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Committee Date:	23/07/2015	Application Number:	2015/04275/PA
Accepted:	28/05/2015	Application Type:	Full Planning
Target Date:	23/07/2015		
Ward:	Bournville		

<p>Land between 23 &amp; 28 Derwent Grove, Stirchley, Birmingham, B30 2UX</p> <p>Erection of 3 dwelling houses with associated car parking spaces</p>
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Applicant:	North Van Developments c/o Agent
Agent:	Cross & Craig Associates Vine House, 462a Station Road, Dorridge, Solihull, B93 8HB

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Recommendation

**Approve Subject To Conditions**

1. Proposal

- 1.1. The proposal is for the erection of three, two storey dwellings on land between Nos. 23 and 28 Derwent Grove, Stirchley.
- 1.2. The dwellings would form a small terrace row with the two end properties being 2-bed and the middle property having three bedrooms.
- 1.3. Each proposed dwellinghouse would be sited a minimum of 6m from the highway, with one car parking space on a driveway, with landscaped areas provided between. Each would have a private garden area to the rear, with the 2 bed properties having over 52sqm of space and the three bed property having over 70sqm of space in accordance with 'Places for Living'
- 1.4. The block would have a have a hipped roof to a total height of 7.8m, (5m to eaves). The block would be 16.7m wide and have a depth of 9m.
- 1.5. Each proposed dwellinghouse would comprise of a lounge, kitchen, hall and cloakroom at ground floor; and two double bedrooms and a bathroom at first floor. The middle property would comprise of a further double bedroom accommodated within the roofspace. All bedrooms comply with the guidance set out in 'Places for Living'
- 1.6. Each proposed dwellinghouse would be constructed of facing brickwork, with concrete roof tiles. Windows and doors would be constructed of UPVC. Each would have a bay window and flat roof canopy above the entrance which copies the design of properties within Derwent Grove.
- 1.7. Site area is 0.0575hectaes resulting in a density of 52 dwellings per hectare.
- 1.8. The application is a resubmission of previously refused application 2014/04858/PA, which was for three houses. There were various defects with the scheme,

especially for elevational appearance, and plot and ownership issues, which the applicant has sought to resolve since.

[Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site comprises of vacant land, which fronts Derwent Grove to the west. The majority of the site comprises of previously Council owned land, sold in 2012 (210sqm). The site is located between No. 28 Derwent Grove to the north, the rear gardens of Nos. 33-37 (odds) Greenoak Crescent to the south east, and No. 23 Derwent Grove to the south. Ground levels across the site itself are relatively flat, but the ground slopes up steeply immediately beyond site boundaries to the east and south, within the rear gardens of properties fronting Greenoak Crescent and the front garden of No. 23 Derwent Grove. Derwent Grove is a short residential cul-de-sac, located within a larger residential estate of Inter-War dwellinghouses, which has a mix of Council owned and owner-occupied houses.

[Location Map](#)

3. Planning History

- 3.1. 26/07/2012 – 2012/04871/PA Pre-application advice for erection of detached dwellinghouse – Principle of residential use on site is accepted but cannot see that a dwelling could be accommodated which complies with the Council's Places for Living guidelines for new residential development (i.e. garden sizes and separations distances) and which would accord with the character of the area and therefore it is unlikely that a formal planning application could be supported.
- 3.2. 29/01/2015 – 2014/04858/PA Erection of 1 detached and 2 semi-detached dwelling houses with associated car parking spaces. Refused – layout, garden sizes, appearance, overlooking.

4. Consultation/PP Responses

- 4.1. Transportation Development – No objection subject to a condition for pedestrian visibility splays to be incorporated into each drive way. Relocation of existing lighting column would be at the applicant's expense.
- 4.2. Regulatory Services – No objection.
- 4.3. West Midlands Fire Service – No objection
- 4.4. West Midlands Police – No objection, recommend that development is built to enhanced security standards set by Police Crime Reduction initiative 'Secured by Design'
- 4.5. Severn Trent Water – No objection subject to drainage condition
- 4.6. Letters of notification have been sent to surrounding occupiers, local residents associations, Bournville Ward Councillors, Planning Committee members from the Selly Oak constituency and the MP for Selly Oak.
- 4.7. Three letters of objection have been received from surrounding occupiers objecting to the proposal on the following grounds.

