

PLANNING APPLICATION NUMBER:P10/0115

Type of approval sought	Full Planning Permission
Ward	Wollaston & Stourbridge Town
Applicant	Partali Enterprises Ltd.,
Location:	131, ENVILLE STREET, STOURBRIDGE, DY8 3TD
Proposal	CHANGE OF USE OF GROUND FLOOR AREA FROM HOT FOOD TAKEAWAY (A5) TO 2 NO. FLATS (C3)
Recommendation Summary:	APPROVE SUBJECT TO A 106 AGREEMENT

SITE AND SURROUNDINGS

1. The application site measures 276m² in area and the application property is a detached building, originally constructed as a residential dwelling, but which has for many years comprised an A5 use class fish and chip shop at ground floor level, with a two bedroom residential flat above. The property is set back 4.3m from the footway on Enville Street, with areas of hard standing in situ to the front and side, and an outbuilding to the rear which is currently used for storage. The curtilage of the property also incorporates an area of landscaping to the rear of the building measuring approximately 85m² in area, containing shrubs and trees and a gravelled amenity space.
2. The site is located approximately 50 metres away from the boundary of Stourbridge Town Centre (UDP Inset Plan Boundary) and is situated in a mixed area, being adjoined by commercial properties to the east and west, and backing onto residential properties to the south. However, the wider area is predominantly residential in nature, with a mixture of dwelling types, including blocks of low-rise flats, being present close by.

PROPOSAL

3. Planning permission is sought for the conversion of the property's ground floor from the existing A5 hot food takeaway use to C3 residential use. In addition to the existing two bedroom flat which currently occupies the first floor, it is proposed to create two additional one bedroom units at ground floor.
4. The majority of the proposed works would be internal, having no impact the external appearance of the property. However, it is proposed to remove the existing illuminated fascia signs associated with the commercial use, and also to block up and render the majority of the existing shop frontage and install a new front window echoing the style of the rest of the property.
5. Each new flat would have its own individual access point, being entered via existing doorways to the front and rear of the property which currently serve a storage room associated with the fish and chip shop. In relation to car parking, a parking layout submitted with the application shows two chevron spaces to the front of the property, and two to the side.

HISTORY

APPLICATION No.	PROPOSAL	DECISION	DATE
88/50823	Erection of porch stores and external stairway to first floor.	Approved with Conditions	21/06/88
P04/1967	Application for Certificate of Lawfulness for existing use as hot food takeaway.	Certificate Granted	28/10/2004

PUBLIC CONSULTATION

6. Direct notification was carried out to thirteen neighbouring properties, including the commercial premises situated on either side of the site. No representations have been received.

OTHER CONSULTATION

7. **Environmental Protection;** No objections.

8. **Group Engineer (Development);** Parking Standards and Travel Plans

Supplementary Planning Document has a C3 dwelling baseline parking standard (low accessibility) of a single parking space per single bedroom dwelling, 2 parking spaces per 2-3 bedroom dwelling and 3 parking spaces per 4 or more bedroom dwelling. Therefore, 2 parking spaces are required. The existing 2 bedroom flat on the site will require 2 parking spaces; therefore 4 parking spaces in total are required.

However, the spaces marked out at the front of the property do not meet the minimum required dimensions of 4.8m x 2.4m, and would overhang the footway which wouldn't be acceptable. Also, the spaces to the side of the property would need to be 3m in width as they are adjacent to the wall of the property. Therefore, my original comments still stand in that there is insufficient space to accommodate the 4 parking spaces we require. As it stands with the parking shown in drawing number LP5/14, we cannot accept the parking layout due to the minimum dimensions not being met.

In view of the above, the development fails to provide sufficient off-street parking provision. The proposed car parking area is not of sufficient size to accommodate four parking spaces to the above dimensions. The displacement of these vehicles onto the highway has a detrimental affect on highway safety and the convenience of other highway users and cannot be supported.

RELEVANT PLANNING POLICY

- Adopted Unitary Development Plan (2005)
DD4 - Development in Residential Areas
DD6 (Access and Transport Infrastructure)
DD7 (Planning Obligations)
AM14 (Parking)
- Supplementary Planning Guidance
Parking Standards and Travel Plans Supplementary Planning Document
Planning Obligations Supplementary Planning Document

ASSESSMENT

9. Key Issues

- Principle
- Amenity
- Parking and Highway Safety
- Planning Obligations

Principle

10. The application site is bound by two commercial properties. However, residential uses are prevalent in the area and it is therefore considered that Policy DD4 (Development in Residential Areas) is relevant to this proposal. Although the proposed development would increase the number of residential units within the property to three, thereby creating a relatively high density within the site, in the context of other nearby schemes which comprise low-rise flats it is considered that the proposed accommodation would not be out of context in the area, and that whilst the new flats would be quite small, the internal space would not be unacceptably cramped.

