

PLANNING APPLICATION NUMBER: P10/0119

Type of approval sought	FULL PLANNING PERMISSION
Ward	ST. JAMES'S
Applicant	MR DWAYNE MILLWOOD, SOUL FOOD TAKEAWAY
Location:	10, WELLINGTON ROAD, DUDLEY, DY1 1RB
Proposal:	STATIONING OF A MOBILE CARAVAN FOR HOT FOOD TAKE AWAY SALES (RESUBMISSION OF REFUSED APPLICATION P08/1610)
Recommendation summary:	REFUSE

SITE AND SURROUNDINGS

1. The site occupies a prominent position on the corner of Waterloo Street and the heavily trafficked Wellington Road (B4177). It is a mixed use area. The site itself occupies the forecourt of an industrial unit. There is housing directly to the north, retail and a café to the south, retail to the north-east and a public house to the south-east.
2. The site is designated within an area of Linear Open Space (Policy S02) within the adopted Dudley Unitary Development Plan.

PROPOSAL

3. The application is for the siting of a mobile catering trailer on the forecourt of the existing industrial premises close to the southern boundary of the site. It would measure 3.0m wide, have a depth of 1.8m and an overall height of 2.4m. The serving hatch would be set perpendicular to the highway. Car parking on the forecourt of the premises for customers is indicated on the submitted plan.
4. The Design and Access Statement states that the catering trailer would sell hot Caribbean food and cold drinks to take away. It also states that there is not another establishment of this type in the area and that it would be unique in the area and an asset to the local community.

HISTORY

5. Relevant history

APPLICATION No.	PROPOSAL	DECISION	DATE
DY/52/83	Extension to existing works	Approved	13/03/52
DY/57/393	Extension to factory	Approved	15/07/57
DY/63/341	Outline extension to factory	Approved	14/08/63
DY/64/16	Extension to existing works	Approved	22/01/64
DB/66/241	Outline erection of store, loading bay and garage and provision of car parking	Refused	31/10/66
DB/72/10836	Erection of 2 storey factory	Approved	15/01/73
P08/1610	Change of use of land for the siting of a mobile catering trailer (retrospective)	Refused	11/02/2009

PUBLIC CONSULTATION

6. Letters have been sent directly to businesses and residential premises within close proximity of the application site. At the time of writing the report no letters of objection had been received.

OTHER CONSULTATION

7. Group Engineer - Development –concerns that the parking and servicing requirements of the industrial unit have not been considered. The application reduces potential parking for the industrial unit and interferes with service vehicles. The car park is also unattractive and in a poor condition and service vehicles could block the use of the hot food take away car park. All of these issues could lead to short term indiscriminate parking or overspill parking from the industrial unit or hot food take away onto the adjacent Highway. There is a prohibition of waiting but this would be difficult to enforce given the short term nature of parking that is often associated with these type of developments. Because of the existing Highway safety record and concerns over inadequate parking provision and the potential for on street short term indiscriminate parking that could interfere with manoeuvring traffic at the adjacent junction and traffic travelling along Wellington Street it is recommended the application be refused, policy DD6 would be appropriate.
8. Head of Environmental Health and Trading Standards - no adverse comments.

9. British Waterways - no objection.

RELEVANT PLANNING POLICY

10. Adopted Dudley Unitary Development Plan
Policy DD1 – Urban Design
Policy DD2 – Mixed Use
Policy SO2 – Linear Open Space
Policy AM14 – Parking
11. Supplementary Planning Documents
Parking Standards and Travel Plans

ASSESSMENT

Key Issues

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

Visual Impact

12. A previous planning application for a catering trailer on this site was refused permission on 11th February 2009. This retrospective application was for a hand painted highly colourful catering trailer. The catering trailer indicated in this application would be totally white in colour, with limited lettering. It is accepted that this would be an improvement in visual terms. However, the fact remains that the mobile catering trailer would be parked in a prominent location on the frontage of a factory unit which would be readily visible from Wellington Road. The site frontage has no landscaping and the existing boundary treatment comprises unsightly concrete bollards. As such it is considered that the trailer would still represent an incongruous alien feature in the street scene which would visually detract 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

13. No 10 Wellington Road is a large industrial unit (approximately 1,150 sq m in size) which manufactures steel drums. Car parking is available for this unit on the front forecourt (which is the subject of this application) and there is also a small parking area to the rear of the building accessed off Waterloo Street. The parking requirement for the industrial unit would be 17No car parking spaces.
14. The Design and Access Statement states that the catering trailer and the associated parking area would occupy three quarters of the factory forecourt by day and the entire

forecourt after 4.00pm when the factory closes. If planning permission were to be granted therefore it would have a profound impact upon the amount of car parking available for the existing factory unit.

