

LANNING APPLICATION NUMBER:P10/0177

Type of approval sought	Full Planning Permission
Ward	NETHERTON WOODSIDE & ST ANDREWS
Applicant	Mr Steve Shaw
Location:	LAND ADJACENT TO 34, OAK STREET, NETHERTON, DUDLEY, WEST MIDLANDS
Proposal	ERECTION OF 1 NO DWELLING
Recommendation Summary:	APPROVE SUBJECT TO A 106 AGREEMENT

SITE AND SURROUNDINGS

- 1 The application site is a relatively flat gap site within a residential street. It has a frontage of 8.3 metres and depth of 33 metres. It accommodates a garage near the rear boundary with a driveway leading to it, accessed via a dropped kerb. There is a dwarf wall at the back of pavement line across most of the frontage. There is no noteworthy vegetation on the site.
- 2 There is a mix of dwelling types in this street (e.g. there are 2 storey flats opposite) and no rigid building line. The adjoining dwellings comprise no. 34 a hipped roofed semi detached dwelling and no. 30 a hipped roofed detached dwelling with projecting bayed element on the frontage. There is an alleyway at the rear, backed onto by terraced dwellings in Gill Street. On street parking is available in Oak Street.

PROPOSAL

- 3 This is a detailed application for the erection of a 3 bedroom detached dwelling. It is shown with a hipped roof, a projecting ground floor element on the front elevation and

projecting single and 2 storey elements at the rear. Space for the parking of 2 vehicles is proposed at the frontage.

- 4 The Design and Access Statement submitted in support of the proposal states that the size, length, width and height of the proposed dwelling is appropriate to its surroundings.

HISTORY

- 5 There is no relevant planning history.

PUBLIC CONSULTATION

- 6 No objections received at the time of writing – an update at your meeting will be provided as necessary.

OTHER CONSULTATION

- 7 Group Engineer (Development) – no adverse comments.
- 8 Head of Environmental Health and Trading Standards – no adverse comments.

RELEVANT PLANNING POLICY

- 9 Unitary Development Plan (adopted 2005)
The following UDP policies are relevant:-
DD1 (Urban Design);
DD4 (Urban Design in residential areas);
DD6 (access and transport infrastructure);
DD7 (planning obligations)

H3 (housing assessment criteria)

UR6 (housing renewal area)

10 Supplementary Planning Documents (SPDs)

Planning Obligations

New housing development

Parking and travel plans.

ASSESSMENT

11 The key issues are –

the principle of the development;

design

amenity;

parking;

planning obligations.

12 Principle of the development

This is a gap site within the urban area, in a local environment which is predominantly residential in character, in a Housing Renewal Area, and approximately 900 metres south-east of Netherton Local Centre. It is considered to be previously developed land, with the proposal, in principle, seeking to make the efficient and positive re-use of the land. There is consequently broad planning policy support for this proposed development, especially in relation to UDP Policy H3.

13 Design issues

The proposal is considered positive in broad design terms, in filling in a gap in the streetscene (rather than for instance, constituting backland development -of which there are no noticeable examples within the local environment). In terms of detail, the proposed dwelling is shown with a roof of a similar style (hipped) and pitch and eaves line as the adjoining dwellings.

- 14 The forward building line of the proposed dwelling is similar to that at no. 30. Notwithstanding this, this design issue is not considered significantly material within a streetscene with no rigid building line (e.g. no. 24 Oak Street is a bungalow which is recessed from the highway by approximately 25 metres).
- 15 It is considered there is space on the frontage to accommodate 2 cars, and potentially some landscaping and back of pavement line boundary treatment - a condition has been recommended to seek these environmental improvement to the streetscene.
- 16 Amenity
The adjoining dwelling (no. 34) has 2 side facing windows, one of which is obscure glazed, the other to a habitable room (kitchen). However, the proposed dwelling has been set back within the plot so as to prevent significant overshadowing to, and hindrance of outlook from, that kitchen window.
- 17 In addition, there is a single storey element on the rear elevation of the proposed dwelling which lessens any impact on the rear aspect of no. 34. In addition, the window at ground floor on the rear of the existing dwelling is to a conservatory (a non-habitable room). Given this, it is considered no significant impact to the amenity of no. 34 will arise. However, this is subject to a condition removing permitted development rights on the proposed dwelling (essentially to prevent this dwelling extending further at the rear without the LPA being able to intervene to assess any impact on no. 34).
- 18 With regard to no. 30 (the other adjoining dwelling), that house has forward and rear building lines commensurate with the proposed dwelling and a facing blank elevation. No impact on the amenity of the occupiers of that existing dwelling is therefore likely to arise.

19 There is also sufficient separation distance to the dwellings at the rear in Gill Street (35 metres) to prevent overlooking – with, in any case, those dwellings running at an angle to the plot.

20 In terms of the amenity for the future occupiers of the proposed dwelling, there is considered to be an adequate rear garden space proposed: length between 12 and 14 metres and an area of 96 square metres. In addition, the recommended condition removing permitted development rights will prevent further built encroachment into this area.

21 Parking

The existing access to the garage is proposed to be utilised. The proposed dwelling is shown as being recessed from the highway by 8.5 metres, thus allowing for 2 parking spaces to be able to be provided on the frontage. It is considered that that amount of off road parking is acceptable for a dwelling of this size.

22 The existing garage on the site does not appear to be associated with either of the adjoining dwellings. Notwithstanding this, no. 30 has off-street parking available and there is unrestricted parking available on street in front of nos. 34 and 36. The loss of the garage as an off road parking space is therefore not considered to lead to significant overspill parking in the highway at this location, compromising highway safety.

23 Planning Obligations

The proposed development has a requirement 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.

Offsite Contributions

The proposal attracts a requirement for a commuted sum to be paid towards the following infrastructure.

- a) Public Open Space enhancement - £2474.53
 - b) Transport Improvement Investment Monies - £401.31;
 - c) Library contributions - £184.92
 - d) Public Realm - £462.35
 - e) Nature Conservation enhancement measures - £138.08
 - f) Management and Monitoring Charge - £250
- This gives rise to a total of £3911.19

24 The applicants have formally agreed to these off-site Planning Obligations.

CONCLUSION

25 The proposed development represents the re-use of previously developed land for housing in the urban area, in a relatively sustainable location. The design and layout of the proposed dwelling is considered satisfactory, allowing for the proposal not to appear incongruous within the local environment nor impact on residential amenity. Measures are in place to ensure that any impact on the local infrastructure can be mitigated against. There is therefore concurrence with the development plan, in particular UDP Policies DD4 and DD7.

RECOMMENDATION

26 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 delivery of transport infrastructure improvement works, improvements to library provision, improvements to the public realm and Public Open Space, a financial contribution for nature conservation enhancement measures, and a management and monitoring fee, at a total cost of £3911.19, 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 –

Note for applicant

A. This permission relates to the following plans – 3205/09/01A, 02A, 03.

Reason for approval

The proposed development represents the re-use of previously developed land for housing in the urban area, in a relatively sustainable location. The design and layout of the proposed dwelling is considered satisfactory, allowing for the proposal not to appear incongruous within the local environment nor impact on residential amenity. Measures are in place to ensure that any impact on the local infrastructure can be mitigated against. There is therefore concurrence with the development plan, in particular UDP Policies DD4 and DD7.

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 shall not be begun until a scheme for the provision of –

- Public Open Space enhancements;
- Transport improvement investment;
- Library improvements;
- Public realm enhancements;
- Nature conservation enhancements;
- Management and monitoring charge;

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. 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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any order revoking or re-enacting that order, with or without modification) no development referred to in Part 1, Class A of the Schedule shall be carried out.
5. Prior to the commencement of development details of the design of the space between the dwelling and the highway shall be submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing by the Local Planning Authority, those details shall include a porous surfacing material for the 2 car parking spaces, landscaping and boundary treatment. That space shall be implemented in accordance with the approved details prior to the occupation of the dwelling and thereafter retained for the life of the development.



Plot 0177

LOCATION PLAN
FOR COMMITTEE

WITHYMOOR ROAD

OAK STREET

GILL STREET

APPLICATION SITE

DARBY END

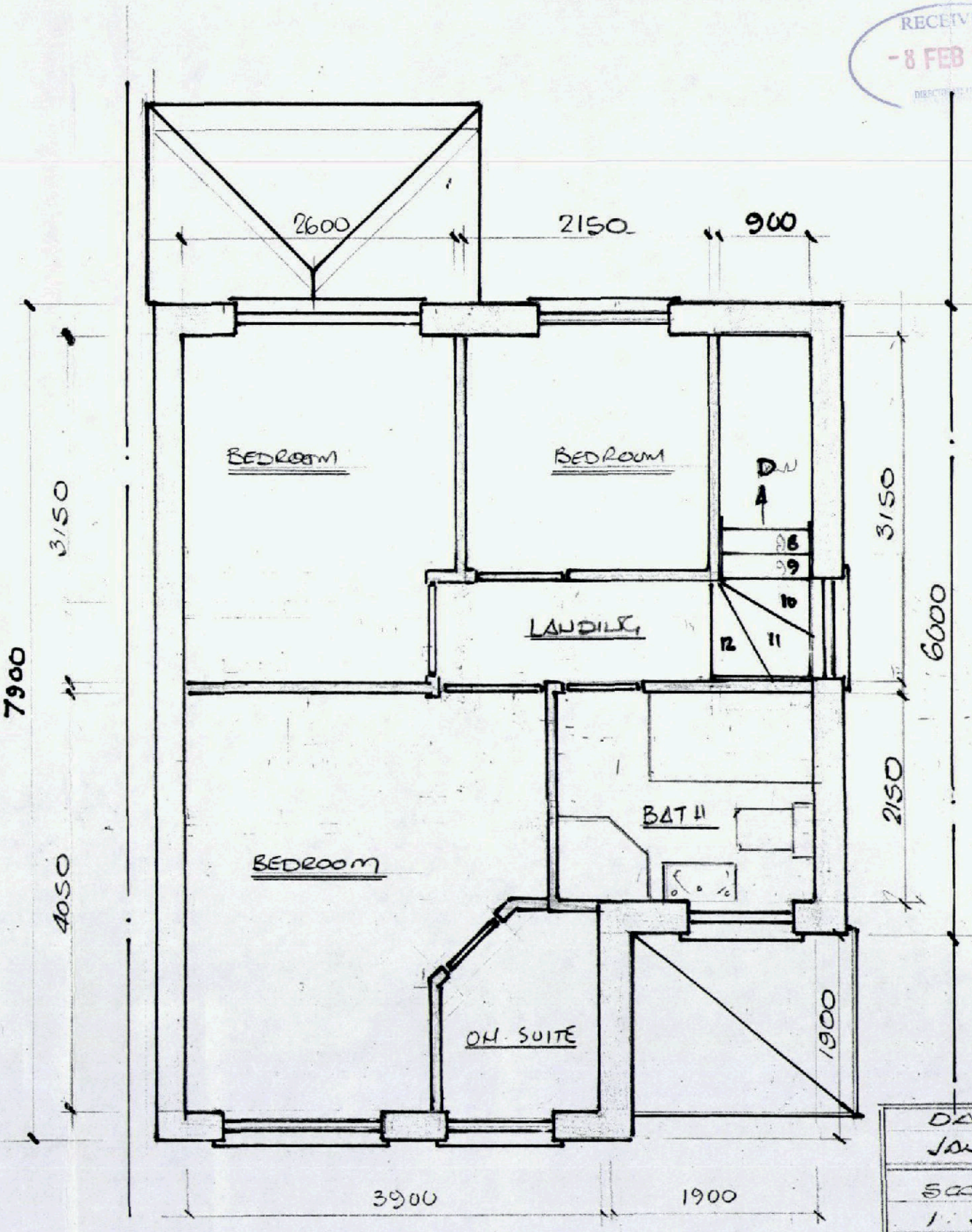
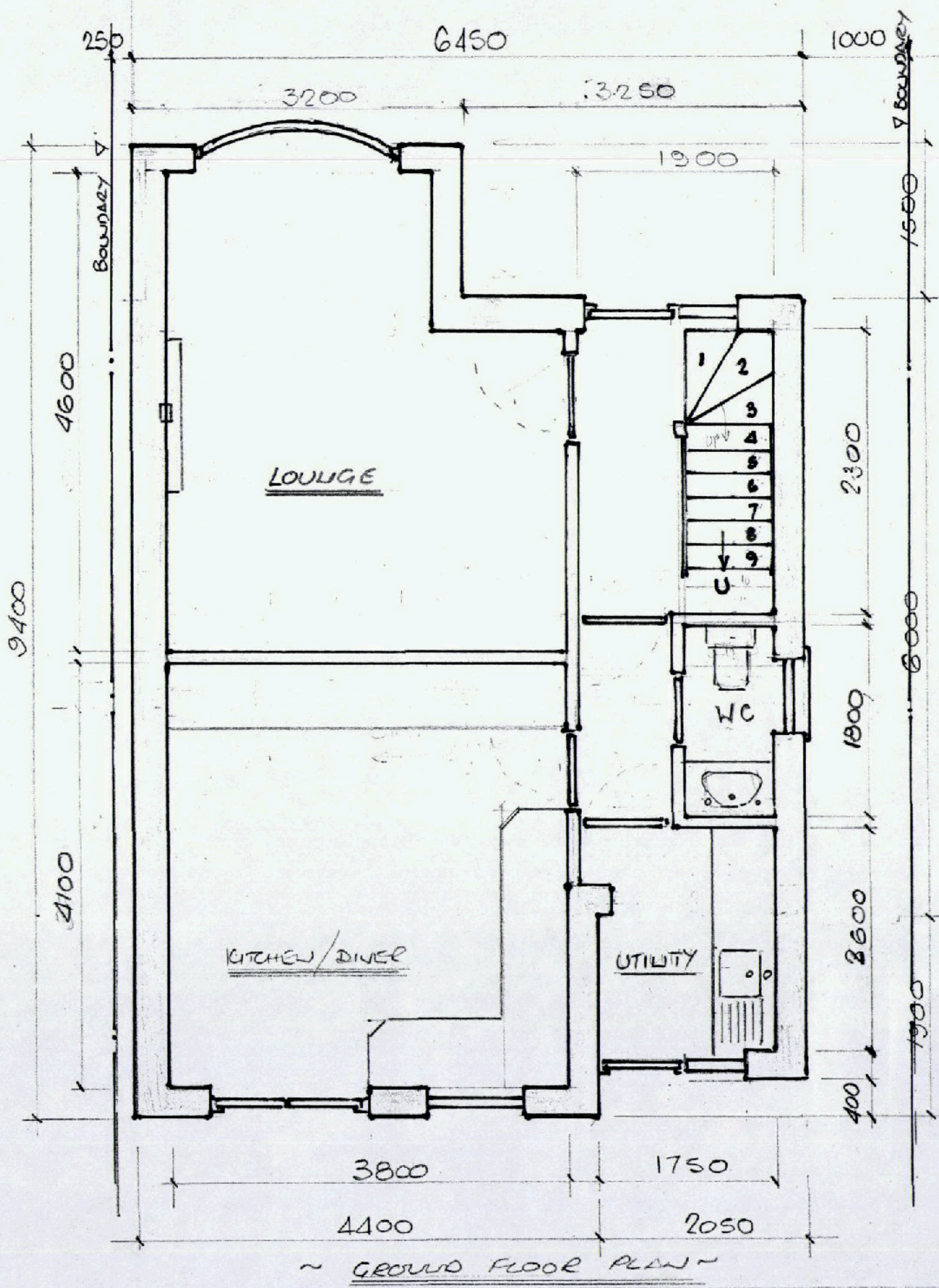


PROPOSED DWELLING ON LAND BETWEEN
FLOOR PLANS 30 & 34 OAK ST. NETHERTON

SCHEME 1

32 OAK STREET
NETHERTON
DUDLEY

RECEIVED
- 8 FEB 2010
DIRECTOR'S OFFICE



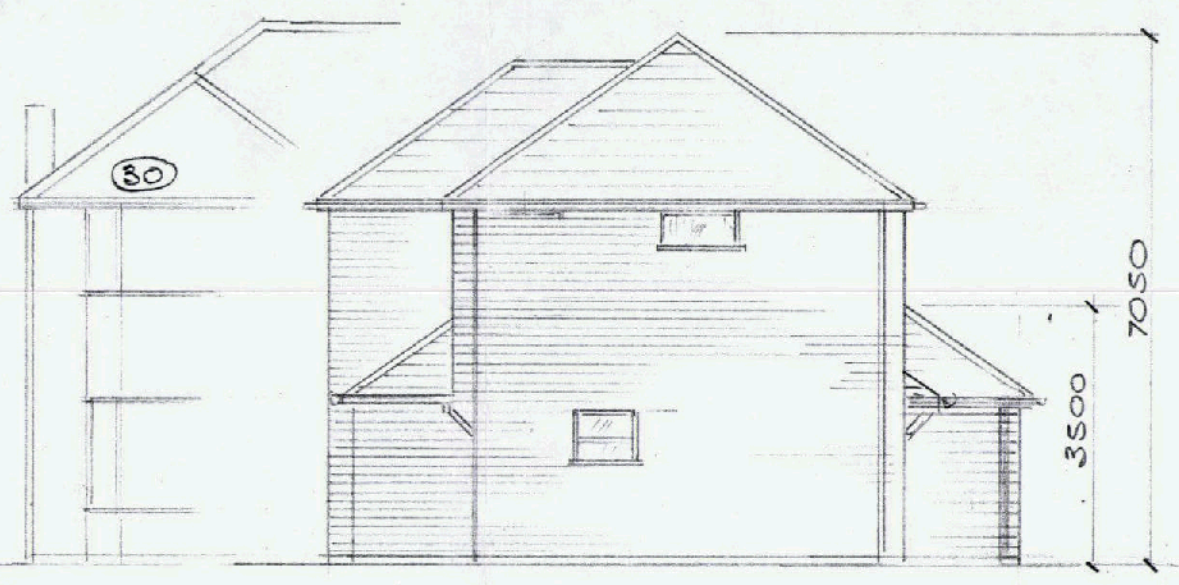
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SCALE	1:50
DRG NO	3205/10/03

Plot elevation

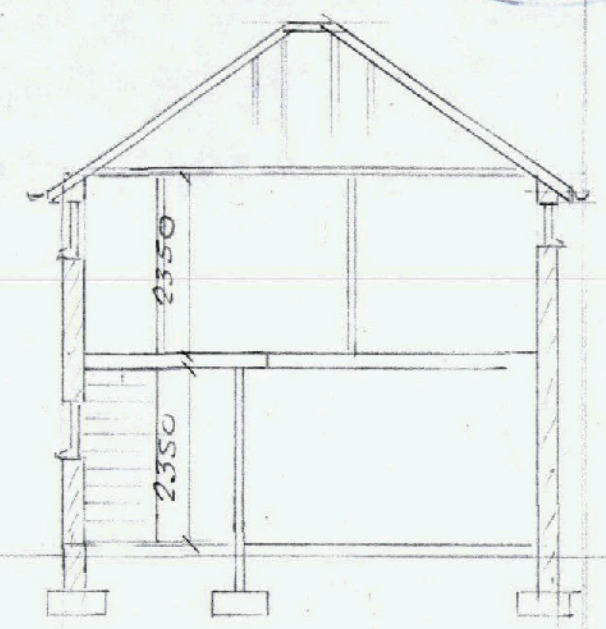
RECEIVED
- 8 FEB 2010
DIRECTOR OF THE
PLANNING DEPARTMENT