- The site is not big enough for three houses.
- There is a lack of green space within this development.
- These properties could create a fire risk.
- Further car parking would create pollution and noise.

## 5. Policy Context

5.1. The following local policies are applicable:

- Birmingham UDP
- Draft Birmingham Development Plan
- Places for Living SPG
- Mature Suburbs SPD

5.2. The following national policies are applicable:

- National Planning Policy Framework (NPPF)

## 6. Planning Considerations

6.1. The National Planning Policy Framework seeks a presumption in favour of sustainable development (Para. 14). One of the core planning principles set out in Paragraph 17 is that planning should “always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.”

6.2. Chapter 7 of the NPPF focuses on good design as a key element of sustainable development. Paragraph 56 states: “The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”

6.3. The Council's Places for Living SPG seeks desirable, sustainable and enduring residential areas and recognises that higher density forms are not always appropriate everywhere. It recognises that is important in areas where lower density forms are a positive characteristic that harm is not caused by insensitive infill and redevelopment.

6.4. The Council's Mature Suburbs Residential Development Guidelines SPD states that proposals should be informed by a detailed contextual appraisal to determine the character of the area, including consideration of built form, spatial composition, architectural style, enclosure, density and levels of vegetation. It recommends that the appraisal should be incorporated in a design statement showing how the proposal fits into the character of the area. It goes on to say that plot size, building form, landscape and boundary treatment, plot access, parking provision and design style will be considered when appraising the design proposals. It also notes that proposals that undermine and harm the positive characteristics of a mature suburb will be resisted. It notes that “mature suburbs are not restricted to the more affluent parts of the city. They also include, for example, the extensive inter-war public housing estates of semi-detached and terraced housing built to Parker Morris standards often with generous sized and well established gardens and geometric road layouts all of which contribute to the character of the suburb.”

- 6.5. The application site is located within a large housing estate of Inter-War properties. I consider this estate has the character of a mature suburb because of the number of homogeneous positive characteristics. Among these (and within particular focus on Derwent Grove) are: building form and massing – two storey, semi-detached and small groups of terraced residences, separated by gaps of 3m between dwellings, and each house measuring 5.5m in width and 7.5m in depth; design style - generally being of red brickwork, having hipped tiled roofs, flat roofed bay windows and chimneys; plot size - generally long narrow rear gardens; building siting - generally set back from the highway by a minimum of 6m, with front gardens and driveways; landscape and boundary treatment – front boundaries generally of picket fencing or hedging, and with street trees.

#### ***Siting, Scale and Massing***

- 6.6. Most of the properties on Derwent Grove are set back from the highway by a minimum of 6m. This revised application, now shows that the proposed dwellings would be sited 6m from the highway and following the established building line set by 26 and 28 Derwent Grove. This would now result in the proposed dwellings appearing appropriately set out with the character of the surrounding area and there would now be room to park a car on the driveway of each property, without it overhanging the public footway which the previously application did not demonstrate.
- 6.7. In the context of the earlier character analysis of this mature suburban environment, I consider the proposed terrace would appear acceptable given the surrounding form of semi-detached dwellings with terraced groups beyond Derwent Grove. There are now significant gaps between the existing and proposed dwellings giving more spacious separation distances. The proposed dwellings would be of similar heights, widths and depths of existing dwellings in the surrounding area. Finally, although the gardens are noticeably smaller than some in the area, there are properties with small gardens and given that they are of a size in accordance with 'Places for Living' I do not consider them to be out of character.