15. The building itself has access for delivery vehicles within both frontages to Wellington Road and Waterloo Street. In the event of delivery vehicles loading and unloading from the front forecourt such vehicles would block the vehicular access to the parking area for the catering trailer.
16. Wellington Road (B4177) is a heavily trafficked District Distributor road. In front of the application site there is a total prohibition of waiting and also a loading restriction. An accident assessment has revealed that there have been 5 No. injury accidents in the last five years within 100m of the site. Two of these accidents were of a serious nature.
17. Taking all of these factors into consideration it is clear that the siting of a catering trailer on this site would lead to a loss of on site car parking for the industrial unit. In addition, the servicing requirements of the unit have not been taken into consideration. The consequence of such development would be the displacement of car parking onto the highway.

Given the poor highway safety record in the vicinity of the site and the potential for short term indiscriminate parking by users of the catering trailer despite the prohibition of waiting in front of the building, there are real concerns that if this application were to be approved that highway safety would be compromised.

CONCLUSION

18. The mobile trailer would be sited on the forecourt of an existing factory unit where it would be visually prominent due to a lack of landscaping and poor boundary treatment. The use of the site would deprive the existing factory unit of off-street parking spaces potentially leading to on-street parking in the vicinity of the site. The dual use of part of the forecourt has the potential for conflict between commercial vehicles which may deliver/transport goods from the front of the building and access to the parking area for customers of the catering business. In addition, it is envisaged that the take-away nature of the business, located in close proximity to the highway, would encourage short-term indiscriminate on-street parking, despite a prohibition of waiting for vehicles in front of the building, in a location with a poor highway safety record to the detriment of highway safety. As such the application is contrary to Policies DD1 and DD6 of the adopted Dudley Unitary Development Plan.

RECOMMENDATION

19. It is recommended that the application is refused for the following reasons:

Conditions and/or reasons:

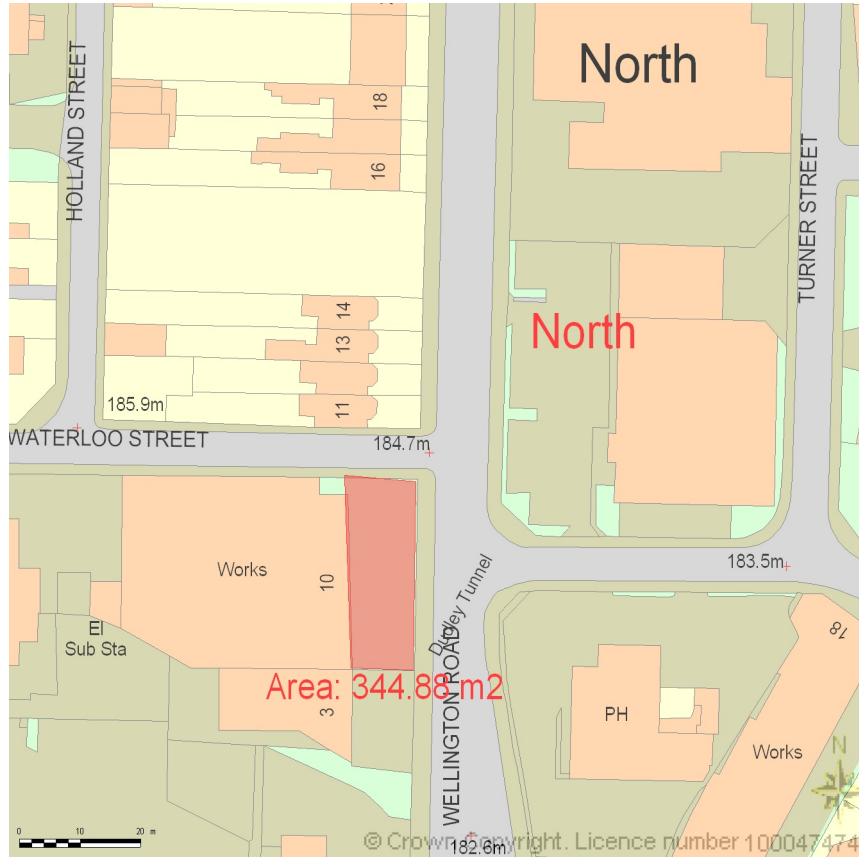
1. The siting of a mobile catering trailer, situated in such a prominent location would create a visually incongruous feature in the street scene which would detract from the character of the area. As such it would be contrary to Policy DD1 of the adopted Dudley Unitary Development Plan.
2. The use of the existing factory forecourt to accommodate the mobile trailer and associated customer parking would considerably reduce available off-street parking for the existing factory unit. This could lead to on-street parking which would be to the detriment of highway safety and contrary to Policy DD6 of the adopted Dudley Unitary Development Plan.
3. The nature of the hot food business and its close proximity to the highway would encourage indiscriminate short-term on-street parking close to the junction with Waterloo Street to the detriment of highway safety contrary to Policy DD6 of the adopted Dudley Unitary Development Plan.



