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Committee Date:	25/06/2015	Application Number:	2015/03424/PA
Accepted:	30/04/2015	Application Type:	Full Planning
Target Date:	25/06/2015		
Ward:	Longbridge		

Land adjacent 37 Longwood Road, Rubery, Birmingham, B45 9NJ

Erection of 2 apartments with associated parking and landscaping

Applicant: Mr Gary Bathurst  
42 Hillview Road, Rubery, Birmingham, B45 9HH  
Agent: M W Building Designs  
37 Otter Close, Winyates Green, Redditch, Worcestershire, B98 0SJ

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Recommendation

**Approve Subject To Conditions**

1. Proposal

- 1.1. Planning permission is sought for the erection of two apartments with associated parking and landscaping within the existing garden area of no. 37 Longwood Road.
- 1.2. The building would have a width of 8.75m, maximum depth of 8m and an overall height of 7.85m. The building would have a pitched roof with forward projecting gable.
- 1.3. Each apartment would have two bedrooms, bathroom and a living area/kitchen. Both apartments would be accessed from the front of the building with apartment two being accessed by stairs to the right hand side of the building.
- 1.4. Two parking spaces would be provided – one located to the front of the property, the other to the side. There would be some landscaping to the front. Each apartment would have cycle storage and an area for bins and rear amenity space of approximately 40sqm each, separated by 1.8m high close boarded fence. A 1.8m high fence is proposed around all side and the rear boundaries.
- 1.5. Site Area – 0.02ha.
- 1.6. Density – 100 dwellings per hectare
- 1.7. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The site is currently in use as residential garden area for no. 37 Longwood Road; a semi detached dwelling house. The ground levels decline south along Longwood Road, with this site being set at a slightly lower level to no. 37. There is a steep embankment to the rear of the site dropping to Leach Green Lane. The embankment forms part of Leach Green Lane Site of Importance for Nature Conservation (Rubery Cutting) and is covered in remnants of heathland vegetation.

- 2.2. The area is predominately residential in character. Longwood Road itself has a mixture of dwellings and low rise flats of a mixture of ages. There are dwellings to the adjoining site at 35-37 Longwood Road and there are three storey flats opposite the site at 56 Longwood Road. Properties on this eastern side of Longwood Road are generally set up from pavement level giving views to the Lickey Hills from windows on front elevations.
- 2.3. To the south of the site on Leach Green Road is St James Catholic Primary School and the Catholic Church of Our Lady of Perpetual Succour.

[Location Map](#)

[Street View](#)

3. Planning History

- 3.1. 04.02.15 - 2015/00076/PA: Erection of four apartments with associated landscaping and parking – Withdrawn (by applicant at request of Local Planning Authority as the proposal would be too intensive for the site).

4. Consultation/PP Responses

- 4.1. Local Ward Members, Residents Association and local residents consulted - PETITION (awaiting receipt), fourteen letters of objection and two letters of objection from Councillor Cartwright and Councillor Brew received as summarised below;
- Appears that not much has changed since the last application
  - Located on a blind bend which is also narrow
  - Narrow road which also has a lot of on street parking
  - Further obstruction when the Church is in use
  - Increased parking issues with parents dropping children at school
  - Drainage issues
  - Loss of view to Lickey Hills
  - Detrimental to health
  - Dust and noise during construction
  - Further congestion and road traffic accidents
  - Devaluation of property
  - One way system needs to be introduced
  - Already enough homes built here
  - Loss of light
  - Outlook of all residents and families in area spoilt
  - Excess mud and dirt on road during construction
  - Issues with waste
  - Landlords and tenants will not take responsibility for cleaning up property
  - Residents face abuse from visitors parking
- 4.2. Transportation Development – No objection subject to condition requiring adequate visibility splay
- 4.3. West Midlands Fire Service – Awaiting response
- 4.4. West Midlands Police – No objection
- 4.4. Severn Trent – No objection subject to a satisfactory drainage plan.

4.5. Regulatory Services – No objection

5. Policy Context

5.1. NPPF, Birmingham UDP, Draft Birmingham Development Plan, Places for Living SPG, Car Parking Guidelines SPD

6. Planning Considerations

6.1. The main considerations in the determination of this application are the impact of the proposal on visual and residential amenity, highway safety and parking and whether the principle of the proposal is in accordance with policies of the Development Plan.

Principle

6.2. NPPF states that developments should respond to local character and history and reflect the identity of local surrounds. Decisions should avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development.

6.3. The UDP encourages the use of previously developed land within corridors served by public transport. Paragraph 5.20 states that proposals for new development should be carefully designed so that they do not detract from the character of the surrounding area.

6.4. Places for Living SPG states that developers must build on local character, considering context and should exploit and strengthen the characteristics of an area. Places for Living SPG furthermore encourages residential development of sites where there is opportunity to walk, cycle or use public transport instead of cars.

6.5. The proposed dwelling would be located in an area which is predominately residential in character with good transport links and I therefore consider the principle of the development be acceptable.

Residential Amenity

6.6. Each apartment would be 46sqm in area providing living area/kitchen, two bedrooms and a bathroom. I consider that a good level of accommodation is provided, as demonstrated by submitted indicative furniture layouts.

6.7. Places for Living SPG recommends that first double bedrooms in such accommodation should be 12.6sqm with single bedrooms being no less than 6.56sqm. Both double and single bedrooms are in accordance with these guidelines.

6.8. Places for Living recommends that there should be 27.5m between building faces for two storey dwellings. However, this distance is more strictly applied to the rear rather than the front. There is approximately 20m between the front elevation of the proposal and the flats opposite. Whilst there is a slight shortfall in this distance, I consider that because of the slightly angled relationship between the proposal and the existing flats that harm to residential amenity through overlooking would not occur. This relationship would be similar to the existing front to front separation distances along Longwood Road. There are no issues relating to separation distances to the rear of the property or the 45 degree code to the existing dwelling at no. 37.

- 6.9. Each apartment would have a garden area measuring 40sqm. Places for Living recommends 30sqm for such accommodation. I therefore consider that the proposal provides a good level of residential amenity space. The plans further indicate space for bin and bike storage.
- 6.10. I note that the remaining garden for no.37 Longwood Road would be approximately 41sqm. Whilst this falls below the 70sqm recommended by Places for Living SPG for family dwellings I consider that it would be unreasonable to refuse the application on this basis. The garden would still provide adequate space for bin storage and clothes drier as well as an area to sit out. I also note that there is open space within walking distance of the site to the east to the rear of properties on Rise Avenue and St Chads Park to the west. The site is also served by public transport allowing access to recreational facilities in the wider area. Regulatory Services have raised no objection to the proposal.
- 6.11. I note objections refer to the 'loss of view' to the Lickey Hills. Whilst this is unfortunate for some residents this is not a planning matter and it is noted that outlook would remain acceptable.

#### Visual Amenity

- 6.12 Longwood Road consists of a mixture of low rise flats and dwelling houses of differing styles and ages and therefore I do not raise objection to the proposed apartments on this basis.
- 6.12. It is noted that there is no definite pattern of development along the road with some properties set at an angle to the road, others close to the back of the pavement and others with deep front gardens. I therefore consider that the proposal whilst set slightly forward of the building line created by no. 35-37 with a shallow front garden, would not appear out of character within the streetscene.
- 6.13. The ununiformed pattern of development also extends to rear garden sizes. Whilst those in Kendal Rise are of more uniform in size those on Longwood Road and Leach Green Lane are of differing sizes. I note that the proposal would have a shallow back garden constrained by the embankment to the rear however this would not be out of character within the area.
- 6.14. It is considered that the development of the site would be a visual improvement to the existing situation. The existing 1.8m high close boarded fence located to the back of the pavement provides little visual amenity and the development would improve this by opening up the frontage and provide softening landscaping. It would provide an active frontage to the streetscene and to the flats opposite. Based on the above I am of the opinion that the proposal would not result in harm to visual amenity.

#### Highway Safety and Parking

- 6.15. The proposed apartments are to be provided with a single driveway parking space each with two parking spaces proposed for 37 Longwood Road. Beyond the site, parking is unrestricted. Regular buses serve this location throughout the day and Bristol Road South within short walking distance.
- 6.16. While some additional traffic and parking demand will be generated further to this development, it is not expected the situation will be significantly different to that

occurring currently. In addition to the 100% provision of parking the applicant is proposing to install secure and sheltered cycle storage for each apartment, in line with BCC minimum guidelines. It is noted there is a 1.8m fence shown along the southern boundary with a section 600mm in height in order to extend the available vehicular visibility from the adjacent parking space.

- 6.17. Some of the objections received raise Transportation grounds for concern relating to additional traffic and parking demand, along with an opinion that there is limited visibility. Traffic and parking associated with these 2 x 2 bed apartments would be minimal and it would be unreasonable to refuse this level on development of grounds related to traffic and parking. In terms of visibility, it is considered that vehicle speed along this narrow stretch of carriageway would be low. Transportation Development therefore do not raise objection to the proposal subject to a condition relating to the installation of an appropriate visibility splay and I concur with this view.

#### Ecology

- 6.18. The site backs on to the Leach Green Lane Site of Importance for Nature Conservation (Rubery Cutting) which is covered in the remnants of heathland vegetation, which was once part of the larger continuous tract of land that stretched from Rubery Hill through to the Lickey Hills Country Park. The Heathland site here is known to hold reptile species such as Slow worm, common lizard and grass snake. During the summer months reports of reptiles entering the gardens on Longwood Road have been received indicating that the gardens can and do provide additional habitat. As no survey data has been provided with the application it is difficult to determine what impact it may have on reptiles. The Council's Ecologist has stated that given the small scale of the proposal it is unlikely that there would be a significant impact on the SINC, however a cautionary approach should be taken to construction and it is recommended a condition is attached to provide a Construction Ecological Mitigation Plan. It would be expected that long vegetation is cleared by hand from Longwood Road to Leach Green Lane, with the stripping of turf and topsoil in the same direction. A reptile exclusion fence should then be erected along the boundary to prevent access during the construction phase, which should be monitored daily.

#### Other Matters

- 6.19. I note that one objection refers to potential issues relating to drainage. Severn Trent have been consulted on the proposal and do not raise objection subject to the provision of a satisfactory drainage plan.

#### 7. Conclusion

- 7.1. The proposed dwellings would not have a harmful impact on residential amenity, visual amenity or highway safety and parking. It is noted that, albeit two additional dwellings they would assist in the Council's housing need in an existing residential area served by public transport. On this basis, I consider the proposed development to be sustainable.

#### 8. Recommendation

- 8.1. Planning permission is approved subject to conditions.

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- 1 Requires the prior submission of sample materials
  - 2 Requires the scheme to be in accordance with the listed approved plans development hereby approved shall be implemented in accordance with the details submitted with the application and shown on drawing numbers 006 Rev A, 007 Rev B, 008 Rev B, 009 Rev B, 010 Rev B, 005 Rev C ('the approved plans') . The reference to 'four apartments' is incorrect.
  - 3 Requires the prior submission of a drainage scheme
  - 4 Requires pedestrian visibility splays to be provided
  - 5 Requires the prior submission of a construction ecological mitigation plan
  - 6 Requires the prior submission of level details
  - 7 Requires the prior submission of hard and/or soft landscape details
  - 8 Limits the approval to 3 years (Full)
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Case Officer: Emily Summers

**Photo(s)**



Figure One: Side elevation of no. 37 Longwood Road with application site in front.



Figure 2: Application site on the right hand side behind close boarded fence.

