

PLANNING APPLICATION NUMBER:P08/1856

Type of approval sought	Full Planning Permission
Ward	Quarry Bank & Dudley Wood
Applicant	Mr R. PRIEST
Location:	80, COPPICE LANE, QUARRY BANK, DUDLEY, DY5 1AU
Proposal	ERECTION OF A DETACHED TWO BEDROOM BUNGALOW (RESUBMISSION OF REFUSED APPLICATION P08/1362)
Recommendation Summary:	APPROVE SUBJECT TO A 106 AGREEMENT

SITE AND SURROUNDINGS

1. The application site is a large rear garden that is accessed along the 3m width driveway to the side of the host dwelling. The plot measures 17m (max) x 23m (max) an area measuring approximately 390 square metres.

2. 80 Coppice Lane is a modern, detached, hipped roof, two storey dwelling with existing vehicular access via an in and out driveway. The dwelling benefits from the addition of a single storey side extension. At present the site is lawned with shrubs and trees within and experiences a fall in ground levels towards the rear. The garden area is enclosed by a mixture of boundary treatments of various heights.

3. The plot backs on to 71 and 75 Birch Coppice and is adjacent to 78 and 80a Coppice Lane.

4. The character of the streetscene along Coppice Lane and Birch Coppice is mixed in terms of house type, design and plot size/layout. There are some examples of infill type development nearby at 71, 75 Birch Coppice and off Coppice Lane at 1,2 and 3 Bavaro Gardens. However, these are generally accessed along a driveway of at least 4m minimum width.

5. Coppice Lane is classified as a distributor road with parking generally off street.

PROPOSAL

6. Full planning permission is sought for the erection of a two bedroom detached bungalow (resubmission of refused application P08/1362). The garage/side extension at the side of the existing dwelling would be demolished in order to provide access for the new dwelling. The existing 2 No. existing 3 metre wide vehicle accesses to the drive of No. 80 would remain, but would now provide separate accesses to each dwelling. The new dwelling would be accessed along a 40m length driveway, which would be 3m in width for the majority of the drive. The existing dwelling would have 3 off-street car parking spaces and the proposed dwelling would have 2 off-street parking spaces. The re-submitted application has increased the parking spaces and turning head in addition to the provision of separate accesses for the existing and proposed dwellings.
7. The proposal would form tandem development and would be positioned 46m back from the back of the footpath on Coppice Lane and to be located within 1m from the boundaries with 80a Coppice Lane and 71 Birch Coppice.
8. The existing boundary treatments would remain and a new 2m high closed board fence would be erected to separate the new dwelling from the existing. The garden length would average 5m and an amenity area of 125 square metres for the proposed dwelling. The garden length would be approximately 15m and an amenity area of 130 square metres for 80 Coppice Lane.
9. The proposed bungalow would be single storey to a maximum height of 5.6 (2.8m to eaves). The design of the house would incorporate a hipped roof and would be constructed of brick with tiled roof.
10. The application is accompanied by a design & access statement, which has been revised to clarify the provision of separate accesses, since submission of the application.

HISTORY

11. Relevant Planning History

APPLICATION No.	PROPOSAL	DECISION	DATE
P08/1362	Erection of a detached two bedroom bungalow	Refused	27/11/08

The above application was refused on the grounds that proposal would result in a significant detrimental impact on highway safety, as a result of insufficient space for parking and manoeuvring on the site and an inadequate access width. This has the potential to cause vehicular conflict along the access way and displace vehicles on to the highway, contrary to policy DD6 (Access and Transport Infrastructure) of the adopted Dudley Unitary Development Plan (2005) and Supplementary Planning Document - Parking Standards and Travel Plans and PPS3 – Housing.

12. 86 Coppice Lane

APPLICATION No.	PROPOSAL	DECISION	DATE
BH/64/5463	Erection of house	Approved	22/10/64

13. 1,2,3 Bravaro Gardens

APPLICATION No.	PROPOSAL	DECISION	DATE
89/50851	Erection of two detached houses and one detached bungalow with garages	Approved	22/06/89

PUBLIC CONSULTATION

14. Direct neighbour consultation was undertaken, to which no response has been received.

OTHER CONSULTATION

15. The Head of Environmental Protection: No adverse comments.
16. Group Engineer, Development: No objections to this development.

