

# DUDLEY COUNCIL RESIDENTIAL DESIGN GUIDE

## SUPPLEMENTARY PLANNING DOCUMENT

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May 2023



DUDLEY COUNCIL'S REGENERATION SERVICE

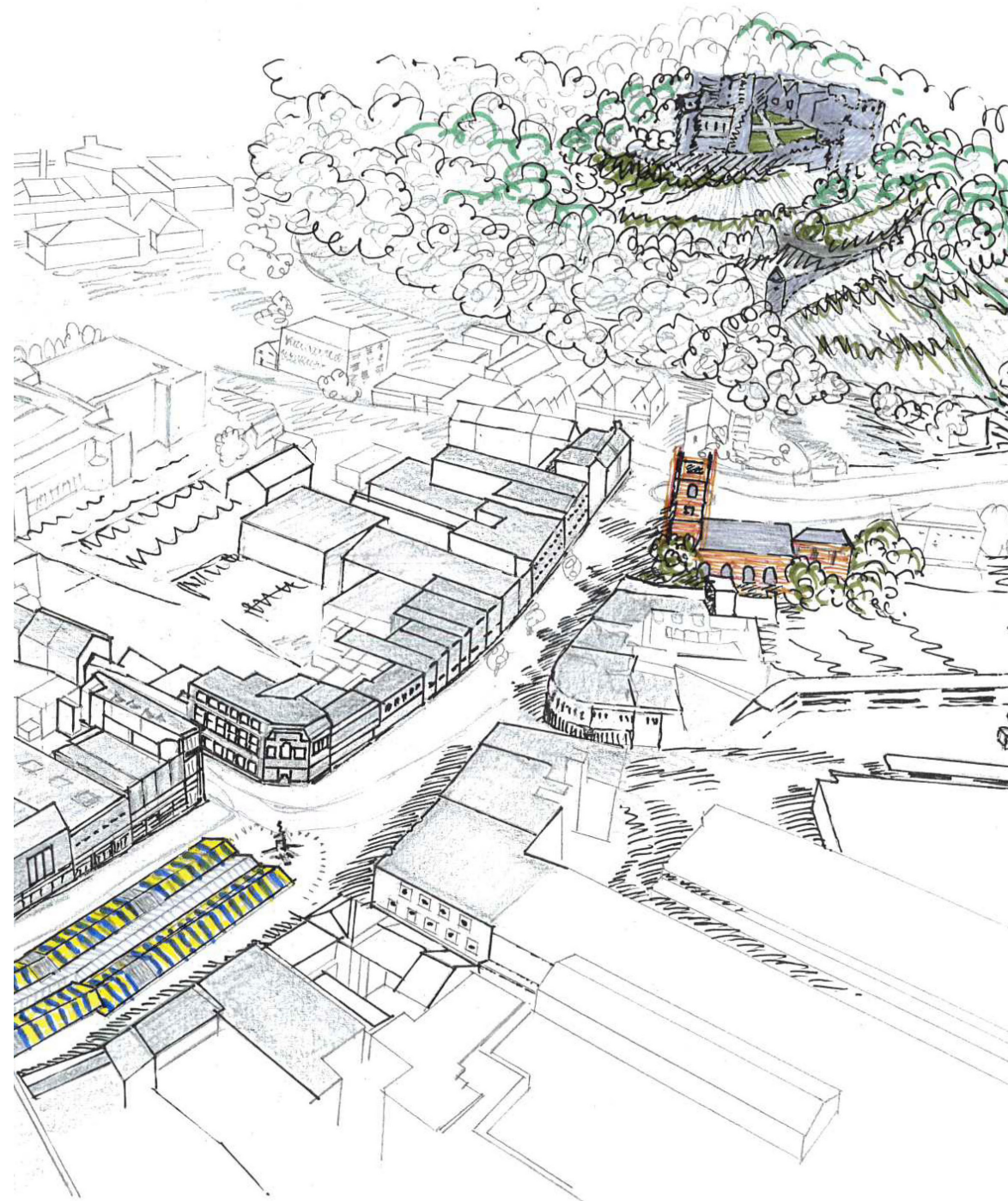
**REGENERATING**

**Dudley**  
Metropolitan Borough Council

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The Residential Design Guide Supplementary Planning Document (SPD) replaces the existing 'New Housing Development Supplementary Planning Document (SPD)'. The New Housing Development SPD was adopted in 2007 and updated in 2013. The Residential Design Guide SPD will also incorporate the Council's Planning Guidance Note (PGN) 17 – 'House Extensions' and PGN 12 – '45 Degree Code', bringing all guidance relating to new housing developments and residential extensions into one document.

The SPD has also updated the previous 'New Housing Development SPD' in order to:

- Reflect revisions to the National Planning Policy Framework (NPPF) about the importance of design and sustainability;
- Address changes to peoples' living and working environment such as a move to greater home working following the Covid-19 Pandemic;
- Include guidance reflecting Dudley Council's approach to assessing applications for Homes of Multiple Occupation and children's care homes;
- Incorporate the council's Planning Guidance Note PGN17 [House Extensions] and PGN 12 [45 degree code];
- Future-proof guidance against changes to local and national planning policies.



## Introduction

Addressing climate change and the delivery of new housing are extremely important challenges that are inextricably linked. Sustainable locations are required that are well served by public transport with layouts that facilitate the development and enhancement of opportunities for walking, running, and cycling. The aim is to create healthy, attractive environments where people want to live and have opportunities for recreation from their doorstep; where good housing design and imaginative site layouts are fundamental; and where comprehensive landscape schemes, that fully utilise the multi-faceted contribution that trees and hedgerow can make for wildlife, carbon capture, regulating water run-off rates, and air quality improvements, form the essential framework that links all of the elements together to create 'beautiful' developments.

The COVID-19 pandemic has changed the way many people work and how they use their local open spaces. This is likely to have longer term consequences such as the need for internal space for home working; the ability to take exercise locally; and the requirement to address issues concerning people's physical and mental well-being.

A different approach to planning for new housing development is therefore required which this document aims to address. It replaces the now dated 'New Housing SPD' (Adopted 2013) The aim is to inform pre-application discussion and act as a guide to the development of new housing development within Dudley.

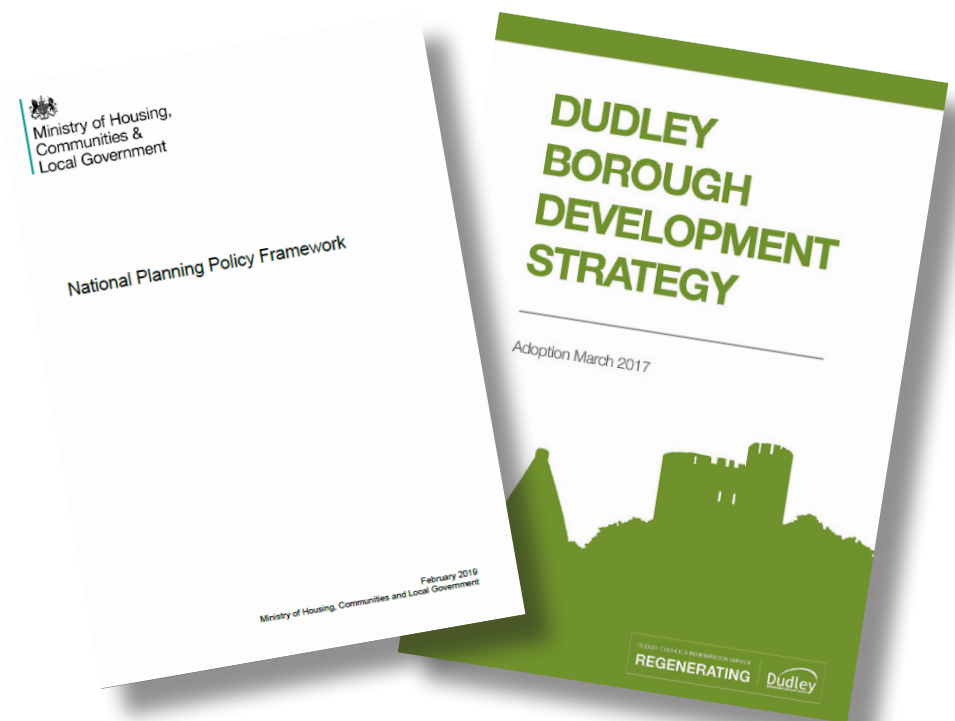
The opportunity has been taken to also include a detailed guide for anyone considering an extension to their property. This will replace Planning Guidance Note 17 'House Extension Design Guide (adopted 1998).

Sections on Houses in Multiple Occupation (HMOs) and Children's Care Homes are also included within the document. Both serve a

particular housing need but can present specific challenges which this SPD aims to address.

## Policy context

This Document has been prepared in conformity with the National Planning Policy Framework (NPPF)<sup>1</sup>, which requires plan making to be up-to-date; to be based upon sustainable principles; and to make the best use of land. It forms part of Dudley's Local Plan along with Development Plan Documents: the Black Country Core Strategy (BCCS)<sup>2</sup>, the Dudley Borough Development Strategy (DBDS)<sup>3</sup>, four Area Action Plans and various Supplementary Planning Documents<sup>4</sup> or any subsequent local plans



- <sup>1</sup> [National Planning Policy Framework](#)
- <sup>2</sup> [Black Country Core Strategy](#)
- <sup>3</sup> [Dudley Borough Development Strategy](#)
- <sup>4</sup> [Dudley Local Plan Documents](#)

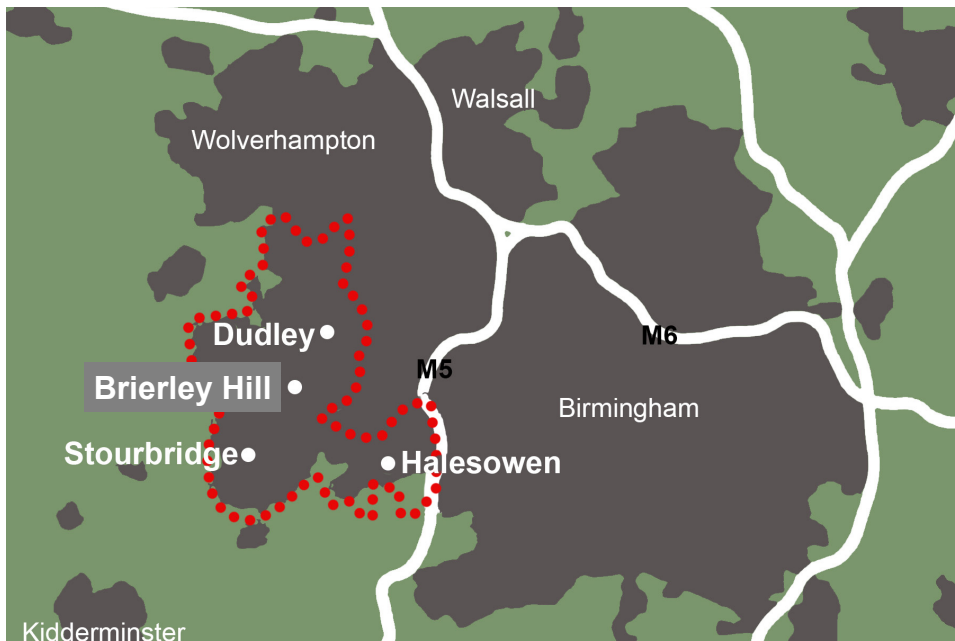
Within the BCCS and DBDS there are a number of policies that particularly provide guidance relating to the topics covered within the document:

- **Policy HOU1** 'Delivering Sustainable Housing Growth' (BCCS) and Policy S1 'Presumption in favour of Sustainable Development' (DBDS) – encourage an integrated approach to new development to create socially inclusive, healthy and prosperous communities that protects/enhances the environment with the minimum use of resources/consumption of energy.
- **Policy CSP4** 'Place-Making' (BCCS) and Policy S6 'Urban Design' (DBDS) – require a bespoke approach to place making and high-quality design considering the unique heritage and urban structure of the Black Country while embracing the principles of sustainable development.
- **Policy HOU2** 'Housing Density, Type and Accessibility' (BCCS) – requires a range of house types, tenures and densities to provide choice and create sustainable communities.
- **Policy HOU3** 'Affordable Housing' (BCCS) also Policy L3 'Affordable Housing in New Developments' (DBDS) - seek to secure 25% affordable housing on all sites of 15 dwellings or more.
- **Policy L4** 'Type, tenure and location of affordable housing in New Developments' (DBDS) also requires such housing to be tenure blind; dispersed in clusters within a site; and the type, tenure and mix determined on a site by site basis.
- **Policy L1** 'Housing Development, Extensions and alterations to existing dwellings' (DBDS) – notes that housing is supported on previously developed land in sustainable locations with good design, that properly addresses residential amenity, parking and highway safety issues
- **Policy L2** 'Supported Accommodation' (DBDS) – supports the provision of accommodation for people with specific needs including care homes, and extra care facilities.
- **Policy ENV2** 'Historic Character and Local Distinctiveness' (BCCS) – requires all aspects of the historic character and distinctiveness of the locality to be fully assessed and proposals should aim to sustain and reinforce special character and conserve the historic aspects.
- **Policy S8** 'Conservation and Enhancement of Local Character and Distinctiveness (DBDS)'- also seeks the protection of local distinctiveness that arises from the cumulative contribution made by many and varied features whether special or commonplace.
- **Policy ENV3** 'Design Quality' (BCCS) – requires new development has regard to key design principles, providing high quality design that relates to buildings and architecture, but also to the spaces within which the buildings sit, the quality of the public realm within streets and spaces and the relationship between the development and the surrounding area
- **Policy ENV4** 'Canals' (BCCS) - to protect and enhance the canal network and encourage developments to improve and promote the connections to the wider canal network for leisure purposes and sustainable transport, including walking and cycling
- **Policy TRAN4** 'Creating Coherent Networks for Cycling and for Walking' – encourages new development to include good walking and cycling links.
- **Policy S2** 'Planning for a Healthy Borough' (DBDS) – to develop strong, healthy, vibrant communities to ensure the well-being of the borough's population, creating environments conducive to cycling and walking and connecting new developments to the existing walking and cycling networks
- **Policy S3** 'Renewable Energy' (DBDS)– encouraging greater support of both established and innovative low carbon and renewable energy technologies to combat climate change.
- **Policy S5** – 'Minimising Flood Risk and Sustainable Drainage Systems' (SuDS) (DBDS) – sustainable drainage via reductions in the rate of discharge to green field rates to minimise flood risk and the incorporation of SuDS schemes that, where possible, maximise the value for biodiversity/water quality improvement
- **Policy S7** 'Landscape Design' (DBDS) – the provision of high quality/attractive/biodiverse on-site green landscaping and to introduce climate change and health benefits.
- **Policy S12** 'Areas of High Historic Townscape Value' and **Policy**

**S13** 'Areas of High Historic Landscape Value' (DBDS) – areas of the Borough that exhibit concentrations of heritage assets/ historic features that make a positive contribution to local character and distinctiveness.

## Dudley's unique character

With a castle dominating the skyline of Dudley Town Centre, the Borough lays claim to be the historic capital of the Black Country. In terms of urban development, the borough has a rich and diverse history. Its wealth of raw materials resulted in it being at the heart of the industrial revolution leading to the rapid growth of principal settlements of medieval origin, such as Dudley, Halesowen, Stourbridge and Sedgley and the development and expansion of smaller settlements into major industrial areas such as Brierley Hill and Lye. Smaller settlements expanded, and squatter communities also sprang up at this time. Many settlements have now coalesced, yet their individual character remains visible<sup>5</sup>.



*Figure 1- Location of Dudley Borough as part of the West Midlands Conurbation*

Dudley is a vibrant, attractive place to live and has a skilled workforce. It has excellent access to the motorway network and good public transport. The new Metro Extension will facilitate faster travel times to the nearby cities of Birmingham and Wolverhampton and onwards to mainline railway stations including HS2.

Dudley is largely urban in character, however an estimated 20% of the land within the Borough is green open space; a significant amount of which is Green Belt that merges into the adjacent Counties of Staffordshire and Worcestershire. The urban fabric of Dudley is interspersed by parks and amenity areas; natural and semi-natural open spaces; nature reserves; green/blue corridors, particularly its canal network, and many other sites rich in ecology and geology. Dudley forms a pivotal part of the UNESCO Black Country Geopark<sup>6</sup> which gives international recognition of the areas' geological and cultural heritage.

## Overarching design principles

To achieve new housing development that is appropriate and sympathetic to its surroundings requires an understanding of the context of the development and the character of the surrounding area. Setting (including historical), topography, ecology, scale, density, character, layout, and materials are all important considerations. A pastiche approach to development is not sought - innovative design is encouraged.

## Climate change

Addressing climate change will be a significant challenge over the coming years and all new housing development should seek to minimise carbon emissions (during construction and for the lifetime

<sup>5</sup> This is described in more detail in the [Borough-Wide Urban Historic Landscape Characterisation Study \(UHLC\)](#) where 8 major 'Character Areas' have been identified

<sup>6</sup> [UNESCO Global Geopark](#)



of the development) and include methods for the generation of energy from renewable sources. Every opportunity should be taken in terms of design, innovation and materials. Existing features within/ adjacent to a site should be embraced within the design and their potential fully utilised - such as trees and hedgerow, ponds, and wildlife corridors. Landscape schemes that incorporate, as much as possible, such retained features should be designed at the outset as a major contributor to the resulting sustainable environment.

All major developments should incorporate Sustainable Drainage Systems (SuDS) that holistically manage water run-off to reduce the quantity and increase the quality of surface water that drains into sewers from the development. Where ground conditions permit, the use of open swales, ponds and watercourses are much preferred to underground storage tanks as they offer opportunities to create an attractive environment and enhancements for wildlife.



Figure 2 Eco Vicarage, Kingswinford to left of photograph which achieved Code for Sustainable Home Level 6 and Passivhaus accreditation. Note the use of height, roof pitch and materials that take design references from the adjacent house

## National Design Guide

Developments should demonstrate how proposals have followed the best practice guidance set out in the National Design Guide<sup>7</sup> and the council's borough-wide and Lye design codes. Developments should show how consideration has been given to the ten main characteristics – context, identity, built form, movement, nature, public spaces, uses, homes and buildings, resources, and lifespan. A well-designed place will incorporate all ten characteristics which will help to create a physical character for the development, help to sustain a sense of community and work to address issues relating to the climate.

### Introducing the ten characteristics

<sup>36</sup> Well-designed places have individual characteristics which work together to create its physical Character. The ten characteristics help to nurture and sustain a sense of Community. They work to positively address environmental issues affecting Climate. They all contribute towards the cross-cutting themes for good design set out in the National Planning Policy Framework.

<sup>37</sup> The ten characteristics set out in Part 2 are:

- **Context** – enhances the surroundings.
- **Identity** – attractive and distinctive.
- **Built form** – a coherent pattern of development.
- **Movement** – accessible and easy to move around.
- **Nature** – enhanced and optimised.
- **Public spaces** – safe, social and inclusive.
- **Uses** – mixed and integrated.
- **Homes and buildings** – functional, healthy and sustainable.
- **Resources** – efficient and resilient.
- **Lifespan** – made to last.



The ten characteristics of well-designed places

## West Midlands Design Charter

A housing scheme should also be underpinned by the themes contained within the West Midlands Design Charter<sup>8</sup> (West Midlands Combined Authority) - character, connectivity and mobility, future readiness, health and wellbeing, engagement and stewardship, and delivery.

<sup>7</sup> National Design Guide (2021)

<sup>8</sup> WM Design Charter

## Pre-application Advice

It is strongly recommended by the Local Planning Authority (LPA) and the NPPF<sup>9</sup> that pre-application advice is sought prior to the submission of formal planning applications to gain an informal view from the Local Planning Authority.

By seeking pre-application advice, it may:

- Aid in achieving high quality developments
- Speed up the process of planning applications
- Identify schemes that may not receive a favourable decision
- Identify areas of concern, which could be addressed before any formal submissions

Pre-application advice is an informal process and does not constitute a decision in its own right, any comments received are an individual officer's opinion. The advice given is without prejudice to the determination of any future planning applications and does not guarantee or supply a definitive undertaking as to whether planning permission will be granted.

Up to date details of the pre-application process including document requirements and details of fees can be found at the Council's website<sup>10</sup>.





# Section 1

## Development Context

A well-designed housing scheme responds to the location and setting of the site and is fully integrated with its surrounding. Planning applications should demonstrate that proposals have been formulated with regard to context, adopting a design led approach.

## Plot formation, height, mass and density

- Establish the plot formation, density and intensity of surrounding development, prevailing plot widths, building line, together with mass, including ridge and eaves height to recognize the overall 'envelope' of the surrounding development.
- In terms of density, urban areas are characterised by development patterns that radiate from historic centres and provide a broad indicator of character and density. As indicated in the diagram as follows.

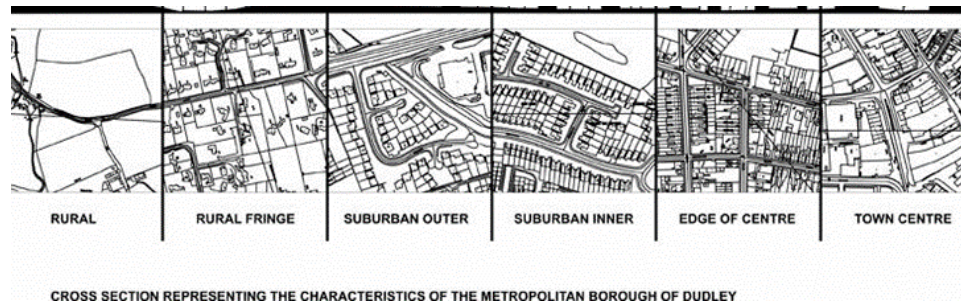


Figure 3 – Cross Section – Borough Characteristics

- These locations reflect historic character and how places have evolved, density of development, movement patterns, appearance and how places function and fit together. Within each of those broad areas there is a general consistency and intensity of development. The aim is to ensure that local distinctiveness and character is maintained; to make the most efficient use of land; and to encourage high quality contemporary and innovative design.
- The cross section in Figure 3 is a guide to determining which area of location applies to a development site. It characterises the Borough from its rural edges, Green Belt/Green Wedges

landscape through varying intensities of urbanisation to the town centres.

- Table 1 assesses the relationship between density, development pattern and type of residential development including building height within a range of characteristic areas. In determining appropriate density ranges, it is important to appreciate the relationship between urban, suburban and rural locations; the relationship between buildings and spaces; the nature of the public realm; the definition of public and private space; and the character and identity of the local townscape.
- For example, high densities beyond 50 dwellings per hectare in the right urban location using a variety of building types in response to local character and context, is achievable and can provide much needed accommodation which suits the population profile of many areas and also responds to a particular demand. In comparison with suburban and rural fringe areas the character is one of less intensive development, lower densities are usually more appropriate and meet a different market demand.
- Transport corridors cut across the generic development patterns along which development has intensified. These corridors are recognised as areas where higher densities of development could be supported.

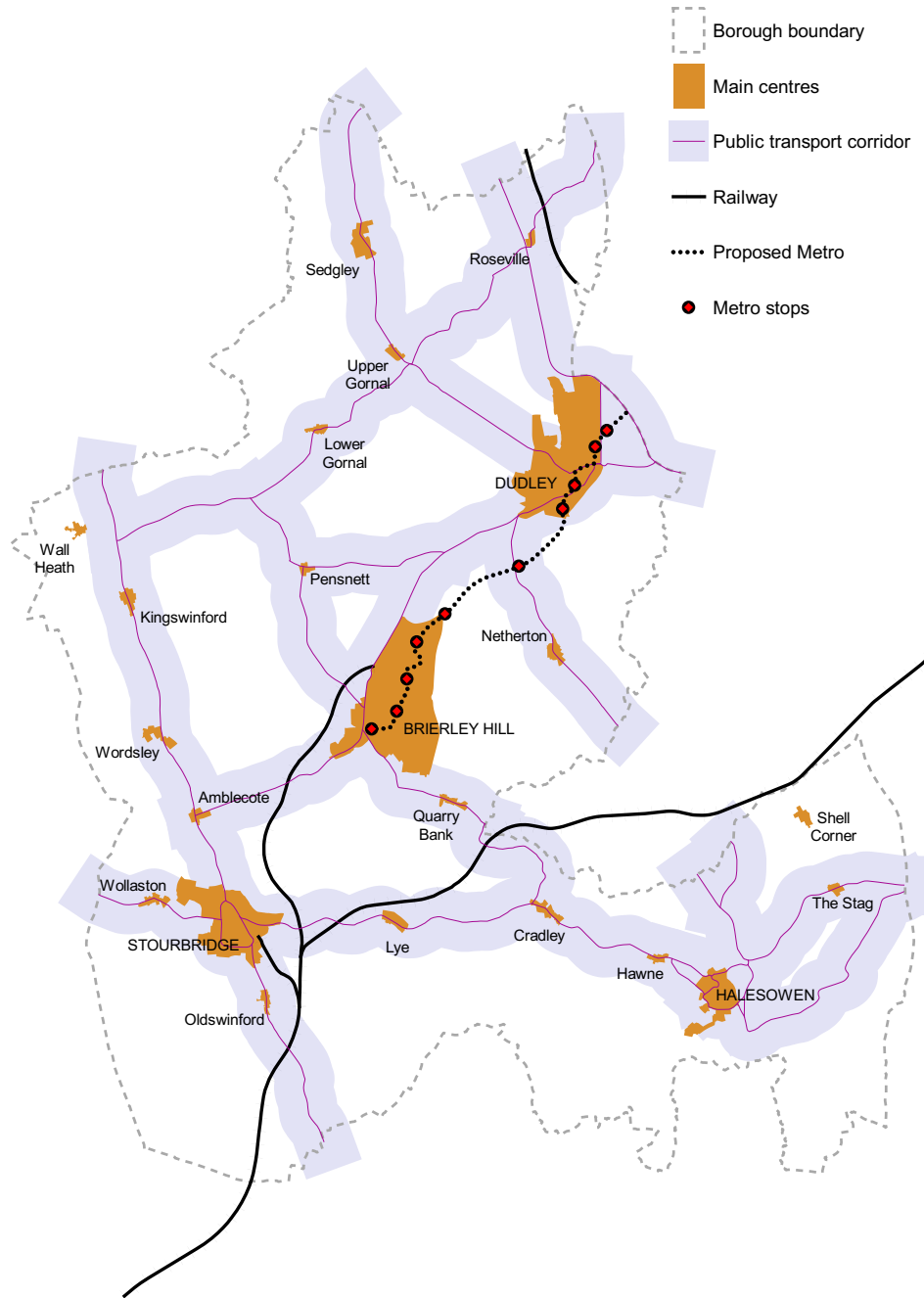


Figure 4 – Public Transport Corridors within the Borough

Table 1 Context and Characteristics - Residential Development

Context and Characteristics						
Area	Distinguishing characteristics	Building Line	Frontage Type	Typical building Height	Open Space/ Landscape	Typical Density <sup>1</sup>
A. Town and Strategic Centre	Mixed use – residential is predominantly apartments and terraced housing	Back-edge of footway; continuous short wall of building	Frontage to street	3/4 Storey	Squares and urban public spaces	50+
B. Edge of Centre	Predominantly terraced houses with small villas and some apartments and mixes access especially on PT route	Building predominantly to back of footway	Front step or small paving area	2 and 3 storey	Town parks, squares, avenues	40-50
C. Sub-urban Inner	Predominantly semi-detached house types with some terraces and few civic activities	Small setback buildings amended to the street character development with street section	Low wall, small front area	2 storey	Parks	35-45
D. Sub-urban Outer	Predominantly detached properties with a balance between buildings and landscape	Shallow to medium setback	Lawns, fences, hedges, garages, setback	2 storey	Parks and landscaping	25-40
E. Rural Fringe	Predominantly single family residential properties within the landscape	Varying front and side set backs	Lawns, hedges	1/2 storey	Parks and green wedges	15-30
F. Rural	Agricultural and farmland	-	-	-	Green Belt – farmland country park	-
G. Public Transport Corridors	Associated with main roads and existing local centres	Back edge to footway	Frontage to Street	3/4 storey	Urban public spaces	40-45

<sup>1</sup> Density ranges are only indicative, and the density of any scheme should respect the local character of the area

Proposed developments should ensure proposed densities comply with the most up to date national and local policies.

- The relevant measurement of density is net dwelling density which is calculated by including only those site areas which will be developed for housing and directly associated uses, including access roads within the site, private garden space, car parking areas, incidental open space and landscaping and children's play areas, where these are provided.
- Density is determined on the number of dwellings per hectare (dph)

$$\text{Number of dwellings per hectare (dph)} = \frac{\text{Number of dwellings}}{\text{Site area (hectares)}}$$

### High Density Developments

- High density developments over 50dph may be acceptable in certain locations and character areas within the borough, such as in the Strategic and Town Centres, particularly around sustainable transport nodes. High Density developments should be well designed, respect the character and identity of the surrounding area and create a sense of place.
- There are a range of development types which can create high-quality high density schemes
  - **Conversions** – conversions of existing buildings can result in well-designed high-density schemes where the conversion has been sympathetic to the design and layout of the original buildings. A range of building types can lend themselves to conversions which provide high-quality living environments for the occupiers and enhance the site and the wider area.

- Conversions of historic buildings and heritage assets should ensure they respect the historic character of the original dwelling and should be designed to retain important original features, any additions to the property should respect the siting and character of the original building.
- **Mixed use developments** – high density developments can include a mix of compatible uses as well as residential, such as the inclusion of small-scale retail and facilities for the residents and wider community at ground floor. This should create active frontages, a sense of place and part of a well-designed public realm. Any proposed facilities should be considered in line with local policy requirements.
- **A range of property types and sizes**, including flats, townhouses and family homes and specialist accommodation can be included within high density schemes to provide a range of property types and sizes to meet market demand, and should be provided in line with the most up-to-date national and local policies, as well as evidence. Where a range of property types is proposed, consideration should be given to the layout to ensure there would be no conflict between the different property types.
- **Building heights** should respect the character of the local area and should ensure that the height of any new build does not impact on existing landmarks and views. High density developments do not mean that developments must be high rise. Poorly designed high-rise developments which do not respect the building heights and character of the local area will not be supported. Additional guidance on tall buildings can be found in the best practice guidance published by Historic England in their 'Tall Building' Document, Advice Note 4<sup>2</sup>.
- **Accessibility** both within and around a development is important and should promote the use of walking, cycling and

<sup>2</sup> [Historic Building Advice - Note 4](#)

sustainable transport. Links should also be made to connect a development with the wider area as well as surrounding facilities and infrastructure. Parking requirements including parking for those with mobility needs should comply with the national standards, the Parking SPD and Access for All<sup>3</sup> (or any subsequent SPD).

- **High-quality public realm** should be incorporated into initial designs for high density developments. The creation of public realm has the opportunity to incorporate unique, contemporary and imaginative designs which create attractive places to live.
- Public realm in and around sites should be accessible (including promoting the use of walking and cycling) and designed to ensure that space is usable by residents and the wider community, including providing meeting spaces (e.g the use of benches and community gardens) and contain a mix of landscaping to create an attractive environment and a sense of place.
- Opportunities should be taken to enhance the historic environment and respond to the heritage of the area, such as through the use of public art or interpretation boards to reflect the history of the area.
- Trees should be used to enhance public realm and can provide a number of benefits, including ecology, providing visual amenity, help air quality, climate change mitigation and provide shady outdoor spaces to sit.
- **Public and private amenity space** should be provided in line with requirements set out in Table 2 (Amenity Space Standards) of this document. Amenity space should be usable space for residents and should be incorporated into a scheme from the outset and should not be left over grassed areas.

- The ongoing maintenance and management of any public realm and amenity spaces should be considered at the outset, A sense of ownership and community should be created and ways to create co-operative stewardship should be explored.
- The quantity and quality of public realm, amenity space and related landscaping should not be compromised by the requirements for parking and bin storage and should be considered from any initial design stage
- **The layout** of developments should be legible, enhance accessibility and movement in and around a site. It should be well-designed to enhance the beauty of an area and provide natural surveillance to provide a safe environment and reduce the fear of crime. Layouts should prioritise the use of sustainable transport methods such as walking and cycling and integrate with the wider area.





## Physical factors

- Topography, aspect and micro-climate are all important considerations when designing a scheme. Topography can be challenging in some parts of Dudley however it can be used to advantage by 'borrowing views' for the occupants of the new development.
- South facing slopes with appropriate roof alignments can also make the most of solar energy generation.
- High-density schemes on particularly exposed sites that are viewed from outside the borough create opportunities to design architectural landmarks.

## Ecology and Geology

- Dudley Borough forms part of the Black Country Global Geopark and has a wealth of ecological and geological sites, some of which individually have national and international significance. Dudley has a rich green and blue network which includes large tracts of wildlife, rich countryside that weaves through the urban fabric plus other wildlife corridors created by the River Stour and the extensive canal network.
- Even small sites can contain assets that have ecological value and therefore this should be considered at the outset. Where possible, existing features such as trees, hedgerows and ponds should be retained and used as the basis of a landscape scheme for the site. The benefits that are lost, for example, by the removal of mature trees cannot instantly be replaced by the planting of numerous saplings. Indeed, rather than being seen as obstacles to development, existing ecological/geological features should be viewed as assets that add maturity and enhance the setting of new housing development.

- Where required, ecological and/or tree surveys<sup>4</sup> should be provided to accompany a planning application. Detailed guidance can be found within the Dudley MBC Nature Conservation SPD<sup>5</sup> (or any subsequent SPD).

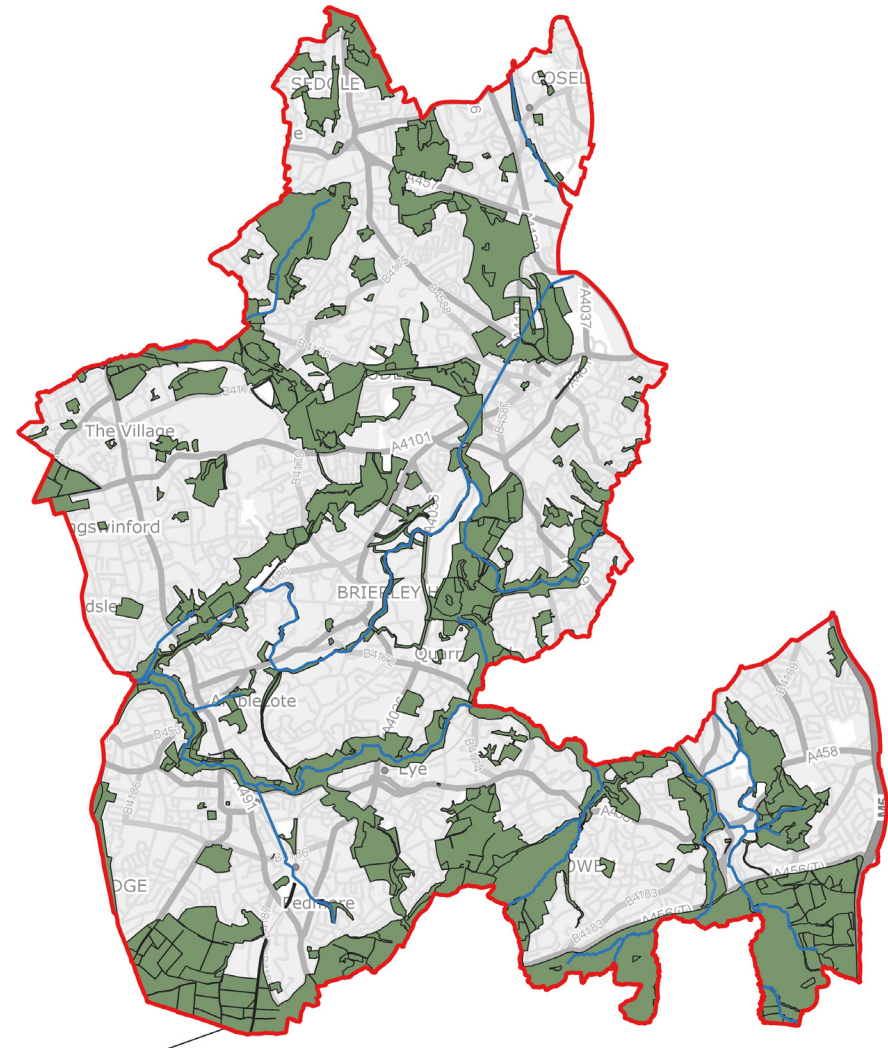


Figure 5 – Dudley Borough Green Network

<sup>4</sup> For any aspect not covered within this SPD, the Council suggests applicants refer to BS5837 in the first instance. In addition, there are many other sources available that can help to inform and guide potential applicants during the planning process, including, but not limited to, guidance from Trees & Design Action Group, the Woodland Trust, the Forestry Commission, Natural England, National Joint Utilities Group (NJUG), DEFRA and RIBA (Appendix 5)

<sup>5</sup> [DMBC Nature Conservation SPD](#)

## Historic Environment

- The character and quality of the Dudley's historic environment is one of the Borough's greatest assets. The historic environment is all around us and forms the physical backdrop to our everyday lives and quality of life. Dudley Borough has a rich and diverse character which has been shaped by the activities of people of the area over a long period of time. As a result, the individual townships and communities of the borough have their own distinctive character and it is the overarching aim of the Council's Historic Environment policies to maintain the local character and distinctiveness of the boroughs distinctive townscape, landscape, individual buildings and archaeology.
- Throughout the Borough there are a number of heritage assets<sup>6</sup> which have a positive influence on the local character of an area. The heritage assets include both 'designated' (e.g. Listed buildings, conservation areas, scheduled monuments) and 'non-designated' heritage assets (e.g. Locally Listed buildings, Areas of High Historic Landscape Value, Areas of High Historic Townscape Value and Archaeological Priority Areas). For further information please refer to the NPPF and the Council's Historic Environment SPD and Historic Environment Record.
- In determining applications the NPPF is clear that local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. Developers are therefore encouraged to consult the Council's Historic Environment Record at the earliest opportunity and where relevant, Historic Landscape Characterisation and Conservation Area Character Appraisals.
- The historic environment can act as a catalyst for regeneration where sensitive use or re-use can drive the local economy. Where heritage assets are located within a site, in accordance with the national and local policies their retention and conversion to viable alternative use should be the starting point. This approach is very sustainable, and the repurposing of these existing resources aligns with climate change initiatives. Experience has shown that former industrial buildings for example will readily convert, particularly to flatted development and there are numerous successful examples within the Borough. Detailed guidance can be found within the Dudley MBC 'Historic Environment SPD'<sup>7</sup> (or any subsequent SPD).
- Where heritage assets exist, applications should be accompanied by the submission of a Heritage Statement which should describe the significance of the heritage asset(s) affected by the development, including any contribution made by their setting. Historic England has produced guidance on this subject.<sup>8</sup>
- In accordance with the NPPF - if there is evidence of deliberate neglect or damage to a heritage asset, the deteriorated state of the heritage asset will not be taken into account in the decision-making process.

### Local vernacular and materials

- Hipped/gable roofs, parapets, chimneys, fenestration and materials of surrounding development should be taken as design references. This will establish a harmony between new and existing development. It allows scope for new styles and materials but only those that complement their surroundings.

<sup>6</sup> [Dudley's Historic Environment](#)

<sup>7</sup> [DMBC: Historic Environment SPD](#)

<sup>8</sup> [Historic England - Statements of heritage significance advice note 12](#)





*Figure 6 – Chainworks Development, Lye*

# Section 2

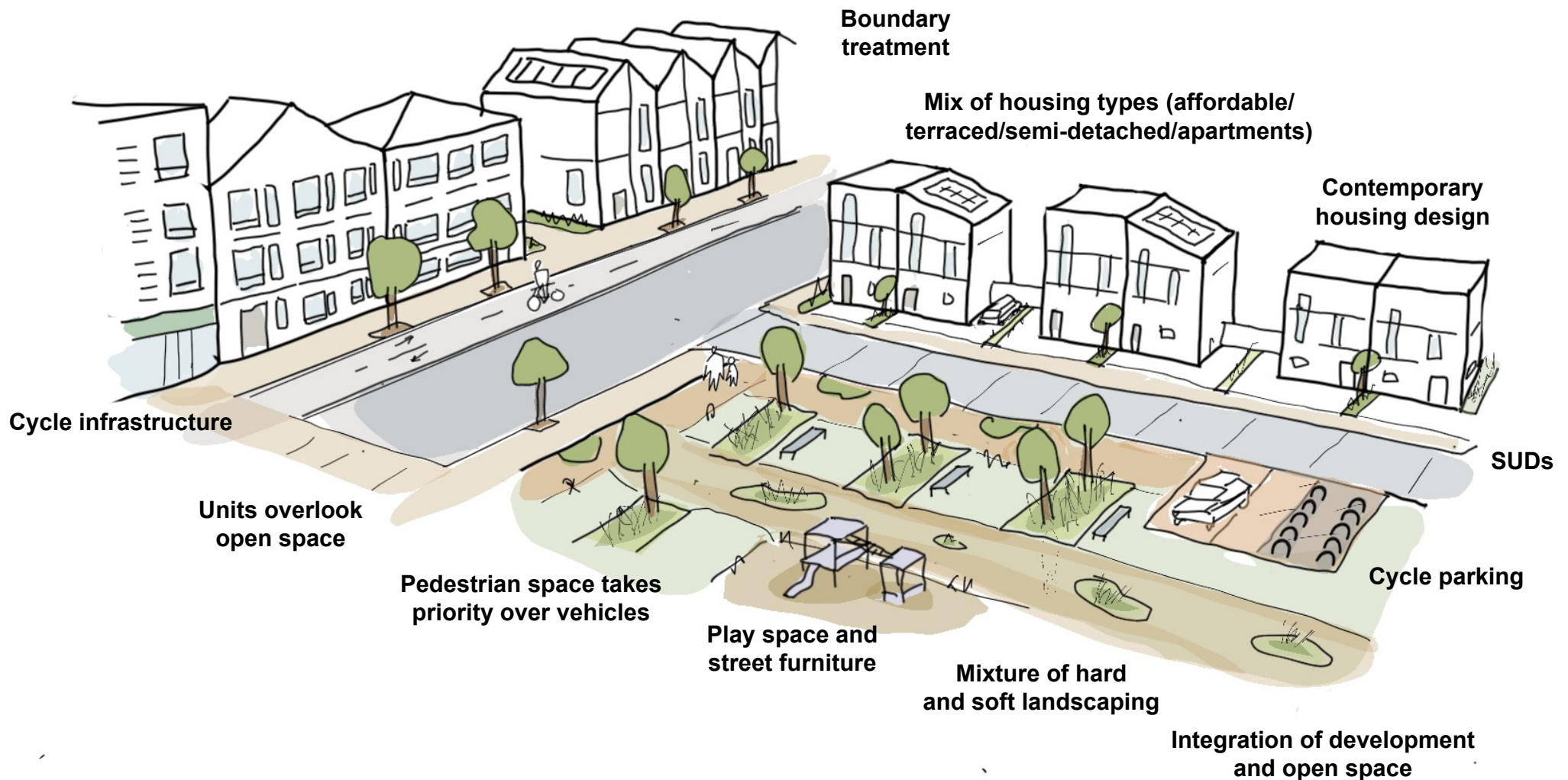
## **Design Principles for New Development**

The following section sets out the key design principles for new development. When bringing forward proposals, applicants must demonstrate how future development will enhance its setting and address these principles.



## Design and Access Statement

- Major developments require the submission of a Design and Access Statement (DAS) to explain the design principles and concepts that have been applied to the development and how context has influenced design. Applicants are encouraged to submit a DAS in order to fully demonstrate the appropriateness of the design and acceptability of the proposal. A DAS should be prepared in line with the most up to date national and local guidance.





## Climate change

- Meeting the challenge of climate change is a core principle of the NPPF. Places should be shaped in ways that 'contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure'<sup>1</sup>. On vulnerable sites, risks need to be managed through suitable adaptation measures. Location, orientation and the design of new development should aim to reduce greenhouse gas emissions.
- All new development should seek to incorporate energy generation using low or zero carbon 'microgeneration' technology. Solar panels, photovoltaics, air, ground and water source heat pumps and biomass heating systems etc., more information is contained within the Renewable Energy SPD<sup>2</sup> (or any subsequent SPD).
- Renewable energy should be provided as part of new developments in line with the most up-to-date national and local policies
- Other green initiatives include:
  - rainwater harvesting,
  - the use of SuDS Schemes including rain gardens
  - the use of green roofs
  - soft landscaping such as trees and hedgerows. The retention of soil is important for mitigating the effect of climate change
  - Fabric First approach to reduce energy use

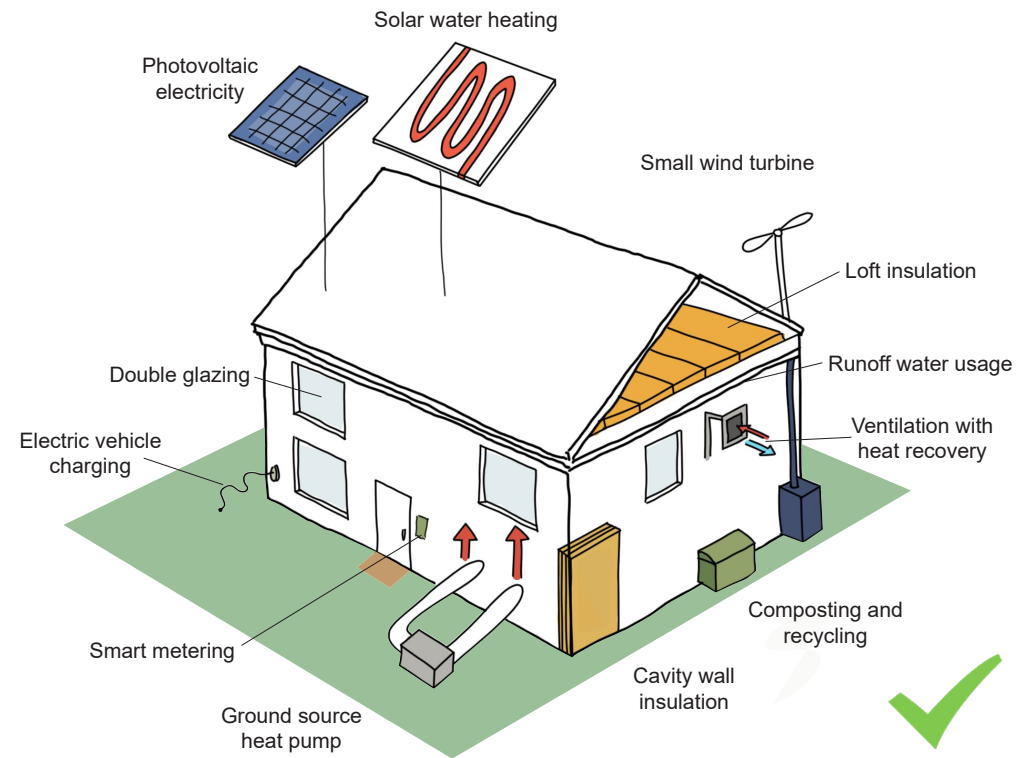


Figure 8 – Green Initiatives

- New developments should aim to be designed to future-proof dwellings for any future environmental changes through adaptation measures such as:
  - the use of street trees and green infrastructure to offer shady outdoor spaces;
  - the orientation of new builds should be considered to avoid overheating;
  - the use of SuDS;
  - incorporating flood resilience designs; and
  - the inclusion of water efficiency measures.

<sup>1</sup> NPPF (2021) Paragraph 152  
<sup>2</sup> DMBC: Renewable Energy SPD

## **Townscape - landmarks, gateways and views**

- Consider the quality of the townscape being created, including the relationship between public and private space, the containment of streets and public spaces, views into and out of the development and the way in which corners and entrance points are distinguished.

## **Housing mix, tenure and affordable housing**

- Different types of housing are required to meet varying needs, including families, single people and the elderly. A good mix of house type and tenure within a development assists social cohesion and will contribute to meeting the projected future housing demand for Dudley. To ensure a successful mix of tenures and well-rounded schemes which meets the needs of all occupants, new developments should be tenure blind with no differentiation between different tenure types such as private, shared ownership and rented.

- Consideration should also be given the future proofing and adaptability of housing types to meet the changing needs of occupants, such as the provision of level access into dwellings and the inclusion of storage and charging facilities for mobility scooters.
- Affordable housing numbers and mix should be provided in line with the most up-to-date national and local policies with details of how an application will meet any affordable planning obligations should be provided at the point of submission

## **Adjoining land uses**

- Consider the different land uses and inter relationships to ensure a coherent and co-ordinated development is achieved at a neighbourhood scale. The relationship of the site to landscape and open space networks, to surrounding built form, movement patterns and other land uses. Include measures which improve accessibility, providing safe and direct routes.



- Where residential developments are proposed in proximity to existing developments that produce noise as part of its operations, with potential for conflict to occur between the proposed residential development and the existing business, consideration will be given to the appropriateness of residential development in this location. Applicants should comply with the most up-to-date local and national policies and guidance<sup>3</sup>. Noise can be a material consideration in the determination of planning applications and should be considered from the outset.
- New residential development sites will not be considered suitable where they would have a detrimental impact on the continued use of an existing land use e.g. Industrial or Leisure.
- Where developments adjoin valuable habitats it should seek opportunities to integrate soft landscaping measures with the wider area including the creation/enhancement of wildlife corridors as set out in the Nature Conservation SPD (or any subsequent SPD).

### **Reduce over emphasis on car-centric design**

- Proposals that are overly dominated by frontage parking will not be acceptable. Applicants should better integrate parking into the design of proposals, through the use of tandem parking and other methods. While frontages should not be parking dominated, parking should still be located within 2m of an entrance to reduce on-street parking.
- For many people the car remains an important mode of transport. People expect to readily gain vehicular access to their property and to park safely and securely. This does not however preclude the use of innovative design to make streets more sociable places to live, creating calmer more appealing

spaces by removing vehicle priority, enhancing landscaping, street furniture and public spaces.

### **Sustainable movement, permeability and surveillance**

- To reduce car dependency and achieve a more sustainable form of development requires a greater take up of cycling, walking and the use of public transport. It also encourages healthier lifestyles. Secured By Design principles should be used to create a safe and accessible form of development, containing clear and legible pedestrian/cycle routes which encourage their active and continual use.
- New developments should design in permeability through the use of good connections both within the site and to the wider area. The use of active travel, including walking and cycling should be encouraged through well designed footways and cycleways. To aid this, footways should be 2m wide and cycleways 3m wide, and should be connected to the wider network for walking and cycling to encourage the use of active travel particularly for short journeys under 2km.
- Consideration should be given to a much wider area than the site itself. There may be scope for pedestrian links to the wider green and blue infrastructure network, providing access to natural and semi-natural green space and the wider canal network. Accessibility on foot/cycle to local shopping, leisure, education, and employment opportunities as well as to the public transport network will be important.
- Legibility within a scheme helps to create a well-designed development that encourages sustainable movement, through the inclusion of a clear hierarchy of routes, appropriate layout of the built form, the use of landmark features (this could include both buildings and landscape features) and signage where required.

<sup>3</sup> Including NPPF, Noise Policy Statement for England (2019) and ProPG: Planning & noise – New Residential Development

- Major housing schemes will be required to provide safe cycle/ pedestrian routes within attractive environments for people to travel and exercise. Additionally, access roads should be designed to an adoptable standard.

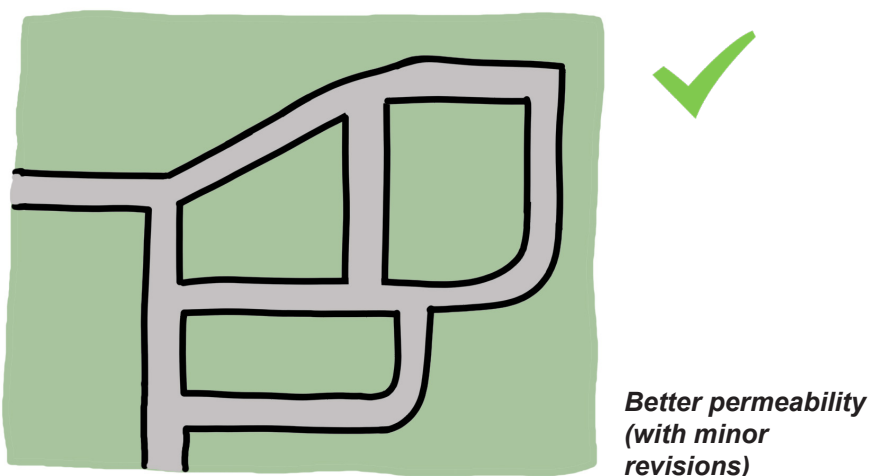
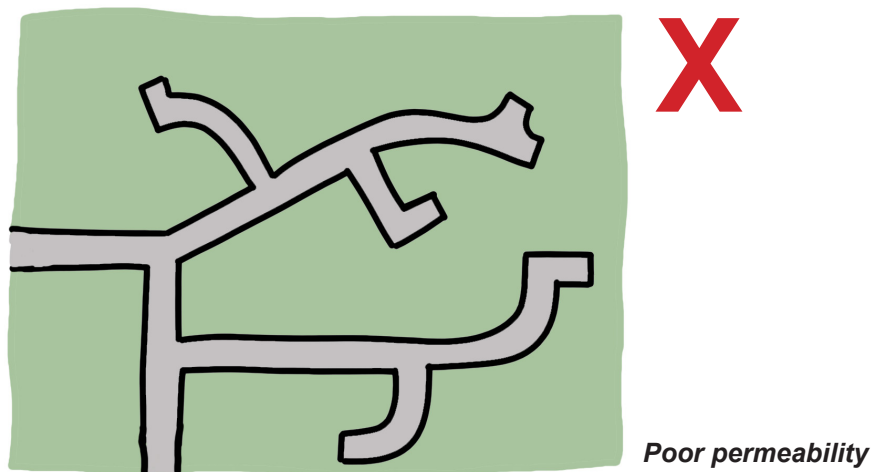


Figure 9 – Permeability

## Ecology

- In support of climate change initiatives and in response to recent dramatic declines in bird and insect species. The loss of valuable habitat within a site, particularly mature trees, should be minimised.
- The level of information required to be submitted with a planning application will depend upon the habitat or the likelihood of protected species within a site. Ecological or tree surveys may be required and therefore pre-application discussion with the Local Planning Authority is encouraged to ascertain the level of survey work required.
- Ecological and tree surveys are used to assess whether mitigation is possible to offset any potential harm. The level of mitigation will be expected to be proportionate to the loss incurred. It is expected that on-site mitigation will be provided unless exceptional circumstances require off-site contributions which would be secured by a legal agreement.
- Avoidance of impacts on ecology and nature conservation will be the first option as set out in mitigation hierarchy. Where it is not possible, mitigation should be sought. The type of mitigation can be varied. In some cases it can take the form of setting aside an area of undeveloped land within the site and positively managing/improving the specific habitat e.g. a pond containing great crested newts (a protected species) or it could be the planting of a group of trees or extensive frontage hedgerow. Where areas are to be set aside for public access opportunities to create appropriate habitats within them should be explored.
- Even small-scale initiatives can assist in enhancing the biodiversity of a site. These include;

- **Individual trees and hedgerow planting** – New trees and shrubs should be provided wherever possible. The tree species to be used requires careful consideration taking into account available space, situation and nearby uses. Ideally, they would be a diverse range of species and those that are particularly attractive to bees and other insects and produce autumn berries are suitable hedgerow plants can be purchased reasonably in bare root bundles. Planted during Autumn/Winter they should establish well.
- Trees should be retained and protected. Within applications there must be a presumption in favour of retaining existing trees and integrating them into new development. Any impact on existing trees will be considered not just from an amenity point of view, but also with regards to the environmental and climate emergency.
- Tree retention should be considered as a priority and at the earliest point in the design stage. It should be demonstrated that tree retention has been fully considered as part of the planning process
- Where removal is unavoidable, replacement trees should be provided to compensate for their loss in line with local and national policies. Further guidance of tree replacement can be found in Appendix B.
- **Bird boxes** – to be fully effective, the type chosen should be for birds that breed within the Borough and are of the highest conservation priority including Red List Species:
  - A. Starling and House Sparrow (these require communal nest boxes close to the eaves)
  - B. Swift (nest box under the eaves or the use of specialized bricks within the wall)

C. House Martin (nest cups under the eaves)

D. Spotted Flycatchers on sites adjacent to woodland only (open fronted 2-4m above ground)

E. Larger sites with mature trees may also include Tawny Owl boxes

- The location of nest boxes is crucial for success. Unless there are buildings or trees for shade, boxes should be located on northern or eastern elevations thus avoiding strong sunlight and the wettest winds.
- **Hedgehogs** – creation of a hedgehog highway. The British hedgehog is now officially classed as vulnerable to extinction and is on the International Union for the Conservation of Nature's (IUCN) Red List for British Mammals. Access to several gardens provides valuable habitat for hedgehogs and yet fences between them prevent hedgehogs moving between them. New housing development can create a habitat for this mammal by providing one small 13cm square hole created in one fence panel/gravel board/wall on each side of the garden and along the rear boundary to facilitate access for hedgehogs between gardens.

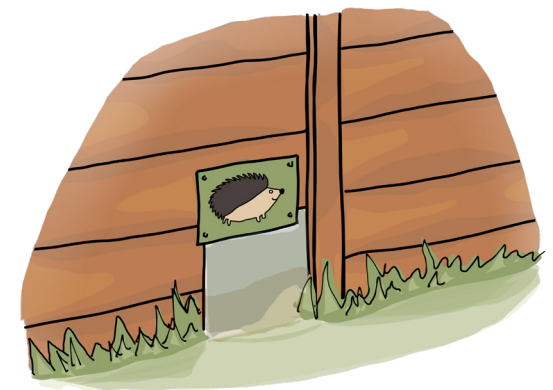


Figure 10 – Example of Hedgehog friendly fencing



- **Bat Boxes** – Bats are protected species and bat surveys are required on specific applications and should be carried out in line with the details given in the Nature Conservation SPD<sup>4</sup> (or any subsequent SPD). The requirement for a Bat Survey should be established prior to the submission of an application
- Bat boxes may be required as part of an application. There are different types and designs of bat boxes which can be used. Consideration should be given to the type of bat boxes chosen, as well as the optimal siting of the boxes. External lighting should also be sensitively located as to not negatively impact the use of any bat boxes
- Other initiatives which can be included within a scheme to enhance the ecology of a proposed development include:
  - Wildlife friendly planting as part of landscaping schemes
  - Insect homes
  - Bee Bricks
  - Artificial Badger Setts
  - Green Roofs/walls
  - Wildlife ponds within residential gardens
  - Hedgehog homes/boxes

Further details of nature conservation requirements for residential schemes, and how to incorporate them into new developments can be found in the Nature Conservation SPD (or any subsequent SPD).

### Hard and soft landscaping

- The good use of hard and soft landscaping within a scheme creates attractive environments in which to live. A mix of landscaping can provide a range of benefits, including providing safe opportunities for cycling, walking and jogging thus encouraging healthier lifestyles, as well as offering space

for rest and recreation<sup>5</sup>

- Landscaping also provides an opportunity to enhance the ecological value of the site through the use of wildlife friendly planting. Soft landscaping where land is kept as functioning vegetated soil, open to the fall of organic matter is important for mitigating the effects of climate change. Areas that are not needed for pedestrian or vehicular use should be retained for soft landscape and protected during the construction process.
- However, poor management of such areas can lead to neglect. The future management of communal landscape areas should be considered at the outset. A sense of ownership and community should be created. Therefore on larger schemes ways to create co-operative stewardship should be explored.
- Landscaping schemes should be considered and included during the initial stages of an application to ensure a cohesive and well-designed scheme

### Boundary treatment

- This often provides the final touch to a development scheme and is extremely important. The photograph opposite indicates how a new wall has been used successfully despite being placed close to the back of pavement in association with a well-designed landscape scheme.
- On exposed rear gardens, corner plots and along prominent road frontages, brick walls to match the materials of the adjacent houses, are necessary. Powder coated three bar fencing can give an estate an open feel and prove useful along prominent house frontages (see photograph).

<sup>4</sup> DMBC: [Nature Conservation SPD](#)

<sup>5</sup> This may include the use of a Construction Environmental Management Plan (CEMP) and a Landscape and Ecological Management Plan (LEMP) as part of an application

- New native hedgerow is encouraged along the frontages or sides of houses which particularly front onto a main road or the main access road for the estate as they improve air quality, are visually attractive and offer good habitat for wildlife (see photograph within the air quality section below).
- Opportunities for maximising the ecological permeability of the site (including the creation of hedgehog highways) should be designed into the development from an early stage.

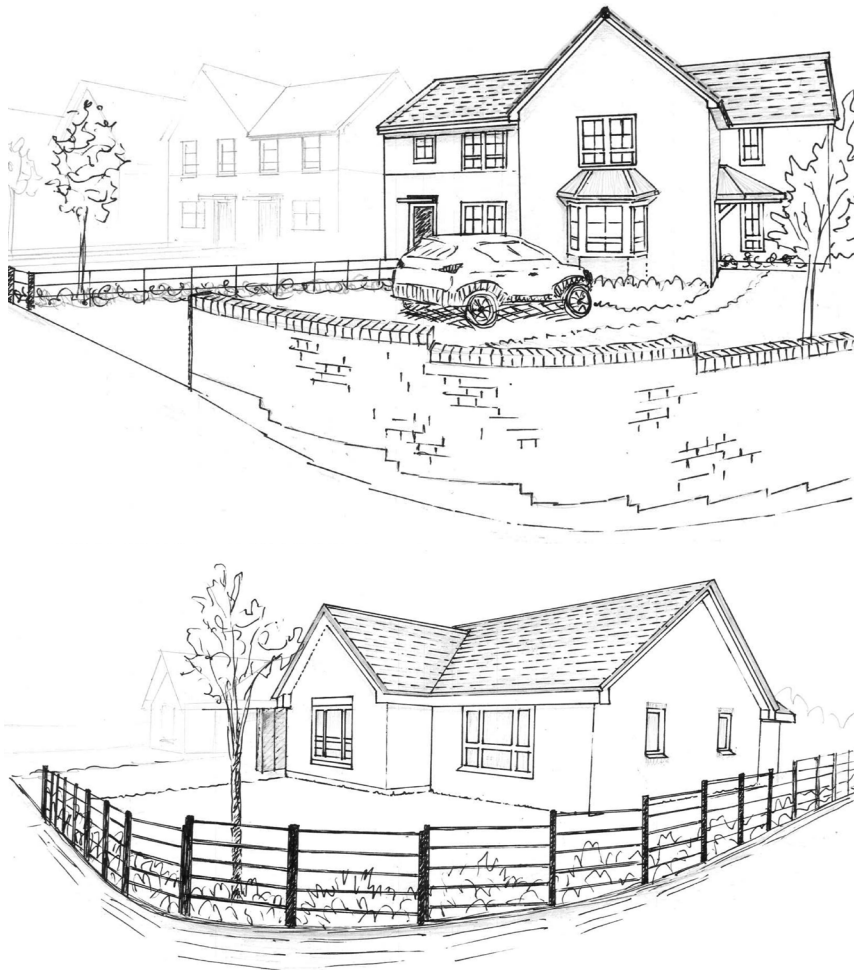


Figure 11 – Boundary treatments

## Air quality

- Poor air quality is linked to asthma, stroke, heart disease, diabetes, obesity and dementia and traffic pollution can reduce the cognitive ability of children. Dudley Borough is an Air Quality Management Area. As such, all planning applications for houses/ apartments will be assessed in accordance with Local Policy and the Black Country Air Quality Supplementary Planning Document<sup>6</sup>. You are advised to undertake an appraisal of the development in accordance with the guidance. In cases where an air quality assessment and damage cost calculation are required, it is recommended that the scope and methodology are agreed with the Local Planning Authority.
- **Boilers** - In order to minimise the impact of the development on local air quality, any gas boilers provided within the development must meet a dry NO<sub>x</sub> emission concentration rate of <40mg/kWh. To reduce the requirement for conditions it is advised that confirmation and details of boilers are submitted with any planning application for residential development.
- **Demolition and construction** - such works require the submission of a method statement for the control of dust and emissions arising from the development. Ideally this is submitted with the planning application to prevent the requirement for a pre-commencement condition.
- **Hedgerow and tree planting** – trees and hedgerows planted together in the right places, including the planting of street trees (to ensure air flow to prevent canopies trapping polluted air) can improve air quality, particularly for pedestrians and cyclists by capturing harmful gases and particulate matter. Although not the panacea for tackling air pollution, a well-designed landscape scheme can contribute to a multi-faceted

<sup>6</sup> DMBC: Air Quality SPD

approach that is particularly required in urban areas like Dudley.

- Hedgerow can also provide localised benefit for householders when occupying a back of footpath location between a house and the road. Where new dwellings front onto classified roads or the main entrance road onto major development, the establishment of back of pavement hedgerow will be encouraged.

### New housing on garden land

- Garden land is not classed as previously developed land and therefore there is a general presumption against development upon it.
- Only in exceptional circumstances will new housing on garden land be supported where the following requirements can be satisfied:
  - A.The proposal would be in keeping with the character of the area by reflecting the existing settlement pattern - resulting plot sizes and ratio of built form to garden that are similar to that in the existing area
  - B.The open character and appearance of the site and general streetscene would not be adversely affected – applicable particularly to corner plots
  - C.Retention of adequate garden and access for the host property - only a small proportion of the garden area of the host property would be built on, leaving a sufficient amount for residential amenity and to reflect existing plot sizes
  - D.Provision of sufficient garden land for the new property



E.The protection of privacy and the visual amenities enjoyed by existing occupiers - taking account of separation distances between existing and proposed dwellings, security, and surveillance

F.The provision of acceptable access to the site in terms of highway width and safety considerations

G.The provision of satisfactory off-street parking for both the host and new properties

H.The presumption against the loss of mature trees, landscape features and ecological habitats

I.Sustainability - the proposal would be within close proximity to local services or good transport links.

- Proposed new dwellings on residential garden land are often associated with infill, backland and tandem development:

## Infill

- Development between existing properties. The adjacent diagram indicates a good example of acceptable infill development. Note particularly the width of the dwelling which is comparable to that of the host dwelling. Where the gap is narrow, proposals to insert overly tall or narrow infill development that would be out of character with the adjacent area would not be supported.

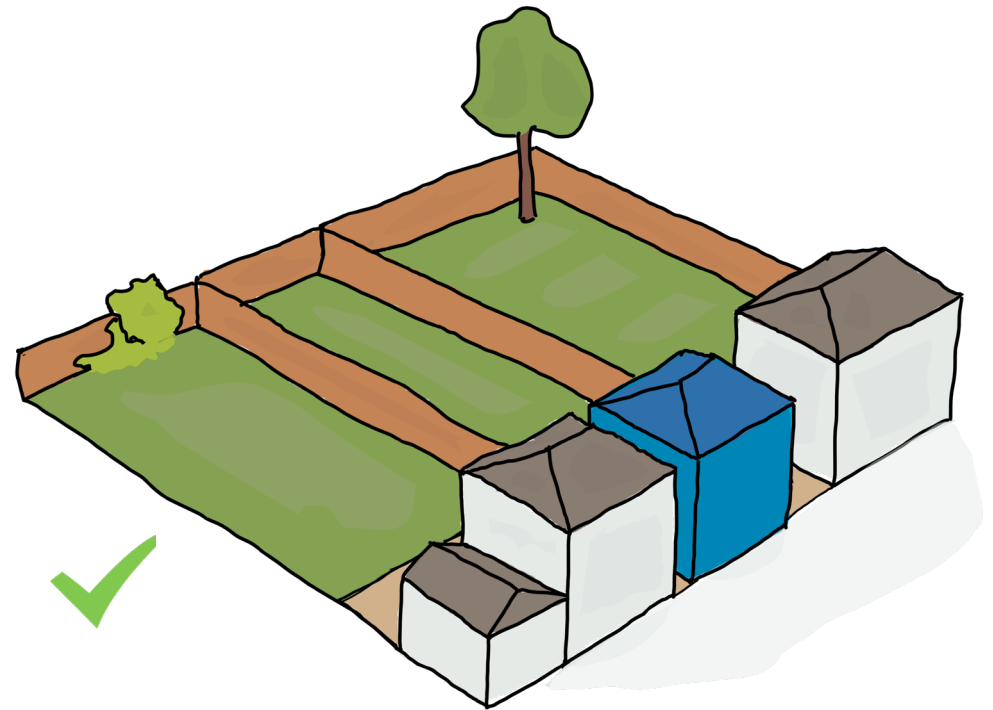


Figure 12 – Infill Housing

## Tandem

- This is a specific form of backland development where a new dwelling(s) is proposed to be located directly at the rear of another on a similar orientation and served by one access alongside an existing property.
- Tandem development will not normally be acceptable on access and amenity grounds. The subdivision of the plot is unlikely to be in keeping with the settlement pattern of the immediate locality. Frequently only a narrow access road can be provided which are not satisfactory in terms of highway safety and can also have the potential to introduce noise and disturbance to the adjacent residents. There is usually a loss of privacy to occupiers of adjacent properties as the required separation distances cannot be met.

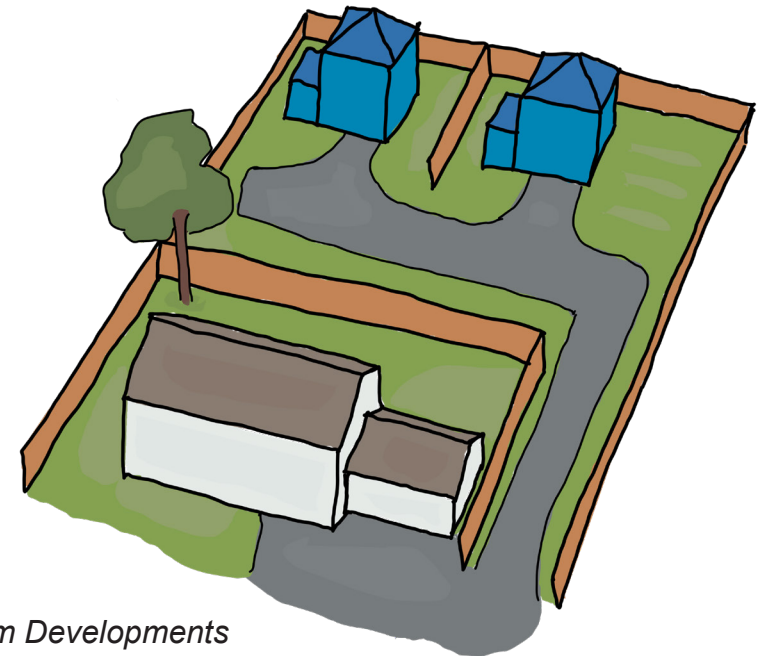


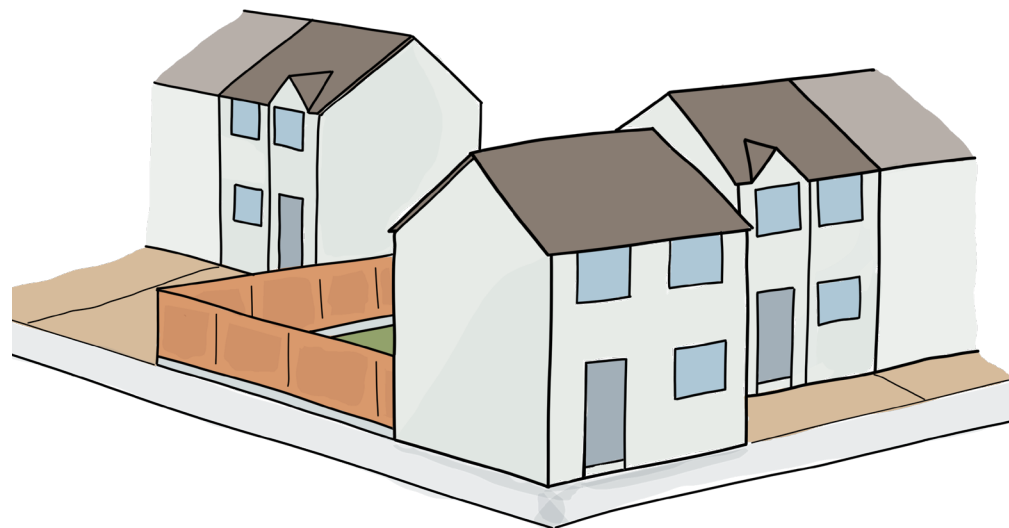
Figure 13 – Tandem Developments

## Backland

- Development to the rear of existing properties and generally having no direct road frontage. This will only be allowed in exceptional circumstances where the previously stated requirements (A - I) can be met.

## Corner Plots

- Any planning submissions for the development of a corner plot will be expected to retain an appropriate stand-off between any new development and the site boundaries. Displaced fencing should be located adjacent to the new development to prevent it becoming visually dominant if placed too close to the highway. To soften the visual impact of the new development a native hedge planted between the fence and the footpath is required, where visually appropriate.
- Development should take into account existing building lines with adjacent houses, particularly those to the rear - development should not be forward of the building line. A well-designed scheme will not be visually over dominant, nor will it have an adverse impact on its character and setting.



X

*Figure 14 – Corner Plot development*



## Additional requirements for development

### Bin storage facilities

- Individual properties in Dudley are provided with two wheeled bins, one for general rubbish and one for green waste. These can look unsightly if stored permanently to the front of a property, particularly if this is mirrored by several properties in the same street. All new built housing development should identify an area, to the rear of properties, for bin storage purposes that can be readily accessed for wheeling to the front of the property on collection days. Ideally, a structure, such as the example indicated in the diagram opposite, would be installed, as it would create an attractive storage area within rear gardens. Refuse collection points should be located within 10m of the Highway
- In some circumstances, such as cul-de-sac development with a narrow road entrance, refuse lorries may not be able to gain entry for collection. In such cases, an area should be set aside, close to the cul-de-sac entrance, for residents to place bins on collection days. No permanent structures are required however a hardstanding of sufficient size should be set out (in an agreed location), in a contrasting material to adjacent surfaces. It should be surrounded by native hedging to demarcate the area and to visually soften the impact of the area when containing bins.
- Apartments and HMOs will generally require communal bin storage. Whether it be new build or conversion, the starting point is to explore the possibility of internal storage areas or to utilise existing outbuildings. If this is not possible then purpose built, secure facilities will be required. The design, location and setting of these additional structures are important considerations and, at the very least, their location

should be identified in any detailed planning application. They should be of good design, constructed of a robust material that is comparable to that of the main building on the site and have a landscape setting. There are also opportunities for green roof provision and rainwater capture.



Figure 15 – Bin Storage examples

## Cycle Storage

- Most properties with a reasonable sized garden should be able to accommodate secure and covered cycle storage. For new apartments and converted buildings, internal storage space within apartments or communal cycle storage is the preferred option. Consideration is also needed for the inclusion of safe storage and charging of mobility scooters and electric bikes,
- Where new outdoor communal cycle storage facilities are provided, they should be well designed, and reflect the language of the main building. Off-the-peg facilities such as Perspex enclosures should be avoided. They should be weather-proof, of a material sympathetic to its setting and located in well lit, overlooked locations to reduce the potential for theft.
- Depending on the provision required (which is likely to be higher where parking standards are relaxed e.g. the conversion of town centre sites) provision is likely to be higher which may require the provision of several smaller facilities to be integrated within the parking/landscaped area.



## Electric Charging Points

- Reducing exposure to air pollution is necessary to improve the health of Dudley residents. In particular, reductions in the emission of nitrogen dioxide by road vehicle exhaust fumes is sought in accordance with Local Policy and the Black Country Air Quality SPD (or any subsequent SPD).
- The provision of electric charging points adjacent to off-road parking spaces with all new housing development provides encouragement and the ability to choose to purchase electric/hybrid cars. Consideration needs to be given to the location of charging points in order to avoid the potential for charging cables to cross access paths, especially for proposals for terraced houses or apartment schemes.
- Electric Vehicle Charging points will be required on applications in line with the most up to date National requirements and Parking Standards SPD<sup>7</sup> (or any subsequent SPD)

### Technical Guidance

#### Space within the dwelling

- In March 2015 the Department for Communities and Local Government introduced the document “Technical Housing Standards – nationally described space standard”<sup>8</sup>. This deals with internal floorspace within new dwellings and is suitable for all forms of tenure. It sets out the Government’s requirements for the Gross Internal (floor) area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height.

<sup>7</sup> DMBC: [Parking Standards SPD](#)

<sup>8</sup> [National Space Standards](#)

- All new housing development and residential conversions are required to meet these standards (or any subsequent national government amendments to this document) when submitting a planning application
- Space within dwellings should also take into account the increasing role of home working and for cupboard space required for infrastructure associated with sustainable energy generation such as batteries associated with PV cells.

#### Space outside the dwelling

- The following table indicates the private rear amenity or garden area that the Local Planning Authority will be seeking for new properties. This area does not include garage space. In exceptional circumstances there may be cases where garden/amenity space can be provided at the side rather than at the rear of a property.

#### Minimum standards for private rear amenity/garden areas for new housing development

Table 2 - Amenity Space Standards

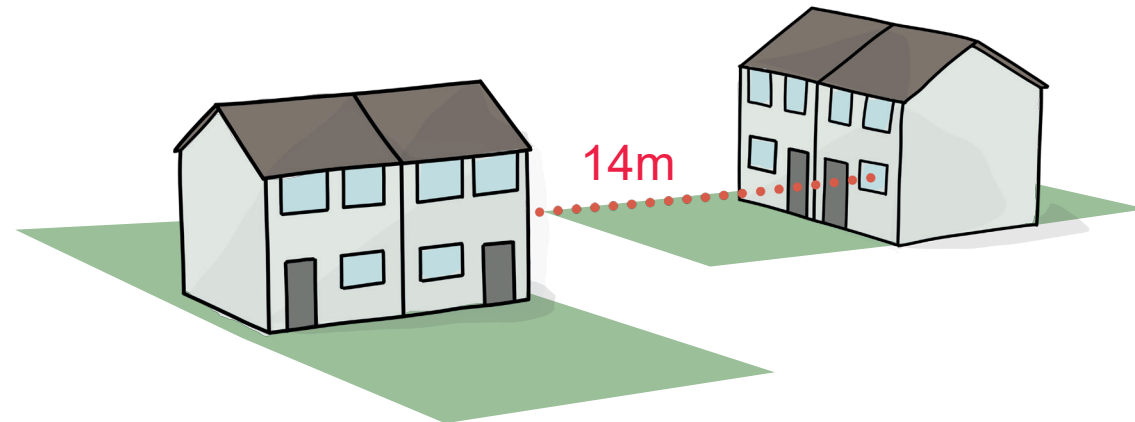
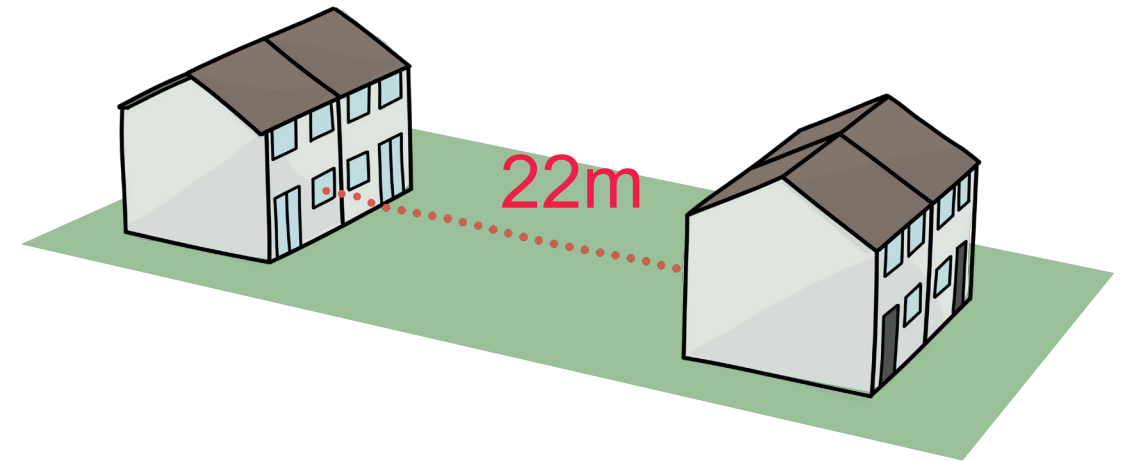
House Type	Min. Area	Min. Length
One/two bedroom homes with plot width of up to 4 metres	45m <sup>2</sup>	11m
Two and three bedroom homes with plot width over 4 metres	65m <sup>2</sup>	11m
Four bedroom or more homes	80m <sup>2</sup>	11m
Five bedroom or more homes	100m <sup>2</sup>	11m
Flats with private gardens or amenity areas	30m <sup>2</sup> (per flat)	-
Flats with communal gardens or amenity areas	30m <sup>2</sup> (per flat)	-

## Amenity space within Flats

- Flatted developments should incorporate the provision of meaningful amenity space through the use of balconies, private gardens and/or outdoor communal areas. This should be designated amenity space and not left-over grassed areas around the building/development. Additionally, it should be separate from other areas such as car parking and provide a degree of privacy and receive sunlight where practical.
- Balconies can be considered within the provision of amenity space within flatted developments provided that it is of an adequate size to offer usable amenity space for the occupiers. Balconies should form part of a cohesive design for the building and should not result in amenity issues, such as overlooking or loss of privacy to any surrounding properties.
- Amenity space should provide multiple uses including outdoor sitting spaces. Other normal domestic activities should also be accommodated for, such as providing outdoor drying areas which would help provide sustainable and economical clothes drying options for residents and communal space for cycle maintenance.

## Distance between dwellings

- Minimum distance between rear facing windows to habitable rooms: 22 metres. Distance between front to front habitable windows should be 22 metres unless characteristic of the streetscene in urban areas or to accommodate specifically agreed design principles.
- Minimum distance between habitable room windows of one property and two storey flank walls of another: 14 metres.
- In the case of flats or properties where the main living room is at first floor level, or where a change in levels results in a similar situation, the minimum distance between front and rear facing windows to habitable rooms: 28 metres. This distance should be a minimum of 31 metres between 3 storey buildings.



## Space to the side of dwellings

- Minimum width of 1 metre on at least one side for access to the rear
- Minimum shared access of 1.5 metres between facing gable walls of new houses.

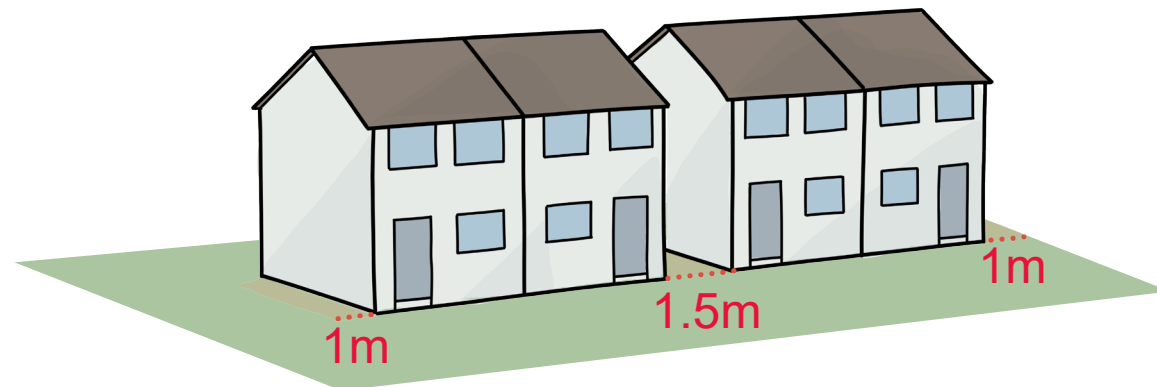


Figure 16 – Separation distances



# Section 3

## House Extensions

A good house extension will protect the amenity of neighbours, and not have a negative impact on the place setting of the street scene. A house extension should be carried out in conjunction with the following guidelines.

## General Principles

- It is important that an extension relates to the design of the original house so that it does not appear to be an obvious addition and is subordinate in terms of scale to retain the general proportions of the dwelling. In order to achieve this, the following principles should be adhered to:

A. Extensions should match the original roof shape and pitch of the dwelling (hipped or gabled);

B. Gutters/fascia should not overhang the site boundary and the use of box/hidden gutters on hipped roofs will only be supported in exceptional circumstances;

C. New and existing windows should line through with each other horizontally and vertically and general sizes, style, glazing pattern and materials should be respected;

D. Side facing windows should generally be avoided unless the extension is set well in from the boundary. Windows should not open out beyond the boundary of a property and the addition of a side facing window should not prevent extensions to neighbouring properties. Side facing windows will not be supported if they would lead to loss of privacy via overlooking neighbouring properties;

E. Any specific architectural features such as decorated lintels, sills and eaves should be incorporated into the detail;

F. Where practicable, a minimum distance of 1 metre should be maintained between a common boundary and the wall of any two-storey side extension in order to provide a visual break between properties and maintain access to rear gardens;

G. Matching materials are extremely important and are discussed in more detail below.

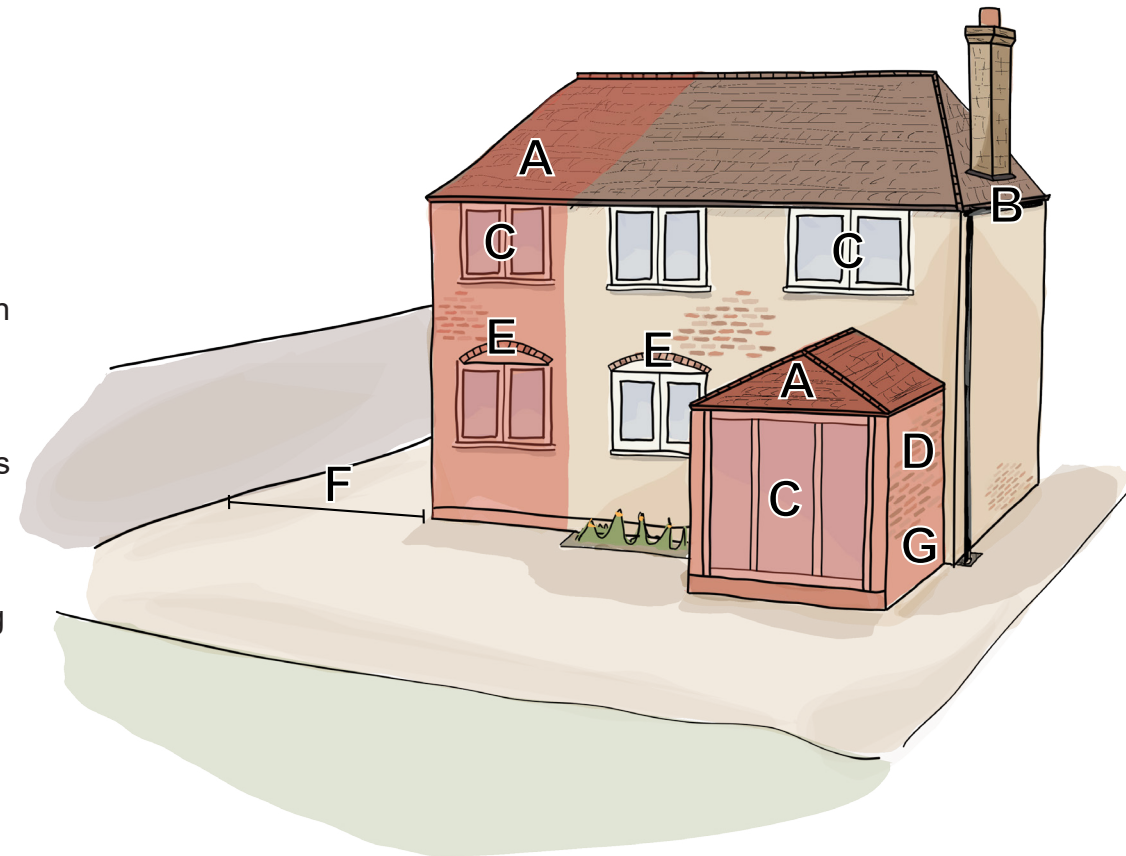


Figure 17 – Householder developments general principles

## Protecting the amenity of adjacent neighbours

- The location of extensions, particularly those close to the boundary, can have a detrimental impact on the amenity of adjacent neighbours. Habitable rooms (lounge, dining room, study, kitchen, bedrooms) are particularly sensitive to loss of light and outlook and the following guidelines should be followed when designing an extension to protect residential amenity:
- **Outlook** is the range of vision which is in close proximity to the boundaries of a property. The outlook of habitable rooms of a neighbouring property may be affected where extensions are unduly large or out of scale with the existing house. This can be also made worse by a difference in levels between properties or the use of unsympathetic materials.
- Extensions should maintain a minimum distance of 14 metres between front/rear facing windows of one property and a two-storey wall of another (as illustrated in fig.16, pg. 34).
- Where a neighbouring property has a side facing window serving a habitable room, if the window is a secondary source of light into a room, it will not normally be considered. However, if it is the sole source of light, consideration will be given to the impact on the amenity of the neighbouring occupiers including loss of light, overbearing impact and impact on outlook.
- **To prevent Overlooking** and maintain a reasonable degree of privacy for the occupants of adjacent dwellings, facing habitable room windows should be a minimum of 22 metres apart (as illustrated in fig.16, pg. 34). Additionally, side facing windows which overlook private gardens may not be acceptable

- **Compliance with the 45 degree code** means that an extension does not cut through the appropriate line drawn at an angle of 45 degrees from the neighbours' nearest window that is the main source of light to a habitable room. (See 45 Degree Code section, pg. 38 for further details)
- **Differences in the ground levels** can also significantly affect the neighbour amenity. If an extension is built at the higher level, extensions can look particularly overbearing

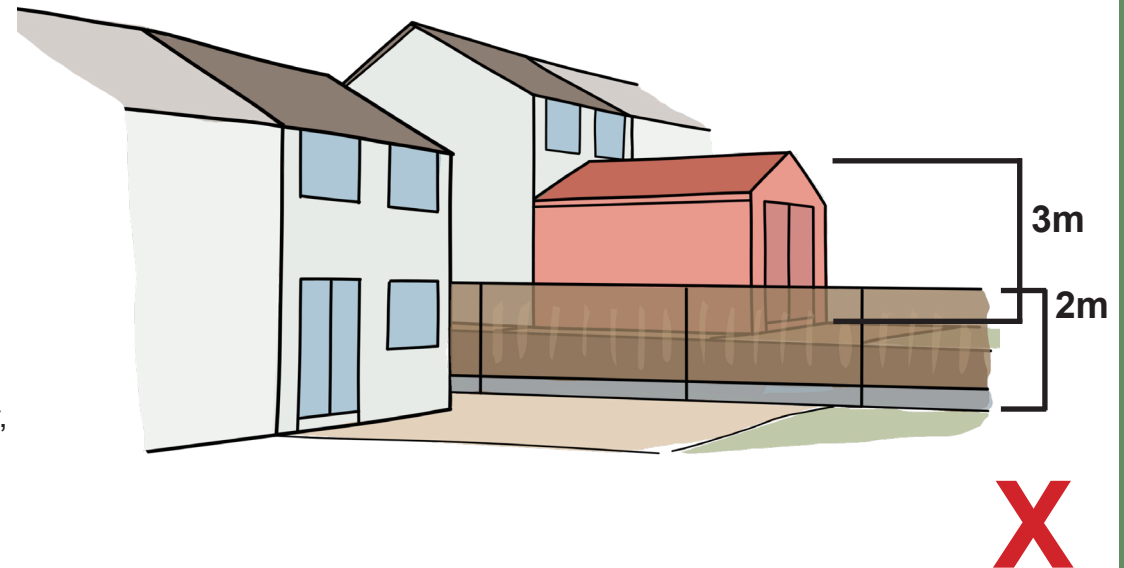


Figure 18 – Ground level Differences

- Consider the **orientation** of the extension with neighbouring properties as this can make a significant difference in terms of overshadowing.

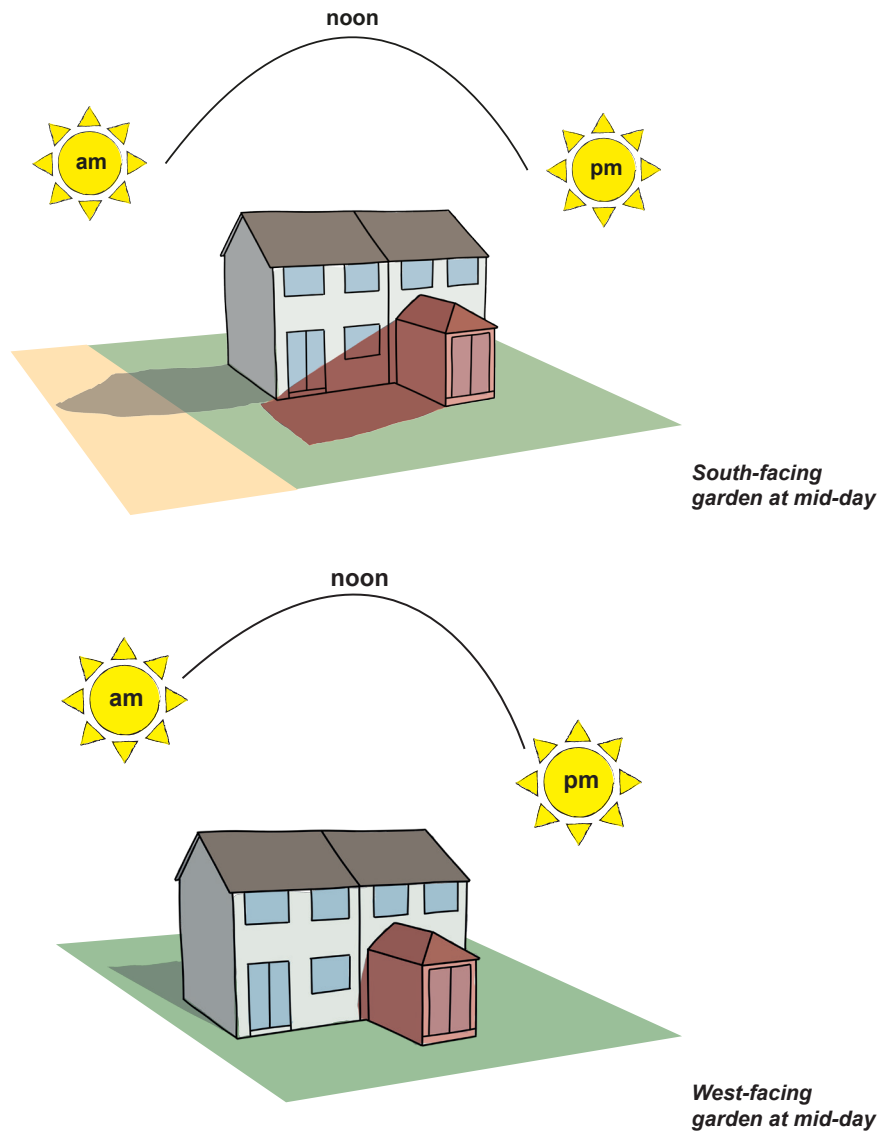


Figure 19– Orientation

## 45 Degree code

### Application

A. For single storey extensions – measurement is taken from the mid-point of the nearest habitable room window

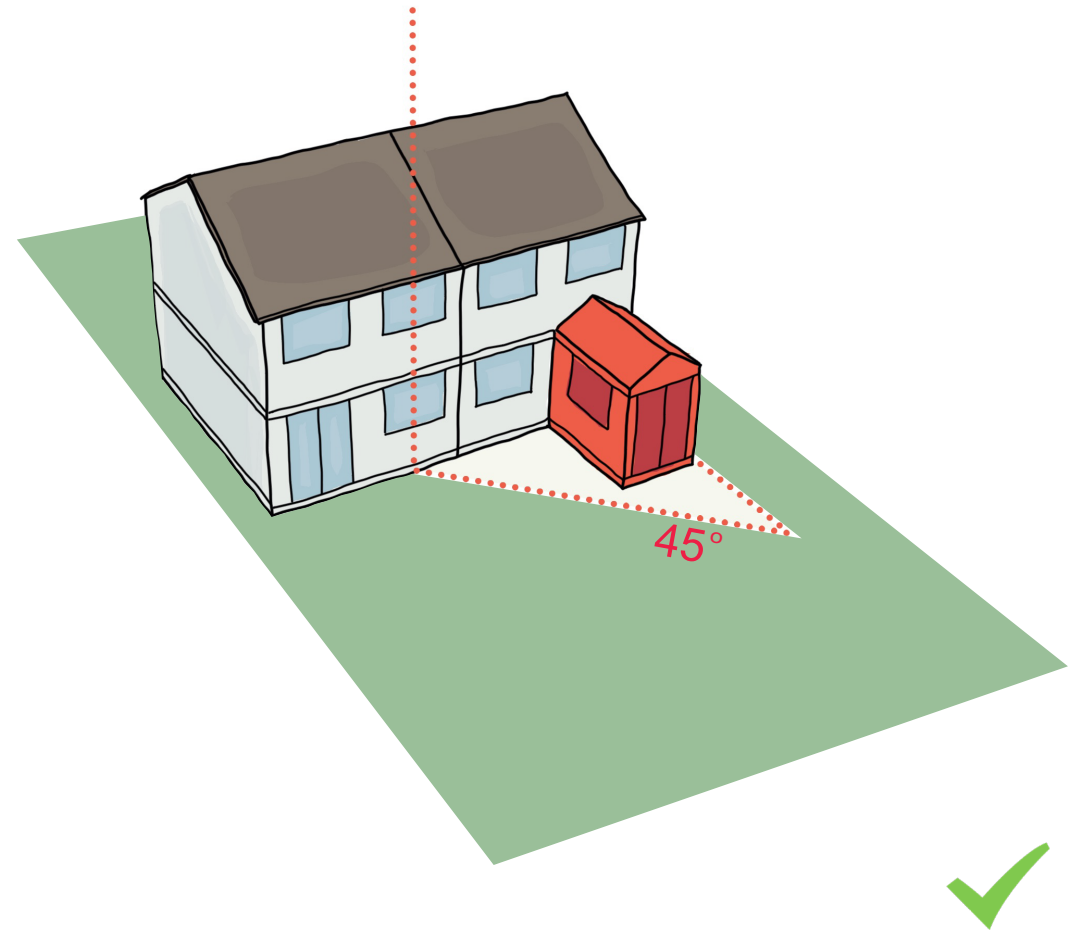
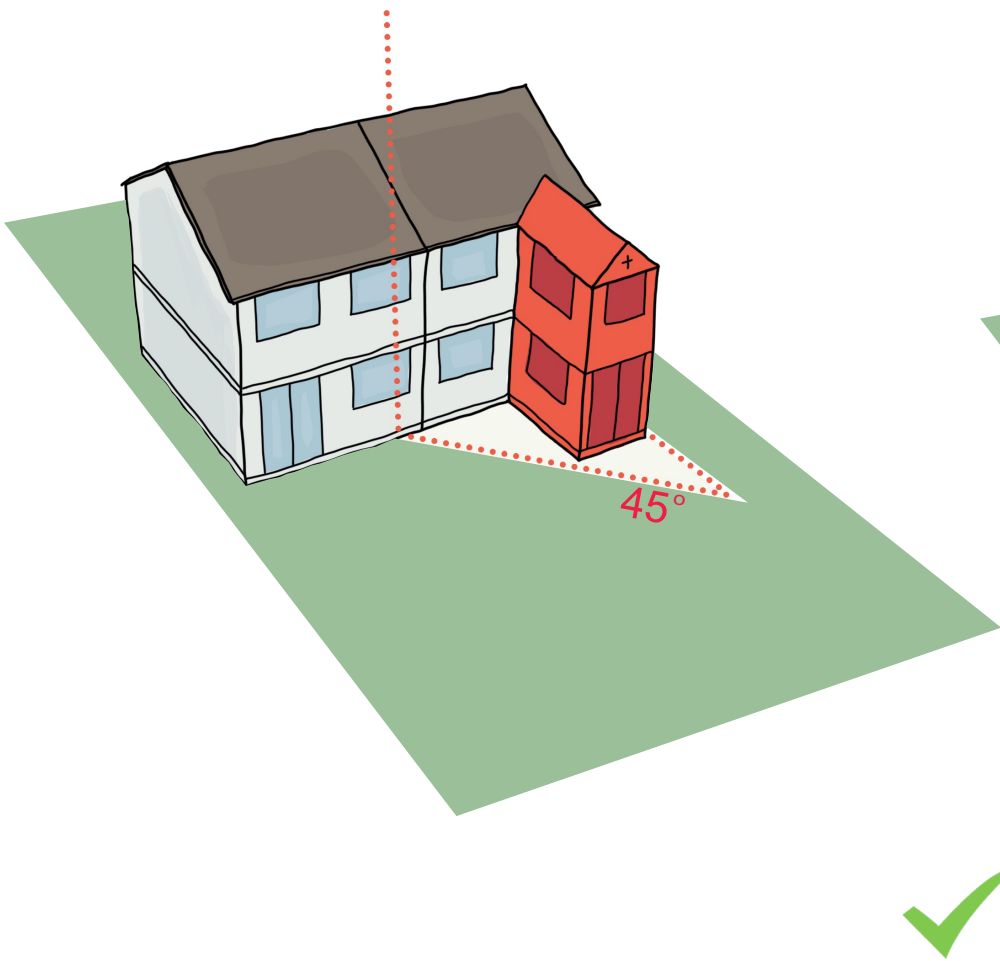


Figure 20 – 45 Degree Code, Single storey extensions



**B. For two storey and first floor extensions -** measurement is taken from the quarter point of the nearest habitable room window at first and ground floor



## Special Considerations

### Conservatories

**C. If the neighbouring property has a conservatory extension –** A conservatory is not classed as a habitable room. Therefore, the measurement will be taken from the original opening in the rear wall.

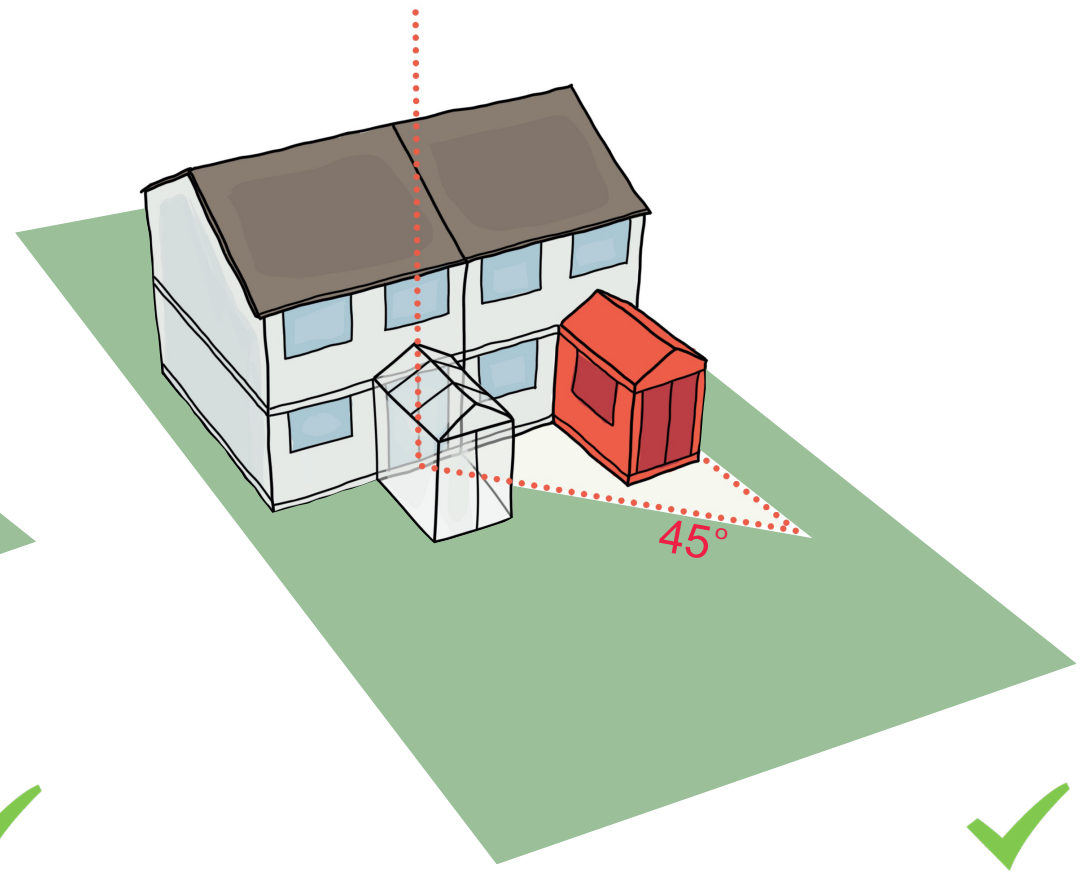


Figure 21 – 45 Degree Code, Two storey extensions

Figure 22 - 45 Degree Code, Conservatories

## Semi-detached Houses

D. If a neighbouring extension projects beyond that which would be permitted by the code, an extension of the other half of the pair should not extend further than the existing neighbouring extension.

E. Joint applications for extensions may be considered (subject to other planning considerations) even if the individual extension would not comply with the code, subject to the extension being the same depth and would be constructed and completed at the same time.

## Bay Windows

F. In the case of an adjoining house having a bay window it will be usual for the 45 degree code to be applied from the bay opening. However, if it has brick sides the code may be applied from the bay window itself.

## Design

G. Certain design solutions to satisfy the 45 degree code are unsatisfactory where they will result in poor design and/or awkward and unusable spaces between a proposed extension and a boundary. Angled/splayed walls are only acceptable where they form an essential part of an overall design and not as a solution to comply with the 45 degree code.

H. Setbacks should leave at least 1m between the proposed extension and the boundary in order to allow future access and maintenance.

## Other Structures

I. Permanent structures between properties such as boundary walls and brick-built outbuildings which affect the application of the code and/or cause an existing breach may be taken into consideration in applying the 45 degree code. However, temporary structures such as timber fences, garden shrubs and trees will only be taken into account in exceptional cases.

## Other Circumstances

J. Where there are other/additional circumstances which require additional consideration of the 45 degree code, such as secondary windows and level changes, these will be assessed on a case by case basis.

## Types of Extension

- The character of a residential area is defined by many components, particularly the design, scale and spacing of houses. Any changes to the front elevation of a property (principal elevation) can have a significant impact, not only to the property itself, but also the immediate character of an area.

## Householder Extensions Local Development Order (LDO)

- The Householder Extensions Local Development Order (LDO) applies to house extensions and alterations which would normally require planning permission but are deemed to be straightforward and in compliance with planning guidance contained within this document.
- The LDO does not remove any of the nationally set "Permitted Development" rights, but it broadens the range of extensions

homeowners can undertake without the need to apply for full planning permission.

### Single-storey side/rear extensions (including conservatories)

- The design should be in keeping with the existing house. In terms of roof design, side extensions are potentially visible from the streetscene and therefore should be dual or mono-pitch. Rear extensions however can have flat roofs as they are generally out of view from the public realm.
- Due to the existence of fencing between properties windows are generally screened. However, ideally side windows should not be included within a design or, if included they should be heavily obscured and, if constructed along the boundary, be non-opening.
- In terms of design and to address potential amenity issues, the scheme should adhere to the general principles section and 45 degree code as discussed above.
- In terms of footprint, it should be remembered that the further an extension projects, there is potential loss of light for existing rear facing rooms. The orientation of the extension can obviously affect this too.
- The proposed mass and scale of an extension should be relative to the size of the original dwelling, overly large extensions which are not subservient or in keeping with the size of the original dwelling will not be considered appropriate. Additionally, the size of proposed extensions should respect and be in keeping with the existing character of the wider area.

- These have the potential to significantly alter the character of an area by removing the physical gap between properties; for semi-detached houses they can also unbalance the matching pair. Given their potential impact, when designing a scheme, the following should be taken into account:
- **On semi-detached and terraced dwellings** - in order to reduce the visual impact, terracing effect and to enable the original house to visually dominate while ensuring that an extension would be a subservient addition, the first floor should be set back by at least 0.75m with respect to the principal elevation of a house and the ridgeline set down with respect to that of the original house. This will also disguise different brick course heights, prevent visible damage when bonding into brickwork and maintain the separation of eaves and guttering detail.

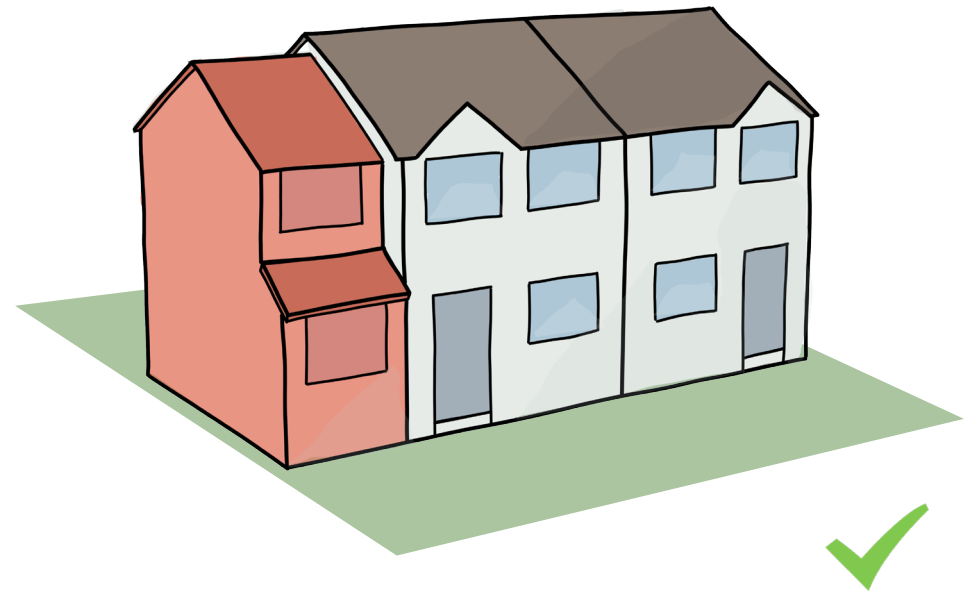


Figure 23 – Set back example

### Two-storey side extensions

- **For detached dwellings**, a lack of set-back on side extensions will only be supported where a physical gap, once constructed, of at least 1m, would be retained, between it and adjacent side boundary and also provided that the design is sympathetic to the existing house.
- The design should match that of the existing house in terms of roof style, architectural detail and materials. Windows should be aligned and in scale with the original house. The design should also ensure that it maintains the eaves design of the original dwelling.
- The 45 degree code (as discussed earlier) should be adhered to;
- Side facing windows should be avoided as they have the potential for overlooking neighbouring properties. Where extensions run along the side boundary their inclusion will not be supported as they could preclude neighbours from carrying out a similar extension and have the potential to open out above neighbouring land. Where extensions are set in from the boundary, unless there are exceptional circumstances where overlooking would not arise, they should be obscure glazed and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed;
- For terraced and semi-detached dwellings, (except those located on corner plots, the Green Belt, Areas of High Historic Townscape Value or Areas of High Historic Landscape Value)<sup>1</sup> the maximum width shall be 66% (of the original two-storey element, when measured across the width of the principal elevation) or 4m whichever is the greater. This should facilitate the provision of new useable space;

- Duality – extensions on detached properties that would lead to their being two-storey, non-original elements on both sides of the property will be resisted as it has the potential to adversely affect the character of the original dwelling;
- A flat roof construction will not be acceptable unless a pre-existing characteristic of the original dwelling. A pitched roof with a flat top (as created by some two-storey wrap around extensions) cannot be supported as they result in an incongruous and unsympathetic addition to the original dwelling; and

## Front Extensions

- The design and appearance of the frontage of properties and the distance between the buildings and the street are important aspects in defining the character of residential areas
- Only in occasional circumstances well designed and modest extensions, which are in keeping with the character of the existing properties will be allowed (e.g Porch extensions)
- In some cases of detached or individually designed properties, which are set back from the highway and within a staggered building line, front extensions may be acceptable subject to the design complementing the original building and streetscene and not adversely affecting any adjacent properties

## Porches and canopies

- Porches should reflect the character of the original house with the aim being to make the addition “belong” to the house in terms of scale, details and materials used in the construction. Care should be taken not to remove or conceal ornate or unusual architectural features or door surrounds.

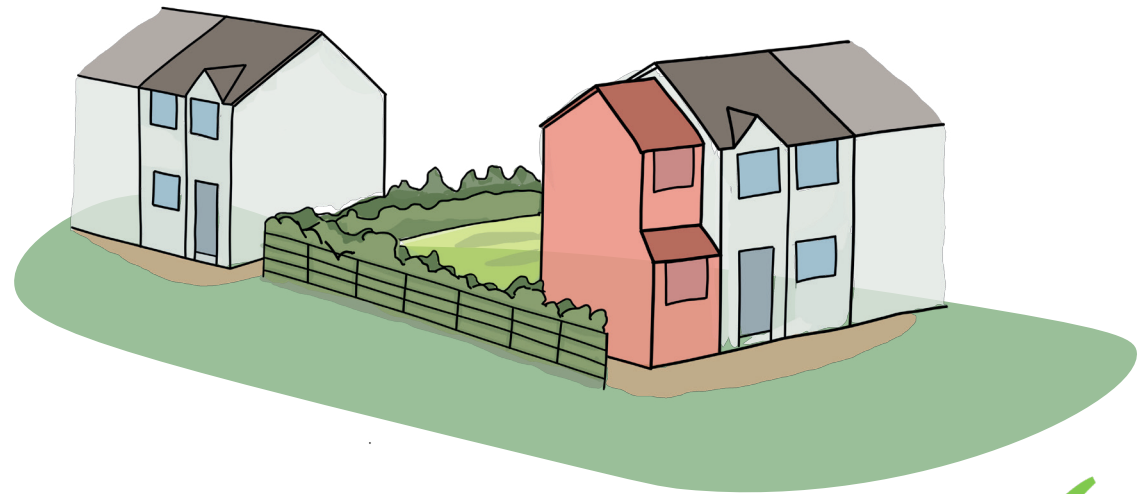
<sup>1</sup> These are particularly sensitive locations, with the exception of corner plots, their location is indicated on the Policies Map of the Dudley borough Development Strategy)



- Canopies are an increasingly popular addition to a dwelling however they should be designed to relate to the original dwelling and are rarely appropriate on traditional properties. Design considerations should also include the choice of supporting elements which also visually contribute to the scheme. Fibreglass columns for example are rarely appropriate as they would be visually out of keeping with the character of most properties.

### Corner plots (extensions)

- These have visual prominence and therefore play a key role in defining the character of the area. The front and side elevations of the dwelling are exposed to public view and so impact noticeably on local character. The original size of the gap between the side elevation in particular and the highway, more than often reflects the overall design and density of the setting of the residence. The loss of such areas can therefore have a significant, detrimental impact upon the character and appearance of an area.
- Overly wide side extensions to the side of such properties often results in insufficient space being retained between the development and the site boundaries. Thus making the extension appear unduly large for its plot or appear overly dominant and therefore harmful to the sense of openness that the corner/side plot provides.



*Figure 24 – Householder corner plot extensions*

## Dormers

- These have great potential to adversely affect the character and appearance of a property. They will only be permitted in very exceptional circumstances where they would be in keeping with the architectural style of the property and complement existing features in terms of proportions and positioning.
- In these exceptional circumstances, smaller dormers are more likely to be considered acceptable and a minimum of a 1m set back from the eaves should be observed
- The existence of dormer extensions nearby will not be considered sufficient reason to approve an unacceptable scheme.
- The introduction of side dormers on both sides of a dwelling, particularly on bungalows, are unlikely to be supported as they can visually overwhelm a property and detract from its original design.

## Increasing the height of the roof to facilitate the conversion of the loft for habitable purposes

- If proposed within a street with similar house types, this can unacceptably disrupt the visual rhythm. Each application will be assessed on the impact of the architecture/character of the dwelling/wider streetscene and upon neighbour amenity.

## Additional storeys

- Relating specifically to dwellings constructed between 1st July 1948 and 28th October 2018 and subject to the prior approval procedure. These will only be supported where it will not lead to overlooking, privacy issues or a loss of light or where the

external appearance (design and architectural features) of the principal elevation or any side elevation that fronts a highway, would be adversely affected.

## Garages

- As with any other extension, garages should be sympathetically related to the main dwelling. Dual or mono-pitched roofs are preferable to flat roofs as they are more likely to complement the existing house and locality. In normal circumstances, garages should be in line with or behind the front of the house, unless associated with a porch extension and a sufficient driveway is available – this should be at least 6.0m measured between the doors and the footpath to prevent vehicles overhanging the footpath.
- New free-standing garages to be built forward of the established building line are likely to be visually intrusive and out of character with the settlement pattern of the area. Consequently, they will only be supported in exceptional circumstances.
- Concrete sectional garages can appear obtrusive because they are not usually related to the main dwelling and are unlikely to be supported.

## Balconies/roof gardens/first floor patios

- All have great potential to create overlooking onto neighbouring properties. Such a loss of privacy is generally difficult to overcome. Side screens can be visually incongruent as they need to be of sufficient height to shield overlooking from a person when standing. Generally, they will therefore be unacceptable unless the juxtaposition of a house is such that no potential overlooking would occur.

- Balconies can be a useful provision when implemented as part of a flatted / apartment scheme, where there is a lack of outdoor amenity space provided as part of the proposals.

## Raised Platforms / Decking

- Planning permission is required for a raised platform such as tree house or decking with a height greater than 0.3 metres when measured from the original ground level. These can, if not sympathetically located, lead to overlooking issues. Loss of privacy should be avoided. Each application will be considered upon its merits in terms of its impact upon neighbouring amenity.

## Materials

- Planning permission for any extension is required if the materials used in any exterior work are not of a similar appearance to those used in the construction of the exterior of the existing dwelling.
- Existing roof tiles should not be changed as part of the works to extend the dwelling. The roof tiles of the extension should match those of the existing house.
- Safe Cladding can be used for home insulation however the materials used should match those of the existing property. In cases of predominately brick built properties, brick slips can be used to retain the existing look of the property while offering additional insulation and maintaining the external appearance.
- Planning permission is required for rendering or cladding if the material used, does not match in appearance that of the existing property. However, a change in the external appearance such as rendering a brick-built property is unlikely

to be supported where it would affect the character and symmetry of semi-detached or terraced properties, or it would be out of character with the wider street scene.

## Extensions and Parking Requirement

- If an extension results in additional bedroom space, there may be a requirement to consider the provision of an additional off-street parking space at the property. A balance has to be made however as front gardens are particularly important in terms of softening a harsh urban environment. If required as part of a planning application, the additional space should be indicated on the submitted site plan and where possible, a meaningful area of front garden should remain.
- All new off-street parking spaces should be surfaced with a permeable material, or the new surface should drain to a soak-away. The latter however is not suitable on heavy clay soils.

## 'Mucklow built' houses

- These are semi-detached houses predominantly located to the south of the borough (however they can be found throughout the borough) that have a characteristic 'cat-slide' roof to the side that effectively elongates the side hip to give them a very distinctive design. They are usually located within specific estates that contain visual rhythm in terms of design, scale and spacing and therefore are particularly sensitive to change.
- Side extensions/the insertion of side dormer windows threaten the existence/severely alter the appearance of the cat slide roof to the detriment of these houses and the estate as a whole estate.
- Extensions to Mucklow properties, including rear extensions, should be designed so that the roof sits in line with or below the original eaves.





## Outbuildings/Enclosures

- Buildings and enclosures within gardens may be able to be constructed under permitted development subject to a number of parameters, particularly height and the purpose of the building being incidental to the enjoyment of the dwellinghouse.
- Outbuildings which are used as home offices for personal use may be considered incidental, and subject to regulations for outbuildings are unlikely to require planning permission. However, if a building is used to run a business from home, additional considerations are needed to determine if planning permission is required and if an application would be supported. Further details on running a business from home can be found in Section 4.
- Applications will be considered on the basis of a number of criteria including size, location, design, impact on neighbours and the level of accommodation proposed. Annexes that can be accessed separately from the main house, and are therefore physically capable of becoming a separate planning unit, will require careful consideration of the degree of separateness and independence of the residential accommodation.
- Any approvals for residential annexes, will be subject to a condition that the unit will remain ancillary accommodation and will not become a separate planning unit from the main dwellinghouse.

## Annexes

- Planning permission is required for the construction/creation of an annex within the curtilage of a dwellinghouse. An annexe is ancillary residential accommodation that can be a useful addition to a family unit, particularly to accommodate elderly relatives or young people. However, there are a number of concerns, which if not addressed, could result in planning permission not being granted. These include:
  - A. They are capable of creating a separate planning unit, particularly if the annex can be accessed separately from the main house. This would then have requirements for parking, a separate garden etc which would not be in keeping with the character of the area.
  - B. They can introduce noise and disturbance into rear gardens over and above what would normally be expected due to the continual occupation of the unit.

# Section 4

Running a Business from Home

## Section 4 – Running a Business from Home

- Running a business at home requires planning permission where a material change has occurred. When assessing if planning permission is required an assessment will be made on a case-by-case basis, based on a number of considerations including:
  - the scale and nature of the business
  - the number of visitors
  - disturbance to neighbours
  - the amount of parking and impact on traffic
  - the size of the dwelling
  - where in the property the business is carried out
- If parts of the building are converted (including garages) to operate the business and it would no longer principally function as domestic accommodation, this is likely to require planning permission due to a material change having occurred. Additionally, permission is likely to be required where a business is functioning from an outbuilding particularly where a building has been built for the purpose of the business.
- Planning permission is required where a business would require additional members of staff.
- For a child minding business run from home, planning permission is required if there are any additional staff and/or more than 6 children.
- For confirmation, if a proposed use would not constitute a material change and would not require planning permission an application for a lawful development certificate can be applied for<sup>1</sup>. However, while a business may not need planning permission initially, it may need permission in the future if a business grows to a level where planning permission is

required. Granting of a lawful development certificate does not guarantee that if planning permission is later required, it will be granted.

- Where planning permission is required, consideration will be given to a range of factors including but not limited to:
  - the impact on the amenity of neighbouring property, including the impact from any noise or odour generation,
  - impact on highways, including parking, visitor trip generation and deliveries.
  - scale and size of the business, is the business of a size that it should be located within a centre, would the location of the business be contrary to local centres policies.
  - nature of the business and if that would be appropriate within a residential location.
- Planning permission is unlikely to be supported where the business would involve or result in the following:
  - employment of staff who are not residents within the property
  - have a detrimental impact on traffic and highway safety, such as inadequate off street parking provision or high number of deliveries over and above what would be considered normal for a residential dwelling
  - business which has a negative impact on neighbouring amenity including the noise, odour or dust pollution. Such as Hot Food Takeaways or industrial uses.
  - retail business or businesses which have a high number of visitors. Instead, appropriate premises within centres should be found for these types of businesses.

<sup>1</sup> [Lawful Development Certificates](#)

# Section 5

Houses in Multiple Occupation



## Section 5 - Houses in Multiple Occupation

- The National Planning Policy Framework has three overarching objectives, economic, social and environmental. The social objective seeks to support strong, vibrant and healthy communities by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations. Paragraph 61 (NPPF) requires planning policies to make provision for a range of size, type and tenure of homes including those for students and those homes for rent. Local Policy also requires the provision of a range of types and sizes of accommodation to meet local needs.
- The requirement for single room, shared facility, rented accommodation has steadily grown in recent times. Planning legislation defines a House in Multiple Occupation (HMO) as a house or flat occupied by a certain number of unrelated individuals who share basic amenities (a toilet, personal washing facilities or cooking facilities) and is classified by The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) as:-
  - Class C4 – between 3 and 6 residents – small HMO
  - Sui Generis - more than 6 residents - large HMO
- Prior to the conversion of any dwelling to a HMO of any size, the council's website<sup>1</sup> should be checked for up to date information on any restrictions of permitted development rights, including any specific planning conditions on the property and any wider designations or Article 4 Direction<sup>2</sup>.
- There is a requirement for a mix of housing types and tenure within the borough and it is acknowledged that Houses in Multiple Occupation play an important role within the rented accommodation sector. They can also be beneficial, if developed sympathetically, by bringing vacant older buildings back to economic use, particularly within the town and district centres.
- However, some HMOs provide poor, cramped living conditions and have a lack of outdoor space. They can adversely affect the character of an area, for example, by the removal of traditional front gardens and front/side boundary walls to create open hard standing for parking.
- The concentration of HMOs within a specific area can also be associated with increased crime levels and the fear of crime. The most commonly reported problems associated with some HMOs are anti-social behaviour, noise, overcrowding, inadequate living conditions, deterioration of streetscene due to poor maintenance of properties, litter and poor refuse management and parking issues.
- Paragraph 91 of the NPPF states that places should be healthy, inclusive and safe. It promotes social interaction, healthy lifestyles and the creation of safe and accessible places where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion. In order to ensure that planning applications for HMOs adhere to national and local planning policies they will be assessed against the following criteria:
  - A. If a conversion scheme – the impact upon the host building, particularly with respect to Listed Buildings or identified heritage assets;

<sup>1</sup> DMBC: [Planning Guidance](#)

<sup>2</sup> [HMO Article 4 Direction](#)

B. The potential impact upon the character and amenity of the surrounding area;

C. The potential impact on crime, disorder, fear of crime and community cohesion (Evidence from neighbours and the Police will be taken into account);

D. The potential impact, in terms of noise and disturbance on the amenities of the residents of adjacent or nearby properties;

E. The potential impact on highway safety including appropriate provision of parking, in line with the most up-to-date parking standards.

F. In terms of amenity of the occupants, wherever possible rooms should be of generous proportions. However, in order to protect residential amenity, the size of the individual rooms occupied by a single adult within the HMO should adhere to the following the minimum standards as set out within the Housing Act 2004:

- Each bedroom/study where all occupants of the house have access to a separate communal living room and cooking facilities are not provided in the bedroom = 6.51 m<sup>2</sup>
- Each bedroom/study where all occupants of the house do not have access to a separate communal living room and cooking facilities are not provided in bedroom = 10.22m<sup>2</sup>

- Additional Note: Any part of the floor area of a room in relation to which the height of the ceiling is less than 1.5 metres is not to be taken into account in determining the floor area of that room (as required by the Housing Act 2004)<sup>3</sup>.

G. Evidence shall be required to prove that the shared facilities such as communal kitchens and bathrooms are of sufficient size to serve the number of residents sharing them. Detailed guidance is available in the Council's published HMO Standards<sup>4</sup>;

H. The provision of adequate amenity space, unless the constraints of the site prove otherwise. Ideally the amenity area should enable residents to sit outside in an area that is not publicly overlooked; that is easily accessible from all units; and facilitates the sustainable drying of clothes

I. That the site has good access particularly by walking and cycling to community facilities, services, public transport and local employment

J. Adequate provision is made for the storage of cycles and communal bins

K. Adequate provision is made for the storage and disposal of household waste

<sup>3</sup> [Housing Act 2004, Schedule 4](#)

<sup>4</sup> [Dudley Council's HMO Standards](#)

# Section 6

Children's Care Homes

## Section 6 - Children's Care Homes

- The council has a statutory duty to provide sufficient accommodation for our Looked After Children and to plan more generally for them. Such accommodation can be provided by the local authority or privately. Children and young adults (up to the age of 18) are placed either in short or long-term accommodation dependent upon their circumstances and placement matching. Some children/young adults have been adversely affected by circumstance and need a secure, stable and caring place in which to live whilst others may have emotional or behavioural difficulties.
- Some of the homes provided are very small, accommodating three to four children in a house aimed at mirroring the environment of a family home. Each child being given their own bedroom and cared for on a 24 hour basis by staff. In such circumstances, if an existing dwelling is proposed for such use, it must be established whether the use would continue within Class C3 (dwelling house) within The Town and Country Planning (Use Classes) (England) Order 1987 (as amended) or whether the use would change to Class C2 (care home) requiring planning permission. Case law indicates that there should be a twofold approach for such assessment:
  1. Would the use comprise more than 6 residents living together as a single household? In order to form a household, the persons living together need not be related as family members. Children however are not capable of forming their own household without the presence of a care giver and a children's care home may not fall within Class C3 unless it is the care giver's main residence;
  2. A Class C2 use may not necessarily be materially different from a C3 use and therefore the next step is to establish whether a change of use would occur by considering
    - whether there will be a MATERIAL change, i.e. will the character of the activities at the property significantly change, as a matter of fact and degree?
- Examples of material changes:
  - The formation of a larger car park to accommodate staff/professional visitors may be considered material. Shift patterns/change over times can require parking space for several vehicles and generate vehicular activity over and above what would be normally expected at a domestic dwelling.
  - Internal layout is another consideration and may indicate material changes such as therapy rooms, education/activity rooms, separate kitchens which are provided for the care of the children but would not be normally expected in a dwelling house.
- In order for the Local Planning Authority to make a detailed assessment in relation to points 1 and 2 above, the following information will be asked of an applicant when a planning application or Lawful Development Certificate for a small care home is submitted:
  - The type and character of property, number of rooms/bedrooms and parking provision at the property.
  - The number of children (under the age of 18) who will be residing at the property and for how long they will live there.
  - The specific disabilities/needs of the children who will reside at the property e.g. learning difficulties, physical disabilities, behavioural problems etc.



- The number of carers in total, whether any will reside there as their main residence and the number of staff that will be present at the property at any given time and whether there is 24 hour care.
  - Shift patterns including the duration of each shift and associated vehicular movements and parking details.
  - Details of tutors – numbers, frequency of visits and duration of stay at the property per day.
  - Details of social workers and child psychologists – numbers, frequency of visits and duration of stay at the property per day.
  - Details of any staff or contractors visiting the property e.g. gardeners, maintenance, home delivery etc. – numbers, frequency of visits and duration of stay.
  - Any internal or external changes which may be made to the property e.g. replacing the garden with a drive, erection of signage or cameras.
  - The existing and proposed layout of the property.
- If it is found in point 1 above that the proposed use is more akin to Class C2 but that a material change from Class C3 has not occurred, then the building is likely to be retained within Use Class C3 (dwelling house). A Certificate of Proposed Lawful Use would be expected to be submitted to establish that this is the case and regularise the planning position with respect to the property. However, if there are considered to be proposed ‘material’ changes then planning permission will be required.

# Appendix A

## Glossary

## Appendix A - Glossary

Accessibility	The ease with which people can move around an area and reach facilities.
Affordable Housing	Housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); This includes: <ul style="list-style-type: none"> <li>- Affordable housing for rent</li> <li>- Starter homes</li> <li>- Discounted market sales housing</li> <li>- Other affordable routes to home ownership.</li> </ul>
Amenity Green Space	Small grassed areas typically within housing estates. Amenity green space provides opportunities for informal recreational activities close to home such as well-observed informal children's play, exercising dogs, and an area for walking and to relax. Amenity green space also enhances the visual appearance of residential areas and other parts of the urban environment. It consists of a publicly accessible, well maintained, closely mown natural turf area with reasonably level site land gradients within a part of the development site which is well overlooked with good levels of natural surveillance to improve personal safety. The new on-site amenity green space would need to be laid out and designed in accordance with the Council's Landscape Department guidelines.
Area Action Plan (AAP)	A type of Development Plan Document focused upon a specific location or an area subject to conservation or significant change.
Backland development	Development on land that lies to the rear of an existing property that often, but not in all cases, fronts a road.
Biodiversity	The variety of life on earth or in a specified region or area
Black Country Core Strategy	Spatial Plan for the Black Country, comprising the Boroughs of Dudley, Sandwell, Walsall and the City of Wolverhampton. The Core Strategy sets out a detailed spatial strategy and the policies needed for delivery across the Black Country.
Blue Infrastructure	A network of multi-functional blue spaces, which includes ponds, rivers and the canal network as well as sustainable drainage systems. Which is capable of delivering a range of ecological and social benefits and which together makes up the blue network
Building Line	The line formed by the frontages of buildings along a street.
Character	The individual features or appearance that give an identity to an area or landscape
Conservation Area	An area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance
Context	The physical and social setting of a site or area, including factors such as traffic, activities and land uses as well as landscape and built form.
Density	Number of dwellings per unit area of land, generally hectares

Design and Access Statement	A statement covering design concepts, principles and access issues that supports a planning application.
Development Strategy for the Dudley Borough	The emerging Development Plan Document (DPD) that will set out the strategic land-use allocations across the Borough and Development Management policies.
Development Plan Document (DPD)	Prepared by local planning authorities as part the Local Plan. They can include a core strategy, site specific allocations of land, area action plans (where needed) and other documents deemed necessary by the council to deliver the spatial strategy in a justified and effective manner.
Development pattern	The arrangement and size of buildings and their plots in a settlement.
Dwellinghouse	A self-contained residential unit falling under use class C3, occupied by a single household. Examples of Dwellinghouses include houses, bungalows, and self-contained flats
Garden Grabbing	A term coined by the media to describe the activity of developers acquiring garden land and subsequently building several new homes on the plot.
Gateway	The design of a building, site or landscape to symbolise an entrance or arrival to a special district
Green Infrastructure	A network of multi functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.
Habitable Room	A room occupied or designed for occupancy by one or more persons for study, living, sleeping, eating and cooking, but not including bathrooms, water closet compartments, laundries, serving and storage pantries, corridors, cellars, attics and spaces that are not used frequently or during extended periods.
Heritage Asset	A building, monument, site, place, area or landscape positively identified as having a degree of significance meriting consideration in planning decisions. Heritage assets are the valued components of the historic environment. They include designated heritage assets and assets identified by the local planning authority during the process of decision making or through the plan-making process (including local listing).
Historic environment	All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora.
Historic Landscape Characterisation	A powerful tool that provides a framework for broadening our understanding of the whole landscape and contributes to decisions affecting tomorrow's landscape.
Inclusive design	Designing the built environment, including buildings and their surrounding spaces, to ensure that they can be accessed and used by everyone.
Landmarks	Buildings, structures and spaces which create distinct visualorientation points that provide a sense of location to the observer within the neighbourhood or district, such as that created by a significant natural feature or by an architectural form which is highly distinctive relative to its surrounding environment.



Landscape	The character and appearance of land, including its shape, form, ecology, natural features, colours and elements and the way these components combine. Landscape character can be expressed through landscape appraisal, and maps or plans. In towns 'townscape' describes the same concept.
Listed Building	A building or structure of special architectural or historic interest which is registered on a national list, and cannot be demolished or altered without government permission.
Local Plan	The plan for the future development of the local area, drawn up by the local planning authority in consultation with the community. In law this is described as the development plan documents adopted under the Planning and Compulsory Purchase Act 2004. Current core strategies or other planning policies, which under the regulations would be considered to be development plan documents, form part of the Local Plan. The term includes old policies which have been saved under the 2004 Act.
Local Development Scheme	The Local Planning Authority's time-scaled programme for the preparation of Local Development Documents that is reviewed annually
Local Distinctiveness	Local distinctiveness is the physical, environmental, economic or social factors that characterise an area (and most likely a combination of all four), as well as how an area interacts with others
Locally Listed Building	Locally important building valued for contribution to local scene or for local historical situations but not meriting listed building status.
Localism Act	The Act devolves more powers to councils and neighbourhoods and gives local communities greater control over local decisions like housing and planning.
Local Planning Authority	The Local Authority or Council that is empowered by law to exercise planning functions.
Local Transport Plan	A five-year integrated transport strategy, prepared by Local Authorities in partnership with the community, seeking funding to help provide local transport projects.
Massing	The combined effect of the height, bulk and silhouette of a building or group of buildings.
National Planning Policy Framework	Sets out the Government's planning policies for England and how these are expected to be applied.
Natural and semi natural green space	One of the typologies of Open Space, including woodlands, urban forestry, scrub, grasslands (e.g. downlands, commons and meadows), wetlands, open and running water, wastelands and derelict open land and rock areas (e.g. cliffs, quarries and pits).
Natural surveillance	The ability of people to be seen from surrounding buildings or spaces.
Nature Conservation	The protection, preservation, management or enhancement and the improvement of understanding and appreciation of flora, fauna and geological and geomorphological features.
Permeability	The extent to which an environment allows people a choice of access routes through it from place to place.

# Appendix B

## Tree Replacement

## Appendix B – Tree Replacement

Where removal is unavoidable, tree replacement in line with the below guidance table would be considered acceptable (This does not apply to ancient or veteran trees)

Stem Diameter of Tree Proposed for Removal*	Number of Replacement Trees Required
150 – 199 mm	1
200 – 299 mm	2
300 – 399 mm	3
400 – 499 mm	4
500 – 599 mm	5
600 – 699 mm	6
700 – 799 mm	7
800 mm +	8

\*Measured at 1.5 metres above ground level, as per British Standard 5837:2012 “Trees in Relation to Design, Demolition and Construction – Recommendations”

