

PLANNING APPLICATION NUMBER:P10/0470

| | |
|-------------------------|---|
| Type of approval sought | Full Planning Permission |
| Ward | UPPER GORNAL & WOODSETTON |
| Applicant | Mr Singh |
| Location: | LAND ADJACENT TO 63, BOURNE STREET, COSELEY, WEST MIDLANDS |
| Proposal | ERECTION OF 4 NO. DWELLINGS (RESUBMISSION OF WITHDRAWN APPLICATION P09/1672) |
| Recommendation Summary: | APPROVE SUBJECT TO A 106 AGREEMENT |

SITE AND SURROUNDINGS

- 1 The 0.08 hectare application site is located within a principally residential area of Coseley within a group of detached and semi detached interwar dwellings, although Victorian terrace and post war house types are also present within the locality, including a 3 storey block of flats opposite.
- 2 The majority of the site is at present overgrown having last been used as parking , the northern part of the site incorporates a vacant single storey flat roofed shop unit.
- 3 The site slopes to the south, with No 63 (Bourne Street) set below the site and No. 30 (Bond Street) to the north at least 1.5m higher. Housing to the rear of the site (Corfe Road) is considerably higher than the application site, although there is established planting along the boundary.

PROPOSAL

- 4 This planning application is for the erection of two pairs of semi detached dwellings. Each dwelling would have three bedrooms, two at first floor level and one within the roof space.

- 5 The dwellings to the front reflect the prevailing character of adjoining dwellings which includes front bay windows with a gable extending over the top of the front bays.
- 6 From the front the dwellings have a two storey outward appearance with, roof lights at second floor level, although a dormer is proposed to the rear of each dwelling. The buildings would be faced in render, although the plinth to the bay would be finished in brick.
- 7 The density of the proposed development would be in the region of 50 dwellings to the hectare.
- 8 The application is submitted with a design and access statement and nature conservation survey.

HISTORY

| APPLICATION No. | PROPOSAL | DECISION | DATE |
|-----------------|--|----------|------------|
| CO/55/1445 | Use Of Land For Erection Of Lock-Up Shop | Granted | 19/10/55 |
| CO/55/1486 | Erection Of Lock Up Shop | Granted | 18/01/56 |
| CO/56/1590 | Sectional Garage | Granted | 10/08/56 |
| 04/05/2342 | Erection Of A Garage For Private Car | Granted | 04/05/60 |
| CO/60/2488 | Garage | Refused | 10/01/61 |
| CO/61/2523 | Erection Of A Garage | Granted | 08/03/61 |
| CO/62/2825 | Garage | Refused | 18/09/62 |
| P06/0799 | Erection of 14 No 1 bedroom flats with associated parking & new access to highway. | Refused | 20/07/2006 |
| P07/0966 | Erection of 9 No 2 bedroom flats | Refused | 17/08/2007 |

| | | | |
|----------|---|-----------|------------|
| | and 1 No 1 bedroom flat with associated parking and new access to highway (resubmission | | |
| P09/1672 | Erection of 4 no. dwellings | Withdrawn | 29/01/2010 |

- 9 This application has been modified from P09/1672 in that siting of the dwellings has been modified to ensure that the Councils parking standards are met, that neighbour amenity is respected and the design of the proposed dwellings are appropriate.
- 10 P06/0799 and P07/0966 were for flatted developments which were refused as they were considered to be out of keeping with the character of the area.

PUBLIC CONSULTATION

- 11 No representations received

OTHER CONSULTATION

- 12 Group Engineer (Development): No objection
- 13 Head of Environmental Health and Trading Standards: No objection, subject to a soil gas condition.

RELEVANT PLANNING POLICY

Unitary Development Plan

DD1 Urban Design

DD4 Development in Residential Areas

DD6 Access and Transport Infrastructure

DD7 Planning Obligations

DD8 Provision of Open Space, Sport and Recreation Facilities

DD10 Nature Conservation and Development

H3 Housing Assessment Criteria

H6 Housing Density

LR1 Open Space
LR3 Children's Play Areas
NC1 Biodiversity
NC6 Wildlife Species
NC9 Mature Trees
NC10 The Urban Forest

Supplementary Planning Guidance/Documents

Supplementary Planning Document on Open Space, Sport and Recreation Provision
Parking Standards and Travel Plans Supplementary Planning Document
New Housing Development Supplementary Planning Document
Planning Obligations Supplementary Planning Document
PGN3. New housing development
PGN 12. The 45 degree code

ASSESSMENT

- 14 The main issues are
- Policy/Principle
 - Design
 - Neighbour Amenity
 - Occupier Amenity
 - Access and Parking
 - Nature Conservation
 - Planning Obligations

Principle/Policy

- 15 The application site is considered to be a previously developed or "brownfield" site as defined by Planning Policy Statement 3 – Housing and as such the reuse of the site for residential use is considered to be acceptable in principle subject to the consideration of all other material planning matters such as design or highway safety.

Design

- 16 This planning application is for the erection of two pairs of semi detached dwellings. Each dwelling would have three bedrooms, two at first floor level and one within the roof space.
- 17 The character of the area is particularly mixed with interwar semi detached dwellings with hipped roofs, detached dwellings, Victorian terraces and more modern development.
- 18 The dwellings have been designed to reflect the immediate adjoining development which is interwar housing. Design details which have been included are bay windows, gables over the forward bay projection and the use of render which are typical features of the period.
- 19 Whilst the dwelling provides three levels of accommodation the building from the front reflects the general two storey character of the area, with the heights of the proposed dwellings not being significantly greater than adjoining houses. The only indication of a second floor to the front elevation are the roof lights. On the rear elevation there would be a series of dormers. However, these would not be visible from the street.
- 20 Parking would be to the front of the proposed dwellings. Whilst it would be preferred from a design point of view for parking to be provided to the side, frontage parking is prevalent on adjoining dwellings and therefore no objection can be reasonably sustained.
- 21 In conclusion the design of the proposed dwellings are considered to be acceptable in context, and replicate features on a number of adjoining dwellings, as well as appropriate in terms of scale.

