

PLANNING APPLICATION NUMBER:P05/2373

Type of approval sought	Full Planning Permission
Ward	Amblecote
Applicant	Sheils Construction Ltd, C/O Agent
Location:	112, HIGH STREET, AMBLECOTE, STOURBRIDGE, DY8 4HG
Proposal	DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 5NO. DETACHED HOUSES AND GARAGES.
Recommendation Summary:	REFUSE

SITE AND SURROUNDINGS

1. The application site is a substantial three-storey house and associated outbuildings set within a relatively large plot. The buildings at the site are in a state of disrepair and the garden area is overgrown. The surrounding area is typified by a wide variety of house types. Immediately adjacent the site to the south is a pair of semi-detached 3 storey Victorian villas, followed by a terrace of identical properties. To the north of the site is a small detached house, 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.

PROPOSAL

2. Permission is sought to demolish the existing buildings at the site and to erect 5 detached dwellings (three fronting the High Street, with a vehicle access leading to two further dwellings at the rear of the site). The proposed development has a density of 25 dwellings per hectare.

HISTORY

3.

APPLICATION	PROPOSAL	DECISION	DATE
P04/1458	Demolition of Existing Buildings and Erection of 2no. Apartment Blocks	Withdrawn	2004

4. Planning application P04/1458 sought consent for the erection of a pair of apartment blocks at this site (24 apartments in total). The application was withdrawn following concern from Highways Officers that the proposed access could not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.

5. An appeal has been lodged against non-determination of this application, on the grounds that the Council has failed to determine the application within the statutory 8-week time period. The lodging of the appeal effectively prevents the Council from making a formal determination on the application. Committee is requested to consider this report and to determine the application as it would have done before the lodging of the appeal prevented it from doing so.

PUBLIC CONSULTATION

6. The occupants of no.111 High Street object to the proposal on the grounds that the erection of a house directly adjacent their property will result in loss of light to a side facing window, whilst the two proposed houses at the rear of the site will overlook their garden and lead to a loss of privacy.

OTHER CONSULTATION

7. The Head of Environmental Protection has advised that a high level of protection against noise from road traffic on High Street would be required to make the site suitable for new residential development, and has therefore recommended the imposition of appropriate noise mitigation conditions.

RELEVANT PLANNING POLICY

8. UDP Policies

- DD4 (Development in Residential Areas);
- DD6 (Access and Transport Infrastructure);
- H3 (Housing Assessment Criteria);
- HE8 (Archaeology and Information);
- NC6 (Wildlife Species)

ASSESSMENT

9. Policy H3 of the UDP advises that in order to meet the aims of sustainable development and promote urban renaissance, new housing development should ideally be located on previously developed land, thereby resulting in the productive use of vacant sites within the urban area. This proposal is in accordance with the broad aims of this policy. The policy also contains the following detailed criteria against which the suitability of a residential proposal should be assessed:

10. Accessibility in relation to non-car methods of transport

The site is on a bus route and is therefore readily accessible by modes of transport other than the car i.e. it is in a sustainable location.

- 11 Availability of capacity within existing infrastructure or the potential to improve infrastructure to accommodate new development

- 12 The Head of Traffic and Road Safety has advised that the proposal is not acceptable for the following reasons:
 - a) the site access cannot maintain the vehicular visibility splays required upon exit from the site;
 - b) the proposed site layout is substandard, in that vehicles will overhang the carriageway whilst garage doors are being opened leading to obstructions to the site access and its turning head, to the detriment of highway safety;
 - c) the layout proposed cannot accommodate refuse vehicles and emergency service vehicles;
 - d) the close proximity of the site access to the existing access to the Corbett Hospital site will lead to increased vehicular conflict at these junctions.

13. The proposal will therefore lead to unacceptable highway safety hazards, contrary to Policy DD6 of the UDP which requires that all development should be appropriate in scale to the existing transportation infrastructure of the immediate area or include measures to overcome any deficiencies, and should

make adequate and safe provision for access and egress by vehicles and pedestrians.

14. Ability of the development to avoid creation of unacceptable levels of conflict with neighbouring uses or environmental attributes, including nature conservation, building conservation or amenity considerations

15. Policy NC6 of the UDP states that development that is likely to have an adverse effect on habitats important to protected or vulnerable wildlife species will only be permitted where it can clearly be demonstrated that measures to protect the species are included in the development. The applicant's bat survey identifies that the garden area at the site is a well-used bat foraging area and therefore has value for the local bat population. A landscape scheme has been submitted showing new tree and shrub planting as part of the development to provide a replacement of existing trees which are to be removed, in order to ensure that a foraging area remains at the site.

16. Historic Environment Officers have advised that the buildings at the site may originally have been built in the 18th Century. Policy HE8 of the UDP requires applicants for new development to provide as part of any planning application

adequate information to allow the full and proper consideration of the proposed development on archaeological remains. The applicant considers that it would be acceptable in this case to request this information by condition. Historic Environment Officers are of the opinion however that an archaeological desktop study is required in advance of the application being determined in order that the impact of proposed development on archaeological remains can properly be considered.

17. In terms of scale and massing the proposed houses would be similar to the Victorian villas adjacent the site. Backland housing development is not however a characteristic of the immediate area. The three houses along the frontage of the site would be in keeping with the general nature of this part of the High Street in terms of siting; however the two houses at the rear of the site would not. The backland development is considered to be incongruous and out of keeping and would have an adverse effect on the character and appearance of the area. In addition the erection of the proposed houses at the rear of the site would have significant detrimental amenity impacts at the neighbouring property, no.111 High Street, resulting from overlooking of the rear garden and associated loss of privacy. The scheme is therefore contrary to Policy DD4 which advises that new development in residential areas

should ensure that there is no adverse effect on the character of the area or upon residential amenity.

CONCLUSION

18 The proposed development is contrary to Policies DD4, DD6, H3, and HE8 for the following reasons:

- the layout would have a detrimental impact on the character of the area and the amenities of adjacent residents;
- the development would adversely effect highway safety;
- no information has been submitted to enable a proper assessment to be made of the likely impact of potential archaeological remains at the site.

RECOMMENDATION

19. Recommended that Committee resolves that, had it had the authority to determine this application, permission would have been refused for the following reasons:

Conditions and/or 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 Unitary Development Plan.

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 Unitary Development Plan.
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 Unitary Development Plan.

