

PLANNING APPLICATION NUMBER:P08/1671

| | |
|-------------------------|---|
| Type of approval sought | Full Planning Permission |
| Ward | HAYLEY GREEN & CRADLEY SOUTH |
| Applicant | Mr John Bowen, Epic Homes |
| Location: | 31, ALMA STREET, CRADLEY, HALESOWEN, B63 2JD |
| Proposal | ERECTION OF A PAIR OF SEMI-DETACHED DWELLINGS (RESUBMISSION OF WITHDRAWN APPLICATION P08/1346) |
| Recommendation Summary: | APPROVE SUBJECT TO A 106 AGREEMENT |

SITE AND SURROUNDINGS

1. The application site is the former side/rear garden area of no. 31 Alma Street, Halesowen. The site is a rectangular area of land measuring 10.6m wide x 41.4m deep. No. 31 has recently been refurbished and the adjoining application site has been cleared and levelled. The application site is delineated at the rear by new boundary fencing and a temporary mesh fencing that adjoins Alma Street for Health & Safety/Security reasons. Although the site has been levelled Alma Street slopes down from West to East.

PROPOSAL

2. The proposal is for a pair of 2 no. bed semi detached 2 storey dwellings with parking at the front, rear gardens and landscaped borders also at the front. The application is accompanied by a Design & Access Statement.

HISTORY

3.

| APPLICATION No. | PROPOSAL | DECISION | DATE |
|-----------------|---|-----------|----------|
| 98/50966 | Outline application for 1 no. 3 bed house | Granted | 02/07/98 |
| P07/0575 | Outline application for 1 no. 3 bed house | Granted | 11/05/07 |
| P08/1346 | Erection of a pair of 2 no. bed semi detached dwellings | Withdrawn | 16/10/08 |

4. The application P08/1346 was withdrawn to allow an amended roof design to be submitted (from gable to hipped), to reduce the visual impact upon no. 31 Alma Street.

PUBLIC CONSULTATION

5. No responses have been received as a result of the public consultation procedure.

OTHER CONSULTATION

6. Head of Environmental Health & Trading Standards – no adverse comments
Group Engineer (Development) – The proposed scheme conforms to highway standards for this type of development

RELEVANT PLANNING POLICY

7. Dudley Unitary Development Plan

S2 Creating a more sustainable Borough

S8 Housing
DD1 Urban Design
DD4 Development in Residential Areas
DD7 Planning Obligations
AM14 Parking
H1 New Housing Development
H3 Housing Assessment Criteria
H6 Housing Density
H7 Housing on previously developed land
UR9 Contaminated Land

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

- Design
- Highways & Parking

Principle

12. The principle of residential development at this location has been established with the previous approvals (98/50966 and P07/0575) for 1 no. 3 bed detached house. Given this, it is considered that the proposed development of a pair of semi detached houses is in compliance with Policy H3 of the adopted UDP (2005).

Density

13. The proposed development of 2 no. dwellings would result in development at a density of 48 dwellings per hectare (dph). The properties in the locality are characterised by a wide mix of property types from detached to semi detached to terraced. The variety in house types ensures the density, in the local area, ranges from 26dph to 61dph. As such the density of the development would be in accordance with the varied local context of the area and in compliance with Policy H6 of the adopted UDP (2005).

Residential Amenity

14. The proposed scheme comprises a pair of 2 no. bed semi detached 2 storey dwellings, front parking and rear gardens. Either side of the application site there is a line of 5 no. terraced properties sited back of pavement and a pair of semi detached dormer style dwellings set back 7 metres from the highway respectively. Next to the existing semis there are 2 no. detached properties and there is a long row of terraced houses opposite the application site. The character of the area is considered to be mixed in terms of plot widths, layout and dwelling types and this proposal is considered to be compatible with the character of the area.
15. The proposed 2 no. semi detached houses would be set back 10m from the highway whilst the detached house in the previous approval is set back 12m. The reduction in

set back ensures that at the rear the proposed pair of semis would only project 1m beyond the rear elevation of no.19 Alma Street instead of the 3m projection for the approved house thereby reducing the visual impact of the proposed scheme upon no. 19 Alma Street, when compared with the previous approval. The application site is at a higher level than no.19 Alma Street though the siting of the proposed dwellings would ensure there is no detrimental impact upon no.19.

