

PLANNING APPLICATION NUMBER:P05/1146

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 12 NO APARTMENTS (DESIGN, EXTERNAL APPEARANCE AND LANDSCAPING RESERVED FOR SUBSEQUENT APPROVAL)
Recommendation Summary:	APPROVE SUBJECT TO A 106 AGREEMENT

SITE AND SURROUNDINGS

1. The site comprises a tarmaced car park of 0.13 hectare situated at the junction of Highfield Road and Birmingham Road (A461) about 120m west of Burnt Tree Island. It is owned by the Ward Arms Hotel which is situated directly opposite on the other corner at the road junction. Access is gained from a single point in Highfield Road close to the road junction.
2. The site is adjoined by a landscaped strip to the east beyond which is a Victorian terraced house fronting Birmingham Road and by modern semi-detached houses to the south. Adjoining the Ward Arms are inter-war Council houses at the periphery of a large housing estate. On the opposite side of Birmingham Road is the Towngate development (Tesco, Blockbuster, Wickes DIY) adjacent to which is The Village hotel on Castlegate Park.

PROPOSAL

3. This is an outline application to erect 12 dwellings (flats) on the site. The siting of the dwellings and means of access to the site are to be considered at this stage.
4. The proposed layout shows a single, 'L'-shaped building fronting the two adjoining roads with an access off Highfield Road passing under an arch to a 15-space car park at the rear. The building would be two-storey at its two ends with the remainder three-storey. The 'corner' of the building would be splayed to face the road junction.

HISTORY

5. There have been no previous applications for the site.

PUBLIC CONSULTATION

6. The application has been publicised by direct notification of adjoining and nearby residents and businesses. No representations have been received.

OTHER CONSULTATION

7. The Head of Public Protection is concerned about noise from plant at the Ward Arms and noise and air quality arising from traffic on the adjacent roads. To address the former, a noise assessment has been submitted which recommends mitigation in the form of minor works to the extractor fan and refrigeration units at the hotel. Subject to these works being undertaken, the Head of Public Protection raises no objection on this particular point.
8. The proposed building would be between 7.0m and 8.5m back from the kerb in Birmingham Road and between 6.0m and 8.0m in Highfield Road. These distances exceed the standard at which air quality would

be considered substandard and therefore the Head of Public Protection raises no objection in respect of this issue.

9. So far as traffic noise is concerned, the Head of Public Protection raises no objection subject to conditions requiring insulation of the flats prior to occupancy.
10. The Head of Traffic and Road Safety is of the opinion that, as the site is not within or adjacent to a town centre where a reduction in the parking standard may be acceptable, the normal standard of provision should be required. This equates to 15 spaces (ie one for each flat and three for visitors) which have been provided.
11. Following initial concern at the reduction in car parking available to the Ward Arms hotel, the applicants undertook an assessment of vehicular movements and parking accumulation for the hotel. This information has been perused by the Head of Traffic and Road Safety who is satisfied that the 74 spaces that would remain for the hotel would be sufficient even at busy times and periods, and that roadside parking would not take place.

RELEVANT PLANNING POLICY

12. Adopted Dudley 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 Housing

ASSESSMENT

13. There is no objection in principle to a flatted development on this site. Indeed, flats may be more appropriate than family housing in this particular case given the location adjacent to a main road and the nature of the existing housing stock in the area.
14. The position of the building along the two road frontages with car park at the rear would be the preferred layout for the site in terms of the street scene.
15. The development has been reduced from 15 to 12 units given the views of the Head of Traffic and Road Safety in respect of the number of parking spaces required. The provision of 15 spaces for 12 flats would accord with the Council's standard.
16. The density of development would be 93 dwellings per hectare which exceeds the range set out in PPG3. However, the site is in a highly sustainable location with Birmingham Road being a major bus route and the town centre being within walking distance. Given that the scheme now accords with the Council's parking standard and would probably be a mixture of 2 and 3 storeys, which would be appropriate on this site, it is considered that the density of development is acceptable.
17. No objections have been received from local people and the concerns of the Head of Public Protection have been addressed.

CONCLUSION

18. The proposed development accords with the Council's various policies and is appropriate for this site.

RECOMMENDATION

19. 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 that the Section 106 Agreement has not been completed within three months of the resolution to grant permission, the application will be refused if appropriate.

Conditions and/or reasons:

1. Development shall not begin until a scheme for protecting the proposed dwellings from noise from traffic on 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.
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. This outline permission does not relate to the layout, or authorise the erection of any buildings, shown on the plans accompanying the application.
4. None of the dwellings shall be occupied until works for the disposal of foul and surface water drainage have been provided on the site to serve the development hereby permitted, in accordance with details to be submitted to and approved by the Local Planning Authority.
5. Development shall not begin until a scheme for protecting the proposed dwellings from noise from traffic on 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.
6. All planting, seeding or turfing comprised in the details of landscaping approved in accordance with condition 1 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.