

PLANNING APPLICATION NUMBER: P05/0414

Type of approval sought	OUTLINE PLANNING PERMISSION
Ward	LYE & WOLLESCOTE
Applicant	MR C. COLLINS
Location:	POLLY BROOKS YARD, PEDMORE ROAD, LYE, STOURBRIDGE, WEST MIDLANDS
Proposal:	OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT (DESIGN, EXTERNAL APPEARANCE AND LANDSCAPING RESERVED FOR SUBSEQUENT APPROVAL).
Recommendation summary:	APPROVE SUBJECT TO A 106 AGREEMENT

SITE AND SURROUNDINGS

1. Polly Brooks Yard is located off Pedmore Road within Lye District Centre. The northern half of Polly Brooks Yard is occupied by two terraces of two storey part commercial/part residential buildings. These buildings are to the rear of no.s 216 and 217 High Street. The southern half of the site (the application site) is open land currently used for the parking and storage of vehicles. The last identified use of the site was as a wholesale fruiterer's yard.
2. The site (0.1 hectares in area) has a 22m wide open frontage to Pedmore Road. The site is surrounded by commercial buildings of varying designs. Immediately to the east of the site is Mitre Road, a narrow road which provides access to car parks and service areas to the rear of premises on High Street.

PROPOSAL

3. Outline consent is sought to erect 2 no. three storey apartment blocks at the site, providing 12no. apartments. Details of siting and means of access are submitted for approval; details of the design and external appearance of the buildings and landscaping of the site are reserved for subsequent approval. A block is proposed at the Pedmore Road frontage, to be sited between no.109a to the south (a two storey office building) and 110 to the north (a two storey building in A3 use). An existing bus lay-by at the site entrance is to be retained. Vehicular access to the site will be from Pedmore Road. At the rear of the site is an apartment block fronting Mitre Road. That block is to be sited between the service area of a pharmacy at 209 High Street to the north and a

locally listed outbuilding to the rear of 109a Pedmore Road to the south. The block will overlook car parks on the opposite side of Mitre Road. The development provides 16 parking spaces.

HISTORY

4. None.

PUBLIC CONSULTATION.

5. The occupant of 219-220 High Street is of the opinion that residential development is not appropriate within this local centre .

OTHER CONSULTATION

6. The Head of Traffic and Road Safety has no objection in principle to the proposal.
7. The Head of Environmental Protection advises that future residents of dwellings facing Pedmore Road will be exposed to levels of nitrogen dioxide which exceed UK air quality standards. Recommends the imposition of noise mitigation measures in respect of noise from road traffic, nearby commercial uses and public car parks.

RELEVANT PLANNING POLICY

8. The site lies within the boundary of the Lye District Centre Action Plan. The site is located outside of Lye's retail core area and does not have a designated land use. The site is unallocated with no specific land use within the newly-adopted Unitary Development Plan. Given the lack of a specific designation, the following adopted UDP policies are considered relevant:
 - Policy DD1 (Urban Design)
 - Policy DD6 (Access and Transport Infrastructure)
 - Policy DD8 (Provision of Open Space, Sport and Recreation Facilities)
 - Policy CR1 (Hierarchy of Town Centres)
 - Policy CR14 (Residential Development in Town Centres)
 - Policy S2 (Creating A More Sustainable Borough)

- Policy EE3 (Existing Employment Uses)
- Policy H2 (Housing Assessment Criteria)
- Policy H6 (Housing Density)

9. PPG3 (Housing) is also of relevance in the determination of the application.

ASSESSMENT

10. The application site's recent-most use was for B8 (storage and distribution) purposes. Policy EE3 of the UDP seeks to safeguard industrial/employment land uses, but is flexible in identifying criteria to be met whereby a change of land use towards (for example) residential development may be acceptable. Policy CR1 identifies that residential uses are more appropriate within district centre locations than B8 uses and therefore the loss of the employment land is acceptable in this case. The site has been vacant for a period in excess of five years and therefore no longer contributes towards the provision of employment land in the Borough.
10. Policy S2 of the UDP advocates that all development should be expected to contribute to the creation of a more sustainable Borough, through the regeneration and reuse of derelict and vacant land for beneficial use and by minimising the need to travel and exploiting more fully locations which have high accessibility by a range of travel modes. Policy H2 advises that as much housing as possible should be located on previously-developed land within the Borough in order to achieve sustainability aims. The proposal is therefore in accordance with this policy. The proposed density of development is 120 dwellings per hectare. PPG3 advises that, in order to increase housing densities on previously-developed land in urban areas and to provide more sustainable forms of development, local planning authorities should seek greater intensity of development (above 50 dwellings per hectare) at places with good public transport accessibility such as town centres or near good quality public transport corridors. Policy H6 advises that densities of greater than 50 dwellings per hectare should be the target for sites within the walkable catchment of town and local centres and public transport corridors. The application site is within a local centre and is well served by public transport. The proposed density of development is therefore acceptable. Policy CR14 encourages the provision of residential development in centres as such development helps to secure a major increase in the use and support for local shops and services – the proposed scheme accords with this policy.

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12. In streetscene terms a three storey apartment block at the site's Pedmore Road frontage would be acceptable, making a positive contribution to the appearance of the area subject to appropriate design in compliance with Policy DD1. The siting of the rear block is also acceptable, providing an opportunity for increased surveillance of car parks on Mitre Street.
 13. The HTRS has not expressed any concern over the proposed siting and layout of the access to the site. The development does not provide any private amenity space, but this is acceptable in this case because PPG3 advises that where a proposed housing development involves the use of a previously-developed site it may be appropriate to relax development plan standards in respect of design, layout, density and parking. In this case the lack of amenity space provision is acceptable given that the site is so constrained, and to provide any meaningful amenity space in accordance with supplementary planning guidance standards would reduce the area of the site available for the built form of development.
 14. Policy DD8 sets out developer requirements for the provision of open space, sport and recreation facilities. In this case a Section 106 Agreement is required to ensure that the developer contributes to recreational facilities/open space in the vicinity of the site in line with the increase in users resulting from the approved development.

CONCLUSION

15. The proposed scheme is in accordance with relevant national and UDP policies for residential development and as such approval is recommended.

RECOMMENDATION

15. It is recommended that the application is approved subject to:
 1. The signing of a Section 106 Agreement to provide a commuted sum payment for the upgrading of existing public open space in lieu of on-site provision;
 2. Delegated powers to refuse the application if the Section 106 Agreement is not signed within 8 weeks of the date of decision;

3. the following conditions, with delegated powers to the Director of the Urban Environment to make amendments to them as necessary:

Conditions and/or reasons:

1. Approval of the details of the design and external appearance of the buildings and the landscaping of the site (hereafter called the 'reserved matters') shall be obtained from the local planning authority before any development is begun.
2. A02A Details within 3 years
3. For the avoidance of doubt, this permission relates to drawing number 1774-93-01 Rev E and shall be implemented in strict accordance with this plans unless otherwise agreed in writing with the LPA.
4. No development shall commence until details of the proposed boundary treatment of the site have been submitted to and approved in writing by the local planning authority.
5. C06A Details of levels
6. Before any dwelling hereby approved is first occupied, the parking areas shown on the approved plans shall be surfaced and marked out and shall thereafter be retained in perpetuity and used for no other purpose than the parking of vehicles.
7. H01E Details of materials to be approved
8. J03A * Implementation of landscaping
9. C09B Contaminated Land
10. C10C Contaminated Land (Soil Gases)
11. L01B * Noise protection scheme
12. No development shall commence until details of the proposed pedestrian access to the site have been submitted to and approved by the local planning authority.