Location Plan:- AREA 2 HA
SCALE 1:1250

CENTRE COORDINATES: 393612, 289914

Reference no.7

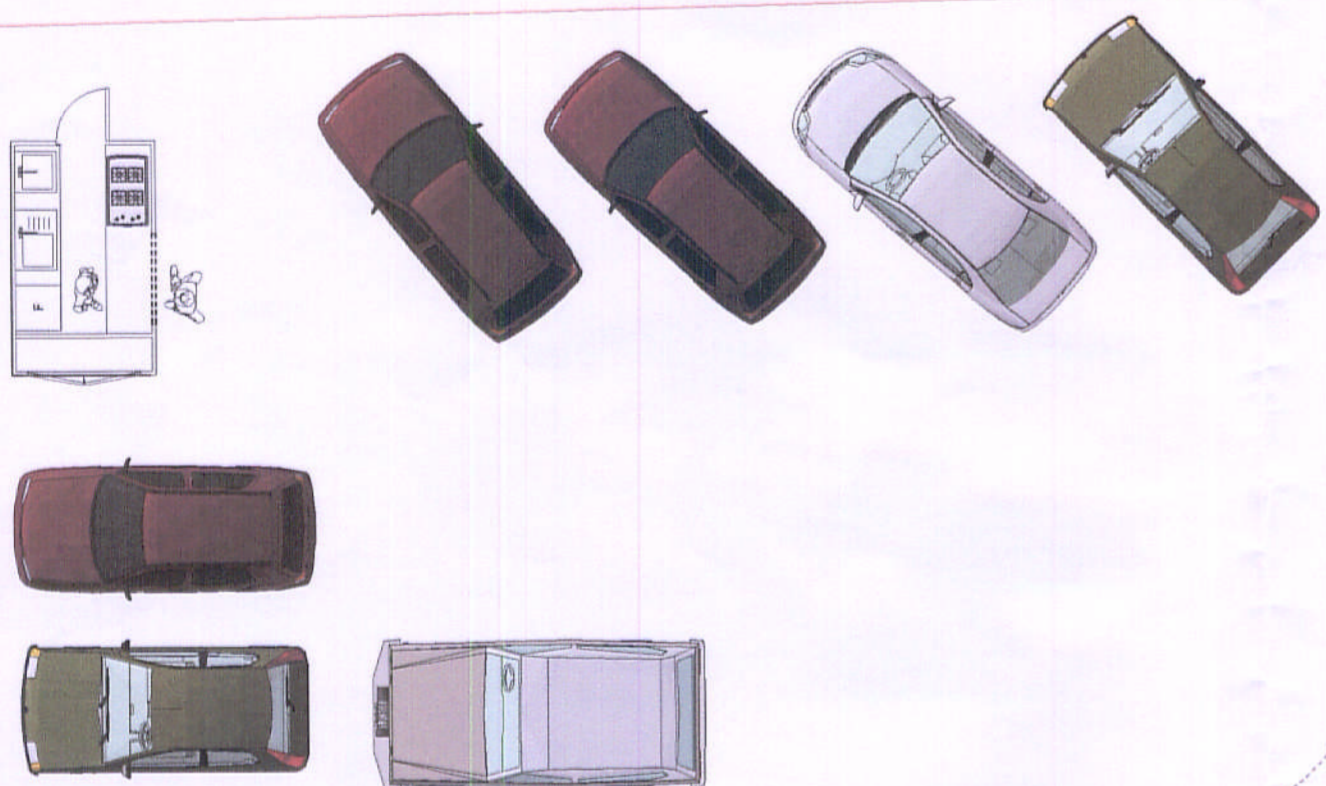


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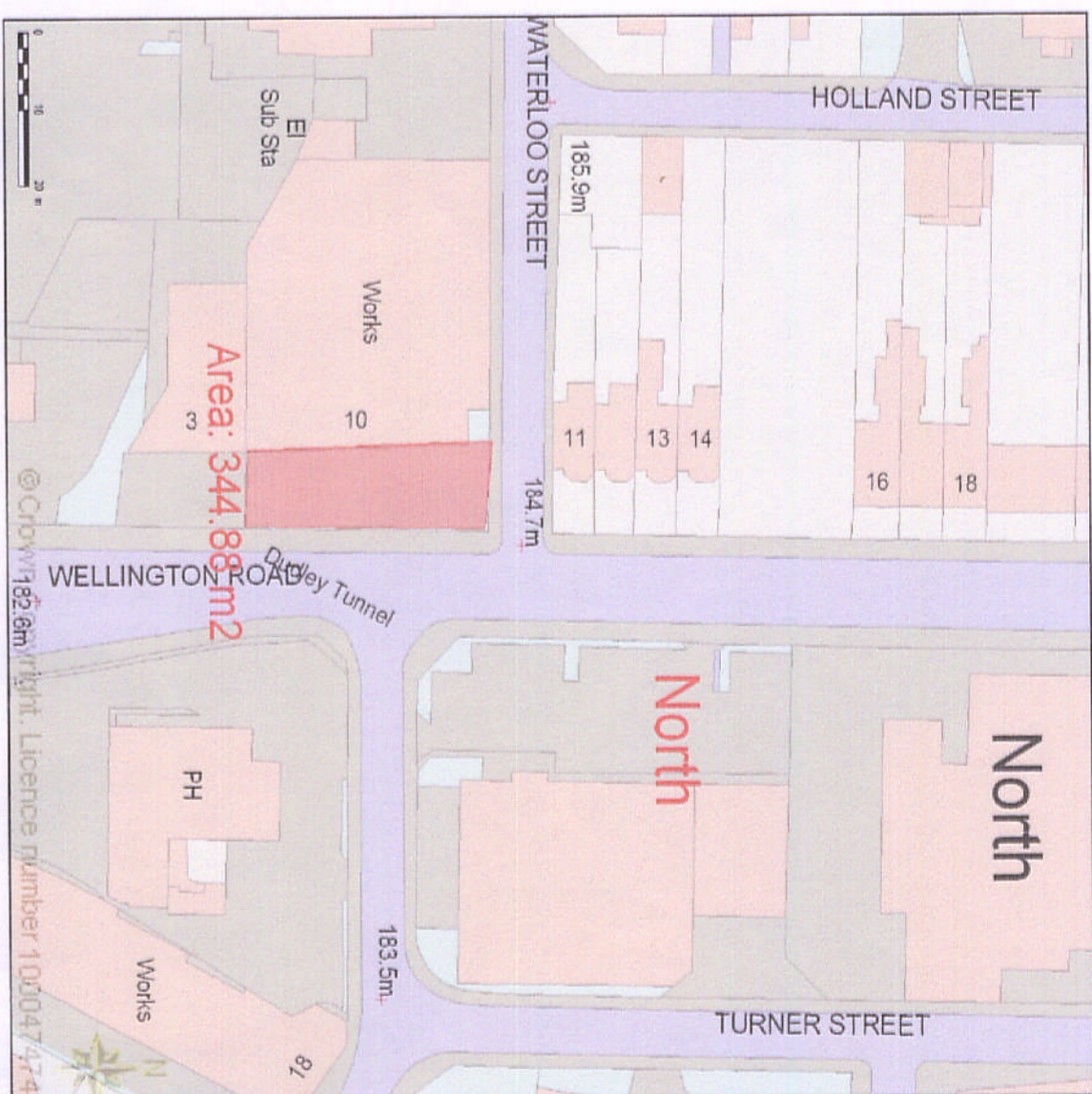


10



WELLINGTON ROAD

Dudley Tunnel



REVISION	DESCRIPTION	DATE



ANDI-CAD
 INTERIOR & EXTERIOR DESIGN, DESIGN SPECIFICATIONS, THE PROVISION OF INDUSTRIAL STEEL PARTITIONING.
 ANDREW HOWELL DESIGN ENGINEER
 REGISTERED ARCHITECT - ARCHITECTS & ARCHITECTS



