

PLANNING APPLICATION NUMBER:P13/0206

Type of approval sought	Full Planning Permission
Ward	Kingswinford South
Applicant	Mr A. Taylor, Amaxmo Properties
Location:	7, KETLEY ROAD, KINGSWINFORD, DY6 8DA
Proposal	ERECTION OF 1 NO. DWELLING WITH ASSOCIATED CAR PARKING (RESUBMISSION OF REFUSED PLANNING APPLICATION P12/0081)
Recommendation Summary:	REFUSE

SITE AND SURROUNDINGS

1. The application site is located at the junction of Ketley Road and Larch Road and measures a total of 15.3m in width and a maximum of 35.3m from front to rear. The adjacent portion of land is 29.4m from front to rear. The plot has a semi detached property no. 7 Ketley on the southern side of the site leaving an 8.5m wide expanse of garden land to the side facing Larch Road. At the rear of the site is a strip of land 8.2m wide and 5m deep which is outside of the ownership of the applicant.
2. To the north across Larch Road is no. 6 which stands on a 14.8m wide plot and has previously benefited from the erection of a side extension 4m in width leaving a 4.3m separation between the side elevation of the extension and the rear of the pavement on Larch Road.
3. Opposite the application site, is Ketley Farm where there are a number of associated outbuildings.

4. At the rear of the site, Larch Road is formed of semi detached two storey properties set back a uniform distance from the rear of the pavement, the front of which is in line with the side elevation of the applicant's property.

PROPOSAL

5. This application seeks consent for the erection of a single storey detached residential dwelling, adjacent to no. 7 separated by 0.9m from its side elevation. The side elevation of the property would be hard up against the newly formed boundary.
6. The property proposes 2 bedrooms with a hipped roof and a parking provision of 2 spaces situated on a newly formed hard standing to the fore garden. This hard standing would measure 5.8m in depth and 6.1m wide. A new hard standing to serve no. 7 would also be formed.

RELEVANT PLANNING HISTORY

7.

Application	Proposal	Decision	Date
86/51416	Erection of Kitchen Extension (No. 7 Ketley Road.)	Approved with Conditions	23/10/86
P11/0343	Erection of 1 no. dwelling with associated car parking	Refused	09/05/2011
P11/1084	Erection of 1no. dwelling with associated car parking (resubmission of refused planning application P11/0343)	Refused	13/10/2011
P12/0081	Erection of 1 no. dwelling with associated car parking	Refused	16/03/2012

- Planning application P11/0343 was refused on the grounds that the proposed dwelling would have failed to follow the form of development within the locale by virtue of the detached nature of the dwelling and projection beyond the established building line within both Ketley Road and Larch Road. Further, it was considered that the failure to provide parking provision that was overlooked by the dwelling to which it is allocated would give rise to more convenient on street parking to the detriment of highway safety and inconvenience of other road users.
- Planning application P11/1084 was refused on the grounds that it would have failed to follow the form of development within the locale by virtue of the detached nature of the dwelling and its projection beyond the established building line within both Ketley Road and Larch Road resulting in an incongruous overbearing feature within the street scene to the detriment of visual amenity.
- An appeal was submitted against the Council's decision to refuse the application and the Planning Inspector subsequently dismissed the appeal.
- Following the dismissal of the appeal another revised planning application was submitted (P12/0081) for the erection of a bungalow which occupied a larger floor area than the detached dwelling. That application was refused as the dwelling would have failed to follow the form of development within the locale and would have projected beyond the established building line to both the rear and side facing roads.

PUBLIC CONSULTATION

8. Direct consultation with eight neighbours from whom no representations were received.

OTHER CONSULTATION

9. **Group Engineer (Development)** – No objection, subject to a condition requiring the development to enter into an agreement to facilitate the widening of the public footway.

10. **Head of Environmental Health & Trading Standards** - No objection subject to conditions due to a number of landfill sites within 250m.

RELEVANT PLANNING POLICY

- National Planning Policy Framework (NPPF) (2012).
- Black Country Core Strategy (2011)
HOU2 Housing Density, Type and Accessibility.
ENV2 Historic Character and Local Distinctiveness
ENV3 Design Quality
- Saved Unitary Development Plan (2005)
DD1 Urban Design
DD4 Development in Residential Areas
- Supplementary Planning Document
New Housing Development (2013)
Parking Standards and Travel Plans (2012)

ASSESSMENT

Key issues:

- Principle
- Residential amenity
- Character, Scale and Design in the streetscene
- Parking

- Trees
- New Homes Bonus

Principle

11. The National Planning Policy Framework (NPPF) was published on the 27th March 2012. Central to the NPPF with respect to decision making is a presumption in favour of sustainable development meaning that:

- Development proposals should be approved that accord with the development plan without delay; and
- Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - Specific policies in this Framework indicate development should be restricted.

12. Following the emergence of the NPPF, the Local Planning Authority is in a strong position with respect to having an up-to-date development plan. This is in the context of the recently adopted Black Country Core Strategy (BCCS) (February 2011).

13. The preparation of the Council's Development Strategy DPD is underway and will provide detail on delivering the vision of the adopted Black Country Core Strategy (2011) providing site specific allocations for a variety of uses, as well as detailed development strategies for the Regeneration Corridors identified in the Borough. The Development Strategy DPD will be a planning policy document against which decisions on planning applications will be made for the period 2014 to 2026.

14. Whilst the Development Strategy DPD is being produced, existing documents forming part of the Local Development Framework, including saved Policies of the Dudley Unitary Development Plan (DD1, DD4, NC9 and NC10), the New

Housing Development SPD and its older sister document, PGN3, provide a robust policy framework in which to consider new housing developments against.

15. In line with the NPPF, the BCCS's overarching vision and strategy views the delivery of sufficient sustainable housing growth through creating sustainable communities and environmental transformation as being at the corner stone of the whole strategy along with the development of previously developed land.
16. Section 6 of the NPPF has specific relevance to these proposals seeking to significantly boost the supply of housing advising that housing applications should be considered in the context of the presumption in favour of sustainable development.
17. The NPPF and Black Country Core Strategy requests the provision of housing on previously developed land (PDL). This plot of land is situated within a residential area and in land use terms the principal of residential development in this location is considered as acceptable as the site constitutes previously developed land. The proposed development would constitute the re-use of brown field land in an existing residential / urban area.
18. The general principle of new residential development on the site would be acceptable considering the context of the site. The application site is a gap site within a row of built form and taking into consideration the land levels associated with the site this layout allows for an efficient use of land. Given this, subject to all other material planning considerations the proposed development would be consistent with the requirements of Policies HOU1 and HOU2 of the Black Country Core Strategy

Residential Amenity

19. Within the locale, neighbouring properties are situated side facing to the application site, whereby there are no habitable room windows which could be adversely affected as a result of the proposed dwelling. As extended, No 6 Ketley Road is separated some distance from Larch Road and toward the rear, No. 96 Larch Road, has only a side facing window serving a landing. For these reasons, it is considered that the proposed detached residential dwelling would not adversely affect the residential amenities of the occupiers of within the vicinity of the development according with policy DD4 – Development in Residential Areas.

Occupier amenity

20. The proposed side facing 2.4m hedge, provides a level of screening of the property from the street scene and also imitates the boundary treatment on the opposite corner. This treatment is considered necessary in order to soften the appearance of the property on the corner of Ketley Road and Larch Road. The proposed side facing kitchen window however would face the hedge at a separation distance of just 0.2m.

21. It is considered that the hedge, in such a proximity to this window, would have a detrimental impact upon the outlook and is likely to lead to pressure for the removal of the hedge in order to enable a level of occupier amenity. Furthermore, even if the hedge were to be removed, the sole source of light to the kitchen and outlook from this room would be situated only 0.9m from the rear of the footpath. Such a development is considered inappropriate and would be contrary to Planning Guidance Note 17 – The House Extension Design Guide and Saved Policy DD4 – Development in Residential Areas of the Adopted UDP (2005).

22. It is considered that this situation could be rectified with the redesigning of the internal layout in order that the kitchen window is in the front elevation.

Character, Scale and Design in the street scene

23. The Council's New Residential Development SPD (2007) is a useful tool in establishing a character led approach to new development based on identifiable context and characteristics. The existing dwelling does occupy a fairly large plot and is located within a predominantly inner suburban location. This type of area is characterised by the following characteristics:

- Primarily residential
- Semi-detached, small 3 bed / 4 bed; predominantly 2 storey, occasional larger property;
- Regular spacing of properties
- Regular building line
- Private back gardens
- Small to medium sized semi private front gardens
- Low fence / wall to street

24. Taking into account the above mentioned characteristics the development criteria for 'inner suburban' has been used to assess whether this dwelling is designed with this context in mind. The typology for inner suburban development includes the following development criteria to ensure that developments have regard to local context:

- 2 storey semi detached with front and rear gardens
- Building line established by building either side where possible
- Retain front and rear gardens and set back
- Development should respect local character of height and massing proportions
- Retain front boundary wall treatment, in local traditional materials where appropriate
- Density of approximately 35 – 45 dwellings per hectare is appropriate

25. Given that the property would be detached, single storey and consist of only 2 bedrooms, the development would fail to respect the character of the immediate area or reflect the identifiable context and characteristics of the area. The property

would also extend a considerable amount beyond the building line in Larch Road and have no notable spacing between the side footpath or the adjacent property No. 7 Ketley Road. Furthermore, in light of the single storey nature of the property, the height and massing of neighbouring properties would not be reflected in the proposed development. In consideration of the above characteristics, the proposed development would fail to comply with the recommendations of the New Housing Development - a Guide to establishing Urban Context.

26. As per the objectives of ENV2 and ENV3, proposals should aim to reinforce the special character of lower density suburban development of the mid 20th century and respond to the identity of each place with high quality design proposals.
27. Both planning application P11/1084 and application P12/0081 were refused as they failed to follow the form of development within the immediate area, in particular because of the breach of the building line along both Ketley Road and Larch Road.
28. The street scene of both Ketley Road and Larch Road, at right angles to the application site, is dominated by two storey semi detached properties set back a uniform distance from the pavement resulting in a strong building line in both streets.
29. Whilst the ridge height of the bungalow has been reduced by 0.3m, the proposed bungalow would afford a separation of only 1m from the rear of the footpath in Larch Road, and project some 7.75m beyond the building line in Larch Road.
30. Whilst this proposal would respect the building line in Ketley Road it would still project a significant distance beyond the building line in Larch Road. The proposed dwelling would extend beyond the line of the previously refused dwelling that was also dismissed at appeal.
31. Furthermore, despite the reduction in the roof height of the detached bungalow, the applicant proposes a detached single storey dwelling in a locale of properties which are semi-detached and two-storey. The introduction of a single-storey detached property in a very prominent location would be out of keeping with the general

character of the area and would increase the buildings incongruity with the area.

32. Comments have been made regarding the side garden to No. 6 Ketley Road, and the extension that has been erected to the side of that property. However it is considered that as the two-storey extension at that property is set away from the boundary by 4.3m a significant side garden remains that helps to retain the open corner setting. This view was also shared by the Planning Inspector when dismissing the previous appeal.
33. The applicant has stated that the view on entering Larch Road is of garden walls and tall hedges on either side of the road, not the frontages of the properties and that Larch Road only becomes visible at the rear boundaries of Nos.6 and 7 Ketley Road.
34. However, in order to accommodate the proposed dwelling the existing conifers would be removed and replaced with a dwarf brick wall and a 2.5m high hedge. This corner would thus be opened up and expose the prominence of the dwelling and its projecting beyond the front of side facing properties in Larch Road.
35. The proposal is therefore deemed to be contrary to the New Housing Development Supplementary Planning Document, ENV2 Historic Character and Local Distinctiveness and ENV3 Design Quality of the Black Country Core Strategy and DD4 – Development in Residential Areas of the Dudley Unitary Development Plan.

Parking

36. The Group Engineer (Development) now considers the principle of the parking to be acceptable. The plans indicate that no structures within 2m of the highway would exceed 600mm. There is also an intention to widen the footpath to 2m at the corner of Larch Road and Ketley Road as per the recommendation of the Group Engineer (Development). Such an undertaking would be secured by condition.

Trees

37. Despite the loss of some conifers, there are no objections to the proposed development on this basis.

New Homes Bonus

38. Clause (124) of the Localism Act states that: Local planning authorities are to have regard to material considerations in dealing with applications including any local finance considerations, so far as material to the application.

39. The New Homes Bonus is designed to create an effective fiscal incentive to encourage local authorities to facilitate housing growth. It will ensure the economic benefits of growth are more visible within the local area, by matching the council tax raised on increases in effective stock.

40. The Bonus provides local authorities with monies equal to the national average for the council tax band on each additional property and paid for the following six years as a non-ring fenced grant. In addition, to ensure that affordable homes are sufficiently prioritised within supply, there will be a simple and transparent enhancement of a flat rate £350 per annum for each additional affordable home.

41. This proposal would provide 1 house generating a grant of 1 times the national average council tax for the relevant bands per annum for 6 years.

42. Whilst this is a significant sum of money the planning merits of the proposal are not acceptable and the allocation of NHB is not considered to be of sufficient weight to overcome the harm arising.

CONCLUSION

43. The proposed dwelling would fail to follow the form of development within the locale by virtue of both the single storey and detached nature of the dwelling. In addition its projection beyond the established building line within Larch Road would result in an incongruous form of development that would have a detrimental visual impact on the character and appearance of the streetscene.

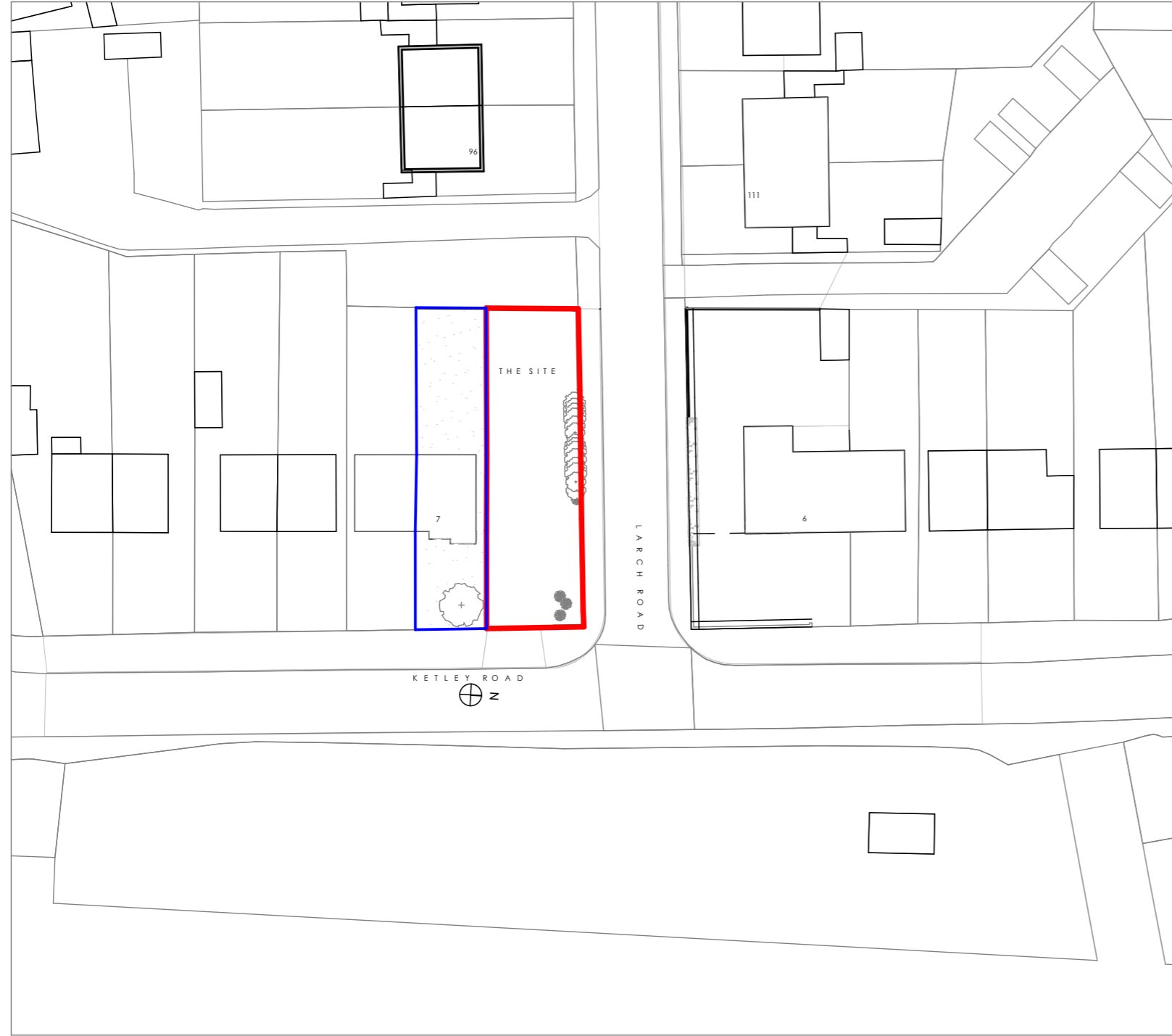
RECOMMENDATION

It is recommended that this application is refused for the following reasons:

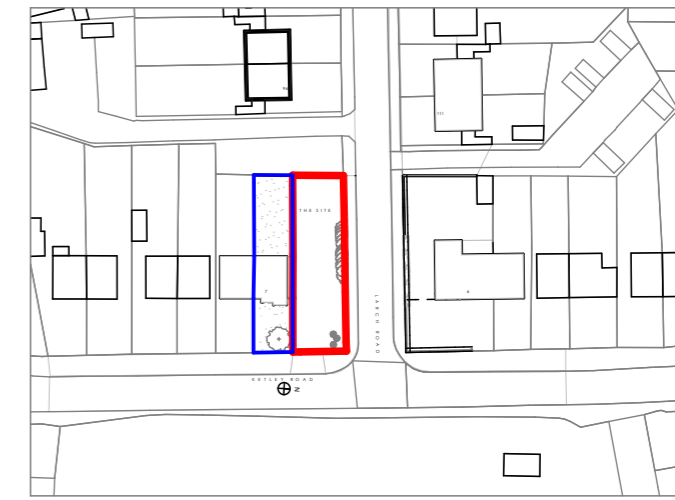
The proposed dwelling would fail to follow the form of development within the locale by virtue of both the single storey and detached nature of the dwelling. In addition its projection beyond the established building line within Larch Road would result in an incongruous form of development that would have a detrimental visual impact on the character and appearance of the streetscene. As such the scheme would be contrary to New Housing Development Supplementary Planning Document, ENV2 Historic Character and Local Distinctiveness and ENV3 Design Quality of the Black Country Core Strategy and saved policy DD4 – Development in Residential Areas of the Dudley Unitary Development Plan.

Conditions and/or reasons:

1. The proposed dwelling would fail to follow the form of development within the locale by virtue of both the single storey, detached nature of the dwelling and projection beyond the established building line within both Ketley Road and Larch Road resulting in an incongruous overbearing feature within the streetscene to the detriment of visual amenity.



Existing Existing Site Plan 1:500



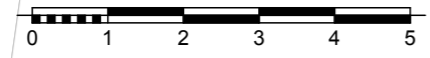
Existing Location Plan 1:1250


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	Drawn by D.E. Status Planning	Date February 2013	Drawing Scale(s) 1:500, 1:1250			

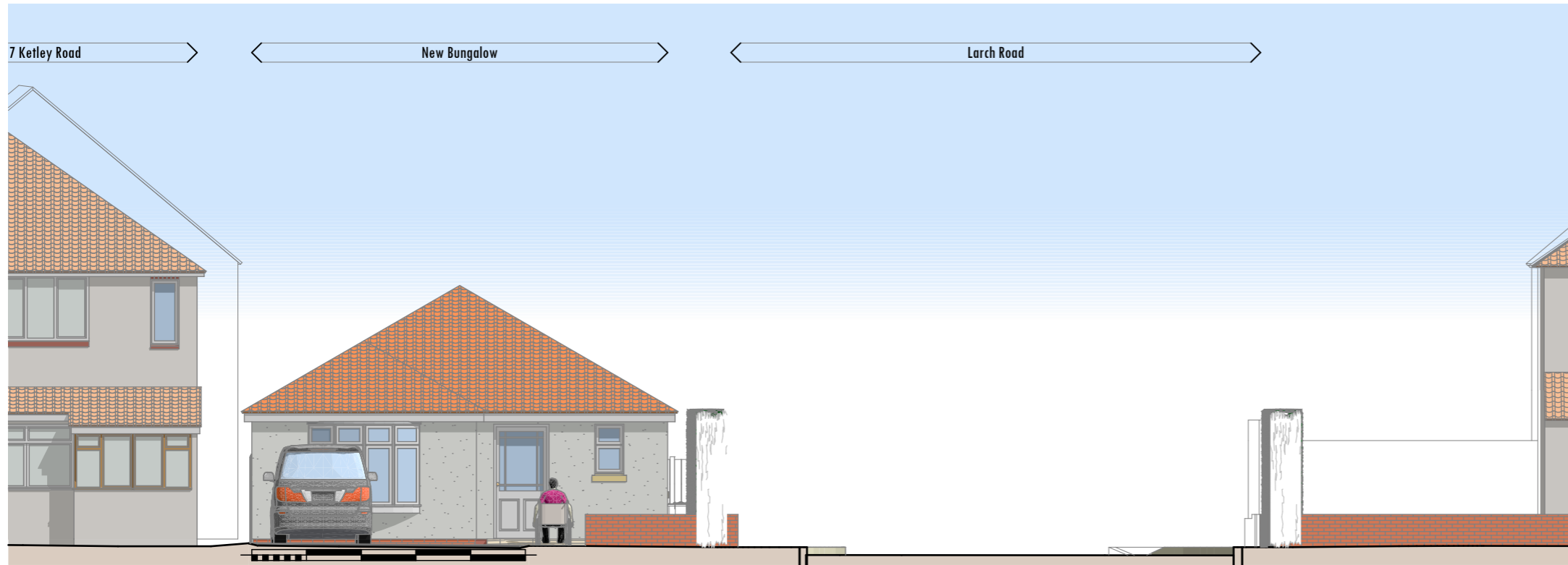


KETLEY ROAD

LARCH ROAD



 <p>Virtechs Ltd 173 Lower High Street Stourbridge West Midlands DY8 1TG</p>	<p>Client:</p> <p>Amaxmo Properties</p>	<p>Job Title</p> <p>Adj No: 7 Ketley Road Kingswinford West Midlands DY6 8DA</p>	<p>Drawing Name</p> <p>Planned Ground Floor</p>	<p>Revision</p> <p>Layout ID: 1301_01/5.02</p>
	<p>Virtechs Ltd 173 Lower High Street Stourbridge West Midlands DY8 1TG</p> <p>t: 0121 559 7272 e: mail@virtechs.co.uk w: www.virtechs.co.uk</p>	<p>Drawn by: D.E.</p> <p>Status: Planning</p>	<p>Date: February 2013</p>	<p>Drawing Scale(s): 1:100</p>

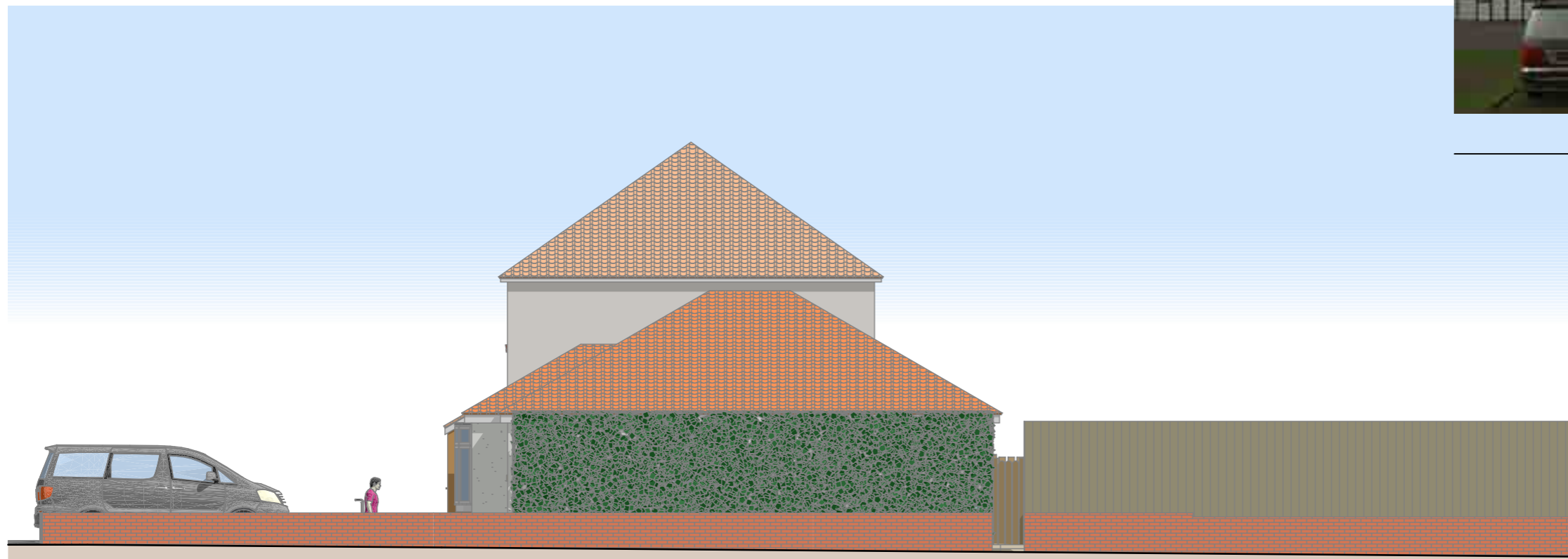


Ketley Road

Elevation



PERSPECTIVE VIEW



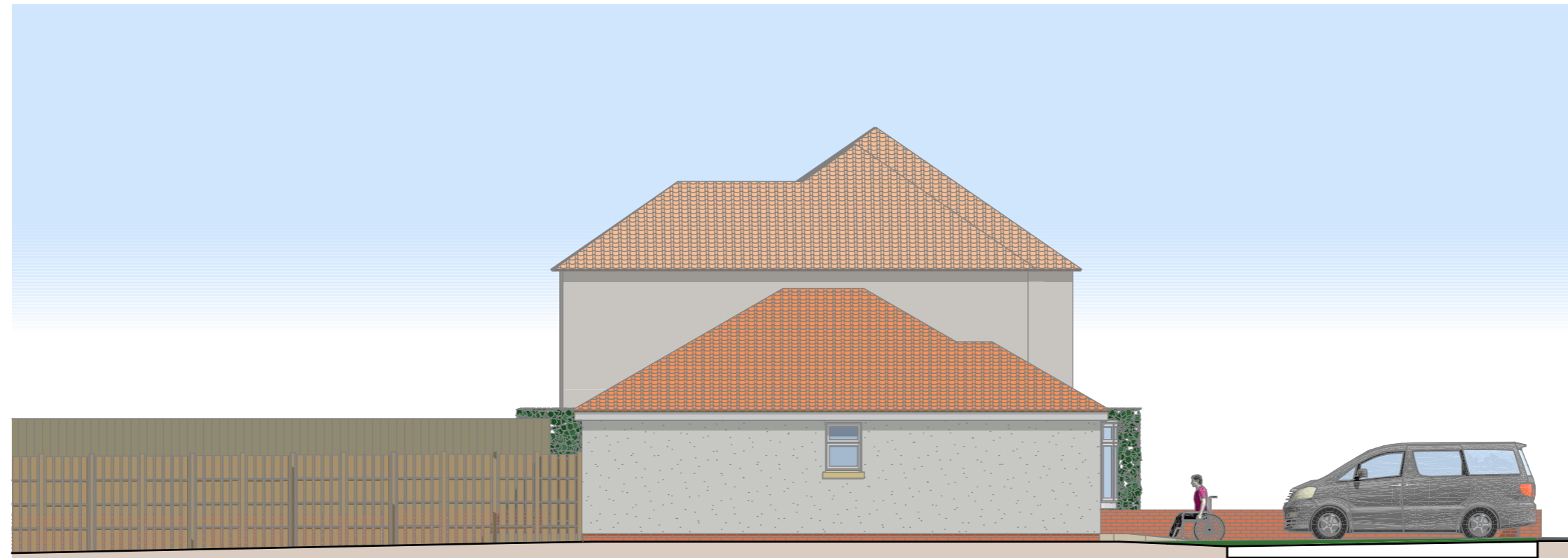
Larch Road

Elevation


Revision
 Drawing Name
 Larch Road, Ketley Road Elevation, 1301_01/5.03
 1122_02 Kingswinford Bungalow
 PERSPECTIVE
 Status Planning
 Date February 2013
 Drawing Scale(s)
 1:100, 1:1.82
 Job Title
 Adj No.7 Ketley Road
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 EXPERTS IN 3D BUILDING DESIGN

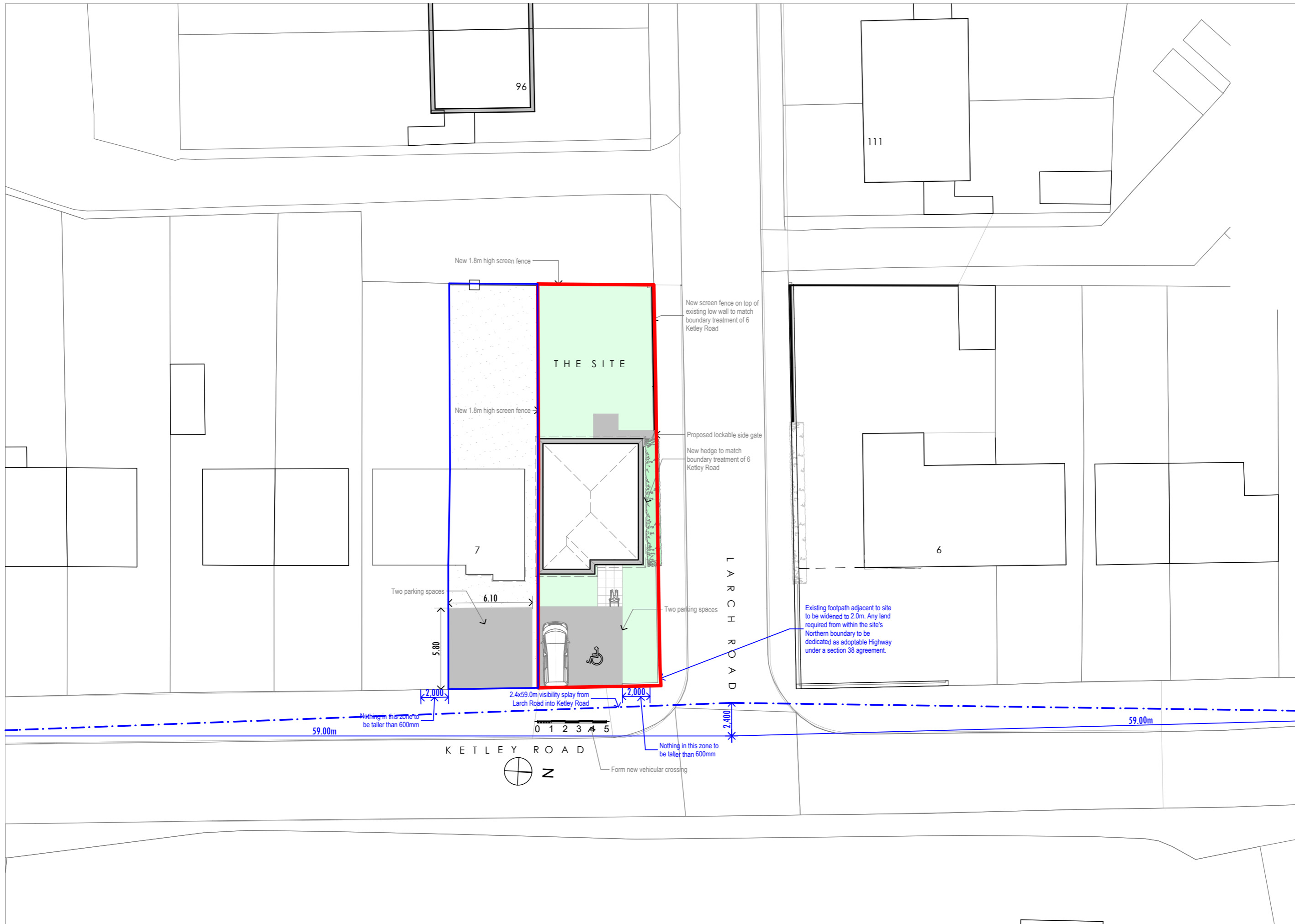


Planned Rear Elevation



Planned Left Elevation

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	Revision						



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EXPERTS IN 3D BUILDING DESIGN

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Client: **Amaxmo Properties**

Job Title: **Site Plan**
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Drawing Name: **Site Plan**
Drawn by: **D.E.**
Status: **Planning**

Layout ID: **1301_01/5.01**
Drawing Scale(s): **1:250**

Date: **February 2013**

Revision