
Committee Date:	23/07/2015	Application Number:	2015/03396/PA
Accepted:	29/04/2015	Application Type:	Full Planning
Target Date:	29/07/2015		
Ward:	Harborne		

Land at Weather Oaks, Harborne, Birmingham, B17 9DD

Erection of 11 new dwellings and associated infrastructure, parking and landscaping

Applicant: Spitfire Properties LLP
c/o Agent
Agent: WYG
54 Hagley Road, 3rd Floor, Edgbaston, Birmingham, B16 8PE

Recommendation

Approve Subject To Conditions

1. Proposal

- 1.1. The application is for the erection of 11 dwellings with associated car parking, landscaping and access on land at the end of Weather Oaks, Harborne.
- 1.2. The development would comprise;
 - 10 no. three bedroom terrace dwellings.
 - 1 no. four bedroom detached dwelling.
- 1.3. The site would be laid out with a block of three houses fronting onto Weather Oaks, with a shared car park and landscaped area to the front along with a new access formed directly from Weather Oaks, continuing the cul-de-sac with 8 units set in a liner formation along its south western side. Properties would be 2 storeys in character, with roofspace accommodation lit by front dormers and rear rooflights. They would be predominantly terraced, with the exception of one detached property, forming an 'L-shaped' development.
- 1.4. The accommodation would generally comprise: – kitchen/dining room, living room and WC at ground floor, with bedrooms (some en-suite), bathroom and storage areas at first and second floors. All except plots 4 and 11 would provide second floor accommodation and all bedrooms satisfy bedroom size requirements set out in 'Places for living'
- 1.5. The properties would be of a traditional design, constructed in brick, with tiled pitched roof, dormers and gables utilising a similar palette of materials to existing houses in the vicinity. There would be a mix of entrance canopies being either gables or lean-to timber structures with timer posts or gallows brackets.
- 1.6. All properties would be provided with two off street car parking spaces within a defined parking court laid out with concrete block paving.

- 1.7. The development would necessitate the removal of 6 no. trees (5no Sycamore and 1no Elder). All are Category U (dead, diseased or dying), with one having already fallen. All other trees and existing hedgerows would be retained. All new dwellings would be provided with private rear gardens, and front gardens of various depths.
- 1.8. A refuse store would be provided for plots 6 – 10, adjacent plot 3. This would be constructed with materials to match the proposed properties.
- 1.9. Site area 0.35 hectares. Density 32 dwellings per hectare.
- 1.10. The following information has been submitted in support of the application: Design and Access Statement, Ecological Appraisal, Planning Statement, Transport Statement, Drainage Strategy and Tree Survey.

[Link to Documents](#)

2. Site & Surroundings

- 2.1. The site consists of a cleared site at the end of Weather Oaks, a private road off Lordswood Road, Harborne. The site was previously occupied by a care home which was demolished some years ago and the site is now standing empty.
- 2.2. The site is relatively flat, with a number of mature trees and hedgerows located around its perimeter.
- 2.3. The area surrounding the site has a predominately residential character, with a variety of house types of differing styles and ages bordering the site. Weather Oaks itself consists of a number of Maisonettes and flatted properties, some of which are sheltered housing along with more traditional housing. Lordswood Medical Centre is located to the north of the site and adjoining the site to the north west is Dore House sheltered housing. The rear gardens of properties on Milford Copse back on to the south western boundary of the site.

[Location Map](#)

3. Planning History

- 3.1. 06/03/2015 – 2015/01047/PA Pre-application enquiry for the erection of twelve dwellinghouses. Advised principle of development would be acceptable.
- 3.2. *Adjoining the site on Milford Road*
25/06/2015 – 2015/02275/PA Erection of 6 dwelling houses and associated garages, vehicular access and landscaping. Approved subject to conditions.

4. Consultation/PP Responses

- 4.1. Transportation – No objection subject to conditions for pedestrian visibility splays to be incorporated into accesses.
- 4.2. Regulatory Services – No objection
- 4.3. Severn Trent – No objection, subject to a condition in respect of drainage details.
- 4.4. West Midlands Fire Service – No adverse comments.

