

# PLANNING APPLICATION NUMBER: P05/1191

Type of approval sought	FULL PLANNING PERMISSION
Ward	UPPER GORNAL & WOODSETTON
Applicant	RAVENS CROFT DEVELOPMENTS (UK) LTD
Location:	<b>SEDGLEY TILE AND MILL VIEW, CLARENCE STREET, UPPER GORNAL, WEST MIDLANDS</b>
Proposal:	<b>DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 10 NO 2 BEDROOM APARTMENTS WITH ASSOCIATED PARKING AND NEW ACCESS TO HIGHWAY (RESUBMISSION OF REFUSED APPLICATION P04/2680).</b>
Recommendation summary:	<b>APPROVE SUBJECT TO A 106 AGREEMENT</b>

## SITE AND SURROUNDINGS

1. The site has an area of 0.135 hectare and comprises a vacant shop with first-floor accommodation over and a detached house "Mill View". It is situated on the south-west side of Clarence Street, the A459, in what is primarily a residential area although there are a number of commercial premises fronting the main road.
2. It is adjoined by an electrical sub-station and a petrol filling station to the south, by a strip of open land to the west leading to the Vale Street Recreation Ground, and a public right of way from Clarence Street to Moden Close to the north. Directly opposite the site is a terrace of Victorian houses adjacent to which is a public house.

## PROPOSAL

3. It is proposed to demolish the existing properties and erect a 2½ storey, 'L' –shaped block of 10 two-bedroomed apartments with a car park at the rear accessed from a drive running alongside the public right of way.

## HISTORY

4.

APPLICATION No.	PROPOSAL	DECISION	DATE
<b>PO4/2680</b>	<b>Demolition of existing buildings and erection of 12 two-bedroomed apartments with associated parking and new access to highway.</b>	<b>Refused</b>	<b>22.3.05</b>

## PUBLIC CONSULTATION

5. Notification letters sent to 21 addresses, most residential properties. A site notice was also posted and brief details of the applications appeared in the Express & Star on 4<sup>th</sup> June 2005.
6. No representations have been received.

## OTHER CONSULTATION

7. **The Head of Public Protection has concerns regarding traffic noise due** to the proximity of some of the accommodation to Clarence Street. If the application is approved, relevant conditions requiring the submission of additional information and adequate insulation of the building should be imposed. Conditions relating to the treatment of any contamination are also recommended.
8. The Head of Traffic & Road Safety initially had concerns about the new bellmouth junction impinging slightly on the public right of way but raised no objection to the parking or access arrangements. Since these observations were made, an amended plan has been received keeping the access bellmouth clear of the right of way which has now been agreed by the Head of Traffic & Road Safety. He also requires any fencing along the boundary with the right of way to be open type and not more than 1.0m high.

## RELEVANT PLANNING POLICY

## 9. Policy 85: Development Control – Residential Areas

Policy 99: Highways and new development

Policy DDI: Urban Design

Policy DD4: Development in Residential Areas

## ASSESSMENT

10. **The previous application was refused on the grounds that the proposed three-storey building was out-of-character and scale with existing** development in the area and did not provide satisfactory arrangements for the collection of refuse.

11. Since that decision, the agents have discussed the proposals further with the Council's Urban Designer and the Head of Traffic and Road Safety.

12. The current scheme shows what effectively looks like a two-storey building with four flats on each floor but with an additional two flats accommodated within the roof space. To keep the height of the building down as much as possible and maintain the appearance of a two-storey development, it would only be possible to provide two flats within the roof space but they would be very low-key with limited fenestration in the roof, pitches and mostly in the form of velux-type windows.

Notwithstanding this, the flats would provide satisfactory accommodation and would receive adequate light and ventilation.

13. The adoption of an 'L'-shape was at the suggestion of the Urban Designer and has considerably reduced the mass and bulkiness of the building relative to the previous submission.

14. It is considered that the design and appearance of the building are quite satisfactory and that it would be in scale and character with its immediate surroundings.

15. It is slightly closer to Clarence Street than the previous scheme and the concerns of the Head of Public Protection in relation to traffic on the main road are appreciated. However, these are matters which can be dealt with adequately through conditions.

16. The bin store for the development has been repositioned to be within 9m of Clarence Street as required by the Head of Traffic & Road Safety. This has meant that it would occupy a fairly prominent position between the new access road and the right of way. Because of this, it is considered that this should be a brick enclosure rather than wood.

17. Aligning the access drive with the adjacent right of way would be beneficial in as much as the latter would effectively become a footway and, therefore, would be less likely to suffer from vandalism or anti-social behaviour.
18. It should be noted that no objections have been received to the application particularly from the occupiers of the terraced houses opposite.
19. The density of development is 74 dwellings per hectare. Notwithstanding that this is above the Government's suggested range of 30-50 dph, the site is on a bus route in a highly sustainable location with shopping and health facilities relatively close by at Upper Gornal Centre. Also, a generous level of parking would be provided (the Council's standard would only require 12 spaces) as well as a sizeable private amenity area. It should also be borne in mind that the adjacent right of way provides convenient access to the Vale Street Recreation Ground.

## CONCLUSION

20. The proposed development represents a considerable improvement on the previous scheme. The building is much more in scale and character with surrounding development and no objections have been received from local people. The amendment to the proposed access has overcome the Head of Traffic & Road Safety's only remaining concern and the noise of the Head of Public Protection can be addressed by conditions.

## RECOMMENDATION

21. It is recommended that, planning permission be granted, subject to:-
  - a) a Section 106 Agreement in respect of a commuted payment towards upgrading facilities at the Vale Street Recreation Ground,
  - b) the following conditions, with delegated powers to the Director of the Urban Environment to make amendments as necessary.

### Conditions and/or reasons:

1. visual

2. H01E Details of materials to be approved
3. C09B Contaminated Land
4. C10C Contaminated Land (Soil Gases)
5. J02A Landscaping scheme to be submitted
6. J03A \* Implementation of landscaping
7. G02D \* Revised plan
8. This permission shall relate to drawings numbered PL0312 – 100B, PL0312 – 100C and PL0312 – 003D.
9. I02A Car parking prior to occupation
10. An open fence or railing not more than 1.0 high shall be erected along the boundary with the adjacent public right of way before any of the flats are occupied. Such fence or railing shall be maintained for the life of the development with any damage being rectified within one month of the occurrence.
11. The bin store shall be enclosed by brick walls and a roof in accordance with details to be submitted to and approved in writing by the LPA. The bin store shall be constructed in accordance with the approved details before any of the flats are occupied and shall be maintained for the life of the development.
12. L01B \* Noise protection scheme