

## PLANNING APPLICATION NUMBER:P08/1661

Type of approval sought	Full Planning Permission
Ward	HALESOWEN NORTH
Applicant	Pennwhite Properties Ltd
Location:	<b>LAND TO THE REAR OF 53-59, HURST GREEN ROAD, HALESOWEN, WEST MIDLANDS</b>
Proposal	<b>ERECTION OF 1 NO. DETACHED BUNGALOW AND DOUBLE GARAGE TO SERVE PLOTS 3 &amp; 4</b>
Recommendation Summary:	<b>APPROVE SUBJECT TO A 106 AGREEMENT</b>

### SITE AND SURROUNDINGS

1. The application site comprises of the rear gardens of 53 and 55 Hurst Green Road, which are a pair of traditional semi-detached dwellings located in an established frontage of semi-detached residential dwellings. Both these are gardens are approximately 55m long together are between 8m to 10m wide.
2. The site is adjacent to a large vacant parcel of undeveloped land to the rear of the properties 57-67 (odds), which has been in quasi-garden use for several decades and is the site of several dilapidated single storey structures. This land has recently been granted planning permission on appeal for the erection of 3 detached bungalows. As part of that application it was proposed to demolish 61 Hurst Green Road to provide a new access point, which has now been carried out.
3. The properties immediately within this frontage generally consist of long narrow gardens. Within the road frontage, low-level boundary fencing or walls enclose most of the properties. Further west of the site there are short cul-de-sacs of modern bungalow development.
4. Properties to the opposite side of the road area two storey in scale, located in a slightly more fragmented layout compared to the application site, these dwellings are both semi-detached and small terraces.

5. The wider site is enclosed on all sides by private rear gardens of dwellings located in Hurst Green Road, Summerfields Avenue and Clyde Avenue. Boundary treatments vary between these dwellings, some along Summerfields Avenue having 2m close boarded fencing, whilst along the boundary with Clyde Avenue there is a low-level timber post fence.

## PROPOSAL

6. This application seeks to erect a fourth bungalow adjacent to the already approved development for three bungalows, accessed via the new private drive from Hurst Green Road.
7. The bungalow is identical to those previously approved, shown to measure 8.3m wide by 9.4m deep and 5m high.
8. Plots 2 and 3 formerly shared a detached garage, this application provides driveway parking for plot 2, and instead the detached garage would be relocated behind the rear gardens of 53 and 55 Hurst Green Road to allow plots 3 and 4 to share the detached garage.
9. A private garden area between 11-12m long would be provided.
10. Bin stores are located adjacent the side elevation of 63 Hurst Green Road.

## PLANNING HISTORY

Appl no.	Proposal	Decision	Decision Date		
P07/0348	DEMOLITION OF NO 61 AND ALTERATIONS TO NO 63 TO CONVERT TO DETACHED PROPERTY. ERECTION OF 3 NO DETACHED BUNGALOWS WITH NEW ACCESS TO HIGHWAY	Refused	11/04/07	<b>Appeal Ref:</b> APP/C4615/A/07/2043618	
				<b>Appeal decision</b>	Allowed
				<b>Appeal dec date</b>	27/09/07

11. The above application allowed on appeal, but was initially refused by the Council on the following grounds;
- *The undeveloped land as it appears is a particularly important feature to the visual amenity of this established suburban location, the three dwellings in the position intended would be an unacceptable intrusion within this area, as they would have an adverse impact upon the established character and appearance of the surrounding area. It would therefore be contrary to Policies DD1 – Urban Design, DD4 - Development in Residential Areas, Policy H3 – Housing Assessment Criteria and H6 – Housing Density.*
  - *This proposed development would adversely affect the amenities of the occupiers of the dwellings in the area, because of noise disturbance created by the development from additional vehicular traffic movement. It would therefore be contrary to Policies DD4 - Development in Residential Areas and H3 – Housing Assessment Criteria.*

## PUBLIC CONSULTATION

12. Direct neighbour consultation was carried out to all adjoining and adjacent neighbours, as a result of no objections been received.

