

## **PLANNING APPLICATION NUMBER:P05/2007**

Type of approval sought	Full Planning Permission
Ward	Castle & Priory
Applicant	David Wilson Homes Ltd
Location:	<b>LAND OFF, SALOP STREET/, NITH PLACE, DUDLEY, (WOLVERHAMPTON UNIVERSITY SITE/, DUDLEY CAMPUS)</b>
Proposal	<b>SUBSTITUTION OF HOUSE TYPES TO INCORPORATE THE ERECTION OF 22 DWELLINGS COMPRISING OF 1 BED TERRACE HOUSES AND 1 AND 2 BED APARTMENTS IN PLACE OF 18.</b>
Recommendation Summary:	<b>APPROVE SUBJECT TO CONDITIONS</b>

### **ADDITIONAL INFORMATION**

This application was deferred at your meeting on 16<sup>th</sup> January 2006 in order to seek amendments to the design of the proposed dwellings, and additional parking provision. An amended layout plan has now been received showing additional parking provision, to the satisfaction of the TRS team.

The applicant also submitted a letter stating the following:

`with regard to the design of the dwelling, we do not share the Members concerns and believe that the innovative designs and contemporary elevations reflect the aspirations of the younger first time purchasers, which is the market that this product has been produced for.

As the Members are aware, Central Government is encouraging developers to introduce an element of low cost units within their schemes to assist young people to gain a foothold on the housing ladder.

Our application is a response both to this encouragement and also to meet the identified needs of first time purchasers within the area of Dudley Metropolitan Borough Council.

The proposals encompass a mixture of flats and terraced houses and whilst we accept that the terraced houses are not of the usual design it should be appreciated in order to meet the costs, which Central Government are anticipating then some lateral thinking is required'.

Members of the committee are therefore requested to consider the following report that was previously presented to the January meeting, with the additional parking spaces on the amended layout included here, and determine the application.

## **SITE AND SURROUNDINGS**

- 1 The overall site is a large area of residential development which has been begun, and in some cases is already occupied, whilst on other phases of the site construction has yet to begin. At the Nith Place end of the site, apartment blocks have been completed, and further into the site along the estate road some two storey houses have been partially completed. To the lower end of the site rear of the dwellings fronting The Broadway and The Parade work has yet to commence. The site has varying levels, with the highest point being at its entrance from Nith Place, and its lowest being towards the rear of The Broadway and The Parade properties.

## **PROPOSAL**

- 2 Proposed alteration of details of ongoing residential development: the south western corner of the site at the rear of properties fronting onto The Parade is to be altered from 18 units to 22 units. This is because the developer is struggling to sell the type of dwellings originally granted consent, and therefore is trying to adapt the development to suit the local market. The original reserved matters application showed a large block of 18 substantial flats, of a similar appearance to those already completed on the Salop Street frontage.

- 3 The 22 units proposed here would be laid out in a block of back to back two storey houses and a terrace wrapped around the corner of the main estate road. The larger, long block shows 12 two storey one bedroom houses with external balconies and bin stores, shown with the bedrooms at ground floor and living accommodation at first floor with the balconies, to take advantage of the siting and levels that exist on the site. Adjacent to the block is allocated parking.
  
- 4 The corner block is part two storey and part three storey, with garages at ground floor level. 10 one bedroom flats of varying sizes and layouts are proposed within this block, with allocated parking for all, some external adjacent to the block and three spaces provided within the 3 garages included within the design of the block.

## HISTORY

APPLICATION No.	PROPOSAL	DECISION	DATE
P05/0579	4 dwellings	Granted	9/5/5
P04/1597	107 substituted dwelling types on various plots	Granted	28/10/4
P03/1748	Reserved matters (all) for 229 dwellings	Granted	4/8/4
P01/1253	Outline application for residential development	Granted	14/11/2

## PUBLIC CONSULTATION

- 5 Two letters received, one concerned that the layout shown on the remainder of the site plan (outside red line) is not the same as the consented scheme, but otherwise no concerns to raise and the other raising the following concerns:
  - Additional drain on local facilities such as schools should be considered
  - Principle of small changes to overall scheme should not be acceptable
  - Have not been given an opportunity to object

## OTHER CONSULTATION

- 6 **Traffic and Road Safety:** Raised concern that no visitor parking spaces have been proposed for these units
- 7 **Environmental Protection:** No objection subject to condition
- 8 **Severn Trent Water:** No objection subject to conditions

## RELEVANT PLANNING POLICY

### **National Planning Guidance**

PPG3 Housing

PPG13 Transport

### **Regional Space Strategy**

T7 Car parking standards and management

CF1 Housing within major urban areas

### **Unitary Development Plan**

DD1 Urban design

DD4 Development in residential areas

DD6 Access and transport infrastructure

H1 New housing development

H3 Housing assessment criteria

H6 Housing density

UR9 Contaminated land

AM14 Parking

The site lies outside any designated area in the UDP

## ASSESSMENT

### Principle

- 9 The principle of residential development on this site has already been accepted, and construction is well under way on the erection of the 229 houses originally granted consent. Therefore the principle of residential development on this site is considered acceptable, and is in line with policy. There are no procedural reasons why this application cannot be entertained, as it falls within the remit of the legislation.

### Density

- 10 The proposal would increase the density of development on this part of the site, however the site is considered to be in an accessible location with good public transport links and in close proximity to Dudley Town Centre, and as a result this is considered to be acceptable. Taking the density across the whole of the applicant's development area, and not just on this part of the site, the density would remain largely unaltered, as the addition of four units on an overall scheme of 229 would have only a minimal impact on density. The proposal is therefore considered to be an appropriate and acceptable density, compliant with the aims of PPG3.

### Design, layout and amenity

- 11 The design and layout of the proposal is similar to that previously approved, and would complement the existing surrounding new development, and as such is compliant with policy and considered to be acceptable. The proposed units would have sufficient amenity space, and communal bin stores are also provided as part of the proposal in central locations such that they could be easily utilised by residents. The proposed houses are located such that they would have sufficient separation from existing and proposed units that they would not cause any harm to surrounding residential amenities. Whilst there are first floor balconies that face towards rear gardens in The Parade and the new development, they are at sufficient distance that any overlooking or loss of privacy would be minimal, and they are therefore considered to be acceptable. Whilst none of the proposed units

have large garden areas, they are considered to have sufficient amenity space for the proposed residents, in line with the guidance in PPG3 which requires a flexible approach in place of rigid standards.

### Highways

- 12 The parking provision falls a little under the maximum standard for this development, which has caused concern for the Head of Traffic and Road Safety team. However, the guidance requires that maximum standards are set, and the provision here is considered to be adequate, as it provides a space per unit, and the site is closely linked with public transport services and a town centre. Further, the proposed provision is similar to that already approved on the rest of the site. This is considered to be an acceptable level of provision and compliant with national and local standards. It is therefore considered that refusal could not be sustained on this basis.

### Contributions

- 13 Contributions were required through the imposition of a S106 legal agreement when the outline planning permission was granted. As these monies have now been paid, and the increase in the number of units proposed here is only 4, it is not considered reasonable or necessary to require a further agreement to take contributions on the additional 4 units. If the monies had not been paid, and were required on a per unit basis, then the agreement would have needed varying in order that money was paid in relation to the additional units.

### Other issues

- 14 An objector has noted that there are inaccuracies on other areas of the layout plan, outside the red line, in that the house types shown are different from those which have been approved. As these are not for consideration as part of this application, it is recommended that an informative be attached that notes that this approval does not grant consent for those inconsistencies and that they should be built in accordance with the previous approvals.

- 15 It is not considered necessary to re-impose all the conditions from the original outline and reserved matters consents, as many of them have already been discharged and dealt with.
- 16 The addition of four small units is unlikely to result in any significant additional drain on local facilities given the overall requirements of the site, and therefore this is not considered to be a sustainable reason for refusal.

## CONCLUSION

- 17 The proposal would not cause harm to visual or residential amenities and is compliant with national and local planning policy.

## RECOMMENDATION

18. Reason for approval

The decision to grant planning permission has been taken with regard to the policies and proposals in the adopted Dudley UDP (2005) and to all other relevant material considerations.

The application should 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 on the external surfaces of the development hereby permitted 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.
3. Prior to the occupation of the dwellings hereby permitted, the parking provision shown on the approved plans shall be provided and thereafter maintained available for use.

4. Development shall not begin until a comprehensive written site investigation strategy (in a form to be agreed by the local planning authority), has been submitted to and approved by the local planning authority. Such a strategy shall facilitate the identification of methane & carbon dioxide. Where the investigations identify the presence of methane and/or carbon dioxide the development shall not begin until a scheme to protect the development from the effects of such gases 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. The development hereby permitted shall not commence until drainage works for the disposal of both surface water and foul sewage have been carried out in accordance with the details to be submitted to and approved by the Local Planning Authority in writing.
6. The development hereby permitted shall be built in accordance with the approved plans 102/004 AD, HT/N106, SL1/1, SL1/2, SL3/1, SL3/2 and SL3/3, unless otherwise agreed in writing by the Local Planning Authority.