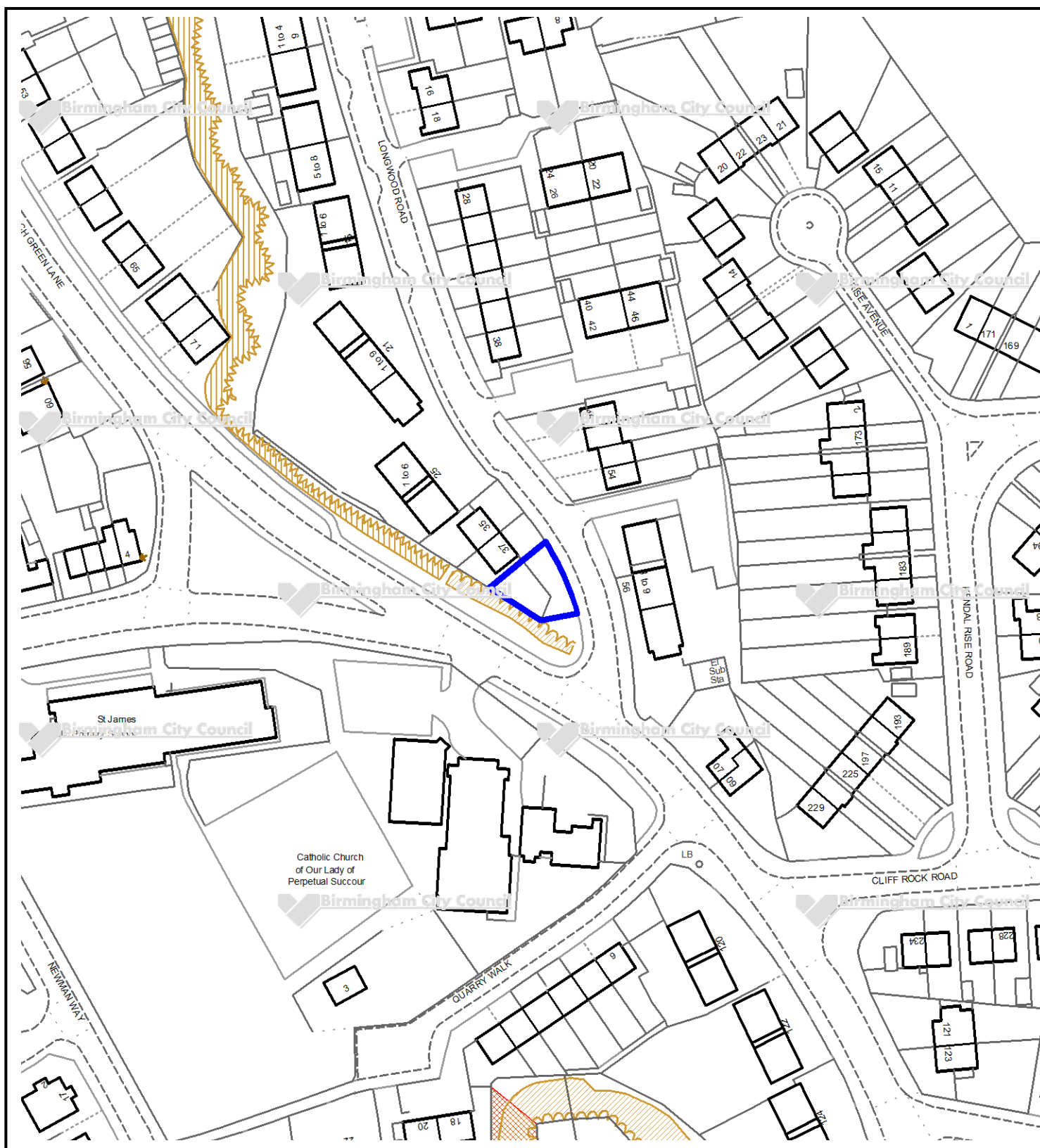




Figure Three: Application site with Lickey Hills in background



## Location Plan



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