

PLANNING APPLICATION NUMBER: P09/1565

Type of approval sought	Full Planning Permission
Ward	AMBLECOTE
Applicant	Mr J Castro
Location:	LAKESIDE SURGERY, 3, RANNOCH CLOSE, BRIERLEY HILL, BRIERLEY HILL, DY5 3RP
Proposal	DEMOLITION OF EXISTING DOCTORS SURGERY AND ERECTION OF 1 NO. DWELLING (RESUBMISSION OF REFUSED APPLICATION P09/0730)
Recommendation Summary:	APPROVE SUBJECT TO A 106 AGREEMENT

SITE AND SURROUNDINGS

1. The application site is a vacant doctor's surgery occupying a plot of 562m² set within a well established residential area. The existing building is a single storey building which is set towards the rear of the site with a large area of hard surfacing to the front which was used for vehicle parking. The site is accessed from the highway with one vehicle crossing and is bound to the pavement with low level shrubs. Rannoch Close rises to the south east. The application site is awkward in shape being wide to the street frontage but tapering towards the rear.
2. The application site is bound to all sides by residential dwellings. To the north west is number 1 Rannoch Close which is a bungalow. Due to the slope in the highway this neighbouring property sits at a lower level than the application site. To the east of the application site are numbers 7, 9 and 11 Rannoch Close, two storey properties. These properties sit perpendicular to the application site with the rear amenity areas closest. These properties also sit at a higher level than the application site.

PROPOSAL

3. This application seeks approval for the erection of one, three bed bungalow. The proposed bungalow is of a simple, contemporary design and incorporates a chimney and two front bay windows. The proposed bungalow would incorporate an integral

garage. The proposed property would be of hipped roof design with a small rear projecting element with rear facing gable.

HISTORY

4.

APPLICATION No.	PROPOSAL	DECISION	DATE
84/51437	OUTLINE APPLICATION FOR THE ERECTION OF SURGERY AND PROVISION OF CAR PARK.	Approved with Conditions	25/10/84
85/51190	ERECTION OF BUILDING FOR USE AS DOCTORS SURGERY.	Approved with Conditions	12/09/85
P08/1656	Outline application for residential development (all matters reserved for subsequent approval)	Approved with Conditions	19/01/2009
P09/0730	Demolition of existing doctors surgery and erection of 1 No. dwelling	Refused	05/08/2009

5. P09/0730 was refused for the following reasons:

- The parking provision associated with the proposed development is substandard by way of lack of usable car parking within the site frontage and the small internal dimensions of the proposed garage. This arrangement would result in the site having a shortfall in off road vehicle parking for the proposed scheme contrary to the requirements of Policy DD6 – Access and Infrastructure of the Adopted UDP (October 2005) and Supplementary Planning Guidance – Parking Standards and Travel Plans– (March 2007).
- The proposed dwelling does not respect the local character with regards to height and mass with its two storey design and large footprint having a bulk and mass that is out of context with the surrounding area resulting in a building that would appear incongruous and overly prominent within the street scene contrary to the requirements of Policy DD4 – Development in Residential Areas of the Adopted

UDP (2005) and Supplementary Planning Guidance – New Housing Development – (March 2007).

- The external appearance of the proposed development is out of character with the surrounding properties by way of a traditional styling and disjointed design approach. The two storey front element would be over dominating by way of its bulk and pitch of the gablet incoherent with that of the main hipped roof contrary to the requirements of Policy DD4 – Development in Residential Areas of the Adopted UDP (2005) and Supplementary Planning Guidance – New Housing Development – (March 2007).
- The lack of an undertaking to make a contribution towards recreation facilities/public open space/Public Realm/ Library and Nature Conservation is contrary to the requirements of Adopted UDP Policies DD7 – Planning Obligations, DD8 Provision of open space, sport and recreation facilities and LR1 – Open Space and the Planning Obligations SPD, and would result in an increase in the demand on local facilities with no compensation or enhancement, thus resulting in harm to the wider community around the site.

PUBLIC CONSULTATION

6. One letter of support has been received. This relates to the fact that the proposed dwelling is a bungalow which is preferred by this local resident.

OTHER CONSULTATION

7. Head of Environmental Protection and Trading Standards – No adverse comments.
8. Group Engineer (Development) – Raise concerns with the over availability of off road parking provision.

RELEVANT PLANNING POLICY

9. Unitary Development Plan
 - DD4 Development in Residential Areas
 - DD6 Access and Infrastructure

- DD7 Planning Obligations
- H1 New Housing Development
- H6 Housing Density

10. Supplementary Planning Document

- New Housing Development
- Parking Standards and Travel Plans
- Planning Obligations

11. National Planning Policy

- Planning Policy Statement (PPS) 3 – Housing

ASSESSMENT

12. Key issues:

- Principle of residential development.
- Density
- Highway safety.
- Character of the area.
- Impact on neighbouring properties.
- Amenity of future occupiers.
- Planning Obligations

Principle of residential development.

13. In land use terms the principle of residential development in this location is considered acceptable. The proposed development would constitute the re-use of underused brown field land in an existing urban area. Further the use of the land for residential purposes has been established by way of outline approval. In this regard only the proposed development would be consistent with the requirements of Policy H1 – New Housing Development and Policy H3 Housing Assessment Criteria of the Adopted UDP (October 2005).

