

PLANNING APPLICATION NUMBER:P12/1016

Type of approval sought	Full Planning Permission
Ward	Amblecote
Applicant	Mr G. Nicholas, Whitefriars Developments Ltd
Location:	13D, VALE STREET, AMBLECOTE, STOURBRIDGE, DY8 4ET
Proposal	ERECTION OF 2 NO. DWELLINGS
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The application site relates to a vacant area of heavily overgrown land with unkempt planting that is of little local visual amenity value at the rear of properties fronting Vale Street, King William Street and Villa Street. The site previously accommodated a garage and was accessed via a driveway located between No's. 13d and 14 Vale Street.
2. The immediate surrounding area is entirely residential, with a mix of house types along Vale Street which include large period properties, traditional terraced houses and modern infill development laid out in linear fashion. Vale Street itself is relatively narrow with on-street parking along it being commonplace. The site has a 2.5 metre to 3 metre high wall along the boundary with properties fronting King William Street, whilst the topography of the site rises gradually towards the rear.

PROPOSAL

3. The development seeks full planning permission for the erection of one semi detached pair of dwellings. The semi detached pairing would be 2 bedroom bungalows that would measure a maximum depth of 10.7 metres and 6.3 metres in width (spanning 12.6 metres across the semi detached pairing). The bungalows

would benefit from pitched roofs over with the main ridge running from flank to flank and gable detailing to the front and rear. Access to the site would be gained via the existing access from Vale Street, albeit with a widened access onto the highway frontage of Vale Street. The widening of the drive would incorporate part of the existing front garden / driveway area at the adjacent property of No.13d Vale Street.

4. The bungalows would be served by 4 No. car parking spaces located adjacent to the southern flank elevation of the semi-detached bungalow pairing whilst a further visitor parking space would be located to the frontage of the semi detached pairing. The bungalows would be served by private garden areas that would measure some 22 metres in length.
5. The application is accompanied by a Design and Access Statement and a Traffic Speed Survey.

HISTORY

Application Site

APPLICATION	PROPOSAL	DECISION	DATE
SB/72/375	Outline planning permission for the erection of a bungalow	Refused	27 September 1972
89/52872	Outline planning permission for the erection of a detached bungalow	Refused	08 February 1990
99/50744	Outline planning permission for the erection of a detached dwelling	Refused	19 July 1999
P04/2180	Outline planning permission for the erection of a detached bungalow and detached garage	Refused	26 January 2005
P05/1048	Full planning permission for the erection of 1 No. 2 bedroom bungalow and detached garage	Refused (Planning Appeal dismissed under appeal reference APP/C4615/A/05/1195310 on 31 March 2006)	12 May 2005
P10/0012	Full planning permission for the erection of 2 No. semi detached bungalows and retention of 2 No. parking spaces for 13d Vale Street	Refused	19 March 2010
P10/1400	Full planning permission for the erection of 1 No. dwelling and retention of 2 No. parking spaces for 13d Vale Street	Approved with conditions	24 November 2010
P11/0490	Full planning permission for the erection of 2 No. dwellings and retention of 2 No. parking spaces for 13d Vale Street	Refused (Planning Appeal dismissed under appeal reference APP/C4615/A/11/2167208 on 13 March 2012)	25 July 2011

6. Applications for residential development at this site have been refused on seven previous occasions, in 1972, 1990, 1999, 2004, 2005, 2010 and 2011.

7. The 1972 application was refused on the grounds that the development would lead to a loss of privacy at neighbouring properties and lack of visibility for vehicles exiting the site. The 1990 application was refused solely on the grounds that it would remove the off-street parking available to an existing property on Villa Street.
8. The issue on the 1999 application was that the proposed access drive width was insufficient to accommodate two-way traffic.
9. The 2004 application was refused for similar reasons to the 1990 and 1999 applications. In addition it was considered that the proposed siting of the building was not in keeping with the existing pattern of settlement in the area.
10. The subsequent 2005 application was refused purely on the grounds that the proposed access and visibility splays were considered to be inadequate. An appeal was lodged against the decision of the Council and was subsequently dismissed by the Planning Inspector. No other issues were raised in the determination of the application or during the consideration of the appeal.
11. The application submitted in March 2010 under planning reference P10/0012 for 2no. semi detached bungalows was refused on the following grounds:
 - The development would result in an uncharacteristic intrusion into the existing pattern of development in the area, and would appear cramped and unsatisfactorily integrated into the existing residential layout;
 - The increased use of the access drive and the general level of activity associated with the dwellings would result in noise and general disturbance to occupants of adjoining properties;
 - Loss of outlook at nearby properties;
 - The access drive was of insufficient width to accommodate two vehicles at the same time;
 - Insufficient manoeuvring space in the parking area to enable vehicles to exit the site in forward gear;
 - Adequate visibility splays could not be provided from the access;

