

PLANNING APPLICATION NUMBER:P15/0275

Type of approval sought	Full Planning Permission
Ward	St James's
Applicant	Mr Clifford Morgan
Location:	35, NEW STREET, DUDLEY, DY1 1LT
Proposal	CONVERT EXISTING DWELLING INTO 2 NO. APARTMENTS WITH ELEVATIONAL CHANGES TO INCLUDE NEW WINDOW AND DOOR OPENINGS AND ROOF TERRACE
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. This is a three storey building located on the southern side of New Street close to the junction with Tower Street. The site lies within the Dudley Town Centre Conservation Area. To the south (rear) of the site is a Grade II listed building at 59-60 Tower Street.
2. The building is presently occupied by a two bedroom flat at first and second floor levels. At the rear of the building there is a two storey wing which at first floor level consists of a store/bathroom/utility area with adjacent terrace and fire escape.

PROPOSAL

3. Permission is sought to convert the existing flat into two, 1-bedroom flats. At first floor level the existing rear wing is to be converted into a kitchen with a new door inserted to provide access to the terrace and fire escape. At second floor level a terrace is to be created on the roof of the rear wing, enclosed by a 1.1m high balustrade and accessed from a new door.

PLANING HISTORY

4.

APPLICATION	PROPOSAL	DECISION	DATE
P14/1346	Convert existing 1 no. dwelling into 2 no. apartments with elevational changes to side and rear to include new door openings, roof terrace and first escape	Withdrawn	November 2014

The above application was withdrawn following Officer advice to the applicant that a proposed external fire escape would have a detrimental impact on the character of the Conservation Area and therefore the application could not be supported. For the purposes of this application the fire escape has been removed from the proposals (the means of escape are now provided internally with exit from the front of the building).

PUBLIC CONSULTATION

5. Neighbour notification letters have been sent to 60 properties and a site notice has been posted. A letter of objection, signed by the occupants of 40 properties, has been received. The letter raises the following concerns:

- The proposal affects the character and appearance of the Conservation Area and the setting of the Listed Building;
- Subdivision of the flat will have a detrimental impact on the amenities of existing residents of the flats by reason of loss of security and additional noise, litter and nuisance;

- The proposed terrace area will result in overlooking of the kitchen of flat 31 and its use will lead to noise disturbance;
- The proposed flat would provide sub-standard living accommodation;
- The development would set a precedent for other similar proposals, thereby harming the existing character of the building by reason of overcrowding.

OTHER CONSULTATION

6. Head of Environmental Health and Trading Standards – No objection.

Group Engineer (Development) – No objection.

RELEVANT PLANNING POLICY

7. National Planning Policy

National Planning Policy Framework (NPPF) 2012

Saved 2005 Unitary Development Plan Policies

CR13 (Residential Development in Centres)

HE4 (Conservation Areas)

HE6 (Listed Buildings)

Supplementary Planning Guidance

Planning Guidance Note 24: Residential Flat Conversions

ASSESSMENT

Principle

8. The proposed use of the upper floors of the building as flats is supported by the NPPF which advises that residential development can play an important role in ensuring the vitality of centres. Similar support is given by Saved Policy CR13 of the UDP, provided that a proposed development makes adequate provision for maintaining the safety, security and residential amenity of the occupier. The Policy

advises that the Borough's town centres have a significant role to play in meeting housing targets and that new residential development within them contribute towards sustainable development.

Impact on Conservation Area and Listed Building

9. Saved Policies HE4 and HE6 of the UDP advise that the Council will safeguard and seek to enhance Conservation Areas and listed buildings respectively. The subdivision of the existing flat would not have any harmful effect on the character of the town centre, where high density residential development at upper floors of buildings is commonplace. The proposed new doors and balustrade are to be located at the rear of the building (where there are already similar features both at the site and adjacent properties) in an enclosed position which is not visible from the wider area. This element of the development would not, therefore, have a harmful effect on the character of the Conservation Area or the setting of the nearby listed building.

