

PLANNING APPLICATION NUMBER:P07/1851

Type of approval sought	Full Planning Permission
Ward	NETHERTON WOODSIDE & ST ANDREWS
Applicant	Mr & Mrs G. Devonport
Location:	LAND ADJACENT TO, 18, BIRCH TERRACE, NETHERTON, DUDLEY, WEST MIDLANDS
Proposal	ERECTION OF A ONE BEDROOM BUNGALOW
Recommendation Summary:	REFUSE

SITE AND SURROUNDINGS

1. The application site comprises a plot of land adjoining the existing bungalow at no. 18 Birch Terrace. The plot of land measures 13.5 metres deep, 10.3m wide at the front and 12m wide at the rear.
2. Birch Terrace is a cul-de-sac predominately residential (there is a Scout hut almost opposite the site) and the gardens of properties in Yew Tree Road adjoin the site at the rear.

PROPOSAL

3. The proposed development is for a 1 no. bed bungalow, 5m long rear garden and 2 no. off street parking spaces. A design and access statement has also been submitted as part of the application.

HISTORY

4.

APPLICATION No.	PROPOSAL	DECISION	DATE
P03/1923	2 no. 3 bed detached dwellings	Refused	04/04/05
P05/1213	1 no. 2 bed detached bungalow	Granted	16/05/06

PUBLIC CONSULTATION

5. One e-mail and one letter of objection have been received raising the following concerns:

- The application site is supposed to be the garden for no. 18 Birch Terrace.
- Previous development not built in accordance with approved plans.
- Access for emergency vehicles.

OTHER CONSULTATION

6. Group Engineer (Development) – no objections subject to a condition relating to the submission of access and parking details.

Environmental Protection – no objection subject to contaminated land (soil gases) condition.

RELEVANT PLANNING POLICY

7. Dudley Unitary Development Plan

- S2 Creating a more sustainable Borough
- S8 Housing
- DD1 Urban Design
- DD4 Development in Residential Areas
- DD6 Access and Transport Infrastructure
- AM14 Parking
- H1 New Housing Development
- H3 Housing Assessment Criteria
- H6 Housing Density

8. Supplementary Planning Document

New Housing Development – A Guide to Establishing Urban Context Parking Standards and Travel Plans

9. Supplementary Planning Guidance

Planning Guidance Note No. 3 – New Housing Development

10. National Planning Guidance

Planning Policy Statement 1 – Delivering Sustainable Development
Planning Policy Statement 3 – Housing
Planning Policy Statement 23 – Planning and Pollution Control

ASSESSMENT

11. The key issues for consideration in this application are as follows:

- Principle
- Density
- Residential Amenity
- Highways and Parking

Principle

12. The application site is a relatively overgrown vacant plot next to a recently built bungalow at no. 18 Birch Terrace. Planning permission was approved for no. 18 Birch Terrace at the Development Control Committee, following the receipt of amended plans that reduced the number of bungalows from two to one. The application site for no. 18 also comprised the site for the current application and the Committee considered a pair of semi detached bungalows would be an over intensification of the site. As such the principle of a further residential dwelling on this plot is not considered acceptable.

Density

13. The proposed 1 no. dwelling unit would result in development of 66 dph. The immediate area is characterised by plots of differing styles and size, ranging from detached to semi-detached to terraced. Due to plot sizes in the locality, i.e. longer back gardens, the density of nearby existing properties have dph's of 36, 39 and 57 dph respectively. In this case and taking into account other restrictions on the site it is considered that 66 dph would overdevelop the site to an extent that justifies refusing planning permission.

Residential Amenity

14. The application P05/1213 was deferred at the meeting on 28th November 2005 in order for the applicants to be invited to amend the scheme to show a single bungalow on site. The amended plans received reduced the number of dwellings from a pair of semi detached bungalows to 1 no. 2 bed detached bungalow with a narrow rear garden (in depth) and enable a side amenity area. It is this side amenity area (though not used as an amenity/garden area) that is subject of this current planning application. It is therefore considered that the permanent loss of the side amenity area for the occupiers of the adjacent bungalow (no. 18) would significantly prejudice the amenities the current or any future occupiers of no. 18 Birch Terrace could reasonably expect to enjoy.

Highways and Parking

15. There were no highway and parking objections received from the Group Engineer subject to a condition that details means of access and that parking facilities be provided prior to first occupation.

CONCLUSION

16. It is considered that the provision of a residential unit on this plot would significantly reduce the garden space available to the occupiers of no. 18 Birch Terrace. The size of the plot would also lead to an overdevelopment of the application site adversely impacting upon residential amenity and the street scene.

RECOMMENDATION

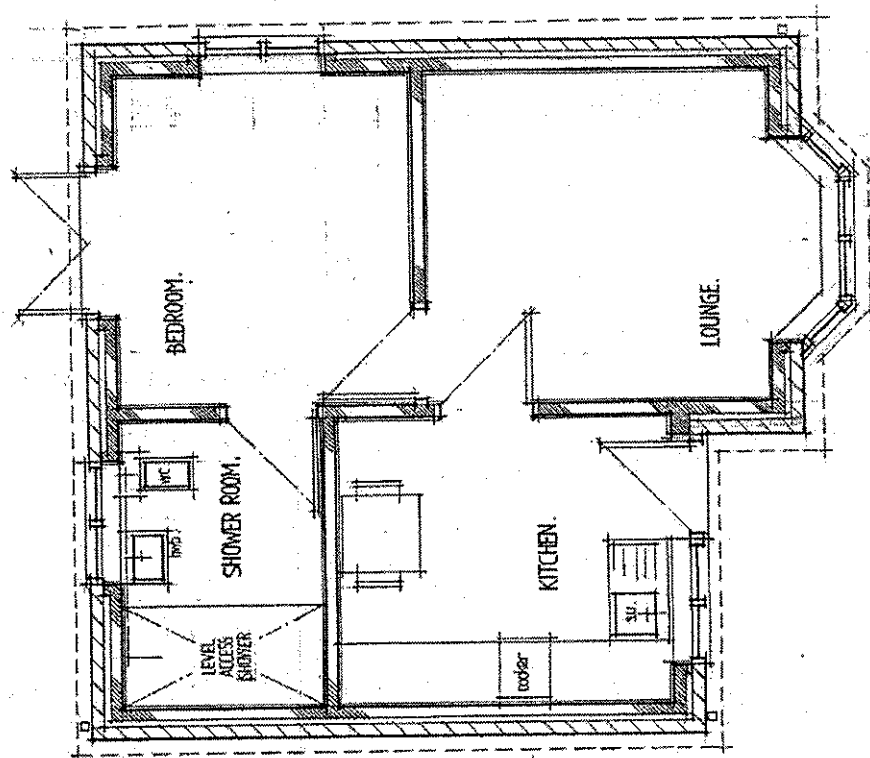
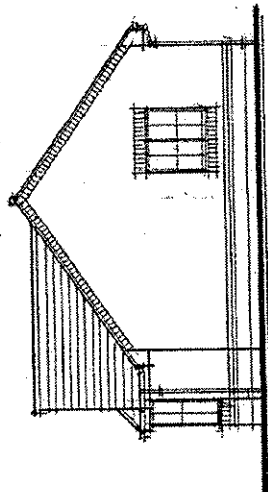
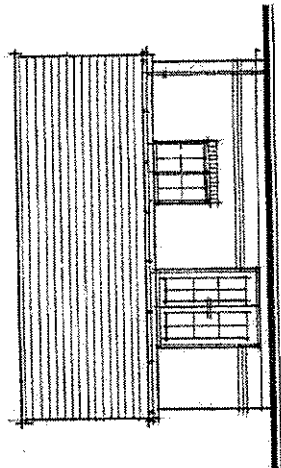
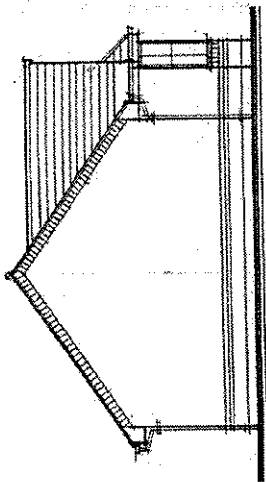
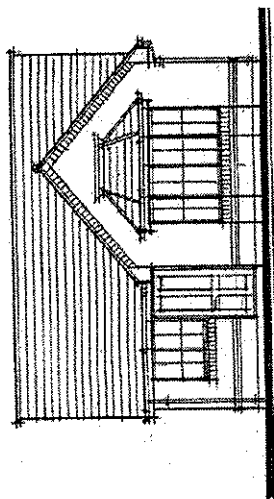
17. It is recommended that the application be refused for the following reasons.

Conditions and/or reasons:

1. The narrow extent of the existing rear garden of no. 18 Birch Terrace ensures that the side garden area (the application site) should play an important role in providing usable amenity space for the occupiers of no. 18 Birch Terrace. As such the permanent loss of the side amenity area for the occupiers of the adjacent bungalow (no. 18 Birch Terrace) would significantly prejudice the amenities that the current and any future occupiers of no. 18 Birch Terrace could reasonably expect to enjoy. The proposed development is therefore contrary to policies DD4 and H3 of the adopted UDP (2005).
2. The provision of a residential dwelling on a plot of this size would lead to an overdevelopment of the application site adversely impacting upon residential amenity and the street scene. The proposed development is therefore contrary to Policies DD4, H3 and H6 of the adopted UDP (2005).



Floor Plans + Elevations
Per 1851



NOTES

Planning &
Design Services

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DATE ☒ SEP 07 ☒ DRAWN BY X

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