

# PLANNING APPLICATION NUMBER:P06/2167

Type of approval sought	Full Planning Permission
Ward	Castle & Priory
Applicant	Mr Steve Johnson
Location:	<b>DUDLEY COLLEGE OF TECHNOLOGY, THE BROADWAY, DUDLEY, DY1 4AS</b>
Proposal	<b>ERECTION OF NEW CARE AND MANUFACTURING CENTRE AND NEW LEARNER SERVICES CENTRE. REORGANISATION OF SITE ROADS AND CAR PARKING. DEMOLITION OF LOCALLY LISTED BUILDING KNOWN AS BLOCKS D AND E.</b>
Recommendation Summary:	<b>APPROVE SUBJECT TO CONDITIONS</b>

## SITE AND SURROUNDINGS

- 1 The site contains a mix of buildings forming the Dudley College, with landscaped areas and surface parking surrounding. The older buildings in the complex are locally listed, dating from around the early 20<sup>th</sup> century. The site fronts The Broadway, but lies on the corner with Gervase Drive.
- 2 The site is adjacent to various historically sensitive sites, including the priory and the castle. It is on the edge of Dudley town centre, with residential development opposite and to the south.

## PROPOSAL

- 3 The application proposal forms three parts:
  - The demolition of locally listed buildings known as buildings D&E at the rear of the site adjacent to the Castle Hill and residential properties in Gervase Drive.
  - The erection of a new care and manufacturing centre and learner services centre. The manufacturing and care centre would form a large new wing along The

Broadway frontage of the site on the location of the existing frontage car parking to the northeast of the site. This would be a three storey building for the provision of practical teaching facilities. The learner services centre would be a smaller extension located within the existing recessed area to the front of the college in the centre of the site. This would provide a new entrance, aiding security by becoming the only two entrances to all the buildings on the campus, and including a reception area and accommodation for student welfare facilities such as counselling.

- The remodelling of the internal arrangements for traffic, pedestrians and parking would result in vehicular access and egress being retained in the centre of The Broadway frontage, with an internal two way road through the site, from which various smaller parking pods would be accessed. Parking provision would occur in place of the demolished buildings, once the new elements had been provided.

The application is supported by a design and access statement, a transport statement, a landscape statement and a tree report. An amended layout plan has been received, showing the retention of the existing pedestrian access from the frontage, and the provision of disabled parking spaces to the rear, and a drop off point.

## HISTORY

APPLICATION No.	PROPOSAL	DECISION	DATE
P05/1805	Demolition of LLBs, erection of manufacturing and care centres and creation of exit onto Gervase Drive with remodelled parking layout and internal one way system	Withdrawn	19/12/5

## PUBLIC CONSULTATION

- 4 83 letters of objection have been received raising the following concerns:
- Access and exit for vehicles should be provided onto The Broadway, and not Gervase Drive
  - Barrier between parking and residential property in Gervase Drive should be provided
  - Industrial materials proposed are inappropriate to site and surroundings
  - Darker colours more appropriate than bright ones for materials
  - Perimeter fence to site should be reinstated
  - Comments regarding opportunity to make representations limited by Christmas break and poor timing
  - One or both of service accesses should be closed off as building they serve is to be demolished
  - Service access not to become student exit in future
  - No external lighting details provided
- 5 Two ward members have written a letter supporting the development in principle, and asking that safe traffic arrangements are ensured.

