

PLANNING APPLICATION NUMBER:P09/0306

Type of approval sought	Full Planning Permission
Ward	ST JAMESS
Applicant	Mr & Mrs A. Walton
Location:	THE FLOWER GIRL, 100, WOLVERHAMPTON STREET, DUDLEY, WEST MIDLANDS, DY1 3AP
Proposal	ERECTION OF SINGLE STOREY REAR EXTENSION
Recommendation Summary:	APPROVE SUBJECT TO A 106 AGREEMENT

SITE AND SURROUNDINGS

- 1 The application premises consist of a 1960s block of shops with flats over. The site is set back from the footway with a small forecourt. Above the shops appear to be a couple of flats. The site adjoins an exhaust and tyre centre to the south with a car park to the east (rear).

PROPOSAL

- 2 The planning application consists of a single storey lean to extension on the rear of the shop to provide a kitchen area. The floor space of the extension would be approximately 12m². The extension would be constructed of brick with tile to the roof.

HISTORY

APPLICATION No.	PROPOSAL	DECISION	DATE
DY/65/475	Retail Shop On Ground Floor And One Bedroom Flat On 1st And 2nd Floors.	Granted	03/08/65
CC/76/286	Change Of Use To Cafe.	Refused	24/05/76

PUBLIC CONSULTATION

3 No representations received

OTHER CONSULTATION

4 None

RELEVANT PLANNING POLICY

Unitary Development Plan

DD1 Urban Design

DD3 Design of Retail Development

DD6 Access and Transport Infrastructure

DD7 Planning Obligations

CR1 Hierarchy of Town Centres

CR9 Edge of Centre and Out of Town Development

Supplementary Planning Guidance/Documents

Parking Standards and Travel Plans Supplementary Planning Document

Planning Obligations Supplementary Planning Document

ASSESSMENT

5 The main issues are

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

Principle/Policy

6 The site is outside of the town centre boundary as defined by the adopted Unitary Development Plan. However, the development is considered to be acceptable from

a planning policy (Planning Policy Statement 6 – Town Centres and Retail Development) point of view as the proposed development is at 12m² well under the 200m² threshold for the applicant to submit a retail impact assessment or a sequential test.

Design

- 7 The design of the extension is plain and simple and as such is considered to be acceptable in context of the 1960s building on which it is located.. Public views of the extension would be limited as it is screened by the main building and other buildings from Wolverhampton Street. There would some views from St James's Road near to the church, however, these would be distant and part mitigated by existing planting.

Neighbour Amenity

- 8 The proposed development would not have a harmful impact on neighbour amenity, as the single storey nature would not materially affect the flat above by way of light or overbearing impact.
- 9 The extension would be approximately 45m from the nearest houses on St James's Road, including an intermediate car park, and again is not considered to pose any harm to neighbour amenity.

Access and parking

- 10 Due to the small scale nature of the extension, the proposed development would not lead to additional on site parking.

Loss of Planting

- 11 There is an area of planting to the rear of the existing building. This would have to be partly removed to accommodate the extension. However, the planting is mostly immature scrub and therefore its removal cannot be reasonably resisted.

Planning Obligations

- 12 The proposed development has a requirement to provide planning obligations to mitigate against the consequential planning loss to the existing community. Should permission be granted a S106 Agreement would be required in respect of the following contributions.

- Transport Infrastructure Improvements - £154.29
- Management and Monitoring Charge £250.00
- Total Offsite Contribution equates to £404.29

- 13 Contributions are not required towards public realm, as the proposed floor space is well below the 100m² threshold as set out in the adopted Supplementary Planning Document.

CONCLUSION

- 14 The proposed development is acceptable in principle, causes no harm to neighbour amenity and is of acceptable design. Consideration has been given to policies DD1 Urban Design DD3 Design of Retail Development DD6 Access and Transport Infrastructure DD7 Planning Obligations CR1 Hierarchy of Town Centres and CR9 Edge of Centre and Out of Town Development of the Dudley Unitary Development Plan.

RECOMMENDATION

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 provision of a contribution to transport infrastructure and a Management and Monitoring charge totalling £404.29 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 is acceptable in principle, causes no harm to neighbour amenity and is of acceptable design. Consideration has been given to policies DD1 Urban Design DD3 Design of Retail Development DD6 Access and Transport Infrastructure DD7 Planning Obligations CR1 Hierarchy of Town Centres and CR9 Edge of Centre and Out of Town Development of the Dudley Unitary Development Plan.

The decision to grant planning permission has been taken with regard to the policies and proposals in the adopted Dudley UDP (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 detail on the decision please see the application report.

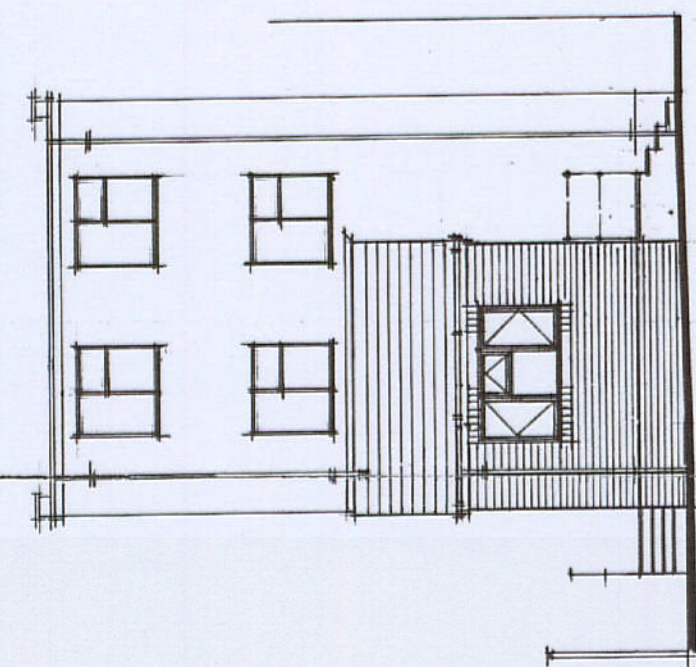
The development hereby permitted shall be built in accordance with the approved plans numbered AW 3023/09 unless otherwise agreed in writing by the Local Planning Authority.

Conditions and/or reasons:

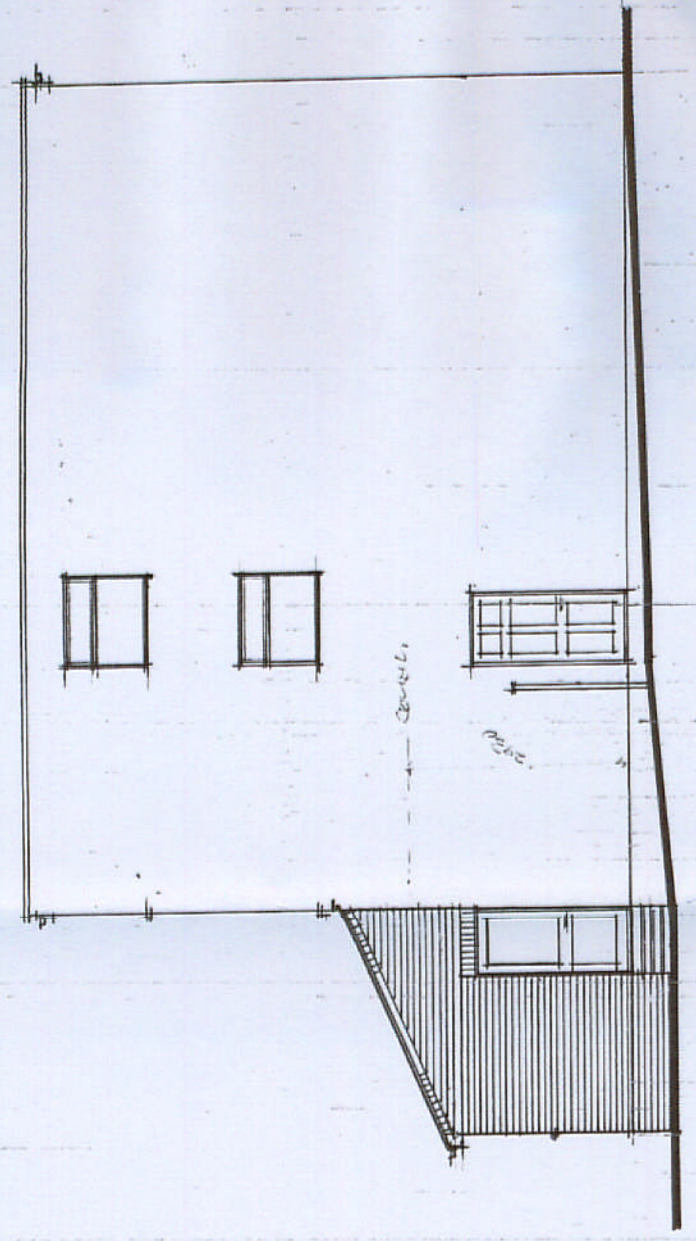
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. Development shall not commence until an arrangement for the provision of transport infrastructure improvements has been submitted to and approved in writing by the Local Planning 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.
3. No part of the development hereby permitted shall be commenced until a schedule of all materials to be used on the roof of the building has been submitted to and approved in writing by the District Planning Authority and thereafter the development shall only be constructed in accordance with these details.
4. The facing brick to the development hereby approved shall match the facing brickwork of the existing building.

Prepared and existing elevations
 709/10300

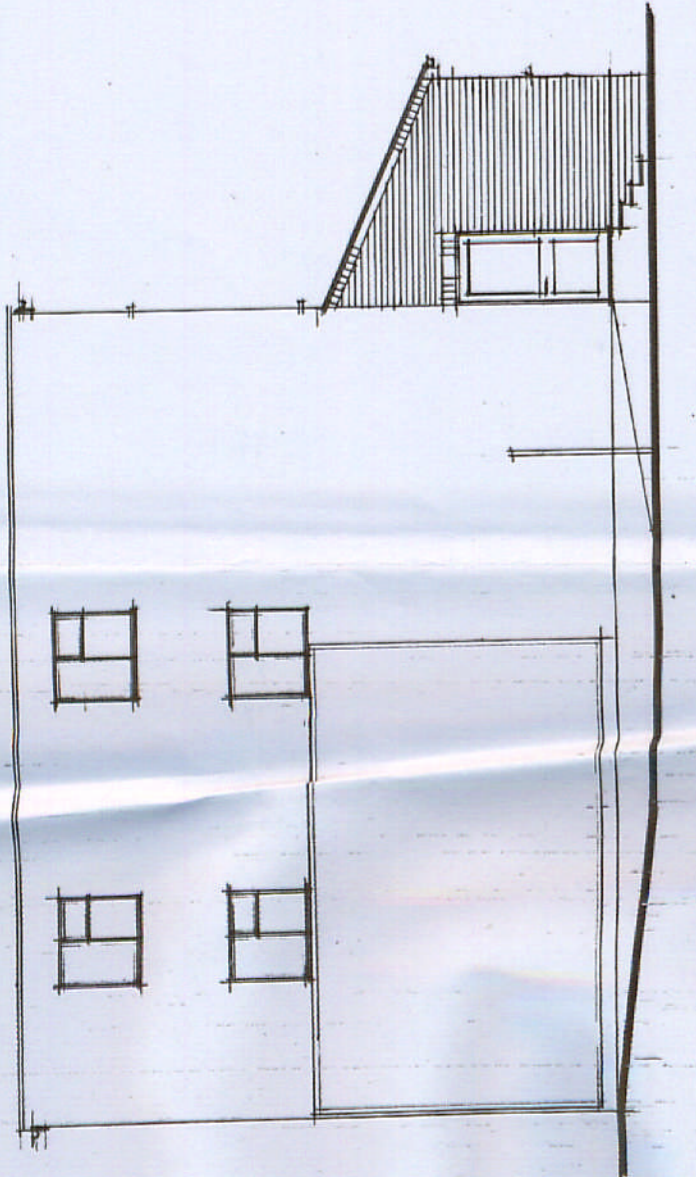
The Contractor is to check and verify all building and site conditions before work starts.
 The Contractor is to comply in all respects with current Building Regulations - British Standard Specifications, Building Regulations, C.D.M. Regulations and Party Wall Act 1994, etc., whether or not specifically stated on this drawing.
 This drawing must be read with and checked against any structural, geotechnical or other specialist documentation provided.
 This drawing may not show final design details of foundations, ground conditions or ground contaminants. A suitable method of foundation must be investigated by the Contractor. A suitable method of foundation should be investigated by the Contractor. A suitable method of foundation should be investigated by the Contractor. A suitable method of foundation should be investigated by the Contractor. A suitable method of foundation should be investigated by the Contractor.
 Where existing trees are shown to be retained they should be subject to a full Arboricultural Inspection for safety.
 All trees are to be planted so as to ensure they are a minimum of 5 metres from buildings and 3 metres from boundaries. A suitable method of foundation should be investigated by the Contractor. A suitable method of foundation should be investigated by the Contractor. A suitable method of foundation should be investigated by the Contractor. A suitable method of foundation should be investigated by the Contractor.
 The drawings and the building notices described are Copyright and may not be reproduced or amended except by written permission.



