

PLANNING APPLICATION NUMBER: P05/1574

Type of approval sought	FULL PLANNING PERMISSION
Ward	SEDGLEY
Applicant	ROBERT HUGHES HOMES LTD
Location:	LAND REAR OF, 10, HICKMERELANDS LANE, SEDGLEY, DUDLEY, WEST MIDLANDS
Proposal:	ERECTION OF DETACHED BUNGALOW WITH A SINGLE PARKING SPACE (OUTLINE) (DESIGN, EXTERNAL APPEARANCE AND LANDSCAPING RESERVED FOR SUBSEQUENT APPROVAL).
Recommendation summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The proposed application site is land to the rear of 10 Hickmerelands Lane in Sedgley. The backland site is some 20m (depth) x 7.5m (wide). In total the plot is approximately 0.0142 hectares in size.
2. The site is bounded on the west by the rear garden of No.12 Hickmerelands Lane, and on the east by the rear of No.8 Hickmerelands Lane, in both instances a 1.8m wooden fence marks the boundary line. The rear boundary of the application site is denoted by 2m high wooden fence with gates to enable vehicular access to the rear of the site. At the time of the site visit on the 16th August 2005, this access way appeared not to be in use. Directly adjacent to the rear boundary is a small area of open space, this grassed verge is small in scale and partially covered by weeds.
3. In terms of the immediate streetscene, Hickmerelands Lane and Etymore Close are residential areas. The properties on Hickmerelands Lane are semi-detached, dating approximately to the 1950's. These properties benefit from modest front gardens and larger rear gardens, the latter being generous in length, extending back towards Etymore Close.
4. With regard the properties on Etymore Close, these too date to a similar period and style as those on Hickmerelands Lane, benefiting from relatively large front and rear gardens.

PROPOSAL

5. The applicant is seeking outline planning permission for the erection of a detached bungalow with single garage. The application is to consider only the principle, siting, and the means of access. Design, landscaping and external appearance are reserved matters for future consideration.

6. Revised plans were submitted detailing a change in the siting of the proposed scheme. The original plans showed the proposed property being some 20.5m from the rear elevation of No.10 Hickmerelands Lane, this has now been revised to allow a separation distance of some 21.5m. This application has been judged on the revised plans.

HISTORY

7. No Planning History

PUBLIC CONSULTATION

8. In total nine letters of neighbour notification have been sent. Five letters of objection have been received. The key observations can be summarised as follows:
 - Access to the scheme would result in the loss of a Council owned grass verge;
 - The proposed scheme could set a precedent for similar development in the area;
 - The proposal would appear out of character with the surrounding urban form;
 - The proposed dwelling would be sited to near to the rear of No. 10 Hickmerelands Lane resulting in a loss of privacy;
 - The proposed scheme could exacerbate traffic congestion on Ettymore Close;
9. In addition to the submitted representations, a petition of objection was submitted with approximately 55 signatures.

OTHER CONSULTATION

10. Environmental Protection – No adverse comments
11. Traffic & Road Safety and Engineering – No objection subject to the following points:
 - The grassed verge adjacent to No. 10 is owned by the Council's housing department, therefore an access agreement would be required over this land in order to gain vehicular access.
 - The proposed drive to the dwelling would be less than 3m in width, which would not meet the standards of DB32. This would need to be redesigned to achieve a minimum width of 3.2m
 - Planning Policy – No objection in principle to the residential development of the site. With regard to the open space sited directly adjacent to the site, in open space, sport, leisure and recreational policy terms there would be no objections.

RELEVANT PLANNING POLICY

12.
 - Policy DD1 – Urban Design
 - Policy DD4 – Development in Residential Areas
 - Policy DD6 – Access and Transport Infrastructure

Policy AM14 – Parking

Policy H1 – New Housing Development

Policy H2 – Housing Assessment Criteria

Policy H7 – Housing on Previously Developed Land

PGN3 – New Housing Development

PGN6 – Highway Considerations in Development

PGN14 – Car Parking Standards

13. **Amenity**

14. The indicative layout shows one single storey dwelling with attached garage. The proposed rear garden for the site would measure some 62m² although guidance contained within PGN3 sets a minimum requirement of 65m² for detached properties greater than 4m in width, in this case such a small shortfall in provision is considered acceptable, primarily due to the fact that the proposed scheme is for a single bedroom property, relatively small in scale.
15. In terms of impact upon neighbouring amenity, the property that would be most susceptible to risk would be No.10 Hickmerelands Lane. The fore mentioned garden area and that of No. 10 would result in a total separation distance of 21.5m between the rear elevations of the properties. PGN3 states that a minimum distance of 22m should be maintained between front and rear facing windows to habitable rooms (in this case windows to rear facing habitable rooms), however as the property is a bungalow, potential impacts on loss of daylight and privacy would be reduced, thus making a separation of 21.5m acceptable. It is also noted that no objections have been received from the residents of No.10 Hickmerelands Lane.

16. **Access**

In terms of access to the site, this would be achieved via a drive way at the rear of the proposal site. The indicative plans show this driveway running parallel to the currently unused driveway of No.10. Hickmerelands lane, with some form of boundary treatment in place, as highlighted, one of the observations made by the Traffic & Road Safety and Engineering department related to the drive way being too narrow.

17. After discussions with the agent, it was confirmed that the driveway would be shared with that of No.10 Hickmerelands, resulting in a driveway that measures some 5.5m in width. This new width was considered to be appropriate by Traffic & Road Safety and Engineering department.
18. An additional point concerning the proposed driveway is that access would have to be made over an area of open space that is currently under ownership of the Council. It has been confirmed by the planning Policy department that the open space in question, possesses no recreational value or urban green space visual amenity value and should therefore not inhibit development. As the applicant does not own this area of open space, the onus is on the applicant to seek an agreement over its use prior to any development taking place.

19. **Parking and Congestion**

20. Concerns were expressed by neighbours relating to a possible increase in congestion on Ettymore Close. It is claimed that due to the narrow width of the road, on street parking that could occur from the proposal would add to traffic problems already experienced.
21. PGN3 states that one car parking space should be provided for a 1-2 bedroom private house. In the proposed scheme, in addition to the garage, the 5.5m length of driveway would also be able to accommodate parking for an additional vehicle, without having any detrimental effect on neighbouring land users or indeed other road users. It should be noted that Traffic & Road Safety and Engineering expressed no concerns over the potential impacts the scheme could have on Ettymore Close.

22. **Townscape**

23. The Revised UDP states that it is important to ensure that, all new development proposals are assessed in terms of their relationship to their impact upon the quality and character of the surrounding area.
24. As has been highlighted the properties in the immediate vicinity to Hickmerelands Lane are semi-detached. Although the proposed development would be a bungalow, it is not considered the property would have a negative effect on the composition and aesthetics of the built form. Alternatively it is considered that the scheme would serve to enhance the street scene, in particular by the removal of the 2m high fence and weeds adjoining the site.

CONCLUSION

25. The proposal constitutes backland development. Policy guidance acknowledges that backland development provides a useful contribution to achieving housing capacity targets as well as making better use of land so long as development respects other key policy principles.
26. Having taken regard for the Councils policies controlling such development and other material considerations, for the reasons set out above it is considered that the proposed development would satisfy Council policy and would not have an unacceptable impact upon residential & visual amenity or highway safety as to warrant a refusal.

RECOMMENDATION

27. It is recommended that the proposed scheme be approved subject to the following conditions:

Conditions and/or reasons:

1. Approval of the details of the siting, design and external appearance of the building(s), the means of access thereto and the landscaping of the site (hereafter called the ('reserved matters') shall be obtained from the Local Planning Authority before any development is begun.
2. Plans and particulars of the reserved matters referred to in condition 1 above, relating to the design and external appearance of any buildings to be erected and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.
3. Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of permission.
4. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is later.
5. Notwithstanding the plans hereby approved, the building shall not be occupied a means of vehicular access (to serve both 10 Hickmerelands Lane and the dwelling hereby permitted), including details of hard surfacing materials, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The dwelling hereby permitted shall not be occupied until the approved details have been implemented in full and thereafter the approved vehicular access shall remain available for use by occupants of Number 10 Hickmerelands Lane and the new dwelling at all times.
6. Notwithstanding the plans hereby approved, the building shall not be occupied until an area for on street vehicular parking has been constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
7. The building shall not be occupied until the parking area approved in accordance with condition 6 has been drained and surfaced in accordance with details submitted and approved by the Local Planning Authority, and that area shall not thereafter be used for any purpose other than the parking of vehicles.
8. All planting, seeding or turfing comprised in the details of landscaping approved on accordance with condition 1 shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development whichever is the sooner; and any trees, hedgerows or plants contained in the approved planting scheme which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.