## OTHER CONSULTATION

- 6 **Group Engineer – Development:** No objection subject to conditions
- 7 **Environmental Protection:** No objection subject to conditions
- 8 **Historic Environment:** No objection subject to conditions (verbal only)
- 9 **Nature conservation:** Additional information requested and provided, comments awaited

- 10 **Landscape officer:** Seeks high quality comprehensive landscaping scheme across the whole site to contribute to the overall high quality of development and finishes on the site in preference to the minimal proposals provided by the applicant (verbal only)
- 11 **Tree officer:** No objections subject to conditions (verbal only)
- 12 **Urban design:** Comments in support of application subject to two matters of detail being addressed – pedestrian access from north and entrance feature from car park
- 13 **Access officer:** No objections

## RELEVANT PLANNING POLICY

DD1 Urban design  
DD4 Development in residential areas  
DD6 Access and transport infrastructure  
DD9 Public art  
DD10 Nature conservation and development  
AM11 Cycling  
AM12 Pedestrians  
AM14 Parking  
AM15 Personal mobility  
AM16 Travel plans  
CS4 Education provision  
NC1 Biodiversity  
NC9 Mature trees  
HE1 Local character and distinctiveness  
HE3 Castle Hill Special Landscape Heritage Area  
HE4 Conservation areas  
HE5 Buildings of local historic importance  
SO2 Linear open space  
EP6 Light pollution

## EP7 Noise pollution

The site lies within the designated areas in the UDP as linear open space and within development block B15, and lies adjacent to two conservation areas, a SINC, SAM and regional landmark.

## SPG Design for community safety

The RSS also forms part of the development plan

## PPS1 Delivering sustainable development

# ASSESSMENT

## Principle

- 13 The site is used for education and training purposes, and this proposal would continue and improve the facilities and quality of the existing services provided on the site (without intensification), by replacing the outdated facilities with more up to date and accessible ones. It is therefore considered that the proposal falls within the objectives of the UDP in terms of education provision, and is acceptable, subject to the detailed policy criteria and the impact of the proposal on the amenities and sensitivities of the site and its surroundings.

## Background

- 14 The previous application was withdrawn as it gave rise to various areas of concern, including highway safety, landscaping, and impacts on surrounding designated areas. This proposal differs from the previous one in these areas, and the details are discussed further below.

## Historic environment

- 15 Whilst the site lies outside any designated area, it is adjacent to various sensitive sites, both in terms of historic conservation and nature conservation. The planning

test for the historic environment is that proposals should preserve or enhance the character and appearance of conservation areas and listed buildings.

- 16 Whilst the loss of the locally listed block D & E the applicants have provided information to demonstrate that the existing buildings proposed to be demolished are no longer fit for purpose and cannot provide the standard and quality of teaching facilities that the proposed replacement block would. In the Design and Access statement submitted as part of the application, the applicants have provided full justification for the demolition of the building, including supporting evidence from a Structural Engineer and as such, they have complied with policy HE5 of the adopted UDP. It should also be noted that the remainder of the locally listed buildings on the site would remain and their use continue. It is therefore considered in this case that the loss of blocks D&E, which stand at the rear of the site and are not highly visible or of significant merit, is acceptable in this case.
- 17 The impact of the proposed development on the surrounding sites of historic interest is also considered to be acceptable. Whilst the new building to the front of the site would be prominent in the streetscene and visible when looking into and out of the Conservation Area, it would not completely fill the gap that currently exists, and would thus allow for views through the site to be retained. Similarly, its three storey height, whilst resulting in a building of substantial scale and bulk, is not considered to be sufficiently tall to prevent views above the building towards the hill and castle beyond, as currently occur over the existing buildings on the site. Additionally it is important to note that the proposed building will to some extent be screened by an existing row of mature highway trees located along the pavement and giving a verdant and soft feel to the area. It is therefore considered that the proposal would not have any significant detrimental impacts on the adjacent sensitive sites.

### **Nature conservation**

- 18 Some information has been provided by the applicant regarding bats on and around the site and suitable protection and encouragement during and after demolition and construction.

- 19 It is important to ensure that the boundary treatments at the perimeter of the site are appropriate both in terms of visual amenity and also to prevent the migration of protected wildlife from outside the site into the more dangerous (to them) college site, and a condition is therefore recommended regarding boundary treatments.
- 20 It is also noted that the rear of the site forms part of a much larger bat migration corridor, and thus the openness of the car park will aid their flight. However, the installation of lighting in this area, which would aid security for humans, could have an adverse effect on the bats. There are, however, lighting solutions that would meet both needs, and therefore a condition is attached regarding the lighting of the rear parking areas. This would also ensure the privacy of the adjacent neighbours in Gervase Drive, as well as the increased security of site users. It is therefore considered that sufficient mitigation can be implemented (and controlled through conditions) such that no adverse effects would occur as a result of the proposal.