- No agreement made by the application for the provision of infrastructure improvement contributions.
12. The application submitted in November 2010 for a single bungalow at the site was approved; however, this extant planning permission has not been implemented to date.
13. The application submitted in July 2011 under planning reference P11/0490 for the erection of 2 No. dwellings and retention of 2 No. parking spaces for 13d Vale Street was refused on the following grounds:
- The development would result in an uncharacteristic intrusion into the existing pattern of development in the area, and would appear cramped and unsatisfactorily integrated into the existing residential layout;
 - The increased use of the access drive and the general level of activity associated with the dwellings would result in noise and general disturbance to occupants of adjoining properties;
 - Loss of outlook at nearby properties;
 - Insufficient manoeuvring space in the parking area to enable vehicles to exit the site in forward gear;
 - Adequate visibility splays could not be provided from the access;
 - No agreement made by the application for the provision of infrastructure improvement contributions.
14. An appeal was lodged against the decision of the Council in regard to the planning application submitted under planning reference P11/0490; however, the appeal was subsequently dismissed by the Planning Inspector but it was noted in the determination of the appeal by the Inspector, that the principle of residential development had already been established under planning reference P10/1400 for a dwelling and that the introduction of a further dwelling would be no more of an uncharacteristic intrusion than the approved development.
15. Concerning highway issues, the Inspector concluded that there was insufficient information to demonstrate satisfactory parking and manoeuvrability but did note that

the visibility splays would be an improvement to the previously approved visibility splays under planning reference P10/1400.

PUBLIC CONSULTATION

16. The application was advertised by way of letters being sent to the occupiers of thirty-seven properties located within close proximity to the site. The final period for comment expired on 07 September 2012.

17. In response to the consultation exercise correspondence has been received from three local residents and whilst most of the residents welcome the land being put to good use as it is overgrown and an eyesore, concern is raised to;
 - The proximity of the proposed bungalows to the boundary fences;
 - How far above the boundary fence the bungalows would protrude;
 - Whether the development would restrict access to boundaries with regard to routine maintenance;
 - The narrow site formerly forming part of the gardens belonging to No. 3 Villa Street (with the Government being opposed to infill on gardens);
 - The narrow access with poor visibility; and
 - The dwellings have parking for only one car.

18. It should be noted that in the determination of the planning application all comments raised will be tested in the assessment below against the relevant stated policies.

OTHER CONSULTATION

19. Group Engineer (Development): No objection raised.

20. Head of Environmental Health and Trading Standards: No adverse comments.

21. West Midlands Fire Service: No objection raised.

RELEVANT PLANNING POLICY

National Planning Guidance

- The National Planning Policy Framework (NPPF)

Black Country Core Strategy (BCCS)

- The Vision
- Sustainability Principles
- The Spatial Objectives
- CSP3 Environmental Infrastructure
- CSP4 Place Making
- TRAN2 Managing Transport Impacts of New Development
- ENV 2 Historic Character and Local Distinctiveness
- ENV 3 Design Quality
- ENV5 Flood Risk, Sustainable Drainage Systems and Urban Heat Island
- ENV 8 Air Quality
- HOU1 Delivering Sustainable Housing Growth
- HOU2 Housing Density, Type and Accessibility

Saved Unitary Development Plan (UDP)

- DD1 Urban Design
- DD4 Development in Residential Areas
- EP7 Noise Pollution

Supplementary Planning Documents (SPD)

- Parking Standards
- New Housing Development

ASSESSMENT

22. The main issues are

- Principle
- Design
- Neighbour Amenity
- Occupier Amenity
- Access and Parking
- New Homes Bonus

Principle

23. Planning Permission (P10/1400) was granted in November 2010 for a detached three bedroom dwelling at the site in a broadly similar location to the proposed development. The principle of residential development on the land has therefore already been established and it is considered that this extant planning permission is an important material consideration in the determination of this subsequent planning application.

