

DEVELOPMENT CONTROL COMMITTEE

MONDAY 27TH JANUARY 2014

**AT 6:00PM
IN COMMITTEE ROOM 2
AT THE COUNCIL HOUSE
DUDLEY**

If you (or anyone you know) is attending the meeting and requires assistance to access the venue and/or its facilities, could you please contact Democratic Services in advance and we will do our best to help you

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You can view information about Dudley MBC on
<http://www.dudley.gov.uk/>**



IMPORTANT NOTICE MEETINGS AT THE COUNCIL HOUSE

Welcome to the Council House

In the event of the alarm sounding, please leave the building by the nearest exit. There are Officers who will assist you in the event of this happening, please follow their instructions.

Please turn off your mobile phones and mobile communication devices during the meeting.

Thank you for your co-operation.

DEVELOPMENT CONTROL COMMITTEE

Let me first inform you that this is a Committee Meeting of the Council, members of the public are here to observe the proceedings and should not make contributions to the decision-making process.

Applications are taken in numerical order with any site visit reports first, followed by applications with public speaking, then the remainder of the agenda.

Officers have explained the public speaking procedures with all those present who are addressing committee. Will speakers please make sure that they do not over-run their 3 minutes?

There will be no questioning by Members of objectors, applicants or agents, who will not be able to speak again.

All those attending this Committee should be aware that additional papers known as the "Pre-Committee Notes" are placed around the table and the public area. These contain amendments, additional representations received, etc, and should be read in conjunction with the main agenda to which they relate. They are fully taken into account before decisions are made.

Our Ref: **Your Ref:** **Please Ask For:** **Telephone No:**
MKJ270114 Mrs M Johal 01384 815267

16th January 2014

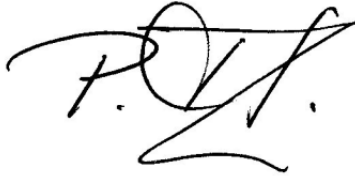
Dear Councillor

DEVELOPMENT CONTROL COMMITTEE
Monday 27th January 2014 at 6.00 p.m.

You are requested to attend a meeting of the Development Control Committee to be held on Monday 27th January, 2014 at 6.00 p.m. in Committee Room 2 at the Council House, Dudley, to consider the business set out in the agenda below.

The agenda and public reports are available on the Council's Website www.dudley.gov.uk and follow the links to Councillors in Dudley and Committee Management Information System.

Yours sincerely



Director of Corporate Resources

AGENDA

1. APOLOGIES FOR ABSENCE

To receive apologies for absence from the meeting.

2. APPOINTMENT OF SUBSTITUTE MEMBERS

To report the appointment of any substitutes for this meeting of the Committee.

3. DECLARATIONS OF INTEREST

To receive declarations of interest in accordance with the Members' Code of Conduct.

4. MINUTES

To approve as a correct record and sign the minutes of the meeting held on 6th January 2014.

5. PLANS AND APPLICATIONS TO DEVELOP (PAGES 1 - 81)

6. TO ANSWER ANY QUESTIONS UNDER COUNCIL PROCEDURE
RULE 11.8 (IF ANY)

Distribution:

To all Members of the Development Control Committee

A Ahmed	Casey	J Martin	Perks	Roberts
Mrs Westwood	C Wilson	Wright	Zada	

AGENDA INDEX

Please note that you can now view information on Planning Applications and Building Control Online at the following web address:

(Upon opening this page select 'Search for a Planning Application' and when prompted input the appropriate planning application number i.e. P09/---)
<http://www.dudley.gov.uk/environment--planning/planning/online-planning-and-building-control>

PLANS AND APPLICATIONS TO DEVELOP

Pages 1 – 18	P13/1585 – 16 Moden Hill, Sedgley, Dudley – Erection of 1 No Dwelling (Resubmission of Refused Application P12/1127)
Pages 19 – 25	P13/1743 – Green Man Entry, Tower Street, Dudley – Erection of Bespoke Metal Archway
Pages 26 – 35	P13/1744 – Green Man Entry, Tower Street, Dudley – Listed Building Consent for the Erection of Bespoke Metal Archway
Pages 36 – 43	P13/1751 – Dudley College, The Broadway, Dudley – Variation of Condition 4 of Planning Approval P13/0932 to be Revised to 'The Existing Drive Adjacent to Number 12 The Broadway Shall not be used at any Time for Vehicular Access or Egress from the Car Park or at any Time by Contractors'
Pages 44 – 53	P13/1754 – 55 Belmont Road, Lye, Stourbridge – Single and Two Storey Rear Extensions. Conversion of Garage into Habitable Room with Bow Window and Single Storey Front Extension. Replace Existing Roof to Front Elevation with Pitched Roof. Erection of Single Storey Semi Detached Outbuilding to Rear Garden. (Resubmission of Withdrawn Application P13/0954)
Pages 54 – 63	P13/1755 – 56B Belmont Road, Lye, Stourbridge – Single and Two Storey Rear Extension. (Following Demolition of Existing Extension). Conversion of Garage into Habitable Room with Bow Window and Single Storey Front Extension. Replace Existing Flat Roof to Front Elevation with Pitched Roof. Erection of Single Storey Semi Detached Outbuilding in Rear Garden. (Resubmission of Withdrawn Application P13/0955)
Pages 64 – 71	P13/1758 – Evolve (Dudley College), Tower Street, Dudley – Formation of New Pedestrian Crossing

Pages 72 – 81

P13/1802 – Cottage Spring Public House, 73 Bridgnorth Road, Wollaston, Stourbridge – Demolition of Existing Garages and Erection of Single Storey Building to be used as Retail (A1) (Resubmission of Withdrawn Application P13/1285)

DEVELOPMENT CONTROL COMMITTEE

Monday 6th January, 2014 at 6.00 pm
In Committee Room 2, The Council House, Dudley

PRESENT:-

Councillor Zada (Chair)
Councillor Casey (Vice-Chair)
Councillors A Ahmed, J Martin, Perks, Roberts, Taylor, Mrs Westwood and
C Wilson

OFFICERS:-

Mr J Butler, Mrs H Martin, Mr D Owen, Mrs S Willetts (all Directorate of the
Urban Environment), Mrs G Breakwell and Mrs M Johal (Directorate of
Corporate Resources)

56 **APOLOGY FOR ABSENCE**

An apology for absence from the meeting was submitted on behalf of
Councillor Wright.

57 **APPOINTMENT OF SUBSTITUTE MEMBER**

It was reported that Councillor Taylor had been appointed as a substitute
member for Councillor Wright for this meeting only.

58 **DECLARATIONS OF INTEREST**

In accordance with the Members' Code of Conduct, non-pecuniary interests
were made by the following:-

Councillor Wilson in Planning Application No P13/1340 (98 Vicarage Road,
Wollaston, Stourbridge) as he was a friend of the applicant and he withdrew
from the meeting during consideration of the item.

Councillor Taylor in Planning Application No P13/1781 (McDonalds,
Bromsgrove Road, Halesowen) as he had submitted a written objection prior
to the meeting.

59 MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 9th December, 2013, be approved as a correct record and signed.

60 PLANS AND APPLICATIONS TO DEVELOP

A report of the Director of the Urban Environment was submitted on the following plans and applications to develop. In addition, where appropriate, details of the plans and applications were displayed by electronic means at the meeting. In addition to the report submitted, notes known as Pre-Committee notes had also been circulated updating certain of the information given in the report submitted. The content of the notes were taken into account in respect of the applications to which they referred.

The following persons referred to had indicated that they wished to speak at the meeting and, unless indicated, spoke on the planning applications:-

Plan No P13/1640 – Ms Viv Leadbetter – an objector

Plan No P13/1781 – Ms Catherine Golightly and Councillor Vickers (Ward Councillor) – objectors and Ms Asia Sirkhot – an applicant

- (i) Plan No P13/1640 – Hayley Group PLC, Site 2 (Hayley), Shelah Road, Halesowen – Installation of 4 No Air Conditioning Units and Associated 2M High Acoustic Fencing (Retrospective)

Members noted the comments made by the objector in that the air conditioning units would not be maintained, the units posed a health risk, the inappropriate location of the units, that the units were unsightly and clearly visible, the continual noise from the units, that there had been no consultation with residents and that the applicant had disregarded the planning application process and had again made a retrospective application.

During deliberations Members raised concerns about the total disregard of the planning process by the applicant, that there was insufficient evidence that an acoustic fence would eliminate noise levels and that the units were unsightly.

Decision: Refused, for the following reasons:-

1. Insufficient information has been submitted to demonstrate that the proposal would not cause unacceptable levels of noise pollution to the occupiers of neighbouring residential properties. As such the proposal is contrary to Saved Policies DD4 and DD5 of the adopted Unitary Development Plan.
2. It is considered that the units due to their location would have a detrimental impact on the visual appearance of the street scene. As such the proposal would be contrary to Policies DD4 and DD5 of the Saved Unitary Development Plan.

- (ii) Plan No P13/1781 – McDonalds, Bromsgrove Road, Halesowen – Variation of Condition 3 of Planning Application P10/1001 to be Revised to “The Premises Shall not be Open to the Public Before 0600 Hours on any Day Nor After 2300 Hours on any Day”

Members noted the comments made by the objector and the Ward Councillor in that the restaurant was surrounded by residential properties, current restrictions on the delivery times was not being adhered to, residents endured noise nuisance, young people congregated on the car park and residents have had to ask customers to be quiet.

Decision: That the application be approved subject to the condition that it shall be for a temporary period of six months from the date of this permission and not for the period stated in the report in the light of the comments made by the objectors at the meeting.

- (iii) Plan No P13/1311 – Unit 3, Conyers Trading Estate, Station Drive, Lye, Stourbridge – Use of Premises as a Waste Transfer Station (OSG)

Decision: Approved, subject to conditions, numbered 1 to 10 (inclusive), as set out in the report submitted.

- (iv) Plan No P13/1340 – 98 Vicarage Road, Wollaston, Stourbridge – Dropped Kerb

Decision: Approved, subject to conditions, numbered 1 and 2, as set out in the report submitted.

- (v) Plan No P13/1605 – 105, Birmingham Street, Stourbridge – Part Change of use from Car Wash to Car Sales and Storage of Cars (Retrospective)

Decision: Approved, subject to conditions, numbered 1 and 2, as set out in the report submitted.

- (vi) Plan No P13/1654 – Dudley Market, High Street, Dudley – Redevelopment of Dudley Market Place to Replace Existing Stalls with new Market Stalls, Storage Facility, Traders Toilet and Pump Room Building and Provision of Temporary Stalls During the Phased Development

Decision: Approved, subject to no objection or call-in from the Secretary of State as a result of being notified and to conditions, numbered 1 to 12 (inclusive), as set out in the report submitted.

- (vii) Plan No P13/1674 – Dudley Market Place and Castle Street, Dudley Town Centre, Dudley – Variation of Condition 3 of Planning Approval P13/0643 to be Revised to ‘No Closure or Demolition of the Toilet Block and Store Shall Take place Until a Permanent Replacement Public Toilet Facility and a Temporary Store within Dudley Town Centre has been Provided and is Fully Operational’

Decision: Approved, subject to conditions, numbered 1 to 7 (inclusive), as set out in the report submitted.

CHANGE IN ORDER OF APPLICATIONS

It was agreed that Planning Application No P13/1752 be considered as the next application and the remaining applications be considered in accordance to their pertaining areas relating to Dudley North and Dudley South.

- (viii) Plan No P13/1752 – 6 and 8 The Vista, Sedgley – Crown Thin 2 Lime Trees by 20% and Crown Lift

Decision: Approved, subject to the condition, numbered 1, as set out in the report submitted.

- (ix) Plan No P13/1680 – Island at Tansey Green Road/Stallings Lane, Dudley – Display of 3 No Non-Illuminated Sponsorship Signs

Decision: Approved, subject to conditions, numbered 1 to 7 (inclusive), as set out in the report submitted.

- (x) Plan No P13/1684 – Island at Wolverhampton Road and Holbeache Road, Wall Heath – Display of 3 No Non-Illuminated Sponsorship Signs

Decision: Approved, subject to conditions, numbered 1 to 7 (inclusive), as set out in the report submitted.

- (xi) Plan No P13/1685 – Island at Blowers Green Road and Tanfield Road, Dudley – Display of 4 No Non-Illuminated Sponsorship Signs

Decision: Approved, subject to conditions, numbered 1 to 7 (inclusive), as set out in the report submitted.

- (xii) Plan No P13/1686 – Island at Mill Street/Mount Pleasant, Brierley Hill – Display of Non-Illuminated Advertisement Signs

Decision: Approved, subject to conditions, numbered 1 to 7 (inclusive), as set out in the report submitted.

- (xiii) Plan No P13/1689 – Island at Dudley Road/Waterfront Way, Brierley Hill – Display of Non-Illuminated Advertisement Signs

Decision: Approved, subject to conditions, numbered 1 to 7 (inclusive), as set out in the report submitted.

- (xiv) Plan No P13/1690 – Island at Birmingham Road/Tipton Road, Dudley – Display of Non-Illuminated Advertisement Signs

Decision: Approved, subject to conditions, numbered 1 to 7 (inclusive), as set out in the report submitted.

- (xv) Plan No P13/1691 – Island at Blackacre Road/Southern Bypass, Dudley – Display of Non-Illuminated Advertisement Signs

Decision: Approved, subject to conditions, numbered 1 to 7 (inclusive), as set out in the report submitted.

- (xvi) Plan No P13/1692 – Island at Cinder Bank/Blowers Green Road, Dudley – Display of Non-Illuminated Advertisement Signs

Decision: Approved, subject to conditions, numbered 1 to 7 (inclusive), as set out in the report submitted.

- (xvii) Plan No P13/1693 – Island at Stourbridge Road and Dudley Southern Bypass, Dudley – Display of 4 No Non-Illuminated Sponsorship Signs

Decision: Approved, subject to conditions, numbered 1 to 7 (inclusive), as set out in the report submitted.

- (xviii) Plan No P13/1694 – Island at Kingswinford Road and Pensnett Road, Dudley – Display of 4 No Non-Illuminated Sponsorship Signs

Decision: Approved, subject to conditions, numbered 1 to 7 (inclusive), as set out in the report submitted.

- (xix) Plan No P13/1695 – Island at Himley Road and Milking Bank, Dudley – Display of 3 No Non-Illuminated Sponsorship Signs

Decision: Approved, subject to conditions, numbered 1 to 7 (inclusive), as set out in the report submitted.

- (xx) Plan No P13/1697 – Island at Thorns Road/Caledonia, Quarry Bank, Brierley Hill – Display 3 No Non-Illuminated Sponsorship Signs
- Decision: Approved, subject to conditions, numbered 1 to 7 (inclusive), as set out in the report submitted.
- (xxi) Plan No P13/1681 – Island at Queensway/Hagley Road, Halesowen – Display 4 No Non-Illuminated Sponsorship Signs
- Decision: Approved, subject to conditions, numbered 1 to 7 (inclusive), as set out in the report submitted.
- (xxii) Plan No P13/1682 – Island at Stourbridge Road and Furnace Lane, Halesowen – Display of 4 No Non-Illuminated Sponsorship Signs
- Decision: Approved, subject to conditions, numbered 1 to 7 (inclusive), as set out in the report submitted.
- (xxiii) Plan No P13/1683 – Island at Dudley Road and Mucklow Hill, Halesowen – Display of 4 No Non-Illuminated Sponsorship Signs
- Decision: Approved, subject to conditions, numbered 1 to 7 (inclusive), as set out in the report submitted.
- (xxiv) Plan No P13/1687 – Island at Mucklow Hill/Long Lane, Halesowen – Display of Non-Illuminated Advertisement Signs
- Decision: Approved, subject to conditions, numbered 1 to 7 (inclusive), as set out in the report submitted.
- (xxv) Plan No P13/1688 – Manor Way, Halesowen – Display of Non-Illuminated Advertisement Signs
- Decision: Approved, subject to conditions, numbered 1 to 7 (inclusive), as set out in the report submitted.
- (xxvi) Plan No P13/1696 – Island at Heath Lane and Worcester Street, Stourbridge – Display of 3 No Non-Illuminated Sponsorship Signs
- Decision: Approved, subject to conditions, numbered 1 to 7 (inclusive), as set out in the report submitted.
- (xxvii) Plan No P13/1698 – Island at Ham Lane/Wollescote Road, Stourbridge – Display 4 No Non-Illuminated Sponsorship Signs
- Decision: Approved, subject to conditions, numbered 1 to 7 (inclusive), as set out in the report submitted.
- (xxviii) Plan No P13/1699 – Island at Hagley Road/Ham Lane, Stourbridge – Display 4 No Non-Illuminated Sponsorship Signs

Decision: Approved, subject to conditions, numbered 1 to 7 (inclusive), as set out in the report submitted.

- (xxix) Plan No P13/1700 – Island at Mucklow Hill/Sylvan Close Green, Halesowen – Display of Non-Illuminated Advertisement Signs

Decision: Approved, subject to conditions, numbered 1 to 7 (inclusive), as set out in the report submitted.

- (xxx) Plan No P13/1701 – Island at Manor Lane/Spies Lane, Halesowen – Display of 4 No Non-Illuminated Sponsorship Signs

Decision: Approved, subject to conditions, numbered 1 to 7 (inclusive), as set out in the report submitted.

61 ADOPTION OF THE MEMBERS AND OFFICERS CODE OF CONDUCT – PLANNING MATTERS

A report of the Director of the Urban Environment was submitted on the amended Code of Conduct for Members and Officers – Planning Matters. A copy of the amended code was appended to the report submitted.

RESOLVED

That the information contained in the report, and appendix to the report, submitted on the amended Code of Conduct for Members and Officers – Planning Matters, be noted and that any comments be submitted to the Head of Planning, prior to consideration of the amended code by Cabinet, as part of the constitution of the Council, at its meeting to be held on 12th February 2014.

The meeting ended at 7.40 pm.

CHAIR

PLANNING APPLICATION NUMBER:P13/1585

Type of approval sought	Full Planning Permission
Ward	Upper Gornal & Woodsetton
Applicant	Mr & Mrs Graham Wright
Location:	16, MODEN HILL, SEDGLEY, DUDLEY, DY3 3YB
Proposal	ERECTION OF 1 NO. DWELLING (RESUBMISSION OF REFUSED APPLICATION P12/1127)
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. This 0.06 hectares site currently forms part of the side garden of 16 Moden Hill. The garden is on a significant slope from east to west with several terraced levels. At the top of the slope the garden abuts Snowdon Rise and is bounded by a fence. Planted and self-seeded trees are present in this area. The second level to the garden comprises with primarily ornamental planting with a decked seating area. The lower level to the garden is managed grassland, this drops quite significantly towards the rear (western) boundary with 70 Moden Hill, a mature conifer hedgerow separates these dwellings. No. 70 is sited perpendicular to the application site, the rear garden running along the length of the boundary.
2. The existing property at 16 Moden Hill is a split level dwelling located on the corner of Moden Hill and Snowdon Rise. Fronting Snowdon Rise it is of single storey appearance, whereas it is two storey at the rear and facing Moden Hill. Vehicular access to the dwelling is from Moden Hill, where there is driveway to accommodate at least 4 vehicles. The northern boundary to the site comprises of mature conifer hedge. Beyond the top northern corner of the site is Green Belt land.

3. The northern boundary is adjoined by a Public Right of Way, beyond which is 10 Snowdon Rise, a two storey detached dwelling built on a similar level to the top of the application site.
4. Properties directly opposite in Snowdon Rise, are built on higher land, such that their ground floor is approximately level with the roof of 16 Moden Hill.
5. Further down the hill, to the west of the application site, there are four, three storey dwellings built off the slope.
6. The general topography of the area is one of significant changes in level from an east to westerly direction along Moden Hill where there are a mixture of property types from a variety of periods.

PROPOSAL

7. This application seeks approval for a split level, 3 bedroom dwelling in the side garden of 16 Moden Hill.
8. Due to the sloping site, although two storeys would in effect be created, this would appear as single storey fronting Snowdon Rise and two storey to the rear.
9. The floor level with Snowdon Rise would contain the garage with 3 bedrooms and bathroom.
10. The lower floor would contain a family room, lounge, kitchen, dining room and shower room.
11. The property would sit alongside No. 16 and is shown to measure between 9.6m and 10.6m deep by up to 11m wide. The front elevation would measure up to 4m to the ridge of the roof and 8.5m to ridge (5.5m to eaves) at the rear.

12. The rear garden would be between 12m to 16m long by a maximum 21m wide, giving an area of approximately 253m².
13. A new vehicular access from Snowdon Rise would be created, leading to at 3 spaces on the driveway and 1 in the proposed garage.
14. A Design and Access Statement, Protected Species Survey and Tree Report accompany this application.
15. During the course of this application further amendments were made to the scheme;
 - 3 off street car parking spaces on the driveway instead of 2
 - Gradient of driveway shown to be 1:8
 - An external charging point to be provided adjacent to at least 1 parking space.

RELEVANT PLANNING HISTORY

APPLICATION No.	PROPOSAL	DECISION	DATE
P12/1127	Erection of 1 no. dwelling	Refused	31/10/2012
		Appeal dismissed	12/06/2013
P12/0519	Erection of 1 no. dwelling (resubmission of withdrawn planning application P11/0955)	Refused	02/08/2012
P11/0955	Erection of 1 no. dwelling	Withdraw	06/12/2011
CC/75/1803	Erection of 5 detached houses with integral garages. (multi bound site - 1st of 2 sites).	Approved with Conditions	31/12/1975

16. Most recent planning applications P12/1127 and P12/0519 were refused on the following ground;
 - *The proposed dwelling, due to its position and scale, would result in a form of development that would be detrimental to the amenities of the occupiers of*

neighbouring properties through the overlooking of private rear gardens and the overbearing nature of the structure. The proposal would therefore be contrary to Policy DD4 of the Saved UDP.

17. Planning application P11/0955 was withdrawn following concerns raised by the local planning authority regarding;
- projecting garage protruding forward of the established building line within Snowdon Rise
 - proposed dwelling with external balconies would result in overlooking of private rear gardens of adjacent properties
 - that the development should respect local character of height and mass, generally 2 storey dwellings in surrounding area.

PUBLIC CONSULTATION

18. Direct neighbour consultation was carried out to 16 adjoining and adjacent neighbours, as a result of which, 4 letters of objection have been received, summarised as follows;
- Overlooking and loss of privacy to adjacent properties
 - Will affect the stability of surrounding land
 - Inadequate drainage currently would be added to by new dwelling
 - Harmful to natural habitat and wildlife.
 - Moden Hill/Snowdon Rise unsuitable for additional vehicular traffic
 - Will result in overspill parking in Snowdon Rise and Moden Hill
 - New proposal does not present a design that sufficiently less massive to previous scheme.

OTHER CONSULTATION

19. Group Engineer (Highways): No objection subject to provision of a satisfactory plan showing the parking layout, gradient details, and a condition regarding an electric charging point.

20. Head of Environmental Health and Trading Standards: No objection.
21. West Midlands Fire Service: No objection

RELEVANT PLANNING POLICY

22. National Planning Policy Framework (NPPF) 2012

This sets out the Government's planning policies for England and how these are expected to be applied. The NPPF is a material consideration in planning decisions, but does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved.

23. Black Country Core Strategy (BCCS) Policies 2011

CSP2 - Development outside the Growth Network

CSP4 – Place Making

HOU1 – Delivering Sustainable Housing Growth

HOU2 – Housing Density, Type and Accessibility

TRAN2 – Managing Transport Impacts of New Development

TRAN5 – Influencing the Demand for Travel and Travel Choices

ENV1 – Nature Conservation

ENV2 – Historic Environment and Local Distinctiveness

ENV3 – Design Quality

24. Saved UDP Policies 2005

DD1 – Urban Design

DD4 – Development in Residential Areas

NC6 – Wildlife Species

25. Supplementary Planning Document

Parking Standards (2012)

New Housing Development

Nature Conservation

ASSESSMENT

26. The key issues in determination of this application are;
- Principle of development
 - Character and appearance of the area
 - Residential amenities of nearby occupiers
 - Highway safety
 - Impact upon wildlife species

Principle of development

27. The recently issued National Planning Policy Framework encourages LPA's to boost significantly the supply of housing in sustainable locations. It also states that Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.
28. In the recent appeal decision for application P12/1127, the Inspector noted that;
- 'The footprint of the proposed dwelling would be slightly smaller than that of the host dwelling and in my view it would sit comfortably within the plot.'*
- The general principle of the development was therefore considered acceptable.
29. It is clear that the presumption in favour of sustainable development contained in the NPPF is not intended as a blanket justification for all such development. NPPF requires good design, which is a key aspect of sustainable development. These issues are explored below.

Character and appearance

30. BCCS policy HOU2 'Housing Density, Type and Accessibility' sets out the objectives for density and types of new housing, promoting the need to achieve high quality design and minimise amenity impacts, taking into account the characteristics and mix of uses in the area where the proposal is located.

31. BCCS policies CSP4 'Place Making', ENV2 'Historic Character and Local Distinctiveness' and ENV3 'Design Quality' requires that all development demonstrates a clear understanding of historic character and local distinctiveness and demonstrates how proposals make a positive contribution to place-making and environmental improvement through high quality design.
32. The New Residential Development SPD (2012) is a useful tool in establishing a character led approach to new development based on identifiable context and characteristics. Whilst the site shares characteristic of development in 'outer suburbs' given that it fronts modern development in Snowdon Rise, the development criteria for 'rural fringe' has been used to assess whether this dwelling is designed within its context largely due to the position close to the countryside.
33. Development criteria that has been incorporated into the scheme include;
 - respect local character of space around the dwellings
 - spacious gardens in width and length
 - Individual designs encouraged
 - provision of off street parking
 - development should respect the predominant style of architecture
 - development should respect the landscape character of the area
 - redevelopment of existing plots to reflect the dispersed arrangement of dwellings in the vicinity
34. The NPPF suggests that Council's should set out their own approach to housing density to reflect local circumstances.
35. The new dwelling would be built to a density of 17dph, which is considered appropriate for this area. Adjoining development in Snowdon Rise was built to 26dph, whilst No's 70-78 Moden Hill were built to a density of 21dph. The current proposal, along with 16 Moden Hill, would maintain a density of 14dph. In this respect the development would make efficient use of land.