RELEVANT PLANNING POLICY

16. Unitary Development Plan (2005)
 - Policy DD1 (Urban Design)
 - Policy DD4 (Development in Residential Areas)
 - Policy DD6 (Access and Transport Infrastructure)
 - Policy DD7 (Planning Obligations)
 - Policy DD8 (Provision of open space, sport and recreation facilities)
 - Policy H3 (Housing Assessment Criteria)
 - Policy H6 (Housing Density)
 - Policy LR1 (Open Space)
17. Supplementary Planning Guidance
 - PGN 3 - Housing
 - Design for Community Safety
18. Supplementary Planning Documents
 - Parking Standards and Travel Plans
 - Planning Obligations
 - New Housing Development
19. National Policy Documents
 - PPS3 – Housing

ASSESSMENT

20. The key issues are whether the proposal would have any adverse impacts upon:
 - The character of the area

- Residential amenity
- Access and highway safety
- Planning obligations

Impact on the character of the area

21. The thrust of national guidance in PPS3 maintains the emphasis on making the best use of previously developed land, however, it states that ‘design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted (paragraph 13) and that matters to include when assessing design quality include the extent to which the development, ‘is well integrated with, and complements, the neighbouring buildings and the local area more generally in terms of scale, density, layout and access..’ (paragraph 16).
22. Policy H3 – Housing Assessment Criteria in line with PPS3 – Housing suggests that Local Planning Authorities should continue to make effective use of land that has been previously developed. Policy H6 – Housing Density whilst seeking to encourage the full and efficient use of land, does require that development takes into account the local context of the area, further elaborated upon by Policy H3 which would require development that does not create unacceptable levels of conflict with neighbouring uses or amenity considerations.
23. Adding a bungalow in this location would make use of previously development land (existing rear gardens) at a density that relates well to the surrounding area.
24. The New Housing Development SPD acknowledges that many of the potential development opportunities coming forward in Dudley are infill sites. Given the surrounding character of the area, which consists of a number of infill developments, the proposal would make a satisfactory response to the established form of residential development, and would not therefore harm the character and appearance of the surrounding area.
25. This development takes into account the context of surrounding area and has does not have an adverse impact on the character and appearance of the area in accordance with Policies H6, DD1 and DD4 – of Dudley’s Adopted UDP.

Impact upon residential amenity

26. There have been no objections received on the grounds of adverse impact on residential amenity.
27. The additional plot would result in minimal further vehicular movement to the rear gardens of properties located in Coppice Lane and Birch Coppice. It is considered that the limited level of activity generated by a single two bedroom dwelling would not result in an unacceptable degree of noise and disturbance to neighbours.
28. The property has been designed to accommodate the facing window separation standards outlined in PGN3. As this is a bungalow, it would not overlook existing fencing and cause problems for adjacent residents in terms of loss of privacy, outlook and sunlight.
29. The existing and proposed dwellings would have sufficient garden amenity area to comply with the Council's guidelines, thus it is not anticipated that any adverse impact upon the existing residents would arise.
30. It is concluded that the development would not result in an adverse impact upon the residential amenities of the surrounding neighbours and would therefore comply with Policies H6, DD1 and DD4 – of Dudley's Adopted UDP.

Highway safety

31. Since the refusal of P08/1362, the proposal has been amended to increase the size of the proposed parking spaces and turning head in addition to the provision of separate accesses for the existing and proposed dwellings. The proposed dwelling would be required to provide 2 off-street car parking spaces and 3 off-street car parking spaces would remain on the frontage of the existing dwelling, in accordance with parking standards.
32. The Group Engineer, Development has no objections to the proposed development, therefore no adverse impact upon highway safety is anticipated and thus Policy DD6 of the Adopted UDP is complied with.

Planning obligations

33. The proposed development has a requirement to provide planning obligations to mitigate against the consequential planning loss to the existing community. Should permission be granted a S106 Agreement would be required in respect of the following contributions.

Offsite Contributions:

The proposal attracts a requirement for a commuted sum to be paid towards the following infrastructure:

- Off Site Public Open Space/Play Improvements = £1715.61
- Libraries = £179.53
- Transport Improvements = £2454.23
- Management and Monitoring Charge = £250.00

Total Offsite Contribution equates to **£4599.37**

34. The applicant has agreed to the payment of these off site planning obligations, and therefore the proposal complies with UDP Policies DD7 and DD8 and the Planning Obligations SPD.

