

PLANNING APPLICATION NUMBER:P09/1547

Type of approval sought	Full Planning Permission
Ward	BELLE VALE
Applicant	Geoff Halligan, Sterling Ceramics Limited
Location:	STERLING CERAMICS, 350, HAGLEY ROAD, HALESOWEN, B63 4JT
Proposal	CHANGE OF USE OF GROUND FLOOR FROM OFFICES (B1) TO HAIRDRESSERS (A1) WITH RESIDENTIAL USE ABOVE (C3) AND FIRST FLOOR REAR EXTENSION (RETROSPECTIVE)
Recommendation Summary:	APPROVE SUBJECT TO A 106 AGREEMENT

SITE AND SURROUNDINGS

1. The application premises form part of a terraced block of established premises at the back of pavement line on this part of the Hagley Road, located within a pocket of local shops in this frontage. At present the unit has an authorised B1 use (light industrial) functioning as a dental laboratory, but is actually operating as a hairdressers.
2. The premises front Hagley Road, but also has an off street parking area to the side, accessed from Albert Road. Hagley Road (B4183) is a busy road and forms part of the Local Strategic Highway Network.
3. Adjacent ground floor uses to the west of the site can be described as commercial in character, including a fish and chip shop immediately adjoining, there is also evidence of residential flats above the shop units. With regards to similar business uses to that of the site, No.354 Hagley Road is a unisex hairdressers, and there is a barber shop adjacent to the junction with Cookley Close.
4. 1b Albert Road which is a residential property adjoins the northern boundary of the site, properties beyond which are residential in character.
5. On the opposite corner is a recently built housing development, comprising of 4 detached dwellings located on land formerly occupied by 344 Hagley Road. To the south of the site on the opposite side of Hagley Road is a private road serving Oak

Court, these properties are located behind mature landscaping, and are not particularly visible within the street frontage.

PROPOSAL

6. This application seeks a change of use of the premises from offices (B1) to hairdressers (A1) with residential use above (C3) and first floor rear extension (Retrospective).
7. With regard to the layout, scale of development, and appearance of the building, it will largely remain unchanged (existing 118 square metres would be split into 58 square metres of A1 use and 58 square metres of C3 use as a 1 bedroom flat). However the relocation of the main staircase, requires a small area of flat roof to be extended over at a matching pitch, and the existing yard enclosure is now covered providing a new toilet area. The access to the building will also remain as the existing, with only the addition of a personnel door directly onto the car park providing a protected fire escape.
8. The access to the property as previously stated is to remain as the existing. However it is proposed that the main entrance be altered to provide a level threshold.
9. The opening hours of the barber shop are 9am-6pm Monday to Saturday (confirmed by agent 17 December 2009 by e-mail)
10. A total of 2 full time members of staff will be employed at the site.
11. A total of 3 parking spaces are indicated in the area of land to the side.

12. The proposed flat would provide 1 bedroom at second floor and kitchen, living and bathroom facilities at first floor level. There is no private amenity area provided for the flat.

13. The application is accompanied by a design & access statement

HISTORY

14.

APP NO.	PROPOSAL	DECISION	DATE
80/51868	ERECTION OF KITCHEN AND BATHROOM EXTENSION.	Approved with Conditions	28/07/80
82/51305	CHANGE OF USE FROM RETAIL SHOP TO DENTAL LABORATORY	Approved with conditions	09/08/82
P07/1006	CHANGE OF USE FROM (B1) LABORATORY TO (A5) TAKEAWAY	Refused	16/07/07

15. The above application was refused on the following grounds:

- The proposed hot food takeaway service from these premises would likely to intensify the use of these premises causing undue loss of amenities to the occupants of the adjacent residential dwellings by reason of additional vehicular traffic and pedestrian movement during unsociable hours and dispersal of cooking odours. As such this is contrary to policies DD4 – Development in Residential Areas, CR3 – Local Shopping Areas and CR11 – Retail (A3) Uses and Amusement Arcades of the Adopted UDP (2005).

PUBLIC CONSULTATION

16. Direct notification was carried out to all adjoining and adjacent premises, (due to expire on 21 December 2009), as a result of which, one letter of objection was received on the following grounds:

- There is a unisex hairdressers and barber shop within close vicinity to the site, there is no need for another hairdresser to open in the Hasbury group of shops.

OTHER CONSULTATION

17. Group Engineer (Development): Subject to a satisfactory contribution to transportation infrastructure, there are no objections to the scheme.

18. Head of Environmental Health & Trading Standards: – No adverse comments

RELEVANT PLANNING POLICY

19. Dudley Unitary Development Plan

- CR3 Local Shopping Areas
- DD4 Development in Residential Areas
- DD6 Access and Transport Infrastructure
- DD7 Planning Obligations
- AM14 Parking
- H3 Housing Assessment Criteria
- H6 Housing Density

20. Supplementary Planning Document

New Housing Development – A Guide to Establishing Urban Context
Parking Standards and Travel Plans
Planning Obligations

21. Supplementary Planning Guidance

Planning Guidance Note No. 3 – New Housing Development
Planning Guidance Note No. 24 – Residential Flat Conversions

22. National Planning Guidance

Planning Policy Statement 1 – Delivering Sustainable Development
Planning Policy Statement 3 – Housing

ASSESSMENT

23. The key issues for consideration in this application area are as follows:

- Principle
- Density
- Amenity
- Highway/Parking
- Planning Obligations

Principle

24. The application site is within an existing commercial and residential area area, some of which are located over shops. Given this, it is considered that the principle of A1 and residential use could therefore be supported in accordance with policies CR3, DD4 and H3.

