

## **PLANNING APPLICATION NUMBER:P09/0029**

Type of approval sought	Full Planning Permission
Ward	WOLLASTON & STOURBRIDGE TOWN
Applicant	Michael Gardner Trust
Location:	<b>ADJ. 14, SOMERSET DRIVE, WOLLASTON, STOURBRIDGE, WEST MIDLANDS, DY8 4RH</b>
Proposal	<b>TO ERECT A MARQUEE FOR TEMPORARY USE (3 YEARS)</b>
Recommendation Summary:	<b>REFUSE</b>

### **SITE AND SURROUNDINGS**

1. The application site is a church building set within a well established residential area occupying a plot of approximately 1100m<sup>2</sup>. The church building fronts Somerset Drive and had a vehicular access from Wentworth Road to a car park. The church has a patio area to the rear which is accessed off a conservatory attached to the main church building. This area of the church historically belonged to a residential dwelling, number 77 Wentworth Road. The access to the car park is to the side of this dwelling with the car park being to the rear.
2. The application building is bound on all sides by residential dwellings. To the south of the application site is number 14 Somerset Drive as well as numbers 13 and 15 Rugby Road. The rear of the site is number 77 Wentworth Road and the church also shares a boundary with number 75 Wentworth Road.

### **PROPOSAL**

3. This application seeks approval for the erection of a marquee for a temporary period of three years. The proposed marquee would be sited to the rear of the church over the existing patio area, accessed through the conservatory. The proposed marquee would be 6m by 6m finished in white with a pitched roof to a maximum height of 3.5m and constructed from a tubular steel frame.

## HISTORY

4.

APPLICATION No.	PROPOSAL	DECISION	DATE
SB/67/469	EXTENSIONS TO EXISTING CHURCH INCLUDING VESTIBULE	Approved	14/12/67
SB/68/77	TWO-STOREY BUILDING FOR INDOOR GAMES PORCH & GARAGE.	Approved	29/05/68
SB/69/400	ADDITION OF FIRST FLOOR STORE-ROOM TO ANNEX.	Approved with Conditions	11/12/69
SB/73/568	EXTENSION TO VESTIBULE & INTERNAL MODIFACTIONS.	Approved	17/10/73
CC/77/1013	INSTALLATION OF LIFT.	Approved with Conditions	07/07/77
CC/79/2990	NEW TILED ROOF TO LIFT SHAFT.	Approved with Conditions	01/11/79
88/52042	FLAG AND FLAGPOLE.	Approved with Conditions	12/01/89
P03/0142	FIRST FLOOR EXTENSION TO CREATE NEW TOILET FACILITIES WITH NEW STAIRWAY AND ROOF	Approved with Conditions	18/02/03
P07/1278	Change from hipped roof on approved application P03/0142 to gable roof (retrospective)	Approved with Conditions	17/08/2007

## PUBLIC CONSULTATION

5. A ward councillor has requested that this application go to Development Control Committee.
6. Fourteen letters have been received in response to the direct neighbour notification. Eleven letters are in support of the application and three are objecting to the

proposals. The letters received objecting to the proposals outline the following concerns:

- A marquee is out of character within this residential setting
- Noise and disturbance from alterations of the church and car park experienced in the past.
- Increased parking issues
- Colour of the marquee out of keeping with residential area, green suggested as an alternative.

#### **OTHER CONSULTATION**

7. Head of Environmental Health and Trading Standards: Recommend refusal of the application based on potential noise and disturbance grounds.

#### **RELEVANT PLANNING POLICY**

8. Adopted UDP
  - DD4 – Development in Residential Areas
  - EP7 – Noise Pollution

#### **ASSESSMENT**

9. Key Issues:
  - Principle
  - Impact on neighbouring occupiers.
  - Further issues raised by neighbours

##### Principle

10. The proposed marquee would be introducing a feature which is of a scale not considered conducive within a residential area. The use of this proposed marquee would be on a regular basis rather than occasional which is considered the primary function of a marquee structure. On this basis the principal of the erection of a this

marquee is considered as unacceptable in accordance with the requirements of Policy DD4 – Development in Residential Areas of the Adopted UDP (October 2005).

