

PLANNING APPLICATION NUMBER:P07/2323

Type of approval sought	Outline Planning Permission
Ward	LYE & WOLLESCOTE
Applicant	Mr A Mudir
Location:	1-2, BROMLEY STREET, LYE, STOURBRIDGE, DY9 8HY
Proposal	ERECTION OF 4 NO. UNITS FOR B1, B2 AND B8 USE (OUTLINE) (ACCESS AND SCALE TO BE CONSIDERED WITH ALL OTHER MATTERS RESERVED FOR SUBSEQUENT APPROVAL) - (RESUBMISSION OF WITHDRAWN APPLICATION P07/0005)
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The 0.145ha application site is the location of a car scrap yard and car repair business situated on the corner of Bromley Street and a private road leading toward Lye Industrial Estate.
2. A single point of access is available from the north of the site. As can be expected, the site accommodates scrap vehicles, some up to 3 cars high; car parts are also strewn across the site. A single storey unit is positioned in the centre of the site. There is an existing 3m high clad metal fence surrounding the site.
3. In terms of site level, from the west to the east, there is a drop of approximately 2m, within the site this only appears as a gradual decline, however, following the footpath and road around the site, this is more pronounced, due to the retaining boundary structures and fencing.
4. The Birmingham to Worcester railway line is located on the southern boundary, an embankment drop of some 3m-4m occurs before the railway line. The 3m fencing and other fairly poorly fencing further along the site provides the boundary treatment.

5. A skip hire business is located on the eastern boundary, beyond which Lye Valley Industrial Estate, this accommodating a variety of purpose built industrial units.
6. On the opposite side of the road to the north is the Stour Valley Linear Open Space (LOS) and Stour Valley Meers Coppice Site of Local Importance for Nature Conservation (SLINC).
7. The surrounding area is generally industrial in nature, designated as a Key Industrial Area, Central Employment Zone and an Industrial Renewal Area within the UDP.

PROPOSAL

8. This outline application proposes the erection of 4 new industrial units operating for B1, B2 and B8 uses, scale and access are matters for consideration.
9. The indicative access shows that units are to be erected along the east of the site, and are shown to measure 15.5m deep by 7m wide. The maximum height is shown to be 5.6m.
10. Access to the site is from Bromley Street, via security gates.
11. An indicative parking layout shows 18 spaces plus 1 disabled bay.

RECENT PLANNING HISTORY

Application no.	Proposal	Decision	Decision Date
P07/0005	Erection of six units for B1 B2 and B8 use (Outline) (Access and scale to be considered with all other matters reserved)	Withdrawn	28/02/2007
P05/2611	Certificate of lawfulness for an existing building for use as car part storage	Certificate Granted	03/05/2006
P05/1095	Erection of a 3m high fence on South boundary	Approved with Conditions	08/07/2005
P04/0318	Erection of two workshop units for B1, B2 and B8 use	Withdrawn	30/09/2004

16. The most recent planning application P07/0005 was withdrawn following concerns with the intensity of 6 units and the lack of parking. It was also suggested that Network Rail concerns relating to land ownership be addressed in order to fully assess the proposal.

PUBLIC CONSULTATION

17. Direct notification was carried out to all adjoining and adjacent properties as a result of which no letters of objection have been received.

OTHER CONSULTATION

18. The Group Engineer (Development): raises no objection subject to conditions.
19. The Head of Public Protection: raises no objection subject to relevant conditions.
20. Network Rail: raises no objection subject to relevant conditions.
21. The Environment Agency: raises no objection subject to a condition.