~ FRONT ELEVATION ~



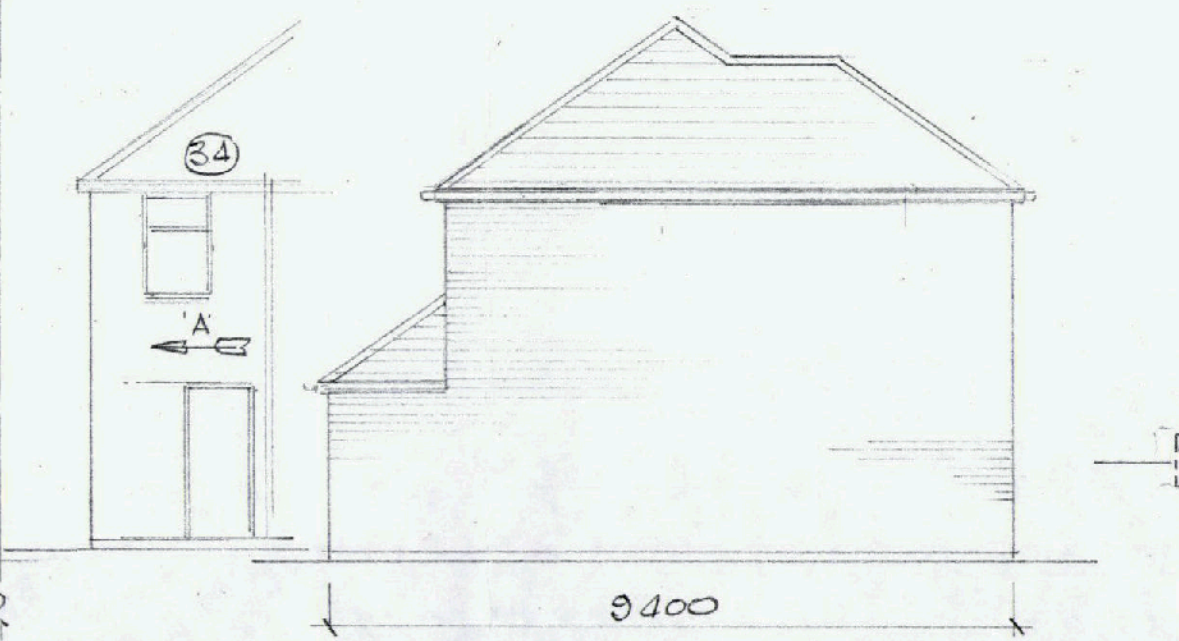
~ VIEW ON ARROW A ~



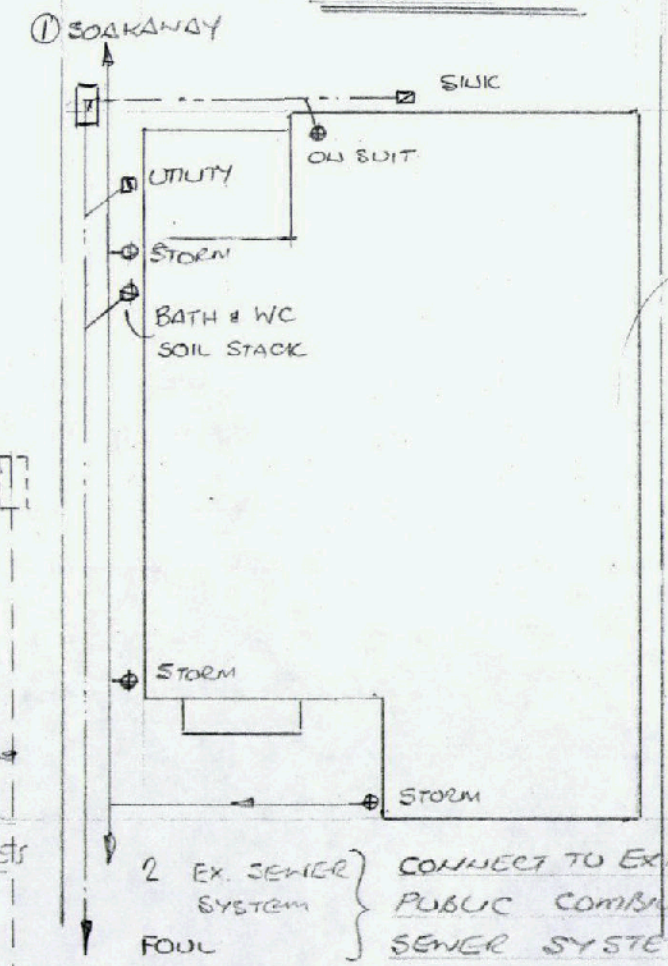
~ SECTION THRU ~



~ REAR ELEVATION ~



~ VIEW ON ARROW B ~



SEWER SYSTEM
REV 'A' FEB 10 DRAWING UPDATED

PROPOSED - 3 BEDROOM DETACHED DWELLING
ON LAND BETWEEN
30-34 - OAK STREET
NETHERTON
DUDLEY

ROOF DEADWHAFT PLAIN CLAY TILES OR MARLEY "ASHMORE" CONCRETE PAN TILE.
BUCKWORK FACING BRICK STYLE, COLOUR & TEXTURE TO BE DETERMINED

SEWERS FOUL - CONNECT TO EXISTING FOUL SEWER SYSTEM - (MAIN SEWER IN ROADWAY)
STORM - NO VISIBLE SIGNS OF STORM ON PROPERTY - TO SOAKAWAY - OR ALTERNATIVE.

EXISTING PUBLIC
SEWER & MANHOLES
34 OAK STREET

DATE JAN 10	SCALE 1:100	DOC N° 3205/10/02A
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Location + block plan

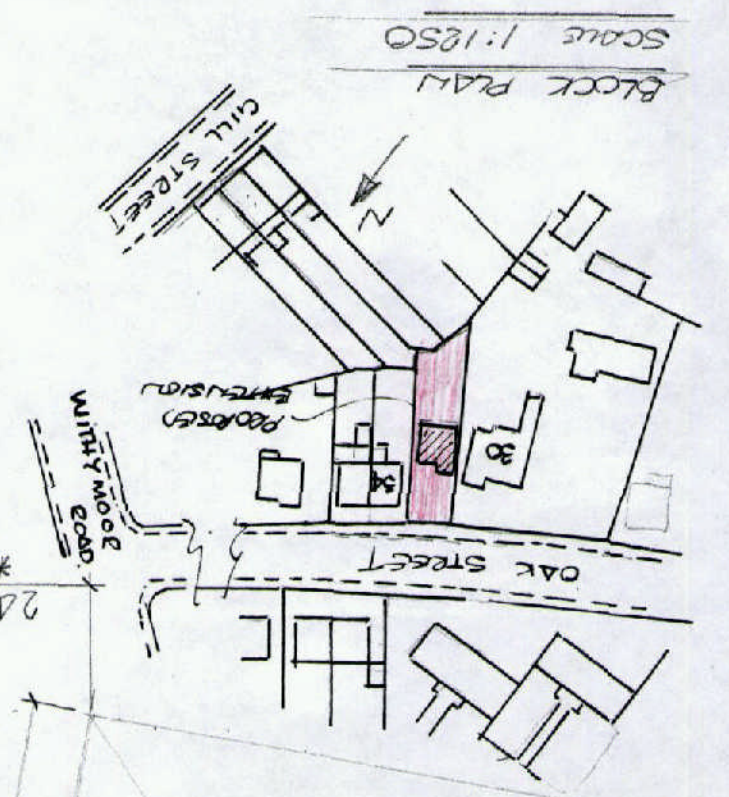
DATE MAY 09	SCALE VARIOUS	DEG NO 3205/09/01A
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REV 'A' 'REBID' SEWERS ADDED
EXPLANATORY NOTES ADDED FOR DESIGN APP

