

## PLANNING APPLICATION NUMBER:P10/0414

Type of approval sought	Full Planning Permission
Ward	NETHERTON WOODSIDE & ST ANDREWS
Applicant	Mr S Jain
Location:	<b>151, STOURBRIDGE ROAD, DUDLEY, DY1 2EP</b>
Proposal	<b>CHANGE OF USE FROM DWELLING HOUSE (C3) TO RESPITE CARE HOME (C2) AND DAY CARE CENTRE (D1)</b>
Recommendation Summary:	<b>APPROVE SUBJECT TO A 106 AGREEMENT</b>

### SITE AND SURROUNDINGS

1. The application site is a 4 no. bed detached two storey house with parking and a rear garden. At the front the site has a brick wall and central gated access and all of the frontage has been brick paved to allow for vehicular parking. At the rear the garden is 24m long. The site itself is accessed from Stourbridge Road, which forms part of the strategic highway network.
2. Either side of the site are detached houses and at the rear is an undeveloped area of overgrown land that has been granted outline planning permission for residential housing.
3. Although a residential area, this part of Stourbridge Road is characterised by a number of the large properties that have been converted to houses in multiple occupation and nursing homes.

### PROPOSAL

4. The application proposes the change of use from a dwelling house (C3) to respite care home (C2) and day care centre (D1).

The application is supported by information from the applicant that includes:

- The property would be used as a day care centre/respice centre for elderly and learning disability clients.
- Three bedrooms would be used for any clients requiring short term respice accommodation/care.
- The dwelling would also be used as a meeting point for clients to go on outings. All clients would be dropped off at the home via ring and ride. Staff would be there in attendance throughout the day from Stoneleigh House (166-168 Stourbridge Road).
- The maximum number of clients that would be served would be seven plus three staff.
- There are no structural changes anticipated or planned. Internal modifications would include new furniture to suit disabled clients, general decoration, installation of fire doors, extinguishers, exit signs and fire control panel.

## HISTORY

5.

APPLICATION No.	PROPOSAL	DECISION	DATE
P04/2212	Two storey side extension	Granted	16/12/04

## PUBLIC CONSULTATION

6. The application has been advertised by way of neighbour notification and site notice. Public consultation period expires 29 April 2010. No objections received at time of writing.

## OTHER CONSULTATION

7. Group Engineer (Development) – no objection to payment of the planning obligation contribution.

## RELEVANT PLANNING POLICY

8. Adopted Unitary Development Plan (2005)

AM14 – Parking

CS1 – Special Needs Accommodation

DD4 – Development in Residential Areas

DD6 – Access & Transport Infrastructure

## ASSESSMENT

9. The key issues to be considered in this application are as follows:

- Principle
- Impact of Amenity
- Access & Parking
- Planning Obligations

### Principle

10. The application site is located in a predominately residential area that comprises dwelling houses, nursing homes and houses in multiple occupation. The garden is enclosed and 24m long. The site is also close to public transport links with Dudley Town Centre, Russells Hall Hospital and Brierley Hill. The property is considered suitable for providing the type of residential care proposed and in this respect accords with Policy CS2 of the adopted UDP (2005).

### Impact on Amenities

11. The two storey property is currently in use as a residential house. The characteristics of the proposed use would involve using the first floor bedrooms as short term respite accommodation and the remaining area used as a day care centre. The people in the respite accommodation and using the day facilities would be a maximum of seven and three staff.
12. It is considered that the level of comings and goings and activity would not be dissimilar to what would be expected from a large family house and would therefore not materially impact on the character of the area or the amenity of neighbouring residents.

### Parking & Highway Safety

13. The whole frontage is brick paved, used for vehicular parking and allows for 3 no. parking spaces on site. There is a central gated vehicular access and it is considered that the off street parking provision is satisfactory and there are no highway objections.

### Planning Obligations

14. The proposed development has a requirement to provide planning obligations to mitigate against the consequential planning loss to the existing community. Should permission be granted a S106 Agreement would be required in respect of the following contributions.

### Offsite Contributions

15. The proposal attracts a requirement for a commuted sum to be paid towards the following infrastructure:

- Transport Infrastructure Improvements - £407.73
- Nature Conservation - £123.50
- Management & Monitoring Charge - £250.00

Total Offsite Contribution equates to £781.23

## CONCLUSION

16. The residential property is located within an area of dwelling houses that also includes nursing homes and house in multiple occupation. It is considered that the comings and goings and general activity associated would not be considerably different from those potentially associated with a large family detached house. It is therefore considered that the proposed change of use would not have a materially harmful impact on the character of the area or residential amenity, in accordance with Policies CS1, DD4 and DD6 of the adopted UDP (2005).

## RECOMMENDATION

17. It is recommended that delegated authority be given to Director of the Urban Environment to grant planning permission subject to the expiration of the public consultation time and no new material planning issues being raised, and subject to:
  - a) The development shall not be commenced until a scheme for the submission and approval of a planning obligation to guarantee the sum of £781.23 for the provision of Transport Infrastructure Improvements, Nature Conservation Enhancements and management and monitoring charge has been submitted to and agreed in writing by the Local Planning Authority.
  - b) The scheme shall include the method, timing and arrangements, including a means to guarantee a financial payment, increased through index linking from the first April each subsequent year, in accordance with the Council's Planning Obligations Policies.

