

PLANNING APPLICATION NUMBER:P06/0063

Type of approval sought	Outline Planning Permission
Ward	Sedgley
Applicant	Robert Hughes Homes Ltd
Location:	32-38, BILSTON STREET, SEDGLEY, WEST MIDLANDS
Proposal	ERECTION OF 21 NO APARTMENTS (OUTLINE) (EXTERNAL APPEARANCE AND LANDSCAPING RESERVED FOR SUBSEQUENT APPROVAL)
Recommendation Summary:	APPROVE SUBJECT TO A 106 AGREEMENT

SITE AND SURROUNDINGS

- 1 The site is currently in two parts, each with a separate use. One half is occupied by a car repair garage, Petrol Filling Station and car/caravan accessory shop. The other by a funeral director and monumental mason. In total the site has an area of 0.2491ha.
- 2 36 and 38 Bilston Street are used in connection with the funeral director business, and are 1930s style houses. 36 fronts the street, whilst 38 is set back significantly and is not overly visible from the highway.
- 3 The opposite side of the road contains housing, with a school further along towards the centre of Sedgley on the same side as the site. A mix of uses exists along this stretch of road.

PROPOSAL

- 4 Outline application for residential development with details of siting, design (internal layout) and access included for consideration and matters of external appearance and landscaping reserved for future consideration.

- 5 The plans show a central vehicular access to the site from the Bilston Street frontage with a parking court adjacent to the road, with two building footprints indicated. One would be set further back into the site at the south eastern corner, of L shape footprint, and the other is to the western end of the site, and would address the street frontage, leading back into the site. A bin store is located near the entrance to the site. The parking court contains 24 spaces and 2 disabled parking spaces.

- 6 Internal floor layouts have been provided showing four flats on each floor of the rear block and three in the western block. It is proposed by the applicant that these would be aimed at the over 55s, as they believe that there is a local need for this type of accommodation in Sedgley due to take up on another similar development recently. All the flats in this development would have two bedrooms, bathroom, kitchen and lounge, except for those in the corner of the rear block, which have the same accommodation and an additional bedroom. Therefore the proposal is for 18 two bedroomed apartments and 3 three bedroomed apartments.

HISTORY

APPLICATION No.	PROPOSAL	DECISION	DATE
SD/57/1503	Garage for lorries and storage	Refused	28/10/57
SD/57/1553	Garage for lorries and storage	Granted	3/1/58
SD/58/1649	Motor repairs garage	Granted	16/7/58
SD/60/2083	Temporary garage	Granted	12/5/60
SD/63/2779	Outline PFS	Granted	14/6/63
SD/63/2897	PFS	Granted	30/10/63
SD/64/104/S	Signage	Granted	6/5/64
SD/64/105/S	Signage	Refused	6/5/64

SD/64/111/S	Signage	Granted	2/12/64
SD/65/111/S	Signage	Granted	2/12/64
P02/0908	Outline residential	Withdrawn	16/10/02
P04/2353	Outline residential	Refused	10/1/05
P05/1456	Outline residential (all matters reserved)	Resolved to grant subject to conditions and a S106 agreement	

PUBLIC CONSULTATION

- 7 Three letters of concern received stating that there is no objection in principle to this development, but that 21 units is too many, and would cause highway safety and congestion concerns.

OTHER CONSULTATION

- 8 **Traffic and Road Safety:** No objections subject to conditions.
- 9 **Environmental Protection:** No objection subject to conditions

RELEVANT PLANNING POLICY

10. **National Planning Policy**

PPS1 Delivering sustainable development
PPG3 Housing and draft PPS3 Housing

11 **Unitary Development Plan (2005)**

DD1 Urban design

DD4 Development in residential areas

DD6 Access and transport infrastructure
DD7 Planning obligations
DD8 Provision of open space, sport and recreation facilities
AM14 Parking
H1 New housing development
H3 Housing assessment criteria
H4 Housing mix
H6 Housing density

The site lies outside any designated area in the Unitary Development Plan.

ASSESSMENT

Principle

- 12 There are no UDP policies to protect the existing uses on this site, and therefore the loss of the existing uses on the site is considered acceptable, subject to the details of any proposal being compliant with the relevant policy criteria.
- 13 Residential development of the site is acceptable in principle, as the site is previously developed land in close proximity to a central location where shops, facilities and services are available, and is therefore considered to be relatively sustainable.
- 14 The proposal includes a mix of sizes of unit in accordance with Policy H4, and therefore is considered to be acceptable in this regard.

Density/contributions

- 15 The proposal would result in development at a density of 84dph, which is above the recommended band in PPG3 of 30-50 rising to 70 in suitable sustainable locations however it does comply with the revised guidance in the draft PPS3 which encourages higher densities in accessible locations.

Access

- 16 The access is in a central location on the frontage of the site and 24 parking spaces and 2 disabled spaces are shown on the layout. This is considered to be sufficient off road parking provision for this site, and unlikely to cause any danger to highway safety.

Siting & Design

- 17 The proposed buildings are located within the site such that the separation between them and other surrounding built form is acceptable and there would be no harm caused to surrounding amenities. Whilst there are no elevations available at this stage, the location and shape of the buildings is considered to be likely to result in development of a form and appearance that would be appropriate to the site and its surroundings.
- 18 The internal layout of the buildings and locations of doors and windows are considered to be of an acceptable design and form such that no adverse impacts on amenities would be caused to the site and its surroundings.

Legal agreement

- 19 The proposal is of a sufficient size that a contribution towards off site open space and play equipment would be required, through a legal agreement.

CONCLUSION

- 20 The principle of residential development is acceptable on this site, subject to details. Those provided here are considered to comply with policy and be unlikely to cause harm. It is considered that those reserved for future consideration could be compiled such that they would also be acceptable.

RECOMMENDATION

- 21 It is recommended that the application be approved subject to:

- a) The applicant entering into a Section 106 Legal Agreement for a contribution to off-site recreational public open space enhancement and play equipment;
- b) The following conditions, with delegated powers to the Director of the Urban Environment to make amendments to these as necessary;
- c) In the event that the Section 106 agreement has not been completed within two months of the resolution to grant approval, the application will be refused.

Reason for Approval

22 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. Approval of the details of the external appearance of the buildings and the landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the local planning authority before any development is begun.
2. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.
3. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later, and not prior to the granting of consent for all of the reserved matters.
4. Prior to the occupation of the dwellings hereby approved, the parking areas shown on the approved plans shall be surfaced and marked out in accordance with the approved details and thereafter maintained available for parking.
5. Development (including any building works) shall not begin until an air quality assessment has been carried out for the proposal and an appropriate scheme for protecting the proposed dwelling(s) from nitrogen dioxide due to road traffic has been submitted to and approved by the local planning authority. All works which form part of the scheme shall be completed before the permitted dwelling(s) is occupied.
6. Development shall not begin until a scheme for protecting the proposed dwellings fronting Bilston Street from road traffic on Bilston Street 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.
7. A close boarded fence shall be provided on the boundaries of the application site and the development at No. 40 Bilston Street, the Queen Victoria Nursery School and Sedgley Full Gospel Church Building. The fencing shall be 2 metres high and

shall have a minimum density of 10 kg/m² and maintain for the life of the development.

8. 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.
9. 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.
10. Development shall not begin until details of plans and sections of the lines, widths, levels, gradients and form of construction of service/access roads and drainage systems have been submitted to and approved by the local planning authority.
11. Prior to the commencement of the development the details of the removal or adjustment of the existing access and creation of the new vehicular access shall be submitted to and approved by the Local Planning Authority and shall be implemented in accordance with the approved details prior to first occupation.