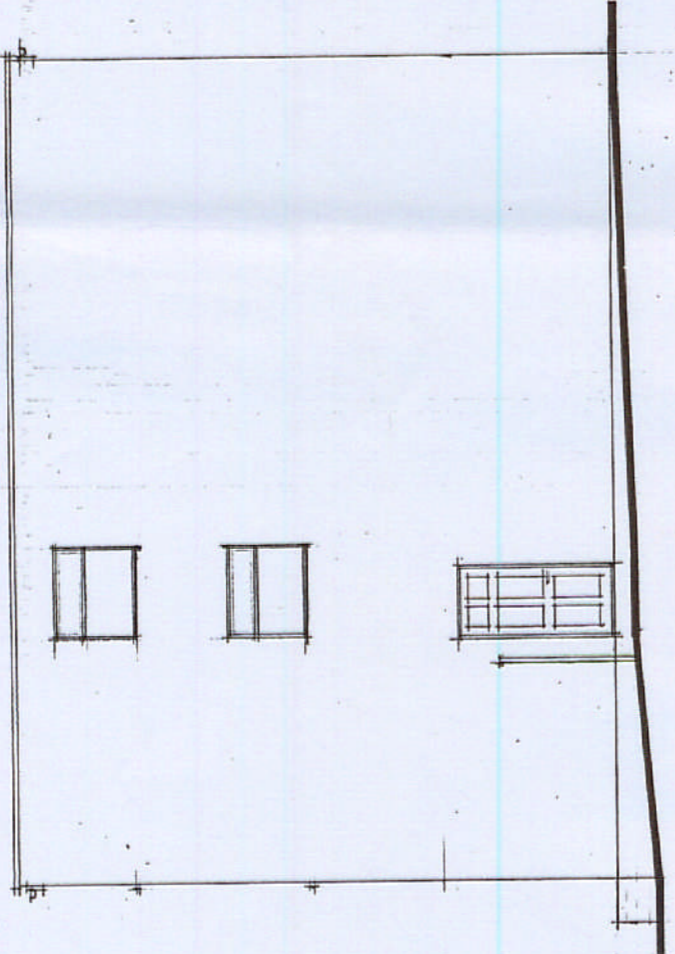
PROPOSED.
 Rear Elevation.



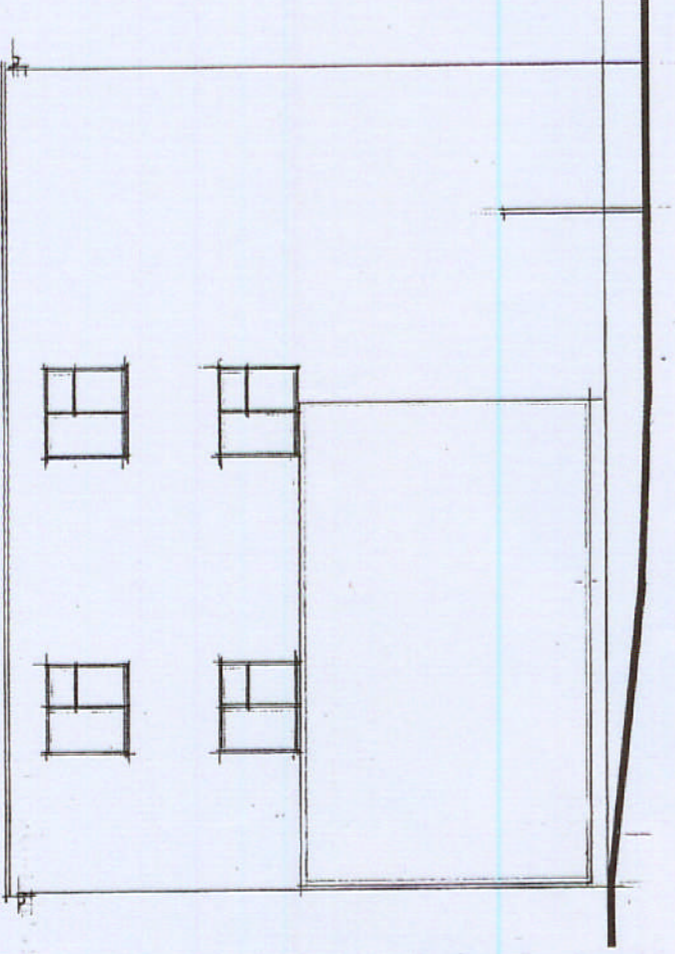
Side Elevation.
 (facing KVIC-Fit Workshop)