Density

14. The area surrounding the application site is deemed as outer suburban area characterised with predominantly, but not exclusively detached house types. The density of the surrounding area is typically 30 dwellings per hectare. The proposed density which would be at 16.7 dwelling per hectare is considered low when compared to the surrounding area. However the awkward shape of the plot with a taper towards the rear is considered to be inappropriate for any more than one dwelling as the impact on the amenity of the future occupiers would be potentially compromised. In this regard the proposed housing development is therefore in line with the requirements set out in Planning Policy Statement (PPS) 3 – Housing (November 2006), Policy H6 – Housing Density of the Adopted UDP (October 2005) and Supplementary Planning Guidance – New Housing Development – (March 2007).

Highway Safety

15. The proposed dwelling would be accessed from Rannoch Close utilising the existing footway crossing. The Group Engineer (Development) raises concerns with regard to over provision of parking within the curtilage of the site. Whilst this is considered a sustainability issue with regards to new development, Rannoch Close is a residential area where on street parking can be a problem for residents, particularly at busy periods. On this basis it is considered that the ability for visitors to park off the highway within this location, close to the highway junction would be beneficial for highway safety. In this regard the proposed scheme is considered to meet the

requirements of Policy DD6 – Access and Infrastructure of the Adopted UDP (October 2005) and Supplementary Planning Guidance – Parking Standards and Travel Plans– (March 2007).

Character of the Area

16. The application site is set within an outer suburban setting and is characterised by a uniform pattern of development by the way of regular spacing of properties, regular building lines, consistent house types and good size frontages. The New Housing SPD outlines a set of development criteria for development sites within the outer suburban setting. The proposed development is considered to be inline with this guidance. The proposed dwelling respects the local character by way of simple contemporary design and a bulk and mass that respects the neighbouring bungalow. It is considered necessary to restrict the permitted development rights to this proposed dwelling to ensure its mass does not increase substantially without control from the Local Planning Authority due to the contrived width to the rear of the site. In this regard, the proposed development would be consistent with the requirements of Policy DD4 – Development in Residential Areas of the Adopted UDP (2005) and Supplementary Planning Guidance – New Housing Development – (March 2007).

Impact on neighbouring properties

17. The application site is bound to the rear by residential dwellings. Number 1 Rannoch Close would remain unaffected by the proposed development due to the separation between the plots and the footprint inline with the front elevation and a minimal 0.6m projection past the rear elevation. The properties to the east would also be unaffected by the proposed development due to the level differences between the plots and the orientation of the proposed dwelling at an oblique angle. These factors ensure there would be no detrimental impact on any of the neighbouring properties to the application site with regard to loss of privacy, daylight or outlook in accordance with the requirements of Policy DD4 Development in Residential Areas of the adopted UDP (2005).

Amenity of future occupiers

18. The proposed dwelling would have an amenity area of 148m² for the private use of the future occupiers. In this regard, the proposed dwelling is considered acceptable with regards to the requirements of Policy DD4 – Development in Residential Areas of the Adopted UDP (October 2005) and Supplementary Planning Guidance – New Housing Development – (March 2007).

Planning obligations.

19. The proposed development has a requirement to provide off site contributions for the additional infrastructure identified in the Supplementary Planning Document – Planning Obligations. For this application off site contributions related to Public Open Space, Libraries, Public Realm and Nature Conservation would be required. The contributions required for this application would be:

- Open Space Sport and Recreation - £2474.92
- Libraries - £184.92
- Public Realm - £462.35
- Nature Conservation – £281.00
- Management and Monitoring - £250

No requirement for Transport Infrastructure Improvements would be required due to the trip rate for the existing use being less than that of one dwelling. At the date of writing this report the applicant had been notified of the Planning Obligations required. It is envisaged that a written confirmation will be forthcoming and this will be reported by way of a pre-committee note. The proposal therefore is in accordance with the requirements of Policies DD7 – Planning Obligations, DD8 Provision of Open Space, Sport and Recreation Facilities, LR2 Access to Public Open Space and LR3 Children's Play Areas of the Adopted UDP (October 2005) and Supplementary Planning Document – Planning Obligations (December 2007).

CONCLUSION

20. The principle of developing the site for the erection of one detached dwelling would be acceptable given that the site constitutes previously-developed land as defined by national planning policy. The site is of a sufficient size in which to accommodate one dwelling that would front the street, has a suitably sized garden and maintains adequate separation between adjoining properties to ensure that there is no loss of daylight outlook or privacy. The proposal is acceptable in design terms and is considered to have no adverse impact on highway safety. Therefore, it complies with the relevant UDP policies and Supplementary Planning Documents.

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

- Open Space Sport and Recreation - £2474.92
- Libraries - £184.92
- Public Realm - £462.35
- Nature Conservation – £281.00
- Management and Monitoring - £250

total amount £3653.19 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 principle of developing the site for the erection of one detached dwelling would be acceptable given that the site constitutes previously-developed land as defined by national planning policy. The site is of a sufficient size in which to accommodate one dwelling that would front the street, has a suitably sized garden and maintains adequate separation between adjoining properties to ensure that there is no loss of daylight outlook or privacy. The proposal is acceptable in design terms and is considered to have no adverse impact on highway safety. Therefore, it complies with the relevant UDP policies and Supplementary Planning Documents.