- 4.5. West Midlands Police – No objection, recommends that this proposal is built to enhanced security standards as set by Police Crime Reduction initiative 'Secured by Design'.
- 4.6. Education – No objection.
- 4.7. Letters of notification have been sent to surrounding occupiers, local residents associations, Ward Councillors for Harborne, Planning Committee members from the Edgbaston Constituency and the MP for Edgbaston. A site and press notice have also been posted.
- 4.8. A petition containing 22 signatures has been submitted by Councillor James McKay on behalf of residents of Weather Oaks objecting to the proposal. The petition requests a site visit be undertaken by the Planning Committee to support the residents preference for more sheltered housing on the site.
- 4.9. A further 15 letters of objection, including one signed by 11 people have been submitted objecting to the proposal on the following grounds.
- A new development will cause disruption to existing elderly residents.
 - Increased noise from families with children.
 - Increased risk to residents' health and safety.
 - The worry of a new development on the site is causing health problems already for existing residents.
 - Weather Oaks consist of primarily sheltered housing, this development should continue with this provision.
 - There will be increased parking in Weather Oak, parking is difficult for visitors of existing residents to park. The development does not provide enough parking.
 - Weather Oaks is a private road, which people ignore.
 - There will be an increase in traffic congestion, especially on Milford Copse.
 - Reassurance is sought that there will be no access road to Weather Oaks from Milford Road/Milford Copse.
 - Adverse impact on local wildlife.

5. Policy Context

- 5.1. The following local policies are relevant.
- The Birmingham Unitary Development Plan (2005)
 - Draft Birmingham Development Plan (2013);
 - Places for Living SPG (2001);
- 5.2. The following national policy is relevant.
- The National Planning Policy Framework (2012)

6. Planning Considerations

6.1. Policy

The NPPF seeks to ensure the provision of sustainable development, of good quality, in appropriate locations and sets out principles for developing sustainable communities. The NPPF promotes high quality design and a good standard of amenity for all existing and future occupants of land and buildings. It encourages the effective use of land by utilising brown-field sites and focusing development in locations that are sustainable and can make the fullest use of public transport, walking and cycling. The NPPF seeks to boost housing supply and supports the delivery of a wide choice of high quality homes, with a mix of housing (particularly in terms of type/tenure) to create sustainable, inclusive and mixed communities.

- 6.2. The UDP similarly supports a more sustainable pattern of development by re-using brownfield sites in suitable locations with good access to jobs, shops and services by modes other than the car.
- 6.3. The UDP emphasises the importance of the City's housing policies in contributing to the strategy for urban regeneration and economic revitalisation, and states that one of the ways this will be achieved is through a variety of housing to meet the full range of needs throughout the City.
- 6.4. The UDP requires that new housing developments should provide an appropriate environment (paragraphs 5.20-5.20A), a suitable housing density and mix (paragraph 5.40) and encourages a full range of housing types and sizes including those for people with disabilities and other specific needs (5.35 and 5.37). Paragraph 5.38 identifies that densities of at least 50 dwellings per hectare will be expected in local centres and corridors well served by public transport, with 40 dwellings per hectare elsewhere.
- 6.5. Paragraphs 3.14D and 3.14E of the UDP identify that new housing development should be designed in accordance with good urban design principles, with the key principles.
- 6.6. In addition, 'Places for Living' SPG encourages good quality accommodation in attractive environments. It contains a series of urban design principles and makes reference to minimum design and amenity standards. Particular emphasis is given to assessing context and responding positively to local character.
- 6.7. Within the Draft Birmingham Development Plan policy, TP27 states that the location of new housing should be accessible to jobs, shops and services by other modes of transport, are sympathetic to natural assets and not conflict with other core strategy policies in relation to employment land, green belt and open space. Policy TP26 refers to new housing offering a choice of type, size and tenure to create balanced and sustainable communities.