WORKING WITH
BAYCREST LIMITED
 Manufacturers of Steel Partitioning Systems

Drawn by Andrew Howell

Checked by Mike Coleman
 Architectural Technician, AMAS

SITE

SOUL FOOD TAKE AWAY
 10 Wellington Road
 DUDLEY
 DY1 1RB

DATE 6th October 2008

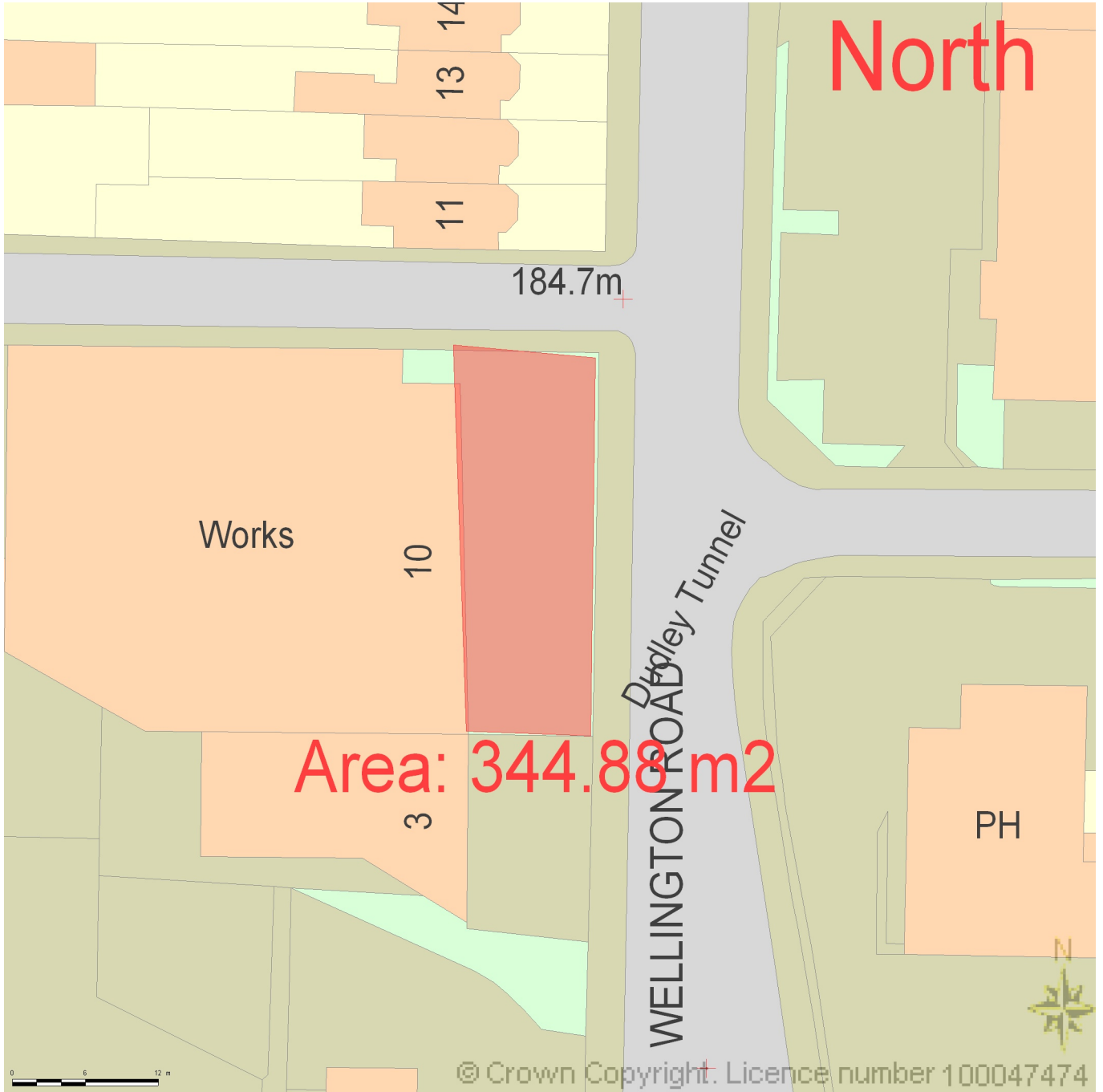
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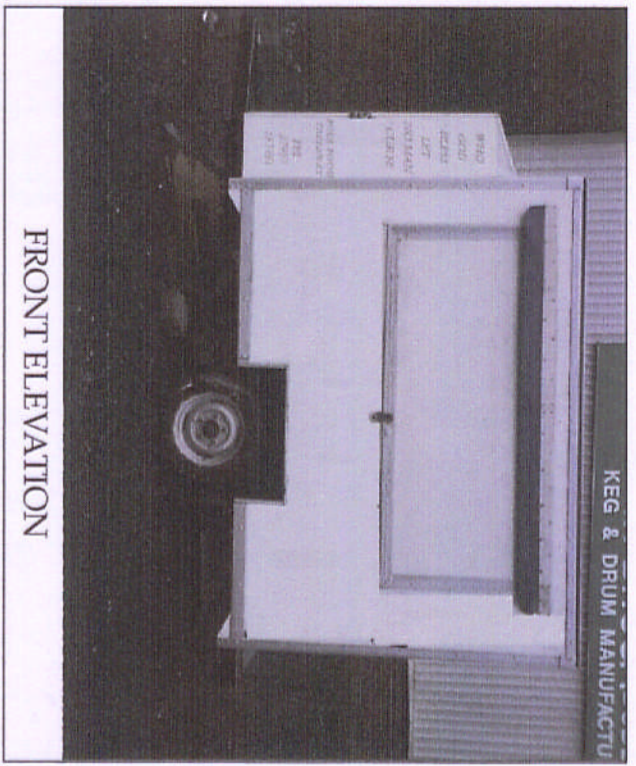
DRW No andifones - 002