CONCLUSION

35. The proposal makes efficient and effective use of land within the urban area for residential development, in accordance with national planning guidance. The character of the surrounding area, residential amenities of the adjacent neighbours and highway safety will not be adversely affected. The applicant has indicated their acceptance of the principle for the payment of a commuted sum for off-site planning obligations. Therefore the proposal complies with Policy DD1 – Urban Design, DD4 – Development in Residential Areas, DD6 – Access and Transport Infrastructure, H3 – Housing Assessment Criteria, H6 – Housing Density, DD7– Planning Obligations and DD8 Provision of open space, sport and recreation facilities, Supplementary Planning

Documents - Parking Standards and Travel Plans, New Housing Development and Planning Obligations, and Planning Guidance Note 3 – New Housing Development.

RECOMMENDATION

36. It is recommended that the application be approved subject to:
- a) The development not beginning until a scheme for the submission and approval of a planning obligation to guarantee a contribution of £4599.37 towards the provision off site public open space and play area, library and transport improvements has been submitted to and agreed in writing by the Local Planning Authority.
 - b) The Scheme shall include the method, timing and arrangements, including a means to guarantee a financial payment, increased through index linking from the first April each subsequent year, in accordance with the Council's planning obligations policies.
 - c) The following conditions, with delegated powers to the Director of the Urban Environment to make amendments to these as necessary;

Reason for approval

37. The proposal makes efficient and effective use of land within the urban area for residential development, in accordance with national planning guidance. The character of the surrounding area, residential amenities of the adjacent neighbours and highway safety will not be adversely affected. The applicant has indicated their acceptance of the principle for the payment of a commuted sum for off-site planning obligations. Therefore the proposal complies with Policy DD1 – Urban Design, DD4 – Development in Residential Areas, DD6 – Access and Transport Infrastructure, H3 – Housing Assessment Criteria, H6 – Housing Density, DD7– Planning Obligations and DD8 Provision of open space, sport and recreation facilities, Supplementary Planning Documents - Parking Standards and Travel Plans, New Housing Development and Planning Obligations, and Planning Guidance Note 3 – New Housing Development.

The decision to grant planning permission has been taken with regard to the policies and proposals in the adopted Dudley UDP (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.