6.8. Housing

The principle of redeveloping this site for residential purposes would be a positive step in line with national and local policy. The site is within an established, predominantly residential area, close to public transport links and with easy access to local services. The proposed development would deliver a choice of homes through the effective re-use of this brown-field site.

- 6.9. The proposed density of 32 units per hectare is below the normal policy requirement but would reflect the character of this location and would allow for the provision of a mix of house-types, including one larger family unit, to meet the needs of different groups in the community. Furthermore, the site is an unusual shape and the rear

most area is heavily treed with limited development potential. The layout would also be in accordance with Places for Living principles as it would be characteristic of the surrounding area.

6.10. Layout and Design

The design and layout of the scheme has been developed in consultation with Planning Officers through pre-application meetings. The layout has been shaped by a number of constraints and considerations, including the wish to accommodate and retain the majority of existing trees on the site and the desirability of creating a high quality residential environment. This layout indicates a new development which would place rear gardens adjacent to existing rear gardens to create defensible space.

6.11. The communal car park area has been designed to be accessed off Weather Oaks with all proposed properties fronting onto this new area, or onto Weather Oaks itself helping to create a strong frontage and presence.

6.12. The proposed houses would be 2 storeys, with roofspace accommodation at second floor level which would reflect existing properties in the vicinity. The properties in the surrounding area are varied in age and style, including large sections of interwar housing to the north and south and more recent housing within Weather Oaks.

6.13. The existing properties have a simple palette of materials and the proposed new houses would be similarly constructed in brick with tiled roofs, and would incorporate characteristic features including pitched gables, dormer windows and porch canopies.

6.14. The layout has been developed to address the requirements in 'Places for Living' in respect of distance separation to the existing properties. Each property has a garden length of over 10m. In addition, distance separation between the properties within the new cul-de-sac to existing properties is over 21m. Given this, it is considered that the new development would not have any detrimental impact to existing surrounding residents in terms of overlooking or loss of privacy and would provide future residential with a high quality residential environment.

6.15. All bedrooms accord with the requirements in 'Places for Living'. Four plots (Plots 5, 6, 7, and 10) have a shortfall in the recommended 70sqm for private rear garden space, with the lowest being 60sqm. However, garden lengths are 16.5m (including rear access paths) long and there would therefore be no overlooking into neighbouring properties. Whilst this shortfall of the garden area is unfortunate, the site's constraints have dictated this situation and given that it is only marginally below that recommended I do not consider this matter alone would be sufficient to warrant the refusal of the application.

6.16. In the light of the above, I consider that the design of the proposal would enable the creation of a good quality residential environment that would sit comfortably within its surroundings.

6.17. Transportation

No objection has been raised by Transportation officers, who are satisfied that the proposed level of parking is adequate and that there would be no unacceptable impact on the surrounding road network. An overall 200% off street parking provision is offered, which includes two off street spaces per property.

6.18. Concern has been raised by residents about parking on street along Weather Oaks. Demand for parking on Weather Oaks does appear to be high. However, given the good level of parking provision being offered it is expected demand associated with these 11 units would be accommodated within the site without the requirement for overspill parking beyond the sites curtilage. In addition, the accesses are noted to be of sufficient width to allow 2 way movements, and a condition is recommended to secure adequate pedestrian visibility.

6.19. In terms of traffic generated by this development, it would not be expected to differ notably to that of the previous care home on site. Furthermore it is acknowledged the local centre of Harborne and a number of regular buses are within reasonable walking distance of the site. Some objectors have sought reassurance that there would not be a highway link through to Milford Rd/Copse, and none is proposed.