RECEIVED
8 FEB 2010

NOTE: THIS PLAN IS RELATIVELY FLAT & LEVEL WITH ADJACENT PROPERTIES

LOCATION PLAN
SCALE 1:100
LAND BETWEEN
L^{OS} 30 & 34 OAK STREET
HETTERTON
DURLEY



SEWER: SHOULD GROUND CONDITIONS BE UNSUITABLE FOR SOAKAWAY, PROVIDE 2ND SEPARATE SYSTEMS FOR FOLL & STORM, ONLY TO BE COMBINED WHEN ACTUAL CONDITIONS INTO EXISTING COMBINED FOLL & STORM SEWER

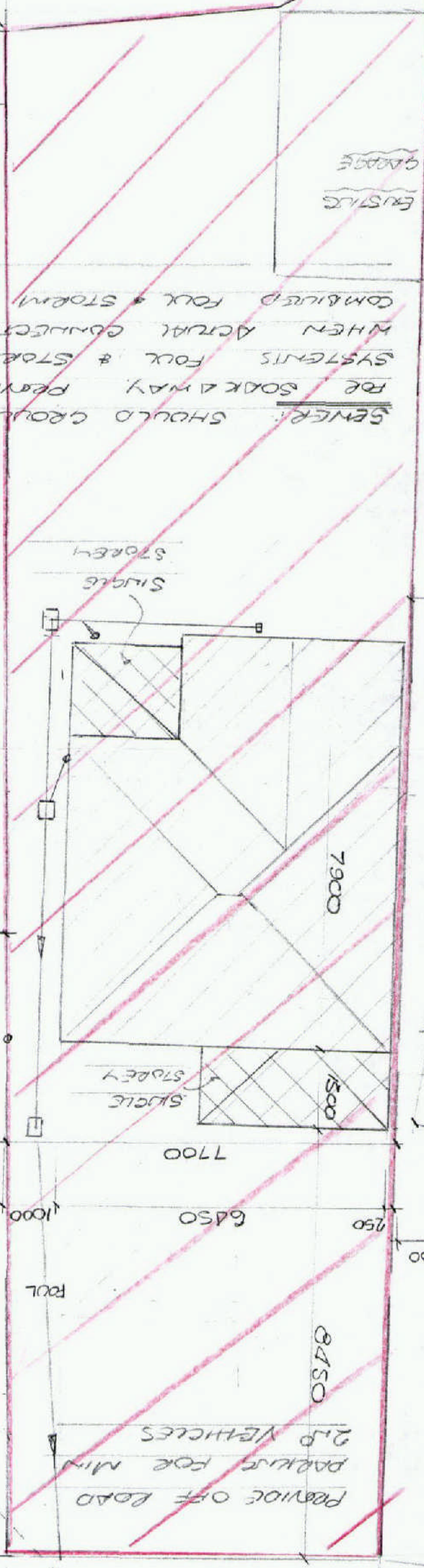
NOTE: EXISTING SEWER RUN TO SIDE OF NO 34 IS "PUBLIC" IT IS SUGGESTED WITH THE AUTHORITY OF SEWER TREAT & WORK OF NO 34 A COLLECTION BE MADE INTO ONE OR OTHER EXISTING MANHOLES ALTERNATIVE CONDUIT TO SEWER IN ROAD

STORM WATER - SHOULD GROUND CONDITIONS PERMIT TO A SUITABLE SOAKAWAY - 5m FROM ANY BUILDING ALTERNATIVE TO COMBINED SEWER SYSTEM (EXISTING)

NOTE: DIMENSIONS MK'D * ARE MEASURED FROM BUILDING PROPERTY & CAN ONLY BE ASSUMED APPROX

IT IS ASSUMED THAT COMBINED SEWER FROM MANHOLE (FRONT) NO 34 IS COLLECTED TO MAIN IN ROAD (RECORDS CLEAR)

EX. MANHOLE
MV 2.34M



9" MAIN SEWER