

## PLANNING APPLICATION NUMBER:P09/1548

Type of approval sought	Full Planning Permission
Ward	PEDMORE & STOURBRIDGE EAST
Applicant	Hadlington Brothers Ltd
Location:	<b>LAND REAR OF, 232-240, HAGLEY ROAD, PEDMORE, STOURBRIDGE, WEST MIDLANDS</b>
Proposal	<b>SUBSTITUTION OF HOUSE TYPES OF PREVIOUSLY APPROVED APPLICATION P06/1924 AND MINOR AMENDMENT TO PRIVATE ACCESS ROAD.</b>
Recommendation Summary:	<b>APPROVE SUBJECT TO CONDITIONS</b>

### SITE AND SURROUNDINGS

1. This is a 'backland' site formed by the rear gardens of no.s 232- 240m Hagley Road for which permission was granted on appeal in 2007 for the erection of 5no. dwellings. The site is bounded by the rear gardens of properties on Whitehall Road to the south and west and a railway line to the east. The surrounding area is characterised by two storey detached 1930's houses.

### PROPOSAL

2. Permission is sought for alterations to the siting and design of the approved buildings, and for revisions to the access road into the site.

## HISTORY

3.

APPLICATION	PROPOSAL	DECISION	DATE
P06/1924	Erection of 5 Detached Dwellings with Detached Double Garages and Associated Access	Refused	March 2007

4. The above application was refused by Committee on the grounds that the siting, design and scale would have an adverse effect on the character of the area. A subsequent appeal was allowed.

## PUBLIC CONSULTATION

5. 5 letters of objection have been received, raising the following concerns:

- the amended layout has *'lost the sense of enclosure of the approved development'*;
- the previously approved layout was *'more appropriate'* than that now proposed;
- the proposed garages are too small to accommodate vehicles;
- the garden area for plot 3 is too small;
- the alterations to the site access render it unsafe for use by vehicles, pedestrians and cyclists;
- loss of an apple tree at plot 4;
- the submitted plans do not show any tree planting along the boundary to screen the development;

- the fencing proposed along the boundaries with Whitehall Road is lower in height than that proposed along the railway line and the rear gardens of houses on Hagley Road;
- removal of existing hedges at the site from along the site boundaries with existing rear gardens.

## OTHER CONSULTATION

6. The Head of Environmental Health & Trading Standards: There is potential for disturbance to future occupants of the development by noise from the adjacent railway line. It is recommended that a continuous acoustic barrier should be constructed along the boundary of plots 1 and 2.
7. Group Engineer ( Development ): No objection

## RELEVANT PLANNING POLICY

8. Adopted UDP 2005

Policy DD1 ( Urban Design );

Policy DD4 ( Development in Residential Areas );

Policy NC6 ( Wildlife Species );

Policy DD7 ( Planning Obligations );

Supplementary Planning Guidance

Parking Standards

Planning Obligations

## ASSESSMENT

9. Key Issues

- The impact of the development on the character of the area and residential amenity;
- Parking/access;

- Planning Obligations

10. Impact on the character of the area

11. Policy DD4 advises that new development in residential areas will only be allowed where there would be no adverse effect on the character of the area and residential amenity, and where the scale and intensity of the proposed development would be in keeping with the surrounding area.
12. The previously-approved development included 2.5 storey properties to each of plots 1, 2 and 3. For this application all of the houses are now two storeys in height only. Alterations have been made to the design of the buildings – these alterations are acceptable as the development would remain in keeping with the existing character of the wider area ( large individually-styled houses set within relatively large plots, with rear garden lengths and/or widths significantly in excess of the minimum required by supplementary planning guidance standards ). The amended site layout is similar to that previously approved, except for plot 4 which has been relocated with the result that the sense of ‘enclosure’ provided by the previous scheme is lost to a degree. Overall however the proposed layout is considered to be acceptable and contributes positively to the character of the area, in accordance with the requirements of Policy DD1 of the UDP.

Residential Amenity

13. The distance separations between the proposed houses and existing properties on Whitehall Road are significantly in excess of the 22 metre supplementary planning guidance standard for distances between habitable room windows. The proposed changes to the layout would not result in any significant loss of privacy at properties on Whitehall Road. The proposal does not therefore contravene UDP Policy DD4. Landscaping along the western site boundary is relatively sparse, and therefore new tree planting should be sought by condition to screen views between the properties.

### Parking/Access

14. The development provides off-street parking in accordance with the standards set out in the Parking Standards SPD. Each of the properties has sufficient space within their garage and driveway to accommodate 3 cars. The Group Engineer has no objection to the details submitted of the proposed alterations to the approved access to the site. The development does not therefore contravene Policy DD4 which requires that new developments should not have any detrimental effect on highway safety.

### Planning Obligations

15. In allowing the appeal against the refusal of application P06/1924 the Inspector did not seek a financial contribution under the terms of Policy DD7 of the UDP. As that development can still be implemented it would not be appropriate to seek any contributions for this revised application.

## **CONCLUSION**

16. The proposed development constitutes the reuse of previously developed land within an urban area for housing of an appropriate density, and would make a positive contribution to the character of the area. No adverse effect on residential amenity or highway safety would result from the development. The proposal therefore complies with Policies DD1 and DD4 of the UDP.

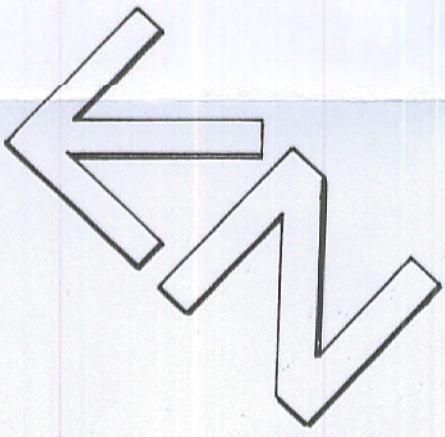
## **RECOMMENDATION**

17. It is recommended that the application is approved subject to the following conditions:

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. No development shall commence until a detailed landscaping and boundary treatment scheme has been submitted to and approved in writing by the local planning authority.
3. All planting, seeding or turfing comprised in the details of landscaping approved in accordance with Condition 2 shall be carried out in the first planting and seeding seasons following the occupations 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 diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent for any variation
4. Development shall not begin until protective barriers have been erected around existing trees to be retained on the site, and the barriers shall remain in position until completion of building operations.
5. No structure exceeding 0.6m in height shall be placed within a 2.4m x. 3.4m pedestrian visibility splay from the site access road.
6. Prior to the commencement of development, details of the types, colours and textures of the materials to be used in the hard surfacing of the development 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 and retained for the lifetime of the development unless otherwise agreed in writing with the local planning authority.
7. 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.
8. No development shall commence until details of any proposed retaining structures to be erected along the site's boundary with the railway line have been submitted to and approved in writing by the local planning authority.
9. An acoustic fence with a minimum height of 2m and a minimum surface density of 10 kg/sq.metre shall be erected along the site's boundary with the railway line and maintained for the lifetime of the development.
10. None of the dwellings shall be occupied until the means of access to the site has been provided.





2000 high close board fence  
to rear of nos 232 - 250  
and sides of nos 238 and  
240 Hagley Road

Pedestrian visibility splays of  
2.4m x 3.4m to have no planting  
higher than 600mm

900mm high roll top  
or similar railings

NOTE: Required visibility splays  
of 2.4m x 120m contained  
within existing footpath

Ground cover shrub planting  
to areas indicated thus at  
sides of access road

1800 high panel fence to  
be erected to Southern and  
Western boundaries

