

PLANNING COMMITTEE

11th November 2020

Planning Application 20/00947/FUL

Proposed new two residential dwellings with associated parking and amenity facilities

Land Off Battens Close , Rear Of 68/70 Southcrest Road, Redditch, B98 7HY, ,

Applicant: Mr Bhogal
Ward: Lodge Park Ward

(see additional papers for site plan)

The case officer of this application is Charlotte Wood, Planning Officer (DM), who can be contacted on Tel: 01527 64252 Ext 3412 Email: Charlotte.Wood@bromsgroveandredditch.gov.uk for more information.

Site Description

The application site is a rectangular piece of land which lies to the south east of, and in close proximity to Redditch Town centre. The site is accessed off the cul-de sac Battens Close and predominantly is comprised of undeveloped scrub land, apart from a number of garages along the northern boundary, towards the access of the site. To the north of the site there are open playing fields belonging to St Bede's Catholic Middle School. Directly to the south of the site are the rear private gardens belonging to the properties along Southcrest Road.

The site lies within the urban area of Redditch indicated as white land on the proposals map and is primarily residential in character, comprising mainly of two storeys with dwellings set back from the highway with small front gardens.

Proposal Description

The application seeks full planning permission for the erection of a pair of two storey semi-detached properties. The two dwellings would be slightly different in appearance; the property on the southern side would be bay fronted, and the property on the northern side would be gable fronted. Facing materials would consist of brick, render, and roof tiles, however the exact details of materials have not been specified. The proposal would also comprise a parking and courtyard area and rear amenity space for each dwelling.

Relevant Policies :

Borough of Redditch Local Plan No. 4

Policy 1: Presumption in Favour of Sustainable Development

Policy 2: Settlement Hierarchy

Policy 5: Effective and Efficient Use of Land

Policy 20: Transport Requirements for New Development

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Policy 39: Built Environment

Policy 40: High Quality Design and Safer Communities

Others

National Planning Policy Framework

National Planning Practice Guidance

Redditch High Quality Design SPD

Relevant Planning History

No relevant planning history

Consultations

WRS - Contaminated Land

No objections to the proposal, however, due to the potential for land contamination at the site, a condition for a tiered risk assessment has been recommended.

Highways Redditch

No objections raised in relation to the proposal. Parking layout and the use of the existing access is considered acceptable. However conditions have been recommended in relation to the parking and turning area, and for the provision of cycle storage and electric vehicular charging points.

Arboricultural Officer

The existing trees on site are indicated to be retained, however it is anticipated that a number of trees will require remedial work to facilitate the new development. No objections are raised subject to conditions.

North Worcestershire Water Management

The proposed development site is situated within flood zone 1 and it is not considered at risk for fluvial flooding nor surface water flooding. No objections have been raised, however a condition for a surface water drainage scheme to be submitted is recommended in the event that planning permission is granted.

Public Consultation Response

Four letters of objection were received following public consultation on the 2nd September 2020, which raised the following concerns:

- Increased traffic
- Unsuitable access
- Noise impacts to neighbours from additional car movements
- Loss of privacy
- Proposed houses too large for plot

The issue of the development impacting property value in the area was also raised, however this is not a material planning consideration.

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Assessment of Proposal

The application site is located within Lodge Park, an urban area of Redditch, which is defined in Policy 2 of the Borough of Redditch Local Plan no. 4 (BoRLP4) as a sustainable location for development, offering the highest level of services. The principle of new residential development in this location is therefore acceptable. Further to this it should be noted that the Council cannot currently demonstrate a 5-year housing land supply (5YHLS). The 5YHLS at 1st April 2019 was calculated to be 3.29 years. Having regard to paragraph 11(d) and footnote 7 of the National Planning Policy Framework (NPPF) the lack of 5YHLS means that planning permission for residential development should be granted unless any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Character and appearance

Policy 5 of BoRLP4 states that efficient use of land must be sought in new development schemes. Policy 39 of the BoRLP4 echoes this requirement, but also states that development should contribute positively to the surrounding environment. Similarly, Policy 40 of the Local Plan expects development to be of a high quality design that reflects or complements local surroundings and materials.

