

Planning Statement

Proposal: Demolition of Nos. 163 and 165 Birmingham Road and the construction of 8 new dwellings (including land to the rear of Nos. 151 and 157 Birmingham Road and No. 73 All Saints Road).

Site: 163 - 165 Birmingham Road Bromsgrove Worcestershire B61 0DJ

Date: December 2020

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1 INTRODUCTION

- 1.1 This planning statement is submitted in support of the application made for full planning permission for the demolition of Nos. 163 and 165 Birmingham Road and the construction of 8 new dwellings. The site area includes land at No 163 and 165 Birmingham Road together with land to the rear of properties at Nos. 151 and 157 Birmingham Road and Nos. 73 All Saints Road.
- 1.2 The following paragraphs of this statement will address the relevant development plan policy and national planning policy guidance pertinent to the determination of the application and set out the reasons why planning permission should be supported.

2 SITE AND SURROUNDING AREA

- 2.1 The site equates to an area of circa 0.34Ha. It is located within the built up urban area of Bromsgrove and is surrounded by existing residential uses. The site is comprised of two existing residential properties and their associated curtilages (163 and 165 Birmingham Road) together with part of the residential gardens to properties at 151 and 157 Birmingham Road and 73 All Saints Road. An extract copy of the site location plan is provided below showing the site as land edged red.



- 2.2 The site has residential development to each of its boundaries. The age, style and architectural character of developments within the immediate vicinity are varied and include both pre and post war development.

Bounding the northern boundary of the site is Oakland Grove which is a large cul de sac of late 20th Century estate style development of semi-detached and terraced properties with frontage on plot car parking and modest rear gardens.

Beyond Oakland Grove to the north of the site is Bartleet House which is a Grade II listed former hospital building dating from 1838. This building is now used for commercial office space.

To the west of the site are two substantial detached properties set behind the linear frontage development of All Saints Road.

Development along All Saints Road to the south of the site is comprised of traditional terraced properties with long, narrower gardens, as well as, 1930s/40s traditional bay fronted semi detached properties.

Facing the site from the opposite side of Birmingham Road beyond Spadesbourne Brook is further residential two storey development.

3 RELEVANT PLANNING HISTORY

- 3.1 An application for planning permission for the demolition of the existing buildings and construction of five detached dwellings was secured on 8th September 2020 under planning reference 20/00483/FUL. Condition 1 of the planning permission gives a period of 3 years within which the permission must be begun. This planning permission therefore remains extant and provides the lawful permitted fall back position for the re development of properties 163 and 165 Birmingham Road.

- 3.2 At the Planning Committee meeting for the extant planning permission it was brought to the attention of the applicant that a more comprehensive development taking in more garden areas (such as that proposed under this application) would be favourably received. A pre-application discussion with the case officer was undertaken prior to the submission of the current proposal and no principle objections were raised.

4 THE PROPOSAL

4.1 The current application seeks planning permission for the demolition of the existing buildings and the erection of 8 detached dwellings with associated car parking and amenity space. As set out above, the current application site extends that of the extant planning permission (20/00483/FUL) to include the rear garden spaces of 151 and 157 Birmingham Road and 73 All Saints Road. The development proposes an infill residential development within the established built up urban area.

The accommodation schedule includes:

- 2 x 5 bedroom detached dwellings
- 3 x 4 bedroom detached dwellings
- 3 x 3 bedroom detached dwellings.

4.2 Like the extant planning permission vehicular access is taken from Birmingham Road to north of the boundary shared with property No. 157 Birmingham Road. On plot car parking is proposed for each dwelling on the basis of a minimum of 2 spaces per 3 bedroom property and 3 spaces for each 4 and 5 bedroom property. There are also garages proposed to provide additional car parking and storage options. The layout proposes a cul de sac arrangement with two vehicular turning heads.

