

PLANNING APPLICATION NUMBER:P08/1823

Type of approval sought	Full Planning Permission
Ward	BROCKMOOR AND PENSNETT
Applicant	Mr Mark Tenant
Location:	33, HIGH OAK, PENSNETT, BRIERLEY HILL, WEST MIDLANDS, DY5 4LA
Proposal	CONVERT EXISTING 3 BEDROOM DWELLING INTO 2 NO. SELF CONTAINED FLATS (RESUBMISSION OF PREVIOUSLY REFUSED APPLICATION P08/1166)
Recommendation Summary:	APPROVE SUBJECT TO A 106 AGREEMENT

SITE AND SURROUNDINGS

1. The application site is a two storey, 3 no. bedroom mid-terrace dwelling at no. 33 High Oak close to the junction with Victoria Street. Victoria Street is a cul-de-sac.
2. No. 33 High Oak is located 150m away from Pensnett High Street and the services available at this local centre.

PROPOSAL

3. The proposed development would convert an existing 3 no. bed house into 2 no. 2 bed flats, providing 1 no. flat at ground floor and first floor respectively. A single storey building to the rear comprising a bathroom would be removed.
4. The application is accompanied by a Design & Access Statement.

HISTORY

5.

APPLICATION No.	PROPOSAL	DECISION	DATE
P08/1166	Convert existing 3 bed dwelling into 2 no. flats with associated parking and access	Refused	10/09/08

6. The application P08/1166 was refused on the grounds of loss of rear garden lengths to no's 33, 35 37 High Oak, prejudicial to existing residential amenity and lack of a contribution towards planning obligations.

PUBLIC CONSULTATION

7. No objections have been received following neighbour notification.

OTHER CONSULTATION

8. Group Engineer (Development) – no objections received
Head of Environmental Health & Trading Standards – no objections subject to a condition relating to a scheme for protecting the proposed dwellings from noise from traffic using High Oak.

RELEVANT PLANNING POLICY

9. Dudley Unitary Development Plan

- S2 Creating a more sustainable Borough
- S8 Housing
- DD1 Urban Design
- DD6 Access and Transport Infrastructure
- DD7 Planning Obligations
- AM14 Parking
- H1 New Housing Development
- H3 Housing Assessment Criteria
- H6 Housing Density
- LR1 Open Space

10. Supplementary Planning Document

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

11. Supplementary Planning Guidance

Planning Guidance Note No. 3 – New Housing Development
Planning Guidance Note No. 24 – Residential Flat Conversions

12. National Planning Guidance

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

ASSESSMENT

13. The key issues for consideration in this application area as follows:

- Principle
- Density
- Residential Amenity
- Highways & Parking
- Planning Obligations

Principle

14. The application site is a mid terrace residential property, in a row of residential dwellings. Given this it is considered that the continued use of the property for residential purpose is appropriate and could be supported in accordance with Policies DD4 and H3.

Density

15. The area surrounding the application site is characterised by a mixture of terraced, semi detached and detached properties in High Oak, Commonside and Victoria Street. Due to the variety of the house types and garden lengths in the local area, density ranges from 22 dwellings per hectare (dph) to 106dph. The figure of 106dph relates to neighbouring terraced housing. The proposed scheme of 2 no. flats would result in a density of 132dph. This figure is of course high because the building is terraced in nature and a relatively small area. However, the 2 no. flats are reasonably sized, each with individual bedrooms, bathroom, lounge and kitchen such that the conversion into 2 no. flats is not considered to be excessive in this respect and in compliance with UDP Policy H6

Residential Amenity

16. The previous scheme (P08/1166) included 4 no. parking spaces in the existing rear gardens of nos. 33, 35 and 37 High Oak with access of Victoria Street. The proposed parking area would have immediately adjoined the rear gardens of nos. 33, 35 and 37 High Oak and by reason of noise and disturbance would have prejudiced the amenities the occupiers of these properties could reasonably expect to continue to enjoy.
17. The introduction of the parking area in the previous scheme would have resulted in a reduction in length of the rear gardens of nos. 33, 35 and 37 High Oak by 5.4m leaving rear garden lengths of 6m for the 3 no. respective properties. The rear garden lengths would therefore have been significantly below Council minimum standards and would have added to the over intensification of the site.
18. The proposed scheme removes the rear parking that had been proposed in the rear gardens of nos. 33, 35 and 37 High Oak. The rear gardens of these properties would therefore remain and the rear amenity of these 3 no. properties would not be adversely affected by this scheme.
19. The property would remain in residential use and it is considered that the removal of the rear parking area would reduce the impact of the proposed scheme. It is considered that the conversion of the property would not adversely impact upon residential amenity.

Highways & Parking

20. There are no highways objections received in respect of parking issues. The site is 150m from Pensnett Centre for local facilities and the property is located on High Oak where the 222 bus service runs to Brierley Hill and Dudley Town Centre and the Dudley/Kingswinford bus is available in High Street, Pensnett. There is also on street parking available in Victoria Street. It is therefore considered that the lack of

off street parking facilities is not a sufficient reason to warrant the refusal of planning permission given the existing no. of bedrooms at the property and the site's location close to Pensnett Local Centre and a number of frequent bus routes.

Planning Obligations

21. 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

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

- Libraries - £1715.61
- Open Space, Sport & Recreation - £179.53
- Public Realm - £495.30
- Management and Monitoring Charge - £250.00

Total Offsite Contribution equates to £2640.44

CONCLUSION

23. It is considered that the proposed conversion of 1 no. 3 bed mid terrace property into 2 no. 2 bed flats would not adversely impact upon residential amenity and accords with UDP Policies DD4, DD6, H3 and H6.

RECOMMENDATION

24. 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 £2640.44 for the provision, maintenance and enhancement of off site public open space and play provision, library and public realm 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

It is considered that the proposed conversion of 1 no. 3 bed mid terrace property into 2 no. 2 bed flats would not adversely impact upon residential amenity and accords with UDP Policies DD4, DD6, H3 and H6.

The decision to grant planning permission has been taken with regard to the policies and 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.

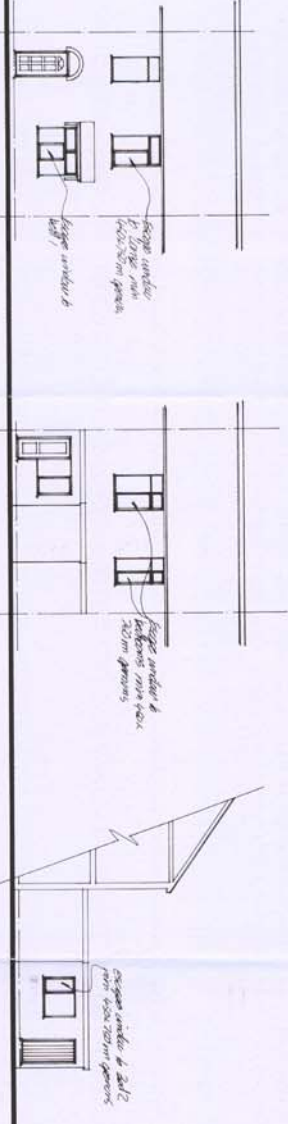
INFORMATIVE

The development hereby permitted shall be built in accordance with drawing no. FT/08/100A, unless otherwise agreed in writing by the Local Planning Authority.

Conditions and/or reasons:

1. The landscaped areas shall be retained in the form shown on the approved plan throughout the life of the development and shall not be used for any other purpose, unless otherwise agreed in writing by the local planning authority.
2. Development shall not begin until a scheme for protecting the proposed dwellings from noise from traffic using High Oak has been submitted to and approved in writing by the local planning authority and all works which form part of the scheme shall be completed before the permitted dwellings are occupied, unless otherwise agreed in writing by the Local Planning Authority.
3. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.





