

## **PLANNING APPLICATION NUMBER:P08/0380**

Type of approval sought	Full Planning Permission
Ward	ST JAMESS
Applicant	Mr Harpreet Kang
Location:	<b>WELLINGTON RD POST OFFICE, 29, WELLINGTON ROAD, DUDLEY, DUDLEY, WEST MIDLANDS, DY1 1RB</b>
Proposal	<b>CHANGE OF USE OF VACANT RETAIL UNIT (A1) TO 2 NO, GROUND FLOOR APARTMENTS (C3)</b>
Recommendation Summary:	<b>APPROVE SUBJECT TO A 106 AGREEMENT</b>

### **SITE AND SURROUNDINGS**

- 1 The application site consists of a former post office/shop which has been closed for some time. Over the former shop is an existing flat. The former post office forms part of a late 19<sup>th</sup> century terrace and was first probably designed as two separate houses. The building has been rendered and has a brick built single storey wing extension to the rear. Also to the rear is an existing overgrown garden. The site adjoins to the south a Sikh community centre with housing to the north. To the rear of the site is parking or the community centre and nearby temple. There is a small convenience store opposite (east). The application site area is approx 0.024 hectares.

### **PROPOSAL**

- 2 The planning application is to convert the ground floor into two self contained flats. Each flat would have one bedroom with its own lounge, kitchen and bathroom. Each flat would also have its own private garden area at the rear. External alterations include the removal of the existing shop front and roller shutters and replacement with two front doors, and a new window which would match the existing period

window. Alterations to the rear involve removal of an existing store/outside toilet and the insertion of new windows into the rear wall and the existing rear extension.

- 3 The net density of the proposed development (excluding the first floor flat) is approx 80 dwellings to the hectare,

## HISTORY

APPLICATION No.	PROPOSAL	DECISION	DATE
DY/49/95	Extension To Existing Larder.	Granted	14/04/1949
DY/58/689	Alterations To Front Elevation	Granted	12/12/1958
CC/79/2979	Erection Of New Shop Front.	Granted	08/11/1979
CC/79/2683	Internal Alterations To Provide Additional Retail Floor Space.	Granted	25/10/1979
P06/1313	Change of use from retail (A1) to sweet centre and hot food take away (A5).	Refused	23/08/2006
P07/0071	Change of use from vacant retail shop to restaurant (A3)	Refused	02/03/2007

## PUBLIC CONSULTATION

- 4 No representations received.

## OTHER CONSULTATION

- 5 Group Engineer (Development): No objection subject to a cycle storage condition.
- 6 Head of Environmental Health and Trading Standards: Site is located next to main road and would be affected road noise. Propose noise insulation condition to protect occupiers from noise from adjacent community centre.

## RELEVANT PLANNING POLICY

### Unitary Development Plan

DD1 Urban Design

DD4 Development in Residential Areas

DD6 Access and Transport Infrastructure

HE1 Local Character and Distinctiveness

### Supplementary Planning Guidance/Documents

Supplementary Planning Document on Open Space, Sport and Recreation Provision

Parking Standards and Travel Plans Supplementary Planning Document

New Housing Development Supplementary Planning Document

Planning Obligations Supplementary Planning Document

PGN3 New Housing Development

## ASSESSMENT

7 The main issues are:

- Principle
- Design and Density
- Amenity
- Parking
- Planning Obligations

### Principle

8 The planning application is convert a former shop/post office into two flats. The locality is principally residential and therefore the proposal complies with policy DD4. The applicant has also advised that with the post office element was removed making the shop was no longer viable. There is a further small convenience store opposite the site.

### Design and Density

- 9 The proposal involves modifications to the front elevation replacing the existing shop front, removal of the roller shutters and the general sign clutter, and replacing them with two new front doors and a new window which would match the remaining period window. These modifications would provide a net improvement over the buildings existing appearance. The proposed alterations to the rear, which cannot be readily seen from the public domain, would cause no significant harm.
- 10 The net density of the proposed development at 80dph is similar to the other dwellings adjoining the site. The high density is attributed to the relatively narrow width of the plots.

