

PLANNING APPLICATION NUMBER:P09/1656

Type of approval sought	Full Planning Permission
Ward	WOLLASTON & STOURBRIDGE TOWN
Applicant	ALDI STORES LIMITED
Location:	ALDI STORES LTD, BRIDGNORTH ROAD, WOLLASTON, STOURBRIDGE, WEST MIDLANDS, DY8 3QQ
Proposal	CHANGE OF USE FROM DOMESTIC GARDENS (C3) TO ADDITIONAL CAR PARKING AREA FOR RETAIL SHOP (A1) (RETROSPECTIVE)
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

- The site is located in Wollaston local centre and consists of a supermarket with extensive areas of parking to the front and side. Within the south western corner of the site is an area measuring approximately 18m x. 22m which formerly formed part of the rear gardens of nos. 8 -18 Cobden Street. This part of the site lies within Wollaston Conservation Area.

PROPOSAL

- Retrospective consent is sought to use this area to form an extension to the existing parking area at the site to create an additional 17 parking spaces. New close boarded fencing has been erected to match the existing 2 metre high fencing along the site's western boundary, and a new ornamental tree and landscaping have been planted alongside the fencing. A new floodlight has also been erected.

HISTORY

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APPLICATION	PROPOSAL	DECISION	DATE
P07/0847	Erection of New Food Store	Approved Subject to	June 2007

		Conditions	
P07/1775	Construction of Additional Car Parking Spaces for Proposed A1 Food Retail Store	Approved Subject to Conditions	October 2007

4. Application P07/1775 sought consent for the creation of an additional 14 parking spaces to serve the supermarket using part of the rear gardens of no.s 4 to 10 Cobden Street and no.97 Bridgnorth Road.

PUBLIC CONSULTATION

5. Objections to the proposal have been received from four properties on King Street, The Dell and Cobden Street. The following concerns have been raised:
- Adverse impact of the development on the character of the Conservation Area and outlook from surrounding properties;
 - Removal of trees from within the gardens of properties;
 - Increased noise from night time deliveries;
 - Light spillage from the floodlight to surrounding properties;
 - The car park has become an area for youths to congregate, with resultant ant-social behaviour problems.

OTHER CONSULTATION

6. Head of Environmental Health and Trading Standards:

Prior to commencement of the development a scheme for a continuous acoustic barrier along the boundary with 8 to 18 Cobden Street, of a minimum height of 2 metres and minimum surface density of 10 kg/m², shall be submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved scheme shall be completed before the use commences. The barrier shall be retained throughout the life of the development.

Group Engineer (Development):

Request an amended plan showing the provision of 7no. impaired mobility spaces.

RELEVANT PLANNING POLICY

7. Adopted 2005 UDP

Policy DD4 (Development in Residential Areas)

Policy HE4 (Conservation Areas)

Policy DD7 (Planning Obligations)

ASSESSMENT

8. Key Issues

- Impact on the Conservation Area;
- Residential amenity;
- Removal of trees;
- Planning Obligations.

Conservation Area

9. Policy HE4 of the UDP states that the Council will '*safeguard and seek to enhance approved conservation areas*'. Whilst the site of the proposed development lies inside the Conservation Area, the remainder of the site does not. The development would therefore effectively be an encroachment of the supermarket's parking area into the Conservation Area. The surfacing materials used in the development are identical to those used in the existing parking area, and the new boundary fencing matches the existing. .A small amount of landscaping has been planted in the corner of the new parking area which will help to 'soften' the effect of additional hardsurfacing. On balance it is considered that the development does not have any negative effect on the character of the Conservation Area and therefore complies with Policy HE4.

Residential Amenity

10. The development brings activities at the site closer to residential properties on Cobden Street. The parking area is located at the end of the long rear gardens of those properties. There is sufficient distance between it and the dwellings to ensure that the use of the parking area would not have any adverse effect on existing residents.
11. Enforcement Officers have previously investigated allegations of early morning deliveries to the site, in breach of a relevant condition on the original permission. The investigations established that deliveries were not taking place outside of the allowed time periods. Any future complaints relating to noise disturbance from delivery vehicles is a matter which can be addressed by Environmental Health Officers.
12. A condition can be imposed to ensure that the floodlighting is shielded to prevent any spillage of light outside the site into neighbouring properties.
13. With regard to concerns raised about anti-social behaviour, this issue in itself would be difficult to sustain as a material consideration which may lead to refusal of the application. In this case it would be for the police to take action should nuisance arise.
14. In view of the above the development would not contravene Policy DD4 of the UDP which seeks to ensure that new developments do not have any detrimental impact on residential amenity.
15. Trees

The applicant has advised that seven leylandii trees were removed from within the gardens as part of the development and that replacement trees have been planted in those gardens. The new planting will in time balance out the immediate negative impact of the removal of existing trees.

