PLANNING APPLICATION NUMBER:P12/0866

Type of approval sought	Full Planning Permission
Ward	Gornal
Applicant	Mr P. Stone
Location:	**1 CHAPEL WALK, LOWER GORNAL, WEST MIDLANDS, DY3 3NJ**
Proposal	**PART A: NEW 1.8M HIGH BOUNDARY WALL (RETROSPECTIVE). PART B: TWO STOREY FRONT/SIDE EXTENSION (PART RETROSPECTIVE). (RESUBMISSION OF APPROVED APPLICATION P11/0808).**
Recommendation Summary:	**PART APPROVE & PART REFUSE (SPLIT DEC'N)**

SITE AND SURROUNDINGS

1. 1 Chapel Walk is a detached cottage, that has been recently rendered and extended (P11/0808) and is occupied at present. It is located in a mixed street scene of terraced, detached and semi detached properties. The property faces on to Bull Street and is set back 18m from the back of the pavement in Bull Street. Chapel Walk is a public right of way 3.2m wide running adjacent to the northern boundary to the application site. At the rear of the property there is a hard standing, which provides a rear parking area for at least 3 cars.

2. There is a boundary wall with the neighbouring property at a height of approx 1.5m, which has been partly demolished where it is adjacent to the recently constructed extension.

3. To the south, 28 Bull Street is a detached residential dwelling which has two side facing first floor windows, one serving a bathroom and one a bedroom. This window, measuring 0.8m in width, is not the sole source of light to this bedroom owing to the larger sash window in the front elevation of the property.

4. To the north, ‘Glendower’ is a semi detached property located on the same ground level as the applicant’s property but set forward significantly. There are two first floor side facing windows overlooking the applicant’s front garden at a distance of approximately 16m from the centre of the application site. This relationship occurs at an obscure angle due the set back from the rear of Bull Street.

5. The public right of way providing vehicular access to the rear of 1 Chapel Walk leads also to no.s 9-10 Chapel Walk. These properties are semi detached and rendered.

PROPOSAL

6. This application seeks retrospective permission for the two storey front/side extension and erection of a 1.8m high boundary wall (Resubmission of approved application P12/0866). The changes to the approved plans are summarised below:

7. The two storey front/side extension has 2 rooflight additions on the side nearest to the neighbouring dwelling at 28 Bull Street. The rooflights are positioned 1.5m and 3.9m back from the front edge of the extension and 2.7m above the finished inside first floor level.

8. The boundary wall is the same height as the recent approval (1.8m high and 2.1m high to the top of the pillars), but is constructed from reclaimed brick, instead of being coated with render on the elevation facing Bull Street. Two new openings have been formed in the wall, comprising a pedestrian access off Bull Street and vehicular access off Chapel Walk (0.5m from the junction with Bull Street). A hardcore parking surface has also been provided to accommodate 2 cars.

HISTORY

9.

APPLICATION No.	PROPOSAL	DECISION	DATE
P11/0808	Two storey front/side extension. New 1.8m high boundary wall	Approved with conditions	11/08/11

PUBLIC CONSULTATION

10. Direct notification was carried out to all adjoining and adjacent premises as a result of which one letter of objection was received (expired on 31 August 2012) on the following grounds:
    - The velux roof lights are an intrusion into the side facing bedroom window of the neighbouring dwelling at 28 Bull Street. The development would be improved by the addition of two normal windows on the elevation that looks out to Bull Street and would have provided more security to the passing public.

OTHER CONSULTATION

11. **Group Engineer, Development:** Generally no driveways should enter at the bellmouth of a junction. A distance of 6 metres should be maintained between the junction and the close edge of the footway crossing. The proposed vehicular access fails to comply with this distance. Positioning footway crossing so close to junctions creates highway safety concerns for:
    - Vehicles performing access/egress manoeuvres in close proximity to the junction where the possibility for conflict with other vehicles and pedestrians is greatest,
    - Vehicles turning into the side road will not have sufficient time to react if a vehicle is leaving the driveway.

12. The vehicular access serving the parking spaces cannot maintain the 2 metre (m) (X-distance) by 17m (Y-distance) visibility splay required upon exit from the driveways due to a physical obstruction to the splay by the 1.8m high boundary wall. This lack of visibility of vehicles on Chapel Walk and those turning left from Bull Street raises highway safety concerns to an unacceptable level. Junction visibility splays are outlined in Manual for Streets, Table 7.1 & Fig 7.18.