11. As stated in Paragraph 7, the Head of Environmental Health and Trading Standards has raised no concerns in relation to the proposal, either in terms of noise disturbance from the neighbouring commercial operations, or in terms of the

proposed living arrangements for future occupiers. The site already benefits from an enclosed amenity space to the rear, and further recreational areas are available nearby. It is therefore considered that the principle of residential use is acceptable at this property, in compliance with Policy DD4 (Development in Residential Areas) of the Adopted Dudley Unitary Development Plan (2005)

Amenity

12. Whilst, as previously noted, the majority of the works associated with the proposal would be internal reconfigurations, having no impact on the property's external appearance, it is considered that the proposed alterations to the front of the property, including the removal of existing illuminated fascia signage associated with the fish and chip shop, and the restoration of the building's frontage to a more residential style, would, subject to appropriate external materials being used, improve its appearance in the street scene, having no detrimental impact on the character of the area.

13. Although the proposed parking arrangements would result in the whole of the property's frontage being retained as hard standing which is not ideal in amenity terms, this area is already entirely hard surfaced and the proposed arrangement is therefore considered to be no worse than the current situation. It is also acknowledged that the property is bound on either side by commercial developments which also possess expansive areas of hard standing to the front.

14. In terms of residential amenity, in this context it is considered that the proposed development would not result in any detrimental impact on the occupiers of neighbouring properties. The development is therefore considered to be acceptable in this regard, as assessed against Policy DD4 (Development in Residential Areas)

Parking

15. As noted in Paragraph 8, the Group Engineer (Development) has expressed concerns regarding the level of viable parking provision at the site, due to two of the proposed four spaces not meeting the Council's minimum requirements in terms of their width. However, it is considered that given the property's location, combined

with the reduction in vehicular traffic that would result from the proposed change of use, a reduced level of parking could on balance, be acceptable in this instance.

16. The application site is located 50m from the edge of Stourbridge Town Centre and whilst it is acknowledged that the creation of two further residential units within the curtilage of the property could result in additional vehicles being present, the location is considered, given the close proximity of local shopping facilities and the extensive public transport links available in Stourbridge, to be highly accessible and sustainable, with the effect that future occupiers will be less reliant on private transport than in other locations.

17. In relation to the intensity of the proposed use, the existing A5 hot food takeaway use is considered to be highly intensive in terms of the number of trips generated to and from the property, particularly during the evening. Although the creation of two additional residential units within the site could potentially lead to additional vehicles parking at the property, the regularity of access and egress would be greatly reduced in comparison with the existing situation, thereby potentially having a positive impact on highway safety in the area. On this basis, it is considered that the provision of two viable parking spaces within the curtilage of the property, as shown in the submitted amended parking layout, would be sufficient in this particular case, as assessed against policies DD4 (Development in Residential Areas), DD6 (Access and Transport Infrastructure) and AM14 (Parking).

Planning Obligations

18. 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

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

- Libraries - £462.35
- Open Space, Sport and Recreation - £2540.56
- Public Realm - £924.70
- Nature Conservation Enhancements - £38.50
- Management and Monitoring Charge - £250.00

(Due to a net reduction in trip generation no contribution for Transport Infrastructure Improvements is required)

Total Contribution equates to £4216.11

Written confirmation has been received on behalf of the applicant that they are willing to pay these contributions.

CONCLUSION

20. The principle of residential use is considered to be acceptable at this property, and the proposed accommodation is considered to be comparable to that of nearby residential schemes. There would be no detrimental impact on the visual amenity or character of the surrounding area as a result of the proposal, and the occupiers of nearby residential properties would be unaffected. Whilst the proposed level of parking provision is lower than would usually be acceptable, in this instance, due to the sustainable location and the reduction in trips to and from the property that would result from the proposed change of use, the proposal is acceptable, on balance, in terms of highway safety. The proposal is therefore acceptable, as assessed against the following Council policies and guidance; Policies DD4 (Development in Residential Areas), DD6 (Access and Transport Infrastructure) and AM14 (Parking) of the Adopted Dudley Unitary Development Plan, the Parking Standards and Travel Plans Supplementary Planning Document and the Planning Obligations Supplementary Planning Document.

