

PLANNING APPLICATION NUMBER:P13/0175

Type of approval sought	Full Planning Permission
Ward	Castle & Priory
Applicant	Mr S. Burnell, PSP Dudley LLP
Location:	ASHLEIGH HOUSE, 2, EDNAM ROAD, DUDLEY, DY1 1HL
Proposal	CONVERSION OF EXISTING OFFICE PREMISES INTO 5 NO. FLATS
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The subject of this application is Ashleigh House, 2 Ednam Road. The building is recorded on the Council's Historic Environment Record (HER) as HER No.12934 and accordingly with regard to National Planning Policy Framework (NPPF) advice it is considered to be a Heritage Asset. It is a large three storey late Victorian/Early Edwardian detached house dated to between 1883-1904 and is constructed in an Arts and Crafts style. The building is currently in use as Council offices. To the rear of the building there is a parking area, accessed from Ednam Road via a driveway at the side of the building, and an unmanaged area of grass. Permission has recently been granted for the development of a three storey apartment block within that part of the site (see History section below).
2. The site is located within the Dudley Town Centre Conservation Area. Adjacent to the site to the east is the new Dudley College Sixth form campus, which is separated from the site by a 2m high brick wall. The western boundary is also formed by a brick wall, on the other side of which is Ednam House, a three storey Council office building which has windows at first and second floor facing the site. The site lies within the Dudley Town Centre Conservation Area.

PROPOSAL

3. Permission is sought to convert the building to five, 1 and 2 bedroom apartments. An area of private amenity space for the occupants is to be created on the eastern side of the building.
4. The scheme proposes very little alteration to the external appearance of the existing building. In the south elevation of the building (which over-looks Ednam Road) it is proposed to insert one small window in the two gables in order to create habitable space at second floor. In the west elevation of the building it is proposed to insert one new window which will be positioned within an existing recessed panel with segmental arched head, and an existing door opening is to be transformed it into a window opening. In the north (rear) elevation a single-storey flat-roofed garage building, which has previously been extensively altered, is to be removed.
5. This application has been the subject of a number of amendments in order to address concerns raised by consultees. This is the amended version of the scheme and is therefore the scheme that is considered below. The application is accompanied by a detailed Heritage Statement.

HISTORY

6. None relevant to this site. Permission was granted for the new buildings referred to in paragraph 1 above in December 2013 (application P13/1182) for the erection of 11 apartments.

PUBLIC CONSULTATION

7. Neighbour notification letters have been sent to 8 properties and a site notice has been posted. No representations have been received in response to the neighbour consultation exercise.

OTHER CONSULTATION

8. Head of Environmental Health and Trading Standards: No objection subject to a condition requiring the submission of details of noise mitigation measures to protect future occupants from road traffic noise along Ednam Road.

Group Engineer (Highways): In areas that are constrained, for example by parking controls and narrow streets and where there is also good public transport and public parking provision plus places and facilities that can be easily accessed by foot or cycling, parking provision below the minimum SPD standards will be considered. The proposal fronts Ednam Road and this road has a prohibition of waiting order and a restriction allowing some unlimited parking after the evening peak in some sections whilst parking during the working day is prohibited apart from 1 hour limited bays outside the application site. The parking enforcement in this area is diligently enforced and therefore the area can be considered a constrained parking area. Residents who choose to live in the dwellings without off street parking must do so on the basis that they either do not have a car or have separate arrangements to park their vehicle in some other location.

RELEVANT PLANNING POLICY

9. National Planning Policy 2012
National Planning Policy Framework (NPPF)
Planning (Listed Buildings and Conservation Areas) Act 1990

Black Country Core Strategy 2011
Policy DEL1 (Infrastructure Provision)
Policy CSP1 (The Growth Network)
Policy HOU2 (Housing Density, Type and Accessibility)
Policy ENV2 (Historic Character and Local Distinctiveness)
Policy ENV3 (Design Quality)

Saved UDP (2005) Policies

Policy HE4 (Conservation Areas)

Policy CR13 (Residential Development in Town Centres)

Supplementary Planning Guidance/Documents

Parking Standards SPD (2012)

Dudley Town Centre Area Development Framework (2005)

Dudley Town Centre Conservation Area Character Appraisal

ASSESSMENT

10. The key issues in the assessment of this application are:

- Principle;
- Impact on the Conservation Area;
- Amenity;
- Parking/Access;
- Planning Obligations

Principle

11. The NPPF encourages residential development on appropriate sites in centres, and advises local planning authorities that such development can play an important role in ensuring the vitality of centres. The site falls within Core Strategy Regeneration Corridor 11a (Policy CSP1 applies); the Core Strategy encourages residential-led regeneration in and around Dudley town centre, in order to improve its viability as a strong centre and historic market town. Similar support is given by Saved Policy CR13 of the UDP. The site lies within the Priory Place opportunity area as designated by the Dudley Town Centre Area Development Framework; the Framework's vision for this part of the town centre is that it will be a high quality residential quarter of high density development.

Impact on the Conservation Area and Heritage Asset

12. Local Authorities have a statutory duty under the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990 when exercising any of their planning powers to have special regard to the desirability of preserving the setting of listed buildings and preserving or enhancing the character or appearance of a conservation area. Government guidance on dealing with planning applications which affect listed buildings and conservation areas is contained in the NPPF in Chapter 12 and additional guidance is provided in the PPS 5 Historic Environment Planning Practice Guide.
13. Paragraph 131 of the NPPF advises that in determining application, local authorities should take account of:
 - The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - The positive contribution that conservation of heritage assets can make to the sustainable communities including their economic vitality; and
 - The desirability of new development making a positive contribution to local character and distinctiveness.
14. At a local level, Saved Policy HE4 of the UDP advises that the Council will safeguard and seek to preserve or enhance Conservation Areas. Proposals for the inappropriate alteration of buildings in Conservation Areas or works which could be detrimental to their character or setting which will be resisted.
15. The proposed alterations to the building are considered to be sympathetic to its external fabric and as such they will not harm the significance of the heritage asset or have a detrimental impact on the character and appearance of the Conservation Area. The proposed conversion will maintain and enhance the significance of the heritage assets and will result in the building maintained in a viable use consistent with its conservation and the quality of the Conservation Area.

Amenity

16. The NPPF requires that new developments should provide a good standard of amenity for future occupants. The private amenity space to be provided forms a significant proportion of this relatively constrained site and is considered to be of sufficient size to serve the on-site amenity space needs of the future occupants. The site will also benefit from close proximity to the amenities of the town centre and public open space at Coronation Gardens and Priory Park.

Parking

17. On the basis of the comments of the Group Engineer, and given that the site is located within an area of constrained parking in a sustainable location which is readily accessible by public transport facilities, an absence of parking spaces is considered to be acceptable. Should permission be granted details of cycle parking provision can be sought by condition in accordance with the Parking Standards SPD.

Planning Obligations

18. Black Country Core Strategy 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. 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.
19. In determining the required planning obligations on this specific application the following three tests as set out in the 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.

20. Following consideration of the above tests it is not considered that any off site planning obligations are required in connection with the development. On-site obligations can be sought by condition for public realm improvements via the submission of details of materials to be used in the hardsurfacing of the development and any proposed boundary wall and railings.

New Homes Bonus

21. 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.
22. 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.
23. The Bonus 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.
24. This proposal would provide 5 dwellings generating a grant of 5 times the national average council tax for the relevant bands per annum for 6 years. 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

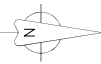
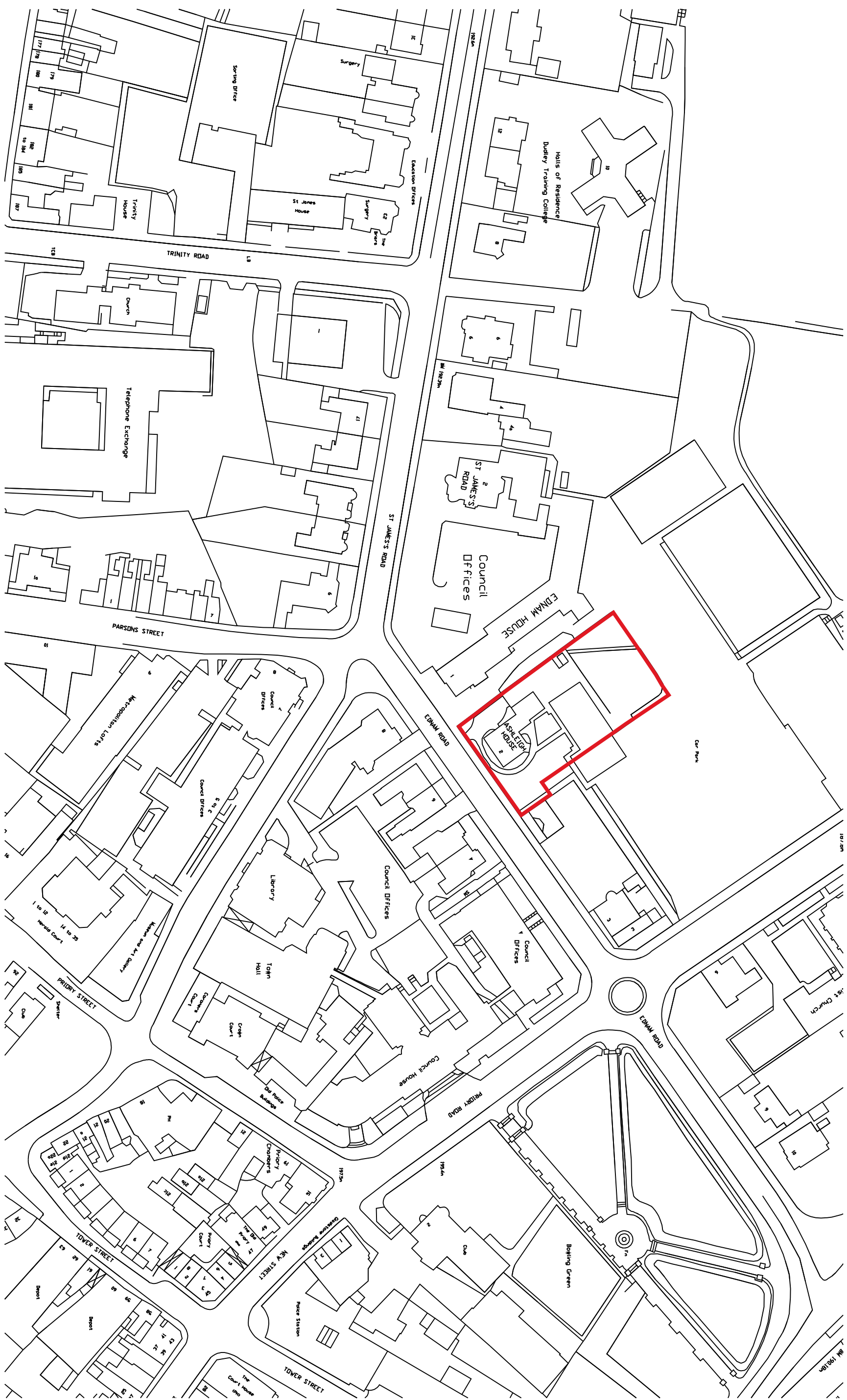
25. The proposed development of the site for residential purposes is acceptable in principle and would preserve and enhance the character of Ashleigh House and the Dudley Town Centre Conservation Area. The proposal complies with Policy CSP1 of the Core Strategy and Saved Policies HE4 and CR13 of the UDP.

RECOMMENDATION

26. It is recommended that the application be APPROVED subject to the following conditions:

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 the commencement of development, details of the types, colours and textures of the materials to be used in the hard surfacing of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved details and retained for the lifetime of the development unless otherwise agreed in writing with the Local Planning Authority.
3. The development hereby permitted shall be carried out in accordance with the following approved plans: AA-474--15d, 014e, 013d, 011f, 010e, 009d, 008e, 012d.
4. The development shall not be occupied until details of secure cycle parking facilities have been submitted to and approved in writing by the Local Planning Authority. The cycle parking shall thereafter be provided in accordance with the approved details and maintained for the life of the development.
5. Notwithstanding the details shown on the submitted plans, prior to the commencement of development details shall be submitted to and approved in writing by the Local Planning Authority of the proposed materials to be used in boundary treatments at the site. The scheme shall be implemented in accordance with the approved details prior to first occupation of the development and be maintained for the life of the development unless otherwise agreed in writing.
6. The apartments shall not be occupied until details of mitigation measures to protect future occupants of the building from road traffic noise from Ednam Road have been submitted to and approved in writing by the local planning authority. The development shall thereafter take place in accordance with the approved details and the approved measures retained for the lifetime of the development.



CLIENT: PSP DUDLEY LLP
 JOB: ASHLEIGH HOUSE, 2 EDNAM ROAD, DUDLEY
 JOB NO.: AA-474 DATE: Sept 2012 SCALE: 1:1250@A3
 DRAWING: OS LOCATION PLAN DRAWING NO: AA-474-024

Revision	Date	Details

Aegis Consultancy Group | Architects |
Warwickshire | Worcester |
 Warwickshire Office - 2 Park Lane | Southam | CV47 0JA |
 t: 01926 811635 / 811817 e: mail@aegiscsarchitects.co.uk
 Worcester Office - Park View Terrace | Worcester | WR3 7AG |
 t: 01905 612812 e: mck@aegiscsarchitects.co.uk