## OTHER CONSULTATION

13. The Head of Environmental Health and Trading Standards raises no objection to the scheme subject to relevant conditions.
14. The Group Engineer, Development raises no objection to this scheme.

## RELEVANT PLANNING POLICY

15. Adopted UDP (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

16. Supplementary Planning Document  
Parking Standards and Travel Plans  
Planning Obligations  
New Housing Development
17. Supplementary Planning Guidance  
PGN3 – New Housing Development

## ASSESSMENT

18. The key issues in determination of this application are the impact upon
  - the character and appearance of the surrounding area
  - residential amenity of the neighbouring properties
  - upon highway safety, and
  - whether provision is made for a Planning Obligation

### **Character & Appearance**

19. 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).
20. 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.

21. Adding another bungalow in this location would make use of previously development land (existing rear gardens) and provides an acceptable density of 26dph, when taken in conjunction with the recent approval.
22. The New Housing Development SPD acknowledges that many of the potential development opportunities coming forward in Dudley are backland sites. Given the extant permission for 3 bungalows, this dwelling 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.
23. 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.

#### Residential amenity

24. The additional plot would result in minimal further vehicular movement to the rear gardens of properties located in Summerfields Avenue, Clyde Avenue and other properties in Hurst Green Road. However as noted by the Planning Inspector in the appeal decision, these properties are not completely insulated from the intermittent sounds of passing traffic on Hurst Green Road. Therefore it is still considered that the limited level activity generated by four dwellings would not result in an unacceptable degree of noise and disturbance to neighbours.
25. It is noted that the developer has already erected a 1.8m wall on the boundary of properties (59 and 62 Hurst Green Road) adjacent the access drive, which would curtail potential noise disturbance to these dwellings.
26. The property has been designed to accommodate the facing window separation standards and minimum garden depth outlined in PGN3. As this is a bungalow, it would not tower over existing fencing and cause problems for adjacent residents in terms of loss of privacy, outlook and sunlight.
27. Approximately 20m long gardens are retained for both 53 and 55 Hurst Green Road. With the proposed garage located at the end of these, it is not anticipated that any adverse impact upon these existing residents would arise.
28. 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

29. The provision of 2 off street parking spaces per dwelling is considered acceptable for these bungalows in line with parking standards. The garages are shown to have appropriate internal dimensions (6m by 3m).
30. The Group Engineer, Development has previously supported the private access drive, as the 4.2m road width with turning head would be appropriate for vehicles to circulate and pass by each other, removing the need for vehicles to reverse onto Hurst Green Road.
31. No adverse impact upon highway safety is anticipated and therefore Policy DD6 of the Adopted UDP is complied with.

### Planning Obligations

32. 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
- Public Realm = £495.30
- Transport Improvements = £1227
- Management and Monitoring Charge - £250

Total Offsite Contribution equates to £3867.64

33. 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

34. Consistent with national planning guidance, the proposal makes efficient and effective use of land within the urban area for residential development. 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

35. 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 the provision of

- Off Site Public Open Space/Play Improvements = £1715.61
- Libraries = £179.53
- Public Realm = £495.30
- Transport Improvements = £1227
- Management and Monitoring Charge - £250

Total Offsite Contribution equates to £3867.64

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 GRANT OF PLANNING PERMISSION**

Consistent with national planning guidance, the proposal makes efficient and effective use of land within the urban area for residential development. 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.

### **INFORMATIVE**

For the avoidance of doubt, this permission relates to drawings numbered OS 1250 REV A, HG1008/1(4), HG1008/4, HG1008/5 and HG207/3A and shall be implemented in strict accordance with these plans unless otherwise agreed in writing with the LPA.