### Amenity

- 11 The site adjoins a main road and a community centre and therefore the impact of noise on residential amenity is a significant issue. In this case the Head of Environmental Health and Trading Standards is satisfied that suitable noise insulation can be provided to ensure the amenity of occupiers is protected. A suitable condition is proposed.
- 12 The proposed development causes no harm to neighbour amenity as no extensions or other significant alterations are proposed. The proposed new windows to the rear will look onto each flats' respective garden area and therefore no privacy concerns are raised. There are no dwellings to the rear.

### Parking

- 13 No off street parking is proposed within the development at which the Group Engineer has raised concern. However, given the previous use of the site as a shop/post office there would have been a high level of short term parking associated with the use, including probable parking on the controlled area of the

nearby zebra crossing. Therefore the proposed long term parking on street associated with the proposed use would be no more harmful from a highway safety point of view and therefore no objection is raised.

- 14 A condition requiring secure cycle parking is proposed in accordance with the Supplementary Planning Document on Parking Standards and Travel plans.

#### Planning obligations

- 15 The applicant has provided written agreement that they are willing to enter into a legal agreement if planning permission were to be granted to provide contributions of £4372.42 towards local infrastructure. The legal agreement would provide for contributions towards open space, transport improvements, local libraries and public realm in accordance with the Supplementary Planning Document on Planning Obligations.

### CONCLUSION

- 16 The proposed development is acceptable in principle, causes no undue harm to neighbours and would not increase the risk of highway danger. Consideration has been given to policies DD1, DD4, DD6 and HE1 of the Dudley Unitary Development Plan.

### RECOMMENDATION

It is recommended that the application be approved subject to:

- a) The development not beginning until a scheme for the submission and approval of a planning obligation of £4372.42 to guarantee the provision, maintenance and enhancement of off-site public open space provision, improvements to libraries, transport and public domain has been submitted to and agreed in writing by the Local Planning Authority.

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

#### Reason for approval

The proposed development is acceptable in principle, causes no undue harm to neighbours and would not increase the risk of highway danger. Consideration has been given to policies DD1, DD4, DD6 and HE1 of the Dudley Unitary Development Plan.

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.

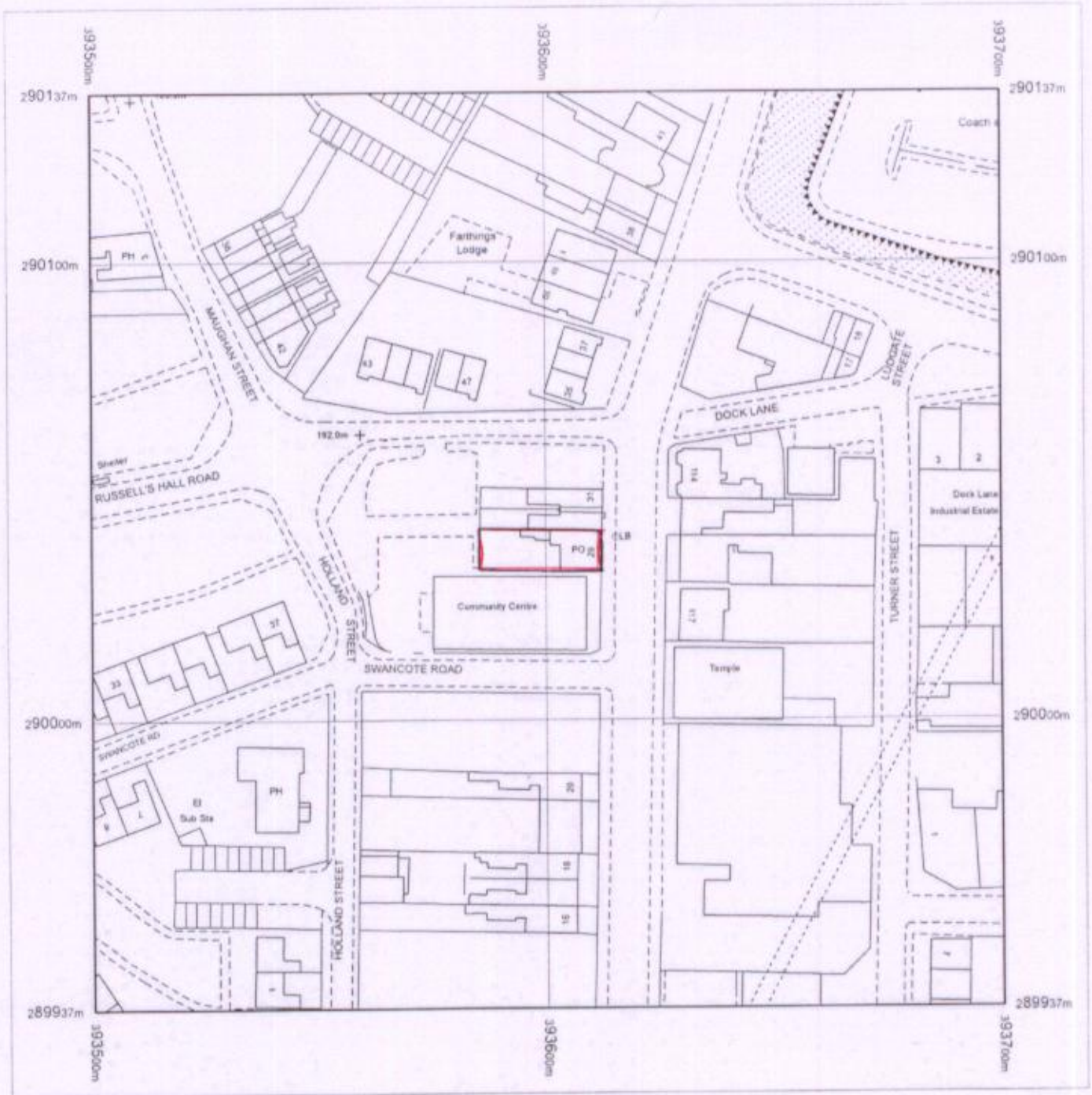
The above is intended as a summary of the reasons for the grant of planning permission. For further detail on the decision please see the application report.

The development hereby permitted shall be built in accordance with the approved plans numbered HK:02 received 17 March 2008 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. Development shall not commence until an arrangement for the provision of off site public open space and improvements together with improvements to libraries, transport and public domain has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the method, timing and arrangements to comply with the Council's policies for the provision of the infrastructure required in connection with the proposed development.
3. Development shall not begin until a scheme for protecting the proposed dwellings from noise from traffic and the community centre has been submitted to and approved in writing by the local planning authority and all works which form part of the scheme shall be completed before the permitted dwellings are occupied, unless otherwise agreed in writing by the Local Planning Authority.

4. None of the development hereby approved shall be first commenced until details of secure cycle parking has been submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be thereafter be provided in accordance with the approved details and shall be retained for the life of the development.



