subsequent Reserved Matters Application, outlining where surface water will be disposed of, what attenuation features are being used to ensure run off is at a rate of 5L/s and this should incorporate SuDS measures as required within Policy 17 of the Redditch Local Plan. These measures could include but are not restricted to permeable paving, rain gardens, blue roofs or swales.

Conclusion

The proposal would amount to sustainable development, would be sited on residential land 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:

That having regard to the development plan and to all other material considerations, 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.

**PLANNING
COMMITTEE**

4th December 2019

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 the 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.

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

**PLANNING
COMMITTEE**

4th December 2019

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) 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 neighbours amenity

- 10) Prior to installation, full details of a scheme for foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The details thus approved shall be fully implemented prior to first use or occupation of the development.

Reason:- To allow proper consideration of the proposed foul and surface water drainage systems and to ensure that the development is provided with a satisfactory means of drainage and in accordance with National Planning Policy Framework.

- 11) All retained trees and their Root Protection Areas must be protected during clearance and construction phase in accordance with BS5837:2012, using suitable protective fencing and/or ground protection as appropriate. No storage of plant/materials within the Root Protection Areas of any retained trees.

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

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.