

PLANNING APPLICATION NUMBER:P12/1468

Type of approval sought	Full Planning Permission
Ward	Cradley and Wollescote
Applicant	Mr C. Wyatt
Location:	32, WEST ROAD, CRADLEY, HALESOWEN, B63 2US
Proposal	ERECTION OF 2 NO. DWELLINGS (PART RETROSPECTIVE)
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The application site is set at the end of a wholly residential cul-de-sac of traditionally styled brick and render, bow fronted houses with clay tile hipped roofs.
2. The majority of dwellings are set in terraces of four on the street frontage, with dwarf walls to front gardens. Houses are generally set above the level of the highway on this frontage with levels falling towards the application site. Houses opposite are set at, or below the level of the highway.
3. The site is visible from adjoining open space to the side and rear (a designated Local Park) where there is an access drive leading to the former Cradley High school. Near to the northern and western boundaries of the site are playing fields and parkland beyond that.
4. The character of the area is of inner-suburban residential.
5. The dwellings have already been partially constructed to roof level.

PROPOSAL

6. This application seeks approval for the erection of a pair of two-storey semi-detached houses, both of which would have one-bedroom and a small study. The overall height and size of the buildings would be reduced in comparison to the partially completed buildings that are currently on the site.
7. Both properties would have a 3.5m deep projecting two storey rear wing which would accommodate a kitchen and first floor bathroom.
8. Both properties would have a stepped access from the front of the site and would have private rear gardens.

HISTORY

APPLICATION	PROPOSAL	DECISION	DATE
P03/0386	Erection of a pair of semi-detached dwellings	Approved	15/12/88
P08/1768	Erection of a pair of semi-detached dwellings (Two storey extension and dormer roof at rear) (amendment to P03/0386)	Refused	13/01/09
P10/0380	Retention of unauthorised development with amendments to roof and additional rear extensions to create two three-bedroom semi-detached properties.	Refused	

P08/1768 was submitted as a retrospective revision to P03/0386, with an additional two storey rear wing to accommodate a kitchen and bathroom and a flat roof rear dormer addition to accommodate a roof bedroom with two front roof lights. This application was refused on the following two grounds;

1. The Local Planning Authority consider that the proposed additional building works would significantly increase the mass of the dwellings, providing for a “block-like” development, particularly when viewed from the rear and along the exposed side

elevation. This would give rise to a development which would appear out of context with the existing character of the area and also cause visual harm within the setting of the adjoining Local Park. The proposal is therefore contrary to Unitary Development Plan (UDP) policies DD4 and S06 and the Supplementary Planning Document (SPD) on new Housing Development.

2. Also, as a result of the additional built development, the residual garden area would be limited in extent and quality (an effect exacerbated by the amenity space being to the north west of the plots and hemmed in by retaining walls). There is consequently inadequate amenity space shown to be provided for future occupiers, contrary to UDP Policy DD4.

P10/0380 was submitted as a retrospective revision to P03/0386, with an additional two storey rear wing to accommodate a kitchen and bathroom and a flat roof rear dormer addition to accommodate a roof bedroom with two front roof lights. This application was refused on the following two grounds;

- 1 The proposal would result in a form of development that is starkly at odds with the scale, character and context of adjacent development. Furthermore, the proposed two-storey, three metre deep rear wings, will strongly contribute to an oppressive form of overdevelopment at this corner site which will be able to be viewed over significant distances from within the Local Park. Such impact arising at an appropriate point for transition and a loosening of built development on meeting the openness of the Local Park. The proposal will therefore give rise to a development of significant massing and over-dominance, highly visible from within the open space and thereby unduly impinging on the setting of the park, contrary to UDP Policies DD1, DD4 and SO6.
- 2 The quantity and quality of amenity space proposed for the family dwellings would be detrimental to the amenities of future occupiers by being unacceptably enclosed and overshadowed by the two storey rear wings. The development is therefore contrary to adopted UDP Policy DD4 and Planning Guidance Note 3-Housing.

Following on from the refusal of the last planning application the applicant has been engaged in pre-application discussions with Officers in order to agree on an acceptable scheme. This application has been submitted following those discussions.

PUBLIC CONSULTATION

9. A total of 9 notification letters were sent to the occupiers of neighbouring properties and the application was advertised with a site notice. As a result one letter of objection has been received raising the following issues:

- The dwellings are not in keeping
- Existing parking problems would be made worse
- No work has been done on the houses for three years
- The site is an eyesore

OTHER CONSULTATION

Group Engineer (Development): No objections received.

Head of Environmental Health and Trading Standards: No objections received.

RELEVANT PLANNING POLICY

National Planning Guidance

- National Planning Policy Framework

Black Country Core Strategy (2011)

- CSP2 Development Outside the Growth Network
- CSP4 Place Making
- HOU1 Delivering Sustainable Housing Growth
- HOU2 Housing Density, Type and Accessibility
- TRAN2 Managing Transport Impacts of New Development
- ENV 2 Historic Character and Local Distinctiveness
- ENV 3 Design Quality

Unitary Development Plan (2005) (Saved Policies)

- DD1 Urban Design
- DD4 Development in Residential Areas

Supplementary Planning Guidance/Documents

- Draft New Housing Development Supplementary Planning Document (2012)
- Parking Standards Supplementary Planning Document (2011)

ASSESSMENT

10. The main issues are
- Principle
 - Design
 - Neighbour Amenity
 - Occupier Amenity
 - Access and Parking
 - New Homes Bonus

Principle/Policy

11. Planning permission was granted in 2003 for the erection of two dwellings on this site, with an almost identical footprint to those being proposed now.
12. Whilst it is considered by the Local Planning Authority that the development was never implemented and that the existing structures are unlawful it is still considered that the erection of two dwellings on the site would be acceptable in principle.
13. The subsequent applications in 2008 and 2010 were both refused by the Local Planning Authority but neither of the applications were refused on the grounds that the development was regarded as unacceptable in principle.

Design

14. The proposed dwellings would better reflect the design of those that were previously approved on the site and the general character and appearance of the area.
15. As stated above the proposal also includes the erection of the two-storey rear projecting wings that were not included on the original scheme. The previously refused schemes proposed a higher roof and sizeable rear dormer windows within

the rear facing roof plane. When taken together it was considered that the design, scale and appearance of the dwellings would have been unacceptable. Without the other additional elements previously proposed it is considered that the rear facing gables are acceptable.

16. It is considered that the development that is now being proposed is of an acceptable design quality and that, when compared to the previously approved scheme, they would form an acceptable development in terms of its appearance on the streetscene and from the neighbouring park.

Neighbour Amenity

17. The footprint of the dwellings would generally be the same as that previously approved and a separation distance of approximately 22 metres would be maintained to the dwellings on the opposite side of the road in accordance with the Council's separation standards.
18. There is a two-storey extension at the rear of No.32 West Road adjacent to the application site. The proposed dwellings would not project beyond that extension and as such there would be no detrimental impact on the amenities of the occupiers of that property.

Occupier Amenity

19. The proposals include rear gardens for both of the dwellings which would be private.
20. It is considered that the proposal would be acceptable in terms of the level of amenity that would be provided to the potential future occupiers of the dwellings.

Access and parking

21. The development that was previously approved for this site included a parking area for a total of three vehicles to serve the both of the two-bedroom dwellings.

22. The same area is available for car parking and given that the number of bedrooms has reduced from two to one in each of the dwellings it would be unreasonable to request a higher level of off-street parking.
23. It is considered necessary to ensure that the parking area is provided in advance of the dwellings first being occupied.

New Home Bonus

24. Clause (124) of the Localism Act states that: Local planning authorities are to have regard to material considerations in dealing with applications including any local finance considerations, so far as material to the application. A “local finance consideration” means a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown. This may be taken to cover the payment of New Homes Bonus, or sums that a relevant authority has received, or will or could receive, in payment of CIL.
25. The New Homes Bonus is designed to create an effective fiscal incentive to encourage local authorities to facilitate housing growth. It will ensure the economic benefits of growth are more visible within the local area, by matching the council tax raised on increases in effective stock.
26. The Bonus will sit alongside the existing planning system and provides local authorities with monies equal to the national average for the council tax band on each additional property and paid for the following six years as a non-ring fenced grant.
27. Whilst the clause makes it clear that local finance matters are relevant to planning considerations can be taken into account, it does not change the law in any way. It is not a new basis for planning policy and it remains unlawful for planning permissions to be “bought”.

- 28 This proposal would provide two houses generating a grant of two times the national average council tax for the relevant bands per annum for 6 years.
- 29 Whilst this is a significant sum of money the planning merits of the proposal are acceptable in any event and therefore this is not accorded significant weight.

CONCLUSION

30. The principle of residential development on this site would be acceptable. The proposal is sympathetic to the character of the surrounding area, while preserving the residential amenities of the adjacent neighbours and highway safety would not be adversely affected. Therefore the proposal complies with ENV 2 & ENV 3 of the Black Country Core Strategy, saved UDP Policies DD1 and DD4 of the UDP, and Parking Standards Supplementary Planning Document.

RECOMMENDATION

It is recommended that the application be APPROVED subject to the following conditions:

Reason for approval

The principle of residential development on this site would be acceptable. The proposal is sympathetic to the character of the surrounding area, while preserving the residential amenities of the adjacent neighbours and highway safety would not be adversely affected. Therefore the proposal complies with ENV 2 & ENV 3 of the Black Country Core Strategy, saved UDP Policies DD1 and DD4 of the UDP, and Parking Standards Supplementary Planning Document.

The decision to grant planning permission has been taken with regard to the policies and proposal of the Black Country Core Strategy (2011) and the saved policies and proposals in the adopted Dudley Unitary Development Plan (2005) and to all other relevant material considerations.

The above is intended as a summary of the reasons for the grant of planning permission. For further detail on the decision please see the application report.

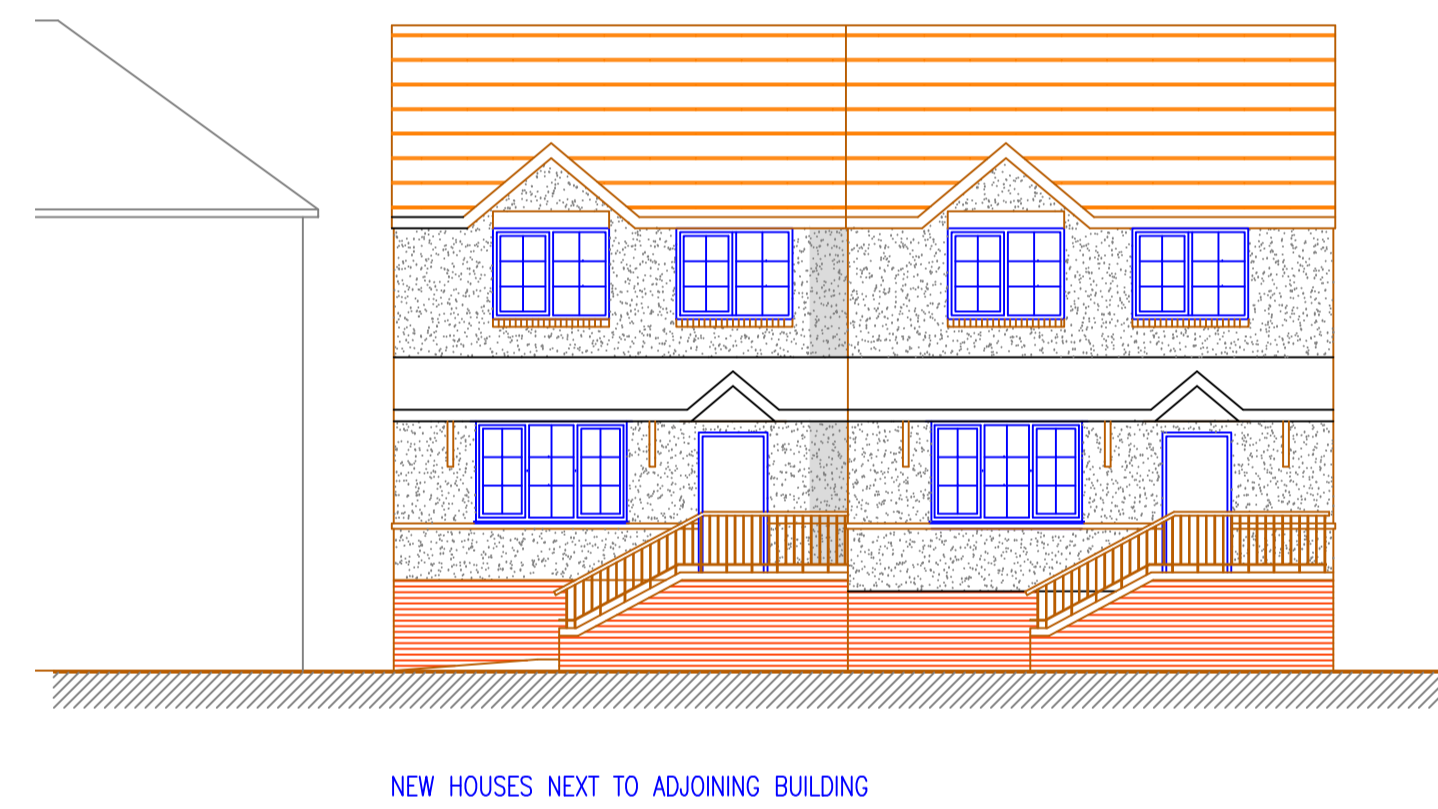
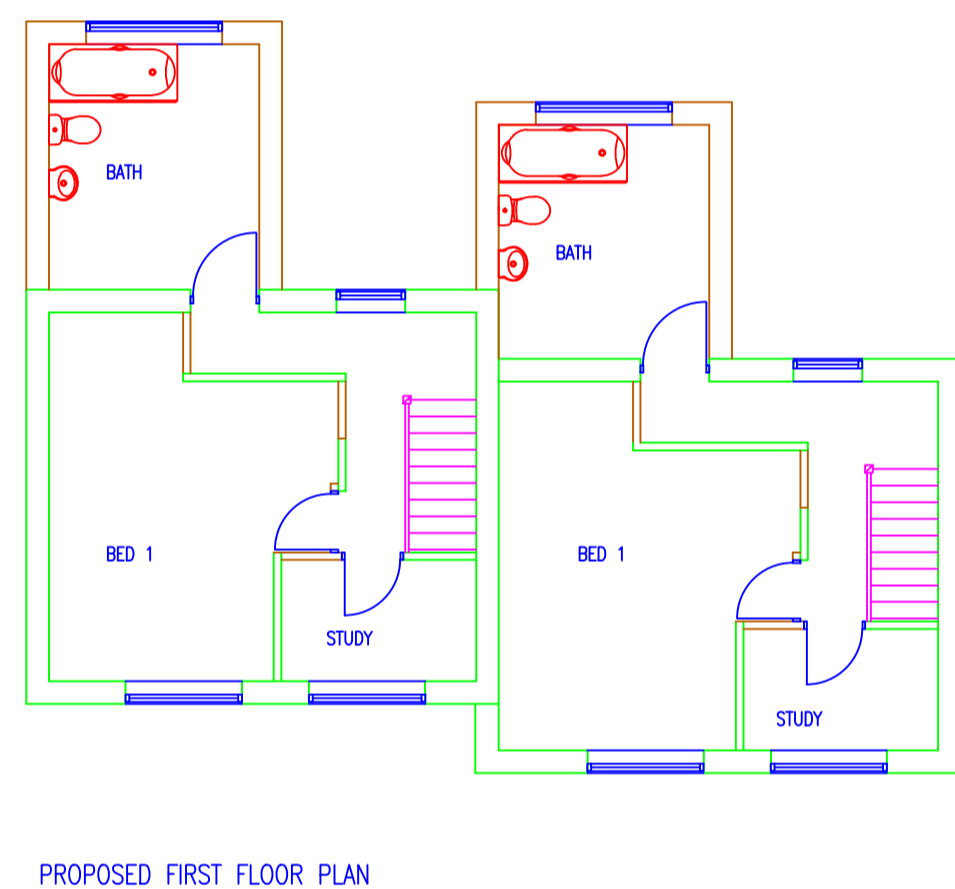
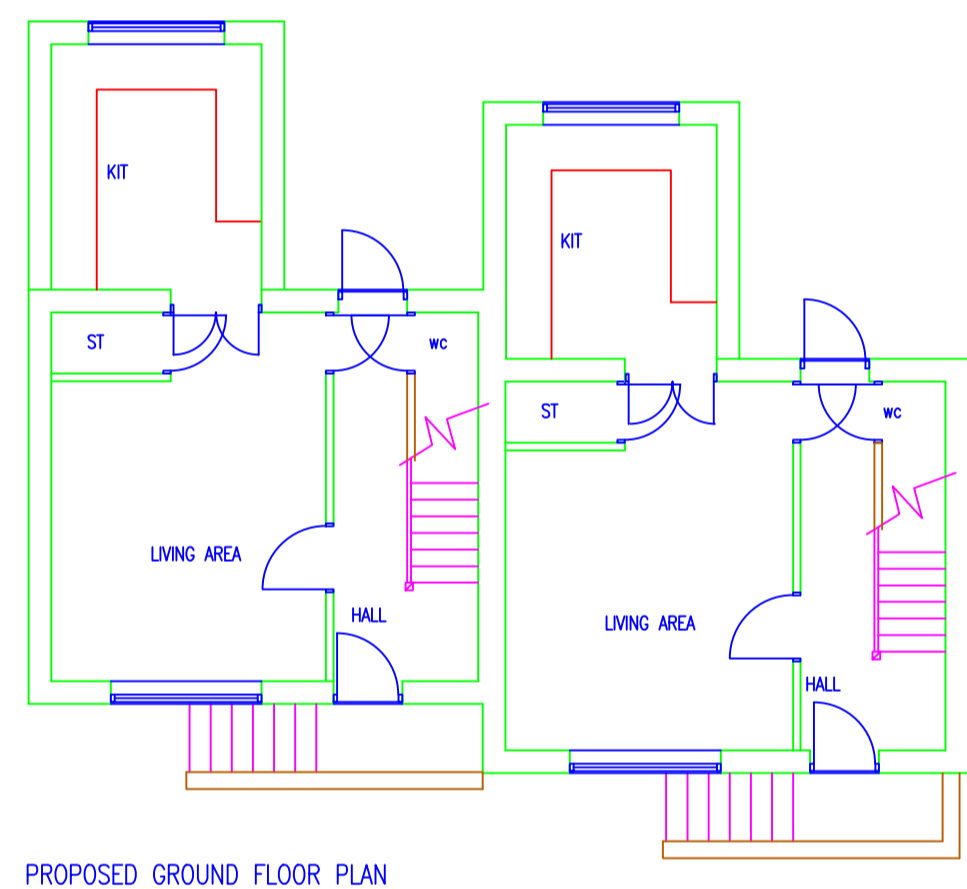
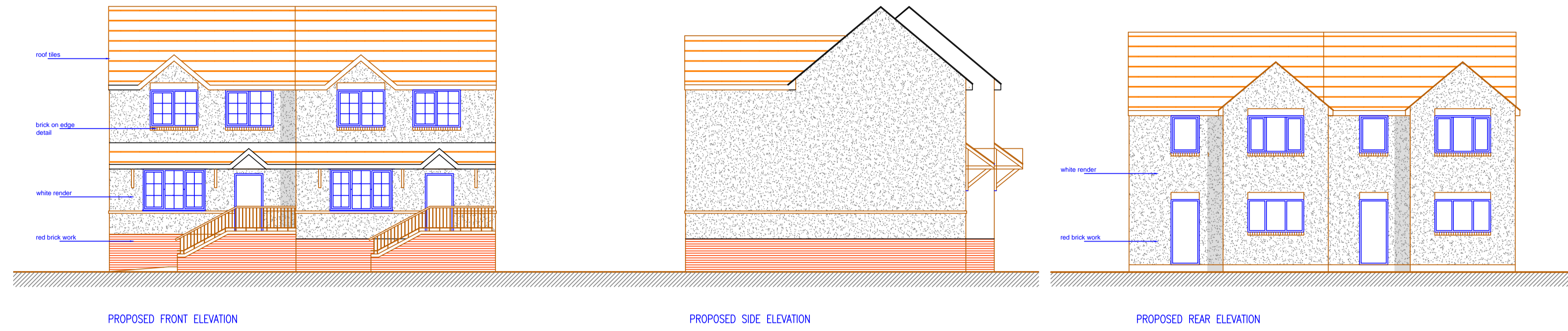
Notes to Applicant/Informative

