

PLANNING APPLICATION NUMBER:P10/0150

Type of approval sought	Full Planning Permission
Ward	CRADLEY & FOXCOTE
Applicant	Mr Gurdev Singh
Location:	87, WINDMILL HILL, COLLEY GATE, HALESOWEN, WEST MIDLANDS, B63 2BY
Proposal	CHANGE OF USE OF OFFICES TO LIVING ACCOMODATION (C3) FOR EXISTING RETAIL SHOP
Recommendation Summary:	APPROVE SUBJECT TO A 106 AGREEMENT

SITE AND SURROUNDINGS

- 1 The application site is 0.047 hectares in size and comprises a 2 storey retail unit, which has a primary use as a dressmakers (A1 retail use). There is an existing flat above the shop and a single storey rear extension used as offices. The extension has a frontage onto an enclosed yard area, containing parking and some storage (sheds and caravans), accessed off Colley Orchard (a relatively narrow access linking Windmill Hill and Toys Lane).
- 2 The shop fronts onto Windmill Hill, where it forms part of the retail frontage within Cradley Local Centre, where, along with the adjoining shop (no. 83/85 – a hairdressers) it is recessed from the back of pavement line with an area of hardstanding in front.
- 3 Colley Orchard has a mixed edge of centre character, with a mixture of residential and small industrial uses (there is a Locally Listed workshop building adjoining the site) and the backs of the commercial premises fronting Windmill Hill.

PROPOSAL

- 4 It is proposed to change the use of the offices within this planning unit to a 1 bed flat associated with the shop. No external alterations are proposed. The yard area is shown for parking.

HISTORY

- 5 The yard appears to have been used as a builder's yard. Other than this, the following planning history is considered relevant -

APPLICATION No.	PROPOSAL	DECISION	DATE
86/50005	Change of use to Housing Office and DLO	Approved	12/02/1986
P00/51092	Conversion of first floor to 2 flats and change of use of offices to a flat	Refused	14/09/2000
P01/0789	Conversion of first floor into 2 flats	Approved	28/06/2001
P03/2235	Change of Use to a tattoo studio (retrospective)	Approved	30/01/2004
P05/1757	Change of Use to hardware shop (A1)	Approved	06/09/2005

- 6 P00/51092 was refused on the basis that the proposal would create cramped accommodation units.

PUBLIC CONSULTATION

- 7 **Group Engineer (Development)** – no adverse comments.

OTHER CONSULTATION

- 8 None undertaken.

RELEVANT PLANNING POLICY

- 9 **Unitary Development Plan (adopted 2005)**

DD1 – urban design

DD2 – mixed uses

DD4 – development in residential areas

DD6 – access and transport infrastructure

DD7 – planning obligations

CR1 – hierarchy of centres

CR13 – residential development in centres

Supplementary Planning Documents

Parking and Travel Plans

New housing development

Planning Obligations.

Other planning policy documents

Cradley-Windmill Hill Local Centre Regeneration Plan

ASSESSMENT

10 The key issues are –

- Principle;
- Residential amenity;
- Access and parking
- Planning Obligations

11 Principle

There is in principle encouragement through planning policy for the mixed use of this planning unit, in maintaining a retail frontage while providing for an additional flat (as proposed). It is considered that, as such, the proposal helps to maintain and enhance the viability and vitality of the Local Centre and secures the beneficial re-use of vacant floorspace.

12 Within the Local Centre Regeneration Plan, the yard area is designated within Development Site 1, which also includes the Providence Methodist Church and open space fronting Windmill Hill. Appropriate uses for Site 1 include complementary residential uses (consistent with the proposal).

13 The proposal will have no material impact upon the Locally Listed building (adjoining the site) or upon its setting. The outbuildings at the rear of number 87 appear to be of low quality and to be non-historic so their adaptation is not undesirable in historic building terms.