Density

25. The area surrounding the application site is characterised by a mixture of properties in a mixed use area. Due to the variety of the house types and garden lengths in the local area, density is varies widely. The proposed flat would be reasonably sized with self contained facilities, similar to that of the surrounding flats over shops within the commercial parade (No.s 350-356). As such the scheme would make full and efficient use of the land, would not be out of context with the local area and would be in accordance with policy H6 of the adopted UDP (2005).

Residential Amenity

26. The conversion would provide appropriate accommodation for future residents. There would be minor elevational changes. The property would be A1 (general retail) and residential use, which would not impact upon the amenities of the adjoining A5 (hot food takeaway) and residential use. It is therefore considered that the proposed scheme would not adversely impact upon residential amenity and would comply with policy DD4 of the adopted UDP (2005).

Highways & Parking

27. The Group Engineer, Development has no objections to the proposal. The proposed development provides 3 No. parking spaces. Therefore the proposal would be in accordance with Policies AM14 and DD6 of the adopted UDP (2005) and Parking Standards and Travel Plans Supplementary Planning Document.

Planning Obligations

28. 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:

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

- Libraries - £184.13
- Open Space, Sport & Recreation - £1270.28
- Public Realm - £462.35
- Nature Conservation - £74.50
- Transport improvements - £829.79
- Management and Monitoring Charge - £250.00

Total Offsite Contribution equates to £3071.05

29. The applicant has been notified of this principle and confirmation of their acceptance is awaited – an update will be provided at your meeting as necessary.

CONCLUSION

30. The development is considered to be acceptable in principle. The change of use does not adversely impact upon residential or visual amenity. There is no detrimental impact upon highway safety. The proposal therefore complies with policies DD4 and DD6 of the adopted UDP (2005) and Supplementary Planning Document Parking Standards and Travel Plans.

RECOMMENDATION

31. It is recommended that the application be approved 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 £3071.05 for the provision, maintenance and enhancement of site public open space and play

provision, nature conservation, library and public realm, monitoring and management fee 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 development is considered to be acceptable in principle. The change of use does not adversely impact upon residential or visual amenity. There is no detrimental impact upon highway safety. The proposal therefore complies with policies DD4 and DD6 of the adopted UDP (2005) and Supplementary Planning Document Parking Standards and Travel Plans.

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 on the decision please see the application report.

INFORMATIVES

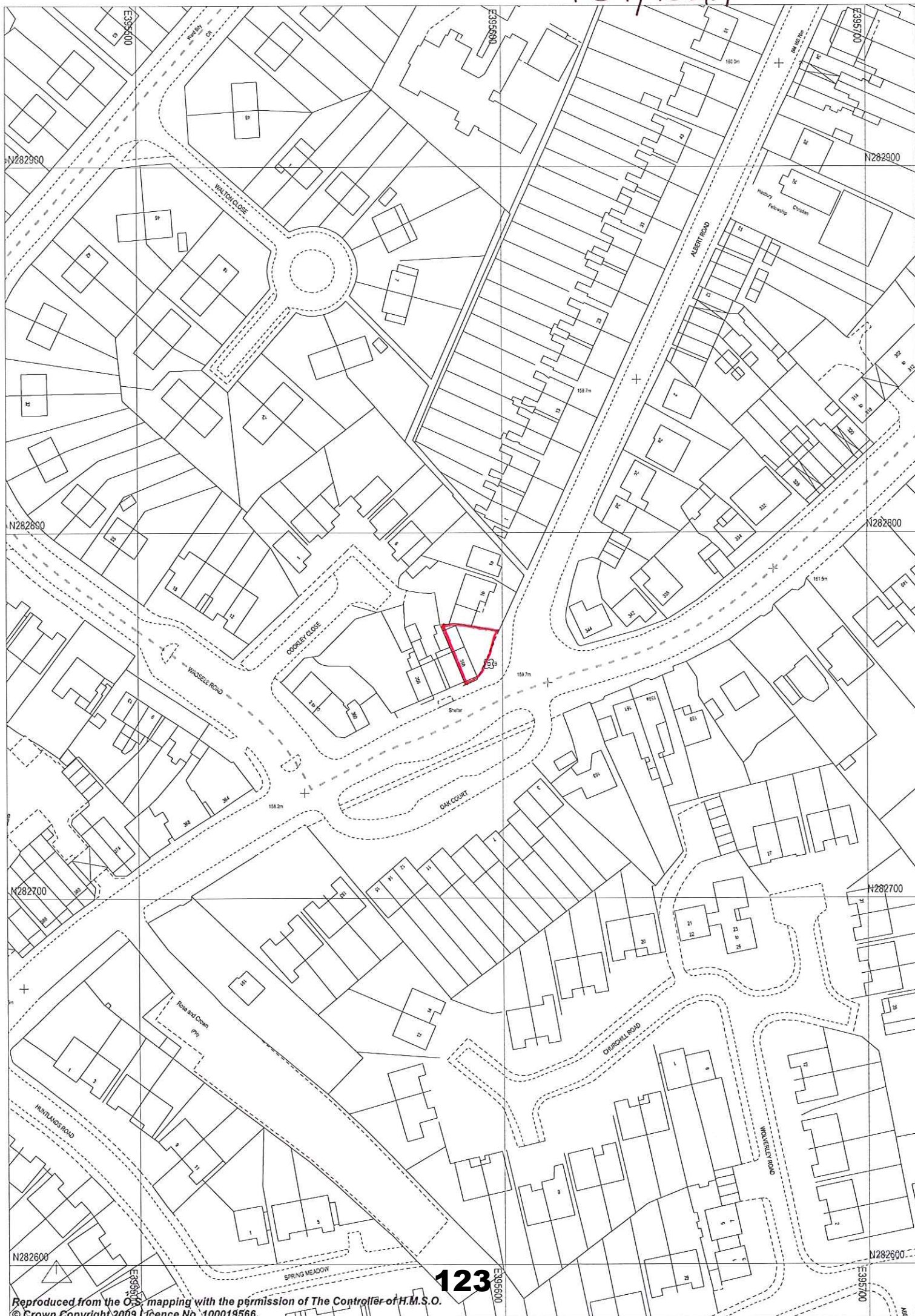
You are advised that the Local Planning Authority view retrospective applications with concern. You are strongly advised to gain all relevant approvals in the future before commencing or implementing development.

