

PLANNING APPLICATION NUMBER:P14/0462

Type of approval sought	Full Planning Permission
Ward	Wordsley
Applicant	Mr S. Taylor, Crofter Homes
Location:	FOX AND GOOSE PUBLIC HOUSE, BROMLEY LANE, KINGSWINFORD, WEST MIDLANDS.
Proposal	ERECTION OF 3 NO. DWELLINGS
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The application site has an area of 627 sq m and comprises an area of hard standing and grass verge which was formerly used as a parking area for the Fox and Goose PH, now a Tesco Metro store.
2. Adjoining the western boundary of the site is the car park for the Tesco store whilst to the north is Bromley Lane and an area of open space. To the east of the site is the access road to Randall Close whilst adjoining the southern boundary is the rear garden of 31 Randall Close complete with a 1.8m high close boarded fencing and a dense line of conifer trees.
3. The area surrounding the application site is generally residential housing with the exception of the Tesco store, with a petrol station and The Crestwood secondary school being located on the opposite side of Bromley Lane.

PROPOSAL

4. The application seeks permission for one, 3 bed detached house and a pair of 2 bed semi detached houses, with each dwelling having two car parking spaces.

5. The semi detached dwellings would face towards Bromley Lane, whilst the front face of the detached dwelling would face towards Randall Close and would be dual fronted to allow an active frontage along Bromley Lane. The dwellings would be brick built and a traditional design with 11m long rear gardens for the semi detached and 10m for the detached dwelling.
6. Revisions to the scheme have been made to address an easement that crosses the site, the full extent of the highway to be stopped up and the new highway to be created and improved, driveway widths and off street parking facilities.

HISTORY

7.

APPLICATION No.	PROPOSAL	DECISION	DATE
P09/0631	Erection of 2 dwellings	Refused	09/07/09
P10/0146	Erection of 2 dwellings	Granted	12/05/10
P12/0392	Erection of 2 dwellings	Granted	09/05/12
P13/1249	Erection of 3 no. dwellings	Withdrawn	15/10/13
P14/0021	Erection of 3 no. dwellings	Withdrawn	04/03/14

8. The application P13/1249 was withdrawn as there were issues regarding the stopping up plan, a parking dominated frontage, no active frontage along Randall Close and small rear gardens.
9. The application P14/0021 was withdrawn as there were highway issues in regard to the position of the driveway at the bellmouth of the junction, insufficient driveway widths and the submitted plans did not address the full extent of the highway to be stopped up and the new highway to be created and improved.

PUBLIC CONSULTATION

10. The application was advertised by way of neighbour notification to twenty seven neighbouring properties and a site notice. Public consultation time expires 14 May 2014. No objections have been received.

OTHER CONSULTATION

11. Group Engineer (Highways) – the development does not raise any highway objections subject to conditions relating to the provision of parking areas prior to first occupation and that the applicant will need to enter into a S247 agreement with the local highway authority in respect of stopping up the highway.
12. Head of Environmental Health and Trading Standards – no adverse comments
13. West Midlands Police – no objections

RELEVANT PLANNING POLICY

14. National Planning Policy Framework (2012)

The National Planning Policy Framework (NPPF) sets out the Governments planning policies for England and how these are expected to be applied. The NPPF is a material consideration in planning decisions, but does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved.

15. Black Country Core Strategy (2011)
 - DEL1 Infrastructure Provision
 - TRAN2 Managing Transport Impacts of New Development
 - TRAN5 Influencing the Demand for Travel and Travel Choices
 - CSP1 The Growth Network
 - CSP2 Outside the Growth Network

- ENV3 Design Quality
- HOU1 Delivering Sustainable Housing Growth
- HOU2 Housing Density, Type and Accessibility

16. Saved Dudley Unitary Development Plan (2005)

DD1 Urban Design

DD4 Development in Residential Areas

EP7 Noise Pollution

UR9 Contaminated Land

UR10 Unstable Land

17. Supplementary Planning Document

New Housing Development – A Guide to Establishing Urban Context

Parking Standards

Planning Obligations

Nature Conservation

ASSESSMENT

18. The main issues for consideration in this application are as follows:

- Principle
- Residential Amenity
- Design
- Access and Parking
- Planning Obligations

Principle

19. The application site is a vacant plot that is located within an established residential area and notwithstanding all other material considerations it is considered that a small residential scheme would not adversely impact upon the character of the area. Furthermore the principle of residential development at the application site was

confirmed in 2010 and 2012 by the granting of planning permission for two dwellings respectively. The principle of redeveloping the site for residential purposes is therefore acceptable, in compliance with Saved Policy DD4.