The existing properties surrounding the application site are predominantly two storey, typically comprising of pairs of semi-detached dwellings or blocks of terraces. Both pitched roofs and gable fronted properties can be seen in close proximity to the site. Whilst a large amount of houses in the area front Southcrest Road, there are a number of cul-de-sac's present which run perpendicular to Southcrest Road. In view of this the proposed layout of the houses would not conflict with the established pattern of development in the area. Whilst it is noted that the density of the proposed development would be slightly lower than the surrounding existing development, the constraints and shape of the site mean that the proposed level of development would be suitable in this case. With regards to the design of the proposal, the simple detailing of the proposed elevations would reflect the nearby existing properties, which are typically also plain in appearance. The gable fronted design of the northern property would echo a number of other gable fronted properties that can be seen close to the location of the application site. During the application process amendments have been sought to reduce the pitch of the proposed roofs and therefore overall height of the dwellings, so that the properties would integrate better with the form of the existing dwellings in the area. Finally, the mixture of brick and render facing materials that are proposed would be reflective of local materials.

In view of the above, the proposal would be consistent with the requirements of policies 5, 39 and 40 of BoRLP4 which together seek development which makes efficient use of space and would reflect, complement, and contribute positively to the surrounding environment.

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Residential Amenity

Paragraph 127(f) of the NPPF states that planning decisions should seek a good standard of amenity for existing and future occupants of land and buildings. Furthermore, the Borough of Redditch High Quality Design SPD (adopted June 2019) provides further guidance in relation to amenity.

The Council's SPD states that where a two storey dwelling faces a flank wall on a two storey building, a minimum separation distance of 12.5 metres is required. In this case, the proposed flank wall of the southernmost semi-detached property would be 12.7 metres from the rear elevation of the nearest property, 68/70 Southcrest Road, however this property would not directly oppose the flank wall. The most direct relationship to the proposed flank wall would be the rear elevation of 64/66 Southcrest Road, which would be positioned 16 metres from the flank wall.

With regards to overshadowing, the proposed dwellings would be located to the north of the rear gardens of the properties along Southcrest Road. In view of this, there would be no detrimental impact to the light received by these properties.

There would be one small window located on the side elevation of the southernmost dwelling that would face towards the rear gardens of Southcrest Road. Given that this would serve a landing, it would be reasonable to condition this window to be top opening and fitted with obscure glazing, in order to ensure that no privacy concerns arose from the development.

In view of the massing and height of the proposed dwellings, and as the nearest dwelling would be positioned a metre from the boundary it would share with 64/66 Southcrest Road, it is not considered that the development would result in an overbearing impact.

The Council's SPD also requires that adequate amenity space is provided for the occupiers of new residential development. The SPD stipulates that a minimum amenity area of 70 sq metres should be provided for dwellings, with a minimum garden length of 10.5 metres. In the case of the current scheme, the proposed garden areas would measure approximately 180 sq metres for the northernmost dwelling, and 160sq metres for the dwelling to the south. The garden lengths would measure 23.5 metres in both cases, meaning that the size of the amenity areas proposed would clearly exceed minimum standards.

Highways

Worcestershire County Council Highways have raised no objections to the proposal, noting that the site is within a sustainable location within close proximity to amenities and public transport. The new dwellings would utilise an existing access on the east side of the site, off the cul-de-sac Battens Close. The Highways Officer has confirmed that this is an unclassified road and that the existing access has good visibility. Whilst a width of 4.1 metres is usually required for the first 15 metres of an access, it is noted that the width of the first 20 metres of the existing access varies between 3.3 metres and 4.1 metres. The

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Highways Officer has confirmed that this is acceptable in this instance, due to the location of the access which is at the end of a cul-de-sac.

The development would provide a total of four parking spaces for future occupiers, which would allow two spaces for each unit on site. The layout of the front parking courtyard would allow natural surveillance and provide sufficient space for turning in order for cars to access and egress the site safely in a forward gear.

A number of conditions, however, have been recommended should planning permission be granted. These relate to the provision of the parking and turning space, cycle storage and electrical vehicle charging points.

Trees

The Tree Officer has reviewed the proposal and notes that the site plan indicates that the mature tree line on the northern boundary would be retained; furthermore, a group of trees which exist on the southern side of the proposed parking area would also be retained. Notwithstanding this, given the proximity of 'plot 1' to the trees along the northern boundary, it is anticipated that some remedial work would be required to facilitate the new development. The Tree Officer has raised no objections to this but has recommended conditions in the event the planning permission is granted in order to ensure the health and longevity of these trees.

Drainage

With regards to drainage, the application site falls within flood zone 1 and is not considered to be of significant risk for fluvial flooding. Whilst risk to the site from surface water flooding is also indicated to be low, North Worcestershire Water Management have requested a planning condition for a surface water drainage scheme, which includes appropriate levels of surface water attenuation in order to ensure that the new development does not create a flood risk on site or within the local area.

Contaminated Land

Worcestershire Regulatory Services have indicated that there is potential for the site to have land contamination issues. Whilst they have not objected to the development of the site, they have recommended that development is not commenced until a tiered risk assessment is undertaken at the site. As it is necessary that the initial investigation is carried out prior to the commencement of development, this condition has been agreed with the applicant.

Ecology

Due to the presence of mature trees, adjacent open fields and overgrown vegetation on the site, it was requested that a Preliminary Ecological Appraisal was provided to ensure that the development would not result in an adverse impact to biodiversity. The survey concluded that the majority of the site is of 'low ecological value', with the early mature and mature trees of 'moderate to high ecological value'. As the development would have minimal impacts on biodiversity it was determined that no further ecological surveys would be required, however the survey outlined a number of recommendations relating to

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the protection of trees at the site, timing and supervision of works and lighting restrictions in order to mitigate against any potential harm to protected species. Furthermore the report recommended that enhancement measures were provided on site in order to ensure that the development resulted in a net gain to biodiversity. It is considered that these recommendations can be secured by planning condition.

Public Consultation Responses

Four letters of objection have been received from neighbouring properties on Battens Close and Southcrest Road. Matters have been raised in relation to the suitability of the width and the condition of the existing access to be utilised and the increased traffic along Battens Close. In respect of these matters it is noted that the Highways Officer has raised no objections and considers the access to be suitable to serve the proposed dwellings. Given the proposal is only for two dwellings it is not considered that the increased traffic on the cul-de-sac 'Battens Close' would be significant. The issue of privacy has also been raised; notably from number 70 Southcrest Road who would share a common boundary with the plot 2. As considered earlier in the report, given that there would be no habitable windows facing towards this shared boundary, there would be no direct overlooking from the proposed dwelling. It is not considered that the orientation of the windows on the rear of the proposed dwelling would provide the opportunity for overlooking to the existing dwellings along Southcrest Road. Further issues were raised in relation to the noise resulting from the 'comings and goings' of cars associated with the new dwellings. In view of the number of additional car movements that would arise from the addition of two new dwellings, it is not considered that this would result in any material harm to the amenity of neighbouring occupiers in respect of noise. Comments were received stating that the size of the proposed dwellings are too large for the site, however, the proposal has been considered in terms of local density and separation distances to neighbouring properties, and no harm has been found. Finally concerns have been raised in relation to loss of property value in the area; this is not a material planning consideration that can be weighted within the determination of this application.

Conclusion

The Council cannot currently demonstrate a five year supply of housing land and therefore paragraph 11 and footnote 7 of the NPPF together state that for applications involving the provision of housing, planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Paragraph 7 of the NPPF defines the purpose of the planning system is to contribute to sustainable development, and Paragraph 8 describes the 3 overarching objectives to be economic, social and environmental objectives.

In relation to the social objective, the proposal would contribute two residential units to the local housing supply and given the importance of providing a sufficient supply of housing, this matter is given substantial weight. In terms of the economic objective, the development would provide some limited benefit to the local economy in terms of providing employment for construction trades and increasing demand for building

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materials. With regards to environmental considerations, the proposal would result in dwellings that would cause no material harm to the character and layout of the existing area, and would be located within walking distance of amenities and bus stops, meaning that future occupiers would not be reliant on the use of a car. Furthermore, no detrimental harm to neighbouring amenity has been identified that would warrant refusal, and no other remaining reasons to refuse planning permission on any technical ground have been found.

Based on the above there are no adverse impacts of granting planning permission that would significantly and demonstrably outweigh the benefits, and therefore it is concluded that planning permission should be granted subject to conditions.

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 not later than the expiration of three years beginning with the date of the grant of this permission.

Reason :- In accordance with the requirements of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

Location Plan - drawing no. 19-1794/L

Site Plan - drawing no. 19-1794/01

Proposed Site Plan - drawing no. 19-1794/03b

Proposed Floor Plans & Elevations - drawing no. 19-1794/02c

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

- 3) 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

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- 4) The Development hereby permitted shall not be first occupied until the each of the dwellings have been fitted with an electric vehicle charging point. The charging points shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851 and the Worcestershire County Council Streetscape Design Guide. The electric vehicle charging points shall be retained for the lifetime of the development unless they need to be replaced in which case the replacement charging point(s) shall be of the same specification or a higher specification in terms of charging performance.

Reason: To encourage sustainable travel and healthy communities.

- 5) The Development hereby permitted shall not be first occupied until sheltered and secure cycle parking for two cycles per dwelling have been provided on site. Thereafter the cycle parking shall be kept available for the parking of bicycles only.

Reason: To comply with the Worcestershire County Council's highway design guide.

- 6) The Development hereby approved shall not be occupied until the parking and turning facilities have been provided as shown on drawing 19-1794/03b.

Reason: To ensure conformity with submitted details.

- 7) Unless otherwise agreed by the Local Planning Authority development, other than that required to be carried out as part of an approved scheme of remediation, must not commence until conditions 1 to 6 have been complied with:

1. A preliminary risk assessment must be carried out. This study shall take the form of a Phase I desk study and site walkover and shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and any other relevant information. The preliminary risk assessment report shall contain a diagrammatical representation (conceptual model) based on the information above and shall include all potential contaminants, sources and receptors to determine whether a site investigation is required and this should be detailed in a report supplied to the Local Planning Authority. The risk assessment must be approved in writing before any development takes place.

2. Where an unacceptable risk is identified a scheme for detailed site investigation must be submitted to and approved in writing by the Local Planning Authority prior to being undertaken. The scheme must be designed to assess the nature and extent of any contamination and must be led by the findings of the preliminary risk assessment. The investigation and risk assessment scheme must be compiled by competent persons and must be designed in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11"

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3. Detailed site investigation and risk assessment must be undertaken and a written report of the findings produced. This report must be approved by the Local Planning Authority prior to any development taking place. The investigation and risk assessment must be undertaken by competent persons and must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11"

4. Where identified as necessary a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to identified receptors must be prepared and is subject to the approval of the Local Planning Authority in advance of undertaking. The remediation scheme must ensure that the site will not qualify as Contaminated Land under Part 2A Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

5. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.

6. Following the completion of the measures identified in the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation carried out

must be produced, and is subject to the approval of the Local Planning Authority prior to the occupation of any buildings.

7. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where necessary a remediation scheme must be prepared, these will be subject to the approval of the Local Planning Authority. Following the completion of any measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to the occupation of any buildings.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised. Pre-commencement conditions for contaminated land risk assessment are considered necessary as remediation may involve work/techniques that need to be completed before any development is commenced.

- 8) Prior to any works above foundation level commencing on site a scheme for surface water drainage will be submitted to, and approved in writing by the Local Planning Authority. The scheme should provide appropriate levels of surface water attenuation. 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.

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Reason: In order to ensure satisfactory drainage conditions that will not create or exacerbate flood risk on site or within the surrounding local area.

- 9) 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. . This fencing and /or ground protection shall be constructed in accordance with the guidance in the British Standard BS5837:2012 and shall remain as erected until the development has been completed.

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

- 10) All tree management pruning work should be carried out in accordance with recognised good practice by reference to British Standard 3998 (2010).

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

- 11) All proposed works shall be carried out in accordance with the recommendations set out in section 4.2-4.3 of the Phase 1 Preliminary Ecological Appraisal Dr. Stefan Bodnar, dated 2020. In addition, a minimum of four biodiversity enhancement measures, as outlined in section 4.4 of the appraisal, and detailed within appendices 4-8 shall be provided on site prior to the occupation of the development hereby approved.

Reason: To ensure that the proposal results in a net gain to biodiversity.

- 12) Prior to occupation of the development, full details of refuse storage facilities 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.

Reason: In the interests of providing adequate refuse storage capacity in a visually acceptable manner.

- 13) 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.

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Recommended Informatives

This permission does not authorise the applicant to carry out works within the publicly maintained highway since such works can only be carried out by the County Council's Approved Contractor, Ringway Infrastructure Service who can be contacted by email worcestershirevehicle.crossing@ringway.co.uk. The applicant is solely responsible for all costs associated with construction of the access.

Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.

Procedural matters

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