Neighbour Amenity

- 22 The back to back distance between the proposed dwellings and those located in Corfe Road to the west (rear) is in the region of 50m, which is well in excess of the 31m required due to the accommodation at second floor level. In addition there is significant planting on the boundary which assists in maintaining a reasonable level of amenity.
- 23 Adjoining the site are Nos. 30 and 63. In both cases the proposed development would comply with the Councils adopted 45 Degree Code (PGN 12).
- 24 No 30 has two windows on its side elevation facing towards the side elevation of one of the dwellings. It is understood that these windows serve a kitchen area which also has a window on the rear elevation which would be the principal outlook from the room on the basis these windows face towards the existing shop building. Therefore no objection is raised.

Occupier Amenity

- 25 The majority of the dwellings have more than adequate gardens which exceed the prescribed 11m length (PGN3) apart from plot 2 which has an average length of 9m. However, on the basis this is only one plot out of the four and there is still useable space then no objection can be sustained.

Access and Parking

- 26 The proposal shows the provision of eight off- road parking spaces which is in accordance with the Councils adopted Supplementary Planning Document on Parking Standards and Travel Plans.
- 27 Visibility from the proposed parking area is considered to be adequate as well. Therefore no objection is raised on parking and access grounds.

Nature Conservation

28 A nature conservation survey has been submitted with the application. It concludes the site is not being used by badgers or by bats. However, the survey makes a number of recommendations including the retention of the hawthorn shrubs along the western (rear) boundary of the site.

Planning Obligations

29 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.

| | |
|----------------------------------|--------------------------|
| • POS Construction | £2,078.87 |
| • POS Establishment | £3,002.24 |
| • Play Construction | £3,857.16 |
| • Libraries | £739.68 |
| • Public Realm | £1,849.40 |
| • Transport Improvements | £540.00 |
| • Management & Monitoring Charge | £1,000.00 |
| • <u>Total</u> | <u>£13,067.35</u> |

30 In addition to the above, on site nature conservation enhancement up to the value of £380.00 would need to be provided. This would be controlled by condition.

31 The reason for the lower than usual transport infrastructure requirement relates to the trip rate deduction from the disused shop.

32 At the date of agenda preparation a response was awaited from the agent advising whether the requested obligations were acceptable.

CONCLUSION

33 The proposed development is considered to be acceptable in principle, is of acceptable design, causes no highway danger or significant harm to neighbour amenity. Consideration has been given to policies DD1 Urban Design DD4 Development in Residential Areas DD6 Access and Transport Infrastructure DD7 Planning Obligations DD8 Provision of Open Space, Sport and Recreation Facilities DD10 Nature Conservation and Development H3 Housing Assessment Criteria H6 Housing Density LR1 Open Space LR3 Children's Play Areas NC1 Biodiversity NC6 Wildlife Species NC9 Mature Trees and NC10 The Urban Forest 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 provision of public open space and play equipment, transport infrastructure improvements, libraries, public realm and a management and monitoring charge totalling £13,067.35 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 considered to be acceptable in principle, is of acceptable design, causes no highway danger or significant harm to neighbour amenity.

Consideration has been given to policies DD1 Urban Design DD4 Development in Residential Areas DD6 Access and Transport Infrastructure DD7 Planning Obligations

DD8 Provision of Open Space, Sport and Recreation Facilities DD10 Nature Conservation and Development H3 Housing Assessment Criteria H6 Housing Density LR1 Open Space LR3 Children's Play Areas NC1 Biodiversity NC6 Wildlife Species NC9 Mature Trees and NC10 The Urban Forest 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.

