

PLANNING APPLICATION NUMBER: P08/0061

Type of approval sought	Reserved Matters
Ward	CRADLEY & FOXCOTE
Applicant	Green Build
Location:	LAND AT REAR OF, 139, PARK ROAD, CRADLEY, HALESOWEN, WEST MIDLANDS, B63 2NR
Proposal	RESERVED MATTERS APPROVAL FOR ERECTION OF 2 NO. 2 BEDROOM SEMI-DETACHED DWELLINGS (FOLLOWING OUTLINE APPROVAL P06/2303) (RESUBMISSION OF REFUSED APPLICATION P07/2145)
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The site comprises part the rear part of the rear garden of no. 139 Park Road, including a concrete section garage, which is sited behind wooden gates at the back of pavement line onto Chapel House Lane. The remainder of that frontage is a 1.8 metre high screen wall, with garden shrubs and a small tree behind (within the site).
2. The character of the area is suburban / residential, with mixed house types - the nearest existing occupied dwellings being no. 18 Chapel House Lane which is a bungalow on raised ground, and no. 30 which is a relatively modern detached house. The frontage between those dwellings, including the application site, comprises screen walls and gates to garages (serving dwellings on Park Road), providing enclosure at the back of pavement line.
3. The site is relatively close to an existing centre – approximately 100 metres away from Cradley Local Centre,
4. There is a dwelling which has recently been completed on the adjoining land (rear of 137 Park Road). That development was granted permission at appeal (P05/2293) – refer to planning history.

PROPOSAL

- 5 The proposal is a Reserved Matters application, following the grant of outline consent earlier this year (ref. P06/2303), with access and layout approved at that stage. The applicants have confirmed that the Reserved Matters are for all other matters (i.e. appearance, landscaping and scale).
- 6 The proposal in detail is for 2 no. semi detached dwellings, with pitched roofs, projecting gables punctuating the eaves line, bathroom windows on the side gables and a canopy above the entrance doors on the front elevation, with windows alongside those doors, illuminating the hallways. Relatively large lounge windows are shown overlooking the garden. Within the proposed garden area to the plot on the right hand side (Plot 2), an existing (cherry) tree is shown as being retained.
- 7 A Design and Access Statement has been submitted. This includes information on the existing character of the street and how the design of the new development relates to it, landscaping and materials.
- 8 This is a resubmission of a refused scheme (P07/2145) – refer to planning history.

PLANNING HISTORY

- 9 A summary of the relevant planning history is set out below -

APPLICATION No.	PROPOSAL	DECISION	DATE
- rear of 137 Park Road - P05/2293	Erection of a detached house	Refused /allowed at appeal	04/08/06
-application site P06/2303	Outline – erection of 2 semis	Approved	20/03/07
P07/2145	Reserved Matters – 2 semis	Refused	19/12/07

- 10 The reason for refusal on P07/2145 was –

1. The design of the proposed dwellings is unacceptable as it will give rise to development which fails to adequately assimilate in with the streetscene, and would therefore appear incongruous and discordant with the existing character of the area,

causing visual harm. This is especially evident in the lack of integration with the design of the existing dwelling alongside, and, also, as a result of its scale, the proposed development being unduly prominent within the local environment. On this issue, the submitted Design and Access statement is also unacceptable as it fails to properly and fully address the design of the proposal in sufficient detail. The proposal is therefore contrary to UDP policies DD1, DD4 and Planning Policy Statements 1 and 3.

PUBLIC CONSULTATION

- 11 Five letters of objection have been received, including one from a Local Ward Member. A further letter has been received stating that work has already commenced. The issues of concern in summary are –
- It is requested that the application is assessed on its own merits without reference to the Inspector's decision on P05/2293;
 - The cumulative impact of piecemeal development of this type undermines both the current residential diversity to the locality as well as detracts from the value of amenity provided by what is essence part of the "green lung" which runs alongside the A456;
 - The future well being of areas like Cradley can only be guaranteed if the potential for destruction that unsympathetic development can have, is stopped;
 - The granting of planning permission will effectively mean the loss of this unique and particularly attractive residential area;
 - The top floor of the proposed house will look directly into the houses on Park Road and their gardens;
 - Chapel House Lane is an extremely busy road and is constantly used to avoid traffic jams in Colley Gate;
 - The road is used by residents to double park their vehicles, in addition to which this road is used by refuse collections, buses and other large vehicles;
 - The highway adjacent to the proposed site narrows allowing only one vehicle to pass safely in one direction at any one time;

- Natural drainage will be reduced
- There would be little room for off street parking at the proposed dwellings – it is unlikely that the occupiers would only have one car each;
- Cars may overrun and hit the outer kitchen wall;
- The dwellings would be out of character with the new detached house adjoining them and other houses nearby;
- The living space and gardens shown are cramped.

OTHER CONSULTATION

- 12 Group Engineer (Development): – recommends refusal, and retains the same concerns levelled at the previous scheme - these are in relation to issues for pedestrians, and visibility and obstruction.
- 13 Head of Public Protection (HPP): – no adverse comments.

RELEVANT PLANNING POLICY

- 14 Unitary Development Plan (UDP) – adopted 2005
- DD1 (Urban Design)
 - DD4 (Urban Design in residential areas)
 - DD6 (access and transport infrastructure)
- 15 Planning Policy Statements (PPS)
- PPS1 – delivering sustainable development;
 - PPS3 – housing.

ASSESSMENT

- 16 In acknowledging that this is a Reserved Matters application, with access and layout having already been approved at the Outline stage, the key issues are:-
- Design and appearance;
 - Landscaping;
 - Other issues.

17 Design and appearance

The proposed design of the dwellings is necessarily set by, the footprint/ siting approved at the outline stage.

18 As a result of its design, the previous scheme (P07/2145) failed to successfully assimilate in with the character of the existing streetscene. This was particularly as a result of, when compared to the new house at the rear of no. 137 Park Road:-

- the ridge line was higher on the proposed dwellings, resulting in them appearing over- dominant within the streetscene (exacerbated by the rise in land towards the junction of Chapel House Lane and Park Road);
- the design of the proposed dwellings contained too much horizontal emphasis, exemplified by a canopy shown across most of the frontage and a lack of punctuation at the eaves line (the adjoining dwelling has a projecting gable there).

19 The Design and Access Statement submitted with P07/2145 also contained minimal information so as to justify the design of that proposal – there was no assessment of the existing character of the streetscene and how the proposed development could be successfully assimilated within it.

20 The current scheme seeks to address those issues by –

- the ridge line of the proposed semi detached dwellings has been reduced by 500 mm (from 7.9 to 7.4 metres) – it is now lower than the new house alongside;
- the canopy which was across the whole of the frontage is now only above the entrance doors (and small window alongside);
- punctuating the eaves line with projecting gables;
- the Design and Access statement refers to the existing character of the streetscene.

21 It is considered that these amendments give rise to a development which assimilates more sympathetically in with the existing built form at this location. This is especially as –

- the reduced ridge line enables the proposed dwellings to be less visually dominant;

- the projecting gables and the reduced canopy length enables the dwellings to have more vertical emphasis and thus appear less block-like, reflecting the design of the new house at the rear of no. 137.

22 The design of the proposed dwellings is therefore considered satisfactory.

23 Landscaping

This is the other matter, which is for consideration as part of this submission. On this, the plans show a tree to be retained within the rear garden of Plot 2. While this measure is limited in scope, it is acknowledged that there is limited capacity for additional landscaping on the site, particularly given the relatively narrow width of the plot, and the need for most of the frontage to be given over for parking. These details are therefore considered acceptable.

24 Other issues

Notwithstanding the views of the Group Engineer and the objections from the local community on access and parking, it is acknowledged that those matters have already been approved under the terms of the Outline consent, with there being no change in the layout in the current scheme from that approval.

25 Furthermore, the previous scheme (P07/2145) was not rejected on this issue – it would consequently be unreasonable to level this against the current scheme. It is therefore unreasonable to reject the scheme on highway safety grounds.

CONCLUSION

26 This amended scheme is of a sufficient quality of design so as to satisfactorily assimilate into the existing built environment without causing visual harm. In this respect it has successfully addressed the reason for refusal on the previous scheme. It is therefore in compliance with the development plan, in particular Policy DD4 of the Unitary Development Plan.

RECOMMENDATION

26 It is recommended that the Reserved Matters be approved, subject to the following condition. This condition is in addition to those required to be complied with under the terms of the binding Outline permission (P06/2303) and is considered to be reasonable and necessary to address issues evident within the details of the scheme.

Note For Applicant

A. This permission relates to drawing no. 1058.P02b.

Reason for approval

This amended scheme is of a sufficient quality of design so as to satisfactorily assimilate into the existing built environment without causing visual harm. In this respect it has successfully addressed the reason for refusal on the previous scheme. It is therefore in compliance with the development plan, in particular Policy DD4 of the Unitary Development Plan.

Conditions and/or reasons:

1. No development of any phase shall take place until there has been submitted to the Local Planning Authority for their approval a scheme showing the type, height and position of protective fencing to be erected around the tree to be retained in that phase. The scheme shall comply with BS 5837:2005. No site clearance works or development of any phase shall be commenced in the vicinity of the retained tree until such a scheme is approved by the Local Planning Authority and thereafter the development hereby permitted shall only be carried out in accordance with the approved scheme. The area surrounding that tree within the protective fencing shall remain undisturbed during the course of the works, and in particular in that area:
 - i. There shall be no changes in ground levels;
 - ii. No material or plant shall be stored;
 - iii. No buildings or temporary buildings shall be erected or stationed;
 - iv. No materials or waste shall be burnt within 20 metres of any retained tree or hedgerow; and
 - v. No drain runs or other trenches shall be dug or otherwise created; without the prior written consent of the Local Planning Authority.

rev	b	Elevation and plans revised	13-3-08
rev	a	Elevation and landscaping altered	11-1-08

TDF Design Associates
Architectural and Building Consultants

202 Spies Lane, Halesowen, West Midlands, B62 9SW
Tel: 0121 602 6581, Fax: 0121 602 6586 Mobile: 07973 663290 Email: tdfdesign@aol.com

PROPOSED ERECTION OF 2 SEMI DETACHED
2 BEDROOM HOUSE

AT
LAND AT REAT OF 139 PARK ROAD,

1058.P02b