Design

24. The planning application submitted under planning reference P11/0490 for an almost identical scheme to the one proposed was considered at appeal and determined by the Planning Inspectorate to be no more of an characteristic intrusion than the approved development under planning reference P11/0490. The Planning Inspector in his decision noted the Council's primary concerns relating to the extent of the access and parking area, the proximity of boundaries with neighbouring properties and the narrow width of the proposed rear gardens. The sitting of the dwellings to the rear of the existing dwellings fronting Vale Street, was also considered but deemed not to conflict with the existing pattern of development. It should also be acknowledged that the site is relatively secluded and consequently would have little physical impact on the public realm.

Neighbour Amenity

25. The proposed development would take place on a currently vacant site and it is appreciated that the residents of the dwellings backing onto the site would undoubtedly become aware of changes in their immediate environment since the development would prompt activity and the sound of vehicles using the improved existing access; however, it is considered that the sounds generated could not reasonably be regarded as unexpected or unusual in an established residential area and the proposed development is therefore considered to not prejudice existing residential amenity levels.
26. It is also appreciated that the outlook from the dwellings backing onto the site would also change; however, it is considered that the proposed dwellings would be sited sufficiently far apart from those dwellings backing onto the site to ensure an acceptable level of visual separation. Furthermore, the proposed development relates to bungalow properties only with a design to ensure that the properties fronting Vale Street would not be overlooked and it is considered that the site's boundaries could be appropriately fenced to safeguard against a loss of privacy for adjoining occupiers.
27. The scheme as proposed is therefore considered to not prejudice existing residential amenity to an unacceptable level as the development would not result in an unacceptable loss of outlook, privacy or inappropriate levels of noise or disturbance and therefore the scheme would not conflict with the aspirations of Saved Policies DD4 (Development in Residential Areas) and EP7 (Noise Pollution) of the Dudley Unitary Development Plan.

Occupier Amenity

28. The proposed bungalows would achieve a satisfactory internal / external layout with good surveillance from habitable room windows of the respective plots / driveway and parking areas. The proposed rear gardens, whilst narrow, would exceed 22 metres in length and are considered to be of a reasonable size and shape for two

bedroom bungalows of this type and style and would be reasonable for the needs of future occupants of the properties. The scheme as proposed would accord with Saved Policy DD4 (Development in Residential Areas) and DD1 (Urban Design) of the Dudley Unitary Development Plan.

Access and Parking

29. The Planning Inspector concluded in the planning appeal decision with regard to planning reference P11/0490, that there was insufficient information to demonstrate satisfactory parking and manoeuvrability but did note that the visibility splay proposed would be an improvement to the previously approved visibility splays under planning reference P10/1400.
30. The Group Engineer (Development) notes that the scheme as now submitted shows adequate width and driveway length to comply with the Parking Supplementary Planning Document. The Group Engineer (Development) also notes that 6 metres remains for manoeuvring behind the parking area which would be an acceptable minimum in this instance.
31. The Group Engineer (Development) also considers that a family vehicle would still be able to turn to allow access and egress of the site in a forward gear and therefore raises no objection to the turning area.

New Home Bonus

32. 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 Community Infrastructure Levy.

33. 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.
34. 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. In addition, to ensure that affordable homes are sufficiently prioritised within supply, there will be a simple and transparent enhancement of a flat rate £350 per annum for each additional affordable home.
35. 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”.
36. This proposal would provide 2 no. bungalows generating a grant payment of 2 times the national average council tax for the relevant bands.
37. 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

38. The scheme would apply the principles of good urban design to make a positive contribution to the character and appearance of the area whilst the proposed development is unlikely to cause harm to either visual or residential amenity. There would be no demonstrable harm to neighbouring properties and there would be no adverse effect on the street scene or the character of the area. Adequate onsite parking provision and safe provision for access and egress by vehicles would be provided ensuring no additional burden on the existing highway infrastructure

through on street parking as a result of the scheme. The proposal is therefore considered compliant with policy and the associated guidance.

RECOMMENDATION

39. It is recommended that the application be approved subject to the following conditions:

Reason for approval

The scheme would apply the principles of good urban design to make a positive contribution to the character and appearance of the area whilst the proposed development is unlikely to cause harm to either visual or residential amenity. There would be no demonstrable harm to neighbouring properties and there would be no adverse effect on the street scene or the character of the area. Adequate onsite parking provision and safe provision for access and egress by vehicles would be provided ensuring no additional burden on the existing highway infrastructure through on street parking as a result of the scheme. The proposal is therefore considered compliant with policy and the associated guidance.

The decision to grant planning permission has been taken with regard to the policies and proposals in the adopted Black Country Core Strategy, the Saved Dudley Unitary Development Plan 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.

Informative

All developments within coalfield standing advice area

The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to the Coal Authority.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority.

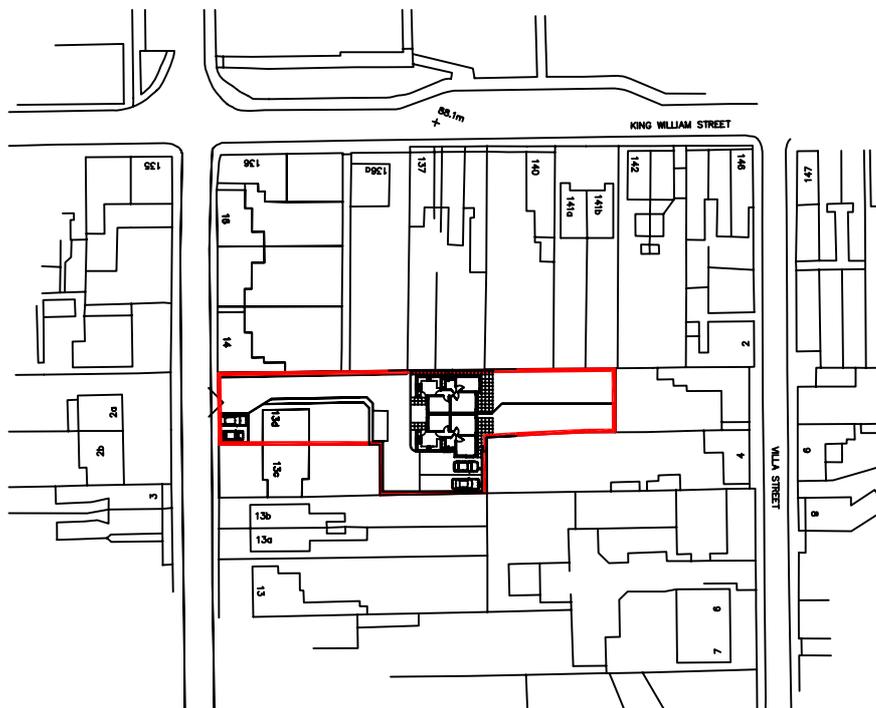
Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

Conditions and/or reasons:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: '0958/201 (Dated July 29012)' and '0958/002 (Dated March 2011)'
3. 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 and B of that order shall be carried out.
4. Prior to the occupation of the dwelling hereby approved, the parking and turning area[s] shown on the approved plan shall be provided and thereafter maintained for these purposes for the lifetime of the development. The hard surface shall be made of porous materials, or provisions shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse hereby approved.
5. Prior to the commencement of development, details of the existing and proposed levels of the site (including finished floor levels), which should be related to those of adjoining land and highways, shall be submitted to and approved in writing by the local planning authority. The development shall proceed in accordance with the approved levels.
6. No structure or means of enclosure shall be located within 2 metres from the back of the highway (Vale Street).
7. Prior to the commencement of development, details of the types, colours and textures of the materials to be used in the hard surfacing of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved details and retained for the lifetime of the development unless otherwise agreed in writing with the local planning authority.
8. Prior to the commencement of development, details of the types, colours and textures of the materials to be used on the external surfaces of the buildings hereby

approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved details.