Notes

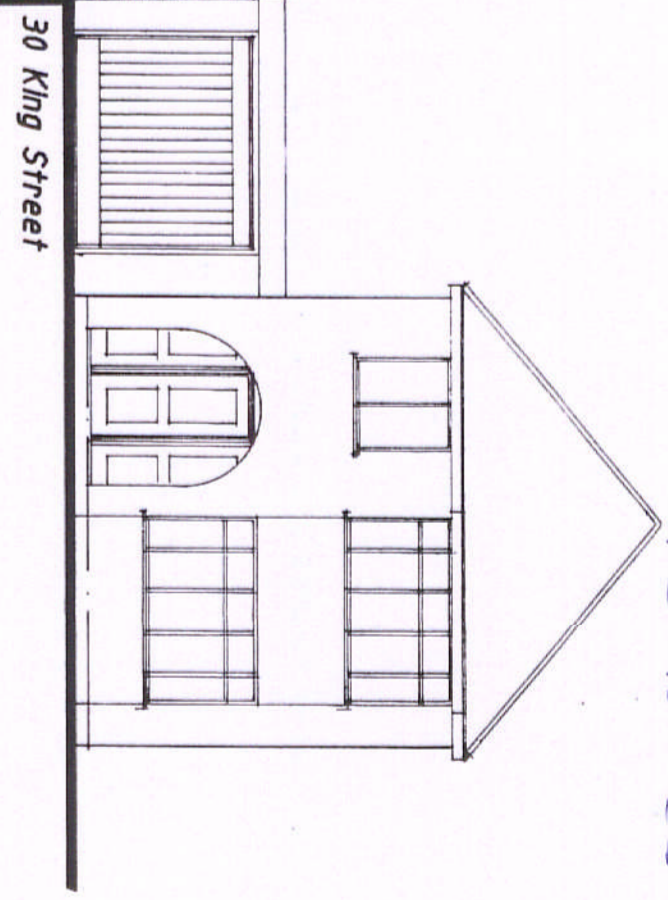
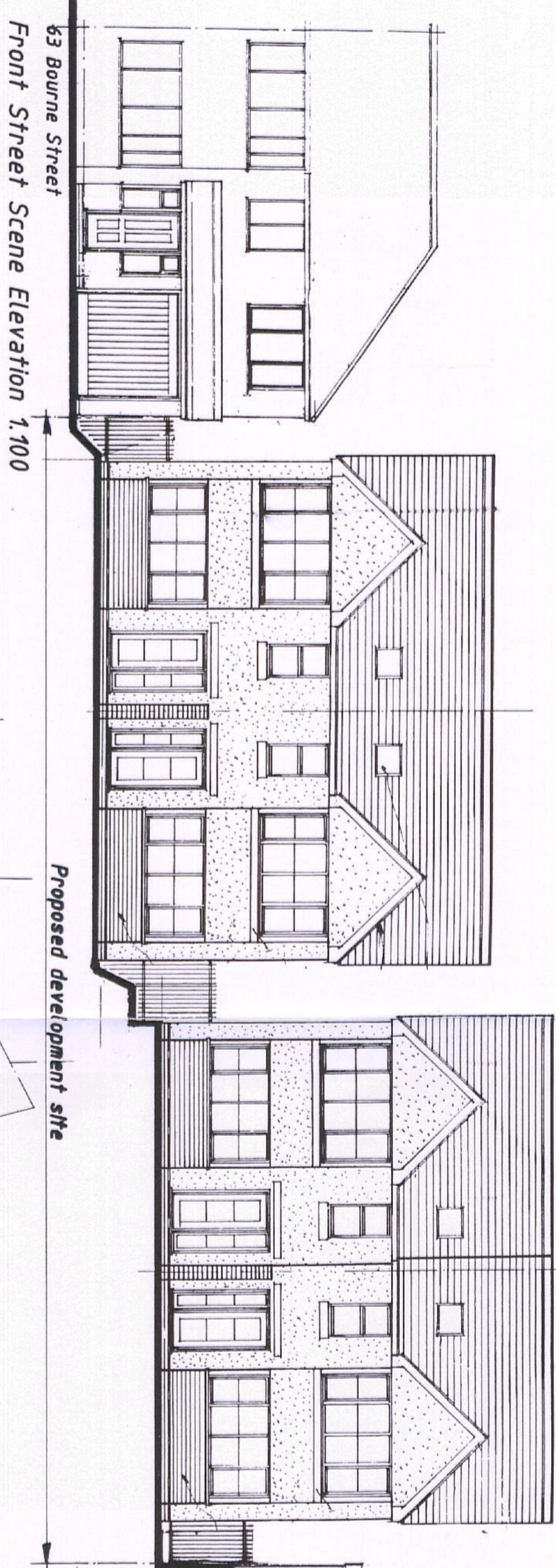
The development hereby permitted shall be built in accordance with the approved plans numbered HS/09/100C and 101A unless otherwise agreed in writing by the Local Planning Authority.

Conditions and/or reasons:

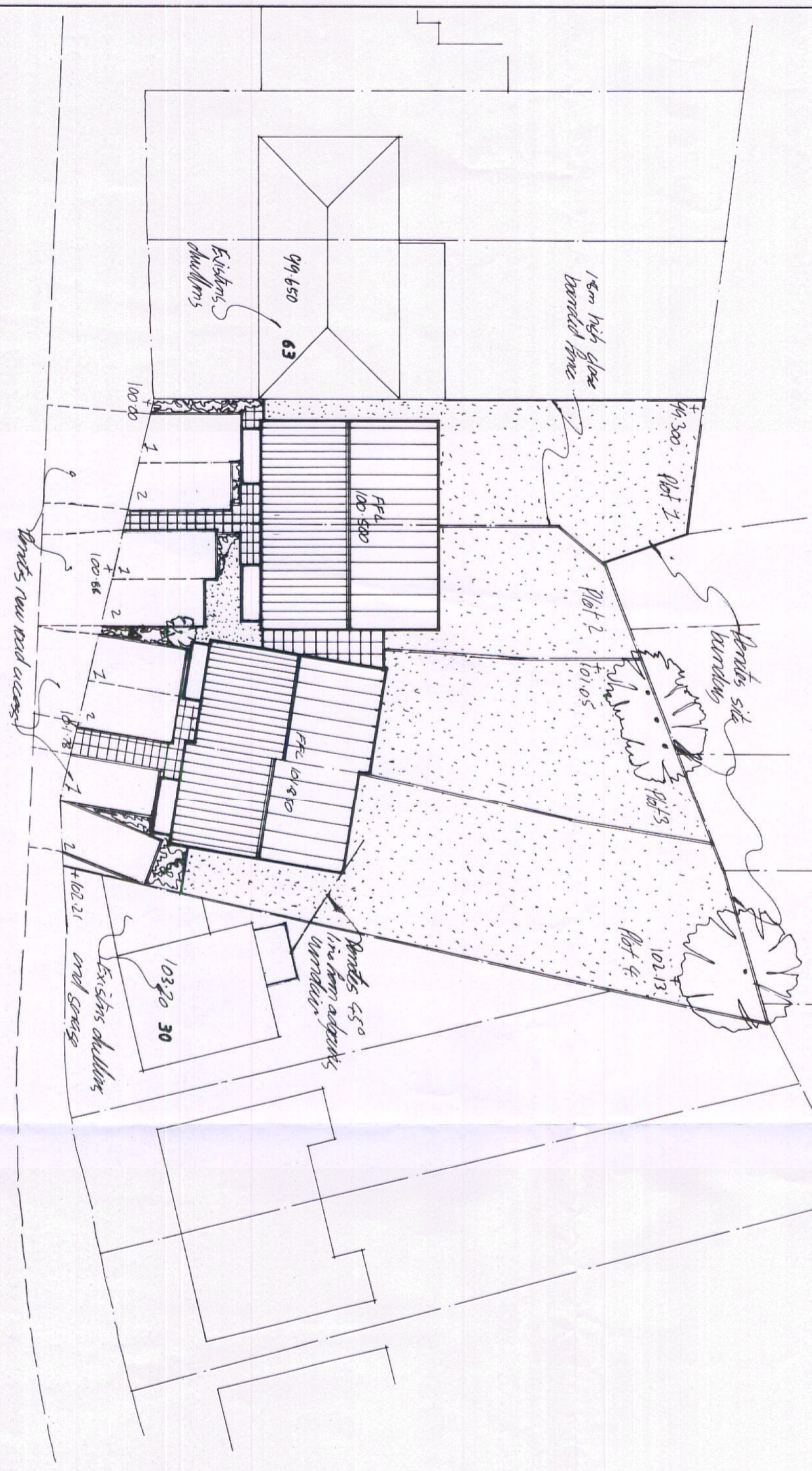
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. Development shall not commence until an arrangement for the provision of off site public open space play area improvements, transport infrastructure improvements, libraries, public realm and 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. No part of the development hereby permitted shall be commenced until detailed plans and sections showing existing site levels and finished floor levels of the dwellings have been submitted to and approved in writing by the Local Planning Authority and the development thereafter shall only be carried out as approved.
4. No part of the development hereby permitted shall be commenced until a schedule of all materials to be used on the walls and roofs of the buildings has been submitted to and approved in writing by the Local Planning Authority and thereafter the development shall only be constructed in accordance with these details.
5. No part of the development hereby permitted shall be commenced until full details of soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details must include, where appropriate, planting plans, written specifications, a schedule of plants including species, plant sizes and proposed numbers/densities and a programme of implementation. Plans must also include accurate plotting of all existing landscape features.
The works approved as part of this condition shall be completed within the first planting season following the first occupation of any part of the development.

Any trees or shrubs planted in pursuance of this permission including any planting in replacement for it which is removed, uprooted, severely damaged, destroyed or dies within a period of five years from the date of planting shall be replaced by trees or shrubs of the same size and species and in the same place unless otherwise agreed in writing by the Local Planning Authority.

6. No part of the development hereby permitted shall be commenced until details of the positions, design, materials and type of boundary treatment or means of enclosure have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until these works have been carried out in accordance with the approved details.
7. Development shall not begin until a comprehensive written site investigation strategy (in a form to be agreed with the local planning authority), has been submitted to and approved by the local planning authority. Such a strategy shall facilitate the identification of ground gases and vapours that have the potential to pose a risk to human health and the wider environment. Where the investigations identify the presence of ground gases and vapours, development shall not begin until a scheme to protect the development from the effects of such gases and vapours 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.
8. None of the development hereby approved shall be first occupied until the parking areas shown on the approved plans have been provided. The parking areas shall thereafter be retained for the life of the development.
9. The development hereby approved shall not be first commenced until details of the nature conservation enhancement of the site has been submitted to and approved in writing by the Local Planning Authority. The enhancement shall thereafter be provided in accordance with the approved details and provided prior to first occupation of the development. The nature conversation enhancements shall thereafter be retained and maintained for the life of the development.



Street scene location
Site Plan (A2) P1010470



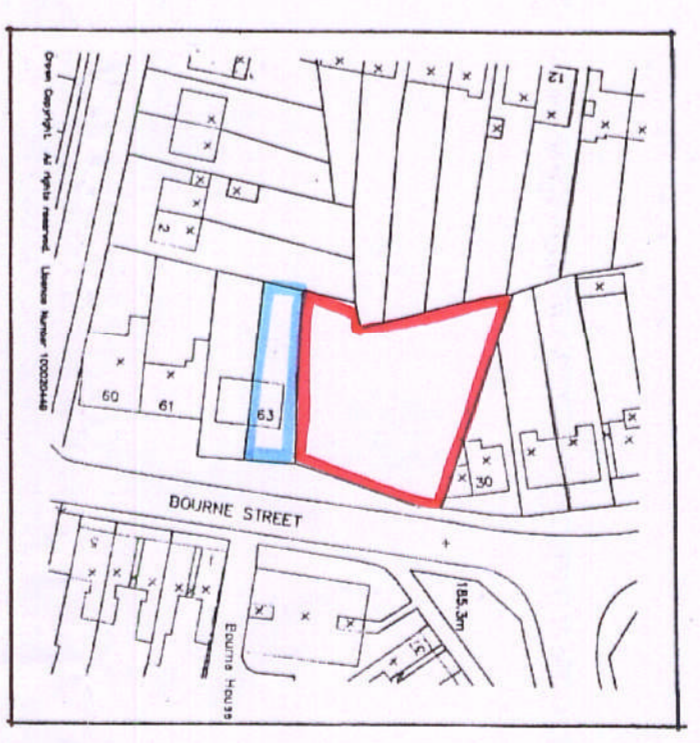
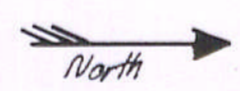
Block plan 1:200

Bourne Street

Proposed development site

30 King Street

RECEIVED
30 MAR 2010
COUNCIL OF THE CITY OF BIRMINGHAM



Location plan 1:1250

A layout created

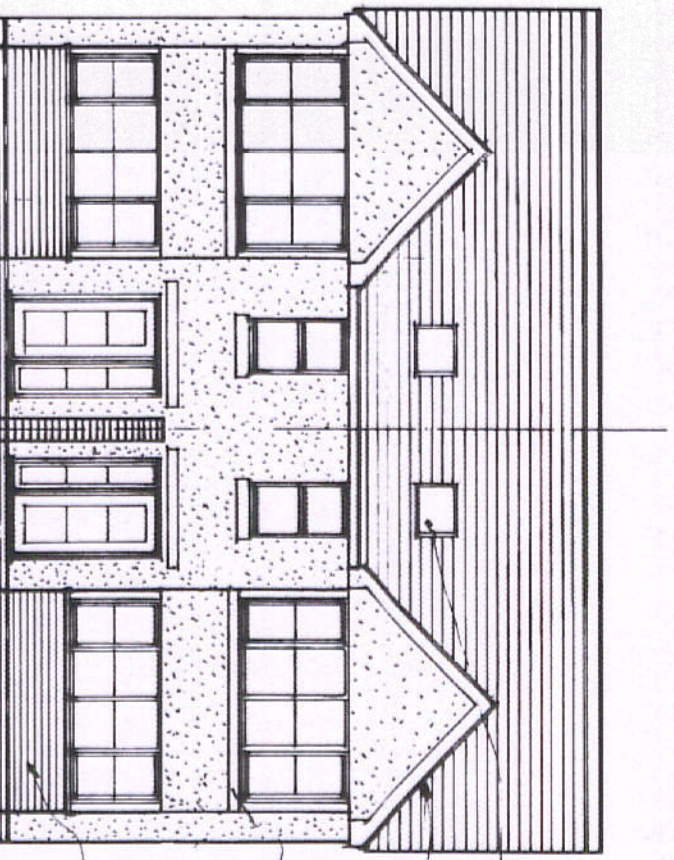
© COPYRIGHT
dknam
DESIGN
ARCHITECTURAL SERVICES
GLEE VIEW BARN, EDGEHILL DRIVE, NORTHWAY,
SEDOGLEN, WEST MIDLANDS, B39 3RH
TELEPHONE: 01902 654535

JOB TITLE
**Land adjacent to
63 Bourne Street
Coseley
Dudley**

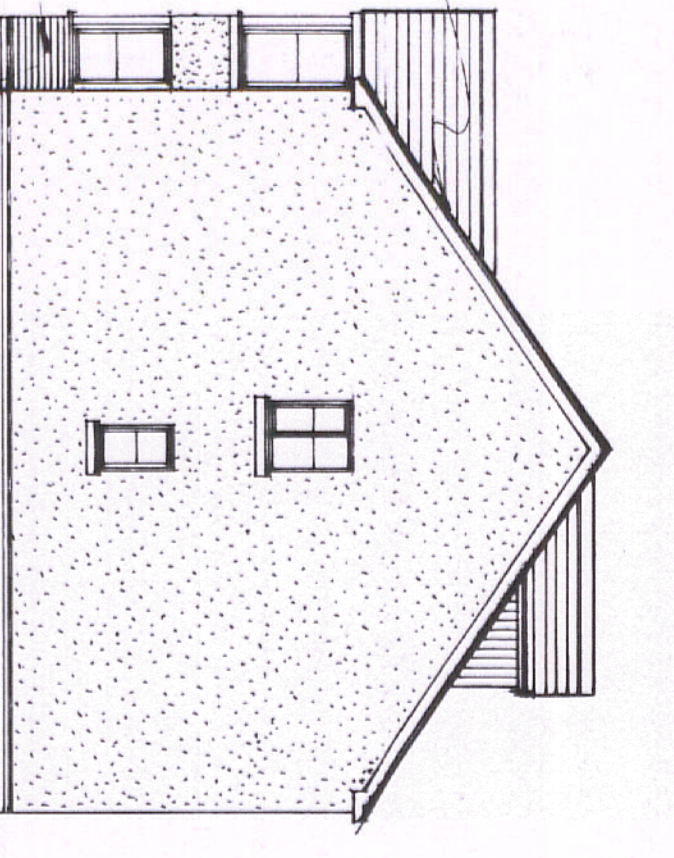
SCALE 1:100~1:200
DATE **Sept 2009**

DRAWING TITLE
**Block plan and street scene
elevation**

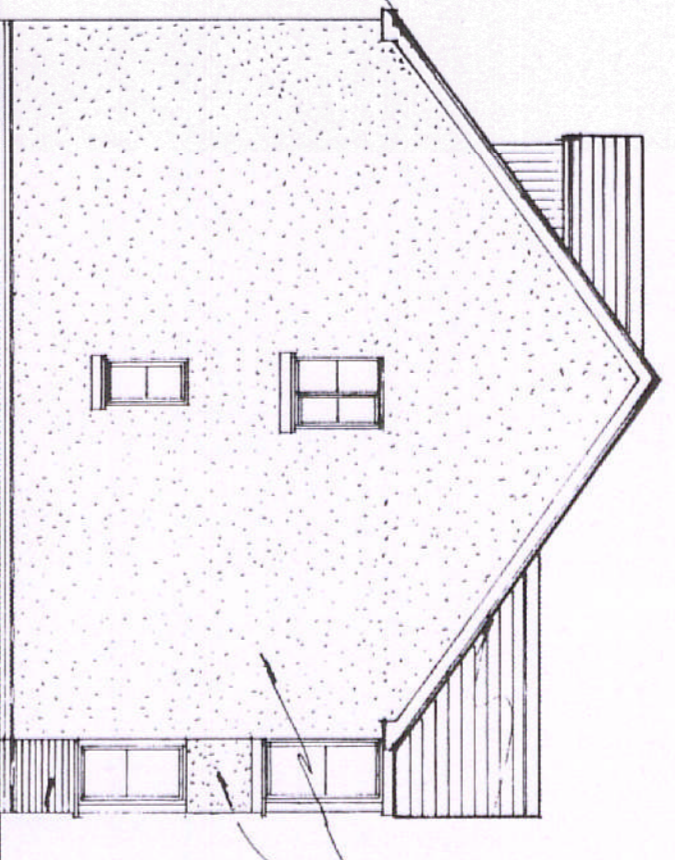
JOB No. **HS/09/101A**
DRAWING No.