RELEVANT PLANNING POLICY

22. Adopted UDP (2005)
EE1 – Key Industrial Area and Development Sites
UR1 – Central Employment Zone
UR5 – Industrial Renewal Areas
DD5 – Development in Industrial Areas
DD6 - Access and Transport Infrastructure
AM14 – Parking
AM16 – Travel Plans
EP7 – Noise Pollution
UR9 – Contaminated Land
NC5 – Sites of Local Importance for Nature Conservation
NC6 – Wildlife Species

23. Supplementary Planning Document
 Parking Standards and Travel Plans
 Planning Obligations

ASSESSMENT

24. The main issues in determination of this application are;
- the principle of the use in this area,
 - impact upon character and appearance of this area;
 - upon highway safety;
 - wildlife species

Principle of use

25. Policy EE1 is intended to safeguard existing and ongoing industrial employment land use – thus identifying acceptable uses to be B1 Research and Development and Light Industry, B2 General Industry and B8 Storage and Distribution, and stating that any ancillary uses must be with respect to these land use classifications. The redevelopment of the site would continue to support the concentration of employment in this area, and would introduce further employment opportunities to facilitate the regeneration of this area.
26. Consistent with Policies UR5 and UR1 this application would modernise and enhance the image and attractiveness of the site, currently comprising of a unpleasant scrap yard use premises. This has the potential to boost vitality and encourage new investment into the Borough. The principle of this development is therefore wholly acceptable in terms of development plan policy.

Character and Appearance

27. The site is somewhat shabby in appearance; as can be expected scrap vehicles and parts across the site do little to contribute to the visual amenities of the site. The surrounding 3m high-corrugated fencing represents a further eyesore in this locality.

28. Elevation plans show the maximum height of the units to be 5.6m, this is a relatively suitable scale for these proposed units, and comparable to those units found further east of the site in Lye Valley Industrial Estate. If they are to be laid out to the east of the site as shown on the indicative layout, the impact would be further limited as this is the lowest part of the site.
29. At this stage, the layout and external appearance of the units are reserved matters. However, it is considered that with careful design treatment, the proposed units would offer an opportunity to improve the visual appearance across the site. The application also offers the chance to implement areas of landscaping, thereby improving the environmental quality of the area.
30. The proposal would replace the scrap yard with all its associated negative elements, with four modern units. As long as the layout and appearance is sensitively managed, then this proposal would enhance the character and appearance of the area, and UDP Policies DD1 and DD5 would be complied with.

Impact upon highway safety

31. The indicative layout shows that an adequate level of off-street parking spaces can be accommodated on site.
32. On this basis there are no objections to the proposal from the Group Engineer, Development, although conditions relating to the provision of secured cycle facilities and shower facilities, visibility splays, details of retaining structures and barrier protection systems are requested. The proposal would therefore conform to Policies DD6 and AM14.

Wildlife Species

33. The site is adjacent to the Stour Valley Network Linear Open Space and Stour Valley Meers Coppice – Bobs Coppice Site of Local Importance for Nature Conservation. The site can be seen as a strategic location for the movement of species between these two potential wildlife corridors.

34. To retain a bat corridor in the west area of the proposal it is important that light pollution is minimised within the site and that sensitive landscaping be carried out to accord with UDP Policy NC6.

Other matters

35. Policy DD7 and Planning Obligations SPD require that new development should contribute to transport improvements in the wider area in line with the increase in users arising from the development. This can be dealt with in a legal agreement (S106) to accompany the application. The applicant has indicated their acceptance of this principle and the recommendation is made on this basis.
36. Given the historical land use, the Head of Environment Protection and the Environment Agency consider that conditions are required to ensure that a scheme to deal with contamination has been submitted and approved in order to conform with Policy UR9 of the Adopted UDP.
37. Given the close proximity of an operational railway, Network Rail have suggested guidelines that must be followed to ensure the safety, operational needs and integrity of the railway.

CONCLUSION

38. The proposed redevelopment of this site for an appropriate industrial use is to be encouraged, given the site's designation within Key Industrial Area and Industrial Renewal Area, and the opportunity to regenerate the site and continued support of employment in the Borough. Although a number of matters remain reserved for subsequent approval, it is considered that the scale and access to/from the site is acceptable. Ensuring no adverse impact upon character and appearance of this area; highway safety or wildlife species. This proposal is therefore compliant with the requirements of Policies EE1 – Key Industrial Area and Development Sites, UR1 – Central Employment Zone, UR5 – Industrial Renewal Areas, DD5 – Development in Industrial Areas, DD6 - Access and Transport Infrastructure, AM14 – Parking, AM16 – Travel Plans, EP7 – Noise Pollution, UR9 – Contaminated

Land, NC5 – Sites of Local Importance for Nature Conservation, NC6 – Wildlife Species, Supplementary Planning Documents - Parking Standards and Travel Plans and Planning Obligations.

RECOMMENDATION

39. It is recommended that this application is approved subject to;
- a) The development not beginning until a scheme for the submission and approval of a planning obligation to guarantee provision of off-site Transport Improvements has been submitted to and agreed in writing by the Local Planning Authority.
 - b) The following conditions, with delegated powers to the Director of the Urban Environment to make amendments to these as necessary.;

REASON FOR THE GRANT OF PLANNING PERMISSION

The proposed redevelopment of this site for an appropriate industrial use is to be encouraged, given the site's designation within Key Industrial Area and Industrial Renewal Area, and the opportunity to regenerate the site and continued support of employment in the Borough. Although a number of matters remain reserved for subsequent approval, it is considered that the scale and access to/from the site is acceptable. Ensuring no adverse impact upon character and appearance of this area; highway safety or wildlife species. This proposal is therefore compliant with the requirements of Policies EE1 – Key Industrial Area and Development Sites, UR1 – Central Employment Zone, UR5 – Industrial Renewal Areas, DD5 – Development in Industrial Areas, DD6 - Access and Transport Infrastructure, AM14 – Parking, AM16 – Travel Plans, EP7 – Noise Pollution, UR9 – Contaminated Land, NC5 – Sites of Local Importance for Nature Conservation, NC6 – Wildlife Species, Supplementary Planning Documents - Parking Standards and Travel Plans and Planning Obligations.

INFORMATIVE 1

For the avoidance of doubt, this permission relates to drawings numbers GT159b 1 to 6 (inc) and shall be implemented in accordance with these plans unless otherwise agreed in writing with the LPA.

INFORMATIVE 2

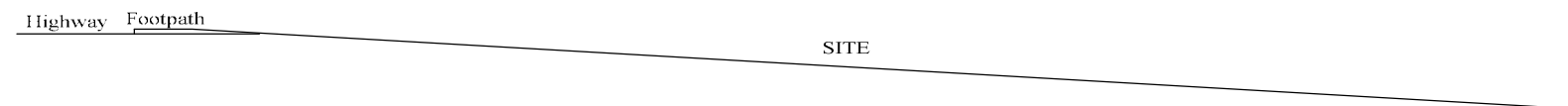
It is the applicant's responsibility to ensure compliance with additional Network Rail requirements in construction of the approved units outlined in their letter dated 15th January 2008.

Conditions and/or reasons:

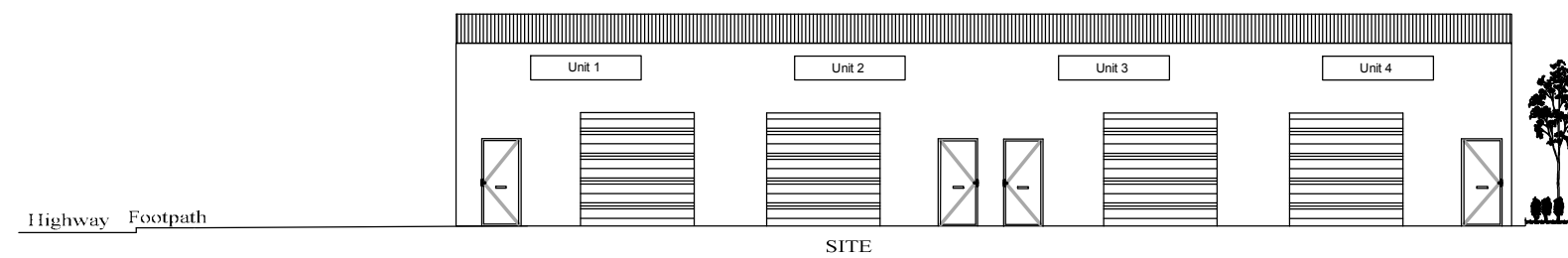
1. Approval of the details of the layout and appearance of the buildings, and the landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the local planning authority before any development is begun.
2. Application for reserved matters approval must be made not later than the expiration of three years beginning with the date of the grant of outline planning permission; and the development to which the permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matters to be approved.
3. The development shall not be begun until a scheme for the provision of-
 - Off site Transport improvementshas been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the method, timing and arrangements to comply with the Council's policies for the provision of the infrastructure required in connection with the proposed development.
4. Development shall not begin until details of the type, texture and colour of materials to be used in the external elevations have been submitted to and approved by the local planning authority.
5. Development shall not begin until details of the existing and proposed levels of the site, which should be related to those of adjoining land and highways, have been submitted to and approved by the local planning authority.
6. 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.