16. As in the case of the previous approval (P07/0575) the proposed scheme would not comply with the 45° code when measured from the rear facing bedroom of no. 31 Alma Street. However, the proposed dwelling would be set 1m in from the boundary with no. 31 Alma Street and the new hipped roof design reduces the visual height of the proposed dwelling from the side in comparison to the previous gable design scheme. The south facing orientation of no. 31 and the adjoining properties ensures that there would only be a limited reduction in sunlight during early to mid morning at the rear of no. 31 and thereafter the siting of the proposed dwellings would not significantly reduce the sunlight or daylight enjoyed by the habitable rooms of no. 31 Alma Street. Neighbours amenity is not considered to be detrimentally affected and the proposal is in accordance with Policies DD4 and H3 of the adopted UDP (2005).

Design

17. There are a number of residential designs along Alma Street including terraced houses, detached and semi detached from a variety of eras. The proposed development comprising traditional style brick built and tiled dwellings would complement the character of the locality and is in compliance with Policies DD1, DD4 and H3 of the adopted UDP (2005).

Highways & Parking

18. The 2 no. proposed dwellings would have 2 no. off street parking spaces each and an off street parking space for the adjacent property known as no. 31 Alma Street. There are no highway objections to the proposed scheme.

Planning Obligations

19. 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:

- Libraries - £359.06
- Open Space, Sport & Recreation - £3120.60
- Transport Infrastructure Improvements - £4908.46
- Public Realm - £990.60
- Management & Monitoring Charge - £500.00

Total Offsite Contributions equates to £9878.72

CONCLUSION

20. The siting and the external appearance of the proposed dwellings are considered to be acceptable. The proposed scheme has made full and efficient use of the land and the scheme conforms to the local context of the area. Neighbours amenity and street scene are not considered to be detrimentally affected, and the scheme is in compliance with adopted Unitary Development Plan Policy.

RECOMMENDATION

21. It is recommended that the application be approved subject to:

- a) The development shall not be commenced until a scheme for the submission and approval of a planning obligation to guarantee the sum of £9878.72 for the provision, maintenance and enhancement of off-site public open space and play provision, library, public realm 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

The siting and the external appearance of the proposed dwellings are considered to be acceptable. The proposed scheme has made full and efficient use of the land and the scheme conforms to the local context of the area. Neighbours amenity and street scene are not considered to be detrimentally affected and the scheme is in compliance with adopted Unitary Development Plan Policy.

The decision to grant planning permission has been taken with regard to the policies and the proposals in the adopted Dudley Unitary Development Plan (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 details on the decision please see the application report.

INFORMATIVE

The development hereby permitted shall be built in accordance with drawing nos. 0858/001 Rev A and 0858/001, unless otherwise agreed in writing by the Local Planning Authority.

NOTE TO APPLICANT

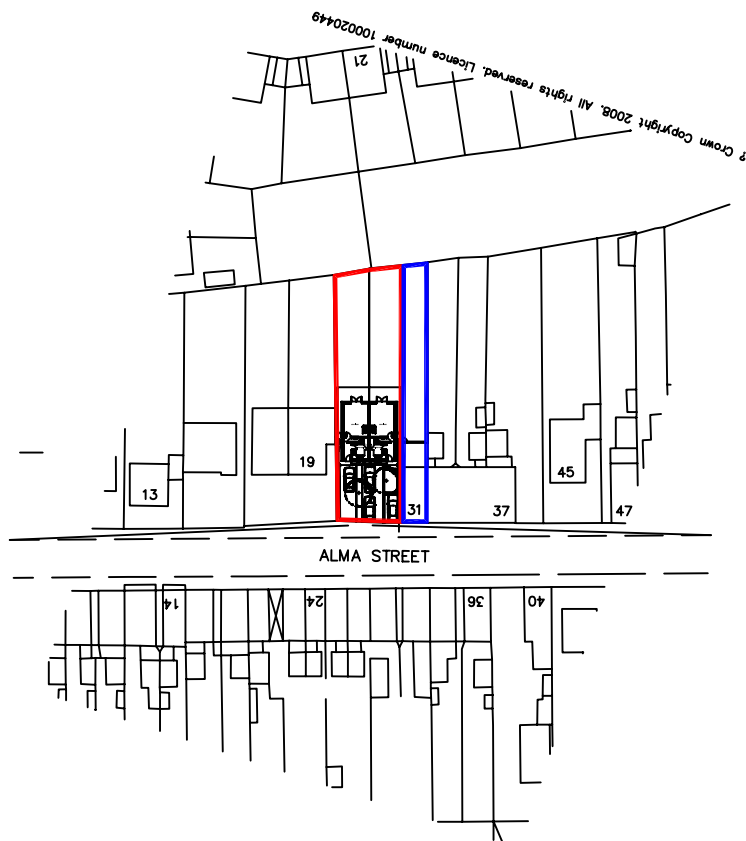
The granting of planning permission does not confirm the structural integrity of the proposed development. Local Planning Authorities do not have a duty of care to individual landowners when granting applications for planning permission and are not liable for loss caused to an adjoining landowner for permitting development. Sections 77 and 78 of the Building Act 1984, provides Local Authorities with powers to take action with respect to dangerous buildings/structures. Therefore, should the development raise concerns in the future with respect to its structural stability there are powers under separate legislation to planning that would enable the situation to be rectified.