14 Residential Amenity

It is considered that, with regard to the amenity available for future occupiers, there are differences between the refused previous application (P00/51092) on this site

for similar development and the current one. The previous application, which was refused on the basis of inadequate, cramped accommodation being provided, was for the creation of an additional flat above the shop (with shared facilities with an existing flat) and a 2 bed flat at ground floor. The current proposal is for the creation of a 1 bed flat at ground floor. In addition, the layout plan for the current proposal shows adequately sized rooms for the proposed flat.

- 15 In terms of the provision of external amenity space for future occupiers, it is considered that there is the potential to provide a small landscaped/garden area around the edge of the building. This would also potentially lead to a better organisation of the rear yard area. It would also be consistent with the Regeneration Plan proposals to upgrade the environment in general at this locality, including the setting of the Local List Building, and provide for a more active frontage onto Colley Orchard. A condition has therefore been recommended to give effect to this.

16 Access and parking

The yard area is shown with 5 no. off street car parking spaces, accessed off Colley Orchard, to serve the planning unit. It is considered that that amount of parking is sufficient (many of the units on this side of Windmill Hill, including dwellings, have no or limited off-street and servicing).

17 Planning Obligations

The proposed development has a requirement 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.

- a) Public Open Space enhancement - £1270.28
- b) Transport Improvement Investment Monies - £182.13;
- c) Library contributions - £184.92
- d) Public Realm - £462.35
- e) Nature Conservation enhancement measures - £235

f) Management and Monitoring Charge - £250

This gives rise to a total of £2,584.68

18 The applicants have agreed to the provision of the above measures.

CONCLUSION

19 The provision of an additional residential unit at this location has the potential to help enhance the vitality and viability of this Local Centre. Subject to the terms of the permission, there is considered to be a sufficient level of amenity space to be provided for future occupier(s) and no significant impact on highway safety arising. Furthermore, measures are in place to ensure that any impact on the local infrastructure can be mitigated against. There is therefore concurrence with the development plan, in particular UDP Policies CR13, DD4 and DD7.