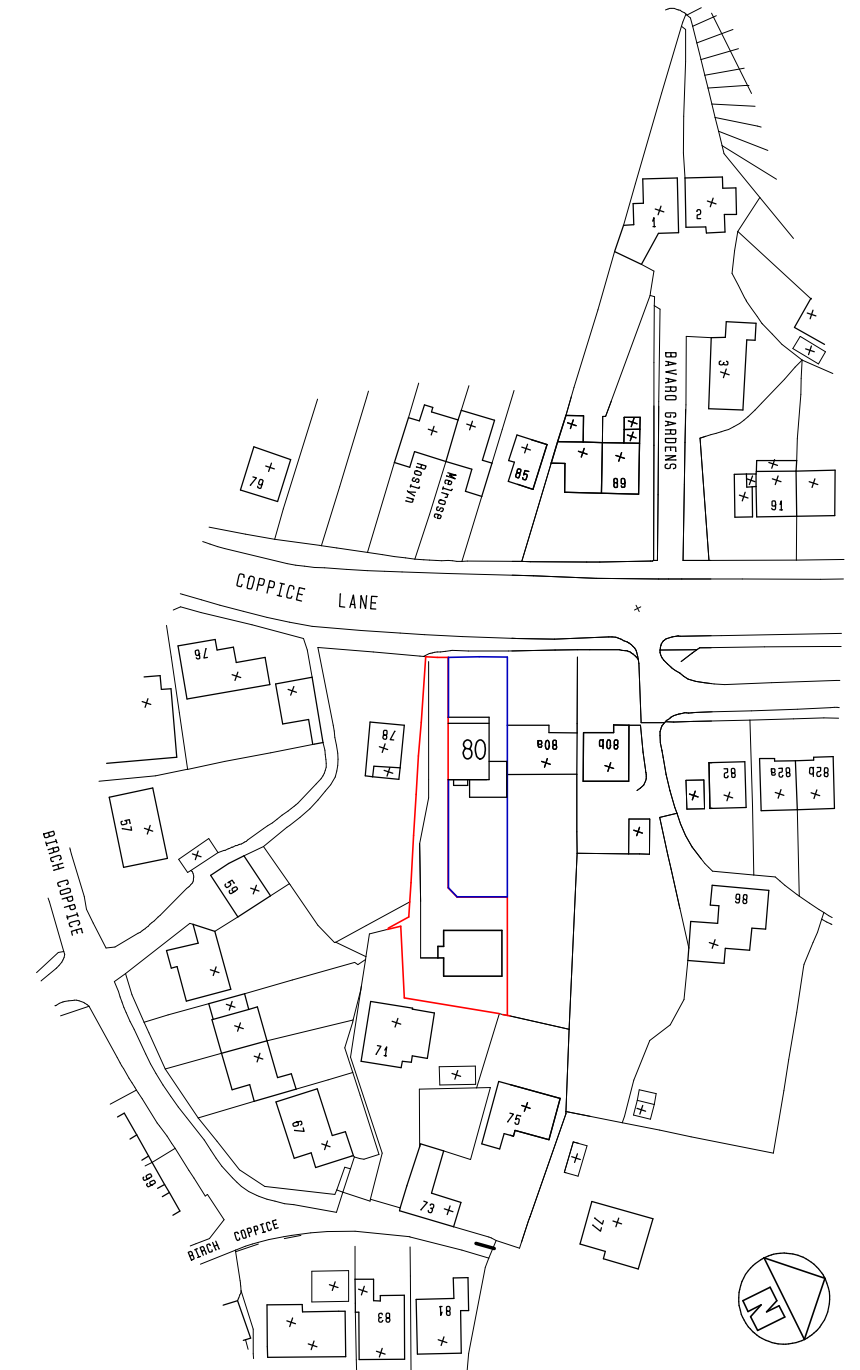
Informative

38. The development hereby permitted shall be built in accordance with the approved plans numbered 08:67:03, unless otherwise agreed in writing by the Local Planning Authority.

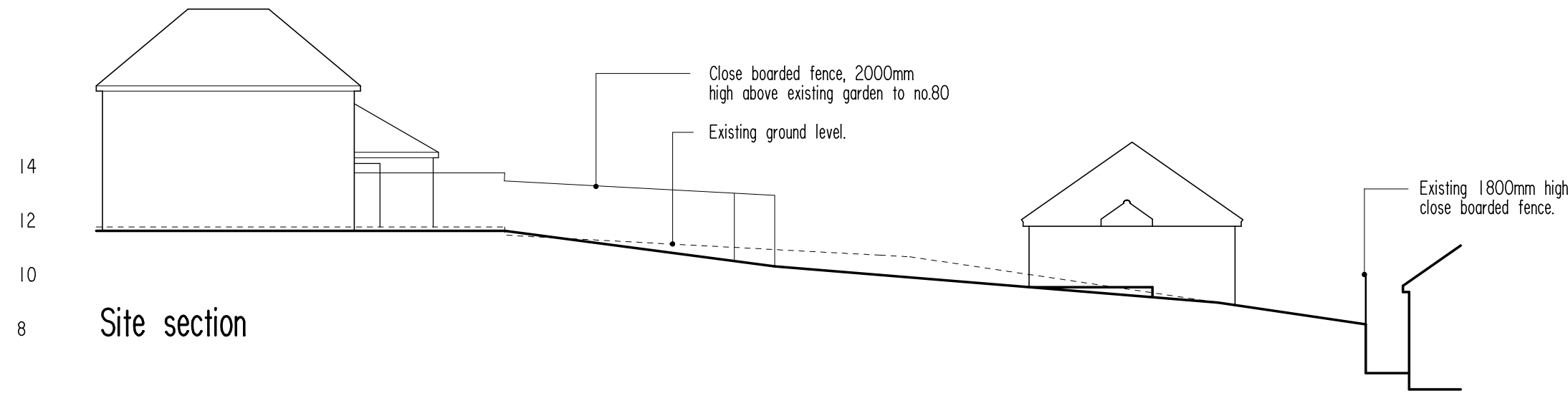
Conditions and/or reasons:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. 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 building 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.
3. Prior to first occupation of the dwelling the means of access and parking areas shall be provided in accordance with the approved details and graded, levelled, surfaced, drained and marked out. These areas will be maintained thereafter for no other purpose for the lifetime of the development.
4. No development shall commence until details of boundary treatment across the application site have been submitted to and approved in writing by the local planning authority. The approved boundary treatment shall be installed before the dwelling is first occupied and thereafter retained for the life of the development.
5. Development shall not begin until details of the existing and proposed levels of the site, which should relate to those of adjoining land and highways, have been

