

## PLANNING APPLICATION NUMBER:P08/0237

Type of approval sought	Full Planning Permission
Ward	Upper Gornal & Woodsetton
Applicant	Hyperion Homes Limited
Location:	<b>LAND OFF DEARNE COURT, WOODSETTON, DUDLEY, WEST MIDLANDS</b>
Proposal	<b>ERECTION OF 4 NO. DETACHED DWELLINGS</b>
Recommendation Summary:	<b>APPROVE SUBJECT TO A 106 AGREEMENT</b>

### SITE AND SURROUNDINGS

1. The site consists of 0.13 ha of open land, roughly square in shape and with a street frontage of about 40m to Dearne Court. The site falls by approximately 4.5 metres from north to south.
2. It is adjoined by houses and bungalows in Bosworth Close to the north, open land to the east and south and Dearne Court to the west. Until recently, the land was rough grassland like the adjoining open land but has recently been stripped and is now bare earth. This has probably been done to keep an existing extant permission for three bungalows alive.

### PROPOSAL

3. It is proposed to erect four, 4 bedroomed detached houses fronting Dearne Court from which access would be gained. Each house would have an integral garage with hardstanding capable of accommodating two vehicles on the frontages. The houses would be at different levels reflecting the gradient on the site. The rear gardens would back onto the open space from which they would be separated by new 1.8m, high close boarded fencing.

## HISTORY

4.

APPLICATION No.	PROPOSAL	DECISION	DATE
98/50176	Erection of 3 dwellings (Outline)	Approved	10.10.01
P04/0173	Erection of 3 dwellings (Approval of Reserved Matters)	Approved	19.07.04
P05/2285	Variation of condition 1 of permission P04/0173 to extend the period for commencement until 16.7.08	Approved	08.12.05

## PUBLIC CONSULTATION

5. Three letters of objection have been received from local residents. Two state that they have no objection in principle to the land being developed for residential purposes.

The objections relate to:

Traffic congestion and highway safety concerns if children play in the street because some residents of Dearne Court have to reverse up to the turning head in front of the site.

Difficult access for the emergency services, refuse collection vehicles and delivery vehicles.

Out-of-keeping with development in the area which comprises a mix of houses and bungalows. The site should be developed with the three approved bungalows which would be more in keeping with the area.

Over development of the site.

## OTHER CONSULTATION

6. Group Engineer (Development): No objections
7. Head of Public Protection: No objections and no conditions necessary

## RELEVANT PLANNING POLICY

8. Adopted UDP

LR1 Open Space  
S02 Linear Open Space  
NC5 Sites of Local Importance for Nature Conservation  
DD4 Development in Residential Areas  
NC6 Wildlife Species  
EP6 Light Pollution

### Supplementary Planning Documents

New Housing SPD  
Parking Standards and Travel Plans SPD

## ASSESSMENT

9. The key issues are:-
  - Principle
  - Density
  - Loss of open land/impact upon ecology
  - Traffic Implications
  - Planning Obligations

### Principle

10. The site has a valid permission for three bungalows which effectively dates back to 1998 when outline permission for the erection of three dwellings on the land was granted. This consent was renewed only two years ago and will undoubtedly be kept extant by the applicant company, who are currently building two detached houses on another site which borders the same open space area less than 100m away. Indeed, the stripping and regarding works that have already taken place would probably constitute a commencement of the consent for three bungalows granted in 2004. Accordingly, the principle of development has been established.

### Density

11. The density of development is 30.8 dph which meets the minimum density recommended by central government PPS3 (30 dph), is appropriate for the area and does not amount to over development of the site notwithstanding that it is higher than the three bungalows previously approved.

### Loss of open land/impact upon ecology

12. Because of the extant permission for the bungalows, there would effectively be no reduction in the area of open space, the remainder of which is also in the ownership of the applicants. It is understood that this remaining land will be transferred to the Swan Brook Valley and Turls Hill Trust who will manage it as open space with unrestricted public access.
13. This area of open space is important as a flight path and foraging area for bats. In this respect, some control needs to be exercised over lighting levels generated by the development. It is recommended that a condition be attached to any permission granted requiring the Council's agreement to any external lighting.

### Traffic Implications

14. The site already has permission for three detached dwellings. The change from bungalows to houses and the increase by one dwelling would have a negligible impact upon traffic generation and the number of vehicles using Dearne Court which is an adopted highway. No objection has been raised by the Group Engineer and a new footway would be provided along this side of Dearne Court under the proposals.
15. It is understood the occupiers of two of the three houses in Dearne Court have to reverse up to the turning head in front of the site to exit the estate because insufficient turning space was provided along their slip road when these houses were built. There is concern that the occupiers of the proposed house on plot 3 may park in the turning head thereby preventing turning manoeuvres.
16. This would not be a justifiable reason for refusing permission as all the houses have sufficient off street parking and a turning head in a public highway should not be used for parking as it would effectively be causing an obstruction and could be enforced against by the police and following decriminalisation, by the Council.

### Planning Obligations

17. The development would generate a commuted payment of £6180.13 for open space, libraries, public realm and highway improvements. The applicants have agreed to pay this amount.

## CONCLUSION

18. The site has an extant permission for three bungalows and, therefore, the principle of development has been established. The proposed change from three bungalows to four houses is not significant in terms of density, impact upon the street scene, effect upon local residents or traffic considerations. The adjoining area of privately owned open space between Tipton Road, the adjacent housing estate and the reservoir off

Parkes Hall Road would remain open and be transferred to a local trust for permanent retention as open space with unrestricted public access.

## RECOMMENDATION

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

1. The development not beginning until a scheme for the submission and approval of a planning obligation to guarantee the payment of £6180.13 for transport infrastructure improvements, libraries, public open space and public realm improvements.
2. The following conditions, with delegated powers to the Director of the Urban Environment to make the necessary amendments to these as necessary.

### Reason for the grant of planning permission

The site has an extant permission for three bungalows and, therefore, the principle of development has been established. The proposed change from three bungalows to four houses is not significant in terms of density, impact upon the street scene, effect upon local residents or traffic considerations. The adjoining area of privately owned open space between Tipton Road, the adjacent housing estate and the reservoir off Parkes Hall Road would remain open and be transferred to a local trust for permanent retention as open space with unrestricted public access.

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 a summary of the reasons for the grant of planning permission. For further details please see the application report.

### Informative

The development hereby permitted shall be built in accordance with the drawings numbered 0732.007, 0732.01, 0732.02, 0732.03, 0732.04, 0732.05, 0732.06 and 0732.07.

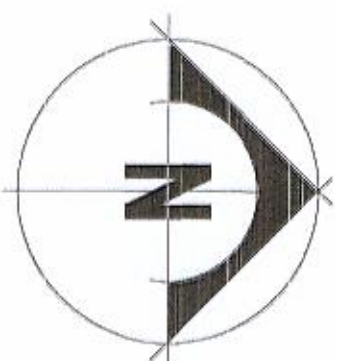
Conditions and/or reasons:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. Development shall not begin until details of the type, texture and colour of materials to be used in the external elevations have been submitted to and approved by the local planning authority.
3. The dwellings hereby permitted shall not be occupied until screen fences not less than \*\*\*\*\* metres high have been erected between the points marked \*\*\*\*\* on the plan attached to this permission in materials to be first approved in writing by the local planning authority.
4. 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.
5. No development shall take place until there has been submitted to and approved by the local planning authority 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 in the course of the development.
6. All planting, seeding or turfing comprised in the details of landscaping approved in accordance with condition 5 shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development whichever 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 die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.
7. Before any of the dwellings are occupied, the footway along Dearne Court shown on the layout plan hereby approved shall be provided.
8. No external security lighting shall be provided at any of the dwellings hereby approved for the life of the development unless agreed in writing by the LPA.
9. Prior to first occupation, the garages and on-site parking spaces shall be graded, levelled, surfaced and drained, and shall be used for the parking of vehicles only for the life of the development.

10. Development shall not begin until details of plans and sections of the lines, widths, levels, gradients and form of construction of service/access roads and drainage systems have been submitted to and approved by the local planning authority.



Drawn Chk Date



RECEIVED  
14 FEB 2003  
DISTRIBUTION STATEMENT A

# have

DESIGN BUR

Plot Files:

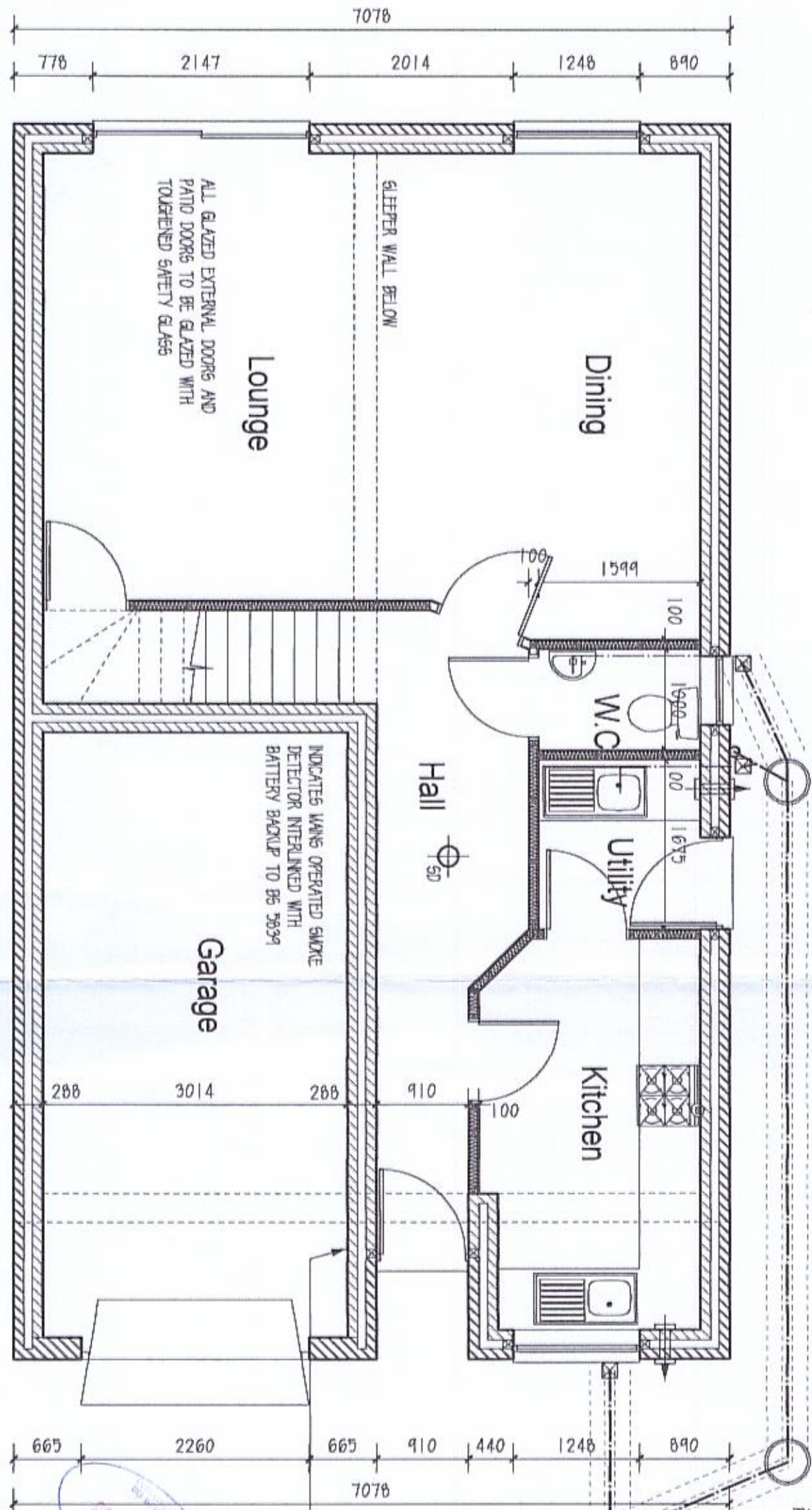


Ground Floor Plan P0810237

harc itecture

1st Floor 161 Lower High Street Stourbridge West Mide DY8 1TS  
Telephone and Fax: 01364 371705  
All dimensions to be checked on site Do Not Scale  
This drawing is copyright.  
Rev. Description Drawn Cnk Date

W.C. TO BE FITTED WITH CEILING MOUNTED MECHANICAL EXTRACT VENTILATION GIVING MIN 15Ltrs/sec EXTRACTION SWITCHED VIA LIGHT SWITCH WITH 15 MINUTE OVERRIDE TAKEN THROUGH FLAT DUCT TO AIR BRICK 12292  
NEW UTILITY TO BE FITTED WITH CONTROLLABLE MECHANICAL EXTRACT VENTILATION GIVING MIN 30 Ltrs/sec EXTRACTION WITH HANDSTAT OVER RIDE



ACCESS & FACILITIES FOR THE DISABLED

ALL DWELLINGS AND SITE CURTAGE TO BE DESIGNED IN ACCORDANCE WITH THE REQUIREMENTS CONTAINED IN SECTION 6 OF THE APPROVED DOCUMENT PART M 1999 EDITION.  
PLOT GRADIENT - PROVIDE A 1:15 RAMPED APPROACH TO FRONT ENTRANCE DOOR WITH A MINIMUM 900 MM X 900MM LEVEL LANDING. ALSO PROVIDE A MINIMUM 140 CROSS FALL TO THE WIDTH OF THE RAMP.  
THRESHOLD DETAIL - REFER TO THE DETAIL 073206 FOR DETAIL AT FRONT DOOR ENTRANCE.  
ENTRANCE DOOR - TO BE STANDARD 890MM DOOR WIDTH BUT TO BE A MINIMUM 775MM.  
CORRIDORS & HALLS - TO BE A MINIMUM 900MM WIDE AND TO BE NO LESS THAN 750MM WITH A SHORT OBSTRUCTION IE. RADIATOR.  
GROUND FLOOR W.C. - TO BE A MINIMUM INTERNAL CLEAR DIMENSIONS OF 900MM WIDE X 1600MM IN LENGTH NB - DOOR EDGE TO OVERLAP W.C. POSITION BY A MINIMUM OF 250MM AND AT ALL TIMES PROVIDE A MINIMUM 750MM CIRCULATION SPACE IN FRONT OF W.C. PAN TO ALLOW TRANSFER. W.C. PAN TO BE POSITIONED CENTRALLY AND SYMMETRICALLY TO WIDTH OF ROOM.  
ACCESSIBLE CONTROLS - PRINCIPAL STOREY TO BE PROVIDED WITH CONTROLS FOR SWITCHES, SOCKETS, TV AND TELEPHONE POINTS INCLUDING DOORBELLS BETWEEN 4500MM AND 1200MM MEASURE OF FINISHED FLOOR LEVEL.

# Ground Floor Plan - Plots 1 & 3 Handed

NOTE- ELECTRICAL INSTALLATION TO COMPLY WITH NEW REQUIREMENTS OF PART P - ELECTRICAL SAFETY AND NEW ELECTRICAL INSTALLATIONS ARE TO BE CARRIED OUT BY A PERSON COMPETENT TO DO SO UNDER THE SCHEMES FOR DOMESTIC INSTALLERS AS APPROVED BY THE SECRETARY OF STATE.  
ALL ELECTRICAL WORK IS TO COMPLY WITH BS 7671 AND THAT AN ELECTRICAL COMPLETION CERTIFICATE IS TO BE FORWARDED TO THE BUILDING CONTROL AUTHORITY.

NOTE- AT COMPLETION OF THE BUILD AN AIR PRESSURE TEST IS TO BE CARRIED OUT ON EACH UNIT AND RESULTS REPORTED TO ARCHITECT AND LOCAL AUTHORITY BUILDING CONTROL.

NOTE - ALLOW FOR LOW ENERGY LIGHT FITTINGS TO BE INSTALLED IN A MINIMUM OF 4% ROOMS - SUGGEST ALL BEDROOMS

DESIGN BUREAU

harc

1st Floor 161 Lower High Street Stourbridge West Mide DY8 1TS  
Telephone and Fax: 01364 371705  
E-mail: t.hollivays@computers.co.uk

Proposed Residential Development  
Deanne Court, Sedgley

client  
Hyperion Homes Limited

drawn  
House Type - Ground Floor Plan

scale  
1:50  
date  
Nov 2007  
rev  
0732.02  
checked  
GCD

Plot 1 Plan  
Plot Dates

14 FEB 2008  
RECEIVED

12 DEC 2007  
RECEIVED



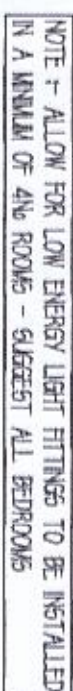
1st Floor 161 Lower High Street Stourbridge West Mide DY6 1TS  
Telephone and Fax: 01364 371705

**All dimensions to be checked on site Do Not Scale**  
**This drawing is copyright.**

Rev.	Description	Drawn	Chk	Date
------	-------------	-------	-----	------

Drawn Chk Date

Date \_\_\_\_\_



## First Floor Plan - Plots 1 & 3 Handed

DESIGN BUREAU

have

1st Floor 161 Lower High Street Stourbridge West Mide DY8 1JS  
Telephone and Fax: 01384 371705  
E-mail: [l.hollives@eyescomputers.co.uk](mailto:l.hollives@eyescomputers.co.uk)

**Proposed Residential Development  
Dearne Court, Sedgley**

**client**  
**Hyperion Homes Limited**

dwg.title House Type - First Floor Plan

scale 1:50  
rev  
drawn GCD

date	Nov 2007	0132.03	checked
------	----------	---------	---------

Plot File:	Plot Date:

Plot Data

RECEIVED  
12 DEC 2007

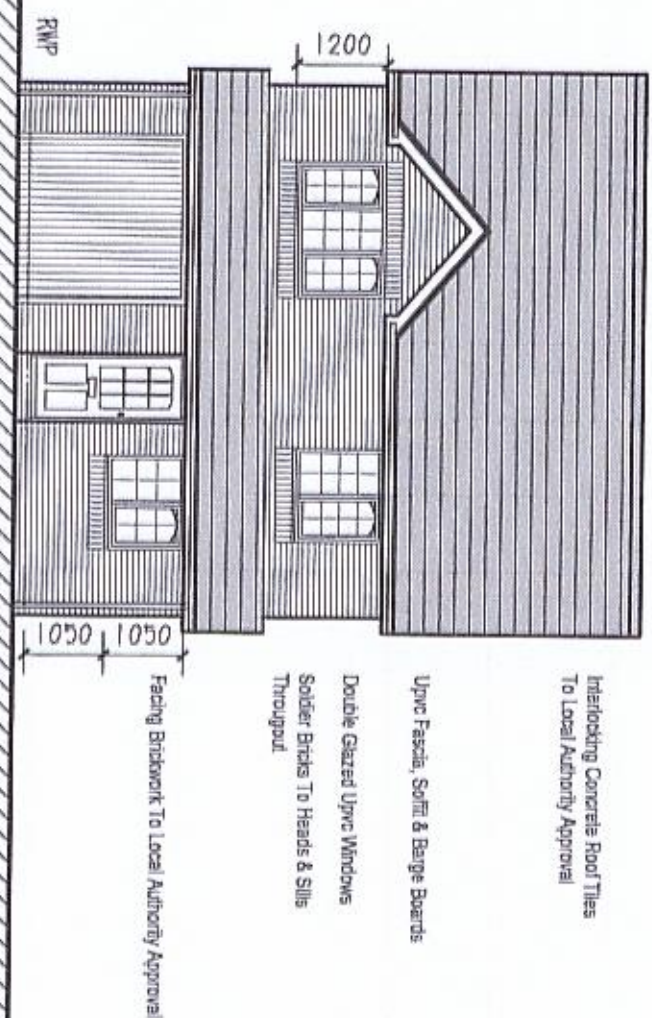


have it e c t u r e

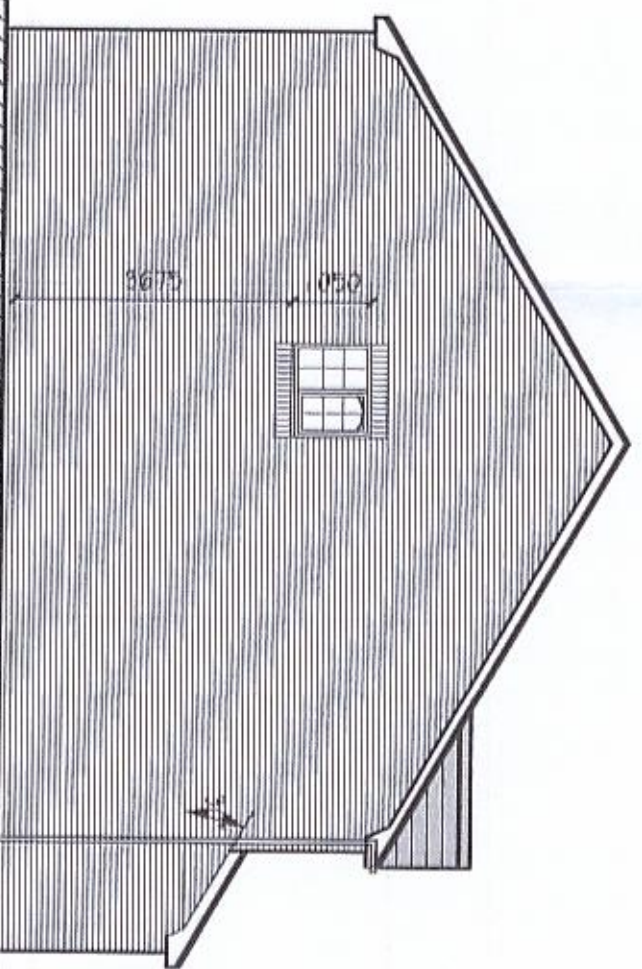
1st Floor 161 Lower High Street Stourbridge West Mids DY8 1TS  
Telephone and Fax: 01384 371705

All dimensions to be checked on site Do Not Scale  
This drawing is copyright.

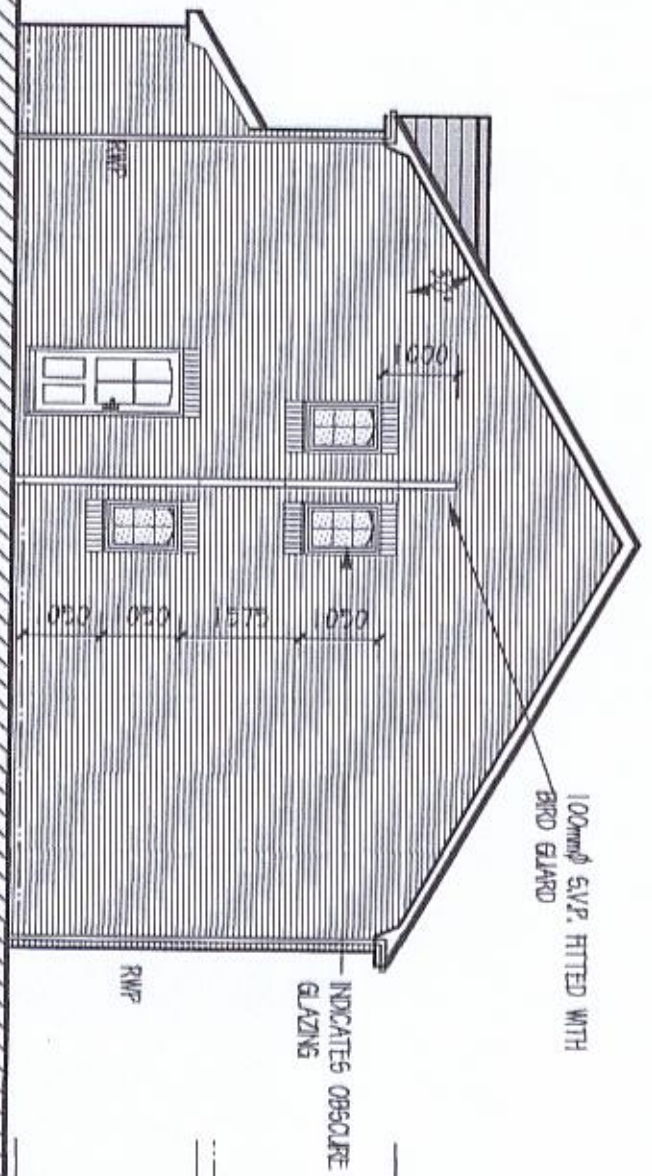
Rev. Description Drawn Cmk Date



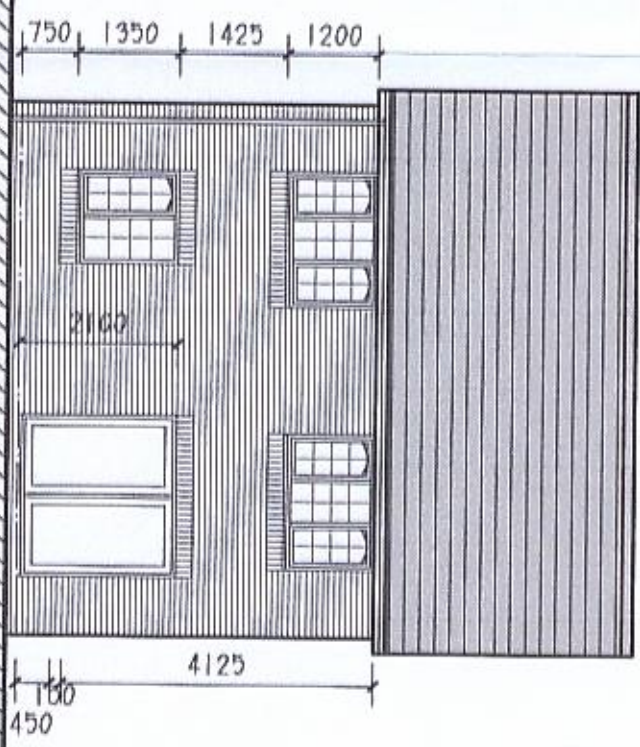
Front Elevation



Side Elevation



Side Elevation



Rear Elevation

ALL GLAZED EXTERNAL DOORS AND PATIO DOORS TO BE GLAZED WITH TOLUENED SAFETY GLASS

PLOT 4, PLOTS 1 & 3 HANDED

14 FEB 2008  
RECEIVED  
DESIGN BUREAU

12 DEC 2007  
RECEIVED  
DESIGN BUREAU

DESIGN BUREAU

1st Floor 161 Lower High Street Stourbridge West Mids DY8 1TS  
Telephone and Fax: 01384 371705  
E-mail: t.holloway@escomputers.co.uk

Proposed Residential Development  
Dearne Court, Sedgley

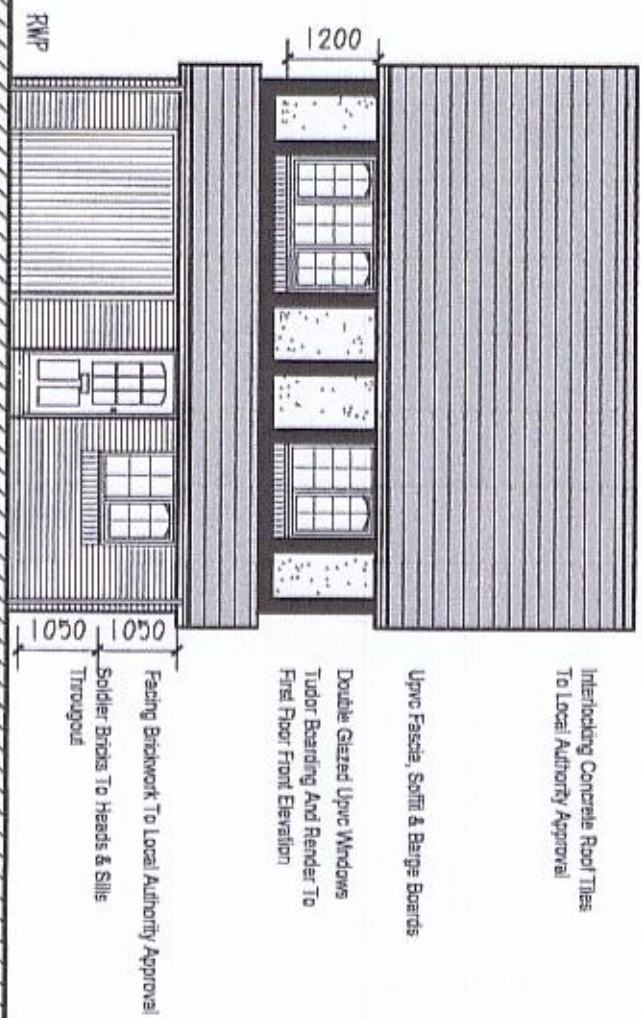
Client: Hyperion Homes Limited  
dwg title: Elevations - PLOTS 1, 3 & 4  
scale: 1:100  
date: NOV 2007  
rev: 0732.04  
drawn: GCD  
checked:

Plot File: Plot Date:

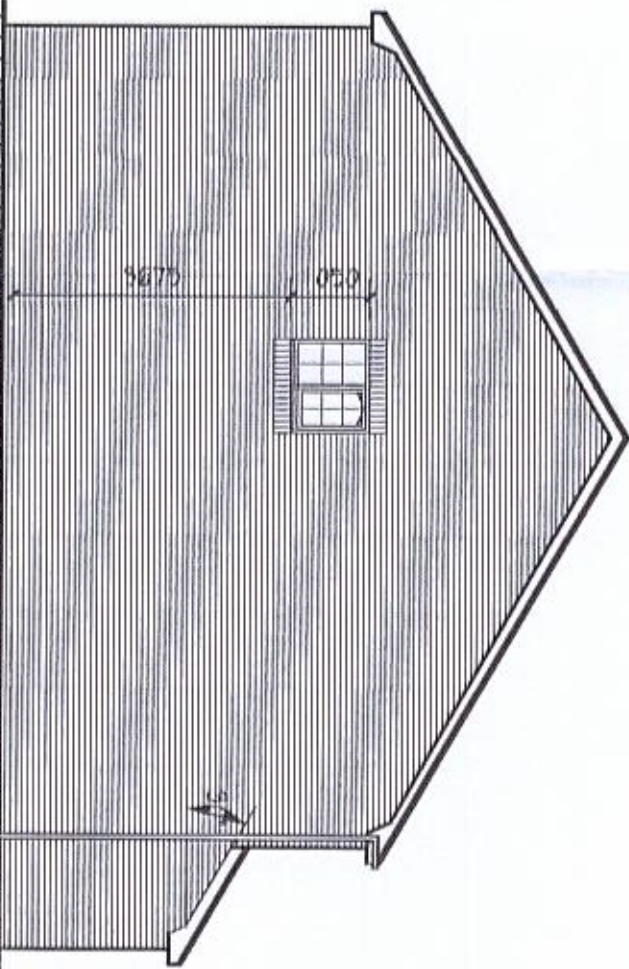


harc itecture

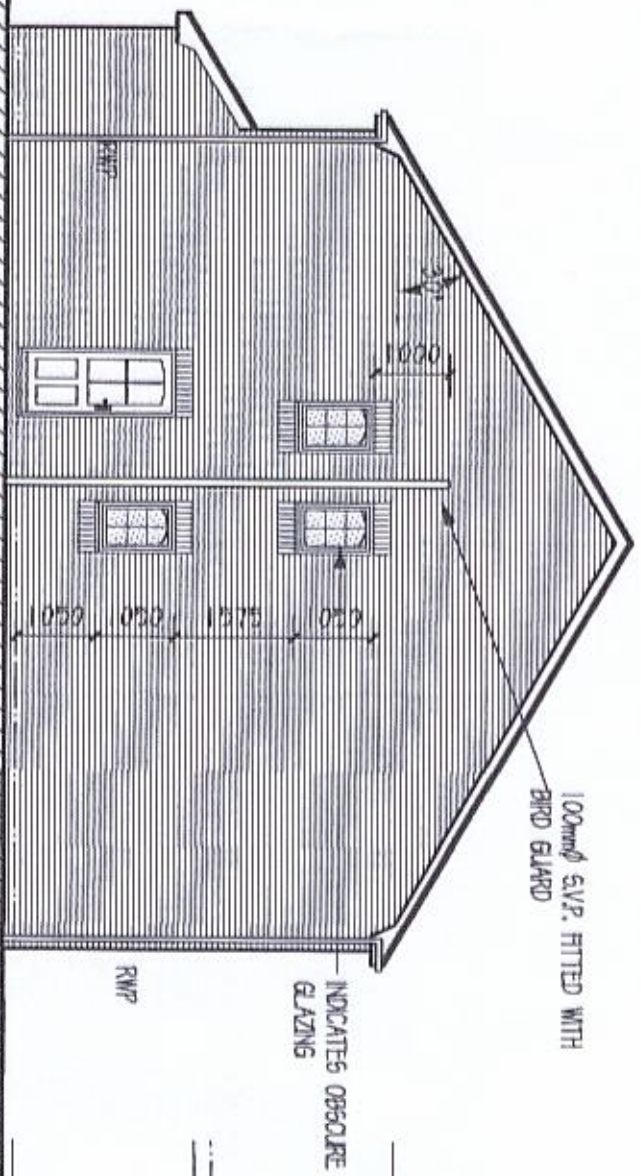
1st Floor 161 Lower High Street Stourbridge West Mids DY8 1TS  
Telephone and Fax: 01384 371705  
All dimensions to be checked on site Do Not Scale  
This drawing is copyright.  
Rev. Description Drawn Cnk Date



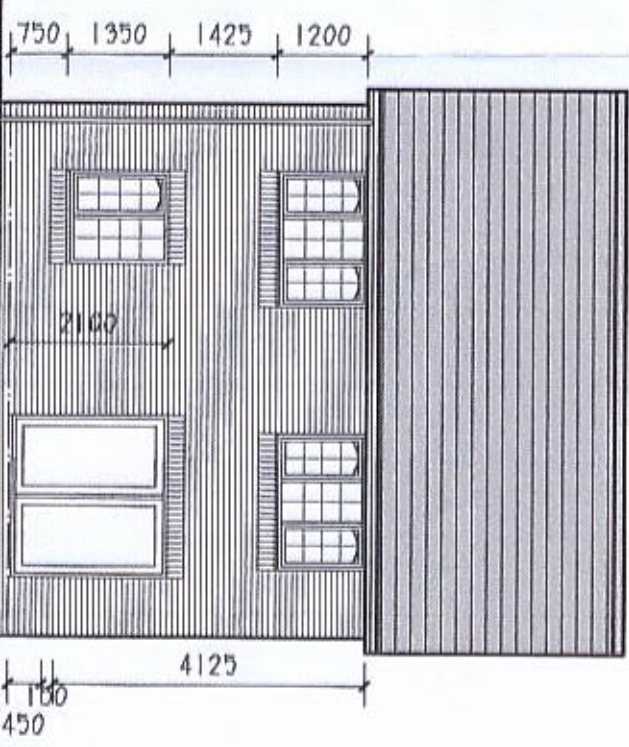
Front Elevation



Side Elevation



Side Elevation



Rear Elevation

ALL GLAZED EXTERNAL DOORS AND PATIO DOORS TO BE GLAZED WITH TOLERATED SAFETY GLASS

PLOT 2

RECEIVED  
12 DEC 2007

RECEIVED  
14 FEB 2008

DESIGN BUREAU

1st Floor 161 Lower High Street Stourbridge West Mids DY8 1TS  
Telephone and Fax: 01384 371705  
E-mail: tholoveyeyescomputers.co.uk

Proposed Residential Development  
Dearne Court, Sedgley

client  
Hyperion Homes Limited  
dwg title Elevations - PLOT 2  
scale 1:100  
date NOV 2007  
Plot File:  
Plot Date:

rev  
0732.05  
drawn GCD  
checked



Location Plan  
P02/0237

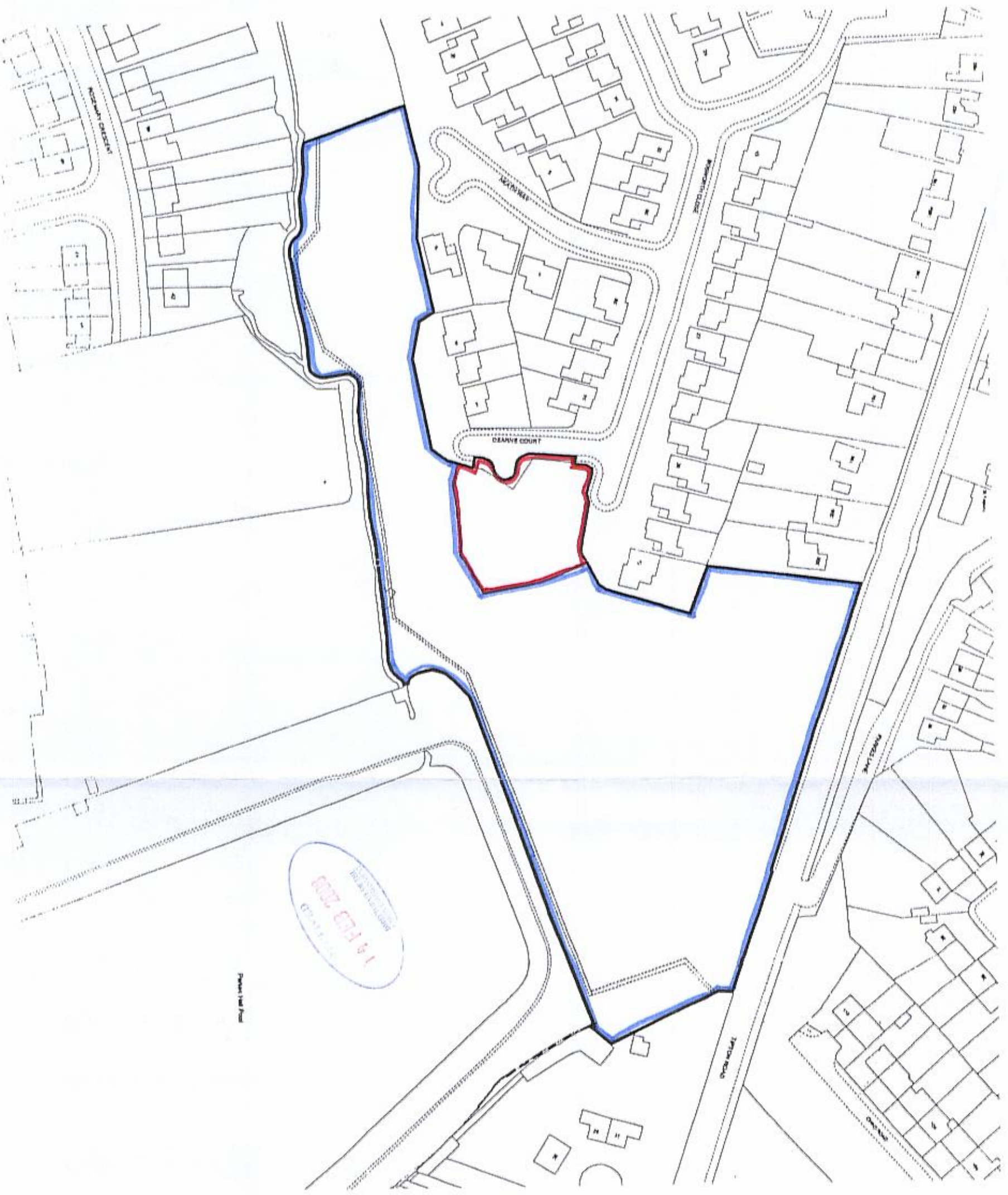
harc itecture

2nd Floor 161 Lower High Street Stourbridge West Mids DY8 1TS  
Telephone and Fax: 01384 371705  
All dimensions to be checked on site Do Not Scale  
This drawing is copyright  
Rev. Description Drawn Chk Date

RECEIVED  
12 DEC 2007



19 FEB 2008  
10.12.07



DESIGN BUREAU  
harc

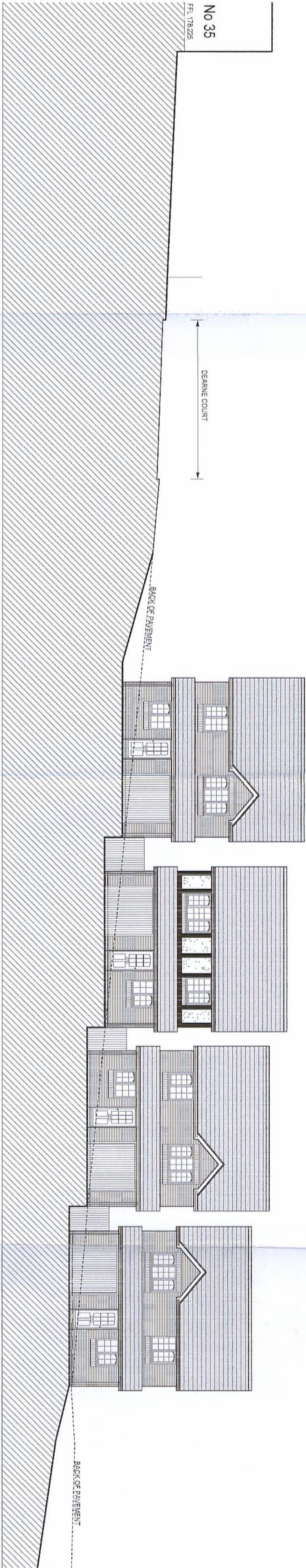
2nd Floor 161 Lower High Street Stourbridge West Mids DY8 1TS  
Telephone and Fax: 01384 371705  
E-mail: harcdesignbureau@yahoo.com

Residential Development  
Off Dearne Court, Sedgley

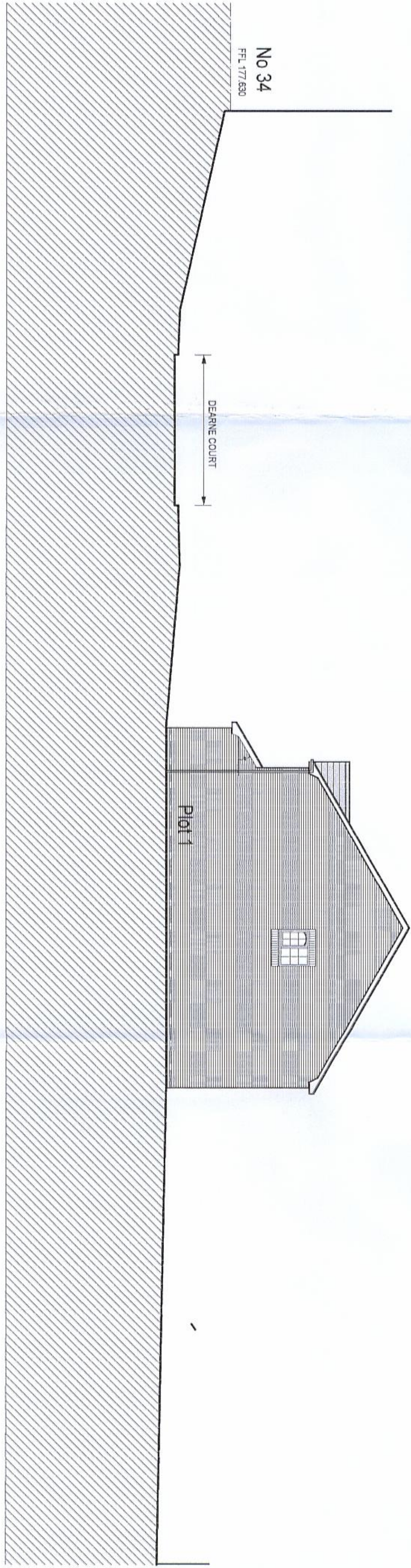
client  
Hyperion Homes Limited

dwg title Location Plan  
scale 1:1250 @A3  
date Dec 07  
Plot File: 0732.007  
10.12.07





PROPOSED STREET SCENE & CROSS SECTION A-A



PROPOSED CROSS SECTION B-B

12 DEC 2007

14 FEB 2008

DESIGN BUREAU

harc

1st Floor 161 Lower High Street Stourbridge West Mids DY9 1TS  
Telephone and Fax: 01384 371705  
E-mail: h@harcbyrescomputers.co.uk

Residential Development  
Off Dearne Court, Sedgley

Client: Hyperion Homes Limited  
dwg title: Street Scene & Cross Section  
scale: 1:100  
date: Nov 2007  
rev: 0732.06  
rev: GCD  
checked: GCD  
Plot Date: