

# PLANNING APPLICATION NUMBER:P14/0002

Type of approval sought	Reserved Matters
Ward	Cradley and Wollescote
Applicant	William Davis Limited
Location:	<b>NORTHERN EDGE OF THE FORMER CRADLEY HIGH SCHOOL, CRADLEY, HALESOWEN, WEST MIDLANDS</b>
Proposal	<b>APPROVAL OF RESERVED MATTERS FOR ERECTION OF 9 NO. DWELLINGS, GARAGES, ASSOCIATED WORKS AND EMERGENCY ACCESS TO THE RETIREMENT VILLAGE (FOLLOWING OUTLINE APPROVAL P12/1447)</b>
Recommendation Summary:	<b>APPROVE SUBJECT TO CONDITIONS</b>

## SITE AND SURROUNDINGS

1. The application site measures approximately 0.4 hectares in size and was previously part of the wider site that contained the Cradley High School until its demolition in 2010.
2. This part of the site is located to the North East of the wider site and previously contained the school playground. The site is located adjacent to existing residential properties in Ormande Close (to the North) and Brades Close (to the West) and by Homer Hill Park to the South and East.
3. The previously approved Midland Heart Extra Care development is currently under construction on the main part of the site to the South.
4. The site itself is relatively flat however the land falls away from it significantly towards the properties in Brades Close and to a lesser extent towards the properties in Ormande Close.
5. The general character of the surrounding residential properties is of two-storey detached houses although there are bungalows in close proximity.

## PROPOSAL

6. This is a Reserved Matters application for the erection of 9 dwellings that follows on from the granting of Outline planning permission for the erection of dwellings on the site as part of the application for the redevelopment of the wider site with an Extra Care facility (application reference P12/1447).
7. As part of that application Outline consent was granted for up to 11 dwellings on this section of the site. Only the matters of access and landscaping were considered at that time (along with the principle of the development) and this application relates to the appearance, layout and scale of the development.
8. The approved means of access will be provided through an extension to Ormande Close. This new road would not form a link road through to the main part of the application site or through to Homer Hill Road other than for emergency vehicles.

## HISTORY

9. Planning history for the site dates back to 1948 and the former quarry use of the site.
10. Planning history relating to the school dates back to 1976 however none of the applications are directly relevant to the current proposal.

Application	Proposal	Decision	Date
P12/1447	Hybrid application for: Part A: Full planning permission for the development of 120 apartment retirement village. Part B: Outline application for the erection of 11 no. dwellings (access and landscaping to be considered).	Approved	18/02/2013

## PUBLIC CONSULTATION

11. Notification letters were sent to the occupiers of 25 neighbouring properties. As a result one letter of objection has been received raising the following issues:
- The proposal includes semi-detached dwellings which would be out of character with the local housing,
  - Some of the houses have no garages which would result in parking and security problems,
  - Some of the garages are not immediately adjacent to the house they relate to,
  - Lack of detail regarding the layout where Ormande Close and Homer Hill Road 'meet',
12. Two other representations have been received raising concerns about the potential for vehicles to access Homer Hill Road directly from Ormande Close.
13. This matter will be referred to in more detail below however there would not be a direct vehicle access between the two roads other than for emergency vehicles.

## OTHER CONSULTATION

14. Group Engineer (Development): No objection subject to conditions. The means of access to the site was approved at Outline stage.
15. Head of Environmental Health and Trading Standards: No objection subject to conditions.
16. West Midlands Police Crime Prevention Design Advisor: No objection raised. Comments made regarding the location of some garages and other detailed comments regarding the height and design of gates and fences.

## RELEVANT PLANNING POLICY

### 17. National Planning Guidance (2012)

- National Planning Policy Framework
- Technical Guidance to the National Planning Policy Framework
- Section 6: Delivering a wide choice of high quality homes

### 18. Black Country Core Strategy (2011)

- CSP1 The Growth Network
- CSP4 Place Making
- HOU1 Delivering Sustainable Housing Growth
- HOU2 Housing Density, Type and Accessibility
- ENV 2 Historic Character and Local Distinctiveness
- ENV 3 Design Quality

### 19. Unitary Development Plan (2005) (Saved Policies)

- DD1 Urban Design

### 20. Supplementary Planning Guidance/Documents

- Draft New Housing Development Supplementary Planning Document (2012)
- Parking Standards Supplementary Planning Document (2011)

## ASSESSMENT

### 21. The main issues are

- Principle
- Design
- Neighbour Amenity
- Occupier Amenity
- Access and Parking
- Nature Conservation
- New Homes Bonus

## Principle

22. Within the adopted Black Country Core Strategy the site is identified within Regeneration Corridor 13 (Jewellery Line – Rowley Regis to Stourbridge Junction). This corridor has a strategic emphasis on Housing Growth. In more detail, Appendix 2 states that, 'This Corridor will be reborn through a mix of renewal and redevelopment to create new residential environments and green spaces', with a focus on creating high quality sustainable communities.
23. In line with the above, there is general, in principal support for, and a presumption in favour of housing in this corridor. The site is also indicated within the Strategic Housing Land Availability Assessment (update), where this site is identified as a 'deliverable (category 1) housing site' (ref. no. 93) with an indicative delivery timescale of within 5 years.
24. The granting of Outline planning permission in 2013 has also established the principle of residential development on this site. This Reserved Matters application relates to the detailed matters of layout, appearance and scale.

## Design

25. The proposal is for the erection of nine dwellings that would be located around an extension to Ormande Close. The development would include five detached dwellings and two pairs of semi-detached dwellings. All of the houses would be two-storey and would be finished in brick and tile.
26. One of the dwellings would face towards No.3 Homer Hill Road, two would face towards the park and the remaining dwellings would face towards the Extra Care development with four of those dwellings backing onto the rear of the existing properties facing Ormande Close.
27. The proposed dwellings would be relatively traditional in terms of their design which would ensure that they reflected the character of the surrounding area.

28. It is considered that the amount of development and the appearance of the proposed dwellings would be acceptable in this primarily residential area.

#### Neighbour Amenity

29. The dwellings that would back onto the rear of the existing dwellings along Ormande Close would be located between 22.5 and 32 metres away from the existing dwellings which would be in accordance with the Council's required separation distances (as set out in Planning Guidance Note 3: New Housing Development) and would be sufficient to prevent there being an unacceptable impact on amenity from overlooking.
30. As stated above there is a difference in ground level between the application site and the properties in Ormande Close. The finished floor level of Plot 6 would be approximately 1.2m above the finished floor level of No.26 Ormande Close. The rear garden for Plot 6 would be approximately 12.5metres deep and the separation distance between the dwellings would be approximately 22.5metres. In addition the proposed dwelling has been designed so that there is only one habitable room window at first-floor level on the rear of the property (the other windows relate to an en-suite bathroom and landing and can be obscure glazed).
31. The difference in ground level increases as Ormande Close slopes down towards the West however the separation distances between the existing and proposed dwellings increases up to 32 metres. It is therefore considered that the proposed development would not result in a detrimental impact on the amenities of the occupiers of the existing properties in Ormande Close.
32. It is however proposed to impose a planning condition to remove permitted development rights to prevent additional extensions and detached outbuildings from being erected without the requirement for planning permission.
33. The dwelling proposed for Plot 1 would face towards the side of No.3 Homer Hill Road, a detached bungalow. The separation distance between the properties would be approximately 14 metres and it is considered that this would be sufficient to ensure that

there would not be any loss of amenity to the occupiers of that property through loss of privacy.

34. Plot 9 would be sited side on to the rear elevations of the properties within Brades Close. Whilst those properties are set at a significantly lower ground level than the application site the proposed dwelling would be located approximately 37metres from the rear of the closest property. In addition the facing side elevation would not contain any openings and an appropriately worded planning condition could ensure than no further windows are added in the future.
35. It is considered that proposal would not result in a detrimental impact on the amenities of the occupiers of neighbouring residential properties.

#### Occupier Amenity

36. All of the proposed dwellings would have a private rear amenity area with a minimum depth of 12metres with is in accordance with the New Housing SPD. As stated above the separation distances between the proposed and existing dwellings are acceptable. In addition the proposed dwellings would be between 24 and 27 metres away from the facing elevation of the Extra Care facility which would be sufficient to prevent an unacceptable loss of amenity.
37. It is considered that the proposed layout would result in an acceptable level of amenity for the occupiers of the proposed dwellings.

#### Access and parking

38. As stated above vehicular access to the proposed housing would be taken through an extension to Ormande Close and this was approved under the previous planning application. The approved access would also allow for emergency vehicles to enter the Extra Care facility if needed and would also allow for emergency access to Homer Hill Road but both of these access points would be secured with bollards to prevent unrestricted access through the area.

39. A Condition was attached to the previously approved application requiring the submission of details of the proposed emergency access points and this is something that must be done prior to the first occupation of any of the dwellings.
40. Each of the proposed dwellings would be provided with either 2 or 3 parking spaces including the garages. This would be sufficient to cater for the needs of the development in accordance with the adopted Parking Standards SPD.
41. The means of access to the site has already been approved and it is considered that the proposal is acceptable in terms of the proposed level of car parking and internal road layout.

#### Nature Conservation

42. A Site of Local Importance for Nature Conservation (SLINC) lies to the South West of the site. The previously approved Outline application was considered in line with Core Strategy Policy ENV1 that seeks to ensure that development would not negatively impact this designation.
43. As part of that assessment it was concluded that the proposal should make a contribution towards Nature Conservation enhancements and this was secured by the imposition of a suitably worded condition. The applicant is required to comply with that condition prior to the commencement of the development.
44. It is considered that the proposed development would not have a detrimental impact on the Nature Conservation value of the site or adjoining land and that positive enhancements can be achieved.

#### Planning Obligations

45. Black Country Core Strategy (BCCS) Policy DEL1 'Infrastructure Provision' sets out the adopted policy framework for Planning Obligations within Dudley and the Planning Obligations SPD provides further detail on the implementation of this policy; these

policy documents were prepared in accordance with national legislation and guidance on planning obligations.

46. Policy DEL1 requires all new developments to be supported by sufficient on and off-site infrastructure to serve the development, mitigate its impact on the environment, and ensure that the development is sustainable and contributes to the proper planning of the wider area.
47. In determining the required planning obligations on this specific application the following three tests as set out in the Community Infrastructure Levy (CIL) Regulations, in particular Regulation 122, have been applied to ensure that the application is treated on its own merits:
  - (a) necessary to make the development acceptable in planning terms;
  - (b) directly related to the development;
  - (c) fairly and reasonably related in scale and kind to the development.
48. Following consideration of the above tests the following planning obligations were secured for this proposal at the Outline application stage through the imposition of suitably worded planning conditions:
49. On-Site Provision:
  - Public Realm
  - Nature Conservation
  - Public Art
  - Air Quality Enhancement
50. It is considered that these contributions meet the necessary tests as stated above in that they contribute to the delivery of a sustainable development, are being provided directly on the development site itself and are deemed to be in scale and kind to the proposed development.
51. This development complies with the requirements of BCCS Policy DEL1 and the Planning Obligations SPD.

### New Home Bonus

52. Clause (124) of the Localism Act states that: Local planning authorities are to have regard to material considerations in dealing with applications including any local finance considerations, so far as material to the application. A 'local finance consideration' means a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown. This may be taken to cover the payment of New Homes Bonus, or sums that a relevant authority has received, or will or could receive, in payment of CIL.
53. The New Homes Bonus is designed to create an effective fiscal incentive to encourage local authorities to facilitate housing growth. It will ensure the economic benefits of growth are more visible within the local area, by matching the council tax raised on increases in effective stock.
54. The Bonus will sit alongside the existing planning system and provides local authorities with monies equal to the national average for the council tax band on each additional property and paid for the following six years as a non-ring fenced grant. In addition, to ensure that affordable homes are sufficiently prioritised within supply, there will be a simple and transparent enhancement of a flat rate £350 per annum for each additional affordable home.
55. Whilst the clause makes it clear that local finance matters are relevant to planning considerations can be taken into account, it does not change the law in any way. It is not a new basis for planning policy and it remains unlawful for planning permissions to be 'bought'.
56. This proposal would provide 9 houses generating a grant of 9 times the national average council tax for the relevant bands plus an enhancement payment of £350 per unit of affordable housing per annum for 6 years.

57. Whilst this is a significant sum of money the planning merits of the proposal are acceptable in any event and therefore this is not accorded significant weight.

## **CONCLUSION**

58. The proposed development would provide 9 dwellings on a previously developed site within an identified strategic Regeneration Corridor that has an emphasis on housing led growth. The proposal would not result in a detrimental impact on the occupiers of either existing neighbouring properties or the future occupiers of the proposed development. The proposal would not result in a detrimental impact on highway safety or on the use of the neighbouring open space. Consideration has been given to policies CSP1, CSP4, HOU1, HOU2, DEL1, ENV1 and EMV3 of the Black Country Core Strategy and saved policies DD1, UR9 and NC1 of the Dudley Unitary Development Plan.

## **RECOMMENDATION**

It is recommended that the application be APPROVED subject to the following conditions with delegated powers to the Director of the Urban Environment to make amendments to these as necessary

### **Approval**

In dealing with this application the local planning authority have worked with the applicant in a positive and proactive manner, seeking solutions to problems arising in relation to dealing with the application, by seeking to help the applicant resolve technical detail issues where required and maintaining the delivery of sustainable development. The development would improve the economic, social and environmental concerns of the area and thereby being in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

### **Coal Mining Informatives**

(All developments within coalfield standing advice area)

The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to the Coal Authority.

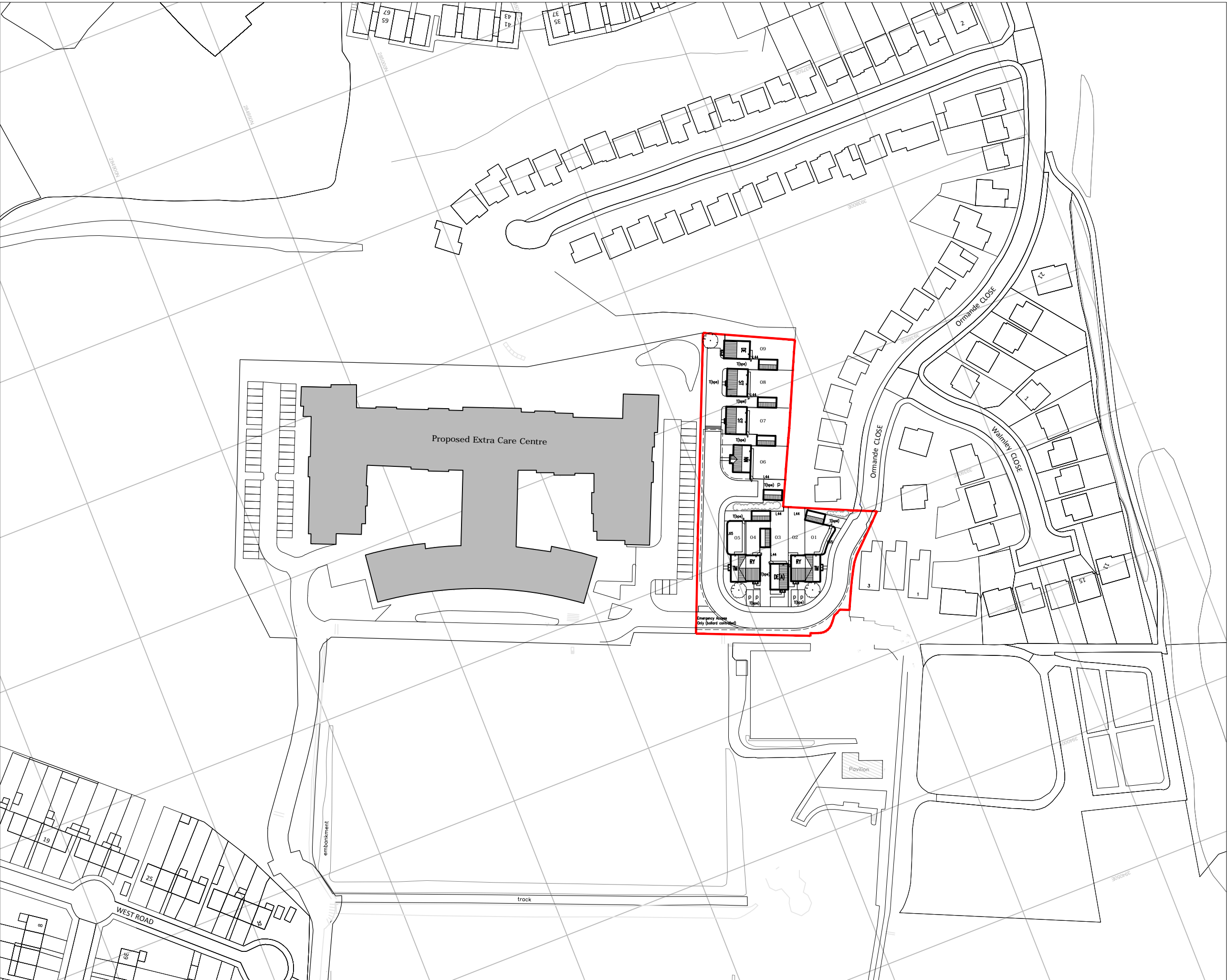
Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority.

Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at [www.groundstability.com](http://www.groundstability.com)

Conditions and/or reasons:

1. The development hereby permitted shall be built in accordance with the approved plans numbered: 12-105-P002 RevC, 12-105-109; 10-100-101; 10-100-104B; 10-100-110B; 10-100-105; 10-100-133; 7040-P-G23; 6235-L44; 6235-L65; 6235-L52 unless otherwise agreed in writing by the Local Planning Authority.
2. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination until this condition has been complied with in relation to that contamination. In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. A risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared, all of which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme such completion shall be certified and a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.
3. Any site-won materials to be reused and/or soil materials imported to site for use within the development must be the subject of a validation and verification scheme to ensure their suitability for the intended use. Such a scheme shall be approved by the LPA prior to any such materials being used within the development.
4. No construction shall begin until a detailed scheme to protect the development from the effects of soil gases or vapours has been submitted to and approved by the Local Planning Authority.
5. Unless otherwise agreed in writing with the LPA, the approved scheme (required by Condition 4) shall be implemented and a verification report submitted to and approved by the LPA, before the development is first occupied/brought into use.
6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modification) no development referred to in Schedule 2 Part 1 Classes A to E (inclusive) of that order shall be carried out.

Ref:



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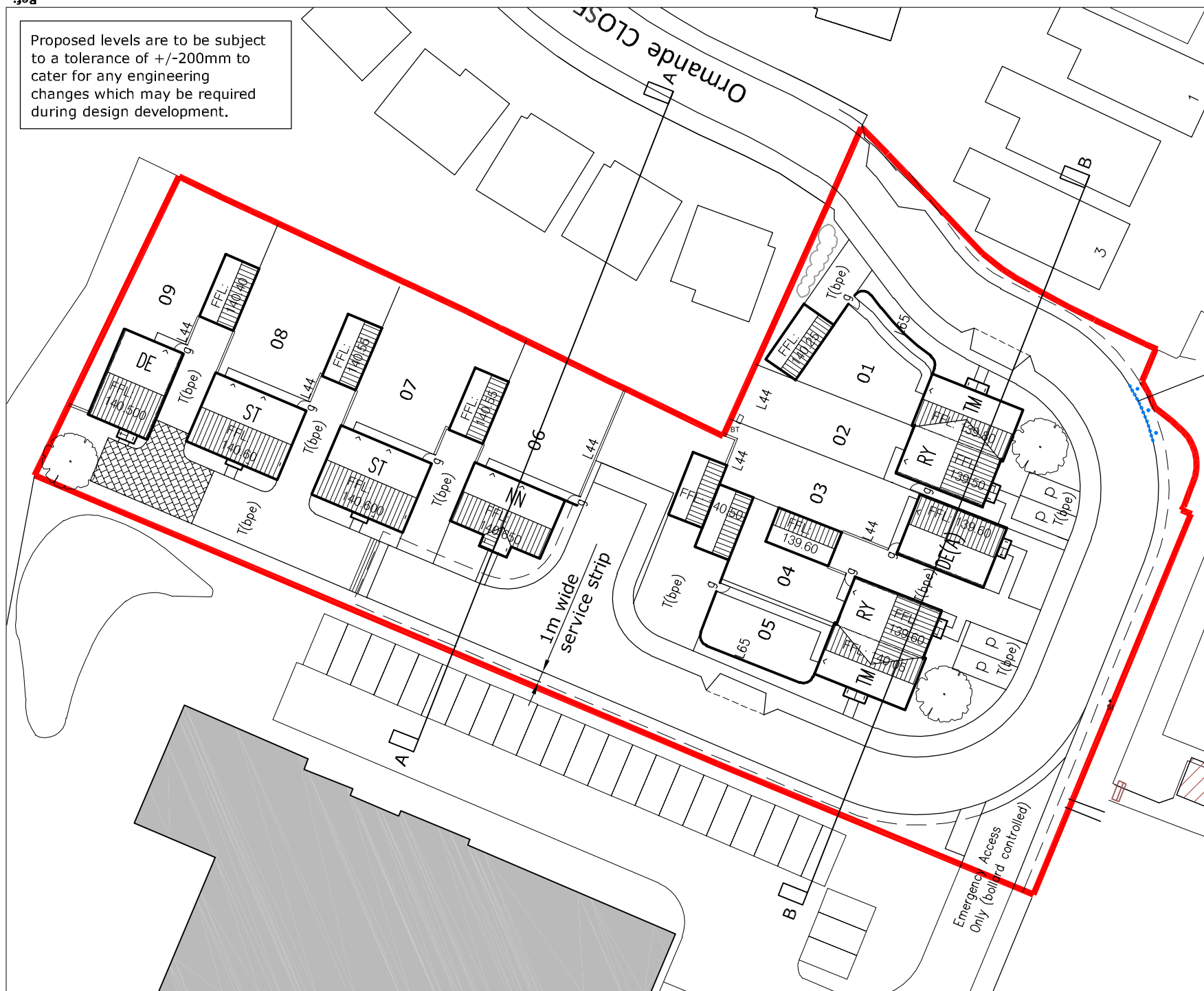
**ORMANDE CLOSE  
CRADLEY**

Site Location Plan

Drawing status: Preliminary  
Cad reference: 12-105 P  
Drawn: TM  
Team: JM  
Date: Dec 2013  
Scale: 1:1250 @ A3

Project no:	Dwg no:	Rev:
12-105	P001	-

Proposed levels are to be subject to a tolerance of  $\pm 200\text{mm}$  to cater for any engineering changes which may be required during design development.



**C - 11.03.14 - CA -**  
Amendments to road layout  
following comments from  
planner.

Dropped kerb and bollards to be provided to allow emergency access to Homer Hill Road.



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ORMANDE CLOSE  
CRADLEY

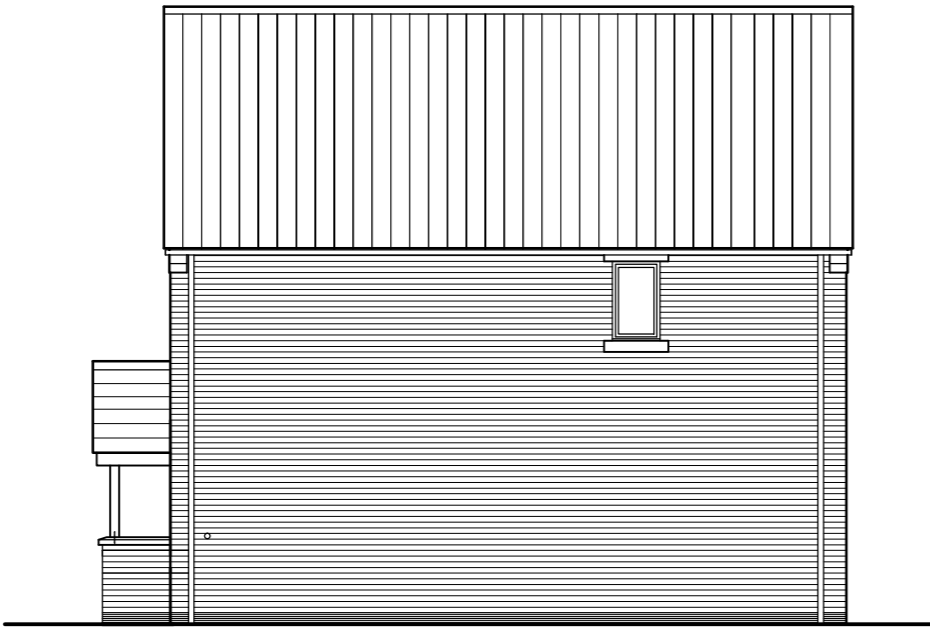
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Drawn:	TM
Team:	JM
Date:	December 2013
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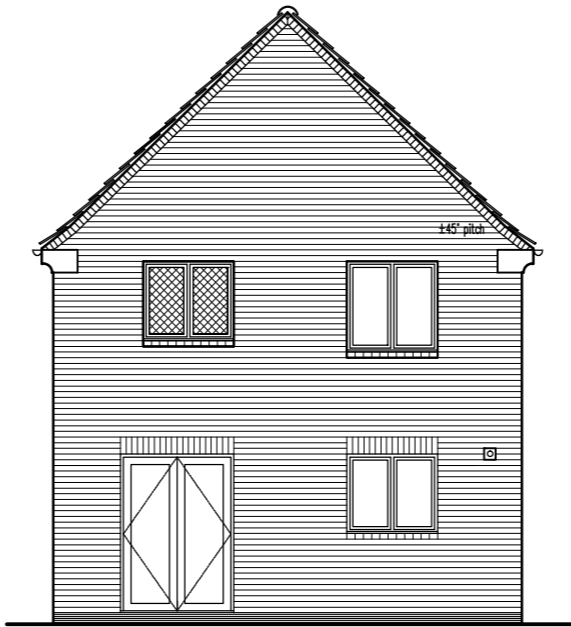
Project no:	Dwg no:	Rev:
12 - 105	P002	C



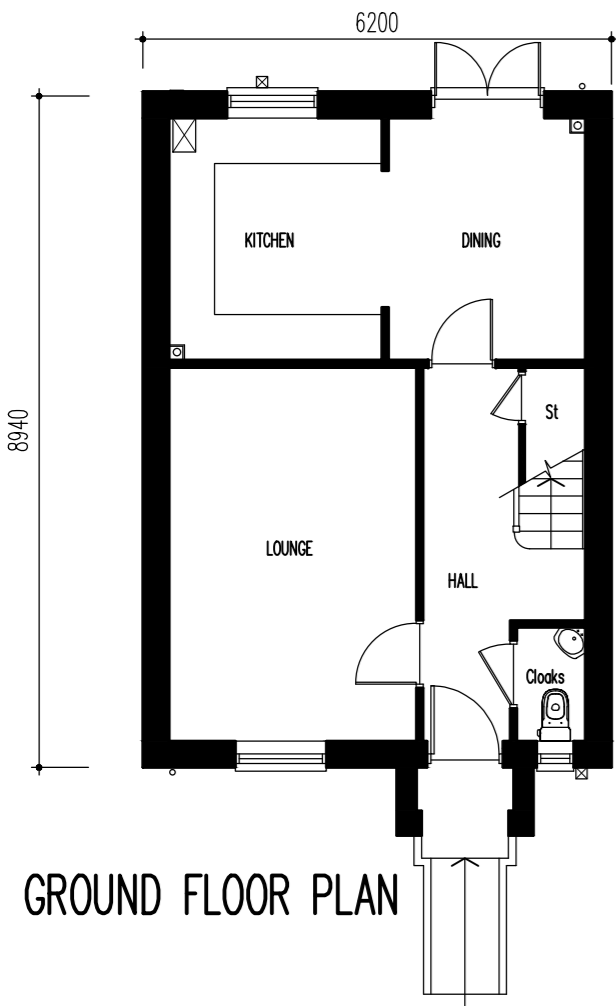
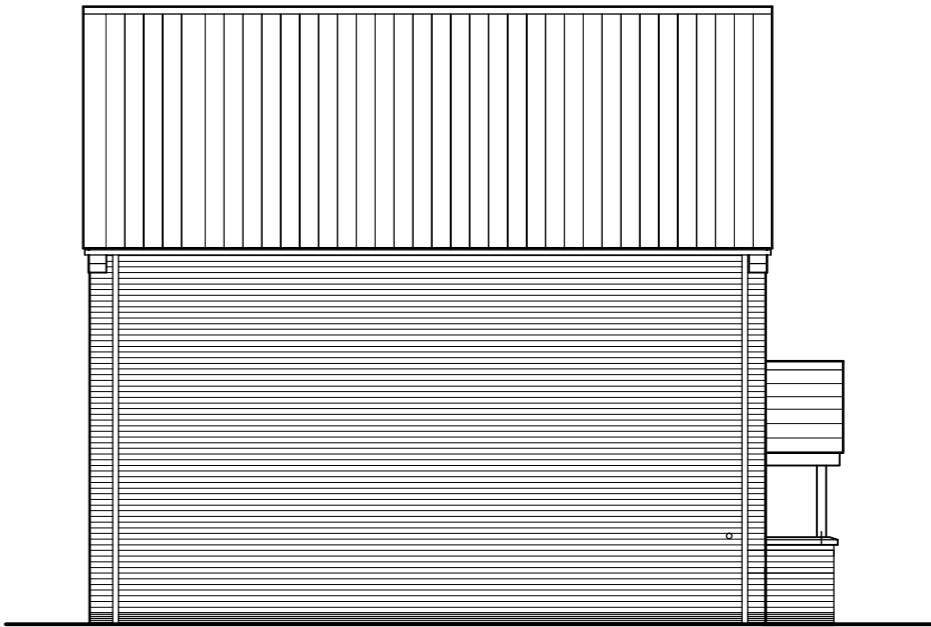
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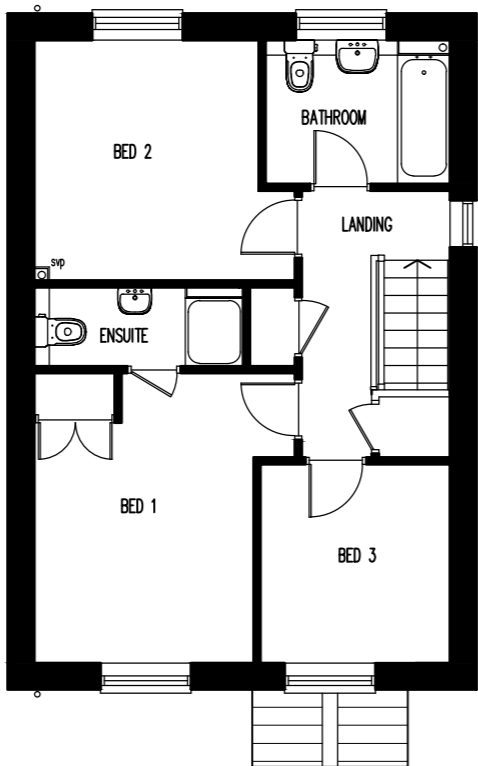
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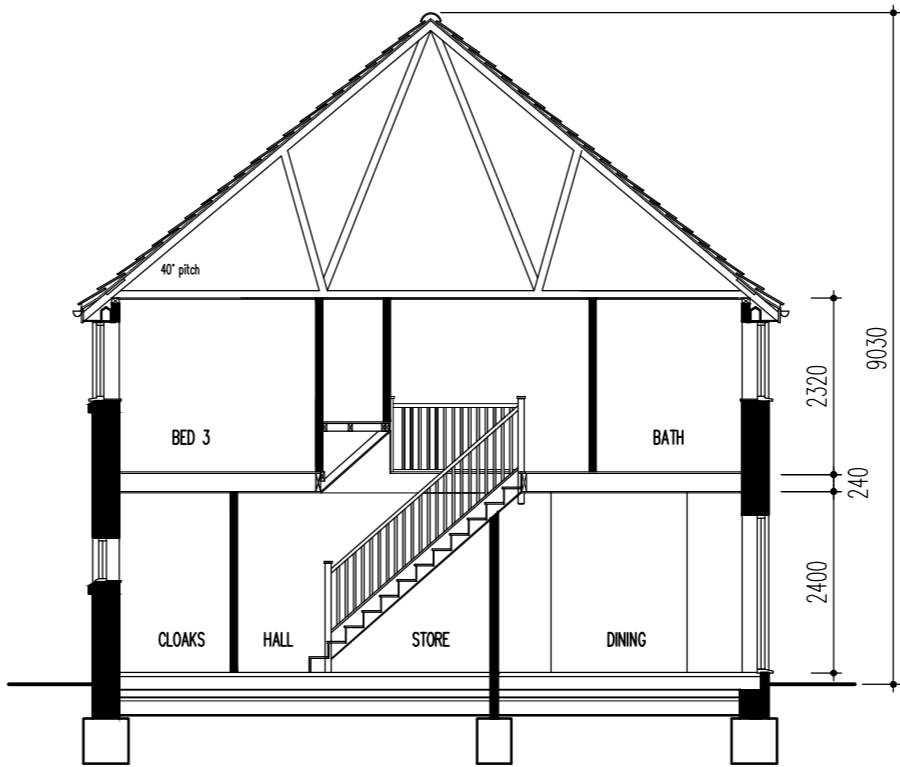
REAR ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN



SECTION

90.64 sq.m  
975 sq.ft.

12-101



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HOUSE TYPE  
DOVE (DE-A)

PLANS, ELEVATIONS  
+ SECTION

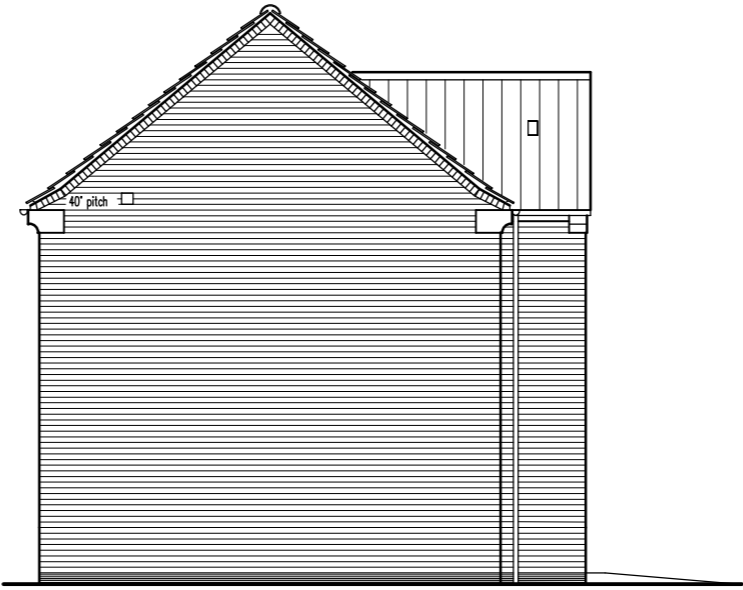
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Team:  
Date: August 2013  
Scale: 1:100 @ A2

Project no: Dwg no: Rev:  
12-105 P109

Revisions :  
A 17.01.13 Wall and partition widths revised (DA)  
B 29.01.13 Porch dimension amended (DA)



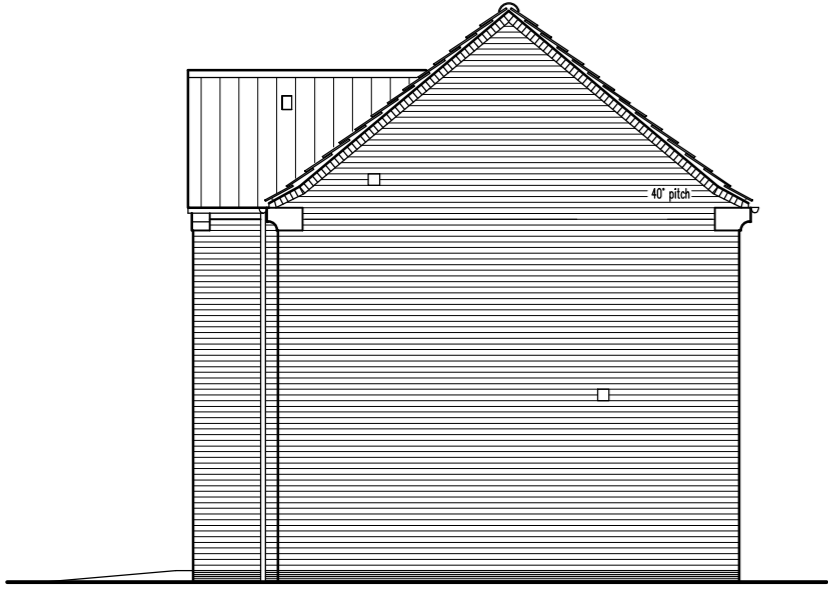
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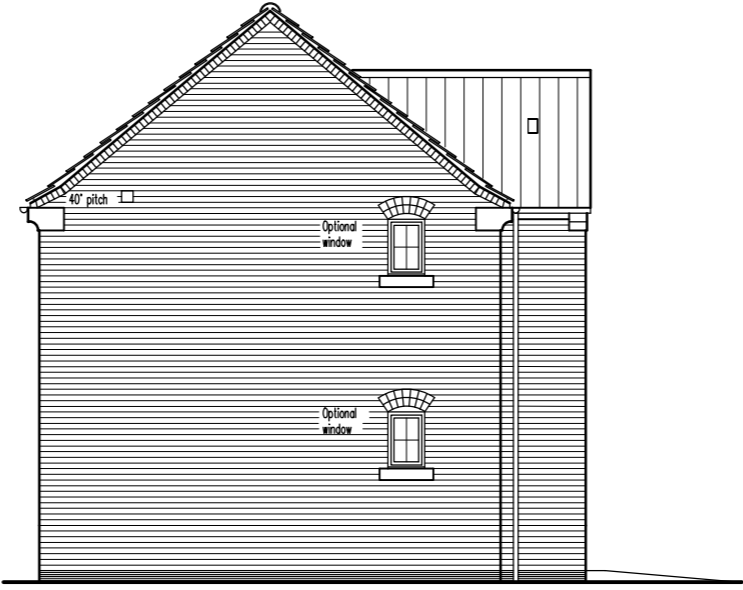
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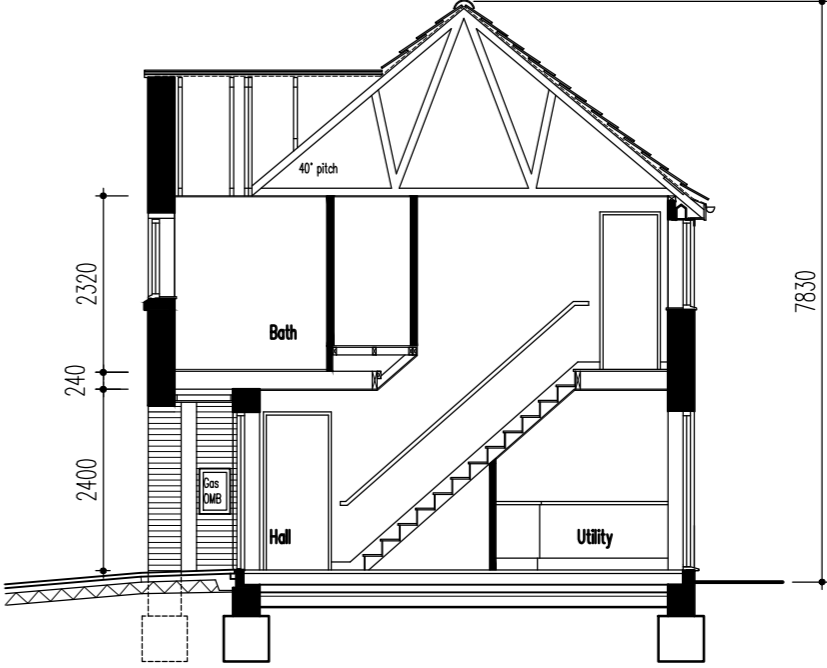
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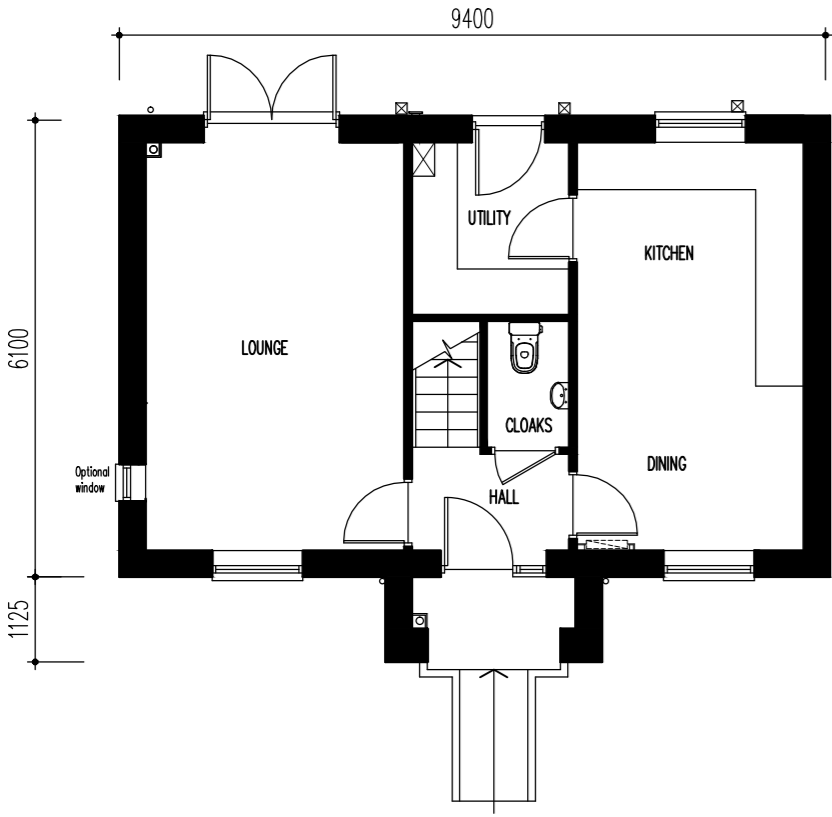
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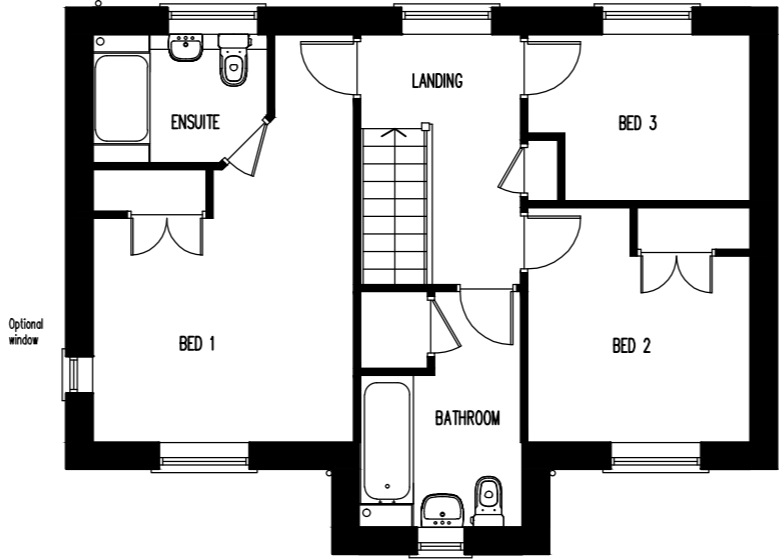
SIDE ELEVATION INDICATING OPTIONAL WINDOWS TO SIDE ELEVATION \*\*



SECTION



GROUND FLOOR PLAN



FIRST FLOOR PLAN

96.15 sq.m.  
1034 sq.ft.

10-100



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HOUSE TYPE  
NENE - NN

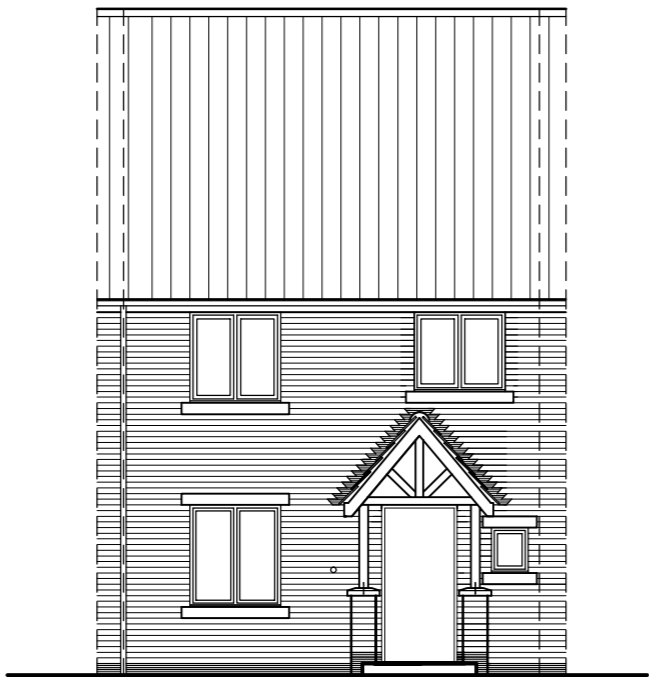
PLANS, ELEVATIONS + SECTION

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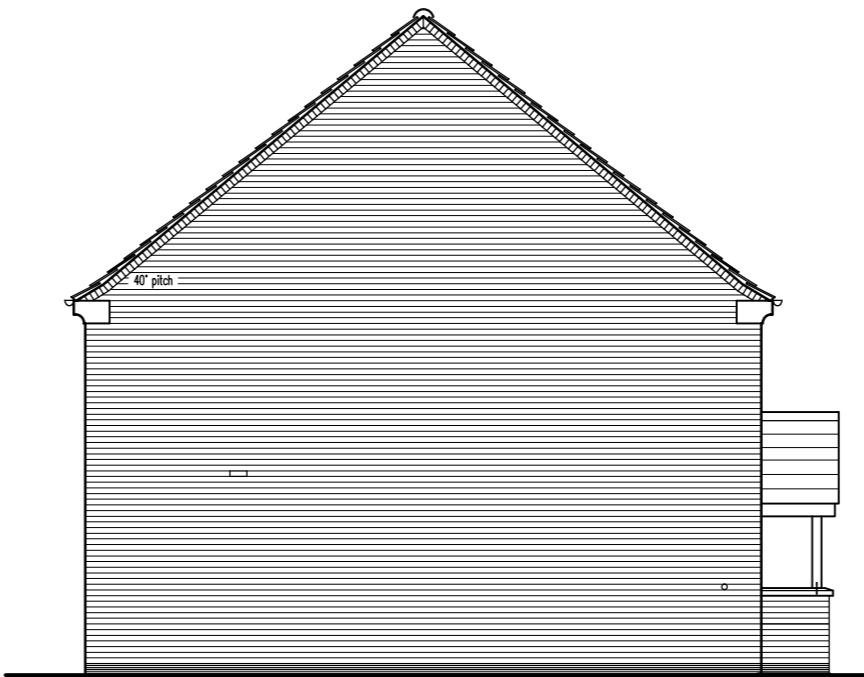
Project no:	Dwg no:	Rev:
10-100	105	B



FRONT ELEVATION  
(end-unit)



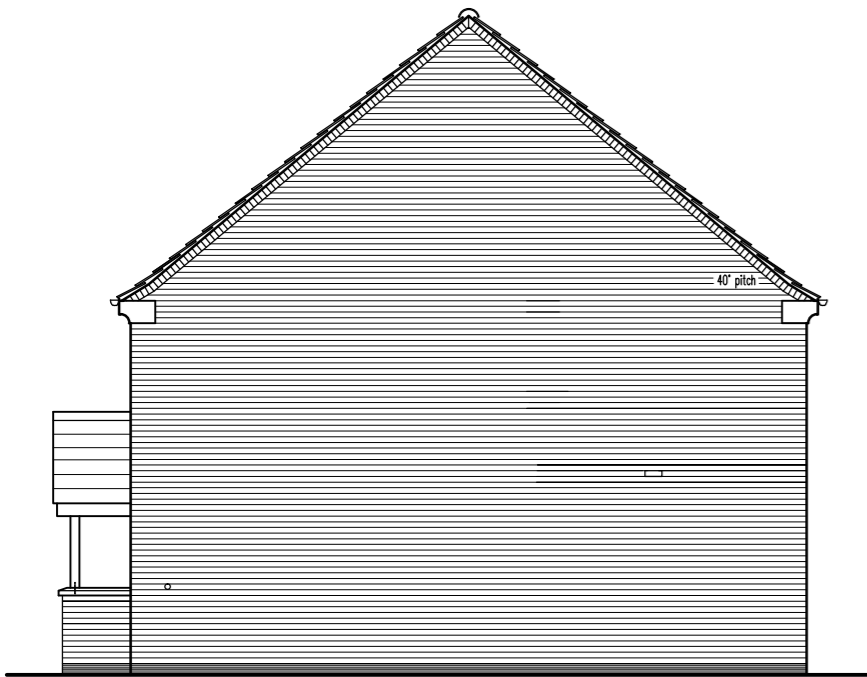
FRONT ELEVATION  
(mid-unit)



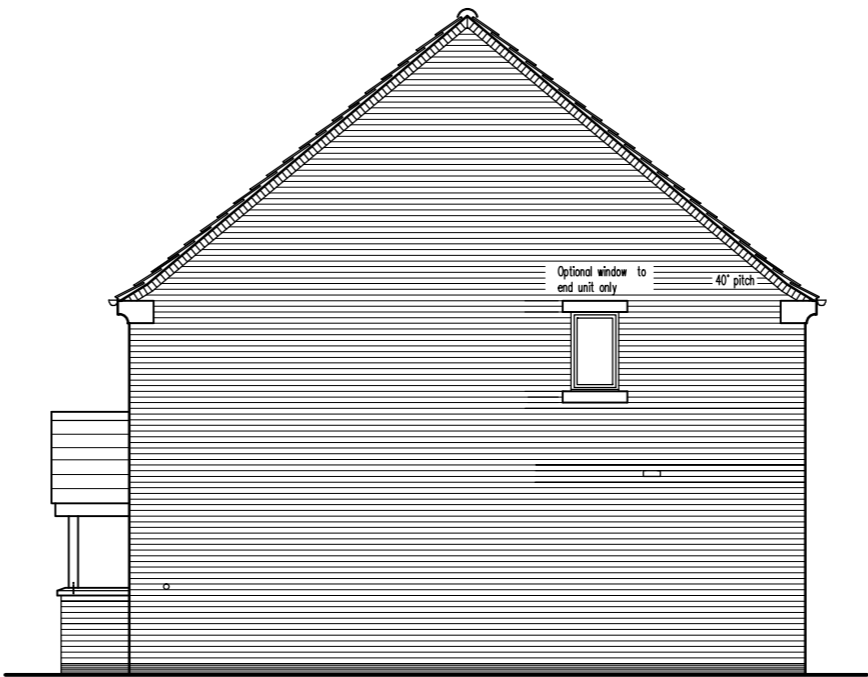
SIDE ELEVATION



REAR ELEVATION  
(end-unit)



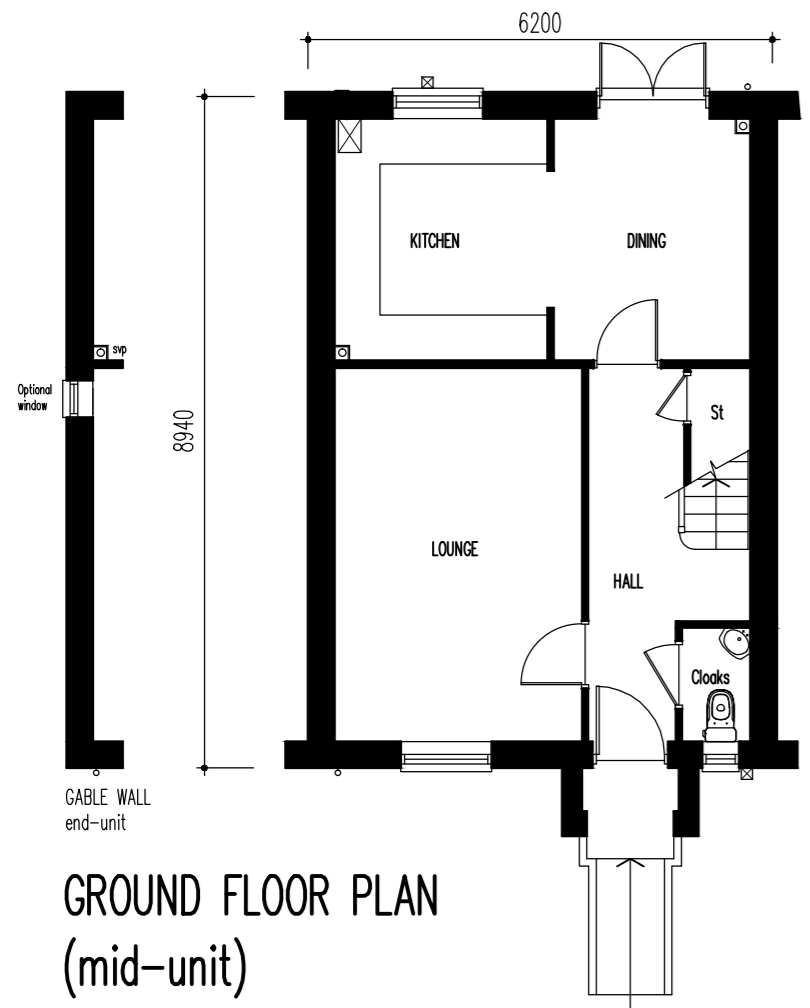
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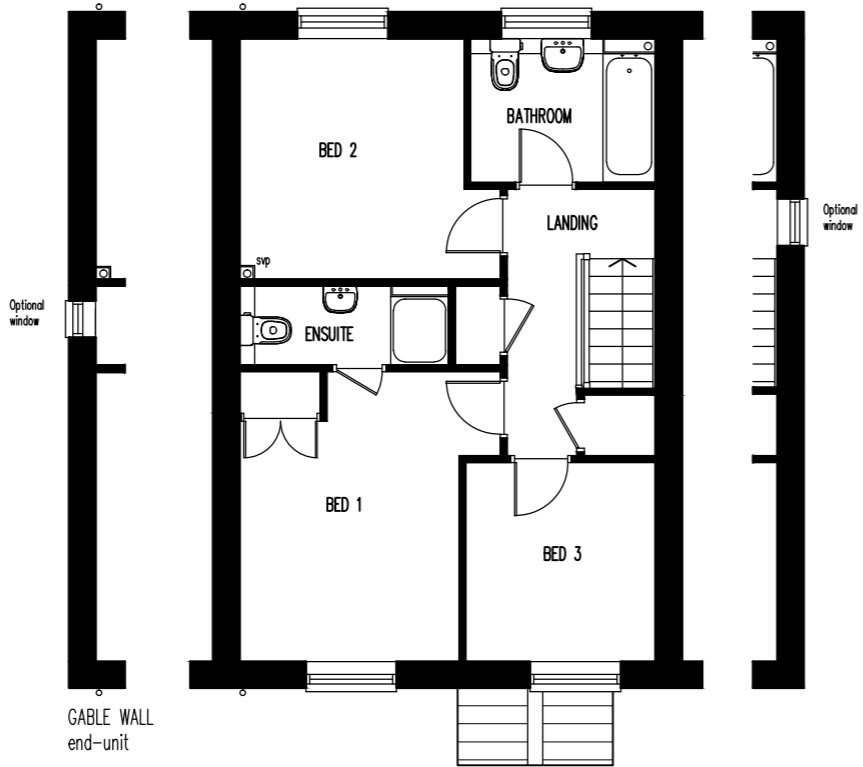
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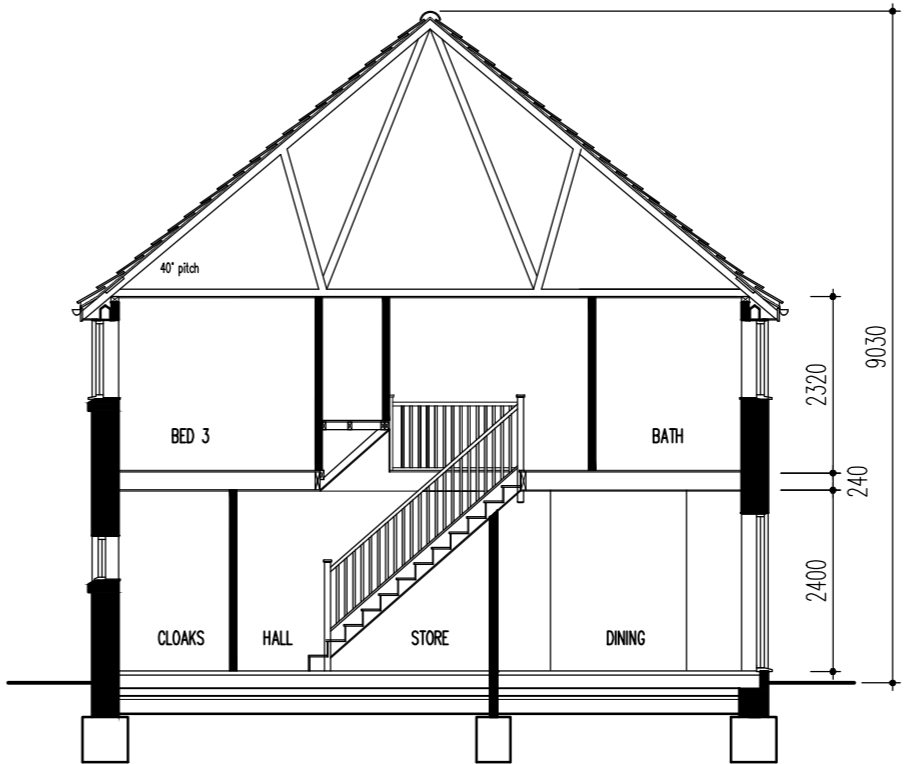
SIDE ELEVATION INDICATING OPTIONAL WINDOWS TO SIDE ELEVATION



GROUND FLOOR PLAN  
(mid-unit)



FIRST FLOOR PLAN  
(mid-unit)



SECTION

Revisions :  
A 17.01.13 Wall and partition widths revised (DA)  
B 31.05.13 Additional side elevations with blank walls added (AC)

90.64 sq.m  
975 sq.ft.

10-100



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HOUSE TYPE  
DOVE -DE

PLANS, ELEVATIONS  
+ SECTION

Drawing status: Planning  
Cad reference: 10-100 P  
Drawn:  
Team:  
Date: June 2012  
Scale: 1:100 @ A2

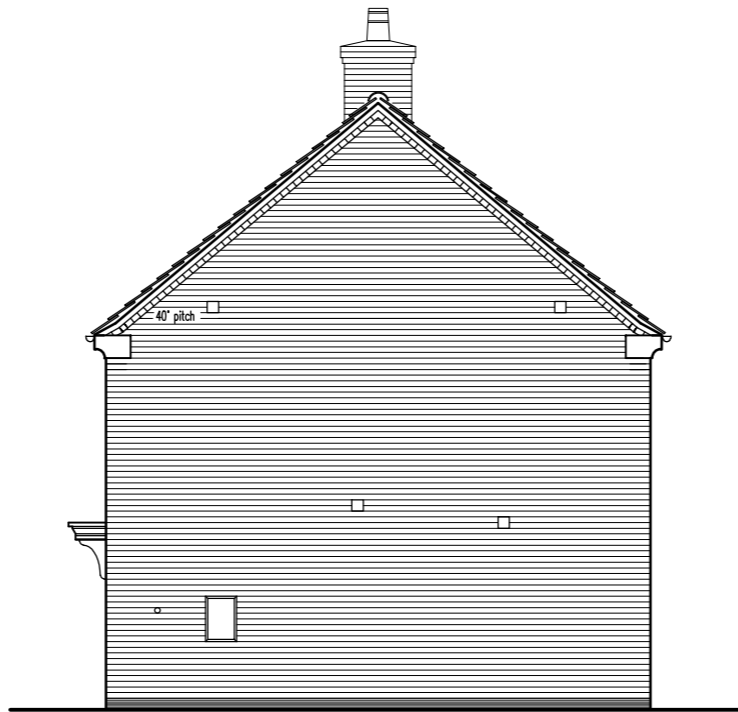
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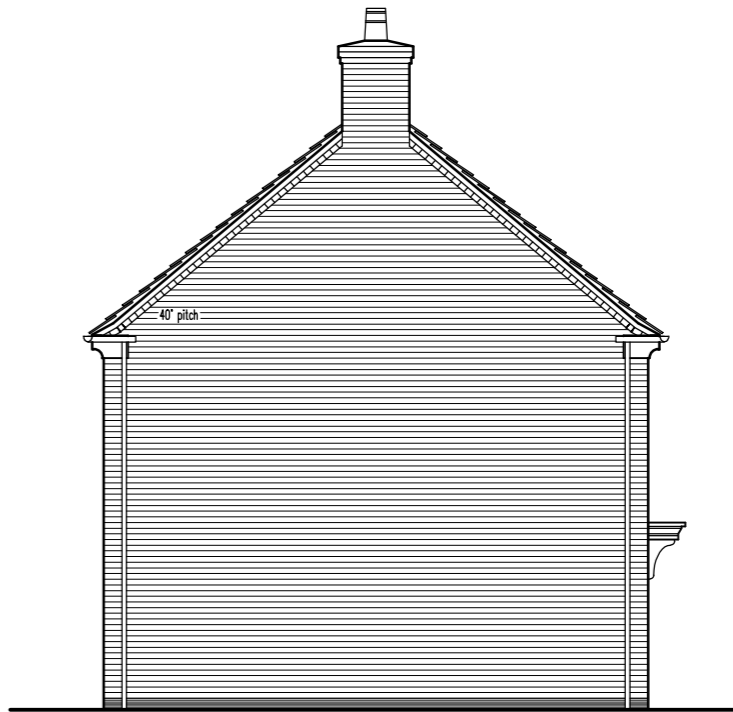
FRONT ELEVATION  
INDICATING OPTIONAL PROJECTING  
CHIMNEY



FRONT ELEVATION



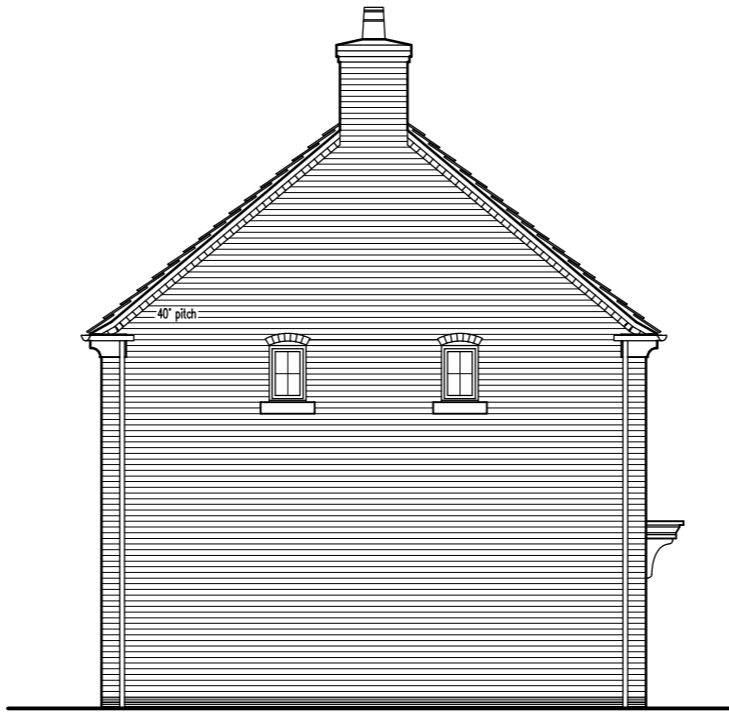
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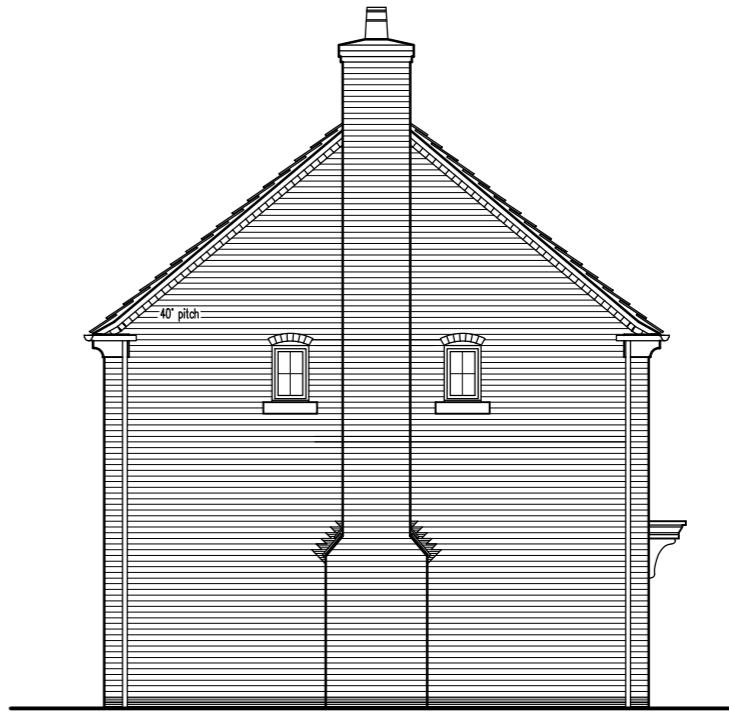
SIDE ELEVATION INDICATING FLUSH CHIMNEY AND NO WINDOWS



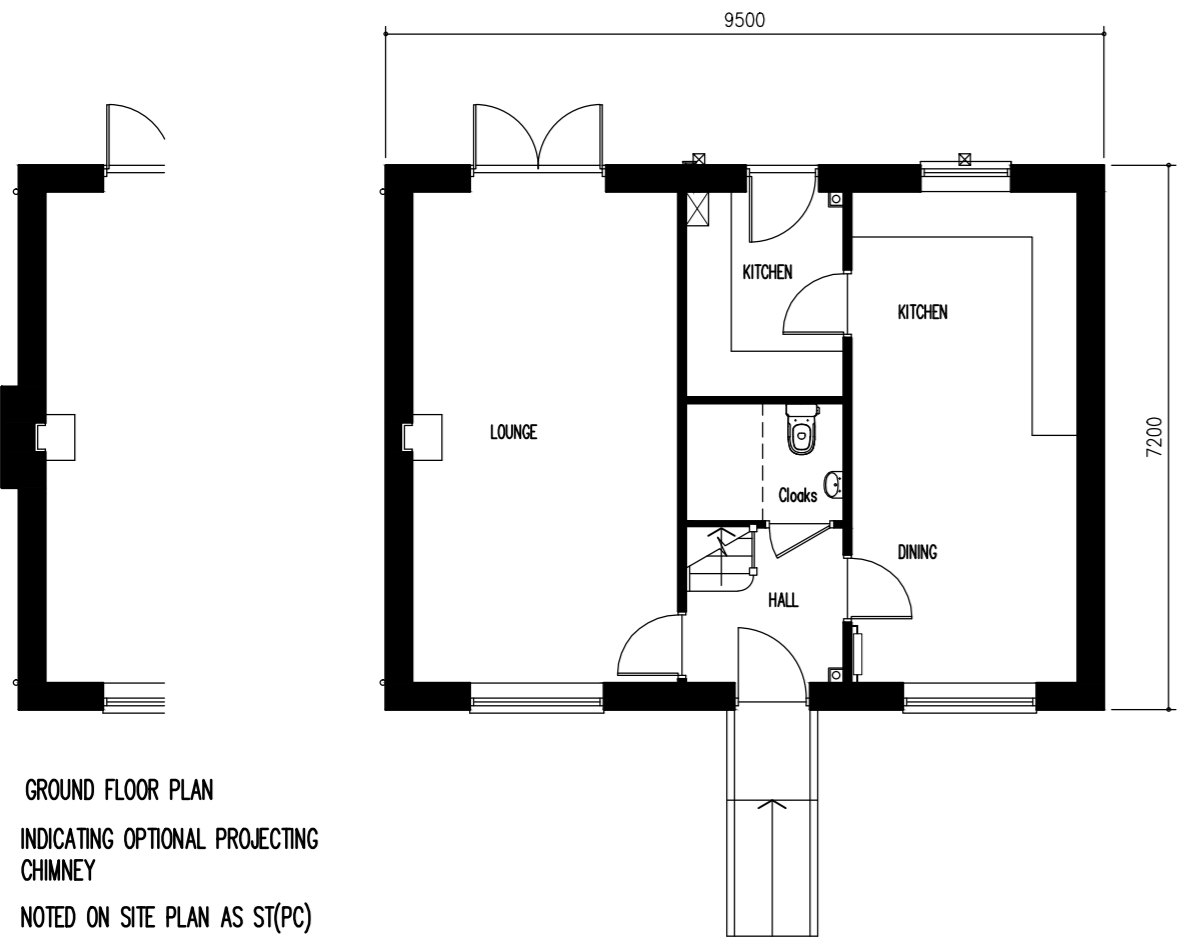
REAR ELEVATION



SIDE ELEVATION INDICATING OPTIONAL WINDOWS TO SIDE ELEVATION \*\*

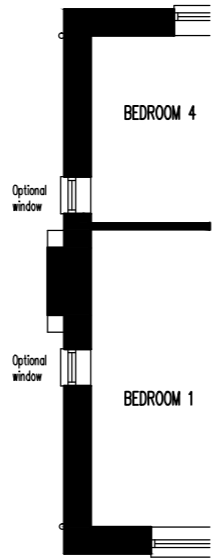


SIDE ELEVATION INDICATING OPTIONAL WINDOWS TO SIDE ELEVATION \*\*  
AND OPTIONAL PROJECTING CHIMNEY

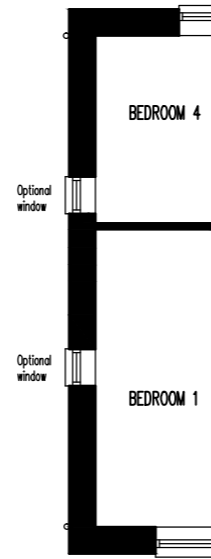


GROUND FLOOR PLAN  
INDICATING OPTIONAL PROJECTING  
CHIMNEY  
NOTED ON SITE PLAN AS ST(PC)

GROUND FLOOR PLAN

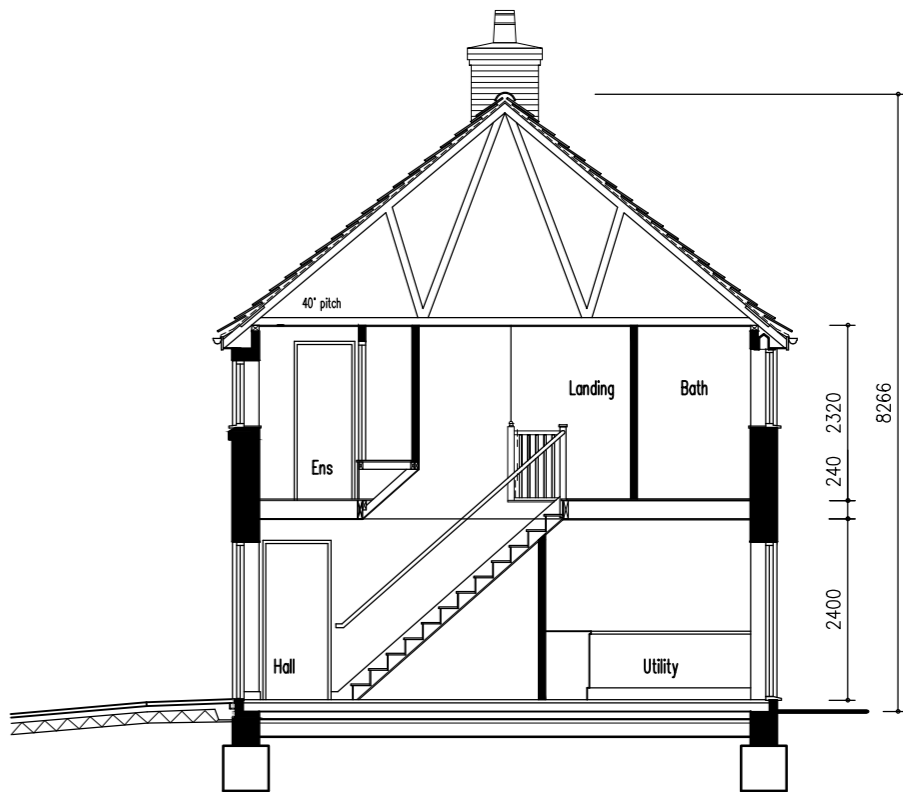
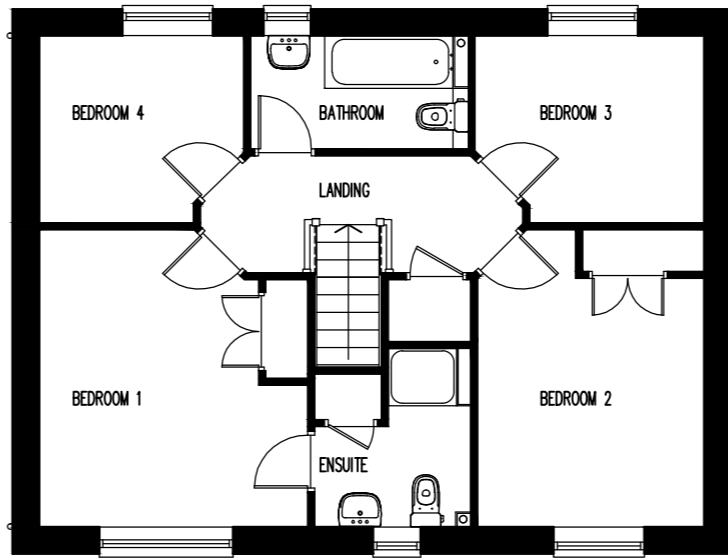


FIRST FLOOR PLAN  
INDICATING OPTIONAL PROJECTING  
CHIMNEY



FIRST FLOOR PLAN  
FLUSH CHIMNEY & OPTIONAL WINDOWS

FIRST FLOOR PLAN



SECTION

Revisions :  
A 17.01.13 Wall and partition widths  
revised (DA)  
B 31.05.13 Additional side elevations  
with blank walls added (AC)

114.40 sq.m.  
1231 sq.ft.

10-100



Architects | Masterplanners

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HOUSE TYPE  
SOLENT - ST

PLANS, ELEVATIONS + SECTION

Drawing status: Planning  
Cad reference: 10-100 P  
Drawn: JJD  
Team: JM  
Date: June 2012  
Scale: 1:100 @ A2

Project no:	Dwg no:	Rev:
10-100	110	B