- c) The following conditions, with delegated powers to the Director of the Urban Environment to make amendments to these as necessary.

### **REASON FOR APPROVAL**

The residential property is located within an area of dwelling houses that also includes nursing homes and house in multiple occupation. It is considered that the comings and goings and general activity associated would not be considerably different from those potentially associated with a large family detached house. It is therefore considered that the proposed change of use would not have a materially harmful impact on the character of the area or residential amenity, in accordance with Policies CS1, DD4 and DD6 of the adopted UDP (2005).

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

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

### **INFORMATIVE**

The development hereby permitted shall be in accordance with the 1:1250 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.
2. The existing hard standing area at the front of the property shall be kept available for parking by staff and/or visitors and shall not be used for any other purposes.
3. Notwithstanding the provisions of the Town and Country Planning Use Classes Order 2005 (as amended) and the General Permitted Development Order 2005 (as amended), no more than three clients shall receive respite accommodation/care at the property at any time and in total no more than seven clients will be accommodated at the property at any time (total includes respite accommodation and day care attendance).
4. The development shall not begin until a scheme for the provision of:
  - Nature Conservation improvements
  - Management & Monitoring
  - Transport Infrastructure Improvementshas been submitted to and approved in writing by the Local Planning Authority
5. To accord with the provisions of Policy DD7 of the Adopted Dudley UDP, the Planning Obligations SPD and as agreed by the applicant.

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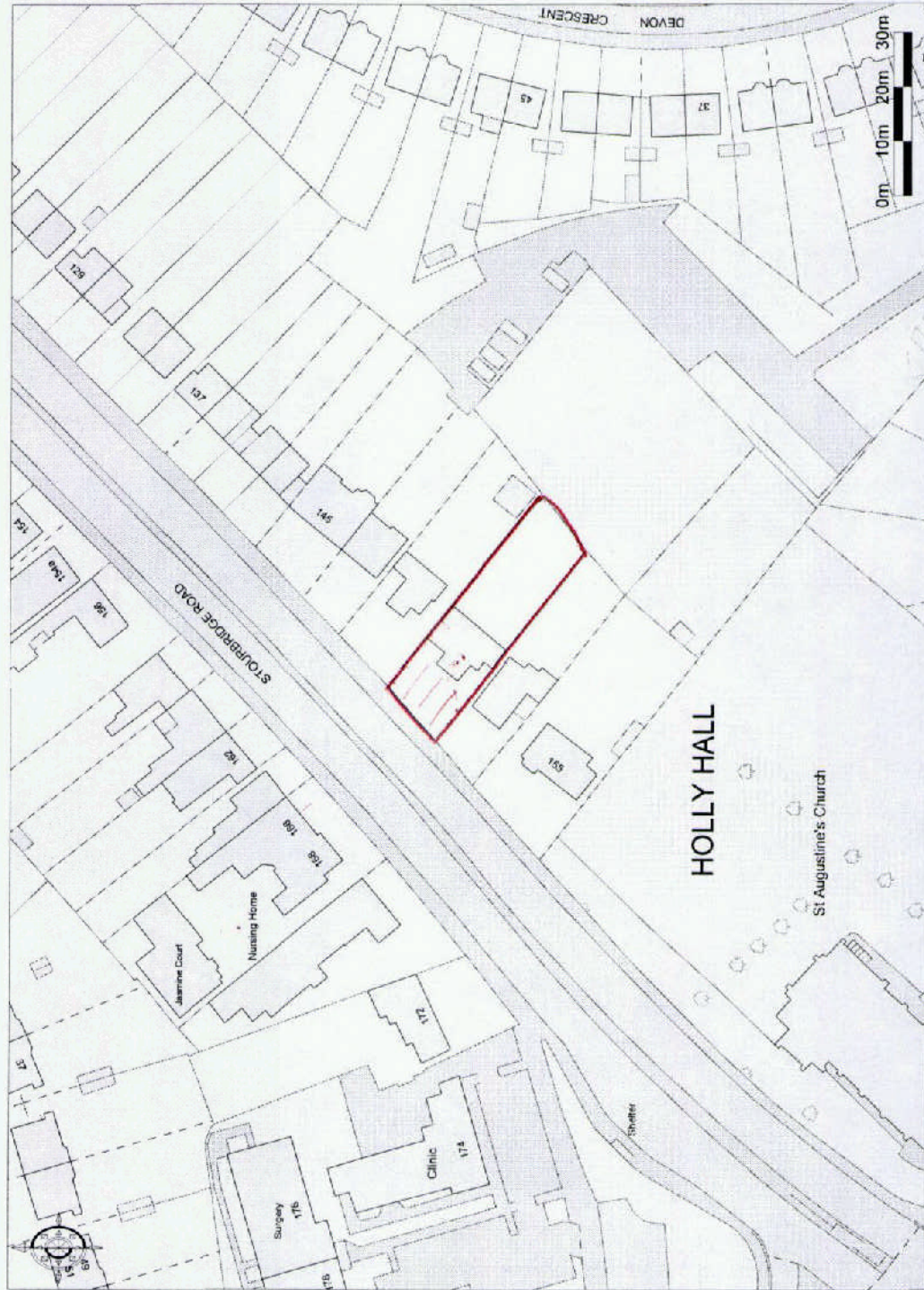
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location Plan  
Priority.



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