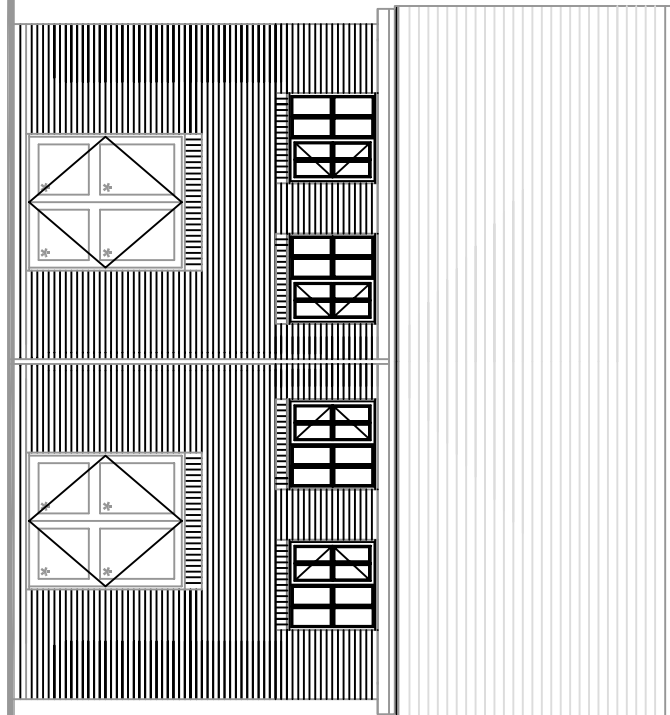
Conditions and/or reasons:

1. The development shall not be begun until a scheme for the provision of:
 - Off site public open space and play area improvements
 - Off site library improvements
 - Off site Public Realm improvements
 - Off site Transport improvementsHas 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.
2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
3. Prior to first occupation of the dwelling the means of access and parking areas will be provided in accordance with the approved details, drained, levelled, surfaced