7. 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.
8. Any outside lighting should be close to the ground and directed downwards. It should be activated by a timed sensor with a low movement sensitivity, so as not to be triggered by wildlife. A plan detailing outside lighting will be submitted and approved in writing by the Council before any works proceed. All works must be carried out in accordance to the approved plan.
9. None of the units shall be occupied until works for the disposal of foul and surface water drainage have been provided on the site to serve the development hereby permitted, in accordance with details to be submitted to and approved by the Local Planning Authority.
10. Before development commences details of boundary treatment, including retaining structures and barrier protection systems as necessary, shall be submitted to, and approved in writing by, the Local Planning Authority. The approved boundary treatment shall be installed prior to first occupation of the units to be erected.
11. Development shall not begin until a detailed scheme incorporating visibility splays, means of access, turning areas and parking areas has been submitted and approved in writing by the local planning authority. And shall thereafter be provided in accordance with the approved details and be retained for the life of the development.
12. Prior to commencement of development details of secure undercover cycle parking and shower facilities should be submitted to and approved in writing by the LPA. Prior to first use the cycle parking and the shower facilities should be implemented in accordance with the approved plan and maintained for no other purpose for the life of the development.



EXISTING SECTION A-A - LEVELS
Scale 1:200



PROPOSED SECTION A-A - LEVELS
Scale 1:200

Rev 1 – Reduce units and amend site layout and internal unit layouts.

Application: 4 New Units B1(c) B2 & B8 – Outline Planning			
Date:	02 nd November 2007		
Site:	1 Bromley Street Lye Stourbridge, DY9 8HY	Dwg.No:	GT159b – 6
		Drawn By:	Gurp's Benning

G T DESIGNS
Building Designs & Technical services

West Midlands House
Gipsy Lane
Willenhall
WV13 2HA
Tel/Fax: 01902 482544 Mob: 07976316780
Email: g_tdesigns@hotmail.com

