

## PLANNING APPLICATION NUMBER:P07/2227

|                         |   |
|-------------------------|---|
| Type of approval sought | Full Planning Permission  |
| Ward                    | GORNAL  |
| Applicant               | David J Bremner Construction LTD  |
| Location:               | <b>23, GROSVENOR ROAD/ CENTRAL DRIVE, DUDLEY, WEST MIDLANDS, DY3 2PS</b>  |
| Proposal                | <b>ERECTION OF 9 NO. DWELLINGS COMPRISING 3 NO. 4 BED DETACHED ON THE GROSVENOR ROAD FRONTAGE AND 6 NO. 2 BED SEMI-DETACHED (3 NO. PAIRS) ON THE CENTRAL DRIVE ELEVATION.</b> |
| Recommendation Summary: | <b>APPROVE SUBJECT TO A 106 AGREEMENT</b>   |

### SITE AND SURROUNDINGS

1. The application site encompasses no. 23 Grosvenor Road and an adjoining area of Council owned land to the rear of no. 23 accessed from Central Drive, Gornal Wood. The site of no. 23 Grosvenor Road had contained a detached bungalow which had fallen into disrepair and has now been demolished. The Council owned land to the rear is overgrown, partially used for parking and is not in any productive use. There is also a group of trees close to the rear boundary with no. 23 Grosvenor Road.
  
2. Central Drive, Grosvenor Road and Grosvenor Road South are characterised by a mix of style and type of properties and the site is surrounded on all sides by existing residential development. Abutting the north of the application site is an Electricity Sub Station, which extends along the entirety of the boundary with no. 23 Grosvenor Road.

## PROPOSAL

3. This is an application for full planning permission that initially proposed the erection of 10 no. semi-detached dwellings (2 no. pairs of dwellings accessed from Grosvenor Road and 3 no. pairs from Central Drive).
4. Amended plans have since been received that has reduced the scheme to 9 no. dwellings comprising 3 no. 4 bed detached on the Grosvenor Road frontage and 6 no. 2 bed semi-detached (3 no. pairs) on the Central Drive frontage.
5. The application has also been accompanied by a design and access statement.

## HISTORY

6.

| APPLICATION No. | PROPOSAL   | DECISION | DATE     |
|-----------------|--|----------|----------|
| P06/0047        | Erection of 3 no. 4 bedroom dwellings  | Granted  | 03.05.06 |
| P07/0739        | Erection of 11 no. 2 bed dwelling houses, comprising 8 no. semi-detached and 3 no. terraced style dwellings (5 no. dwellings accessed from Grosvenor Road and 6 no. dwellings accessed from Central Drive) | Refused  | 01.10.07 |

7. The application P07/0734 was refused at the Development Control Committee on 24 September 2007, for the following reasons:

1. The proposal, by reason of its density and scale constitutes an inappropriate form of development which would have an adverse effect on the character of the surrounding area.
2. The lack of an undertaking to make a contribution towards public open space is contrary to the requirements of UDP Policies DD7, DD8 and LR1 and would result in an increase in the demand on local facilities with no compensation or enhancement, thus resulting in harm to the wider community around the site.

## **PUBLIC CONSULTATION**

8. There were four letters of objection received as a result of the first round of public consultation, raising the following issues:
  - Number of units on Grosvenor Road frontage
  - Density/Overdevelopment
  - Lack of off road parking facilities in Grosvenor Road
  - Additional vehicles and associated traffic arising from the development
  - Style of proposed dwellings
  - Site has already been cleared
  - Previous application for 11 no. units refused
  - Reduction from 11 no. units to 10 no. units is not significant
9. Following the receipt of amended plans a second round of public consultation was carried out and two letters of objection were received raising the following issues:
  - Existing and additional parking on highway
  - Nine houses would still cause congestion

## OTHER CONSULTATION

10. Group Engineer (Development) - Following the submission of an amended layout plan that shows revised house types and a reduction by 1 no. unit and the re-designed area of the turning head for the 2 no. bed properties there are no objections to the proposed development subject to conditions relating to visibility splays and the provision of parking spaces before the occupation of the dwellings.
11. Environmental Protection – No objection subject to the contaminated land condition and the soil gases condition.
12. Planning Policy (Nature Conservation) – The information submitted regarding the bat survey is adequate and the application can be progressed.
13. Tree Protection – Of the protected trees on site the large Norway maple and willow have defects present that make them unsuitable for retention (the Norway maple has a cavity in the main stem, and the willow is a lapsed pollard that is liable to collapse within the short to medium term). The protected birch trees do constitute an amenity, but the applicant has proposed to plant large mature trees on the site that would mitigate any amenity lost. As such the Council is able to sustain any objection to the removal of trees on this site subject to a range of conditions regarding a tree protection plan, tree replacement and a tree planting scheme.

