



Planning Committee

Abbey Ward

4 November 2008

**2008/275/FUL REPLACING A BUNGALOW WITH A DORMER BUNGALOW
56 HITHER GREEN LANE
APPLICANT: MR NEVIL JINKS
EXPIRY DATE: 13 OCTOBER 2008**

Background and procedural information

Members will be aware that this application was reported to the meeting on 7 October and discussed and a resolution to grant permission was reached. However, concerns have arisen regarding the fairness of the way in which this decision was made and the application is therefore reported back to this meeting for consideration and determination.

The report below is as was presented at the meeting on 7 October, and includes the information that was on the Update report for that meeting.

All parties involved, including the applicant/agent and those making representations have been made aware of this, and invited to register to speak again. Any additional information received will be presented to Members at the Committee, on the update report wherever possible.

In considering the application, Members are reminded of their resolution and that this should be considered relative to the new information now being provided by officers and those speaking.

Site Description

(See additional Papers for Site Plan)

The application site lies within the urban area of Redditch as defined within the Borough of Redditch Local Plan 3. It covers an area of approximately 0.087 ha, and is located at Hither Green Lane, which is situated in the Abbey Park area of Redditch.

The area is predominantly residential and is characterised by modern two storey detached houses and a limited number of bungalows with garages situated to the front of the properties. The site is of an irregular shape and its curtilage includes a front car parking area and a rear garden area to the existing bungalow.

To the north of the site lies a golf course. To the east, the site backs onto detached residential two storey properties from which it is separated by a 2m fence and a mature hedgerow, which is approximately 3m (H). To the west of the site lie detached two storey dwellings and there is a fall in ground levels to the dwellings located to the south of the site.

Proposal Description

The application seeks full planning permission for the replacement of the existing three bedroom detached bungalow with a five bedroom dormer bungalow. The proposal would raise the existing roof height by 1.3m to accommodate a first floor, which would include front, side and rear dormer windows, two rear roof lights serving bathrooms and a single four pane dormer window to both the front and rear elevation. The resultant dwelling would comprise of five bedrooms with five en-suite bathrooms.

There would be no change from the existing T-shape footprint of the dwelling as it would be constructed in the same location with the same floor area. The dwelling would be constructed in traditional red facing brick walls, wood panel windows and doors, a tiled roof, panel fencing (boundary treatment) and a concrete vehicle access and hardstanding.

The proposal would increase the existing ridge height of 6.1m by 1.3m parallel to the front of the property, resulting in a total height of 7.4m.

The application is accompanied by a Design and Access statement, and streetscene elevations and plans showing the difference between the existing and proposed elevations.

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.redditch.gov.uk

National Planning Policy

PPS 1 (& accompanying documents) Delivering Sustainable
Development
PPS 3 Housing
PPG 13 Transport

Regional Spatial Strategy

UR4 Social infrastructure
CF4 The reuse of land and buildings for housing

Worcestershire Country Structure Plan

SD3 Use of previously developed land

Borough of Redditch Local Plan No.3

B(BE).13 Qualities of Good Design
C(T).1 Access to and within development
C(T).12 Parking Standards

SPDs

Encouraging good design
Designing for community safety

Relevant site planning history

2007/472	Detached side garage.	Approved	14/01/2008
2008/132	Replacing a bungalow with a 2 storey 5 bedroom house	Refused	17/07/2008

Work has begun on site on the construction of the approved garage, which would not affect the ability of the applicant to implement the development proposed here.

Public Consultation responses

Responses in favour

None

Responses against

6 comments received raising the following concerns:

- Loss of Outlook – caused by restricted views onto and over adjacent open spaces due to the proposal's size and an encroachment of the 45-degree rule to No. 54 Hither Green Lane.
- Loss of Privacy - due to additional front and rear elevation windows overlooking both the side en-suite windows (of no.54 Hither Green Lane) and the rear gardens and ground floor elevations of the neighbouring dwellings.
- Loss of Light - The proposal would restrict light into the rear elevations of neighbouring dwellings. This would result in neighbours planting conifers for screening purposes which would further restrict light and require use of artificial light to maintain acceptable levels of light.

- Over intensification and inappropriate development - as the dwelling has had previous consent for a rear conservatory and a detached garage and would now result in a total increase to 5 bedrooms (from the original 3 bedrooms), 8 parking spaces, an additional first floor resulting in a 2 storey dwelling and additional rear elevation windows which would result in the proposal not being subservient to the existing dwelling and would eliminate the dwelling's main feature/status as a bungalow.
- Concerns regarding whether sufficient space exists for the proposed increase in parking from 4 to 8 cars.
- Design - has an adverse impact on character and original concept of the area. No design that the applicant can submit could satisfy and overcome the objections previously stated for 2008/132/FUL. An existing dormer bungalow (No. 108) bears no resemblance to this proposal as no dwelling has as many windows, the average number being 3 per rear elevation.
- Density of development would result in an overbearing impact on neighbouring dwellings. Despite the proposal's lower ridge height, the height of the proposed dwelling would exceed the height of No. 54 Hither Green Lane by 80cm.
- The application has minimal changes and an identical layout and footprint to the previously refused application 2008/132/FUL.
- Planning permission would set a precedent for other bungalows on the estate to be granted permission for two storey extensions.
- During development there are concerns over working hours, security issues, suitable parking arrangements to prevent access problems and damage caused by HGV to adjacent properties.
- Concerns that the development might eventually form a business, which would be out of character with the estate and would alter the character and mix of the estate's dwellings.
- The proposal would alter the mix of dwellings originally envisaged in the design of the estate and result in a reduction of bungalows, which are presently in short supply.
- A request for the Planning Committee to visit the site.
- With regard to loss of privacy and amenity concerns, it would be more appropriate for the window on the right hand side of the rear elevation to face the adjacent golf course rather than all the neighbours at the rear of the property.

Consultee responses

Severn Trent Water

No objection subject to a condition regarding drainage details

Highways Network Control Unit

No objection subject to a condition regarding access, turning area and parking facilities to be provided and a note to the applicant regarding the highway to be kept free of mud/materials.

Environmental Health Officer

No objection.

Assessment of proposal

The key issues for consideration in this case are the principle of the proposed development, its design and layout, highway and access safety, its sustainability and any other material considerations.

Principle

The principle of locating residential development within the urban area of Redditch on previously developed brownfield land such as this is considered to be acceptable and in compliance with local and national planning guidance. However, this is not sufficient of itself to result in a

favourable outcome, as this remains subject to the details being considered acceptable.

Abbey Park is zoned as a residential development area and within the Borough of Redditch; the principle of replacement dwellings is therefore considered to be acceptable.

Design and layout

The proposed scheme's scale, form and massing is considered to respect fully the locality, having regard to general layout, garden size and footprint in the vicinity of the surrounding area, as well as in scale, style and appearance.

The proposal is set in excess of the adopted spacing standards and garden sizes, such that there is no cause for concern regarding any overlooking or loss of privacy to the surrounding residents. The proposal complies both with separation/spacing standards and with the orientation rules. Though the proposal at the rear elevation breaks the 45 degree rule to the neighbouring dwelling, No. 54 Hither Green Lane, the line is breached by

only 0.9m by a glazed element and is therefore not considered likely to result in any detrimental impacts on the amenities of the neighbouring property.

Whilst the form and bulk of development on the site would be greater than that currently existing, it is not considered that the appearance or bulk of the proposed dwelling would be overly large for the plot or in relation to the surrounding pattern of built form in the area.

The height of the proposed dwelling (7.4m) would be considered acceptable as it would not be in excess of others in the vicinity, (the highest dwelling being 9.1m).

Highways and access

Policy requires that safety, parking spaces (their quantity and size), and the use by non-car travellers be considered.

The proposed five-bedroom dwelling would result in a requirement under the current adopted parking standards for the provision of 3 spaces, and these could be accommodated within the existing layout and there is therefore no cause for concern in this regard. These would be within and in front of the existing garage accommodation.

There are no concerns regarding the parking provision and access arrangements proposed within the site as these all appear to comply with the relevant adopted standards.

Sustainability

The proposal would be sited within a sustainable location and would not have a detrimental effect on the sustainability of the surrounding area and is therefore compliant with policy.

Other issues

In line with planning legislation, each case is considered on its own merits, having regard for the development plan, and as this is the only bungalow on this part of the estate, it is not considered that allowing this proposal would set a difficult precedent for the future.

Planning consent was granted to convert a bungalow at No 108 into a dormer bungalow construction with alterations to the roof. This proposal included raising the original roof height by 2.1m to accommodate a first floor, which included front and rear dormer windows. Therefore, this proposal to replace a bungalow with a dormer bungalow, with a greater separation distance, is similar to the above dwelling which has been granted planning consent. Furthermore, there are no planning policies which seek to protect/retain bungalows.

Allowing this application would only provide consent for the use of the development as a private residential dwelling. If at a later date the occupant wished to run a business from the property, this would be subject to the usual requirements for planning permission, and therefore this authority would retain control over this possible future use. There is therefore no ground for refusal of this application on the basis of a possible future use for commercial purposes.

As a point of clarification it should be noted that density is calculated in terms of the number of dwellings per hectare, and therefore the increase in the number of bedrooms would not result in an increase in the density of development on this site.

Conclusion

It is considered that the proposal is fully compliant with the relevant planning policies and guidance, and would be unlikely to cause any significant detrimental impacts to the amenities of surrounding residents or to the visual amenities of the area and as such the proposal is considered to be acceptable.

Recommendation

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

- 1) Development to commence within 3 years
- 2) Sample materials to be submitted
- 3) Landscaping scheme and boundary treatment to be submitted
- 4) Landscaping scheme and boundary treatment to be implemented
- 5) Limited working hours during construction
- 6) Parking and access to be constructed prior to occupation
- 7) Drainage details to be submitted and agreed

Informatives

Highway to remain free of mud and obstructions