36. Whilst the Inspectorate agreed with the principle of an additional dwelling on this plot, with regard to the external appearance the following concern was raised;
- ‘...the proposed dwelling would be significantly taller. Its catslide style roof would add significant bulk to the building. It would appear ‘top heavy’ and would be a stark contrast to the traditional roof pitch of the host dwelling. To my mind, the overall height and mass of the proposed dwelling, combined with its elevated position, would result in it appearing overly dominant and imposing when viewed from the rear of No. 70 Moden Hill below, even accounting for the presence of the tall hedge running along the shared boundary.*
37. In order to address this, the plans have been amended to ensure the maximum scale of the dwelling would be two storey. The inappropriate catslide roof has been removed, with a traditional roof at a 30-degree pitch as a replacement. This significantly reduces the overall height and mass of the proposed new build. The elevated position of the plot is now much reduced, achieved by lowering the front access driveway off Snowdon Rise. Compared to 16 Moden Hill, the overall height of the proposed dwelling would be some 0.6m higher (eaves 1m higher). These changes address the Inspectors concerns with regard to the external design of the property which overly dominated and imposed upon views from the rear of No. 70 Moden Hill.
38. The elevation fronting Snowdon Rise would give the appearance of a bungalow, sitting between the slightly lower 16 Moden Hill and higher 10 Snowdon Rise, it would follow the south to north topography, resulting in a tiered effect with regard to building height. It would not sit forward of the established building line to Snowdon Rise, maintaining a frontage between to 6.5m and 8m deep.
39. The external design of the dwelling would be appropriate within Snowdon Rise and Moden Hill, which have a variety of house types of single, two and three storey scale. The dramatic changes in land levels add to the varied roofscape. It would not therefore appear overly dominant or incongruous within the streetscene.

40. The building would also respect the east to west topography; development opposite (1 to 2 Snowdon Rise) would still stand above the proposed development.
41. There is ample space around the dwelling guarding against a cramped appearance, existing and proposed planting would be sufficient to mitigate the visual impact of the additional built development.
42. The Council's Tree Protection Officer advises that whilst the group of trees that front onto Snowdon Rise do make a contribution to the area, it is their communal value that makes the contribution. On an individual basis, the trees are not overly good specimens and the Tree Report confirms this assessment. However, a condition is requested to provide some replacement trees along the Snowdon Rise frontage as part of the landscaping scheme.
43. The proposal makes a positive contribution to place making through high quality design. It would therefore comply with BCCS Policies CSP4, ENV3 and HOU2, and Saved UDP Policies DD1 and HE4.

Residential amenity

44. No. 70 Moden Hill adjoins the western boundary, a mature conifer hedgerow separates these dwellings, this neighbour's garden is some 1.5m beneath the lowest part of the application site garden.
45. With regard to privacy and overlooking The Inspector concluded on the previous scheme that;

'Given the steep nature of Moden Hill, many dwellings look down on properties below and this arrangement inevitably leads to a degree of overlooking. To this end, No. 70 Moden Hill is already overlooked by 16 Moden Hill and although an additional dwelling would increase the intensity of overlooking, against the context I have described, I do not consider this to be objectionable'.

Loss of privacy was clearly not an issue that was afforded substantial weight.

46. No. 70 is sited perpendicular to the application site and there is still a distance of between 25m to 30m from the rear elevation of the proposed dwelling to the nearest point of this neighbour's property. The perpendicular arrangement helps to protect any direct views between habitable rooms. It is considered that no direct loss of privacy to habitable rooms would arise.
47. The position of the rear elevation would be in line with the existing rear elevation of 16 Moden Hill, and would be between 12m to 17m from the garden boundary of 70 Moden Hill. The presence of a conifer hedge and lower land level would also help screen any direct overlooking from proposed habitable rooms to users of the garden. The combination of boundary treatment and separation distances would ensure that the immediate outlook from and privacy to the garden of these neighbours and those beyond would not be adversely affected.
48. 10 Snowdon is located on higher land level, the presence of the intervening Public Right of Way and conifer tree screen would ensure these neighbours would not be unduly harmed by the proposal.
49. There would be 22m separation between the proposed front elevation and No.2 Snowdon Rise, adequate separation to protect the residential amenities of these neighbours.
50. The new dwelling would have a private rear garden of between 12m-16m long, with an area of approximately 253m². Providing more than adequate private amenity space for this 4 bed dwelling in excess of minimum standards set out in the New Housing Development SPD. The plans also confirm that existing boundary treatment north and west boundaries would be retained.
51. The proposal would comply with BCCS Policy HOU2 which seeks to minimise amenity impacts and Saved UDP Policy DD4.

Highway safety

52. The Group Engineer (Development) raises no objection to this proposal, subject to provision of electric charging point which can be secured by condition. The scheme would provide at least 2 off-street parking spaces in accordance with the Parking Standards SPD (2012).
53. This ensures that the development would not have a detrimental effect upon highway safety and that adequate provision is made for the parking and manoeuvring of vehicles associated with the proposed development in accordance with BCCS Policy CSP4 and Saved UDP Policy DD4.

Protected Wildlife Species

54. A Protected Species Survey was submitted under the requirements of Saved UDP Policy NC6 – Wildlife Species.
55. A number of recommendations are proposed to ensure a mitigation strategy is submitted to protect badgers which are known to forage on this site, ensure clearance works avoid the bird breeding season and ensure the protection of habitats to continue to support wildlife.
56. The survey work is satisfactory, and as long as relevant conditions are attached to implement the recommendations, it would be in accordance with Saved UDP Policy NC6 – Wildlife Species, BCCS Policy ENV1 – Nature Conservation and the Nature Conservation SPD.

New Homes Bonus

57. Clause (124) of the Localism Act states that: Local planning authorities are to have regard to material considerations in dealing with applications including any local finance considerations, so far as material to the application.
58. The New Homes Bonus is designed to create an effective fiscal incentive to encourage local authorities to facilitate housing growth. It will ensure the economic

benefits of growth are more visible within the local area, by matching the council tax raised on increases in effective stock.

59. The Bonus provides local authorities with monies equal to the national average for the council tax band on each additional property and paid for the following six years as a non-ring fenced grant. In addition, to ensure that affordable homes are sufficiently prioritised within supply, there will be a simple and transparent enhancement of a flat rate £350 per annum for each additional affordable home.
60. This proposal would provide 1 house generating a grant of 1 times the national average council tax for the relevant bands per annum for 6 years.
61. Whilst this is a significant sum of money the planning merits of the proposal are acceptable in any event and therefore this is not accorded significant weight.

CONCLUSION

62. The proposal respects the character and distinctiveness of the area making a positive contribution to place making through high quality design without harming the amenity of existing or future occupiers. There would be no detrimental impact on highway safety or protected wildlife species. The development would comply with BCCS Policies CSP2 - Development outside the Growth Network, CSP4 – Place Making, HOU1 – Delivering Sustainable Housing Growth, HOU2 – Housing Density, Type and Accessibility, TRAN2 – Managing Transport Impacts of New Development, TRAN5 – Influencing the Demand for Travel and Travel Choices, ENV1 – Nature Conservation, ENV2 – Historic Environment and Local Distinctiveness, ENV3 – Design Quality, Saved UDP Policies - DD1 – Urban Design, DD4 – Development in Residential Areas and NC6 – Wildlife Species, and Supplementary Planning Documents - Parking Standards (2012), New Housing Development and Nature Conservation.

RECOMMENDATION

63. It is recommended that the application be APPROVED subject to the following conditions:

INFORMATIVE NOTE – THE COAL AUTHORITY

ALL DEVELOPMENTS WITHIN COALFIELD STANDING ADVICE AREAS

The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority.

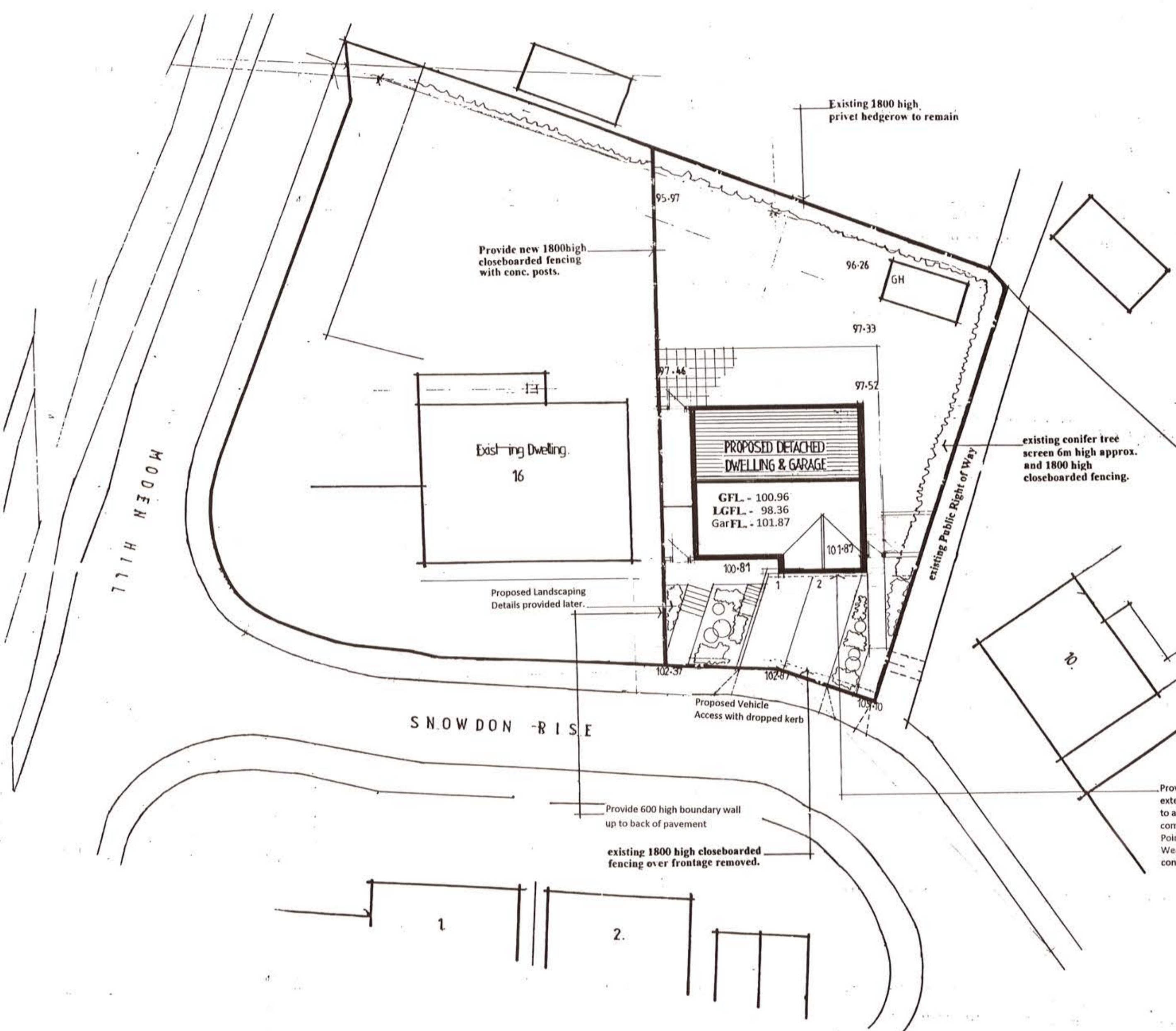
Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

APPROVAL STATEMENT INFORMATIVE

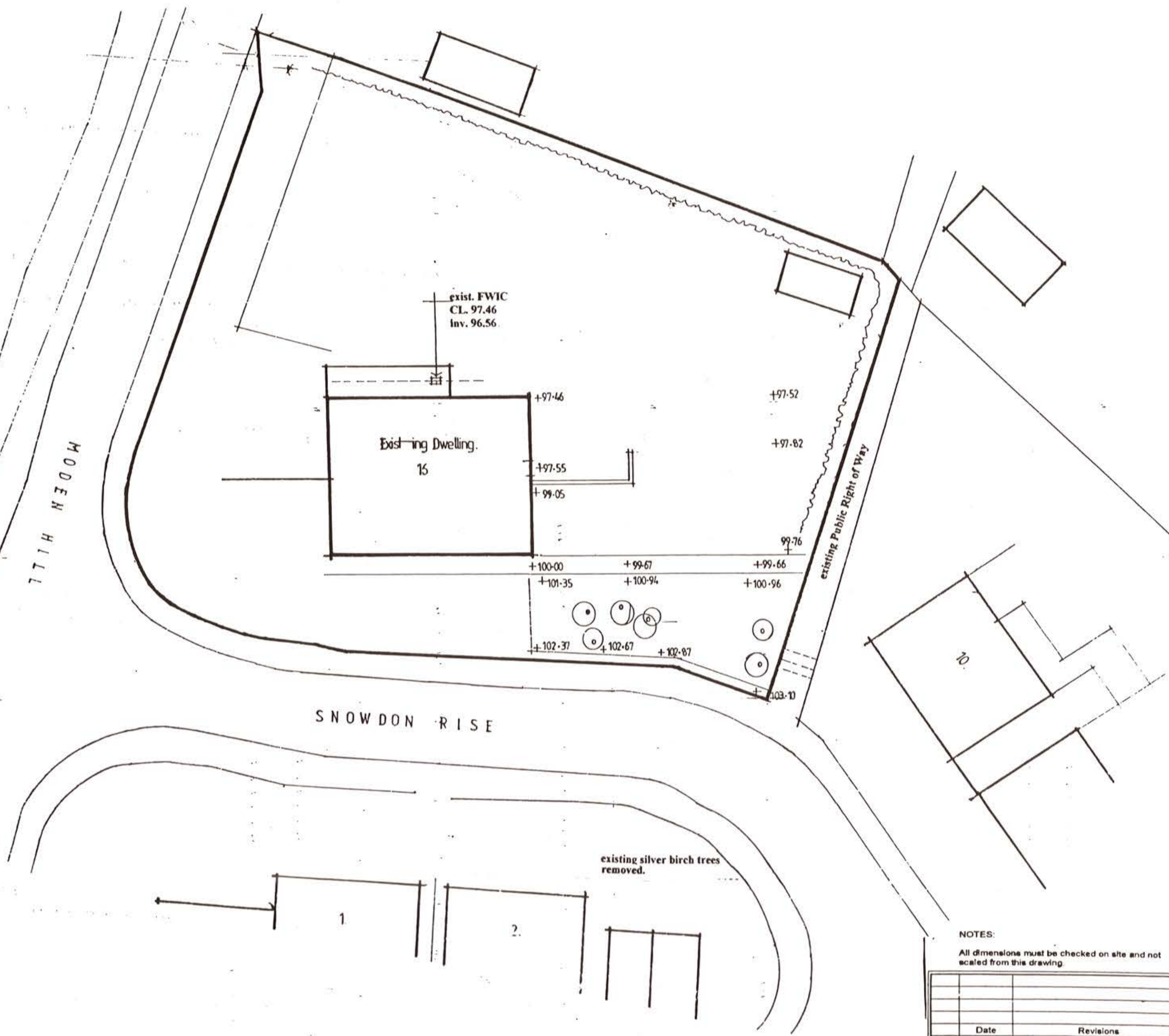
In dealing with this application the local planning authority have worked with the applicant in a positive and proactive manner, seeking solutions to problems arising in relation to dealing with the application, by seeking to help the applicant resolve technical detail issues where required and maintaining the delivery of sustainable development. The development would improve the economic, social and environmental concerns of the area and thereby being in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Conditions and/or reasons:

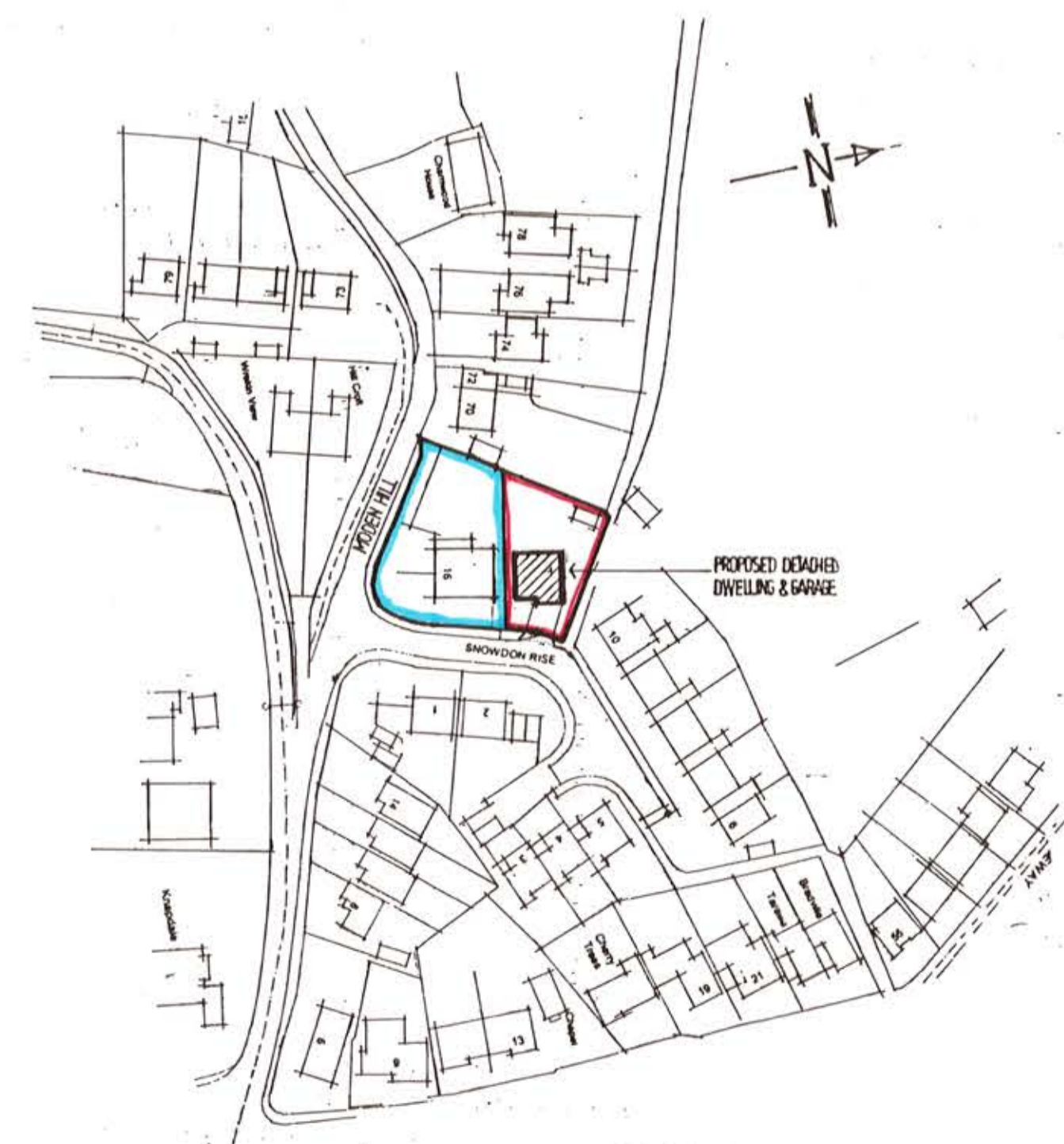
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: GW.3267/12/F, GW.3268/12/F (exc. the parking layout) and GW.3269/12/F (exc. the parking layout), Amended Site Plan received 10/12/2013.
3. Prior to the commencement of development, details of the types, colours and textures of the materials to be used on the external surfaces of the buildings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved details.
4. Prior to the commencement of development, details of the landscaping scheme (which shall include provision of tree replacement on the Snowdon Rise frontage) for the site shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented in accordance with the approved details before the end of the first planting season following initial occupation of the development. Any new trees or other plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written approval to any variation.
5. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment (including the retaining walls) to be erected. The boundary treatment shall be carried out in accordance with the approved details shall be and completed before the dwellings are occupied.
6. Unless otherwise agreed in writing, the parking spaces shall have a hard surface that is either made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse, and shall be provided prior to first occupation and retained for the life of the development.
7. Prior to the commencement of development, details of biodiversity measures to be incorporated into the development in line with those recommended in the Ecological Scoping Survey dated September 2011 shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out and maintained in accordance with the approved details.
8. No development shall commence until details for the provision of external electric charging points have been submitted to and approved in writing by the Local Planning Authority. The Electric Charging point(s) shall thereafter be provided in accordance with the approved details prior to first occupation of the development and be maintained for the life of the development.
9. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order, with or without modification), no development permitted by Classes A, B or E of Part 1 of Schedule 2 of the Order, shall be carried out within the site of the dwelling hereby permitted (except as expressly approved by this grant of planning permission) without the prior approval in writing of the Local Planning Authority.



PROPOSED SITE PLAN SCALE: 1:200.



EXISTING SITE PLAN SCALE: 1:200.



LOCATION PLAN scale 1:1250

NOTES:
All dimensions must be checked on site and not scaled from the drawing.

Date	Revisions

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Planning & Design Services
251 THE BROADWAY, DUDLEY,
WEST MIDLANDS DY1 3DP
Architectural Design, Planners & Surveyors
Tel & Fax: 01384-257184
Member of: British Institute of Architectural Technologists,
Architects and Surveyors Institute, Faculty of Building

Client
MR. & Mrs. G WRIGHT
Job Title
**LAND ADJ. 16, MODEN HILL
SEDGLEY,
DUDLEY.
DY3 3YB**

Drawing Title
**PROPOSED SPLIT-LEVEL
DETACHED DWELLING AND
GARAGE**

PROPOSED SITE and LOCATION PLANS

Scale 1:1250 1:200

Date AUG. 2012 Drawn by

Drp No. **GW. 3269/12** Rev **F**

This Contractor is to check and verify all building and site dimensions, levels and sewer invert levels at connection points before work starts.
The Contractor is to comply in all respects with current building legislation - British Standard Specifications, Building Regulations, C.D.M. Regulations and Party Wall Act 1996 etc., whether or not specifically stated on this drawing.
This drawing must be read with and checked against any structural, geotechnical or other specialist documentation provided.
This drawing may not show final design details of foundations, ground conditions or ground contaminants. Each area of ground relied upon to support any structure depicted (including drainage) must be investigated by the Contractor. A suitable method of foundation should be provided allowing for existing ground conditions. Any suspect or fluid ground, contaminants on or within the ground, should be further investigated by a suitable expert. Any earthwork constructions shown indicate typical slopes for guidance only and should be further investigated by a suitable expert.
Where existing trees are shown to be retained they should be subject to a full Arboricultural inspection for safety.
All trees are to be planted so as to ensure they are a minimum of 5 metres from buildings and 3 metres from drainage and services. A suitable method of foundation is to be provided to accommodate the proposed tree planting.
The drawings and the building works depicted are Copyright and may not be reproduced or amended except by written permission.

10 DEC 2013

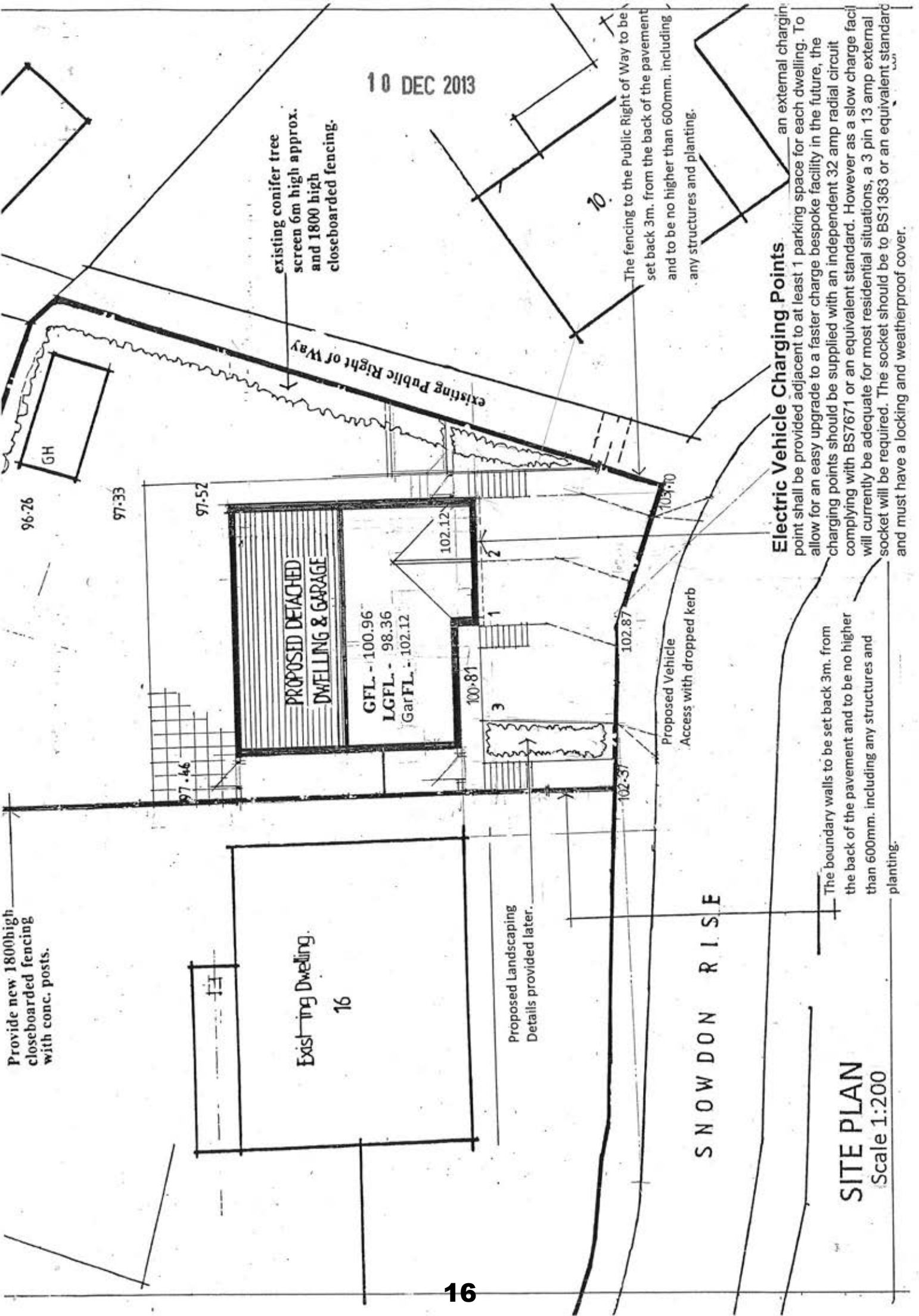
Provide new 1800high closeboarded fencing with conc. posts.

existing conifer tree screen 6m high approx. and 1800 high closeboarded fencing.

The fencing to the Public Right of Way to be set back 3m. from the back of the pavement and to be no higher than 600mm. including any structures and planting.

