

PLANNING APPLICATION NUMBER:P05/2667

Type of approval sought	Full Planning Permission
Ward	Halesowen North
Applicant	Mr Ray Dadd
Location:	ADJ 17, HURST GREEN ROAD, HALESOWEN, WEST MIDLANDS
Proposal	ERECTION OF 1 NO TWO BEDROOM DETACHED DWELLING WITH ASSOCIATED ACCESS (RESUBMISSION OF REFUSED APPLICATION P05/0630)
Recommendation Summary:	REFUSE

SITE AND SURROUNDINGS

1. The application site is roughly triangular with a wide frontage, tapering to the rear boundary. It currently comprises the side garden to no. 17. That property is a corner plot semi-detached dwelling. The application site is used for informal parking for no. 17: there is a shared dropped kerb/highway frontage with 16. There is currently a staggered screen fence across the site which encloses the rear garden from the side. The shared boundary with no. 16 is 1 metre high paling. No. 16 has a lean to garage onto that boundary.
2. The character of the area is residential/suburban, with dwarf walls at the back of pavement line. Most of the properties are rendered/half rendered.

PROPOSAL

3. This a full application for the erection of a 2 bedroom house. It is shown with a bay window at ground floor, pitched roof, and, it appears, partly rendered. The layout plan shows an outline of a parking space, which would entail the creation of a new crossover (as would the relocated drive for the existing property at no. 17).

- 4 The applicants have annotated the layout plan to show that the proposed dwelling would not have a forward building line which would contravene the 45 degree code when measured from the bay on the front elevation of no. 16.
- 5 The applicants have submitted a supporting statement. In summary, this states that:-
- the proposed house has been designed so that it is located behind the forward building line of a recently approved development at the site (P04/1340);
 - no. 3 Hurst Green Road (similarly a corner plot) nearby has been extended forward of the building line by 3.5 metres;
 - when the 2 storey flats were refused on this site (P04/1963), they followed the same forward building line as now proposed – there was no reason for refusal levelled at the scheme with regard to the massing and siting of that proposal;
 - the proposal matches the design of the existing, adjoining dwellings.

HISTORY

6. A summary of the planning history is set out below.

<i>APP. NO.</i>	<i>PROPOSAL</i>	<i>DECISION</i>	<i>DATE</i>
<i>P04/1340</i>	<i>Conversion of semi-detached house into 2 flats and single storey extension to create an attached bungalow</i>	<i>Approved</i>	<i>02/09/04</i>
<i>P04/1963</i>	<i>2 storey extension for 4 flats.</i>	<i>Refused</i>	<i>11/11/04</i>
<i>P05/0630</i>	<i>Erection of 2 bedroom dwelling</i>	<i>Refused</i>	<i>8/11/05</i>

- 7 The reasons for refusal, relating to P04/1963, were centred on a lack of parking, the proposal being out of character with the streetscene, and insufficient amenity space.
- 8 The reason for refusal relating to P05/0630 related to the proposed dwelling being forward of the established building line and therefore forming a visual intrusion within the streetscene.

PUBLIC CONSULTATION

- 9 A joint letter of objection from the occupiers of number 16 Hurst Green Road and no. 1 Moat Drive has been received. This objection is on the basis that the proposal would block light to the front window of no. 16, block views and be an eyesore to the surrounding environment. There is also concern expressed about highway safety.

OTHER CONSULTATION

- 10 Head of Environmental Protection – no adverse comments, subjected to a condition on contaminated land (soil gases).
- 11 Head of Transportation and Road Safety (HTRS) – recommend conditions requiring parking and access arrangements to be submitted for approval, and the laying out of the access and parking area.

RELEVANT PLANNING POLICY

- 12 The following Unitary Development Plan (UDP) policies are relevant:-
- DD1 (urban design);
 - DD4 (development in residential areas)
 - DD6 (access and transport infrastructure).
- 13 Planning Guidance Notes 3 (design and layout of new residential schemes) is relevant.

ASSESSMENT

- 14 The main focus of this assessment is necessarily the degree to which the current scheme has successfully overcome the reasons for refusal on the previous scheme (P05/0630) in relation to design/impact of the proposed development on the streetscene. There has been no significant change to other material considerations. Briefly those are:-
- The proposal in principle accords with general planning policy encouragement for making the efficient use of previously developed land in the urban area for housing;
 - In terms of impact on the amenity of the occupier of no. 16, the windows shown on the facing side elevation on the proposed dwelling are to non-habitable rooms and may be obscured glazed, and the forward building line of the proposed plot would project to the extent that it would not cause overshadowing to no. 16.
 - there is a secondary kitchen window and landing window on the facing elevation of no. 17 - whilst the rear amenity area of that property would be reduced to below that set out in the guidelines, it is considered that the residual area is similar to that of other properties nearby – this is therefore not considered to be significant;
 - in terms of access and parking, there is space to provide for an off street parking spaces within the site, and subject to a turning area being provided at the front of the dwelling, potentially as part of the details to be submitted relating to the conditions recommended by HTRS, the additional traffic

generated by the proposal is considered unlikely to unduly impact on highway safety;

- In terms of the amenity for future occupiers, an 11 metre long garden is shown – this complies with the guidelines on amenity space for proposed development.

15 The previous scheme was refused on the following grounds:-

The proposed dwelling is shown sited markedly in front of the established building line onto Hurst Green Road. It is considered that it would form a visual intrusion into what is a relatively open suburban street, with the proposal failing to integrate successfully into the streetscape. The proposal would therefore appear incongruous within the streetscene, and is consequently contrary to Policy DD4 of the adopted Dudley Borough Unitary Development Plan.

16 Policy DD4 requires development in residential areas to be such that there would be no adverse effect on the character of the area and the scale and nature of the proposed development would be in keeping with the surrounding area.

17 To address the above reason, the applicants have drawn comparisons with the previously approved scheme (P04/1340). This is particularly with regard to the footprints of the two schemes, specifically the forward building lines to the highway: the submitted drawings show the proposed plot to be set back from the edge of pavement line by between 5.98 and 6.03 metres, with the approved scheme set back by 5.5 metres.

18 From this, it is inferred that the applicants are seeking to show that, as the approved scheme is set forward of the current scheme towards the highway, the impact of the proposed scheme on the streetscene is similar if not less than the approved scheme.

19 In response to this, it is considered that there are significant differences between the approved and proposed schemes. These are:-

- Clearly, the proposed dwelling is two storey as opposed to the approved single storey dwelling – there is therefore a greater mass of built

development proposed forward of the established building line within the streetscene

- while the applicants have stated that a previous 2 storey scheme (P04/1963) was not refused on this basis, it is considered reasonable to level this issue at the current scheme, especially given that, principally, this scheme seeks to address the reason for refusal of the previous scheme (P05/0630), based on the impact of development on the streetscene.

- The proposed dwelling is a detached dwelling, while the approved scheme was an extension to no. 17 – it is contended that the approved scheme integrated more effectively in with that house and the existing built form, enabling development to turn the corner;
- Measurements taken from the layout plan for the approved scheme show it to be set back from the back of pavement line by 6.3 metres – i.e. further back, rather than forward of the building line of the proposed dwelling (this contests the applicant's measurements).

20 It is therefore considered that comparisons with the previously approved scheme (P04/1340) do not provide sufficient justification in enabling a conclusion to be reached that the current scheme, through the revisions shown, has successfully addressed the reason for refusal on the previous scheme (P05/0630).

21 Indeed, that part of the current scheme, nearest to no. 16, projects further forward of the building line than the previously refused scheme.

22 Given the above, it is considered that as a result of its siting, forward of the building line, and massing, the proposal will result in development which will appear incongruous within the streetscene, with the revisions shown failing to successfully address the refusal reason on the previous scheme.

CONCLUSION

23. The proposal is unacceptable on design terms.

RECOMMENDATION

24. It is recommended that the proposal be refused for the following reason:-

Conditions and/or reasons:

1. The siting of the proposed dwelling, markedly forward of the established building line towards the highway, together with its massing, will result in development which would form a visual intrusion into what is a relatively open suburban street, with the proposal failing to integrate successfully into the streetscape. The proposal would therefore appear incongruous within the streetscene, and is consequently contrary to Policy DD4 of the Unitary Development Plan.