13. In view of these highway safety issues, the Highway Authority cannot support the proposal and refusal is recommended.

RELEVANT PLANNING POLICY

NPPF

- The National Planning Policy Framework (NPPF) was published and came into immediate effect on the 27th March 2012.

BCCS

- ENV2 Historic Character and Local Distinctiveness

Saved UDP Policies (2011)

- DD1 – Urban Design
- DD4 – Development in Residential Areas

Supplementary Planning Documents/Guidance

- PGN17 House Extension Design Guide
- Draft New Housing Development
- Parking and Travel Standards SPD

ASSESSMENT

14. Key Issues:

- the character and appearance of the area
- residential amenities of adjacent occupiers
- highway safety

Character and appearance

15. The boundary wall had a previous approval to the same height and location, therefore the change from rendered blockwork on the Bull Street elevation is the main issue to be considered relating to character and appearance. It is considered that the change from rendered blockwork to reclaimed bricks is an improvement visually within the streetscene in Bull Street, as it would have a similar appearance to the materials of boundary treatments of neighbouring dwellings. The hardcore parking area is screened from the streetscene, therefore it would not have an adverse impact upon the visual amenity of the streetscene.

16. It is therefore considered that there would be no adverse impact upon the character and appearance of the area and development is therefore considered to be acceptable in terms of BCCS Policy ENV2, saved UDP Policy DD4 – Development in Residential Areas and Planning Guidance Note 17 – The House Extension Design Guide.

Residential Amenity.

17. With regard to the neighbour objection, a site visit was carried out to the occupier of no. 28 Bull Street. The side facing window serving the bedroom at first floor is 5.8m from the side wall of the extension. Furthermore, this window is a secondary source of light to the bedroom, which is primarily lit from the larger front facing window serving the same room.

18. In consideration of the side facing bedroom window, the velux windows are positioned 2.7m above floor level (measured to the underneath of the window), therefore it would not be possible for a person to stand inside the bedroom and look across to the bedroom window of 28 Bull Street. It is therefore considered that there would be no detriment to privacy of the neighbouring residents and the proposal would be in accordance with saved policy DD4 of the UDP.

Parking

19. The Group Engineer, Development objects to the proposal on the grounds that the driveway visibility splay is obstructed by the 1.8m high wall. As the entrance point is within close proximity to the of the junction with a busy road, it is considered that the vehicular access in the wall would have an unacceptable impact upon highway safety. As such the proposal is contrary to saved policy DD4 of the UDP.

CONCLUSION

PART A: New 1.8m high boundary wall: REFUSE. The obstructed visibillity splay of the vehicular entrance point, within close proximity to the junction with Bull Street would have an unacceptable impact upon highway safety. As such the proposal is contrary to saved policy DD4 of the UDP.

PART B: Two storey front/side extension: APPROVE. The proposal is acceptable in design and scale, remaining in keeping with the original building and surrounding area. It is considered that there is no detrimental impact on privacy or amenity to the neighbours of the application site caused by the development. The development therefore complies with saved Policy DD4 of the Unitary Development Plan (2005), Planning Guidance Note 17 - House Extension Design Guide and Parking Standards and Travel Plans SPD

RECOMMENDATION

20. It is recommended that this application be part approved and part refused subject to the following;

Reason for Approval:

The proposal is acceptable in design and scale, remaining in keeping with the original building and surrounding area. It is considered that there is no detrimental impact on privacy or amenity to the neighbours of the application site caused by the development. The development therefore complies with saved Policy DD4 of the Unitary Development Plan (2005), Planning Guidance Note 17 - House Extension Design Guide and Parking Standards and Travel Plans SPD.

The decision to grant planning permission has been taken with regard to the policies and proposals in the Dudley Unitary Development Plan and to all relevant material considerations including supplementary planning guidance.