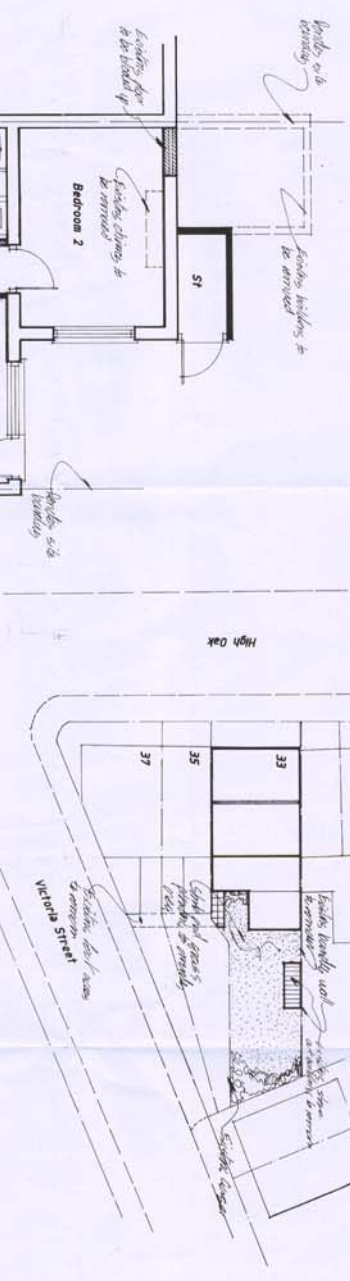
Front elevation

Rear elevation

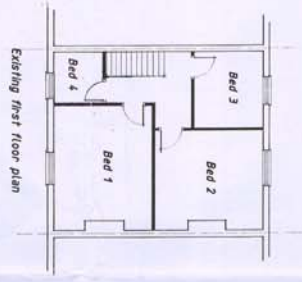
Side elevation



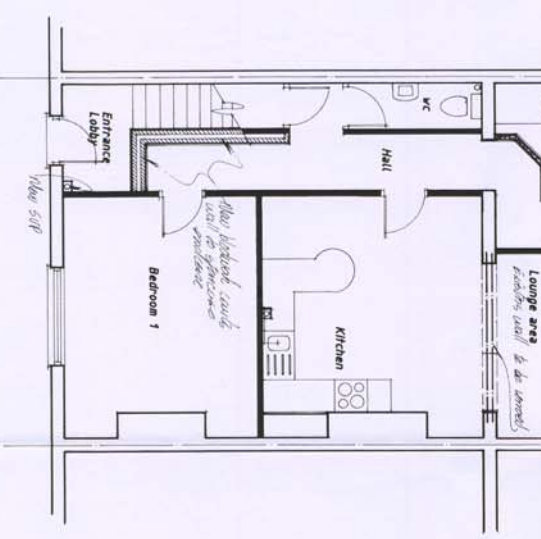
Location plan 1:1250



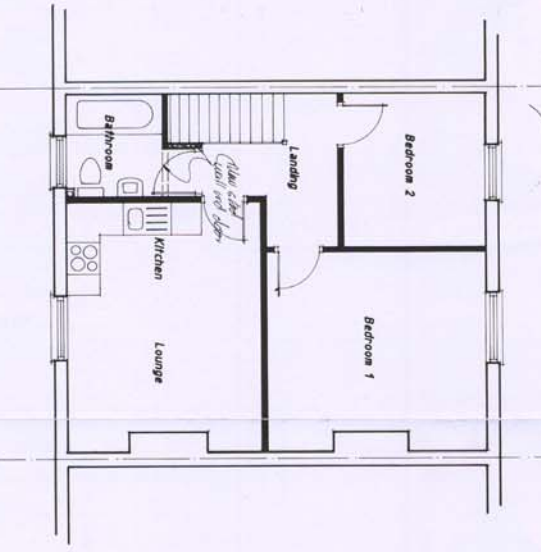
Block plan 1:200



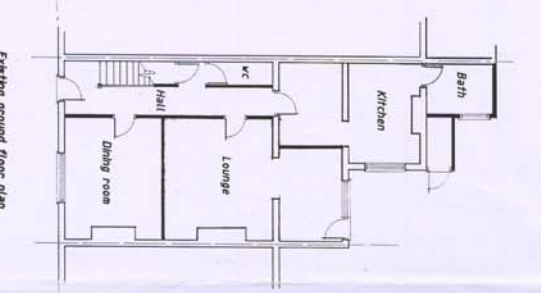
Existing first floor plan



Ground floor plan



First floor plan



Existing ground floor plan

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33 High Oak
Pensnett
Dudley

DATE: March 08
SCALE: 1:50-1:100
DRAWING NO: FT/08/100.6

Proposed conversion of
existing dwelling into 2no
2 bedroom flats

17/08/2008