### **Design, layout and amenity**

- 21 The proposals would have a significant impact on the character of the Broadway. The two buildings proposed are considered to respect the existing topography and are cut into the ground to minimise their impacts. The pattern of the elevations gives a formal character, which respects the existing older buildings on the site and their height matches well with the adjacent existing built form. It is considered that the contrast of the old and the new together would be successful, and maintain continuity in terms of height, relationship, massing and colours. The proposed white render of the main entrance would help to distinguish it as such, thus improving legibility for pedestrians.
- 22 The addition of buildings fronting on to the Broadway would increase the levels of activity and opportunities for natural surveillance leading to a more vibrant streetscene and potentially a safer environment adjacent to the college campus.
- 23 The proposed new blocks respect the existing building line of the site and its neighbouring built form, which is welcomed. The materials proposed are modern

and designed to have longevity whilst also being low maintenance. The colours proposed are generally similar to those of existing developments in the area, with the exception of the contrasting entrance feature render, which is considered to be an appropriate design feature. The proposal should not be designed to look domestic in nature in order to be appropriate to its surroundings, as it is not for domestic purposes, however it is considered that the proposal would not cause any harmful effects on the surrounding area, and its sustainable design is welcomed and encouraged by local and national planning policy objectives.

### **Highway issues**

- 24 The previous application raised concerns regarding highway safety, despite proposing a one-way system on site, with entrance and exit maintained separately. The current application proposes the continued entrance and exit by vehicles to the site from the existing access point centrally to the frontage, and two way flow on site. Some service and delivery vehicles would also use this access, although some would use the existing servicing point to the site from Gervase Drive.
  
- 25 The service accesses onto Gervase Drive exist on site currently and are operated solely for deliveries and not for through traffic. The proposal does include widening these accesses to improve the safety of vehicles as they manoeuvre into and out of the site. However, the proposal also includes barriers to these exits, in order to prevent their misuse by traffic that should be using the main entrance and exit. These would be controlled 24/7, and conditions are attached to the recommendation below to ensure that these access points are not misused and that appropriate boundary treatment around parking areas is installed. It is therefore considered that the concerns of the local residents can be adequately addressed, and it can be ensured that no new exit is inserted onto Gervase Drive for use by the staff and students who park on the site, and therefore that there would be no increased impact on their amenities. It is not considered that the additional parking close to the residential properties in Gervase Drive would cause any unacceptable noise disturbance, however the environmental protection officer has recommended a condition that an acoustic fence is installed along this boundary, and this is recommended below.

- 26 The quantity of parking provision proposed is as existing, which is considered acceptable, as the facilities to be provided are to replace existing outdated ones, and not to attract additional students. It is important that as many as possible are maintained available for use on site during the construction phase in order that as little traffic as possible is displaced onto the surrounding road network and parking facilities, and this can also be controlled through conditions. Further requirements to provide the remainder of the parking as soon as possible after completion of the construction and demolition phases are also recommended in the interests of highway safety. In order to promote the use of sustainable transport methods, it is also recommended that a travel plan condition be attached, and one requiring secure cycle storage/parking. This would encourage sustainable travel in compliance with the UDP objectives.

### **Landscaping**

- 27 The application includes some outline proposals for hard and soft landscaping on the site, but not in any significant or sufficient level of detail. However, it is considered possible that a high quality scheme to complement the proposed built form could be achieved on the site. It is very important on this sensitive site that various different factors are given sufficient consideration in designing the soft and hard external spaces of the site and that a high quality comprehensive scheme is designed and implemented.
- 28 In addition to this, further details relating to the protection during demolition and construction of the trees to be retained within the site are required as well as the proposed planting, and this can be dealt with through the imposition of conditions, as recommended below. This information would add to the overall landscaping details and strategy for the site.