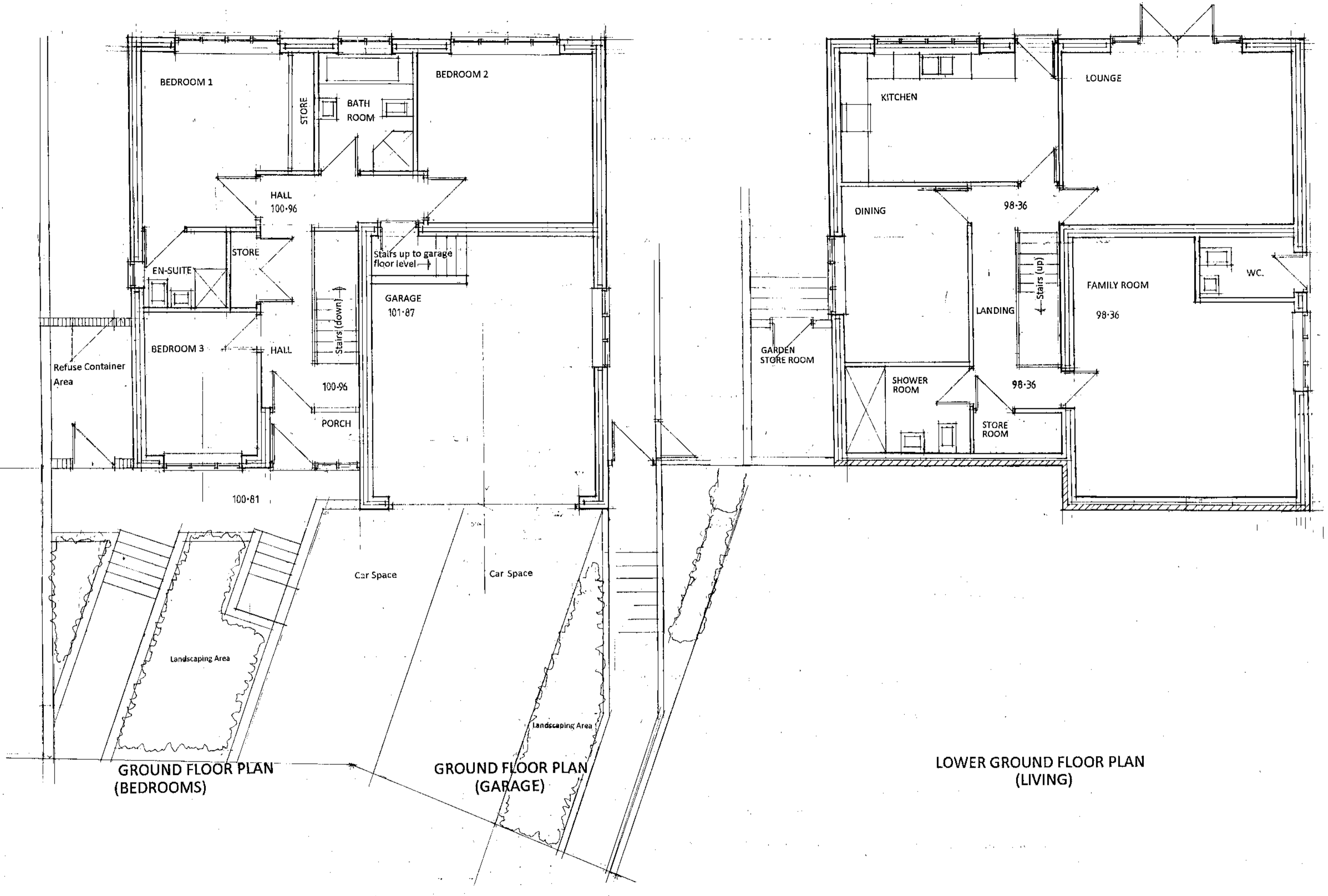
Electric Vehicle Charging Points an external charging point shall be provided adjacent to at least 1 parking space for each dwelling. To allow for an easy upgrade to a faster charge bespoke facility in the future, the charging points should be supplied with an independent 32 amp radial circuit complying with BS7671 or an equivalent standard. However as a slow charge facility will currently be adequate for most residential situations, a 3 pin 13 amp external socket will be required. The socket should be to BS1363 or an equivalent standard and must have a locking and weatherproof cover.

The boundary walls to be set back 3m. from the back of the pavement and to be no higher than 600mm. including any structures and planting.



SNOWDON RISE

SITE PLAN
Scale 1:200



The Contractor is to check and verify all building and site dimensions, levels and sewer invert levels at connection points before work starts.

The Contractor is to comply in all respects with current building legislation - British Standards Specifications, Building Regulations, C.D.M. Regulations and Party Wall Act 1996 etc., whether or not specifically stated on this drawing.

This drawing must be read with and checked against any structural, geotechnical or other specialist documentation provided.

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All trees are to be planted so as to ensure they are a minimum of 5 metres from buildings and 3 metres from drainage and services. A suitable method of foundation is to be provided to accommodate the proposed tree planting.

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NOTES
All dimensions must be checked on site and not scaled from this drawing

Date	Revisions

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Architects and Surveyors (Outside Faculty of Building)

Client
MR. & Mrs. G WRIGHT

Job Title
**LAND ADJ. 16, MODEN HILL,
SEDGLEY,
DUDLEY,
DY3 3YB**

Drawing Title
**PROPOSED SPLIT-LEVEL,
DETACHED DWELLING AND
GARAGE**

PROPOSED PLANS

Scale
1:50

Date
AUG. 2012 Drawn by

Dwg No
GW. 3268/12 Rev
F

PLANNING APPLICATION NUMBER:P13/1743

Type of approval sought	Full Planning Permission
Ward	St James's
Applicant	Head of Economic Development, Dudley MBC
Location:	GREEN MAN ENTRY, TOWER STREET, DUDLEY
Proposal	ERECTION OF BESPOKE METAL ARCHWAY
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The application site comprises a public right of way known as 'Green Man Entry' adjacent to and forming part of a Grade II Statutory Listed Building (270-272 Castle Street recorded on the Council's Historic Environment Record (HER) under HER No. 943). It is located at the gateway to Dudley Town Centre Conservation Area with 270-272 Castle Street fronting a wide pedestrian frontage.
2. 270-272 Castle Street is a Georgian style three storey former townhouse dating from the 18th Century and the majority of the property's historic features have been retained. The building comprises a row of three former townhouses and it is believed that at some point the whole row was a public house known as 'The Green Man'. An archway to the left of the doorway forms the entrance to Green Man Entry. This is bounded by a flank wall of 270 Castle Street and a boundary wall to the north and the flank wall and a detached garage at 269 Castle Street (Castle View Dental Practice) to the south which is a recorded historic asset. The thoroughfare links Tower Street and Castle Street, with the Tower Street approach being opposite the recently constructed Dudley College 'Evolve' campus building.

PROPOSAL

3. Planning permission is sought to erect a bespoke metal archway within Green Man Entry. The archway would attach to the top of the boundary wall to the rear of 270

Castle Street and the flank wall of the modern garage of Castle View Dental Practice at the point where the passageway narrows. It would be a bespoke cast steel design which would depict the medieval Green Man mask along with 'Green Man Entry' text and would be of a double sided construction.

4. The proposed works forms part of a comprehensive suite of public realm proposals for the redevelopment of Dudley Market Place and Castle Street. Highway improvement works are also intended as part of the wider scheme which includes the resurfacing of Green Man Entry to help define the public right of way. This application is being considered alongside application P13/1744 which seeks Listed Building Consent for the archway.

HISTORY

5. 270-272 Castle Street has a history of applications, the majority of which relate to internal modifications and external repairs or elevational alterations. The more recent applications are detailed below:

APPLICATION No.	PROPOSAL	DECISION	DATE
P11/1534	Listed Building Consent for replacement of ground floor windows to front elevation	Pending (subject to revisions to plans)	
P11/1555	Replacement of ground floor windows to front elevation and reinstatement of historical features	Approved with Conditions	13/02/2012
P13/0684	Listed Building Consent to replace 'Green Man Head Sculpture' above entrance archway to Green Man entry	Approved with Conditions	29/07/13
P13/0648/C1	Discharge of Conditions 3 & 4	Approved	20/11/13

PUBLIC CONSULTATION

6. Direct notification was carried out to thirteen neighbouring premises, a site notice was displayed and a notice placed in the local press. The final date for receipt of

representations is 18th January 2014 and any observations received will be reported in a pre-committee note.

OTHER CONSULTATION

7. English Heritage; No objection

RELEVANT PLANNING POLICY

National Planning Policy

- National Planning Policy Framework (2012) (NPPF) - Specifically Chapter 12, Conserving and enhancing the historic environment.
- PPS5 – Planning for Historic Environment Practice Guide
- Planning (Listed Buildings and Conservation Areas) Act 1990

Black Country Core Strategy (2011) (BCCS)

- CSP1 The Growth Network
- CSP4 Place Making
- CEN4 Regeneration of Town Centres
- EMP6 Cultural Facilities and the Visitor Economy
- ENV2 Historic Character and Local Distinctiveness
- ENV3 Design Quality

Saved Unitary Development Plan Policies (2005) (UDP)

- DD1 Urban Design
- DD4 Development in Residential Areas
- DTC1 Thoroughfares and Public Spaces
- DTC2 Street Blocks
- HE4 Conservation Areas
- HE5 Buildings of Local Historic Importance
- HE6 Listed Buildings
- HE11 Archaeology and Preservation

Supplementary Planning Guidance/Documents

- Historic Environment Supplementary Planning Document (2006)
- Dudley Town Centre Area Development Framework (2005) (ADF)
- Parking Standards and Travel Plans Supplementary Planning Document
- Dudley Town Centre Conservation Area Character Appraisal
- Dudley Town Centre Conservation Area Management Plan

ASSESSMENT

8. Key issues;
- Design and Historic Environment Issues

Design and Historic Environment Issues

9. Green Man Entry is a local landmark which is clearly defined at the Castle Street Entrance by the archway and Green Man mask which is due to be replaced. Once within the pedestrian thoroughfare the route to and from the Tower Street side is less defined as pedestrians navigate their way through the access to adjacent parking areas, with no clearly defined route. The regularity of use of this pedestrian route is likely to have increased following construction of the Dudley College Evolve campus within Tower Street, placing greater emphasis on the need to provide greater definition. The proposed metal archway would help define the route and when implemented, together with the resurfacing and wider public realm works, would significantly aid legibility and accessibility. The addition of the archway would better reveal the significance of the designated heritage asset (270-272 Castle Street) and would make a positive contribution to the character and appearance of Dudley Town Centre Conservation Area.
10. It is therefore considered that proposals would preserve and enhance the character and appearance of the Conservation Area and respect the setting and integrity of the heritage assets. The proposal forms part of the comprehensive regeneration of Dudley Town Centre and is in the wider public interest. In this respect the proposal therefore complies with the NPPF, saved Policy DD1, HE4 and HE6 of the Dudley

UDP, Policy ENV2, EMP6, CEN4 and CSP4 of the Black Country Core Strategy and The Dudley ADF (2005).

CONCLUSION

11. The proposed development would enhance the character and appearance of the Dudley Town Centre Conservation Area and would preserve and enhance the settings of the designated heritage asset. The proposal forms part of the comprehensive regeneration of Dudley Town Centre and is within the wider public interest. The existing pedestrian route would be more positively defined and would significantly aid legibility and accessibility.

RECOMMENDATION

12. It is recommended that the application is APPROVED subject to the following conditions;

APPROVAL STATEMENT INFORMATIVE

In dealing with this application the local planning authority have worked with the applicant in a positive and proactive manner, seeking solutions to problems arising in relation to dealing with the application, by seeking to help the applicant resolve technical detail issues where required and maintaining the delivery of sustainable development. The development would sustain and enhance the significance of the heritage asset and puts it into a viable use consistent with its conservation and is thereby in accordance with paragraph 131 of the National Planning Policy Framework.

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. The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No: M300 23, M300 22, M300 25 and M300 24.



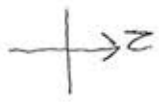
EUROPEAN UNION
Investing in Your Future
European Regional
Development Fund 2007-13

Drawing No: M300 22
Revision:
Date: 13.11.13



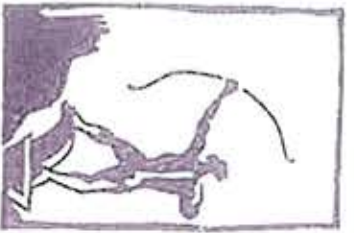
Dudley
Directorate of the Urban Environment
Landscape Design Group
4 Ellum Road
Dudley
West Midlands
DY1 1HE
Tel: 01284 817010

PROPOSED LOCATIONS
GREEN MAN
LIGHT COLUMN,
MOSAIC ROUNDAL
& ARCH



**Proposed Archway for
Green Man Entry
Pedestrian Passageway**
Location Plan
1:500 at A4





PUBLIC ART RESOURCE UNIT

The Laundry Block,
Hinley Hall,
Hinley Park,
Dudley,
DY3 4DP



Department of the Urban Environment
Landscape Design Group

4 Green House
Cotton Road
Dudley
DY1 1W
Tel: 0121 852 4100
Fax: 0121 852 4101

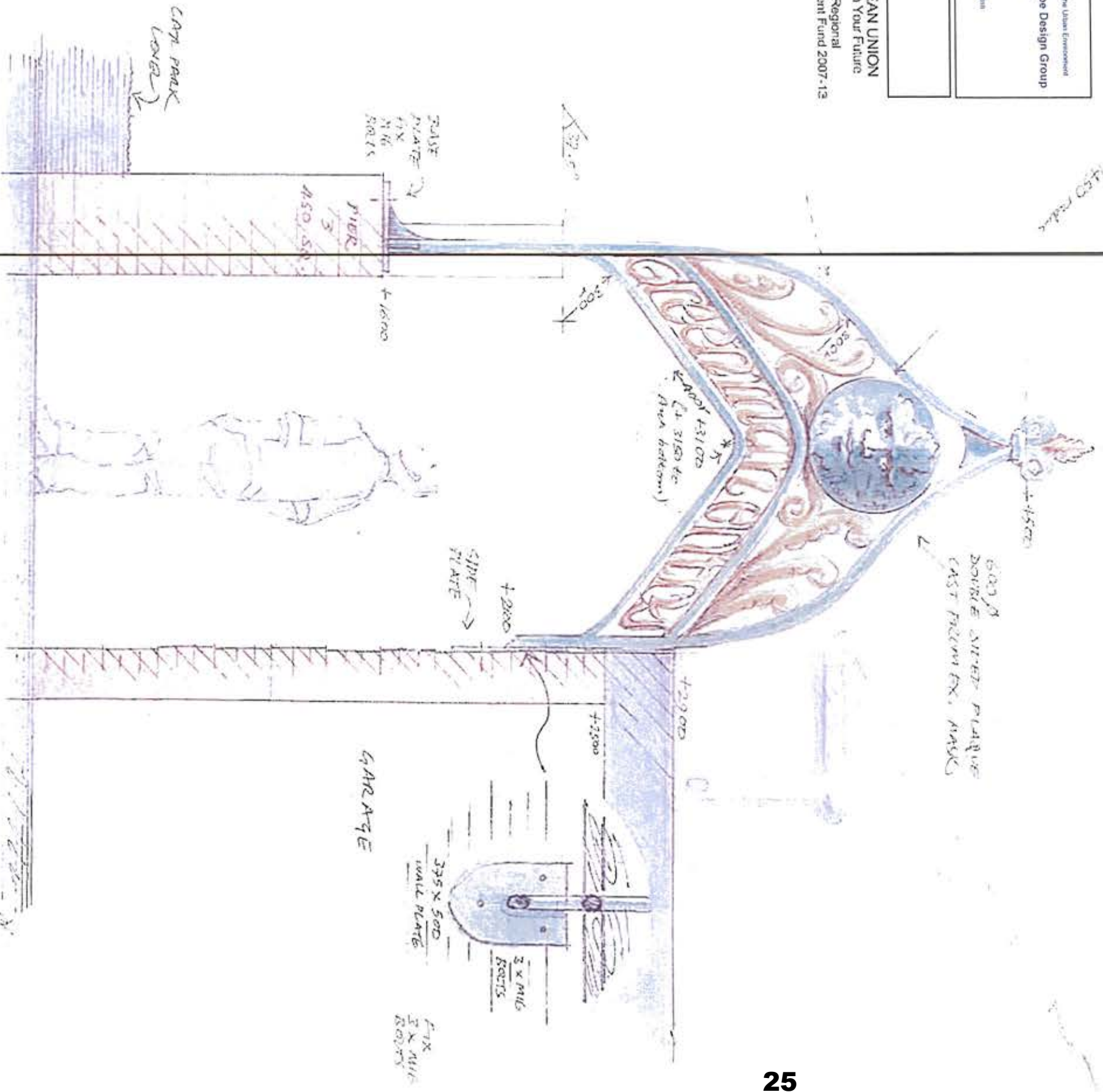
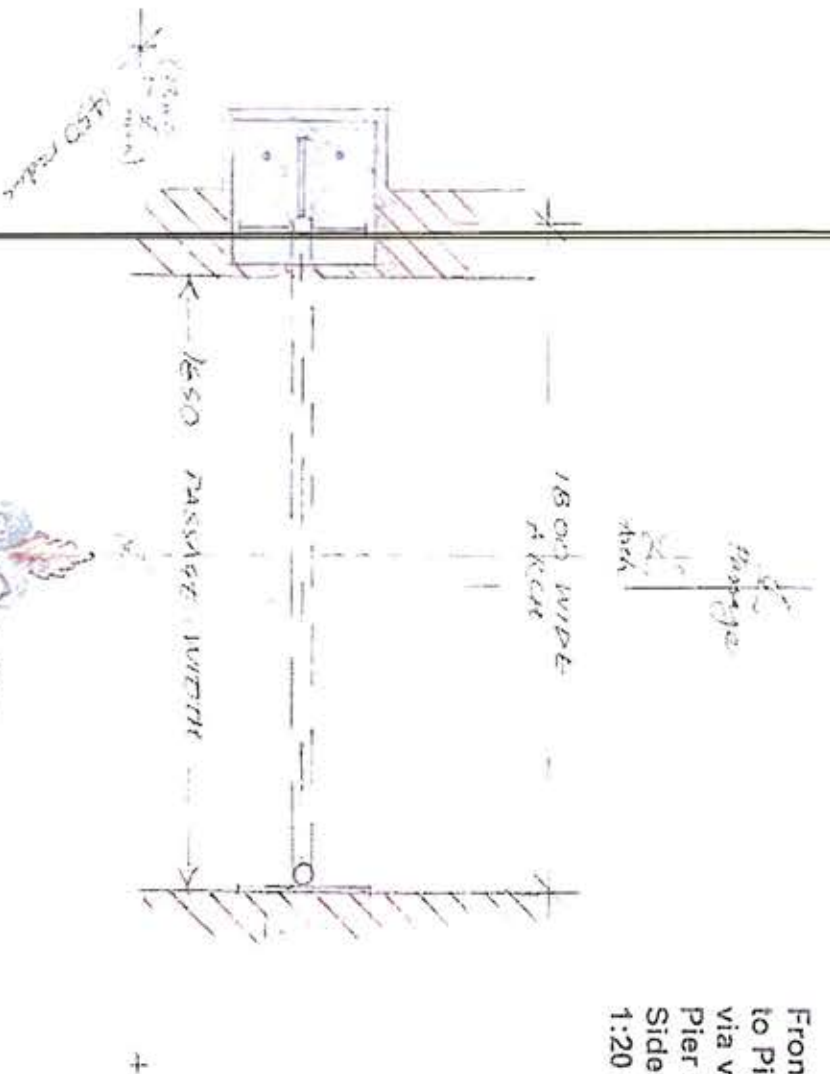
Drawing No: M300 23
Revision:
Date: 13.11.13

EUROPEAN UNION
Investing in Your Future
European Regional
Development Fund 2007-13



Proposed Archway for Green Man Entry Pedestrian Passageway

Front Elevation showing fixing points
to Pier via top plate and into side wall
via vertical plate
Pier Plate at +1600
Side plate at +2100
1:20 at A3



PLANNING APPLICATION NUMBER:P13/1744

Type of approval sought	Listed Building Consent
Ward	St James's
Applicant	Dudley MBC, Head of Economic Development
Location:	GREEN MAN ENTRY, TOWER STREET, DUDLEY
Proposal	LISTED BUILDING CONSENT FOR THE ERECTION OF BESPOKE METAL ARCHWAY
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS IF NO CALL IN FROM SECRETARY OF STATE

SITE AND SURROUNDINGS

1. The application site comprises a public right of way known as 'Green Man Entry' adjacent to and forming part of a Grade II Statutory Listed Building (270-272 Castle Street recorded on the Council's Historic Environment Record (HER) under HER No. 943). It is situated at the gateway to the Dudley Town Centre Conservation Area with 270 Castle Street fronting the wide pedestrian area along Castle Street.
2. 270-272 Castle Street is a Georgian style three storey former townhouse dating from the 18th Century and the majority of the property's historic features have been retained. The building comprises a row of three former townhouses, and it is believed that at some point the whole row was a public house known as 'The Green Man'. An archway to the left of the doorway forms the entrance to Green Man Entry which is bounded by the flank wall of 270-272 Castle Street and a boundary wall to the north and the flank wall and detached garage of 269 Castle Street (Castle View Dental Practice) to the south which is an historic asset. The thoroughfare links Tower Street and Castle Street with the Tower Street approach opposite the recently constructed Dudley College 'Evolve' campus building.

PROPOSAL

3. Listed Building Consent is sought to erect a bespoke metal archway within Green Man Entry. The archway would attach to the top of the boundary wall to the rear of 270 Castle Street and the flank wall of the modern garage at Castle View Dental Practice at the point where the passageway narrows. The archway would be a bespoke cast steel design which would depict the medieval Green Man mask along with 'Green Man Entry' text and would be double sided. The top of the archway would be 4.7m high when measured from ground level.
4. The proposed works forms part of a comprehensive suite of public realm proposals for the redevelopment of Dudley Market Place and Castle Street. Highway improvement works are also intended as part of the wider scheme which includes the resurfacing of Green Man Entry to help define the public right of way. This application is being considered alongside planning application P13/1743 which seeks planning consent for the archway.

HISTORY

5. 270-272 Castle Street has a history of applications, the majority of which relate to internal modifications and external repairs/elevational alterations. The more recent applications are detailed below:

APPLICATION	PROPOSAL	DECISION	DATE
P11/1534	Listed Building Consent for replacement of ground floor windows to front elevation	Pending (subject to revisions to plans)	
P11/1555	Replacement of ground floor windows to front elevation and reinstatement of historical features	Approved with Conditions	13/02/2012
P13/0684	Listed Building Consent to replace 'Green Man Head Sculpture' above entrance archway to Green Man entry	Approved with Conditions	29/07/13
P13/0648/C1	Discharge of Conditions 3 & 4	Approved	20/11/13

PUBLIC CONSULTATION

6. A site notice was displayed and a notice placed in the local press. The final date for receipt of representations is 18th January 2014 and any observations received will be reported in a pre-committee note.

OTHER CONSULTATION

7. English Heritage; No objection subject to the application being referred to the Secretary of State.

RELEVANT PLANNING POLICY

National Planning Policy Framework (2012) (NPPF)

- Chapter 12: Conserving and enhancing the historic environment.
- PPS 5: Planning for the Historic Environment Practice Guide

Black Country Core Strategy (2011) (BCCS)

- CSP1 The Growth Network
- CSP4 Place Making
- CEN4 Regeneration of Town Centres
- EMP6 Cultural Facilities and the Visitor Economy
- ENV2 Historic Character and Local Distinctiveness
- ENV3 Design Quality

Saved Unitary Development Plan Policies (2005) (UDP)

- DD1 Urban Design
- HE4 Conservation Areas
- HE6 Listed Buildings

Supplementary Planning Guidance/Documents

- Historic Environment Supplementary Planning Document (2006)
- Dudley Town Centre Area Development Framework (2005) (ADF)
- Dudley Town Centre Conservation Area Character Appraisal

- Dudley Town Centre Conservation Area Management Plan

ASSESSMENT

8. The key issues relate to the extent to which the proposals can be considered in general/principle and when assessed against the specific criteria set out in the Planning (Listed Buildings and Conservation Areas) Act 1990 and in the National Planning Policy Framework (NPPF). Also of importance is the degree to which the implementation of the proposals would affect the 'special interest' of the Grade II listed building and whether the proposals are in accordance with saved policy HE6 (Listed Buildings) of the Dudley Unitary Development Plan. The determining issues are therefore:-
- To have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses (Section 16 of the Planning Listed Buildings and Conservation Areas Act 1990).
 - The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation (NPPF, para.131).
 - To safeguard and encourage the appropriate enhancement of buildings statutorily listed as being of historic or architectural value (Policy HE6 of the adopted UDP).
 - Do the proposals contribute to the building's conservation whilst preserving or enhancing its architectural or historic interest (Policy HE6 of the adopted UDP).
9. In light of the above therefore, this application for Listed Building Consent must consider the proposed external alterations and the impact of them on the significance of the designated heritage asset.

Proposed External Alterations

10. The proposed archway would attach to the boundary wall to the rear of 270 Castle Street and not the building itself. Green Man Entry is a local landmark which over

the years has helped define the listed buildings 'special interest'. The addition of the archway would help identify the pedestrian route which currently lacks clear definition and would better reveal the significance of the designated heritage asset and make a positive contribution to the character and appearance of Dudley Town Centre Conservation Area. There will be no adverse impact upon the fabric of the original building and no original architectural features would be lost.

11. Subject to appropriate conditions, it is therefore considered that the proposal complies with the NPPF, Policies CSP2, ENV2 and ENV3 of the BCCS (2011), Saved Policies DD1, HE4 and HE6 of the Dudley UDP (2005) and the Historic Environment SPD (2006).

CONCLUSION

12. The addition of the Green Man archway would add to the 'special interest' of 270-272 Castle Street and would help better reveal the significance of this Heritage Asset and make a positive contribution to the character and appearance of the Conservation Area. The original architectural features would be preserved and the significance of the Heritage Asset would be enhanced. It is therefore considered that the proposal complies with the NPPF, Policies CSP2, ENV2 and ENV3 of the BCCS (2011), Saved Policies DD1, HE4 and HE6 of the Dudley UDP (2005) and the Historic Environment SPD (2006).