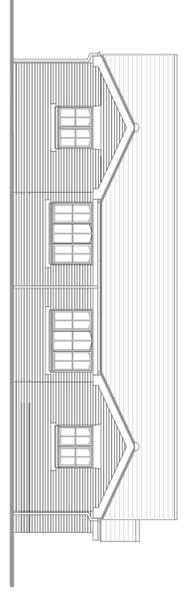
9. Notwithstanding the approved plans a plan showing details of the access and parking areas to be provided shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details in full prior to the first occupation of the approved dwelling and shall be retained as such thereafter.
10. No part of the development hereby permitted shall be commenced until a schedule of all materials to be used on the walls and roof of the buildings has been submitted to and approved in writing by the Local Planning Authority and thereafter the development shall only be constructed in accordance with these details.
11. No part of the development hereby permitted shall be commenced until details of the positions, design, materials and type of boundary treatment or means of enclosure have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until these works have been carried out in accordance with the approved details.



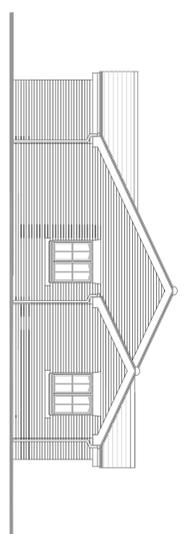

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Site:
**Land Adjacent to
13d Vale Street
Stourbridge**
Title:
Location Plan

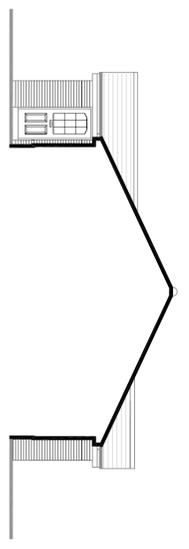
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Date:
March 2011
Drg No.:
0958/002
Sheet Size:
A4
DRAWN BY: A.J. Denham BSc.(Hons) MCIAT AMASl



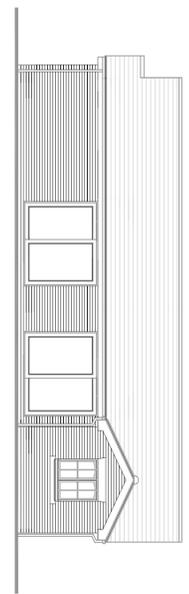
FRONT ELEVATION



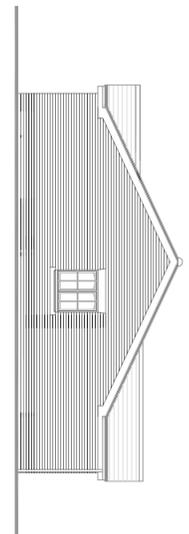
SIDE ELEVATION



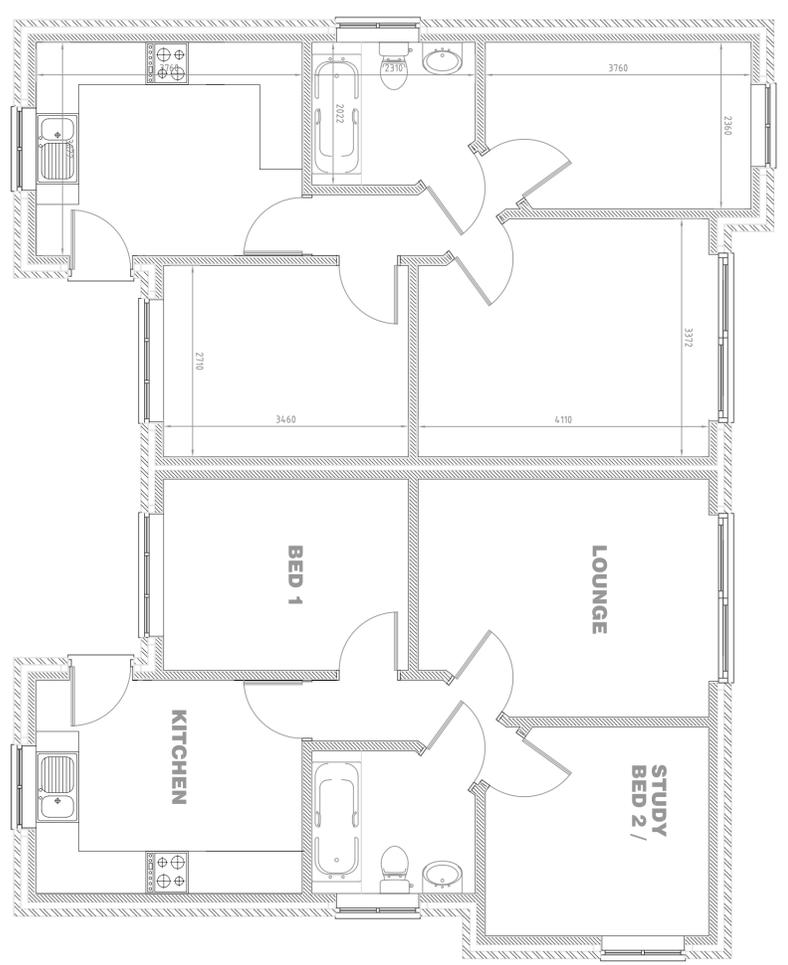
SIDE ELEVATION



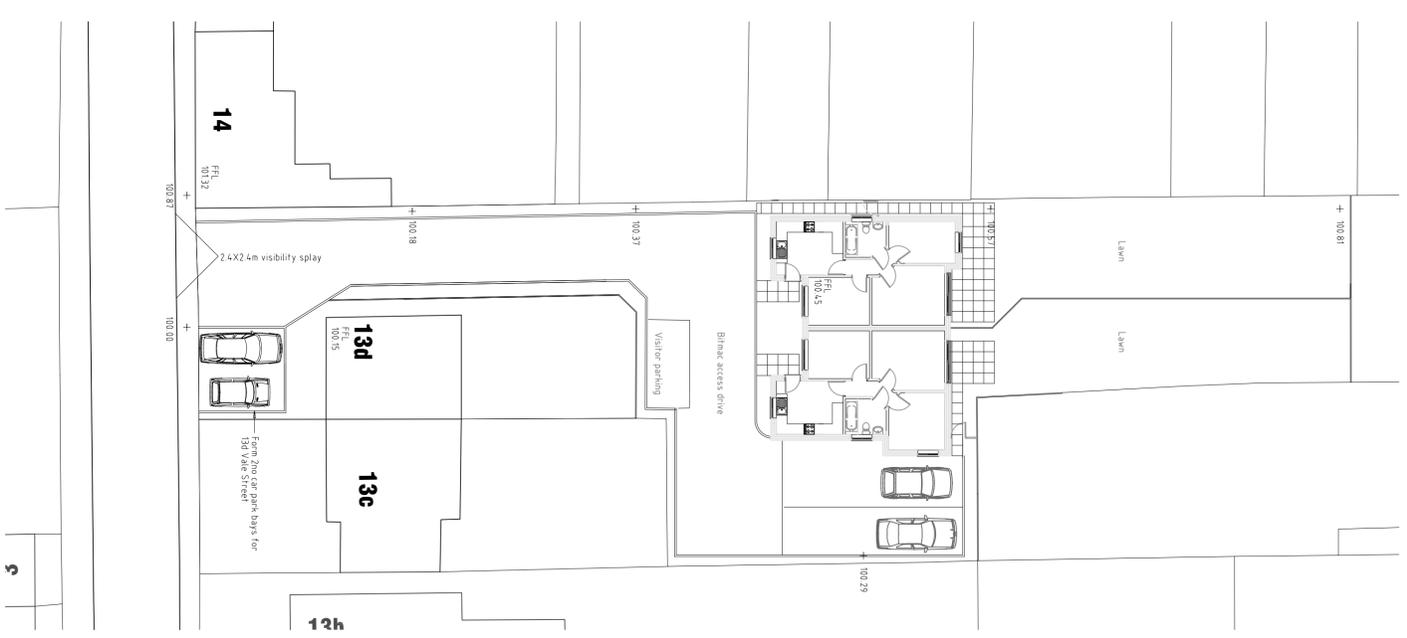
REAR ELEVATION



SIDE ELEVATION



GROUND FLOOR PLAN



PROPOSED SITE PLAN



EGCLIPSE

 ARCHITECTURE

 100 WILSON ROAD

 STOURBRIDGE - WEST MIDLANDS BVS 1 HA

 DESIGN@EGCLIPSEARCHITECTURE.CO.UK

 SITE:

Land at Rear of 13c

Vale Street, Amblecote

Stourbridge

Proposed 2 Bed Bungalows

Scale:

1/50, 1/100, 1/200

 Date:

July 2012

 Sheet No:

A1

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