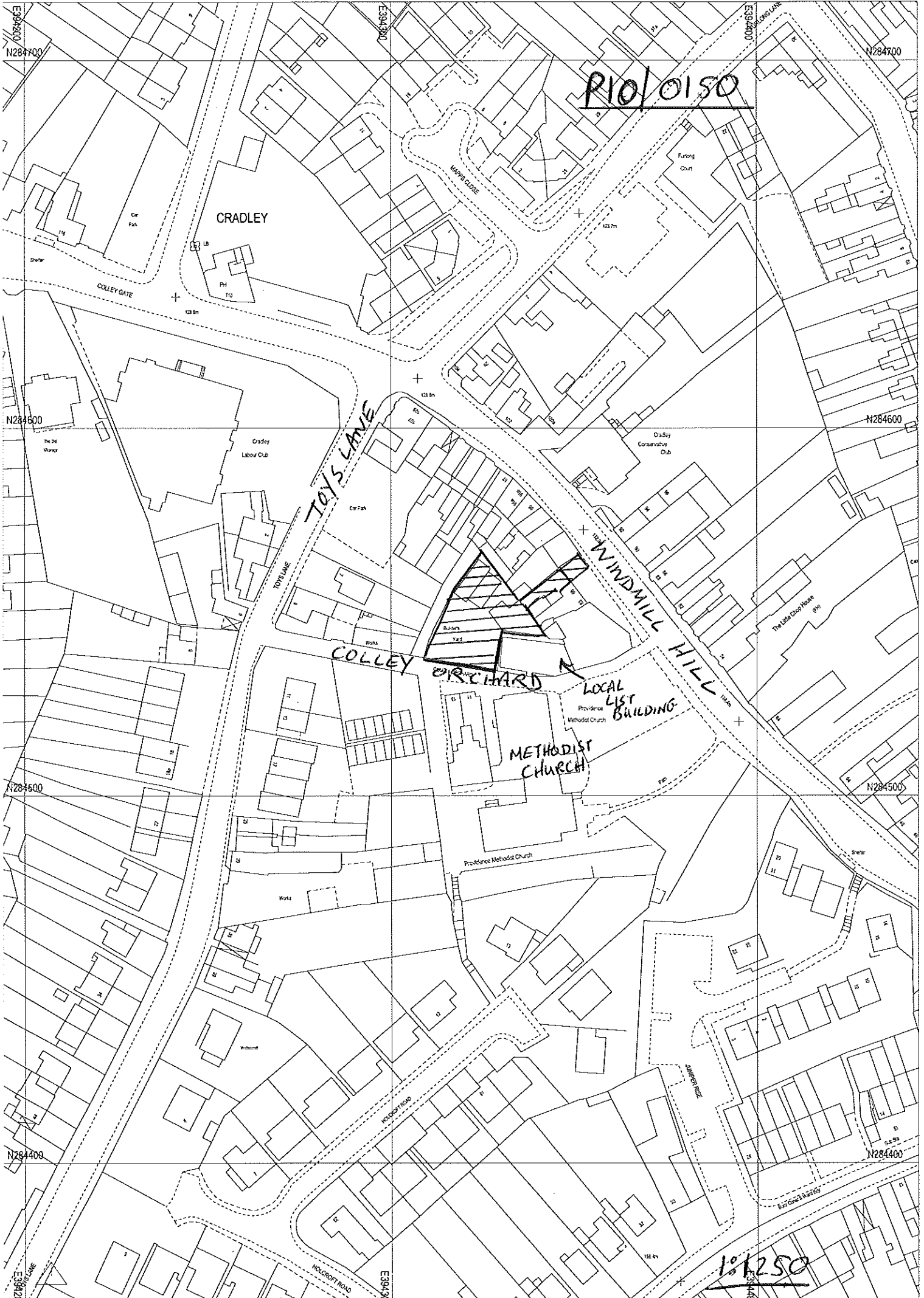
RECOMMENDATION

20 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 delivery of transport infrastructure improvement works, improvements to library provision, improvements to the public realm and Public Open Space, and a financial contribution for nature conservation enhancement measures at a total cost of £2,584.68, 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 –

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. 2. The development shall not be begun until a scheme for the provision of –
 - Public Open Space enhancements;
 - Transport improvement investment;
 - Library improvements;
 - Public realm enhancements;
 - Nature conservation enhancements;
 - Management and monitoring charge;has been submitted to and approved in writing by the Local Planning Authority.
3. Prior to the commencement of development details of the layout and design of the yard area in front of the proposed flat shall be submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing by the Local Planning Authority, these details shall include parking and amenity space for the flat. That space shall be implemented in accordance with the approved details prior to the occupation of the dwelling and thereafter retained for the life of the development.