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

INFORMATIVE:

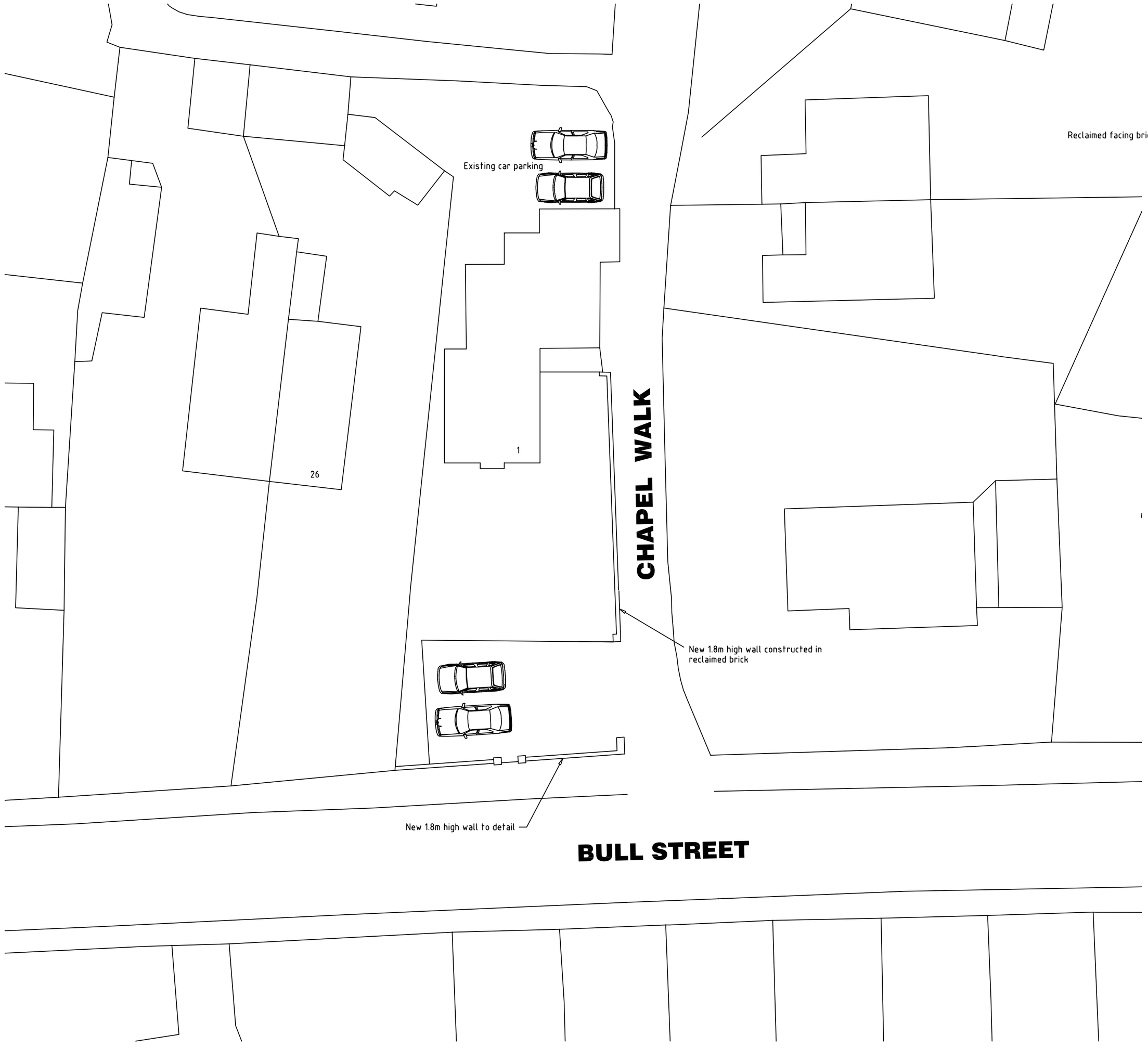
You are advised that the Local Planning Authority view retrospective applications with concern. You are strongly advised to gain all relevant approvals in the future before commencing or implementing development.

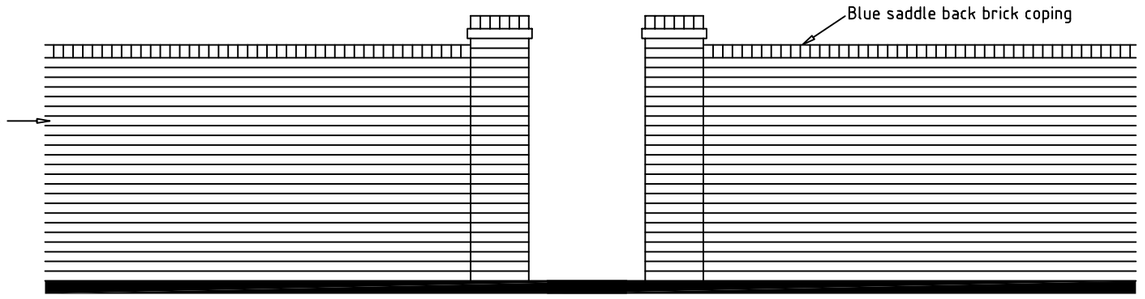
Conditions and/or reasons:

1. The development hereby permitted shall remain in accordance with the drawing numbered 1122/001a, unless otherwise agreed in writing by the Local Planning Authority.