6.20. Trees and Landscaping

There are 31 individual trees on the site, predominantly on the site's boundary. The rest of the site is covered in rough grass that has grown since the demolition of the former care home. The development would necessitate the removal of 6 no. trees (5no Sycamore and 1no Elder). All are Category U specimens, with one having already fallen and are not protected. The larger trees around the site's perimeter would be retained and seven new trees and shrub planting is indicated within the new development. Your tree officer raises no objection to the proposal noting that the landscape proposal has been modified following discussion to allow the inclusion of a new oak tree in the grass between the access driveways – a welcome replacement for the tree removals towards the frontage and in keeping with the local name. A condition to ensure development is carried out in accordance with the submitted Arboricultural method statement and tree protection plan is recommended

6.21. Ecology

A Ecological Assessment has been submitted. The Council's Ecologist notes that evidence and other sources suggests that the site provides a useful commuting route for badgers and foxes active in the local area. There is a well-established mammal path along the top of the southern embankment, as well as a number of mammal burrows. This excavation was checked by the ecologist during a site meeting, and although a faint badger print was observed, there was no definitive evidence to suggest this, or any of the other burrows along the embankment, were currently occupied by badgers. However, conditions are recommended to ensure the protection of badgers on the site, including the completion of an updated badger survey to ensure no change in the status of badgers on the site, as well as providing details of any revised mitigation requirements and post-development access for badgers through the site e.g. gaps under fences, badger gates at key access points, or use of hedges to define boundaries.

6.22. In addition to the above, trees and shrubby vegetation around the site boundaries provide opportunities for nesting birds and that none of the site trees could be used by rooting/hibernating bats. The Planning Statement indicates that new nesting sites for smaller birds will be created and that permanent opportunities for roosting bats will be provided as part of the new development and details of this can be secured by condition.

6.23. Sustainability

The proposal would be a positive move towards sustainability by re-using a brownfield site for housing. In addition the site is well served by local amenities and is within easy reach of local centres including Harborne and the site is served by public transport.

6.24. Other Issues

Regulatory Services have raised no objections in respect of noise. In addition, given the previous use of the site it is not considered that there would be any land contamination issues.

6.25. Severn Trent have raised no objections subject to the imposition of a drainage condition. A drainage strategy has been submitted with the application. The Council's Drainage Officer has reviewed this and notes that while it is acknowledged that some reference has been made to infiltration techniques and permeable surfaces within the revised drainage strategy, there is no evidence that exploration of any other appropriate SuDS features have been explored. Furthermore, there is no additional information provided with respect to operation & maintenance. Given this, they recommended a suitable safeguarding condition is applied to ensure full consideration of SuDS has been given.

6.26. Some residents wish the development to be sheltered, but there is no policy or local circumstance that means this can be insisted upon. Instead, the development would contribute to meeting the City's housing demand, with three bedroomed homes and one detached four bedroomed house.

7. Conclusion

7.1. The redevelopment of the site for housing accords with both national and local policy. The development would provide new housing to help meet the City's demand for new homes, and the proposed mix of dwellings, layout and design are appropriate for the area and can be accommodated without any significant adverse impact on existing residents, trees and ecology, or the local highway network. The proposals would provide a high quality development, which I consider would make a positive contribution to the area and which constitutes sustainable development.

8. Recommendation

8.1. Approve subject to conditions.

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| 1 | Requires the scheme to be in accordance with the listed approved plans |
| 2 | Requires the prior submission of hard and/or soft landscape details |
| 3 | Requires the prior submission of boundary treatment details |
| 4 | Requires the prior submission of sample materials |
| 5 | Arboricultural Method Statement and Tree Protection Plan - Implementation. |
| 6 | Requires the prior submission of a scheme for ecological/biodiversity/enhancement measures |
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- 7 Requires the prior submission of a construction ecological mitigation plan
 - 8 Requires an updated badger survey
 - 9 Requires measures to ensure post development access for badgers
 - 10 Requires the prior submission of a drainage scheme
 - 11 Requires the prior submission of a Sustainable Drainage Assessment and Sustainable Drainage Operation and Maintenance Plan
 - 12 Requires pedestrian visibility splays to be provided
 - 13 Limits the approval to 3 years (Full)
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Case Officer: James Mead

Photo(s)