Site Plan:- AREA <1 HA
SCALE 1:500

CENTRE COORDINATES: 393605, 289889

Reference No.6

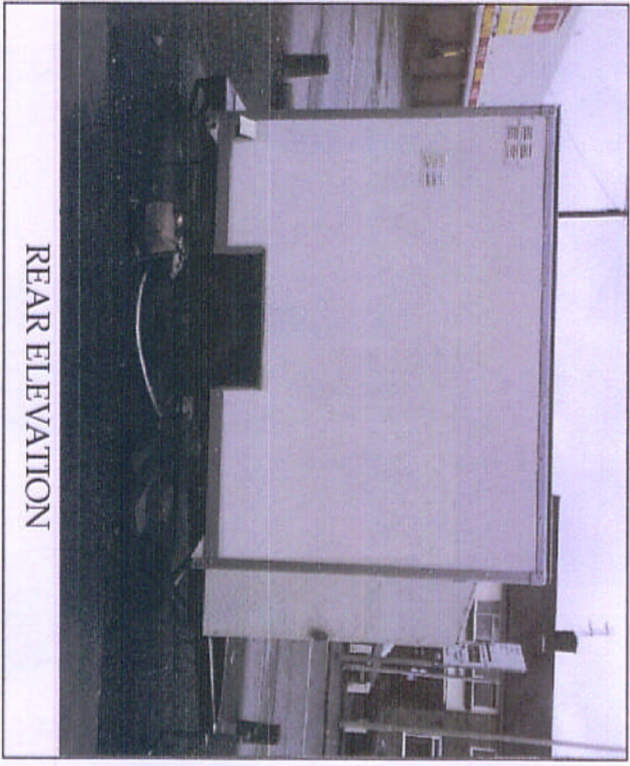




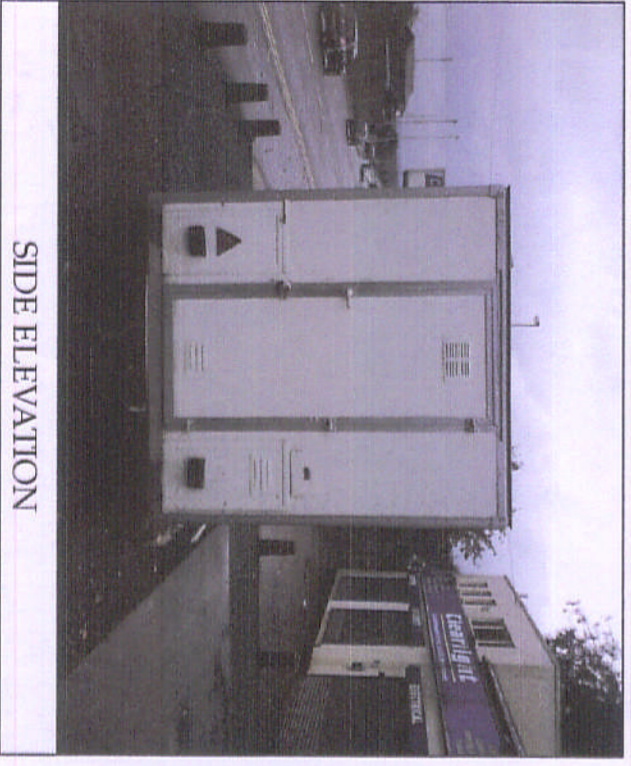
FRONT ELEVATION