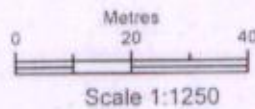
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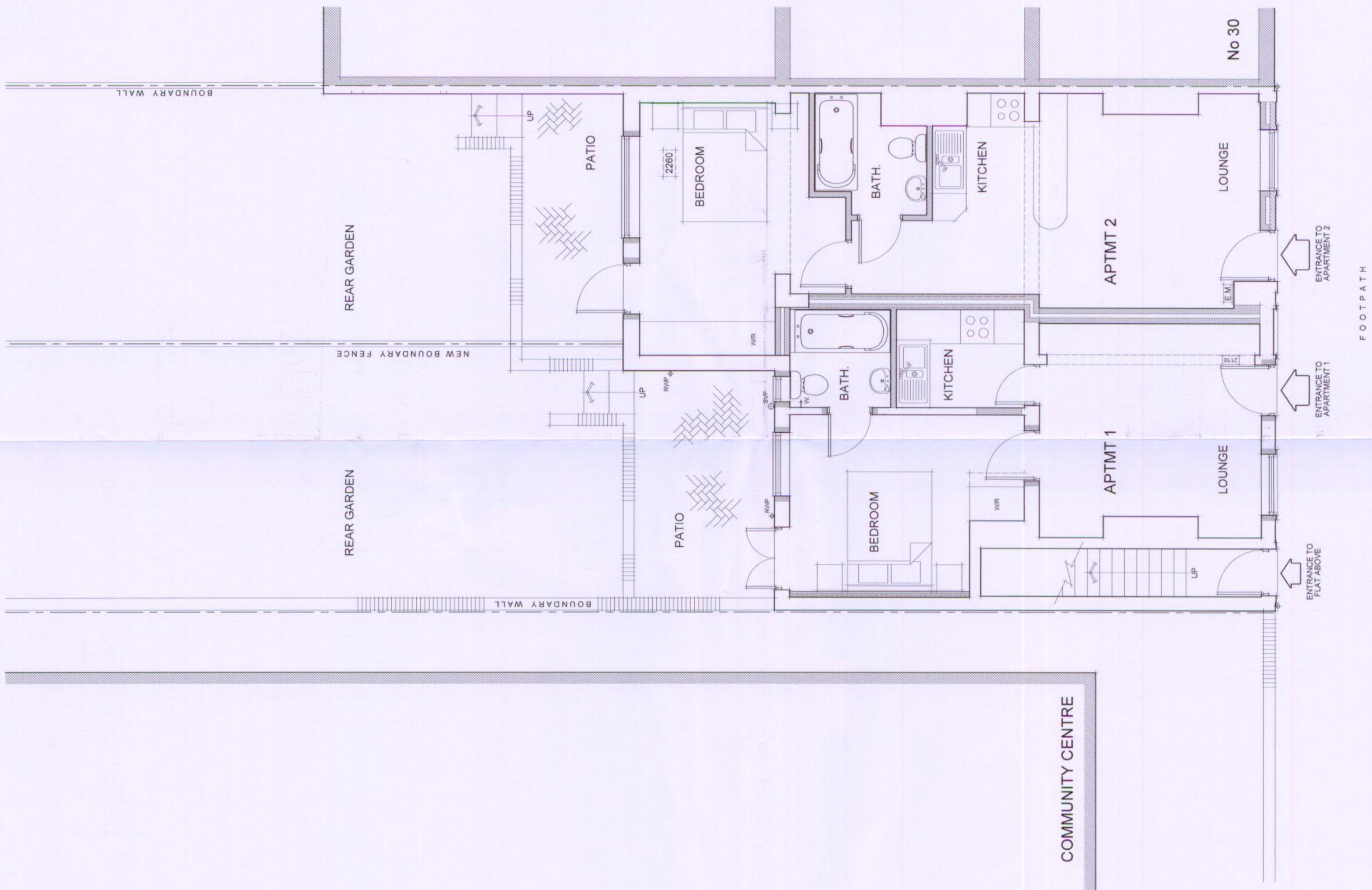


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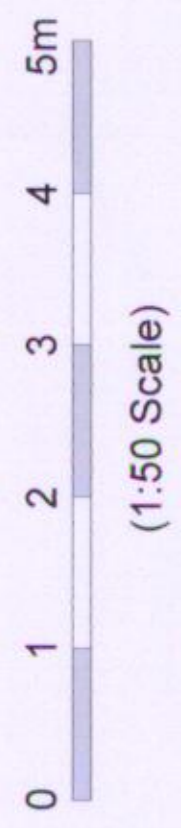
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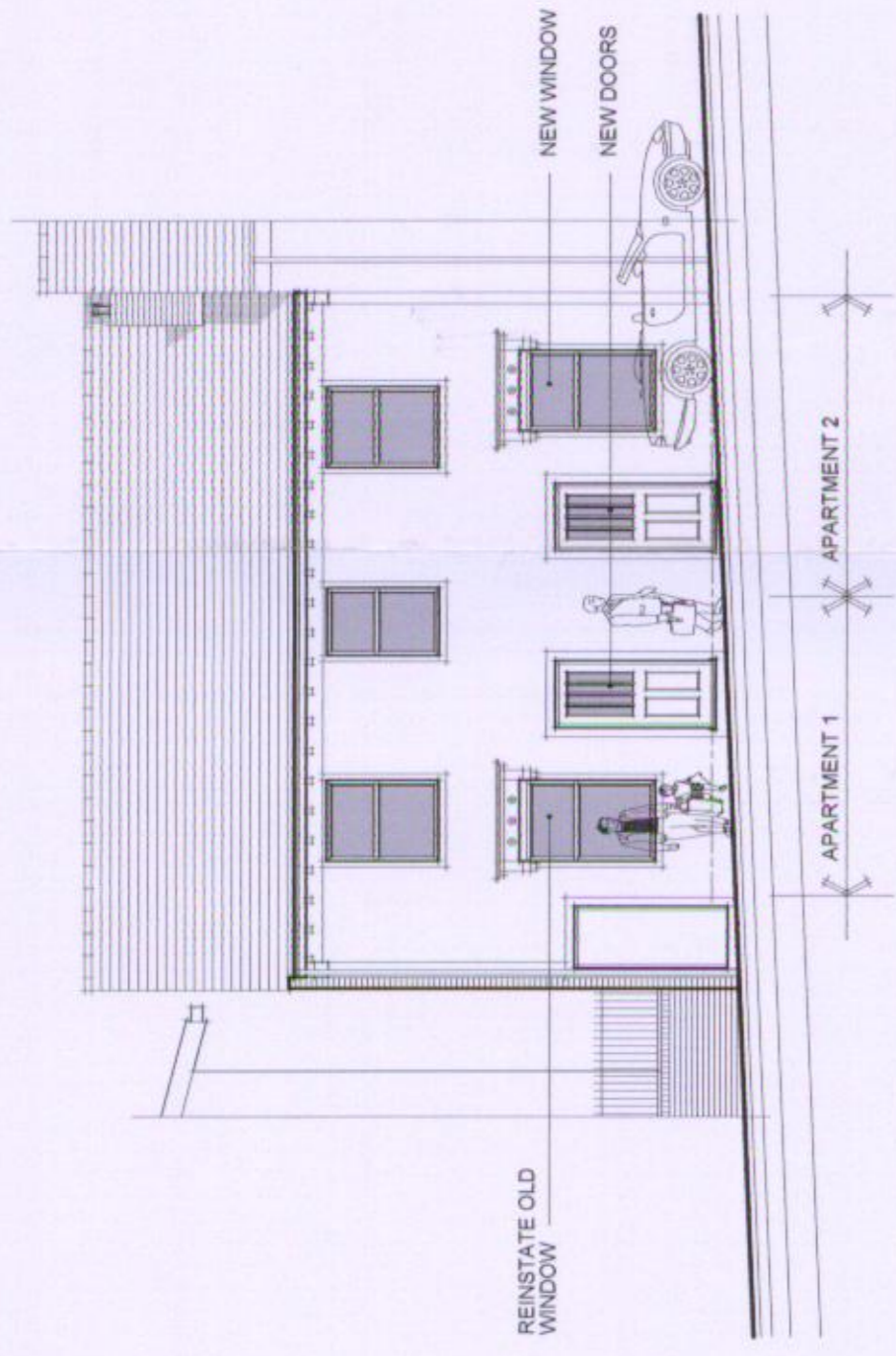




