

Application Number	21/00939/OUT
Site Address	20 Old Northwick Lane, Worcester, WR3 7NB
Description of Development	Single dwelling with garaging (all matters reserved except access)
Expiry Date	30 September 2022
Applicant	Mr Andrew Boughton
Agent	Mr Dan Stiff
Case Officer	Lydia Hall
	lydia.hall@worcester.gov.uk
Ward	Claines Ward
Reason for Referral to Committee	Ward Member referral
Key Issues	The principle of development and whether the proposal would be sustainable form of development having regard to the 3 dimensions of sustainable development in terms of its economic role, social role and environmental role.
Web link to application	https://plan.worcester.gov.uk/Planning/Display/21/00939/OUT
Recommendation	The Corporate Director - Planning and Governance recommends that the Planning Committee grant planning permission subject to the conditions set out in section 9 of the report.

1. Background

- 1.1 The application was registered on 14 December 2021 and was due for a decision on 31 May 2022. An extension of time for the determination of the application has been agreed until 30th September 2022 to allow determination by the Planning Committee.
- 1.2 The application has been referred to the Planning Committee at the request of Councillor Allcott on the following grounds:
- backland development with access alongside existing dwelling

- overlooking / overbearing impact on adjacent gardens
- exacerbation of access and sewerage problems in the area

2. **The site and surrounding area**

2.1 The site, which measures 0.15 ha, is situated on the north side of Old Northwick Lane and comprises part of the rear garden of 20 Old Northwick Lane – a detached bungalow set-back from the road on its north side.

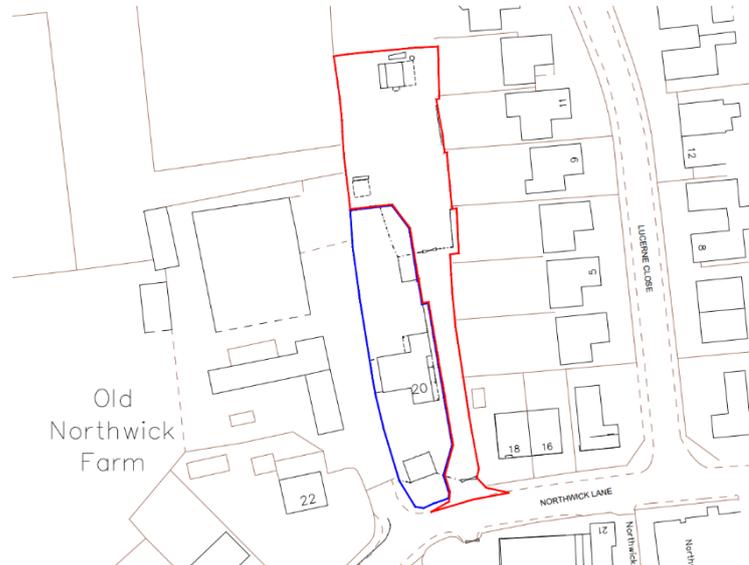


Figure 1: Location Plan

2.2 The site comprises an access track running northwards in between 20 Old Northwick Lane and 18 Old Northwick Lane (a small semi-detached bungalow), which then opens up into a rectangular area measuring circa 26 metres in width (east to west) by circa 37 metres in length (north to south). The site slopes downwards quite notably from east to west and more gently from south to north, with its lowest point being in its northwest corner. The site is generally open but contains a derelict timber summer house in its northeast corner and some mature trees in its southwest corner.



Figure 2: Access to the site from Old Northwick Road, taken from the east (the site access is on the right – just beyond the hedge)



Figure 3: Site from the end of the access track – existing summer house straight ahead, land slopes down from east to west. The eastern boundary (on the right) adjoins the rear gardens of the bungalows on Lucerne Close.