The decision to grant planning permission has been taken with regard to the policies and proposals in the Dudley Unitary Development Plan and to all relevant material considerations including supplementary planning guidance.

The above is a summary of the reasons for the grant of planning permission. For further detail on the decision please see the application report.

Note for Applicant

The development hereby permitted shall be in accordance with the drawings received in these offices and referenced 0103/001 and 0103/002 unless otherwise agreed in writing by the Local Planning Authority.

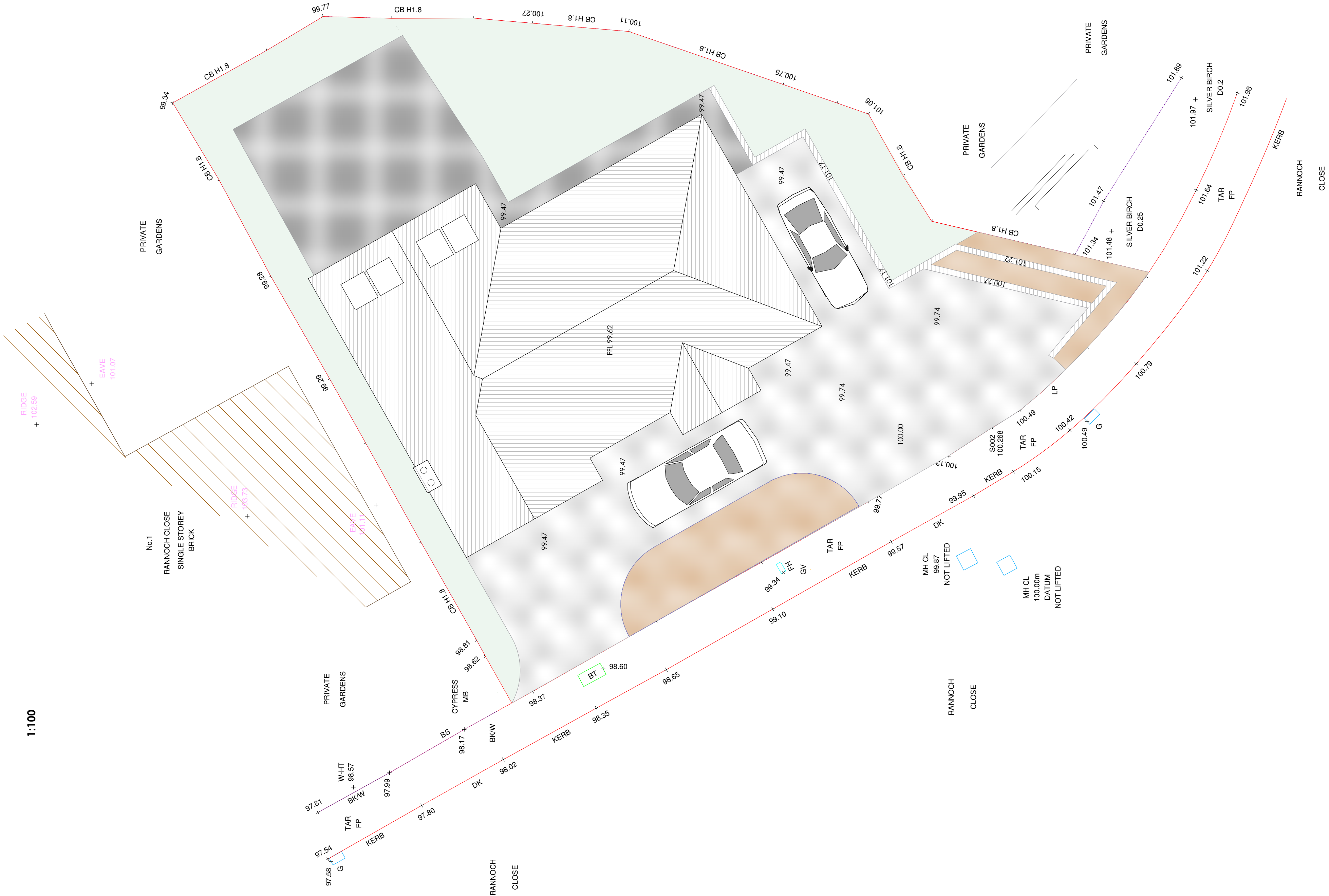
Conditions and/or reasons:

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 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. 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

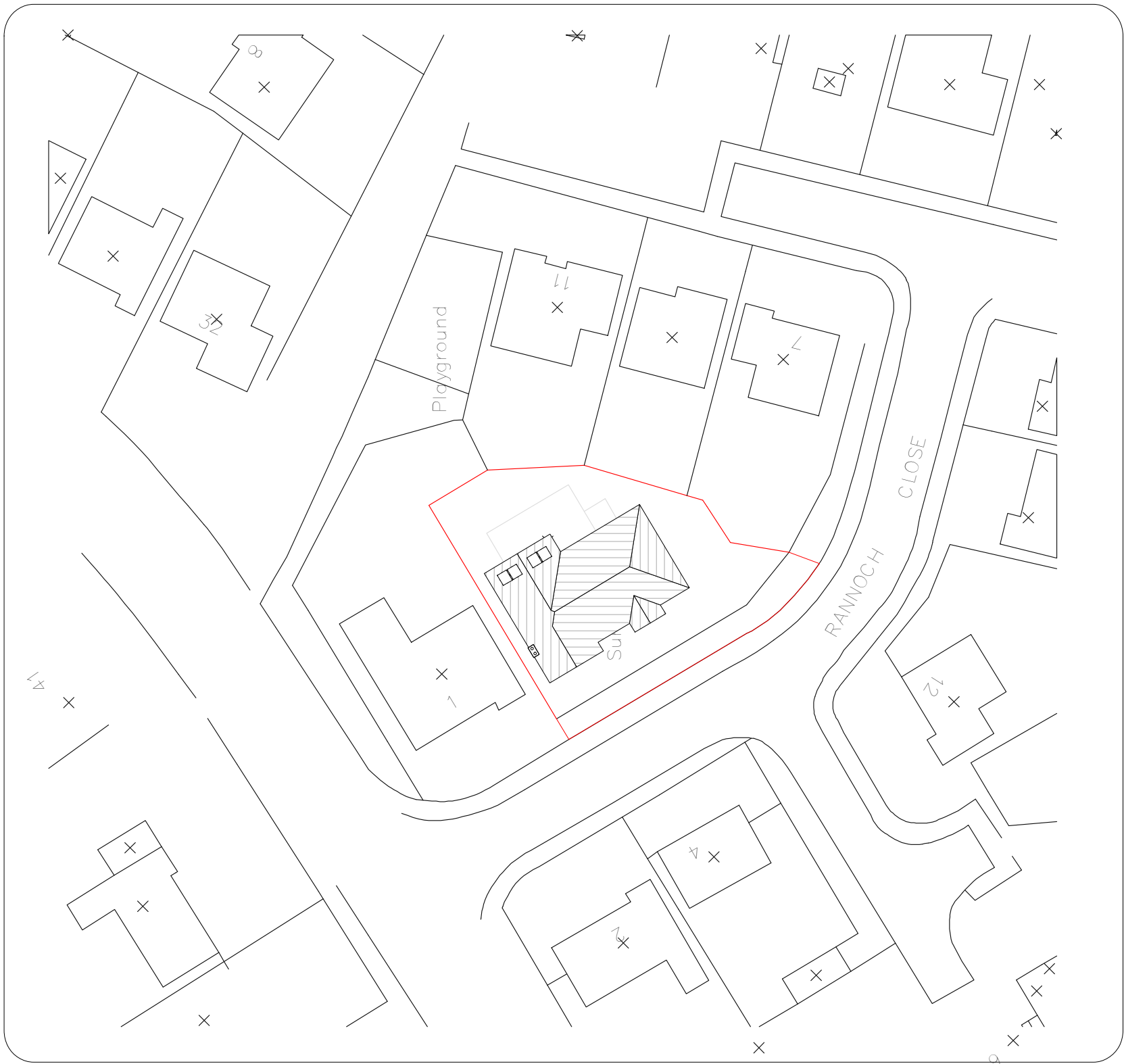
Authority. The agreed scheme shall be implemented in accordance with the approved details before the end of the first planting season following initial occupation of the development.

4. Prior to the commencement of development, details of the boundary treatments to be installed on the whole site shall be submitted to and approved in writing by the Local Planning Authority. These details shall include location of boundary treatment. Elevation details shall also be supplied, or planting species/distances, as appropriate. The development shall proceed in accordance with the approved details, which shall be installed on site prior to occupation and thereafter maintained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.
5. The development hereby permitted shall not commence until details for the disposal of surface water drainage have been submitted to and approved in writing by the Local Planning Authority. These details should include the provision for ensuring no surface water from the driveway runs onto the public highway and is disposed of within the curtilage of the application site.
6. Prior to the commencement of development, details of the existing and proposed levels of the site (including finished floor levels), which should be related to those of adjoining land and highways shall be submitted to and approved in writing by the local planning authority. The development shall proceed in accordance with the approved levels.
7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modification) no development referred to in Schedule 2 Part 1 Class A, B, C, D, E and F of that order shall be carried out.

