

**PLANNING
COMMITTEE**

25th May 2011

PLANNING APPLICATION 2011/093/FUL

**HOUSE TYPE SUBSTITUTIONS – PLOTS 1 TO 5 (AMENDMENT TO
SCHEME APPROVED UNDER APPLICATION 2009/259/FUL):
ERECTION OF FIVE DETACHED DWELLINGS TOGETHER WITH
ASSOCIATED ACCESS AND PARKING
LAND TO THE SOUTH AND WEST OF THE PROPERTY 'HIGH TREES',
DARK LANE, ASTWOOD BANK**

APPLICANT: MR A COCKAYNE

EXPIRY DATE: 8TH JUNE 2011

WARD: ASTWOOD BANK & FECKENHAM

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

Site Description (See additional papers for Site Plan)

The site, which measures approximately 0.53 ha consists of part of an existing drive, leading to the property 'High Trees' which lies adjacent to, but outside the application site. The remainder of the site comprises garden land formerly associated with that property and a larger parcel of land that is steeply sloping to the south of that dwelling. This appears to be separate from High Trees since a post and rail fence divides the two areas of land that form part of this planning application. It is understood that this land to the south of High Trees was cultivated at one time, but is now overgrown. The site contains mature tree/shrub/hedge planting.

Proposal Description

This is a full application to substitute house types (Plots 1 to 5) from those granted planning permission under an earlier application (reference 2009/259/FUL). This earlier, full application granted consent for the erection of 5 no. five bedroomed detached dwellings with garages. Access to the development would be via the existing access road off Dark Lane. Three different house types are proposed and are outlined as follows:

Plot 1 would face Dark Lane and would be two storey with a double garage attached and parking for several vehicles to the frontage. This property would be characterised by having projecting two storey gables with full height bay windows to the front, two storey gable to the rear and small dormer windows to the front, side and rear of the property.

Plots 2 and 5 would be similar but not identical in appearance. These would be two storey with a double garage attached with parking to the frontage.

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These two dwellings would be characterised by having projecting two storey gables, ground floor bay window to the front, and small dormer windows to the front, side and rear of the property.

Plots 3 and 4 would be arranged in an 'L' shape. These would again be two storey with integral double garages and parking to the frontage. These dwellings would be characterised by having a projecting two storey gable with full height bay windows to the front, two storey gable to the rear and small dormer windows to the front and sides of the property.

All properties would be five bedroomed and formed of facing brickwork (walls), under a tiled roof.

The application is supported by a Design & Access Statement, a geotechnical report, an arboricultural report, an ecological report and an agreement in principle to enter into a planning obligation.

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
PPG13 Transport

Regional Spatial Strategy

QE3 Creating a high quality built environment for all
CF2 Housing beyond 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
T7 Car parking standards and management

Worcestershire County Structure Plan

SD.3 Use of previously developed land
T.4 Car parking
IMP.1 Implementation of development

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Borough of Redditch Local Plan No. 3

CS.6	Implementation of development
CS.7	The sustainable location of development
CS.8	Landscape character
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
B(RA).8	Development at Astwood Bank

SPDs

Encouraging good design
Planning obligations for education contributions
Open space provision

Relevant Site Planning History

Application No:	Proposal	Decision	Date
2006/178/OUT	Outline application - 4 dwellings	Withdrawn	19.05.06
2008/125/OUT	Outline application - Demolition of existing dwelling and erection of 6 dwellings	Withdrawn	29.05.08
2008/331/OUT	Outline application - retention of existing dwelling and erection of 5 dwellings	Approved	12.12.08
2009/259/FUL	Erection of five dwellings	Approved	26.03.10

Public Consultation Responses

Responses in favour

1 letter of support has been received. Comments summarised as follows:

- CPRE continue to support the development of this windfall site and have no issue with the proposed amendments
- Subject to the protection of trees during and post construction, support the application

Responses against

None received.

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Consultee Responses

The following were consulted on previously submitted full application 2009/259/FUL but have not been consulted here since this application is purely for the substitution of house types previously approved under 2009/259/FUL.

***County Highway Network Control
Environmental Health
Severn Trent Water
Police Crime Risk Manager
Council's Arboricultural Officer
Council's Ecological Officer
Worcestershire Wildlife Trust
Council's Drainage Officer
Worcestershire County Education Service***

The proposed development has no new implications for any of the above. However, in the event of planning permission being granted for this new development, planning conditions are recommended to be attached to any decision notice as was the case under application 2009/259/FUL.

Procedural Matters

This recommendation requires the Council to become party to a Planning Legal Agreement under Section 106 of the Town and Country Planning Act 1990. All such applications are reported to Planning Committee for determination.

Background

Application 2009/259/FUL granted permission in full, for the erection of five detached dwellings on this site. This application was reported to the Planning Committee on 2nd March 2010 and was granted permission on 26th March 2010 where the applicant agreed to enter into a planning obligation under S106 of the Town and Country Planning Act 1990 to pay contributions towards County education facilities and to pay a contribution to Redditch Borough Council towards playing pitches, play area and open space in the area, due to the increased demand/requirement from future residents, in compliance with the Councils SPD on Open Space Provision.