4.3 In terms of design and character the current proposed plots 1, 2, 3 and 8 are consistent with the design and character of plots 1, 2 and 5 previously secured under the extant planning permission. Similarly, the road layout and turning head for proposed plots 1, 2, 3 and 4 and the garages proposed for plots 1, 2 and 8 are each consistent with the previously approved scheme.

4.4 Plots 3 and 4 of the extant planning permission are amended under the current proposal. In this respect the previously approved plot 3 is deleted from the layout to allow for the continuation of the access road to serve the increased application site area. The previously approved plot 4 is an amended house type with a dual elevation designed to address its new corner position within the site layout.

4.5 The house types proposed for plots 5 and 6 are consistent with the house type previously approved for plot 3 under the extant planning permission. Proposed plot 7 is a 3 bedroom property with a not dissimilar external appearance to plot 3.

4.6 Each property has a private rear garden space and as detailed on the submitted compliance

plan each property has a dedicated bin store and cycle store. A bin collection point is also detailed on the submitted compliance plan.

5 PLANNING POLICY CONTEXT

5.1 The development plan relevant to the determination of the proposal is comprised of the Bromsgrove District Plan. The NPPF 2019 is also an important material planning consideration.

Bromsgrove District Plan

- BDP1 Sustainable Development Principles
- BDP2 Settlement Hierarchy
- BDP7 Housing Mix and Density
- BDP8 Affordable Housing
- BDP16 Sustainable Transport
- BDP19 High Quality Design
- BDP20 Managing the Historic Environment
- BDP21 Natural Environment
- BDP23 Water Management

Supplementary Planning Documents:

- Bromsgrove High Quality Design SPD.

Other material planning considerations - National Planning Policy Framework (NPPF)

5.2 So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (**para 11**).

5.3 When decision taking, **para 38** advises local planning authorities should approach decisions on proposed development in a positive and creative way. Decision-makers at every level should seek to approve applications for sustainable development where possible.

5.4 **Para 59** - to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed and that the needs of groups with specific housing requirements are addressed.

5.5 **Para 63** – provision of affordable housing should not be sought for residential developments that are not major developments.

- 5.6 **Para 68** – identifies that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built out relatively quickly.
- 5.7 **Para 118** - notes that planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs; and, to promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.
- 5.8 **Para 122** - sets out that planning decisions should support development that makes efficient use of land, taking into account the identified need for different types of housing and other forms of development, the availability of land suitable for accommodating it and local market conditions and viability.
- 5.9 **Para 123** – 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.
- 5.10 **Para 127** – planning policies and decisions should ensure development:
- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
 - establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

- optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and create safe and accessible environments; and
- create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

5.11 **Paras 30 and 31** – where design accords with expectations in plan policies design should not be used by the decision maker as a valid reason to object to development. In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit with the overall form and layout of their surroundings.

5.12 **Para 109** - development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

5.13 **Para 189** - in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

6 POLICYASSESSMENT

6.1 Status of the Development Plan

The NPPF does not alter the statutory status of the development plan as the starting point for decision making. Paragraph 11 of the Framework highlights that where a development plan is out of date planning permission should be granted unless adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or Specific policies in the Framework indicate development should be restricted. The starting point for the determination of this application therefore, is the weight to be given to the adopted development plan.

The Council has acknowledged that it cannot currently identify a deliverable five year housing land supply. In these circumstances, the application should be determined in the context of the tilted balance at para 11(d) of the Framework. The following sections of this statement will assess the proposal against the objectives of the development plan with reference to the

spatial hierarchy, design and character, the historic environment, residential amenity, highway impact, flood risk and drainage, ecology and affordable housing provision before concluding on the planning balance.

6.2 **The spatial hierarchy and the principle of development**

The site is located within the existing built up urban area of Bromsgrove which is listed as the main town, positioned at the top of the adopted spatial hierarchy, where the focus for new housing development is to be directed (BDP2). On the basis that the proposal seeks to fill a gap within the physical confines of an otherwise built up area, the development constitutes infill development; and; the proposal therefore seeks to make a more efficient and effective use of existing residential plots within a sustainable location with access to key services, facilities, and public transport options. This meets with the spatial objectives of the development plan.

