

PLANNING APPLICATION NUMBER:P13/0232

Type of approval sought	Full Planning Permission
Ward	Wollaston and Stourbridge Town
Applicant	Mr P. Dew
Location:	99, BRIDGNORTH ROAD, WOLLASTON, STOURBRIDGE, DY8 3NY
Proposal	ONE AND TWO STOREY REAR EXTENSION TO CREATE ADDITIONAL FLAT AT FIRST FLOOR LEVEL (RESUBMISSION OF REFUSED PLANNING APPLICATION P2/1577)
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The application site is a two storey terraced building located within the centre of Wollaston. The site consists of an A1 retail unit at ground floor with a one bedroom flat at first floor which is accessed via an external staircase to the rear. The area of the site measures 211m² in total.
2. The site is located within a fairly mixed use area with many residential flats nearby at first floor level including No. 99A Bridgnorth Road which is already situated on the application site. 97 Bridgnorth Road is situated to the east and features a cafe at ground floor and a flat at first floor. No. 101 Bridgnorth Road is situated to the west and features a retail unit at ground floor with a residential property to the rear. The side garden of No. 2 Cobden Street abuts the rear of the site.
3. The site is located within the village centre of Wollaston and the property benefits from a protected frontage. The site is also located within Wollaston Conservation Area.

PROPOSAL

4. This proposal seeks approval for a one and two storey rear extension with external staircase to provide a store room at ground floor with a one bedroom studio flat at first floor. There would be an external staircase on-site with an external walk-way and porch area for the existing flat.
5. The single storey rear extension would project a further 2m to the rear and would infill the existing 1.05m gap to the side of the ground floor.
6. The first floor addition would measure 12.25m in total length with the roof above the flat being pitched and 7.25m in maximum height.
7. A 3.5m high mono-pitched roof would also be erected above the ground floor projection.
8. There would be some internal changes to the room layout of the existing flat.

HISTORY

9. This property has five previous relevant applications.

APP NO.	PROPOSAL	DECISION	DATE
SB60/78	New shop front and stores extension at rear	Approved	05.04.1960
P01/0325	Independent access first floor rear access.	Approved with conditions	04.04.2001
P05/1974	Erection of first floor extension to create 1 No one bedroom flat	Refused	21.11.2005
P06/0597	Erection of first floor extension to create 1 No one bedroom flat (resubmission of refused application P05/1974)	Refused	17.05.2006
P12/1577	One and two storey rear extension to create additional	Refused	30.01.2013

	flat at first floor level		
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P05/1974 was refused on the following grounds:

- This proposal would result in a form of development that would have an adverse impact upon residential amenity to the occupiers of 101 Bridgnorth Road, by reason of noise disturbance, loss of outlook, light and sunlight. It would therefore be contrary to Policy DD4 – Development in Residential Areas of the adopted Unitary Development Plan and Supplementary Planning Guidance Notes No. 12 – The 45 Degree Code and No. 17 – House Extension Design Guidance.

P06/0597 was refused on the following grounds:

- This proposal would result in a form of development that would have an adverse impact upon residential amenity to the occupiers of 101 Bridgnorth Road, by reason of noise disturbance, loss of outlook, light and sunlight. It would therefore be contrary to Policy DD4 – Development in Residential Areas of the adopted Unitary Development Plan and Supplementary Planning Guidance Notes No. 12 – The 45 Degree Code and No. 17 – House Extension Design Guidance.

P12/1577 was refused on the following grounds:

- The proposed residential unit would have a significant impact on the residential amenity experienced by the occupiers of the existing flat due to the impact on daylight provision and outlook from the kitchen window at No. 99 Bridgnorth Road resulting from the development. This would be contrary to Policy DD4 of the saved UDP
- The proposed flat would provide an unacceptable level of outlook for the proposed occupiers due to the habitable room windows directly facing a brick wall which would be unacceptable level of residential amenity contrary to Policy DD4 of the saved UDP.

No. 97 Bridgnorth Road

APP NO.	PROPOSAL	DECISION	DATE
SB/60/117	Alterations and additions	Approved	27.05.1960

SB/66/410	Renewal of shop window and erection of gable boundary wall	Approved	01.11.1966
87/51433	Use of shop as housing estate office	Approved with conditions	13.08.1987
87/59126	Application for deemed consent under regulation 4 Of the general regulations for a new shop front	Approved with conditions	07.01.1988
P04/1685	Change of use from council office to retail and new shop front	Approved with conditions	05.10.2004
P04/2263	Change of use from retail (A1) to food and drink sales (A3)	Withdrawn	03.12.2004
P04/2590	Change of use from retail (A1) to sale of food and drink for consumption on the premises (A3) (resubmission of withdrawn application P04/2263)	Withdrawn	08.06.2005
P09/1049	Change of use from retail (A1) to cafe (A3)	Approved with conditions	22.09.2009
P11/1272	Variation of condition 3 of planning approval P09/1049 to increase opening hours Thursdays - Saturdays from 0800 - 1800	Approved with conditions	22.11.2011
P12/0704	Variation of condition 3 of planning application P09/1049 to be revised to 'the premises shall not be open to the public	Approved with conditions	24.07.2012

No. 101 Bridgnorth Road

APP NO.	PROPOSAL	DECISION	DATE
SB/60/191	Alterations and additions	Approved	29.07.1960
89/50245	New shop front.	Approved with	20.03.1989

		conditions	
P07/0253	Two storey rear extension to create kitchen with bedroom above. New pitched roof over existing two storey flat roof to	Approved with conditions	23.03.2007
P12/1370	New shop front	Approved with conditions	20.12.2012

PUBLIC CONSULTATION

- Direct notification was carried out to thirteen surrounding properties, an advert placed in a local newspaper and a site notice displayed to advertise the proposal. One written representation objecting to the scheme has been received by the latest date for receipt of comments which was 26th March 2013.
- The letter of objection was received making the following material planning considerations:
 - Access would need to be provided to a further flat from the alleyway and garden of No. 101 Bridgnorth Road;
 - Lack of parking for the occupiers of the flat;
 - Impact of noise and disturbance;
 - Impact on daylight provision to rear facing kitchen and bedroom windows.

Other non material planning considerations such as the rights of way across the neighbouring property, party wall issues, access for building works and disposal of waste and sewage have also been mentioned within the letter. The possible impact on the adjacent business, due to the need for continued access for the business, as well as an impact on family life and health and safety concerns, have also been detailed within the objection letter.

OTHER CONSULTATION

- **Group Engineer (Development):** No adverse comments received
- **Head of Environmental Health and Trading Standards:** No objections subject to a condition regarding sound attenuation.
- **Historic Environment:** No adverse comments received.

RELEVANT PLANNING POLICY

National Planning Policy

- National Planning Policy Framework (NPPF)

Black Country Core Strategy (BCCS)

- CSP2 – Development Outside the Growth Network
- CSP5 – Transport Strategy
- DEL1 - Infrastructure Provision
- HOU2 – Housing Density, Type and Accessibility
- TRAN2 – Managing Transport Impacts of New development
- TRAN5 – Influencing the Demand for Travel and Travel Choices

Saved Unitary Development Plan (2005)

- DD4 - Development in Residential Areas
- HE4 – Conservation Areas

Supplementary Planning Document(s)

- Parking Standards SPD
- Planning Obligations

ASSESSMENT

10. The proposed development must be assessed with regard to its principle and design within the context of the local area. The amenity of nearby residential properties as well as the parking standards and relevant planning obligations must also be assessed.

11. The key issues are

- Principle
- Design
- Impact on Conservation Area
- Residential Amenity
- Prospective Occupier's Amenity
- Vehicle Parking and Highway Safety
- Planning obligations

Principle

12. The application site is within a mixed area with predominantly commercial properties at ground floor with many residential properties at first floor. There is an existing residential flat at first floor level and other first floor flats in the vicinity. Therefore, the proposed residential unit would be acceptable in principle on this site as it would relate to the character of the existing area.

13. The proposed use would be compatible with the surrounding properties and subject to there being no impact on highway safety or residential amenity the proposed residential flat would comply with the requirements of Policy DD4 – Development in Residential Areas of the saved UDP and HOU2 of the BCCS.

Design and Siting

14. The first floor addition would be fairly modest in overall size, particularly considering the additions to the properties either side, and the roof design would be fairly in-keeping with the original property and existing development in this street. The development would therefore be acceptable from a design point of view and would comply with Policy DD1 and DD4 of the saved UDP.

Impact on Conservation Area

15. The proposal would be located within the Wollaston Conservation Area. The additions would relate to the original building insofar as replicating the pitched roof and the fenestration to a satisfactory level, which would be acceptable. The works would be considered to have a neutral impact on the building and surrounding Conservation Area, particularly as the site would not be overly visible from within the Conservation Area due to the location at the rear of the premises. There have been no objections from the Historic Environment team and as such the proposal would be deemed to comply with Policy HE4 of the saved UDP.

Residential amenity

16. The application site is located within a mixed use area with predominantly commercial properties at ground floor and residential properties at first floor. The external alterations would project past the rear elevation of the adjacent properties but there would be no significant impact on residential amenity for the residential occupiers of Nos. 97 or 101 Bridgnorth Road due to the modest size. The 45 degree code guidelines would not be breached and due to the orientation and modest projection as well as window locations on neighbouring properties there would be no impact on daylight provision or outlook for the occupiers of these properties. These properties would suffer no impact on privacy as a result of the position of proposed windows.

17. No. 2 Cobden Street would also suffer no adverse impact resulting from the proposal due to the 26m separation distance between the proposal and the adjacent boundary.

18. Properties to the front of the site would have no sight of the proposal and would suffer no adverse impacts.

19. The National Planning Policy Framework (NPPF) states that development should *'always seek to secure high quality design and a good standard of amenity for all*

existing and future occupants of land and buildings'. The proposed flat would no longer have a significant impact on outlook and daylight provision for the existing first floor flat at No. 99 Bridgnorth Road subject to the amendments to the roof layout and additional windows. The proposal would no longer completely cover the rear facing kitchen window as demonstrated in P12/1577. This development would therefore no longer have a significant impact on amenity for the occupiers of this existing flat and would now comply with Policy DD4 of the saved UDP.

20. The proposed use would be compatible with the nearby residential properties and as such there would be no impact on amenity for local occupiers. The Head of Environmental Health and Trading Standards has had no objections to the proposal in line with Policy DD4 of the saved UDP subject to a condition regarding sound attenuation.

Prospective Occupier's Amenity

21. The application premises are located adjacent to existing commercial premises, which do produce some noise. The retail unit below is unlikely to be open at times that may prove detrimental to amenity and the surrounding units would not impact on amenity, but the A5 uses nearby may impact on amenity. Subject to a condition to restrict noise levels the Head of Environmental Health and Trading Standards has no objection to the proposal. The proposal would therefore comply with Policy EP7 of the saved UDP.
22. The proposal would provide some outside amenity space for the prospective occupiers as well as the existing occupiers of the flat. The outside amenity space measures approximately 100m². A residential development of this size should provide 30m² of garden area whilst keeping at least 30m² for the existing flat. With an outside area of this size the level of amenity space would be acceptable.
23. The separation distance between the proposed residential flat windows and habitable rooms would be at least 22m. As a studio flat there would only be one window within the flat and this would be located facing to the rear of the site. The proposed roof windows would also provide a certain level of daylight for the

occupiers. The removal of the windows along the side elevation would reduce the impact on privacy as well as inadequate outlook for the occupiers. As such, the development would now comply with Policy DD4 and of the saved UDP.

Access and Parking

24. The Group Engineer has no objections in principle to the change of use and no adverse comments have been received. Although there would be no parking provided the residential flat is located within the village centre of Wollaston and due to this sustainable location the lack of parking provision would be satisfactory in this case.

25. The proposal is therefore considered acceptable within regards to parking and would not impact on highway safety. Subject to a condition regarding the provision of cycle storage unit the proposed scheme is therefore consistent with the requirements of Policies TRAN2, TRAN5 and CSP5 of the BCCS and the Parking Standards SPD (2012).

26. Access would be provided across third party land but this would be a civil matter. The existing flat is also accessed in the same manner.

Planning Obligations

27. Black Country Core Strategy Policy DEL1 'Infrastructure Provision' sets out the adopted policy framework for Planning Obligations within Dudley and the Planning Obligations SPD provides further detail on the implementation of this policy; these policy documents were prepared in accordance with national legislation and guidance on planning obligations.

28. Policy DEL1 requires all new developments to be supported by sufficient on and off-site infrastructure to serve the development, mitigate its impact on the environment, and ensure that the development is sustainable and contributes to the proper planning of the wider area.

29. Since the adoption of the amended Planning Obligations SPD (2011) the creation of one new dwelling would no longer trigger the requirement for planning obligations to be paid. However, the addition to the ground floor retail unit would potentially trigger the following obligations according to the Planning Obligations SPD are:

- Transport Infrastructure Improvements
- Air Quality Enhancement
- Public Realm Enhancement
- Nature Conservation

30. In determining the required planning obligations on this specific application the following three tests as set out in the Community Infrastructure Levy (CIL) Regulations, in particular Regulation 122, have been applied to ensure that the application is treated on its own merits:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development;
- (c) fairly and reasonably related in scale and kind to the development.

31. Following consideration of the above tests the following planning no off-site planning obligations are required for this application. A condition requiring some on-site nature conservation enhancements would be added onto any approval as this would comply with the CIL tests mentioned above. As such, the proposal would comply with the requirements of BCCS Policy DEL1 and the Planning Obligations SPD.

CONCLUSION

32. The principle of this type of residential development on this site would be acceptable and would comply with all relevant policies, such as Policy DD4 of the saved Dudley UDP and the New Housing SPD.

RECOMMENDATION

It is recommended that the application is approved subject to the following condition:

Reason For Approval

It is considered that the proposed one and two storey rear extension to provide a flat relates satisfactorily to the existing dwelling, protecting visual and residential amenity. There would be no demonstrable harm to neighbouring properties and no adverse effect on the street scene or character of the area.

The decision to grant planning permission has been taken with regard to the policies and proposals in the adopted Black Country Core Strategy (2011), the saved UDP (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 detail on the decision please see the application report.

Informative Note

The proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from coal mining. These hazards can include: mine entries (shafts and adits); shallow coal working; geological fissures; mine gas and previous surface mining site. Although such hazards are often not readily visible, they can often be present and problems can occur as a result of development taking place, or can occur at some time in the future.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required, be submitted alongside any subsequent application for Buildings Regulations approval.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority.

Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action.

Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

APPROVAL STATEMENT INFORMATIVE

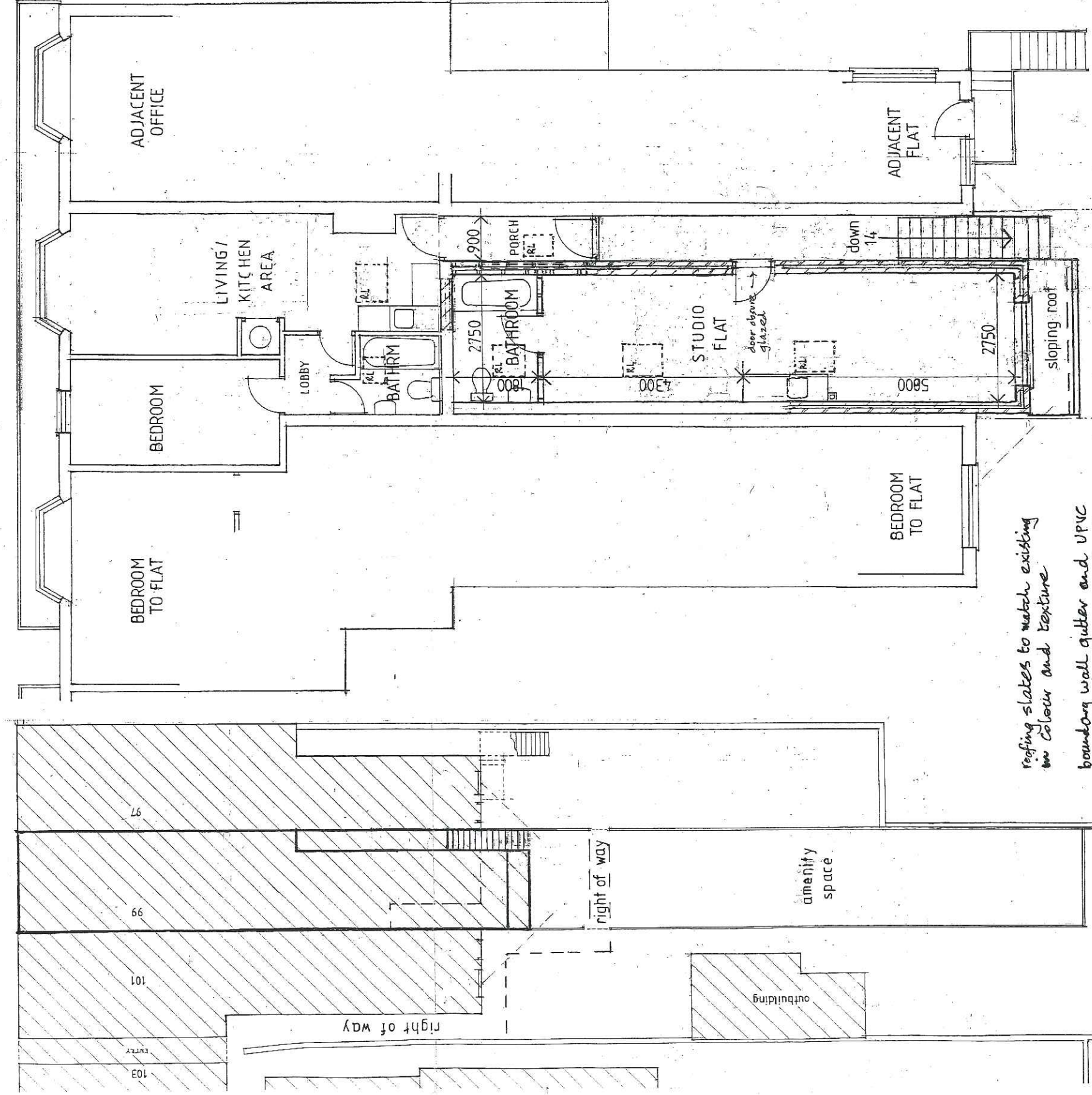
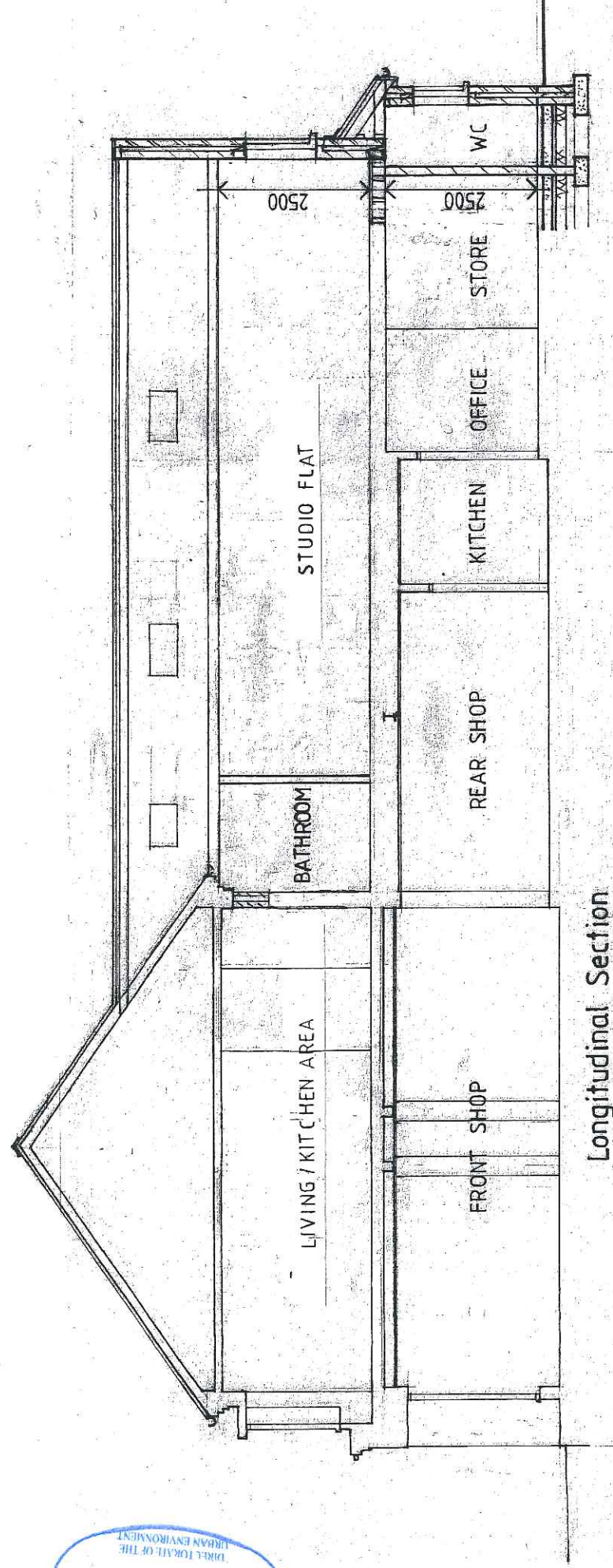
In dealing with this application the local planning authority have worked with the applicant in a positive and proactive manner, seeking solutions to problems arising in relation to dealing with the application, by seeking to help the applicant resolve technical detail issues where required and maintaining the delivery of sustainable development. The development would improve the economic, social and environmental concerns of the area and thereby being in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

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 labelled: ['PD/21' and 'PD/22']
3. The materials to be used in the approved development shall match in appearance, colour and texture those of the existing building unless otherwise agreed in writing with the local planning authority.
4. Prior to first occupation the approved building shall be constructed to provide sound attenuation against internally generated noise of not less than 35 dB averaged over the frequency range of 100-3150Hz.
5. Prior to the occupation of the residential flat hereby approved the provision of 1 cycle storage unit should be provided on-site for the use of the residents. The cycle storage area should be retained as so for the life of the development unless otherwise agreed in writing by the Local Planning Authority.
6. The proposed works to the existing flat at No. 99 Bridgnorth Road hereby approved should be carried out prior to the commencement of development for the proposed flat.



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roofing slates to match existing
in colour and texture

boundary wall gutter and UPVC
rainwater goods on s.w. fascia

fascias to match existing in colour
and texture

plastic coated UPVC double glazed
windows and doors to match existing

all new windows, doors, fascias and roof slates
to match existing adjacent materials

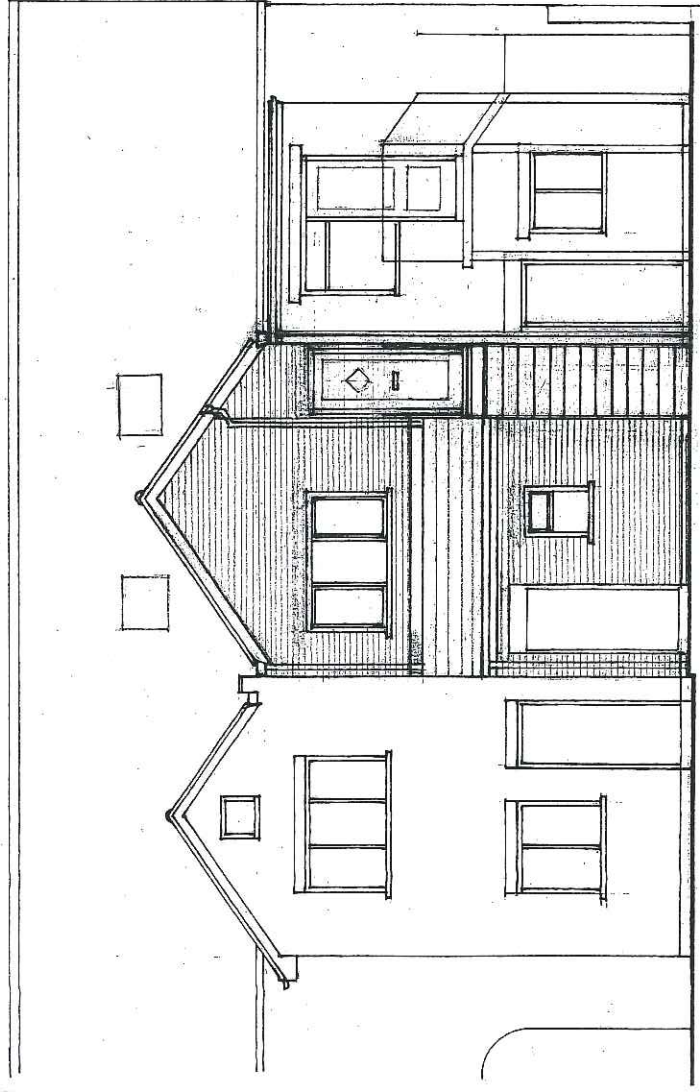
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ground level

Site Plan 1:200

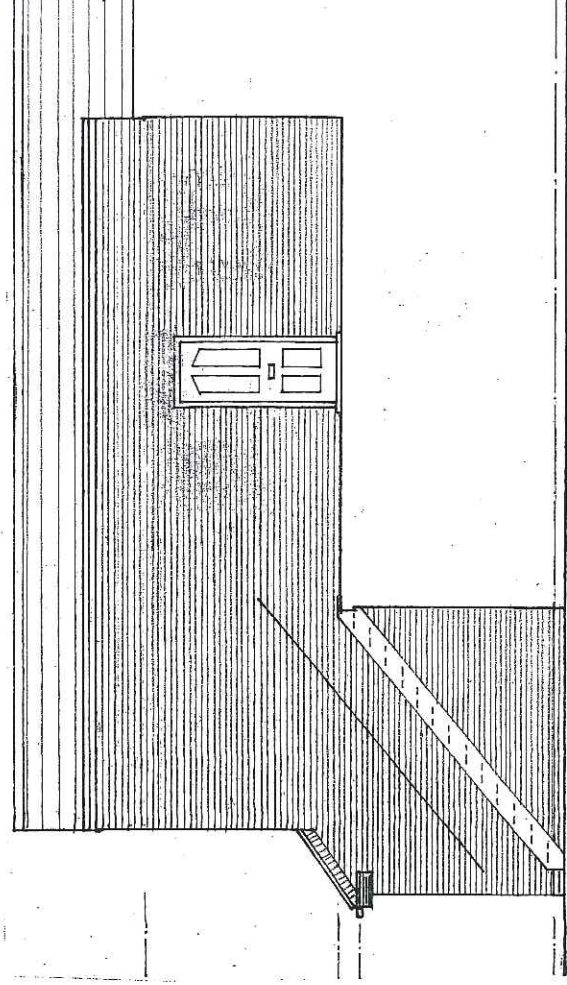
SHEET 2 of 2

STUDIO FLAT / EXTENSION
99, BRIDGNORTH ROAD
WOLLASTON, STOURBRIDGE
Scale 1:100 PD/22

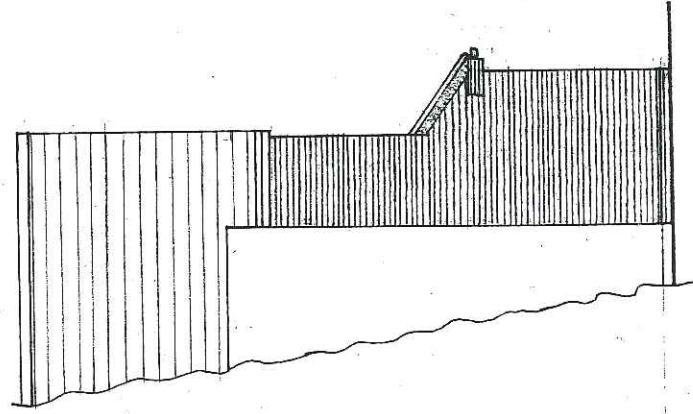
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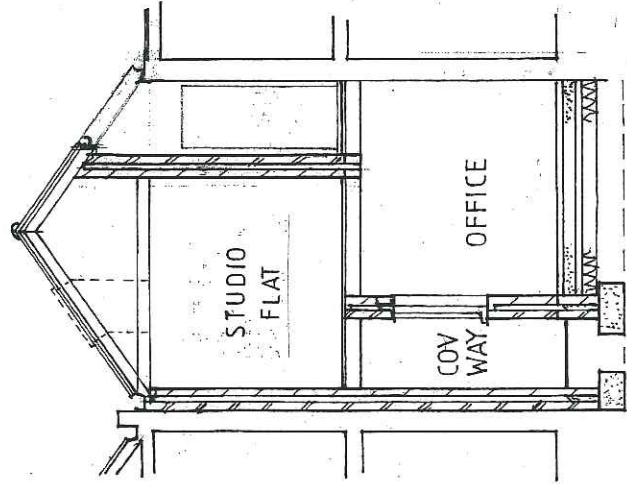
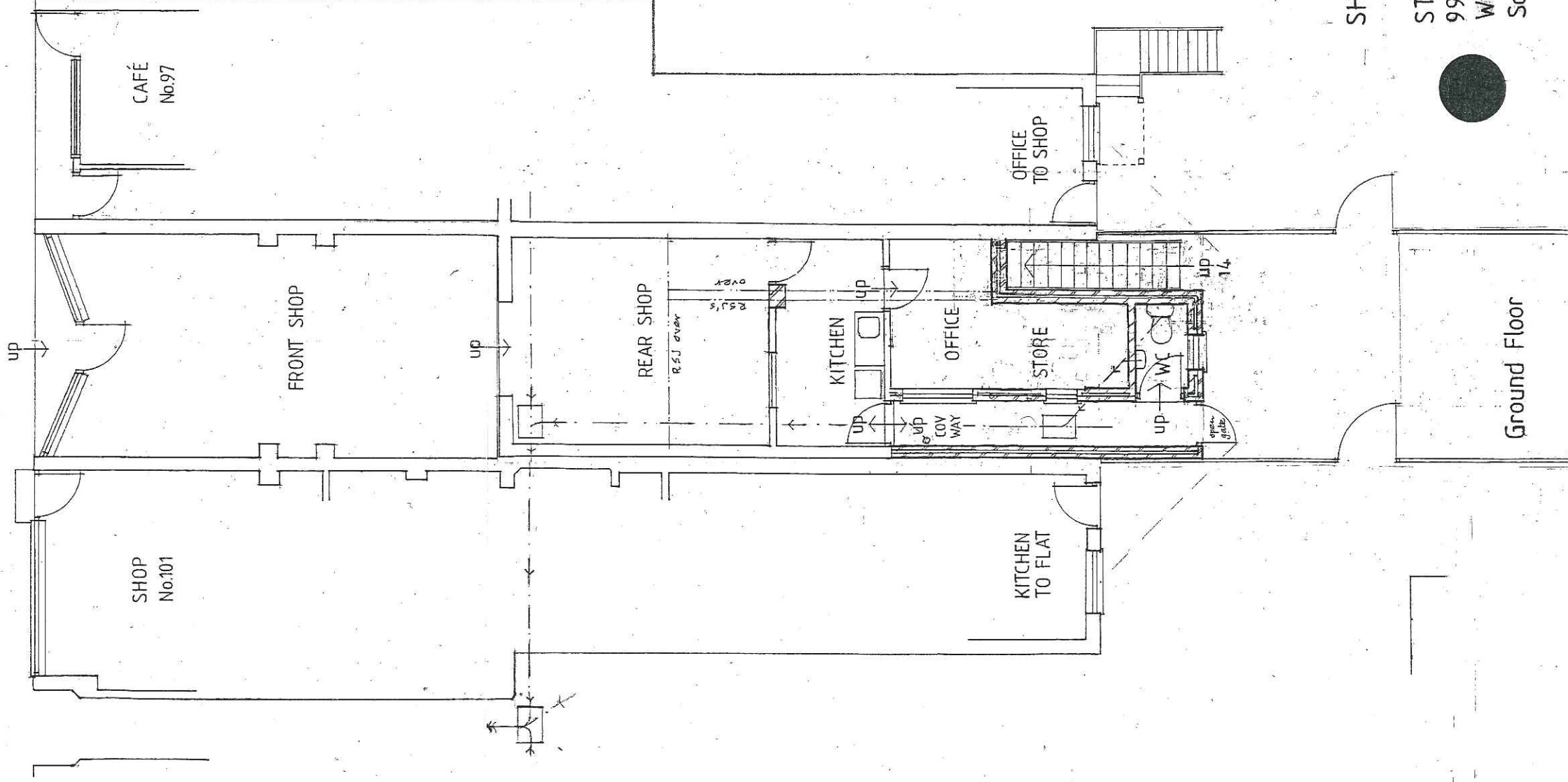
S.E. Elevation



N.E. Elevation



Part S.W. Elevation

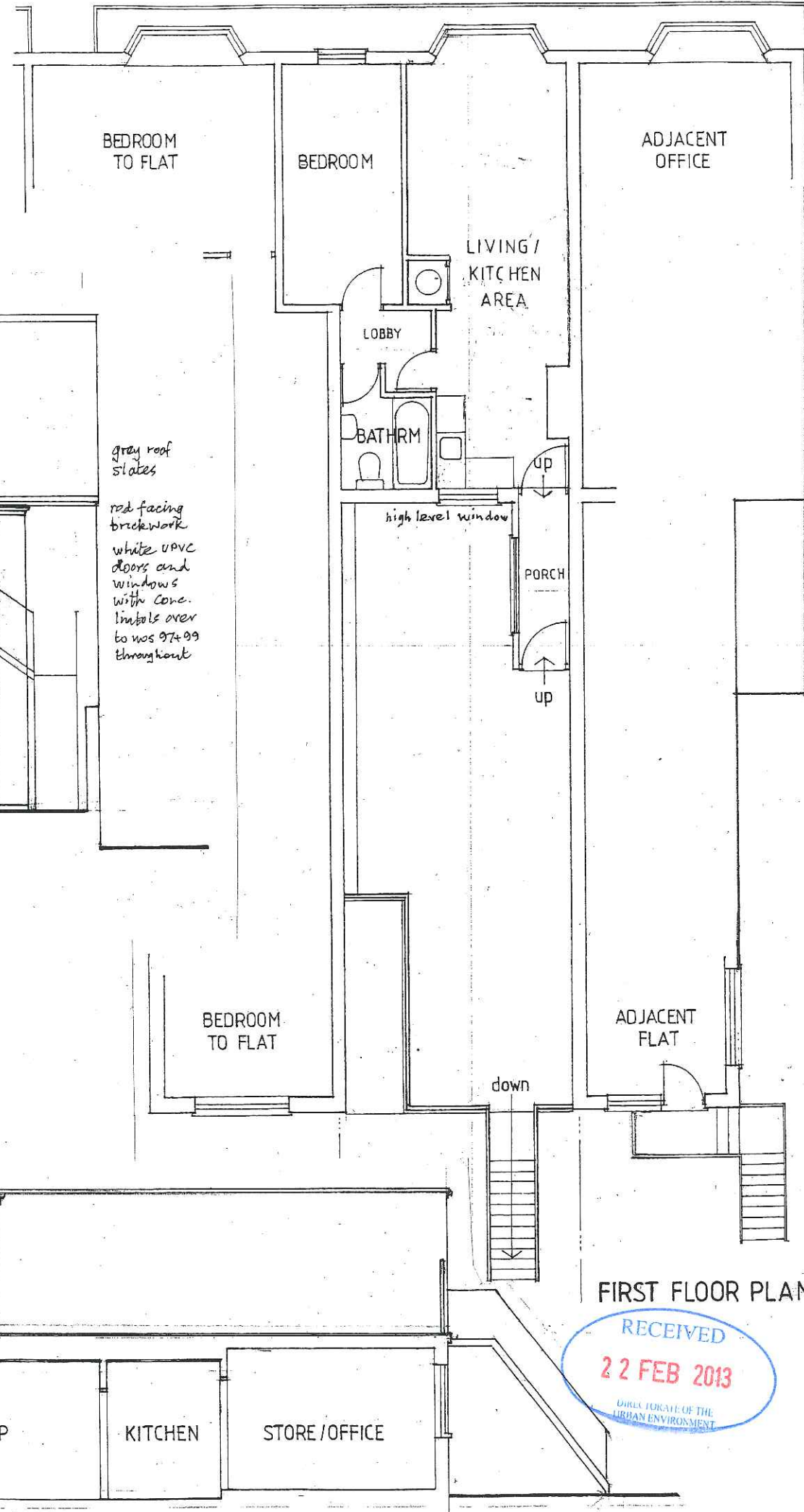
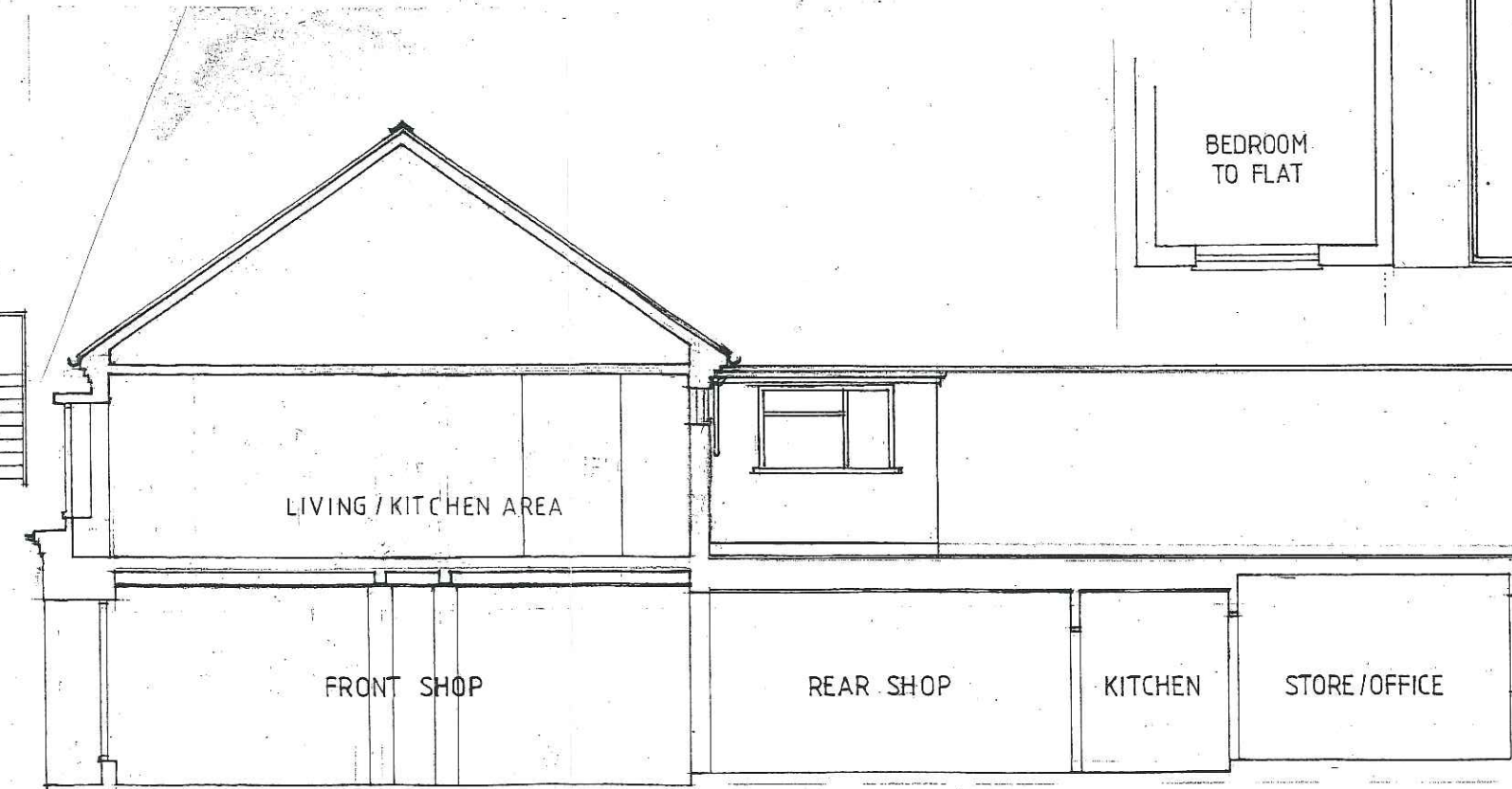
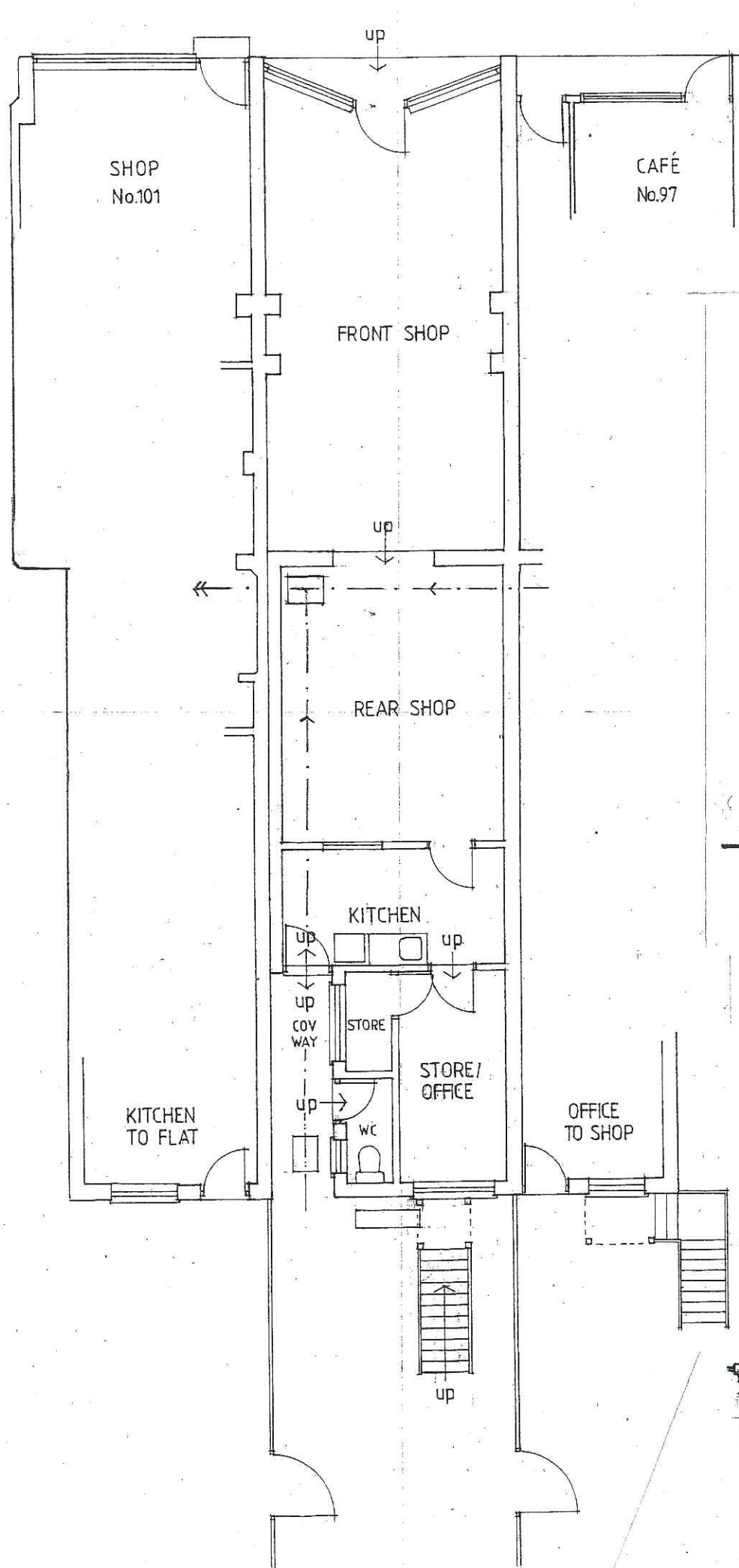


Cross Section

SHEET 1 of 2

STUDIO FLAT / EXTENSION
99, BRIDGNORTH ROAD
WOLLASTON, STOURBRIDGE
PD/21
Scale 1:100

AS EXISTING
99, BRIDGNORTH ROAD
WOLLASTON, STOURBRIDGE
Scale 1:100 PD/20



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