

PLANNING APPLICATION NUMBER:P08/1923

Type of approval sought	Outline Planning Permission
Ward	Halesowen South
Applicant	Mr Ramsay Jenns
Location:	225, SPIES LANE, HALESOWEN, B62 9SJ
Proposal	OUTLINE APPLICATION FOR ERECTION OF A DETACHED DWELLING AND GARAGE (ACCESS & LAYOUT TO BE CONSIDERED)
Recommendation Summary:	APPROVE SUBJECT TO A 106 AGREEMENT

SITE AND SURROUNDINGS

- 1 The application site is 0.028 hectares in size and comprises the side/main garden to no. 225 Spies Lane. That dwelling is a detached house with pitched roof and garage and drive on the opposite side to the application site. The dwellings on the opposite side of the site are a pair of semi-detached dwellings with vertical emphasis in the design. The dwellings on the opposite side of the highway are larger and markedly set back from the road behind screening hedges. The character of the area is suburban residential.
- 2 There is a hedge in front of the site to the road on a slight rise above the footway. There is also a more substantial hedge on the western boundary of the site (to the rear gardens of the dwellings fronting Gower Road). There is a mature tree (Copper Beech) in the south west corner of the site.

PROPOSAL

- 3 This is an Outline application for a detached 3 bedroom dwelling. Access and layout are for consideration. Access is shown onto Spies Lane near to the boundary with the residual garden area to no. 225. This leads to 2 no. parking spaces in front of a garage along that boundary.

- 4 The layout also shows the dwelling to have a conservatory and a projecting element on the frontage. The mature tree is proposed to be retained, along with most of the hedges around the boundary of the site (to be pruned and reinforced).
- 5 A Design and Access Statement accompanies the submission. Inter alia, this references the existing building line in the streetscene being addressed, the separation distances to the existing dwelling and the retention of the vegetation on the site.
- 6 Amended plans have been received to show the garage to be increased in size (to 6 x 3 metres).

HISTORY

- 7 A summary of the planning history is set out below.

APPLICATION No.	PROPOSAL	DECISION	DATE
78/2532	Erection of a detached house	Approved	27/11/1978

PUBLIC CONSULTATION

- 8 Two representations have been received from local residents. These, in summary, state:-
- the proposed dwelling is too close to the boundary with no's. 221/223 (1.2 metres away) – this is a poor allocation of space (with a gap on the opposite side to the host property);
 - the on street parking on Spies Lane is also usually taken by residents and their visitors;
 - the proposed dwelling will be built forward of the established building line (in relation to no. 225);
 - there is a shed on the site which has been unlawfully constructed;
 - a mature tree has been removed from the site.

OTHER CONSULTATION

- 9 Group Engineer (Development) – no objections subject to the garage being of adequate dimensions and the provision of a planning obligation requirement with respect to transport infrastructure improvement monies.
- 10 Head of Environmental Health and Trading Standards – no objections.

RELEVANT PLANNING POLICY

- 11 Unitary Development Plan (adopted 2005)

The following UDP policies are relevant:-

DD1 (Urban Design);

DD4 (Urban Design in residential areas);

DD6 (access and transport infrastructure);

DD7 (planning obligations)

H3 (housing assessment criteria)

H6 (housing density)

- 12 Supplementary Planning Documents (SPDs)
Planning Obligations

New housing development

Parking and travel plans.

ASSESSMENT

- 13 The key issues are –

the principle of the development;
design;
amenity;
parking and access;
planning obligations.

- 14 Principle of the development

This is considered to be previously developed land, with the proposal, in principle, seeking to make the efficient use of land in the urban area. There is consequently broad planning policy support for the principle of this development, especially in relation to UDP policy H3.

- 15 Design issues

It is considered that the proposed dwelling will close a gap in the streetscene, providing a stronger sense of enclosure there, with the forward building line of the

proposed house similar to that associated with the existing dwellings on the left hand side of the plot (nos. 221 and 223). The proposed building line is then recessed near to the boundary with no. 225 responding to that dwelling's increased set back from the highway.

- 16 The layout of the plot has some similarities with the host dwelling (particularly with the drive on the right hand side of the house). However this is within the context of there generally being a variety of house types and plot widths at this location. The retention of the hedgerow, particularly the one on the street frontage also helps to assimilate the dwelling within the streetscene. The design issues pertaining to the layout of the plot are therefore considered satisfactory.

17 Amenity

The rear building line of the proposed plot is commensurate with that to the rear of the adjoining dwelling (no. 223). In addition, no. 223 presents a blank gable to the site and the mature beech tree is proposed to be retained along the shared boundary. It is considered that this ensures that no significant adverse impact will arise on the occupier(s) of that dwelling.

- 18 With respect to the host dwelling, it is acknowledged that there is a primary habitable room window on the facing side elevation. However, in accordance with approved guidance, there is a separation distance of 14 metres shown between that elevation and the side elevation of the proposed plot. In addition, the proposed garage is shown to be sited along the shared boundary. A kitchen window is proposed on the facing side elevation of the proposed plot – a condition has been recommended that this be obscure glazed. It is considered that these factors will prevent any significant overlooking arising.

- 19 There is considered to be sufficient residual side garden area for the host dwelling. This is shown as 9 metres long which, coupled with that dwelling's rear and side garden on the opposite side, ensures an adequate level of amenity is maintained for the occupier(s) of no. 225.

- 20 In terms of the impact on the occupiers of the dwellings fronting Gower Road, these houses have relatively long rear gardens. In addition, the rear section of these gardens (likely to be affected most by the proposal) are to an extent already

overlooked by existing dwellings (e.g. those fronting Spies Close) – it is unlikely that the proposal will significantly exacerbate this impact.

- 21 The proposed dwelling has a rear garden length of 10.3 metres to the main rear building line, with an amenity space of 95 m² - this is considered sufficient to afford an adequate level of amenity for future occupiers.

22 Parking and access

It is considered that satisfactory visibility can be achieved onto the highway.

Amended plans have been received to show the proposed garage to be increased in size so as to properly accommodate a vehicle and there is space in front of that to accommodate at least one other vehicle. There is also a turning area shown to be provided to enable vehicles to manoeuvre out on the highway in a forward gear.

23 Planning Obligations

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

- Libraries - £179.53
- Open Space, Sport and Recreation - £2402.51
- Transport Infrastructure Improvements - £3123.59
- Public Realm - £495.30
- Management and Monitoring Charge - £500

Total Offsite Contribution equates to £6700.93

The applicant has agreed to the payment of these offsite planning obligations.

CONCLUSION

- 24 The proposed house is considered acceptable as in terms of design - it has a similar forward building line to existing dwellings in the street and its siting will not give rise to a significant impact on existing residents while providing adequate amenity space for future occupiers. The proposal is therefore considered in compliance with the development plan, in particular policy DD4 of the Unitary Development Plan and Supplementary Planning Document (New Housing Development).

RECOMMENDATION

- 25 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 provision,

maintenance and enhancement of off-site public open space and play provision and the provision of contributions towards public realm improvements, library provision and transport infrastructure 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 –

Notes for Applicant

A. This permission relates to the amended layout plan – 1234-PI-022 B, deposited on 4th February 2009.

B. You are advised to contact Highway Maintenance on 01384 812345 to organise the provision of a dropped kerb/crossover.

Reason for approval

The proposed house is considered acceptable as in terms of design - it has a similar forward building line to existing dwellings in the street and its siting will not give rise to a significant impact on existing residents while providing adequate amenity space for future occupiers. The proposal is therefore considered in compliance with the development plan, in particular policy DD4 of the Unitary Development Plan and Supplementary Planning Document (New Housing Development).

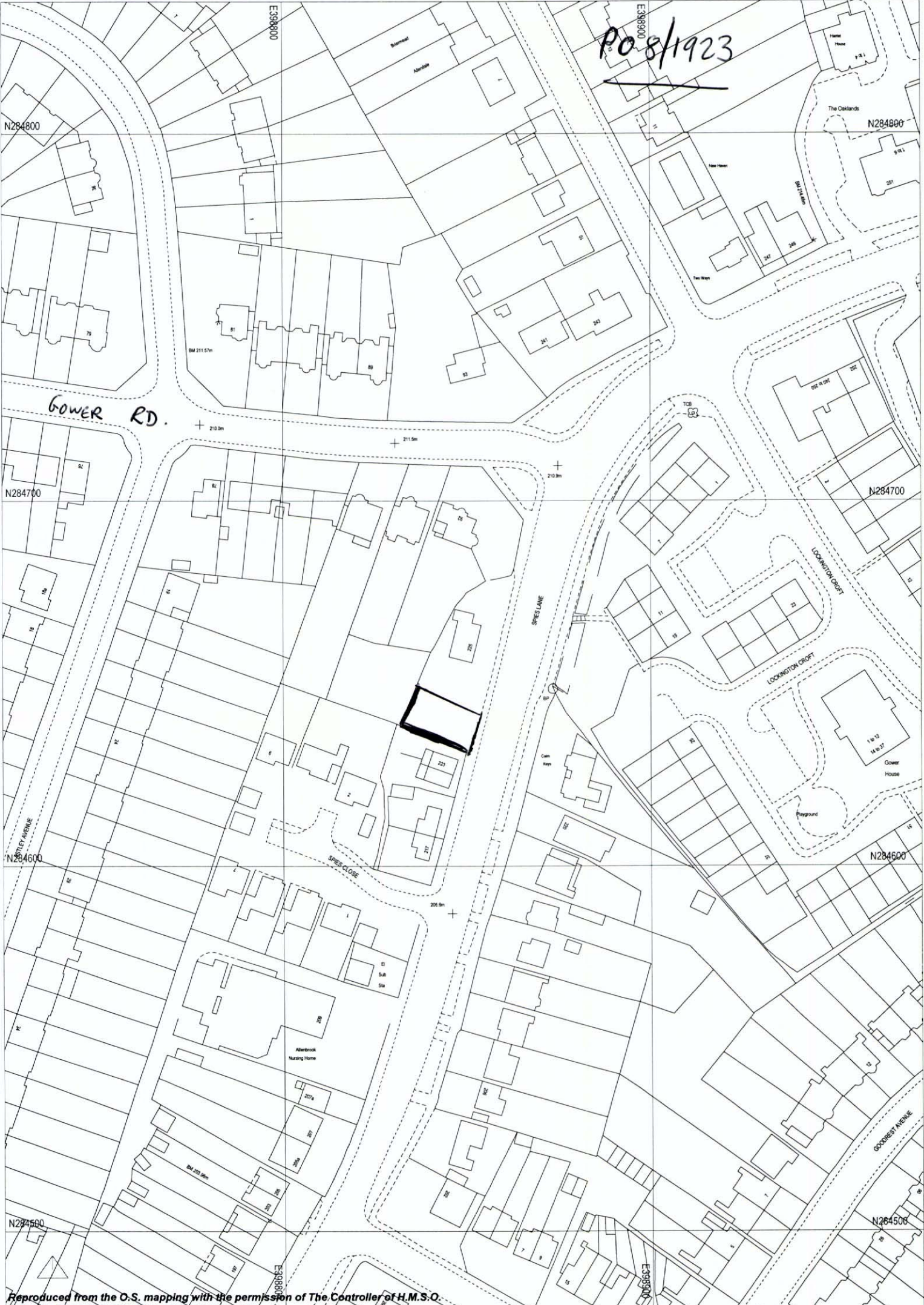
Conditions and/or reasons:

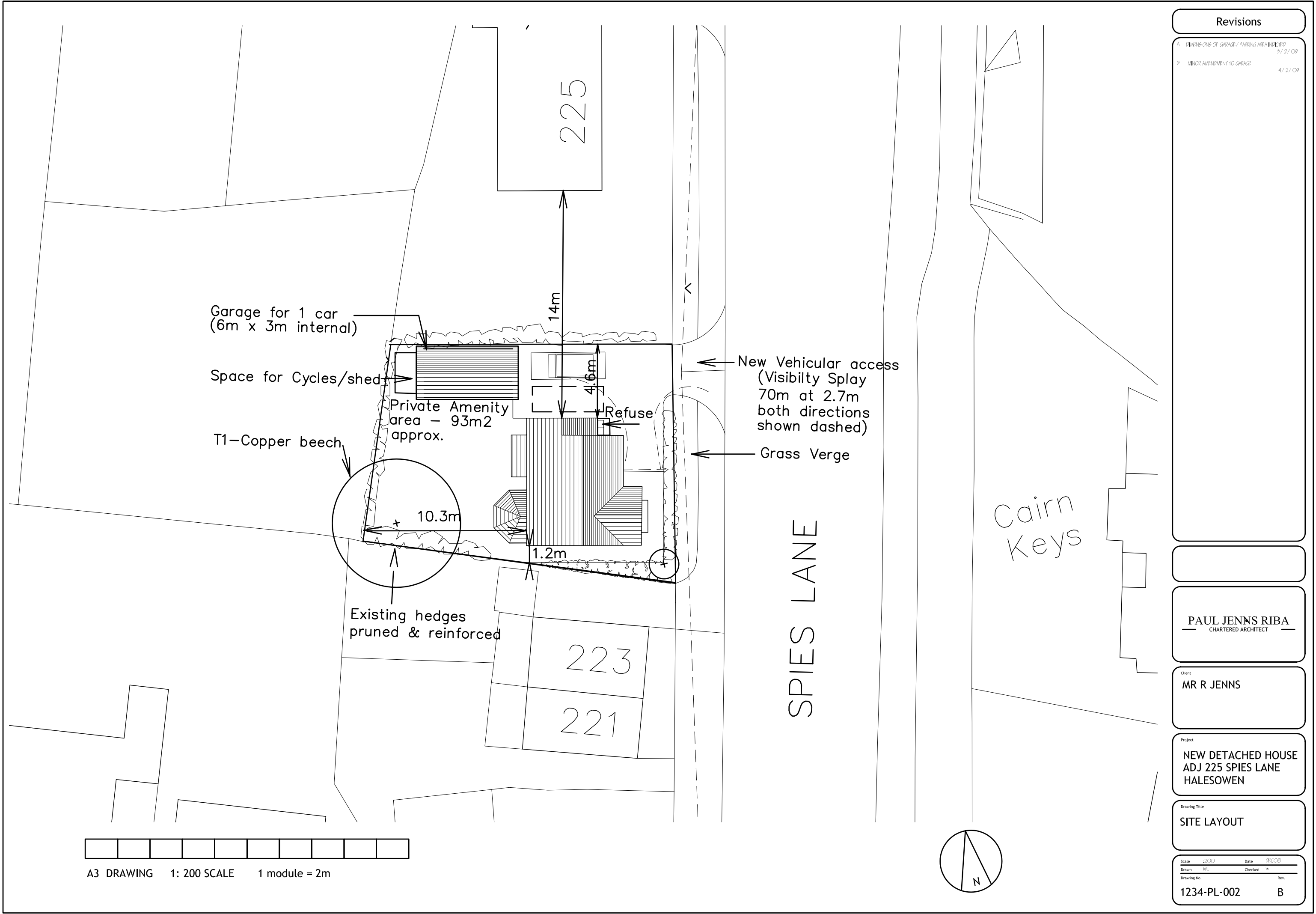
1. Application for approval of the Reserved Matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.
2. Approval of the details of the appearance, scale and landscaping of the site (hereinafter called 'the Reserved Matters') shall be obtained from the local planning authority before any development is begun.

3. The Reserved Matters proposals for this site shall be in general accordance with the design and access statement submitted in support of this outline application.
4. The development shall not be begun until an arrangement for the submission and approval of a means to guarantee a financial payment, increased through index linking from the 1st April each subsequent year in accordance with the Council's policy, to the Council for the-
 - provision of off site public open space and play area improvements;
 - library provision;
 - public realm;
 - transport infrastructure improvement monies
 - managing and monitoring of the spend of those monies
 - timing of the paymenthas been submitted to and agreed in writing with the Council.
5. 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.
6. 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.
7. Before the dwelling, hereby approved is first occupied the parking area thereto shall be paved with a suitable permeable material, and drained, and thereafter retained in such use for the life of the development.
8. No development shall take place until there has been submitted, and approved in writing by the local planning authority details of the tree protection measures on site. The details shall include: -
 - a. A plan showing the location and identification (with reference to a survey schedule if necessary) of all trees on, or directly adjacent to the development site, that are to be retained during construction. These trees are to be marked with a continuous outline.
 - b. A plan showing the location and identification (with reference to a survey schedule if necessary) of all the trees on, or directly adjacent to the development site that are to be removed prior to, or during development. These trees are to be marked with a dashed outline.
 - c. A plan showing the extent of the Root Protection Area, which is to be protected by physical barriers during development. The extent of the area that is to be protected will be calculated in accordance with Clause 5.2 of British Standard BS: 5837 – 2005 'Trees in Relation to Construction – Recommendations'.
 - d. Design details of the proposed protective barriers to be erected around the trees during development. Any protection barriers should be designed and constructed in accordance with the provisions set out in section 9.2 of British Standard BS:5837 – 2005 'Trees in Relation to Construction – Recommendations'.
9. No development or other operations shall commence on site or in connection with the development hereby approved, (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening, or any operations involving the use of motorised vehicles or construction machinery)

until a detailed tree felling / pruning specification has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall commence on site until the approved tree felling and pruning works have been completed. All tree felling and pruning shall be carried out in full accordance with the approved specification and the requirements of British Standard 3998 (1989) Recommendations for Tree Work.

10. The existing trees shown on the approved plans to be retained shall not be damaged or destroyed, uprooted, felled, lopped or topped during the construction period of the development without prior written consent of the local planning authority. Any trees removed without such consent or dying or being seriously damaged or diseased during that period shall be replaced with healthy trees of such size and species as may be agreed in writing by the local planning authority.
11. All windows to be installed in the northern elevation of the dwelling hereby approved shall be fitted with obscure glazing, top hinged if opening and thereafter maintained in that condition.





Revisions

A	DIMENSIONS OF GARAGE / PARKING AREA INDICATED	3/2/09
B	MINOR AMENDMENT TO GARAGE	4/2/09

PAUL JENNS RIBA
CHARTERED ARCHITECT

Client
MR R JENNS

Project
NEW DETACHED HOUSE
ADJ 225 SPIES LANE
HALESOWEN

Drawing Title
SITE LAYOUT

Scale	1:200	Date	22/12/08
Drawn	WL	Checked	TM
Drawing No.	1234-PL-002	Rev.	B