

PLANNING APPLICATION NUMBER:P06/2056

Type of approval sought	Full Planning Permission
Ward	Gornal
Applicant	Mr. A. Haywood
Location:	LAND ADJACENT 35, BARR STREET, DUDLEY, DY3 2LZ
Proposal	ERECTION OF A DETACHED DWELLING WITH NEW ACCESS TO HIGHWAY.
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The application site is situated behind a wall, approximately 1.6m high. The land falls significantly away from the road towards the end of the site. It contains a ruined outhouse and overgrown vegetation.

PROPOSAL

2. The proposal comprises a three bedroom detached property. The levels are such that it would be two storey at the front and three storey at the rear. It would measure 9.3m long, 5.5m wide and would be 8.4m high when measured from the front elevation. A 6.0m long driveway is indicated to the front of the dwelling.

HISTORY

- 3.

APPLICATION No.	PROPOSAL	DECISION	DATE
P05/0795	Outline: Erection of a three storey detached dwelling	Withdrawn	09/08/05

PUBLIC CONSULTATION

4. Four letters of objection have been received to the application which make the following points:
 - Insufficient parking on street and problems for large vehicles to gain access through the street. The development will add more cars and displace a parking space;
 - Difficulties for construction lorries to gain access;
 - Sufficient development taking place within the area;
 - A disabled car parking space is to be provided at no 6 Barr Street, a new drive cannot be provided opposite;
 - Three storey will create overlooking;
 - The wall they would demolish is a Parish Boundary.

OTHER CONSULTATION

5. Group Engineer (Development) – for a three bedroom property, 2no parking spaces are required. Two cars parking on the site next to each other and the existence of the wall raises highway safety concerns to an unacceptable level due to inadequate visibility splays.
6. Environmental Protection – no objection to the standard contamination conditions.

RELEVANT PLANNING POLICY

7. **The adopted Dudley Unitary Development Plan:**
 - Policy DD1 – Urban Design
 - Policy DD4 - Development in Residential Areas
 - Policy DD6 – Access and Transport Infrastructure
 - Policy AM14 – Parking
 - Policy H1 – New Housing Development
 - Policy H3 – Housing Assessment Criteria
 - Policy H6 – Housing Density
8. **Supplementary Planning Guidance:**
 - Planning Policy Guidance Note No 3: New Housing Development

9. National Policy Guidance:

PPG 3 & PPS 3: Housing

ASSESSMENT

10. The site is situated within an established residential area, although there is some industry directly to the southern boundary of the site. The site has no specific designation within the adopted Dudley Unitary Development Plan. In principle, there would therefore be no objection to residential development on the site.
11. The site is narrow and long, reflecting other curtilages within the vicinity. The dwelling would be constructed to a similar density to surrounding properties. This would be in keeping with Policy DD4 of the adopted Dudley Unitary Development Plan and Planning Policy Guidance Note No 3: New Housing Development.
12. At 16.0m the rear garden length is acceptable, being in accordance with Planning Policy Guidance Note No 3: New Housing Development. There would, however be only approximately 18.0m between the habitable room front windows of the new dwelling and those of the dwelling opposite, no 7 Barr Street. Although this is below the normal standard of 22.0m, the new dwelling is set back 6.0m into the site and consequently this distance is greater than some of the other houses in the street. Furthermore, an amended plan is to be submitted which places a bathroom window in the front elevation and only one bedroom window at first floor level. A kitchen window will remain at ground floor level but this will be set behind the parking space. On this basis, the application is considered to be acceptable.
13. The scheme initially indicated a three bedroom property. This requires two off-street parking spaces. The Group Engineer, Development Section is concerned that two cars parking side by side on the site would have limited visibility when leaving the site. He has indicated that if the dwelling is reduced to two bedrooms, that only one off-street parking space is required. In this event, the

driveway visibility would improve and the application could be supported by that Section. The applicant has agreed to this amendment and an amended plan is awaited. Should this amendment be acceptable, a condition would be required to restrict the number of bedrooms to two.

14. Local residents appear to be concerned about parking in the street. The development of a dwelling on this site will effectively remove one on-street parking space, however, this would not be sufficient reason to refuse the application, particularly as the dwelling will provide its own off-street parking space. It is considered to be satisfactory therefore in accordance with Policy DD6 of the adopted Dudley Unitary Development Plan.

CONCLUSION

15. The development of a dwelling on the site is acceptable, in principle. An amended plan is awaited, which will be added to the pre-committee notes. This should reduce the number of habitable room windows in the front elevation to a minimum and reduce the number of bedrooms to two. On this basis, the application is considered to be acceptable.

RECOMMENDATION

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

Reason for Approval

The development of a dwelling on the site is acceptable, in principle. This should reduce the number of habitable room windows in the front elevation to a minimum and reduce the number of bedrooms to two. On this basis, the application is considered to be acceptable.

The decision to grant planning permission has been taken with regard to Policy DD1 (Urban Design), Policy DD4 (Development in Residential Areas), Policy DD6 (Access and Transport Infrastructure), Policy AM14 (Parking), Policy H1 (New Housing Development), Policy H3 (Housing Assessment Criteria), and Policy H6 (Housing Density) of the adopted Dudley Unitary Development Plan (2005) and to all other relevant material considerations. The detailed reasons for the granting of approval are contained within the application report.

Conditions and/or reasons:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. No openings, other than those indicated on the approved plan, shall be formed in the side elevations of the dwelling unless otherwise agreed in writing by the Local Planning Authority.
3. Before the dwelling hereby approved is first occupied the parking area shall be graded, leveled, surfaced, drained and marked out for one parking space in accordance with the approved plan and thereafter retained for the life of the development.
4. Development shall not commence until details of any retaining structures on the site are submitted to and approved in writing by the local planning authority. Such structures shall be constructed in accordance with the approved plans and thereafter retained for the life of the development.
5. The development hereby permitted shall not commence until drainage works for the disposal of both surface water and foul sewage have been carried out in accordance with the details to be submitted to and approved in writing by the Local Planning Authority.
6. Development shall not begin until details of the type, texture and colour of materials to be used in the external elevations have been submitted to and approved by the local planning authority.

7. Development shall not begin until a comprehensive written site investigation strategy (in a form to be agreed by the local planning authority), has been submitted to and approved by the local planning authority. Such a strategy shall facilitate the identification of contaminants and permit the risk based assessment of the development site. Where the investigations identify the presence of contamination, development shall not begin until a scheme to protect the development from the effects of such contamination has been submitted to and approved by the local planning authority. Such a scheme shall: include provisions for validation monitoring & sampling; be implemented in accordance with the approved details before the development is first occupied; and be retained throughout the lifetime of the development.
8. Development shall not begin until a comprehensive written site investigation strategy (in a form to be agreed by the local planning authority), has been submitted to and approved by the local planning authority. Such a strategy shall facilitate the identification of methane & carbon dioxide. Where the investigations identify the presence of methane and/or carbon dioxide the development shall not begin until a scheme to protect the development from the effects of such gases has been submitted to and approved by the local planning authority. Such a scheme shall: include provisions for validation monitoring & sampling; be implemented in accordance with the approved details before the development is first occupied; and be retained throughout the lifetime of the development.