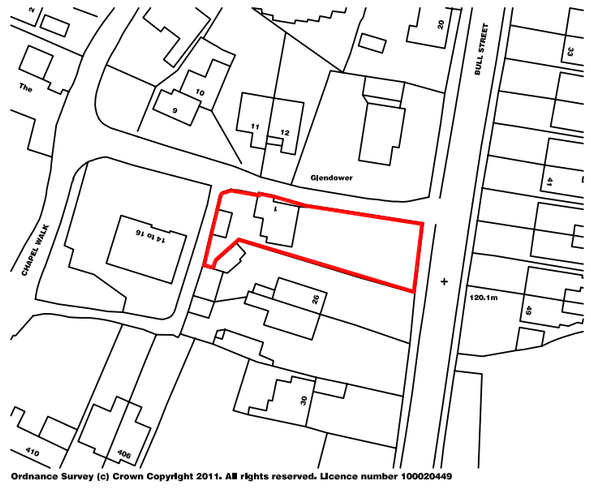
REASON FOR REFUSAL

1. The obstructed visibillity splay of the vehicular entrance point, within close proximity to the bellmouth of the junction with Bull Street would have an unacceptable impact upon highway safety. As such the proposal is contrary to saved policy DD4 of the UDP.





PERIMETER WALL DETAIL



LOCATION PLAN

NORTH

ECLIPSE
ARCHITECTURE
HAYWOOD HOUSE 40 NEW ROAD
STOURBRIDGE WEST MIDLANDS DY8 1PA
TEL/FAX +(44) 01384 357740
DESIGN@ECLIPSEARCHITECTURE.CO.UK

Site:
1 Chapel Walk
Lower Gornal
Dudley
Title:

Site Plan

Scale:
1/100, 1/50, 1/1250
Date:
June 2011
Drg No.:
1122/002b

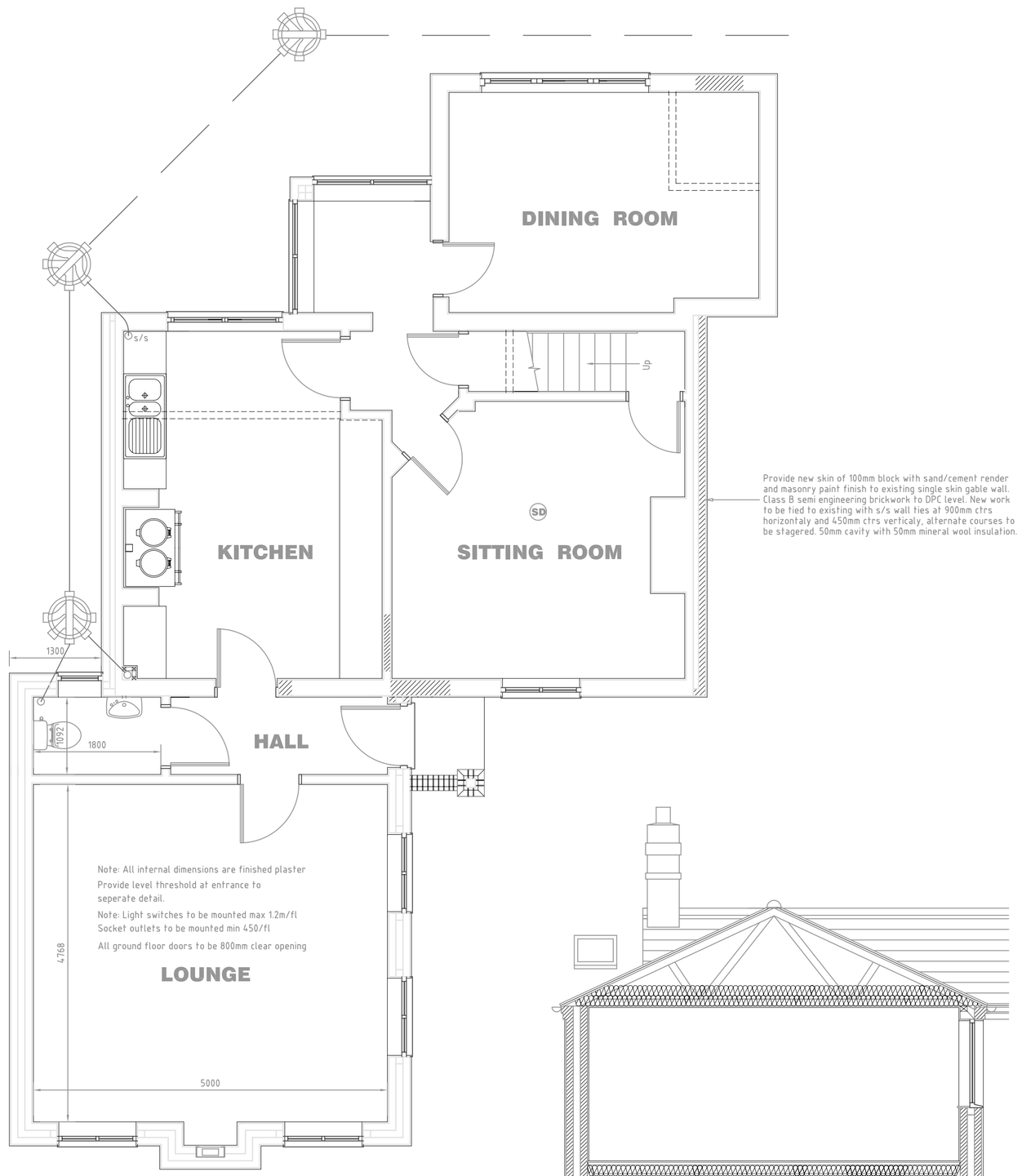
Written dimensions to be taken only. Do not scale from drawing.
Minor inaccuracies may occur due to printing processes.

