

PLANNING APPLICATION NUMBER:P06/0637

Type of approval sought	Outline Planning Permission
Ward	St. Thomas's
Applicant	Countrywide Homes Ltd
Location:	LAND OFF, HIGHFIELD ROAD, DUDLEY, WEST MIDLANDS
Proposal	OUTLINE APPLICATION FOR ERECTION OF 7 HOUSES (DESIGN, LANDSCAPING AND EXTERNAL APPEARANCE RESERVED FOR SUBSEQUENT APPROVAL)
Recommendation Summary:	APPROVE SUBJECT TO A 106 AGREEMENT

SITE AND SURROUNDINGS

1. The application site measures approximately 0.13ha and comprises a hard surfaced car park owned by the Ward Arms Hotel. The grassed verges at the edge of the car park are the only existing vegetation, while the car park is lit by post-mounted lighting.
2. The site is flat, with low-level wooden post and rail fencing defining the western and northern boundaries. The southern boundary is defined by a close-boarded wooden fence, while to the east is a strip of overgrown, undeveloped land that separates the site from existing residential development fronting

Birmingham Road.

3. To the south of the application site is modern two storey semi-detached housing fronting Highfield Road at what is the northern fringe of 'Kates Hill', an area of predominantly residential development. Levels rise at the site's southern boundary so that the house adjacent to the boundary is approximately one metre higher than the application site.
4. To the west of the site on the opposite side of Highfield Road is the Ward Arms Hotel, a two storey building with a relatively high ridgeline and which is at a higher level than the application site by virtue of a rise in levels across Highfield Road. The Hotel building is set back approximately four and a half metres from the back of the footway, with a grassed verge in between.
5. To the north of the site is the Birmingham Road, a dual carriageway. On the opposite side of Birmingham Road is the Castle Gate development comprising, a mix of retail, business and commercial leisure development.
6. There is an existing park and play area some 100 metres from the site off Corporation Road to the south west.

PROPOSAL

7. This is an outline application for the erection of seven, two-and-a-half storey, terraced houses on the site. The two terraces would face Birmingham Road and Highfield Road respectively and all the dwellings would be served by a 14 space car park situated at the rear of the dwellings and accessed from Highfield Road.

8. Access and siting are to be considered at this stage. Although this leaves design and external appearance for later approval, it is clear from the application that the buildings would be conventional terraced housing with rooms in the roof lit by dormer windows at the front.

HISTORY

9. Application No: P05/1148
Erection of 12 apartments
Refused on 7th February 2006

Appeal lodged and heard before an Inspector on 27th June 2006.
Decision awaited.

PUBLIC CONSULTATION

10. Notification letters sent to all nearby properties which are primarily residential. No representations have been received.

OTHER CONSULTATION

11. The Head of Traffic and Road Safety raises no objection subject to the number of parking spaces being reduced by one to comply with the new maximum parking standard of 1.5 spaces per dwelling, the provision of gates to the car park and adequate pedestrian access to the dwellings. These points have all been covered in the amended layout plans received.

12. The Head of Public Protection raises no objections subject to the dwellings being adequately insulated against traffic noise and noise from a nearby factory and extraction plant at the hotel opposite.

RELEVANT PLANNING POLICY

13. **Adopted UDP**

DD1 Urban Design

DD4 Development in Residential Areas

DD6 Access and Transport Infrastructure

DD7 Planning Obligations
H1 New Housing Development
H6 Housing Density
AM3 Strategic Highway Network
AM4 Parking
EP5 Air Quality
EP7 Noise Pollution

Regional Spatial Strategy

PPG3/PPS3 Housing

ASSESSMENT

14. The previous application for 12, two and three-storey flats, was refused because members considered the density (93 dwellings per hectare) to be too high and the development to be out of character with its surroundings. This decision was the subject of a recent appeal upon which the Inspector's decision is awaited.

15. However, in an attempt to address the Committee's concerns, the applicants have submitted a revised scheme for conventional housing albeit with rooms in the roof (which is what 2½ storeys' actually means).

16. The density of development would be 53 dwellings per hectare which is within the range recommended in PPG3 Housing and the draft PPS3 and compares favourably with the previous scheme. The site is in a highly sustainable location close to the town centre, on a main bus route and close to rail facilities.
17. The proposed buildings would be set back from the two adjoining highways and the building lines are considered acceptable. The set-back meets the Council's requirements so far as air quality is concerned. The positions of the buildings would not affect the adjoining properties in Highfield Road and Birmingham Road.
18. The parking arrangements are satisfactory and comply with the Council's standard. It should be noted that the small reduction in numbers was requested by the Head of Traffic and Road Safety.
19. The issue of whether this car park was still needed by the hotel was considered at the time of the previous application when a detailed report including usage surveys was submitted at the request of the Head of Traffic and Road Safety. This report confirmed to the satisfaction of the HTRS that the main parking area for the hotel was sufficient to meet existing and future needs. Accordingly,

there would be no objection to the application site being developed for housing.

CONCLUSION

20. There would be no objection to the loss of the existing car park on the site as sufficient capacity exists adjacent to the Ward Arms Hotel to meet its parking needs. The site constitutes previously developed land and is in poor condition visually. The proposed development is satisfactory in terms of layout and density and no objections have been received from consultees or local people.

RECOMMENDATION

21. It is recommended that the application is approved subject to:

- a) The applicant entering into a Section 106 Agreement for a contribution to off-site public open space enhancement in accordance with the Council's Detailed Guidance on Open Space, Sport and Recreation Provision (2005) and to undertake noise insulation works to plant at the Ward Arms Hotel.

- b) The following conditions, with delegated powers to the Director of the Urban Environment to make amendments as necessary.
- c) In the event of the Section 106 Agreement not being completed within three months of the resolution to grant permission, the application will be refused if appropriate.

Conditions and/or reasons:

1. Approval of the details of the design and external appearance of the building(s) and the landscaping of the site (hereafter called the ('reserved matters')) shall be obtained from the Local Planning Authority before any development is begun.
2. Application for reserved matters approval must be made not later than the expiration of three years beginning with the date of the grant of outline planning permission; and the development to which the permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
3. Development shall not begin until a scheme for protecting the proposed dwellings from noise from traffic on Birmingham Road, refrigeration extraction plant at the Ward Arms Hotel and a nearby industrial unit off Birmingham Road. 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. 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 contaminants and permit the risk based assessment of the development site. Where the investigations identify the presence of contamination, development shall not begin until a scheme to protect the development from the effects of such contamination 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. 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.
6. The development shall be carried out in accordance with the plan hereby approved (drawing number 0180/01/E) and to such amendments as may be agreed in writing by the Local Planning Authority.
7. Visibility splays of 2.4m x 60m and 4.5m x 90m shall be provided at the junction of Highfield Road and the car park access and at the junction of Highfield Road and Birmingham Road respectively. Such splays shall be maintained for the life of the development and no feature, erection or landscaping exceeding 0.6m in height placed forward of them.

