

PLANNING APPLICATION NUMBER:P07/1729

Type of approval sought	Full Planning Permission
Ward	BRIERLEY HILL
Applicant	Dudley MBC
Location:	FORMER LEISURE CENTRE SITE, COTTAGE STREET, BRIERLEY HILL, WEST MIDLANDS, DY5 1RE
Proposal	SITE FILLING AND RE-GRADING TO MAXIMUM OF 3M ABOVE EXISTING LEVELS
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. This 0.49 hectare site is located some 200 m to the south of Brierley Hill High Street and lies directly adjacent to the line of Parallel Route, which is currently under construction.
2. The irregularly shaped site is currently vacant and forms a bowl following the demolition of previous structures. The site lies below the level of the Parallel Route.

PROPOSAL

3. This application seeks approval for the filling of the site to create a plateau at grade with the Parallel Route that is capable of future development. The proposed fill to a maximum of 3 m in depth will have a battered and ramped edge sloping down to existing ground levels. Existing trees on the eastern boundary of the site will be unaffected.
4. A further benefit to accrue from the proposal will be the use of surplus excavated material from the Parallel Route will not be required to be removed off-site with consequent heavy traffic movements through the Brierley Hill area.

HISTORY

5.

APPLICATION No.	PROPOSAL	DECISION	DATE
PO5/2009	Construction of new lengths of road - Parallel Route	Approved with conditions	08.11.05

PUBLIC CONSULTATION

6. The application has been the subject of direct notification and the display of a site notice, from which no objections have been received.

OTHER CONSULTATION

7. Group Engineer - Development: No objection

Head of Public Protection: No objection

Environment Agency: No objection

RELEVANT PLANNING POLICY

8. Adopted Unitary Development Plan 2005

Policy S2 - Creating a more sustainable Borough

Policy NC9 - Mature Trees

Policy EP8 - Waste and Development

Policy CR5 - Regeneration and Development of Centres

ASSESSMENT

9. Key Issues:

Visual and natural impact.

Sustainability and future development

10. Visual and natural impact

The raising of levels to be at grade with the Parallel Route will have little adverse visual impact due to the backdrop of the road to the west and the tree screen to the eastern boundary. Beyond the tree screen levels falls by a further two metres to a lower plateau and then by ten metres to the Dudley Canal, from which the works will not be visible.

11. The tree screen to the eastern boundary is unaffected by the development and the extent of filling works proposed. On this basis the development is considered to conform with the requirements of Policies NC9 and DD1 in that appropriate use is made of natural resources including their retention.

Sustainability and future development

12. The use of construction materials from the Parallel Route to re-contour an adjoining future development site is wholly sustainable in terms of Policies S2 and EP8 in reducing waste and vehicle journeys. Future designation of Brierley Hill as a Centre will provide the focus for future development of facilities in accordance with Policy CR5.

CONCLUSION

13. The development provides for the sustainable use and translocation of construction material to provide for a development plateau with no adverse impact upon visual amenity or mature trees in accordance with UDP Policies S2, NC9, EP8 and DD1 of the adopted Unitary Development Plan.

RECOMMENDATION

14. Approval subject to conditions.

REASON FOR APPROVAL:-

The development provides for the sustainable use and translocation of construction material to provide for a development plateau with no adverse impact upon visual amenity or mature trees in accordance with UDP Policies S2, NC9, EP8 and DD1 of the adopted Unitary Development Plan.

INFORMATIVE:

This permission shall relate to Drawings Nos. A01, 041 C and A01, 040 C.

Conditions and/or reasons:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. Prior to the completion of development details of boundary treatments or means of enclosure to be erected on the site shall be submitted to and agreed in writing by the Local Planning Authority with such treatments or enclosures provided on site within three months of the completion of filling works.