Conditions and/or reasons:

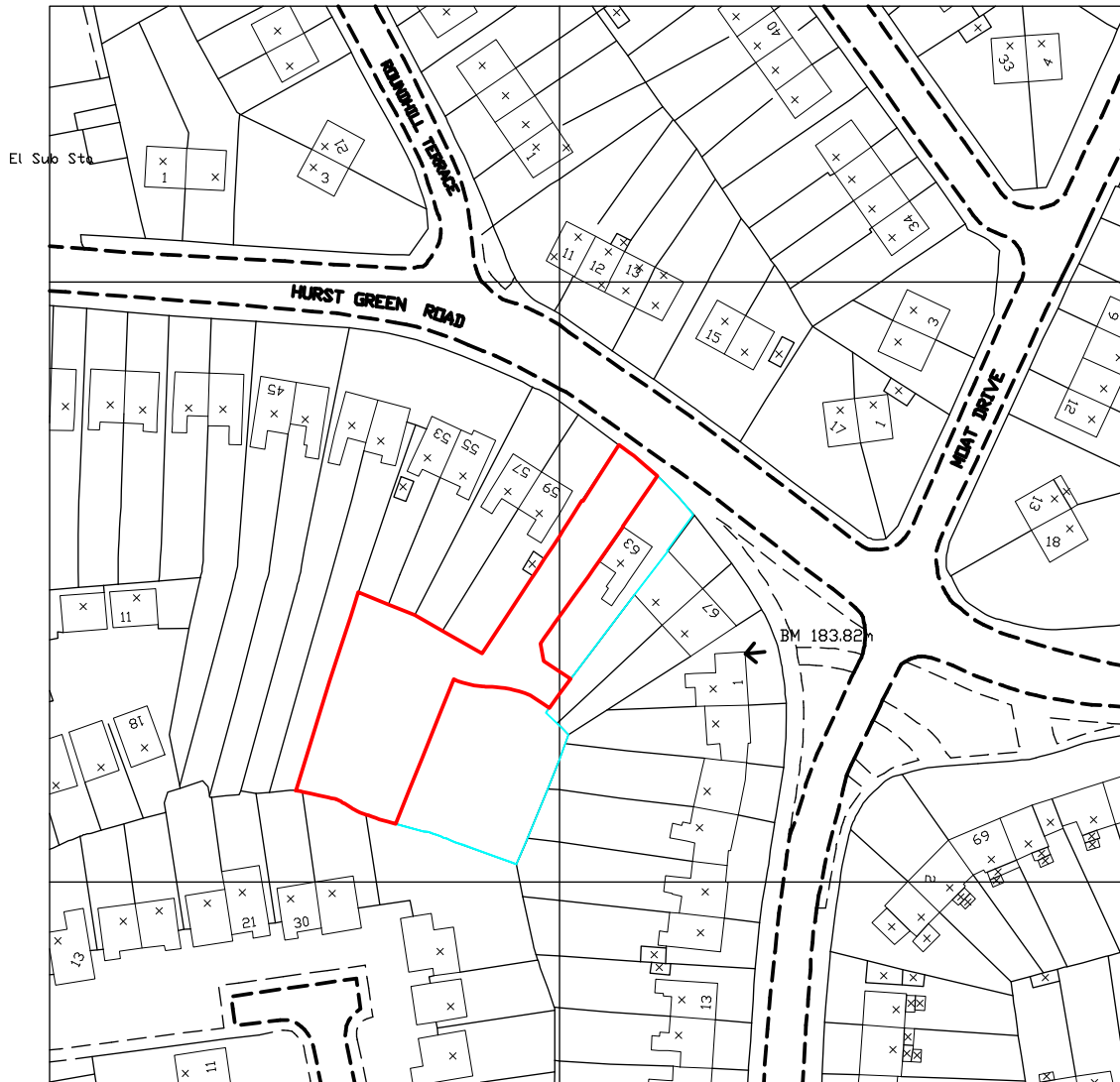
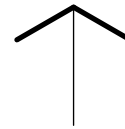
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. Prior to the commencement of development, details of the types, colours and textures of the materials to be used on the external surfaces of the buildings hereby approved shall 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.
3. Development shall not begin until a comprehensive written site investigation strategy (in a form to be agreed by the local planning authority), has been submitted to and approved by the local planning authority. Such a strategy shall facilitate the identification of methane & carbon dioxide. Where the investigations identify the presence of methane and/or carbon dioxide the development shall not begin until a



scheme to protect the development from the effects of such gases has been submitted to and approved by the local planning authority. Such a scheme shall: include provisions for validation monitoring & sampling; be implemented in accordance with the approved details before the development is first occupied; and be retained throughout the lifetime of the development.

