

**PLANNING
COMMITTEE**

7th December 2010

PLANNING APPLICATION 2010/254/FUL

ERECTION OF A SINGLE DETACHED TWO STOREY HOUSE

**LAND ADJACENT TO FIRST HOUSE, LADY HARRIET'S LANE,
REDDITCH**

APPLICANT: MR S WALSH
EXPIRY DATE: 7TH DECEMBER 2010

WARD: ABBEY

The author of this report is Steven Edden, Planning Officer (DC), who can be contacted on extension 3206 (e-mail: steve.edden@redditchbc.gov.uk) for more information.

(See additional papers for Site Plan)

Site Description

The site comprises garden curtilage associated with the dwelling 'First House', Lady Harriet's Lane. The site would constitute an 'infill' between the property 'Harriet's Cottage', located to the north, and 'First House' which is situated to the south.

The site is mainly level, and contains a green house, flat roofed garden store, and flat roofed garage, where access to that garage is direct from Lady Harriet's Lane.

This Lane is characterised as a ribbon of five detached dwellings, all set back between 6 and 10 metres to the eastern side of the road, facing west.

Lady Harriet's Lane gains access via Easemore Road to the north. Rear gardens to properties in the lane back on to the Alvechurch Highway to the east with the grounds / playing fields to Trinity High School lying to the west.

Proposal Description

This is a full planning application to erect a single, three bedroomed detached dwelling. Access to the new dwelling would be as existing, gained direct from Lady Harriet's Lane. In order to accommodate the new dwelling, a number of ancillary domestic structures associated with the property 'First House' would be demolished. These would include a garage, garden store and greenhouse. As part of the proposals, a new access would be formed off Lady Harriet's Lane, enabling the dwelling 'First House' to have separate ingress and egress. However, it should be noted that these access works would not require planning permission since the Lane off which the access would be served is not defined as a 'classified road'.

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Relevant Key Policies:

All planning applications must be considered in terms of the planning policy framework and all other relevant material considerations (as set out in the legislative framework). The planning policies noted below can be found on the following websites:

www.communities.gov.uk

www.wmra.gov.uk

www.worcestershire.gov.uk

www.redditchbc.gov.uk

National Planning Policy

PPS1	Delivering Sustainable Development
PPS3	Housing
PPS9	Biodiversity and Geological Conservation
PPG13	Transport

Regional Spatial Strategy

CF2	Housing beyond the Major Urban Areas
CF3	Level and Distribution of New Housing Development
CF5	The reuse of land and buildings for housing
CF6	Making efficient use of land
T2	Reducing the need to travel
T7	Car parking standards and management

Worcestershire County Structure Plan

SD3	Use of previously developed land
SD4	Minimising the need to travel
T4	Car parking
CTC15	Biodiversity Action Plan

Borough of Redditch Local Plan No.3

CS.7	The sustainable location of development
B(HSG).6	Development within or adjacent to the curtilage of an existing dwelling
B(BE).13	Qualities of good design
B(BE).19	Green Architecture
C(T).12	Parking Standards (Appendix H)
SPG	Encouraging Good Design

Relevant Site Planning History

2010/187/FUL Detached dwelling Application Withdrawn 31.9.2010

Public Consultation Responses

Responses in favour

None received

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Responses against

Four letters received. Comments summarised as follows:

- 'Garden grabbing' should not be allowed further to recent changes to Government Policy
- Restrictive covenants would be breached
- Water pressure in the area is likely to be affected if permission is granted
- Congestion would increase, to the detriment of highway safety
- Bats are present in the area. As a species, these need to be protected
- Concerns raised regarding accuracy of the bat survey undertaken
- Concerns about future development of site if permission is granted on this occasion
- Proposed development would be cramped and out of character with appearance of surrounding area
- Proposal would disrupt the established building line and harm the 'Street-scene'
- Proposal would result in a loss of light to nearby properties, therefore impacting detrimentally on residential amenity
- Inadequate parking provision for site operatives
- The development would impact on neighbours by reason of dust, dirt, and noise during the construction period

Consultee Responses

County Highway Network Control

No objection subject to conditions concerning access, turning and parking

Environmental Health

No objection

Severn Trent Water

No objections. Drainage details to be subject to agreement with Severn Trent

Worcestershire Wildlife Trust

Comments awaited

RBC Greenspace and Biodiversity Officer

Having visited the site, read the Bat Report and spoken to the Worcestershire Wildlife Trust, I would conclude that the survey is fit for purpose and would therefore agree with the survey findings in that a bat roost does not exist here. However, it is suggested that a sympathetic demolition of the buildings together with careful timing of the works be carried out in the very small chance that a bat might ever be discovered. In addition, in line with advice contained within PPS9, it is recommended that a condition be appended to any decision notice to cover the provision of suitable bat roost opportunities.