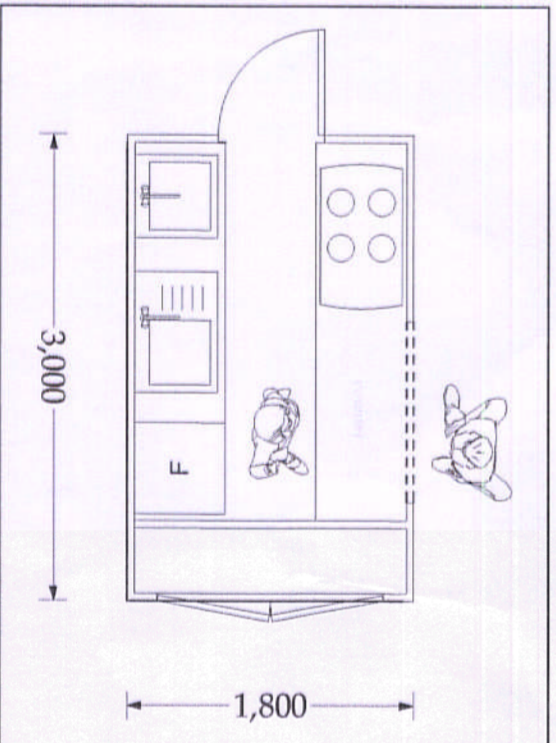
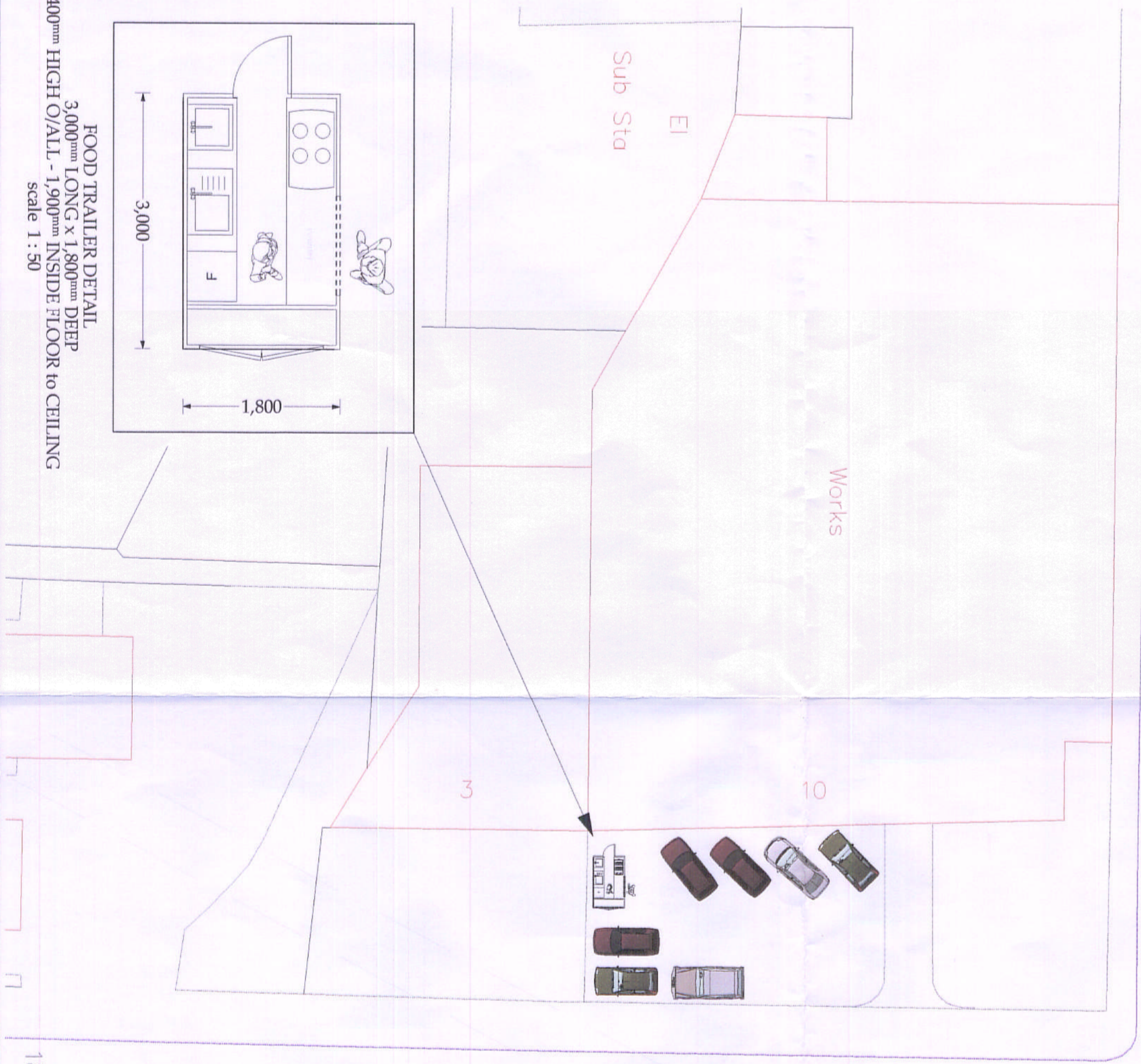
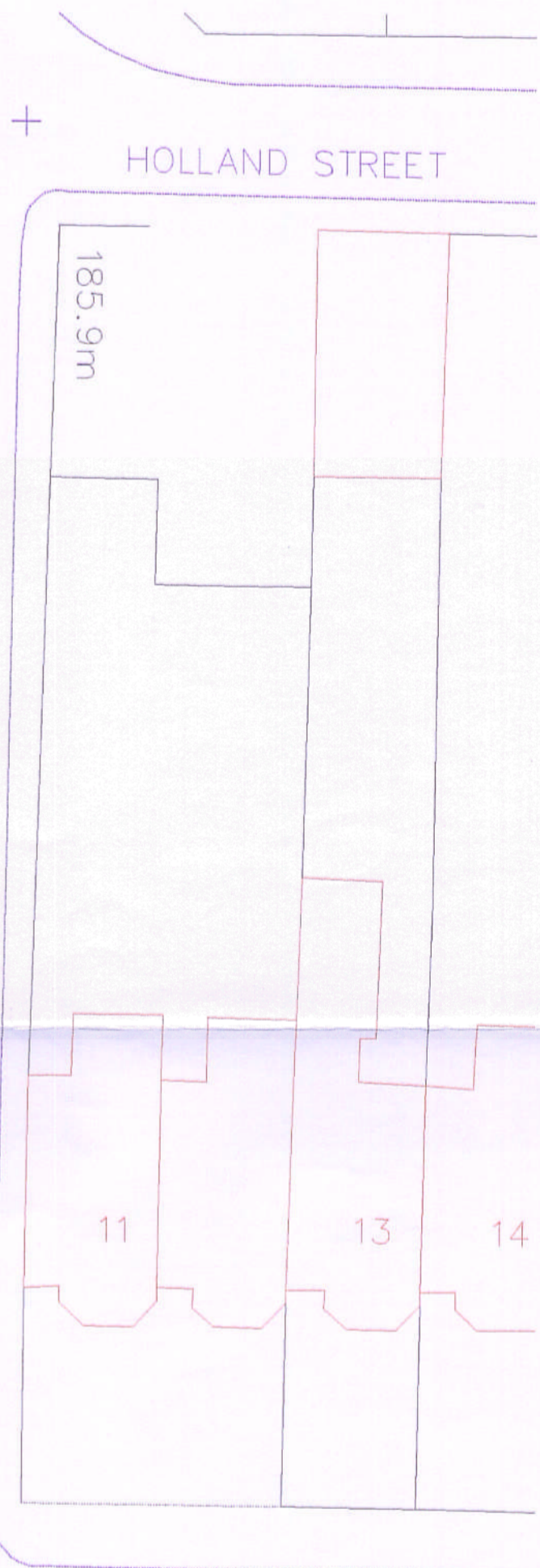
SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION



FOOD TRAILER DETAIL
 3,000mm LONG x 1,800mm DEEP
 2,400mm HIGH O/ALL - 1,900mm INSIDE FLOOR TO CEILING
 scale 1 : 50

WELLINGTON ROAD

HOLLAND STREET

182.6m

184.7m

185.9m

REVISION	DESCRIPTION	DATE
A	REVISE LOCATION OF FOOD TRAILER & REPOSITION CAR PARKING	6/11/09



ANDI-CAD
 INTERIOR & EXTERIOR BUILDING DESIGN
 SPECIALISTS IN PARTITIONING
 ANDREW HOWELL DESIGN/DRAWING/PROJECT MANAGER
 ANDREW HOWELL DESIGN/DRAWING/PROJECT MANAGER



BAYCHEST LIMITED
 Manufacturers of Steel Partioning Systems
 Mike Coleman Architectural Technician AMAS
 Andrew Howell
 MOb: 0783465731
 Email: andi-cad@hotmail.co.uk

SITE
SOU L FOOD TAKE AWAY
 10 Wellington Road
 DUDLEY
 DY1 1RB

WORKING WITH
BAYCHEST LIMITED
 Manufacturers of Steel Partioning Systems
Mike Coleman Architectural Technician AMAS
 DRAWN BY Andrew Howell
 DRW No and/jones - 001
 DATE 6th October 2008 SCALE 1 : 250 (A2)