Subject to the consideration of other development control matters the principle of developing the site for housing is considered to be acceptable and in accordance with the spatial objectives of the development plan.

6.3 **Design and character**

BDP19 (n) seeks to resist the development of garden land unless it fully integrates into the residential area and is in keeping with the character and quality of the local environment.

The general urban grain of development in the vicinity of the site varies to include traditional linear road frontage development, cul-de-sacs and some examples of back land development. Within the immediate vicinity of the site there is Oaklands Grove to the north which is a large cul de sac of estate style development and to the west are two detached properties (Somerville and Hollyfields) that are situated to the rear of frontage development along All Saints Road. Therefore whilst the proposal does seek to develop part of the garden areas of existing frontage properties, this is not out of context with the character of existing development in the area.

It must also be borne in mind that the principle of re-developing 163 and 165 Birmingham Road to deliver a form of back land development for 5 units has already been established and remains extant. As concluded within the officer report relating to the extant planning permission:

"The proposal would be adjacent to Oakland Grove and in close proximity to further back land development in the form of the garage redevelopments at Somerville and Hollyfields located off All Saints Road. Therefore, it is considered that the proposed development of this back land site would not appear out-of-character with the area."

The properties are appropriately spaced and are easily accommodated on the site. The application proposes a density of 23.5 dwellings per hectare which is significantly lower than the adjacent Oaklands Grove development (which has a density of 44.3 dwellings per hectare). As shown on the submitted compliance plan, the development meets (and in most instances exceeds) the garden depth standards required by the High Quality Design SPD. It is considered the development will therefore be well integrated with the character and quality of the local environment.

The age, architectural character and scale of surrounding development vary significantly. Like the extant planning permission care has been taken to ensure that the architectural design and choice of materials take cues from the character of surrounding development. As identified at section 4 above, the house types proposed under this submission are consistent with those already granted planning permission. The only new house type that differs from the extant permission relates to that at plot 4 which has purposefully been designed with a dual elevation to address the new corner position created from the access road and turning head serving plots 1-4. Like the other house types the design proposed for plot 4 include feature gables, bay windows and tile hanging detailing to complement the character of the surrounding development and the proposed internal grouping.

The proposed housing mix delivers a range of property sizes including 3, 4 and 5 bedroom properties.

In terms of landscaping, the development will necessitate the removal of some garden boundary hedging and trees. The landscaping which is proposed for removal is not prominent within the public realm. As shown on the submitted site plan and landscape plan, the scheme provides opportunity to accommodate new replacement on plot tree and hedgerow planting to appropriately mitigate the loss and potentially improve the landscaping quality and biodiversity value of the site.

For each of the above reasons it is concluded that the application positively responds to the site context, taking into account the form, size, layout, scale and proportions of other

development within the existing streetscape to meet the objectives of development plan policies BDP1, BDP7 and BDP19 of the BDP and the High Quality Design SPD.

6.4 **The Historic Environment**

There are four designated heritage assets located in the vicinity of the application site. These are: Bartleet House, Church of All Saints, the War Memorial and The Crabmill Inn. The submitted Heritage Statement assesses the impacts of the proposal on the significance of these heritage assets. The report concludes that it is recognised that the historic setting of all these assets has been considerably changed by twentieth-century development. It is considered that the proposals do not materially alter the neutral contribution made by the application site to the significance of these assets, and their significance is thereby preserved.

Whilst the Conservation Officer has previously identified Nos. 163 and 165 Birmingham Road as non-designated heritage assets, the submitted Heritage Statement demonstrates these buildings do not qualify for inclusion on the Council's Local List as they fail to meet the criteria outlined in the adopted Local List Strategy. In any case, planning permission has already been established for the demolition of these properties under the extant planning permission. The current proposals seek to replace these dwellings with the same house type as previously approved.