Approval

In dealing with this application the local planning authority have worked with the applicant in a positive and proactive manner, seeking solutions to problems arising in relation to dealing with the application, by seeking to help the applicant resolve technical detail issues where required and maintaining the delivery of sustainable development. The development would improve the economic, social and environmental concerns of the area and thereby being in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Conditions and/or reasons:

1. The development hereby permitted shall be begun before the expiration of six months from the date of this permission.
2. Prior to their erection details of the types, sizes and locations of the boundary treatments around the site and between the proposed plots shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be carried out in complete accordance with the approved details prior to the first occupation of the dwellings hereby approved and thereafter retained for the lifetime of the development unless otherwise agreed in writing with the local planning authority.
3. Prior to the first occupation of the development parking layout details shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details and all parking shall be provided on site prior to the first occupation of the development hereby approved.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modification) no development referred to in Schedule 2 Part 1 Classes A, B, D E and F of that order shall be carried out.
5. Prior to the first occupation of the development details of the landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented in accordance with the approved details before the end of the first planting season following initial occupation of the development.



C	Scheme revised to planning requirement	23/08/2012
B	Scheme revised to planning requirement	20/08/2012
A	Scheme revised to planning requirement	26/06/2012
No.	Revision/Issue	Date

The Architectural Consultancy Ltd 

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KingsHeath
Birmingham
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Project Name and address
Redesign of semi-detached house

For
Mr C.D.Wyatt
at
32 West Road
Colley Gate

Contents
Existing & Proposed
Plan & Elevations

Project 2011/43-01	Sheet
Date Feb 2012	
Scale 1/100, 500, 1250	