Assessment of Proposal

In the determination of application 2009/259/FUL, Members considered the issue of the principle of development on the site in addition to matters concerning density, landscaping, ecology, sustainability, access to the site, the planning obligation, design and layout. All were considered to be acceptable having regards to the planning policy framework. The issues for consideration under the current application are as follows:-

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Layout

Each of the proposed dwellings would sit on the same footprints of dwellings approved under application 2009/259/FUL, preventing for example any dwelling approved under the earlier application from being erected 'in addition' to the five dwellings proposed under this application, if permission were to be granted. The layout of the proposal is almost identical to that approved under the earlier application although for four of the five plots, minor changes in overall footprint are proposed. These are detailed as follows:

Plots 2 and 5

Application 2009/259/FUL Footprint area 134 m²

Application 2011/093/FUL Footprint area 150 m²

Plot 3

Application 2009/259/FUL Footprint area 163 m²

Application 2011/093/FUL Footprint area 168 m²

Plot 4

Application 2009/259/FUL Footprint area 170 m²

Application 2011/093/FUL Footprint area 168 m²

The total footprint area for Plot 1 is identical to that shown on application 2009/259/FUL (155 m²).

The overall footprint alterations are considered to be nominal and would not result in an over-intensification of the site harming the overall appearance of the development. Officers are satisfied that the residential amenities enjoyed by the occupiers of the nearest existing dwellings would be safeguarded, since the proposals comply with separation distances contained within the Council's SPG on Encouraging Good Design. Amenity space provided for the new development on site is provided at a level in excess of the levels required in the SPG.

Design

Under the earlier application it was considered that the design of the proposed dwellings was not dissimilar to those of dwellings in close proximity to the site in terms of their detailing, with the scheme meeting relative policy criteria safeguarding the character of the area. The current proposed scheme is considered to exhibit particularly high quality in terms of attention to detailing including the use of a wider palette of materials. The new dwellings are proposed to be 'Edwardian' in appearance and reflect the form of older dwellings/ buildings present within the more established areas of the Astwood Bank village settlement. The previous application had a more contemporary appearance, with generally shallower roof pitches. Dwelling heights would range from between 8 and 8.5 metres to ridge as under the previous application. Each property would have prominent large chimney stacks which

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add visual interest to the development and reflect the Edwardian feel of the scheme. Timber porches, together with timber windows and doors are proposed with general detailing being sympathetic to this semi-rural location.

Planning Obligation

The size of the proposed development is above the policy threshold for requiring contributions which should be sought via a planning obligation which in this case would cover:

- A contribution towards County education facilities. The County have confirmed that there is a need in this area to take contributions towards three schools – Astwood Bank First School, Ridgeway Middle and Kingsley College
- A contribution towards playing pitches, play area and open space in the area, due to the increased demand/requirement from future residents, is required in compliance with the SPD

The applicant is agreeable to this and a draft is progressing.

Conclusion

Assuming that the planning obligation is completed in accordance with the policy framework, it is considered that the proposed development would accord with policy criteria and objectives to result in a favourable recommendation. It is not considered likely that the proposed development would result in harm to amenity or safety. Approval is therefore recommended subject to the inclusion of conditions as summarised below, which appeared on decision notice 2009/259/FUL and which Officers consider are reasonable, necessary and meet the tests as set out under Circular 11/95 (Use of Conditions in Planning Permissions).

Recommendation

Officers are seeking an either/or resolution from Members in this case as follows, in that Officers would carry out whichever of the two recommendations below applied:

- 1. That having regard to the development plan and to all other material considerations, authority be delegated to the Head of Planning and Regeneration to GRANT planning permission subject to:**
 - a) A planning obligation ensuring that the County are paid appropriate contributions in relation to the development for education provision, and that Redditch Borough Council receives contributions towards playing pitches, play areas**

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and open space provision in the locality to be provided and maintained; and

b) conditions and informatives as summarised below:

Conditions

1. Development to commence within three years.
2. Details of materials (walls and roofs) to be submitted.
3. Landscape scheme including details of boundary treatment to be submitted.
4. Landscape scheme including details of boundary treatment to be implemented in accordance with approved details.
5. Trees to be protected in accordance with tree protection plan.
6. Limited working hours during construction period.
7. Access, turning and parking.
8. No gates/means of enclosure on any of the access roads.
9. Details of the tree planting belt to be provided along the western boundary of the site to be submitted approved and implemented. Failure of planting to be covered under condition number 4.
10. None of the existing hedge planting that fronts Dark Lane shall be removed.
11. All hard surfaces to be permeable and retained as such.
12. Development to be carried out in accordance with plans submitted with the application.
13. Appropriate condition to address the recommendations of the protected species survey.
14. Contamination: standard conditions.

Informatives

1. Reason for approval
2. Drainage details to be in agreement with Severn Trent Water.
3. Highway Note 4 – Private apparatus within the highway.
4. Highway Note 5 – No authorisation for applicant to carry out works within the publicly maintained highway.
5. External security lighting to comply with guidance to ensure that it does not adversely affect neighbours amenities.
6. No burning on site.
7. Adequate measures to be put in place to prevent migration of dust and particulates beyond the site boundary.

2. In the event that the planning obligation cannot be completed by 8th June 2011:

- a) **Members are asked to delegate authority to the Head of Planning and Regeneration to refuse the application on the basis that without the planning obligation the proposed**

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development would be contrary to policy and therefore unacceptable due to the resultant detrimental impacts it could cause to community infrastructure by a lack of provision for their improvements and an increase in demand for such infrastructure; and

- b) In the event of a refusal on the ground at 2a) above, and the applicant resubmitting the same or a very similar planning application with a completed legal agreement attached to cover the points noted, authority be delegated to the Head of Planning and Regeneration to GRANT planning permission subject to the conditions stated above as amended in any relevant subsequent update paper or by Members in their decision making.**