FRONT ELEVATION

SIDE ELEVATION

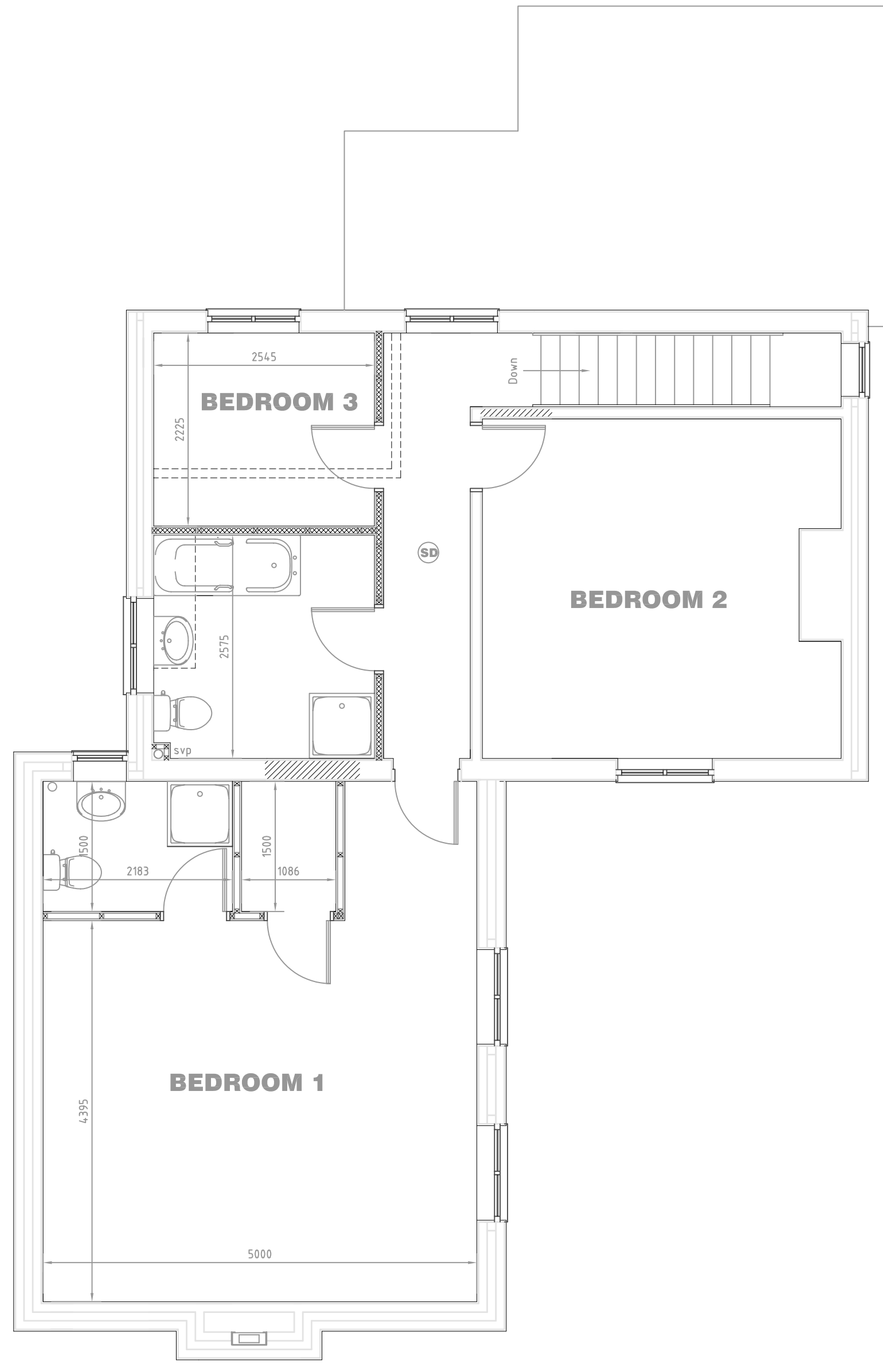
SIDE ELEVATION

REAR ELEVATION



GROUND FLOOR PLAN

SECTION



FIRST FLOOR PLAN

Roof:
Natural slate tiles to match existing on 25 x 50mm s.w. battens on Tyvec or similar approved breathable membrane on s.w. trusses designed & manufactured to BS.5268 pt3 1985 and fixed to 100 x 75mm s.w. wall plate with galvanized mild steel truss clips at 600mm centres. Provide 30 x 5mm mild steel lateral restraint straps at 1.8m centres. Ceilings to be 12.5mm plasterboard and skim with Tyvec SD2 vapour barrier. Insulation to be 150mm mineral wool laid between ceiling joists with 150mm mineral wool insualtion cross layed over ceiling joists. Provide 1 no Glidevale G5 tile vent 2 courses below ridge at 2.0m ctrs on both sides of roof to achieve cross ventilation of roof void.
Provide code 4 lead gutter on 12.5mm WBP ply to form valley gutter at intersection of roofs.

Walls:
18mm sand/cement render on 100mm conc block with 100mm cavity and inner leaf of 100mm Besblock Starperformer block with 12.5mm plaster board and skim finish. Provide 50mm Celotex Tuff-R CW3000 insulation and s/s wall ties installed in accordance with manufacturers instructions. Close cavity at jambs and cill with proprietory insulated cavity closer.