### **Other issues**

- 29 The previous proposal raised concerns regarding trees in the highway along the frontage of the site, however this proposal makes no proposed changes to the

existing trees, which are owned and maintained by the Council. There are, therefore, no objections to this proposal in this regard.

- 30 The existing public art in the courtyard to the front of the site consists of four plinths with sculpture on which reflects the crafts taught at the college and which were created by college students. It is therefore considered important that it be retained within the college site. Their current location is that of the proposed new learner services centre, however it is proposed that they be relocated to the front of the college adjacent to the main footpath onto the site. This is to be encouraged, and therefore a condition is attached below to ensure that it occurs.

## CONCLUSION

- 31 The proposed improvement of the existing facilities is considered to be acceptable in principle and compliant with UDP requirements, and it is further considered that the proposal would be sympathetic to the historically sensitive sites in the surrounding area. The internal vehicular and parking provision are considered likely to result in a safe and accessible layout and the use of an existing highway access. The proposal would therefore not result in significant harm to amenity or safety, and is in compliance with the aims of the relevant UDP Policies.

## RECOMMENDATION

- 32 The application should be approved subject to the following conditions:

### Reason for approval

The proposed improvement of the existing facilities is considered to be acceptable in principle and compliant with UDP requirements, and it is further considered that the proposal would be sympathetic to the historically sensitive sites in the surrounding area. The internal vehicular and parking provision are considered likely to result in a safe and accessible layout and the use of an existing highway access. The proposal would therefore not result in significant harm to amenity or safety, and is in compliance with the aims of the relevant UDP Policies.

The decision to grant planning permission has been taken with regard to the policies and proposals in the adopted Dudley UDP (2005) and to all other relevant material considerations.

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

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. Development shall not begin until a comprehensive written site investigation strategy (in a form to be agreed by the local planning authority), has been submitted to and approved by the local planning authority. Such a strategy shall facilitate the identification of methane & carbon dioxide. Where the investigations identify the presence of methane and/or carbon dioxide the development shall not begin until a scheme to protect the development from the effects of such gases has been submitted to and approved by the local planning authority. Such a scheme shall: include provisions for validation monitoring & sampling; be implemented in accordance with the approved details before the development is first occupied; and be retained throughout the lifetime of the development.
3. Prior to the commencement of development, a close boarded fence shall be provided along the boundary with 6 Gervase Drive. The fence shall be 2m high and shall have a minimum density of 10kgm<sup>-2</sup>. The fence shall be maintained for the life of the development.
4. Prior to the commencement of development, a full detailed schedule and accompanying samples of the materials to be used on the external surfaces including hard and paved surfacing of the development hereby permitted shall be submitted to and approved in writing by the local planning authority and the development shall proceed in accordance with the approved details unless otherwise agreed in writing by the local planning authority.
5. Prior to the commencement of development, a programme of the timing of the works forming the development hereby approved including details of the areas of available car parking at each stage shall be submitted to and approved in writing by the local planning authority. The development shall proceed in accordance with the approved details unless otherwise agreed in writing by the local planning authority.
6. Prior to the commencement of development details of the barrier operation system for use at the Gervase Drive service access points shall be submitted to and approved in writing by the local planning authority. The barrier system shall prevent student and staff traffic from leaving the site and entering Gervase Drive at any time. The agreed details shall be implemented in accordance with the agreed timetable.