#### ***Appearance***

- 6.8. This revised application has seen changes to the overall appearance of the properties, which have been amended to be more in keeping with the relatively uniform architecture of the estate. Bay windows have been incorporated and flat roof canopies over front doors. I consider this now to be an acceptable design solution that complements the local vernacular.

#### ***Living Conditions of existing and future occupiers.***

- 6.9. The proposed dwellings would provide adequate internal living conditions for future occupiers, with bedroom sizes exceeding the minimum size requirements set out in the Council's Places for Living SPG (Bedroom 1 being 16.6sqm in size, Bedroom 2 being 10.5sqm in size, and Bedroom 3 where applicable being 25sqm in size).
- 6.10. The rear gardens of the proposed dwellings would all meet the requirement for garden sizes as set out on 'Places for Living' (52sqm for the two bed properties and 70sqm for the three bed property). It is recommended that permitted development rights for potential extensions to the properties are removed to ensure the retention of adequate rear amenity space for future occupants, given the gardens are quite short in places. As a result of the splayed nature of the rear boundaries, the two end properties failing to provide a set back of 10m to the boundary with properties to the

rear (being between 6-10m). However, there is also a notable ground level differences between the site and the neighbouring rear gardens of properties on Greenoak Crescent which sit on higher land. In addition, the rear gardens of these existing properties are long, with the distance between the rear of them and the proposed dwellings being between 25-40m and they would be set at oblique angles. Given this, I am satisfied that the amenity of these adjoining occupiers would not be significantly affected as a result of overlooking into the end of their gardens. I note the layout/garden pattern is similar to some other existing properties in the area.

- 6.11. There was a concern with the previous application that neighbours would be able to look into the new properties, given the relatively short gardens and levels. However, with the other refusal issues now satisfactorily addressed, and land ownership clarified, I am not persuaded that this matter could constitute a reason for refusal on its own – intervisibility between neighbours in their gardens and to the new dwelling's ground floor windows would be addressed by a boundary fence. There would be intervisibility between the neighbours' gardens and the new dwellings' upper floor windows, but I note the neighbours' long gardens meaning use at their far ends is likely to be limited, and that new occupiers could install blinds or net curtains for daytime privacy.

### ***Traffic and Parking***

- 6.12. Transportation Development have raised no objection to the proposal, subject to conditions requiring submission of details of appropriate pedestrian visibility splays. I consider there would be no material difference in traffic generation and parking resulting from the proposal, each dwelling could adequately accommodate a parked car on its driveway without this overhanging the public footway. In addition, parking on street within the vicinity is unrestricted and regular buses run within reasonable walking distance of this site, along Pershore Road, throughout the day.
- 6.13. The proposal necessitates the relocation of an existing lighting column. The applicant is aware of this and acknowledges that this will be at the developers' expense.

### ***Other Issues***

- 6.14. I note the concerns of local residents in respect of the properties creating a fire risk. West Midlands Fire Service has confirmed they have no objection to the proposal. As such it is not considered that the properties would pose any risk to the health and safety of surrounding residents.

## **7. Conclusion**

- 7.1. It is considered that this revised application adequately addresses the previous concerns of the refused application. The dwellings are set out in an appropriate manner and are of a good design that accords with the character of the surrounding area. New housing would be provided on an existing previously developed site in a suitable location. The houses would contribute to meeting the City's housing need. As such, the proposal constitutes sustainable development and it is recommended that the application be approved subject to the attached conditions.

