

PLANNING APPLICATION NUMBER: P10/0390

Type of approval sought	Full Planning Permission
Ward	Amblecote
Applicant	Mr J Castro
Location:	LAKESIDE SURGERY, 3 RANNOCH CLOSE, BRIERLEY HILL, WEST MIDLANDS, DY5 3RP
Proposal	DEMOLITION OF DOCTOR'S SURGERY AND ERECTION OF 1 NO. DWELLING
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The application site is a vacant doctor's surgery occupying a plot of 562m² set within a well established residential area. The existing building is single storey building which is set towards the rear of the site with a large area of hard surfacing to the front which was used for vehicle parking. The site is accessed from the highway with one vehicle crossing and is bound to the pavement with low level shrubs. Rannoch Close rises to the south east. The application site is awkward in shape being wide to the street frontage but tapering towards the rear.
2. The application site is bound to all sides by residential dwellings. To the north west is number 1 Rannoch Close which is a bungalow. Due to the slope in the highway this neighbouring property sits at a lower level than the application site. To the east of the application site are numbers 7, 9 and 11 Rannoch Close, two storey properties. These properties sit perpendicular to the application site with the rear amenity areas closest. These properties also sit at a higher level than the application site by approximately 1.5m. The rear boundaries of these neighbouring properties are treated with close boarded fence.

PROPOSAL

3. This application is a full planning application for the erection of one four bedroom dwelling. The proposed dwelling is similar in design, bulk and mass than that of a previous refusal P09/0730. The differing features are the location of the attached garage being moved from the south east to the north west, reduced pitch and the removal of a mock Tudor cladding to the front facing gable feature. The proposed dwelling is two storey and is of an individual design being finished with a hipped roof with two storey front feature finished with a pitched roof with front facing gablet. This provides an open porch to the ground floor and feature window at first floor. There is an attached garage associated with the property to the north west. The main dwelling house would be 10.9m in length and 8.95m in width, the same as the previous refusal P09/0730. The height to the eaves would be 4.9m with the ridge height being 7.8m. The application property would be sited to the south east of the plot 3m at its closest point from the common boundaries with numbers 7, 9 and 11 Rannoch Close

HISTORY

- 4.

APPLICATION No.	PROPOSAL	DECISION	DATE
84/51437	OUTLINE APPLICATION FOR THE ERECTION OF SURGERY AND PROVISION OF CAR PARK.	Approved with Conditions	25/10/84
85/51190	ERECTION OF BUILDING FOR USE AS DOCTORS SURGERY.	Approved with Conditions	12/09/85
P08/1656	Outline application for residential development (all matters reserved for subsequent approval)	Approved with Conditions	19/01/2009
P09/0730	Demolition of existing doctors surgery and erection of 1 No. dwelling	Refused – Dismissed at appeal	05/08/2009
P09/1565	Demolition of existing doctors surgery and erection of 1 No. dwelling (resubmission of refused application P09/0730)	Approved with Conditions	12/01/2010

PUBLIC CONSULTATION

5. No representations received at the time of writing this report. The date for representations is the 20th April 2010. Any correspondence received will be reported by way of pre-committee note.

OTHER CONSULTATION

6. Group Engineer (Development) – No objections.
7. Heat of Trading Standards and Environmental Health – No objections.

RELEVANT PLANNING POLICY

8. National Planning Policy
- Planning Policy Statement (PPS) 3 – Housing

9. Unitary Development Plan

- DD4 Development in Residential Areas
- DD6 Access and Infrastructure
- DD7 Planning Obligations
- H1 New Housing Development
- H6 Housing Density

10. Supplementary Planning Document

- New Housing Development
- Parking Standards and Travel Plans
- Planning Obligations

ASSESSMENT

11. Key issues:

- Principle of residential development.
- Density
- Highway safety.
- Character of the area.
- Impact on neighbouring properties.
- Amenity of future occupiers.
- Planning Obligations

Principal of residential development.

12. In land use terms the principal of residential development in this location is considered as acceptable. The proposed development would constitute the re-use of underused brown field land in an existing urban area. Further the use of the land for residential purposes has been established by way of previous approvals on the site. In this regard only the proposed development would be consistent with the requirements of Policy H1 – New Housing Development and Policy H3 Housing Assessment Criteria of the Adopted UDP (October 2005).

Density

13. The area surrounding the application site is deemed as outer suburban area characterised with predominantly, but not exclusively detached house types. The density of the surrounding area is typically 30 dwellings per hectare. The proposed density which would be at 16.7 dwelling per hectare is considered low when compared to the surrounding area. However the awkward shape of the plot with a taper towards the rear is considered to be inappropriate for any more than one dwelling as the impact on the amenity of the future occupiers would be potentially compromised. In this regard the proposed housing development is therefore in line with the requirements set out in Planning Policy Statement (PPS) 3 – Housing (November 2006), Policy H6 – Housing Density of the Adopted UDP (October 2005) and Supplementary Planning Guidance – New Housing Development – (March 2007).

Highway Safety

14. The proposed dwelling would be accessed from Rannoch Close utilising the existing footway crossing and forming an ‘on/off’ driveway. The proposed site would allow for three off road vehicle parking spaces within the frontage of the site. In this regard the proposed scheme would be consistent with the requirements of Policy DD6 – Access and Infrastructure of the Adopted UDP (October 2005) and Supplementary Planning Guidance – Parking Standards and Travel Plans– (March 2007).

Character of the Area

15. The application site is set within an outer suburban setting and is characterised by a uniform pattern of development by the way of regular spacing of properties, regular building lines, consistent house types and good size frontages. The New Housing SPD outlines a set of development criteria for development sites within the outer suburban setting. The proposed development is considered to be contrary to this guidance. The proposed dwelling does not respect the local character with regards to height and mass of surrounding buildings. The proposed dwelling has a foot print that is comparable to that of the neighbouring bungalow but due to its two storey design has a bulk and mass that is out of context within the street scene. The rising of the land level from south west to north east exacerbates the prominence of this two storey build. However, whilst the appeal associated with Planning Application P09/0730 was dismissed, the issue of the bulk and mass of the proposed dwelling was not deemed to be a detrimental issue to the street scene by the inspector. He stated in his appeal decision dated 22nd February 2010 that 'The overall design and to some extent the proportions of the appeal scheme would not be directly comparable to those of the houses immediately around it. Nonetheless, the proposal would have a main hip roof that would reflect that of number 1 and would be a two storey structure in common with the houses elsewhere on Rannoch Close' Given this appeal decision and the fact that the handing of the garage does go a small way to improving the stepped nature in the street scene, the proposed development would be acceptable in terms of the requirements of Policy DD4 – Development in Residential Areas of the Adopted UDP (2005) and Supplementary Planning Guidance – New Housing Development – (March 2007).

16. The external appearance of the proposed development is considered to have a neutral impact on the street scene. The amendments to this submission when compared to the previous refusal, P09/0730 have gone some length in improving the visual appearance of the front elevation. This specifically relates to the removal of the mock Tudor cladding which give a more coherent and consistent design approach. The reduction of the roof pitch on the forward facing gable now allows the pitch to replicate that of the main hipped roof, giving a much improved visual appearance and

reducing this two storey front elements prominence. The principal elevation of the proposed dwelling is punctuated with eight small square windows which are considered to fail to break up the mass of this elevation. However the appeal decision referred to in paragraph 15 states 'The individual design of the appeal scheme would be seen within the context of the circumstances that pertain to the appeal site and the architectural variety of the area' In this regard, the proposed development is considered to align with the requirements of Policy DD4 – Development in Residential Areas of the Adopted UDP (2005) and Supplementary Planning Guidance – New Housing Development – (March 2007).

Impact on neighbouring properties

17. The application site is bound by residential dwellings. Number 1 Rannoch Close would remain unaffected by the proposed development due to the siting of the garage closest to the common boundary, the footprint inline with the front elevation and a minimal 0.6m projection past the rear elevation. The properties to the east would also be unaffected by the proposed development due to the level differences between the plots and the orientation of the proposed dwelling at an oblique angle. There would be a separation distance of 12.4m from the rear corner of the proposed dwelling to the rear elevation of number 9 Rannoch Close. These factors ensure there would be no detrimental impact on any of the neighbouring properties to the application site with regard to loss of privacy, daylight or outlook in accordance with the requirements of Policy DD4 Development in Residential Areas of the adopted UDP (2005).

Amenity of future occupiers

18. The proposed dwelling would have an amenity area of 148m² for the private use of the future occupiers. In this regard, the proposed dwelling is considered acceptable with regards to the requirements of Policy DD4 – Development in Residential Areas of the Adopted UDP (October 2005) and Supplementary Planning Guidance – New Housing Development – (March 2007).

Planning obligations.

19. The proposed development has a requirement to provide off site contributions for the additional infrastructure identified in the Supplementary Planning Document – Planning Obligations. For this application off site contributions related to Public Open Space, Libraries, Public Realm and Nature Conservation would be required. The contributions required for this application would be:

- Public Open Space - £3181.97
- Libraries - £172.46
- Public Realm - £462.35
- Nature Conservation – £281.00
- Management and Monitoring Fee - £250.00

No requirement for Transport Infrastructure Improvements would be required due to the trip rate for the existing use being more than that of one dwelling. At the date of writing this report the applicant had been made aware by e-mail dated 7th April 2010. An agreement to pay is envisaged due to acceptance related to the previous approval P09/1565. An agreement to enter into a financial agreement will be reported by way of a pre-committee note. The proposal is therefore consistent with the requirements of Policies DD7 – Planning Obligations, DD8 Provision of Open Space, Sport and Recreation Facilities, LR2 Access to Public Open Space and LR3 Children’s Play Areas of the Adopted UDP (October 2005) and Supplementary Planning Document – Planning Obligations (December 2007).

CONCLUSION

20. The proposed development would have a neutral impact on the street scene and have no detrimental impact on the residential amenity of surrounding occupier or on highway safety.

RECOMMENDATION

22 It is recommended that the application be approved subject to:

- a) The development shall not be commenced until a scheme for the submission and approval of a planning obligation to guarantee the off site provision of Public Open Space, Libraries, Public Realm, and Nature Conservation totalling £4347.78 has been submitted to and agreed in writing by the Local Planning Authority.
- b) The Scheme shall include the method, timing and arrangements including a means to guarantee a financial payment, increased through index linking from the first April each subsequent year, in accordance with the Council's planning obligations policies.
- c) The following conditions, with delegated powers to the Director of the Urban Environment to make amendments to these as necessary

Reason for Approval:

The proposed development would have a neutral impact on the street scene and have no detrimental impact on the residential amenity of surrounding occupier or on highway safety.

The decision to grant planning permission has been taken with regard to the policies and proposals in the Dudley Unitary Development Plan and to all relevant material considerations including supplementary planning guidance.

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

Note for Applicant

The development hereby permitted shall be in accordance with the drawings received in these offices and referenced 09/0103/001 unless otherwise agreed in writing by the Local Planning Authority.

Conditions and/or reasons:

1. Development shall not commence until an arrangement for the provision of:

Libraries Improvements
Open Space, Sport and Recreation Improvements
Public Realm
Nature conservation
Monitoring and Management Charge

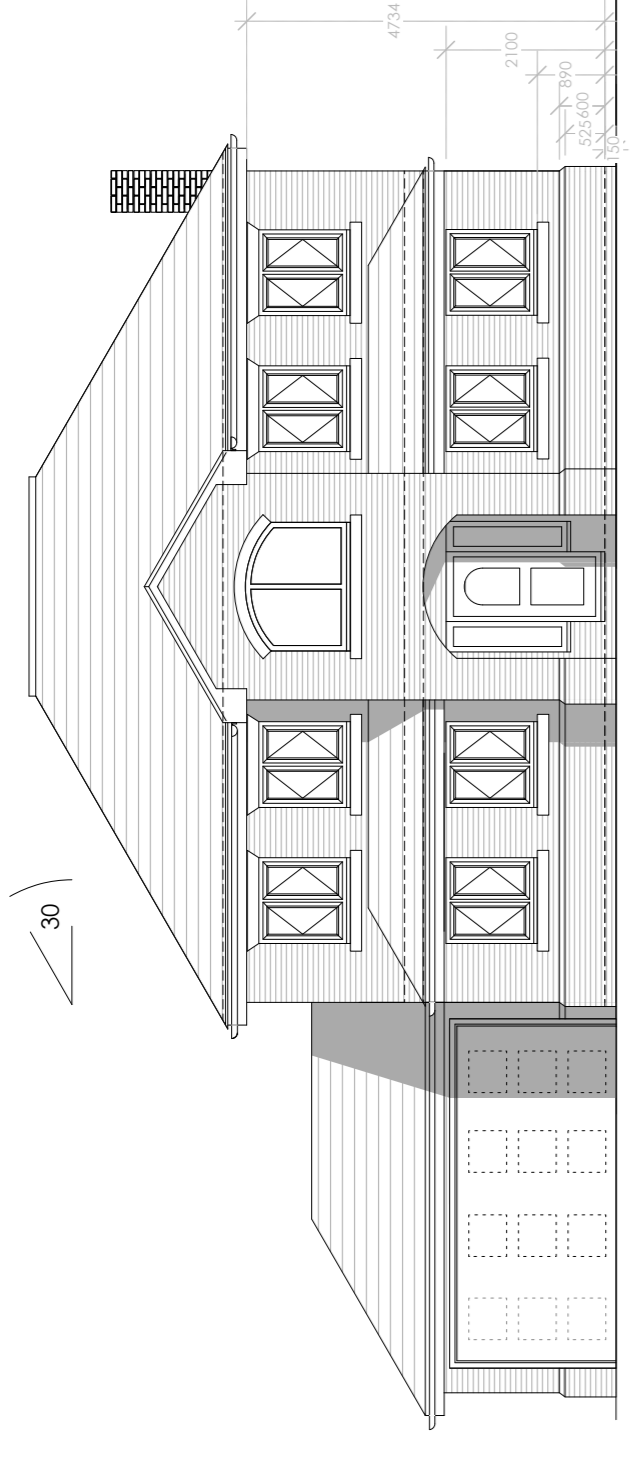
has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the method, timing and arrangement to comply with the Council's policies for the provision of the infrastructure required in connection with the proposed development.

2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
3. 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.
4. 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.
5. Prior to the commencement of development, details of the boundary treatments to be installed on the whole site shall be submitted to and approved in writing by the Local Planning Authority. These details shall include location of boundary treatment. Elevation details shall also be supplied, or planting species/distances, as appropriate. The development shall proceed in accordance with the approved details, which shall be installed on site prior to occupation and thereafter maintained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.
6. The development hereby permitted shall not commence until details for the disposal of surface water drainage have been submitted to and approved in writing by the

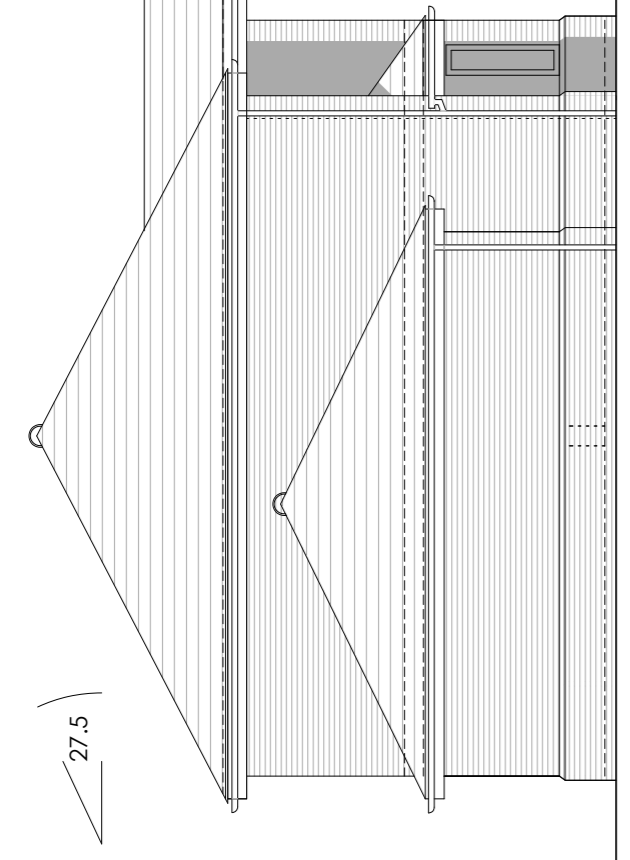
Local Planning Authority. These details should include the provision for ensuring no surface water from the driveway runs onto the public highway and is disposed of within the curtilage of the application site.

7. Prior to the commencement of development, details of the existing and proposed levels of the site (including finished floor levels), which should be related to those of adjoining land and highways, including sections in direction west to east shall be submitted to and approved in writing by the local planning authority. The development shall proceed in accordance with the approved levels.
8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modification) no development referred to in Schedule 2 Part 1 Class A, B, C,D,E, F, G, H and I of that order shall be carried out.
9. Prior to the first occupation of the dwelling hereby approved the access drive and parking area serving the approved dwelling shall be surfaced using a porous material or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwelling house. The area shall be maintained as a parking area for the life time of the development unless otherwise agreed in writing by the Local Planning Authority.

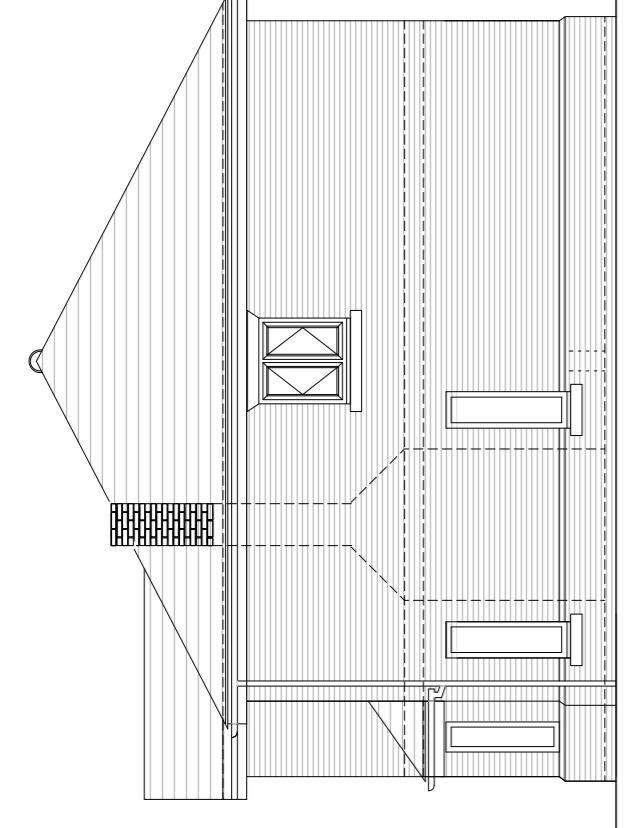
FRONT ELEVATION



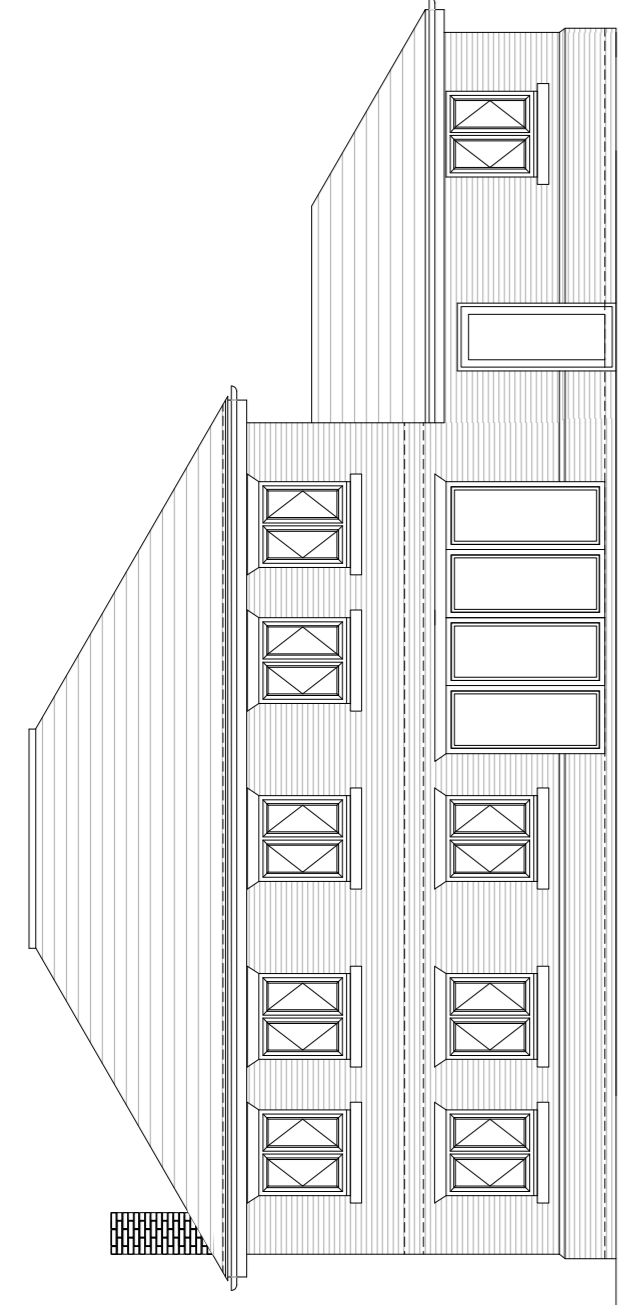
WEST ELEVATION



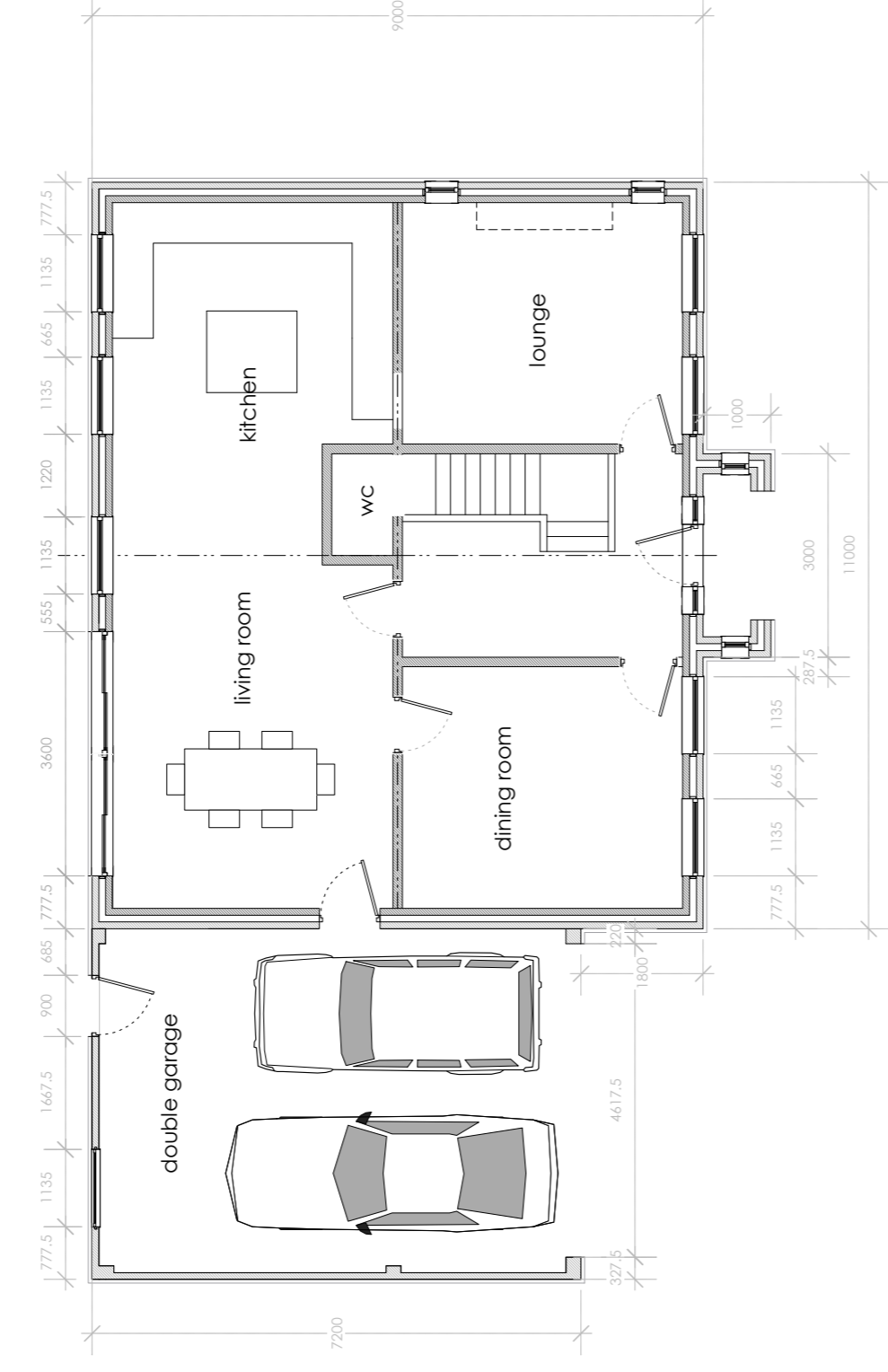
EAST ELEVATION



REAR ELEVATION



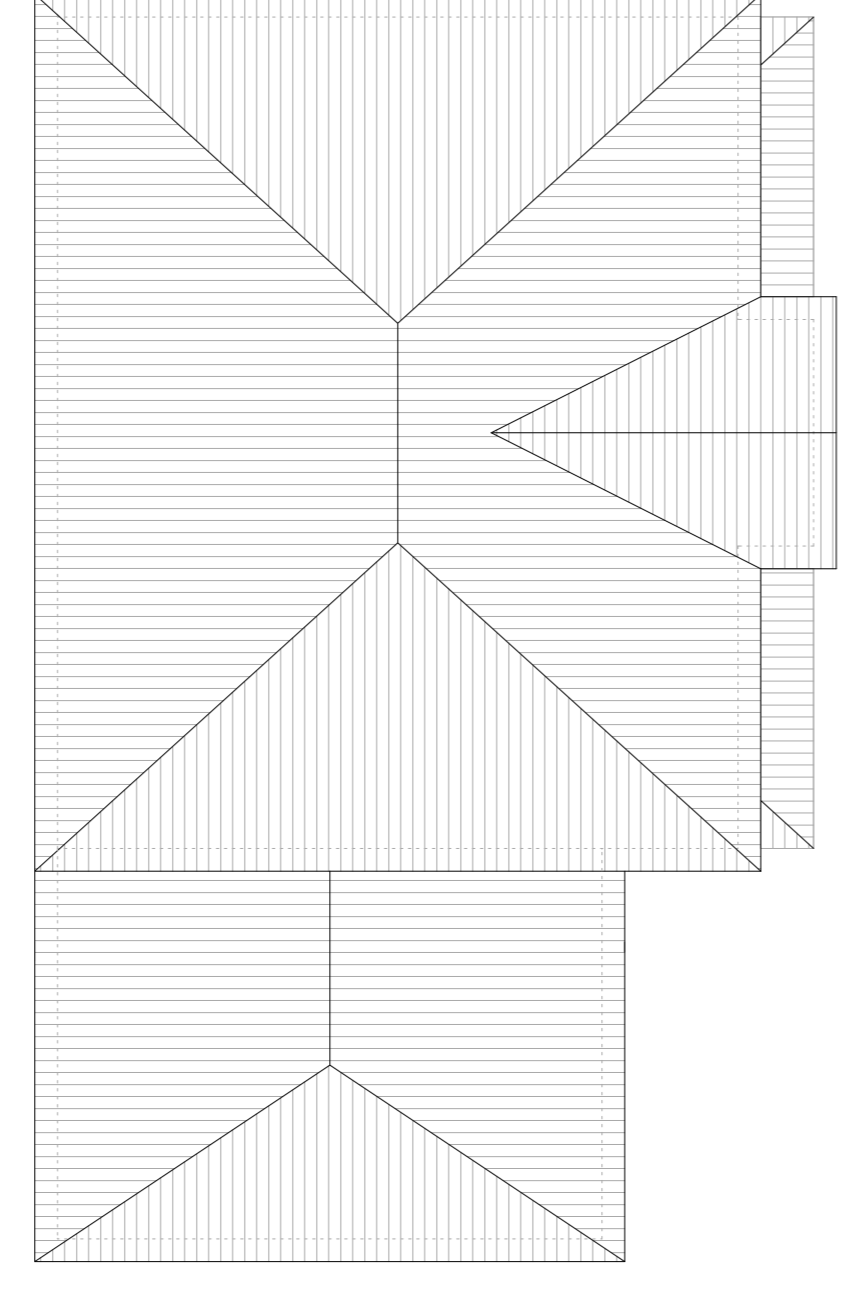
GROUND FLOOR



FIRST FLOOR



ROOF PLAN

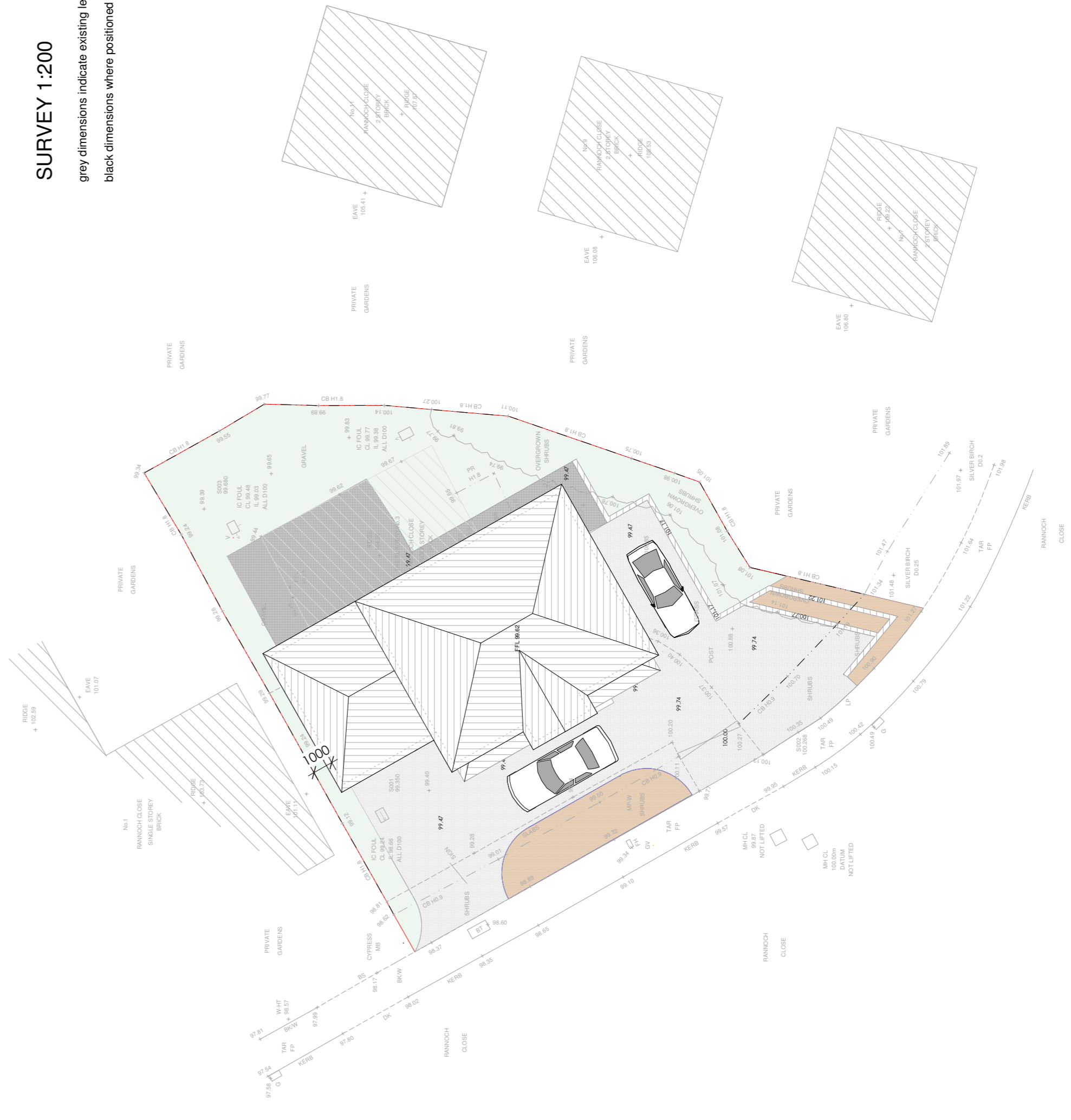


BLOCK PLAN 1:1250

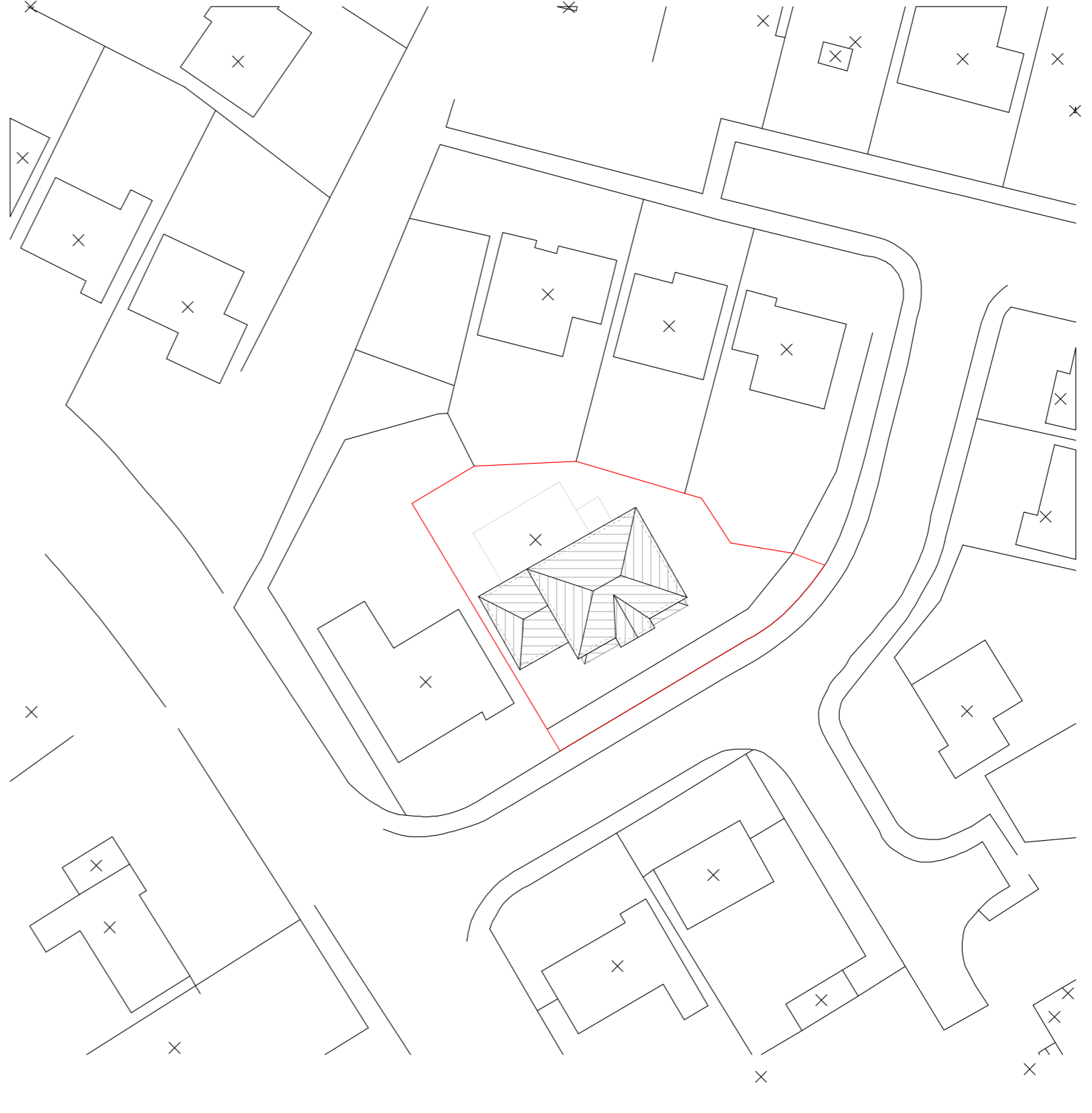


SURVEY 1:200

grey dimensions indicate existing levels
black dimensions where positioned indicate proposed levels



LOCATION PLAN 1:500



- BRICKWORK**
red / brown facing brickwork,
engineering brick below damp
- ROOF TILES**
red / brown concrete interlocking
roof tiles
- WINDOW / DOOR**
white UPVC
- FASCIA / SOFFIT**
white UPVC
- GUTTERING**
white UPVC

rev	description	date

www.betaplan.co.uk
07711527239
info@betaplan.co.uk © 2009 01384346118

Client / address
Mr & Mrs Castro
3 Rannoch Close, Withmoor,
Brierley Hill, DY5 3RP

Project
New two storey detached house
& attached garage

date	March 10	drawn	SRB	ref No.	09/3RC	scale	1:100 1:200 1:500 1:1250
drawing No.	09/0103/001	rev					

drawing name
PROPOSE NEW HOUSE