

PLANNING COMMITTEE

23rd September 2020

Planning Application 20/00269/OUT

Outline application (all matters reserved for subsequent consideration) for the erection of 2 no. three bedroomed dwellings

Land adjacent to 29 Berkeley Close, Winyates Green, Redditch, B98 0QB

Applicant: Redditch Borough Council
Ward: Winyates Ward

(see additional papers for site plan)

The case officer of this application is Steven Edden, Principal Planning Officer (DM), who can be contacted on Tel: 01527 548474 Email: steve.edden@bromsgroveandredditch.gov.uk for more information.

Site Description

The application site is located on land within Berkeley Close, an existing housing development constructed in the early 1980s.

The site is 0.05 hectares in area fronting an adopted cul-de-sac although there is no adopted footway running parallel with the highway.

An unadopted footpath runs in a northerly direction adjacent to the site on the western side. A short length of adopted footpath runs again in a northerly direction from the existing highway, on the eastern part of the site adjacent to No.29 Berkeley Close. This footpath would be subject to a Stopping Up Order if planning permission were to be granted for the proposed development.

The majority of the site contains semi-mature trees, consisting of Field Maple, Norway Maple and Hazel.

The site is Incidental Open Space as designated on the Borough of Redditch Local Plan No.4 Policies Map.

Proposal Description

This is an outline application for residential development comprising 2, three bedroomed dwellings 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 Berkeley Close to the south where four car parking spaces would be created. The vehicular access to the frontage parking spaces would be via vehicular crossings over a new footway which would be constructed to adoptable standards thereby allowing it to be adopted by the County Council, providing a continuous footway link serving all frontages.

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Indicative elevations and floor plans have not been submitted although it is expected that the dwellings would be two storey as per the existing two storey houses present within Berkeley Close.

The application is supported by an independent Ecological Impact Assessment.

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 11: Green Infrastructure

Policy 14: Protection of Incidental Open Space

Policy 15: Climate Change

Policy 16: Natural Environment

Policy 17: Flood Risk Management

Policy 39: Built Environment

Policy 40: High Quality Design and Safer Communities

Others

NPPF National Planning Policy Framework (2019)

Redditch High Quality Design SPD

Relevant Planning History

None

Consultations

WCC Highways

The site is located in a residential and sustainable location off an unclassified road. Berkeley Close benefits from footpaths and street lighting on both sides of the road and no parking restrictions are in force in the vicinity. However immediately opposite the site no footpaths are present on either side of the road for a short section. The site is located within walking distance of bus route and bus stop.

It is recommended the continuation of the footpath is provided on the development side as indicated with the Design and Access Statement.

Applicant also to consider s278 off-site works for the proposed continuous footway link serving the frontages.

No objections are raised, noting that conditions with regards to visibility splays, vehicular access, Parking and Electric Vehicle Charging Points and cycle parking would not be

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attached at this stage but under a future reserved planning matters application where means of access is to be considered.

North Worcestershire Water Management

The proposed development site is situated in the catchment of Ipsley Brook. The site falls within flood zone 1 and it is not considered that there is any significant fluvial flood risk to the site. As indicated on the EA's flood mapping (above) there is some surface water (low risk) indicated on the site.

No drainage details have been provided with the application, however this information can be provided via a condition. Permission from Severn Trent Water to work within the vicinity of the existing surface water sewers will be required.

Arboricultural Officer

The area is dense in vegetation and consists mainly of Field Maples and Hazel. I would have no objection to the loss of these trees and the vegetation which exists.

WRS - Contaminated Land

WRS have reviewed the application for potential contaminated land issues. No concerns have been identified and therefore WRS have no adverse comments to make.

Severn Trent Water Ltd

No objections

Public Consultation Response

No comments received

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 the two dwellings and not how the site **would** be developed.

Assessment of Proposal

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 applies.

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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;*
- 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 contribute 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 the trees present on the site although members will note that the Councils Tree Officer has raised no objection to their removal. 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.

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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 together with the presence of trees and scrub limits the sites accessibility and its local amenity value. The ecological appraisal comments that no further ecological surveys are required due to the sites limited ecological value, although it is recommended that integrated bat and bird boxes together with bee bricks are installed on the new houses in order to aid biodiversity (as required under the NPPF and the Local Plan). This can be achieved via planning condition.

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 with good accessibility exists at Ipsley Alders Marsh Nature Reserve (Worcestershire Wildlife Trust) to the north-west of the site 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 two 3 bed houses 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 High Quality Design SPD and gardens serving the new dwellings would also comply with minimum requirements.

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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 Berkeley Close in the manner proposed under the submitted Indicative Plan is considered at this stage to be acceptable.

Two off-road car parking spaces would be provided for each of the dwellings 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 regards to the density of the proposed development and separation distances that could be achieved between the proposed dwellings and existing nearby properties. No letters have been received in objection to the application following the neighbour notification process.

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.

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.

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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) 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

- 5) The development hereby approved shall be implemented in accordance with the following plans:

site location plan P2049.158 Rev A

Reason: To accurately define the permission for the avoidance of doubt and to ensure that the development is satisfactory in appearance in order to safeguard the visual amenities of the area

- 6) Prior to any development above foundation level on site a scheme for surface water drainage will be submitted to, and approved in writing by the Local Planning Authority. This scheme should be indicated on a drainage plan and 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.

- 7) 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

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- 8) Prior to the first occupation of the development hereby approved, a scheme for the provision of bee bricks, bat roost opportunities and bird nest boxes within the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented by suitably qualified personnel to the satisfaction of the Local Planning Authority prior to the first use of the development approved.

Reason: In the interests of biodiversity and in accordance with the provisions of National Planning Policy Framework

Informatives

- 1) The local planning authority have 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 pre-application advice and discussion.

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.