Support masonry over openings with Catnic or similar approved 3 course insulated combined lintols min end bearing 150mm. Provide 150mm prestressed concrete lintols to all internal load bearing walls unless otherwise specified. Provide Astos or similar approved DPC min 225mm above GL.
Brickwork below GL to be class B semi engineering brick with lean mix fill to cavity up to ground level with perps left open at 900mm ctrs with proprietory weep hole vents.

First Floor:
22mm, 15kg/m2 T&G flooring quality chipboard with glued edges laid on Wyckham Blackwell LPI joists or similar approved to mfcts instructions. Provide 30x5mm galv m.s. lateral restraint straps at 1.8m ctrs max with solid blocking beneath at 2.5m ctrs Provide 100mm insulation between joists. Ceilings to be 12.5mm 10kg/m2 plasterboard & skim. Provide twin joists bolted together with m12 bolts @ 1.2m ctrs beneath stud walls running parallel to joists.

Ground Floor:

75mm sand/cement screed on vapour control layer on Celotex Fast-R FF3000 75mm insulant on Cavity Trays Yeovil Ltd, Type N Site Sealer Membrane lapped laid in accordance with manufacturers details. Make continuous with Methane cavith barrier. Laid on proprietory beam and block floor. provide 200mm ventilated sub floor Cavibrick air bricks and type TAV cranked duct at 1.8m ctrs.

