

PLANNING APPLICATION NUMBER: P05/2374

Type of approval sought	RESERVED MATTERS
Ward	AMBLECOTE
Applicant	TAYLOR WOODROW DEVELOPMENTS LTD
Location:	FORMER GAS WORKS SITE, HIGH STREET, AMBLECOTE, STOURBRIDGE, WEST MIDLANDS
Proposal:	RESIDENTIAL DEVELOPMENT OF 116 APARTMENTS AND ASSOCIATED WORKS (RESUBMISSION OF REFUSED APPLICATION P05/0002)
Recommendation summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The former Stourbridge Gas Works site extends beyond Church Avenue to the north east and Amblecote High Street to the west. The site comprises two distinct areas separated by a steep sandstone cliff (designated as a Site Of Importance for Nature Conservation). The higher area is accessed from Church Avenue and is predominantly surrounded by residential properties. This application relates to the lower western area which is a large open area of land enclosed from the roadway by metal palisade fencing and is accessed from the High Street.
2. The site, with the exception of the sandstone cliff, is largely flat. To the north of the site is St.Philip's Church, which is at a significantly higher level than the application site with a retaining wall planted with trees. Adjacent to the southern boundary is a footway/cycleway providing a link into Stourbridge Town Centre and Brierley Hill. The southern boundary of the site comprises a mix of retaining brick walls and wire metal fencing with concrete pillars. The area surrounding the site contains a diverse range of building types, occupations and uses.

PROPOSAL

3. Reserved matters consent is sought for the erection of 116no. 2-bed apartments at this site, of which 29 are to be 'affordable'. There are two components of the development with the main one being a courtyard-style layout comprising of five

blocks with a frontage to the High Street. The second component is a smaller 'L' shaped block at the south east of the site. Apartments are proposed for the site instead of conventional housing for the following reasons:

- Apartment-style development maximises the percentage of drained hardcover at the site, where as housing layouts incorporating private residential gardens result in an increase in the infiltration of rainfall through the site, and hence increase the potential for existing contaminants at the site to pollute the nearest surface water body (River Stour);
 - Remediation works carried out at the site indicate that 'capping' is required to ensure that the site is suitable for residential use – the use of private garden areas in the development is discouraged in order to minimise contact by future occupants with potential residual contamination beneath, and therefore an apartment-style development is recommended.
4. The applicant's submission includes details of remediation works required to be carried out to the eastern end of the site (the cliff area) in order to ensure that there is no risk to health, as it is not intended to restrict public access to this part of the site. The application is also accompanied by an Environment Management Report, an Ecological Walkover Survey, a Site Specific Risk Assessment, and a Safe Routes to School document.
5. The applicant has also indicated that information is to be submitted demonstrating that there is a legitimate market need within the area for the type of accommodation proposed. It is intended that this information will be submitted prior to the Committee meeting on January 16th and summarised in the pre-Committee note.

HISTORY.

6.

PROPOSAL	DECISION	DATE
Outline Residential Development (P03/1862)	Granted	September 2004
Residential Development of 127 no. Apartments & Associated Works (P05/0002)	Refused	July 2005

7. Application P05/0002 was refused on the grounds that a) the development proposed was over-intensive and failed to provide adequate levels of private and useable amenity space, and b) the development failed to make a positive contribution to the environment by reason of its scale, which would have a detrimental impact on the streetscene, character and amenities of the area. The proposal was therefore considered to be contrary to Policies 53 and 85 of the UDP.
8. A public inquiry into the refusal of application P05/0002 is to be held in June 2006.

PUBLIC CONSULTATION

9. No response received to neighbour notification,

OTHER CONSULTATION

10. English Nature has advised that the proposed development should include measures to protect and positively improve the SINC at the site. It is also recommended that no works affecting the existing wall on the northern boundary should be carried out until a scheme for protecting bats (if present) has been submitted and approved.

No objections from Head of Traffic and Road Safety subject to highway works agreed as part of the outline application being undertaken.

RELEVANT PLANNING POLICY

11. Policies DD1 – Urban Design
 - DD7 - Planning Obligations
 - DD10 – Nature Conservation & Development
 - STC1 – Thoroughfares and Public Spaces
 - STC2 (XIII) – Street Blocks
 - AM14 – Parking
 - H5 – Affordable Housing
 - H6 – Housing Density
 - NC4 – Sites of Importance for nature Conservation

of the adopted UDP.

12. PPG3 (Housing)

ASSESSMENT

13. PPG3 (Housing) advises that, in order to increase housing densities on previously-developed land in urban areas and to provide more sustainable forms of development, local planning authorities should seek greater intensity of development (above 50 dwellings per hectare) at places with good public transport accessibility such as town centres or near good quality public transport corridors. Policy H6 (Housing Density) of the UDP advises that densities of greater than 50 dwellings per hectare should be the target for sites within the walkable catchment of town and local centres and public transport corridors. The proposed development, on a site which is within walking distance of Stourbridge Town Centre and close to public transport routes, has a density of 59 dwellings per hectare. The proposal therefore conforms in principle with the requirements of PPG3 and Policy H6 in respect of density.
14. The proposals for this site have been developed in response to a complex set of issues (relating to contamination and nature conservation) which has led to a restricted footprint. This scheme is essentially similar to that proposed by application P05/002, although the main apartment block previously proposed has now been divided up into a number of smaller blocks, whilst storey heights have been reduced from four storey to

three in some parts of the development. The benefit of this new layout is to open up the site and allow views into and through the middle of the site. Policy STC2(XIII) identifies this site as suitable for residential purposes and encourages the development of a major landmark building given that the site fronts the strategic highway on an approach to the town. The concentration of three and four storey development has been designed to positively address the High Street, the public right of way/ cycle route to the south and the SINC to the east, as well as trying to create an attractive, hard landscaped courtyard for the benefit of prospective residents. Existing nearby development is of a varied nature and it is therefore considered that the development would make a positive contribution to the enhancement of the townscape of the Borough and the quality of the environment in accordance with the requirements of Policy DD1 of the UDP. PPG3 advises that where a proposed housing development involves the use of a previously-developed site it may be appropriate to relax development plan standards in respect of design, layout and density. A recent Inspectors decision in the Borough has indicated that open space standards are mostly a matter of marketing judgement by developers. In the light of this advice it is considered acceptable that no private amenity space is provided in this case.

15. 139 parking spaces are shown on the submitted plans, of which a small number are to be provided as 'undercroft' parking within the basement of the proposed apartment blocks. PPG3 advises that where a proposed housing development involves the use of a previously-developed site it may be appropriate to relax development plan standards in respect of parking. The proposed parking provision in this case is acceptable given this advice and also because the site is located close to Stourbridge town centre and is well served by public transport. Policy AM14 is also of relevance here as it requires levels of parking provision to be provided in new developments which seeks to reduce reliance on car usage, reduce congestion and enhance safety, encourage the use of other travel modes, and reduce levels of non-essential traffic on the strategic highway network.

- 16 Policy DD10 of the UDP states that the Council will ensure that the effects of development proposals on wildlife and geological features are taken into account in new development schemes. Policy NC4 indicates that development will not normally be allowed where it would unreasonably prejudice the nature conservation value of designated sites of importance for nature conservation. The applicants have liaised with Landscape and Nature Conservation Officers to meet nature conservation policy

requirements and ensure the development fits into the landscape and ecology of the site. The proposed remediation works to the SINC at the site can be carried out without resulting in any significant loss of vegetation. The SINC is to remain accessible to the public. Landscaping proposals and a management plan for the site and boundary treatment to the embankment and the large retaining wall on the northern boundary with the church have been submitted. The Ecological Walkover Survey identifies the primary ecological concerns in terms of habitats and species that may be present on the site, and recommends that any plans to develop the site should ensure that no damage is caused to the habitats that occur on the SINC. The site contains a 20th century air raid shelter. The proposed development would have no adverse implications for the long-term retention of this feature. A condition can be imposed requesting details of how access to the shelter by members of the public is to be restricted.

- 17 Details of the proposed walls/fencing to be erected on the site's boundary with the cycleway/footway are to be submitted for approval. Policy STC1 of the UDP identifies this route as a significant thoroughfare within the town centre. Improvements to be carried out to the boundary of this thoroughfare should help to increase its attractiveness to users.

- 18 The outline consent for this site was granted subject to a Section 106 Agreement which required contributions toward the provision of affordable housing and public open space, in accordance with Policy DD7 of the UDP. The Agreement required the provision of 30% affordable housing within the development (split 50/50 between social rented and shared equity accommodation). Because of the reduction in the number of units proposed by this application, the scheme would not be viable if there continues to be a requirement for 30% affordable dwellings. Pre-application discussions with Housing Officers have taken place on the basis that the Section 106 Agreement would be varied to provide only 25% affordable housing on the site (29 units), on a shared equity basis. This is considered to acceptable as the reduced number of affordable units is only 5% less than the previously agreed number.

CONCLUSION

19. The application constitutes the re-use for residential purposes of previously-developed, vacant land close to a town centre. The high density development approach taken by the applicant in this case is therefore entirely appropriate in principle. The proposed

development would make a positive contribution to the surrounding area. The shortfall in parking and amenity space provision at the site is acceptable in terms of relevant local and national planning policy. The proposal complies with Policies DD1, DD10, STC1, STC2(XIII), AM14, H5, H6, and NC4 of the adopted UDP and the relevant advice given in PPG3, and as such approval is recommended.

RECOMMENDATION

20. Reason for Approval

This application proposes the beneficial residential use of previously developed land in close proximity to a town centre in accordance with outline approval P03/1862 and in conformity with Policies DD1, DD10, STC1, STC2 (Xiii), AM14, H5, H6 and NC4 of the adopted Unitary Development Plan and the relevant advice given by PPG 3 Housing.

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

1. No dwellings shall be occupied until highway improvements required by the Section 106 obligation attached to outline approval P03/1862 have been completed (Reason – To ensure the satisfactory functioning of the development, in accordance with Policy DD6 of the UDP)
2. No development shall commence until details of methods to restrict access to the air raid shelter at the site by members of the public have been submitted to and approved in writing by the local planning authority (Reason – To safeguard the feature of historic importance at the site, in accordance with Policy HE1 of the UDP)
3. For the avoidance of doubt, this permission relates to drawing numbers 2.11558.01, 1.11558.02, 2.11558.100, 2.11558.201-209, 2.11558.301-306, 2047LO/001.F, 2047LO/002.E, 2047LO/003.F, 2047LO/004.E, and 2047LO/005A, and shall be implemented in strict accordance with these plans unless otherwise agreed in writing with the LPA (Reason - In order to ensure that the development proceeds in an appropriate manner for the site and surroundings and in compliance with UDP Policy DD1).

This reserved matters application was made in pursuance of outline planning permission P03/1862 granted on 21/09/2004, the terms of which are required to be complied with.

The following reserved matters are approved under the terms of this permission:

- siting;
- design;
- external appearance (this is with the exception of the following details which are required to be submitted for approval: samples of external materials (Condition 8 of P03/1062) and boundary treatment (Condition 10 of P03/1862))
- landscaping of the site

Conditions 1 – 3 above are additional to the conditions attached to P03/1862 and are required to be complied with under the terms of this approval of reserved matters. This is as a result of the local planning authority reasonably exercising control over specific details of the proposal, which were not known or fully set out, at the time of the outline approval.

Conditions and/or reasons:

1. No dwellings shall be occupied until highway improvements required by the Section 106 obligation attached to outline approval P03/1862 have been completed.
2. No development shall commence until details of methods to restrict access to the air raid shelter at the site by members of the public have been submitted to and approved in writing by the local planning authority.
3. For the avoidance of doubt, this permission relates to drawing numbers 2.11558.01, 1.11558.02, 2.11558.100, 2.11558.201-209, 2.11558.301-306, 2047LO/001.F, 2047LO/002.E, 2047LO/004.E, and 2047LO/005A, and shall be implemented in strict accordance with these plans unless otherwise agreed in writing with the LPA.