

# PLANNING APPLICATION NUMBER:P08/0125

Type of approval sought	Full Planning Permission
Ward	CASTLE & PRIORY
Applicant	Mr G Singh Chahal
Location:	<b>LAND AT CORNER OF, SEDGLEY ROAD WEST/GEORGE STREET, TIPTON, WEST MIDLANDS</b>
Proposal	<b>ERECTION OF 2 NO 4 BEDROOM SEMI-DETACHED DWELLINGS WITH PARKING AT FRONT AND REAR (RESUBMISSION OF REFUSED APPLICATION P07/2094)</b>
Recommendation Summary:	<b>APPROVE SUBJECT TO A 106 AGREEMENT</b>

## SITE AND SURROUNDINGS

1. The application site is a vacant plot located at the junction of George Road and Sedgley Road West and the area surrounding the site is predominately residential. Those houses in George Road and on the north side of Sedgley Road West are 1930's style semi-detached houses. Houses on the south side date from the turn of the 20<sup>th</sup> century. The site is similar length and width to adjoining plots along Sedgley Road West occupied by pairs of semi-detached houses.

## PROPOSAL

2. The proposed development is for a pair of 4 no. bedroom semi-detached dwellings including off road parking and associated rear gardens.
3. The application is accompanied by a Design and Access Statement.

## HISTORY

4.

APPLICATION No.	PROPOSAL	DECISION	DATE
P04/2135	Residential – Outline (All matters reserved for subsequent approval)	Approved	17/12/04
P06/0513	3 no. 3 bed terraced houses	Withdrawn	27/09/06
P07/2094	Erection of 2 no. 4 bedroom semi-detached houses	Refused	07/01/08

5. The application P07/2094 was refused for the following reasons:

1. The accumulative size of the proposed semi-detached dwellings comprising siting, depth, width, massing and general bulk would adversely impact upon visual amenity detracting from the street scene and the setting of adjacent residential properties. As such the proposed development would be contrary to Policy DD4 of the adopted UDP (2005).
2. Generally direct frontage access from classified roads, bus routes, strategic highway network and district and local distributor road network is not supported, particularly when there is an opportunity to provide vehicular access from a side road or a rear access. The direct access from Sedgley Road West cannot be supported due to the highway safety concerns arising from direct access from a strategic highway, especially as there is scope to provide off-street parking served from George Street. It is therefore considered that the direct frontage access from Sedgley Road West, in this scheme, would be detrimental to highway safety and contrary to policies DD4 and DD6 of the adopted UDP (2005).

## PUBLIC CONSULTATION

6. No comments have been received as a result of the public consultation process.

## OTHER CONSULTATION

7. Group Manager (Development): – No objections

Head of Public Protection: – No objections subject to conditions, relating to contaminated land and noise insulation.

## RELEVANT PLANNING POLICY

8. Dudley Unitary Development Plan

S2	Creating a More Sustainable Borough
S8	Housing
DD1	Urban Design
DD4	Development in Residential Areas
DD7	Planning Obligations
DD8	Provision of Open Space, Sport and Recreation Facilities
AM14	Parking
H1	New Housing Development
H3	Housing Assessment Criteria
H6	Housing Density
UR9	Contaminated Land

9. Supplementary Planning Document

New Housing Development – A Guide to Establishing Urban Context Parking Standards and Travel Plans

10. Supplementary Planning Guidance

Planning Guidance Note No. 3 – New Housing Development

11. National Planning Guidance

Planning Policy Statement 1 – Delivering Sustainable Development

Planning Policy Statement 3 – Housing

Planning Policy Statement 23 – Planning and Pollution Control

## ASSESSMENT

12. The key issues for consideration in this application are as follows:

- Principle
- Density
- Siting and Size
- Highways and Parking
- Planning Obligations

### Principle

13. The application site is a vacant plot in poor visual condition and represents the reuse of a site in an established residential area for residential purposes. Outline planning permission was also approved (see P04/2135) for residential purposes at this site in December 2004. Given this, it is considered that the residential reuse of an under utilised site within the urban area that is not allocated for another use within the UDP is supported by Policy H3 of the adopted UDP (2005).