The proposal is considered to comply with the objectives of the NPPF and policy BDP20 of the BDP.

Residential Amenity

6.5 BDP1.4 (e) requires proposals to have regard to compatibility with adjoining uses and the impact on residential amenity.

The site is surrounded by existing residential properties; the proposed development is therefore compatible with existing neighbouring land uses.

While ensuring a high standard of amenity for the future occupiers of the development, careful consideration has been given to ensure suitable standards of private amenity for nearby residents are also maintained.

- Proposed separation distances between front to back and back to back elevations each exceed the 21m standard set out in the High Quality Design SPD. As shown on the submitted compliance plan separation distances of 31.7m, 32.6m and 31.8m are

achieved between the proposed plots 5-8 and the existing properties situated along All Saints Road. Similarly, a separation distance of 30.4m is achieved between plot 8 and No 15 Oakland Grove. There would be sufficient distance between the windows in the proposed dwellings and the existing properties to ensure the relationship between buildings would not have a significantly harmful effect on the living conditions of the neighbouring occupants.

- The orientation, spacing and layout of plots 1, 2, 3 and 4 are not dissimilar to the extant planning permission which has already been appraised and accepted as appropriate development.
- Garden depth standards required by the High Quality Design SPD are also achieved across the site. Each property has an appropriate private amenity garden space.

It is concluded the development can be accommodated on the site without adversely impacting upon the amenity of existing residents and will deliver a suitable living environment for the new occupiers. The proposal is considered to accord with Policies BDP1 and BDP19 of the BDP and the High Quality Design SPD.

6.6 **Flood risk and Drainage**

The site is located within a Flood Zone 1 on the Environment Agency's Flood Risk Maps for planning. Whilst the site is at low risk of fluvial flooding the FRA relating to the extant planning permission identified the site lies adjacent to an area covered by flood zones 2 & 3 associated with the Spadesbourne Brook. The site itself has had no recorded instances of flooding in the past.

No objections were raised by North Worcestershire Water Management (NWWM) in response to the extant planning permission. Prior to work commencing on site it was recommended that a full drainage investigation report should be produced to assess the viability of the site for infiltration drainage. The applicant has no objection to this condition.

Highways and Parking

- 6.7 Paragraph 109 of the Framework indicates that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The application is accompanied by a Transport Technical Note prepared by Cotswold Transport Planning. The Technical Note concludes:

- The proposed development of eight residential dwellings will not have a significant or severe impact on the local highway network, or an unacceptable impact on highway safety.
- The existing infrastructure within the vicinity of the site offers good opportunities for journeys to be undertaken by sustainable modes of transport.
- The proposed access arrangements to the site are considered safe and suitable in visibility and geometry terms.
- On plot car parking is proposed for each dwelling on the basis of 2 spaces per 3 bedroom property and 3 spaces for each 4 and 5 bedroom property. There are also garages proposed for plots 1, 2, 3, 7 and 8 in addition to the car parking spaces. The level of parking provision proposed on-site is in accordance with local standards.

It is concluded that the proposed development in highway and transportation terms is acceptable, and there are no highway or transportation reasons to prevent the grant of planning permission.

Ecology

6.8 The application includes the demolition of two existing buildings. The applicant has previously undertaken surveys to ascertain the presence of protected species on the site. The survey confirmed the presence of brown long eared bat within the roof void of 163 Birmingham Road. Roost features for crevice dwelling bat species were also confirmed within 163 Birmingham Road. No other significant habitats or potential for protected species relating to the Site have been identified.

No objection was raised previously subject to a planning condition regarding a Natural England licence and final mitigation measures. There is no objection to the inclusion of these planning conditions.

As highlighted above, there is also opportunity to provide landscaping and biodiversity enhancement at the site through the delivery of on site landscaping.

The proposal is considered to comply with Policy BDP21 of the BDP.

Affordable housing

- 6.9 Policy BDP8 states contributions will not be sought from developments of 10 units or less and which have a maximum combined gross floor space of no more than 1000sqm. Since the adoption of the BDP in 2017, the NPPF 2019 has revised the thresholds relating to the provision of affordable housing.

Para 63 of the 2019 NPPF states:

“Provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer).”

Major development is then defined at Annex 2 as:

“For housing, development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more.”

Para 023 of the NPPG has also been updated in order to be consistent with para 63 of the NPPF. Para 023 of the NPPG reiterates that planning obligations for affordable housing should only be sought for residential developments that are major developments and that for residential development, major development is defined in the National Planning Policy Framework as development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more.

Unlike the previous iterations of the NPPF and NPPG - para 63 of the 2019 Framework and the relevant definition of major development no longer defines the threshold by reference to a 1000sqm floor space restriction for residential development. Policy BDP8 has not yet been updated to reflect this national planning policy change.

212 Annex 1 of the Framework advises the policies in the NPPF are material considerations which should be taken into account in dealing with applications from the day of its publication. Plans may also need to be revised to reflect policy changes which the replacement Framework has made. This should be progressed as quickly as possible, either through a partial revision or by preparing a new plan. Whilst it is acknowledged that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework, it also important to consider that due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). In this case, Policy BDP8 is clearly out of date with reference to the 1,000sqm floor

space threshold. This restriction of floor space has been deleted in national policy and replaced with the major development definition as provided at Annex 2.

Assessing the proposal against para 63 of the NPPF it is clear that the application falls outside of the definition of 'major development' and therefore in accordance with national policy no affordable housing should be sought from the development. This is because:

- the proposal is for fewer than 10 dwellings and the site area (at 0.34Ha) is below 0.5Ha.

In accordance with national guidance therefore, no affordable housing should be sought from this development.

Notwithstanding the above, it is also worth highlighting that the development requires the loss of 374 sqm of existing residential floor space arising from the demolition of two existing residential units. The net gain in residential floor space from this development consequently amounts to 823 sqm.

Whilst Policy BDP8 references a combined gross floorspace of no more than 1000 sqm, given the out datedness of this threshold with reference to the Framework policy advice, the fact that the net gain is significantly below 1,000sqm, when considered in the context of the planning balance, it is concluded no affordable housing should be required by this development.

Planning Balance

6.10 It has been identified that Bromsgrove cannot currently demonstrate a deliverable five year housing land supply and therefore the tilted balance at paragraph 111 (d) of the Framework is engaged.

The application meets the economic, social and environmental objectives of sustainable development by:

- assisting in the delivery of housing in the most sustainable locations;
- makes a more efficient and effective use of land in existing residential use;
- contributes to boosting the supply of housing where there is an identified shortfall in deliverable supply;
- will provide economic benefits through the creation of jobs during the period of construction; and,

- can be delivered without causing negative impacts in terms of highway safety, ecology, drainage, flood risk, residential amenity and without causing harm to the historic, natural or built environments.

It has been highlighted by this statement that the proposal meets with the objectives of the development plan. The proposal represents sustainable development and there are no adverse impacts arising from this proposal which significantly and demonstrably outweigh the benefits. The presumption at para 11 of the NPPF applies and planning permission should be supported without delay.

7 CONCLUSIONS

- 7.1 There is an existing planning permission for the residential development of 163 and 165 Birmingham Road to provide 5 detached units. This planning permission remains extant and provides the lawful fall back position for the development of the site. The current application relates to a slightly increased site area and will deliver an additional 3 residential units. The character and style of development is not dissimilar to the extant planning permission.

The proposal effectively balances the three roles of sustainable development and meets with the overall planning objectives of the NPPF, adopted Bromsgrove District Plan and High Quality Design SPD. In accordance with the presumption at para 11 of the NPPF, planning permission can therefore be supported.