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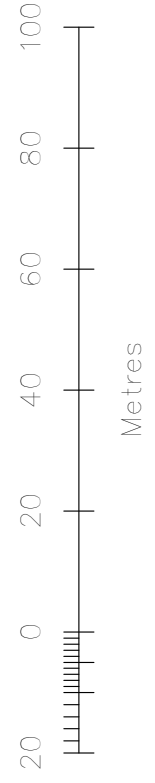
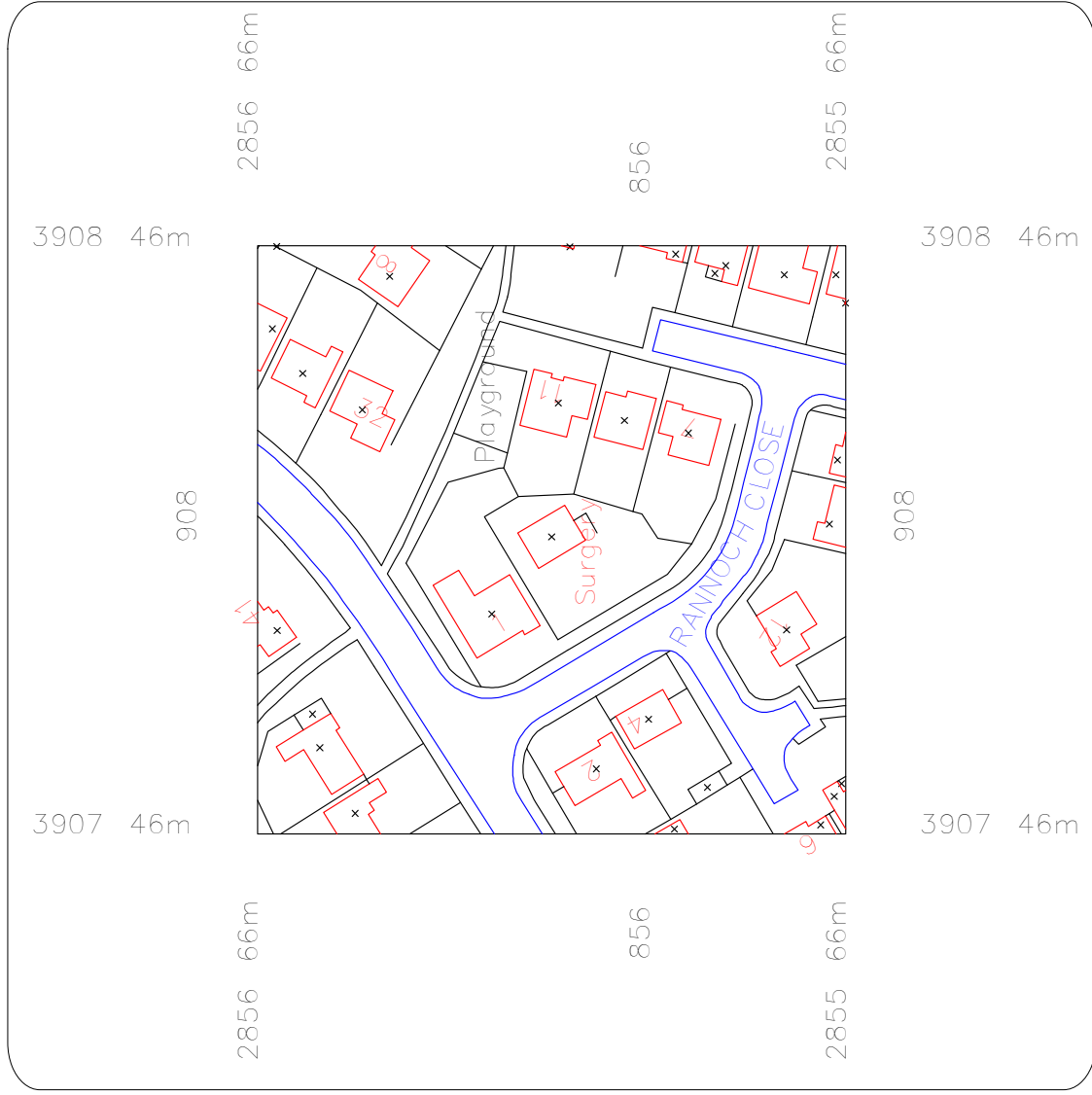


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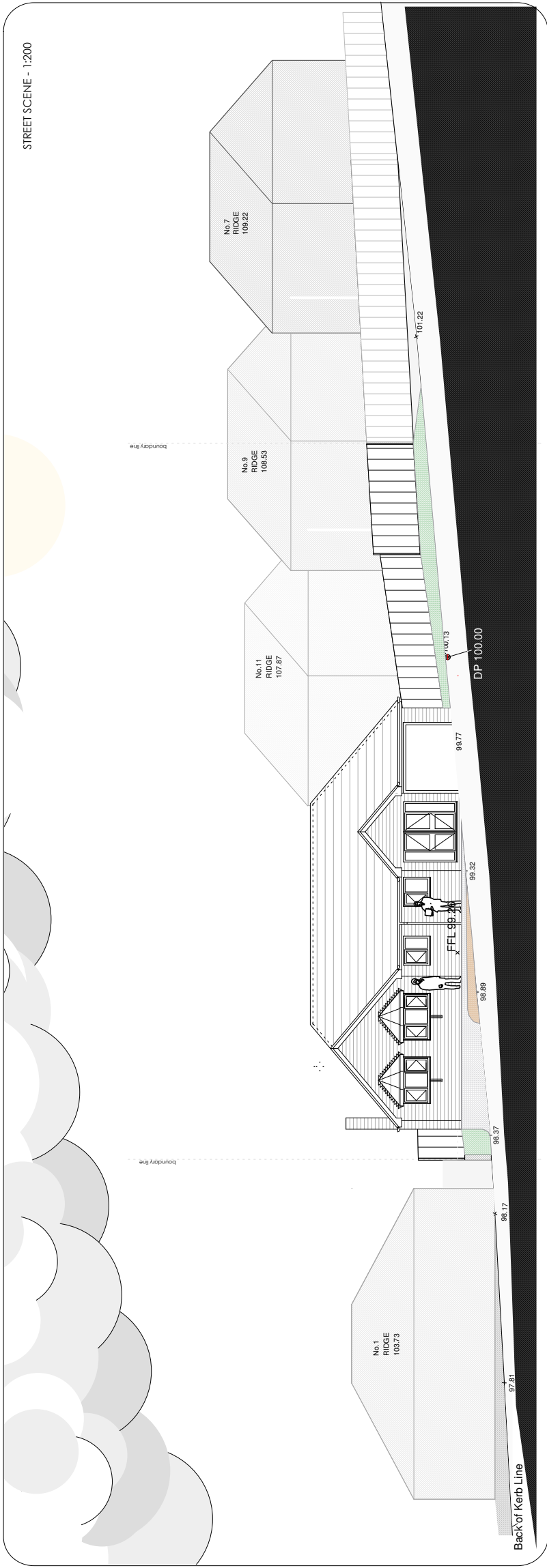


