

# PLANNING APPLICATION NUMBER:P10/0317

Type of approval sought	Full Planning Permission
Ward	UPPER GORNAL & WOODSETTON
Applicant	Mr Stephen Poole
Location:	<b>169, IVYHOUSE LANE, COSELEY, BILSTON, WV14 9LA</b>
Proposal	<b>ERECTION OF 4 NO. DWELLINGS WITH VEHICULAR AND PEDESTRAIN ACCESS FROM ANDERSLEIGH DRIVE</b>
Recommendation Summary:	<b>APPROVE SUBJECT TO A 106 AGREEMENT</b>

## SITE AND SURROUNDINGS

1. The site comprises a grazing paddock and stable block situated at the rear of 169 Ivyhouse Lane. It is roughly rectangular in shape and extends over 0.135 hectare. The land slopes gently from north to south with a 4m fall over 60 metres.
2. The site is surrounded on all sides by existing residential development. A public footpath adjoins the entire eastern boundary.

## PROPOSAL

3. It is proposed to erect two detached and a pair of semi-detached houses on the land accessed from Andersleigh Drive. The semis and one detached would in line with their rear gardens backing onto that at No. 169. The other detached house would be positioned at the side of the access road. The development is exactly the same as that approved under application No.P05/2484 which expired on 23<sup>rd</sup> December 2008.

## HISTORY

4.

APPLICATION No.	PROPOSAL	DECISION	DATE
<b>P04/2603</b>	<b>Erection of semi-detached houses &amp; one detached house</b>	<b>Refused</b>	<b>1<sup>st</sup> July 2005</b>
<b>P05/2484</b>	<b>Erection of 2 semi-detached and 2 detached dwellings and formation of access road</b>	<b>Approved</b>	<b>23<sup>rd</sup> December 2005</b>

## PUBLIC CONSULTATION

5. Notification letters were sent to 30 addresses in Andersleigh Drive, Ivyhouse Lane, Coppice Road and Fern Close. The expiry date for representations is 6<sup>th</sup> April 2010. At the time of writing no representations had been received.

## OTHER CONSULTATION

6. Group Engineer: no objection, but recommends a condition requiring the construction of the access road and parking areas prior to occupation. He also recommends that the conifers overhanging the adjoining public footpath be removed because of its restricted width.
7. Head of Environmental Health and Trading Standards: no objections, subject to a condition requiring a contamination report.
8. Severn Trent Water: no objection subject to a drainage condition being imposed.

## RELEVANT PLANNING POLICY

### 9. Adopted UDP

DD1 Urban Design

DD4 Development in Residential Areas

H1 New Housing Development

H6 Housing Density

#### Supplementary Planning Guidance

PGN 3 New Housing

#### Supplementary Planning Documents

Parking Standards and Travel Plans

Planning Obligations

New Housing Development

#### National Guidance

PPS3 Housing

PPG13 Transport

## ASSESSMENT

10. The key issues are:-

- Principle
- Density
- Impact upon adjoining residents
- Access and parking
- Planning Obligations

### Principle

11. The site is effectively part of the garden to 169 Ivyhouse Lane and, as such, is brownfield, previously-developed land for which permission has been granted in recent times for housing development. Accordingly, there would be no objection in principle to residential development.

### Density

12. The density of development is 37 dwellings per hectare which is not excessive and is appropriate in terms of the site and the surrounding area.

### Impact upon adjoining residents

13. This was an issue at the time of the previous application and a revised plan was secured before permission was granted. That plan is the same as the current submission. There has been no change in the Council's method of assessing the impact of development upon adjoining and nearby residents in terms of light, outlook and overshadowing and, therefore, it is considered that there would be no adverse effect upon neighbours of the development. However, any objections received will be considered and reported in a Pre-Committee note.

### Access and parking

14. As before, access to the development would be from Andersleigh Drive by way of a stub cul-de-sac off the current turning head. Each house would have two parking spaces which complies with the current standard for three-bedroomed dwellings. Accordingly, the proposed access and parking arrangements are satisfactory.

### Planning Obligations

15. The proposed development has a requirement to provide planning obligations to mitigate against the consequential planning loss to the existing community. Should permission be granted a S106 Agreement would be required in respect of the following contributions. These are payable because the previous permission for the development has expired. The proposal attracts a requirement for a commuted sum to be paid towards the following infrastructure:

• Libraries	£739.68
• POS Construction	£2027.87
• POS Establishment	£3002.24
• Play Construction	£3857.16
• Transport	£1605.24
• Public Realm	£1849.40
• Nature Conservation	£675.00
• Management & Monitoring charge	£1000.00
• <b>Total monies</b>	<b>£14756.59</b>

The nature conservation enhancements can be provided on site and this could be secured through a condition.

At the time of writing the applicant had only just received notification of the obligations.

## CONCLUSION

16. The proposed development is identical to that approved on 23<sup>rd</sup> December 2005 under application No. P05/2484. That permission expired in 2008. However, there has been no material change in circumstances since that time and, therefore, the development is considered satisfactory. Confirmation is awaited that the applicant is agreeable to paying the planning obligations which now apply to the development.

## RECOMMENDATION

17. It is recommended that the application is 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 of a contribution of £14756.59 towards library improvements, open space, sport and recreation improvements, transport infrastructure improvements, public realm improvements and a management and monitoring charge 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.

### Reason for the grant of permission.

The proposed development is identical to that approved on 23<sup>rd</sup> December 2005 under application No. P05/2484. That permission expired in 2008. However, there has been no material change in circumstances since that time and, therefore, the development is considered satisfactory. Confirmation is awaited that the applicant is agreeable to paying the planning obligations which now apply to the development.

The decision to grant planning permission has been taken with regard to the policies and proposals in the adopted Dudley UDP (2005) and to all other relevant material considerations.

The above is a summary of the reasons for the grant of planning permission. For further detail please see the application report.

### Note for applicant

The development hereby permitted shall be built in accordance with the approved plans numbered 820 005, 820 01, 820 04 and 820 101 unless otherwise agreed in writing by the Local Planning Authority.

### 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. 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.
3. Prior to the commencement of development, details of the works for the disposal of foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. All works shall be completed in accordance with the approved details prior to the occupation of the dwellings hereby permitted.
4. Development shall not begin until a comprehensive written site investigation strategy (in a form to be agreed with the local planning authority), has been submitted to and approved by the local planning authority. Such a strategy shall facilitate the identification of soil gases and vapours that have the potential to pose a risk to human health and the wider environment. Where the investigations identify the presence of soil gases and vapours, development shall not begin until a scheme to protect the development from the effects of such gases has been submitted to and approved by the local planning authority. Such a scheme shall: include provisions for validation monitoring & sampling; be implemented in accordance with

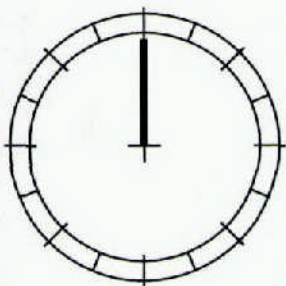
the approved details before the development is first occupied; and be retained throughout the lifetime of the development.

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, [including sections in direction xxx] 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 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.
7. Prior to the commencement of development, details of the [boundary treatments /walls/fences] to be installed on the whole site shall be submitted to and approved in writing by the Local Planning Authority. These details shall include location of boundary treatment. Elevation details shall also be supplied, or planting species/distances, as appropriate. The development shall proceed in accordance with the approved details, which shall be installed on site prior to occupation and thereafter maintained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.
8. The development shall not begin until a scheme for the provision of:
  - Off site Public Open Space and play area improvements
  - Off site Library improvements
  - Off site Public Realm improvements
  - Off site Transport Infrastructure improvements
  - Management and Monitoring charge

has been submitted to and approved in writing by the Local Planning Authority.


9. A plan detailing appropriate onsite nature conservation enhancements, in line with the requirements of the adopted Planning Obligations SPD, shall be submitted to and approved in writing by the Council before any works proceed. All works must be carried out in accordance with the approved plan and programme and shall be maintained throughout the life of the development.

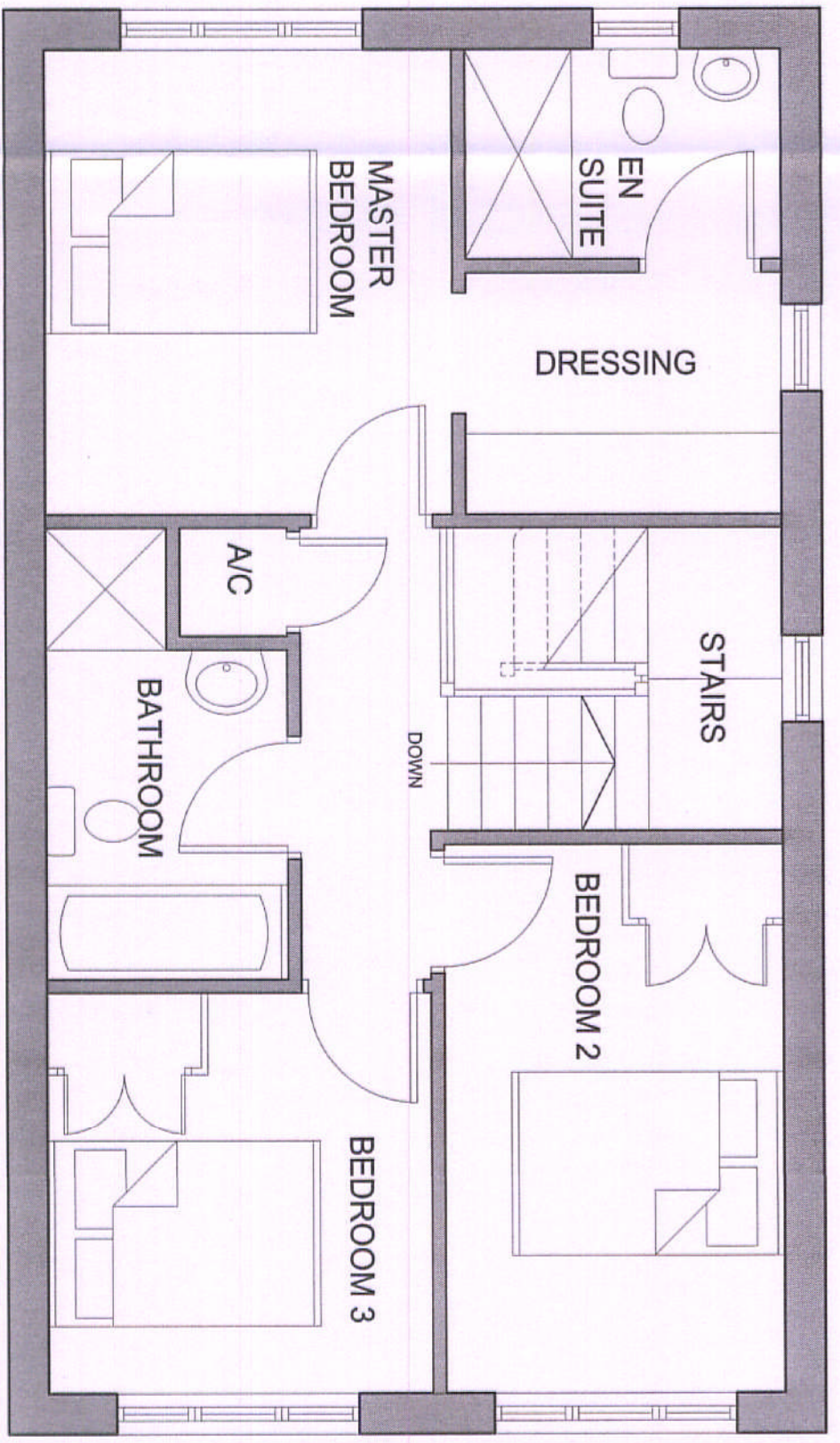
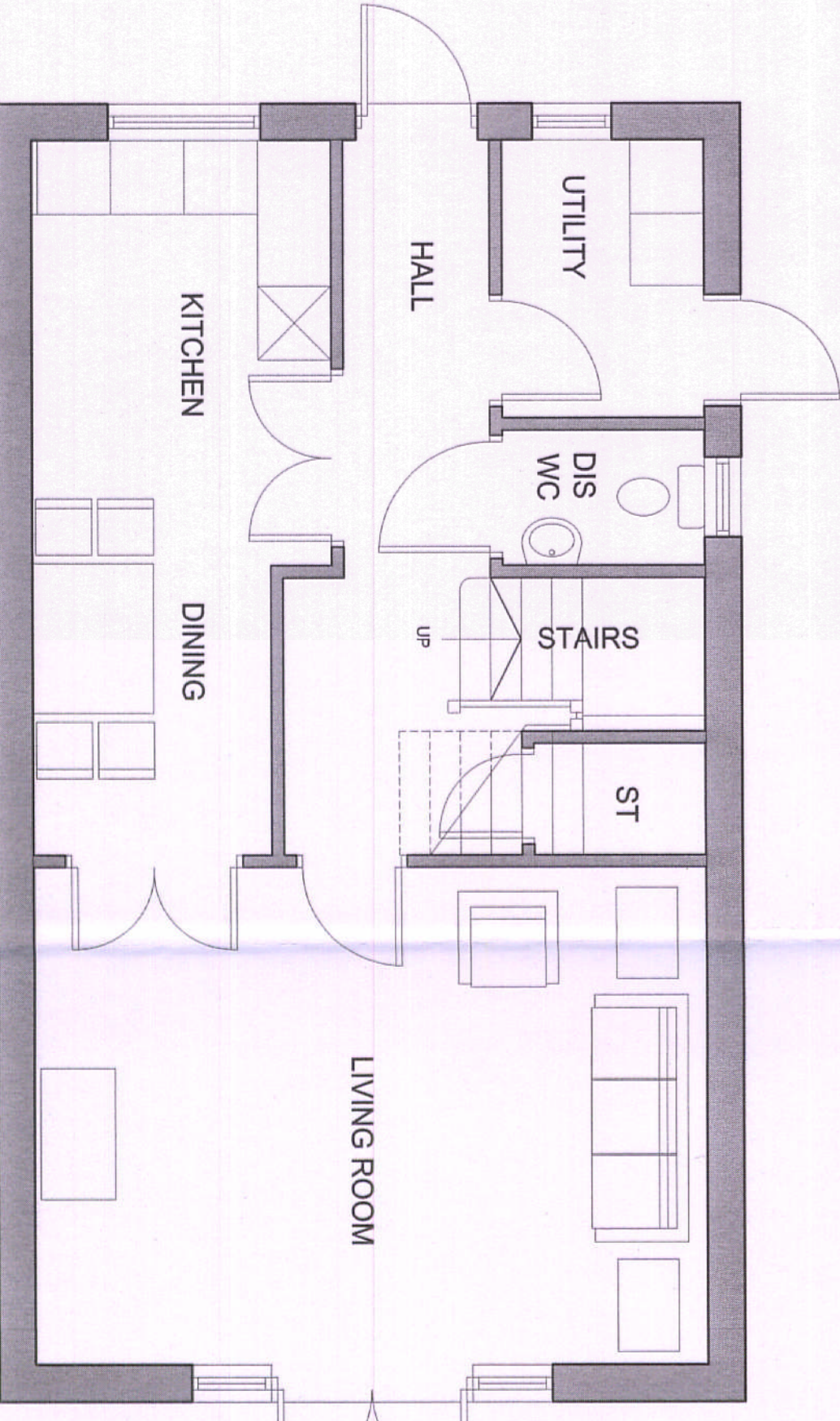
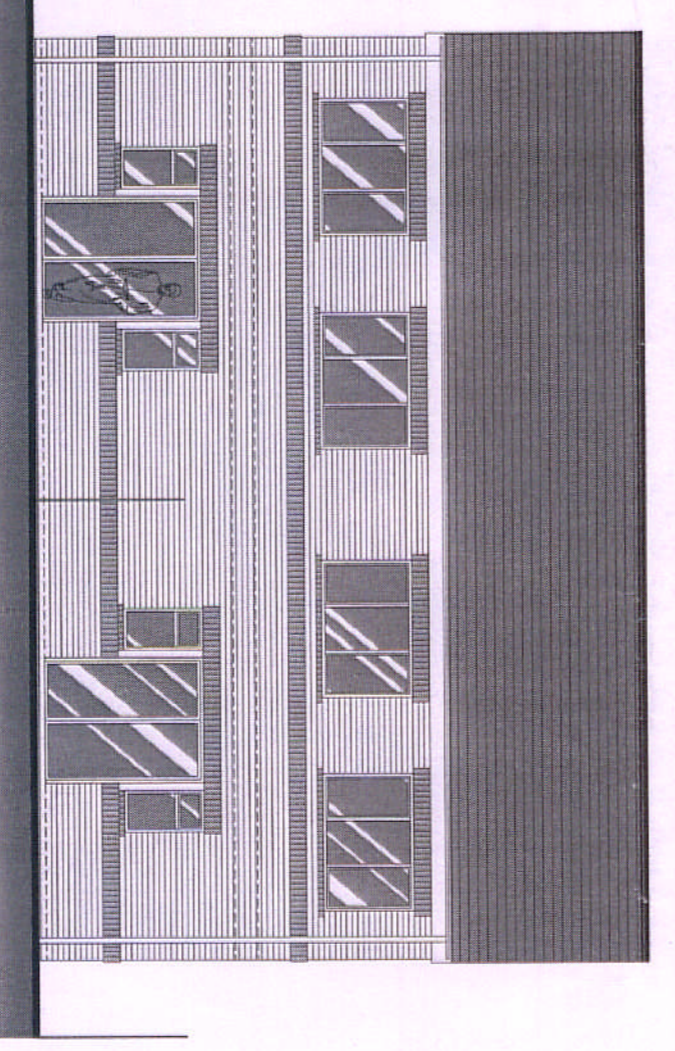
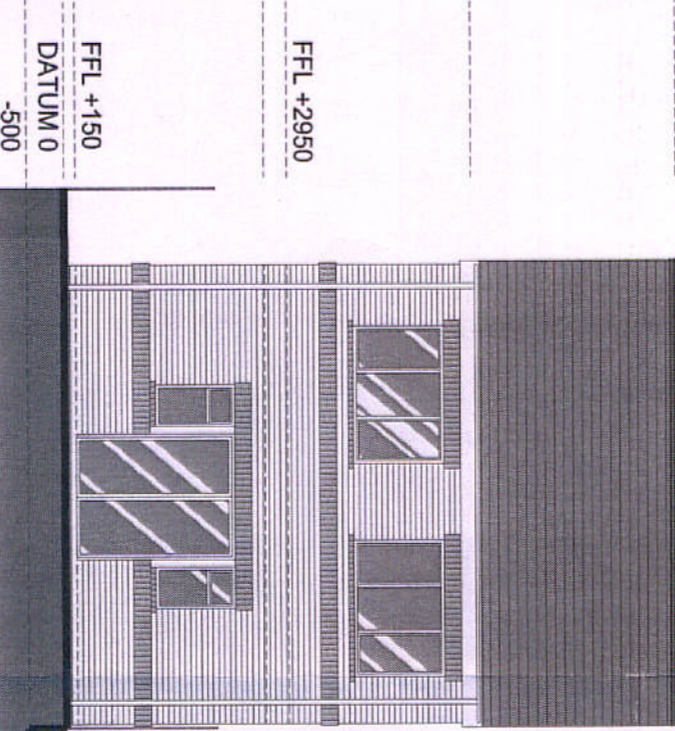
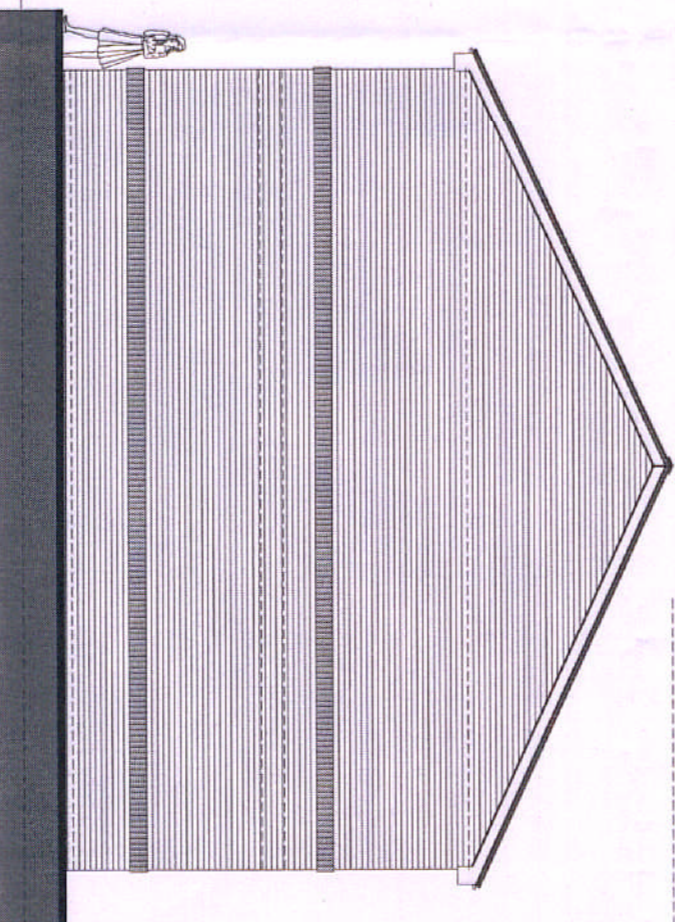
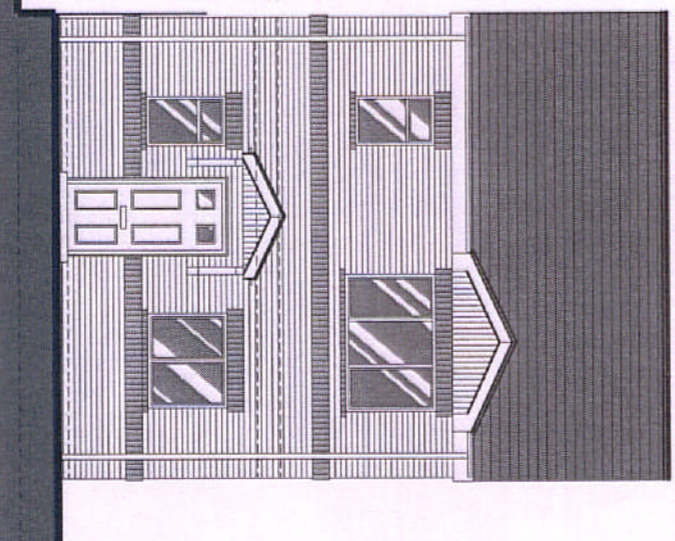
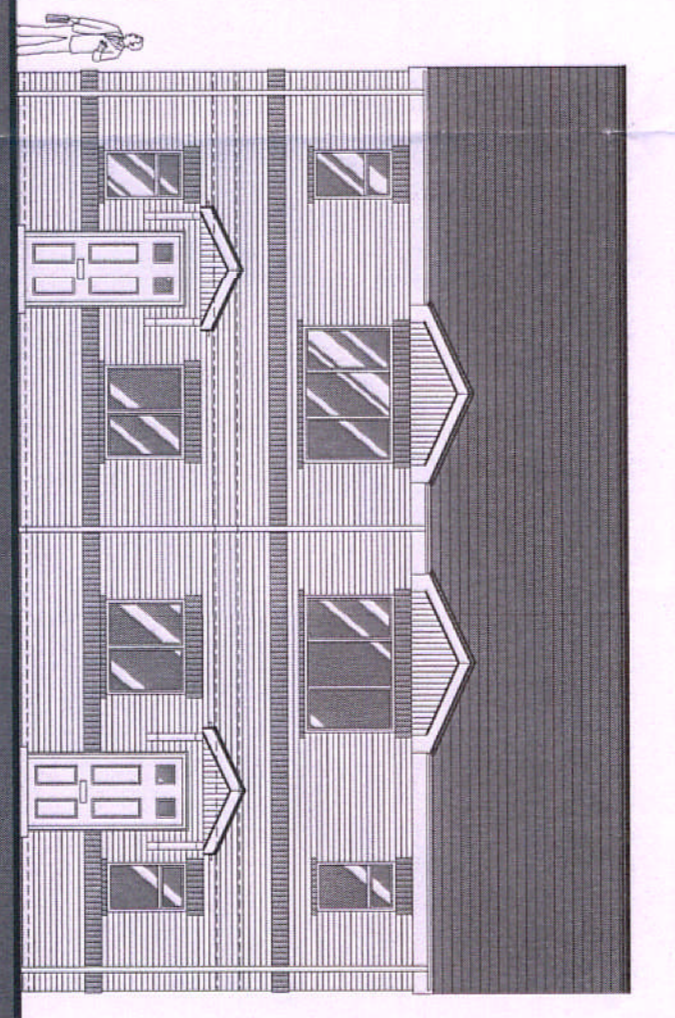
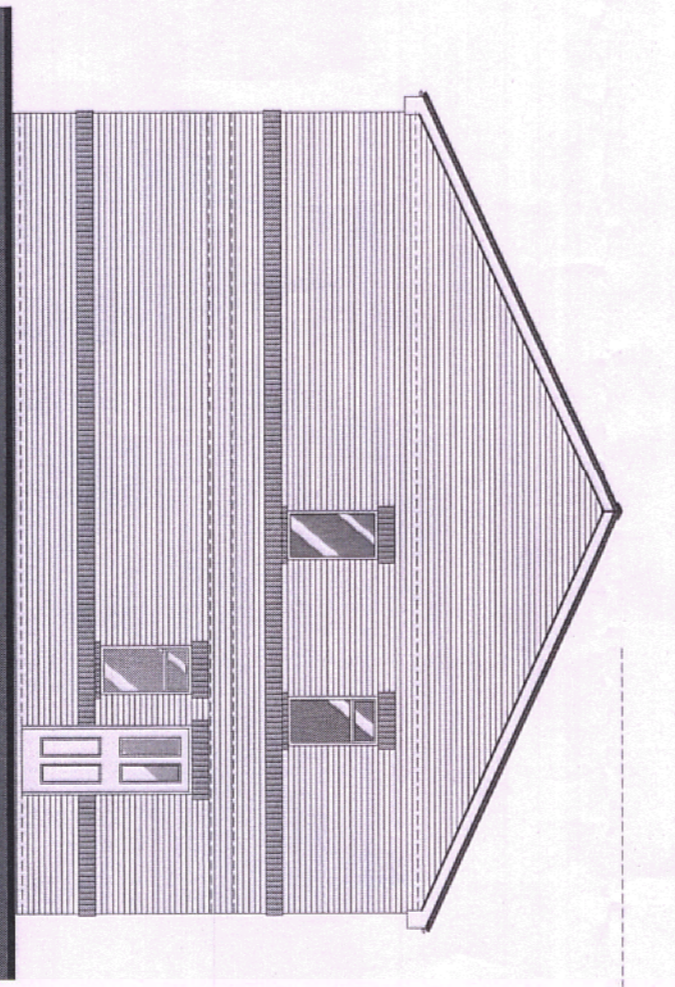
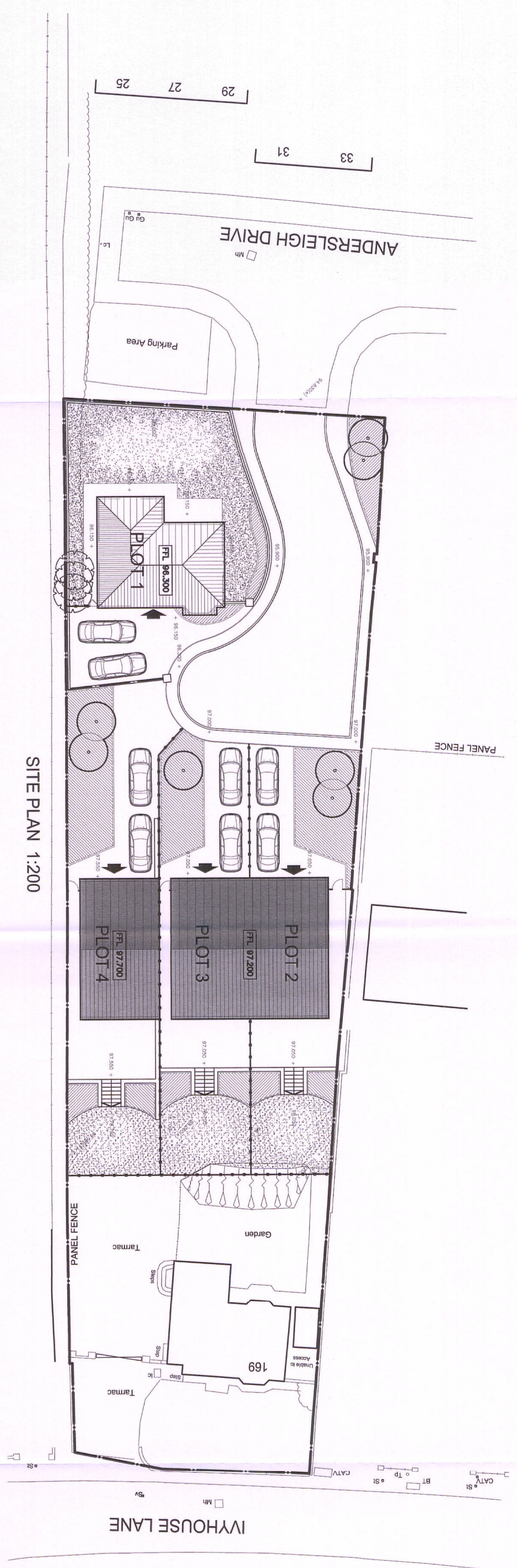




NORTH POINT



Client <b>NEWLYN HOMES</b>				Pinneqar Hayward Design 48-52 Vittoria Street Birmingham B1 3PE Tel 0121 236 7009 Fax 0121 236 8485 Email design@p-h-d.co.uk		ARCHITECTS  PLANNING SUPERVISORS PROJECT MANAGERS	
Project <b>NEW HOUSING</b>							
Location <b>169 IVYHOUSE LANE, COSELEY</b>							
Drawing Title <b>LOCATION PLAN</b>							
Scale 1:1250	Date 14.11.05	Drawn RjM	Checked AiP	Job No. 820	Drawing No. 005	Revision -	Stage <b>PLANNING</b>



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Notes  
No. Description  
*Proposed elevations  
P1016317*

Revision	Date	Description
A	02.11.05	Hipped roof amended. Mts dressing/ En suite removed, fenestration revised.
B	19.10.05	Elevations added.

**Client:** NEWLYNN HOMES

**Project:** NEW HOUSING

**Location:** 169 IVYHOUSE LANE  
COSELEY

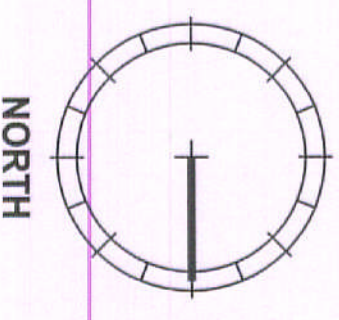
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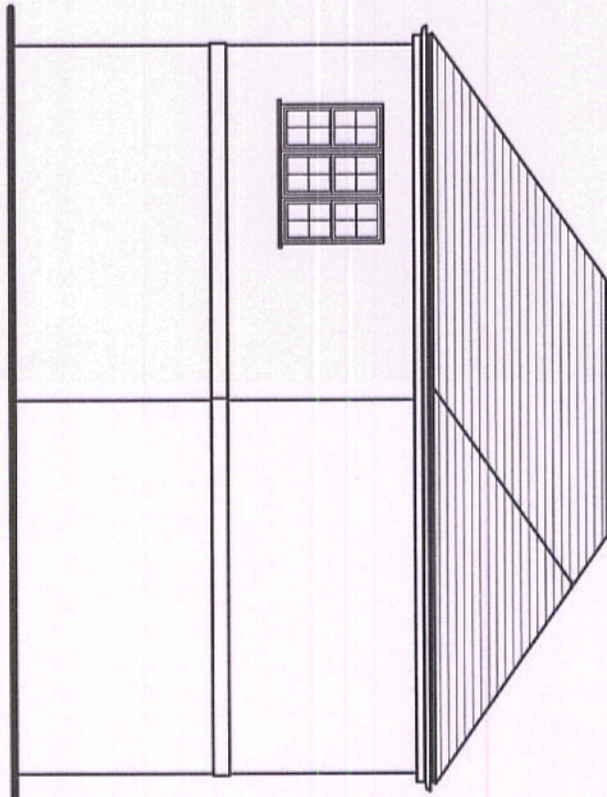
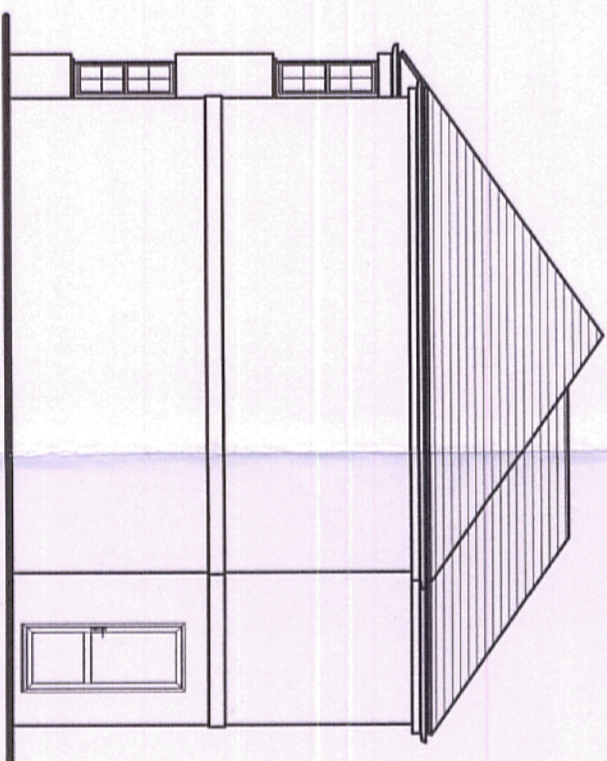
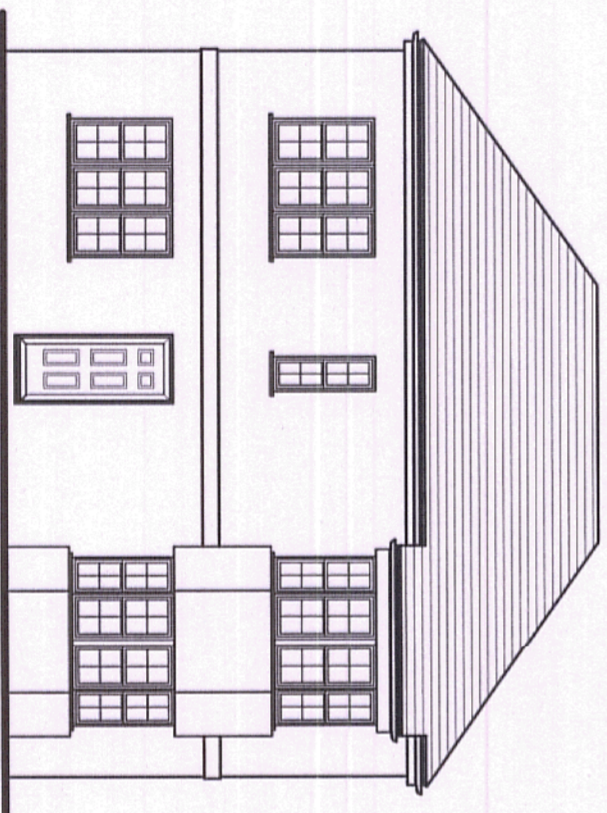
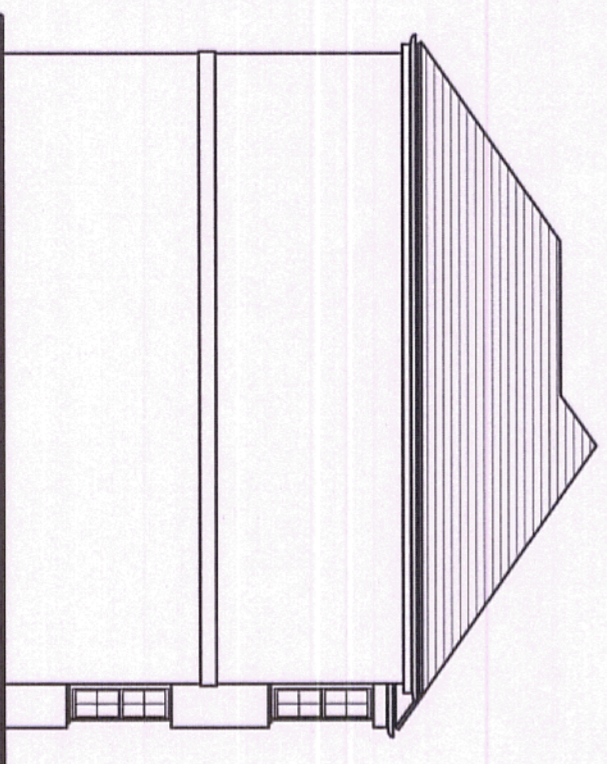
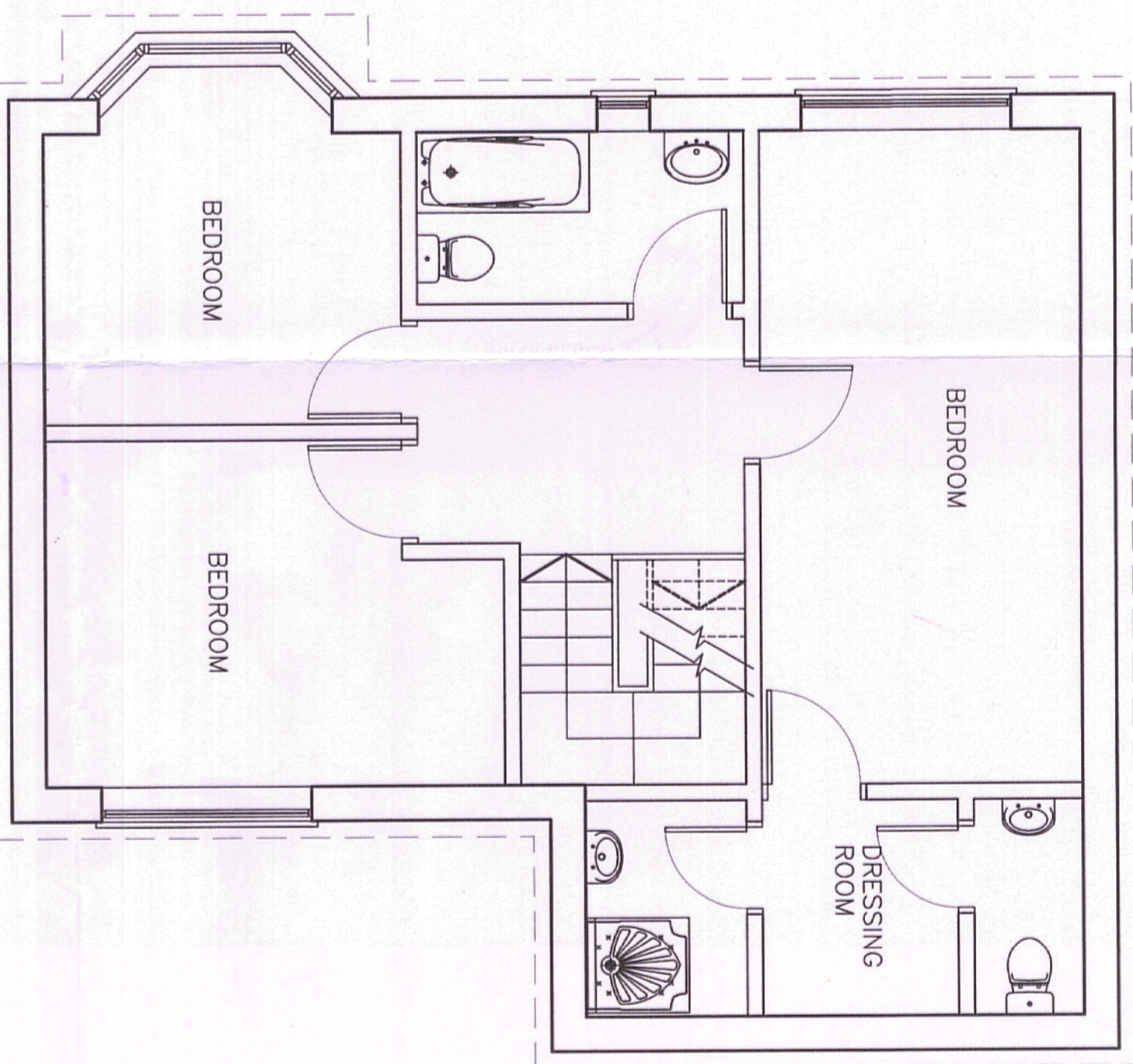
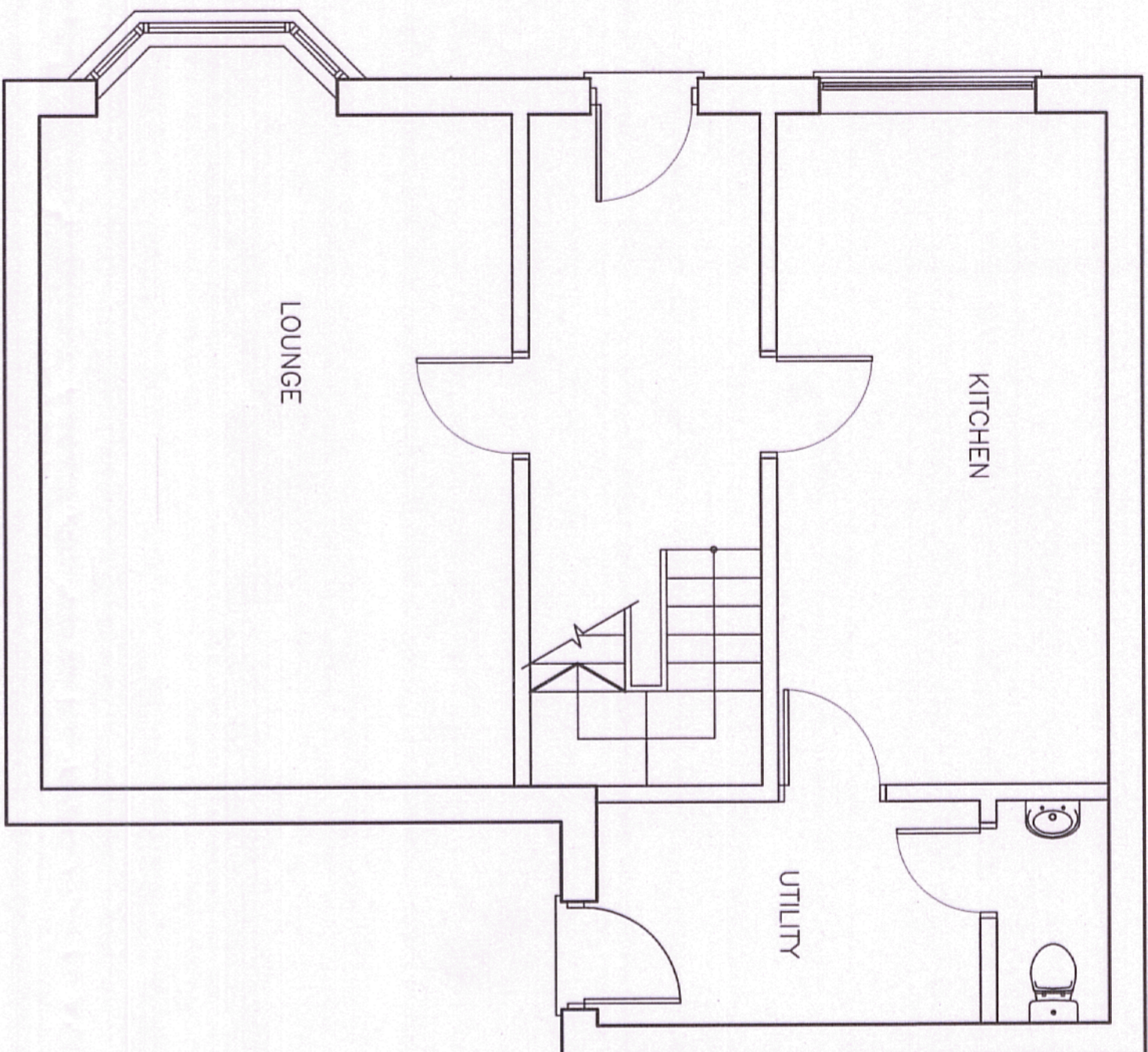
**Architects:** Pinnergar Hayward Design  
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**Project Planning & Management:** [Logo]

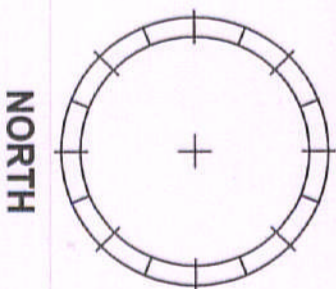
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Scale	Date	Drawn	Revision
SHOWN	19.10.05	RJM	B
Job No.	Drawing No.	Checked	
820	04	AIP	





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No.	Description

*Elevations  
House Type A  
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Revision	Date	Description

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**Client**  
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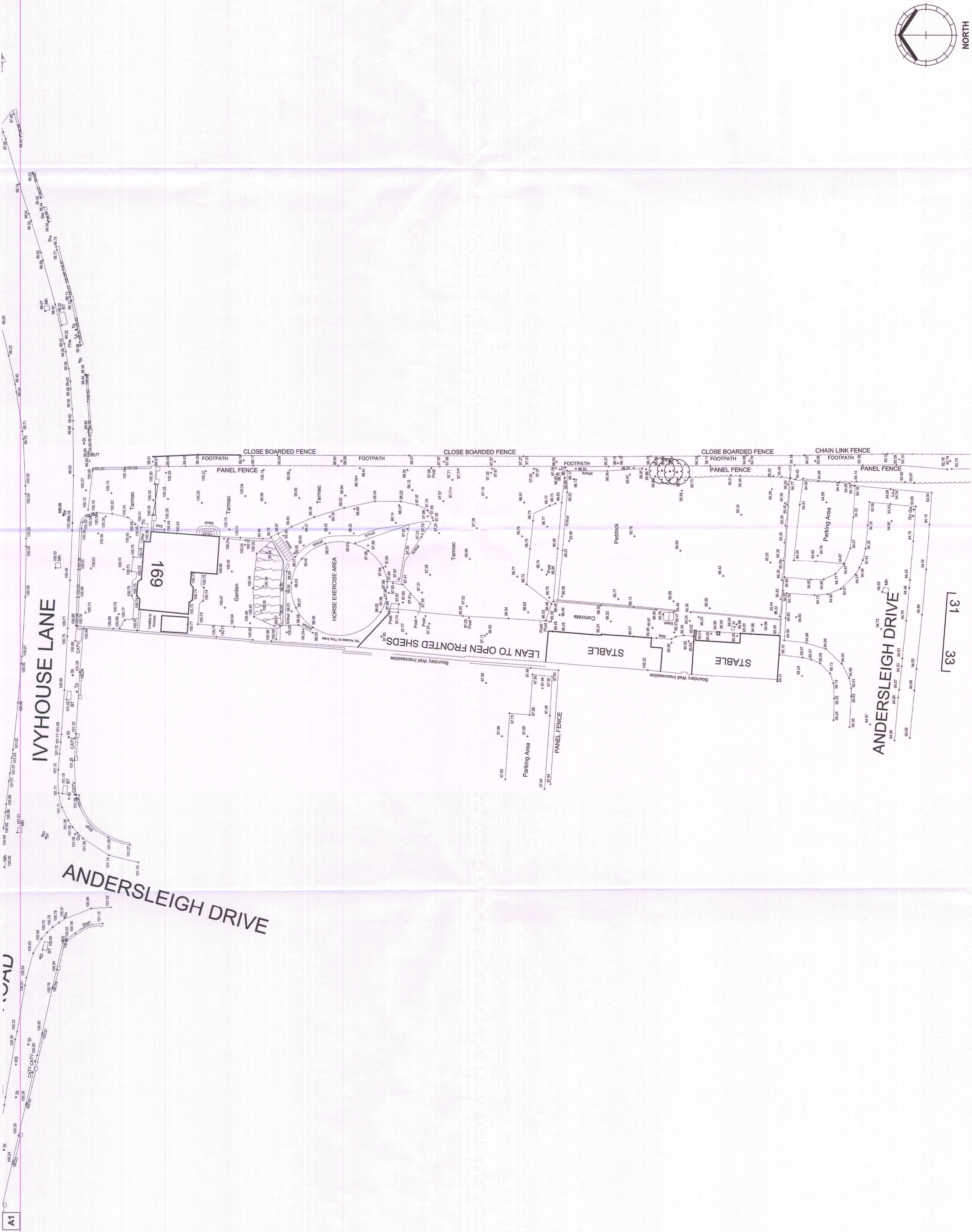
**Project**  
 NEW HOUSING

**Location**  
 169 IVYHOUSE LANE  
 COSELEY

**Drawing Title**  
 PLANS AND ELEVATIONS  
 HOUSE TYPE A - PLOT 1

Scale	Date	Drawn	Revision
1:50, 1:100			
Job No.	Drawing No.	Checked	
820	101		

No.	Description
	Existing site plan.
	P10/0317



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Client  
**NEWLYN HOMES**

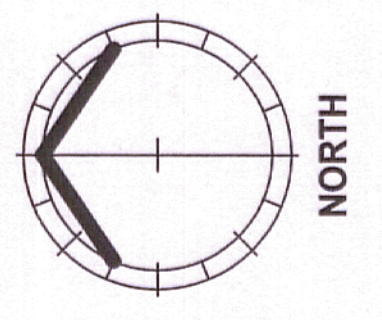
Project  
**NEW HOUSING**

Location  
**169 IVYHOUSE LANE  
COSELEY  
EXISTING SITE PLAN  
AND SURVEY**

Revision	Date	Description

Scale	Date	Drawn	Revision
1:200			
Job No.	Drawing No.	Checked	
820	01		



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33