### Density

14. The proposed scheme of 2 no. dwellings would result in development at a density of 30dph and the two pairs of semis either side of the application site have densities of 25dph and 33dph respectively. As such the density of the development would be in

accordance with the varied local context of the area and in compliance with Policy H6 of the adopted UDP (2005).

### Siting and Size

15. The proposed development would comprise a pair of semi detached 4 bedroomed dwelling houses on this vacant prominent plot. The proposed dwellings have been redesigned to be narrower when viewed from Sedgley Road West to allow passageways of 1.65m either side of the semi-detached dwellings. These passageways allow the dwellings to be set in from the respective side boundaries allowing space between no. 88 Sedgley Road West and the dwelling at Plot 2, and George Road and the dwelling at Plot 1.
16. The proposed roof design is hipped to match the neighbouring semi-detached properties either side of the application site along Sedgley Road West. The proposed dwellings would follow the existing building line along Sedgley Road West and the proposed building height would be a continuation of that of the existing buildings. The design is traditional in nature and the external appearance would comprise brickwork that would be similar in texture and colour to existing dwellings in the locality and tiling to the proposed hipped roof. The proposed development is considered compliant with Policy DD4.

### Highways and Parking

17. Generally direct frontage access from classified roads, bus routes, strategic highway network and district and local distributor road network is not supported, particularly when there is an opportunity to provide vehicular access from a side road or a rear access. The direct access from Sedgley Road West as shown in the previous application could not be supported due to the highway safety concerns arising from direct access from a strategic highway, especially as there is scope to provide off-street parking served from George Street. The new scheme removes the off street parking to the front of the properties served from Sedgley Road West and includes off

street parking to the rear of the properties (3 no. spaces for each dwelling) accessed off George Street. The highways authority have no objection to this new layout.

18. Planning Obligations/Contributions

Policy DD7 requires applicants to enter into planning obligations where the scale and impact of development proposals can be shown and make appropriate provision for the infrastructure requirements of the development. Should permission be granted a Section 106 Agreement would be required in respect of contributions to off site public open space/play improvements, libraries, public realm and transport improvements.

## CONCLUSION

19. The siting and the external appearance of the proposed dwelling 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 of the area. Neighbours amenity and street scene are not considered to be detrimentally affected, and the scheme is in compliance with adopted Unitary Development Plan Policy.

## RECOMMENDATION

20. It is recommended that the application be approved, subject to:

- a) The development not beginning until a scheme for the submission and approval of a planning obligation to guarantee the (provision, maintenance and enhancement of off-site public open space and play provision and the provision of xx affordable housing units) has been submitted to and agreed in writing by the Local Planning Authority;
- b) The following conditions, with delegated powers to the Director of the Urban Environment to make amendments to these as necessary;

### Reason for Approval

The siting and the external appearance of the proposed dwelling 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 of the area. Neighbours amenity and street scene are not considered to be detrimentally affected, and the scheme is in compliance with adopted Unitary Development Plan Policy.

The decision to grant planning permissions has been taken with regard to the policies and proposals in the adopted Dudley Unitary Development Plan (2005) and to all other relevant material considerations.

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

### Information

The development hereby permitted shall be built in accordance with drawing no. MC/009/03 Revision b, unless otherwise agreed in writing by the local planning authority

### 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. Prior to first occupation of a dwelling the means of access and parking areas will be provided in accordance with the approved details, drained, levelled, surfaced and marked out and will be retained for the life of the development.
3. Development shall not begin until details of the paving scheme for the parking areas have been submitted and approved in writing by the Local Planning Authority. Prior to first occupation the paved parking areas shall be completed, in accordance with the approved details, and maintained for the life of the development.
4. 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:

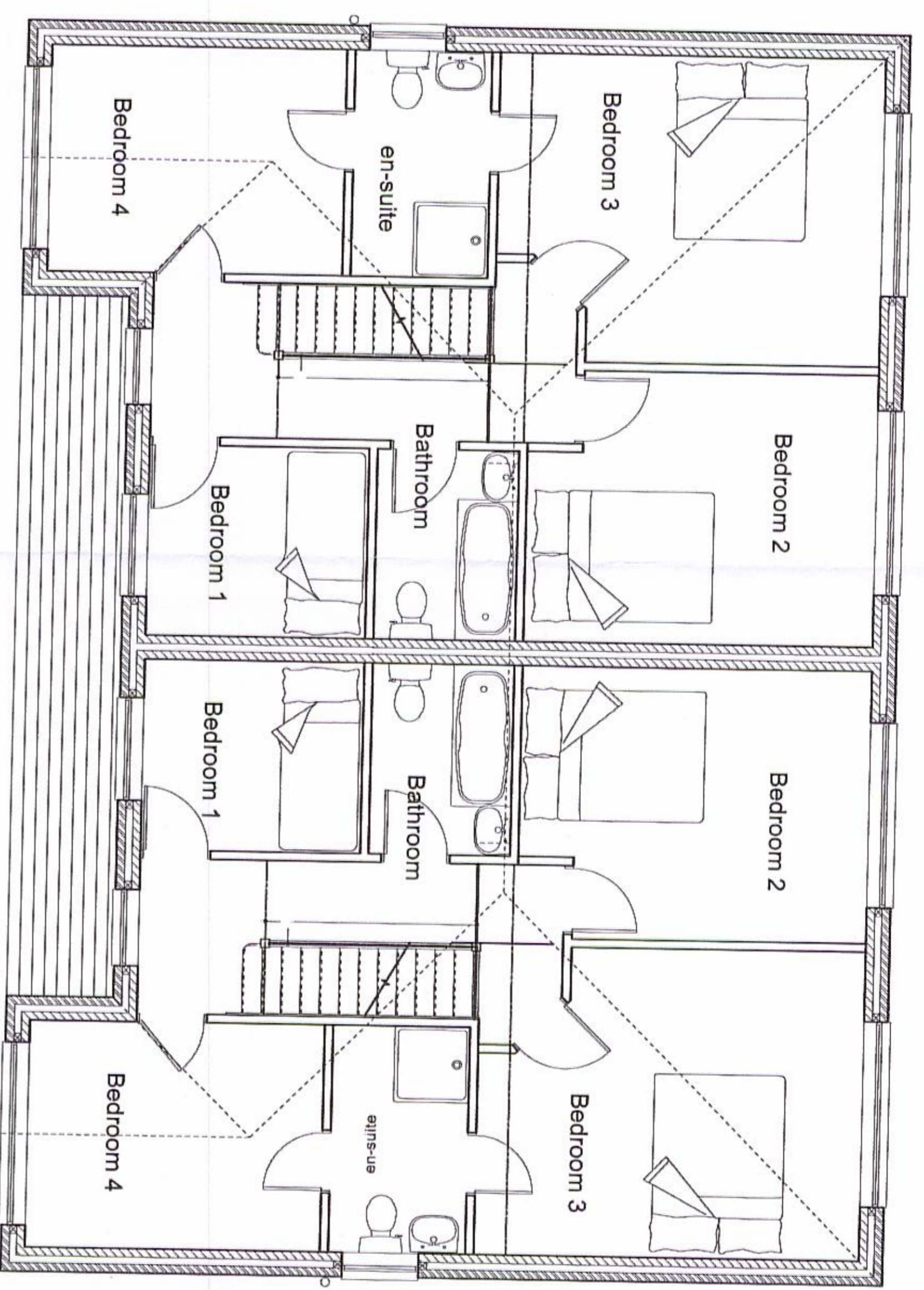
include provisions for validation monitoring & sampling; be implemented in accordance with the approved details before the development is first occupied; and be retained throughout the lifetime of the development.

5. Development shall not begin until details of the type, texture and colour of the brickwork to be used in the construction of the external walls, and the roofing tiles have been submitted to and approved by the local planning authority. Such materials shall, unless otherwise agreed in writing by the local planning authority, closely match in type, texture and colour those of the existing building.
6. No development shall take place until there has been submitted to and approved by the local planning authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development.
7. All planting, seeding or turfing comprised in the details of landscaping hereby approved shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development whichever is the sooner; and any trees, hedgerows or plants contained in the approved planting scheme which within a period of 5 years from the completion of the development, die are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.
8. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order), no windows shall be installed in the West and East elevations (the side elevations) of the proposed dwellings without the written consent of the Local Planning Authority.
9. Notwithstanding the details shown in the approved plans no development shall take place until there has been submitted to and approved in writing by the Local Planning Authority details of the proposed rear boundary fencing of the two plots and the fencing thereby approved shall be provided before any of the dwellings are occupied.
10. Prior to first occupation of a dwelling the 800 m high dwarf wall as shown on the approved plans shall be built and completed and maintained for the life of the development.
11. The development shall not be begun until a scheme for the provision of:
  - \* Off site public open space and play area improvements
  - \* Off site library improvements
  - \* Off site Public Realm improvements
  - \* Off site Transport improvementshas been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the method, timing and arrangements to comply with the Council's policies for the provision of the infrastructure required in connection with the proposed development.
12. Development shall not begin until a scheme for protecting the proposed dwellings from noise from Sedgley Road West has been submitted to and approved by the Local Planning Authority, and all works which form part of the scheme shall be completed before any of the permitted dwellings is occupied.