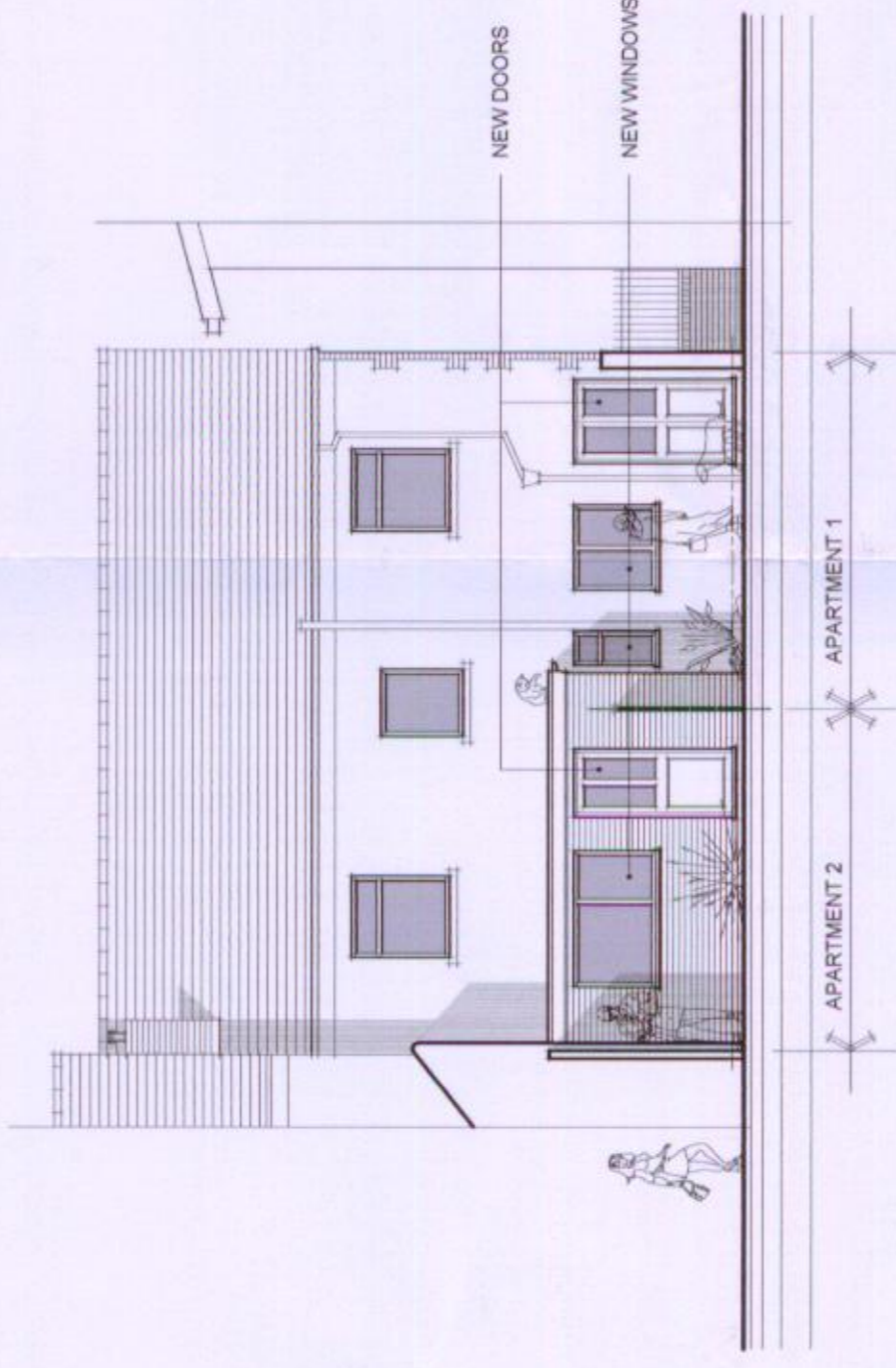
SCHEME OF GROUND FLOOR PLAN SCALE 1:50



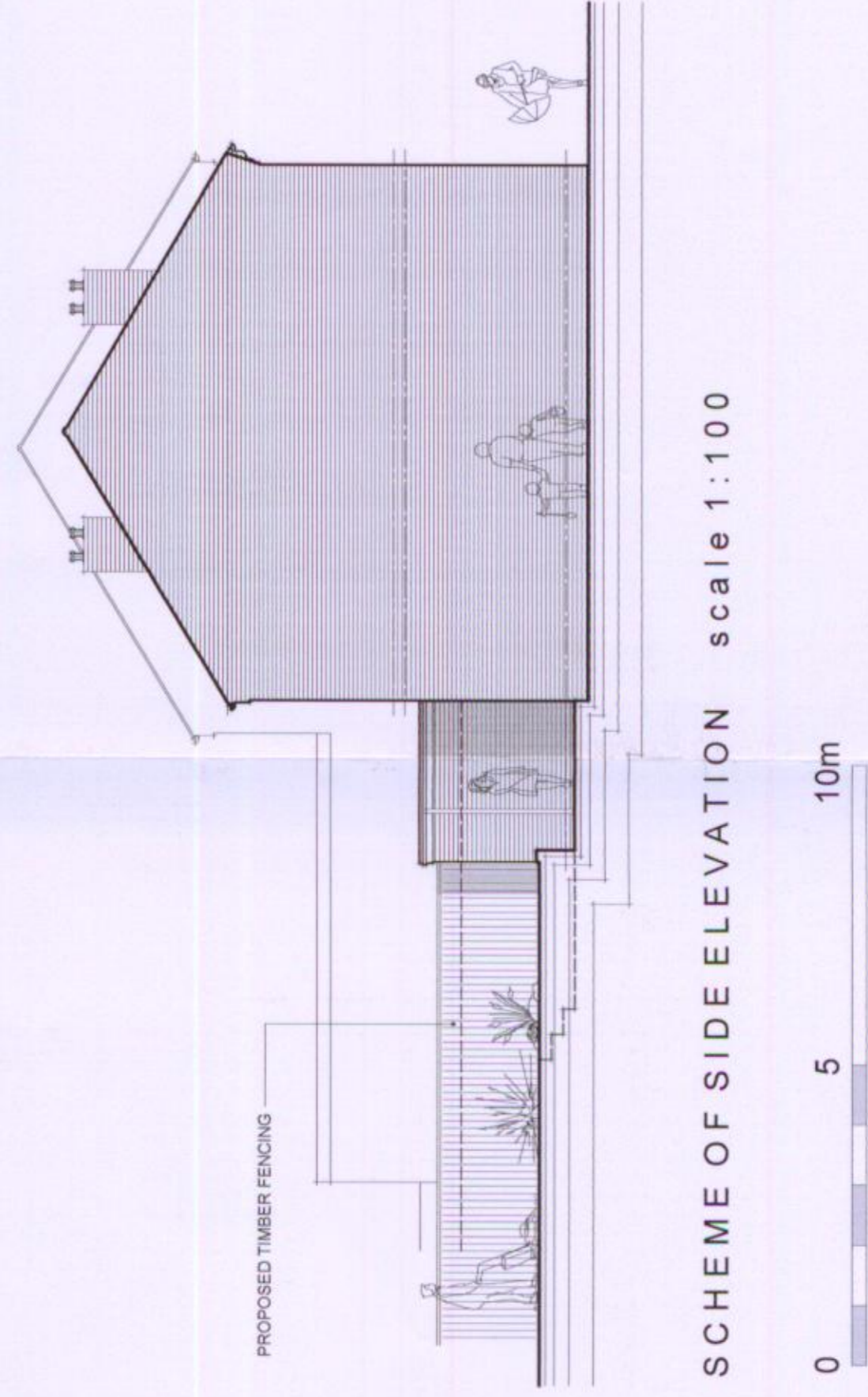
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SCHEME OF FRONT ELEVATION scale 1:100



SCHEME OF REAR ELEVATION scale 1:100



SCHEME OF SIDE ELEVATION scale 1:100

(1:100 Scale)

RECEIVED  
17 MAR 2008

RECEIVED  
10 MAR 2008

Date FEB. 2008.  
Scale@A1 AS SHOWN  
Drg. No. HK:02

Job: Proposed development at Wellington Rd, Dudley, DY1 1UB  
Title: Scheme - floor plan & elevations  
Client: Mr and Mrs H. Kang