

PLANNING APPLICATION NUMBER:P06/2184

Type of approval sought	Full Planning Permission
Ward	Quarry Bank & Dudley Wood
Applicant	Saltwells Tenants & Residents Assc
Location:	BLACK HORSE PLAYING FIELDS OFF, DUDLEY WOOD ROAD, SALTWELLS ESTATE, DUDLEY, WEST MIDLANDS
Proposal	INSTALLATION OF A MULTI-PURPOSE PLAY AREA
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The application site is located on the former football pitch area which has fallen into disrepair and now comprises of a large open area of rough ground and grass fenced by a 3m high mesh fence and benefiting from floodlighting columns on the perimeter.
2. Positioned immediately to the west of the site and within the fenced area, is the recently constructed BMX track, which combined with the application site, forms part of a larger area of playing fields and recreational space which collectively form the Black Horse Playing Fields site. Adjacent to the BMX site is a neighbourhood learning centre and a DMBC building containing changing rooms and a vehicle maintenance depot.
3. Residential properties fronting Saltwells Road back onto the site at a distance of some 23m from the part of the site where the proposed development would be located. These properties are also at a higher level than the recreation ground, which slopes down to the south.

PROPOSAL

4. Planning permission is sought for the creation of a multi-use games area with perimeter fencing. The extent of the playing area is 32m x 19m. The surrounding perimeter fence would measure 3m in height with 2 no. 1.2m wide entrance gates. The multi use games area would adopt 2 no. '5 a-side' goal panels at each end with 2 no. Basket Ball backboards and hoops above with the top of the basketball backboard measuring approximately 4m above the tarmaced ground level.

HISTORY

5. There have been several historic planning applications relating to the Black Horse Playing Fields site, however, only one relates to this planning application. This was for an oval layout BMX track with jumps created by mounding earth no higher than 1.3m and no more than 6m in width on a site area measuring 38m x 55m. This application is highlighted in the table below.

APPLICATION No.	PROPOSAL	DECISION	DATE
P05/2411	Provision of a BMX facility	Approved with conditions	23/12/2005

PUBLIC CONSULTATION

5. This application was advertised by way of letters being sent to the occupiers of 82 properties within close proximity to the site. The application was also advertised by way of a site notice, displayed on 13/12/2006, inviting written representations to be made within 21 days of notice being put on view.
6. In response to the consultation exercise, 2 letters have been received and a petition signed by a cumulative total of 18 people. The main areas of planning concern are;
 - Anti-social behaviour
 - Impact upon residential amenity

OTHER CONSULTATION

7. Environmental Protection have no adverse comments to the proposal subject to the necessary condition being imposed restricting hours of operation to mitigate loss of residential amenity.
8. Group Engineer - Development Section

RELEVANT PLANNING POLICY

Adopted Dudley Unitary Development Plan (2005)

9. DD4 – Development in residential areas
10. LR1 – Open space
11. LR4 – Young persons informal recreation
12. SO2 – Linear Open Space
13. S06 – Local Park

ASSESSMENT

14. **KEY ISSUES**

- Principle
- Amenity (limit hours of use EP comments)
- Parking

15. **Principle**

The proposal is considered to be acceptable in principle, as it would not result in the loss of open space. It would provide additional facilities in an area of recognised need and therefore is compliant in principle with UDP Policy.

16. **Amenity**

The nearest residential properties to the proposal are positioned to the north, fronting Saltwells Road, and measure a distance of at least 23m away. The remaining residential properties bordering the Black Horse Playing Fields site are significantly further way and given the drop in land levels; it is considered that views of it from residential properties would be minimal, and the restriction of the hours of operation would ensure that any noise generated by users would cause minimal disruption to residential amenity.

Although the proposal would be a recognisable element within the Black Horse Playing Fields site, it would not have a detrimental impact upon the amenity of the area due to the scale and design of the development. Furthermore the multi-use games area would be located on the former football pitch area which has fallen into disrepair.

17. **Parking**

The creation of this facility will not result in the need for additional parking facilities as there is no change of use from the existing land use.

CONCLUSION

18. The proposed development would have no adverse impact upon the visual amenity of the area due to its appropriate scale and design. It would also result in no loss of open space as it would be sited on the former football pitch area which has fallen into disrepair and the proposal would be restricted by hours of operation to mitigate any impact upon residential amenity. The proposal is considered to be compliant with policies DD4, LR1, LR4, SO2 and SO6 of the adopted Dudley Unitary Development Plan (2005) and unlikely to cause harm to the amenities of surrounding residents.

RECOMMENDATION

19. It is recommended that the application be **approved subject to conditions**.

Reason for Determination of Planning Permission

The proposed development would have no adverse impact upon the visual amenity of the area due to its appropriate scale and design. It would also result in no loss of open space as it would be sited on the former football pitch area which has fallen into disrepair and the proposal would be restricted by hours of operation to mitigate any impact upon residential amenity. The proposal is considered to be compliant with policies DD4, LR1, LR4, SO2 and SO6 of the adopted Dudley Unitary Development Plan (2005) and unlikely to cause harm to the amenities of surrounding residents.

The decision to grant planning permission has been taken with regard to the policies and proposals in the adopted Dudley Unitary Development Plan (2005) and to all other relevant material considerations including supplementary planning guidance:

Adopted Dudley Unitary Development Plan

DD4 – Development in Residential Areas

LR1 – Open space

LR4 – Young persons informal recreation

SO2 – Linear Open Space

SO6 – Local Park

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

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. No materials other than those indicated on the approved plans shall be used without the approval in writing of the local planning authority.
3. The multi-use games area shall not be open before 09:00 hours nor after 21:30 Mondays to Sundays between 1st April to the 30th September inclusive and shall not open before 09:00 hours nor after 17:30 Mondays to Sundays between 1st October to the 31st March inclusive for the life of the development.