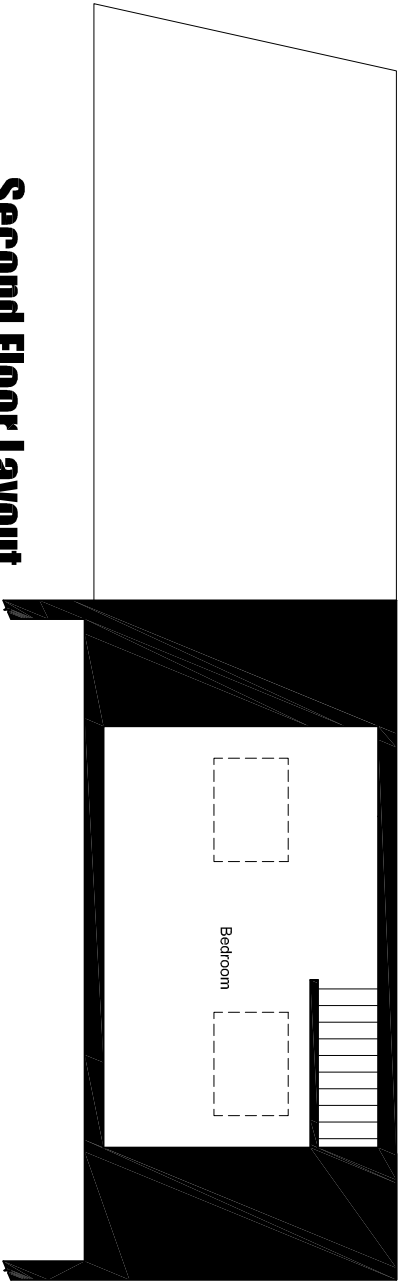
The development hereby permitted shall be carried out in accordance with the drawings numbered 8056-001A, 8056-002A , 8056-003A and 8056-004A unless otherwise agreed in writing by the Local Planning Authority.

Conditions and/or reasons:

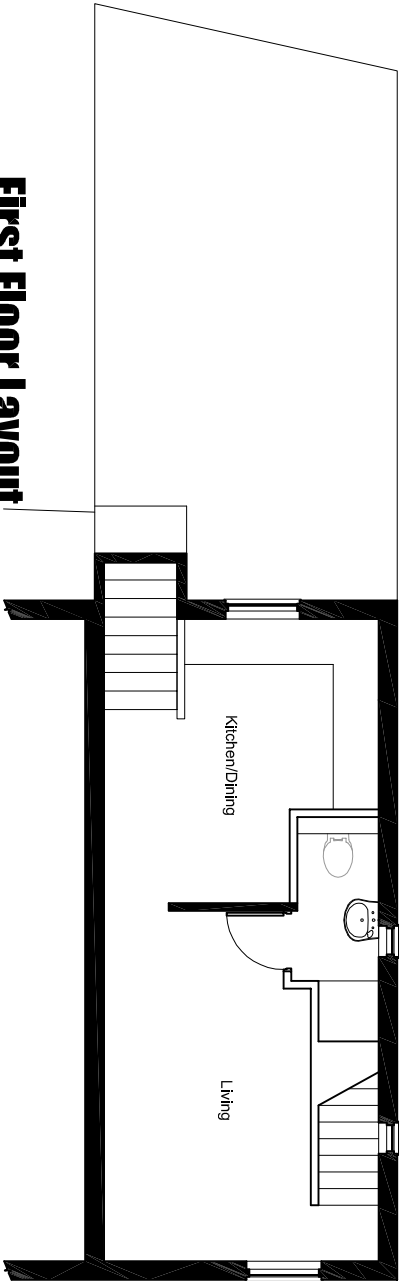
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development not beginning until a scheme for the provision of:
 - Libraries Improvements
 - Open space and play provision Improvements
 - Public Realm Improvements
 - Nature Conservation enhancements
 - Management and Monitoring Chargehas been submitted and approved in writing by the Local Planning Authority.
3. Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 (or any order revoking and re-enacting that order), no development referred to in Part 1 Class B of Schedule 2 to that order shall be carried out.
4. Three car parking spaces shall be retained and maintained as such for the lifetime of the development
5. The hairdressers hereby approved shall not be operated before [0900] hours or after [1800] Monday to Saturday and [not at all] on Sundays and Public Holidays.