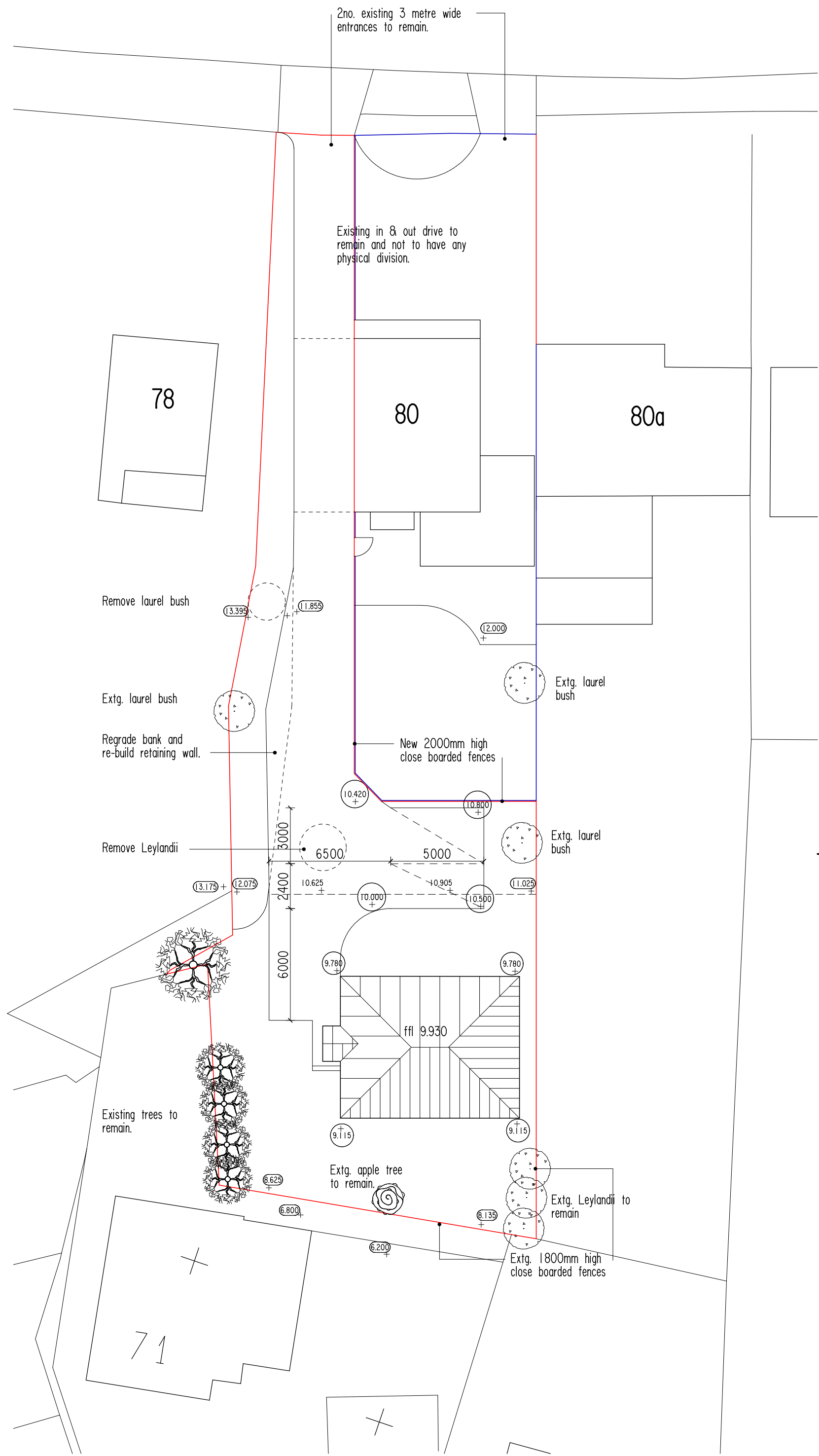
- submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
6. No development shall commence until a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection during the course of the development, have been submitted to and approved in writing by the local planning authority. The landscaping scheme shall be carried out in accordance with the approved details.
 7. Hard landscaping shall be carried out before the dwelling is first occupied. All planting, seeding or turfing comprised in the details of the landscaping approved in accordance with condition 6 shall be carried out in the first planting and seeding season following occupation of the building or completion of the development, which 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 dies, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar species, unless the local planning authority gives written consent to any variation.
 8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order), no development referred to in Part 1 Classes A, B, D and E of Schedule 2 to that order shall be carried out.
 9. Development shall not commence until an arrangement for the submission and approval of a means to guarantee the financial payment to the Council together with the timing of the payment for the provision of:
 - Off site public open space and play area improvements
 - Off site Library improvements
 - Off site Transport improvements
 - The managing and monitoring of the spend of those monieshas been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the method, timing and arrangements to comply with the Council's policies for the provision of the infrastructure required in connection with the proposed development.



