

PLANNING APPLICATION NUMBER:P05/2578

Type of approval sought	Full Planning Permission
Ward	Castle & Priory
Applicant	David Wilson Homes Ltd
Location:	PLOT NOS 55 TO 89 INCL & 238 TO 244 INCL, LAND OFF, SALOP STREET, /NITH PLACE, DUDLEY, WEST MIDLANDS
Proposal	ERECTION OF 42 NO 2 AND 1 BEDROOM APARTMENT BLOCK (SUBSTITUTION OF APARTMENT BLOCK)
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

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 to the eastern boundary of the site adjacent the existing open space fronting The Parade. 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 block of 34 apartments, with external surface

parking to the front. It is proposed that instead of this block, an alternative block of 42 apartments be erected.

- 3 The 42 units proposed here would be laid out in a single apartment block with parking shown both externally to the front and at the lowest ground level underneath the residential accommodation.

- 4 The apartment block proposed would be of similar footprint to that previously approved, with flats along half of the block at lower ground level (due to the slope of the site) looking out over the public open space to the north of the block, and at ground floor with parking to the southern elevation, and then two further floors above of flats. These would be laid out with a central corridor along the length of the block, with seven apartments to either side, and stair wells toward either end of the building. The external appearance of the building would be similar both to that previously approved and to the existing and ongoing surrounding development at the site.

HISTORY

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APPLICATION No.	PROPOSAL	DECISION	DATE
P05/2007	Substitution of house types (22 for 18)	Pending	
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

6 No responses received

OTHER CONSULTATION

7 **Traffic and Road Safety:** The Head of Traffic and Road Safety has significant concerns due to the limited off street parking available and would recommend 1.2 parking spaces per residential unit which would equal to 50 parking spaces. There is also concern that the width of some of the parking bays under the building is inadequate in width for a driver and passenger to get into and out of a parked car.

8 **Environmental Protection:** No objection subject to condition

9 **Chief Housing Officer:** No objection received

10 **Landscape Officer:** No objection received

11 **Tree Officer:** No objection received

RELEVANT PLANNING POLICY

12

PPG3 Housing

PPG13 Transport

RSS:

T7 Car parking standards and management

CF1 Housing within major urban areas

UDP:

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

13 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

14 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 eight 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

15 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 such that they could be easily utilised by residents. The proposed dwellings 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 balconies, these face the parking area to the front and the public open space to the rear such that they are at sufficient distance that any overlooking or loss of privacy would be minimal, and they are therefore considered to be acceptable. The units 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

16 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

17 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 eight, it is not considered reasonable or necessary to require a further agreement to take contributions on the additional eight 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

- 18 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.

CONCLUSION

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

RECOMMENDATION

- 20 The application should be approved subject to the following conditions.

21 Informatives:

This permission does not grant consent for the altered house types shown on the submitted layout plan which fall outside the red line for this application, and all dwellings constructed on the larger site should benefit from valid planning consent. For changes to house types, substitution applications should be made as appropriate.

22 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.

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 SBF/42A and 102/004AF, unless otherwise agreed in writing by the Local Planning Authority.