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WCC Footpaths Officer

Proposal should have no detrimental impact on the public right of way. States that there should be no disruption to the public right of way during or after construction.

Procedural matters

This application is put before the Planning Committee because two or more objections to the application have been received, and the recommendation is to grant planning permission.

Assessment of Proposal

The key issues for consideration are as follows:

Principle

The Government have recently amended and re-issued Planning Policy Statement 3 (PPS3). This amends the definition of previously developed land to exclude 'garden land' from within this definition and also removes the indicative minimum housing density. Officers do not however consider that there are any valid reasons why this urban 'greenfield' site cannot be developed for new residential purposes. This view has recently been supported by the Planning Inspectorate at a site referred to by Officers as an information item at the Planning Committee of 9th November 2010 – reference 2009/249/FUL – land adjacent to No.31 Wheatcroft Close, Brockhill. In accordance with Policy CS.7, sequentially, the site is considered to occupy a highly sustainable central urban location in preference to more peripheral sites.

Design, appearance and layout

Policy B(HSG).6 of the adopted Local Plan is supportive of new residential development within the curtilage of a dwelling house providing it respects the character and appearance of its surroundings and does not impinge on the residential amenities enjoyed by occupiers of existing nearby development. The scale, massing and design of the development, which would be formed of brick walls, with feature rendered projecting front gable, under a tiled roof, is considered to respect the street-scene, with the proposal meeting all of the Council's spacing standards, as contained within the adopted SPG 'Encouraging Good Design'.

Impact upon nearby residential amenity

Your Officers are satisfied that no loss to residential amenity would result from the proposed development by virtue of loss of light or visually intimidating impact, given the separation distances that would exist between the proposed dwelling and nearby properties. Both the dwelling subject to this application, and 'First House' would have sufficient amenity space attached to them to comply with the SPG.

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Access

County Highways have raised no objection to the proposed access. A three bedroomed property such as this would require two 'in curtilage' car parking spaces in order to comply with the Council's maximum car parking standards. Provision on site would comply with these standards. In addition, parking for two cars would be provided for First House: again, sufficient to comply with maximum standards.

Sustainability

The site lies within the urban area of Redditch, near to the town centre and within a short walking distance of local shops and other amenities, and is therefore considered to be in a very sustainable location. The orientation of the dwelling is such that passive solar gain can be maximised. A solar water heating panel is shown on part of the south facing roof to the dwelling. The applicant has stated that roof, external wall and ground floor insulation would be installed to 25% above Building Regulation current standards; and a wood burning stove would be installed in the sitting room. Other energy efficient measures include the use of low energy light bulbs, energy efficient toilet cisterns, rainwater harvesting and the use of locally sourced building materials. Hardsurfacing within the curtilage of the property would be of porous construction. The design is therefore considered to comply with the sustainability objectives of the planning policy framework.

Biodiversity

It has been alleged under this, and the previous application, that bats (a protected species) have been using the existing garage and lean-to buildings that would be demolished. A bat survey report has been commissioned and this has concluded that the buildings which would be demolished are not identified as a bat roost. The Council's Ecologist concurs with the conclusions of the bat survey. There are therefore no concerns on this matter and the proposal is considered to comply with policy requirements. Conditions are however recommended to cover the points raised by the Ecologist.

Other Matters

The existence of restrictive covenants placed on the property/the area have been raised in the representations received from the public. Such covenants are not material planning considerations in the determination of this application.

Conclusion

The proposal is considered to comply with the planning policy framework and would not cause harm to amenity or safety.

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Recommendation

That having regard to the development plan and to all other material considerations, planning permission be GRANTED subject to conditions and informatives as summarised below:

1. Development to commence within three years
2. Materials to be submitted – walls and roof
3. Limited working hours during construction period
4. Driveway / parking areas to be porous
5. Access, turning and parking
6. Development in accordance with plans (listed)
7. Scheme of, including timing of demolition to be submitted and agreed prior to first commencement of development
8. Details of bat roost opportunities / bat boxes to be submitted for prior written approval of the LPA. Works to be carried out in accordance with approved details.

Informatives

1. Reason for approval
2. Drainage details to be in agreement with Severn Trent Water
3. Highway Note No.4: Private Apparatus within the Highway
4. The applicant is asked to ensure that site operatives, during the course of development works, do not park on the single carriageway known as Lady Harriet's Lane
5. NB Public Rights of Way legislation requirements