

PLANNING APPLICATION NUMBER: P09/1661

Type of approval sought	FULL PLANNING PERMISSION
Ward	KINGSWINFORD NORTH & WALLHEATH
Applicant	MR B LONGVILLE
Location:	FORMER SANDYLEA, GREEN LANE, KINGSWINFORD, WEST MIDLANDS, DY6 7QH
Proposal:	ERECTION OF 4 NO SEMI-DETACHED DWELLINGS
Recommendation summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The 0.07 hectare rectangular application site relates to a cleared residential plot which formerly contained the residential property of 'Sandylea' at the head of the cul-de-sac of Green Lane. The site is presently fenced off as planning permission has been granted under planning reference P04/0014 for the erection of a four bedroom detached dwelling with double garage, approved on 08 April 2004, to the rear of the site. A second application was granted under planning application P05/2509 for the land to the front of the site for the erection of a further four bedroom dwelling with integral garage on the 23 December 2005 to create a tandem form of development.
2. Green Lane is a well established residential area featuring a mixture of housing stock including detached and semi-detached dwellings and bungalows of varying styles, types and designs of differing periods. Positioned off the head of the cul-de-sac of Green Lane and adjacent to the northern boundary of the site is located an access serving three bungalows on the northern side of the access drive (The Squirrels, Rozel and Beaumoris). The site grades up from Green Lane by approximately 2.3 metres, following the line and gradient of the access drive to the north. Located to the south of the site lie four properties all of which are set back from Green Lane by around 30 metres. To the rear of the site is located the highway of Wartell Bank, a residential street fronted by dwellings on either side.

PROPOSAL

3. This application seeks approval for the erection of 4 no. semi-detached dwellings located in the same positions as the approved 2 No. detached dwellings in a tandem

form of development with a semi-detached pairing proposed to the front of Green Lane and directly accessed off Green Lane whilst the other semi-detached pairing proposed to the rear with access gained off the cul-de-sac head of Green Lane through the creation of a new 2.5 metre wide private access drive adjacent to the existing private access drive to the north of the site.

4. The dwellings would be two and a half storey each and would each measure 4.8 metres in width and a maximum of 9.6 metres in depth. Each dwelling would provide a hall, kitchen, WC, sitting / dining room at ground floor with two bedrooms and a bathroom at first floor and a further bedroom with en-suite at second floor. The dwellings would each measure 5.1 metres in height to the eaves and 9 metres to the ridge whilst the chimneys located on each gable elevation would measure 0.8 metre in height give an overall height of each dwelling of 9.8 metres.
5. The semi-detached pairing to the frontage of the site would be set back 5.5 metres from Green Lane whilst the semi-detached pairing to the rear would benefit from an 18.5 metres separation distance. Each semi detached pairing would benefit from a 1 metre gap adjacent to each flank elevation to allow access to the rear garden areas each measuring a depth of 11 metres.
6. The application is accompanied by a Design and Access Statement and a Planning Position Statement.

HISTORY

7. Application Site

APPLICATION No.	PROPOSAL	DECISION	DATE
P04/0014	Full planning permission for the demolition of Sandy Lea and erection of a replacement dwelling	Approved with conditions	08 April 2005
P05/1828	Full planning permission for the erection of 1 No. two bedroom dwelling with integral garage	Refused	29 September 2005
P05/1829	Full planning permission for an amendment to approved application P04/0014 to re-site the proposed double garage	Refused	29 September 2005
P05/2509	Full planning permission for the erection of 1 No. 4 bedroom dwelling with integral garage (re submission of refused application P05/1828)	Approved with conditions	23 December 2005

PUBLIC CONSULTATION

8. The application was advertised by way of neighbour notification letters being sent to the occupiers of thirteen properties within close proximity to the site. The final period for comment expired on 08 January 2010.
9. In response to the consultation exercise, two letters have been received from local residents expressing concern in relation to additional housing leading to increased congestion on the highway serving the development, especially the access road. Concern is also expressed relating to a loss of privacy to surrounding properties which would be exacerbated by the introduction of windows within the side elevations of the proposed dwellings. Substantial boundary treatment serving the proposed properties is also requested to ensure privacy is retained. The loss of a dividing hawthorn hedge along the boundary treatment and holly trees in excess of 10 years old is also of concern.

OTHER CONSULTATION

10. Group Engineer (Development): No objections to the scheme received.

11. Head of Environmental Health and Trading Standards: No objections to the scheme are raised.

RELEVANT PLANNING POLICY

- Adopted Dudley Unitary Development Plan (2005)

Policy S2 Creating a more Sustainable Borough

Policy S8 Housing

Policy S16 Access and Movement

Policy DD1 Urban Design

Policy DD4 Development in Residential Areas

Policy DD6 Access and Transport Infrastructure

Policy DD7 Planning Obligations

Policy DD12 Sustainable Drainage Systems

Policy H1 New Housing Development

Policy H3 Housing Assessment Criteria

Policy H6 Housing Density

Policy UR8 Derelict Land

Policy LR2 Access to Public Open Space (errata)

Policy AM14 Parking

- Supplementary Planning Document(s)

New Housing Development: Establishing Local Context

Parking Standards and Travel Plans

Planning Obligations

- Supplementary Planning Guidance

New Housing Development

- Regional Planning Guidance

CF1 Housing within the Major Urban Areas

CF4 The reuse of land and buildings for housing

QE2 Restoring degraded areas and managing and creating high-quality environments

QE3 Creating a high quality built environment for all

- National Planning Guidance
- PPS1 Delivering Sustainable Development
- PPS3 Housing
- PPS11 Regional Spatial Strategies
- PPG13Transport
- PPS23 Planning and Pollution Control

ASSESSMENT

12. KEY ISSUES

- Principle
- Density
- Design
- Scale
- Layout
- Design
- Parking
- Access
- Planning Obligations

Principle

13. The principle of residential development upon the site has long been established by the former historic detached dwelling of 'Sandy Lea' that occupied the site and was recently demolished. More recently the precedent of residential development has been established through the granting of planning permission on the site for the erection of a 4 no. bedroom detached dwelling with double garage (Planning Reference: P04/0014) to the rear and the erection of a 4 no. bedroom detached dwelling with integral garage in front of the previously approved scheme (Planning Reference: P05/2509). The fall back position of two dwellings being permitted must be taken into account as a material consideration.
14. In accordance with government guidance, Planning Policy Statement (PPS) 3 (Housing) [Annex B] and Policy S2 (Creating a more Sustainable Borough) of the adopted Dudley Unitary Development Plan (2005), the application site falls within the

definition of previously developed land, whereby the principle of development is supported in the interests of sustainability and regeneration whilst Policy H6 (Housing Density) of the adopted Dudley Unitary Development Plan (2005) states that residential development will be encouraged to take into account factors such as the requirements to make full and efficient use of land, the local context, and the principles of good residential design. However, PPS3 [Annex C] acknowledges that achieving these benefits should have regard to the important characteristics of an area.

15. The proposed dwellings would be located within a well established residential area. The land is not designated for any use within the adopted Dudley Unitary Development Plan (2005) and the re-use of this site for residential purposes is considered acceptable in principle. In this respect the proposal therefore complies with PPS1 (Delivering Sustainable Development), PPS3 (New Housing Development) and policies DD4 (Development in Residential Areas) and H3 (Housing Assessment Criteria) of the adopted Dudley Unitary Development Plan (2005).

Density

16. Supplementary Planning Document (SPD) New Housing Development: Establishing Local Context requires new development to respect local character and context whilst having regard to the development that surrounds the site. Paragraph 50 of PPS 3 makes it clear that density is a measure of the number of dwellings that can be accommodated on a site and that the density of existing development should not dictate that of new housing by stifling change or requiring replication of the existing style or form.
17. The surrounding area comprises an eclectic mix of property types and plot sizes. The semi-detached pairing opposite the sites frontage (Nos. 1 and 2 Green Lane) are defined by a density of 50 dwellings per hectare whilst the detached dwelling of No. 3 Green Lane, immediately adjacent to the southern boundary of the site is defined by a density of 14 dwellings per hectare. The application site provides an overall density of 57 dwellings per hectare. The properties themselves, whilst providing an increase in density on the site from the approved two detached dwellings with a density 28 dwellings per hectare, are of a similar size footprint and siting as the two detached properties which benefit from the extant planning permission. In addition, Policy H6 (Housing Density) of the adopted Dudley Unitary Development Plan (2005) states that

residential development will be encouraged to achieve the highest possible density subject to a design led approach as explored below.

Design

18. PPS1 (Delivering Sustainable Development) and PPS3 (Housing) advocate a design led approach and this has translated through to the New Housing Supplementary Planning Guidance (SPG) which seeks to ensure that the design of new development complements the existing built fabric and respects the character of the area in terms of scale, density, layout and access.
19. Many elements of the existing dwellings within the immediate area have been utilised in the design of the proposed dwellings particularly in terms of architectural design and the use of complementary materials. The dwellings would be constructed with facing brickwork with all windows lining through with each other. The dwelling would benefit from a pitched roof over with forward projecting pitched roof dormers. A canopy with entrances into each proposed dwelling in the centre of the façade would also be apparent. This would aid the semi-detached dwellings to address the street scene. Windows positioned within the dwellings are designed to ensure that no overlooking would occur to impact upon existing amenity levels with the side facing first floor window serving the bathroom. The site is of a sufficient size in which to accommodate the proposed dwellings whilst ensuring no adverse impact in terms of resulting in a loss of residential amenity for the surrounding occupiers in accordance with Policy DD4 of the adopted Dudley Unitary Development Plan (2005).

Scale

20. Supplementary Planning Document (SPD) New Housing Development: Establishing Local Context defines a number of character areas within the Borough in order to ensure that new development respects local character and context and has regard to the development that surrounds a site. The site is situated within an inner suburban area. The SPD sets out a series of development criteria for new housing development within the suburb areas. This includes development respecting the height and massing of surrounding development and providing car parking to the front or side of the dwelling.

21. The scheme proposes the erection of two and a half storey semi-detached pairings upon the existing approved footprints of the detached dwellings, with the overall height similar to the context of those dwellings and the existing buildings present within the street scene in which they would sit, therefore complementing the scale of the adjoining buildings and wider street scene. The eaves heights are similar to existing two storey dwellings within the street scene and it is evident from the submitted street elevation plan (drawing number: BL PL 03) that the use of the topography would ensure the development would have little impact upon the visual amenity of the area of the surrounding properties.
22. The massing of the proposed dwellings, as well as the scale, gives the appearance of well balanced semi-detached dwellings. The scheme would result in a form of development that reflects the character and context of the surrounding area in accordance with Policies DD1 (Urban Design) and DD4 (Development in Residential Areas) of the Adopted Dudley Unitary Development Plan (2005) and the New Housing Development: Establishing Local Context SPD.

Layout

23. The Design and Access Statement as well as the Planning Position Statement submitted with this application state that the proposed dwellings have regard to existing neighbouring buildings in terms of footprint size. Whilst the development would form an irregular tandem form of development, it should be acknowledged that there is no clear defined building line along the western side of Green Lane, with four properties set back some 30 metres from the highway and aligning through with the rear semi-detached pairing of the site whilst the semi-detached pairing to the sites frontage would align through with the three detached also on the western side of Green Lane though located to the south of Green Lane cul-de-sac near to the junction with Water Street. The precedent and tandem form and layout of the properties have also been established by the fallback planning permission of the site.
24. The rear garden areas serving the proposed dwellings each measure 11 metres in depth and approximately 6 metres in width providing a private rear amenity area of approximately 66 sq metres which exceeds the requirements of Supplementary Planning Guidance Note 3 (New Housing Development) for a property of this size and

type ensuring that adequate useable amenity for the property would be provided. External access would be achieved through the 1 metre wide external gap adjacent to the flank elevations of the dwellings. This element of the scheme accords with the principles of Policy DD4 of the adopted Dudley Unitary Development Plan (2005).

Parking

25. The layout of the proposed development would see the semi-detached dwellings to the sites frontage each benefiting from two parallel car parking spaces perpendicular to Green Lane with each measuring approximately 5.5 metres in length and an overall width of approximately 5.6 metres to the frontage of the dwellings. The dwellings to the rear would be served by four parking spaces in a tandem configuration adjacent to each other and orientated at 90 degrees relative to the rear semi detached pairing. The adopted Supplementary Planning Document relating to Parking Standards and Travel Plans prescribes that two off street parking spaces are required for a three bedroom dwellings. The scheme would therefore provide the prescribed level of car parking for a development of this type, ensuring no additional burden on the existing highway infrastructure through on street parking . The Group Engineer raises no objection to the scheme and this element of the scheme would also comply with the principles of Policies DD4 and DD6 (Access and Transport Infrastructure) of the adopted Dudley Unitary Development Plan (2005) and the Parking Standards and Travel Plans SPD.

Access

26. Vehicular access to the frontage of the site would be gained off Green Lane whilst access to the rear of the site would be gained via the access driveway. It is acknowledged that the required visibility splays would be considered satisfactory given that the site is located off the head of a cul-de-sac, ensuring highway safety would not be prejudiced. This is considered satisfactory and in accordance with Policies DD4 and DD6 of the adopted Dudley Unitary Development Plan (2005).

Planning Obligations

27. Policy DD7 (Planning Obligations) of the adopted Dudley Unitary Development Plan (2005) in conjunction with the Council's adopted SPD (Planning Obligations) requires

applicants to enter into planning obligations where the scale and impact of the development, in accordance with government advice, result in a consequential planning loss to the existing community. Planning Obligations must where appropriate and necessary; make appropriate provision for the infrastructure requirements of the development and ensure that there is no unacceptable adverse impact on the existing environment, nor consequential unacceptable loss to the existing level of services enjoyed by the community. Given that extant planning permission for two dwellings on the site exists, should permission be granted a Section 106 Agreement would be required for the additional two dwellings in respect of the following contributions.

Offsite Contributions:

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

- Libraries - £369.84
- Open Space, Sport and Recreation - £4452.25
- Transport Infrastructure Improvements - £802.62
- Public Realm - £924.70
- Nature Conservation - £345.00
- Management and Monitoring Charge - £500.00

Total Offsite Contribution equates to £7394.41

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

CONCLUSION

28. Having Regard to both the Local and National Policy Frameworks and associated guidance combined with the development as proposed adopting a similar footprint to existing dwellings within Green Lane and to the previously approved detached dwellings already granted approval on the site (planning reference P04/0014 and P05/2509) combined with adequate off street parking and private garden amenity being afforded to the dwellings, it is considered that the scheme as proposed, albeit of a more intensive nature and density would not have a detrimental impact upon the character or amenity of the area, nor upon existing amenity levels and would therefore

accord with the relevant Policy criteria. The design of the proposed dwellings, as submitted, are well detailed and lend themselves well to the street scene and the local vernacular in a positive way which in turn, would ease the impact of the development upon the wider area.

RECOMMENDATION

29. It is recommended that the application is approved subject to conditions:
30. It is recommended that the application is approved subject to:
- a) the development not be beginning until a scheme for the submission and approval of a planning obligation to guarantee the payment of £7394.41 for Libraries, Open Space, Sport and Recreation, Transport Infrastructure Improvements, Public Realm and Nature Conservation as well as a monitoring and management charge has been submitted to and agreed in writing by the Local Planning Authority; and
 - a) 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.
 - b) The following conditions, with delegated powers to the Director of the Urban Environment to make amendments to these as necessary; and

Reason for Determination of Planning Permission

Having Regard to both the Local and National Policy Frameworks and associated guidance combined with the development as proposed adopting a similar footprint to existing dwellings within Green Lane and to the previously approved detached dwellings already granted approval on the site (planning reference P04/0014 and P05/2509) combined with adequate off street parking and private garden amenity being afforded to the dwellings, it is considered that the scheme as proposed, albeit

of a more intensive and density would not have a detrimental impact upon the character or amenity of the area, nor upon existing amenity levels and would therefore accord with the relevant Policy criteria. The design of the proposed dwellings, as submitted, are well detailed and lend themselves well to the street scene and the local vernacular in a positive way which in turn, would ease the impact of the development upon the wider area.

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 intended as a summary of the reasons for the grant of planning permission. For further detail on the decision please see the application report.

Note to Applicant

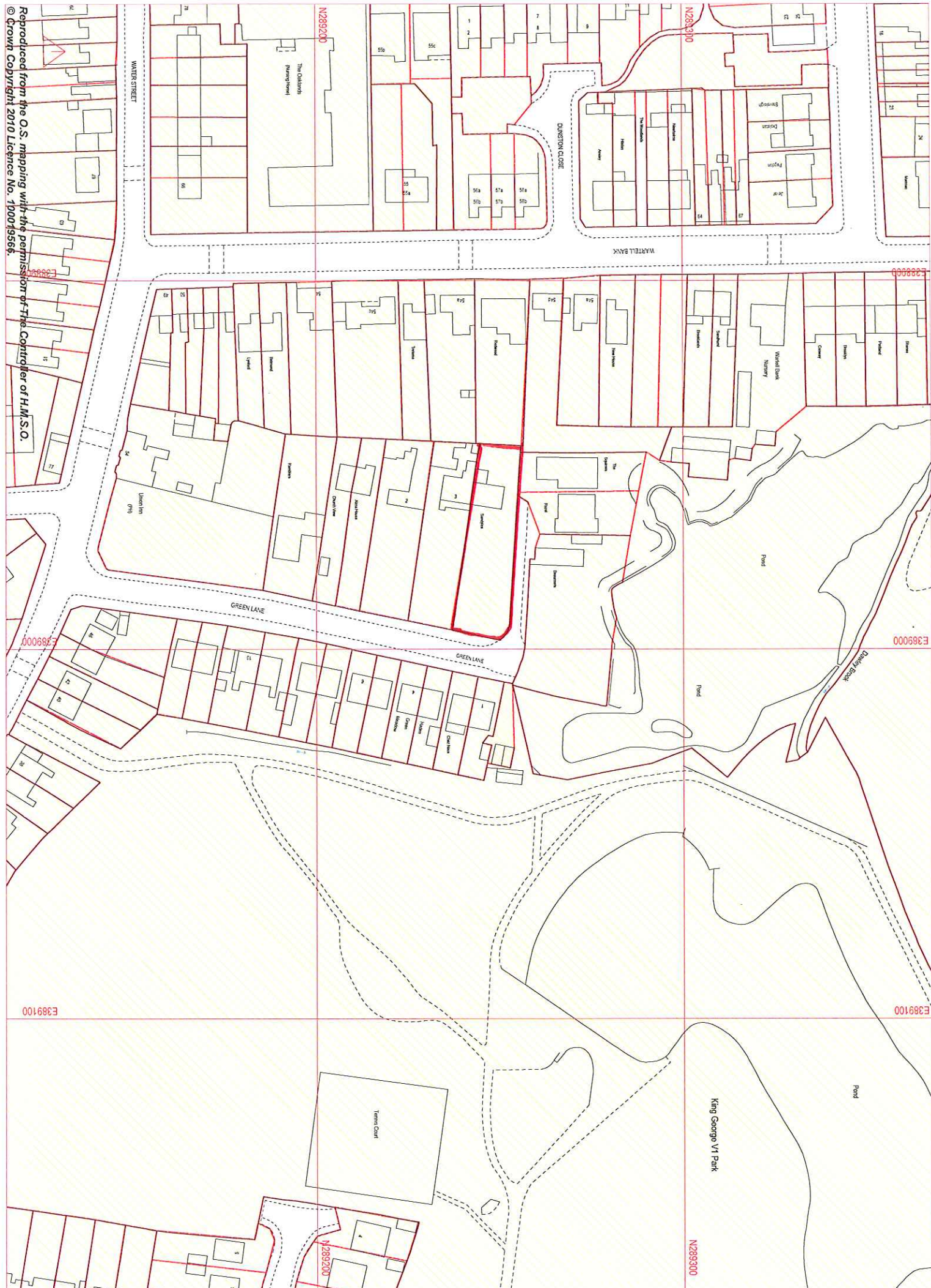
This permission relates to the Plans labelled drawing number 'BL PL 01' titled 'Site Layout', 'BL PL 02' titled 'House Type Plans', 'BL PL 03' titled 'Proposed Sections', 'BL PL 04' titled 'Site Location Plan' and '4742', titled 'Site Survey' unless otherwise agreed in writing by the Local Planning Authority.

Conditions and/or reasons:

1. BA01 Commencement within 3 years (full)
2. Prior to first occupation the visibility splays will be constructed in accordance with the approved scheme and will remain thereafter for no other purpose for the life of the development.
Reason
3. Prior to first occupation of the dwelling the means of access and parking areas shall be provided in accordance with the approved details and graded, levelled, surfaced, drained and marked out. These areas will be maintained thereafter for no other purposes for the life of the development.
4. The development hereby permitted shall not commence until drainage works for the disposal of both surface water and foul sewage have been carried out in accordance with the details to be submitted to and approved by the LPA in writing.
5. Prior to the commencement of development details shall be submitted of the proposed type, texture and colour of the facing brickwork to be used on the elevations and the

type, texture and colour of the proposed roof tiles to be used on the proposed dwelling. Following approval of the materials the dwelling shall be built in accordance with the approved details.

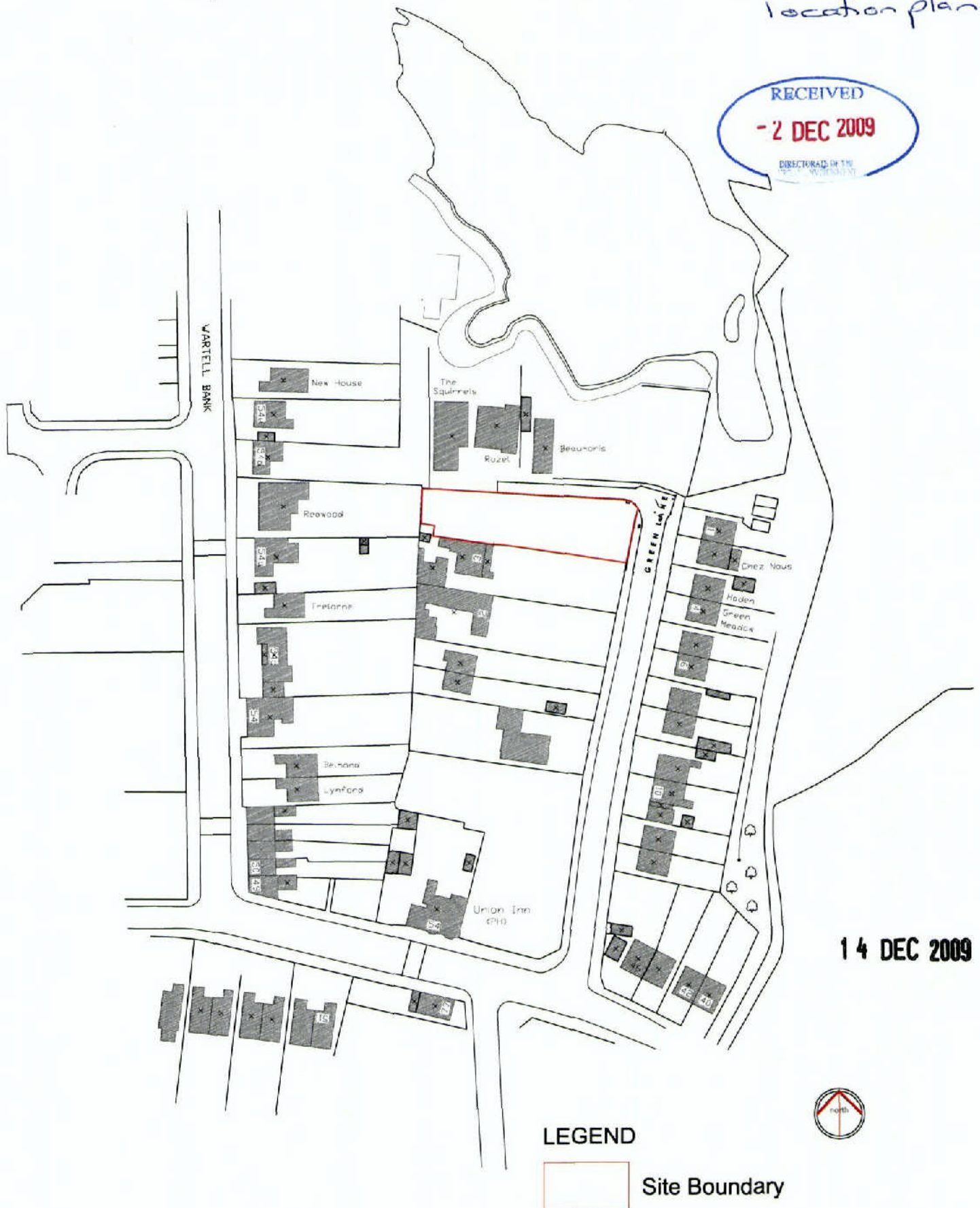
6. Prior to the commencement of development, details of the landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented in accordance with the approved details before the end of the first planting season following initial occupation of the development and the scheme shall be retained for the life of the development unless otherwise agreed in writing by the Local Planning Authority.
7. All first floor windows to be installed in the side elevations of the dwelling houses hereby approved shall be fitted with obscure glazing, top hinged if opening and thereafter maintained in that condition.
8. Notwithstanding the provision of the Town & Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order), no development referred to in Part 1 Classes A, B, C, D and E of Schedule 2 to that order shall be carried out.
9. The development shall not be commenced until a scheme for the submission and approval of a planning obligation to guarantee the financial contributions for Transport Infrastructure Improvements has been submitted to and agreed in writing by the Local Planning Authority. 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.



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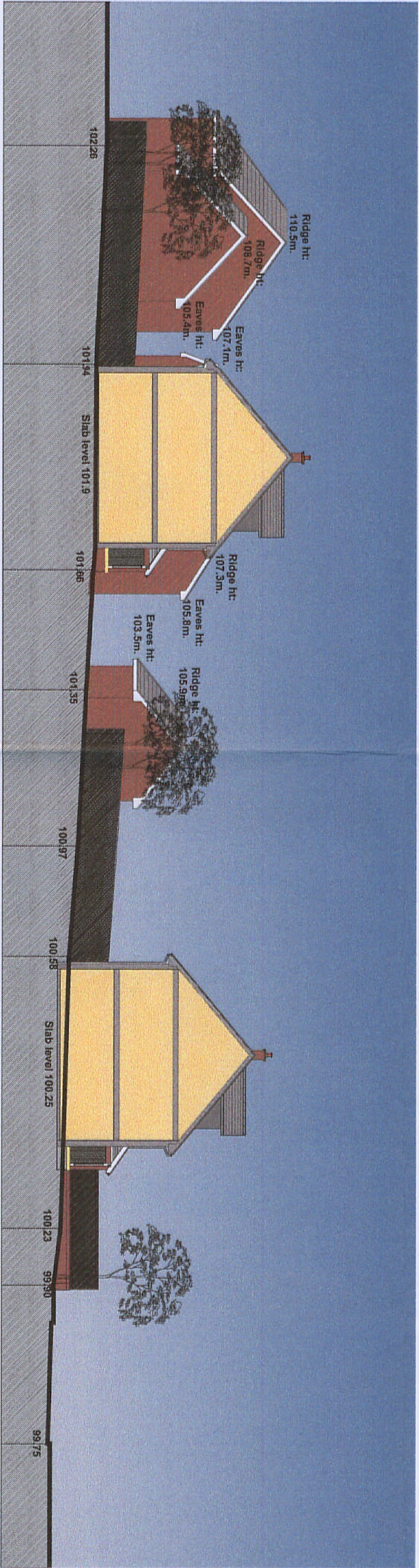
Revision	Date	Details

All dimensions must be checked and verified before preparing production drawings or commencing works.

Client:	BRIAN LONGVILLE			
Job:	GREEN LAND, KINGSWINFORD			
Drawing title:	SITE LOCATION PLAN			
Drawing Number: (Job number)	BL	PL	04	Revision:
Scale:	1/1250			
Date:	09/04/2008			
Drawn by/ checked by:	MB			



SECTION AA'



SECTION BB'

Revision	Date	Details

All dimensions must be checked and verified before preparing production drawings or commencing works.

14 DEC 2009

Client:	BRIAN LONGVILLE			
Job:	GREEN LAND, KINGSWINFORD			
Drawing title:	PROPOSED SECTIONS			
Drawing Number: (job number)	BL	PL	03	Revision:
Scale:	1/200			
Date:	27/10/2008			
Drawn by/ checked by:	MV			



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NOTES

Local Grid Shown

Levels Relate to Arbitrary Datum

(Survey Station STN01 100.00m)

Survey orientated to drawing supplied

design to build

159 Ivyhouse Lane
Coseley
Dudley
West Midlands
WV14 9LA

SITE

Green Lane
Kingswinford

PROJECT

Site Survey

SCALE

1:200

DATE

October 2007

DRAWING No.

4742

14 DEC 2009

1000N

1020N

940E

1020E

1000N

1020N

940E

1020E

The site plan shows a residential area with several buildings and structures. Key features include:

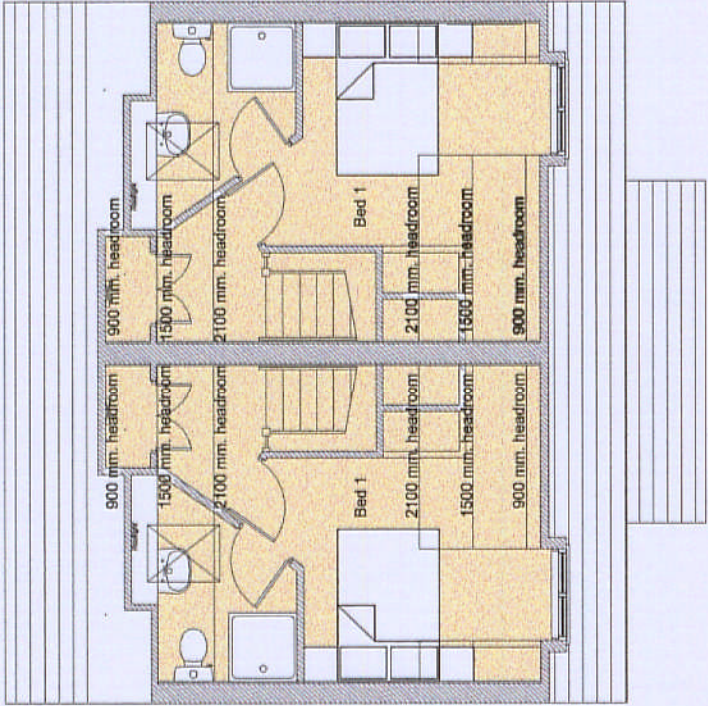
- Buildings:** A large house with a ridge height of 107.3m and eaves height of 105.8m. A smaller building with a ridge height of 107.1m and eaves height of 105.4m. A shed with a ridge height of 107.7m and eaves height of 105.5m. A container with a ridge height of 107.4m and eaves height of 104.1m. A caravan with a ridge height of 107.4m and eaves height of 104.1m. A shed with a ridge height of 107.7m and eaves height of 105.5m.
- Roads:** Green Lane, Ridge Road, and a Close Boarded Fence.
- Survey Points:** STN01, STN02, STN03, STN04, and various other points marked with elevations.
- Grid:** A grid overlay with Northing (1000N to 1020N) and Easting (940E to 1020E) coordinates.

Handwritten notes and stamps include:

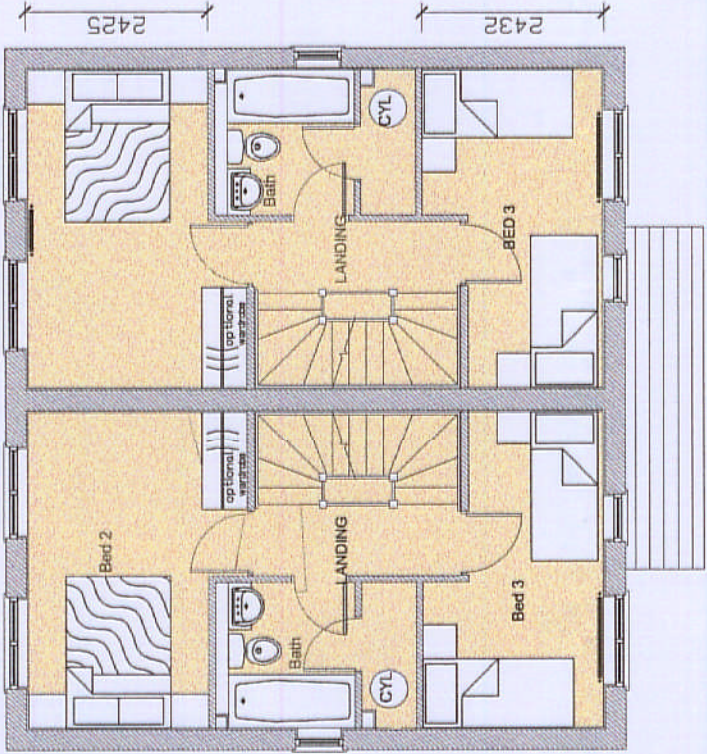
- 14 DEC 2009
- 1000N, 1020N, 940E, 1020E
- 1000N, 1020N, 940E, 1020E

SURVEY STATIONS			
Name	Easting	Northing	Height
STN01	1000.000	1000.000	100.000
STN02	1002.127	1015.131	99.725
STN03	977.488	1017.308	100.678
STN04	977.487	1017.307	100.678
STN05	956.119	1009.628	103.309

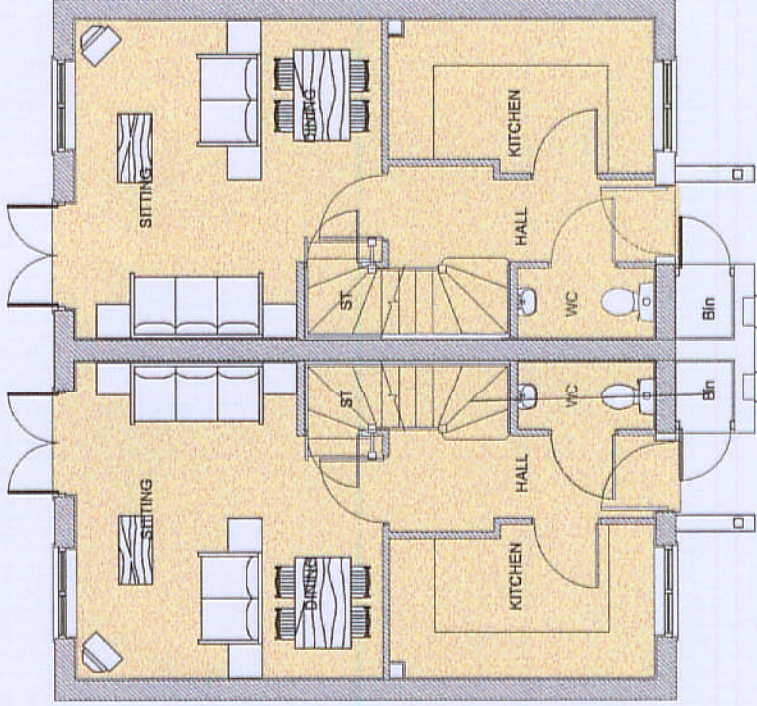
230



SECOND FLOOR PLAN



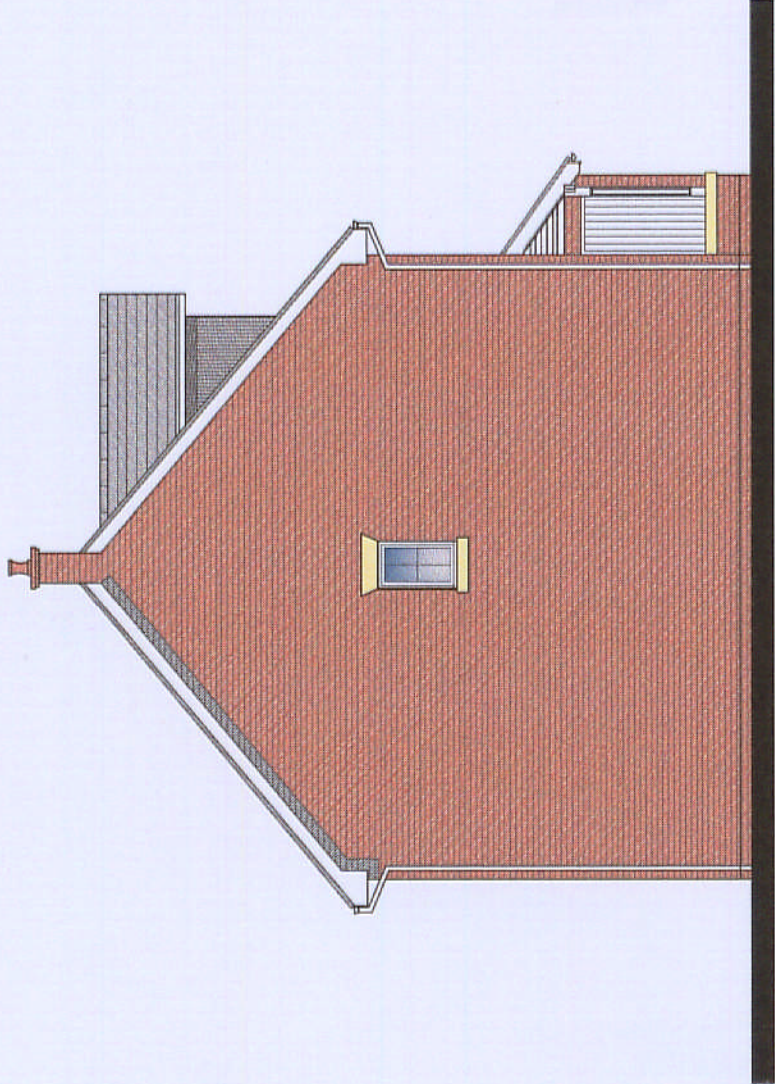
FIRST FLOOR PLAN



GROUND FLOOR PLAN



REAR ELEVATION



SIDE ELEVATION



FRONT ELEVATION



SIDE ELEVATION

Revision	Date	Details
Rev. A	27-10-2008	House type changed to 2 1/2 storey. Cill and head details were changed to stone.
Rev. B	01-07-2009	House revised to 3 bedrooms and bathroom window added to first floor plan
		Living room located to rear of property to utilise garden

All dimensions must be checked and verified before preparing production drawings or commencing works.



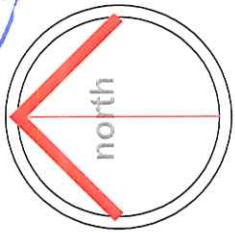
14 DEC 2009

Client:	BRIAN LONGVILLE			
Job:	GREEN LAND, KINGSWINFORD			
Drawing title:	HOUSE TYPE PLANS- 903 sqft.			
Drawing Number: (job number)	BL	PL	02	Revision: B
Scale:	1/100			
Date:	23/10/2008			
Drawn by/ checked by:	MV			

page 11 of 11
plans



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14 DEC 2009

Revision	Date	Details

All dimensions must be checked and verified before preparing production drawings or commencing works.

Client:	BRIAN LONGVILLE		
Job:	GREEN LAND, KINGSWINFORD		
Drawing title:	SITE LAYOUT		
Drawing Number: (Job number)	BL	PL	01
Scale:	1/500		
Date:	23/10/2008		
Drawn by/ checked by:			