

PLANNING APPLICATION NUMBER:P07/1478

Type of approval sought	Full Planning Permission
Ward	KINGSWINFORD SOUTH
Applicant	Mr John Widdowson, Marstons PLC
Location:	MOUNT PLEASANT INN, COT LANE, KINGSWINFORD, DY6 9TH
Proposal	ERECTION OF 2 NO. HOUSES AND 1 NO. BUNGALOW WITH NEW ACCESS ROAD AND CAR PARKING TO PUBLIC HOUSE (RESUBMISSION OF REFUSED APPLICATION P06/1824)
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The application site comprises part of the existing Mount Pleasant Public House car park and the rear gardens of nos. 5, 7 and 9 Mount Pleasant. The application site adjoins residential properties to the north, west and eastern boundaries. Glynne Primary School also adjoins the application site on the eastern boundary.

PROPOSAL

2. The proposal is for the erection of 2 no. 4 bed detached houses and 1 no. 2 bed detached bungalow with access road and new car parking to the public house.
3. The application is accompanied by a Design and Access Statement.

HISTORY

4.

APPLICATION No.	PROPOSAL	DECISION	DATE
P06/1824	Erection of 2 no. houses and 1 no. bungalow with new access road and car parking to the public house.	Refused	10.11.06

5. The application P06/1824 was refused for the following reason:

It is considered the proposed 20 no. space parking area for the Mount Pleasant Inn is a significant shortfall on the parking that is required for a public house of this size. The inadequate off street parking provision may lead to a situation that would impede vehicular movements along Cot Lane, with consequential safety implications at the junction of Cot Lane and the access road and the access road itself. As such the proposal would be detrimental to pedestrian safety and to the safe and efficient operation of the adjacent public highway. The proposed development is therefore contrary to policies AM14, DD4 and DD6 of the Council's adopted UDP (2005).

PUBLIC CONSULTATION

6. One email and two letters of objection have been received, one from a Ward Councillor, raising the following issues:

- Loss of view
- Increase in parking on Cot Lane and surrounding roads
- Loss of parking for public house
- Loss of parking for parents collecting children from Glynne Primary School
- Noise and disturbance

- Width of access road into site

An email has also been received that show photographs of the car park on a Sunday afternoon, though no objection to the scheme.

OTHER CONSULTATION

7. Group Engineer (Development): The four bed dwellings require three spaces per dwelling and the two bed dwelling requires two spaces. The parking provision is acceptable.

The applicant has confirmed that the gross floor area of the public house is 174.8 sq m, the maximum standard is 1 space per 8 sq m therefore the max number of spaces is 22.

The car park for the public house provides 23 spaces.

There are no objections subject to conditions relating to visibility splays, implementation of footway and the provision of means of access and car parking prior to first occupation.

8. Head of Public Protection: No objection subject to conditions relating to contaminated land and an acoustic barrier at the boundary with no. 11 Mount Pleasant.

RELEVANT PLANNING POLICY

9. Dudley Unitary Development Plan

S2 Creating a more sustainable Borough

S8 Housing

DD1 Urban Design

DD4 Development in Residential Areas

DD6 Access and Transport Infrastructure

- AM14 Parking
- H1 New Housing Development
- H3 Housing Assessment Criteria
- H6 Housing Density
- UR9 Contaminated Land

10. Supplementary Planning Document

New Housing Development – A Guide to Establishing Urban Context
Parking Standards and Travel Plans

11. Supplementary Planning Guidance

Planning Guidance Note No. 3 – New Housing Development

12. National Planning Guidance

Planning Policy Statement 1 – Delivering Sustainable Development
Planning Policy Statement 3 – Housing
Planning Policy Statement 23 – Planning and Pollution Control

ASSESSMENT

13. The key issues for consideration in this application are as follows:

- Principle
- Density
- Residential Amenity
- Design
- Highways & Parking

Principle

14. The application site comprises part residential gardens and part of an existing public house car park and the site does not have any specific designation within the adopted UDP (2005). Providing there is no adverse impact upon residential amenity and the removal of public house parking is acceptable, then the principle of residential development could be supported by Policy H3 of the adopted UDP (2005).

Density

15. The proposed scheme of 3 no. dwellings would result in development at a density of 30 dph. The properties in the locality are characterised by a wide mix of property types from detached with long gardens to semi detached and terraced. The variety in house types ensures the density, in the local area, ranges from 27 dph to 68 dph. As such the density of the development would be in accordance with the varied local context of the area and in compliance with policy H6 of the adopted UDP (2005).

Residential Amenity

16. The 3 no. proposed dwellings, comprising 2 no. 4 bed detached house and 1 no. 2 bed detached bungalow, would be sited on the existing rear of the Mount Pleasant Public House car park. To the north and east of the proposed dwellings are residential gardens, to the south the access road to the site and further residential rear boundaries, and to the west the Glynne Primary School boundary.
17. The proposed bungalow has a rear garden depth of 8m and width of 12m. The 2 no. proposed detached houses would each have rear garden depths of 11m. Although the bungalow has a slightly shallow rear garden the area and shape is satisfactory and is considered acceptable. Each of the 3 no. dwellings comprise their own garages and additional off street parking.