## RELEVANT PLANNING POLICY

14. 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

DD7 Planning Obligations  
DD8 Provision of Open Space, Sport & Recreation Facilities  
AM14 Parking  
H1 New Housing Development  
H3 Housing Assessment Criteria  
H6 Housing Density  
UR9 Contaminated Land

15. Supplementary Planning Document

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

16. Supplementary Planning Guidance

Planning Guidance Note No. 3 – New Housing Development

17. National Planning Guidance

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

## ASSESSMENT

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

- Principle
- Density
- Residential Amenity
- Design
- Highways and Parking
- Planning Obligations

### Principle

19. The proposal represents the re-use of a site in an established residential area for housing in a relatively sustainable location; within a predominantly residential area, close to a Local Centre, and near to public transport routes. As can be seen from the planning history of the site there is also a recent approval for 3 no. detached houses at no. 23 Grosvenor Road (application no. P06/0047). Given this, it is considered that the re-use of this site for a residential purpose is considered acceptable in principle and in compliance with UDP policies DD4 and H3.

### Density

20. The proposed scheme has been reduced from 11 no. dwellings (75dph) to 9 no. dwellings that would result in development at a density of 60dph. The properties to the south side of no. 23 Grosvenor Road are characterised by predominately detached bungalows and houses (18-22dph) and to the north a mixture of detached houses, semi-detached and a line of terraced style properties (ranging from 20-50dph). Along Central Drive the house types comprise semi-detached and terraced properties in lines of 3 and 4 (ranging from 60-70dph) and apartment blocks (120dph).
21. The immediate area is characterised by plots of differing styles and size, ranging from detached houses to semi-detached to terraced and apartment blocks. As such the intensity of the development is therefore considered appropriate having regard to the character of the area.

### Residential Amenity

22. The previously refused application proposed 5 no. residential units along Grosvenor Road (a line of 3 units and 1 pair of semi-detached). The initial plans submitted for this application proposed 2 pairs of semi-detached properties along the Grosvenor Road frontage. However amended plans have since been received that remove a

further unit from this frontage and now 3 no. 4 bed detached units are proposed along Grosvenor Road.

23. The 3 no. units proposed are similar to the scheme also for 3 no. 4 bed detached houses fronting Grosvenor Road approved in March 2006 (P06.0047). The proposal would form infill development that would provide direct road frontage access onto Grosvenor Road from each of the proposed dwellings. This is a relatively wide plot and the proposed for 3 no. units on this frontage is not considered out of place take into account the wider street scene and character of Grosvenor Road. The proposed 3 no. detached dwellings would be set back 8.5m, 8.5m and 8.2m respectively from the highway. As in the case of the previous approval, the proposed dwelling would be set slightly forward of the properties either side of the site. However, due to the curvature of the road and the varied building line along Grosvenor Road as a whole the siting of the dwellings are not considered to have an adverse visual impact.
24. The proposed properties along Grosvenor Road would have a separation distance of 22 minimum metres from the proposed plots accessed off Central Drive. All of the proposed gardens that back onto each other from Grosvenor Road and Central Drive respectively have minimum garden lengths of 10.5 metres. The detached plots themselves have minimum garden lengths of 11 metres.
25. The properties proposed off Central Drive would be accessed via a short drive that serve nos. 92-96 and nos. 98-102 Central Drive and a small garage court. There are 3 no. pairs of semi-detached proposed off Central Drive and off street parking would be to the side and front of the respective properties. The submission of the amended layout plan has improved vehicular and pedestrian access to these units and improved off street parking arrangements.

### Design

26. There are a number of residential designs along Grosvenor Road and Central Drive respectively terraced houses, detached and semi-detached and bungalows 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 and Parking

27. Amended plans were received comprising new detached plots along Grosvenor Road and improved vehicular access for the plots off Central Drive. These details are considered acceptable and subject to conditions, the highway authority has no objections to the proposed development.

### Planning Obligations

28. Policy DD8 required that new development should contribute to recreation facilities/open space in the wider area in line the with increase in users caused by the development. Should permission be granted a Section 106 Agreement would be required in respect of contributions to recreation/open space facilities.

## CONCLUSION

29. The proposed development proposal would bring forward a new residential scheme on a previously developed site thereby supporting the creation of a sustainable form of development and helping to meet the strategic housing requirement for the delivery of housing within the plan period thereby complying with both national and local planning policy.
30. The siting and external appearance of the proposed dwellings are considered acceptable and the proposed dwellings are located near to Gornal Wood Local Centre and close to local bus facilities. Neighbours amenity and the street scene are not considered to be detrimentally affected and is in compliance with UDP policy.



## RECOMMENDATION

31. It is recommended that the application be approved, subject to:

- a) the development not beginning until a scheme for the submission and approval of a planning obligation to guarantee the provision, maintenance and enhancement of public open space and play provision has been submitted to and agreed by the Local Planning Authority; and
- b) the following conditions, with delegated powers to the Director of the Urban Environment to make the necessary amendments to these as necessary.

### Reason for Approval

The proposed development proposal would bring forward a new residential scheme on a previously developed site thereby supporting the creation of a sustainable form of development and helping to meet the strategic housing requirement for the delivery of housing within the plan period thereby complying with both national and local planning policy.

The siting and external appearance of the proposed dwellings are considered acceptable and the proposed dwellings are located near to Gornal Wood Local Centre and close to local bus facilities. Neighbours amenity and the street scene are not considered to be detrimentally affected and is in compliance with UDP policy.

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. 3/10/08 Revision A, 2/11.07A and 3/11/07 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 a dwellings the turning head, means of access and parking areas shall be provided in accordance with the approved details, drained, levelled, surfaced and marked out and will be retained for no other purpose and maintained for the life of the development.
3. The visibility splays will be provided in accordance with the approved details and retained for no other purpose and maintained for the life of the development.
4. Details of proposed retaining structures adjacent to or within the site boundary shall be submitted to and approved by the Local Planning Authority in writing before development is commenced. The development shall not be occupied until the retaining structures have been constructed in accordance with the approved plans, and maintained for the lifetime of the development.
5. Plans showing details including sections of existing retaining walls on the site shall be submitted to and approved by local Planning Authority in writing before development is commenced, and calculations provided to prove that the walls as shown will be capable of supporting the likely future loading from the proposed development, and where work is required to the existing retaining walls to ensure that they will sustain the future loading, the development shall not be occupied until such work has been carried out in accordance with the approved plans.
6. None of the dwellings shall be occupied until works for the disposal of foul and surface water drainage have been provided on the site to serve the development hereby permitted, in accordance with details to be submitted to and approved by the Local Planning Authority.
7. 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.
8. 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 contaminants and permit the risk based assessment of the development site. Where the investigations identify the presence of contamination, development shall not begin until a scheme to protect the development from the effects of such contamination 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.
9. 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.
  10. 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.
  11. No development shall take place until there has been submitted, and approved in writing by the Local Planning Authority details of the tree protection measures on site. The details shall include:
    - a. A plan showing the location and identification (with reference to a survey schedule if necessary) of all trees on, or directly adjacent to the development site, that are to be retained during construction. These trees are to be marked with a continuous outline.
    - b. A plan showing the location and identification (with reference to a survey schedule if necessary) of all the trees on, or directly adjacent to the development site that are to be removed prior to, or during development. These trees are to be marked with a dashed outline.
    - c. A plan showing the extent of the Root Protection Area, which is to be protected by physical barriers during development. The extent of the area that is to be protected will be calculated in accordance with Clause 5.2 of the British Standards BS: 5837 – 2005 ‘Trees in Relation to Construction – Recommendations’.
    - d. Design details of the proposed protective barriers to be erected around the trees during development. Any protection barriers should be designed and constructed in accordance with the provisions set out in section 9.2 of British Standard BS: 5837 – 2005 ‘Trees in Relation to Construction – Recommendations’.
  12. The existing trees shown on the approved plans to be retained shall not be damaged or destroyed, uprooted, felled, lopped or topped during the construction period of the development without prior written consent of the Local Planning Authority. Any trees removed without such consent or dying or being seriously damaged or diseased during that period shall be replaced with healthy trees of such size and species as may be agreed in writing by the Local Planning Authority.

13. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a tree planting scheme on site. The scheme shall include details of the species to be planted; the size of the trees at the time of planting; the details of the planting pits (to include watering systems) into which the trees are to be planted and a 5 year establishment plan for the trees. The development shall then be carried out in accordance with the agreed details.
14. Notwithstanding the details shown in the approved plans no development shall taken place until there has been submitted to and approved in writing by the Local Planning Authority details of the proposed rear boundaries consisting of a minimum 1.8m high solid fencing. The fencing hereby approved shall be provided before any of the dwellings are occupied and maintained for the life time of the development.
15. 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.
16. 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.
17. The development shall not be begun until a scheme for the provision of off site public open space and play area improvements have 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.
18. Prior to commencement of development details of plans of lines, width, sections, levels and gradients and form of construction of access road, lighting and drainage systems will be submitted to and approved by the Local Planning Authority in writing. Prior to the first occupation these will be provided in accordance with the approved plan and retained for no other purpose for the life of the development.
19. For access onto Grosvenor Road South, prior to first occupation a visibility splays of 2m x 45m and clear of obstructions above 600mm will be provided and retained for the life of the development.

P07/2227

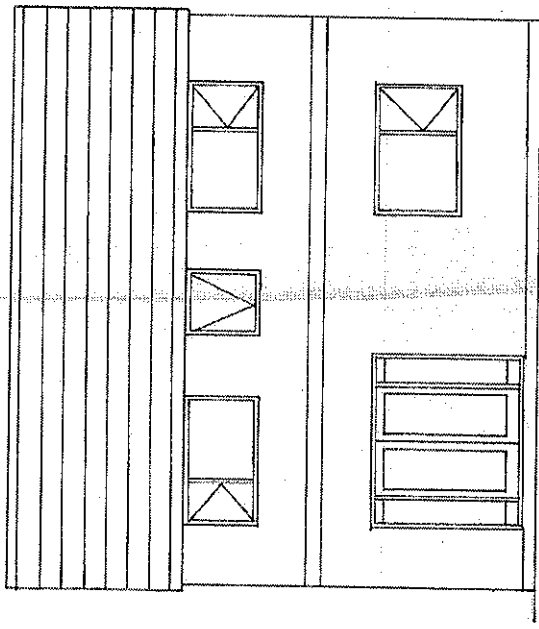
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LOGGED &  
SCANNED

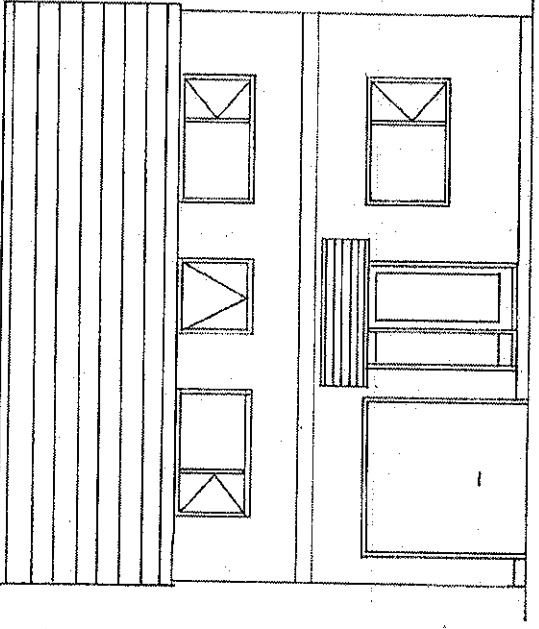
R.H.S. SCALE

AMENDED PLAN

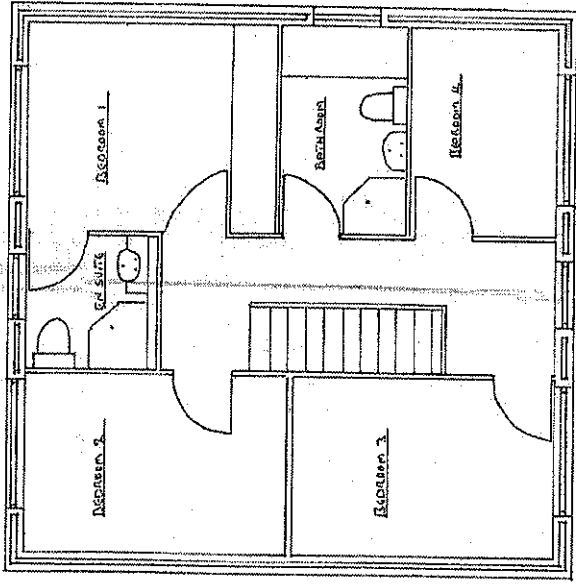
L.H.S. SCALE



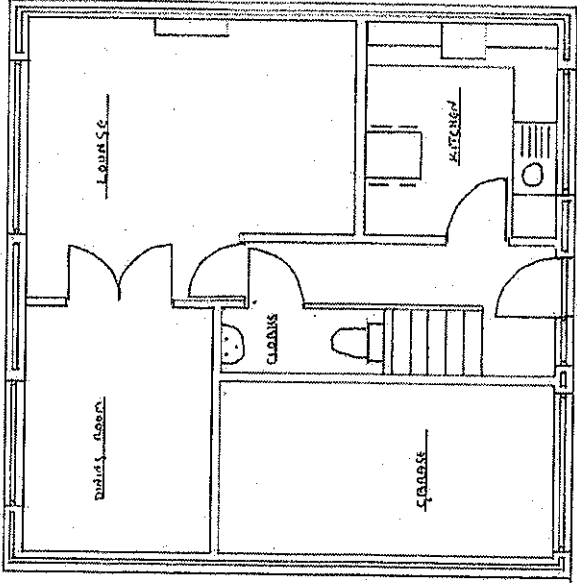
REAR ELEVATION



FRONT ELEVATION



FIRST FLOOR PLAN



GROUND FLOOR PLAN

06.01.08 4 BED DETACHED HOUSES

SCALE 1:50

REVISED PLAN NO 2/11/07 (10 SUPERCEDES PLAN

NO 2/11/07) (3 BED SEM DETACHED HOUSES) 05.01.08

DAVID J BARNER CONSTRUCTION LTD

SITE 23 SANDVEDER ROAD SPADAL DUDLEY DY3 1ES

07754 870723 01909 661543

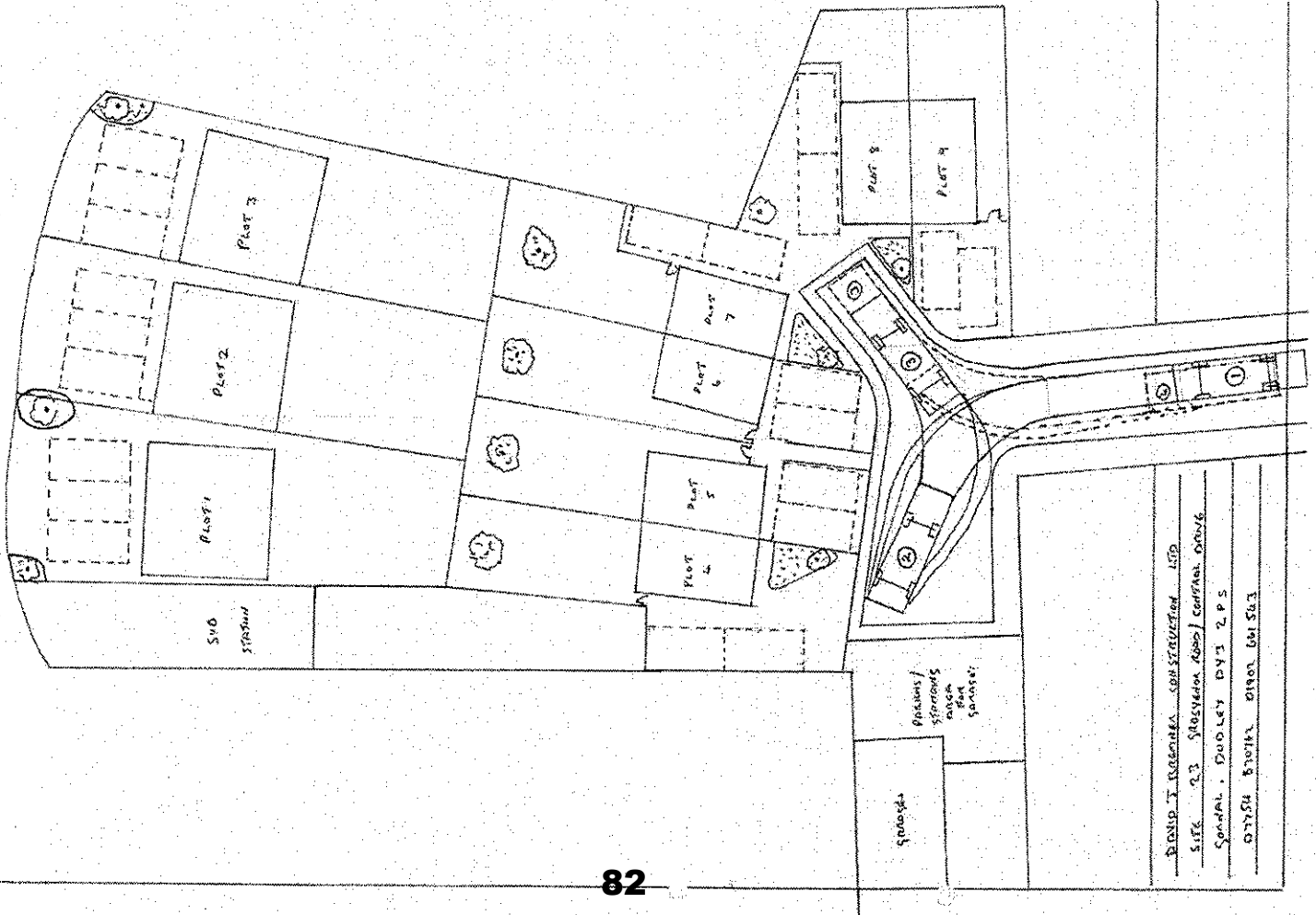
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# AMENDED PLAN

## GENERAL NOTES

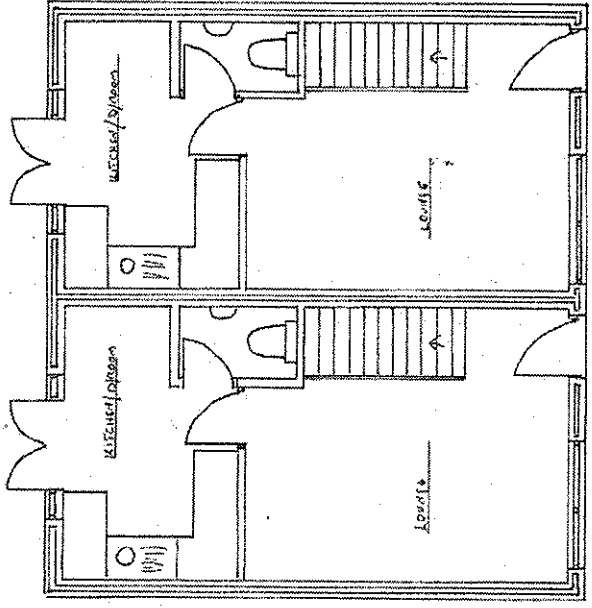
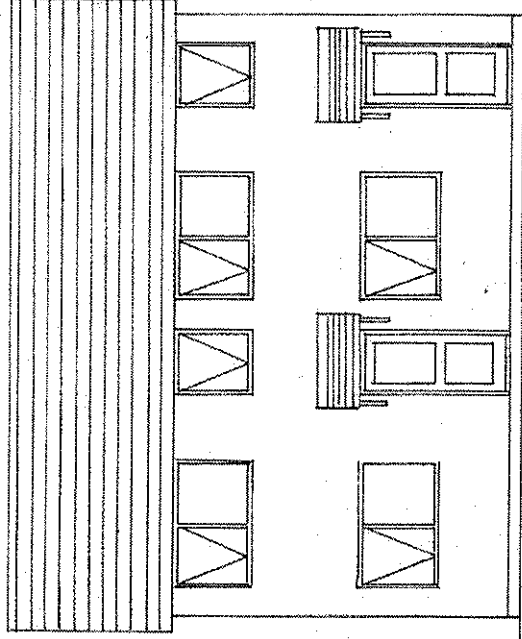
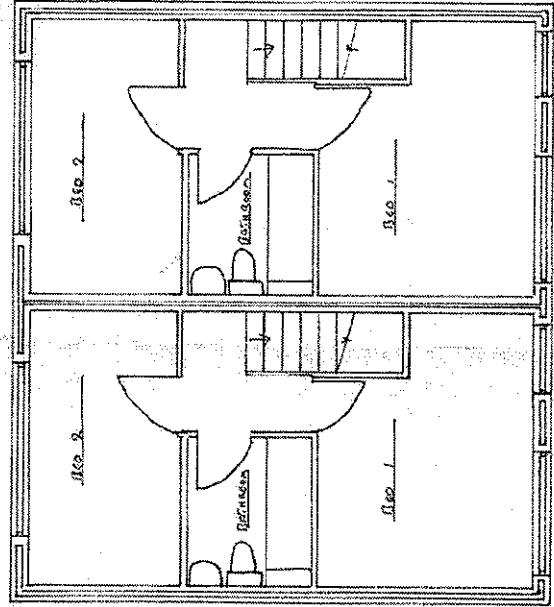
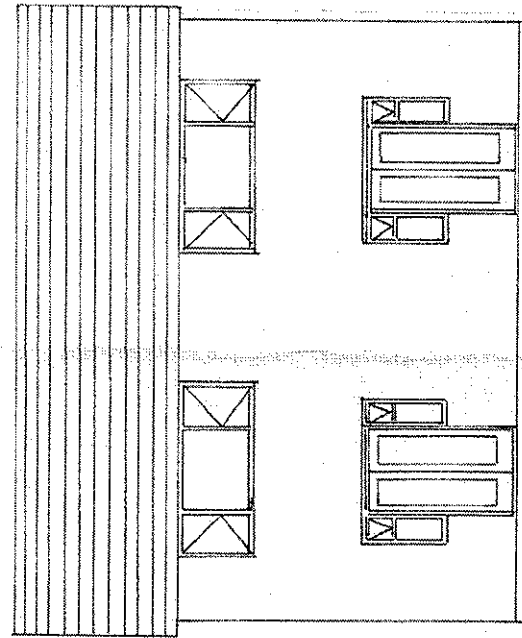
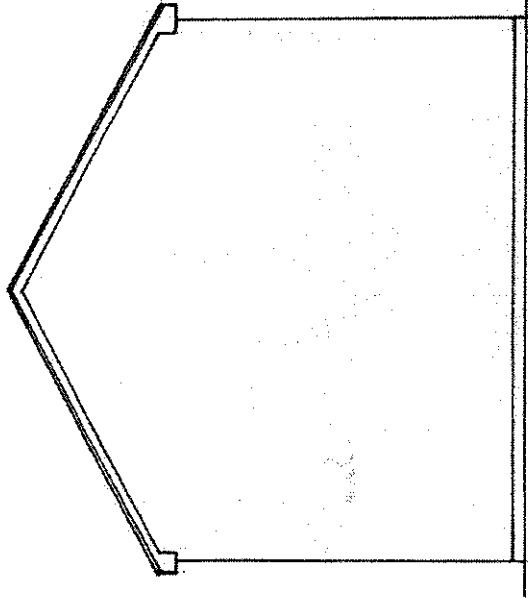
1. FUNDING AREA (NEPUS) REVISED 15/11/08
2. LARGES 10'x5'16"x5 CONTAINING
3. PARKING AREAS
4. SLOTTED AREAS
5. FUNDING TO FUND OF PLOT'S MARKED BUT PARKING AREAS, ALSO PROPERTY BOUNDARIES
6. FOOT PATH: 1:200 RATIO 800
7. EXISTING CUL-DE-SAC TO THE DUX OUT AND ALIGNED TO LA SPECIFICATION
8. 2 NO LONG STADIUMS TO LA SPEC AND POSITIONS ?



12/01/08 ENGINEER'S LAYOUT FOR CAPITAL DRIVE  
 REVISION 12/01/08 SCALE 1:200  
 PLOT NO 2/10/08 REVISION D  
 12/01/08

PROPOSED REFINED CONSTRUCTION LTD  
 SITE 23 STATION ROAD / CAPITAL DRIVE  
 SUNDAY DOOLEY DYS LPS  
 07754 BROWN DRIVE DUNELLY

Plans 5-10 + location  
Plan - Rev 1/22/27



PROPOSED 2 BED SEMI DETACHED Plot No. 5-10  
 FRONT ELEVATION REAR ELEVATION SIDE ELEVATION LOCATION PLAN  
 SCALE 1-50 1-500 \* REVISED PLAN 24/01/03  
 DRAWING NO. 3/11.07

PROPOSED 2 BED SEMI DETACHED 23 KINGSWAY ROAD, LONDON AND CENTRAL DAVE DVS EPS DUBLET  
 DAVID J BRENNER CONSTRUCTION LTD. NORTH VIEW TO THE FRONT SECTORY DVS 308  
 01822 561563 01822 815762



UNOFFICIAL  
SCANNED