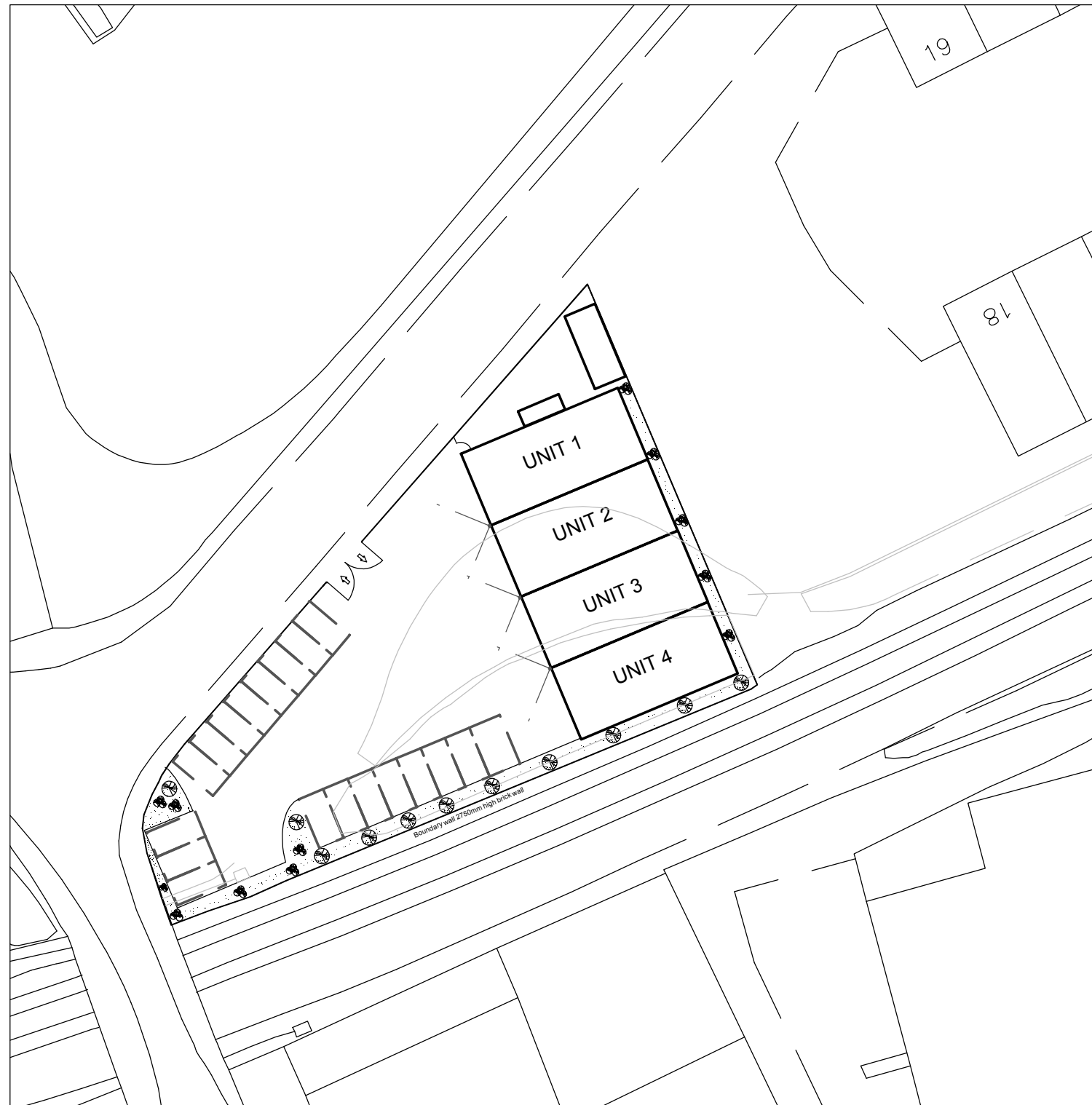


EXISTING SITE PLAN Scale 1:500

Rev 1 – Reduce units and amend site layout and internal unit layouts.

Application: 4 New Units B1(c) B2 & B8 – Outline Planning			
Date:	02 nd November 2007		
Site:	1 Bromley Street Lye Stourbridge, DY9 8HY	Dwg.No:	GT159b – 1
		Drawn By:	Gurp's Benning

G T DESIGNS	
<i>Building Designs & Technical services</i>	
West Midlands House Gipsy Lane Willenhall WV13 2HA	
Tel/Fax:01902 482544 Mob:07976316780 Email:g_tdesigns@hotmail.com	



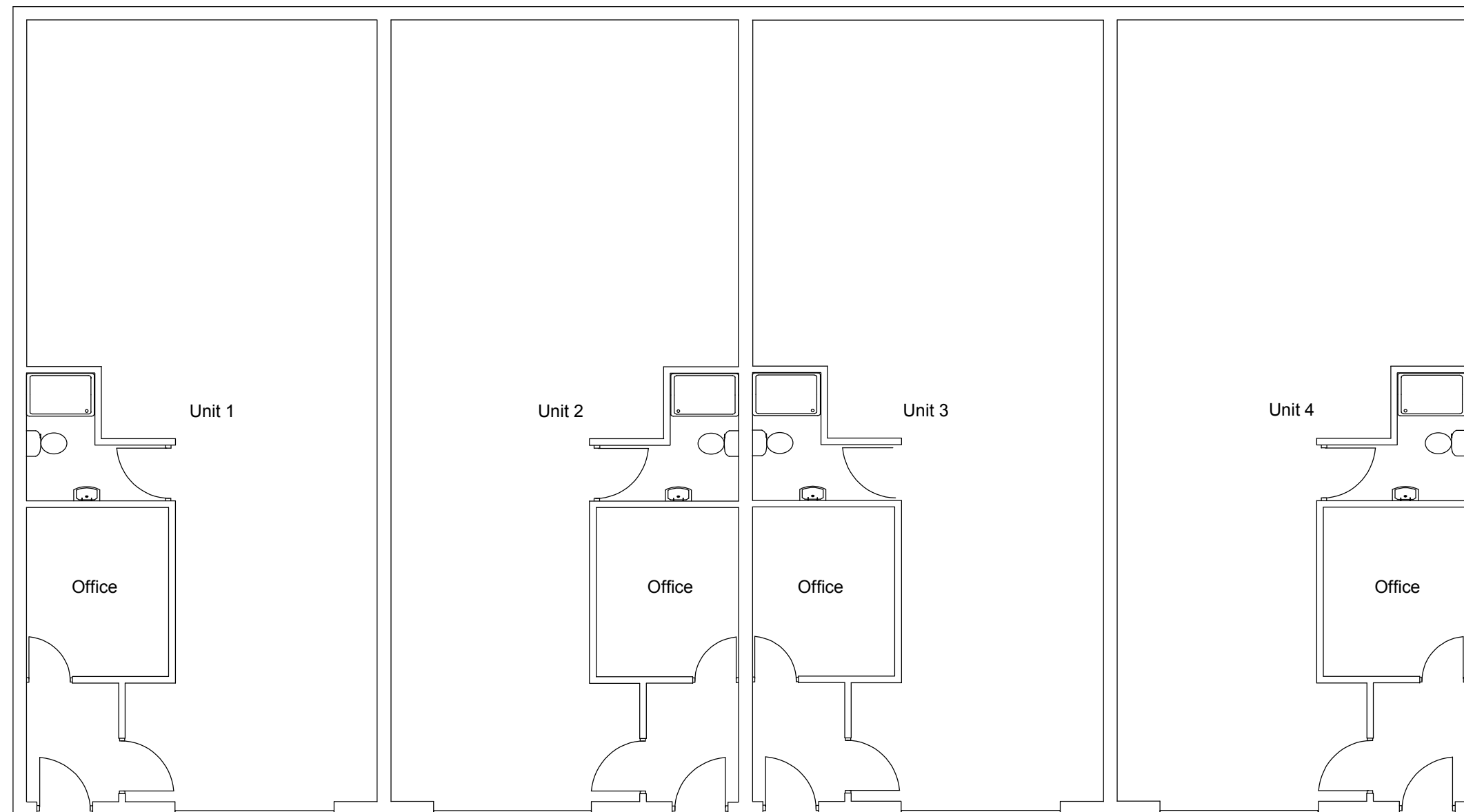
PROPOSED SITE PLAN 1 Scale 1:500

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Rev 1 – Reduce units and amend site layout and internal unit layouts.

Application:
4 New Units B1(c) B2 & B8 – Outline Planning
Date: 02nd November 2007
Site: 1 Bromley Street Dwg.No: GT159b – 2
Lye Drawn By: Gurp's Benning
Stourbridge, DY9 8HY

G T DESIGNS
Building Designs & Technical services
West Midlands House
Gipsy Lane
Willenhall
WV13 2HA
Tel/Fax: 01902 482544 Mob: 07976316780
Email: g_tdesigns@hotmail.com



PROPOSED FLOOR PLANS

Scale 1:100

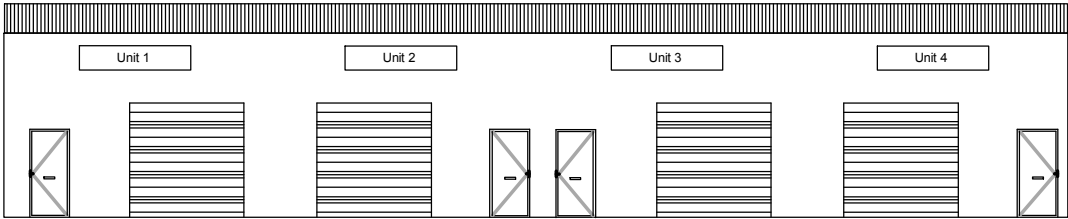
Rev 1 – Reduce units and amend site layout and internal unit layouts.

Application:			
4 New Units B1(c) B2 & B8 – Outline Planning			
Date:	02 nd November 2007		
Site:	1 Bromley Street Lye Stourbridge, DY9 8HY	Dwg.No:	GT159b – 4
		Drawn By:	Gurp's Benning

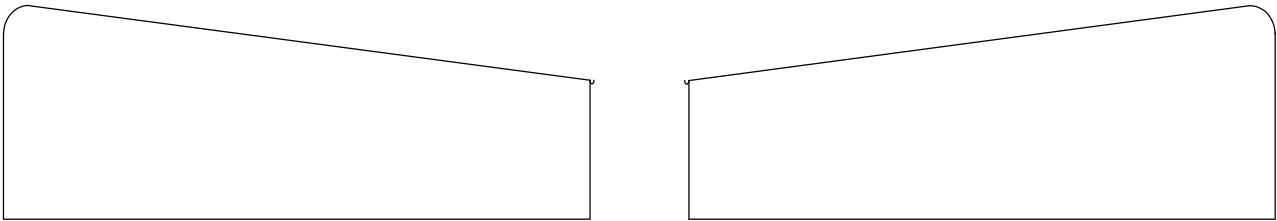
GT DESIGNS
Building Designs & Technical services

West Midlands House
 Gipsy Lane
 Willenhall
 WV13 2HA

Tel/Fax: 01902 482544 Mob: 07976316780
 Email: g_tdesigns@hotmail.com

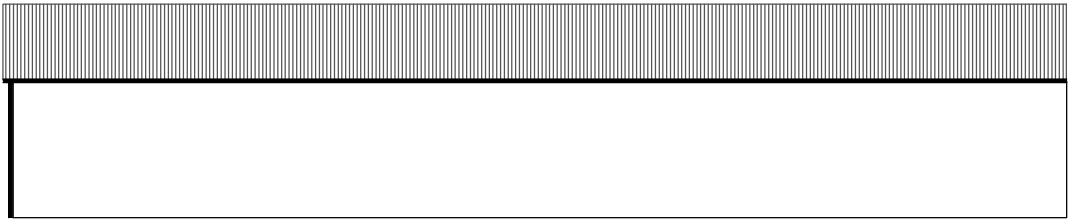


PROPOSED FRONT ELEVATION
Scale 1:200



PROPOSED SIDE 1 ELEVATION
Scale 1:200

PROPOSED SIDE 2 ELEVATION
Scale 1:200



PROPOSED REAR ELEVATION
Scale 1:200

Rev 1 – Reduce units and amend site layout and internal unit layouts.

Application: 4 New Units B1(c) B2 & B8 – Outline Planning			
Date: 02 nd November 2007			
Site:	1 Bromley Street Lye Stourbridge, DY9 8HY	Dwg.No:	GT159b – 5
		Drawn By:	Gurp's Benning

G T DESIGNS
Building Designs & Technical services

West Midlands House
Gipsy Lane
Willenhall
WV13 2HA
Tel/Fax: 01902 482544 Mob: 07976316780
Email: g_tdesigns@hotmail.com