18. An existing vehicular gate and parking to the rear of no. 11 Mount Pleasant that is accessed via the existing Public House car park would be lost as part of the development. However, this would be a matter to be discussed between the owner of no. 11 Mount Road and the owners of the Public House.
19. The proposed scheme also includes the redevelopment of the Mount Pleasant Public House car park. The new area of parking would comprise part of the existing rear garden of no. 5 Mount Pleasant to include 6 no. new spaces. The remaining garden at no. 5 would still be 11 metres long and only the 8m wide rear boundary would adjoin the car park, whereas at present 17m of the current side boundary of no. 5 adjoins the car park, thereby lessening the impact of the car park. The proposed 6 no. space extension to the parking area and the new parking layout would allow for a 23 - space car park at the rear of the Public House.

Design

20. There are a number of residential designs in the locality ranging from terraced house, detached, semi detached and flats from a variety of eras. The proposed development of traditional style dwellings would not adversely impact upon the character of the locality and is in compliance with UDP Policies DD1 and DD4.

Highways & Parking

21. The 4 bed dwellings require 3 spaces per dwelling and the 2 bed dwelling requires 2 spaces. As such the parking provision is acceptable for the proposed dwellings.
22. The applicant has confirmed that the ground floor area of the public house is 174.8 sq m, the maximum standard, as set out in the Council's adopted SPD on Parking Standard, is 1 space per 8 sq m therefore the max number of spaces is 22.

The car park for the public house provides 23 spaces, exceeding the Council's standards.

23. In conclusion, there are no highway objections to the proposal subject to conditions regarding visibility splays, provision of footway and parking areas prior to first occupation.

CONCLUSION

24. The siting and the external appearance of the proposed dwelling are considered to be acceptable. The proposed scheme has made full and efficient use of the land and the scheme conforms to the local context of the area. Neighbours amenity and street scene are not considered to be detrimentally affected.

RECOMMENDATION

25. It is considered that the application be approved subject to the following conditions:

REASON FOR APPROVAL

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

Informative

The development hereby permitted shall be built in accordance with drawing nos. 05004/001 Rev A and 0504/002 Rev A, 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. Prior to first occupation of any of the dwellings the turning head, means of access and parking areas including the 23 – space car park shall be provided in accordance with the approved details, drained, levelled, surfaced and marked out and shall be retained for no other purpose and maintained for the life of the development.
3. Development shall not begin until details of the paving scheme for the parking areas have been submitted and approved in writing by the Local Planning Authority. Prior to first occupation the paved parking areas shall be completed, in accordance with the approved details, and maintained for the life of the development.
4. Development shall not begin until a comprehensive written site investigation strategy (in a form to be agreed by the local planning authority), has been submitted to and approved by the local planning authority. Such a strategy shall facilitate the identification of methane & carbon dioxide. Where the investigations identify the presence of methane and/or carbon dioxide the development shall not begin until a scheme to protect the development from the effects of such gases 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.
5. Development shall not begin until details of the type, texture and colour of the brickwork to be used in the construction of the external walls, and the roofing tiles have been submitted to and approved by the local planning authority. Such materials shall, unless otherwise agreed in writing by the local planning authority, closely match in type, texture and colour those of the existing building.
6. No development shall take place until there has been submitted to and approved by the local planning authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development.
7. All planting, seeding or turfing comprised in the details of landscaping hereby approved shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development whichever is the sooner; and any trees, hedgerows or plants contained in the approved planting scheme which within a period of 5 years from the completion of the development, die are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.
8. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order), no windows shall be installed in the North and South elevations (the side elevations) of the proposed two storey dwellings without the written consent of the Local Planning Authority.
9. Notwithstanding the details shown in the approved plans no development shall take place until there has been submitted to and approved in writing by the Local

Planning Authority details of the proposed rear boundary fencing and the fencing thereby approved shall be provided before any of the dwellings are occupied.

10. The 2m high wall shall be erected along the boundary between the bungalow hereby approved and the Mount Pleasant public house car park prior to first occupation of the dwelling. Such wall shall be no higher than 0.6 m high from the new footway to a distance 2.0 m back and shall be retained for the life of the development.
11. A pedestrian visibility splay of 2m x 2m shall be provided, measured from the rear of the footway from the driveway to the bungalow hereby approved. This shall be implemented prior to first occupation and retained for the life of the development.
12. A footway of 2m width shall be provided prior to first occupation of any dwellings and retained for the life of the development.
13. An acoustic fence, details of which shall be submitted to and agreed in writing by the Local Planning Authority, shall be provided along the boundary with No. 11 Mount Pleasant before any of the dwellings hereby approved are occupied. Such acoustic fence shall be retained for the life of the development.