

PLANNING APPLICATION NUMBER:P08/0223

Type of approval sought	Full Planning Permission
Ward	St. James's
Applicant	Ambrose Koroma
Location:	ROOMS 22 - 23 HOLLOWAY CHAMBERS, PRIORY STREET, DUDLEY, WEST MIDLANDS, DY1 1NS
Proposal	CHANGE OF USE FROM OFFICES TO PROFESSIONAL TUTORING SERVICE (AFTER SCHOOL TUTORING FOR CHILDREN AGE 5 - 16) (D1)
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The site measures 0.05 hectares and comprises a two storey locally listed office building in red brick and buff terracotta. The site is located within the Dudley Town Centre Conservation Area and occupies a corner plot with Priory Street and Court Passage. The building adjoins a two storey office building and immediately opposite the site is Herald Court, a 1980's development comprising 31 elderly person flats and The Old Court House that has recently been converted into 16 apartments. The remaining buildings situated within Priory Street are either occupied as offices or are currently vacant.

PROPOSAL

2. The proposal seeks the change of use of rooms 22-23 Holloway Chambers from offices to educational use. The change of use would comprise of 48.1m². The rooms would be used to provide after school tutoring for children between the ages of 5 and 16. The tutoring rooms would be open Monday to Friday 4pm-7pm and on Saturday between 9am and 2.30pm. The tutoring rooms would not be open on either Sundays or Bank Holidays. The scheme would involve one full time and one part time worker.

HISTORY

3. None of relevance.

PUBLIC CONSULTATION

4. The application was advertised by way of neighbour notification letters being sent to the occupiers of 63 properties being located within close proximity to the application site and through the display of a site notice. The latest date for comments was the 25th March 2008. Two letters have been received objecting to the proposals, one from a resident of Herald Court and the other from an occupier of the existing offices at Holloway Chambers. The following material planning considerations have been raised:

- Noise and disturbance
- Out of hours use raising security concerns
- Direct access onto Priory Street raising highway safety concerns since this road is a busy street and a bus route.

OTHER CONSULTATION

5. Group Engineer (Development): No objections due to the town centre location.
6. Head of Environmental Health and Trading Standards: No adverse comments.

RELEVANT PLANNING POLICY

- Unitary Development Plan
DTC2(IX) Block 11 – Stone Street/Priory Street
AM14 Parking
HE5 Buildings of Local Historic Importance
HE4 Conservation Areas
EP7 Noise Pollution

The site lies within the Dudley Town Centre Conservation Area and comprises a locally listed building.

- Regional Spatial Strategy

QE3 Creating a high quality built environment for all

ASSESSMENT

Key Issues

- Principle
- Locally Listed Building and Conservation Area
- Noise and Disturbance
- Access and Parking

Principle

7. Policy DTC2 (IX) Block 11 of the Adopted Dudley Unitary Development Plan confirms that non-residential educational uses are acceptable within this part of the town centre.

Locally Listed Building and Conservation Area

8. The proposed use would extend the period of active use within Holloway Chambers to 7pm and during Saturday. This would help to improve the vitality and viability of the area through extending the period of active use which in turn would help support the enhancement of the Conservation Area and use of the locally listed building. The proposals are therefore in accordance with Policies HE4 and HE5 of the Adopted Dudley Unitary Development Plan (2005).

Noise and Disturbance

9. The Head of Public Protection has raised no concerns to the proposed mix of uses proposed within the building (office and education) with respect to the potential generation of noise and disturbance. The proposed development is therefore in accordance with Policy EP7 of the Adopted Dudley Unitary Development Plan (2005).

Access and Parking

10. Holloway Chambers does not comprise any off street parking provision and parking along Priory Street is controlled by double yellow lines. However, the site is situated within the town centre whereby there are a number of public car parks capable of meeting the parking requirements of the proposed development. Whilst concerns have been raised regarding parents parking at the front of the building to drop and pick pupils up this situation could similarly occur with respect to the use of the building as offices and is not a sufficient reason in which to warrant the refusal of planning permission.

CONCLUSION

11. The proposed use is acceptable within this particular part of Dudley town centre in accordance with Policy DTC2 (IX) Block 11 of the Adopted Dudley Unitary Development Plan (2005). The use of the building into the early evening and during Saturdays would help to improve the vitality and viability of the town centre as well as contributing to the enhancement of the Conservation Area. The proposed use would not raise concerns with respect to noise and disturbance to the existing occupiers and the availability of town centre car parks would ensure that the scheme does not raise any significant highway safety concerns.

RECOMMENDATION

12. It is recommended that the application be approved subject to the following conditions:

Reason for approval

The proposed use is acceptable within this particular part of Dudley town centre in accordance with Policy DTC2 (IX) Block 11 of the Adopted Dudley Unitary Development Plan (2005). The use of the building into the early evening and during Saturdays would help to improve the vitality and viability of the town centre as well as contributing to the enhancement of the Conservation Area. The proposed use would

not raise concerns with respect to noise and disturbance to the existing occupiers and the availability of town centre car parks would ensure that the scheme does not raise any significant highway safety concerns.

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.

Note to Applicant

The development hereby permitted shall be built in accordance with the approved plan entitled location plan unless otherwise agreed in writing by the Local Planning Authority.

Conditions and/or reasons:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

OFFICES @ HOLLOWAY CHAMBERS, PRIORY STREET, DUDLEY/continued.....



Revised : 23.6.06

RECEIVED
12 FEB 2008
DIRECTORATE OF THE

RECEIVED
- 7 FEB 2008