First Floor Stud Walls:
70 x 50mm s.w. stud partitions to have continuous head and sole plate with vertical studs at 600mm ctrs and horizontal noggins at mid point. Insulate with 100mm Rockwool and face with Gyproc Soundblock plasterboard of 10kg/m.sq

Foundations:
Foundations to be as indicated on section, taken down 900mm min to level of existing or to invert of drains within 1m. To the satisfaction of the Local Authority Building Inspector.

Stairs & Landings:
Timber stairs to be provided in positions indicated on plans and to be constructed to suit site conditions with the following controlling dimensions:
Max Pitch: 42°
Min Going: 220mm
Max Rise: 220mm
Min Headroom: 2000mm/pitch line
Handrails: 900mm/pitch line & landings
Spindles: Max space between spindles 100mm.

Drainage:
All new below ground drainage to be 100mm dia pvc pipe flexibly jointed and laid to fall 1:60 min on 6mm gravel. Encase in concrete where passing below building and provide flexcell movement joints at collar positions. Provide concrete bridging lintols where drains pass through founds.

Manholes:
Manholes to be preformed polyethylene type with C.I. cover and frame bedded on 150mm concrete base and encased with lean mix concrete.

Part G Compliance.

Provide thermostatic blender valve to the bath set to a maximum temperature of 48 deg c.

Above Ground Drainage:
Sanitary ware to discharge as indicated and to have the following wastes.
WC: 100mm dia waste, 50mm deep seal trap
WHB: 32mm dia waste, 75mm deep trap
Bath: 50mm dia waste, 75mm deep seal trap
Sink: 38mm dia waste, 75mm deep seal trap
All wastes to be upvc solvent welded joints.
Stub stack to have automatic air admittance valve. sited 900mm/fl. Provide rodding access point min 300/fl to SVP`s. Terminate SVP min 300mm above roof level with vermin proof cage and code 4 lead slate.

Ventilation:
Ventilation system by Passivent Limited comprising the following:
All habitable rooms:- Passivent Fresh Wall Vent Type 100 with free area of 6000mm.sq ducted to atmoshphere.
Kitchen to be ventilated by Ventaxia VA140KP extract fan discharging to to atmosphere.
Bathrooms & ground floor WC to have Ventaxia VA100XT extract fan light switch operated with 15min overun & 10mm gap under doors.

Windows & Glazing:
All windows to be double glazed with Pilkington K or similar approved low emisivity glass, U value 1.8W/m2K
Bathroom windows to have obscure glazing.
Windows to doors to have laminated or toughened safety glass to BS.6206: 1981 marked thus ★ Provide safety glass to any internal glazed doors. Bathroom windows to have obscure glazing.
First floor windows to have opening lights with a clear opening size of 450 x 800mm for means of escape.

Fire/Smoke Detection
SD Where indicated thus provide a mains operated smoke detector with battery backup to comply with BS 5839 Part 6.

Heating:
Chimney (Class 2 appliance) to be lined with rebated and socketed flue liners to BS 1181 1971. Chimney to terminate 600mm above roof pitch.

Gas fired condensing combination boiler designed and installed by CORGI registered contractor. SAP ratings to be provided to LA Building Control by system designers.

Central heating system to incorporate thermostatic radiator valves and programable timing device.

Provide durable notice fixed in a suitable position advising performance rating of all flues and chimneys.

Provide 225 x 150mm ducted air bricks in lounge to provide combustion air for gas fire. Provide Hit & Miss Ventilator internally

Lighting:

Lighting: Provide energy efficient lighting at a ratio of 1 per 4 fixed light fittings in accordance with Regulation L1

Recessed downlighters to be LED sealed type by Snaplight or similar approved

Electrical Instalation:
All electrical instalations to be carried out by NICEIC approved contractor in accordance latest amendment of NICEIC Regulations
Electrical Contractor to issue a certificate to prove compliance with Part P of the Building Regulations on completion.
Note: Light switches to be mounted max 1.2m/fl
Socket outlets to be mounted min 450/fl

ECLIPSE
ARCHITECTURE
HAYWOOD HOUSE 40 NEW ROAD
STOURBRIDGE WEST MIDLANDS DY8 1PA
TEL/FAX +(44) 01384 397740
DESIGN@ECLIPSEARCHITECTURE.CO.UK

Site:

1 Chapel Walk
Lower Gornal
Dudley

Title:

Proposed Alterations & Extensions

Scale: **1/50, 1/100**
Date: **May 2011**
Drg. No.: **1122/001a**

Written dimensions to be taken only. Do not scale from drawing.
Minor inaccuracies may occur due to printing processes.