R10/0150

TOYS LANE

COLLEY ARCHARD

LOCAL LIST BUILDING

METHODIST CHURCH

1/2250

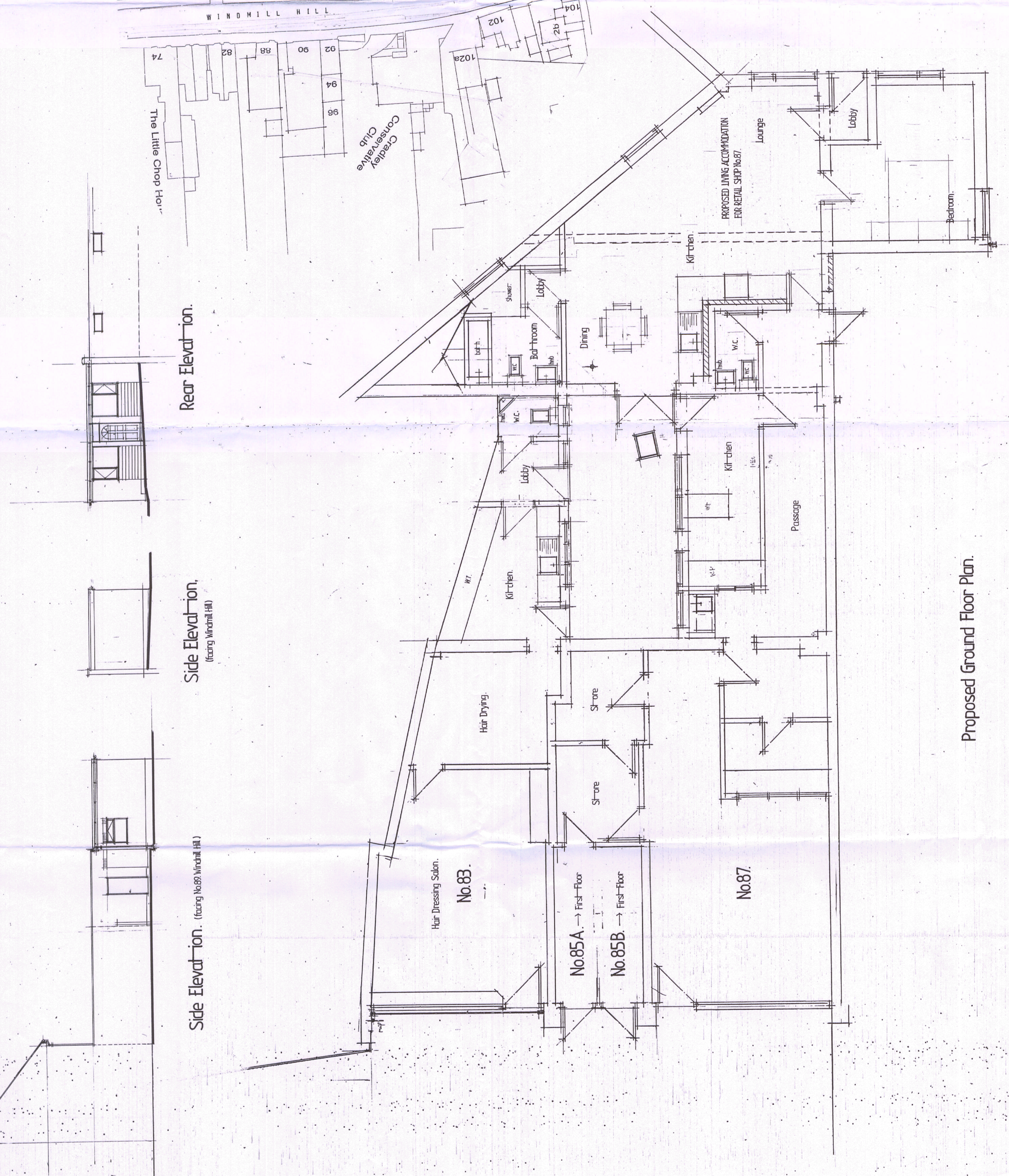
Proposed Plans (A1)
 Ref: 150

The Contractor is to check and verify all building and site dimensions, levels and sewer invert levels at connection points before work starts.
 The Contractor is to comply in all respects with current building legislation - British Standard Specification, BS 5622: Part 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 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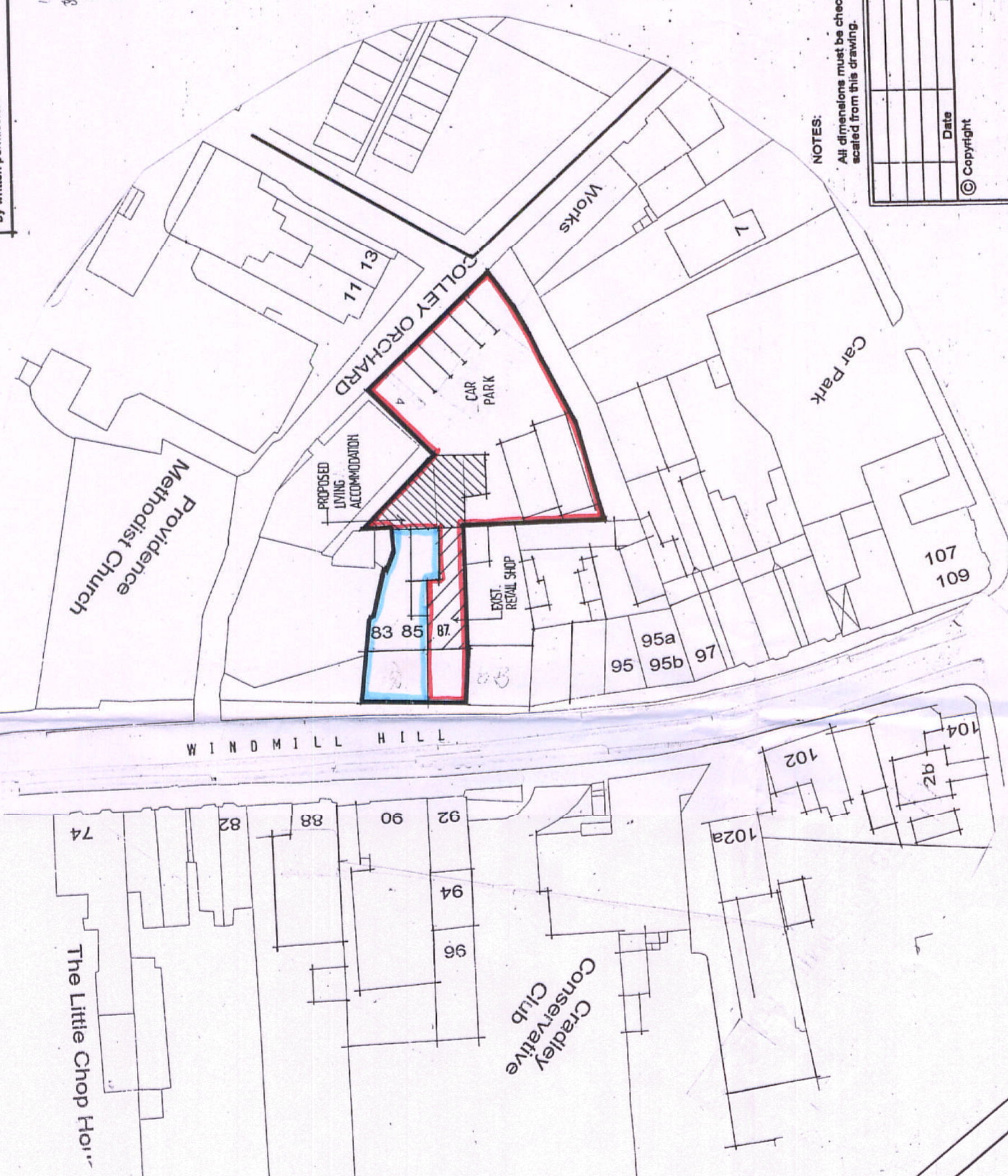
Side Elevation. (facing No.89 Windmill Hill)

Side Elevation. (facing Windmill Hill)

Rear Elevation.



Proposed Ground Floor Plan.



Location Plan.

Scale: 1:500

NOTES:
 All dimensions must be checked on site and not scaled from this drawing.

Date	Revisions

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Client: G. SINGH
 Job Title: 87
 87 WINDMILL HILL,
 CRADLEY,
 HALESOWEN,
 WEST MIDLANDS
 B67 2BY

Drawing Title:
**PROPOSED CONVERSION OF
 OFFICES TO LIVING ACCOMMODATION
 FOR No.87 EXISTING RETAIL
 SHOP**

Scale: 1:100 1:50
 Proposed Plan & Elevations

Date: JAN 2010
 Drawn by: [Signature]

Rev. No. GS.3106/10



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