

## **PLANNING APPLICATION NUMBER:P07/2020**

|                         |  |
|-------------------------|--|
| Type of approval sought | Full Planning Permission   |
| Ward                    | AMBLECOTE  |
| Applicant               | Euron Developments Ltd   |
| Location:               | <b>112, HIGH STREET, AMBLECOTE, STOURBRIDGE, DY8 4HG</b>           |
| Proposal                | <b>ERECTION OF 1 NO BLOCK OF 24 ONE AND TWO BEDROOM APARTMENTS</b> |
| Recommendation Summary: | <b>APPROVE SUBJECT TO A 106 AGREEMENT</b>                          |

### **SITE AND SURROUNDINGS**

1. This 0.2 hectare site formerly accommodated a substantial three-storey house and associated outbuildings set within extensive grounds. The house was vacant for a number of years prior to its demolition – the site has now been cleared of all of buildings.
2. The site lies on a main arterial route. The surrounding area is typified by a wide variety of house types, and the wider area includes a variety of uses. Immediately adjacent the site to the south is a pair of semi-detached 3 storey Victorian villas, followed by a terrace of identical properties. Beyond these further to the south is a terrace of four small modern houses. To the north of the site is a small detached house with a blank gable wall which forms part of the boundary, whilst to the west ( rear ) of the site are bungalows on Hollybush Lane. On the opposite side of the High Street is the Corbett Hospital complex, including nurses accommodation ( in a large detached dwelling ) and a day nursery, and large detached houses set back from the highway. All of these buildings are at an elevated level above the High Street, whilst the application site and adjacent buildings are at highway level.

## PROPOSAL

3. Permission is sought to erect a 2 and 3 storey apartment block at the site, providing 24no. apartments ( 16 no. 2-bed and 8no. 1-bed ) at a density of 120 dwellings per hectare. The building has small grassed amenity areas directly to the rear. 32 parking spaces are to be provided.

## HISTORY

4.

| APPLICATION | PROPOSAL  | DECISION  | DATE         |
|-------------|---|-----------|--------------|
| P04/1458    | Erection of 2no. Apartment Blocks to Form 24no. Apartments                        | Withdrawn | October 2004 |
| P05/2373    | Demolition of Existing Buildings and Erection of 5no. Detached Houses and Garages | Refused   | June 2006    |

5. Application P04/1458 was withdrawn following concern from Highways Officers that the proposed access could not accommodate the level of additional vehicular movements likely to be generated by 24 apartments.

6. Application P05/2373 was refused for the following reasons:

1. *The proposed houses at the rear of the site constitute an incongruous and out of keeping form of backland development which would have an adverse impact on the character of the area, contrary to Policies DD4 and H3 of the UDP.*

2. *The site layout fails to make adequate and safe provision for access and egress by vehicles to the detriment of highway safety, contrary to Policies DD6 and H3 of the UDP.*
  3. *No information has been submitted by the applicant to allow the full and proper consideration by the Council of the impact of the proposed development on potential archaeological remains at the site, contrary to Policies HE8 and H3 of the UDP.*
7. A subsequent appeal against the refusal of application P05/2373 was allowed in November 2006. In allowing the appeal the Inspector considered that:
- Backland development at the site would not be harmful to the character of the area;
  - Although the proposed access arrangements were substandard, they would not give rise to such a danger to road users that refusal of permission on such grounds would be warranted;
  - The issue of potential archaeological remains could be adequately dealt with by condition, at did not require the submission of information by the appellant prior to the determination of the application.

## **PUBLIC CONSULTATION**

- 8 A ward councilor objects to the proposal on the following grounds:
- The proposed buildings would be out of character with the area;
  - The development will exacerbate existing traffic congestion problems along the High Street;
  - The building would have an overbearing impact on the bungalows at the rear of the site on Hollybush Lane.
9. 8 letters of objection have been received from occupants of properties on High Street and Hollybush Lane, stating the following concerns:

- loss of privacy and light;
- the development is not in keeping with the character of the area;
- lack of parking provision and additional volume of traffic on the High Street;
- the proposed access point to the site is in a location which would be hazardous to highway safety;
- noise nuisance and pollution from the parking area;
- the development does not provide any pedestrian crossings in the vicinity of the site;
- removal of vegetation from the site has resulted in a loss of bat foraging habitat.