Amenity

10. The NPPF requires that a good standard of amenity space is provided for the occupants of new developments. This proposal provides a nominal terraced area which is of a similar size to those serving existing flats within this building and is considered to be an appropriate amenity space provision. The internal space standards of each of the flats would be in excess of the standards set out in Planning Guidance Note 24 for floor areas for flats (30 sq.metres per flat), thereby ensuring the creation of well proportioned units with an appropriate level of residential amenity.
11. With regard to the concerns of the objectors to the proposal, the use of the proposed terrace area will not result in any greater degree of overlooking of the adjacent kitchen at 31 New Street than from the existing terrace area at the site. Any increase in activity within the building as a result of the subdivision of the flat would not be so significant that it would impact adversely on the living conditions of existing residents.

Parking

12. No dedicated off-street parking is to be provided as part of this proposal, but given the site's sustainable location close to public transport facilities it is considered that in this case this is acceptable and would not bring with it any adverse highway safety implications.

CONCLUSION

13. The proposed development will have a positive impact on the vitality and viability of the town centre and will have no adverse impact upon the character and appearance of the Conservation Area and the adjacent listed building. As such the proposal complies with Saved Policies HE4, HE6 and CR13 of the UDP.

RECOMMENDATION

14. It is recommended that this application be APPROVED subject to the following conditions:

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. The development hereby permitted shall be carried out in accordance with the following approved plans: CM/NS/P02B and CM/NS/P03B.

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- All dimensions to be checked on site before work is commenced.
- all dimensions are in millimeters unless otherwise stated.
- All our proposals are subject to confirmation following liaison with the relevant local authorities.



LOCATION PLAN

Mr Clifford Morgan

Proposed Conversion to 2no. Apartments
35 New Street
Dudley, DY1 1LT

Location Plan

Scale : 1:1250 @ A4

Date : Sept 2014

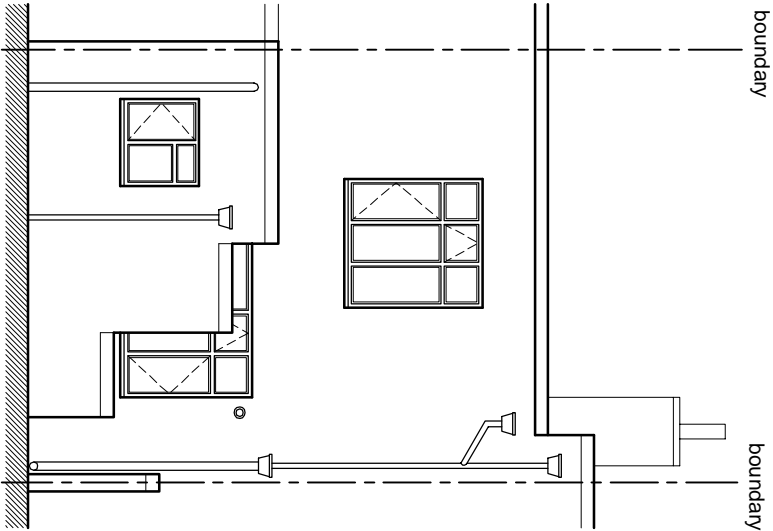
Drawn : STB

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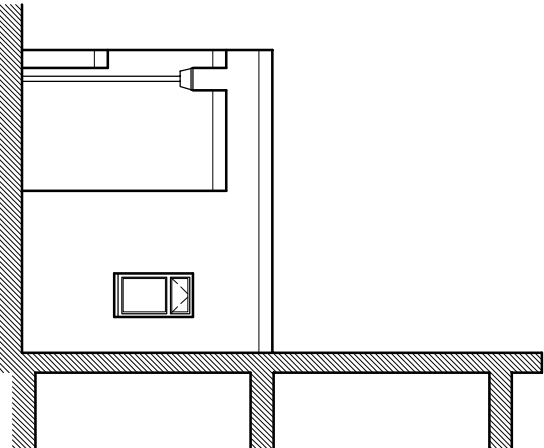
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CM/NS/P04