4. Before any development is first occupied the parking areas and accesses thereto shall be paved with a suitable hard, impervious material and drained. These areas shall thereafter be retained and used for no other purpose.
5. 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 any of the dwellings are first occupied and thereafter retained.
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 any of the dwellings are 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 buildings 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. 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.
9. 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.
10. 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 Infrastructure 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.

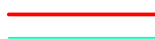
north



KEY :

Site boundary edged red

Other land owned by applicant edged blue



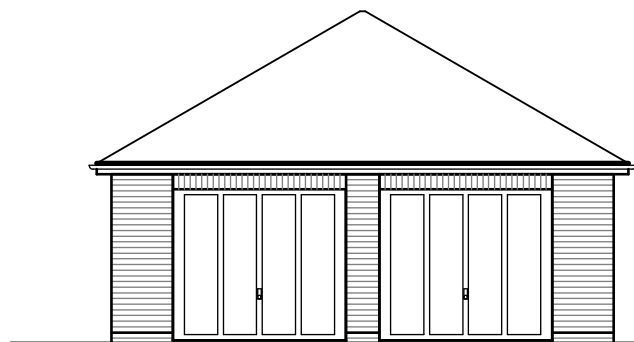
**61 - 63 Hurst Green Road, Halesowen B62 9PT**

**OS site location plan**

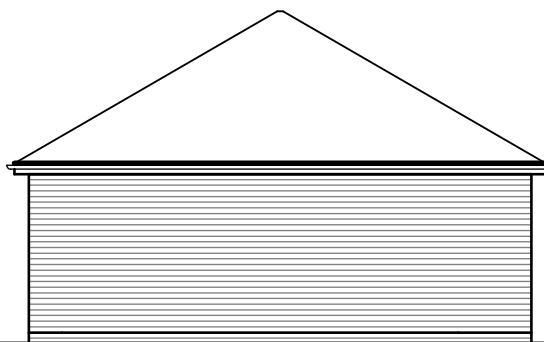
**bpd**ESIGN 1 Camel Cottages Holy Cross Green Clent Stourbridge DY9 0HG  
tel 01562 730161 or 07977 913388 email bpdesign@tiscali.co.uk

drg no OS1250 REV A  
scale 1 : 1250 @ A4

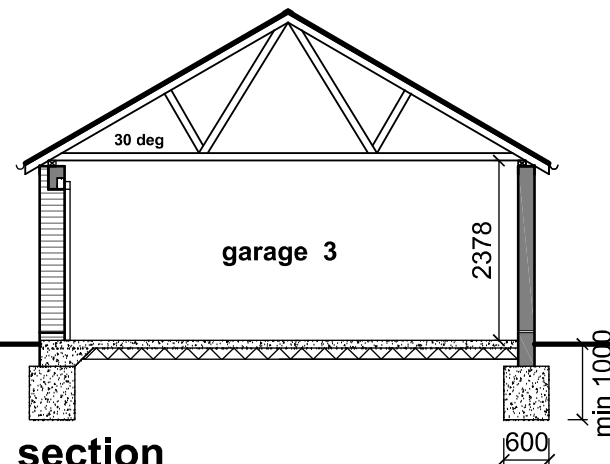
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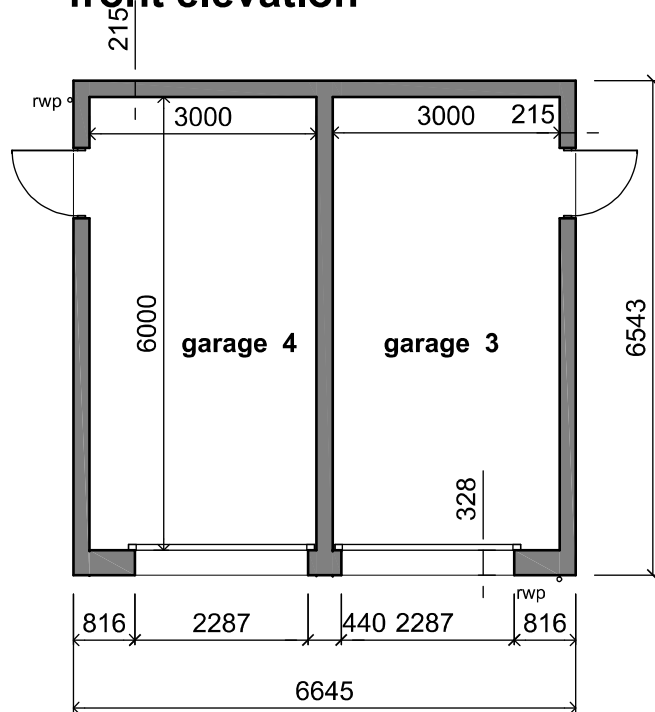
**front elevation**



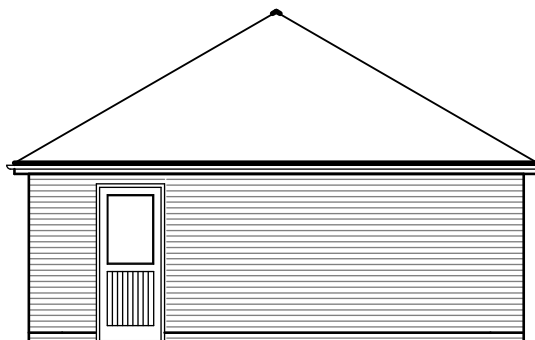
**rear elevation**



**section**



**floor plan**



**side elevation**



**side elevation**

EXTERNAL MATERIALS :

Roof tiles + facing bricks to  
match new bungalows

**61 - 63 Hurst Green Road, Halesowen B62 9PT**

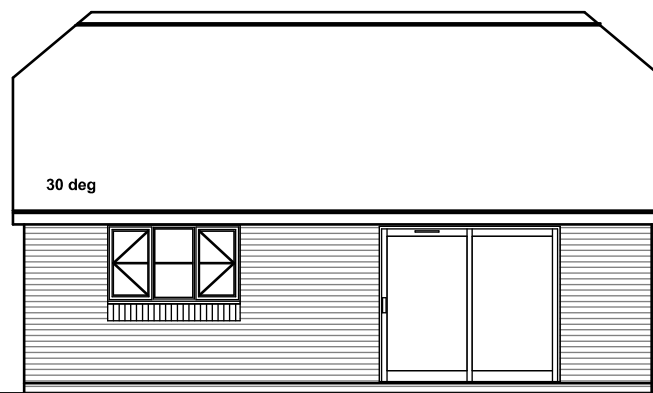
**detached garage for plots 3 + 4**

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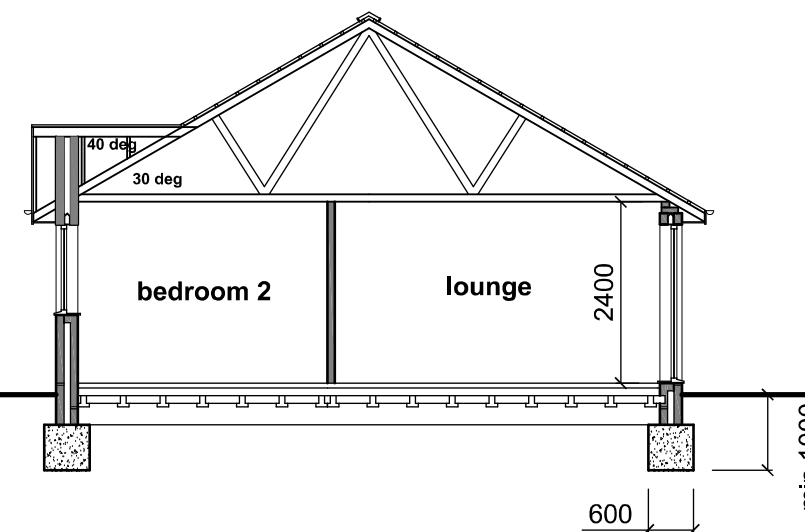
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scale 1 : 100 @ A4