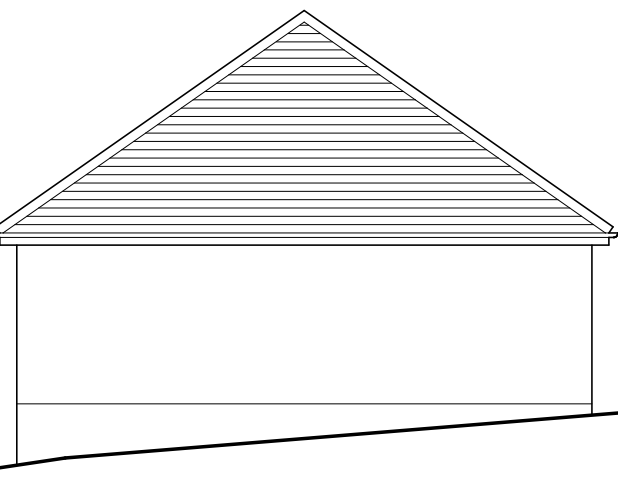
Location plan



Site section



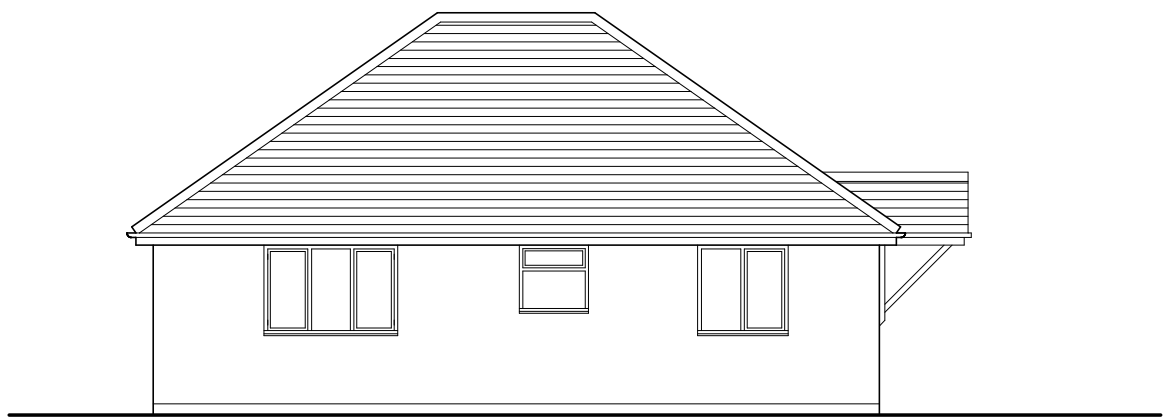
Site plan



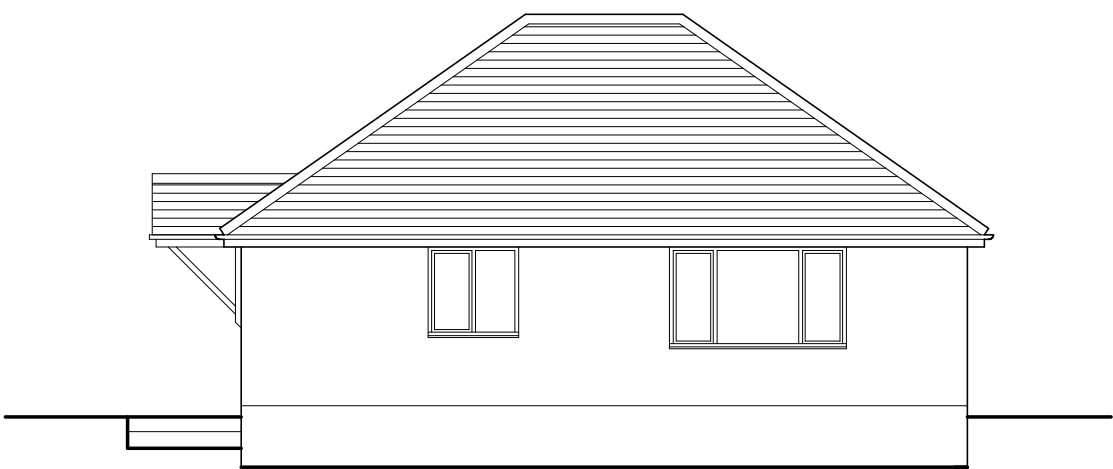
North elevation



South elevation



West elevation

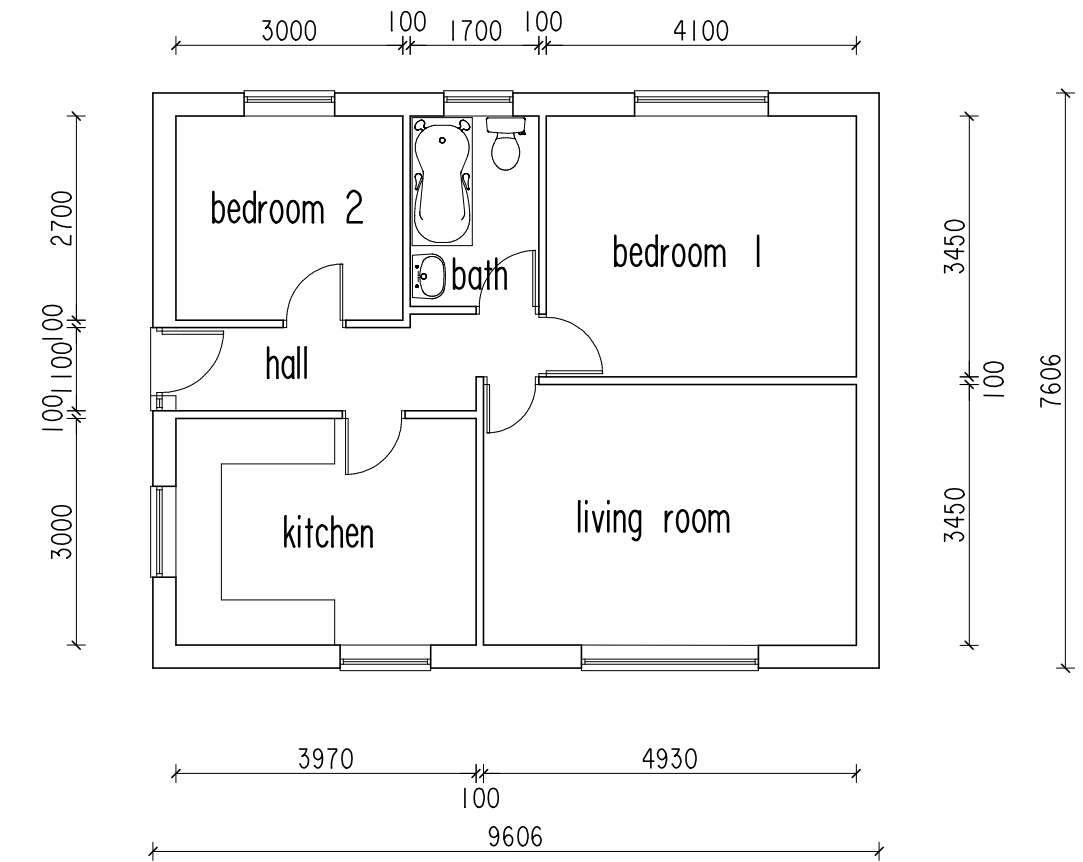


East elevation

LEVELS KEY
⑬.179+ Existing level to remain
⑩.625 Existing level
⑩.000 Proposed level

0 1 2 3 4 5
scale bar 1:100

0 1 2 3 4 5 10
scale bar 1:200



Floor plan

R. PRIEST ESQ
PROPOSED BUNGALOW
rear of 80 COPPICE LANE
QUARRY BANK
SKETCH SCHEME (2)
08:67:03

Scale 1:100 1:200 1:1250
Date December 2008

MFL Design

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