

**PLANNING
COMMITTEE**

15th July 2020

Planning Application 20/00328/REM

Reserved Matters Application for the Erection of a Dwelling

44 Oakham Close, Oakenshaw South, Redditch, Worcestershire, B98 7YG

Applicant: Mr T Geraghty
Ward: Headless Cross And Oakenshaw Ward

(see additional papers for site plan)

The case officer of this application is Mr Paul Lester, Planning Officer (DM), who can be contacted on Tel: 01527 881323 Email: paul.lester@bromsgroveandredditch.gov.uk for more information.

Site Description

The application site is located within the residential curtilage of 44 Oakham Close between numbers 43 and 45 Oakham Close. The application site is occupied by a wooden single-storey outbuilding/shed, which serves the existing dwelling at 44 Oakham Close. An existing wooden boundary fence (approximately 1.8m in height), with a vehicular access gate, fronts the site to Oakham Close.

The site is within a residential area and it is surrounded by dwellings all built-in the mid-1980s. These are characterised by two-storey detached dwellings and single storey bungalows. The land rises significantly on the application site from 44 Oakham Road up to 43 Oakham Road and slopes significantly downwards towards 36 and 37 Oakham Close.

Proposal Description

This application seeks Approval of Reserved Matters – Erection of new detached bungalow including details of access, appearance, landscaping, layout and scale.

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

NPPF National Planning Policy Framework (2019)

Redditch High Quality Design SPD

PLANNING COMMITTEE

Relevant Planning History

18/00455/OUT	Outline application for the subdivision of the existing garden and the construction of a dormer bungalow. The new dwelling is to be of the same appearance, design and materials of the existing dwelling. APPEAL ALLOWED (APP/Q1825/W/18/3207358)	Refused	13.06.2018
--------------	--	---------	------------

A copy of the appeal decision has been included in Appendix 1.

Consultations

Highways Redditch

No objection subject to conditions.

- Pedestrian visibility splays
- Vehicular access
- Electric vehicle charging point
- Cycle parking
- Conformity with Submitted Details
- Vehicular visibility splays

Cllr Bennett

No Comments Received To Date

Cllr Baker-Price

No Comments Received To Date

Cllr Beecham

No Comments Received To Date

North Worcestershire Water Management

No objection, drainage details are considered satisfactory.

Public Consultation Response

7 neighbour notification letters sent 23rd March 2020 expired 16th April 2020.

Representations

5 objections have been received:

- Loss of privacy and amenity, proposed dormer window will look into houses and gardens.

PLANNING COMMITTEE

- Drainage Issues
- Site is insufficient for dwelling of this size
- No provision for secure bicycle parking or electric vehicle charging
- Concerns regarding land stability of the site as a result of the development
- Construction traffic, distribution during build impact on private driveway
- Insufficient parking for 3 bed property
- No need for the dwelling

Assessment

The principle of the proposal for the erection of a dwelling has been established through the planning appeal APP/Q1825/W/18/3207358 (Appendix 1).

Appearance, Scale, Layout and Landscaping

Policy 40 High Quality Design and Safer Communities of the Borough of Redditch Local Plan (BRLP) together with the Borough Council's High Quality Design SPD states that new development should be of a high quality design that reflects or complements the local surroundings and materials as well as being of an appropriate siting and layout.

The application proposes a 3 bedroom detached dormer bungalow measuring approximately 7.8m wide x 12.5m long x 5.5m high. The proposed bungalow is sited between a detached two storey property and a bungalow. It is considered that the street scene is varied and the bungalow does not appear out of character or scale in the street scene. In terms of external materials, details have been submitted as part of the planning application. These are similar to other properties in the vicinity and are considered to be satisfactory.

The proposed layout is considered acceptable, with sufficient parking provided. The depth of the proposed rear garden is greater than the recommended 10.5m and it totals 96 sq m, which is 26 sq m larger than the minimum required. Therefore sufficient amenity space has been provided. The scheme proposes landscaping in the form of a front and rear lawn, this is considered acceptable for this residential location. Due to the change in levels a retaining wall is proposed between the application site and 44 Oakham Close.

Overall, the appearance, height, scale and massing of the proposal is considered to be acceptable and in keeping with the locality.

Impact on Residential Amenity

Under Policy 5 Effective and Efficient Use of Land, development of private residential gardens will generally not be supported unless the applicant can clearly demonstrate that there would be no detrimental impact on the current and future amenity, character and environmental quality of the neighbourhood. The Council's SPD sets out a range of

PLANNING COMMITTEE

criteria to ensure that new development affords future occupiers an acceptable standard of residential amenity whilst protecting the residential amenity of nearby dwellings.

The impact on neighbouring amenity formed one of the reasons for refusal of the outline application (18/00455/OUT). This considered that, while the separation distances involved would exceed the minimum 22m outlined in the SPD (approximately 25m to 27m), the difference in ground/floor levels between the existing and proposed dwelling would serve to accentuate the impact of overlooking. It was noted that the effect upon the individual existing properties, the gardens and rear elevations of 36 and 37 Oakham Close could be overlooked from a dormer bedroom window in particular.

However, as part of the planning appeal the Inspector considered this issue and commented as follows.

In paragraph 12 the Inspector indicates that “I am satisfied that a suitably designed dormer bungalow could be achieved within the site with a satisfactory relationship with surrounding properties in terms of privacy and overlooking.”

In paragraph 14 “I conclude that a dormer bungalow on the site would not give rise to significant adverse effects on the living conditions of occupiers of Nos. 36, 37, 42, 43, 44 and 45 Oakham Close with regard to privacy and outlook.”

Therefore while the objections are noted from local residents regarding amenity, it is considered that a detrimental impact on amenity cannot be substantiated as a reason for refusal.

The Inspector did not consider it necessary or reasonable to restrict or remove permitted development rights to install dormer windows in the future property (Class B of the General Permitted Development Order 2015 (GDPO)). The applicant therefore argues that they have a fall-back position, in that a dormer of the same size and position could be provided as permitted development if planning consent was granted and implemented for a building with no dormer to the rear roof slope.

The impact of construction traffic has also been raised by operators, identical concerns were considered by the Planning Inspector, they concluded in paragraph 17 that:

“Some residents have raised concerns about noise, disturbance, dust and general disruption during construction. This is a likely and inevitable consequence of most development but is generally short-term and is not a reason to withhold planning permission”.

On balance, given the Inspectors conclusions on amenity matters, the reserved matters submission, which includes a levels plan as required by the Inspector and the potential fall-back position that a dormer window could be installed at the completed property under permitted development. I consider that the proposal is acceptable and do not anticipate any significant adverse impact on residential amenity.

PLANNING COMMITTEE

Highways / Parking

County Highways have no objection to the proposed development, subject to conditions.

Two car parking spaces to the front of the dwelling have been provided this is in line with The Worcestershire County Council Streetscape Design Guide requires 2 spaces to be provided for 2-3 bedroom dwellings.

Planning conditions within the outline permission require the provision for secure bicycle parking and electric vehicle charging, there is no requirement to replicate these conditions.

Drainage

A drainage condition was attached to the outline permission that was approved by the Inspector. Details have been submitted in order to discharge the condition as part of the reserved matters permission. North Worcestershire Water Management has confirmed that these details are satisfactory.

Conclusion

Subject to conditions the proposal would accord with the Development Plan and NPPF. There are no other material considerations of sufficient weight to warrant a determination not in accordance with the Development Plan.

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 before the expiration of two years from the date of approval of this consent.

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

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

Location Plan – A103b
Site Plan – A102d
Plans – A101J

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

PLANNING COMMITTEE

- 3) 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.

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

Reason: In the interests of highway safety.

- 5) The Development hereby approved 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 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 15 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.

Procedural matters

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