Planning Obligations

16. Policy DD7 of the UDP requires that applicants should enter into planning obligations in order to make appropriate provision for the infrastructure requirements of a development. In this case contributions of £171 towards nature conservation improvements, £14,006.02 towards public realm improvements, and £250 to cover management and monitoring costs is required.
17. As an alternative to providing a financial contribution the applicant has proposed to install 2no. bat boxes at the site. This is considered to be acceptable as a condition can be imposed seeking details of the number, type and location of the boxes.
18. With regard to the public realm contribution the applicant is of the opinion that this is not justified in this case given the relatively small scale nature of the development, that no additional floorspace to the store is proposed, and that in any case the development incorporates new boundary fencing to match the existing and new landscaping and tree planting (thereby in itself improving the public realm).
19. Circular 05/05 (Planning Obligations) and the Council's Planning Obligations SPD advise that planning obligations should only be sought where they are fairly and reasonably related in scale and kind to the proposed development. In this case it is considered that the contribution being sought is disproportionate to the type and scale of development which has taken place, and given that overall the redevelopment of the site has already improved the public realm in this part of the local centre, no contribution should therefore be sought.

CONCLUSION

20. The development would not have any adverse impact on the character of the Conservation Area or residential amenity. As such it is considered that the proposal would not contravene Policies HE4 or DD4 of the UDP.

RECOMMENDATION

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

Reason For Approval

The proposed development does not have any detrimental impact on the character of the area or residential amenity.

The decision to grant planning permission has been taken with regard to the policies and proposals in the Dudley Unitary Development Plan set out below and to all relevant material considerations including supplementary planning guidance:

Policy DD4 (Development in Residential Areas);

Policy HE4 (Conservation Areas)

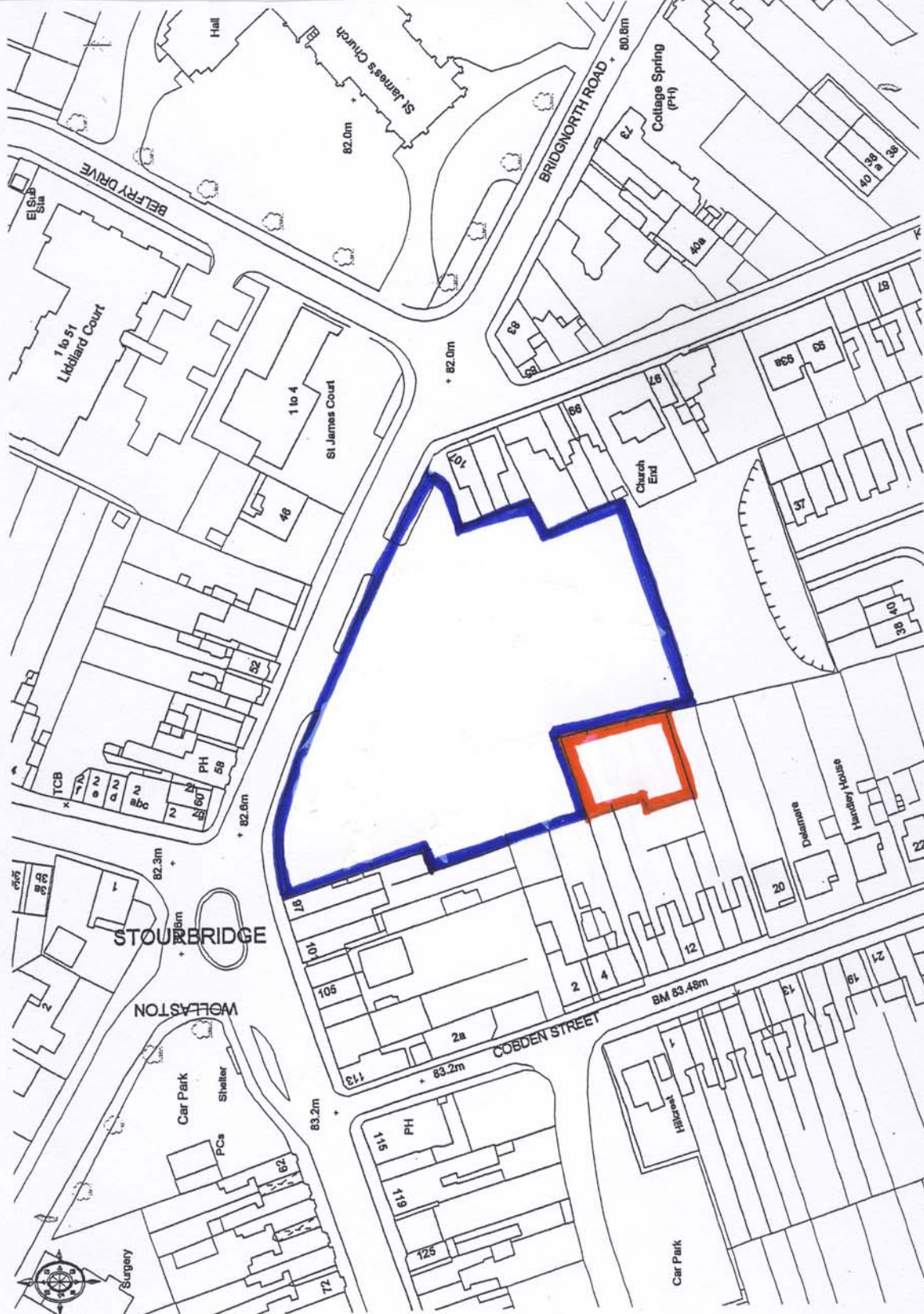
The above is intended as a summary of the reasons for the grant of planning permission. For further detail on the decision please see the application report.

Note For Applicant

For the avoidance of doubt, this permission relates to drawing no. V09A14-002 rev.C

Conditions and/or reasons:

1. Within 1 month of the date of this permission, a continuous acoustic barrier of a minimum height of 2 metres and minimum surface density of 10kg/sq.metre shall be erected along the site's boundary with no.s 8 to 18 Cobden Street. The barrier shall thereafter be retained for the life of the development.
2. Within 1 month of the date of this permission a scheme shall be submitted to the LPA to minimise the effect of light glare on neighbouring properties arising from the installation of lighting columns. Subject to agreement of the scheme by the LPA, the scheme shall thereafter be implemented and shall be retained throughout the life of the development.
3. Within one month of the date of this permission details of the type and location of bat boxes to be installed within the development shall be submitted to the LPA for approval. The boxes shall thereafter be installed in accordance with the approved details and retained for the lifetime of the development.



CLIENT ALDI STORES LIMITED

PROJECT BRIDGNORTH ROAD
WOLLASTON

TITLE LOCATION PLAN

DALKIN SCOTTON PARTNERSHIP
ARCHITECTS LIMITED

305 FORT DUNLOP FORT PARKWAY BIRMINGHAM B24 9QT

TEL - 0121 747 1943 FAX - 0121 747 1944 www.dsparchitects.com

SCALE 1:1250 @ A4

DRAWN

NORTH

DWG No.

REV

DATE 03-12-09

CHECKED SWDB

V09A14 - 001

LEGEND

- RK BASED KERB
 - EK EDGING KERB
 - FK FLUSH KERB
 - DK DROP KERB
 - TK TRANSITION KERB
 - CP CONSERVATION KERB
 - TP TACTILE PAVING
 - SSB STAINLESS STEEL BOLLARD
 - BBP BRUSHED CONCRETE
 - BC BRUSHED CONCRETE
 - BG BOUND GRAVEL
 - RG ROAD GULLY
 - KR STAINLESS STEEL KNEE RAIL
 - LC LIGHTING COLUMN
 - ECH ELECTRIC CABLE MARKER
 - CBP CHARCOAL BRICK PAVOIRS
 - BBP BRINDLE BLOCK PAVOIRS CHAMFERLESS
-
- EXISTING TREE
 - NEW TREE
 - NEW LOW LEVEL LANDSCAPING
 - PROPOSED LEVEL
 - EXISTING LEVEL

BRIDGNORTH ROAD

BELFRY DRIVE

KING STREET

APPROX. 90 No. CAR PARK SPACES

ALDI SR
850 (MOD)
F.I.L. 82.550

Revision	Description	Date	Drawn	FE
C	CAR PARK EXTENDED TO 90 SPACES	16/12/09	FE	
B	CONSTRUCTION ISSUE	14/12/09	FE	
A	SPACES HATCHED FOR CLARITY	14/12/09	FE	

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ALDI STORES LTD.

PROJECT: BRIDGNORTH ROAD WOLLASTON

TITLE: CAR PARK EXTENSION FEASIBILITY

DATE: 13.02.09 SCALE: 1:200@AJ

DWG No: V09A14-002

CLIENT: ALDI STORES LTD.

PROJECT: BRIDGNORTH ROAD WOLLASTON

TITLE: CAR PARK EXTENSION FEASIBILITY

DATE: 13.02.09 SCALE: 1:200@AJ

DWG No: V09A14-002

CLIENT: ALDI STORES LTD.

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DATE: 13.02.09 SCALE: 1:200@AJ

DWG No: V09A14-002



REVISED PLAN

NEW 50 PLAN

SUPPLY AND INSTALL NEW CLOSE BOARDED FENCE AS PER EXISTING CAR-PARK BUT EXISTING CAR-PARK TO BE CHECKED ON SITE

TRIM EXISTING TREES AND NEW LANDSCAPE BELOW

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