RECOMMENDATION

13. As the application proposes development by the Local Planning Authority in accordance with Section 82 of The Planning (Listed Buildings and Conservation Areas) Act 1990, and Regulation 13 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990, the Secretary of State must be notified. It is recommended that the application is APPROVED subject to no objection or call-in from the Secretary of State as a result of being notified and subject to the attached conditions.

INFORMATIVE

In dealing with this application the Local Planning Authority have worked with the applicant in a positive and proactive manner, seeking solutions to problems arising in relation to dealing with the application, by seeking to help the applicant resolve technical detail issues where required and maintaining the delivery of sustainable development. The development would sustain and enhance the significance of the heritage asset and puts it into a viable use consistent with its conservation and is thereby in accordance with paragraph 131 of the National Planning Policy Framework.

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. The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No: M300 23, M300 22, M300 25 and M300 24.
3. Notwithstanding the details shown on the submitted plans, development shall not commence until large scale architectural drawings (to a scale of not less than 1:20) have been submitted to and approved in writing by the local planning authority of the proposed bespoke feature archway
4. Prior to the commencement of development details of the type, texture and colour of the materials to be used in the fabrication of the proposed bespoke feature archway shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained as such for the lifetime of the development.
5. Prior to the commencement of development full details of how the bespoke feature archway shall be attached to the building shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained as such for the lifetime of the development.

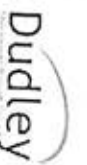


EUROPEAN UNION
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European Regional
Development Fund 2007-13

Drawing No: M300 22

Revision:

Date: 13.11.13



Directorate of the Urban Environment
Landscape Design Group

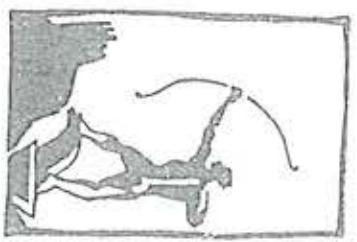
4 Ellum Road
Dudley
West Midlands
DY1 1HE
Tel: 01284 817010

PROPOSED LOCATIONS
GREEN MAN
LIGHT COLUMN,
MOSAIC ROUNDAL
& ARCH



Proposed Archway for
Green Man Entry
Pedestrian Passageway

Location Plan
1:500 at A4



PUBLIC ART
RESOURCE UNIT

The Laundry Block,
Himley Hall,
Himley Park,
Dudley
DY3 4DP

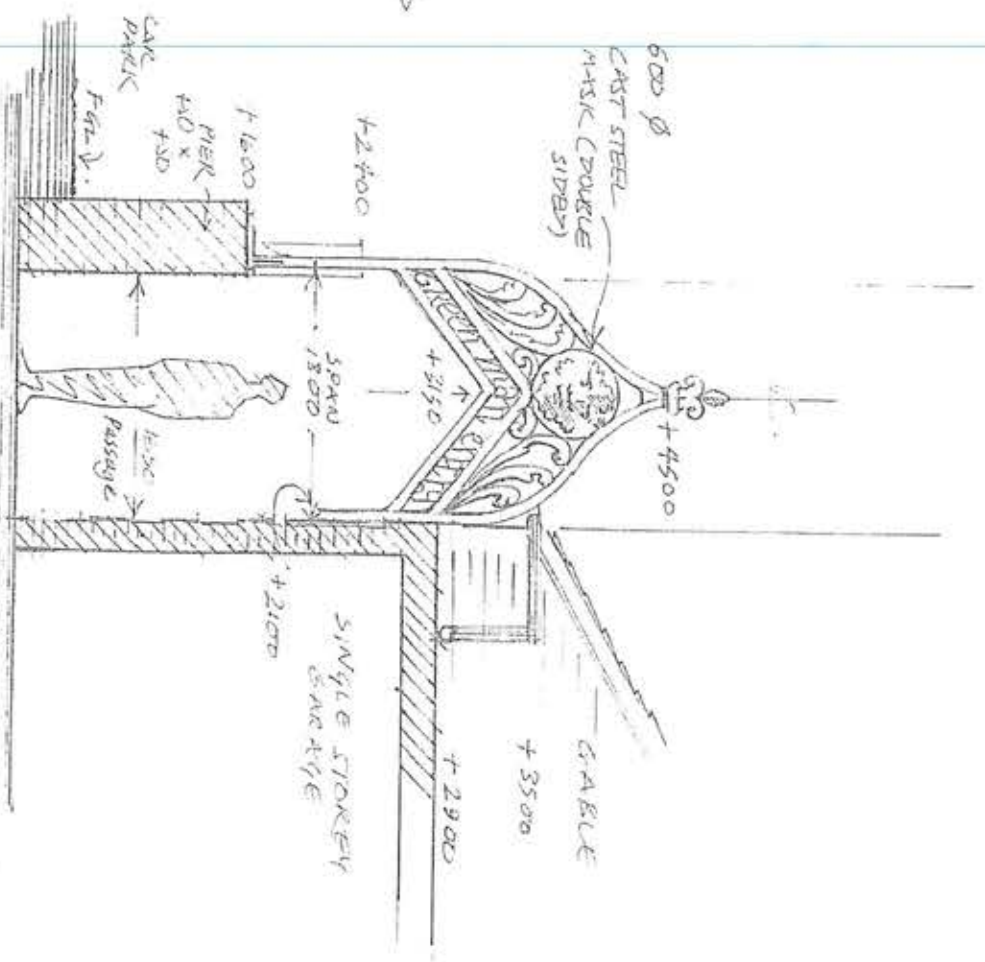
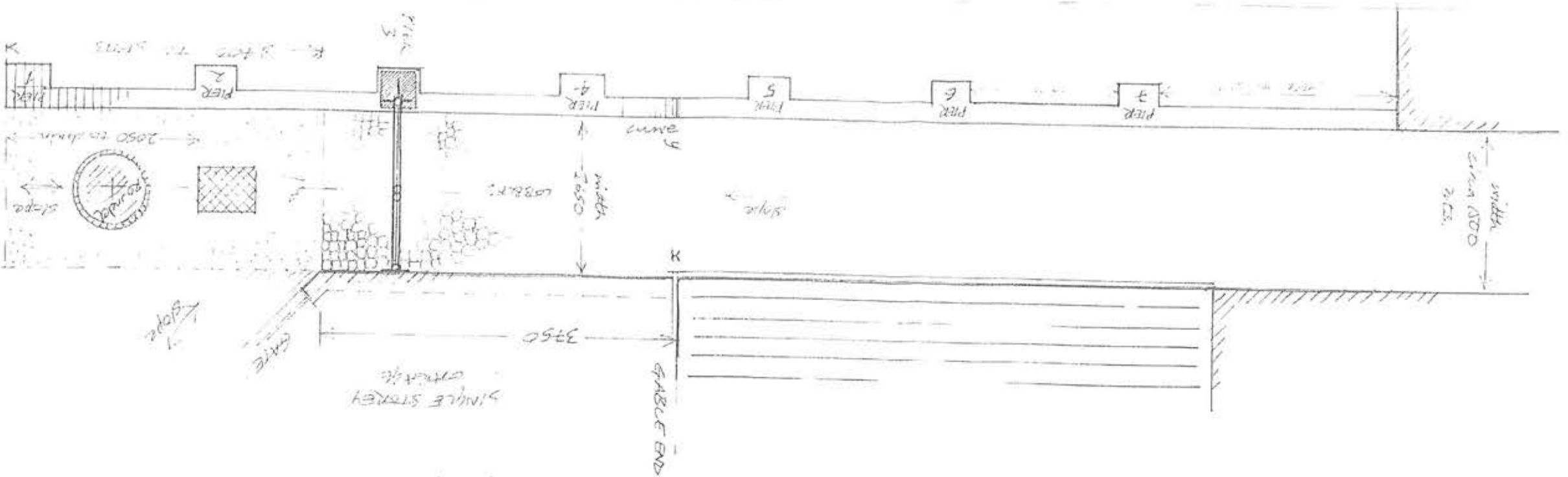
Dudley
Department of the Urban Environment
Landscape Design Group
Kieran Hume
Dudley
West Midlands
DY1 1TH
M: 07546 81710

Drawing No: M300 24
Revision:
Date: 13.11.13



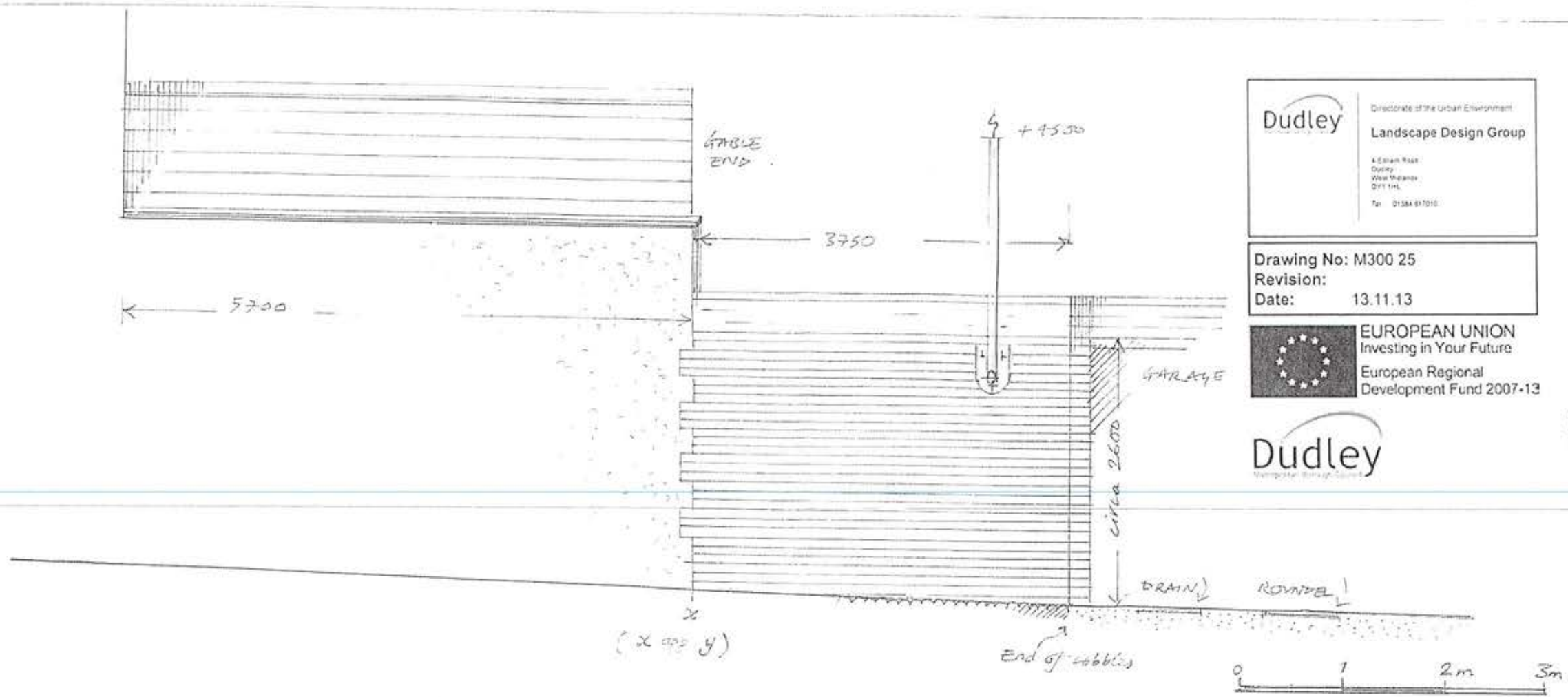
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European Regional
Development Fund 2007-13

Dudley
Department of the Urban Environment



Proposed Archway for
Green Man Entry
Pedestrian Passageway

Plan showing location of Arch
Front Elevation showing
fixing point to "pier top" base plate
and to side wall via vertical plate
1:50 at A3



Dudley Directorate of the Urban Environment
Landscape Design Group
 4 Edman Road
 Dudley
 West Midlands
 DY1 1HL
 Tel: 0121 84 917010

Drawing No: M300 25
 Revision:
 Date: 13.11.13

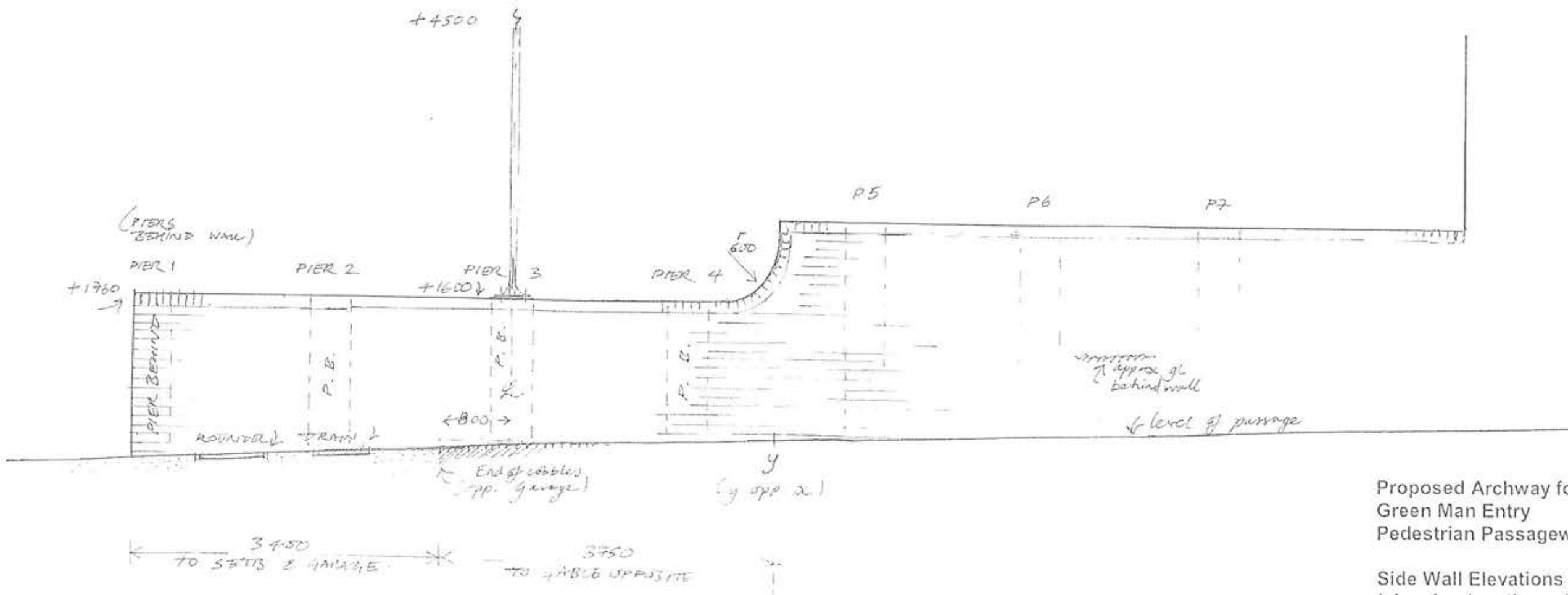
EUROPEAN UNION
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 European Regional
 Development Fund 2007-13

Dudley
 Metropolitan Borough Council



PUBLIC ART
RESOURCE UNIT

The Laundry Block,
 Himley Hall,
 Himley Park,
 Dudley
 DY3 4DF



Proposed Archway for
 Green Man Entry
 Pedestrian Passageway

Side Wall Elevations
 (showing location relative to walls)
 1:50 at A3

PLANNING APPLICATION NUMBER:P13/1751

Type of approval sought	Full Planning Permission
Ward	Castle and Priory
Applicant	Dudley College of Technology
Location:	DUDLEY COLLEGE, THE BROADWAY, DUDLEY, WEST MIDLANDS, DY1 4AS
Proposal	VARIATION OF CONDITION 4 OF PLANNING APPROVAL P13/0932 TO BE REVISED TO 'THE EXISTING DRIVE ADJACENT TO NUMBER 12 THE BROADWAY SHALL NOT BE USED AT ANY TIME FOR VEHICULAR ACCESS OR EGRESS FROM THE CAR PARK OR AT ANY TIME BY CONTRACTORS'
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The application site is an area of car parking, containing 30 spaces that forms part of the larger existing car park serving Dudley College Campus. The Campus is set upon The Broadway within Dudley Town Centre and Conservation Area. The application site can be accessed via a service road to the east. This vehicle access had been previously restricted by way of planning condition number 3 to egress only under P00/50833. This restriction has since been removed under planning application P13/0932.
2. The application site is set behind properties fronting The Broadway. Number 10 The Broadway (a residential dwelling) and Kelvin House (also known as Nexia house). This property was last occupied by office accommodation however consent has been granted for its conversion to residential accommodation. The building is located on a corner plot on The Broadway and the service road to the college to the rear of number 4 The Broadway, a convenience store.
3. There is an access between numbers 10 and 12 The Broadway which links this area of car park to The Broadway. This access is currently gated to the end closest to the car

park and has barriers to the back edge of the pavement with The Broadway preventing vehicle access.

4. Planning application P00/50833 and subsequent application P13/0932 had a condition attached which reads:

- *The existing drive adjacent to Number 12 The Broadway shall not be used at any time for access or egress from the car park or at any time by contractors.*

5. The condition is considered to be ambiguous in terms of whether it relates to pedestrian and/or vehicle access however the reason for the condition states “in the interest of highway safety and the amenities of the adjacent residential occupiers”.

PROPOSAL

6. This application seeks approval for the variation of condition number 4 of planning approval P13/0932. This condition reads:

- *The existing drive adjacent to Number 12 The Broadway shall not be used at any time for access or egress from the car park or at any time by contractors.*

7. The purpose of varying this condition is to include the word “vehicular” within the condition. This will allow the college to have clarity with regards to the access/egress to and from the car park via this access path for pedestrians.

HISTORY

8.

APPLICATION	PROPOSAL	DECISION	DATE
P00/50833	Change of use of zoo land and private gardens and construction of additional college car park.	Approve with conditions.	22 nd May 2000
P13/0932	Variation of Condition 5 of	Approved	20/08/2013

	planning approval P00/50833 to allow both access and egress from the 30 space car park at the rear of Kelvin House.	with Conditions	
--	---	-----------------	--

PUBLIC CONSULTATION

9. Four letters of objection have been received from the occupiers of three neighbouring properties following consultation with thirteen adjoining neighbours. The letters received are from the occupiers and from a solicitor on behalf of the two neighbouring occupiers at the same address. The main issues raised are as follows:

- The condition to be varied is considered at present to relate to both vehicle and pedestrian access.
- Noise and disturbance associated with the use of the access path. Many students would utilise the path.
- Concerns in relation to the white fencing which has been constructed adjacent to the access path. It is considered inappropriate within the conservation area and questions about its potential use as a graffiti wall.
- Application is flawed as it does not seek to vary the same condition related to P00/50833 only the condition related to P13/0932.
- Concerns that the remainder of the College car park could access the site and utilise the access/egress to the east of the site.
- Condition proposed does not meet the tests of Circular 11/95 due to lack of enforceability.
- The condition is relevant in its current form and should not be amended.
- Potential use of the path by cyclists and motorcyclists.

OTHER CONSULTATION

10. Group Engineer (Highways): No objection received subject to a condition requiring further details of the proposed gates and associated markings.

RELEVANT PLANNING POLICY

11. National Planning Guidance(2011)
National Planning Policy Framework

12. Black Country Core Strategy (2011)

TRAN2 Managing Transport Impacts of New Development

13. Unitary Development Plan (2005)

DD4 Development in Residential Areas

DTC2(v) Block 6 - Broadway/Castle Hill

14. Supplementary Planning Guidance/Documents

Parking Standards (2012)

ASSESSMENT

15. The main issues are

- Principle
- Neighbour Amenity
- Access and Parking
- Other Issues

Principle/Policy

16. The access has been present for some time however it has not been utilised recently due to the presence of the gates at one end. These gates were erected in accordance with Condition 3 of P00/50883. However whilst the Condition required the installation of the gates (or a fence) before the car park was brought into use it did not require their future retention. As such the gates could be removed without any requirement for Planning Permission or other approval from the Local Planning Authority. The use of the application site will remain unchanged as a result of the proposed development.

17. This proposal would result in Condition 4 being reworded to include the word "vehicular" and would therefore read:

The existing drive adjacent to Number 12 The Broadway shall not be used at any time for vehicular access or egress from the car park or at any time by contractors.

18. This would still allow pedestrians to utilise the access but would continue to prohibit vehicles from utilising it.

19. On this basis the proposed development would be in accordance with the requirements of saved UDP Policy DTC2 (v) Block 6 - Broadway/Castle Hill (2005).

Neighbour Amenity

20. The proposal would allow for the use of the access path by pedestrians passing from the car park to The Broadway. It is noted that this is likely to increase noise and disturbance to the neighbouring occupiers however it is not considered that this would be to a degree that would warrant refusal of the application. This combined with the path having always been present, albeit not recently used, results in the proposed development being considered acceptable in terms of the requirements of saved UDP Policy DD4 – Development in Residential Areas (2005).

Access and parking

21. There is no intention to utilise the access path by vehicles and the proposed reworded condition would ensure this would be enforceable in terms of the requirements of Circular 11/95 relating to planning conditions.

22. The Group Engineer (Highways) requested an additional site plan showing precise markings and the gate location, however as the gates are in situ and the car park already marked out at this is not considered necessary. No objection has been received from the Group Engineer and it is considered that the proposed development would be in accordance with the requirements of saved UDP Policy DD4 – Development in Residential Areas (2005), Policy TRAN 2 - Managing Transport Impacts of New Development of the Black Country Core Strategy (2011) and Parking Standards SPD (2012).

Other issues

23. It is worthy of note that it is planning application P13/0932 which has been implemented and on this basis in effect supersedes application P00/50833 planning application. In this regard there is no necessity to vary the same condition associated with this now superseded planning application.

24. The correspondence from the neighbouring occupiers makes reference to a white fence/boarding that has been erected by the college along the side of the existing access path. This does not form part of this application that is solely for the variation of a condition. The erection of the fence/structure is being dealt with under separate cover by the Local Planning Authority.

CONCLUSION

25. The proposed variation of condition would be acceptable in principle and it is considered there would be no detrimental impact on highway safety or residential amenity.

RECOMMENDATION

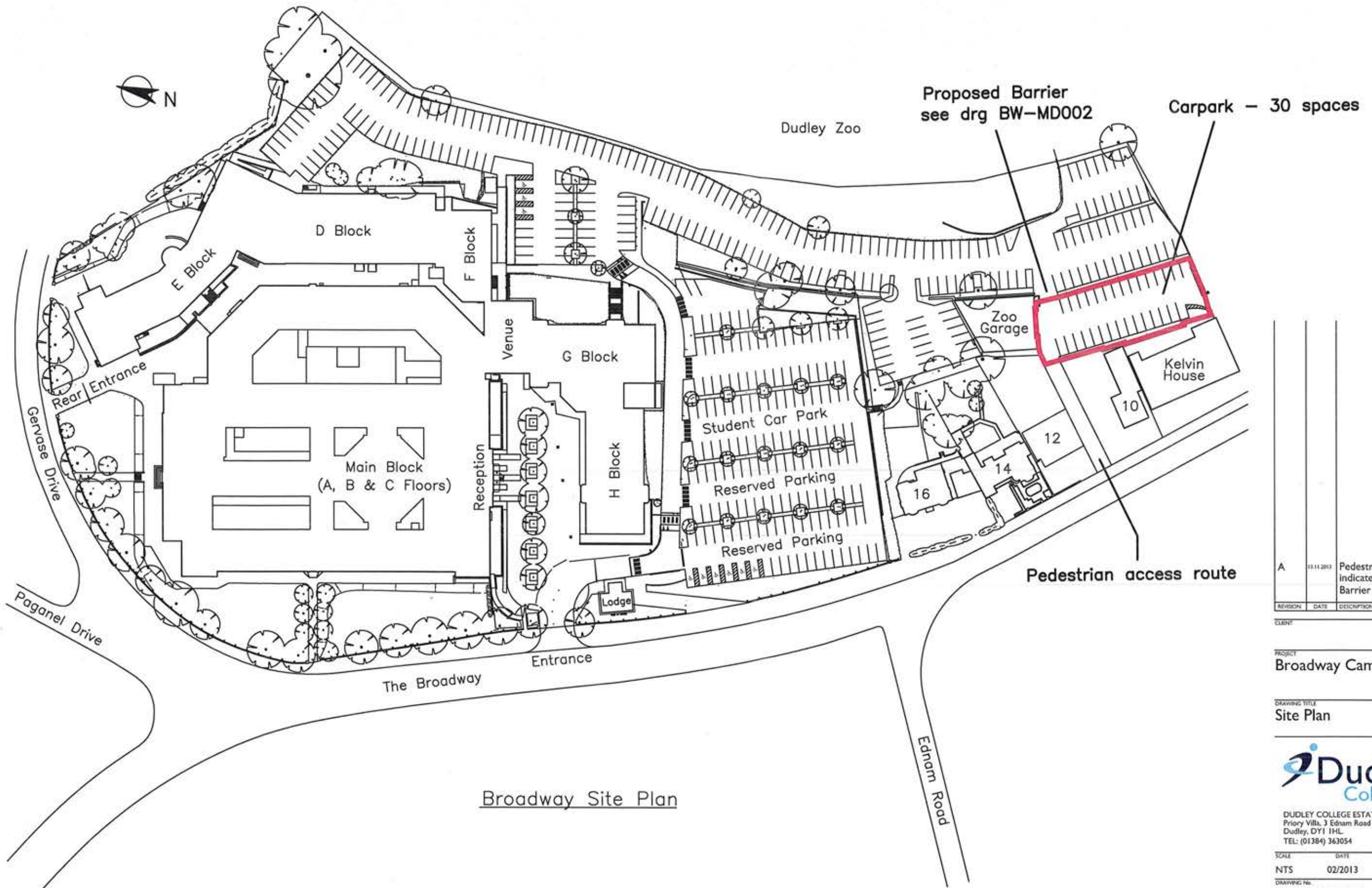
26. It is recommended that the application be APPROVED subject to the following conditions:

Informative

In dealing with this application the Local Planning Authority have worked with the applicant in a positive and proactive manner, seeking solutions to problems arising in relation to dealing with the application, by seeking to help the applicant resolve technical detail issues where required and maintaining the delivery of sustainable development. The development would improve the economic, social and environmental concerns of the area and thereby being in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Conditions and/or reasons:

1. The development hereby permitted shall be carried out in complete accordance with the following approved plan: BW-MD001/b and BM--MD002.
2. The approved barrier shall be erected in full accordance with the approved details as outlined on plans BW-MD001/b and BM--MD002 and it shall be retained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.
3. The existing drive adjacent to Number 12 The Broadway shall not be used at any time for vehicular access or egress from the car park or at any time by contractors.