- 2.3 To the north and east of the site are the rear gardens of bungalows on Lucerne Close, to the west are new two-storey houses (currently under construction) and to the south is 20 Old Northwick Lane and the access track to the site, which runs to the east of number 20.
- 2.4 The site forms part of SWDP housing allocation SWDP43/4, the majority of which is currently under construction. The site is also located within the Riverside Conservation Area and within an Archaeologically Sensitive Area.
- 2.5 There are no listed buildings on the site, or on adjoining lands; however, there is a Grade II listed building situated around 55 metres to the east of the site entrance, on the south side of Old Northwick Lane – Northwick Grange, a c1730-50 house currently in use as a care home. There are also Locally Listed buildings adjacent and opposite to the site – i.e. Old Northwick Farm, to the southwest of the site and Northwick House and its cottage opposite the site entrance on the south side of Old Northwick Lane.
- 2.6 No Tree Preservation Orders relate to the site and it does not contain any designated Green Space.
- 2.7 The site is located within Flood Zone 1 and is not susceptible to surface water flooding.

3. The proposals

- 3.1 The current application seeks outline planning permission for a single dwelling with garaging, with all matters reserved except for access. The description of development has been amended, with the agreement of the Applicant, to clarify that the principle of the development and its access are the only matters for consideration.
- 3.2 An indicative site layout plan has been submitted, along with floorplans and the front elevation of a two-storey dwelling, to demonstrate how the site could be developed. The indicative plans show the provision of a part single-storey part two-storey 5 bedroom dwelling situated around the middle of the site, with a detached garage

building in the southwest corner of the site and an area for the parking and turning of vehicles in front of the house.

3.3 The application is accompanied by the aforementioned indicative plans and the following plans and supporting documents:

- 1425-14 (Location Plan)
- 1425-15 (Existing Site Plan)
- 1425-21 (Proposed Site Access Plan)
- Planning Statement
- Design & Access Statement
- Water Management Statement
- Waste and Refuse Statement
- Heritage Statement
- Energy Statement
- Phase 1 Ecological Survey, Heritage Environmental Contractors (HEC), 26/06/21
- Tree Survey and Arboricultural Impact Assessment, HEC, 18/08/21

3.4 In accordance with Article 15 (7) of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), full details of the application have been published on the Council's website. As such, Members will have had the opportunity to review the submitted plans and documents in order to familiarise themselves with the proposals prior to consideration and determination of the application accordingly.

4. Planning Policy

4.1 The Town and Country Planning Act 1990 ('the Act') establishes the legislative framework for consideration of this application. Section 70(2) of the Act requires the decision-maker in determining planning applications to have regard to the Development Plan, insofar as it is material to the application, and to any other material consideration. Where the Development Plan is material to the development proposal it must therefore be taken into account. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application to be determined in accordance with the Plan, unless material considerations indicate otherwise.

4.2 Paragraph 200 of the NPPF states that "Local Authorities are called to look for opportunities for new development within conservation areas and the setting of heritage assets to enhance or better reveal their significance" and that "permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area" (paragraph 130). This is further reflected in South Worcestershire Development Plan policies SWDP 6 and SWDP 24, which seek to protect and enhance designated and non-designated heritage assets and guide against development that would cause substantial harm to the significance of any heritage asset and Policy SWDP 21, which sets generic design principles for development proposals. Policy SWDP 21 requires that all development will be expected to be of a high design quality and integrate effectively with its surroundings and that development proposals must complement the character of the area. Furthermore, proposals should respond to surrounding buildings and the distinctive features or qualities that contribute to the visual and heritage interest of the townscape, frontages, streets and landscape quality of the local area and states that the scale, height and massing of development must be appropriate to the setting of the site and the surrounding landscape character and townscape, including existing urban grain and density.

4.3 The key legal provisions relating to the consideration of heritage assets in the planning system are s72 (1) and s66 (1) of the Planning Listed Buildings and Conservation Areas Act 1990, which state, in relation to conservation areas, that "special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area" and that, in relation to listed buildings, the local authority should have "have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".

4.4 The Development Plan for Worcester now comprises:

- The South Worcestershire Development Plan (SWDP), adopted Feb 2016;
- The Worcestershire Waste Core Strategy, adopted in December 2012; and
- The Worcestershire Minerals Local Plan 2018-2036, adopted July 2022.

South Worcestershire Development Plan

4.5 The following policies of the SWDP are considered to be relevant to the proposal:

SWDP 1 – Overarching Sustainable Development Principles
SWDP 2 – Development Strategy and Settlement Hierarchy
SWDP 3 – Employment, Housing and Retail Provision Requirement and Delivery
SWDP 4 – Moving Around South Worcestershire
SWDP 5 – Green Infrastructure
SWDP 6 – Historic Environment
SWDP 13 – Effective Use of Land
SWDP 21 – Design
SWDP 22 – Biodiversity and Geodiversity
SWDP 24 – Management of the Historic Environment
SWDP 27 – Renewable and Low Carbon Energy
SWDP 28 – Management of Flood Risk
SWDP 29 – Sustainable Drainage Systems
SWDP 30 – Water Resources, Efficiency and Treatment
SWDP 31 – Pollution and Land Stability
SWDP 43 – Worcester City Housing Allocations

The Waste Core Strategy for Worcestershire - Adopted Waste Local Plan 2012-2027

4.6 The Waste Local Plan was adopted by Worcestershire County Council on 15 November 2012 and is a plan outlining how to manage all the waste produced in Worcestershire up to 2027. The following policies are relevant to this application:

WCS1 – Presumption in favour of sustainable development
WCS3 – Re-use and recycle
WCS17 – Making provision for waste in new development

Material Considerations

1. National Planning Policy Framework (NPPF)

2. National Planning Practice Guidance

3. Supplementary Planning Documents

4.7 The following Supplementary Planning Documents (SPD) are relevant to the application proposals:

- South Worcestershire Design Guide SPD
- Planning for Health in South Worcestershire SPD
- Renewable and Low Carbon Energy SPD

4. Other Material Considerations

4.8 The following documents are considered are relevant to the application proposals however due to the documents not being planning documents and therefore not adopted the weight attached to the decision should be considered as limited:

- Worcestershire's Local Transport Plan (LTP4) 2018 – 2030
- Worcestershire County Council Streetscape Design Guide (2020)

5. Planning History

5.1 No planning history found that relates to the site.

Pre-Application Engagement

5.2 None.

Public Consultation by Applicant

5.3 None.

6. Consultations

6.1 Formal consultation, including display of site notices, has been undertaken in respect of the application. The following comments from statutory and non-statutory consultees and interested third parties have been received in relation to the original and amended proposals and are summarised as follows:

Third Party Comments:

6.2 Four objections have been received on grounds relating to the following matters:

- Proximity to the properties on Lucerne Close;
- Impact on neighbouring properties by reason of loss of light, privacy and outlook;
- Concern regarding land stability (bank along the east side of the site);
- Height of the proposed development, which is out of character with the existing bungalows that surround the site on Old Northwick Lane and Lucerne Close; and
- Over-development of the area / rest of the SWDP allocation;
- Inadequate local infrastructure to serve the dwelling, in particular the sewage system, which recently failed causing sewage to back-up onto nearby properties; and
- Disruption during the course of construction.
- the site is subject to an historic legal agreement restricting it to single-storey development only

6.3 The following comments have been received from consultees:

Worcestershire County Council (Highway Authority): No objection subject to conditions relating to the site access and parking and turning within the site.

Worcester City Council Archaeological Officer: No objection subject to a condition requiring the submission of a Programme of Archaeological Work.

Worcester City Council Conservation Officer: No objection to the proposed access (detailed comments will be made at the reserved matters stage).

Worcester City Council Landscape and Biodiversity Adviser: No objection subject to all of the recommendations set out in the Phase 1 Ecological Survey being implemented and to the submission of a comprehensive new planting scheme of native species to enhance biodiversity.

Worcestershire Regulatory Services (Air Quality): No objection.

South Worcestershire Land Drainage Partnership: No objection subject to conditions relating to the disposal of surface water.

Conservation Advisory Panel: No objection in principle.

- 6.4 Members have been given the opportunity to read all representations that have been received in full. At the time of writing this report no other consultation responses have been received. Any additional responses received will be reported to members verbally or in the form of a late paper, subject to the date of receipt.
- 6.5 In assessing the proposal due regard has been given to local residents comments as material planning considerations. Nevertheless, decisions should not be made solely on the basis of the number of representations, whether they are for or against a proposal. The Localism Act has not changed this, nor has it changed the advice that local opposition or support for a proposal is not in itself a ground for refusing or granting planning permission unless it is founded on valid planning reasons.

7. Planning Assessment

- 7.1 Policy SWDP1 of the South Worcestershire Development Plan sets out overarching sustainable development principles and these are consistent with the NPPF. The various impacts of the development have to be assessed and the benefit and adverse impacts considered, to establish whether what is proposed is sustainable development having regard to the 3 dimensions of sustainability set out in the NPPF.

Principle of Development

- 7.2 The site comprises part of the wider housing allocation identified in Policy SWDP 43 as site ref. SWDP 43/4 (Old Northwick Farm). In this respect, the principle of the residential development of the site has already been established as acceptable.
- 7.3 In terms of density, it is considered that the proposal would be in keeping with the more established part of the surrounding area (to the east and south of the site), which is relatively low density and characterised by detached and semi-detached dwellings on their own plots.
- 7.4 The site is situated within the existing urban area and, in this respect, weight is given to Policy SWDP 13 (Effective Use of Land) and the corresponding paragraphs of the NPPF, which encourage the efficient use of previously developed land.
- 7.5 The backland nature of the site and the impact of this, in terms of the proposed means of access to the site are discussed in the Highway Issues and Residential Amenity sections of this report; in principle however and taking all of the above into account, it is considered that the proposed residential development of the site is acceptable in principle.

Highway Issues

- 7.6 This outline planning application seeks planning permission for the principle of residential development for a single dwelling and the means of access thereto. Article 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2015) defines 'access' as "the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network".
- 7.7 Paragraph 110 of the NPPF states that "in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location" and that "b) safe and suitable access to the site can be achieved for all users". Paragraph 112 also advises that, amongst other things, "applications for development should ... be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations". With regard to impacts on highway safety, paragraph 111 confirms 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".
- 7.8 The relevant development plan policies on this issue are Policy SWDP 4 (Moving Around South Worcestershire) and Policy SWDP 21 (Design). Policy SWDP 21 states that "vehicular traffic from the development should be able to access the highway safely and the road network should have the capacity to accommodate the type and volume of traffic from the development". Policy SWDP 4 also states that proposals must demonstrate that they address road safety and states that all new development should have regard to the design criteria and principles set out in Manual for Streets Worcestershire County Council's Local Transport Plan and Worcestershire County Council's Highways Design Guide.
- 7.9 With regard to parking, Worcestershire County Council's Streetscape Design Guide 2020 (SDG) sets out indicative standards for new dwellings. For 2-3 bedroom dwellings the requirement is 2 car parking spaces and 2 cycle parking spaces and for dwellings with more than 4 bedrooms the requirement is 3 car parking spaces and 2 cycle parking spaces. The SDG also requires that cycle parking be sheltered, secure and easily accessible.
- 7.10 It is proposed to utilise the existing access off Old Northwick Lane, which currently provides access to a garage and parking area in front of 20 Old Northwick Road and a track which leads to the main part of its rear garden (the site the subject of this application).
- 7.11 Plan ref. 1425-21 indicates that it is proposed to widen the existing access on its west side and to widen the access track to provide an overall width of 3.5 metres to the track throughout. The plan also indicates that the garage to the front of number 20 will be retained and a new parking and turning area provided to the front of that property.
- 7.12 County Highways have assessed the proposal and have raised no objection, subject to two conditions. The first condition requires that prior to occupation of the new dwelling the site access is widened in accordance with the submitted details and consolidated, surfaced and drained, in accordance with details to be approved. The second condition requires that prior to occupation an area shall be laid out within the curtilage of each dwelling (the existing and proposed) for the parking and turning of cars in accordance with County standards and that those areas thereafter be retained for the purpose of parking only at all times.

These conditions are considered reasonable and necessary and are therefore recommended. Subject to these conditions, it is considered that the proposal is acceptable in terms of its impact on parking and highway safety.

Residential Amenity

- 7.13 Scale (which includes height), layout, appearance and landscaping of the proposed development are reserved matters, so consequently do not fall within the remit of the consideration of this application. They will be subject to an application(s) for approval of 'reserved matters' should the current application for outline planning permission, with access, be granted. Having said that, it is important at this stage to consider whether the site can accommodate a dwelling that would not adversely affect the amenities of adjoining dwellings to such a degree as to justify the refusal of outline permission.
- 7.14 Paragraph 130(f) of the NPPF requires planning policies and decisions to, amongst other matters, "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" and Policy SWDP 21 (Design) requires that new development does not have a significant adverse effect on neighbouring amenity. In addition, Section 8 of the Council's Design Guide SPD provides standards relating to separation distances between existing and proposed developments.
- 7.15 It is considered that the site is of sufficient scale to accommodate a single dwelling without causing undue loss of light, privacy or outlook to adjoining properties. Furthermore, it is considered that sufficient space exists on the site for a dwelling to be located whilst maintaining the required separation distances to surrounding dwellings, as set out in the Design Guide SPD.
- 7.16 As a 'backland' site consideration must be given to the impact of the proposed site access on amenity. Whilst the access and track are existing, it is noted that they serve only one dwelling at present, which has its primary parking area in front of it. The proposal would result in an increased use of the access and access track to serve the one dwelling proposed. The properties most affected would be those either side of the access, i.e. numbers 18 and 20 Old Northwick Lane. Presently 20 Old Northwick Lane is within the same ownership as the application site (as indicated by the blue line outlining it on the Site Location Plan - see Figure 1: Location Plan).
- 7.17 Number 20 is currently open to the track. It is noted from the proposed site access plan (drawing number 21) that it is proposed to provide a screen between the side elevation of that property and the track, leaving a space of 1.5 metres between the two. (Details of the proposed screen have not been provided, however, these will be required as part of the landscaping reserved matters application). The eastern elevation of this property only has one window facing the track, which serves the kitchen. The kitchen however is part of a larger room, which is served by another window elsewhere, as such, it is not considered that the provision of a screen in front of that window would adversely impact light to or outlook from that property sufficient to justify the refusal of planning permission. Furthermore, given the relatively modest number of vehicular movements likely to be generated by a single dwelling, it is not considered that the means of access to the proposal would have a significantly adverse impact on the amenities of that property by reason of noise and disturbance.
- 7.18 With regard to number 18, it is noted that the proposed widening of the access track will result in the removal of some of the hedge along the common boundary, as well as the aforementioned intensification of use of the track. The landscape reserved matters submission would need to include full details of all hard and soft landscaping, including boundary treatments, such that this impact could be suitably mitigated at that juncture. With regard to noise and disturbance, as with number 20, it is considered

that the limited intensified use of the access track to serve one dwelling would not adversely affect the existing residential amenities of number 18 sufficient to justify the refusal of planning permission.

- 7.19 Taking all of the above into account, it is considered that a single dwelling may be accommodated on the site, in principle, subject to its scale, design, location on the site and finished floor, eaves and ridge levels being acceptable. On this basis, a condition is proposed, requiring full details of the levels of the proposed dwelling and any retaining structures to be submitted for approval.

Heritage Assets

- 7.20 Sections 66(1) and 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 ('the 1990 Act') require that, in considering whether to grant consent for a development that affects a listed building or its setting, local planning authorities shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest it possesses; and that, in determining applications affecting Conservation Areas, local planning authorities shall pay special attention to the desirability of preserving or enhancing the character or appearance of that area.
- 7.21 Paragraph 199 of the NPPF states that "when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be)". Policy SWDP 6 states that "development proposals should conserve and enhance heritage assets ... subject to the provisions of SWDP 24" and Policy SWDP 24 states that "development proposals affecting heritage assets will be considered in accordance with the NPPF, relevant legislation and published national and local guidance".
- 7.22 As stated above, the site lies within the Riverside Conservation Area and so has the potential to affect the character and appearance of that area. As the current application relates only to the principle of development and the detail of the means of access to the site, the impact of the main part of the proposal (i.e., the dwelling and its associated landscaping) will primarily be determined at the reserved matters stage, when the scale, appearance, layout and landscaping of the development are considered in detail. On this basis, given the location of the site and the scale and character of existing development surrounding it, it is considered that the proposed dwelling, subject to the details submitted at the reserved matters stage, has the capability of preserving and / or enhancing the character and appearance of the Conservation Area.
- 7.23 With regard to listed and unlisted buildings, as only the access part of the site lies within close proximity to either and as only minor alterations are proposed at that location, it is considered that the proposal would not adversely affect the significance of the character or setting of those buildings.
- 7.24 With regard to archaeology, the Archaeologist notes that the site is located within the landscape component of Old Northwick Farm and a Medieval deer park, which encompassed this part of Worcester. They also note that trench evaluation to the north of the site identified 14 grave cuts potentially dating to the C17th and that it is therefore possible that a civil war skirmish took place in this part of the City. In this context, the Archaeologist has recommended a condition requiring the implementation of a conditional programme of archaeological works. Given the scale of the development, the archaeological potential of the site and its designation as an Archaeologically Sensitive Area, the recommended condition is considered reasonable and necessary and is thus proposed.

Biodiversity

- 7.25 Policy SWDP 5 does not apply to the development of private gardens, nor to sites under 0.2 ha; as such, there is no requirement to allocate a particular percentage of the site as green infrastructure. Having said that, Policy SWDP 22 (Biodiversity and Geodiversity) states that development should be designed to enhance biodiversity and geodiversity, conserve on-site biodiversity corridors and networks and, where possible, enhance biodiversity corridors and networks beyond the site boundaries.
- 7.26 A Phase I Ecological Appraisal of the site was submitted with the application. The report, dated June 2021, concludes that the land is generally of low / moderate ecological value, with its external boundaries providing the most interest and habitat. No evidence of protected species were found. The report makes recommendations with regard to bats and birds. To ensure that the development delivers a net biodiversity gain, a biodiversity enhancement plan is required to be submitted as part of the soft landscaping details for the development (i.e., at reserved matters stage).
- 7.27 With regard to existing trees, a Tree Survey and Arboricultural Impact Assessment was submitted with the application, which identifies an area at the end of the access track where a no-dig geogrid system is recommended to protect the roots of nearby trees. The report also recommends the provision of protective fencing in a number of areas on the site. It is considered that this detail should be included at the reserved matters in relation to landscaping; in this respect, the condition outlining what is required to be submitted as part of the landscaping details has been expanded to include details of the type and location of tree protection fencing during the course of construction.

Drainage and Flood Risk

- 7.28 Policy SWDP 28 sets out the criteria for when a development needs to be accompanied by a Flood Risk Assessment (FRA); Policy SWDP 29 requires new development to demonstrate that site drainage and run-off will be managed in a sustainable and co-ordinated way that mimics natural drainage, with surface water managed through Sustainable Drainage Systems (SuDS); and Policy SWDP 30 requires development proposals to demonstrate that there will be adequate water supply and water treatment facilities in place to serve the development. The site is situated within Flood Zone 1 and is not recorded as being susceptible to surface water flooding, a FRA is not therefore required for the proposal.
- 7.29 The Water Management Statement submitted with the application states that it is proposed to utilise soakaways to attenuate run-off from all impermeable surfaces and that, subject to prevailing ground conditions, all roof and impermeable storm water would be discharged in this manner. It goes on to state that, should ground conditions prove unsuitable for soakaways, attenuation in the form of crated storage would be provided, incorporating controlled discharge of storm water to the combined sewer.
- 7.30 The Land Drainage Partnership has assessed the proposal and has raised no objection subject to conditions requiring full details of the proposed soakaways to be submitted for approval, including the submission of percolation testing results requiring that, should soakaway drainage not be possible, an alternative method of surface water disposal should be submitted for approval. It is considered that the recommended conditions will ensure that surface water is discharged from the site in the most sustainable manner, in accordance with Policy SWDP 28 and on this basis, the recommended conditions are proposed.

- 7.31 It is noted that it has been reported that there have been issues recently with sewage infrastructure in the vicinity. However, given the location of the site, within the built-up area and the minor scale of the proposed development, it is not considered that the proposed development would be likely to give rise to additional overloading of the sewage system sufficient to justify the refusal of planning permission in this instance.

Renewable Energy

- 7.32 Policy SWDP 27 (Renewable and Low Carbon Energy) states that all new dwellings should incorporate the generation of energy from renewable or low carbon sources equivalent to at least 10% of predicted energy requirements of the development. As the scale and appearance etc of the proposed dwelling is yet to be determined, a condition is proposed requiring an Energy Statement to be submitted.

Other Matters

- 7.33 One of the issues raised by local residents is that a two-storey dwelling on the site would be out of character with the surrounding area. As outlined above however, the matter of the scale of the dwelling is a reserved matter which is not due for consideration in assessment of the current application. It will be considered in detail at the reserved matters stage if outline planning permission is granted. It should be noted that the presence of any legal restriction relating to the redevelopment of the site is not a material planning consideration.
- 7.35 Noise and other disturbance during the course of construction is unavoidable. Given the scale and location of the proposal however, it is considered that such disturbance will be relatively low in both duration and severity. It is further noted that the control of noise and dust is covered by other legislation.
- 7.36 The concern raised with regard to land stability is noted – i.e. the potential for construction activities on the site to undermine the bank along its eastern boundary. It is considered that this issue is adequately covered in the proposed conditions, which require full details of all proposed site levels and any retaining structures to be submitted for approval.

8. Conclusion and Planning Balance

- 8.1 The proposal dwelling is located within an allocated site for housing with the SWDP and therefore is fully in accordance with adopted policy, such that the principle of residential development is acceptable. In accordance with Policy SWDP 1, the decision-taker should grant planning permission for such developments, unless material considerations indicate otherwise or, where specific policies in the Development Plan or material considerations indicate development should be restricted.
- 8.2 The proposed development would assist in delivering the objectively assessed housing need for South Worcestershire over the plan period to 2030 ensuring that there is an adequate supply of land for housing. This is a factor in support of the development to which substantial weight should be attached.
- 8.3 The proposed development would result in some economic benefits; employment during the course of construction and thereafter, upon the occupation of the dwelling, it is likely that the occupants would contribute towards maintaining the vitality of the area. For this role of sustainable development, the balance would be in favour of granting planning permission.
- 8.4 With regard to the social role, the delivery of an additional home in this location would contribute to the continued economic and social sustainability of the City. This is a factor to which significant weight is also attached.

- 8.5 With regard to the environmental role, no harm to designated heritage assets has been identified, furthermore, redevelopment of the site provides an opportunity to enhance biodiversity on the site and in the wider area in general. This is also a factor to which moderate weight is attached.
- 8.6 All comments received as part of the consultation process and all material planning issues have been considered in the determination of the application. Having regard to the totality of the policies in the NPPF, it is considered that the proposed development is sustainable when looking at its social, economic and environmental credentials in the round. The adverse impacts of the development do not significantly and demonstrably outweigh the benefits. Overall, it is considered that the proposals constitute an environmentally, socially and economically sustainable form of development that accords with the Framework and the Development Plan as a whole.

9. Recommended Conditions

In the event that Members are minded to grant outline planning permission the following conditions are recommended:

1. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of the approval of the last reserved matters to be approved, whichever is the later.

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

3. Approval of the details of the layout, scale, appearance and landscaping (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.

Reason: To enable the local planning authority to exercise proper control over these aspects of the development.

4. The development hereby permitted shall be carried out and completed in accordance with the following approved plans and associated documents and the specifications and recommendations contained therein, except where otherwise stipulated by conditions attached to this permission:

1425-14 (Location Plan)

1425-21 (Proposed Site Access Plan)

Phase 1 Ecological Survey, Heritage Environmental Contractors (HEC), 26/06/21

Tree Survey and Arboricultural Impact Assessment, HEC, 18/08/21

Reason: To ensure compliance with the approved scheme.

5. The development hereby approved shall not be occupied until the widened access shown on the Proposed Site Access plan (Plan ref. 1425-21), has been consolidated, surfaced and drained in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and in accordance with Policy SWDP 4 of the South Worcestershire Development Plan 2016.

6. The development hereby approved shall not be occupied until an area has been laid out within the curtilage of each dwelling (the existing dwelling at 20 Old Northwick Lane and the proposed dwelling) for the parking and turning of cars in accordance with County standards and the designated areas shall thereafter be retained for the purpose of vehicle parking and turning only at all times.

Reason: In the interests of highway safety and in accordance with Policy SWDP 4 of the South Worcestershire Development Plan 2016.

7. Details of the following levels shall be submitted for approval as part of the reserved matters:

- (1) Existing and proposed site levels, including the site levels of land adjoining the site;

- (2) Proposed finished floor, eaves and ridge heights, including those of the existing dwellings on land adjoining the site;

- (3) Section/s through the dwelling, showing its finished floor, eaves and ridge heights, existing and proposed site levels, and the site levels and ridge and eaves heights of dwellings on land adjoining the site.

- (4) Full details, including cross-sections, of any retaining structures.

Reason: To ensure the proposed development does not have an adverse effect on the character and appearance of the area or the amenities of neighbouring properties in accordance with Policies SWDP 21 and SWDP 25 of South Worcestershire Development Plan.

8. No development shall take place until a programme of archaeological work has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance; and:

- 1) The programme and methodology of site investigation and recording.

- 2) The programme for post investigation assessment.

- 3) Provision to be made for analysis of the site investigation and recording.

- 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation.

- 5) Provision to be made for archive deposition of the analysis and records of the site investigation.

- 6) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Reason: In accordance with the requirements of the National Planning Policy Framework and Policies SWDP 6 & SWDP 24 of the South Worcestershire Development Plan 2016.

9. The development shall not be occupied until the post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 8 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: In accordance with the requirements of the National Planning Policy Framework and Policies SWDP 6 & SWDP 24 of the South Worcestershire Development Plan 2016.

10. The reserved matters application, submitted pursuant to Condition 1, shall be accompanied by a detailed foul and surface water drainage strategy, which shall include percolation test results (in accordance with BRE Digest 365, or such other equivalent guidance as may be agreed in writing by the Local Planning Authority).

Reason: To ensure that site drainage and run-off is managed in a sustainable and co-ordinated manner in accordance with Policy SWDP 29 of the South Worcestershire Development Plan 2016.

11. Prior to the occupation of any part of the development hereby permitted details of renewable or low carbon energy generating facilities to be incorporated as part of the development shall be submitted to and approved in writing by the local planning authority. The details shall demonstrate that at least 10% of the predicted energy requirements of the development will be met through the use of renewable/low carbon energy generating facilities. The approved facilities shall be provided prior to any part of the development hereby permitted being first occupied (or in accordance with a timetable submitted to and approved by the local planning authority as part of the details required by this condition) and shall thereafter be retained and maintained as part of the development.

Reason: To ensure the proposed development includes sufficient renewable/low carbon energy generating facilities in accordance with Policy SWDP 27 of the South Worcestershire Development Plan 2016.

12. Prior to the first occupation of the dwelling hereby permitted details of covered and secure cycle parking facilities, in accordance with Worcestershire County Council Streetscape Design Guide, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter these facilities shall be provided prior to first occupation and thereafter maintained for such use.

Reason: To encourage the use of sustainable forms of transport and to comply with the Council's parking standards in accordance with Policy SWDP 4 of the South Worcestershire Development Plan 2016.

13. Prior to occupation of the dwelling hereby approved an electric vehicle charging point to the relevant British Standard shall be installed to serve the dwelling and thereafter retained as part of the development.

Reason: To facilitate the use of sustainable forms of transport in accordance with Paragraphs 105 and 110 of the National Planning Policy Framework and Policy SWDP 4 of the South Worcestershire Development Plan 2016.

Informatives:

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.