#### Impact on neighbouring properties

11. The proposed marquee would be sited to the rear of the existing church. The application refers to the intended use of the marquee to accommodate the needs of all people attending various meetings and events. The nearest dwelling is just 10-15m from the proposed structure and there is the potential for use of the proposed marquee to cause loss of amenity to nearby residential occupants from noise. Whilst activities such as playing of music could be controlled by condition the general movement of persons and activities such as singing within the structure could not. It is accepted that the rear yard could be used at the present time for gathering of people, however the presence of the marquee would encourage people to this area at times when it may not otherwise be used, for example in the evenings and in poor weather, and would therefore result in intensification of the use. These comments form the basis of the objection received from the Head of Environmental Health and Trading Standards. Further, three year permission is not considered as temporary and it is considered that a temporary permission of any nature would not mitigate against the potential for noise disturbance. These In this regard the proposed development would be contrary to Policies DD4 - Development in Residential Areas and EP7 – Noise Pollution of the Adopted UDP (October 2005).
  
12. The proposed marquee would be closest to the common boundary with number 15 Rugby Road. It is considered that the siting of this proposed marquee would be detrimental to the outlook from the ground floor habitable room window, in this case a lounge. As this proposed marquee would remain in situ permanently, despite the temporary nature of the structure this loss of outlook would be on a permanent basis. In this regard the proposed development is contrary to the requirements of Policy DD4 – Development in Residential Areas of the Adopted UDP (October 2005).

Further issues raised by neighbours

13. The proposed marquee is not considered large enough to increase the floor area significantly resulting in an increase the attendance of the church. It is therefore considered that the vehicular parking demand would not increase.
14. The proposed marquee is not manufactured in green as it proves too dark for the users. This information was provided by the agent.

## **CONCLUSION**

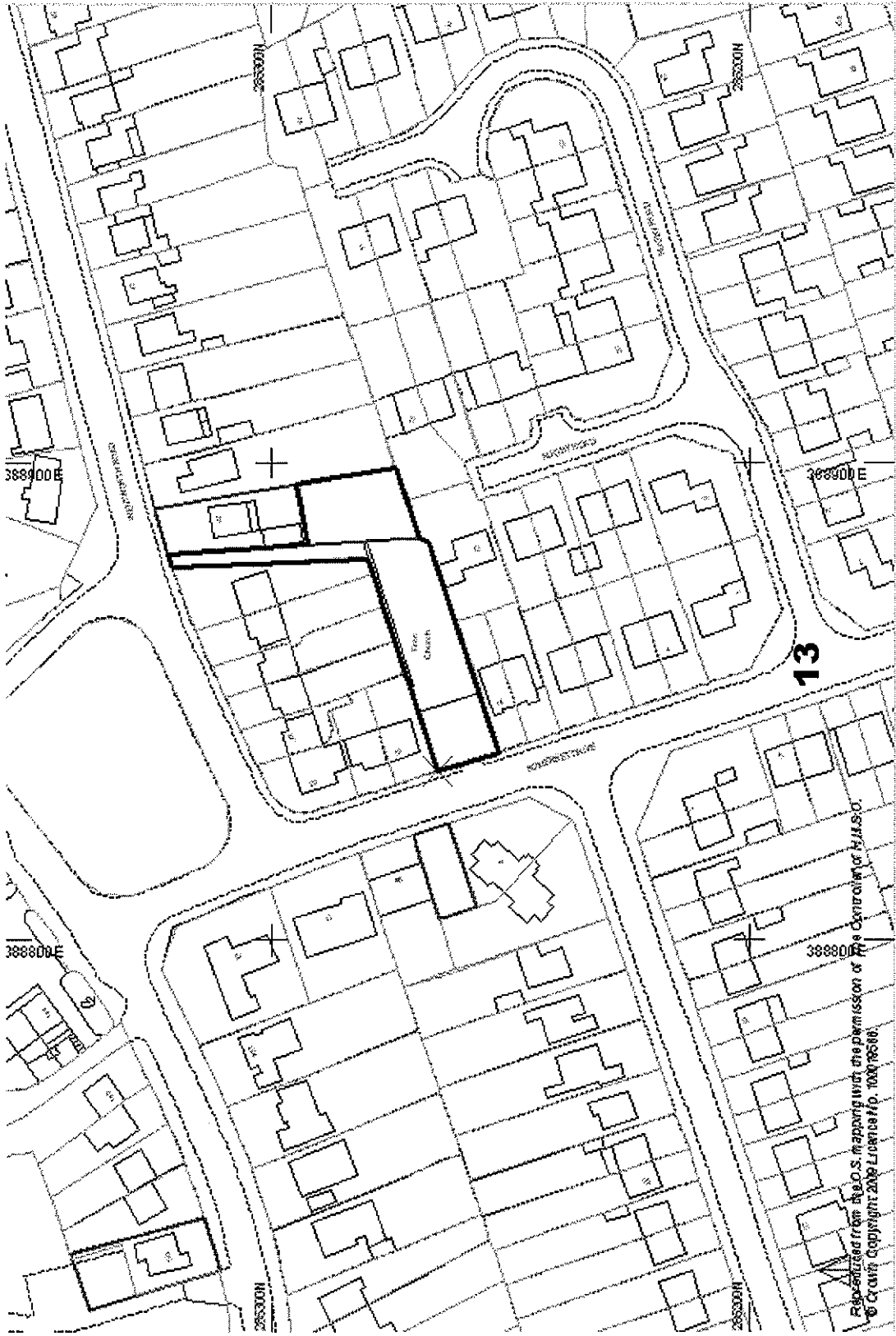
15. The proposed marquee is considered to be out of character with a residential setting. Further, it is deemed to have a detrimental impact on residential amenity by way of loss of outlook and noise disturbance.

## **RECOMMENDATION**

16. It is recommended that the application be refused for the following reasons:

Conditions and/or reasons:

1. The proposed marquee would introduce a feature which is of a scale not conducive with this residential setting resulting in the principle of development being unacceptable contrary to Policy DD4 – Development in Residential Areas of the Adopted UDP (October 2005).
2. The proposed marquee would result in a detrimental impact on residential amenity by way of loss of outlook to number 15 Rugby Road contrary to Policy DD4 - Development in Residential Areas of the Adopted UDP (October 2005).
3. The proposed marquee would result in a detrimental impact on residential amenity by way of noise disturbance to surrounding properties contrary to Policies DD4 - Development in Residential Areas and EP7 – Noise Pollution of the Adopted UDP (October 2005).



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amendments *Michael Gardner*  
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 19 BUGGUY ROAD  
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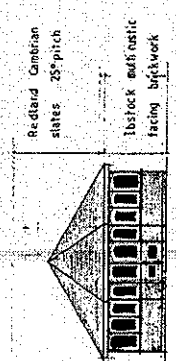
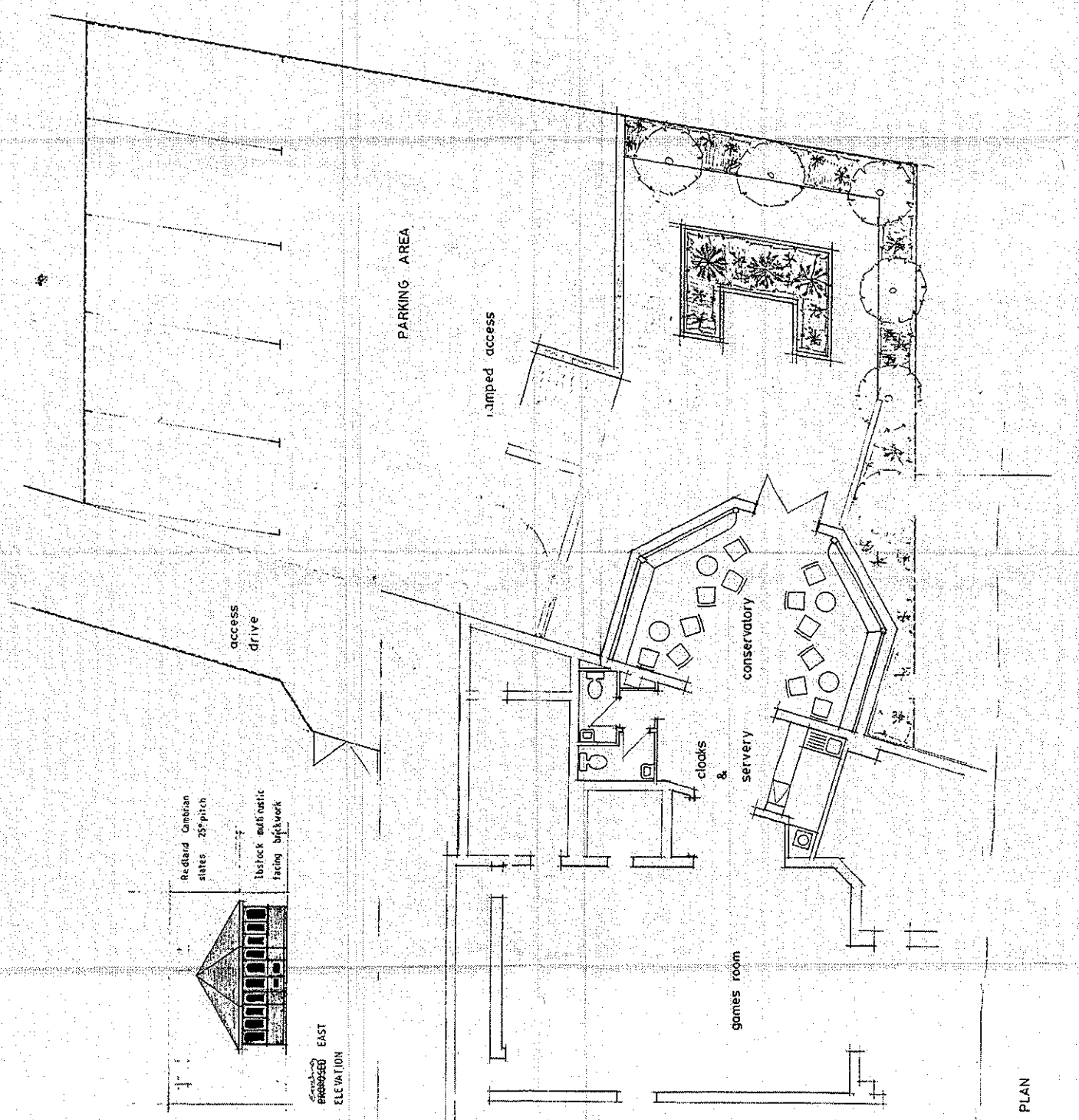
PROJECT  
**PROPOSED COMMUNAL  
 ACTIVITY CENTRE**

CLIENT  
**MICHAEL GARDNER  
 TRUST**

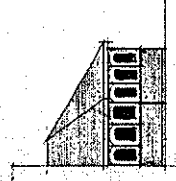
PROPOSED FLOOR &  
 ELEVATION PLANS  
 scale 1:50 1x100  
 date APRIL 96 drawn *AB*

No. 590496.2A

all dimensions to be checked on  
 site and not scaled



PROPOSED EAST  
 ELEVATION



PROPOSED SOUTH  
 ELEVATION

PROPOSED FLOOR PLAN  
 Existing