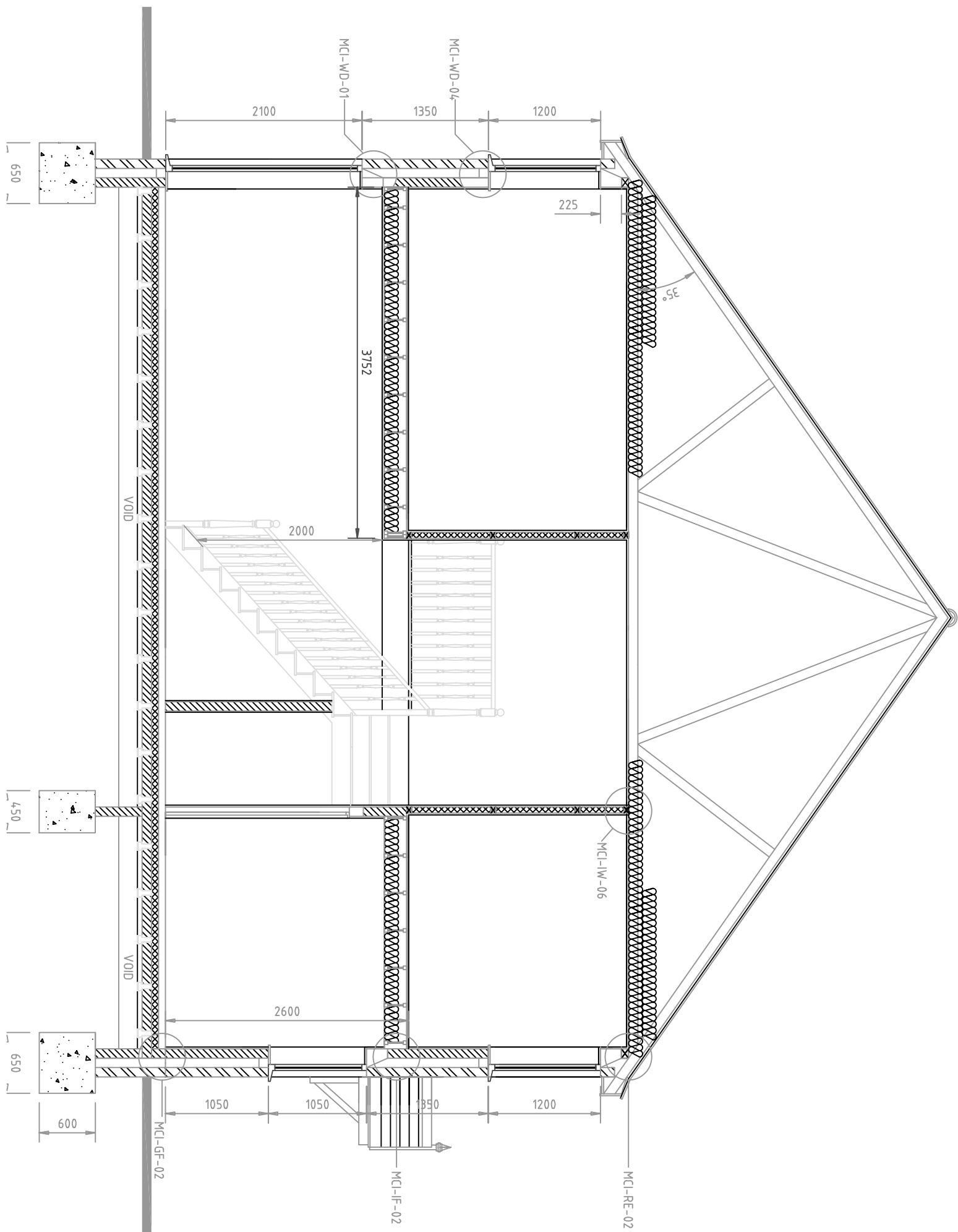
and marked out and will be retained for no other purposes and maintained for the life of the development.

4. 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.
5. Prior to the commencement of development, details of the landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented in accordance with the approved details before the end of the first planting season following initial occupation of the development.
6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order), at no time during the life of the development shall the areas approved for landscaping be used for any other purpose unless otherwise agreed in writing by the local planning authority.

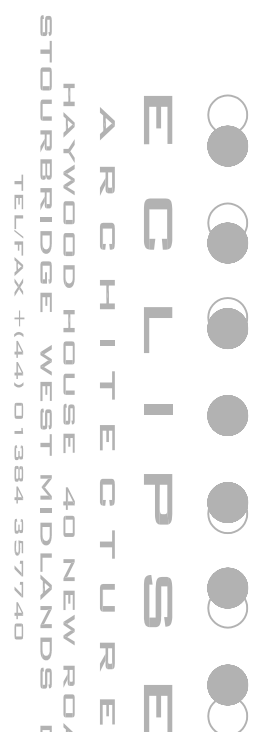




REAR ELEVATION



SECTION



Title: **Proposed 2 Bed Homes
Plans, Elevations & Section**

HAYWOOD HOUSE 40 NEW ROAD
STOURBRIDGE WEST MIDLANDS DY8 1PA
TEL/FAX +(44) 01384 357740

Plans, Elevations & Sections

0858/001 A1