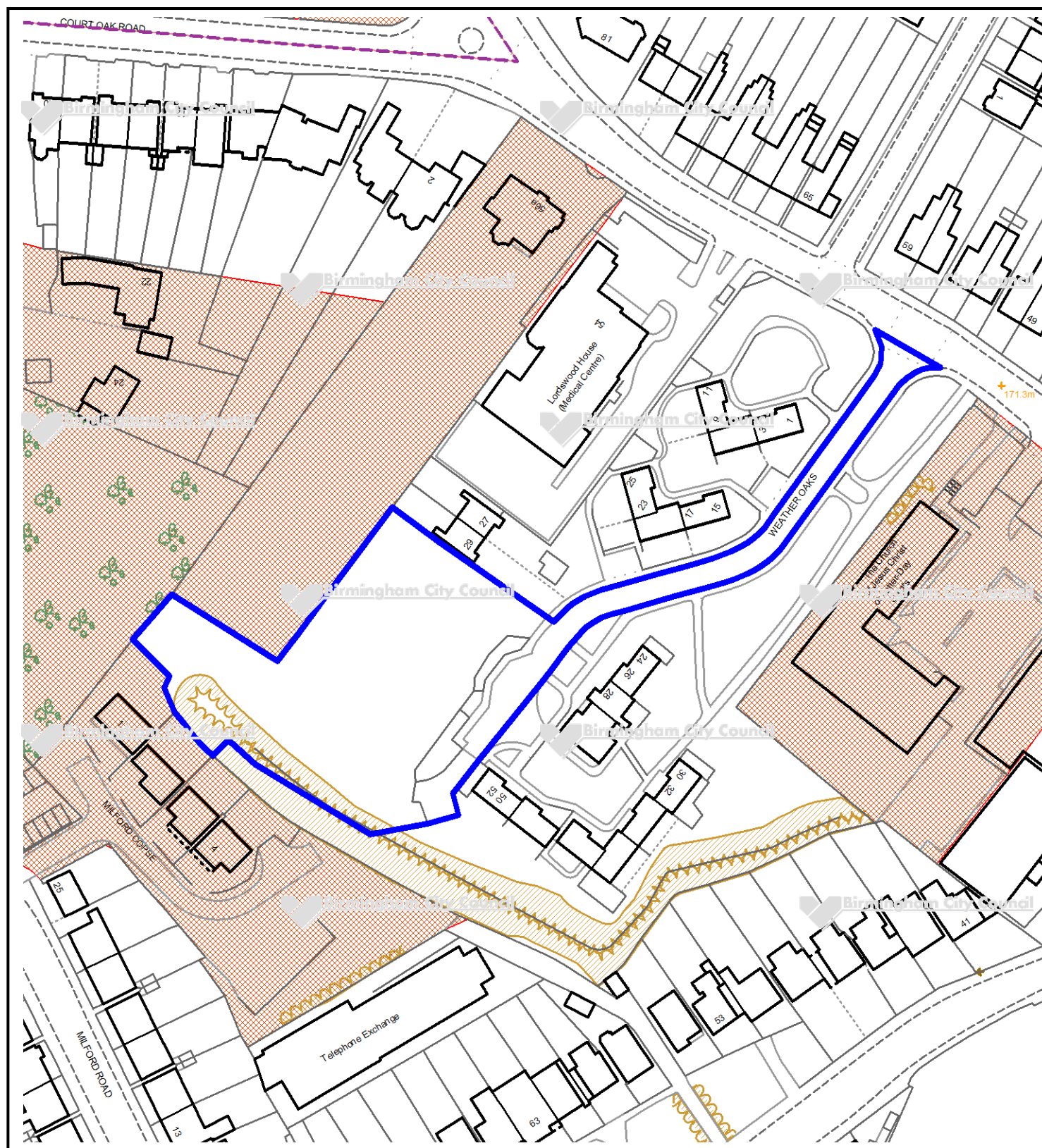


Photograph 1: Front of application site



Photograph 2: View of Southwest corner of application site

Location Plan



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