Residential Amenity

20. The pair of semis would have 11m long rear gardens and individual side driveways whilst the detached house would have a dual frontage and a 10m long rear garden. The houses would face towards open space to the north and would be adjacent to the Tesco's small car park to the west and Randall Close to the east. At the rear, to the south, there would be a separation distance of 20m between the rear of the detached house and the rear of 31 Randall Close and 21m between the pair of semis and 31 Randall Close. Given the separation distances and the existing line of conifer trees in the rear garden of 31 Randall Close that obscures 31 and its rear garden from the proposed dwellings it is considered that the siting of the proposed dwellings would not impact upon residential amenity, in accordance with Saved Policy DD4 of the UDP (2005).

Design

21. There are a number of residential designs and types in the locality ranging from detached, semi-detached to terraced development from a range of eras. The proposed development would be traditional style brick built gabled roof houses that would not look out of place or adversely impact upon the character of the area, in compliance with Saved UDP Policies DD1 and DD4.

Highways & Parking

22. Each dwelling would have two off street parking spaces accessed from Bromley Lane and there would be a newly created pavement at the front of the dwelling for safer pedestrian access. There are no highway objections subject to conditions relating to the provision of the off street parking prior to first occupation of the dwellings and that the applicant will need to enter into a S247 agreement with the local highway authority in respect of stopping up a part of the highway.

CONCLUSION

23. The siting and the external appearance of the proposed dwellings are considered to be acceptable. The proposed scheme has made full and efficient use of the land and the scheme conforms to the local context and character of the area. Neighbours amenity and street scene are not considered to be detrimentally affected and the scheme is in accordance with the Core Strategy and Saved UDP Policies.

RECOMMENDATION

24. It is recommended that delegated authority to APPROVE be given to the Director of the Urban Environment, subject to conditions and the expiration of the site notice time on 14 May 2014 and no material objections being received and;

That the applicant be invited to make an application to the Secretary of state, under S247 of the Town and Country Planning Act 1990 (as amended) to close, create and improve highways as shown on drawing 1051-06-01 Rev B to enable development authorised by planning permission to take place. The full costs and works to the Local Authority's satisfaction shall be met by the developer who will also be required to enter into a legal agreement with the Highway Authority in order to dedicate land as Highway.

APPROVAL STATEMENT INFORMATIVE

In dealing with this application the local planning authority have worked with the applicant in a positive and proactive manner, seeking solutions to problems arising in relation to dealing with the application, by seeking to help the applicant resolve technical detail issues where required and maintaining the delivery of sustainable development. The development would improve the economic, social and environmental concerns of the area and thereby being in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

NOTE TO APPLICANT

The granting of planning permission does not confirm the structural integrity of the proposed development. Local Planning Authorities do not have a duty of care to individual landowners when granting applications for planning permission and are not liable for loss caused to an adjoining landowner for permitting development. Sections 77 and 78 of the Building Act 1984, provides Local Authorities with powers to take action with respect to dangerous buildings/structures. Therefore, should the development raise concerns in the future with respect to its structural stability there are powers under separate legislation to planning that would enable the situation to be rectified.

Informative

All developments within coalfield standing advice area

The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to the Coal Authority.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority.

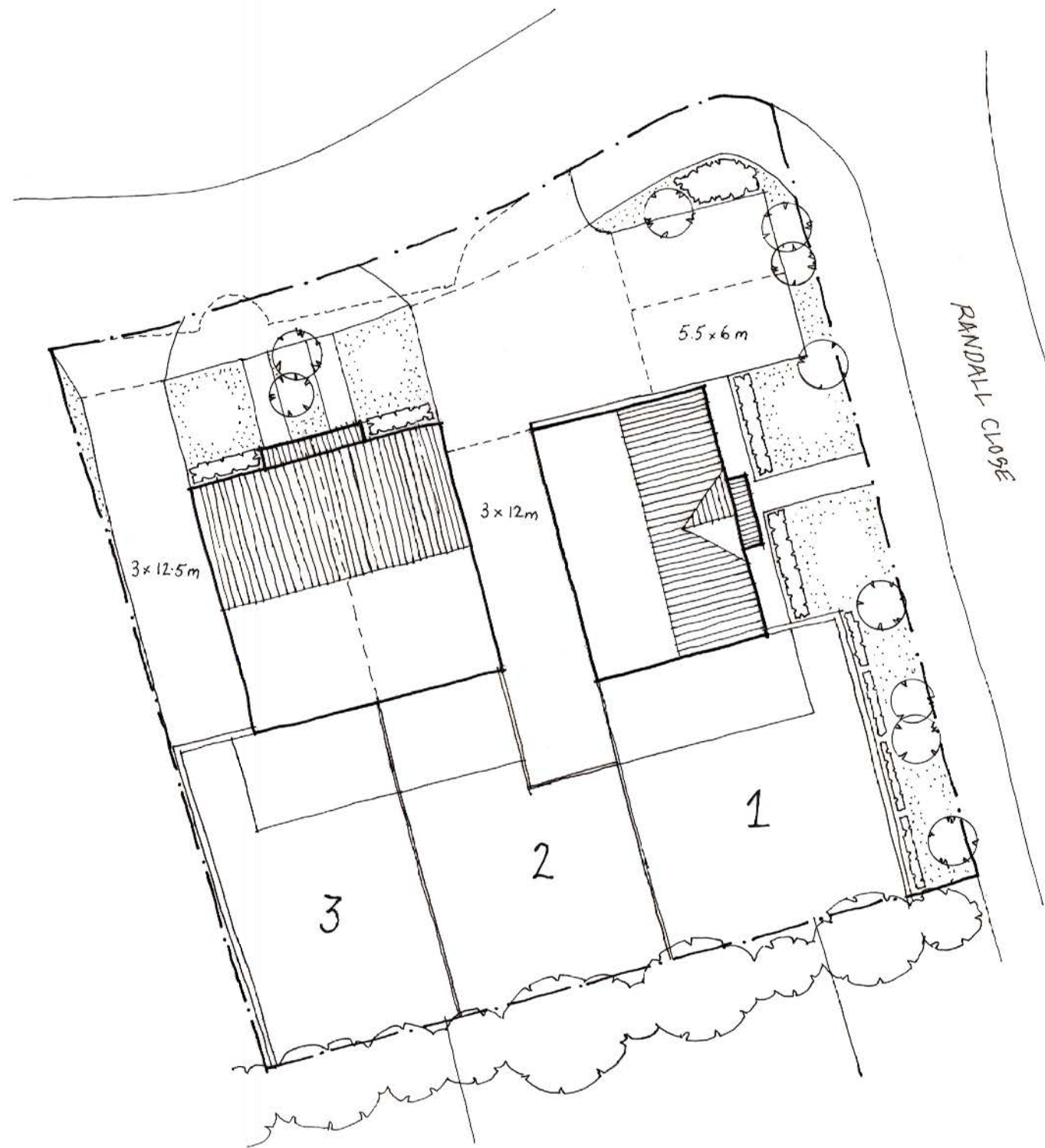
Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

The granting of planning permission does not enable a developer to obstruct a public highway. Orders must be complete to enable development. The applicant is advised to consult with all statutory undertakers prior to any application to the Secretary of State as these bodies are statutory consultees to any highway stopping up orders.

As it is believed that a portion of the application land lies within the freehold of the Council, the applicant is advised to consult with the Director of Corporate Resources at the earliest opportunity.

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. The development hereby permitted shall be carried out in accordance with the following approved plans: 1051-01-01 Rev B, 1051-04-01 Rev A, 1051-05-01 and 1051-06-01 Rev B.
3. Prior to the commencement of development, details of the landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented in accordance with the approved details before the end of the first planting season following initial occupation of the development.
4. Prior to the commencement of development, details of the types, sizes and locations of the boundary treatments around the site and shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be carried out in complete accordance with the approved details prior to the occupation of the dwellings hereby approved and thereafter retained for the lifetime of the development unless otherwise agreed in writing with the Local Planning Authority.
5. Prior to first occupation of the dwelling, the means of access and parking areas will be provided in accordance with the approved details and graded, levelled, surfaced, drained and marked out. These areas will be maintained for no other purpose for the life of the development.
6. Prior to the commencement of development, details of the types, colours and textures of the materials to be used on the external surfaces of the buildings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved details.
7. The development shall not commence until details of the footways to include, lines, widths, levels, gradients, drainage, lighting and cross sections have been submitted to and approved in writing by the LPA.
8. No dwelling shall be occupied until the footways have been implemented in accordance with the approved details in condition 7 and shall be retained thereafter for no other purpose for the lifetime of the development.
9. No development shall commence until details for the provision of external electric charging points have been submitted to and approved in writing by the Local Planning Authority. The Electric Charging point(s) shall thereafter be provided in accordance with the approved details prior to first occupation of the development and be maintained for the life of the development.



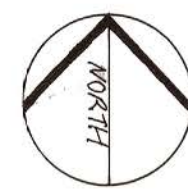
SITE LAYOUT 1:200



STREET SCENE 1:200

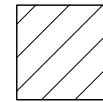
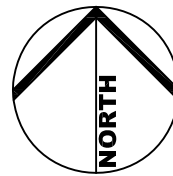
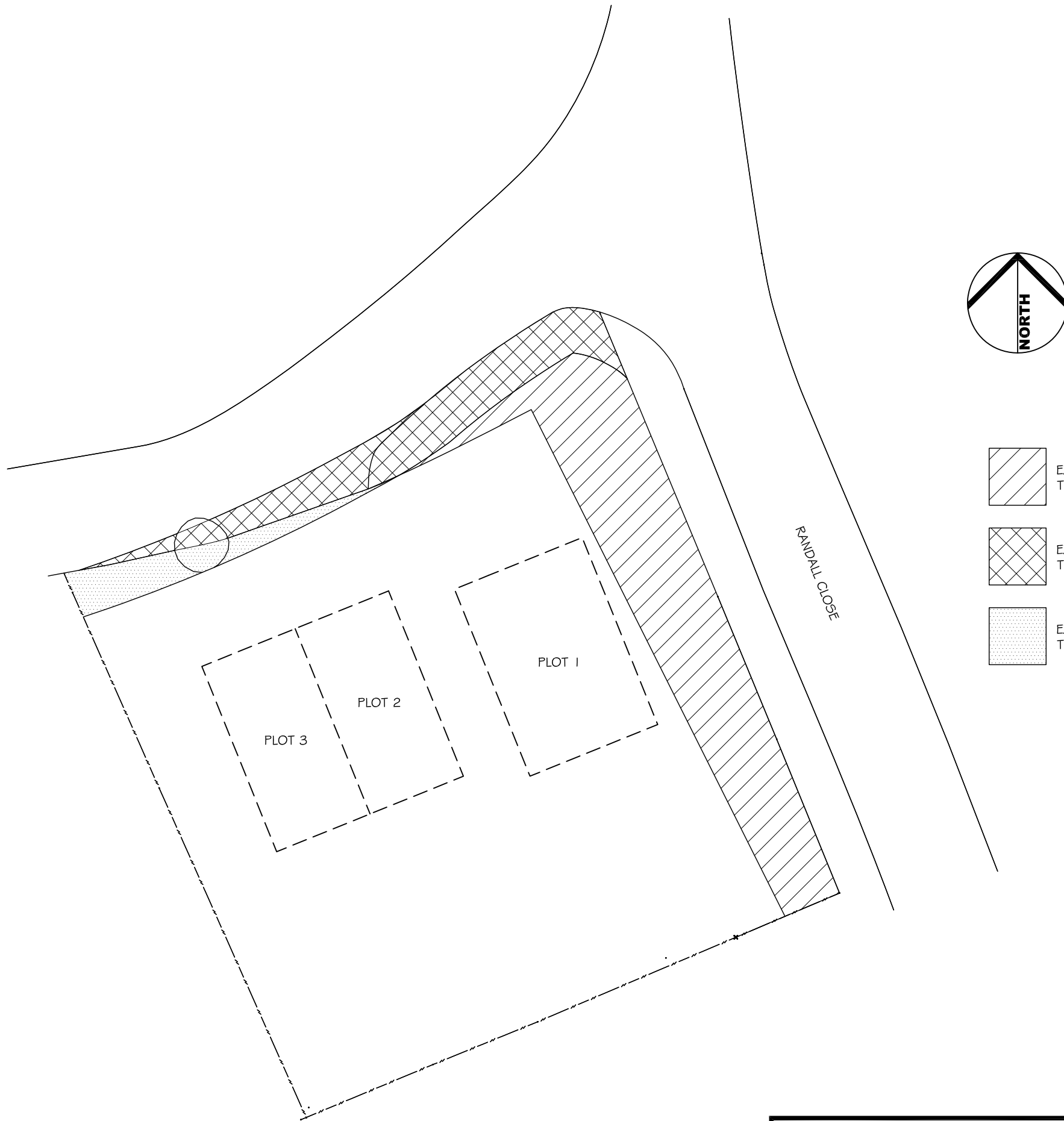


LOCATION PLAN 1:1250

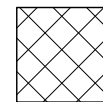


-  GRASS
-  NEW TREE
-  BOUNDARY WALL
-  PLANTING
-  BOUNDARY FENCE
-  EXISTING CONIFER

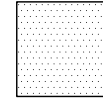
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Title: SITE PLAN, LOCATION PLAN AND STREET SCENE	Scale: AS STATED @ A3	Revision: B



EXTENT OF HIGHWAY LAND
TO BE STOPPED UP



EXTENT OF HIGHWAY
TO BE IMPROVED

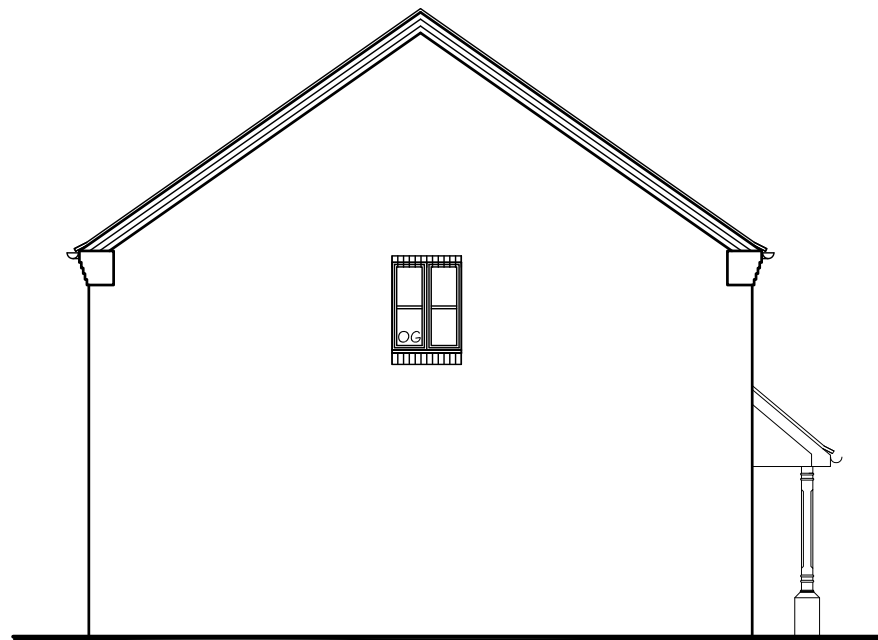


EXTENT OF NEW HIGHWAY
TO BE PROVIDED

Job: DEVELOPMENT AT FORMER FOX & GOOSE PUBLIC HOUSE, BROMLEY LANE, KINGSWINFORD	Date: SEPT '13	Drawing No: 1051-06-01
Title: HIGHWAY STOPPING UP PLAN	Scale: 1:200 @ A3	Revision: B



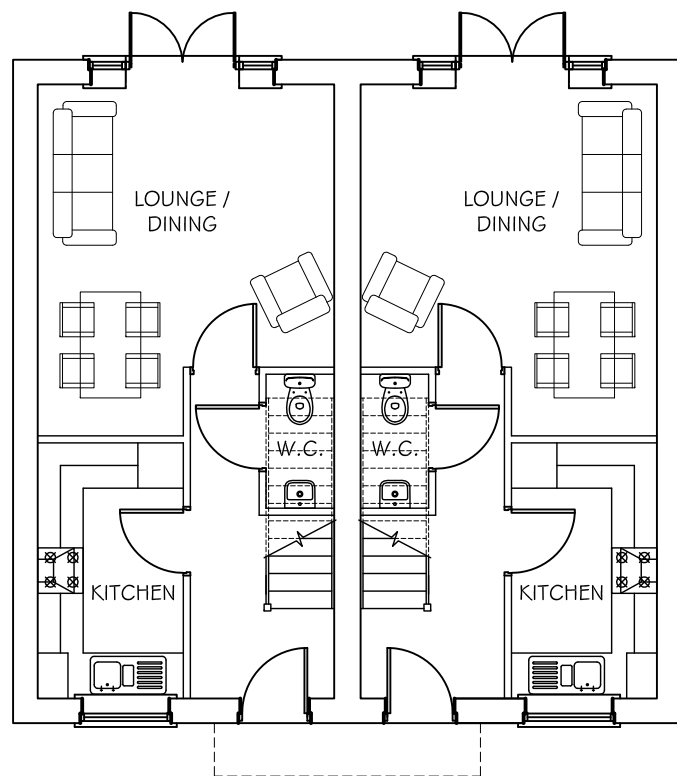
FRONT ELEVATION



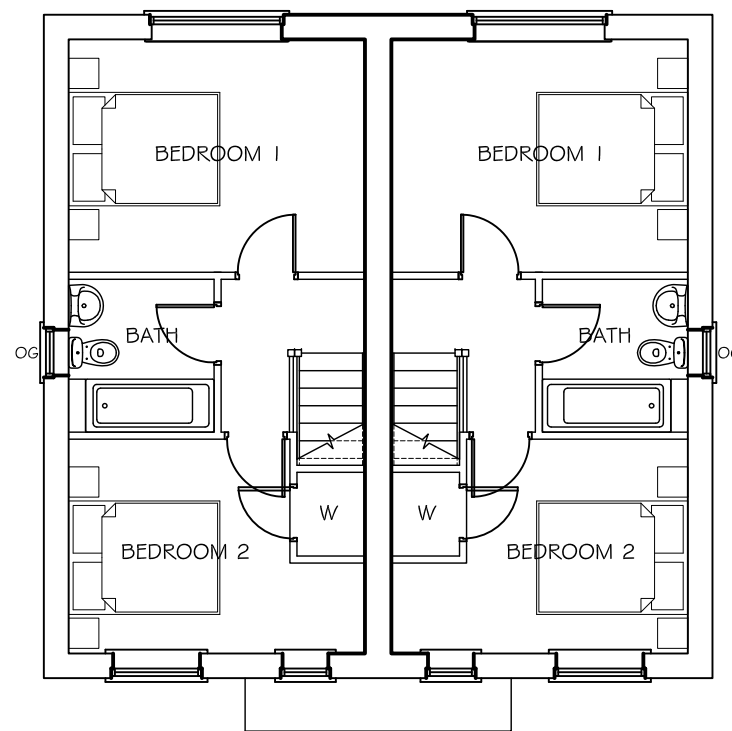
SIDE ELEVATION



REAR ELEVATION



GROUND FLOOR



FIRST FLOOR

GROUND FLOOR
32.4m² / 349ft²

FIRST FLOOR
32.4m² / 349ft²

TOTAL AREA = 64.8m² / 698ft²

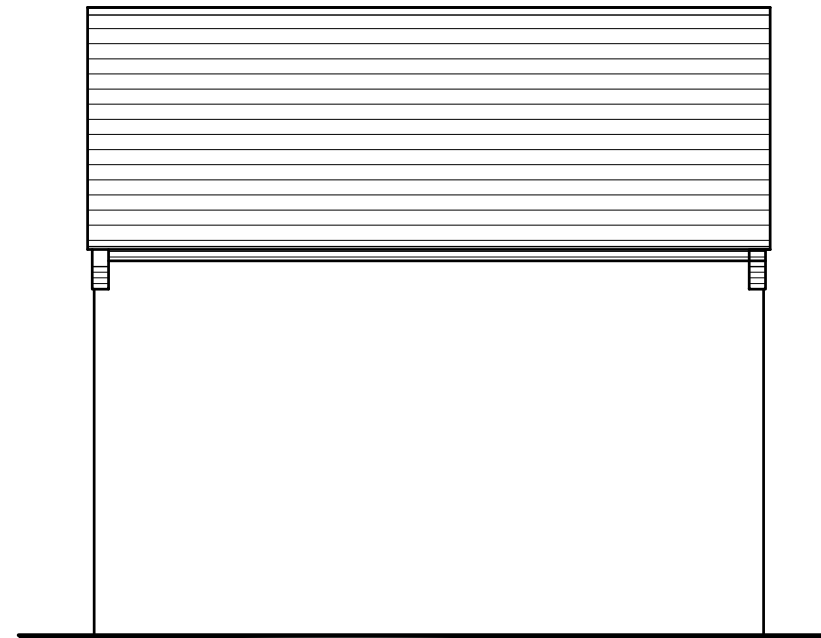
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Title: PLOTS 2&3 PROPOSED PLANS & ELEVATIONS	Scale: 1:100 @ A3	Revision: -



FRONT ELEVATION



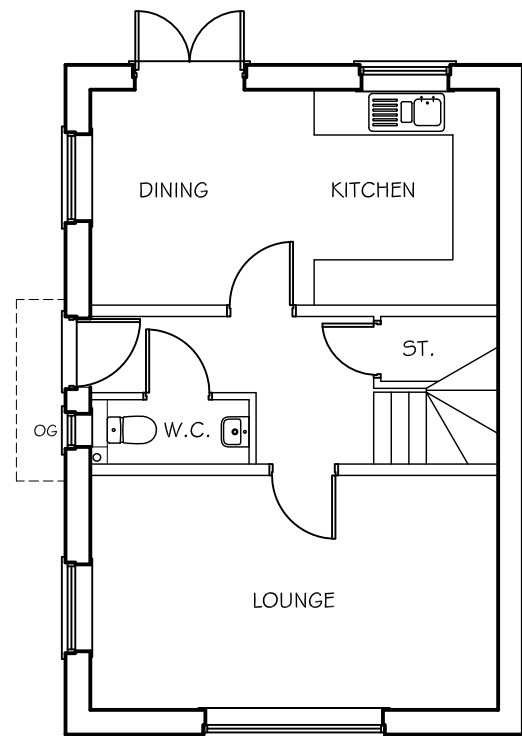
SIDE ELEVATION 01



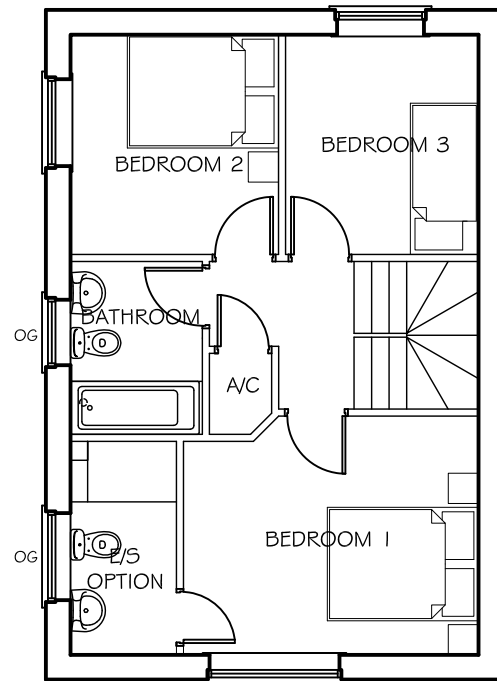
REAR ELEVATION



SIDE ELEVATION 02



GROUND FLOOR



FIRST FLOOR

GROUND FLOOR
44.9m² / 483ft²

FIRST FLOOR
44.9m² / 483ft²

TOTAL AREA = 89.8m² / 966ft²

Job: DEVELOPMENT AT FORMER FOX & GOOSE PUBLIC HOUSE, BROMLEY LANE, KINGSWINFORD	Date: JAN '13	Drawing No: 1051-04-01
Title: PLOT 1 - PROPOSED ELEVATIONS AND PLANS	Scale: 1:100 @ A3	Revision: A