

SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
13th May 2014

Agenda item 4

Application ref 14/00247/FUL

Land Rear of 24 to 36 Heathcote Road Miles Green

Following the preparation of the agenda report:-

1. The **applicant** has commented upon the report. The report incorrectly refers to the proposed dwellings being 4 dormer bungalow and 2 single storey bungalows. The proposal is for 3 dormer bungalows and 3 single storey bungalows. A more detailed plan showing the waste and recycling collection area has also been provided. In addition the applicant has responded to the concerns of the Parish Council as follows:-
 - There are no objections from the drainage authority.
 - There are no objections from the Highway Authority.
 - Given that the Council do not have a 5 year supply of housing land, in accordance with paragraph 14 of the NPPF there is a presumption in favour of development.
 - The collection of waste has been agreed by the Waste Management Section of the council.
 - The proposal exceeds separation distances as set out in the adopted Space Around Dwellings Supplementary Planning Document
2. Comments have been received from the **Waste Management Section** of the Council. It is reassured that provision has been made for a bin collection point to be constructed, which is within an acceptable pull out distance for operatives. Initially further assurance was sought that a collection point of an appropriate size to accommodate recycling containers and bins from the proposed properties for collection would be provided through a condition. However confirmation has now been received that the more detailed plan subsequently provided show the proposed waste and recycling collection point of an acceptable size and as such consider that such a condition is not now required.
3. A further **11 letters of representation** (one of which is said to have been forwarded to all Members) including one from **Mr Paul Farrelly MP** have been received. A summary of the points raised is as follows:-
 - Previous attempts to develop this back land site have been rejected by the Borough Council and the Planning Inspectorate and the current application should be refused as it remains contrary to the character and appeal of the village.
 - Only minor modifications have been made to the application and the concerns relating to the removal of rubbish and recycling materials from the site have not been overcome.
 - Despite token revisions to the design, the plans remain, in essence, an attempt to build a small estate of luxury detached bungalows on an infill site within an old mining village that is made up predominantly of small terraced housing. The village is predominantly terraced housing and there is no other 5 bedroom property in Miles Green.
 - It is regrettable that the proposed storage area will not be fully enclosed which raises concerns that it will pose an unacceptable health hazard, giving rise to pest and vermin. In addition it will be affected by rain and wind.

- Access to the site is a matter of serious concern, not least because of a long standing problem with speeding traffic in Heathcote Road which has witnessed many serious accidents in recent years. There is concern that the Community Speedwatch Scheme set up to address this problem will be undermined by the development.
- A site visit is strongly recommended.
- The accuracy of the site boundary, which includes land not in the applicant's ownership, and the information on the submitted plans are questioned.
- The need to take rubbish and recycling material to the collection point raises safety concerns particularly when the road is icy.
- The development would have an adverse impact on the ecological systems of the abundance of wildlife dependant on the habitat for survival. Legislation protects such habitats. The Staffordshire Badgers Conservation Group has indicated that they have written to the Council advising that a full ecological survey is undertaken.
- The site falls outside of the village envelope and as such is afforded more protection in local and national policy. Council policy has determined that brownfield sites should be developed in preference over greenfield sites. There are a number of brownfield sites in the area.
- The proposed affordable housing unit does not have a garage and is located close to the waste and recycling collection point and as such the occupiers will feel further disadvantaged as a consequence. The same level of accommodation is not provided within the affordable unit as the other dwellings within the development. The reason for refusal has not been addressed.
- Five of the proposed bungalows overlook and can be overlooked by existing properties. Such properties would have current views to the back affected by development which is only several metres away in the revised layout. Inadequate privacy for the occupants of the building is provided and may be contrary to the Human Rights Act.
- The waste and recycling collection area is not big enough to accommodate the waste. The distance from the roadway will put bin men at risk.
- There is no lighting within the development which raises a concern relating to safety and security on the development.
- The absence of a pavement puts pedestrians in conflict with traffic, particularly when depositing bins at the collection point, in low lighting levels.
- The entrance is too narrow, flanked by two electricity poles and is adjacent to a bus stop. The road within the development has no passing places and a blind bend. It is not wide enough for two vehicles to pass safely.
- The claims that parking for 21 vehicles is disputed and concern is raised about how visitor parking will be accommodated and that this may result in parking on the roadway.
- Access for construction vehicles raises concerns for site and pedestrian safety given that there are often vehicles parked directly opposite the site entrance.
- There is no indication within the submission relating to access and management of the brook.
- The land was removed from the village envelope to protect the countryside and the Borough still avows to do so.
- The application should not be determined whilst concerns regarding procedure at the planning committee meeting are being considered through the Corporate Complaints Procedure.
- The proposed development would significantly alter the fabric of the area and amount to 'cramming' in what is a low density area.
- The garden area would be very small compared with the large plots typically enjoyed by the surrounding properties.
- The development leads to loss of valuable green space.

- The affordable property proposed is does, by definition, affordable and remains visually distinguishable from the other properties on site. Councillors recommended a greater ration of affordable housing within the scheme.
- The development is entirely private with a sign indicating private road, this would not allow integration into the community.
- Maintenance of boundary treatments and the private road would not be overseen.
- The proposal raises concerns regarding the stability of properties on Heathcote Road.

Your Officers' comments

The house types referred to by the applicant is, on checking correct. There would be six dwellings, all of different types, three being dormer bungalows and three being single storey bungalows.

As indicated within the agenda report there have been no material changes in planning policy or other material considerations relating to the principle of residential development of this site or highway safety and as such a refusal on such grounds would be unreasonable at this stage.

The comments received from the Waste Management Section confirm that the proposed waste and recycling collection area is of sufficient size and is an acceptable distance from the waste collection vehicle. As such it is considered that this concern has been addressed.

The issue of the design and appearance of the proposed dwelling and their acceptability in this location, and the design and appearance of the affordable housing unit is fully addressed within the report.

Following representation the Council raised the issue with the applicants who stated that the issue has been investigated and they are happy that the boundaries are correct.

The Environment Agency has been consulted over any impact on the brook and Committee will be advised of any response received. It is not anticipated, however, that any objection will be raised and it will remain possible to access the brook for the purposes of maintenance when the development has been undertaken.

The Borough Council has not received any comments of Staffordshire Badger Conservation Group in respect of the proposed development

The RECOMMENDATION remains as set out within the main agenda report.