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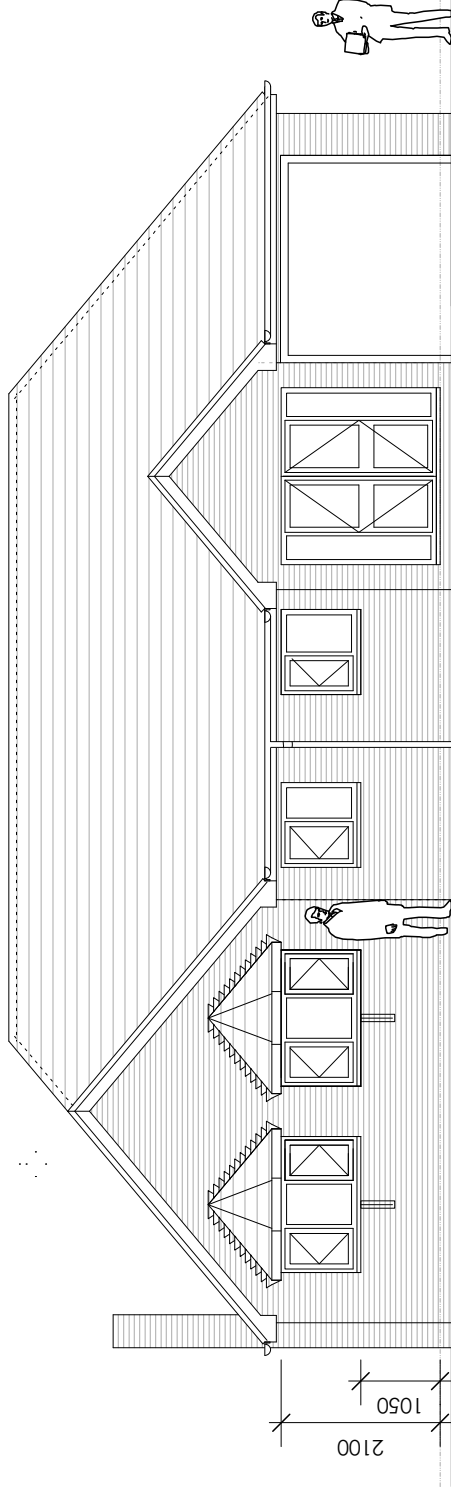
client / address
Mr & Mrs Castro
3 Rannoch Close, Withmoor,
Brerley Hill, DY5 3RP
project
Demolition of Doctors Surgery, Development
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date
Nov09
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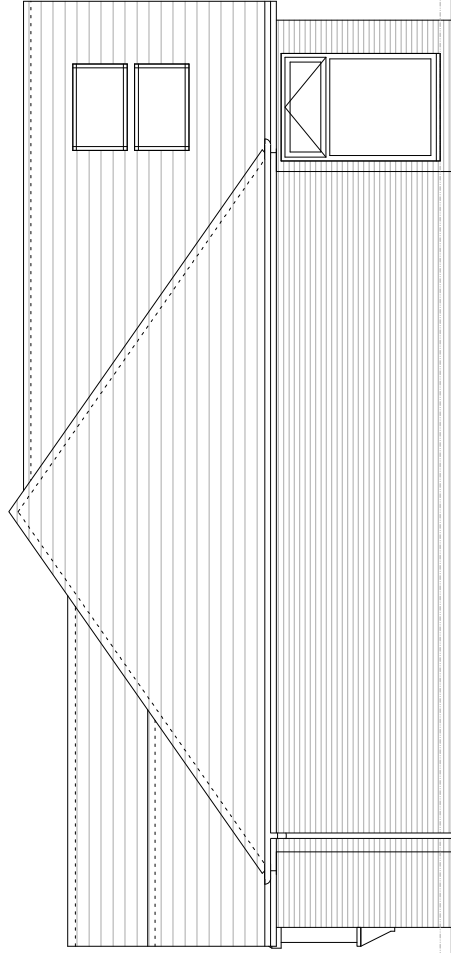
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drawing name
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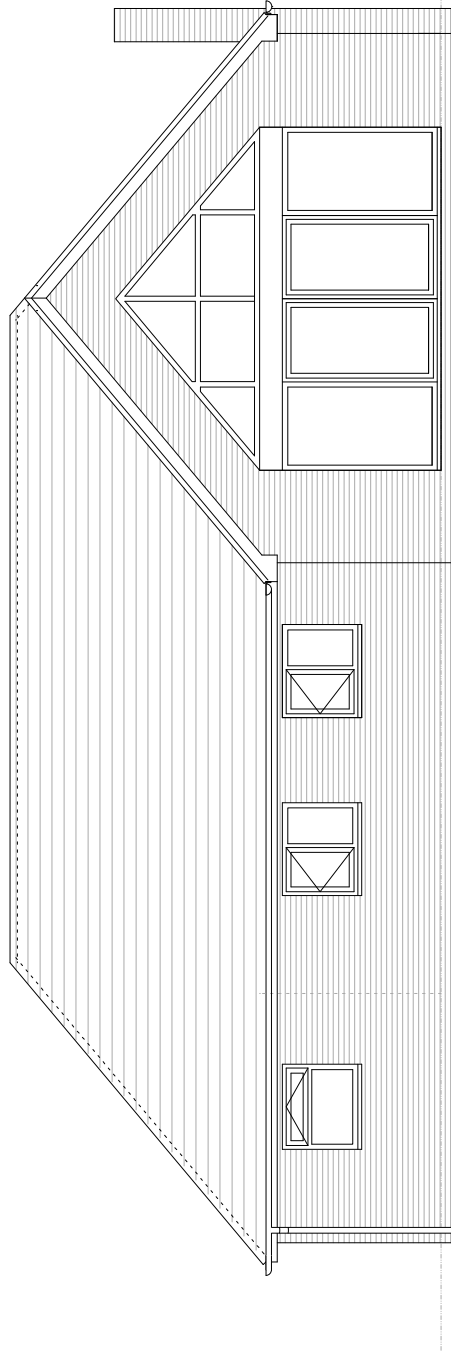
FRONT ELEVATION