## **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 a drainage scheme
  - 3 Requires the prior submission of hard and/or soft landscape details
  - 4 Requires the prior submission of hard surfacing materials
  - 5 Requires the prior submission of boundary treatment details
  - 6 Requires the prior submission of sample materials
  - 7 Requires the prior submission of level details
  - 8 Removes PD rights for extensions
  - 9 Requires pedestrian visibility splays to be provided
  - 10 Limits the approval to 3 years (Full)
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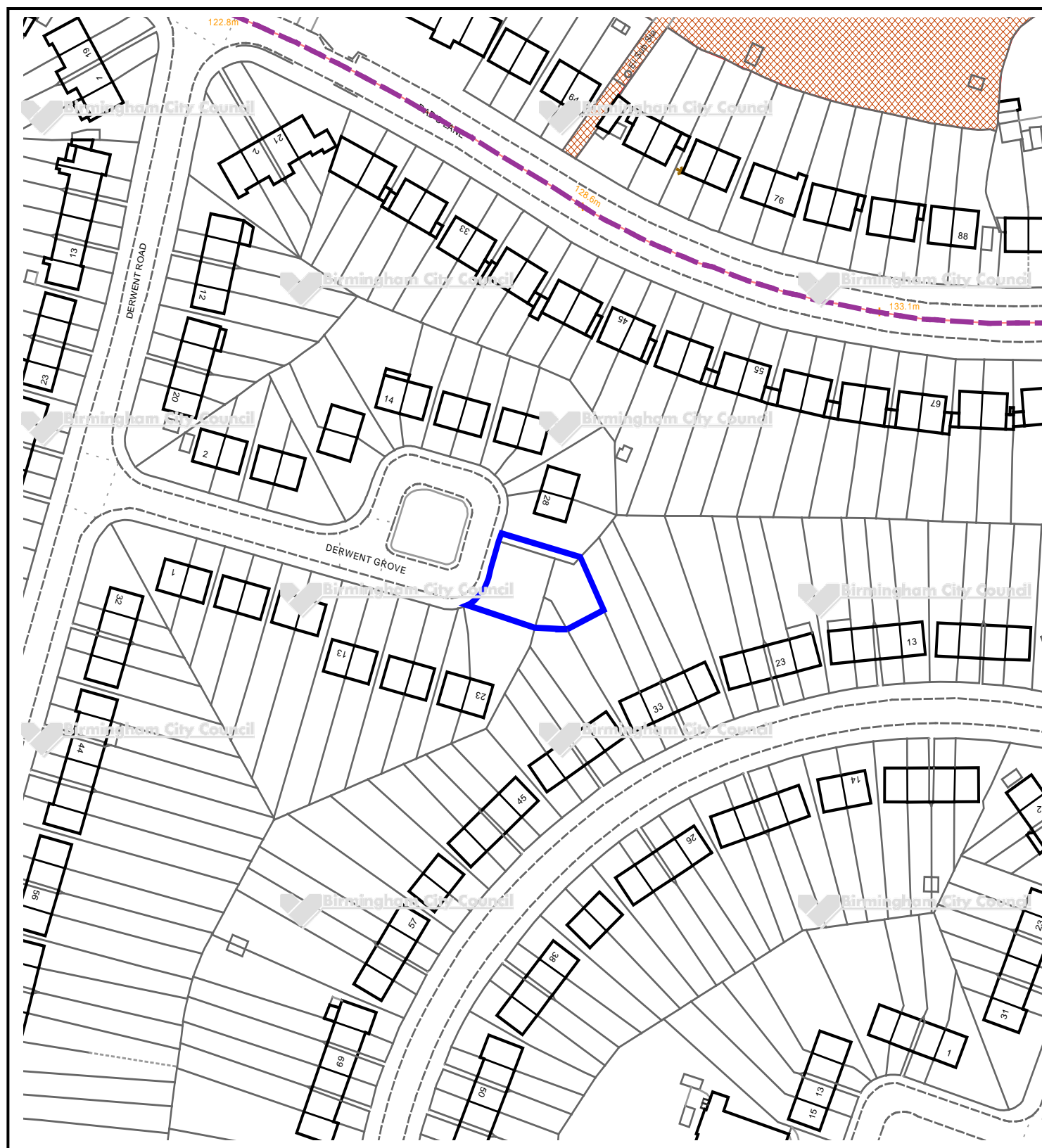
Case Officer: James Mead

**Photo(s)**



**Photograph 1: View of application site**

## Location Plan



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