Broadway Site Plan

A	13.11.2013	Pedestrian access route indicated Barrier note added
REVISION	DATE	DESCRIPTION

CLIENT

PROJECT
Broadway Campus

DRAWING TITLE
Site Plan



DUDLEY COLLEGE ESTATES
 Priory Villa, 3 Ednam Road
 Dudley, DY1 1HL
 TEL: (01384) 363054

SCALE DATE DRAWN
 NTS 02/2013 M Corrigan

DRAWING No. REVISION

BW-MD001/b

PLANNING APPLICATION NUMBER:P13/1754

Type of approval sought	Full Planning Permission
Ward	Cradley and Wollescote
Applicant	Mr S. Hussain
Location:	55, BELMONT ROAD, LYE, STOURBRIDGE, WEST MIDLANDS, DY9 8AY
Proposal	SINGLE AND TWO STOREY REAR EXTENSIONS. CONVERSION OF GARAGE INTO HABITABLE ROOM WITH BOW WINDOW AND SINGLE STOREY FRONT EXTENSION. REPLACE EXISTING ROOF TO FRONT ELEVATION WITH PITCHED ROOF. ERECTION OF SINGLE STOREY SEMI DETACHED OUTBUILDING TO REAR GARDEN. (RESUBMISSION OF WITHDRAWN APPLICATION P13/0954)
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The application site measures 291m² and the property is a semi-detached pitched roof dwelling built in the 1960s. The house features a single storey front flat roofed projection with a garage and porch. There is also a single storey flat roofed addition on the rear of the property. The house is set back 9m from the highway to the front and there is a driveway to the front of the house with garden to the rear.

2. No. 56B Belmont Road adjoins the application property and is located to the east. No. 1 Monument Avenue, a detached bungalow, is situated to the west and features a rear conservatory. No. 3 Monument Avenue abuts the rear of the site whilst No. 17 Belmont Street and No.1 King Street are over 22m to the north and across the highway

3. The property is located within a predominantly residential area with a mix of ages, property types and designs in evidence within the street. There is a terrace of houses opposite which are locally listed.

PROPOSAL

4. This proposal seeks approval for a one and two storey rear extension with single storey front roof addition and detached out-building to the rear. This development would provide an extended kitchen and living room at ground floor and two extended bedrooms at first floor.
5. The one and two storey rear extension would measure 3m in maximum projection at ground floor and 1.8m at first floor. The proposal would be the same width as the house and would feature a 7.3m high pitched roof above. The ground floor projection would feature a 3.2m high flat roof.
6. The front extension projects 2.45m to the front of the original front elevation but in line with the existing garage. The roof above would be 3.7m in total height and would feature a mono-pitched roof.
7. The garage would also be converted into habitable living space. This part of the proposal would constitute permitted development.
8. A detached out-building would also be positioned within the rear garden measuring 12.5m from the proposed rear addition and being 7.5m in length, 5.1m in width with a 4.4m high hipped roof. This addition would also stretch across the neighbouring property.

HISTORY

9. This property has two previous relevant applications.

APP NO.	PROPOSAL	DECISION	DATE
CC/77/2541	Erection of storm porch	Approved with conditions	16.01.1978
P13/0954	Single and two storey rear extensions. Conversion of garage into habitable room with bow window. Replace existing roof	Withdrawn	05.09.2013

PUBLIC CONSULTATION

- Direct notification was carried out to five surrounding properties to advertise the proposal. One written representation objecting to the scheme has been received; the latest date for receipt of comments was 18th December 2013.
- The objection is based on the following materials considerations:
 - The rear extension would impact on daylight and outlook to the rear kitchen window;
 - The occupiers of No. 1 would face only brickwork when looking out of the conservatory and the addition would impact on natural light.
 - The height, size and position of the rear extensions would be excessive considering the bungalow to the side;
 - The out-building appears as a living accommodation and would impact on the occupiers of No. 1 Monument Avenue.

OTHER CONSULTATION

Historic Environment: No objections.

RELEVANT PLANNING POLICY

Saved Unitary Development Plan Policies (UDP) (2005)

- DD1 Urban Design
- DD4 Development in Residential Areas
- HE5 – Buildings of Local Historic Importance

Supplementary Planning Documents / Guidance

- Parking Standards SPD (2012)
- PGN 17. House extension design guide

ASSESSMENT

10. The proposed development must be assessed with regard to its design and whether it would be compatible with the existing dwelling and the character of the area. The potential impact on the amenity of nearby neighbours must also be assessed along with the relevant parking standard requirements.
11. The key issues are
 - Design
 - Impact on the locally listed building
 - Neighbour Amenity
 - Access and Parking

Design

12. Policy DD4 of the saved UDP states that extensions to residential dwellings will be allowed provided they do not adversely affect the character of the area or residential amenity.
13. In principle, a one and two storey rear addition would be found acceptable on this semi-detached house providing it is modest in size and of an in-keeping and subservient design. The proposed rear additions would not be visible from the street scene and would not impact on the character of the area.
14. The proposed one and two storey rear addition would project across the entire rear elevation and but would be acceptable in scale considering the original property size. The additional footprint and first floor rear additions would be fairly modest.
15. The proposed single storey front extension would be considered as subservient to the original property at this 2.45m projection, particularly as this projection is no

further than the existing garage. The addition of the mono-pitched roof would not be considered as excessive in size. The mono-pitched design would also match with the main roof of the house. Although the addition would project across the entire front of the house it would not be excessive and would not result in over-development. The addition would not be significantly different from the existing built form and would not warrant refusal. The front elevation already features a front addition with flat roof and the proposed roof would match the main roof of the house whilst the alterations would be in-keeping with the 1960s property. This type of development would be an acceptable addition to this 1960s property. As a pair of semi-detached houses set in an individual position within the street the modest front addition would be acceptable and would not be an incongruous addition to the house and would have an adverse impact on the appearance of the property.

16. The out-building itself would be fairly significant in terms of footprint and height. However, this footprint of addition could be achieved under permitted development rights. The height, at 3.5m, would still be fairly large considering the proximity to the boundary and the existing additions on-site. However, it would feature a hipped roof to reduce the visual impact and would therefore be acceptable in terms of size and design in comparison to the house and plot size, taking into account what can be achieved under permitted development rights.
17. As such, the proposal would not have an adverse impact on the visual amenity of the host property and street scene, despite the stagger in the building line. In these respects the proposal would not contravene Policy DD4 – Development in Residential Areas of the saved UDP (2005) and PGN 17 – House Extension Design Guide.

Impact on the locally listed building

18. The rear additions would not be visible from the locally listed building and would not impact on the visual amenity of this historic property. Although the front extension would be visible from this building as the host property is of a 1960s it is not considered that the modest and modern additions would have an adverse impact on

the appearance of the locally listed building. The Historic Environment team also have no objections to the proposal which would be in accordance with Policy HE5 of the saved UDP (2005).

Neighbour Amenity

19. Due to the reduction in length and overall size of the two storey flank wall directly along the boundary with No. 1 Monument Avenue (in relation to the previously withdrawn planning application) the proposal would not be considered to have a significant impact on amenity. This additional two storey wall would be 1.8m in length and measure 7.45m in height and would not breach the 45 degree code guidelines to the nearest window on No. 1 (which is for the kitchen). This addition would no longer create a substantial development which would be overbearing when viewed from the rear of No. 1 Monument Avenue and the rear garden area. As such, outlook from rear facing windows would not be significantly impacted upon and due to the reduced projection there would not be a significant impact on daylight provision for the occupiers. There would be no proposed windows which would impact on privacy for the occupiers.
20. The out-building would be over 10m from the rear of No. 1 Monument Avenue Road and would not impact on amenity for the occupiers.
21. The two storey rear extension would project 1.8m past the original rear elevation of No. 56B Belmont Road at first floor and 3m at ground floor. However, there is a current application in for a similar but larger development on this property. As such, the proposals would have no adverse impact on residential amenity for the occupiers of this house, providing the proposed works are carried out. Even if the works are not carried out, taking into account the modest size of the addition and permitted development rights the proposal would have no adverse impact on amenity for the occupiers. The out-building would not impact on amenity for the occupiers of this property.

22. The out-building would be 2m from the side boundary of No. 3 Monument Avenue. Taking into account the fairly modest size, separation distance and what can be achieved under permitted development rights this part of the proposal would not impact on amenity for the occupiers. The proposed rear additions would be a sufficient distance from the rear facing windows on No. 3 and not in line of sight to ensure there would be no impact on daylight provision or outlook. The proposed rear facing windows would be at least 15m (at first floor) from the boundary and as such, there would be no impact on privacy for the occupiers.
23. The proposals would be no closer to the properties to the front on Kings Road and Belmont Road. Despite the proposed front roof addition at 22m separation distance, and considering the orientation of the houses, there would be no adverse impact on residential amenity for the occupiers. The rear additions and out-building would not be visible to these properties.
24. It is considered that there would not be demonstrable harm to the occupiers of any neighbouring properties. The one and two storey wall located directly along the boundary would not create an overbearing feature and the additions would not significantly impact on outlook for the occupiers as there would be no breach of the 45 degree code guidelines. The development would therefore comply with Policy DD4 – Development in Residential Areas, PGN 12 – The 45 Degree Code - and PGN 17 – House Extension Design Guide.

Access and parking

25. The proposal would not technically increase the parking requirement of the property as there would no additional bedrooms or habitable rooms on-site. Although the development would result in the loss of the garage this space was sub-standard in size and at least three spaces would remain on the frontage. There would be no additional overspill of car parking and no impact on highway safety as a result of the proposal. The development would therefore comply with the Parking Standards SPD (2012) and Policy DD4 of the saved Unitary Development Plan (2005).

CONCLUSION

26. It is considered that the proposed one and two storey rear extension would not have an adverse impact on the residential amenity experienced by the occupiers of neighbouring properties.
27. The overall design and size of the additions would be acceptable considering the size of the original house. The proposal would impact on the visual amenity of the property and semi-detached pairing.
28. The proposal would benefit from sufficient parking on-site.
29. As such, the development would comply with Policy DD4 (Development in Residential Areas) of the saved Dudley UDP and PGN 17 (House Extension Design Guide).

RECOMMENDATION

It is recommended that the application is APPROVED subject to the following conditions:

APPROVAL STATEMENT INFORMATIVE

In dealing with this application the Local Planning Authority have worked with the applicant in a positive and proactive manner, seeking solutions to problems arising in relation to dealing with the application, by seeking to help the applicant resolve technical detail issues where required and maintaining the delivery of sustainable development. The development would improve the economic, social and environmental concerns of the area and thereby being in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Informative Note

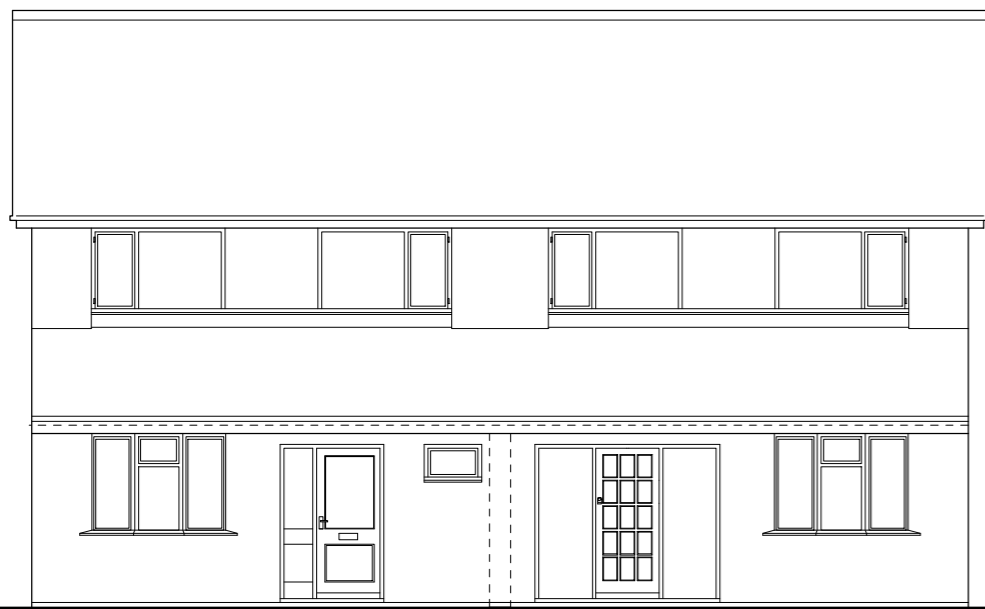
The proposed development lies within an area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority.

Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

Conditions and/or reasons:

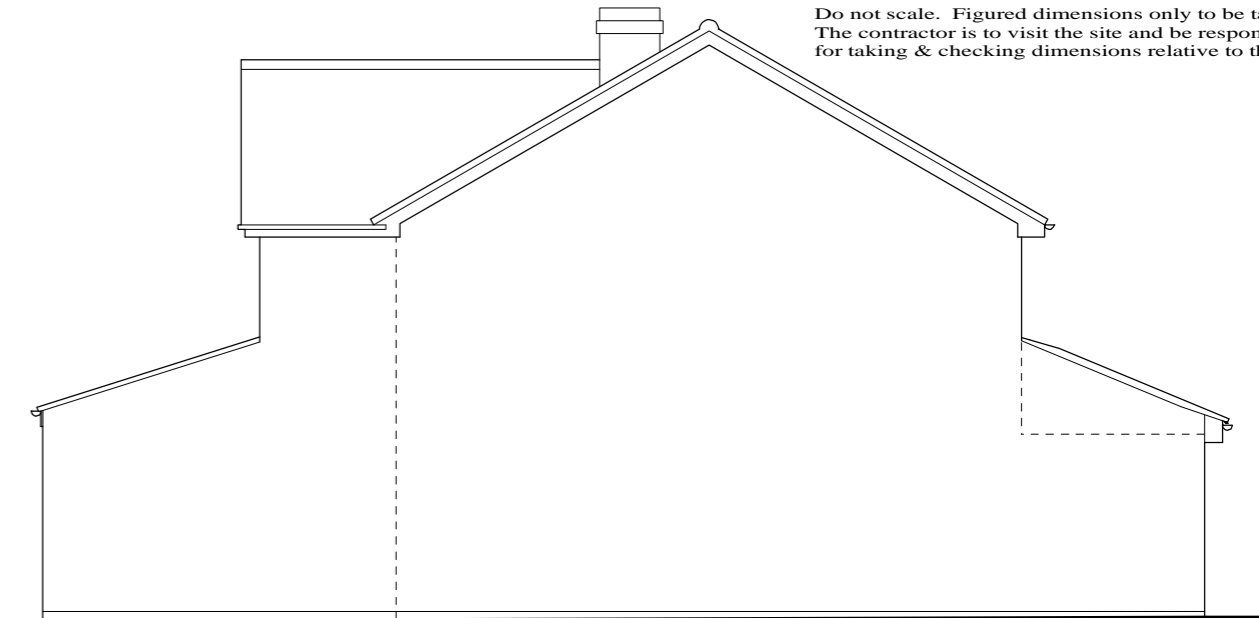
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The materials to be used in the approved development shall match in appearance, colour and texture those of the existing building unless otherwise agreed in writing with the Local Planning Authority.
3. The development hereby approved shall be carried out in accordance with the details shown on plan labelled '13:7:05'



Front elevation

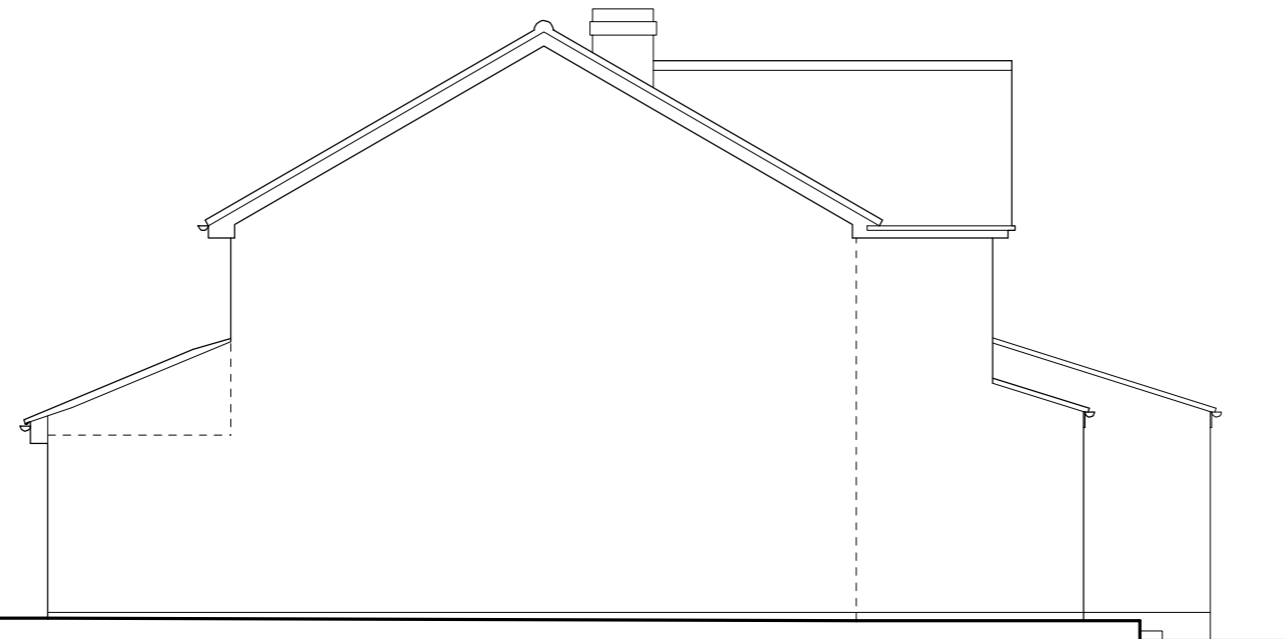
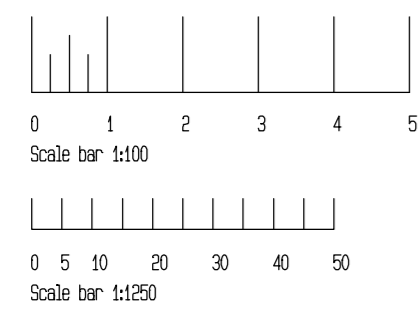


Rear elevation

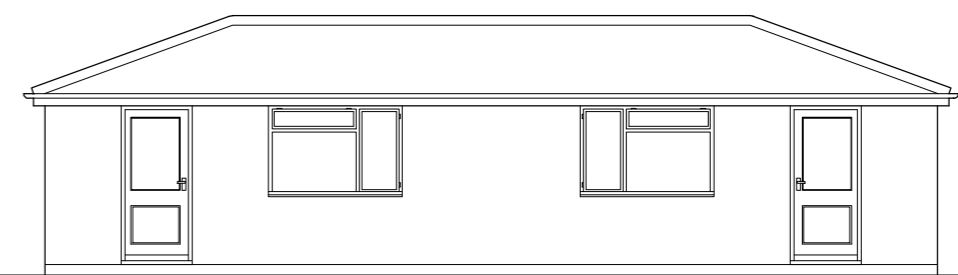


Side elevation

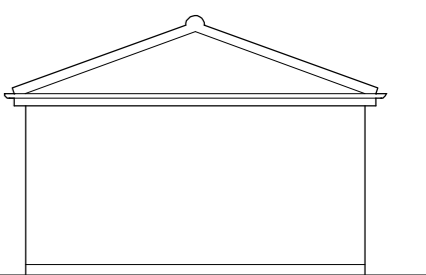
Do not scale. Figured dimensions only to be taken from drawing. The contractor is to visit the site and be responsible for taking & checking dimensions relative to this work.



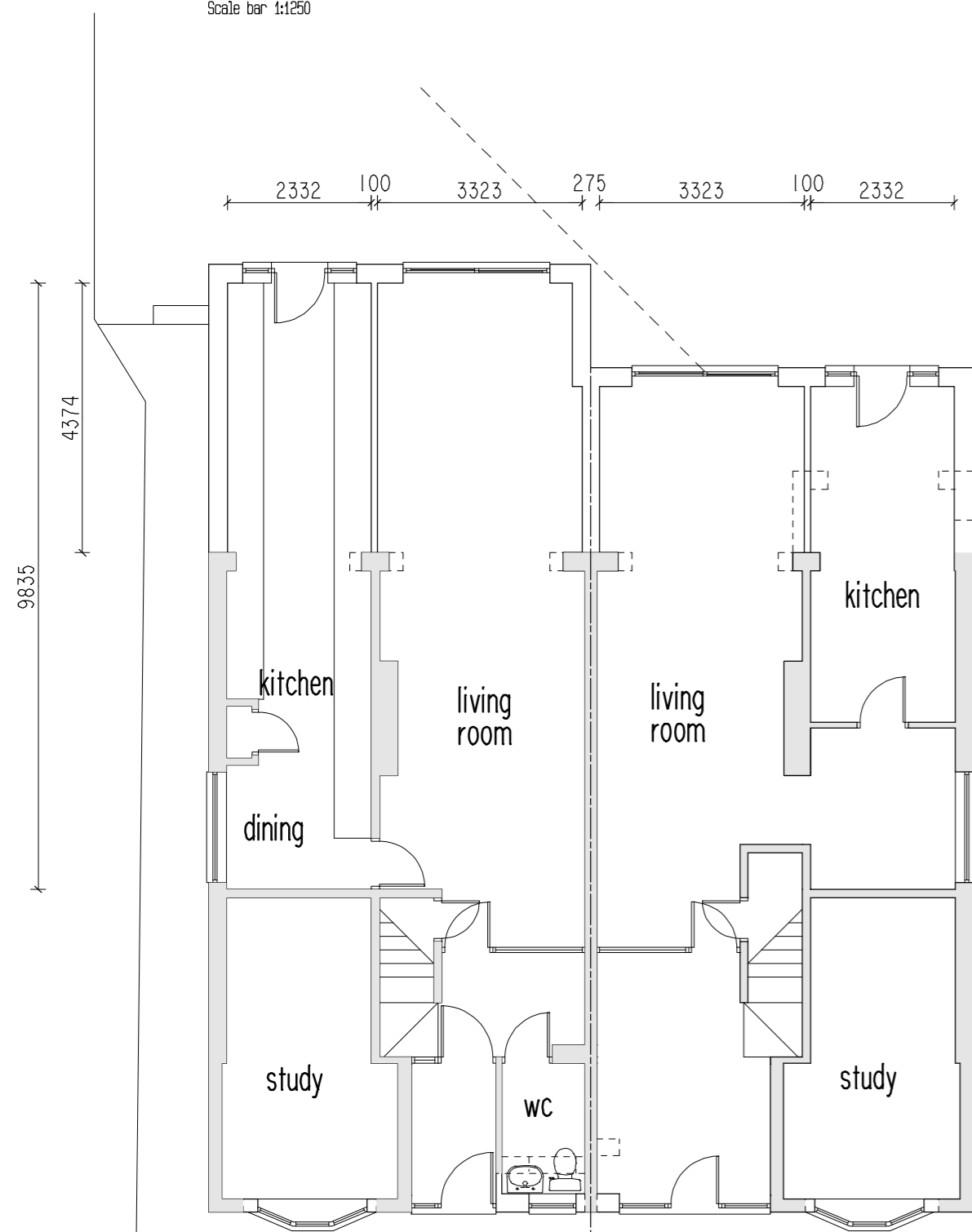
Side elevation



Front elevation

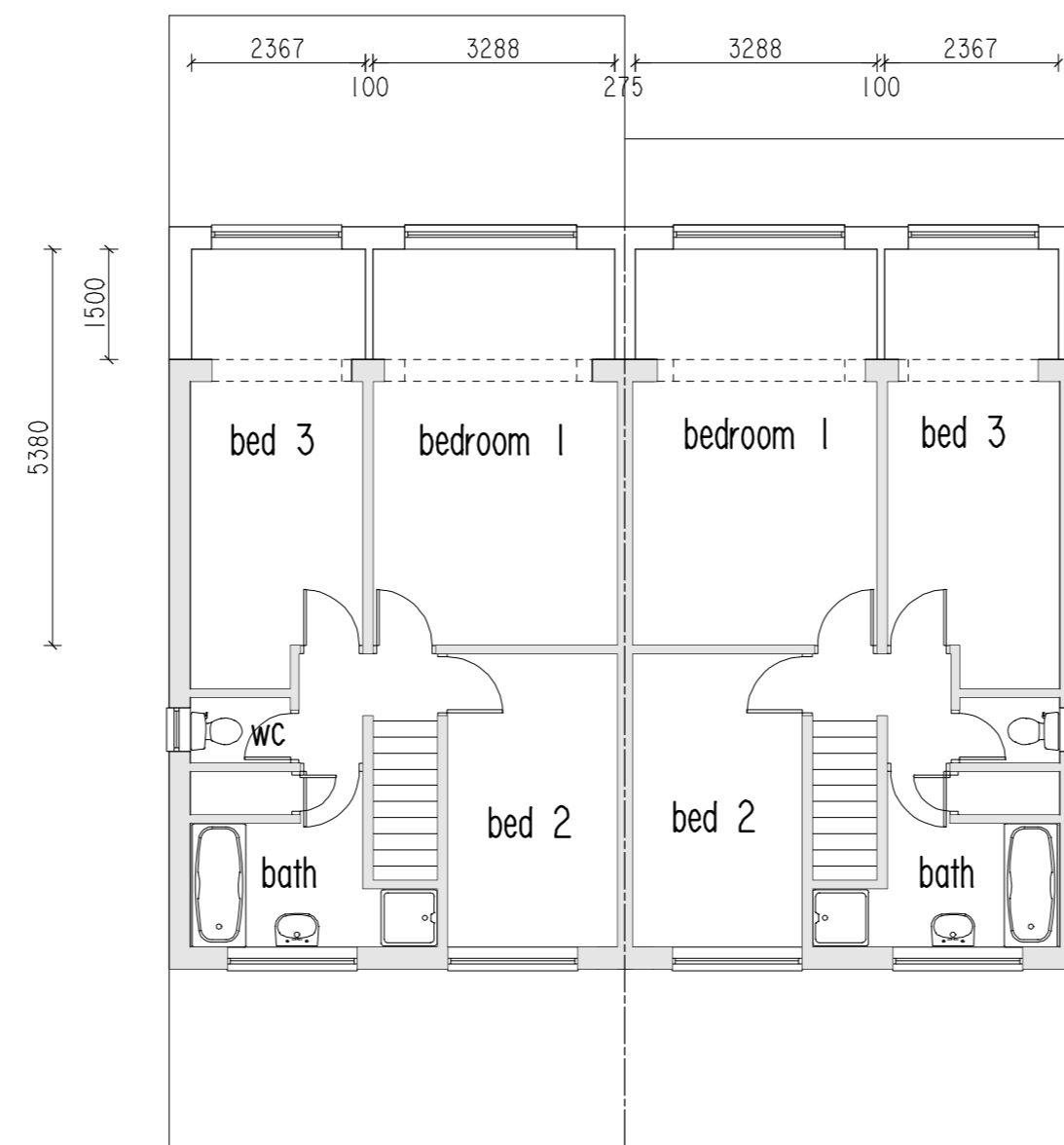


Side elevation



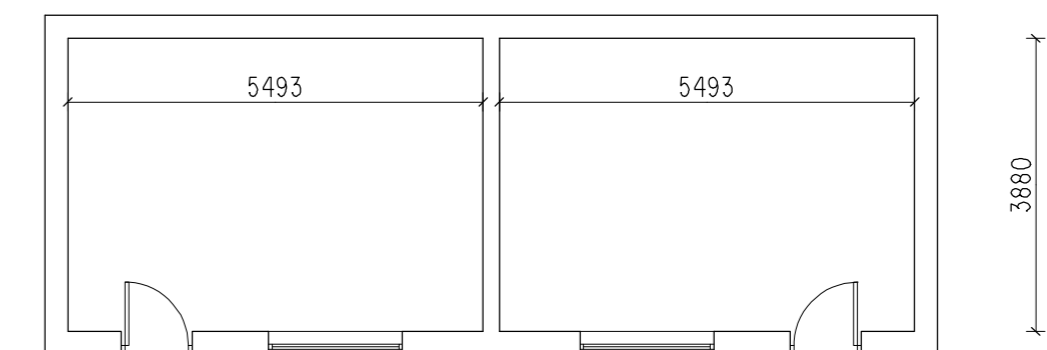
56B
Ground floor plans

55

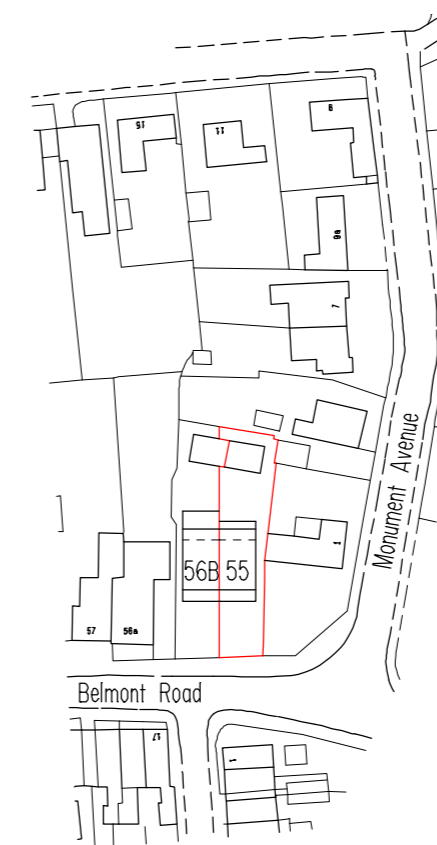


56B
First floor plans

55



Floor plan
OUTBUILDING



Location plan



S. HUSSAIN
PROPOSED EXTENSIONS and
OUTBUILDING
55 BELMONT ROAD
LYE
PROPOSALS 2
13:37:05

Scale 1:100 1:1250
Date October 2013

MFL Design

Architectural Design Service
5 Glynn Crescent,
Halesowen,
West Midlands,
B63 2PZ
Tel. 01384 561334