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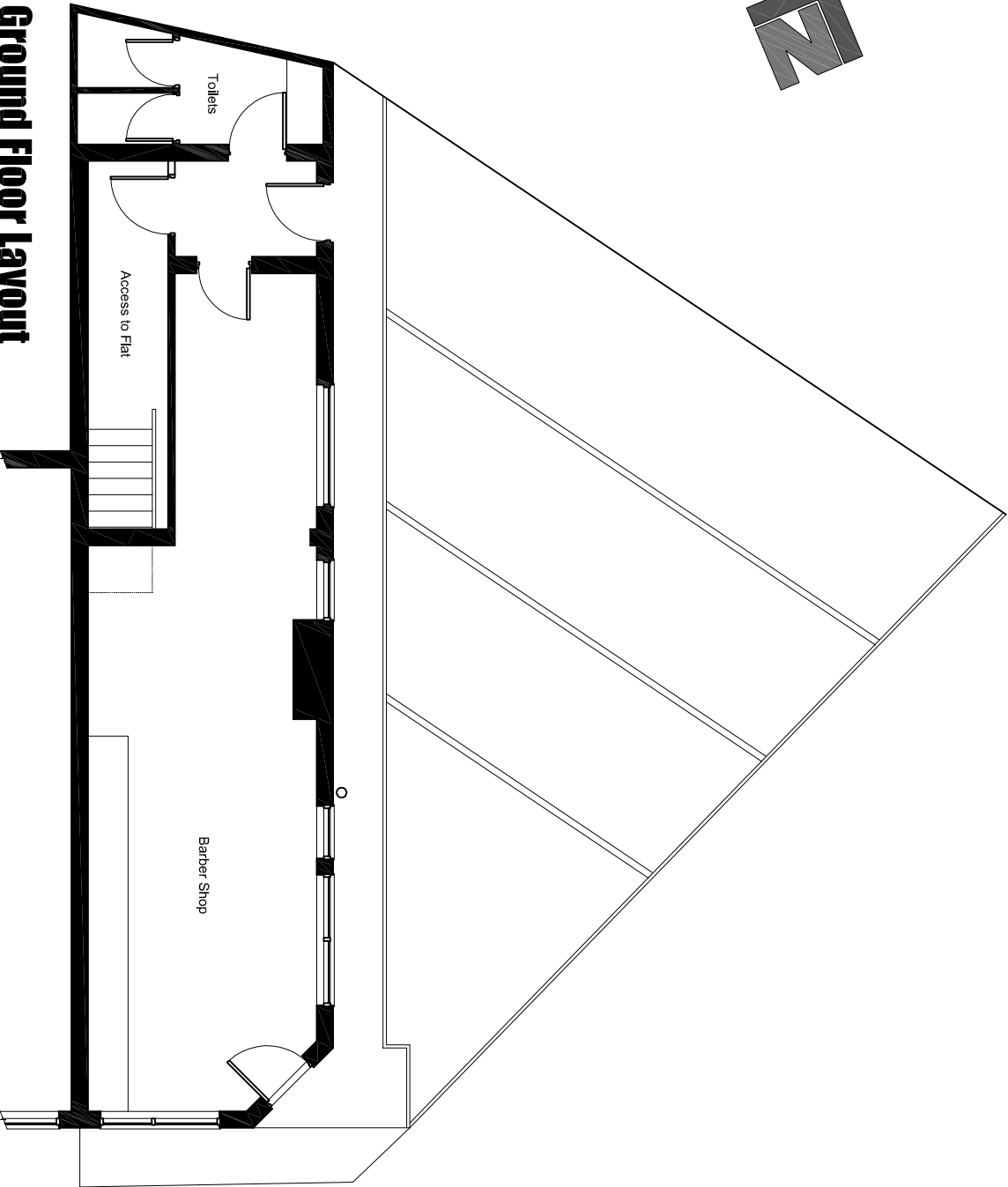




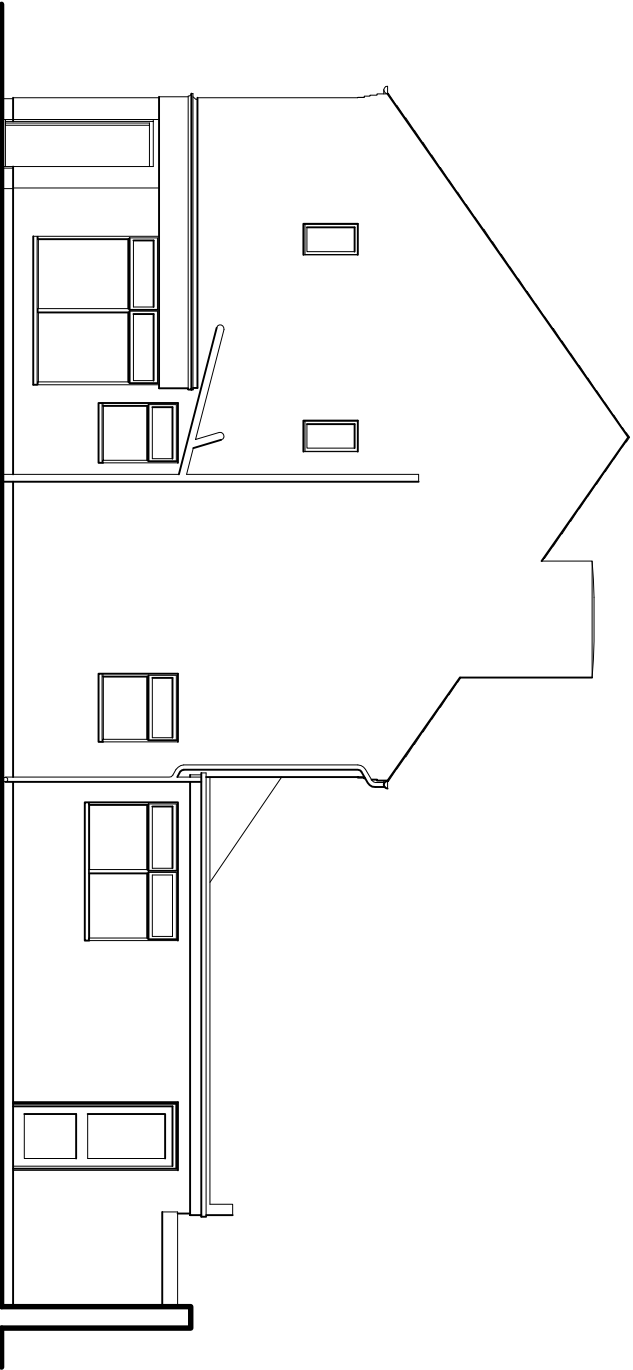
Second Floor Layout



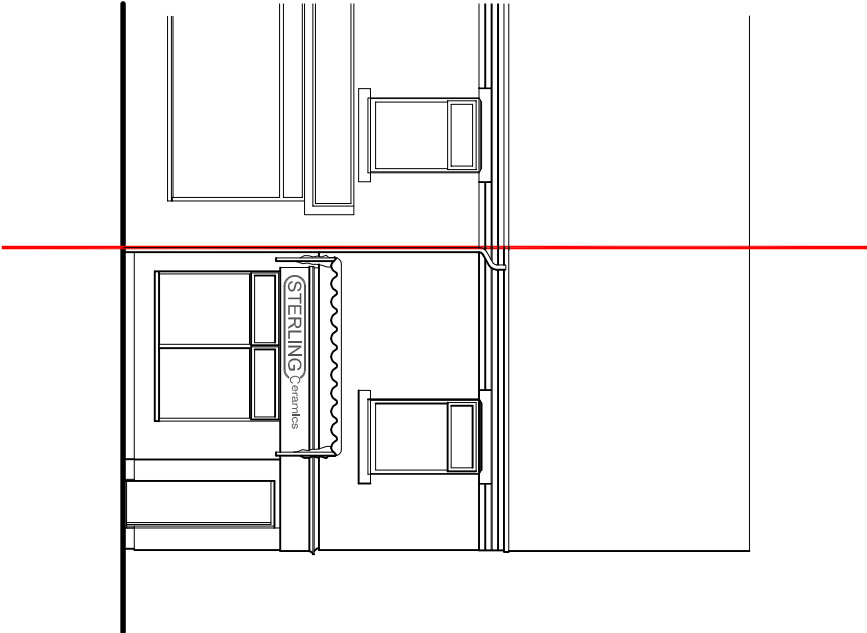
First Floor Layout



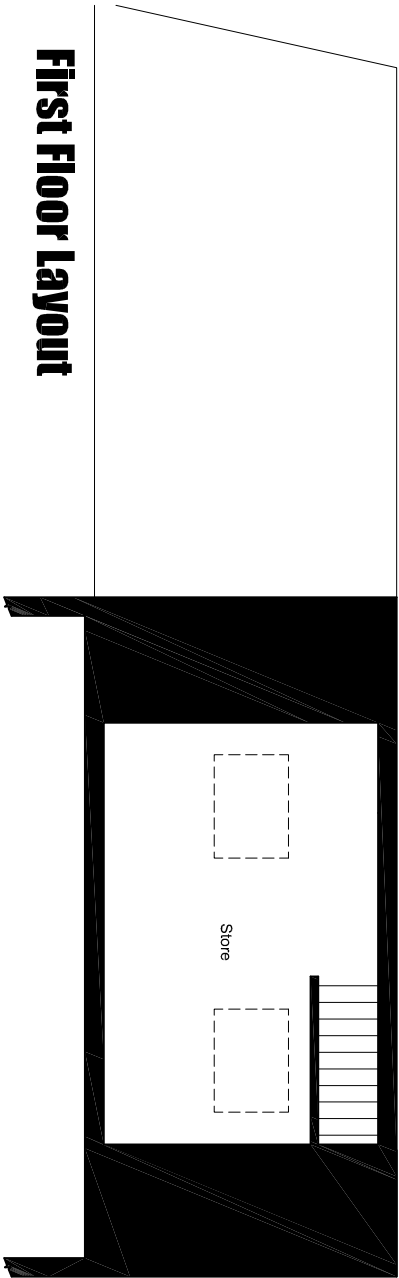
Ground Floor Layout



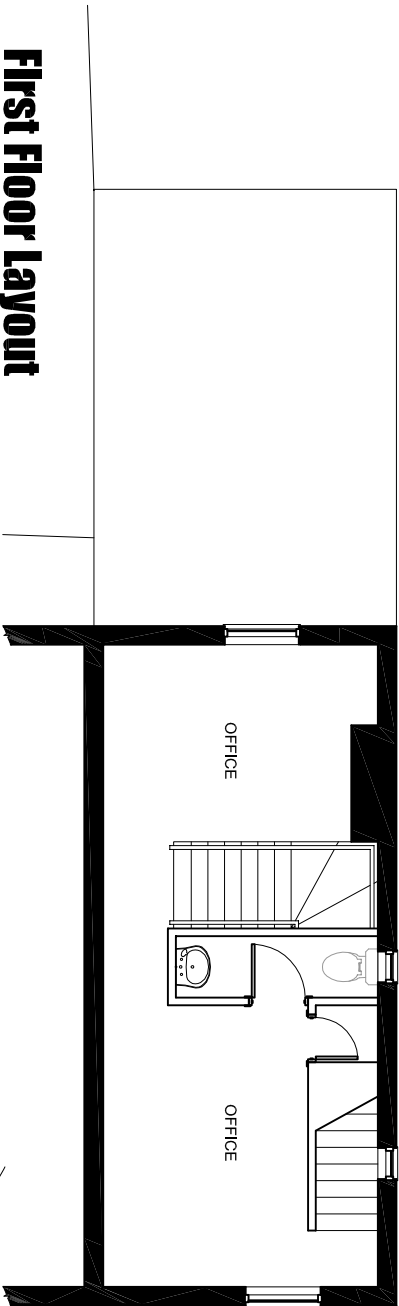
East Elevation



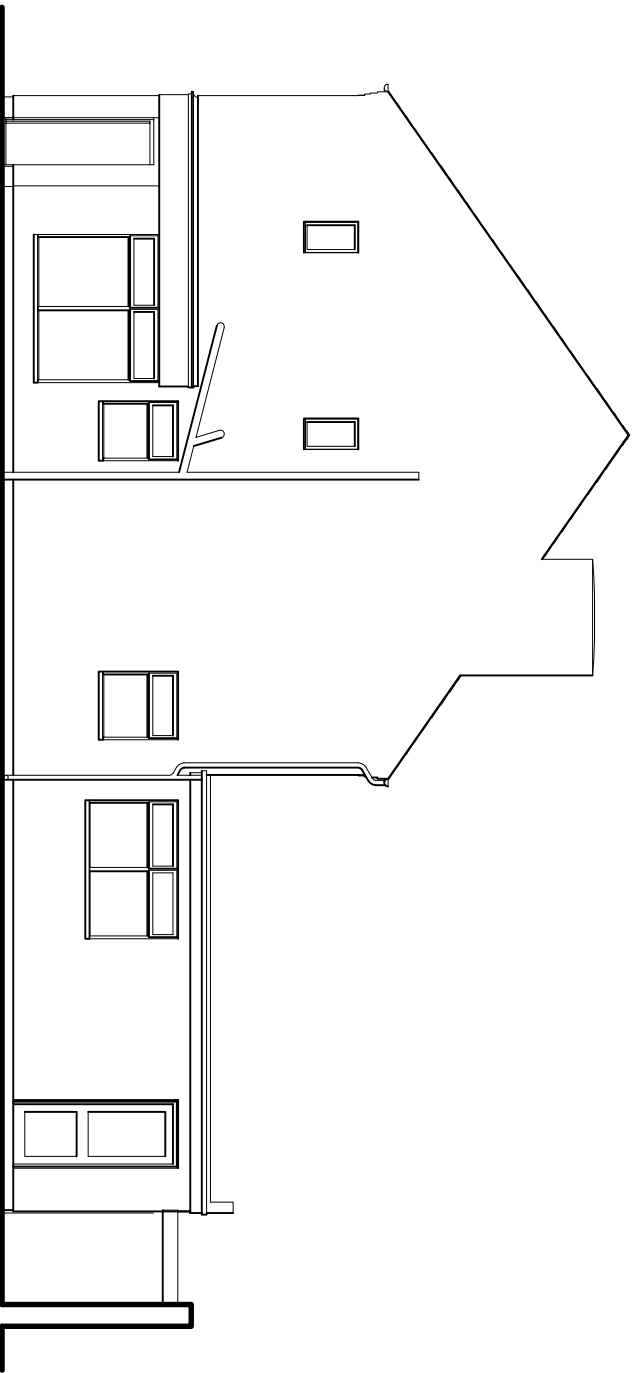
