

PLANNING APPLICATION NUMBER:P12/1573

Type of approval sought	Full Planning Permission
Ward	Amblecote
Applicant	Ms Jill Hitchman
Location:	2, TAMAR RISE, STOURBRIDGE, DY8 4LF
Proposal	ERECTION OF 1 NO. MAISONETTE COMPRISING 2 NO. FLATS WITH ASSOCIATED CAR PARKING.
Recommendation Summary:	REFUSE

SITE AND SURROUNDINGS

1. The application site is a parcel of green space to the west of an existing maisonette that contains two flats, No.2 Tamar Rise and No.22 Old Hall Close. These are ground and first floor independent dwellings one accessed from the front elevation and the second from the rear elevation. These properties form part of 6 dwellings which visually appear as a run of three terraced properties. These dwellings appear to have no formal amenity area with the exception of an area of open green space to the front, side and rear. To the west of the application site is an existing Maple tree.
2. The application site is set within a well established residential area. It is characterised by flats and small starter homes with areas of open space abutting the highway a positive feature within the street scene. To the south east of the application site is No. 1 Dove Ridge, a semi detached property with a single storey side extension.

PROPOSAL

3. This application seeks approval for the erection of two flats adjoined to No.2 Tamar Rise / No.22 Oak Hall Close. The proposed dwellings would be of a design identical to that of the existing building with a similar arrangement with regard to

front and rear access. Parking would be sited to the Tamar Rise frontage beyond an area of landscaping.

HISTORY

4.

APPLICATION	PROPOSAL	DECISION	DATE
P10/1682	Erection of 1 no. maisonette comprising 2 no. flats	Refused	11/04/11

5. The above application was refused for the following reasons:

- The application constitutes development on a parcel of open green space in an urban area which is deficient in open space contrary to Policies HOU1 - Delivering Sustainable Housing Growth, ENV6 - Open Space, Sport and Recreation of the adopted Black Country Joint Core Strategy (2011) and Open Space, Sport and Recreation SPD.
- It is considered that the proposed development, as a result of the highway line, close proximity to the highway and change in ground levels, would appear unduly prominent within the street scene contrary to the requirements of saved Policies DD1 – Urban Design and DD4 – Development in Residential Areas of the UDP (2005) and Supplementary Planning Guidance – New Housing Development – (March 2007).
- The lack of a completed undertaking to make an off site contribution towards Public Open Space, Libraries, Public Realm, Nature Conservation, Transport Improvements and the provision of a management and monitoring fee would result in an unacceptable impact upon local infrastructure with no compensation or enhancement to mitigate against the impacts of the scheme thereby resulting in harm to the wider community thereby being contrary to Policy DEL1 (Infrastructure Provision) of the Adopted JCS (2011) and Supplementary Planning Document – Planning Obligations (March 2009).

PUBLIC CONSULTATION

6. Notification letters were sent to the occupiers of 21 neighbouring properties and the application was advertised with a site notice. As a result 2 letters of objection have been received. The comments contained within objections relate to:
- Reduction of on street parking availability as a result of the proposed parking area to Tamar Rise. Tamar Rise is already difficult in the area due to not all existing properties having driveways.
 - Loss of existing tree.
 - Devaluation of neighbouring properties.

OTHER CONSULTATION

7. Group Engineer (Development): No objections subject to conditions.
8. Head of Environmental Health and Trading Standards: No objections

RELEVANT PLANNING POLICY

9. National Planning Policy (2012)
- National Planning Policy Framework (NPPF)
10. Black Country Core Strategy (2011)
- HOU1 – Delivering Sustainable Housing Growth
 - HOU2 – Housing Density, Type and Accessibility
 - TRAN2 – Managing Transport Impacts of New development
 - Regeneration Corridor 11a Dudley-Brierley Hill
11. Saved Unitary Development Plan (2005)
- DD1 - Urban Design
 - DD4 - Development in Residential Areas
12. Supplementary Planning Document(s)
- New Housing Development (2013)
 - Parking Standards (2012)

ASSESSMENT

13. Prior to the full assessment of the proposed scheme it is worthy of note that the proposed development is identical to that submitted under reference P10/1682 in terms of the scale of the proposed development.

14. The main issues are

- Principle
- Design
- Neighbour Amenity
- Occupier Amenity
- Access and Parking
- Tree
- Nature Conservation
- Planning Obligations

Principle/Policy

15. On the previously refused application P10/1682 and a Policy objection was raised relating to the loss of green open space. Since then, it has been established that the land is not public amenity space but it is garden land belonging to No 2. Tamar Rise.

16. However as the land in question is in fact garden land it could be considered that the proposal constitutes 'garden grabbing'. The National Planning Policy Framework (NPPF) classifies garden land as Greenfield and therefore not previously developed and the Council's New Housing Development Supplementary Planning Document has been updated to take account of this issue.

17. In terms of the specific details of this application however it is considered that as some green space would remain and the proposed form of development would generally reflect that of the surrounding area and the garden area that would the proposal would not be garden area the proposal would be acceptable in this regard.

18. The development would conform with the housing policies set out in the Core Strategy and the vision for enhanced residential development in Regeneration Corridor 11b within which this site lies. On this basis the previous reason for refusal related to loss of open green space has now been addressed as the status of the land as potential garden area has been established. Given the above the principle of the proposed redevelopment of this site for residential development would accord with the requirements of Policies HOU1, HOU2 and the aspirations of Regeneration Corridor 11a Dudley – Brierley Hill of the Black Country Core Strategy and the New Housing SPD (2013).

Design

19. The proposed external appearance and scale of the proposed dwelling is identical to that of the existing dwellings and as such it would be characteristic of the street scene and appropriate in relation to the host neighbouring dwellings. On this basis the proposed development would accord with the requirements of saved Policies DD1 – Urban Design and DD4 – Development in Residential Areas of the UDP (2005) and Supplementary Planning Guidance – New Housing Development (2013)
20. The application site is triangular in shape and as a result tapers into a pinch point to the south as the site follows the angle of Old Hall Close. Due to this splay in the site the south west corner of the proposed structure would be located only 1.5m from the back edge of the pavement. The street pattern when looking north along Old Hall Close had a staggered pattern with green space between buildings and the highway being characteristic and providing a positive aesthetic quality within the locality.
21. As a result of the highway line and associated development pattern it is considered that the proposed structure would appear unduly prominent and this would be further exacerbated by the exposed position. Whilst it is noted that No. 1 Dove Ridge (to the rear of the site) has an existing single-storey side extension within close proximity to the footpath it is considered that the poor visual appearance of

that extension supports the conclusion that the proposed development would be harmful to the character of the area.

22. The extension at No.1 Dove Ridge appears visually strident even though it is only a single-storey structure. The proposed development, as a two-storey building, would further obstruct the visual rhythm afforded to the street scene that would result in a detrimental visual impact. On this basis it is considered that the proposed development would be contrary to the requirements of saved Policies DD1 – Urban Design and DD4 – Development in Residential Areas of the UDP and Supplementary Planning Guidance – New Housing Development – (2013).

Neighbour Amenity

23. It is considered that the proposed dwelling would not impact on the neighbouring dwelling by way of loss of outlook, daylight or privacy. The properties on the opposite side of Tamar Rise would be in excess of 22m from the proposed front elevation. The properties fronting Old Hall Close are in excess of 14m from the flank wall of the proposed dwelling. On this basis the proposed development would be in accordance with the requirements of saved policy DD4 – Development in Residential Areas of the UDP.

Occupier Amenity

24. The proposed dwelling would have no private amenity area. Whilst this would not generally be regarded as an acceptable arrangement it is characteristic of the adjacent dwellings and it is therefore considered on balance to be acceptable. In this regard, the proposed dwelling is considered acceptable with regards to the requirements of saved Policy DD4 – Development in Residential Areas of the UDP and Supplementary Planning Guidance – New Housing Development – (2013).

Access and parking

25. The two dwellings would create a demand for 3 parking spaces including for visitors. A total of 3 off-street spaces could be provided and the size of the spaces would be in accordance with current standards. On this basis the parking layout as submitted would not be likely to result in displaced vehicles onto the highway to the detriment of highway safety contrary to TRANS 2 - Managing Transport Impacts of New Development of the adopted Black Country Core Strategy (2011) and Supplementary Planning Guidance – Parking Standards and Travel Plans– (March 2007).

Tree

26. The proposed dwelling would result in the loss of the Maple tree to the west of the existing dwelling. Whilst this tree does positively add to the aesthetics of the area and its loss would be regrettable, a robust landscaping scheme could secure good quality replacements. The Council's Tree Officer considers the site to be appropriate for 3 replacement trees. In this regard the proposed development would be consistent with saved Policy NC6 – Mature Trees of the UDP (2005).

Nature Conservation

27. The protected species survey submitted as part of the application gives recommendations that are considered acceptable within the context of the site. On this basis the proposed development would be in accordance with the requirements of saved UDP Policy NC6, Policy ENV1 Nature Conservation of the Black Country Core Strategy (2011) and the Nature Conservation SPD.

Other issues

28. The previous application had a reason for refusal associated with the lack of an undertaking to enter into offsite provisions for planning obligations. This reason for refusal would no longer apply to this scheme, despite it being identical, due to the

trigger threshold for the planning obligations now being 5 or more dwellings. This planning policy change came about in amendments to the Planning Obligations SPD in September 2011.

CONCLUSION

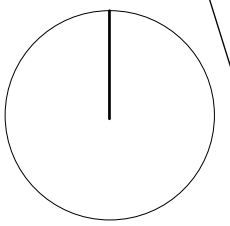
29. The proposed development is identical to that refused under planning application P10/1682. Whilst the planning policy position has changed since this previous refusal the issue of the detrimental impact on the street scene still remains relevant.

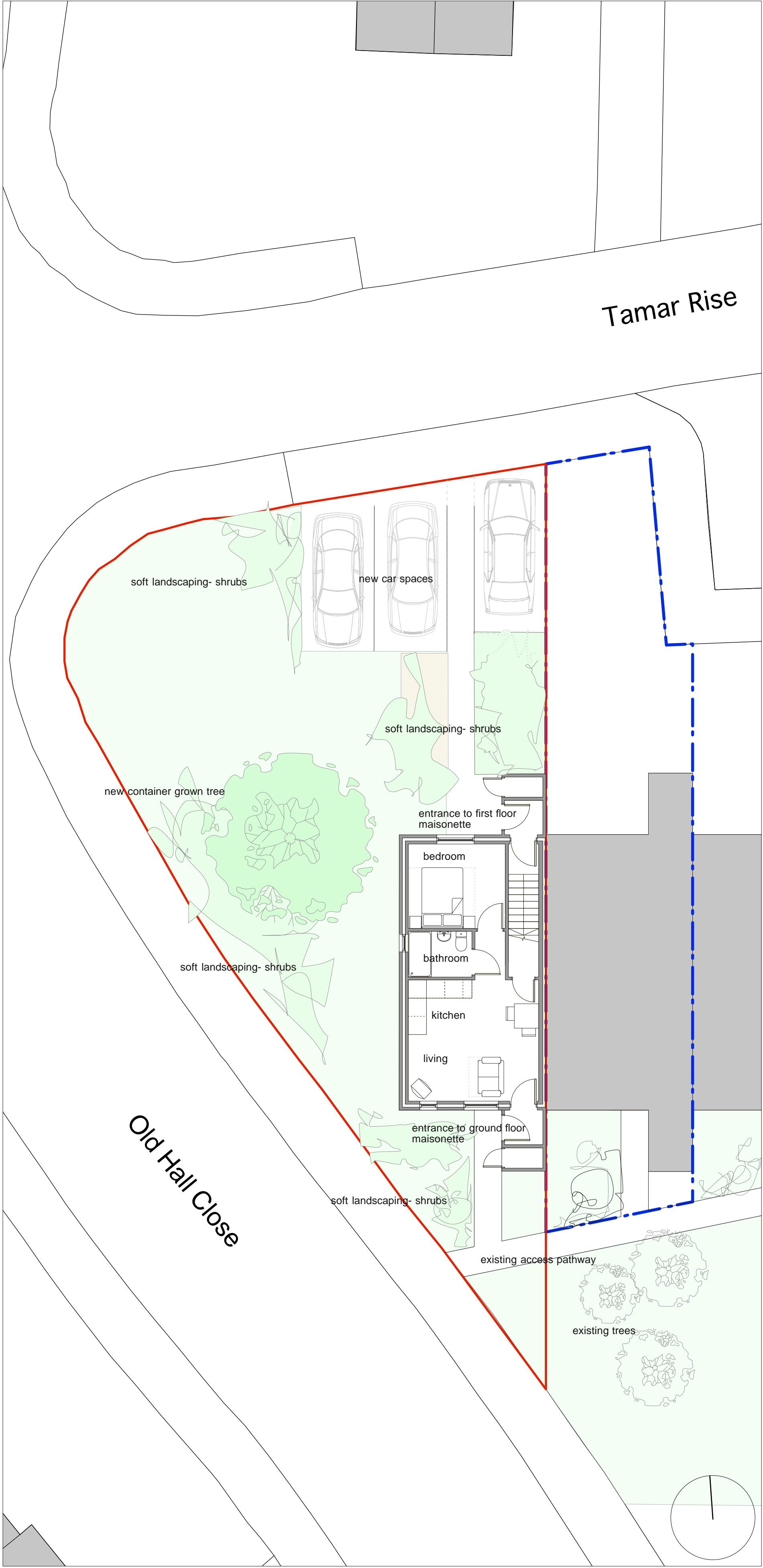
RECOMMENDATION

It is recommended that the application be refused for the following reason(s):

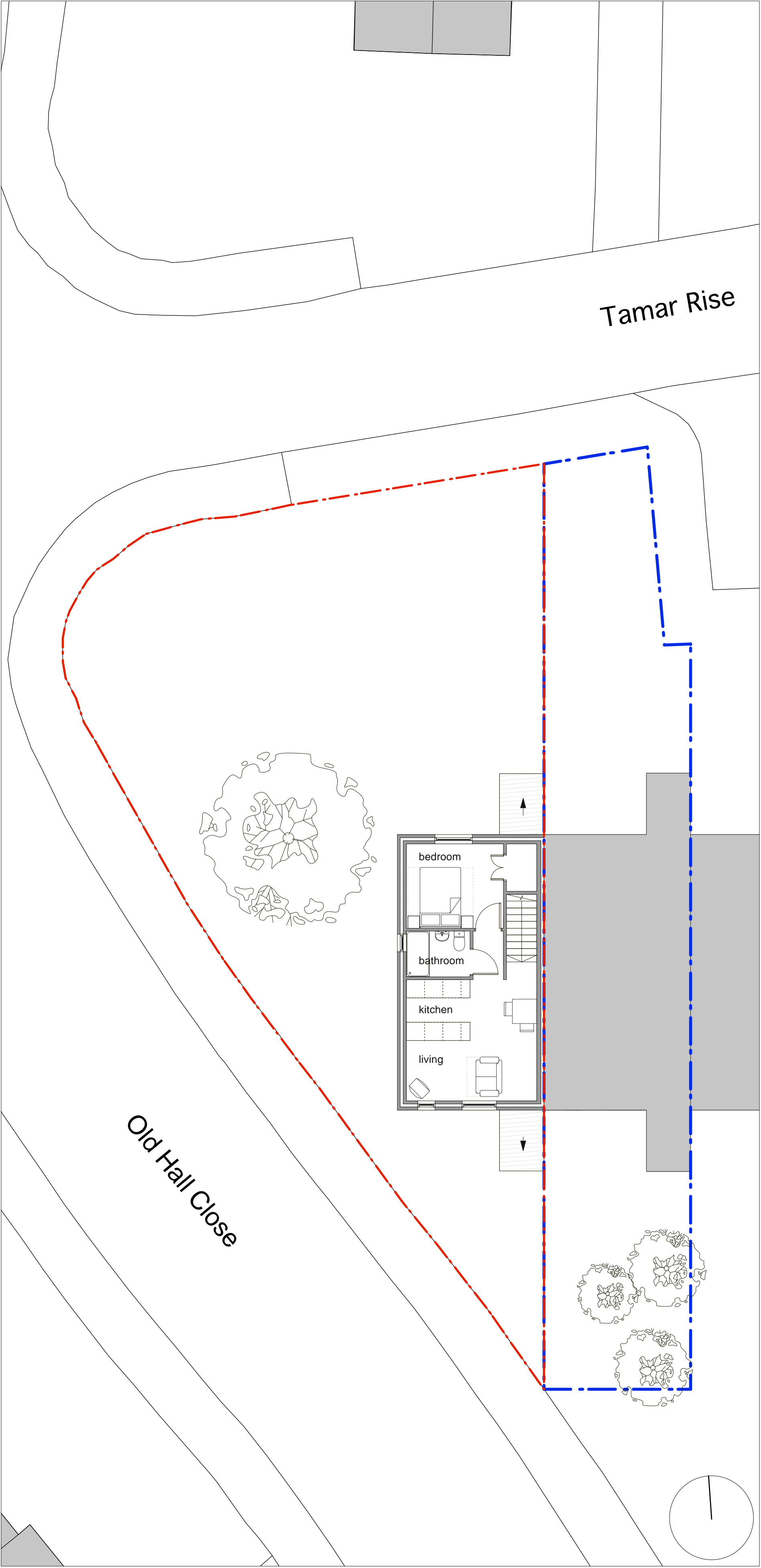
Conditions and/or reasons:

1. The proposed development, as a result of the highway line, close proximity to the highway and change in ground levels, would appear unduly prominent within the street scene and therefore detrimental to the character and appearance of the area contrary to the requirements of saved Policies DD1 – Urban Design and DD4 – Development in Residential Areas of the UDP and Supplementary Planning Guidance – New Housing Development – (February 2013).

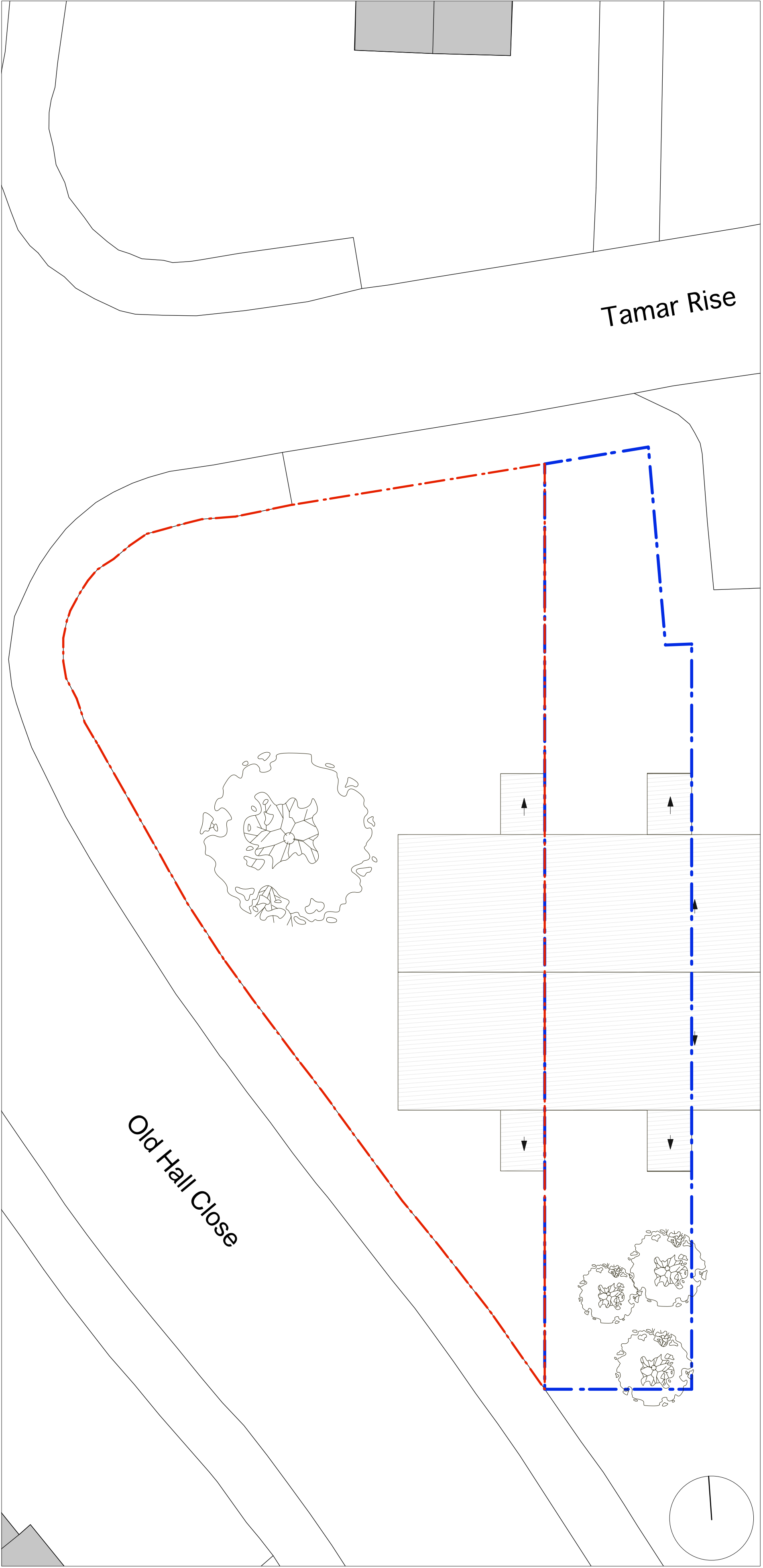




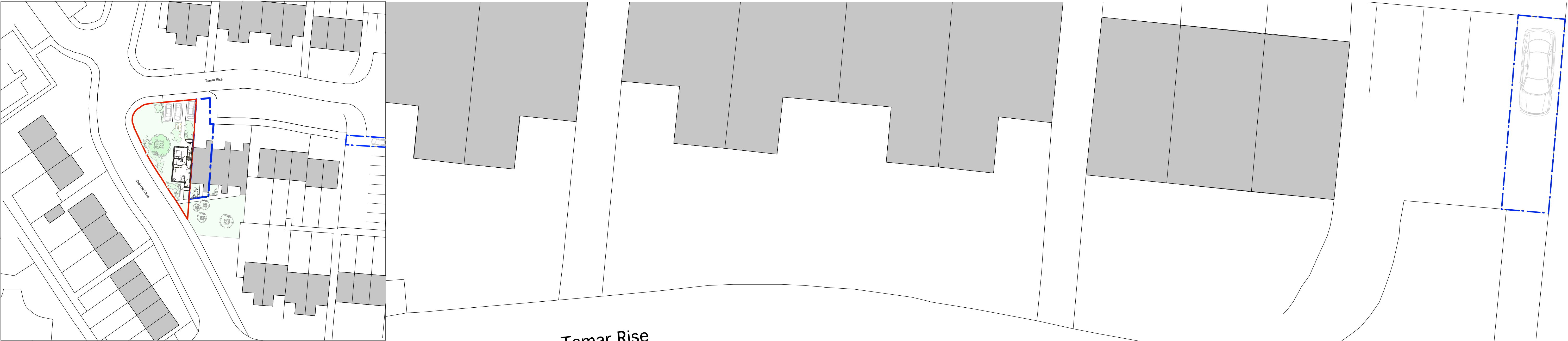
Proposed Ground



Proposed First



Proposed Roof



Block Plan | 1:500



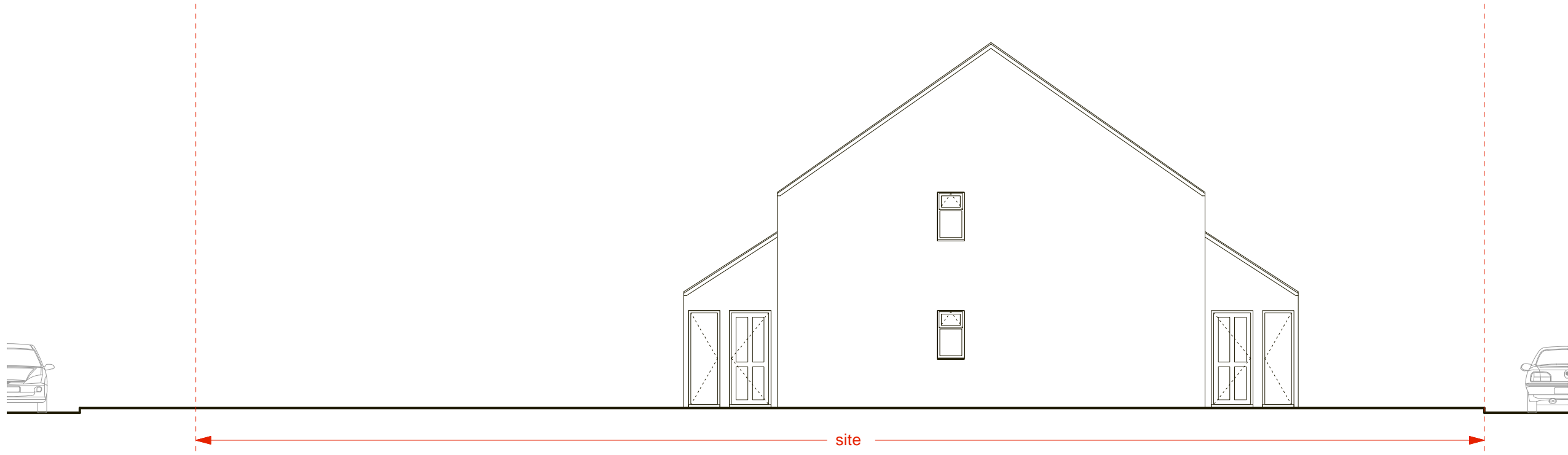
Proposed Site Plan | 1:100



Existing South Elevation



Existing North Elevation



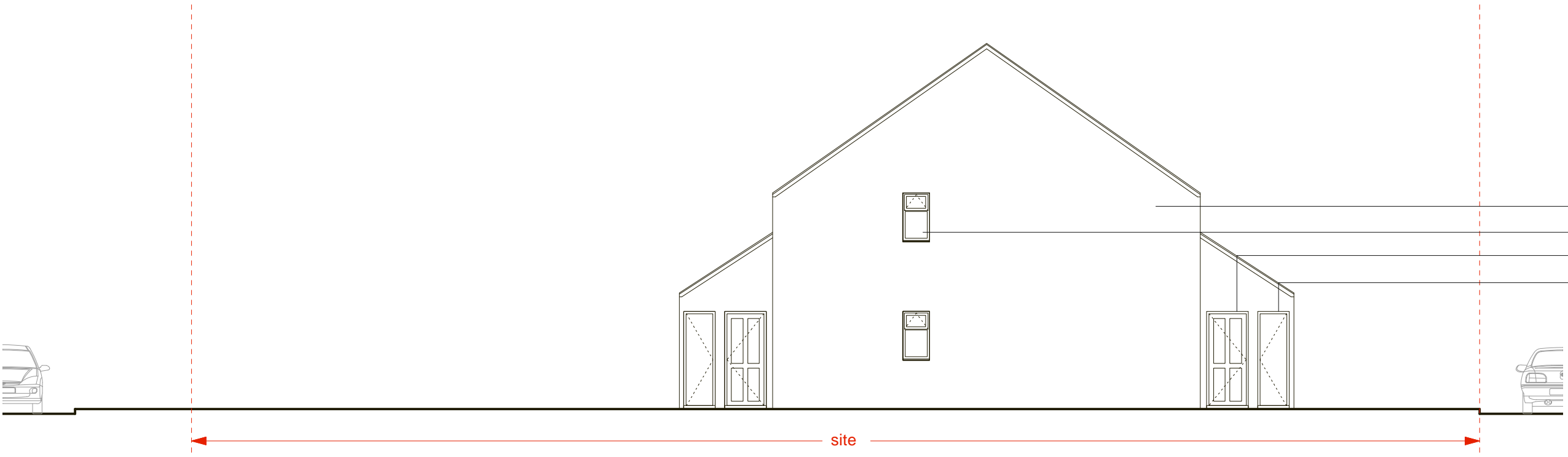
Existing West Elevation



Proposed South Elevation



Proposed North Elevation



Proposed West Elevation

- clay pan tiles to match existing adjacent houses
- red facing brickwork to match existing adjacent houses
- white uPVC windows to match existing adjacent houses
- clay pan tiles to match existing adjacent houses

- red facing brickwork to match existing adjacent houses
- white uPVC windows to match existing adjacent houses
- white uPVC front door to match existing adjacent houses
- timber store door to match existing adjacent houses