

PLANNING APPLICATION NUMBER:P06/2303

Type of approval sought	Outline Planning Permission
Ward	Cradley & Foxcote
Applicant	Mr A Mills
Location:	LAND AT REAR OF, 139, PARK ROAD, HALESOWEN, B63 2NR
Proposal	OUTLINE FOR THE ERECTION OF 2 NO SEMI-DETACHED DWELLINGS (ACCESS AND LAYOUT TO BE CONSIDERED)
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The site comprises the rear part of the rear garden of no. 139 Park Road, including a concrete section garage, which is sited behind wooden gates at the back of pavement line onto Chapel House Lane. The remainder of that frontage is a 1.8 metre high screen wall, with garden shrubs and a small tree behind (within the site).
2. The character of the area is suburban / residential, with mixed house types - the nearest existing dwellings being no. 18 Chapel House Lane which is a bungalow on raised ground, and no. 30 which is a relatively modern detached house. The frontage between those dwellings, including the application site, comprises screen walls and gates to garages (serving dwellings on Park Road), providing enclosure at the back of pavement line.

PROPOSAL

3. The proposal is an Outline application for the erection of 2 semi detached dwellings, with access and layout for consideration now.
4. The proposed dwellings are shown with a forward building line similar to that relating to no. 30 Chapel House Lane and the proposed dwelling at the rear of 137 Park Road (refer to planning history). The proposed plots are shown with drives accommodating one car parking space per dwelling.

- 5 Indicatively, the proposed dwellings are shown with a standard flat façade and pitched roof, 2 bedrooms at first floor and blank gables.
- 6 The plans have been amended to show an increased set back of the frontage from the highway.

PLANNING HISTORY

- 7 There is no relevant planning history relating to the application site, however the following, relating to the development of adjoining land (rear of 137 Park Road), is material.

APPLICATION No.	PROPOSAL	DECISION	DATE
P05/2239	Erection of a detached house	Refused /allowed at appeal	04/08/06

- 8 The above application was refused on the basis that it was considered that the site was too restricted in size to accommodate the proposed dwelling, which if approved would have an undesirably cramped appearance. Clearly, the Inspector took a contrary view (“the proposal would make full use of the width and length of the plot”) in allowing the appeal, and imposed conditions, including one removing permitted development rights.

PUBLIC CONSULTATION

- 9 The occupier of a neighbouring property has verbally objected on the grounds of impact on amenity – a formal representation confirming this is anticipated – has not been received.

OTHER CONSULTATION

- 10 **Group Engineer (Development)**: has concerns about obstructed egress and pedestrian visibility splays, but in the light of the appeal being allowed on the adjoining site, does not consider that this warrants refusal.
- 11 **Head of Environmental Protection (HEP)** – no objection raised.

RELEVANT PLANNING POLICY

- 12 Unitary Development Plan (UDP) (2005):-

DD1 (Urban Design)
DD4 (Urban Design in residential areas)
DD6 (access and transport infrastructure)
AM14 (parking)

ASSESSMENT

- 13 That a recent appeal was allowed for similar development on the adjoining site is significant material and is of relevance to this application in that it represents infill housing development on an existing garden with access off Chapel House Lane.
- 14 In terms of parking and access considerations, while the Group Engineer has concerns about the visibility which may be gained, given the appeal decision on the adjoining site with similar access arrangements, this is not considered to warrant refusal. In addition, the potential for enhanced parking is shown for no. 139 Park Lane off Park Lane as part of the proposal.
- 15 Revisions to the scheme show a set back of the proposed dwellings from the back of pavement line of a minimum of 4.8 metres. Previously that set back was between 4.35 and 4.65 metres – this was considered unacceptable and likely to lead to vehicles overhanging the footway for considerable periods of time. The revisions to the scheme have successfully addressed this issue.
- 16 Providing that increased set back from the highway has implications on a) the proposed building line – in the original version of the scheme, this was shown as commensurate with that of the existing dwellings and the approved plot on the adjoining site – in the revised version, the additional set back on the frontage has resulted in the proposed plots being sited around 0.5 metres back from that building line – this is considered to be a minimal difference, unlikely to result in the proposed dwellings appearing too incongruous within this existing and evolving streetscene; b) the separation distance between the rear of the plots and the host dwelling (no 139) – this is shown as 20.5 metres, which is not considered significantly below the development plan guidance so as to adversely impact on the amenity of the occupiers of either property, with the occupiers of the host property party to the proposed siting; c) the proposed rear garden – in the original version of the scheme, this was 10.5 metres, in the revised scheme, this is shown as 10 metres – this (reduced) length is

considered acceptable – particularly as the proposal represents the re-use of previously developed land in the urban area for housing, where a degree of flexibility in the application of amenity standards is acceptable;

d) a projection at the rear of the proposed plots – the revised scheme shows a rear projection of 700 mm from the approved plot at the rear of no. 137 - it is considered that such a projection is unlikely to significantly impact on the amenity of the occupiers of that plot or of any of the existing dwellings adjoining the site.

- 17 The above assessment gives rise to the conclusion that the benefits in terms of highway safety of setting the plots further back from the highway frontage, as shown in the amended scheme, outweigh any (marginally increased) impacts on design and amenity which have resulted from this revision. This is in addition to the general acceptance of a proposal which is similar to a recently allowed development on the adjoining land.

CONCLUSION

- 18 The proposal is adjacent to and similar to a recently approved development (allowed at appeal). Given this, that the proposal is acceptable with regard to design and amenity considerations, and that the amendments to the scheme show an increased set back from the highway to allow for satisfactory parking, the proposal is considered satisfactory and in accordance with Policies DD4, AM14 and DD6 of the Unitary Development Plan.

RECOMMENDATION

- 19 That the proposal be granted permission subject to the following conditions:-

Reason for Approval

The proposal is adjacent to and similar to a recently approved development (allowed at appeal). Given this, that the proposal is acceptable with regard to design and amenity considerations, and that the amendments to the scheme show an increased set back from the highway to allow for satisfactory parking, the proposal is considered satisfactory and in accordance with Policies DD4, AM14 and DD6 of the Unitary Development Plan.

Conditions and/or reasons:

1. Approval of the details of the appearance, landscaping and scale of the development (hereafter called the ('reserved matters')) shall be obtained from the Local Planning Authority before any development is begun.
2. Application for reserved matters approval must be made not later than the expiration of three years beginning with the date of the grant of outline planning permission; and the development to which the permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
3. Development shall not begin until details of the existing and proposed levels of the site, which should be related to those of adjoining land and highways, have been submitted to and approved by the local planning authority.
4. Before any dwelling hereby approved is first occupied the parking area shall be paved with a suitable hard impervious material, and drained.
5. No development shall commence until there has been submitted to and approved in writing by the Local Planning Authority, a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be erected in accordance with the approved details before first occupation of the dwellings.
6. Development shall not begin until details of the type, texture and colour of materials to be used in the external elevations have been submitted to and approved by the local planning authority.
7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any order revoking and re-enacting that Order with or without modification, no development referred in Part 1, Classes A, B, D and E of Schedule 2 of that order shall be carried out.