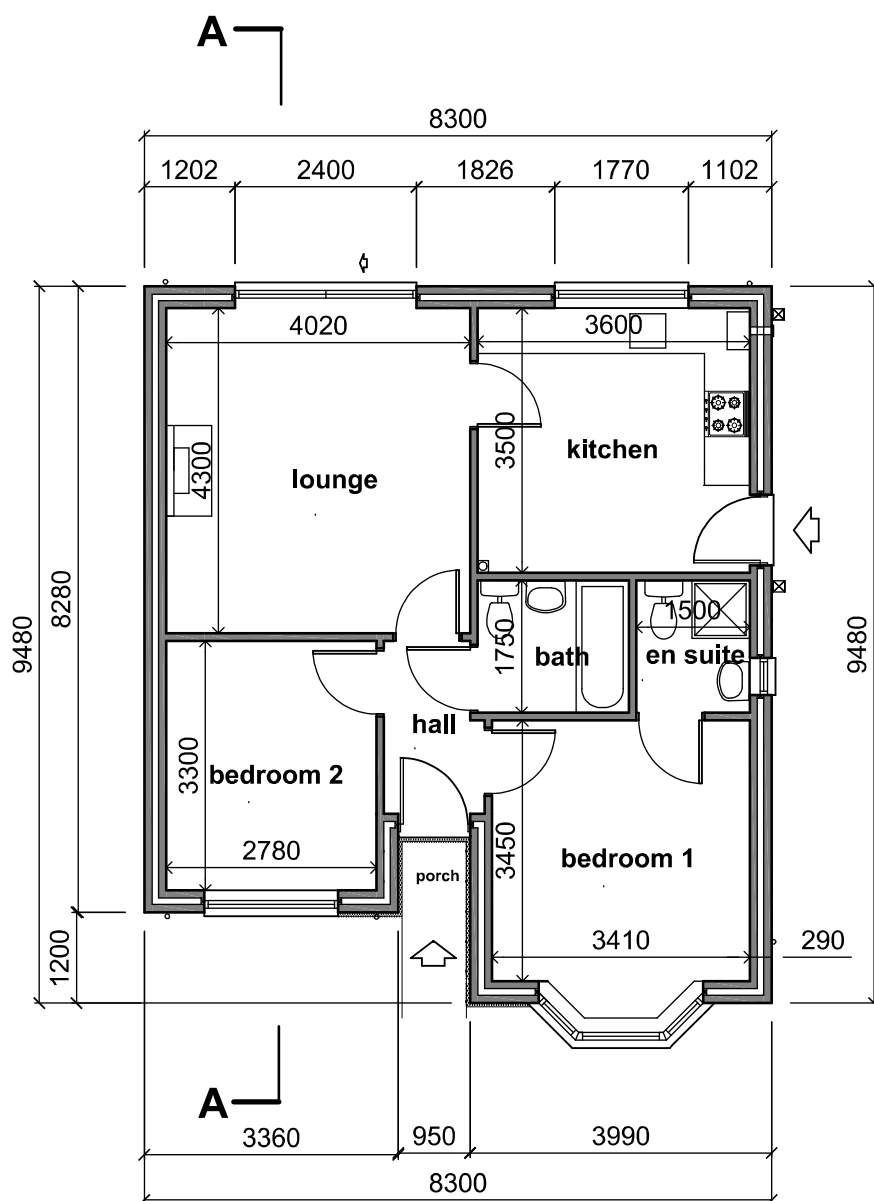
front elevation



rear elevation

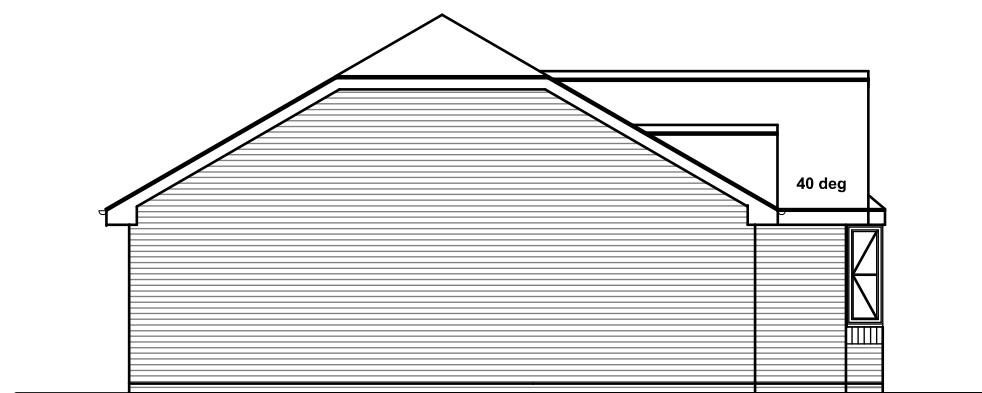


section AA



DISABLED ACCESS : Max 1 : 20 paved access from parking to level threshold mobility 2' 9" front door frame

ground floor plan



side elevations

EXTERNAL MATERIALS :

Smooth brown Marley pantiles

Sheet lead to bay roof

Baggeridge Blended Orange Gilt facing bricks to all elevations with smooth red facing brick soldiers to heads and cills

White PVCu double glazed windows + patio door

**bpd**ESIGN

1 Camel Cottages

Holy Cross Green

Clent

Stourbridge DY9 0HG

tel 01562 730161 or 07977 913388

email bpdesign@tiscali.co.uk

**bungalow type HG2**  
**plots 2, 3 + 4**  
**for Pennwhite Properties Ltd**

drg no HG207/3A Copyright bpd  
scale 1 : 100 @ A3/A4



PLOT 1

PLOT 2

PLOT 3

PLOT 4

**61 - 63 Hurst Green Road, Halesowen B62 9PT**

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**150**

**street scene**  
**Plots 1 to 4**

drg no HG1008/5  
scale 1 : 200 @ A4  
1 : 100 @ A3



A  
revisions 07.11.08 Red + blue boundaries amended  
as req'd by LPA

ACCOMMODATION + PARKING :  
Plot 1 : 2-bed det bungalow type HG1,  
attached garage + 2 parking spaces  
Plot 2 ; 2-bed bungalow type HG2  
+ 2 parking spaces  
Plots 3 + 4 : 2-bed det bungalow type HG2,  
detached garage + 1 parking space

DISABLED ACCESS :  
Max 1 in 20 paved access from parking to  
level threshold mobility 2' 9" door frame

KEY :  
existing ground levels  
finished ground levels  
finished ground floor levels  
parking space  
existing vehicular access  
improved vehicular access  
new 1.8m high screen wall  
new 1.8m high screen fence  
existing trees to be retained  
trees to be felled - none  
tree planting  
shrub planting

+ 183.57  
+ 183.57  
FFL 184.50  
P2  
Wall  
Fence  
T1  
B1 \*

**bpd**ESIGN  
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Stourbridge, West Midlands DY9 0HG  
tel 01562 730161 or 07977 913388

**proposed bungalows**  
**61- 63 Hurst Green Road**  
**Halesowen B62 9PT**  
**for Pennwhite Properties Ltd**  
**1 : 500 site layout**

drg no HG1008/1(4) REV A  
scale 1 : 500 @ A3/A4