Hagley Road Elevation



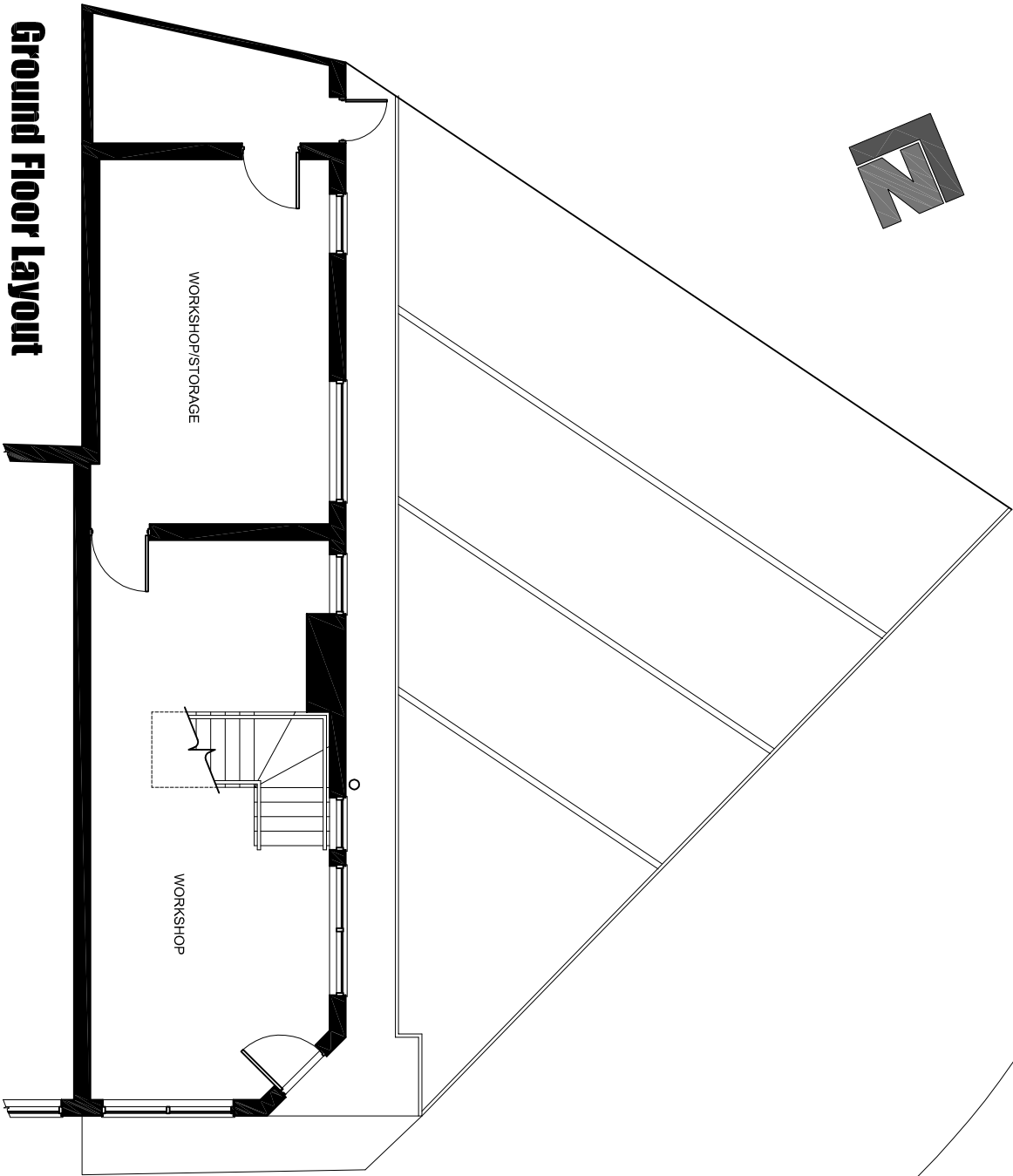
First Floor Layout



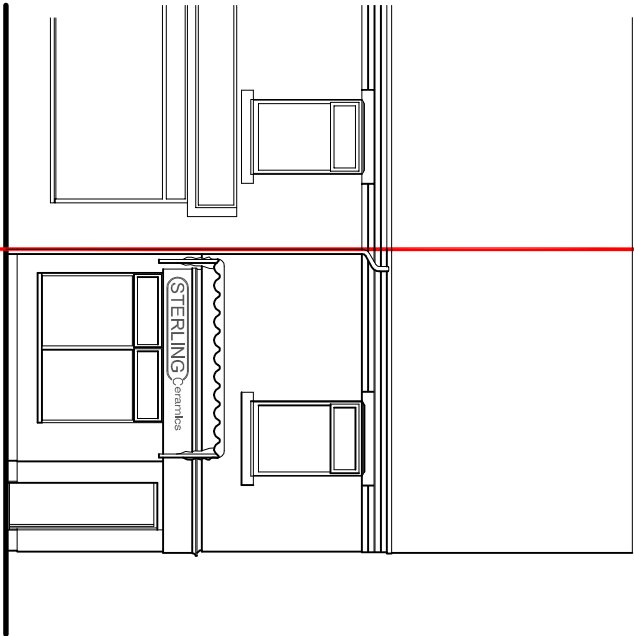
First Floor Layout



East Elevation



Ground Floor Layout



Hagley Road Elevation

Do not scale from this drawing. All dimensions to be confirmed by contractor on site. This drawing remains the property of TESHA LIMITED and may not be passed on or altered without the prior permission of TESHA LIMITED.

REV: A000000001

DATE:

STERLING Ceramics

350 Hagley Road

Salon

Existing Plans & Elevations

date: Oct 2009

scale: 1:100

drawn: tr

checked:

client

project

TESHA LIMITED

52 Wilgorn Road Bearwood Birmingham B67 5HG

Tel: 0121 4294056 Email: info@tesha.co.uk

Tesha Ltd

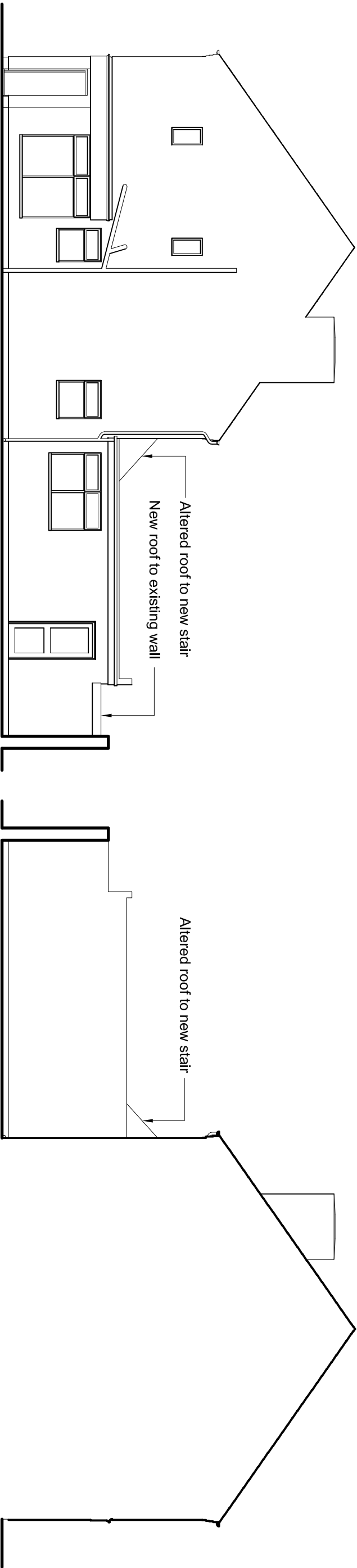
STERLING Ceramics

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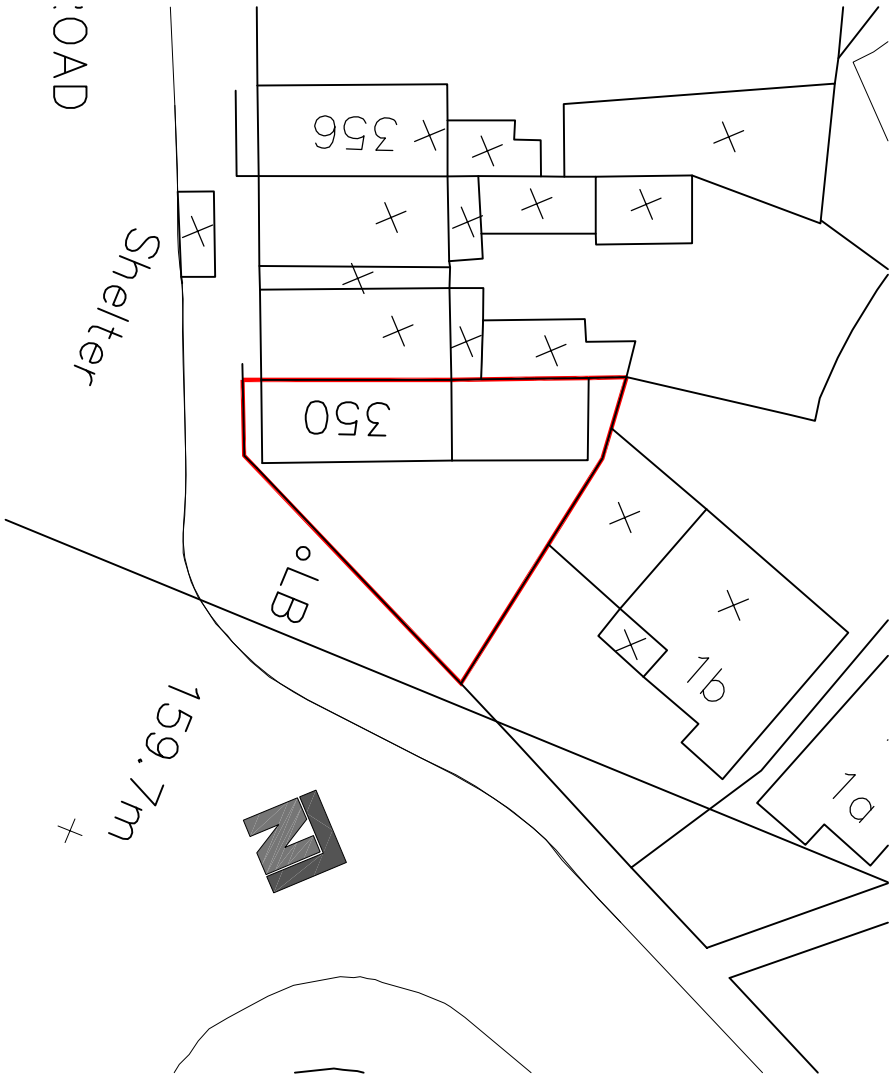
Planning Application

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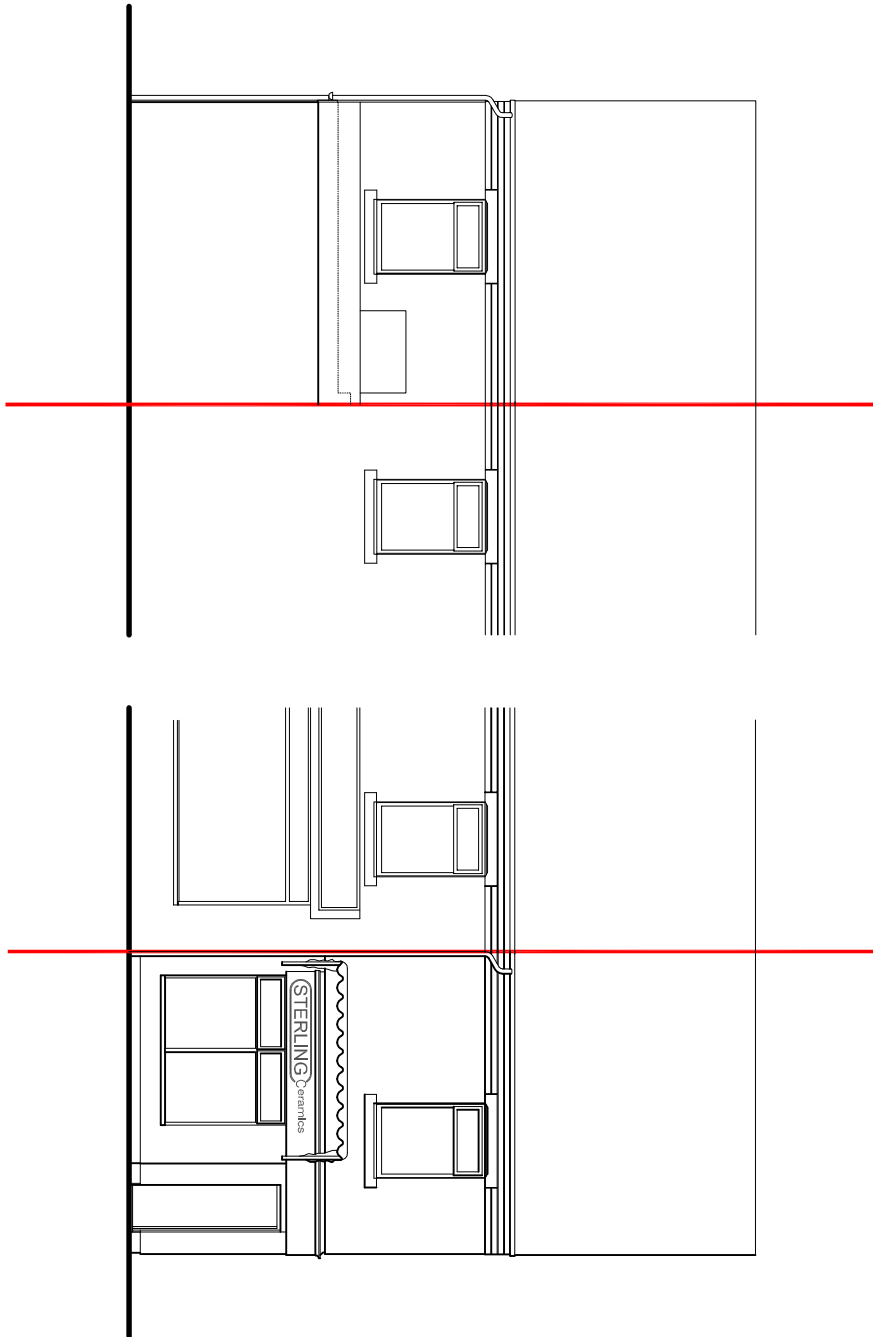


East Elevation

West Elevation/Section



Site Plan



Rear Elevation

Hagley Road Elevation