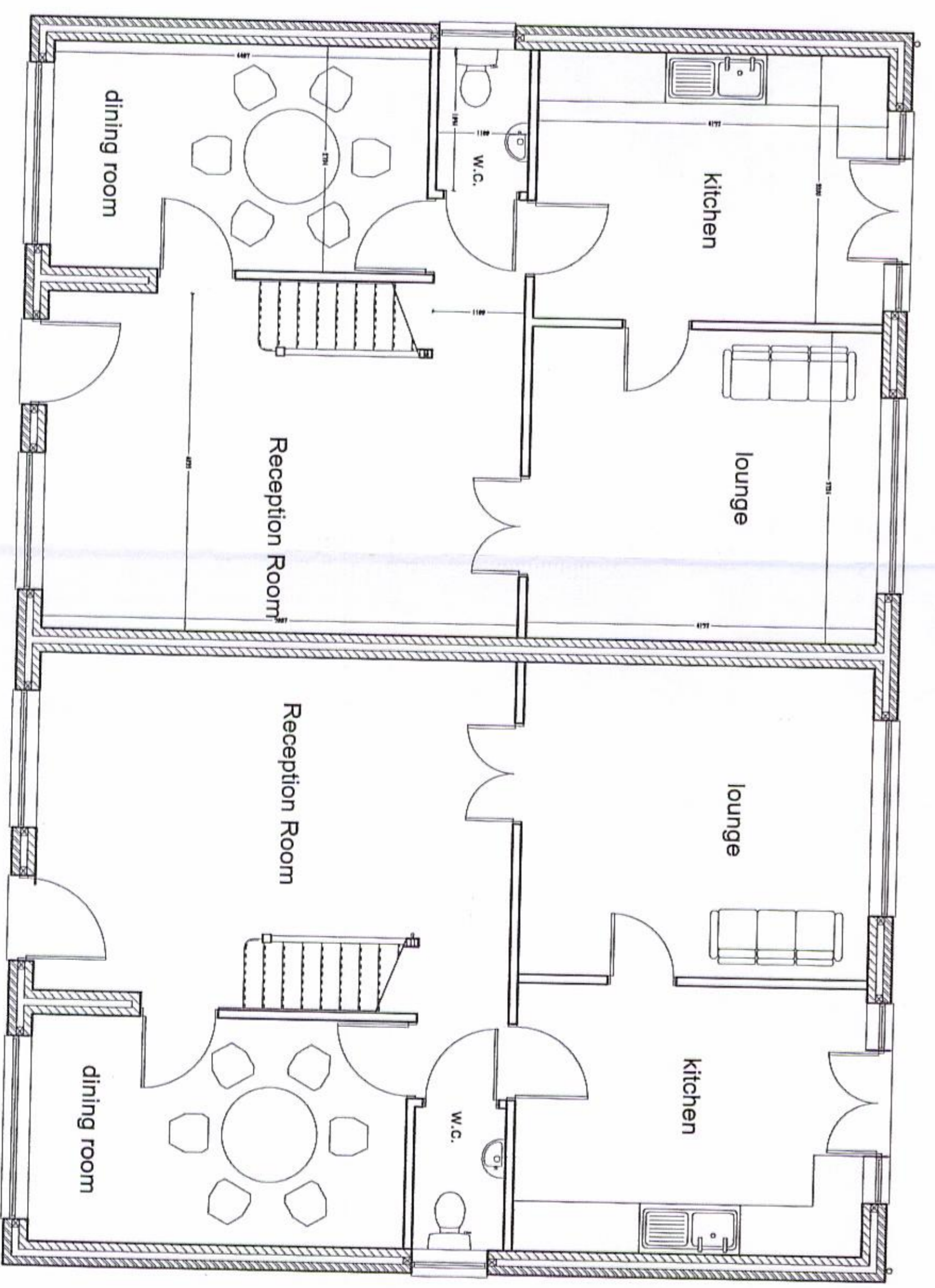




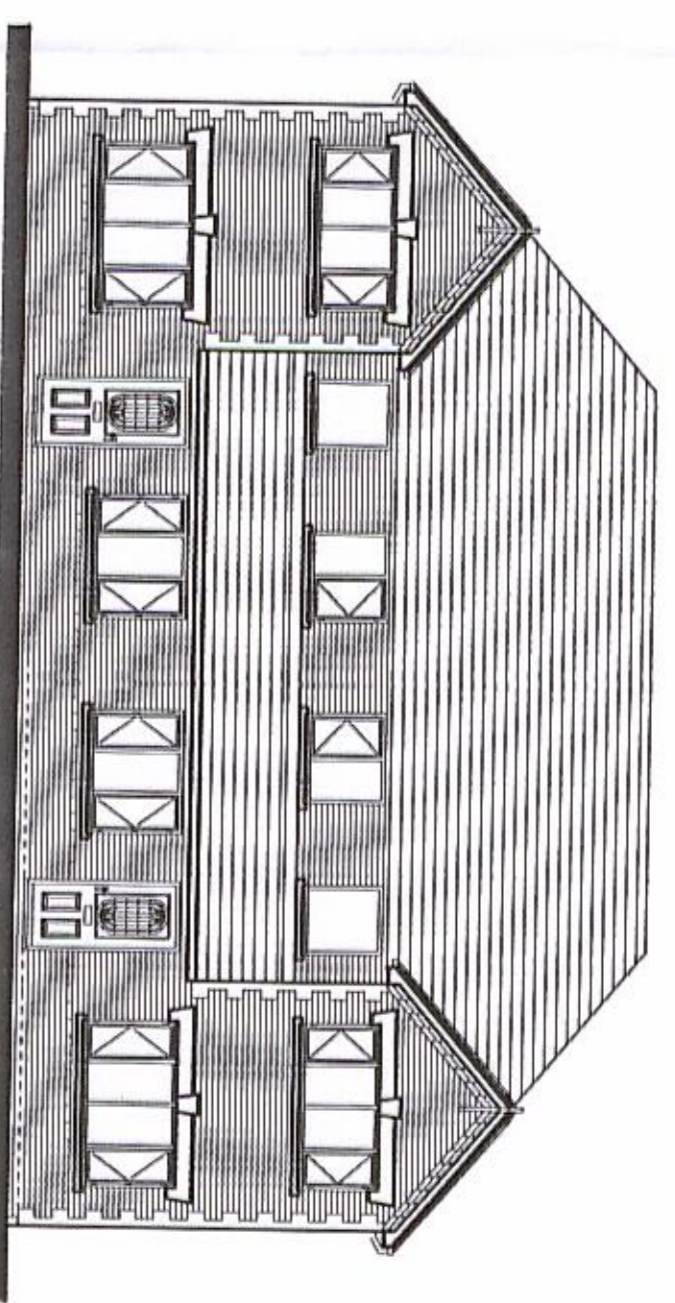
Plans - P081025



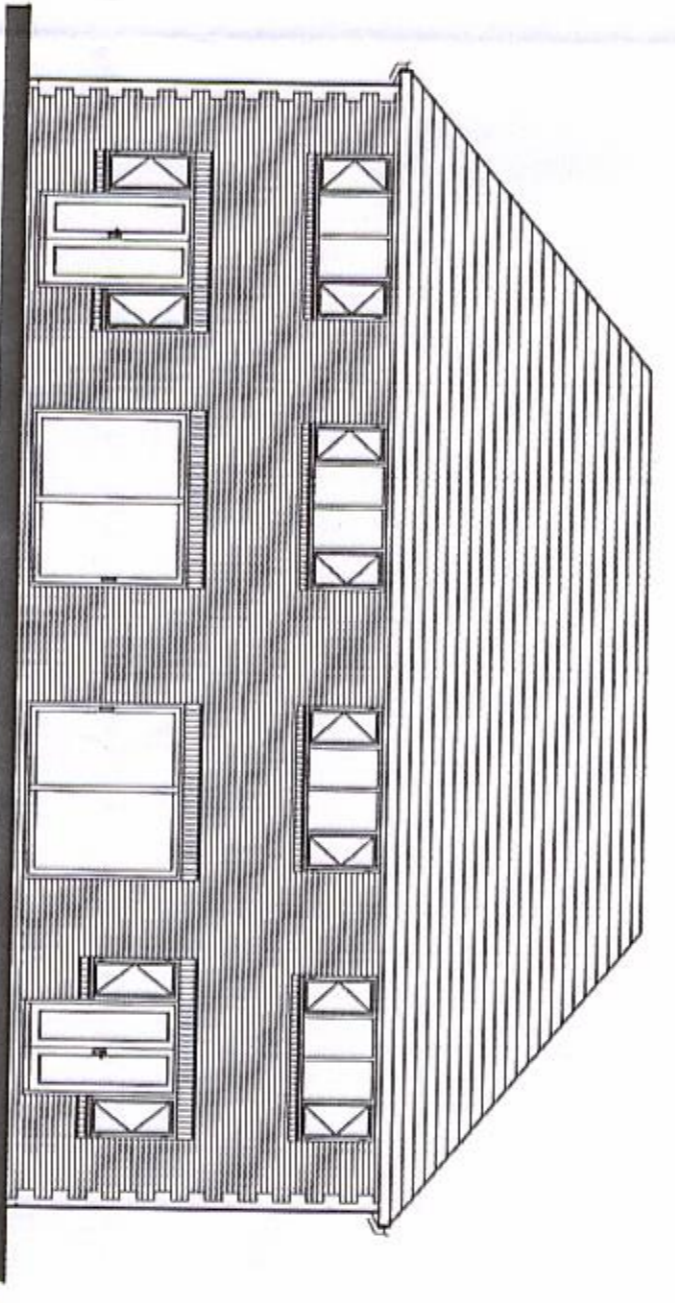
Plots 1&2 - First Floor



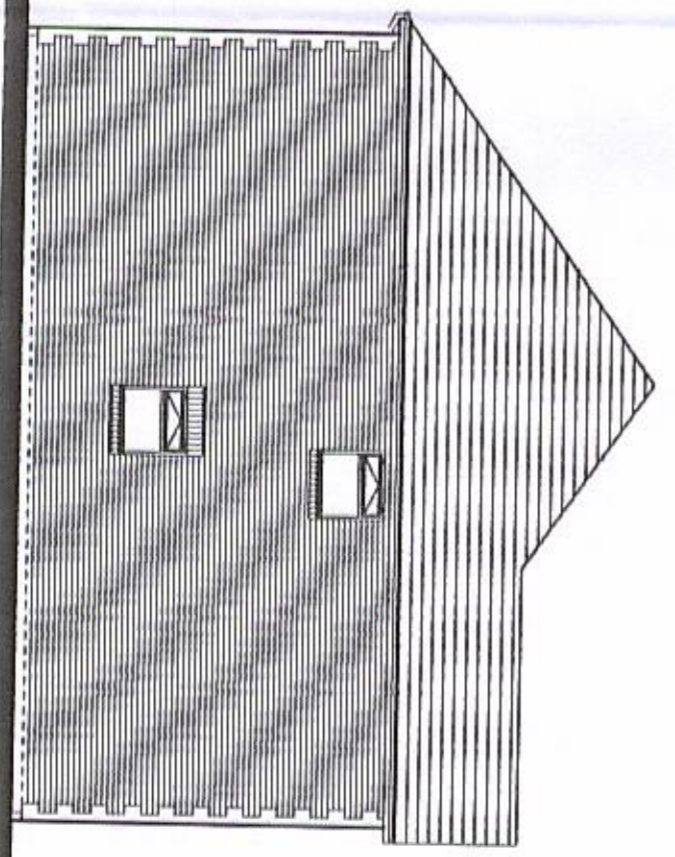
Plots 1&2 - Ground Floor



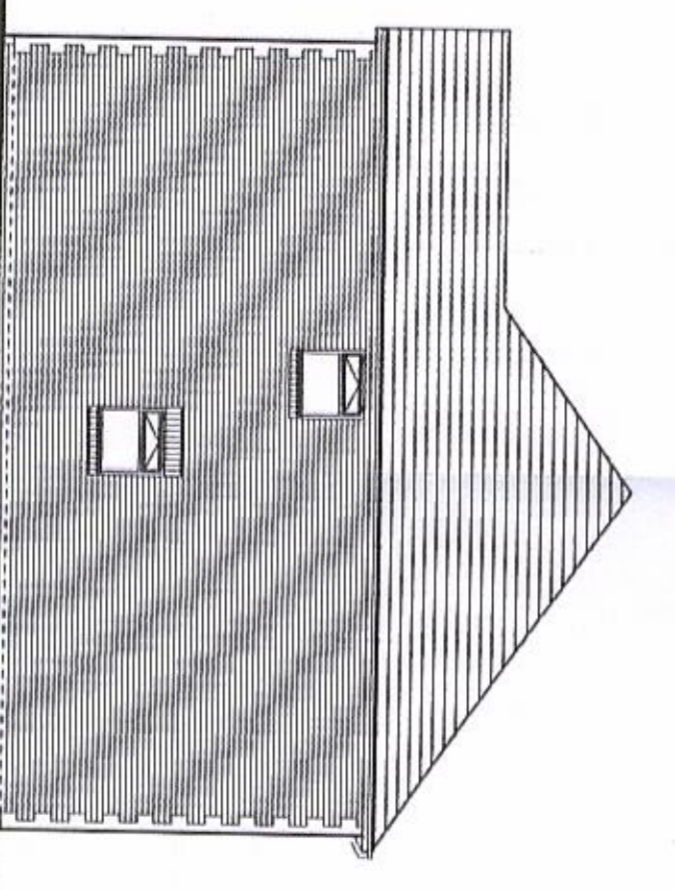
Plots 1&2 - Front Elevation



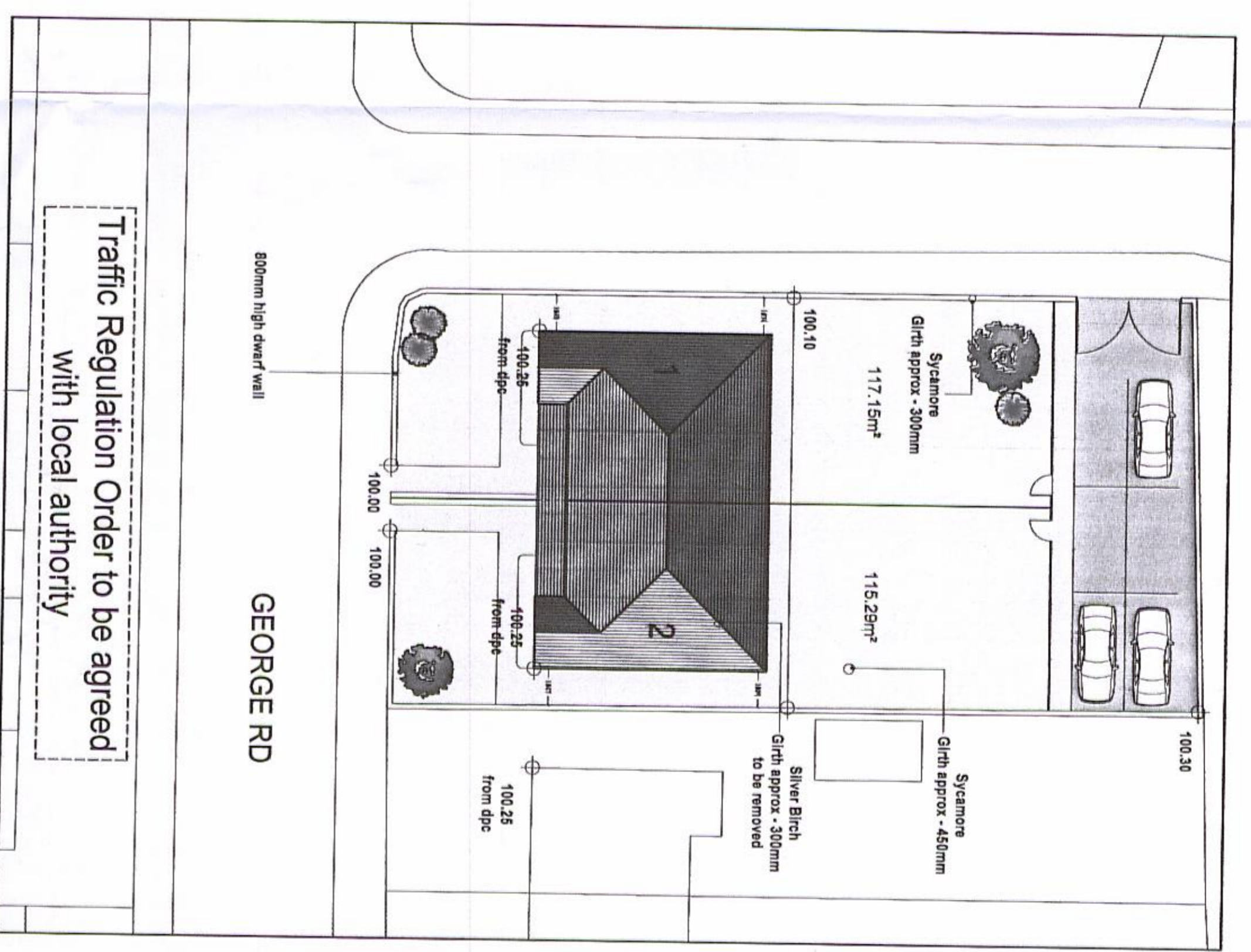
Plots 1&2 - Rear Elevation



Plots 1&2 - Side Elevation



Plots 1&2 - Side Elevation



Proposed Site Plan scale - 1:200

Party Wall Act 1999 - The client is the building owner, and as such should take necessary steps to comply with the Act where applicable.  
 CD4 - It is the client's responsibility to take all necessary steps to fully comply and fully liaise with the designer and responsible action to steps in the design of the building.  
 These drawings are for Planning and Building Regulations approval only. Figured dimensions must be taken from the approved drawings. All dimensions must be checked on site by the contractor. Advice of any discrepancies before commencing work or liability is taken work is in progress.  
 The copyright of this drawing is vested in the Architect and must not be copied or reproduced without consent.

06/11/07 - Amended plans, site levels added to site plan  
 20/01/08 - Amended plans, overall width of dwellings reduced by 400mm either side, as agreed with Mr N. Howell

**INTEGRATED DESIGNS**  
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Client: Mr. G. Singh Chahal  
 Scale: 1:50, 1:100 & 1:200  
 Drawing No: MC009/03  
 Checked: [Signature]  
 Revision: [Signature]  
 Date: [Signature]

01/07/07  
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