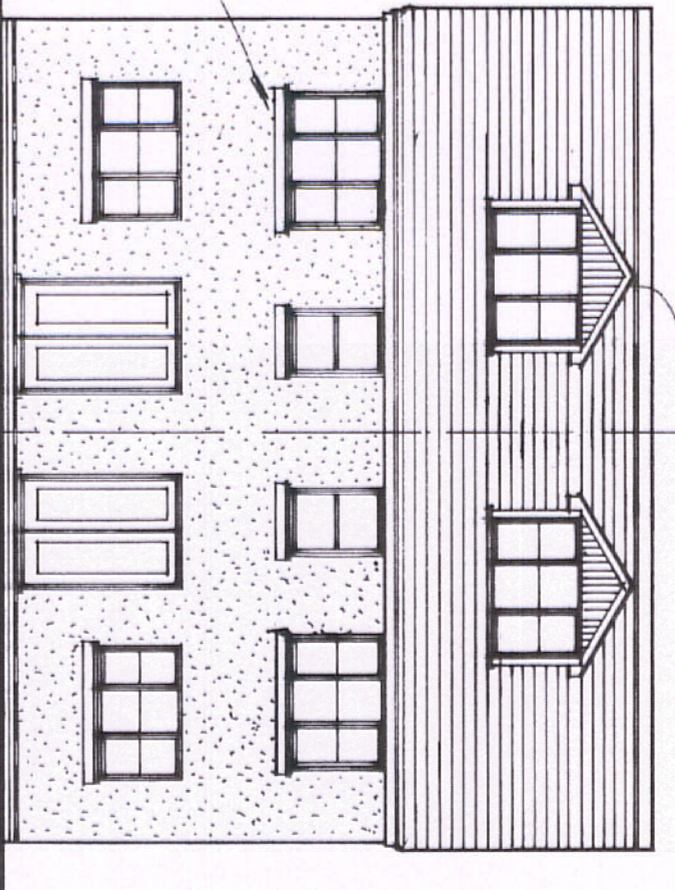
Front elevation



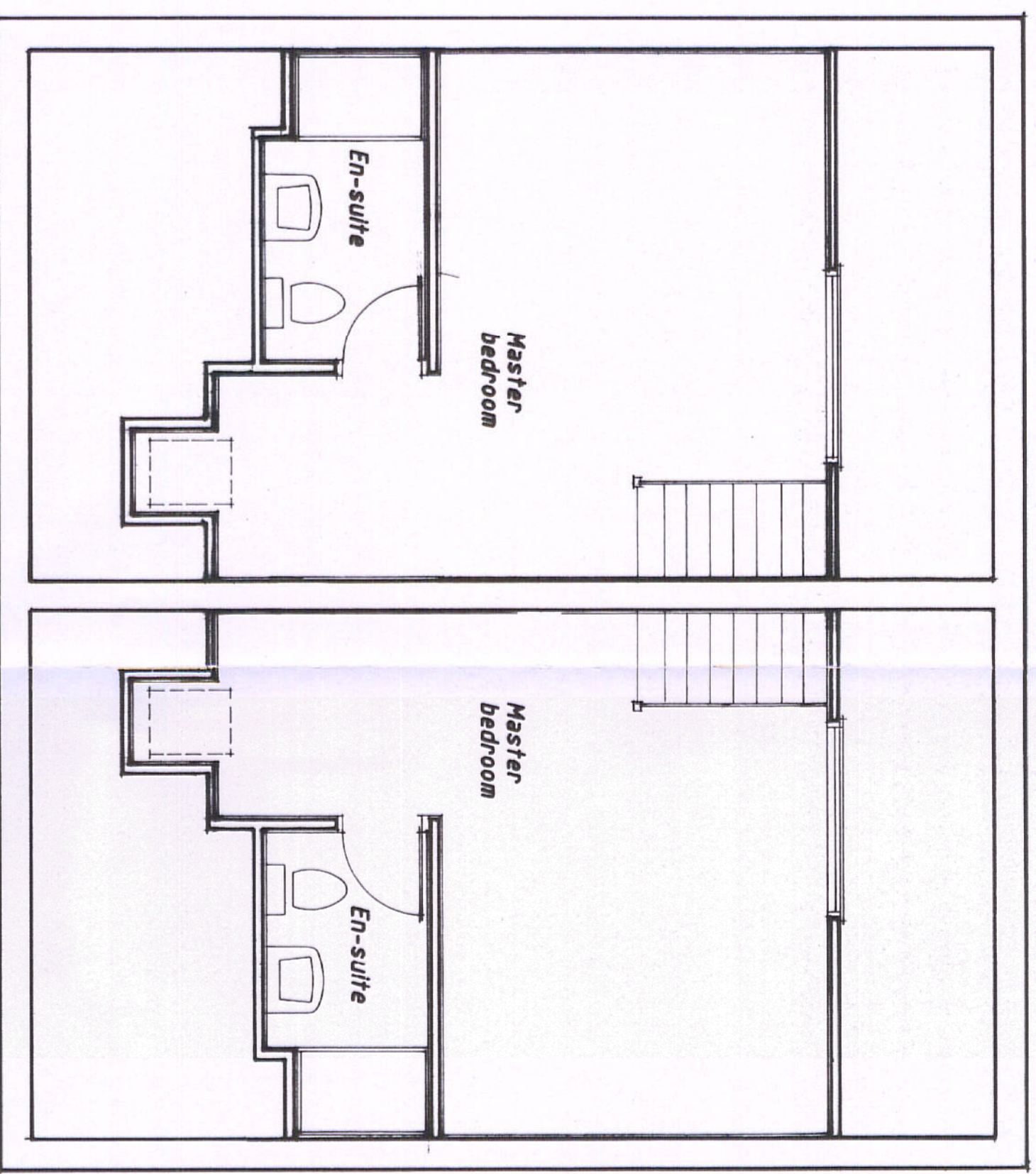
Side



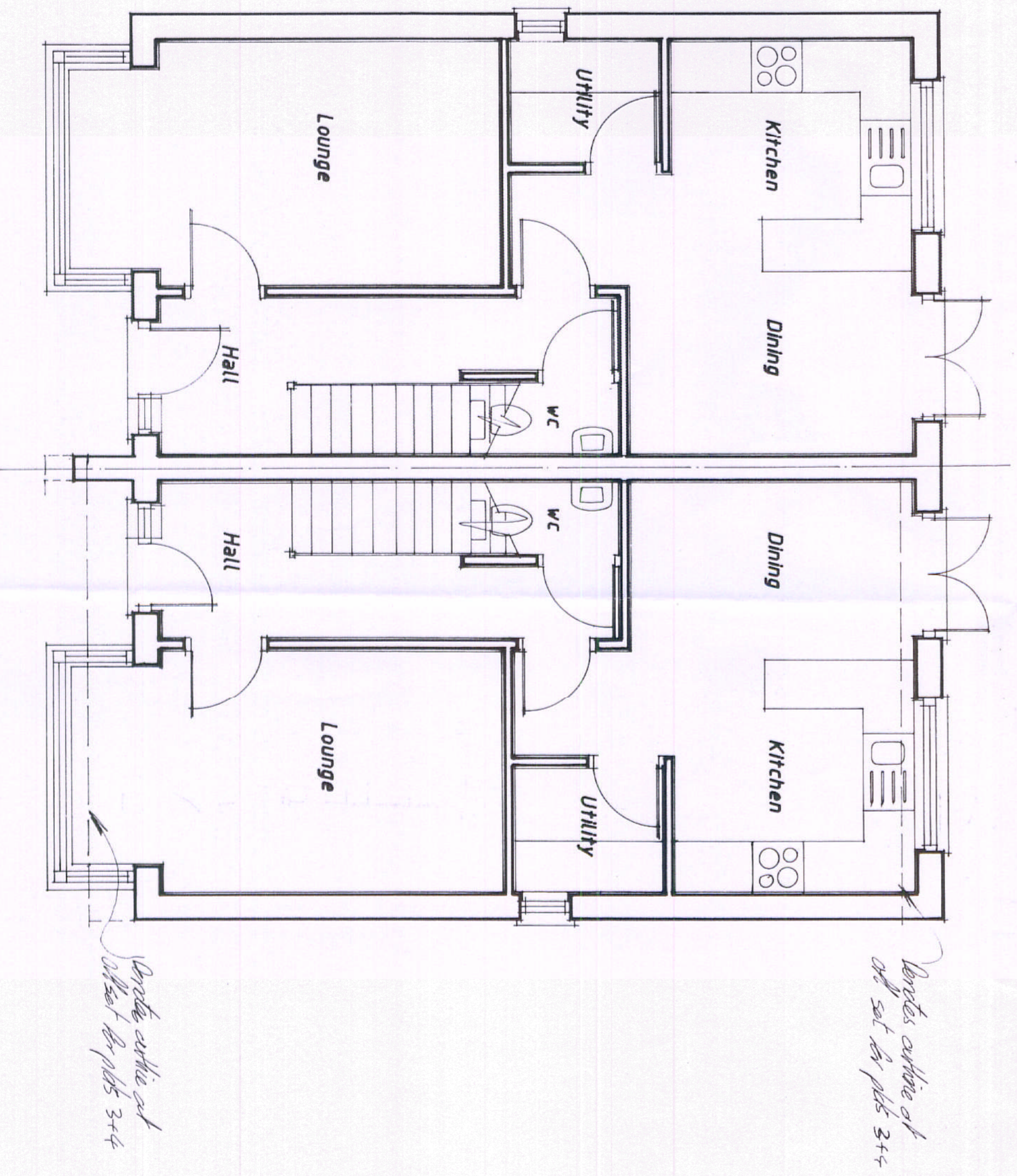
Side



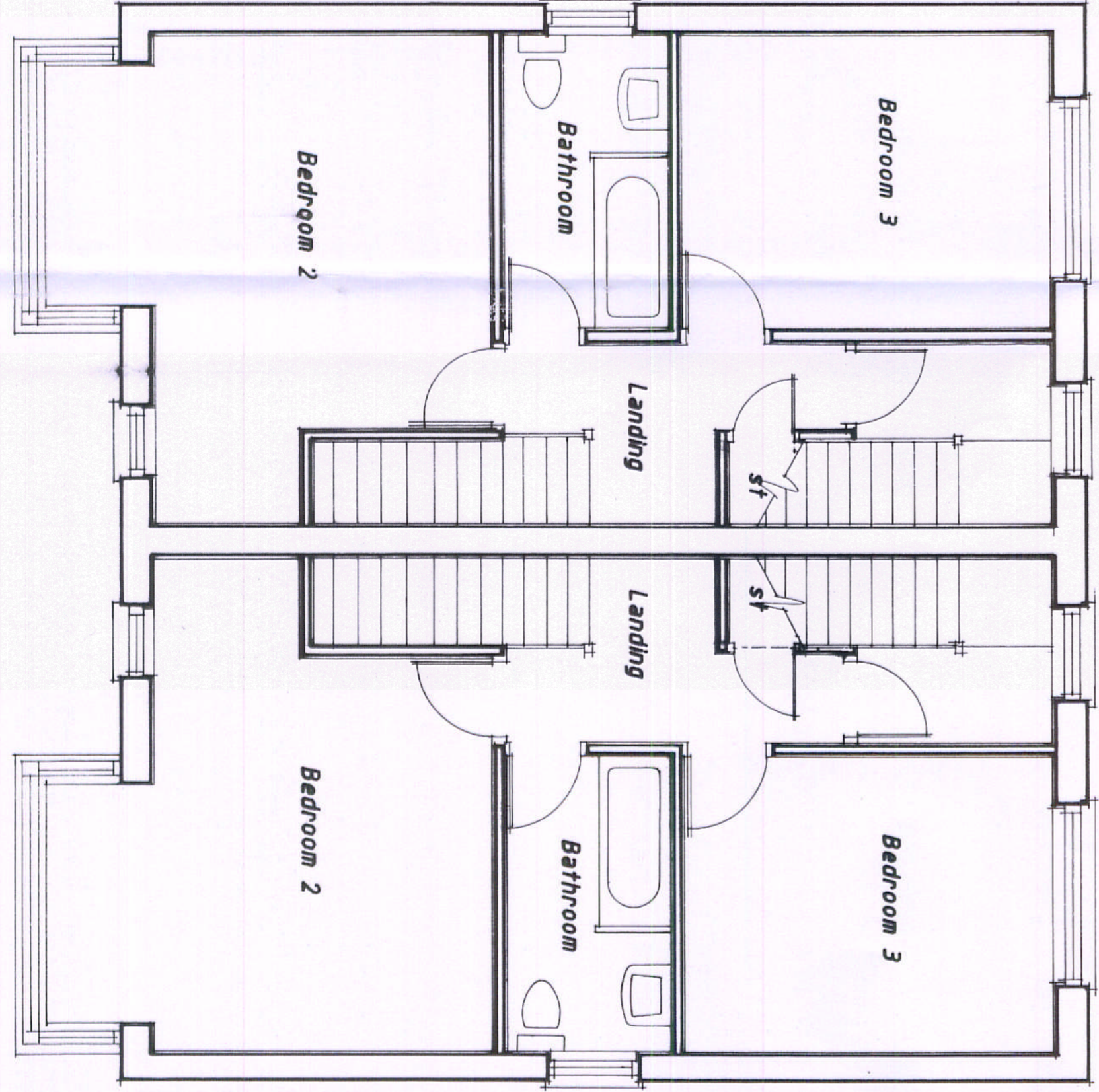
Rear



Second floor plan



Ground floor plan



First floor plan

Hand-drawn notes on the front elevation: 'wood cladding', 'smooth flat roof tiles', 'brick base colour', 'concrete patio steps to lawn', 'spacious windows to high windows'.

Hand-drawn notes on the side elevation: 'bricks finish to main windows colour to be confirmed'.

Hand-drawn notes on the rear elevation: 'Timber cladding to corner windows'.

Hand-drawn note on the ground floor plan: 'bordered outside of all set by pds 3+4'.

Hand-drawn note on the ground floor plan: 'bordered outside of all set by pds 3+4'.



Hand-drawn notes: 'I am obliged to clients contracts', 'I am obliged to previous contracts', 'I am obliged to previous contracts'.

Logo for 'D E S I G N ARCHITECTURAL SERVICES' with contact information: 'CLARE SERRELL WEST MIDLANDS DV17 3BH', 'TELEPHONE: 01927 64313'.

JOB TITLE: Land adjacent to 63 Bourne Street Dudley

SCALE: 1:50 ~ 1:100 DATE: Sept 2009

Proposed 4No three bedroom semi-detached dwellings Plans and elevations

JOB NO.: HS/09/100C DRAWING NO.: