

PLANNING APPLICATION NUMBER:P10/1095

Type of approval sought	Full Planning Permission
Ward	St. Thomas's
Applicant	Mr Paul Bassi, REI PLC
Location:	HILL TAVERN PH, WATSONS GREEN ROAD, DUDLEY, WEST MIDLANDS, DY2 7LF
Proposal	DEMOLITION OF EXISTING PUBLIC HOUSE AND ERECTION OF 8 NO DWELLINGS WITH DETACHED GARAGE BLOCK AND ASSOCIATED PARKING AND ACCESS
Recommendation Summary:	APPROVE SUBJECT TO A 106 AGREEMENT

SITE AND SURROUNDINGS

1. The 0.16 hectare site is currently occupied by the Hill Tavern Public House and comprises a 1930's two storey, brick premises with a hipped roof over with dormer inserts and chimney detailing and a single storey ground floor projecting element projecting from the main north-western flank elevation. The sites frontage comprises of hardstanding wrapping around the public house which is served by two vehicular access and egress points onto Watsons Green Road. Located to the rear is a single storey, brick built structure with a pitched roof over in a poor state of repair positioned adjacent to the north-western boundary. Also located to the rear of the public house is a large 'portacabin' structure positioned adjacent to the south-eastern boundary.
2. The site, whilst flat to the frontage, rises steeply at the rear behind the 2 metre high retaining wall towards the grassed field area of 'Mile Pool' and St John's Churchyard beyond. The site is situated within a well established residential area comprising predominantly two-storey, semi-detached and terraced dwellings of brick construction with both pitched and hipped tiled roofs over. These properties are of circa 1930's construction which benefit from shallow frontages to provide limited garden areas denoted by low level boundary treatments.

3. The site is bounded by dwellings in Watsons Green Road to the north-west and south-east and Alton Grove to the south. The streetscape of Watsons Green Road comprises of a two way carriageway with pavements on either side whilst to the sites frontage are located bus stops on either side of Watsons Green Road as well as traffic calming 'pinch points' within the Watsons Green Road highway. Opposite the site is located a large grassed embankment forming part of the highway junction profile Hillcrest Road with Watsons Green Road. On street parking is common within the locality given the lack of available off street parking within the area.

PROPOSAL

4. The development seeks full planning permission for the erection of 8 no. residential units comprising 8 no. 3 bed houses arranged in 2 terraced blocks comprising 3 units each and a semi-detached pairing dividing the terraced blocks. The scheme also includes landscaping, frontage parking, as well as an access road leading to rear courtyard parking. The house types and layouts have been developed to respect the local vernacular and established building lines.
5. The application is accompanied by a Design and Access Statement and Ecological Report.

HISTORY

6. Site Planning History

APPLICATION No.	PROPOSAL	DECISION	DATE
DB/68/894/S	Advertisement consent for the display of 2 advertisements	Approved with conditions	01 May 1968
84/50540	Advertisement consent for the display of pictorial post sign	Approved with conditions	26 April 1984
89/50031	Advertisement consent for the	Approved	02

	display of illuminated and non illuminated signs	with conditions	March 1989
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PUBLIC CONSULTATION

7. The application was advertised by way of letters being sent to the occupiers of 16 properties located within close proximity to the site. The application was also re-advertised as amended plans were received. The final period for comment expires on 17 December 2010. At the time of writing this report correspondence has been received from two local residents expressing concern to;
- The Public House is still trading, not vacant as stated;
 - The car parking to the frontage may prejudice visibility splays for existing surrounding occupiers when exiting and exiting their respective driveways;
 - The proposed repositioned dwelling houses would be positioned further back within their respective plots which would prejudice daylighting to surrounding occupiers;
 - Retaining walls would need to be erected to stop potential land slip from the 'Mile Pool' field as a result of excavations;
 - Flooding may occur as a result of earthworks at the site;
 - Concern that highway profiling works would make it easier for vehicles to speed through the calming chicane;
 - Concern relating to bus stops;
 - Concern relating to visitor parking to the development; and
 - Concern relating to traffic congestion as a result of highway alterations including moving of the bus stops;

OTHER CONSULTATION

8. Group Engineer (Development): No objection raised subject to robust conditioning.
9. Head of Environmental Health and Trading Standards: The proposal is for a residential development in a predominantly residential area so future occupants are unlikely to be exposed to noise that would result in an inadequate level of amenity.

Kates Hill Landfill Site on Corporation Road is recorded 25 metres to the east of the site therefore land contamination and remediation conditions are recommended.

10. Nature Conservation Officer: The Ecology Report from Land Care Associates (LCA) appears appropriate and has revealed that there is low probability of significant harm to protected species or wider ecology. Indeed it appears that all harm can be easily mitigated. It is recommended that should planning approval be granted that the recommendations of this Ecology Report are conditioned.

RELEVANT PLANNING POLICY

11. Unitary Development Plan

S1 Social Inclusion, Equal Opportunities and Social Wellbeing
S2 Creating a more sustainable Borough
S8 Housing
S11 Urban Renewal
S16 Access and Movement
DD1 Urban Design
DD4 Development in Residential Areas
DD6 Access and Transport Infrastructure
DD7 Planning Obligations
DD8 Provision of Open Space, Sport and Recreation
Facilities
DD10 Nature Conservation and Development
DD12 Sustainable Drainage Systems
UR6 Housing Renewal Areas
UR9 Contaminated Land
UR10 Unstable Land
AM1 An Integrated, Safe, Sustainable and Accessible
Transport Strategy
AM2 Public Transport Corridors
AM5 Bus Provision
AM12 Pedestrians

AM14 Parking
AM15 Personal Mobility
H1 New Housing Development
H3 Housing Assessment Criteria
H4 Housing Mix
H6 Housing Density
NC1 Biodiversity
NC6 Wildlife Species
EP6 Light Pollution

12. Supplementary Planning Documents

New Housing Development
Parking Standards and Travel Plans
Planning Obligations
Nature Conservation

13. Supplementary Planning Guidance

No. 3 New Housing Development
No. 6 Highway Considerations in Development
No. 7 The Development of Derelict, Contaminated and Unstable Land
No. 12 The 45 Degree Code
No. 13 Transport

14. Regional Spatial Strategy

CF1 Housing within the Major Urban Areas
CF4 The reuse of land and buildings for housing
QE1 Conserving and Enhancing the Environment
QE2 Restoring degraded areas and managing and creating high-quality environments
QE3 Creating a high quality built environment for all

- QE7 Protecting, managing and enhancing the Region's Biodiversity and Nature Conservation Resources
- QE9 The Water Environment
- T2 Reducing the need to travel
- T3 Walking and Cycling
- T5 Public Transport

15. National Planning Guidance

- PPS1 Delivering Sustainable Development
- PPS3 Housing
- PPG13 Transport
- PPS23 Planning and Pollution Control
- PPG24 Planning and Noise
- PPS25 Development and Flood Risk

ASSESSMENT

16. The main issues for consideration in this application are;

- Principle
- Density
- Layout
- Design
- Amenity
- Highways
- Planning Obligations

Principle

17. The application site is defined as a previously developed site in accordance with government guidance, PPS3 (Housing) [Annex B] and Policy S2 (Creating a more Sustainable Borough) of the adopted Dudley Unitary Development Plan (2005). The principle of development is therefore supported in the interests of sustainability and

regeneration and as such the redevelopment of the site for housing within a predominantly residential area is acceptable subject to all other material planning considerations.

Density

18. Policy H6 (Housing Density) of the adopted Dudley Unitary Development Plan (2005) states that residential development will be encouraged to take into account factors such as the requirements to make full and efficient use of land, the local context, and the principles of good residential design, whilst PPS3 [Annex C] acknowledges that achieving these benefits should have regard to the important characteristics of an area. PPS3 and Policy H6 encourage residential development densities of no less than 30 dwellings per hectare in order to promote urban renaissance. The development proposes a density of 50 dwellings per hectare which is acceptable as the developable area is actually much smaller than a hectare, is awkward in shape and the need for the development to integrate the surrounding residential area. The New Housing Development Supplementary Planning Document expands upon density guidance given within national, regional planning and guidance.

19. Supplementary Planning Document (New Housing Development: Establishing Local Context) defines a number of character areas within the Borough in order to ensure that new development respects local character and context and has regard to the development that surrounds a site. The area is characterised by predominantly low density terraced and semi-detached housing and therefore is considered to be a Suburban Inner area. The New Housing Development: Establishing Local Context Supplementary Planning Document sets out a series of development criteria for new housing development within the suburb areas. This includes development being of a similar housing stock to that of the surrounding and respecting the height, massing and layout of surrounding development. The proposed development follows these characteristics, including a mix of semi-detached and terraced housing. The scheme as proposed would make effective use of land, existing

infrastructure and services available within the area in accordance with the relevant Policy criteria.

Layout

20. The layout has been carefully structured to create a positive development that provides an active frontage of two terraced blocks of three dwelling units each, separated by a semi-detached pair with all overlooking the street scene whilst not compromising the privacy of existing residential dwellings in the local area. The access between plots 3 and 4 allow for gated rear access to a rear courtyard parking area whilst direct frontage parking is also provided. The back gardens are predominantly southerly facing to maximise solar gain and are all of a practical and meaningful size.

21. The layout has therefore been carefully structured to provide a continuation of the residential development block, providing an active frontage and overlooking of the street scene to provide natural surveillance of the area. Habitable rooms are designed to overlook the street and provide passive surveillance and improve security in the development. Front garden spaces reflect the context of the site and add to the holistic character of the development by creating a more pleasant environment and underlying defensible spaces, which divides the public and private realms. The major retaining walls forming the rear / side boundaries of the site would be required to achieve the development plateau. The scheme as proposed therefore applies the principles of good urban design whilst making a positive contribution to the character and appearance of the area. It is considered that the proposed development satisfactorily achieves the aspirations of Policies H1 (New Housing Development), DD1 (Urban Design) and DD4 (Development in Residential Areas) of the adopted Dudley Unitary Development Plan (2005).

Design

22. The relationship between the proposed and existing properties would respect the required separation distances in accordance with Policy criteria to ensure privacy

between new and existing dwellings. The proposed sites topographical level would also ensure greater privacy between the new and existing properties given that proposed properties would be recessed within the site.

23. The scale and mass of the scheme reflects the size and shape of the site. The dwellings are located at the front of the site to respond to the physical constraints of the site whilst the two storey massing of the proposed dwellings, articulated roofscape with chimney detailing and use of materials found in the area reflect local vernacular and helps to blend the development within the existing context. The development as proposed is considered to apply the principles of good urban design whilst making a positive contribution to the character and appearance of the area. It is considered that the proposed development satisfactorily achieves the aspirations of Policies DD1 (Urban Design) and DD4 (Development in Residential Areas) of the adopted Dudley Unitary Development Plan (2005).

Amenity

24. To the north-west of the site is located No. 70 Watsons Green Road whilst to the south-east is located No. 74 Watsons Green Road. Both of these dwellings abut the application site and therefore the impact of the development needs to be considered carefully upon these properties. In both cases the main outlook is either to the back or front of these dwellings rather than to the side which would be towards the application site. Irrespective of this, whilst the proposed development would be considerably closer to these properties and almost abutting the respective boundaries, the depth and siting, and finished floor levels of the proposed dwellings would be fairly similar to the existing properties and as such the impact would be fairly neutral.
25. Therefore, due to the location, orientation and window fenestration of the adjacent properties (No's 70 and 74 Watsons Green Road) and the uniform building line which they occupy coupled with the proposed layout and window fenestration of the proposed dwellings and the site levels with properties being recessed within the site, there would be no breach of Planning Guidance Note No. 12 (The 45 Degree

Code) ensuring no direct overlooking or loss of daylighting would occur to the surrounding occupiers. The development would therefore not prejudice existing amenity levels of the adjacent surrounding occupiers. It is therefore considered that there would be no demonstrable harm to neighbouring properties in terms of loss of light, outlook or privacy as a result of the proposal. The proposal therefore complies with DD4 (Development in Residential Areas) of the adopted Dudley Unitary Development Plan (2005) and Planning Guidance Note No. 12 and 17.

Highways

26. Vehicular and pedestrian access into the development would be via Watsons Green Road. Watsons Green Road is traffic calmed and has bus stops on either side of the highway to the sites frontage. Given the alignment of the highway and proposed re-working of the traffic calming measures along this section of the highway, it is considered that the visibility splays would be adequate for the approach speeds. The highway re-working must be provided before first occupation of the dwellings.
27. The proposed dwellings would benefit from allocated parking spaces to be positioned at the back of the footpath with plots 1, 2, 3, 4 and 5 benefiting from courtyard parking to the rear. The scheme is considered to provide the prescribed level of car parking for a development of this type, ensuring no additional burden on the existing highway infrastructure through on street parking occurring. The Group Engineer raises no objection to the scheme and this element of the scheme would also comply with the principles of Policies DD4 and DD6 (Access and Transport Infrastructure) of the adopted Dudley Unitary Development Plan (2005) and the Parking Standards and Travel Plans Supplementary Planning Document.

Planning Obligations

28. Policy DD7 (Planning Obligations) of the adopted Dudley Unitary Development Plan (2005) in conjunction with the Council's adopted SPD (Planning Obligations) requires applicants to enter into planning obligations where the scale and impact of the development, in accordance with government advice, result in a consequential

planning loss to the existing community. Planning Obligations must where appropriate and necessary; make appropriate provision for the infrastructure requirements of the development and ensure that there is no unacceptable adverse impact on the existing environment, nor consequential unacceptable loss to the existing level of services enjoyed by the community. Should permission be granted a Section 106 Agreement would be required in respect of the following contributions.

Onsite Contributions:

The proposal also attracts a requirement for the provision of the following onsite planning obligations:

- Nature Conservation - £520.00

Total Onsite Contribution equates to £520.00

Offsite Contributions:

The proposal attracts a requirement for a commuted sum to be paid towards the following infrastructure:

Libraries - £1531.12

Open Space, Sport and Recreation - £19,716.25

Public Realm - £3,828.24

Management and Monitoring Charge - £1000.00

Total Offsite Contribution equates to £26,075.61

29. The applicant has agreed to the payment of these offsite planning obligations.
30. A contribution towards transport infrastructure was not required as the trip generation would be lower from the proposed development compared within the existing / previous use.
31. In addition to the above on site nature conservation enhancement up to £520.00 would be controlled by planning condition.

CONCLUSION

32. The redevelopment of the site for housing is acceptable in principle. The scheme applies the principles of good urban design and would make a positive contribution to the character and appearance of the area, with no adverse impact on residential amenity. The layout would provide a legible form of development that has addressed the movement of people and vehicles through the development and that defines public and private space. The development is appropriate in scale to the existing transportation infrastructure of the immediate area and makes adequate and safe provision for access and egress by vehicles. The scheme as proposed therefore accords with the relevant Policy criteria.

RECOMMENDATION

33. It is recommended that the application be approved subject to:
- a) the development not be beginning until a scheme for the submission and approval of a planning obligation to guarantee the provision of libraries, public open space and the monitoring, management and implementation costs of £22,247.37 has been submitted to and agreed in writing by the Local Planning Authority; and
 - b) The Scheme shall include the method, timing and arrangements including a means to guarantee a financial payment, increased through index linking from the first April each subsequent year, in accordance with the Council's planning obligations policies.
 - c) The following conditions, with delegated powers to the Director of the Urban Environment to make amendments to these as necessary;

Reason for approval

The redevelopment of the site for housing is acceptable in principle. The scheme applies the principles of good urban design and would make a positive contribution

to the character and appearance of the area, with no adverse impact on residential amenity. The layout would provide a legible form of development that has addressed the movement of people and vehicles through the development and that defines public and private space. The development is appropriate in scale to the existing transportation infrastructure of the immediate area and makes adequate and safe provision for access and egress by vehicles. The scheme as proposed therefore accords with the relevant Policy criteria.

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 detail on the decision please see the application report.

Informative

Highways

Under Section 278 of the Highways Act 1980 the construction of the Highway Works necessary to facilitate the development are supervised by the Highway 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. The development hereby approved shall not be first commenced until details of the nature conservation enhancement of the site has been submitted to and approved in writing by the Local Planning Authority. The enhancement shall thereafter be provided in accordance with the approved details and provided prior to first occupation of the development. The nature conservation enhancements shall thereafter be retained and maintained for the life of the development.
3. The development hereby approved shall not become occupied until the highway works as annotated on the plan (1006-02-F) has been implemented in accordance

with the approved details and thereafter retained and maintained under the supervision of the Highway Authority.

4. Development shall not begin until a comprehensive written site investigation strategy (in a form to be agreed with the local planning authority), has been submitted to and approved by the local planning authority. Such a strategy shall facilitate the identification of ground gases and vapours that have the potential to pose a risk to human health and the wider environment. Where the investigations identify the presence of ground gases and vapours, development shall not begin until a scheme to protect the development from the effects of such gases and vapours 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. Prior to commencement of development, details of the access road and parking areas including, lines, widths, levels, gradients, form of construction, cross sections, drainage and lighting will be submitted to and approved in writing by the LPA. Prior to first occupation the access road and parking areas will be implemented in accordance with the approved details whilst under the supervision of the Highway Authority.
6. Prior to commencement of development details of the materials, including colours of the retaining walls hereby approved on the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details prior to the occupation and the walls shall be retained and maintained as approved for the lifetime of the development.
7. Prior to the commencement of development details shall be submitted of the proposed type, texture and colour of the materials to be used on the elevations and the type, texture and colour of the proposed roof tiles to be used on the proposed dwellings. Following approval of the materials the dwellings shall be built in accordance with the approved details.
8. The recommendations of the Ecology Report by Land Care Associates (LCA) dated 01 October 2010 should be carried out. Evidence of this should be submitted and approved in writing by the Council before any works proceed. All works must be carried out in accordance to the approved plan and programme.
9. A plan detailing appropriate onsite nature conservation enhancements, in line with the requirements of the adopted Planning Obligations Supplementary Planning Document, shall be submitted to and approved in writing by the Council before any works proceed. All works must be carried out in accordance with the approved plan and programme and shall be maintained throughout the life of the development.
10. Prior to the commencement of development, details of the landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented in accordance with the approved details before the end of the first planting season following initial occupation of the development.
11. Prior to the commencement of development, details of the boundary treatments to be installed on the whole site shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the location of boundary treatments. The development shall proceed in accordance with the approved details, which shall be installed on site prior to occupation and thereafter maintained

for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

12. The development hereby permitted shall be carried out in accordance with the following approved plans labelled Drawing No. '1006-01', '1006-02-F', '1006-03' and '1006-04' unless otherwise agreed in writing by the Local Planning Authority.
13. Prior to the first occupation of the dwellings, automatically opening and closing security gates shall be installed and retained for the life of the development on the access and egress drive serving the rear courtyard layout.



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REV | DATE | REVISION | BY

Client

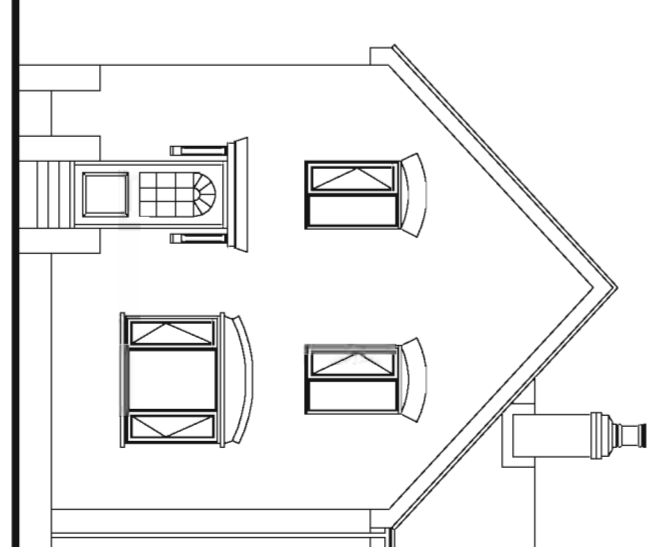
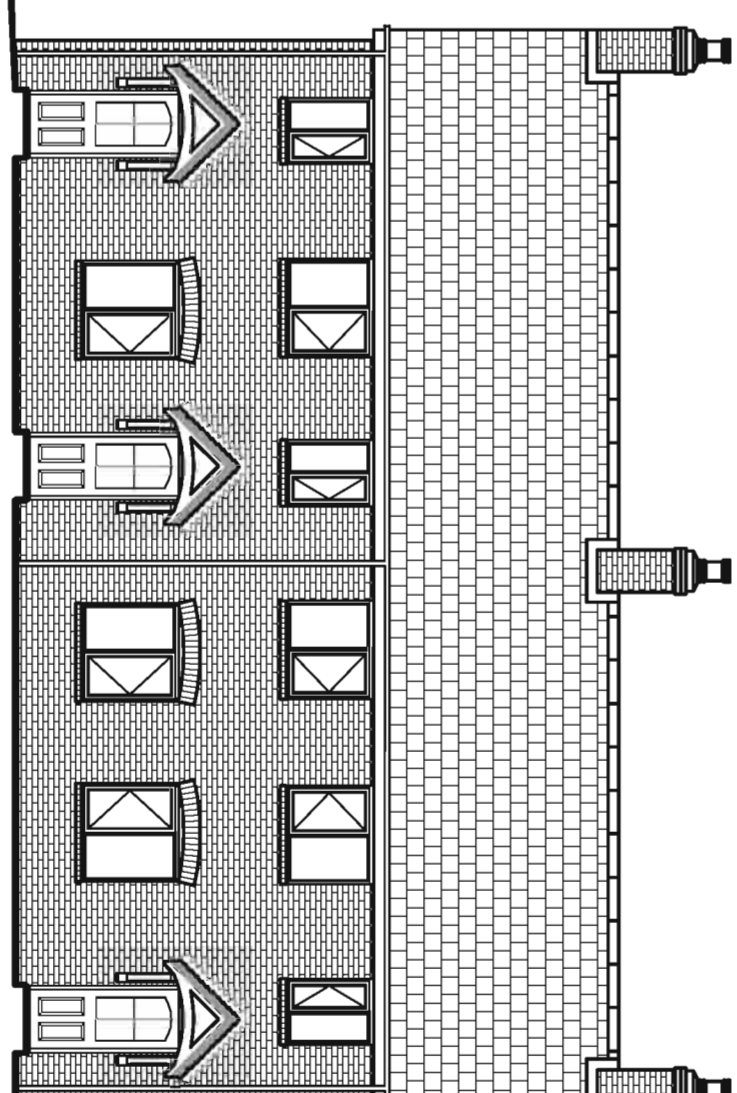
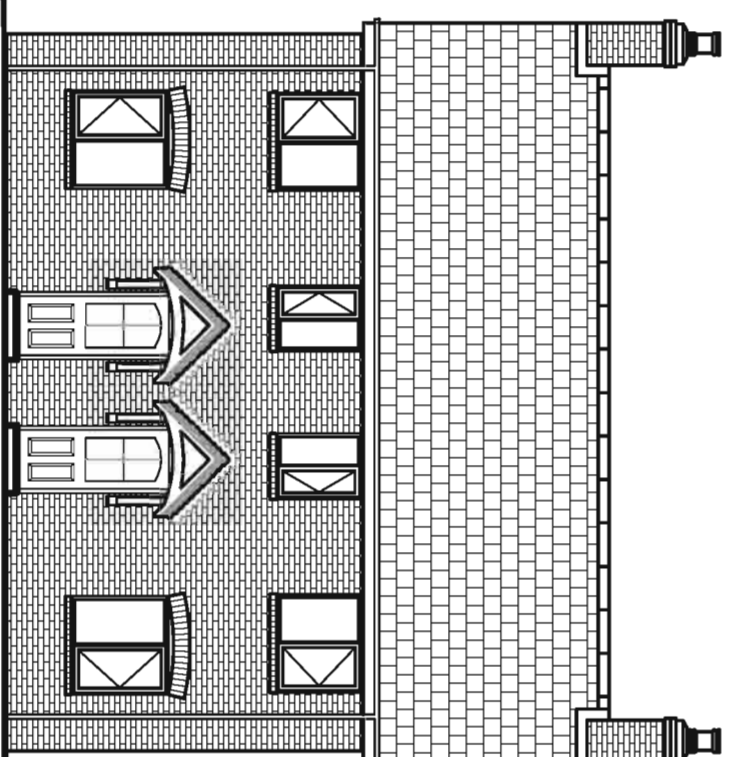
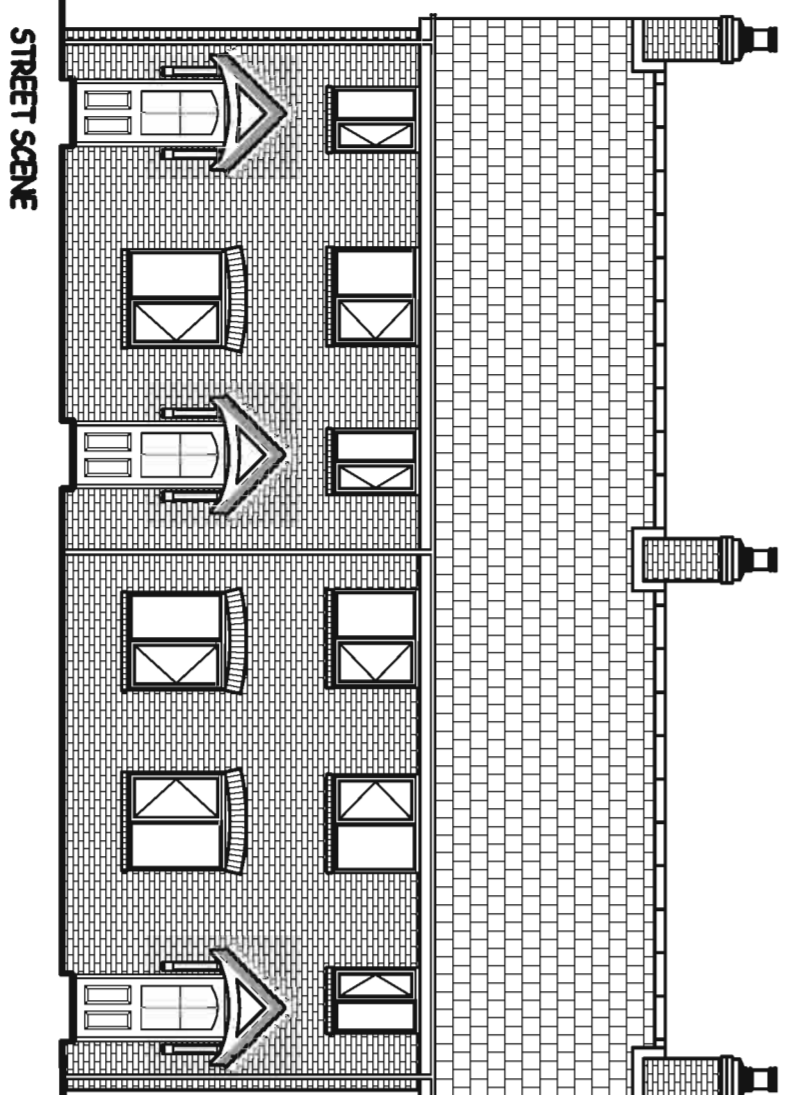
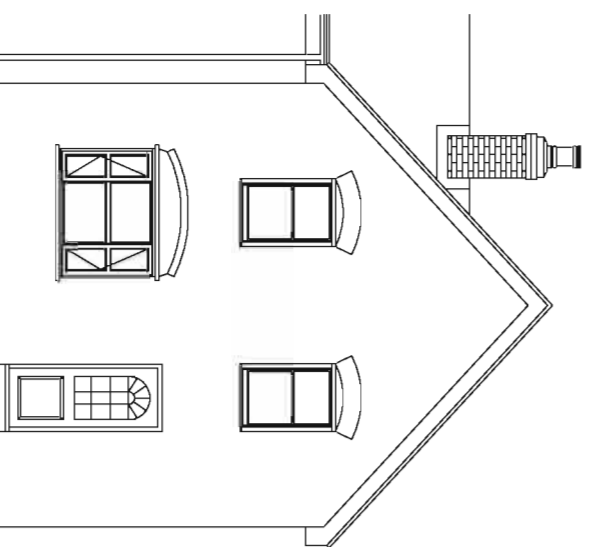
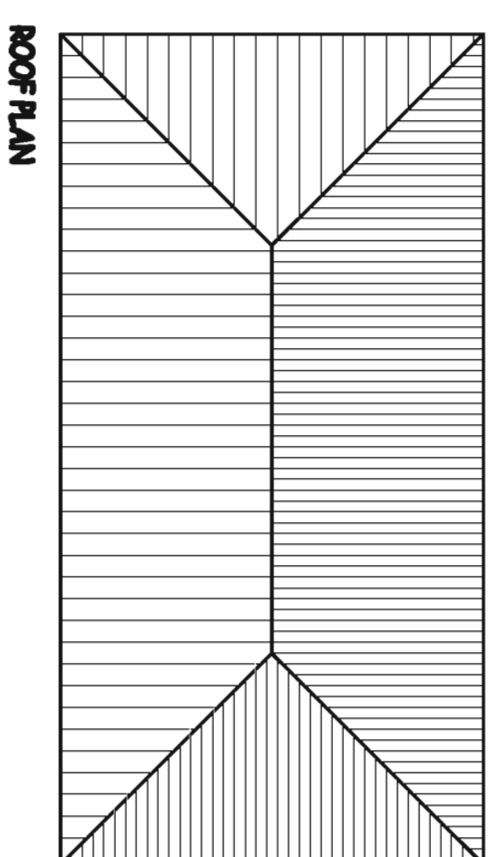
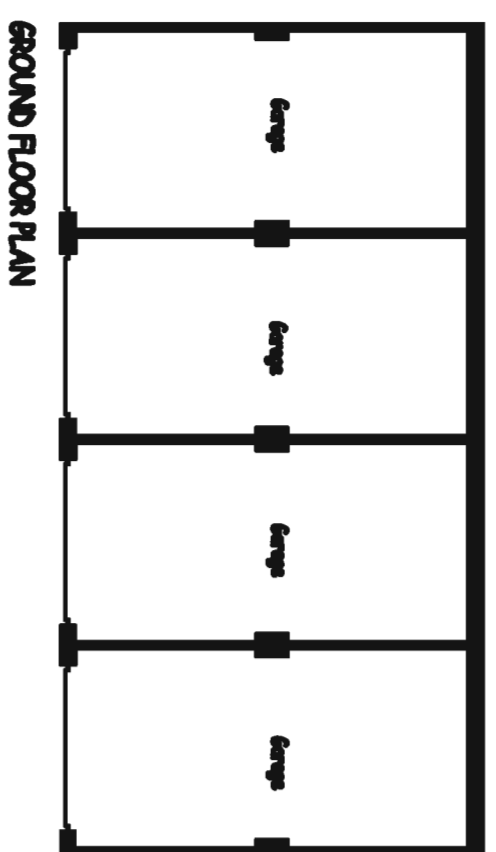
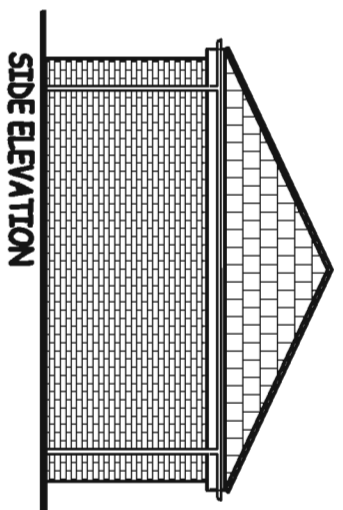
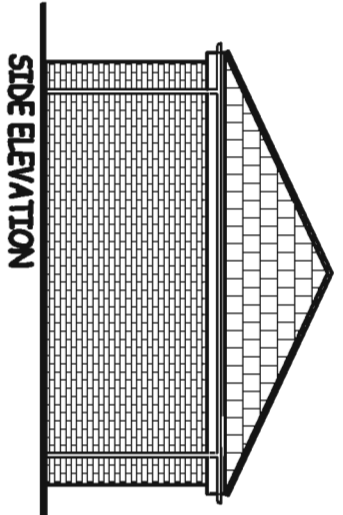
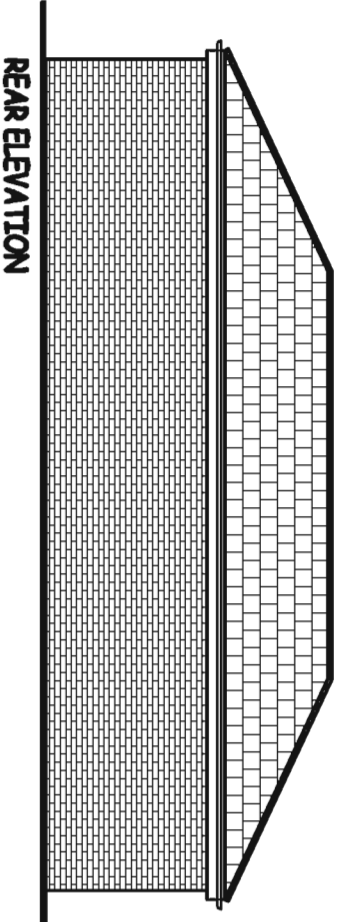
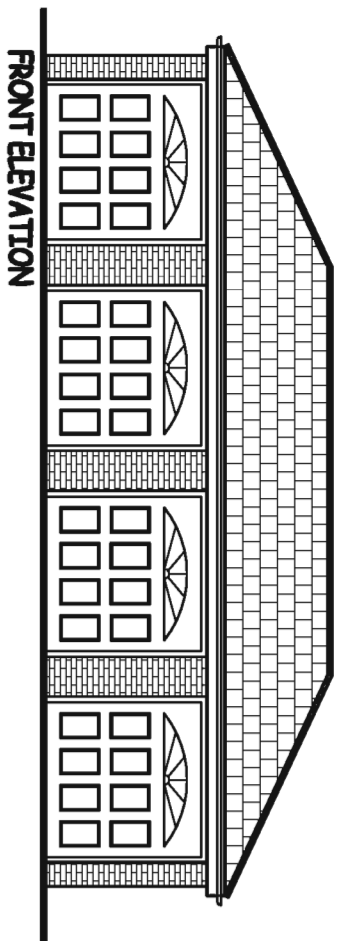
REI PLC
 Cathedral Place
 3rd Floor
 42-44 Waterford Street
 B2 5QB

Metropolis House, 49 George Street, Birmingham, B31QA
 EMAIL: info@rei.co.uk
 WEBSITE: www.metropolis-uk.com

PROJECT RESIDENTIAL DEVELOPMENT AT
 THE HILL TAVERN
 DOULEY, D1E 7LP

TITLE	Location Plan		
STATUS	P = PRELIMINARY	T = TENDER	
	C = CONSTRUCTION	S = SKETCH	
DRN :	CB	CHKD: AT	DATED: 01/08/10
		SCALE	1/12500000

JOB NO.	1006	DWG NO.	01	REV	
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REV	DATE	DESCRIPTION	BY

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 42-44 3rd Floor Street
 Birmingham
 B2 5QB

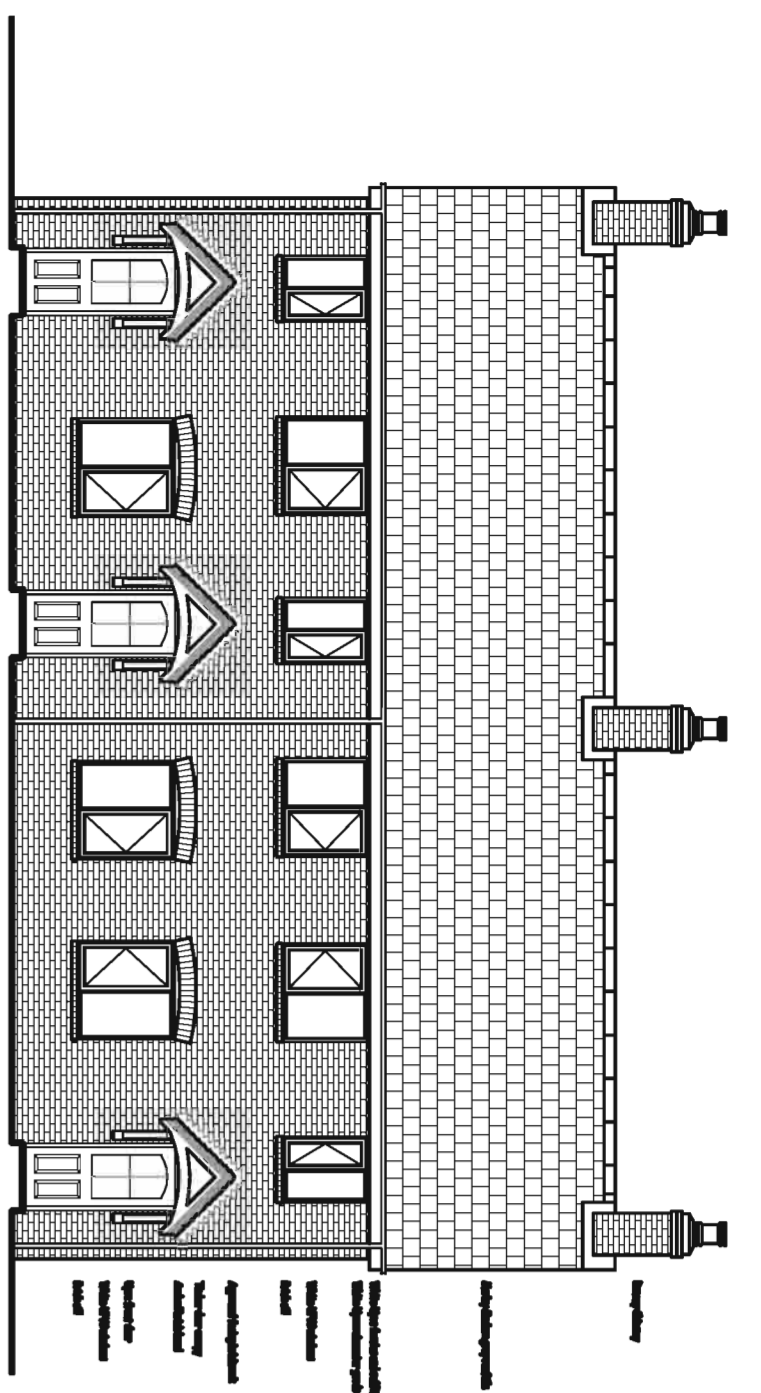
Metropolis House, 49 George Street, Birmingham, B310A
 EMAIL: enquiries@metropolisdesign.com
 PHONE: 0121 2365594
 WEBSITE: www.metropolisdesign.com

PROJECT: RESIDENTIAL RENOVATION AT
 THE HILL, AVENUE
 DOBLEY, D12 7JF

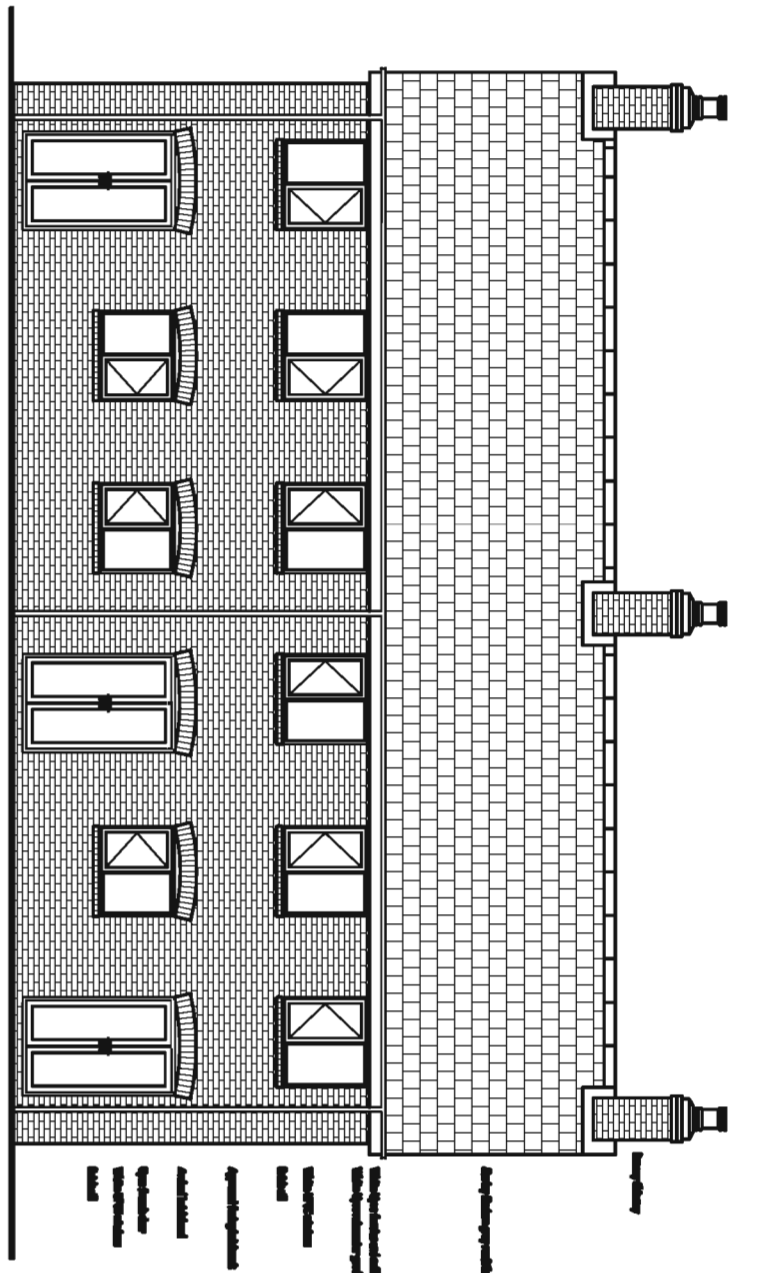
TITLE	STATUS	DATE	SCALE
Proposed plans & elevations - garage Street scene	P	01/08/10	1/100B&L
	C		
	T		
	S		
	CHKD		

DWG NO.	DWG DATE	REV
1006	04	

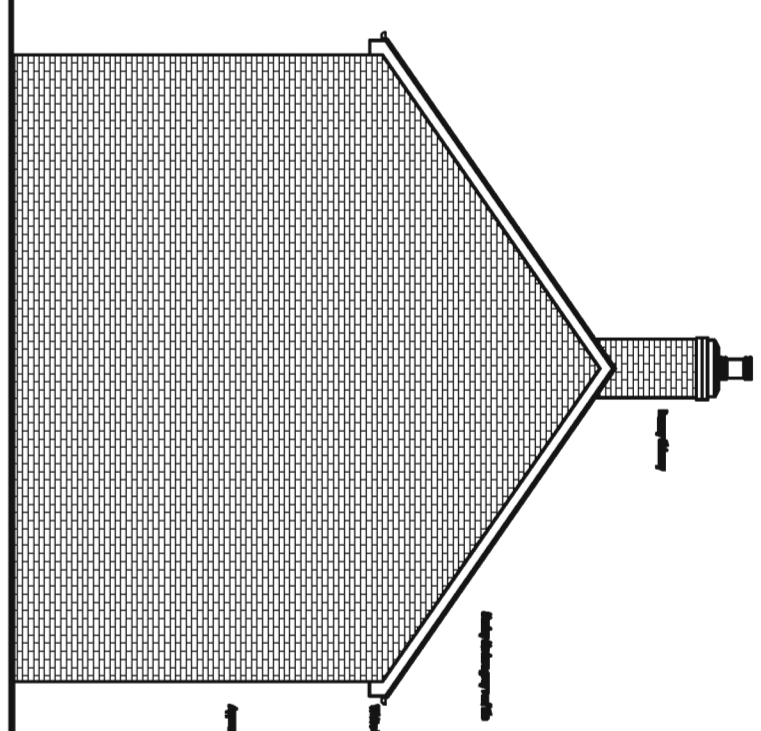




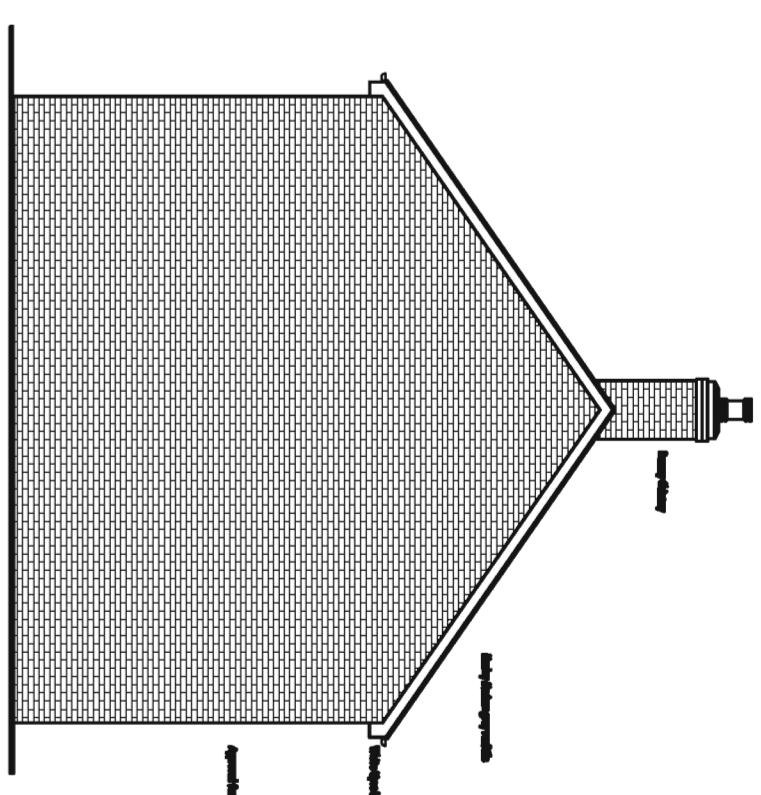
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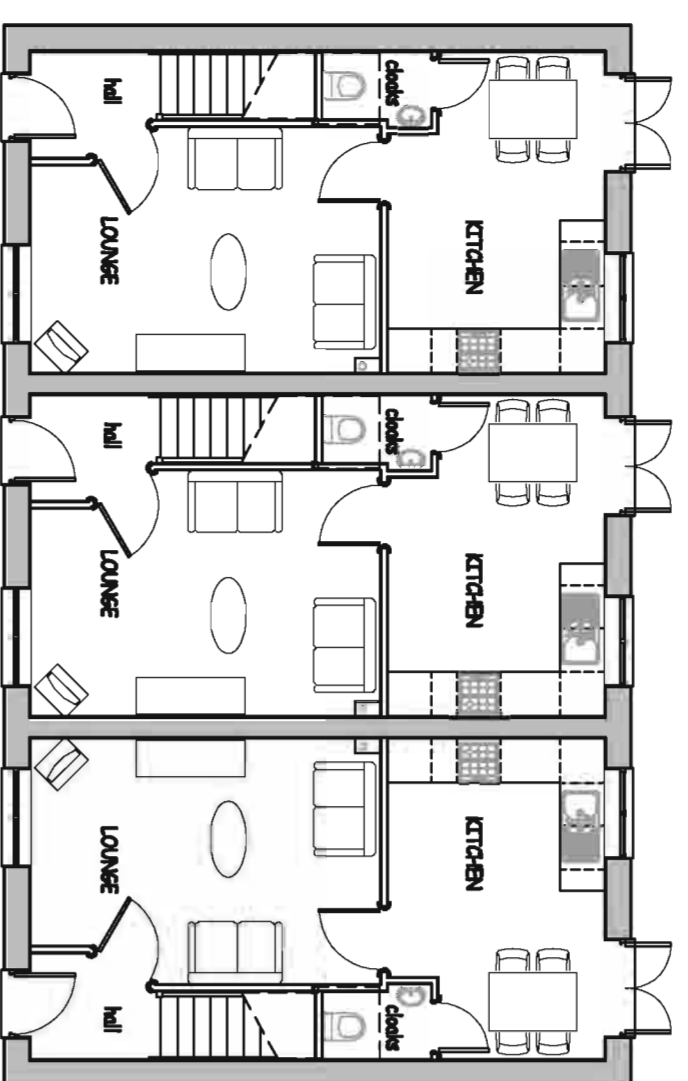
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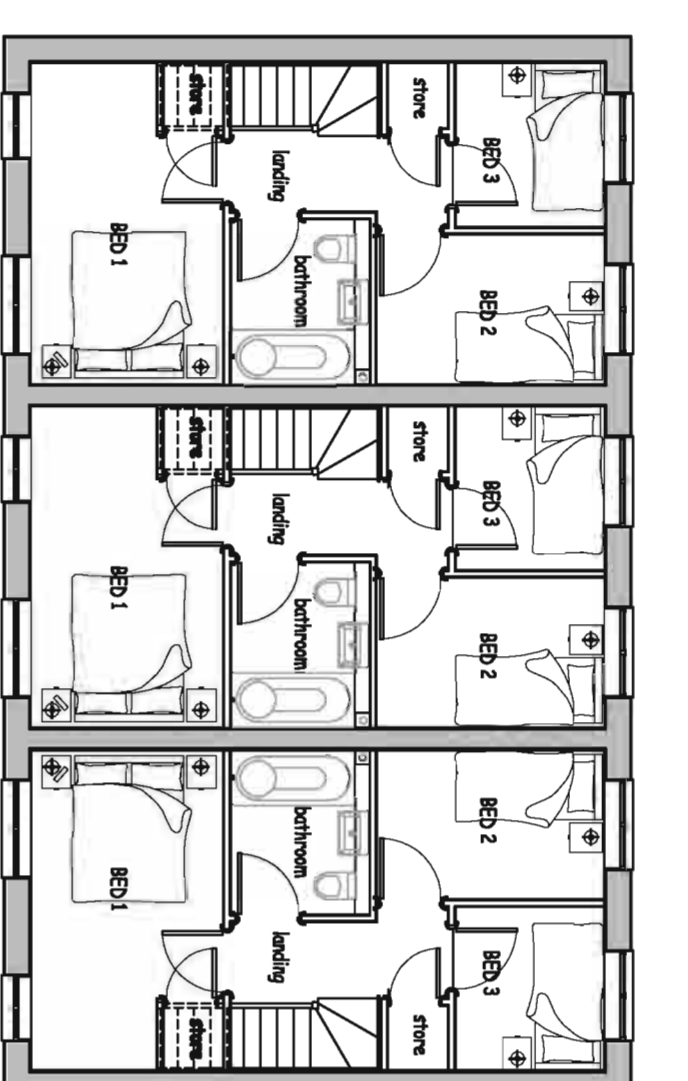
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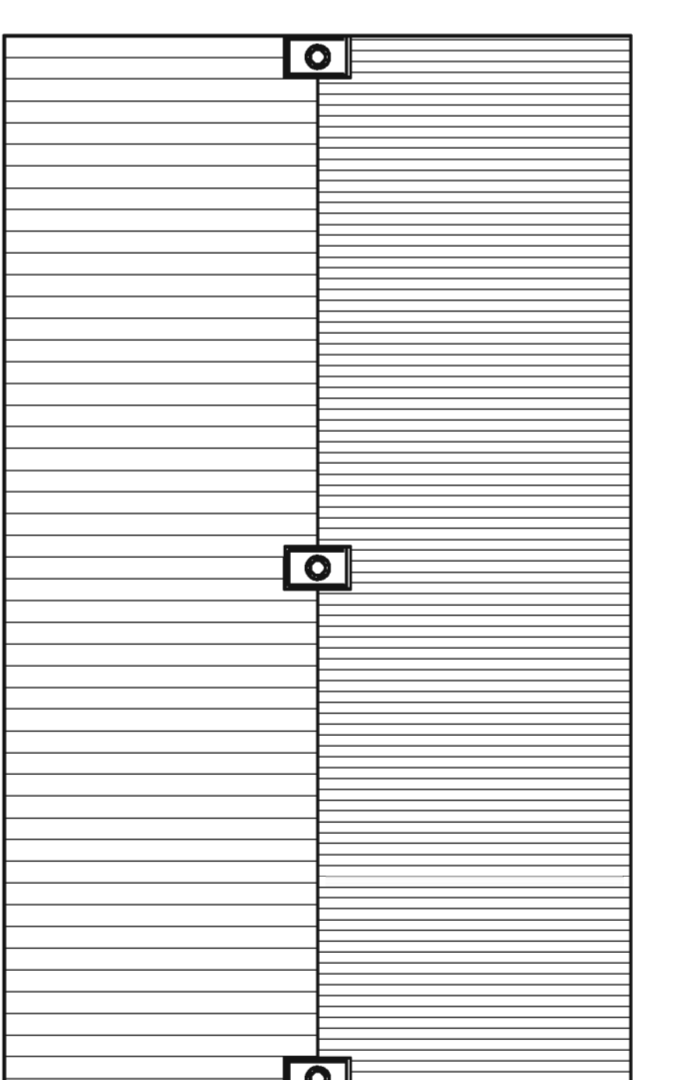
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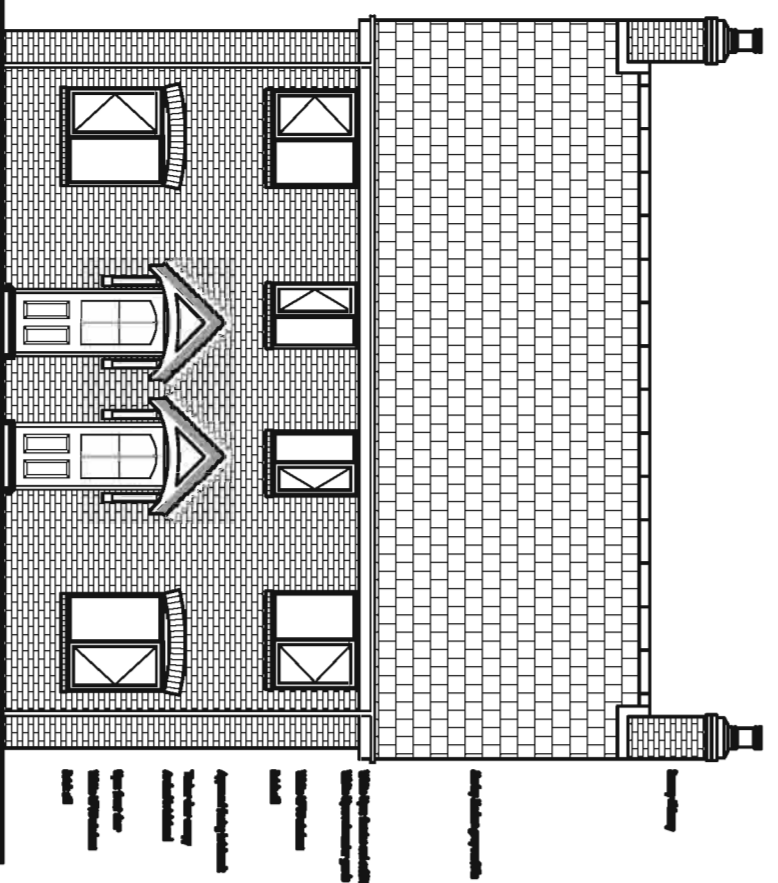
GROUND FLOOR PLAN



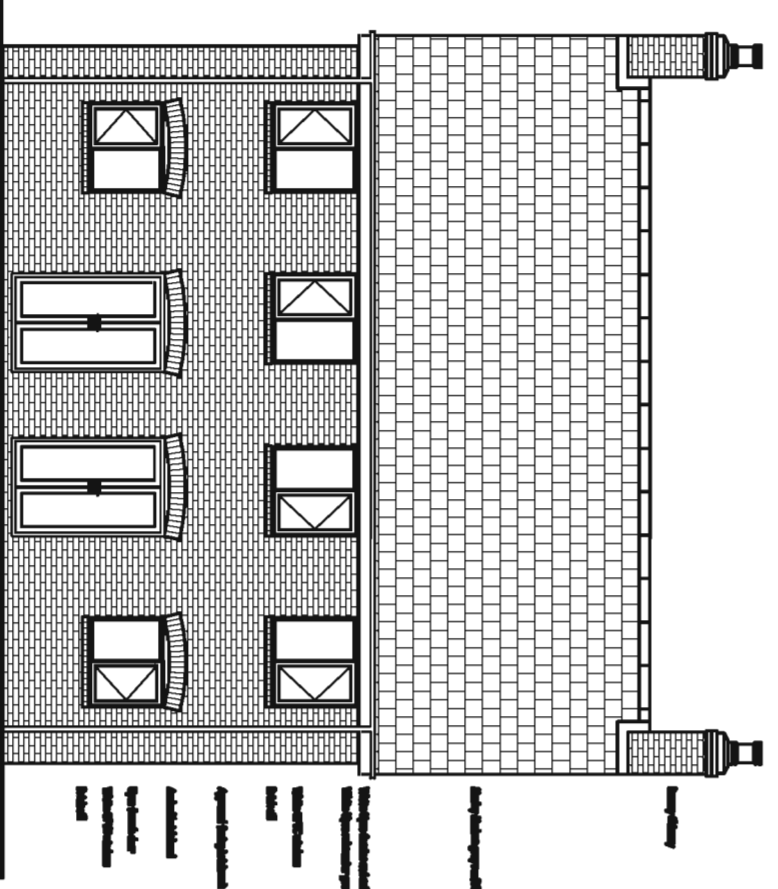
FIRST FLOOR PLAN



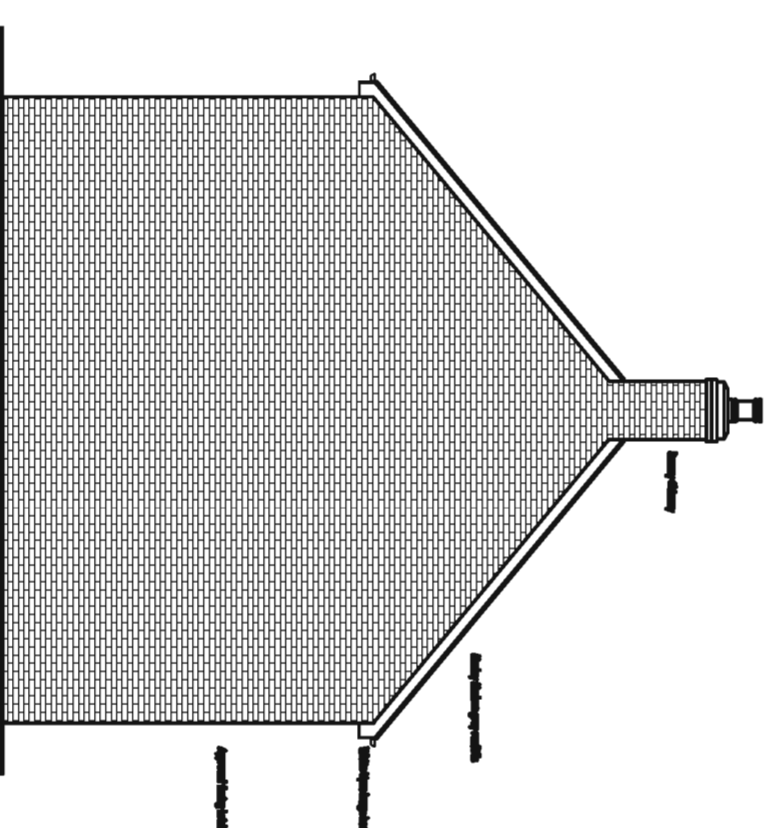
ROOF PLAN



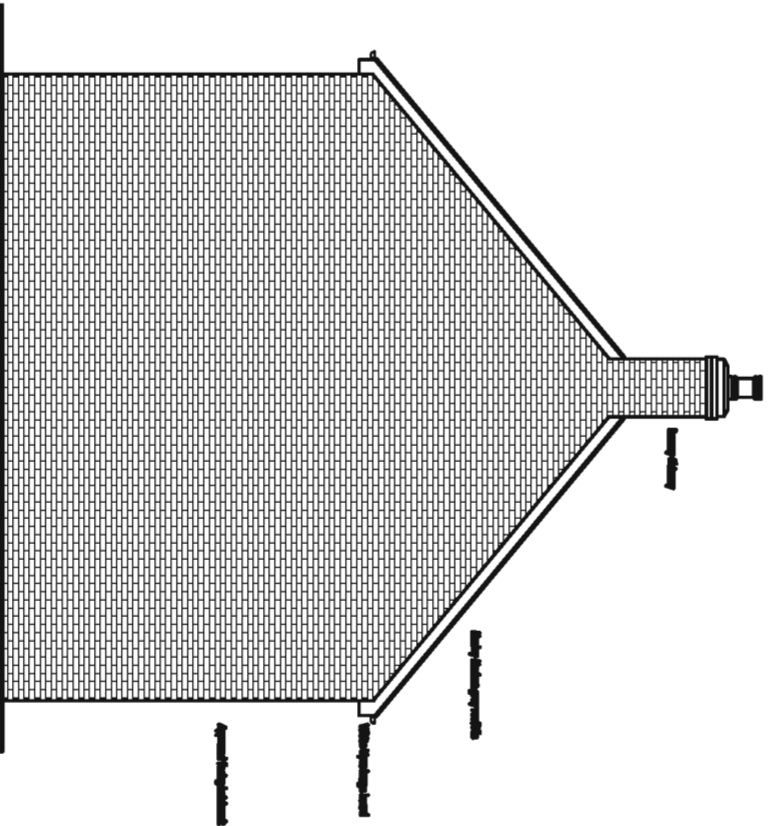
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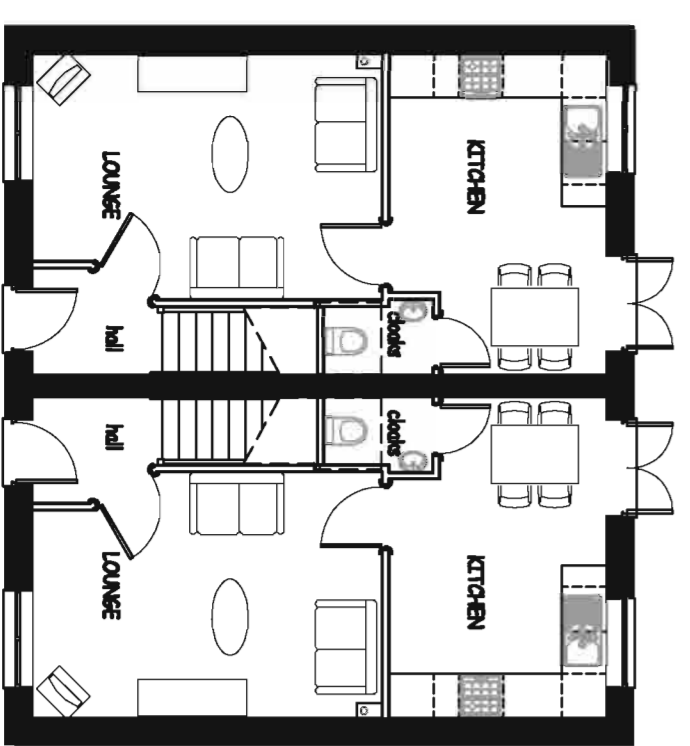
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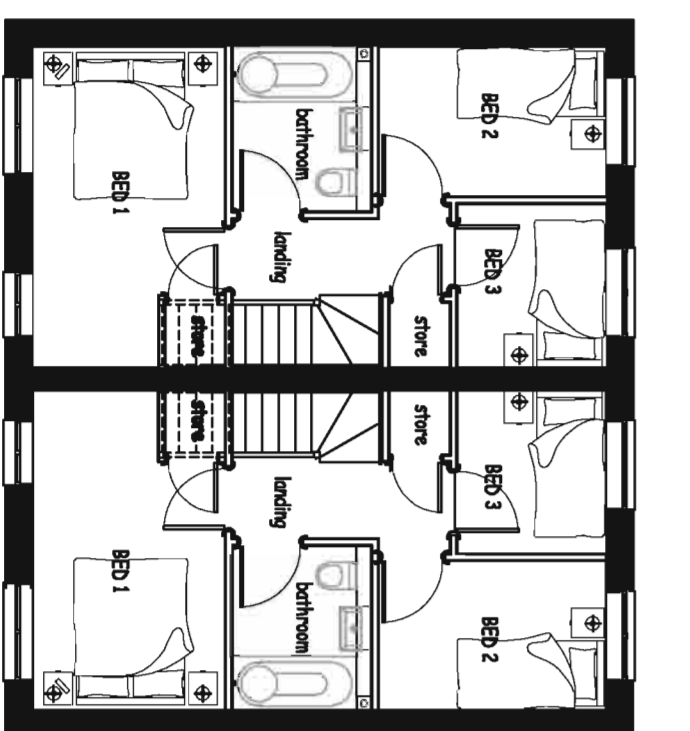
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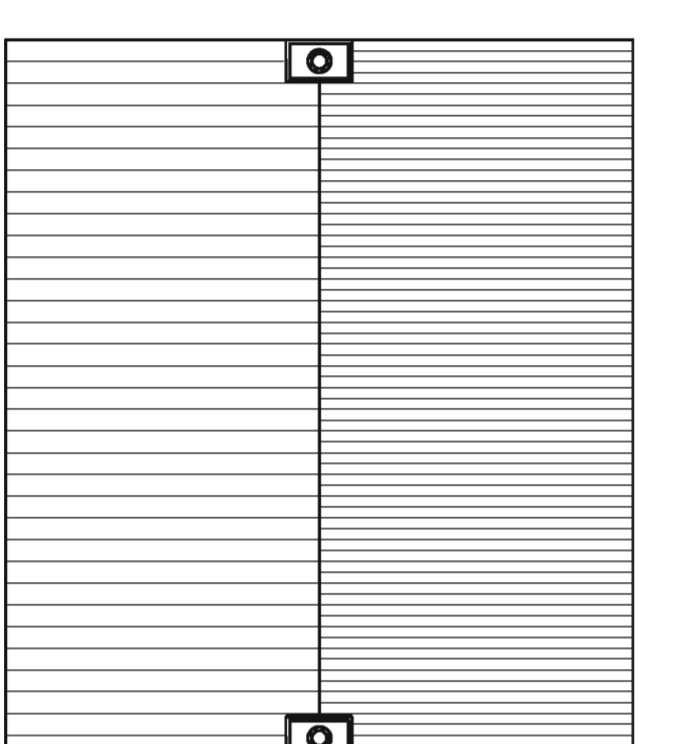
SIDE ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN



ROOF PLAN



REV	DATE	DESCRIPTION	BY

Client:	REI PLC Cathedral Place 46-48 3rd Floor Birmingham B2 5BB
Project:	Metropolis House, 49 George Street, Birmingham, B310A Phase 1, 2nd Floor PMU: 19/01/2024 2365594 EPMU: www.metropolis-design.com Website: www.metropolis-design.com
Title:	Proposed plans & elevations - House types
Status:	P = PRELIMINARY T = TENDER C = CONTRACT S = SCHEDULE
DRN:	CB CHKD: AT DATE: 01/08/10 SCALE: 1/100B/A1
DRN NO:	1006
DWG NO:	03
REV:	