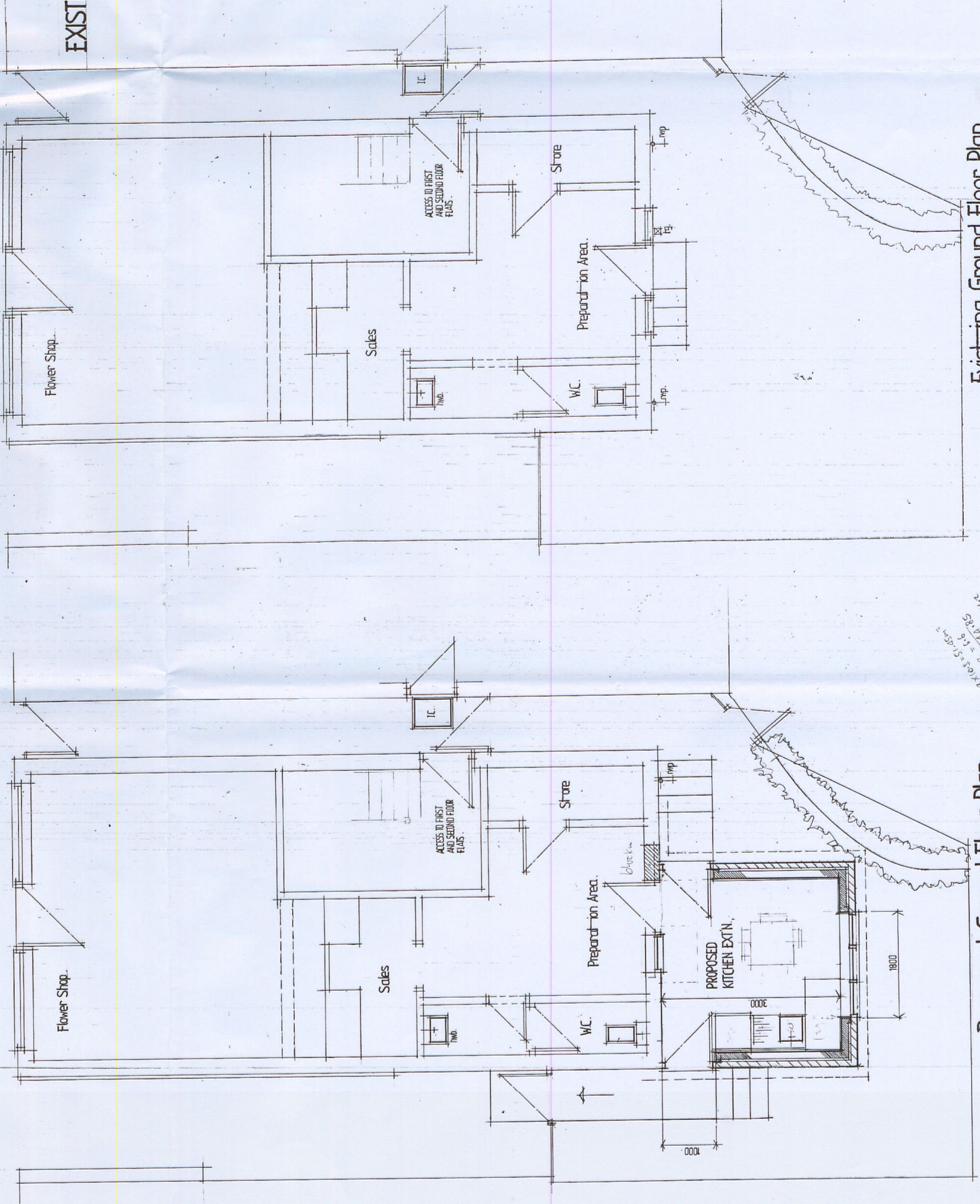
Side Elevation.
 (facing KVIC-Fit Workshop)



EXISTING.
 Rear Elevation.

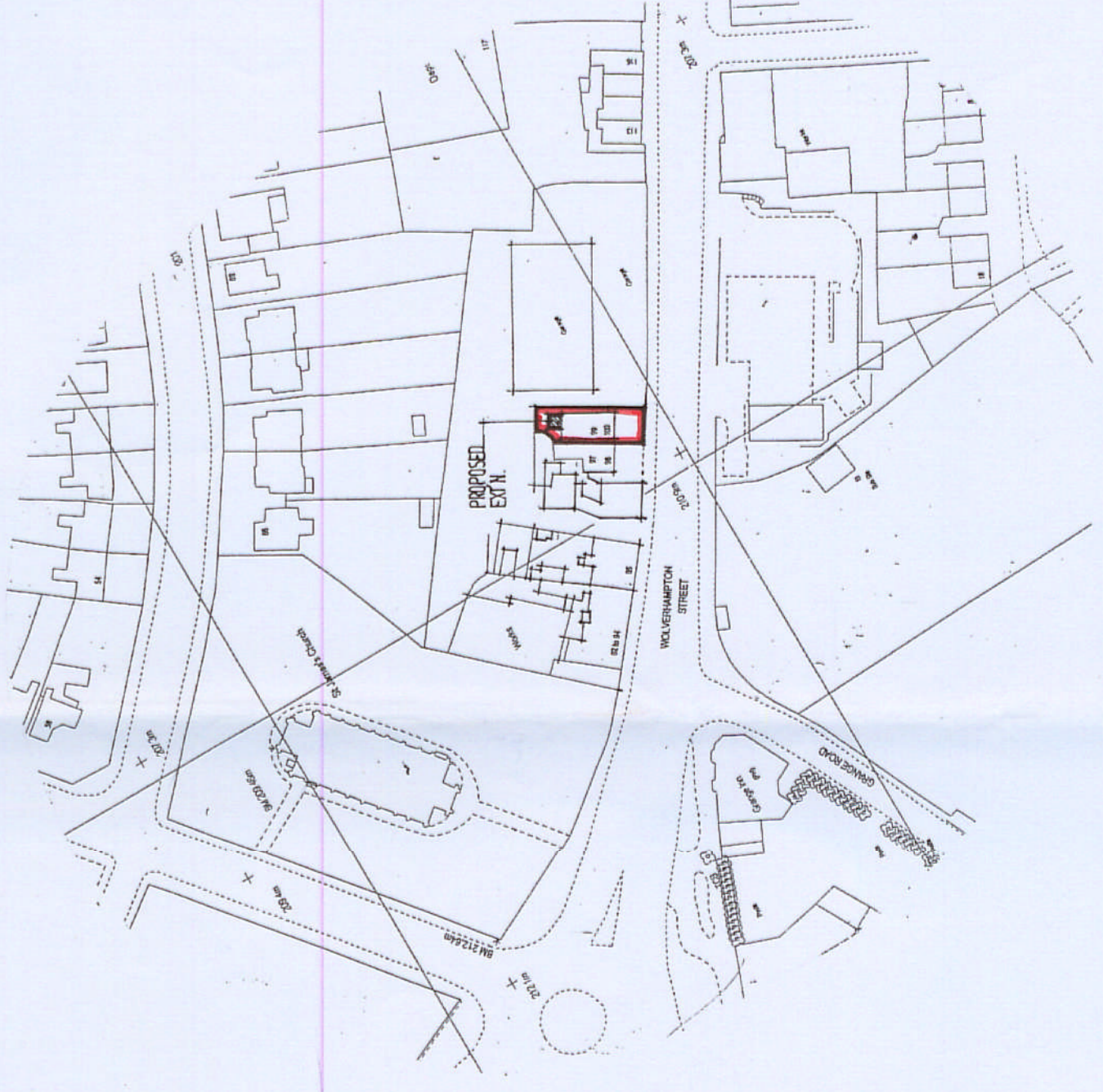


Side Elevation.
 (facing KVIC-Fit Workshop)



Proposed Ground Floor Plan.

Existing Ground Floor Plan.



Block Plan.

Scale: 1:1250.

NOTES:
 All dimensions must be checked on site and not scaled from this drawing.

Date	Revisions

RECEIVED
 16 MAR 2009

Planning &
 Design Services

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Client
 MR & MRS A. WALTON

Job Title
 99-100, WINDHAMPTON STREET,
 DUDLEY,
 WEST MIDLANDS,
 DY1 3AP

Drawing Title
 PROPOSED KITCHEN EXTENSION.

Scale
 1:100 1:50

Date
 Jun 2008

Drawn by

Draw No.
 AW_3023109