PLANNING APPLICATION NUMBER: P13/1755

Type of approval sought	Full Planning Permission
Ward	Cradley and Wollescote
Applicant	Mr T. Ahmed
Location:	56B, BELMONT ROAD, LYE, STOURBRIDGE, DY9 8AY
Proposal	SINGLE AND TWO STOREY REAR EXTENSION (FOLLOWING DEMOLITION OF EXISTING EXTENSION). CONVERSION OF GARAGE TO HABITABLE ROOM WITH BOW WINDOW AND SINGLE STOREY FRONT EXTENSION. REPLACE EXISTING FLAT ROOF TO FRONT ELEVATION WITH PITCHED ROOF. ERECTION OF SINGLE STOREY SEMI-DETACHED OUTBUILDING IN REAR GARDEN. (RESUBMISSION OF WITHDRAWN APPLICATION P13/0955)
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The application site measures 300m² and the property is a semi-detached pitched roof dwelling built in the 1960s. The house features a single storey front flat roofed addition. The house is set back 9m from the highway to the front and there is a driveway to the front of the house with garden to the rear.

2. No. 55 Belmont Road adjoins the application property and is located to the west. No. 56A Belmont Road is situated to the east and features kitchen and living room windows within the side elevation facing the application property. No. 3 Monument Avenue abuts the rear of the site whilst Nos. 16 and 17 Belmont Street and No.1 King Street are over 21m to the north and across the highway

3. The property is located within a predominantly residential area with a mix of ages, property types and designs in evidence within the street. There is a terrace opposite which is a locally listed building.

PROPOSAL

4. This proposal seeks approval for a one and two storey rear extension with single storey front roof addition and detached out-building. This development would provide an extended kitchen and living room at ground floor and two extended bedrooms at first floor.
5. The one and two storey rear extension would measure 4.5m in maximum projection at ground floor and 1.8m at first floor. The proposal would be the same width as the house and would feature a 7.45m high pitched roof above. The ground floor projection would feature a 3.7m high flat roof.
6. The front extension would project 2.45m past the original front elevation, but would be in line with the existing garage. The roof above would be 3.5m in total height and would feature a mono-pitched roof.
7. The garage would also be converted into habitable living space. This part of the proposal would constitute permitted development.
8. A detached out-building would also be positioned at the end of the garden measuring (12.5m from the proposed rear addition) measuring 7.5m in length, 5.1m in width with a 4.4m high pitched roof.

HISTORY

9. This property has one previous relevant application.

APP NO.	PROPOSAL	DECISION	DATE
P13/0955	Single and two storey rear extensions. Conversion of garage into habitable room with bow window. Replace existing roof.	Withdrawn	05.09.2013

PUBLIC CONSULTATION

- Direct notification was carried out to six surrounding properties to advertise the proposal. One written representation objecting to the scheme has been received; the latest date for receipt of comments was 19th December 2013.

- The objection is based on the following materials considerations:
 - The front pitched roof would impact on daylight to side facing windows (kitchen and living room);
 - The rear extension would impact on daylight to the rear facing lounge window;
 - The height and size of the rear extensions would be excessive considering the bungalows to the side
 - The entire proposals would be overly large in size and in close proximity to No.56A.

OTHER CONSULTATION

Historic Environment: No objections.

RELEVANT PLANNING POLICY

Saved Unitary Development Plan Policies (UDP) (2005)

- DD1 Urban Design
- DD4 Development in Residential Areas
- HE5 – Buildings of Local Historic Importance

Supplementary Planning Documents / Guidance

- Parking Standards SPD (2012)
- PGN 17. House extension design guide

ASSESSMENT

10. The proposed development must be assessed with regard to its design and whether it would be compatible with the existing dwelling and the character of the area. The

potential impact on the amenity of nearby neighbours must also be assessed along with the relevant parking standard requirements.

11. The key issues are
 - Design
 - Neighbour Amenity
 - Access and Parking

Design

12. Policy DD4 of the saved UDP states that extensions to residential dwellings will be allowed provided they do not adversely affect the character of the area or residential amenity.
13. In principle, a one and two storey rear addition may be found acceptable on this semi-detached house providing it is modest in size and of an in-keeping and subservient design. The rear additions would not be visible from the street scene and would not impact on the character of the area.
14. The proposed one and two storey rear addition would project across the entire rear elevation but would be acceptable in scale considering the original property size. The additional footprint and first floor rear additions would be fairly modest.
15. The proposed single storey front extension would be considered as subservient to the original property at this 2.45m projection, particularly as this projection is no further than the existing garage. The addition of the mono-pitched roof would not be considered as excessive in size. The mono-pitched design would also match with the main roof of the house. Although the addition would project across the entire front of the house it would not be excessive and would not result in over-development. The addition would not be significantly different from the existing built form and would not warrant refusal. The front elevation already features a front addition with flat roof and the proposed roof would match the main roof of the house whilst the alterations would be in-keeping with the 1960s property. This type of development would be an acceptable addition to this 1960s property. As a pair of

semi-detached houses set in an individual position within the street the modest front addition would be acceptable and would not be an incongruous addition to the house and would have an adverse impact on the appearance of the property.

16. The out-building itself would be fairly significant in terms of footprint and height. However, this footprint of addition could be achieved under permitted development rights. The height, at 3.5m, would still be fairly large considering the proximity to the boundary and the existing additions on-site. However, it would feature a hipped roof to reduce the visual impact and would therefore be found acceptable in terms of size and design in comparison to the house and plot size, taking into account what can be achieved under permitted development rights.
17. As such, the proposal would not have an adverse impact on the visual amenity of the host property and street scene. In these respects the proposal would comply with Policy DD4 – Development in Residential Areas of the saved UDP (2005) and PGN 17 – House Extension Design Guide.

Impact on the locally listed building

18. The rear additions would not be visible from the locally listed building and would not impact on the visual amenity of this historic property. Although the front extension would be visible from this building as the host property is of a 1960s construction it is not considered that the modest and modern additions would have an adverse impact on the appearance of the locally listed building. The Historic Environment team also have no objections to the proposal which would be in accordance with Policy HE5 of the saved UDP (2005).

Neighbour Amenity

19. There would not be an impact on outlook or daylight provision for the occupiers of No. 56A Belmont Road. The proposed two storey wall would only measure 1.8m in length whilst the ground floor would measure 4.7m in length. At this length there would be no significant impact on amenity for the neighbouring occupiers as there would be no breach of the 45 degree code guidelines. Taking into account permitted

development rights, the orientation of the properties and the window position on No. 56B the proposal would have no significant impact on daylight or outlook. At 1.8m projection the addition would not appear as overbearing to the occupiers. There are no proposed windows which would impact on privacy for the occupiers.

20. The out-building would be over 14m from the rear of No. 56A Belmont Road and would not impact on amenity for the occupiers due to this separation distance and the overall size.
21. The two storey rear extension would project 1.8m past the original rear elevation of No. 55 Belmont Road at first floor and 4.7m at ground floor. The extension proposed for No.56B would breach the 45 degree code guidelines to the nearest window on the rear of No.55. However, there is a current application in for a similar development on this property and if that extension is constructed then the extension proposed for 56B would no longer breach the guidelines.
22. As such, it is considered necessary to attach a condition to this proposal to ensure that the development at No.56B does not commence until the extension at No.55 has also commenced. Circular 11/95 (Use of Conditions in Planning Permission) states that the imposition of a negatively worded condition which would prohibit development until a specified action has been taken should only be imposed if there are at least reasonable prospects of the action in question being performed within the time-limit imposed by the permission. Given that the occupier of No.55 has voluntarily submitted a planning application for an extension at their own property it is considered that there is a reasonable prospect of work commencing on that extension within the three year time constraint.
23. The out-building would be 2m from the side boundary of No. 3 Monument Avenue. Taking into account the fairly modest size, separation distance and what can be achieved under permitted development rights this part of the proposal would not impact on amenity for the occupiers. The proposed rear additions would be a sufficient distance from the rear facing windows on No. 3 and not in line of sight to ensure no impact on daylight provision or outlook. The proposed rear facing

windows of the extension would be at least 17.5m (at first floor) and 15m at ground floor from the boundary and as such, there would be no impact on privacy for the occupiers.

24. The proposals would be no closer to the properties to the front on Kings Road and Belmont Road. Despite the proposed front roof addition at 21m separation distance, and considering the orientation of the houses, there would be no adverse impact on residential amenity for the occupiers. The rear additions and out-building would not be visible to these properties.
25. It is considered that there would not be demonstrable harm to the occupiers of any neighbouring properties subject to a condition restricting the development if work is not carried out to No. 55 Belmont Road in line with the application P13/1754. The development would therefore comply with Policy DD4 – Development in Residential Areas, PGN 12 – The 45 Degree Code - and PGN 17 – House Extension Design Guide.

Access and parking

26. The proposal would not increase the parking requirement of the property as there would no additional bedrooms or habitable rooms on-site. Although the development would result in the loss of the garage this space was sub-standard in size and at least three spaces would remain on the frontage. There would be no additional overspill of car parking and no impact on highway safety as a result of the proposal. The development would therefore comply with the Parking Standards SPD (2012) and Policy DD4 of the saved Unitary Development Plan (2005).

CONCLUSION

27. It is considered that the proposed one and two storey rear extension would not have an adverse impact on the residential amenity experienced by the occupiers of neighbouring properties subject to a condition requiring the development to only proceed if the development at No. 55 Belmont Road (P13/1754) proceeds.

28. The overall design and size of the additions would be acceptable considering the size of the original house. The proposal would impact on the visual amenity of the property and semi-detached pairing.
29. The proposal would benefit from sufficient parking on-site.
30. As such, the development would contravene Policy DD4 (Development in Residential Areas) of the saved Dudley UDP and PGN 17 (House Extension Design Guide).

RECOMMENDATION

It is recommended that the application is APPROVED subject to the following conditions:

APPROVAL STATEMENT INFORMATIVE

In dealing with this application the Local Planning Authority have worked with the applicant in a positive and proactive manner, seeking solutions to problems arising in relation to dealing with the application, by seeking to help the applicant resolve technical detail issues where required and maintaining the delivery of sustainable development. The development would improve the economic, social and environmental concerns of the area and thereby being in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Informative Note

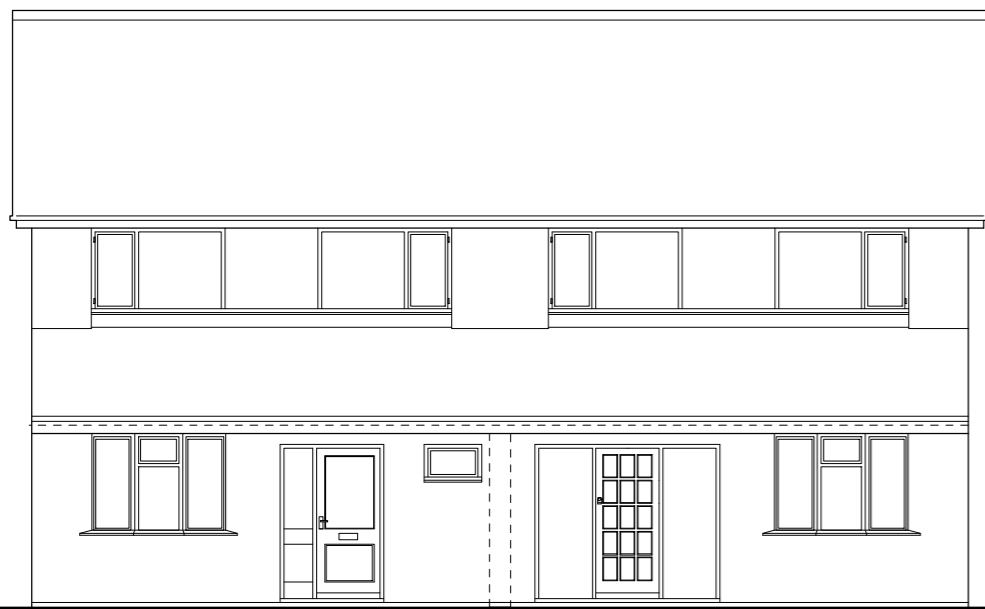
The proposed development lies within an area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority.

Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

Conditions and/or reasons:

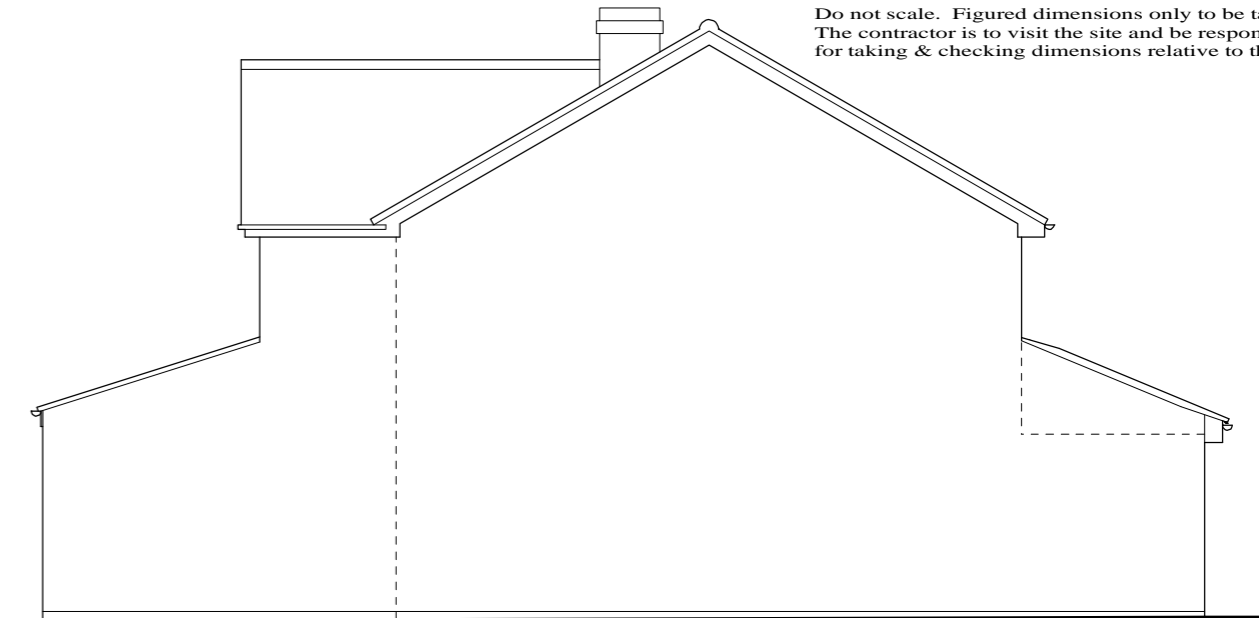
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The materials to be used in the approved development shall match in appearance, colour and texture those of the existing building unless otherwise agreed in writing with the Local Planning Authority.
3. The development hereby approved shall be carried out in accordance with the details shown on plan labelled '13:7:06'
4. The one and two storey rear extension hereby approved shall not commence until the construction of the one and two storey rear extension to No. 55 Belmont Road, approved under application P13/1754, has commenced.



Front elevation

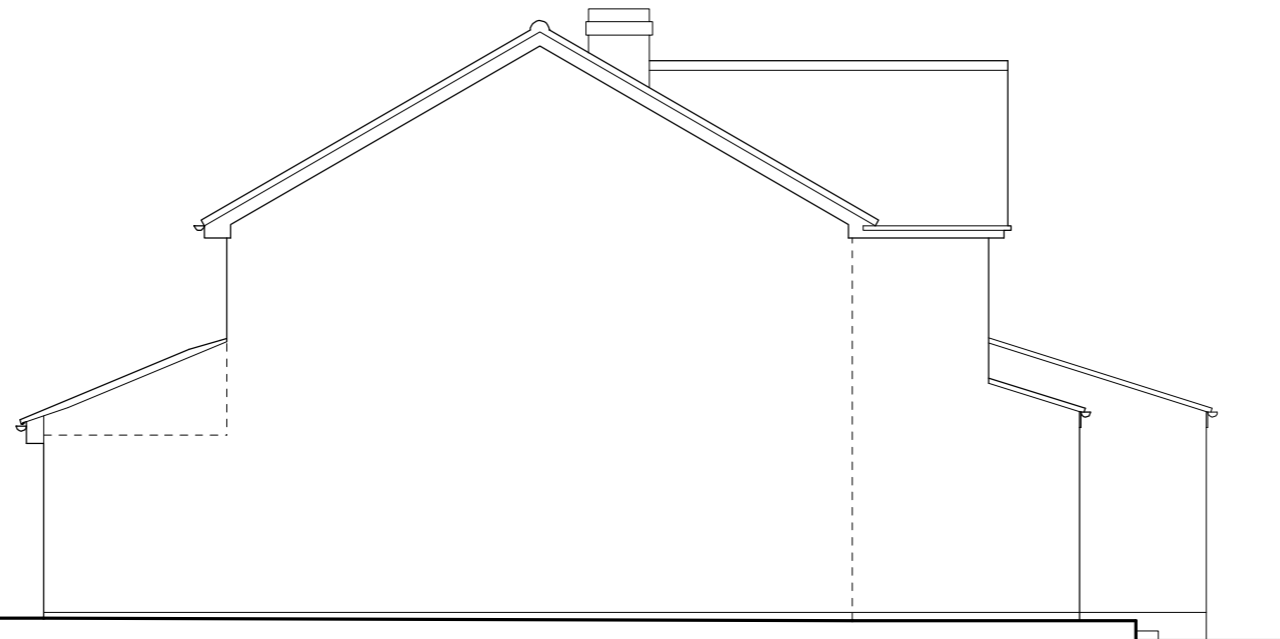
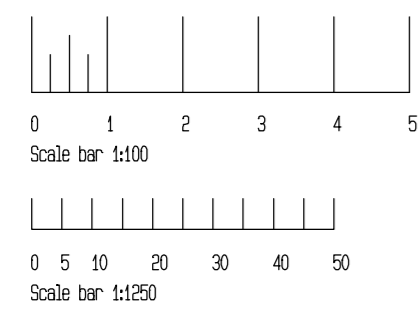


Rear elevation

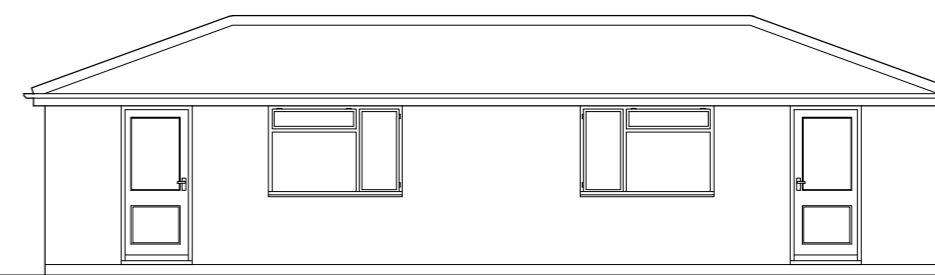


Side elevation

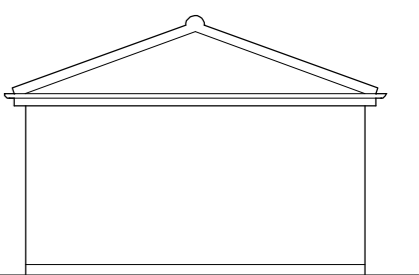
Do not scale. Figured dimensions only to be taken from drawing. The contractor is to visit the site and be responsible for taking & checking dimensions relative to this work.



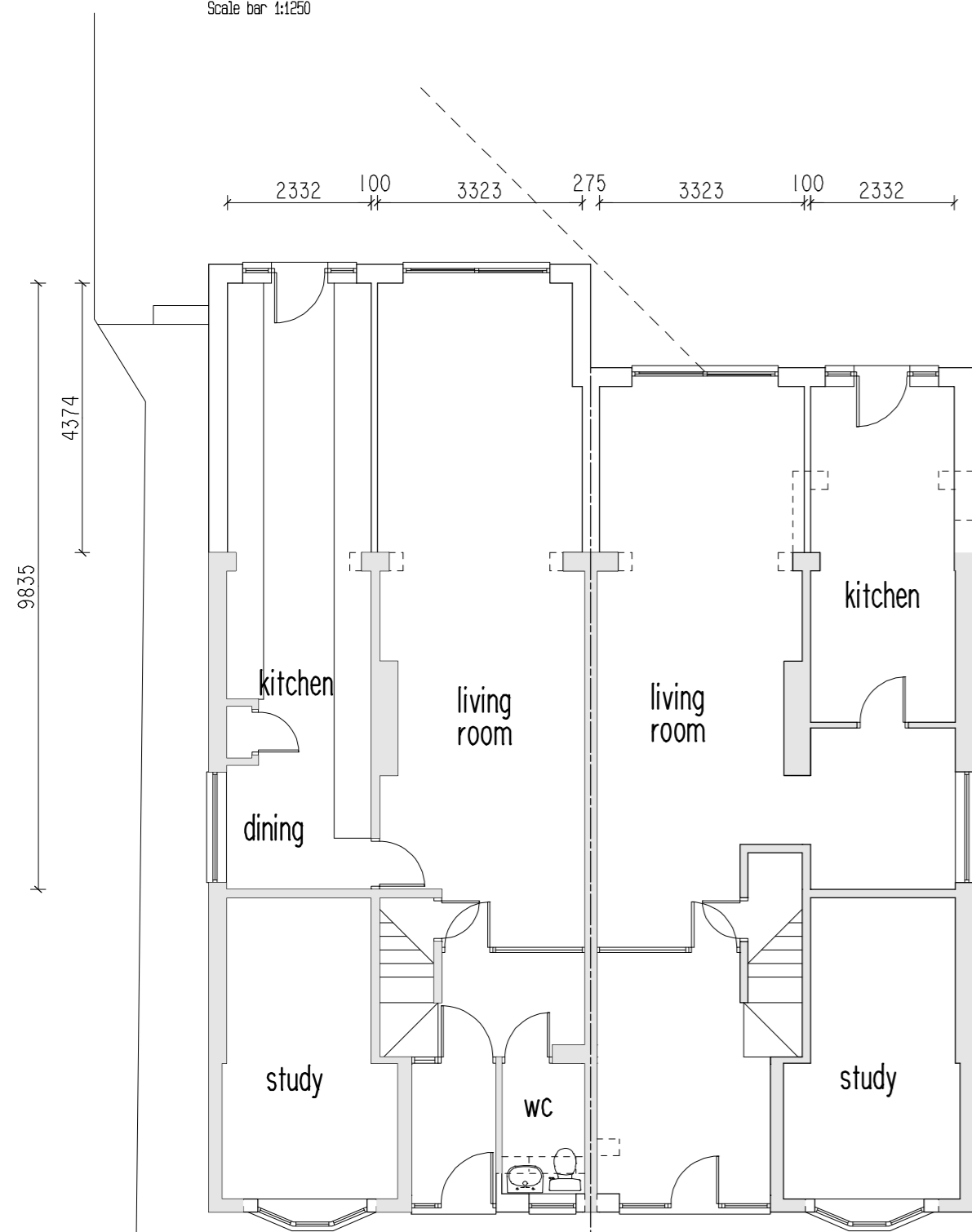
Side elevation



Front elevation

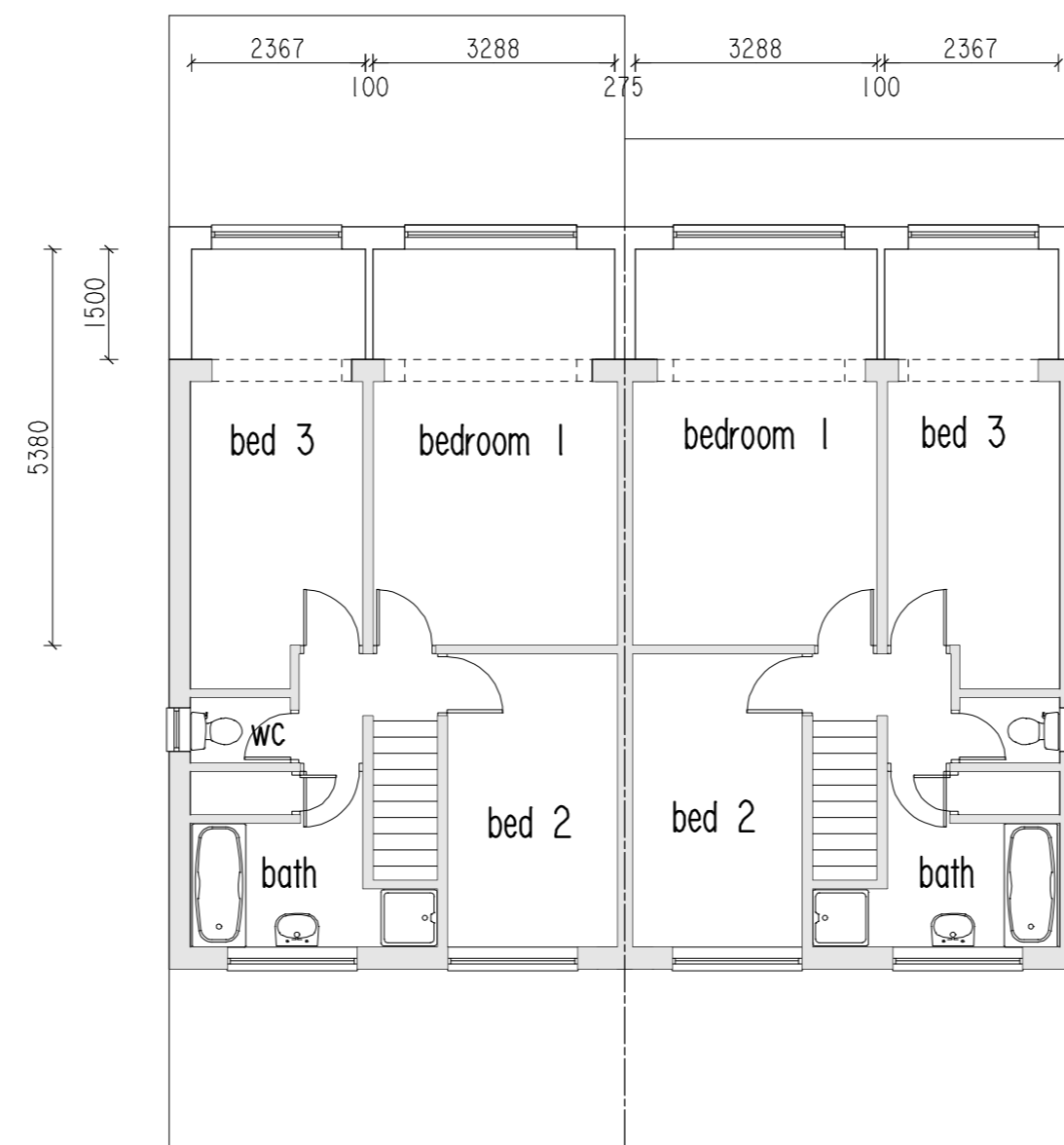


Side elevation



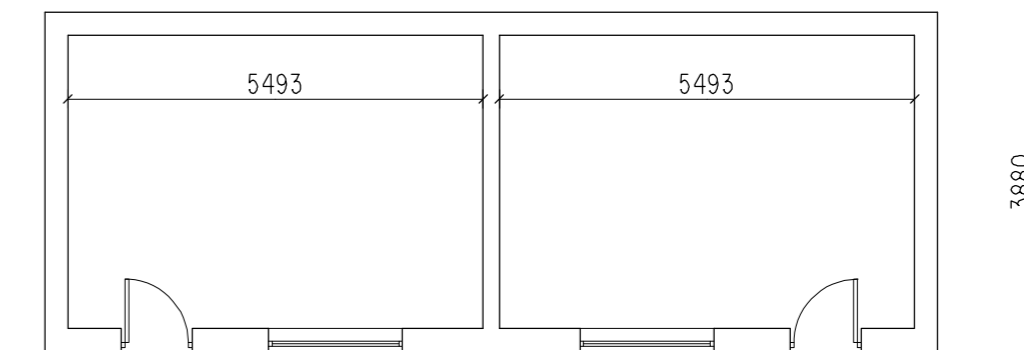
56B
Ground floor plans

55

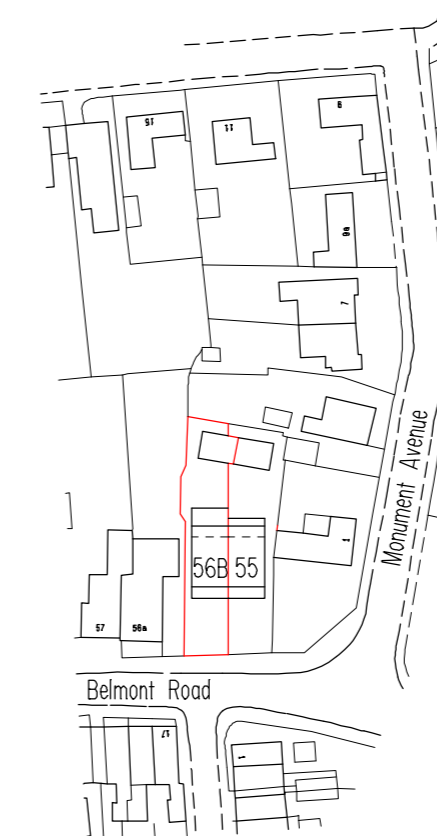


56B
First floor plans

55



Floor plan
OUTBUILDING



Location plan



T. AHMED
PROPOSED EXTENSIONS and
OUTBUILDING
56B BELMONT ROAD
LYE
PROPOSALS 2
13:37:06

Scale 1:100 1:1250
Date October 2013

MFL Design

Architectural Design Service
5 Glynn Crescent,
Halesowen,
West Midlands,
B63 2PZ
Tel. 01384 561334



PLANNING APPLICATION NUMBER:P13/1758

Type of approval sought	Full Planning Permission
Ward	Castle & Priory St James's
Applicant	Dudley College
Location:	EVOLVE (DUDLEY COLLEGE), TOWER STREET, DUDLEY, WEST MIDLANDS, DY1 1AF
Proposal	FORMATION OF NEW PEDESTRIAN CROSSING
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. This proposal relates to the creation of a new pedestrian crossing on The Broadway in Dudley town centre in order to facilitate pedestrian movements between the new Dudley College 'Evolve' campus on Tower Street and the existing campus on the northern side of The Broadway.
2. The crossing is to be sited between the main pedestrian entrance to the Evolve building and 10 The Broadway opposite (a residential dwelling). To the east of no.10 is a former office building which has been converted to residential use and to the west at no.12 is another house. Further to the west are two former residential properties which are now in use by the college for educational/training purposes. The site lies within Dudley Town Centre Conservation Area.

PROPOSAL

3. The applicant has advised that the Evolve campus accommodates up to 800 students on a peak day, whilst all support services such as refectory, student union, student services etc are located at the Broadway campus. As such there is significant pedestrian demand to cross The Broadway between the two campuses. The application has been submitted with the intention of providing a safe pedestrian route for students and staff.

4. The applicant has assessed the need for a new crossing at this location against the criteria set out in the Council's Pedestrian Crossing Policy. This assessment was carried out prior to the Evolve campus being brought into use and demonstrated that, based on the traffic and pedestrian movements at the time, a pedestrian crossing on The Broadway was justified. With the Evolve campus now in operation the number of pedestrians crossing The Broadway has significantly increased which further justifies the need for a crossing.
5. The applicant has assessed the option of providing an integrated pedestrian crossing facility within the existing traffic signal junction at the junction of The Broadway and Ednam Road which is approximately 65m to the west of the proposed crossing. This junction operates on a signal staging plan for vehicular traffic only with no pedestrian phases. This option has been discounted by the applicant on the basis that the introduction of a pedestrian crossing facility here would, as a worst case scenario, have a detrimental impact on the operation of the junction as it would lead to it operating above capacity.
6. Information has been submitted to demonstrate that, by coordinating the operation of the existing Ednam Road/Broadway signal junction with the operation of the proposed crossing facility, there would not be any significant impact on the flow of vehicular traffic on the local highway network. The applicant is of the opinion that a proposed facility close to the entrance of the Evolve building will provide a natural crossing point of the desire line of students and staff walking between the two campuses and would encourage a more controlled crossing behaviour.

HISTORY

7. None relevant to the assessment of the application.

PUBLIC CONSULTATION

8. Neighbour notification letters have been sent to 10 properties, a press notice has been issued and a site notice posted. Three letters of objection have been received, raising the following concerns:
- The proposed crossing will disrupt the flow of traffic along The Broadway;
 - Students should be encouraged to use existing crossing facilities;
 - The traffic signals at the junction of The Broadway and Ednam Road should be pedestrianised instead;
 - Noise disturbance and light intrusion from the crossing system;
 - The siting of the crossing will obstruct vehicular access/egress to 10 The Broadway;
 - The footpath on the northern side of The Broadway is of insufficient width to accommodate the numbers of people waiting to use the crossing.

OTHER CONSULTATION

9. Group Engineer (Highways): No objection.

RELEVANT PLANNING POLICY

10. Black Country Core Strategy 2011
Policy CSP5 (Transport Strategy)

Saved 2005 UDP Policies

Policy HE4 (Conservation Areas)

Policy DD4 (Development in Residential Areas)

ASSESSMENT

11. The key issues are:
- Highway Safety
 - Residential Amenity
 - Impact on the Conservation Area

12. The proposed development is required to encourage a more controlled crossing behaviour by students and staff travelling between the two college buildings. The provision of this new safe pedestrian route is in accordance with Policy CSP5 of the Core Strategy, one of the aims of which is to improve road safety as a strategic outcome of the transport strategy for the Black Country.
13. The Group Engineer has no objection to the proposal and it is therefore considered that the introduction of a crossing at this location would not have any detrimental effect on highway safety, in accordance with Saved Policy DD4 of the UDP. The siting of the signals and crossing would not obstruct access/egress to the vehicle and pedestrian entrances to 10 The Broadway.
14. Saved Policy DD4 also requires that developments should not have any adverse impact on residential amenity. With regard to the concerns of the objectors to the proposal, cowls can be installed on the traffic signals in order to minimize light spillage. These can be sought at the detailed design stage should the Highway Authority wish to proceed with the installation of a crossing at this location. Any 'bleeping' noise from the crossing system would not, in this busy edge of centre location and against the background of an existing noisy environment, result in undue disturbance to local residents to a level which would warrant refusal of the application.
15. Saved Policy HE4 advises that proposals for development which would be detrimental to the character or setting of Conservation Areas should be resisted. The proposed crossing is a typical feature of an urban location which would not have any adverse impact on the visual amenities of the area. As such the proposal does not contravene Policy HE4.

CONCLUSION

16. The proposed development would not have any adverse impact on the character of the Conservation Area, residential amenity or highway safety. As such the proposal

complies with Policy CSP5 of the Core Strategy and Saved Policies DD4 and HE4 of the UDP.

RECOMMENDATION

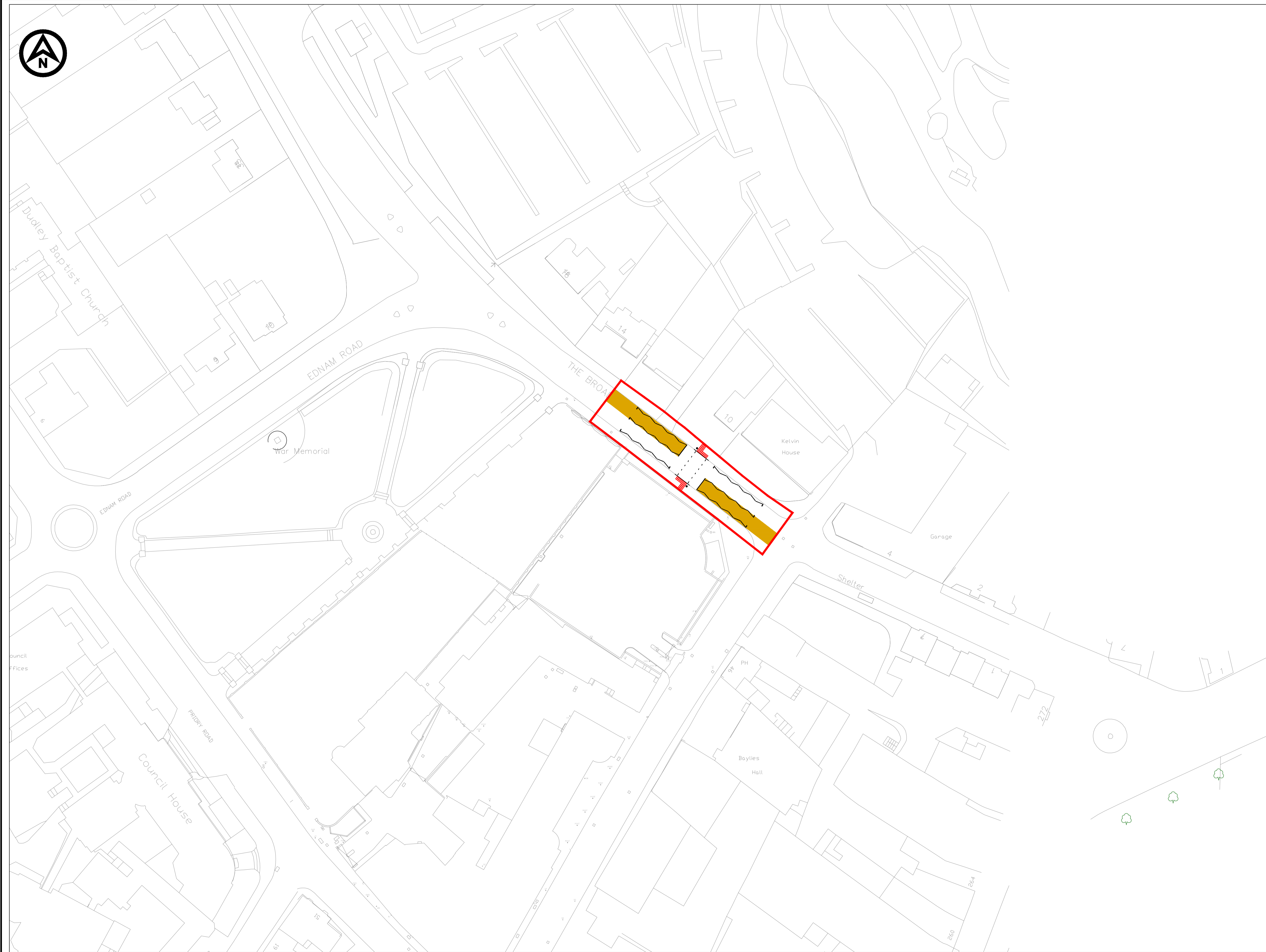
17. It is recommended that the application be APPROVED subject to the following condition:

APPROVAL STATEMENT INFORMATIVE

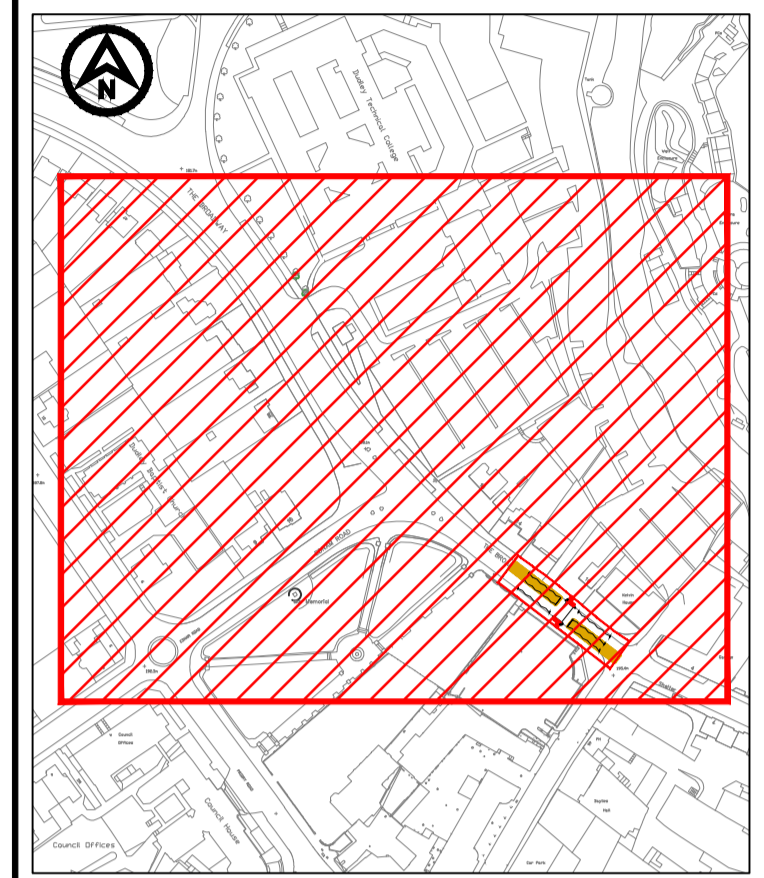
In dealing with this application the local planning authority have worked with the applicant in a positive and proactive manner, seeking solutions to problems arising in relation to dealing with the application, by seeking to help the applicant resolve technical detail issues where required and maintaining the delivery of sustainable development. The development would improve the economic, social and environmental concerns of the area and thereby being in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

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. The development hereby permitted shall be carried out in accordance with the following approved plans: 9Y1016120001 rev c and 9Y1016GA001 rev c.



- NOTES**
1. THIS DRAWING HAS BEEN BASED UPON SURVEY INFORMATION SUPPLIED BY OTHERS AND ROYAL HASKONINGDHV LTD SHALL NOT BE LIABLE FOR ANY INACCURACY OR DEFICIENCIES ARISING FROM IT.
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 3. ALL LEVELS ARE IN METRES RELATIVE TO ORDNANCE DATUM NEWLYN UNLESS NOTED OTHERWISE.
 4. ALL MATERIALS AND WORKMANSHIP WILL BE AS DEFINED IN THE SPECIFICATION UNLESS NOTED OTHERWISE.
 5. FOR DETAILS OF TRAFFIC SIGNAL WORKS REFER TO CANWELL SIGNAL DRAWINGS.
 6. EXTENT OF FOOTWAY RESURFACING MAY BE AMENDED TO REMEDIATE ANY DAMAGE CAUSED BY THE WORKS



KEYPLAN - NTS

RED LINE BOUNDARY
AREA: 838m² (0.084ha)

REV	DATE	DESCRIPTION	BY	CHK	APP
A	21.11.13	FIRST ISSUE	AMO	DJ	DJ

REVISIONS

CLIENT

DUDLEY COLLEGE

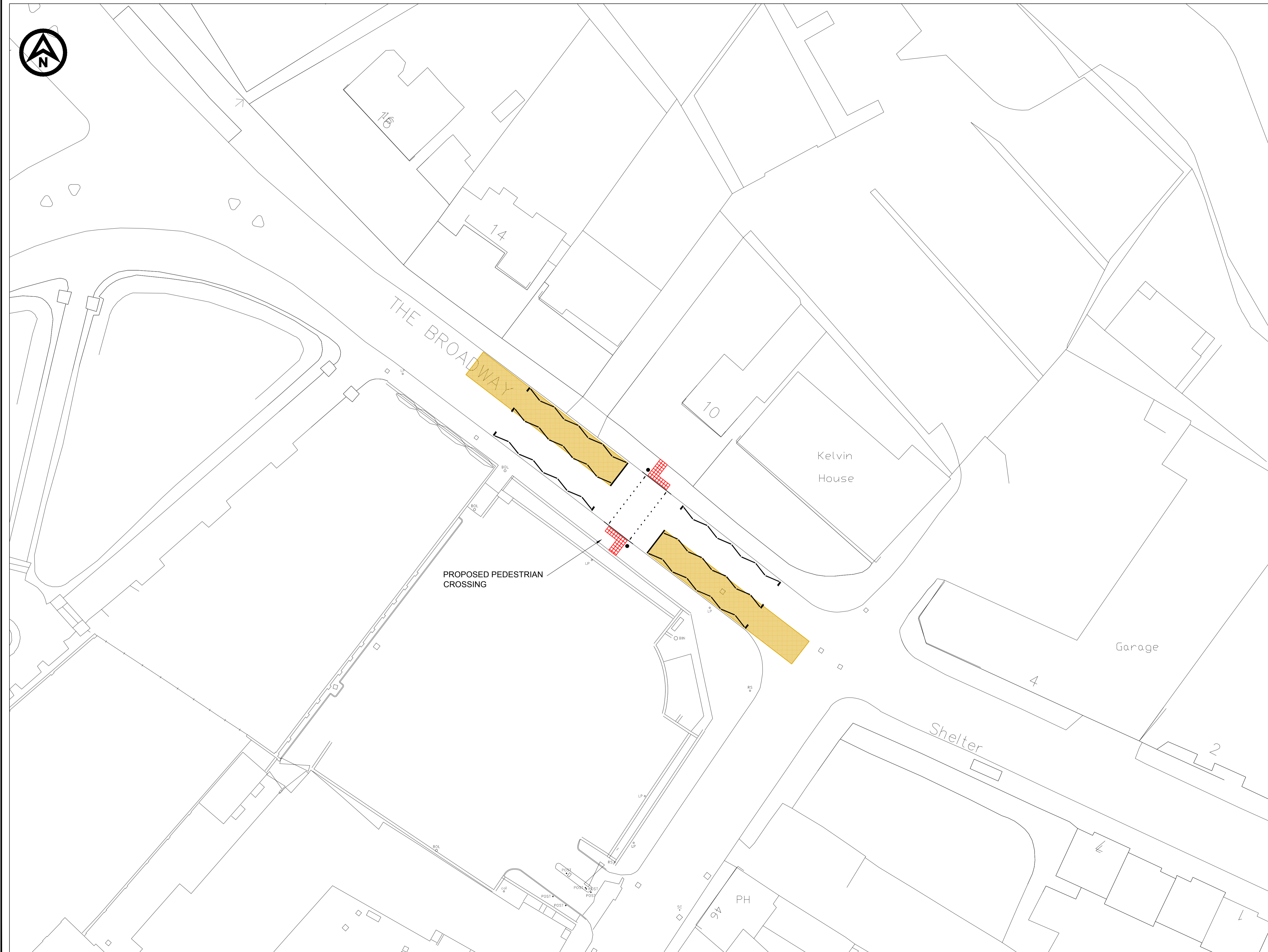
PROJECT
**PROPOSED PEDESTRIAN CROSSING
THE BROADWAY, DUDLEY**

TITLE
RED LINE BOUNDARY

9th Floor Portland Tower
Portland Street, Manchester, M1 3LF
Tel: +44(0)161 236 1018
Email: info.manchester@rhdhv.com
Website: www.royalhaskoning.com

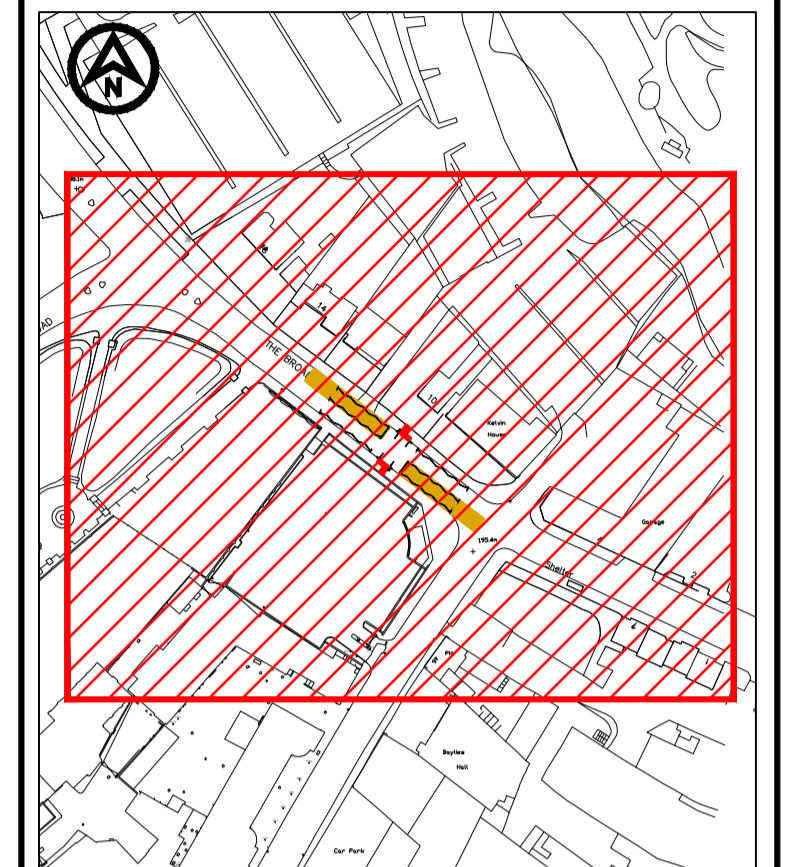
DRAWN	AMO	CHECKED	DJ	APPROVED	DJ
DATE	21.11.13	SCALE AT A1	1:250	CLIENTS REF.	COMMENT

DRAWING No.	REVISION
GY1016 278 002	A



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5. FOR DETAILS OF TRAFFIC SIGNAL WORKS REFER TO CANWELL SIGNAL DRAWINGS.



KEYPLAN - NTS

REV	DATE	DESCRIPTION	BY	CHK	APP
C	11.07.13	BUFF HIGH FRICTION DRESSING SHOWN	JC	DJ	DJ
B	09.07.13	AMENDED TO DMBC COMMENTS	JC	DJ	DJ
A1	18.04.13	FIRST ISSUE	JC	DJ	DJ

REVISIONS

CLIENT

DUDLEY COLLEGE

PROJECT

PROPOSED PEDESTRIAN CROSSING
THE BROADWAY, DUDLEY

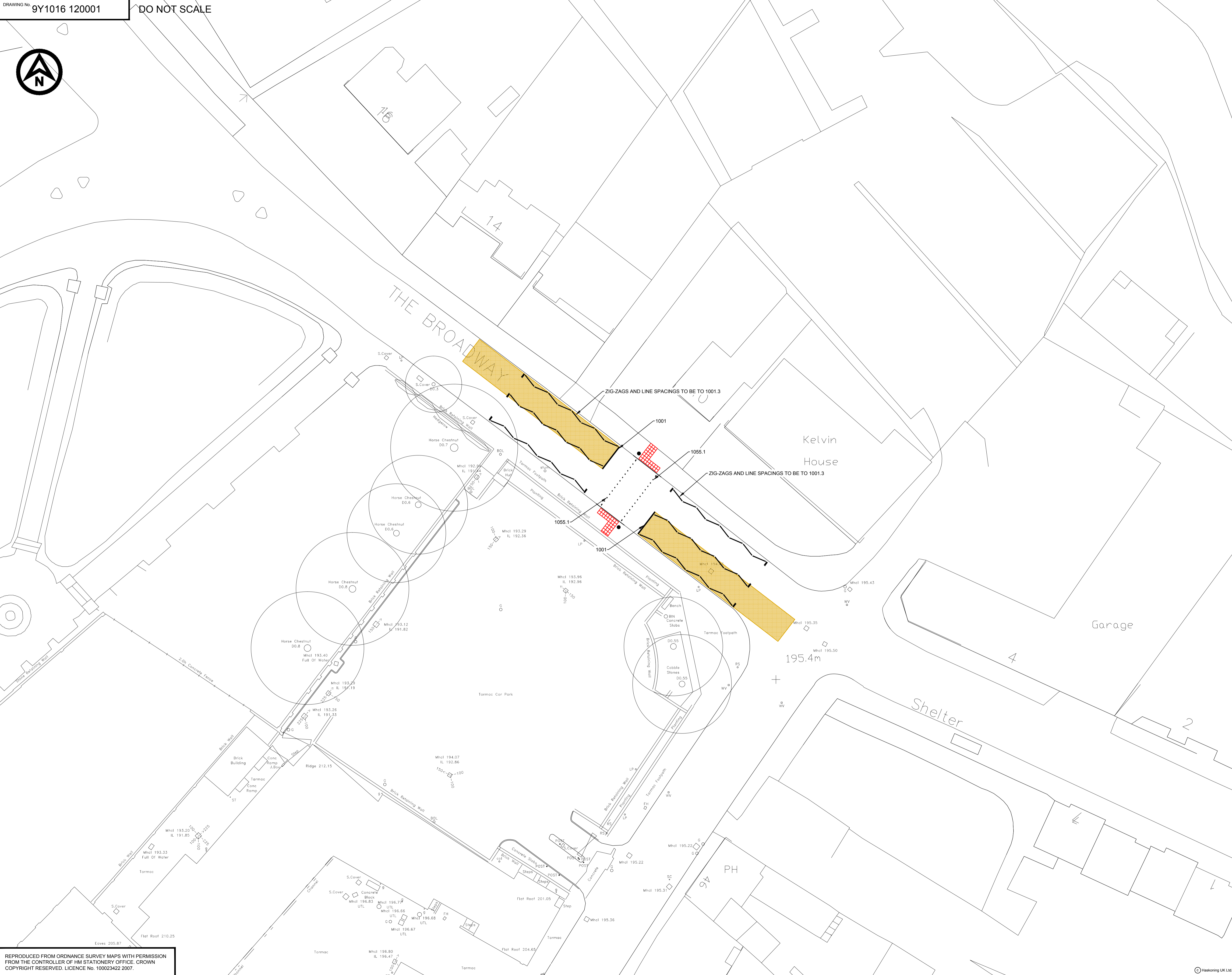
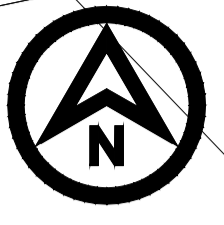
TITLE

GENERAL ARRANGEMENT

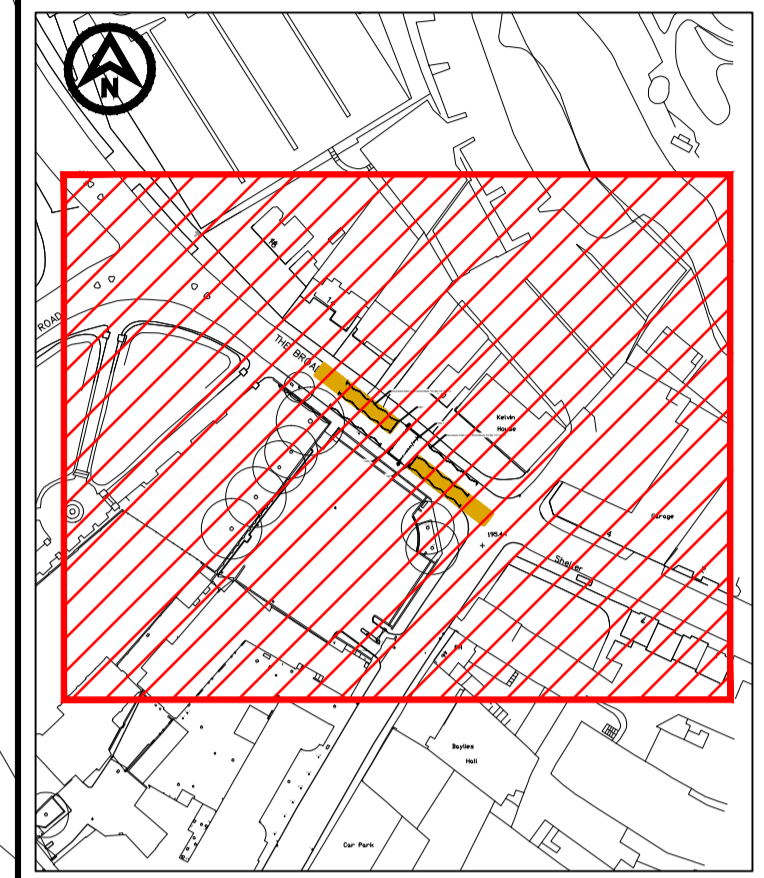
9th Floor Portland Tower
Portland Street, Manchester, M1 3LF
Tel: +44(0)161 236 1018
Email: info.manchester@rdhv.com
Website: www.royalhaskoning.com

DRAWN	JC	CHECKED	DJ	APPROVED	DJ
DATE	09.04.13	SCALE AT A1	1:250	CLIENTS REF	COMMENT

DRAWING No.	GY1016 GA 001	REVISION	C
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 4. ALL MATERIALS AND WORKMANSHIP WILL BE AS DEFINED IN THE SPECIFICATION UNLESS NOTED OTHERWISE.
 5. FOR DETAILS OF TRAFFIC SIGNAL WORKS REFER TO COUNCIL DRAWINGS.



KEYPLAN - NTS

ROAD MARKING SCHEDULE

1. All Diag Numbers refer to the Traffic Signs Regulations and General Directions 2002.
2. All road markings to conform with the Traffic Signs Regulation and General Directions 2002.

DIAGRAM NAME	DIAGRAM No.	Mark (mm)	Gap (mm)	Width (mm)
Stop Line	D1001	-	-	200
Zig Zag Line	D1001.3	2000	150	100
Road Studs	D1055.1	100	500	100

- BUFF HIGH FRICTION DRESSING
- PROPOSED TRAFFIC SIGNAL. REFER TO CANWELL'S BROADWAY PUFFIN CROSSING DRAWING C/1202/100 FOR DETAILS

REV	DATE	DESCRIPTION	BY	CHK	APP
C	11.07.13	BUFF HIGH FRICTION DRESSING SHOWN	JC	DJ	DJ
B	09.07.13	AMENDED TO DMBC COMMENTS	JC	DJ	DJ
A1	18.04.13	FIRST ISSUE	JC	DJ	DJ

REVISIONS

CLIENT
DUDLEY COLLEGE

PROJECT
DUDLEY COLLEGE PEDESTRIAN FACILITIES

TITLE
ROAD MARKINGS



DRAWN	AMO	CHECKED	DJ	APPROVED	DJ
DATE	09.04.13	SCALE AT A1	1:250	CLIENTS REF.	COMMENT

DRAWING No.	REVISION
9Y1016 120001	C

PLANNING APPLICATION NUMBER:P13/1802

Type of approval sought	Full Planning Permission
Ward	Wollaston & Stourbridge Town
Applicant	Mr Graham Webster
Location:	COTTAGE SPRING PUBLIC HOUSE, 73, BRIDGNORTH ROAD, WOLLASTON, STOURBRIDGE, DY8 3PZ
Proposal	DEMOLITION OF EXISTING GARAGES AND ERECTION OF SINGLE STOREY BUILDING TO BE USED AS RETAIL (A1) (RESUBMISSION OF WITHDRAWN APPLICATION P13/1285)
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The application site is an existing public house occupying a plot of 1356m² and is set within a mixed use, predominantly residential area. The application site is sited within the Wollaston Village Centre and Wollaston Conservation Area. The public house has a parking area with 13 spaces and an external space utilised as a beer garden. The existing car park is located to the south east of the building with the existing beer garden to the rear of the site. There is an existing area of storage also to the rear of the site made up of three small pre-fabricated garages.
2. The application site is bound on all sides by residential dwellings. To the rear of the site is King Street with existing access gates to the rear of the public house in situ. To the south east are numbers 40 King Street and 71 Bridgnorth Road, both residential properties. To the north west is number 40a King Street a bungalow with frontage driveway.

PROPOSAL

3. This application seeks approval for the demolition of the pre-fabricated garages and erection of a single storey building to be used for A1 retail. The proposed building would be 110m² and would be sited upon the area of the existing beer garden. The

proposed building would be located to the rear of the site and finished with a pitched roof with side facing gables. It is proposed to relocate an existing business into the proposed retail unit which falls under the same ownership of the applicant. This existing business is a florist currently located upon Bridgnorth Road, within the Wollaston Village Centre. The proposed retail unit would be accessed from the existing car park. Also for consideration is the extension of the existing car park by 4 spaces.

4. The proposed scheme would require the loss of three trees.
5. The submitted plans also show that the applicant intends to relocate the beer garden in to the area of existing storage and demolished garage area. However this is outside of the application red-line boundary and as such will not be given any consideration.

HISTORY

6.

APPLICATION	PROPOSAL	DECISION	DATE
P00/52102	Ground floor extension to provide enlarged seating area and entrance together with extended food store and toilet	Approved with Conditions	11/05/01
P13/1285	Demolition of existing garages and erection of single storey building to be used as retail (A1)	Withdrawn	23/10/2013

7. The above application was withdrawn due to concerns in relation to a proposed access road between Bridgnorth Road and King Street. This has been removed from the current proposal.

PUBLIC CONSULTATION

8. 6 letters of objection received, following consultation with 31 adjoining neighbours, posting of a site notice and the publication of an advert within a local newspaper. Main issues raised:
- Increased noise and disturbance from the relocated beer garden.
 - Impact on property value and resale potential
 - Existing gates could be utilised for deliveries from King Street which will cause highway safety issues.
 - Increased traffic resulting in parking issues in the local area and increased traffic using the existing access which is considered unsafe.
 - Storage area proposed to the rear of the proposed building has the potential to become an eyesore.

OTHER CONSULTATION

9. Group Engineer (Highways): No objections subject to conditions.
10. Head of Environmental Health and Trading Standards: No objections subject to conditions.

RELEVANT PLANNING POLICY

11. National Planning Guidance (2012)

National Planning Policy Framework

12. Black Country Core Strategy (2011)

CEN2 Hierarchy of Centres

CEN5 District Centres and Local Centres

TRAN2 Managing Transport Impacts of New Development

13. Unitary Development Plan (2005) (Saved Policies)

DD3 Design of Retail Development

DD4 Development in Residential Areas

NC10 The Urban Forest

HE4 Conservation Areas

EP7 Noise Pollution

14. Supplementary Planning Guidance/Documents

Historic Environment Supplementary Planning Document (2006)

Parking Standards Supplementary Planning Document (2011)

ASSESSMENT

15. The main issues are

- Principle
- Design
- Neighbour Amenity
- Access and Parking
- Trees
- Other Issues

Principle/Policy

16. The proposed retail use would be a relocated business from elsewhere in the Village Centre of Wollaston. The floor area proposed would be less than the 200m² maximum for it to be considered appropriate to serve the needs of this local centre. In this regard the proposed development is considered to be in accordance with the requirements of Policies CEN2 Hierarchy of Centres and CEN5 District Centres and Local Centres of the Black Country Core Strategy (2011).

Design

17. The proposed building is simple in design terms utilising a pitched roof and windows with decorative heads and cills. The proposed structure would not be visible from King Street given the boundary treatment in situ being a relatively high wall and mature trees. From Bridgnorth Road the proposed building would be largely screened by the remaining trees. This combined with the set back from Bridgnorth Road being in excess of 40m ensures it would not be prominent within the street scene. The materials used would be successfully conditioned to ensure their appropriateness within the Conservation Area.
18. The removal of the prefabricated garages present upon the site and relocation of the external storage area is considered to be a positive change to the site as this area currently detracts from the Conservation Area however as stated above this is outside of the application site boundary.
19. In this regard, subject to conditions the proposed development would be in accordance with the requirements of saved policies DD3 Design of Retail Development, DD4 Development in Residential Areas and HE4 Conservation Areas of the UDP (2005)

Neighbour Amenity

20. The application site is surrounded by residential properties which as a result of the existing use of the site as a public house would be expected to experience a level of background noise. The assessment that has to be made as part of this planning application regards whether the intensification of the use of the site would result in noise and disturbance to these neighbouring occupiers increasing to an unacceptable level.
21. The public house at present operates from 11am until late into the night/early hours of the following morning. The proposed retail development would be operational during the main trading hours of the day with the applicant seeking opening hours of 7.30am to 5pm Monday to Saturday and 10am to 4pm on Sunday. It is considered that this use

is unlikely to increase any noise and disturbance experienced by the neighbouring occupiers as a result of the small scale nature of the retail unit and proposed hours. These hours could be restricted by way of condition.

22. The submitted plans show a relocated beer garden along the boundary with No.40A King Street. Whilst this has the potential to increase noise to the occupiers of that property this has not been included as part of this planning application and could be undertaken within the requirement for planning permission. Notwithstanding this The Head of Environmental Health and Trading Standards have raised no objection to the proposed scheme.
23. The proposed retail unit would be located in line with the gable wall of number 40 King Street. In this regard there would be no detrimental impact on the occupiers of this dwelling by way of loss of light or outlook as a result of the proposed structure. The proposed external storage area to the rear of the proposed retail unit has been raised as a potential issue in terms of becoming an eyesore. The Local Planning Authority are not able to control the goods stored in this area but could take action should the site become untidy.
24. Given the above the proposed development is considered to be in accordance with the requirements of saved policies DD4 – Development in Residential Areas and EP& - Noise Pollution of the UDP (2005).

Access and parking

25. The Group Engineer (Highways) has raised no objections to the proposed scheme. The removal of the access road between Bridgnorth Road and King Street as proposed under the previously withdrawn scheme is supported. The proposed scheme would add 4 additional off road parking spaces which would result in their being a total of 17 spaces upon the site. The Group Engineer (Highways) is satisfied that this number is acceptable in order to cater for the both the Public House and retail uses. There is no requirement for the development to provide cycle parking/shower facilities as the site area proposed for A1 retail is less than 200m². The gates to the rear of site can be

conditioned to be removed and the access made good in order to ensure that no deliveries are carried out from this existing access point. The Group Engineer (Highways) has raised no concerns with the intensified use of the existing access to the site. On this basis the proposed development would be in accordance with the requirements of saved policy DD4 – Development in Residential Areas of the UDP (2005) and Policy TRAN2 - Managing Transport Impacts of New Development of the Black Country Core Strategy (2011).

Trees

26. In order to facilitate the above development 3 trees are required to be felled. The proposed trees are located centrally within the site and as such are not considered to contribute to the amenity of the area when viewed from the street scene. In this regard the proposed development is considered to be in accordance with the requirements of saved policy NC10 The Urban Forest

Other issues

27. The potential impact on surrounding property value is not a material planning consideration and on this basis cannot be afforded any weight in the assessment of the application.

CONCLUSION

28. The proposed development is acceptable in principle and is considered to have no detrimental impact on highway safety, neighbouring amenity or on the character of the Conservation Area.

RECOMMENDATION

It is recommended that the application be APPROVED subject to the following conditions:

Informative

In dealing with this application the Local Planning Authority have worked with the applicant in a positive and proactive manner, seeking solutions to problems arising in relation to dealing with the application, by seeking to help the applicant resolve technical detail issues where required and maintaining the delivery of sustainable development. The development would improve the economic, social and environmental concerns of the area and thereby being in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Conditions and/or reasons:

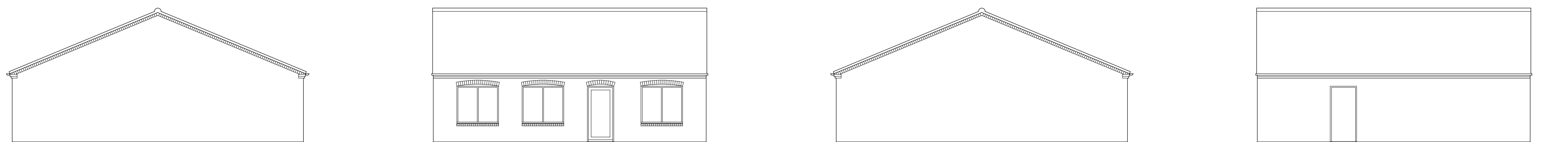
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: 13:47:02A
3. Prior to the commencement of development, details of the types, colours and textures of the materials to be used on the external surfaces of the buildings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved details.
4. Prior to the commencement of development, details of the boundary treatments/walls/fences to be installed on the whole site shall be submitted to and approved in writing by the Local Planning Authority. These details shall include details of the wall to be made good to the rear of the site fronting King Street following the removal of the existing gates. The development shall proceed in accordance with the approved details, which shall be installed on site prior to occupation of the retail unit hereby approved and thereafter maintained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.
5. Prior to the commencement of development, details of the landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented in accordance with the approved details before the end of the first planting season following initial occupation of the development.
6. The rating level of noise emitted from any fixed plant and/or machinery associated with the development shall not exceed background noise levels by more than 5dB(A) between the hours of 0700-2300 (taken as a 60 minute LA90 at the nearest noise sensitive premises) and shall not exceed the background noise level between 2300-0700 (taken as a 5 minute LA90 at the nearest noise sensitive premises). All measurements shall be made in accordance with the methodology of BS 4142

(1997) (Method for rating industrial noise affecting mixed residential and industrial areas) and/or its subsequent amendments.

Where access to the nearest noise sensitive property is not possible, measurements shall be undertaken at an appropriate location and corrected to establish the noise levels at the nearest noise sensitive property.

Any deviations from the LA90 time interval stipulated above shall be agreed in writing with the Local Planning Authority.

7. Prior to the occupation/use of the development hereby permitted the parking area shall be surfaced and marked out in complete accordance with the approved plans, and thereafter maintained available for parking.
8. The premises shall not be open to the public before the hours of 7.30am nor after 6pm Monday to Saturday, before 10am or after 4pm on Sundays and Public Holidays unless otherwise agreed in writing by the Local Planning Authority.
9. Noise amplified music/sound or live music shall be played at any time in the beer garden noted on submitted plan 13:47:02A at any time for the lifetime of the development.
10. Prior to the first occupation of the retail unit hereby approved a plan detailing the area of kerb to be reinstated to full height upon the King Street boundary shall be submitted to and approved by in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved details prior to the unit first being brought into use and shall be retained as such thereafter for the lifetime of the development.
11. The boundary submitted to and approved for the development to the rear with King Street shall be retained as such in perpetuity. Any new access (vehicular or pedestrian) shall not be formed without the prior approval in writing of the Local Planning Authority and an application to that effect.



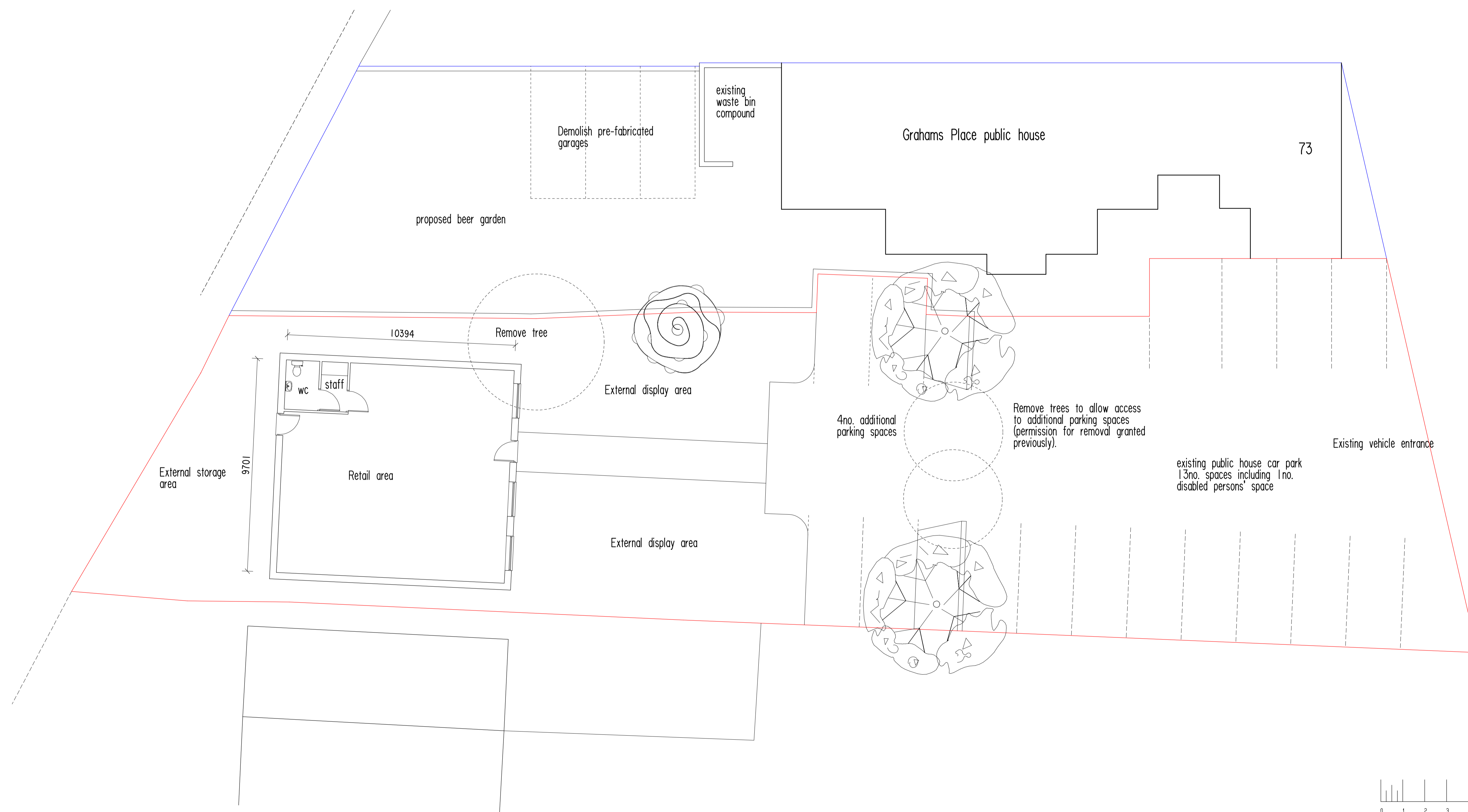
Side elevation

Front elevation

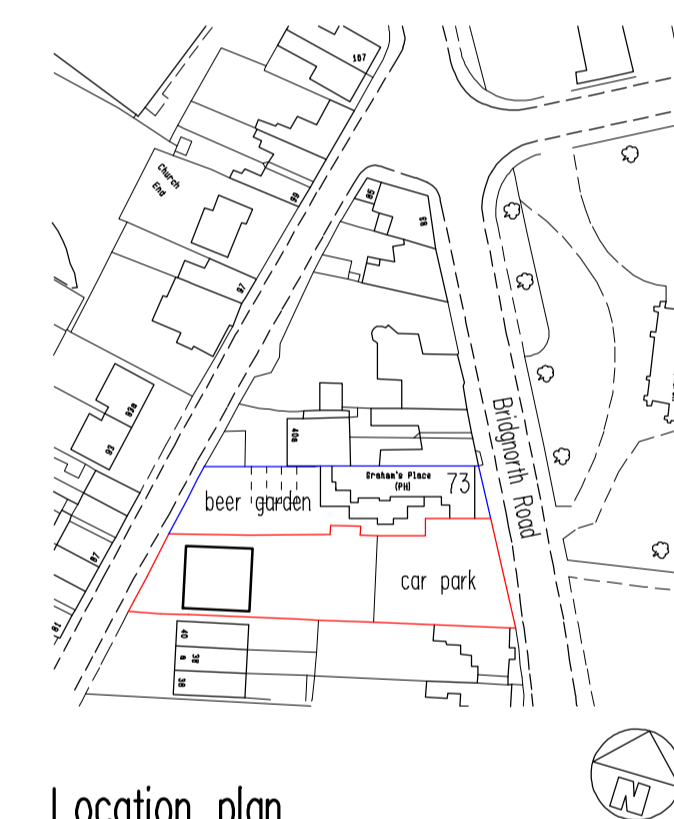
Side elevation

Rear elevation

EXTERNAL MATERIALS
 Roof - 22.5° pitch, Forticrete Gemini tiles
 Walls - red/brown facing brick, Blue brick arches and verge courses.
 Windows & door - painted timber



Site & floor plan



Location plan

A : 17/12/13 : Additional parking space amended.
 Revisions:

G. WEBSTER ESQ
 PROPOSED SHOP
 GRAHAM'S PLACE
 73 BRIDGNORTH RD., WOLLASTON
 PROPOSALS (2)
 13:47:02A

Scale 1:100 1:1250
 Date October 2013

MFL Design

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