

## **PLANNING APPLICATION NUMBER:P10/1703**

Type of approval sought	Full Planning Permission
Ward	COSELEY EAST
Applicant	Gary Sirett, Corporate Property
Location:	<b>SILVER JUBILEE PARK, BIRMINGHAM NEW ROAD, COSELEY</b>
Proposal	<b>NEW LIGHTING TO NEW PATHWAY</b>
Recommendation Summary:	<b>APPROVE SUBJECT TO CONDITIONS</b>

### **SITE AND SURROUNDINGS**

1. The application site is an area within Silver Jubilee Town Park. The park itself covers an area of 4.60 hectares and provides a variety of recreational facilities including tennis courts, bowling green, multi use games area (MUGA) and a skate park. The area also houses Dudley MBC Leisure department building and the Greencare Depot. There is a network of footpaths running throughout the park and there is an abundance of mature trees. There is a large area of hard standing to the west of the site which is used as a parking area, the Leisure Department building and the recently erected healthy hub building both front this car park. The site area incorporates the car park, the MUGA adjacent to the car park and a grassed area to the south of the car park.
2. The park is situated within a predominantly residential area and borders Mason Street to the east, Oak Street to the south and Birmingham New Road to the north. The main entrances to the park are at the Mason Street / Birmingham New Road junction and at the Mason Street / Oak Street junction. There are two other pedestrian access points off Oak Street and Birmingham New Road.

## PROPOSAL

- It is proposed to install 4 no. lighting columns to a new pathway which has been created from the Mason Street / Oak Street entrance up to the car park. The lighting would be mounted on 6m high galvanised columns and the lighting would consist of a series of LEDs.
- The application is accompanied by a Design & Access Statement and a protected species survey.

## HISTORY

5.

APPLICATION No.	PROPOSAL	DECISION	DATE
CO/49/178	Pavilion	Approved	15/02/49
94/50753	Construction of children's play area (regulation 3)	Approved with Conditions	30/06/94
P06/0972	Extension to tarmac area and erection of security fencing (Greencare Depot)	Approved with Conditions	30/06/06
P07/1523	Creation of multi use games area and skate park	Approved with conditions	06/11/07
P09/1382	Erection of new healthy hub building and lighting to existing multi games area	Approved with conditions	15/12/09

## PUBLIC CONSULTATION

- Neighbour notification was carried out to surrounding properties and a site notice was also displayed. At the time of writing this report no representations have been received and any received prior to the committee meeting will be reported as a pre-committee note.

## OTHER CONSULTATION

7. **Group Engineer (Development):** No objection
8. **Head of Environmental Health & Trading Standards;** No objection
9. **Nature Conservation Officer;** No objection subject to conditions.

## RELEVANT PLANNING POLICY

- Adopted Unitary Development Plan (2005)
  - DD1 Urban Design
  - DD4 Development in Residential Areas
  - DD6 Access and Infrastructure
  - DD10 Nature Conservation and Development
  - EP6 Light Pollution
  - NC1 Biodiversity
  - NC6 Wildlife Species
  - SO6 Parks
- Supplementary Planning Document
  - Nature Conservation
  - Planning Obligations
- Black Country Joint Core Strategy
  - ENV1 Nature Conservation

## ASSESSMENT

10. Key Issues
  - Design
  - Residential Amenity
  - Highways & Parking
  - Nature Conservation

### Design

11. Policy DD4 states that non-residential development will be allowed where there would be no adverse effect on the character of the area or residential amenity. The lighting columns would be strategically positioned along the pathway with a degree of separation between each column. Visually they would appear as a modern

design which would not detract from the character and appearance of the area. It is considered that the columns would be compatible with their surroundings and there would be no demonstrable harm to the character or appearance of the area. In this respect the proposal therefore complies with policy DD4 – Development in Residential Areas, DD1 – Urban Design and SO6 - Parks of the Adopted Dudley Unitary Development Plan (2005).

#### Residential Amenity

12. Some of the columns, particularly 1 & 2, would be positioned within close proximity to nos. 64 & 64a Mason Street. The light spill from these two columns is shown to encroach on the rear amenity space of no. 64a Mason Street. Despite this, the Council's Lighting Engineer raises no objection to the proposed floodlighting or to their hours of use. The Mason Street / Oak Street access is remote once inside the park grounds and some form of lighting would increase personal safety for pedestrians using the new footpath to access the health hub, the park and its facilities. It is therefore considered that there would be no demonstrable harm to neighbouring amenity and in this respect the proposal therefore complies with Policy DD4 – Development in Residential Areas and EP6 – Light Pollution of the Adopted Dudley Unitary Development Plan (2005).

#### Highways & Parking

13. The Group Engineer (Development) raises no objection to the proposed lighting in terms of highway safety and in this respect the proposal is considered acceptable.

#### Nature Conservation

14. The Council's Nature Conservation Officer raises no objection to the proposal subject to appropriate conditions in order to mitigate and enhance the areas ecology. In this respect, the proposal therefore complies with Policy DD10 – Nature Conservation and Development, NC1 – Biodiversity and NC6 – Wildlife Species of the Adopted Dudley UDP (2005) and ENV1 – Nature Conservation of the Black Country Joint Core Strategy.

## CONCLUSION

15. There would be no demonstrable harm to the visual amenities of the area as a result of the proposed development. Whilst there are residential properties adjacent to the siting of the proposed lighting columns the Council's Lighting Engineer raises no objection to the proposal. Appropriate conditions will ensure that any impact on local ecology is minimised and mitigated and the proposal therefore complies with the following Council policies; DD1 – Urban Design, DD4 – Development in Residential Areas, DD10 – Nature Conservation and Development, EP6 – Light Pollution, NC1 – Biodiversity, NC6 Wildlife Species and SO6 – Parks of the Adopted Unitary Development Plan (2005) and Policy ENV1 – Nature Conservation of the Black Country Joint Core Strategy.

## RECOMMENDATION

16. It is recommended that the application be approved subject to the following conditions;

### **Reason for The Grant of Planning Permission**

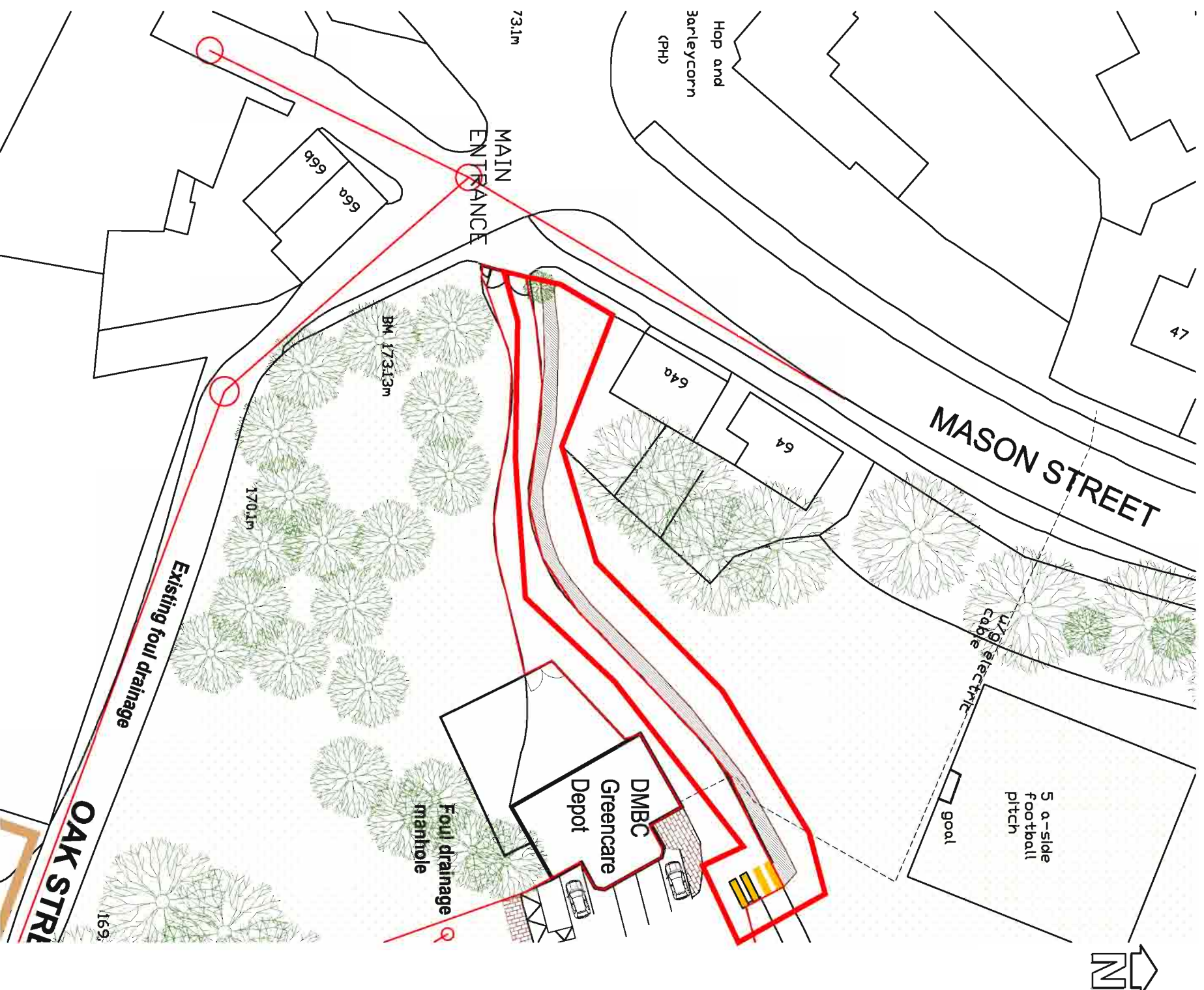
There would be no demonstrable harm to the visual amenities of the area as a result of the proposed development. Whilst there are residential properties adjacent to the siting of the proposed lighting columns the Council's Lighting Engineer raises no objection to the proposal. Appropriate conditions will ensure that any impact on local ecology is minimised and mitigated and the proposal therefore complies with the following Council policies; DD1 – Urban Design, DD4 – Development in Residential Areas, DD10 – Nature Conservation and Development, EP6 – Light Pollution, NC1 – Biodiversity, NC6 Wildlife Species and SO6 – Parks of the Adopted Unitary Development Plan (2005) and Policy ENV1 – Nature Conservation of the Black Country Joint Core Strategy.

The decision to grant planning permission has been taken with regard to the policies and proposals in the Dudley Unitary Development Plan and to all relevant material considerations including Supplementary Planning Guidance.

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

Conditions and/or reasons:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: 5591aw and A20
3. The lighting hereby approved shall not be used before 0800 nor after 2200 daily.
4. No works should commence, or continue, if the most recent protected species survey and assessment is over 12 months old. These surveys and assessments must be of, or above, the standard detailed within the Nature Conservation SPD. They must include the whole of the site and be carried out by an experienced and qualified ecological consultant and integrated into a site mitigation plan. All of these must be submitted to and approved in writing by the Council before any works commence (or continue). All works must be carried out in accordance to the approved plan.
5. Outside lighting should conform to the Bat Conservation Trust and Institute for Lighting Engineers' guidance 'Bats and lighting in the UK'. All works must be carried out in accordance to the approved Position of Lighting diagram.
6. A plan detailing appropriate onsite nature conservation mitigation (provision of native trees to screen lighting in areas of bat movement) and enhancements, in line with the requirements of the adopted Planning Obligations SPD, shall be submitted to and approved in writing by the Council before any works proceed. All works must be carried out in accordance with the approved plan and programme and shall be maintained throughout the life of the development.



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**NOTES**

REV	DATE	DESCRIPTION	BY

**Dudley**  
 3, St. James's Road, Dudley, West Midlands DY1 1HZ

**Corporate Property**  
 Directorate of Law, Property & Human Resources.  
 Dudley Metropolitan Borough Council

Interim Director  
 Phillip Tart, LL.B.  
 Assistant Director  
 B. Gordon, B.Commm., M.B.A., M.Sc.

**BSI**  
 REGISTERED PROVIDER OF  
 APPROVED BY THE  
 REGISTERED PROVIDER OF

**PROJECT**  
 Path Lighting to Silver Jubilee Park

**DRAWING**  
 Existing Site Plan

Scale	1:500	Date	11/10	Drawn	GS
Job Number	AMPH 428	Drawing Number	A20	Revision	.
CAD ref:				Plot Sheet size	A3