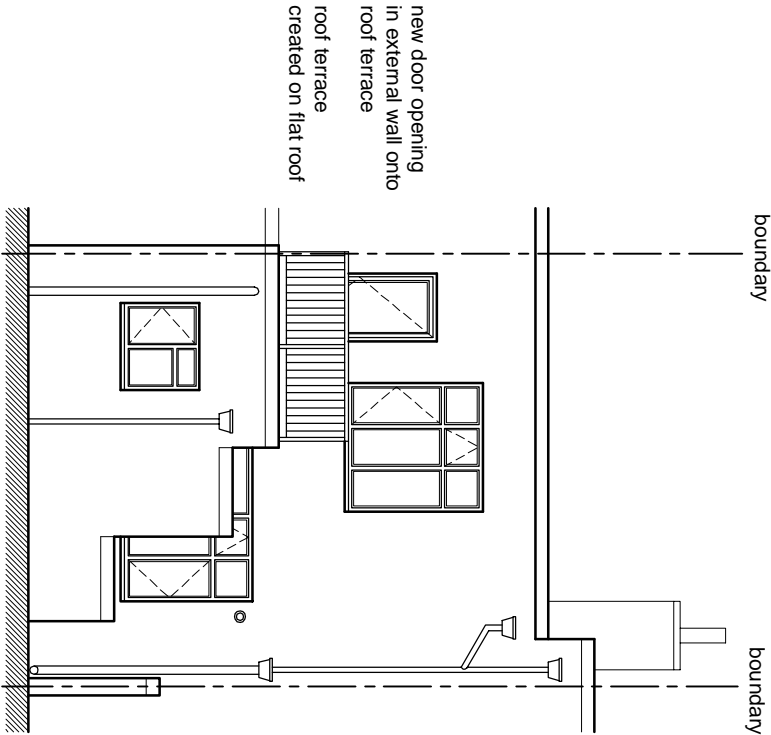
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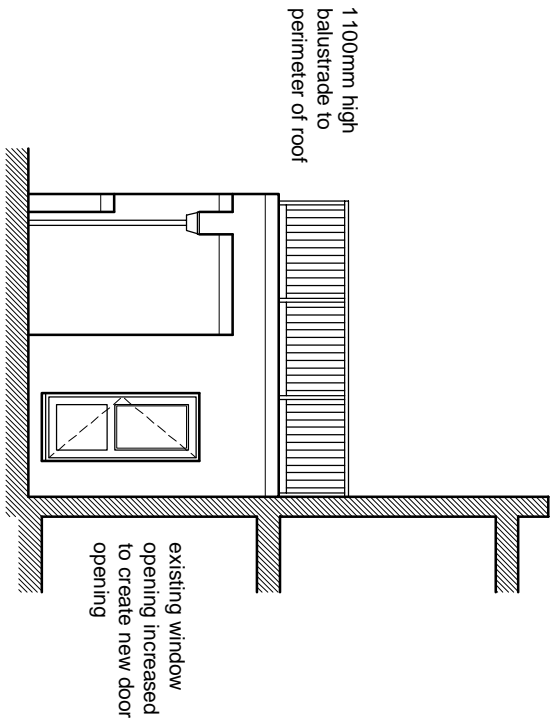
EXISTING PART REAR ELEVATION



EXISTING PART SIDE ELEVATION



PROPOSED PART REAR ELEVATION



PROPOSED PART SIDE ELEVATION

Rev A - 16.12.14 - Proposed fire escape omitted.
Rev A - 23.09.14 - Existing rear window and flue shown on
proposed part rear elevation.

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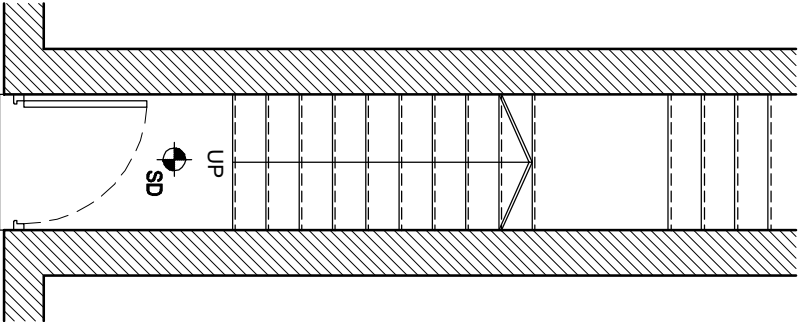
Proposed Conversion to 2no. Apartments
35 New Street
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Existing and Proposed Part Elevations

Scale : 1:100 @ A3
Date : Sept 2014
Drawn : STB

Drawing No. :
CM/NS/P03B

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PROPOSED GF PLAN

Rev B - 03.02.15 - Second floor apartment entrance moved to second floor, annotation added re- neighbour's entrance door, second floor landing area reconfigured.
Rev A - 16.12.14 - Proposed Ground Floor Plan and door to neighbouring flat at first floor added, fire escape omitted, internal lobby areas, smoke detection and fire doors added.

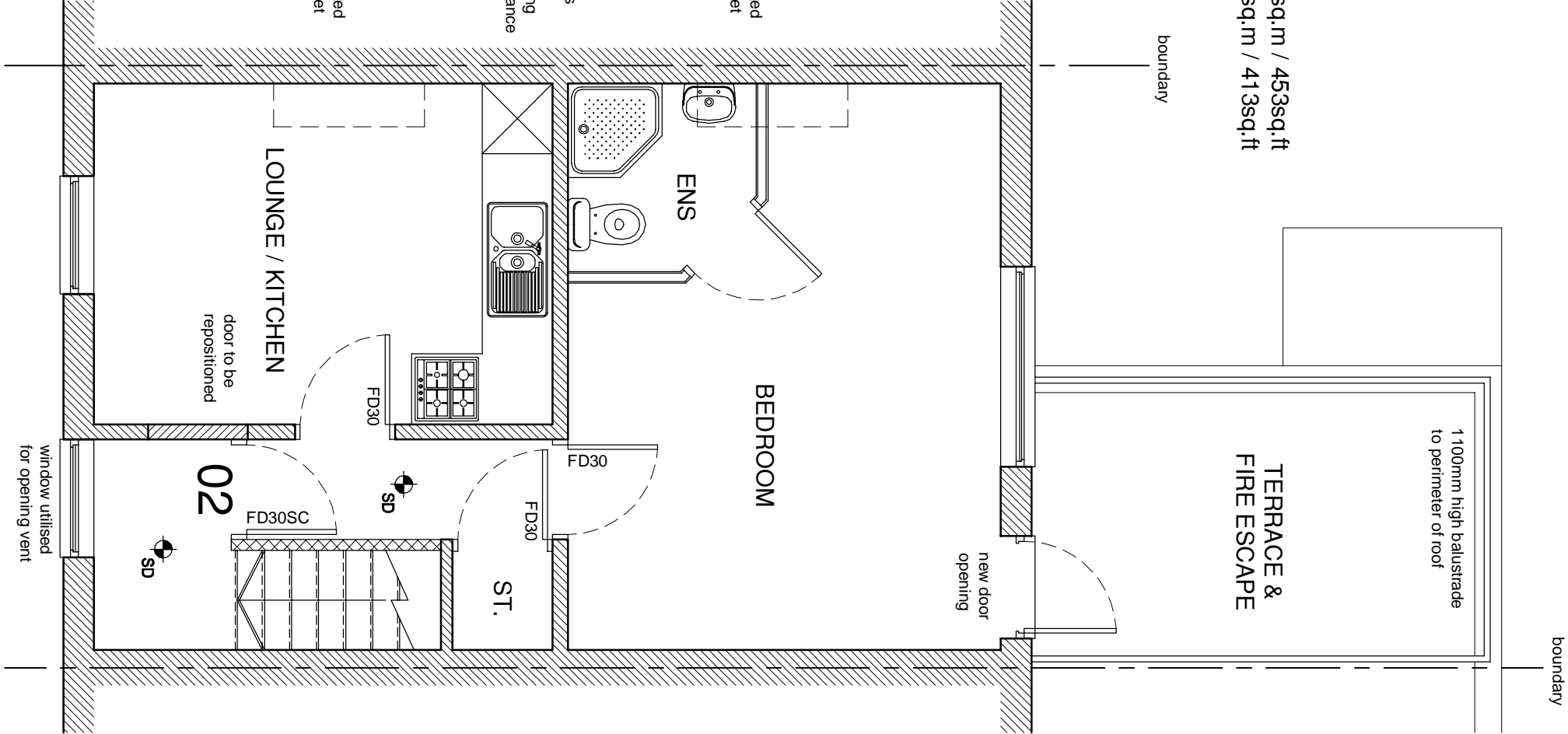
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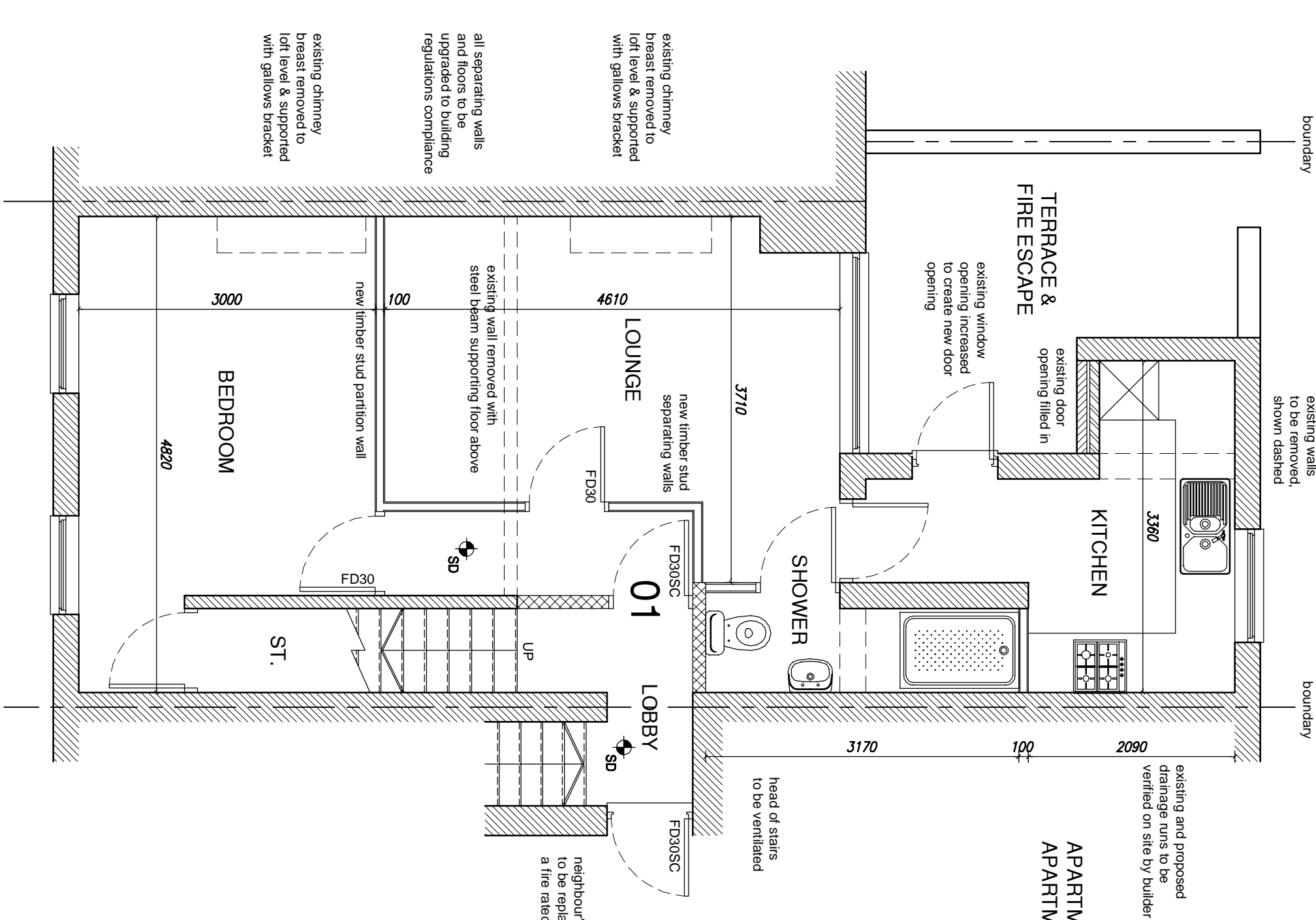
Proposed First and Second Floor Plans

Scale : 1:50 @ A3
Date : Sept 2014
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PROPOSED SECOND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN