

PLANNING APPLICATION NUMBER: P08/1230

Type of approval sought	FULL PLANNING PERMISSION
Ward	LYE & WOLLESCOTE
Applicant	MR W COX
Location:	LAND ADJACENT, WOODLEA, WOODS LANE, QUARRY BANK, BRIERLEY HILL, WEST MIDLANDS, DY5 2QZ
Proposal:	ERECTION OF 1 NO. 2 BEDROOM DETACHED BUNGALOW WITH ASSOCIATED ACCESS (RESUBMISSION OF REFUSED APPLICATION P08/0577)
Recommendation summary:	APPROVE SUBJECT TO A 106 AGREEMENT

INTRODUCTION

1. This application was originally granted planning permission at the Development Control Committee meeting on 15th October 2008, subject to conditions and a planning obligation to guarantee the payment of a sum of £7249.84 towards off-site public open space/play improvements, library improvements and transport infrastructure improvements.
2. The transport infrastructure element of the obligation amounted to £5354.70. The applicant considers that this is an excessive sum and has requested a reduction in the contribution being sought.
3. The revised Planning Obligations Supplementary Planning Document was adopted in March 2009. Given the general economic situation and in the interests of reasonableness it is considered that it is reasonable to review contributions where specific requests are made. Based on the figures set out in the revised SPD the transport infrastructure contribution would be reduced to £401.31.
4. The remainder of the report is identical to the original except for section 20 relating to planning obligations.

SITE AND SURROUNDINGS

5. The application site is the side garden area of 'Woodlea', a detached house located close to the junction of Woods Lane with Amblecote Road. The site measures 20m across and 20m deep at its widest points. The garden area is maintained in a tidy condition and has mature trees and hedges along its boundaries and a wooden fence along the Woods Lane frontage which screens it from public view.
6. The street block pattern along Woods Lane is irregular with a staggered building line on its western side and a consistent building line on its eastern side. The area is characterised by a mixture of house types, including detached and semi-detached two storey dwellings and bungalows. Ground levels rise considerably along Woods Lane up towards Amblecote Road. Immediately adjacent the site is another bungalow (Woodcote), located at a level approximately 2m lower than the application site.

PROPOSAL

7. Permission is sought for the erection of a two bedroom detached bungalow at the site. The site would have direct vehicular access from the existing dropped kerb in front of Woodlea, which would be extended to serve the proposed dwelling. Parking would be provided in an integral garage at the property and a single car length driveway. New 1.8m high fencing would be along the boundary with Woodlea and the rear boundary. The garden length is 5m at its shortest point and 8m at it longest, with an overall area in excess of 100 square metres. The remaining rear garden area of Woodlea would be approximately 100 square metres.

HISTORY

8.

APPLICATION	PROPOSAL	DECISION	DATE
P08/1230	Erection of 1no. 2-Bedroom Detached Bungalow with Associated Access	Refused	May 2008

9. The above application was refused on the grounds that the development provided limited amenity space, with the result that the site could not be occupied satisfactorily because of its constrained nature. In addition there was insufficient information submitted in respect of the details of the scale of the building, ground levels and boundary treatments to assess the application properly. The application was therefore considered to be contrary to Policies DD1 and DD4 of the UDP, PGN3 (Housing) and the New Housing Development Supplementary Planning Document.

PUBLIC CONSULTATION

10. The occupant of Woodcote has submitted a letter which states that the existing boundary wall between the properties is suffering from cracks and leaning, which could be exacerbated by the proposed development. A new retaining wall should therefore be erected.

OTHER CONSULTATION

11. Head of Environmental Health: No objection.
12. Group Engineer (Development): No objections subject to the garage maintaining an internal dimension of 6m x 3m to ensure that it is large enough to park a vehicle, the provision of a satisfactory visibility splay upon exit from the site, and the applicant providing a contribution to transport infrastructure.

RELEVANT PLANNING POLICY

13. Unitary Development Plan (2005)
- Policy DD1 (Urban Design)
 - Policy DD4 (Development in Residential Areas)
 - Policy DD7 (Planning Obligations)

Supplementary Planning Guidance

- PGN 3 – New Housing Development

Supplementary Planning Documents

- Parking Standards and Travel Plans
- New Housing Development

ASSESSMENT

14. Key issues

- Impact upon the character of the area
- Impact upon residential amenity
- Highway safety
- Planning obligations

Character

15. The proposed bungalow is well-designed, incorporating elements found in existing properties surrounding the site. The appearance of the bungalow is therefore considered to be compatible with the mixed character of existing buildings in the area, in accordance with Policy DD1 of the UDP which requires new development to have a positive impact on the character of an area.
16. The previous application at the site was partly refused on the grounds that the proposed short garden length (at an average of 4m) would be substantially less than the length that that would be acceptable under the guidance of PGN3 and less than any comparable properties nearby at 72-80 Woods Lane. PGN 3 requires the provision of a garden area of a minimum of 65 sq.metres for 2-bedroom dwellings. For the purposes of this application the size of the proposed bungalow has been reduced, with a resultant increase in the plot's garden length and overall area to an amount which is sufficient to meet the likely needs of the occupants of a two-bedroom bungalow. It is thus considered that the proposal satisfactorily addresses the reason for refusal of the previous application in respect of amenity space provision.
17. With regard to the second reason for refusal of application P08/1230, this application contains sufficient information to enable a full and proper assessment to be made of the proposal.

Residential Amenity

18. Policy DD4 of the UDP seeks to ensure that new development does not have any adverse effect on residential amenity. The side facing windows of the bungalow would face a boundary fence at Woodcote. The proposed bungalow would not lead to any loss of outlook or privacy at adjacent properties and therefore does not contravene this policy.

Highway safety

19. The garage dimensions referred to in the Group Engineer's comments have not been adopted by the Council in any relevant policy relating to parking provision. The development would therefore have sufficient off-street car parking to comply with the Council's Parking Standards Supplementary Planning Document. A condition can be imposed to ensure the satisfactory provision of visibility splays, therefore the proposal would not be likely to result in a detrimental impact on highway safety.

Planning obligations

20. Policy DD7 of the UDP requires that new development should contribute to play/open space provision and enhancement, libraries and transport improvements in the wider area in line with the increase in users arising from the development. The amount to now be sought in this case following the reduction in the transport infrastructure contribution and including management and monitoring costs is £2546.45 - this can be secured by condition and subsequently dealt with in a legal agreement (S106).

CONCLUSION

21. The proposed development would not have any adverse impact on the character of the area, residential amenity or highway safety and therefore complies with Policy DD4 of the UDP.

RECOMMENDATION

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

- a) the development not beginning until a scheme for the submission and approval of a planning obligation to guarantee the payment of £2546.45 towards off-site public open space/play provision and enhancement, library and transport improvements and management and monitoring costs has been submitted to and agreed in writing by the local planning authority, and
- b) the following conditions, with delegated powers to the Director of the Urban Environment to make any necessary amendments:

Reason For Approval

The proposed development would not have any adverse impact on the character of the area, residential amenity or highway safety and makes appropriate provision for a contribution to off-site infrastructure works.

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

Policy DD1 (Urban Design)
Policy DD4 (Development in Residential Areas)
Policy DD7 (Planning Obligations)

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.

NOTE FOR APPLICANT

For the avoidance of doubt, this permission relates to drawing no.s WC2931/08 rev A., WC2933/08 rev A., and WC2932/08 rev. A.

Conditions and/or reasons:

1. BA01 Commencement within 3 years (full)
2. BA06I Removal of PDRs
3. BD01I Access prior to occupancy of dwellings
4. AD04I Details of levels
5. BD08I Reduction of front boundary wall
6. AE03 Submission of materials samples

7. AI05 Boundary treatment details
8. Development shall not commence until an arrangement for the provision of off-site public open space and play area improvements, library improvements and transport infrastructure monies 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.

Pos 1230 Proposed Site Plan + Location Plan

RECEIVED
29 JUL 2008
PLANNING DEPARTMENT

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

Date	Revisions

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Planning & Design Services

251 THE BROADWAY, DUDLEY,
WEST MIDLANDS DY1 3DP
Architectural Design, Planning & Services
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Member of British Institute of Architectural Technologists,
Architects and Surveyors Institute, Faculty of Building

Client:
MR & MRS W. COX

Job Title
ON LAND ADJ. WOODLEA
WOODS LANE
QUARRY BANK,
BRIBBLEY HILL,
DY5 2QZ.

Drawing Title
X PROPOSED 2 BED.
DETACHED BUNGALOW

PROPOSED SITE PLAN

Scale
x 1:250 1:1250

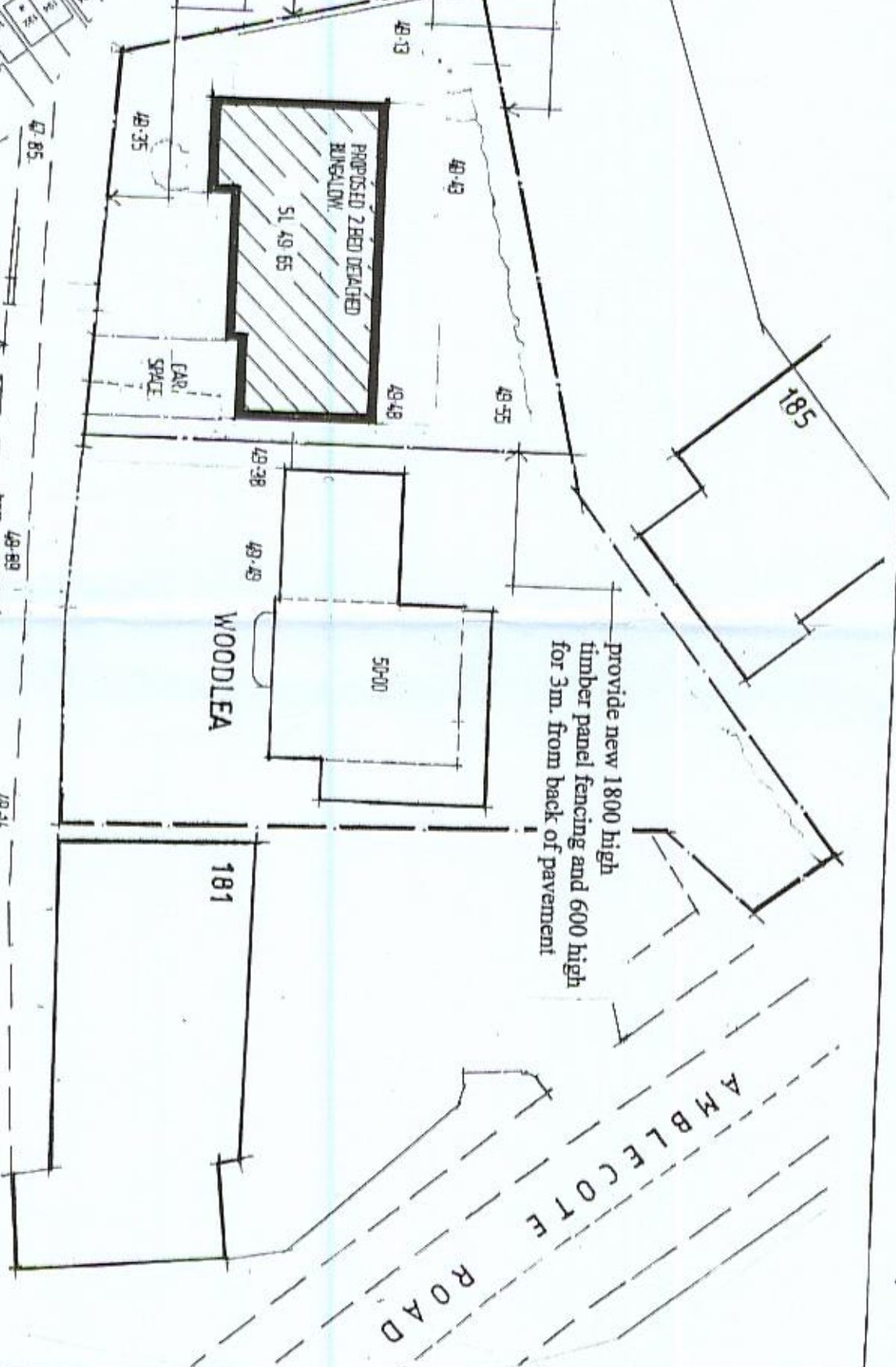
Date
MAR 2008 Drawn by X

DRG. NO.
WC 2931/08. A.

Proposed 1800 high timber panel fencing with conc. posts

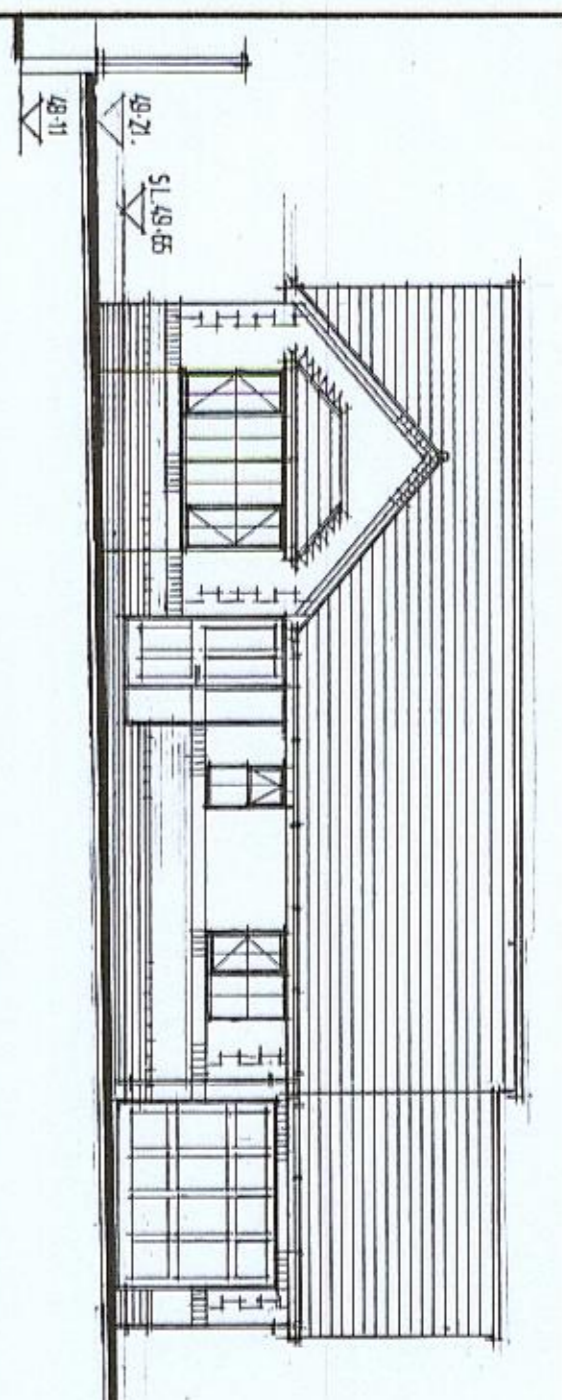
EXISTING 1800 HIGH BRICK RETAINING WALL TO REMAIN PROVIDE NEW 1800 HIGH TIMBER PANEL FENCING ON RETAINING WALL.
EXIST 1800 high timber panel fencing with conc. posts

provide new 1800 high timber panel fencing and 600 high for 3m. from back of pavement

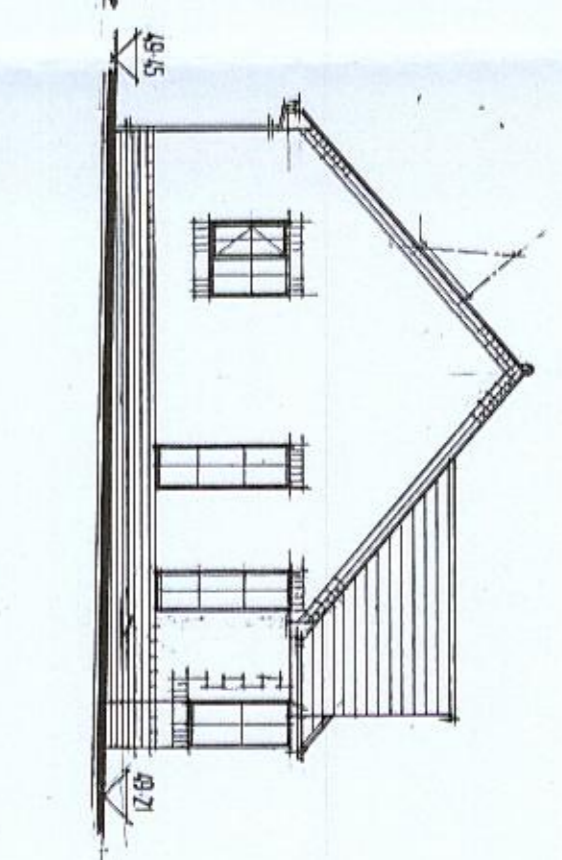


PROPOSED SITE PLAN
Scale 1:250

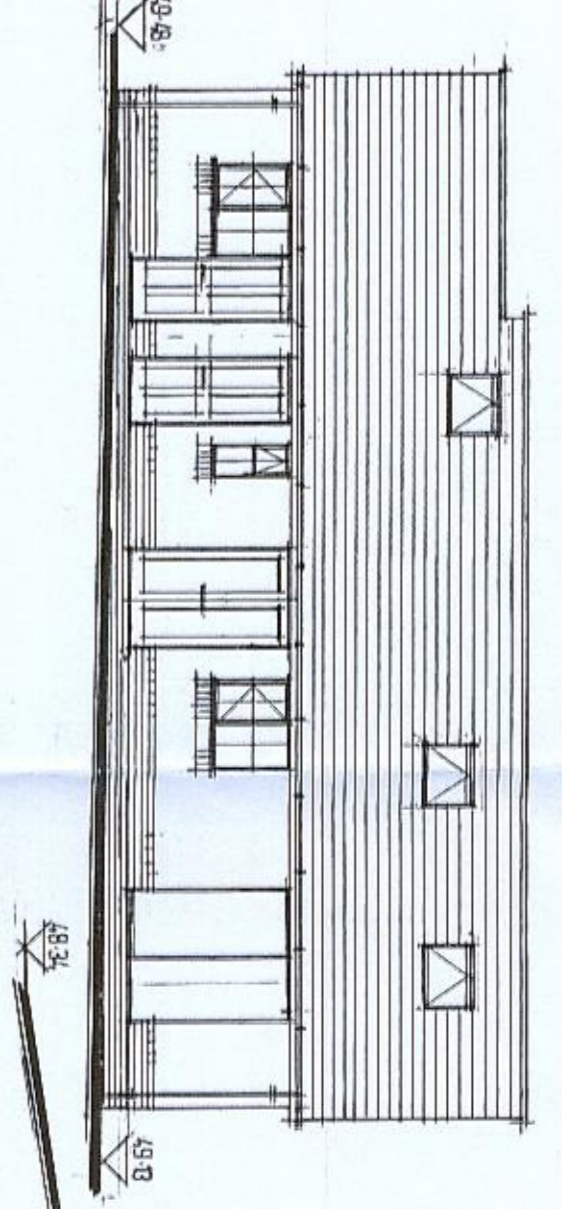
LOCATION PLAN
Scale 1:1250



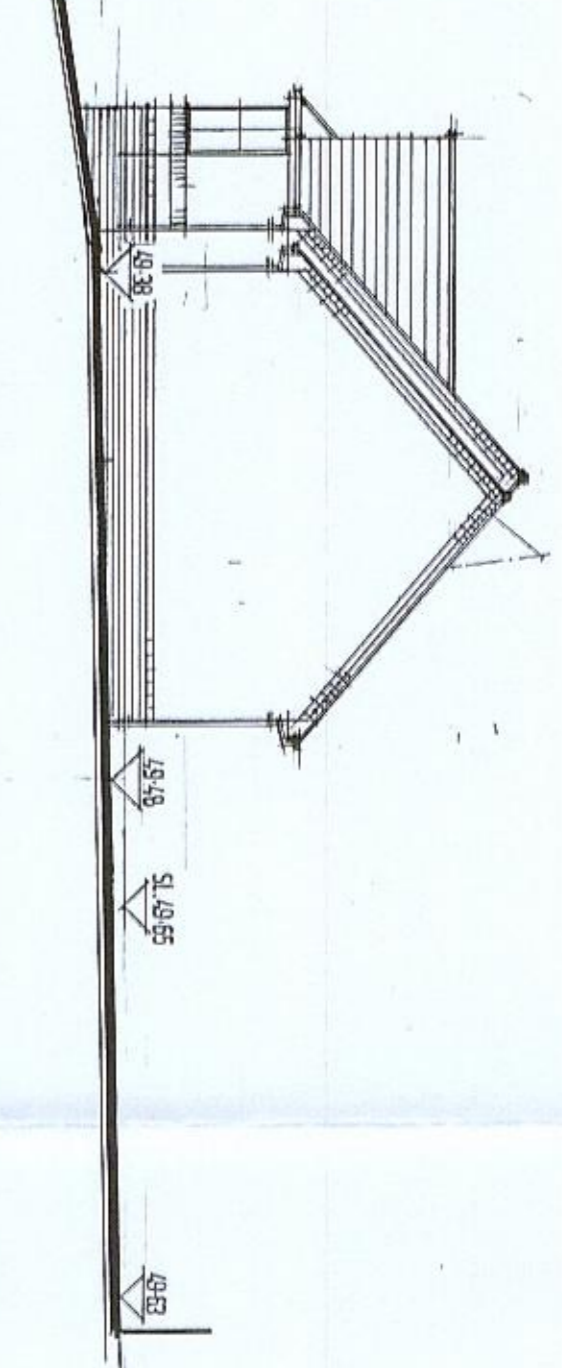
front elevation.
(facing Woods Lane)



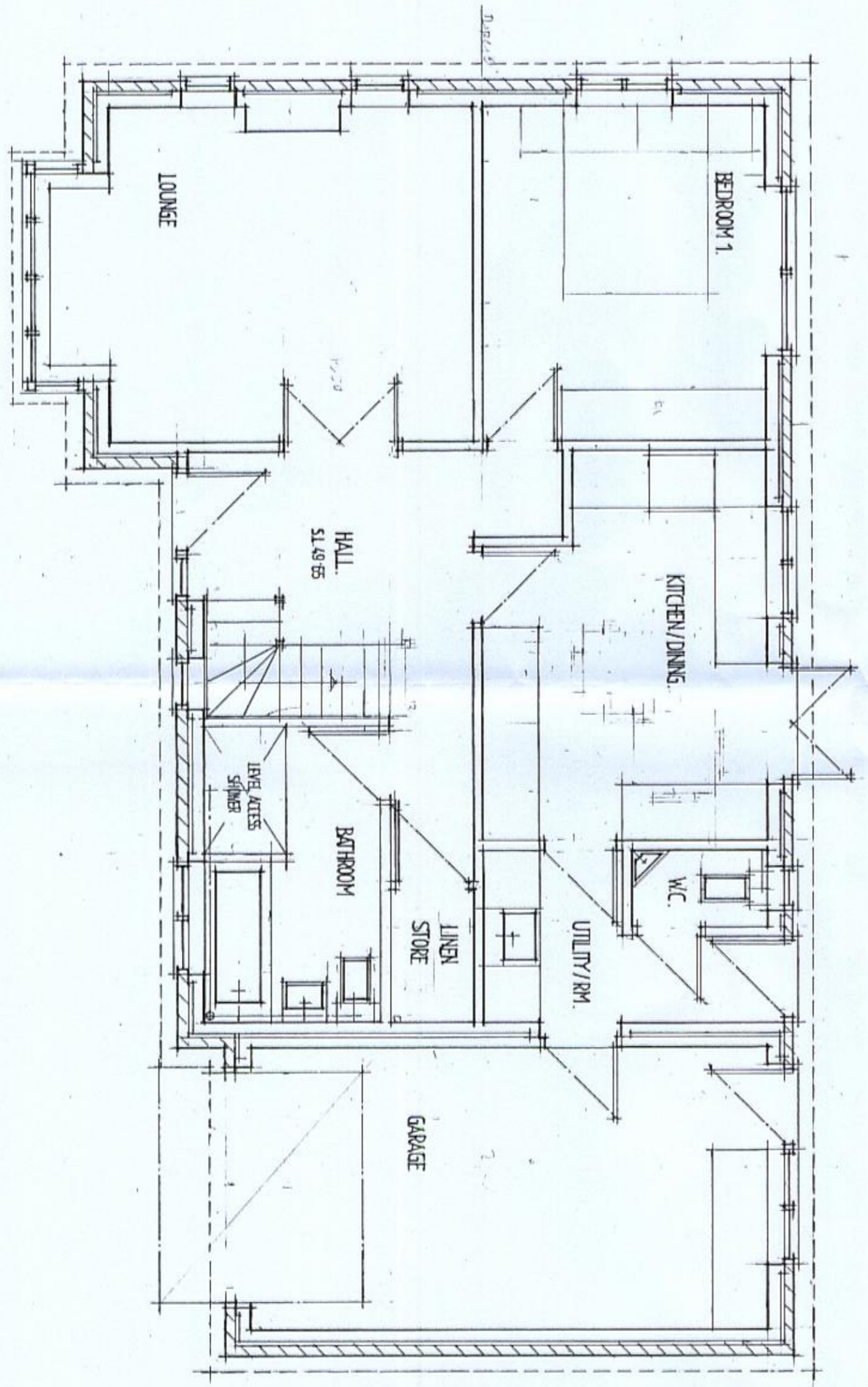
side elevation.



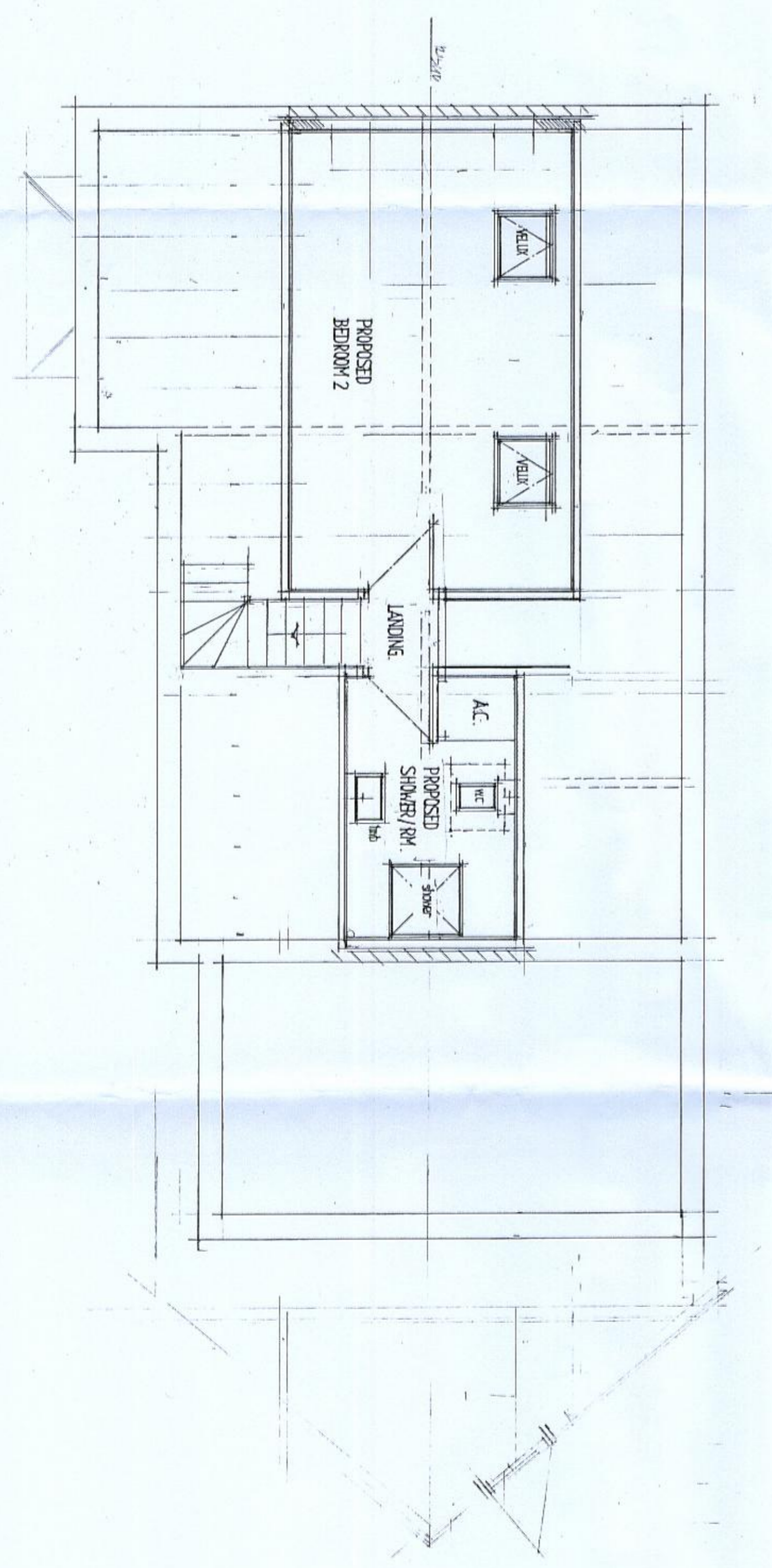
rear elevation.
(facing 833 & 855 Ambleside Road)



side elevation.



ground floor plan.



roof plan.

The Contractor is to check and verify all building and site dimensions, levels and sewer invert levels at connection points before work starts.
The Contractor is to comply in all respects with current Building Regulations, C.D.M. Regulations and Party Wall Act 1996 etc., whether or not specifically stated on this drawing.
This drawing must be read with and checked against any previous drawings or other specialist documentation provided.
The drawings show and show final design details of foundations, ground conditions or ground contaminants. Each area of ground relied upon to support any structure provided for the proposed development should be investigated for existing ground conditions. Any ground should be further investigated by a suitable expert. Any earthwork constructions shown indicate typical slopes suitable expert and should be further investigated by a suitable expert.
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 and services. A suitable method of foundation is to be provided to accommodate the proposed tree planting.
The drawings and the building works depicted are to be produced or amended except by written permission.

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All dimensions shall be checked on site and not deduced from this drawing.

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29 JUL 2008

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Date
Revisions

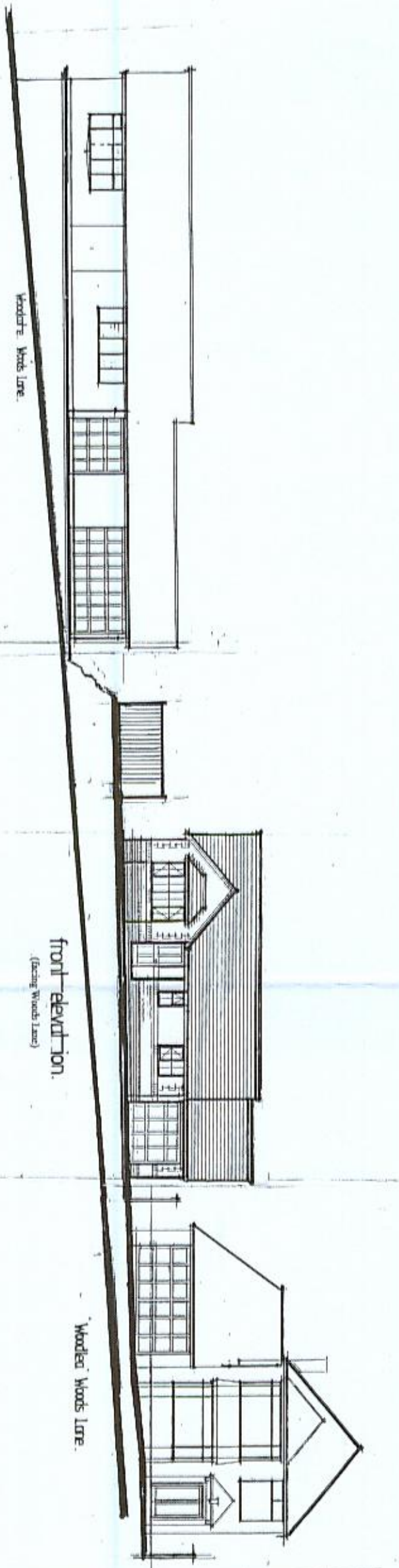
Planning & Design Services
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Client
MR & MRS W. COX
Job Title
ON LAND ADJ. WOODLEA,
WOODS LANE
QUARRY BANK,
BRIERLEY HILL,
DYS 2QZ

Drawing Title
BUNGALOW DETAILS
PROPOSED 2 BED DETACHED
BUNGALOW

Scale
1:100 1:50
Date
JUNE 2008
Drawn by

Doc No.
WC.2932/08
Rev.
A.



PROPOSED STREET SCENE
Scale 1:200

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29 JUL 2008
REGISTRATION
1230-01230-001

NOTES:
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DY5 2QZ.**

Drawing Title
**PROPOSED 2 BED.
DETACHED BUNGALOW**

Scale
1:250 1:1250

PROPOSED STREET SCENE.

Date **14.08.2008** Drawn by

Dwg. No. **WC.2933/08.** Rev. **A.**