

**PLANNING
COMMITTEE**

8th November 2023

Planning Application 23/00936/FUL

Demolition of garages and construction of one, three bedroomed dwelling

Land at Foxlydiate Crescent and Rowan Road, Batchley, Redditch, B97 6NH

Applicant: Mr Andrew Rainbow: Redditch Borough Council
Ward: Batchley and Brockhill 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 comprises a small parcel of land at the corner of Foxlydiate Crescent and Rowan Road. The site, which is approximately 0.05ha, contains seven single prefabricated garages which have fallen into disrepair and have suffered from vandalism. The garages are located alongside the south-western boundary, beyond which lies the dwelling 54 Foxlydiate Crescent.

In recent weeks, temporary hoarding has been erected around the garages to prevent unauthorised access. This is visible on slides within the accompanying presentation pack. The site benefits from existing vehicular access from Rowan Road.

Proposal Description

This full (detailed) application is to erect a two storey, three bedroomed detached dwelling formed of brick (walls) under a tiled roof. It is understood that if planning permission is granted, the property would not be sold on the open market but would be retained by the Council for prospective Council tenants. Two (in curtilage) car parking spaces would be provided for occupiers to the northern corner of the plot, adjacent to number 13 Rowan Road.

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 16: Natural Environment

Policy 19: Sustainable travel and Accessibility

Policy 39: Built Environment

Policy 40: High Quality Design and Safer Communities

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Others

Redditch High Quality Design SPD
National Planning Policy Framework (2023)

Relevant Planning History

None

Consultations

Worcestershire County Highway Authority

No highways objections raised. Conditions have been recommended pertaining to: the provision of pedestrian visibility splays, bound surface to vehicular access, an Electric Vehicle Charging Point (EVCP) and cycle parking provision

Worcestershire Regulatory Services - Contaminated Land

No objection subject to imposition of tiered contamination conditions

Public Consultation Response

No representations received

Assessment of Proposal

Principle of development

The site is shown as “white land” on the Borough of Redditch Local Plan Proposals Map, indicating that it lies within the main urban area of Redditch. Policy 2 of the Borough of Redditch Local Plan no. 4 (BORLP 4) states that Redditch urban area, as the main settlement shall be the focus for development as it provides the highest level of services and facilities and offers the most sustainable location.

The National Planning Policy Framework requires local planning authorities and developers to make effective use of previously developed land, especially if this would help to meet identified needs for housing where land supply is constrained.

Chapter 11 of the Framework emphasises the importance of making effective use of land, and with respect to density, Para 125 comments that:

“Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site”

The principle of new residential development on this site is therefore acceptable in this location subject to other considerations including character and appearance, residential amenity, highway safety and other technical matters.

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Character and Appearance

Policy 5 of BoRLP4 states that efficient use of land must be sought in new development schemes and 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 proposed dwelling is considered to respect the character of the area and would be commensurate with surrounding dwellings in terms of its height, width and its design. The dwelling would sit comfortably within the plot and would assimilate within the existing street. Window details and materials would also respect those present on dwellings within Foxlydiate Crescent and Rowan Road.

In view of the above it is considered that the proposed development would both make efficient use of land whilst also positively contributing to and complementing the local surroundings, in accordance with Policies 5, 39 and 40 of the BoRLP 4.

Residential amenity considerations

Paragraph 130 (f) of the NPPF states that planning decisions should seek a high standard of amenity for existing and future occupants. Furthermore, the Borough of Redditch High Quality Design SPD provides further guidance in relation to residential amenity, seeking to protect against adverse loss of light, outlook, privacy and overbearing impact.

Internally, the accommodation would provide future occupants with a modern living space meeting the Governments Nationally Prescribed Space Standards for internal living accommodation. Externally, occupants would benefit from a 13m long rear garden measuring over 100 square metres in area.

Your officers are satisfied that no loss of residential amenity would result from granting permission having regards to matters such as loss of light, overbearing and loss of privacy. No representations have been received in objection to the application following the expiry of the publicity period and overall, the proposal raises no concerns in relation to residential amenity.

Highway matters

The site is situated in a sustainable location benefiting from footpaths and streetlighting and is within walking distance of amenities and bus stops. Two car parking spaces are being provided for the dwelling which accords with WCC car parking standards for a three bedroomed property.

The Highways Officer has raised no objections subject to conditions which are considered to meet the tests set out under Paragraph 56 of the NPPF.

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Conclusion

The proposal would create an additional residential unit making a valuable contribution to Redditch's housing stock. The proposal would not cause harm to the character and appearance of the area and no detrimental impacts to nearby residential amenities have been identified. The dwelling would provide a good standard of amenity for future occupiers. Further, no highway safety issues have been raised by statutory consultees or by third parties.

It is therefore considered 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:

Drawing 5022437-RDG-XX-00-PL-A-0001
Drawing 5022437-RDG-XX-ST-PL-A-0002-C
Drawing 5022437-RDG-XX-ST-PL-A-0005

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 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 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 proposed dwelling has been fitted with an electric vehicle charging point. The charging point 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 point shall be retained for the lifetime of the development unless they need to be replaced in which case the replacement charging point shall be of the same specification or a higher specification in terms of charging performance.

Reason: To encourage sustainable travel and healthy communities.

- 7) The Development hereby permitted shall not be first occupied until sheltered, safe, secure and accessible cycle parking to comply with the Council's adopted highway design guide has been provided at the site. Thereafter, the cycle parking shall be kept available for the parking of bicycles only.

Reason: To comply with the Council's parking standards.

- 8) Prior to the occupation of the development, details of the boundary treatments to be provided on site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:-To ensure the development is afforded privacy and security between neighbours and the public realm and in the interest of the visual amenity of the street scene

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- 9) Unless otherwise agreed by the Local Planning Authority, below ground 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 the Environment Agency's "Land Contamination: Risk Management" guidance.
 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 the Environment Agency's "Land Contamination: Risk Management" guidance.
 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, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

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.