

PLANNING APPLICATION NUMBER:P09/1401

Type of approval sought	Full Planning Permission
Ward	PEDMORE & STOURBRIDGE EAST
Applicant	Mr WAYNE ETHERIDGE
Location:	THE CROSS INN, HAGLEY ROAD, STOURBRIDGE, WEST MIDLANDS, DY8 1RD
Proposal	CHANGE OF USE OF LAND FOR THE SITING OF A MOBILE CATERING TRAILER (RETROSPECTIVE)
Recommendation Summary:	REFUSE

SITE AND SURROUNDINGS

- The site measures 0.12 hectares and comprises a public house on the corner of Glasshouse Hill and Hagley Road with its associated car parking and beer garden area. The site is located within a mixed use area with the eastern boundary of the site abutting no. 1-11 The Beeches, a flatted residential scheme, a vacant former ambulance station to the north of the site, retail units to the west and Glasshouse Hill to the south with a petrol filling station beyond.

PROPOSAL

- The proposal seeks retrospective planning permission for the change of use of land for the siting of a mobile catering trailer. The trailer measures 4 square metres and is sited within the south-western part of the existing pub car park within 1.5 metres of the western boundary of the site. The side elevation of the catering trailer faces Hagley Road with the front elevation facing towards the side elevation of no. 125 Hagley Road.

HISTORY

APPLICATION No.	PROPOSAL	DECISION	DATE
P08/1850	Erection of 2 no. marquees on car park to provide temporary overspill accommodation to customers during special events (retrospective)	Refused and Appeal dismissed	4 th September 2009

PUBLIC CONSULTATION

3. The application was advertised by way of neighbour notification letters being sent to the occupiers of twenty-five properties within close proximity to the application site. The latest date for comments was the 11th February 2010. At the time of writing the report no letters of objection have been received.

OTHER CONSULTATION

4. Group Engineer (Development): The application is for a 4 sq m hot food take away cabin on the car park of the existing car park. The cabin with vehicle uses up 3 spaces, 1 space per 20 sq m is the maximum standard for A5 use, however, at peak hours such facilities can easily attract up to 3 vehicles. Therefore 3 spaces should be marked for the operator's vehicle and cabin plus 3 spaces marked for hot food take away customers only. The applicant states the pub is 124 sq and the maximum standard is 1 space per 8 sq m = 16 spaces. This leaves 12 spaces available for shoppers and hot food take away customers.
5. Group Engineer (Development) raises concerns regarding short term indiscriminate parking associated with hot food take away. This is due to the site being located immediately adjacent to the stop line at a busy traffic signal junction. Short term indiscriminate parking could have an effect on traffic flow and present a danger to other road users. However, it is noted that there are numerous other takeaway

establishments located around the junction and a sandwich shop opposite. The junction is protected by double yellow lines, but in practice this would not prevent short term parking.

6. The pub car park seems to have ample parking for the pub plus additional use in relation to the Council's maximum standards and there is parking available for the hot food take away which should be allocated.
7. Although we have concerns regarding this application and the possible detrimental effects on the highway there appears no reason for an objection which could be sustained.
8. Head of Environmental Health and Trading Standards: The application states that the mobile catering trailer has operated at this location, in the car park of The Cross Inn, since September 2009. No complaints associated with noise or odours from the trailer have been received in this time. The trailer is situated in a noisy location on the crossroads of a busy junction. As such, it is considered that the imposition of restrictions on the hours of operation of the mobile food trailer, in line with those proposed by the applicant, will be sufficient to protect the amenity of any nearby residents.

RELEVANT PLANNING POLICY

- Unitary Development Plan

DD1 Urban Design

DD2 Mixed Use

DD4 Development in Residential Areas

DD6 Access and Transport Infrastructure

AM14 Parking

CR11 Retail (A3) Uses and Amusement Arcades

9. The site is not designated for any particular use within the Adopted Dudley Unitary Development Plan (2005).

- Supplementary Planning Document(s)

Parking Standards and Travel Plans

- Supplementary Planning Guidance

PGN 28: Hot Food Takeaway Shops, Restaurants and Cafes

- Regional Spatial Strategy

QE3 Creating a high quality built environment for all

ASSESSMENT

Key Issues

- Appearance
- Impact upon the existing car park and highway safety

Appearance

10. The mobile catering trailer is parked in a prominent location which is readily visible in both directions looking south and north from both Hagley Road and when looking east from Heath Lane. The site frontage comprises a low level brick wall with railings with the catering trailer being parked behind this. By nature the trailer is a temporary structure. It has been hand painted white with a glass servery located on its front elevation with a yellow and white striped canopy over. Despite the site being situated within a mixed use area the catering trailer forms a visually prominent temporary structure within the street that forms an incongruous addition within the street scene which visually detracts from the character and appearance of the area contrary to Policy DD1 of the adopted Dudley Unitary Development Plan.

Impact upon the existing car park and highway safety

11. The application is for a four sq m hot food take away cabin on the car park of the existing car park. The cabin with vehicle uses three existing spaces within the car park. The Parking Standards and Travel Plan SPD require the provision of one space per twenty sq m being required as a maximum standard for take-away (A5) uses. However, Group Engineer (Development) considers that at peak hours such facilities

can easily attract up to three vehicles and therefore that three spaces should be marked out for the operator's vehicle and cabin plus three spaces for hot food take away customers only. The applicant states the pub measures 124 sq m and the maximum standard is 1 space per 8 sq m. This would require the provision of sixteen spaces. Based on the current car park layout, this would leave 12 spaces for the pub use and the hot food take-away customers. This would be sufficient to meet the needs of the development and to ensure compliance with Policy AM14 of the Adopted Dudley Unitary Development Plan (2005) and the Parking Standards and Travel Plans SPD.

12. Group Engineer (Development) raises concerns regarding short term indiscriminate parking associated with hot food take away. This is due to the site being located immediately adjacent to the stop line at a busy traffic signal junction. Short term indiscriminate parking could have an effect on traffic flow and present a danger to other road users. However, there are numerous other takeaway establishments located around the junction and a sandwich shop opposite. The junction is protected by double yellow lines, but in practice this would not prevent short term parking. Although Group Engineer (Development) has concerns regarding these aspects and the possible detrimental effects of the development on the highway it is considered that this is not of sufficient weight to form a reason for refusal.

CONCLUSION

13. The mobile trailer is sited on the car park of an existing public house. Whilst there is boundary treatment running along the western edge of the car park it is formed by a low brick wall with railings with the trailer being visually prominent within the street scene. The visibility of the trailer is exacerbated by its white colour and yellow and white canopy over the front elevation of this temporary structure. Despite the site being situated within a mixed use area the catering trailer forms a visually prominent temporary structure within the street that forms an incongruous addition within the street scene which visually detracts from the character and appearance of the area.

RECOMMENDATION

14. It is recommended that:

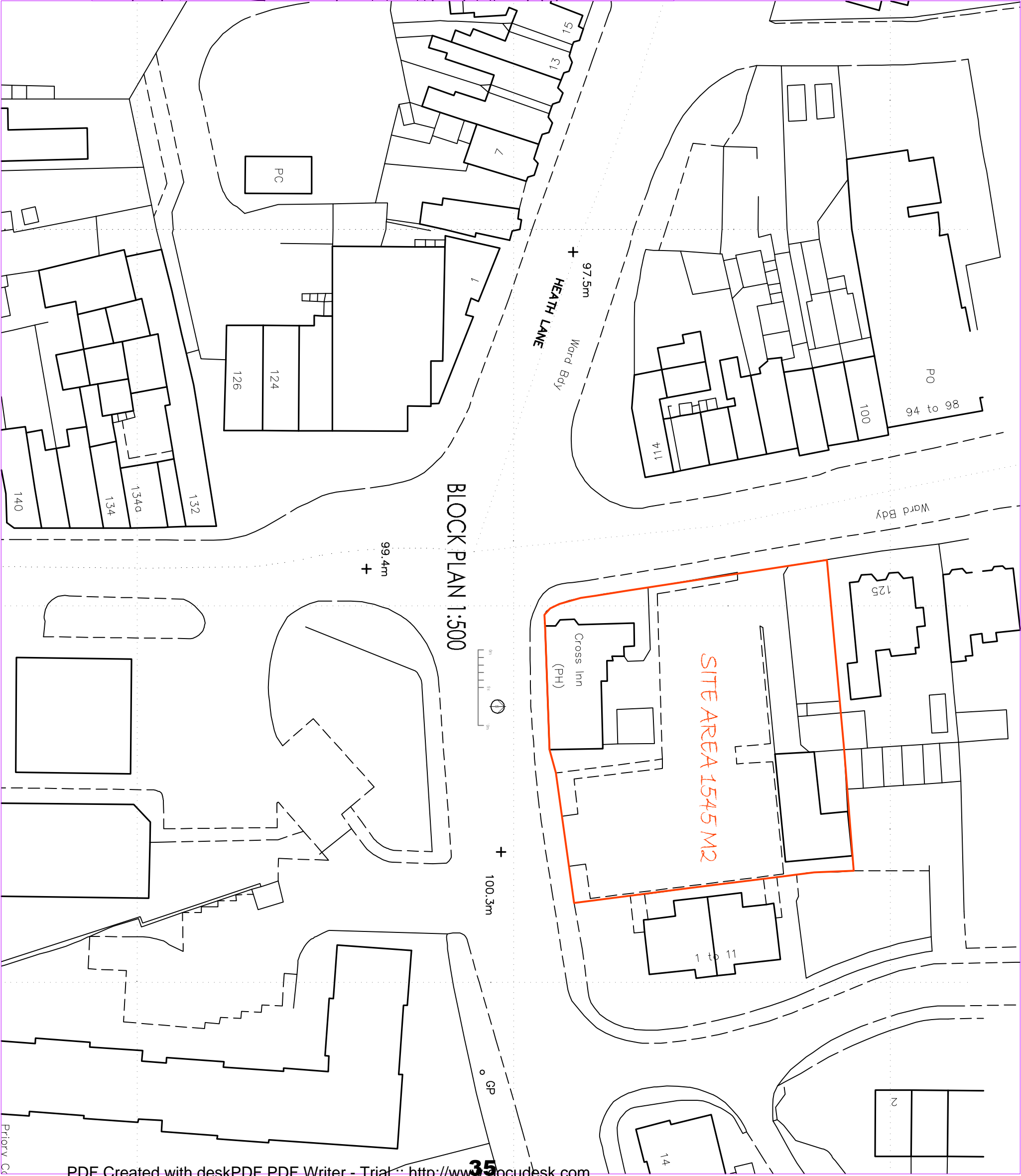
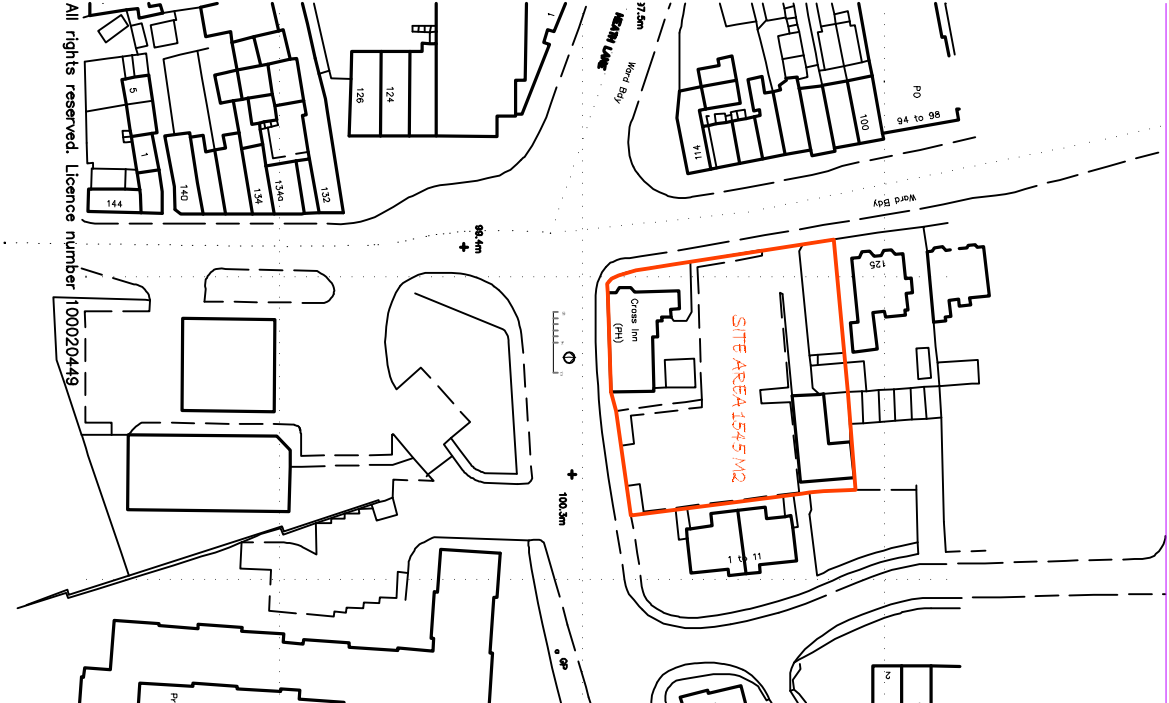
a) the application be refused for the following reason:

The catering trailer forms a visually prominent temporary structure within the street that forms an incongruous addition within the street scene which visually detracts from the character and appearance of the area contrary to Policy DD1 (Urban Design) of the adopted Dudley Unitary Development Plan and PGN 28: Hot Food Takeaway Shops, Restaurants and Cafes.

b) enforcement action be authorised as appropriate

Conditions and/or reasons:

1. The catering trailer forms a visually prominent temporary structure within the street that forms an incongruous addition within the street scene which visually detracts from the character and appearance of the area contrary to Policy DD1 (Urban Design) of the adopted Dudley Unitary Development Plan and PGN 28: Hot Food Takeaway Shops, Restaurants and Cafes.



HEATH LANE

David Wall Architects
SUITE 2 THE WHITE HOUSE, 7 STATION RD, HAGLEY, W MDS, DY9 0NU
tel 01562 887272 mob 07974 931951 e-mail davidwallarchitects@iscall.co.uk

The Cross Inn, Glasshouse Hill, DY8 1NJ
PROPOSED MOBILE FOOD KIOSK



GLASSHOUSE HILL
PROPOSED SITE LAYOUT 1:200

100.3m

488/10