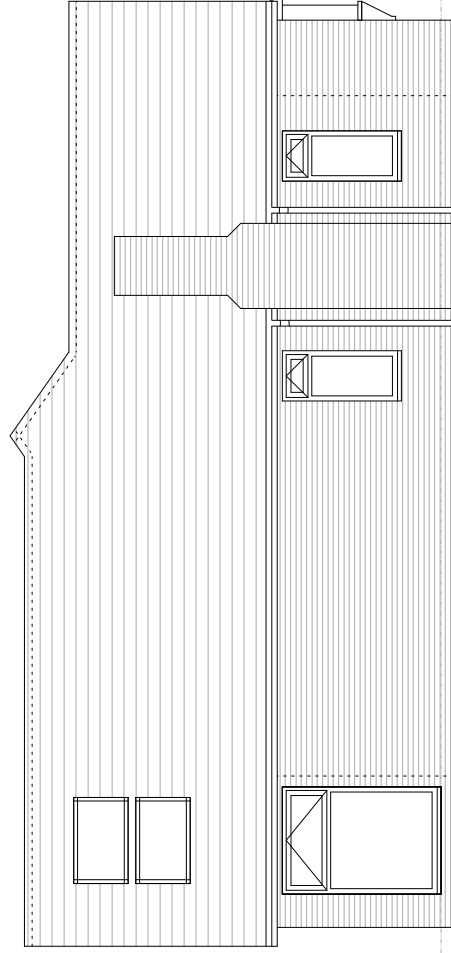
WEST ELEVATION



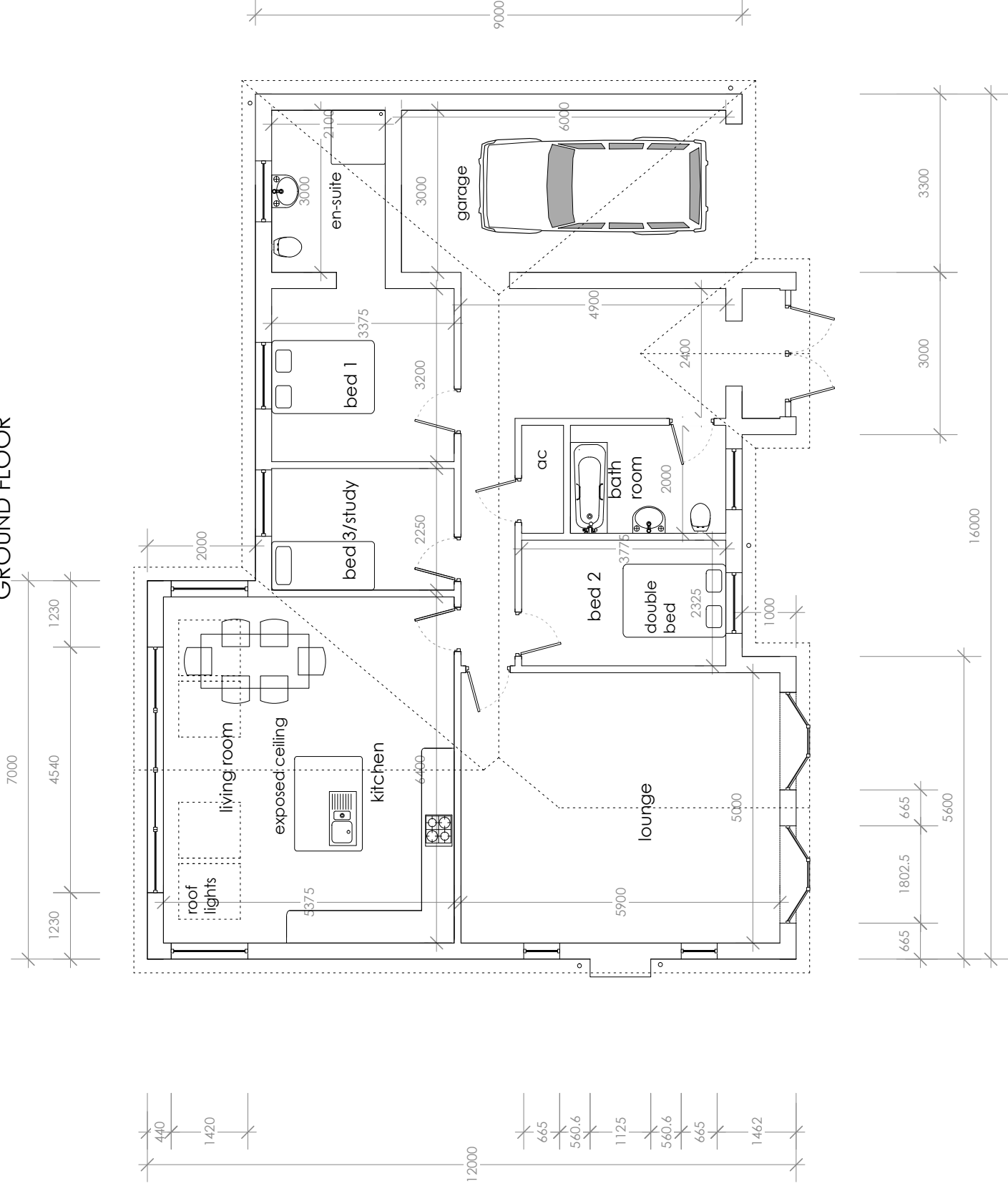
REAR ELEVATION



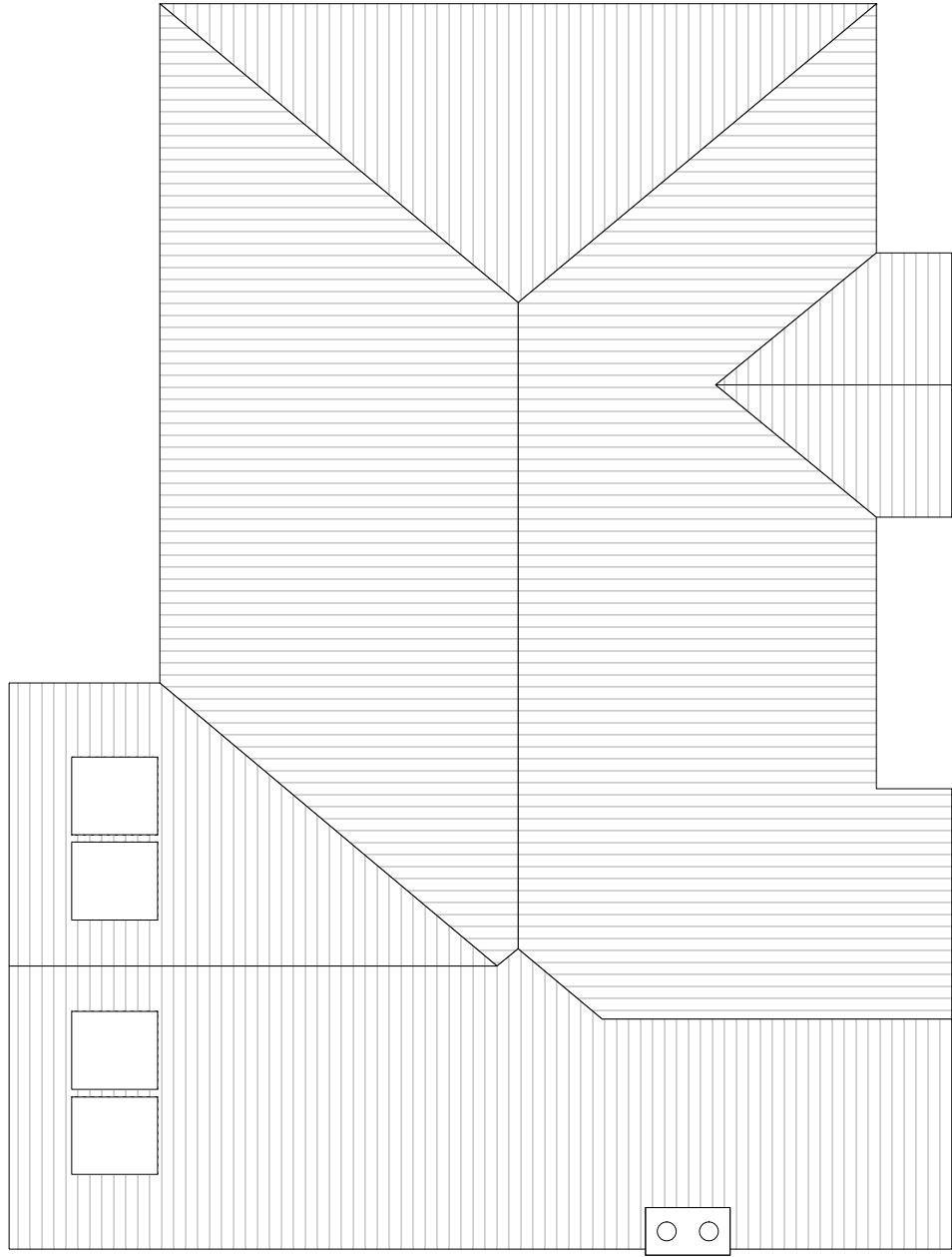
EAST ELEVATION



GROUND FLOOR



ROOF PLAN



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Floor Plan & Elevation