7. The service access points onto Gervase Drive shall be used only for service vehicles and never for staff or student vehicles to enter or leave the site.
8. No part of the development shall be occupied until a Travel Plan has been submitted and approved in writing by the Council, such travel plan to include details of Travel Plan Co-ordinator, Staff and pupil travel survey, Details of how staff and pupil travel will be addressed prior to occupation, Working Group, Car Parking Management scheme, Walking & Cycling Initiatives, Publicity & Marketing, Set Targets and Monitoring and to join Company TravelWise in Dudley together with a timetable for the implementation of each such element'.
9. Prior to the commencement of development, a revised parking layout including 4% of the spaces for disabled users shall be submitted to and approved in writing by the local planning authority. The development shall proceed in accordance with the approved details unless otherwise agreed in writing with the local planning authority.
10. Prior to the commencement of development details of the proposed external lighting of the site shall be submitted to and approved in writing by the local planning authority. Details of the existing lighting shall also be included for information. The development shall be implemented in accordance with the approved details unless otherwise agreed in writing by the local planning authority, and prior to the commencement of the use of the development hereby permitted.
11. Prior to the commencement of development, details of the boundary treatments proposed on the site shall be submitted to and approved in writing by the local planning authority. Details of the existing treatments shall also be included for information. The development shall be implemented in accordance with the approved details unless otherwise agreed in writing by the local planning authority, and prior to the commencement of the use of the development hereby permitted.
12. Prior to the commencement of development, details of secure cycle parking to be provided on the site shall be submitted to and approved in writing by the local planning authority. The cycle parking shall be provided on site in accordance with the approved details unless otherwise agreed in writing by the local planning authority, and prior to the commencement of the use of the development hereby permitted.
13. The four statues currently in the forecourt of the college shall be relocated as shown on the approved site layout plan prior to the commencement of the occupation and use of the development hereby permitted.
14. Prior to the commencement of the development hereby permitted, details of the size, location and operation of the builders compound for use during construction of the development hereby approved shall be submitted to and approved in writing by the local planning authority. The development shall proceed in accordance with the approved details unless otherwise agreed in writing by the local planning authority.
15. Prior to the commencement of development, details of the measures to be taken to protect during demolition and construction the trees to be retained on the site shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details unless otherwise agreed in writing by the local planning authority.
16. Prior to the commencement of development, a tree method statement shall be submitted to and approved in writing by the local planning authority. The development shall proceed in accordance with the approved statement unless otherwise agreed in writing by the local planning authority.

17. All tree works carried out in relation to the development hereby approved shall be in accordance with BS5837.
18. Prior to the commencement of development a tree maintenance programme shall be submitted to and approved in writing by the local planning authority. The development shall proceed in accordance with the approved details unless otherwise agreed in writing by the local planning authority.
19. Prior to the commencement of development, details of the replacement trees and the timing of their planting to be provided on the site shall be submitted to and approved in writing by the local planning authority. The development shall proceed in accordance with the approved details unless otherwise agreed in writing by the local planning authority.
20. Where hard surfacing and/or construction is to occur under existing tree canopies to be retained, details of the construction methods to be used shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. The development shall proceed in accordance with the approved details unless otherwise agreed in writing by the local planning authority.
21. Prior to the commencement of development, details of the succession planting details shall be submitted to and approved in writing by the local planning authority. The development shall proceed in accordance with the approved details unless otherwise agreed in writing by the local planning authority.
22. Prior to the commencement of development a landscape concept plan and a landscape implementation plan, including a programme of works, shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details unless otherwise agreed in writing by the local planning authority.
23. Prior to the commencement of development, habitat enhancement measures (including timing of works) for the site shall be submitted to and approved in writing by the local planning authority. The development shall proceed in accordance with the approved details unless otherwise agreed in writing by the local planning authority.
24. Prior to the commencement of development, details of the perimeter treatment of the parking areas shall be submitted to and agreed in writing by the local planning authority. The development shall proceed in accordance with the approved details unless otherwise agreed in writing by the local planning authority, and prior to the commencement of the use of the development hereby permitted.
25. No work involving ground disturbance or demolition shall begin until the developer has secured the implementation of a programme of archaeological work including building recording, in accordance with a scheme of investigation which has first been submitted to and approved in writing by the local planning authority. The brief for the work will be supplied by the local planning authority on request.