## OTHER CONSULTATION

10. Head of Environmental Health and Trading Standards: no objection subject to the imposition of a condition relating to noise protection to the dwellings from road traffic noise.
11. Group Engineer ( Development ):
- 1 parking space is required for each of the 1-bed units and 1.5 spaces are needed for the 2-bed units, plus five visitor parking spaces, giving an overall parking requirement of 37 parking spaces.
  - 20 cycle spaces should be provided;
  - a pedestrian refuge on the High Street should be provided by the developer;
  - adequate visibility splays can be provided from the site access;
  - the proposed bellmouth junction onto High Street s excessively wide and should be replaced by a footway crossing.

## RELEVANT PLANNING POLICY

### 12. Adopted UDP

Policy DD1 ( Urban Design );

Policy DD4 ( Development in Residential Areas );

Policy DD6 ( Access and Transport Infrastructure );

Policy DD7 ( Planning Obligations );

Policy DD8 ( Provision of Open Space, Sport and Recreation Facilities);

Policy DD10 ( Nature Conservation and Development );

Policy AM14 ( Parking );

Policy H3 ( Housing Assessment Criteria );

Policy H5 ( Affordable Housing );

Policy H6 ( Housing Density ).

### Supplementary Planning Documents

Parking Standards;

### National Planning Policy

PPS1 ( Delivering Sustainable Development )

PPS3 ( Housing )

## ASSESSMENT

### 13. Key Issues

- Principle of Development and Density;
- Design and Layout;
- Residential Amenity;
- Parking and Highway Safety;
- Nature Conservation;
- Planning Obligations

14. Principle and Density

The proposal constitutes the redevelopment for housing purposes of 'brownfield' land within an urban area, as advocated by PPS3 and Policy H3 of the UDP. The Regional Spatial Strategy requires that urban locations should support a significant increase in overall housing densities. Policy H6 of the UDP encourages the redevelopment of sites for the highest possible density taking into account factors such as the requirement to make full and efficient use of land and the local context. By their very nature proposals for flatted development will be of a relatively higher density than developments consisting of houses, as is the case with this proposal which is of a much higher density than the existing pattern of development in the surrounding area. In this case the number of units proposed can only be considered to be appropriate for this site if it can be satisfactorily demonstrated that the development would not have any detrimental impact on the character of the area, residential amenity or highway safety.

Design and Layout

15. Policy DD4 advises that new development in residential areas will only be allowed where there would be no adverse effect on the character of the area and where the scale and intensity of the proposed development would be in keeping with the surrounding area. Policy DD1 requires that all development should make a positive contribution to the character and appearance of the area, whilst PPS1 encourages the promotion of sustainable patterns of development by ensuring high quality development through good and inclusive design.
16. The proposed apartment block has been designed to reflect the scale of the 3 storey houses adjacent the site, as these form the dominant character of the immediate surrounding area. At its northern end the building drops down to two storeys to reflect the height of the existing detached house neighbouring that end of the site. Development of the scale proposed can be accommodated at this site as it would not appear incongruous in a street scene which contains both three storey

houses and buildings on the opposite side of the High Street which are at an elevated level above the application site.

17. The proposed building replicates some of the features of the adjacent villas, most notably the prominent front gables. The build line of the development follows the bend in the road, the three storey element being set back from the highway a similar distance to the houses to the south and the two storey element set even further back into the site to provide a satisfactory visual relationship with the house to the north. It is considered that the building is well designed and would make a positive contribution to the character of the area. In an area characterised by a variety of house types, building lines and elevational treatments of existing buildings fronting Hagley Road the proposed new building would give additional variety within the street scene.
18. The amount of amenity space provided is considered to be sufficient to serve the needs of future occupants of the proposed apartments.
19. For the above reasons the development is considered to accord with the requirements of PPS1 and Policies DD1 and DD4 of the UDP in respect of scale, layout and design.

#### Residential Amenity

20. The development will principally effect the houses immediately adjacent the site on both sides, no.s 111 and 112a High Street, and the bungalows to the rear on Hollybush Lane. The impact on each of these is assessed separately below:

#### No.111

21. This property has an entrance porch and habitable room windows on its side elevation facing the application site. The proposed building would be 5m – 8m away, and although there would be a degree of light loss to those windows the building would be to the north so there would be no loss of sunlight.

22. The development will lead to a loss of privacy in the garden area of no.111 resulting from overlooking from first and second floor rear windows in the proposed building. Overlooking of rear gardens is a common feature in urban locations such as this, and therefore on balance the relationship between the new building and no.111 is considered to be acceptable. There is potential within the development for landscaping to be planted along the site boundary to screen views from the building into the garden area.

#### No.112a

23. Although the proposed building is to the south of no.112a there are no windows on the elevation facing the application site. Over-shadowing of the garden of no.112a will occur for part of each day; however on balance it is considered that the positive benefits that the development would bring with it, in respect of providing new housing in an urban area of a design which would make a positive contribution to its surroundings, outweigh the potential harm to the amenities of the occupants of no.112a which may result.

#### Hollybush Lane

24. The nearest bungalow on Hollybush Lane to the two storey element of the proposed building is approximately 30 metres away, whilst the 3 storey element is in excess of 35 metres from away. These distances are sufficient to ensure that there would be no privacy loss at those dwellings resulting from the development.
25. The parking spaces for the development would be directly at the end of the gardens of the bungalows, which are between 7.5 metres and 20 metres in length. This will introduce activity into a part of the site where previously there would have been little or none, with the potential to cause disturbance to the occupants of the bungalows. These potential impacts can be mitigated by the erection of fencing along the boundary of a suitable height and density and tree planting, the combined effect of which should be to reduce noise levels.



26. Policy DD4 of the UDP states that residential developments will be allowed where there would be no adverse effect upon residential amenity. The proposal does not contravene this element of Policy DD4.

#### Highway Safety

27. Policy DD6 requires that all development should be appropriate in scale to the existing transportation infrastructure of the immediate area and should make adequate and safe provision for access and egress by vehicles. With regard to the comments of the Group Engineer ( Development ) a pedestrian refuge on the High Street to the front of the site can be requested by condition. Similarly the required changes to the site access width can be sought by condition.
28. With regard to parking provision, the site is in a relatively sustainable location and is well served by public transport. The proposal is in accordance with Policy AM14 of the UDP which states that the Council will require levels of off-street parking which seeks to reduce reliance on car usage, reduce congestion, encourage the use of other travel modes and reduce levels of non-essential traffic on the strategic highway network. The number of parking spaces proposed is at an appropriate level to ensure that the development meets these aims.

29. Nature Conservation

Policy DD10 of the UDP states that the Council will ensure that the effects of development proposals on wildlife features are taken into full account. Bat surveys submitted on previous applications for the site indicate that it is used by bats for foraging. As such a landscaping plan should be sought by condition which includes details of replacement foraging habitat in the form of tree planting.

30. Planning Obligations

This application was submitted prior to the adoption of the Planning Obligations SPD in December 2007 and is therefore subject to the previous planning obligation requirements for developments of this scale, in this case being open space play provision and affordable housing only. Policy DD8 requires that new developments should contribute to recreation facilities/open space in the wider area in line with the increase in users caused by the development, whilst Policy H5 seeks the provision of 30% affordable housing on suitable sites. Should permission be granted a Section 106 Agreement will be required in respect of contributions to recreation/open space facilities and affordable housing.

## CONCLUSION

31. The proposal constitutes the redevelopment for housing purposes of brownfield land within an urban area, as advocated by PPS3 and Policy H3 of the UDP. The density of development is considered to be appropriate for this site in accordance with Policy H6. The development is of a high quality design and layout which would make a positive contribution to the character and appearance of the area in accordance with Policy DD1 and the aims of PPS1, and would have no adverse effect on residential amenity or highway safety in accordance with Policy DD4.

## RECOMMENDATION

32. It is recommended that the application is approved subject to:
- a) the development not beginning until a scheme for the submission and approval of a planning obligation to guarantee the payment of a contribution towards off- site public open space/play provision and the provision of affordable housing has been submitted to and agreed in writing by the Local Planning Authority, and

- b) The following conditions, with delegated powers to the Director of the Urban Environment to make amendments to these as necessary,

### REASON FOR APPROVAL

The proposal constitutes the redevelopment for housing purposes of brownfield land within an urban area, as advocated by PPS3. The density of development is considered to be appropriate for this site. The development is of a high quality design and layout which would make a positive contribution to the character and appearance of the area in accordance with the aims of PPS1, and would have no adverse effect on residential amenity or highway safety.

The decision to grant planning permission has been taken with regard to the policies and proposals in the Dudley Unitary Development Plan set out below and to all relevant material considerations including supplementary planning guidance:

Policy DD1 ( Urban Design );  
Policy DD4 ( Development in Residential Areas );  
Policy DD6 ( Access and Transport Infrastructure );  
Policy DD10 ( Nature Conservation and Development );  
Policy AM14 ( Parking );  
Policy H3 ( Housing Assessment Criteria );  
Policy H5 ( Affordable Housing );  
Policy H6 ( Housing Density ).

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.

### Note For Applicant

For the avoidance of doubt, this permission relates to drawing no.s. 7057 P001, P002 and P003.

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 shall not begin until a scheme for the provision of off-site public open space and play area improvements and affordable housing within the development has 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 infrastructure required in connection with the approved development.
3. Development shall not begin until a scheme for protecting the proposed dwellings from road traffic noise has been submitted to and approved by the local planning authority, and all works which form part of the scheme shall be completed before any of the permitted dwellings is occupied.
4. No development shall commence until details of a pedestrian refuge facility to be installed on High Street has been submitted to and approved in writing by the local planning authority. The refuge shall thereafter be installed in accordance with the approved details and the apartment block shall not be occupied until the works have been completed.
5. Notwithstanding the details shown on plan drawing no. 7057 P001, no development shall commence until an amended plan, showing the provision of a footway crossing at the site access instead of a bellmouth junction, has been submitted to and approved in writing by the local planning authority. The development shall thereafter take place in accordance with the approved details.
6. 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.
7. All planting, seeding or turfing comprised in the details of landscaping approved in accordance with condition 6 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.
8. The details to be submitted in accordance with Condition 6 shall include the provision of species which will be conducive to bat foraging.
9. 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. The details to be submitted shall include a 2 metre high fence of a

minimum density of 10 kg. per sq.metre to be erected on the site's western boundary.

10. No development shall commence until a desk top study of the archaeological potential of the site has been submitted to the local planning authority. Should the study reveal the likelihood of remains of archaeological interest on the site no works shall commence until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been approved in writing by the local planning authority.
11. Development shall not begin until details of the existing and proposed levels of the site, which should be related to those of adjoining land and highways, have been submitted to and approved by the local planning authority.
12. The building shall not be occupied until the parking spaces shown on the approved plan have been surfaced and marked out. The spaces shall thereafter be retained in perpetuity and used for no other purpose than the parking of vehicles.
13. No development shall commence until details of the proposed materials to be used in the external elevations of the building and surfacing materials to be used in the access driveway and parking areas have been submitted to and approved in writing by the local planning authority.



Part 2020  
Floor and  
Street plan



SECOND FLOOR PLAN



GROUND FLOOR PLAN



FIRST FLOOR PLAN

ACCOMMODATION SCHEDULE

|                                      |
|--------------------------------------|
| 4No. 1 BED APARTMENTS AT 415 SQFT    |
| 2No. 1 BED APARTMENTS AT 530 SQFT    |
| 3No. 2 BED APARTMENTS AT 610 SQFT    |
| 10No. 2 BED APARTMENTS AT 635 SQFT   |
| 2No. 2 BED APARTMENTS AT 670 SQFT    |
| 2No. 2 BED APARTMENTS AT 690 SQFT    |
| 2No. 2 BED APARTMENTS AT 700 SQFT    |
| 24No. APARTMENTS TOTAL AT 14715 SQFT |

Revision: Date: By:  
Client: **EURON DEVELOPMENTS LTD**  
Project: **RESIDENTIAL DEVELOPMENT  
HIGH STREET  
AMBLECOTE  
DUDLEY**

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Webb Gray & Partners Ltd  
Chartered Architects  
The Barking Building  
© 0121 655 6000 © 0121 656 0071  
e: architects@webbgray.co.uk  
w: www.webbgray.co.uk

Scale @ A1: 1:100  
Date: 05/07  
Job No: 7057  
Drawing No: P002  
Revision:

PLANNING DRAWING

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STREET SCENE



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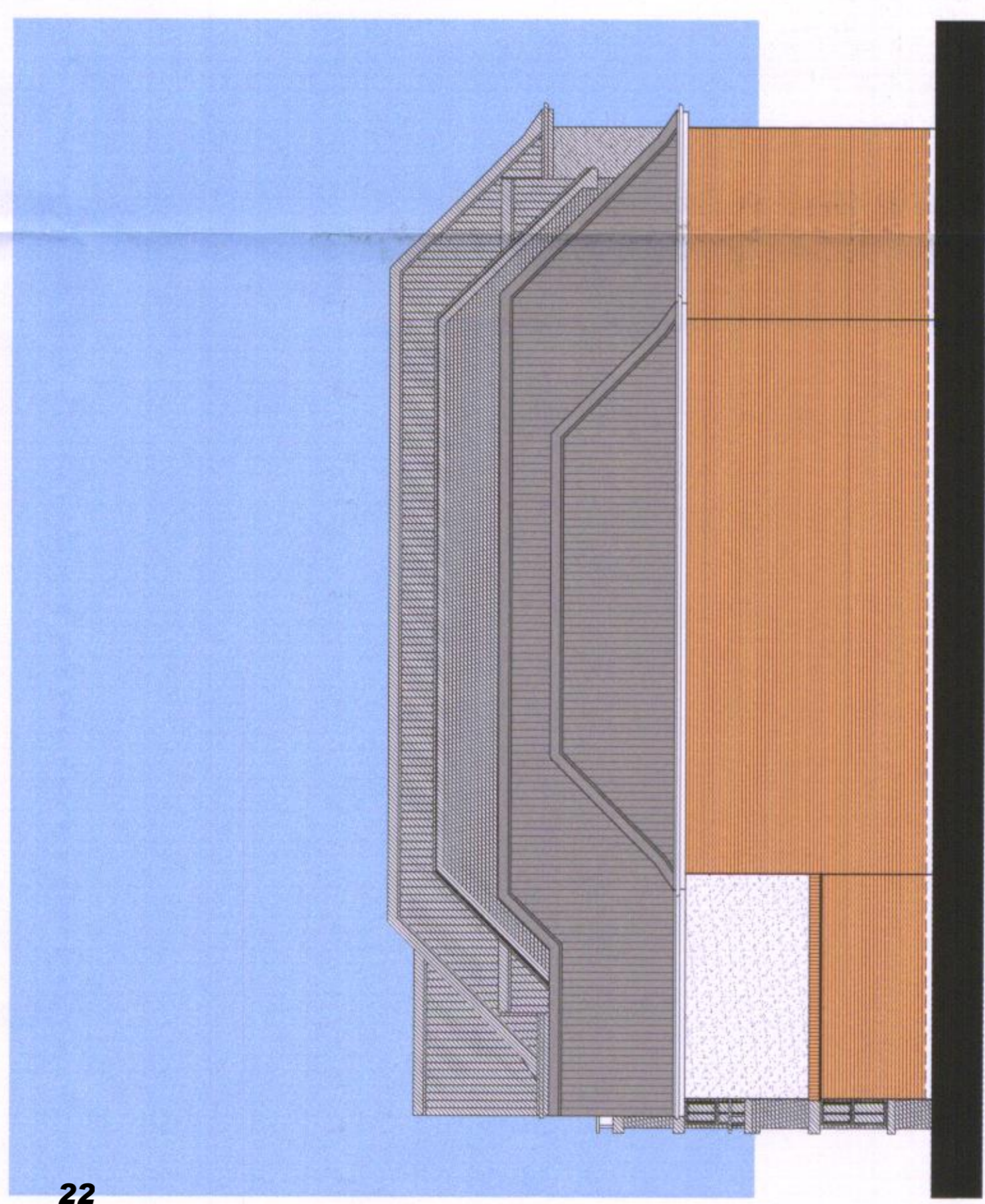
SIDE ELEVATION



FRONT ELEVATION



CAR PARK ELEVATION



SIDE ELEVATION

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Revision: Date: By:  
Client: **EURON DEVELOPMENTS LTD**

Project: **RESIDENTIAL DEVELOPMENT**  
Client: **HIGH STREET  
AMBLECOTE  
DUDLEY**

Drawing Title: **ELEVATIONS**

**webbgray**  
Webb Gray & Partners Ltd  
Chartered Architects  
The Banking Buildings, 23 High Street, Birmingham B2 5SQ  
T: 0121 635 0330 E: 0121 616 0031  
www.webbgray.co.uk

Scale @ A1: 1:100  
Date: 05/07  
Job No: 7057

Designed: LA  
Drafted: LA  
Revised: P003



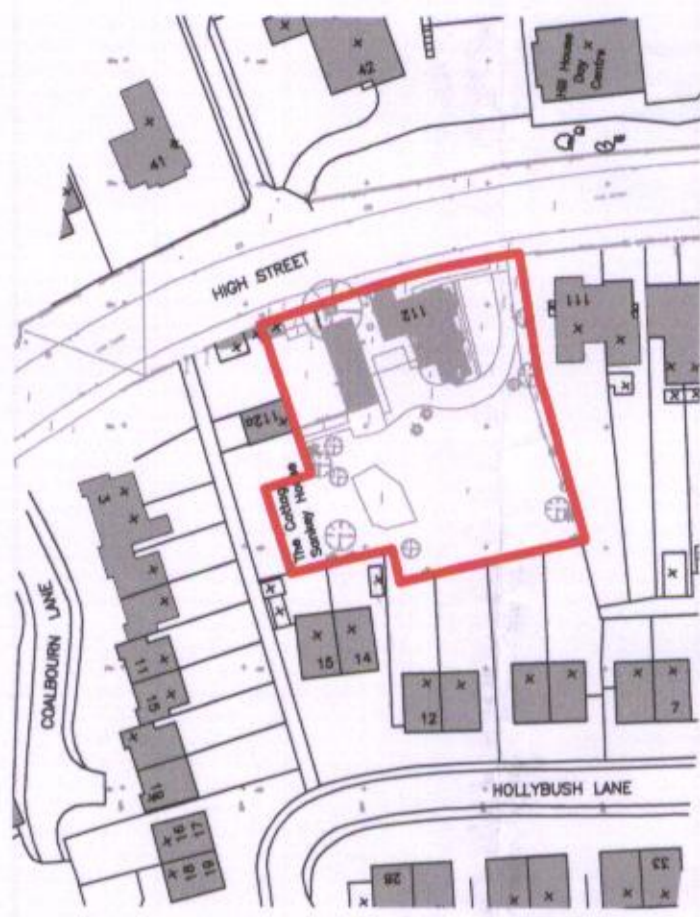
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| ACCOMMODATION SCHEDULE |                                |
|------------------------|--------------------------------|
| 4No.                   | 1 BED APARTMENTS AT 415 SQFT   |
| 2No.                   | 1 BED APARTMENTS AT 530 SQFT   |
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| 2No.                   | 2 BED APARTMENTS AT 700 SQFT   |
| 24No.                  | APARTMENTS TOTAL AT 14715 SQFT |



SITE LOCATION - 1:1250

Revision: Date: By:

Client: **EURON DEVELOPMENTS LTD**

Project: **RESIDENTIAL DEVELOPMENT  
HIGH STREET  
AMBLECOTE  
DUDLEY**

Drawing Title: **SITE LAYOUT AND LOCATION PLAN**

Webb Gray & Partners Ltd  
Chartered Architects  
The Banking Hall 33 Bennett's Hill  
Birmingham B2 5SN  
t: 0121 616 6030 f: 0121 616 6031  
e: architecture@webbgray.co.uk  
w: www.webbgray.co.uk

|             |       |             |       |           |    |          |    |
|-------------|-------|-------------|-------|-----------|----|----------|----|
| Scale @ A2: | 1:250 | Date:       | 05/07 | Designed: | LA | Drafted: | LA |
| Job No:     | 7057  | Drawing No: | P001  | Revision: |    |          |    |

**PLANNING DRAWING**



**Site Area  
0.51 acres**

**NOTE: JUNCTION  
LAYOUT TO HIGHWAY  
CONSULTANT DESIGN**

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Site layout  
10/07/2007  
P001