RECOMMENDATION

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 £4216.11 for the provision, maintenance and enhancement of off-site public open space and play provision, public realm improvements, improvements to library facilities and nature conservation enhancements, and management and monitoring, 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 the Grant of Planning Permission

The principle of residential use is considered to be acceptable at this property, and the proposed accommodation is considered to be comparable to that of nearby residential schemes. There would be no detrimental impact on the visual amenity or character of the surrounding area as a result of the proposal, and the occupiers of nearby residential properties would be unaffected. Whilst the proposed level of parking provision is lower than would usually be acceptable, in this instance, due to the sustainable location and the reduction in trips to and from the property that would result from the proposed change of use, the proposal is acceptable, on balance, in terms of highway safety. The proposal is therefore acceptable, as assessed against the following Council policies and guidance; Policies DD4 (Development in Residential Areas), DD6 (Access and Transport

Infrastructure) and AM14 (Parking) of the Adopted Dudley Unitary Development Plan, the Parking Standards and Travel Plans Supplementary Planning Document and the Planning Obligations Supplementary Planning Document.

The decision to grant planning permission has been taken with regard to the policies and proposals in the Dudley Unitary Development Plan and to all relevant material considerations including Supplementary Planning Guidance.

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

Note for Applicant

The development hereby permitted shall be built in accordance with the plans stamped received by the Local Authority on 25th January 2010 and referenced 'LP5/10, LP5/11 and LP5/12', and the amended parking layout stamped received on and referenced 'LP5/14', 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 materials to be used in the approved development shall match in appearance, colour and texture those of the existing building unless otherwise agreed in writing with the local planning authority.
3. The development shall not begin until a scheme for the provision of:
 - Nature Conservation improvements
 - Off site Public Open Space and play area improvements
 - Off site Library improvements
 - Management & Monitoring
 - Off site Public Realmhas been submitted to and approved in writing by the Local Planning Authority



Area marked = 276.19sq.m.

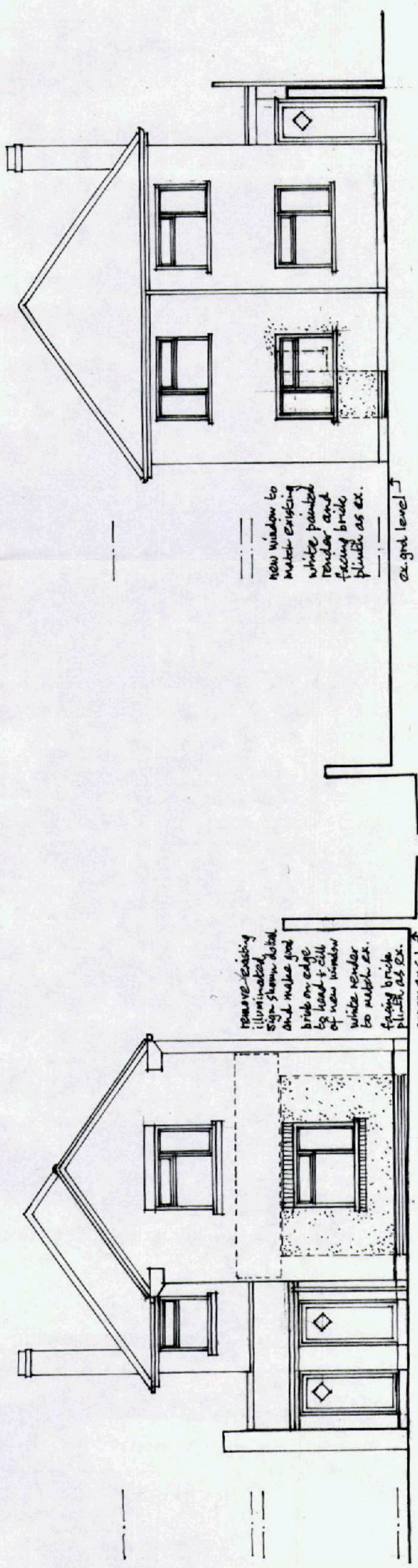
Length marked = 68.65m.

Dudley MBC

Council House, Priory Road, Dudley.

Proposed elevations
CAS
P10/0115

RECEIVED
25 JAN 2010

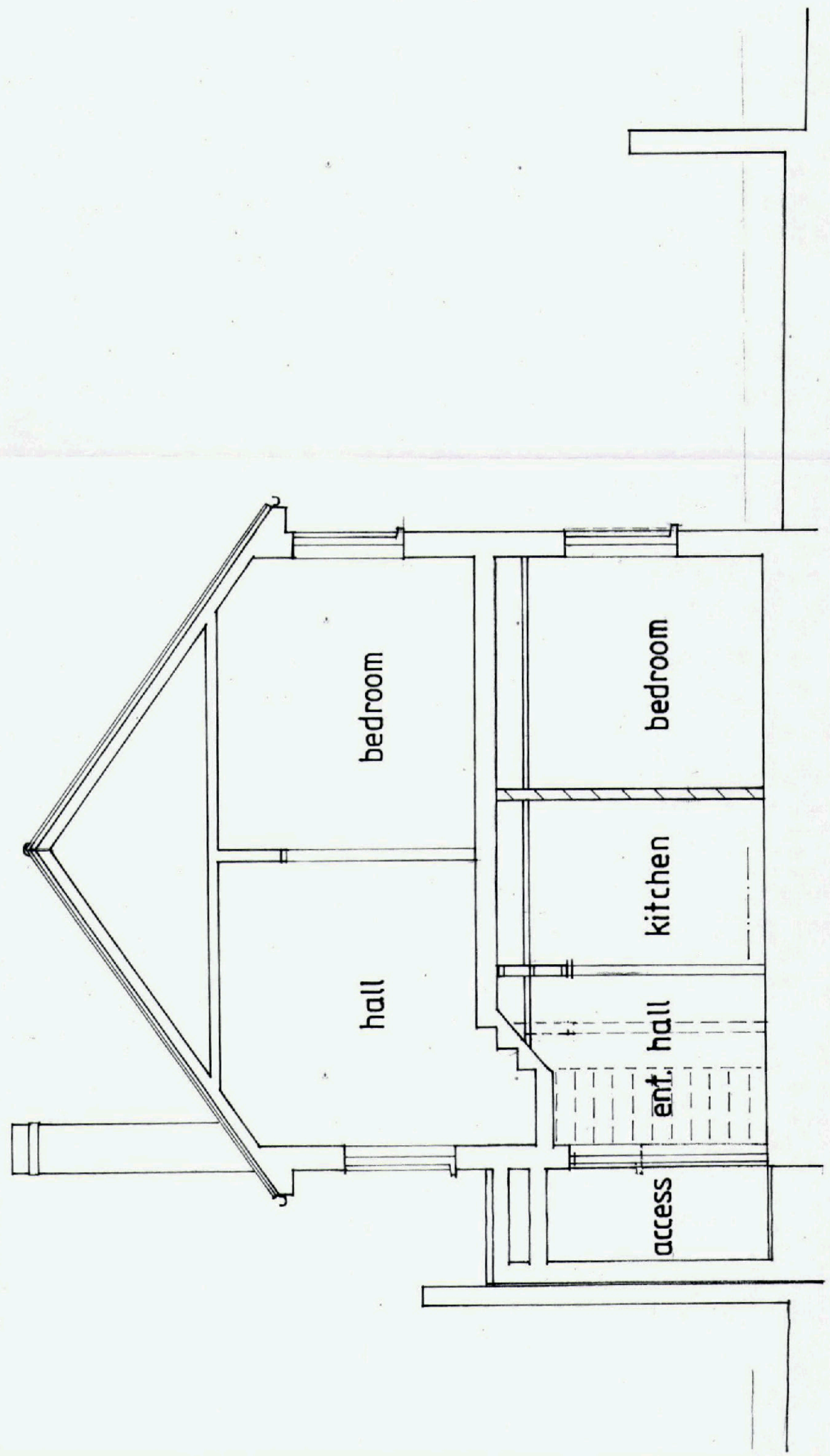


REMOVE existing illuminated sign shown dotted and make good brick on edge by lead + sill of new window white render to match ex. facing brick to match ex. approx ex G.L.

new window to match existing white painted render and facing brick plumb as ex. ex. gnd level

S. E. ELEVATION

N. W. ELEVATION



bedroom

bedroom

kitchen

hall

ent. hall

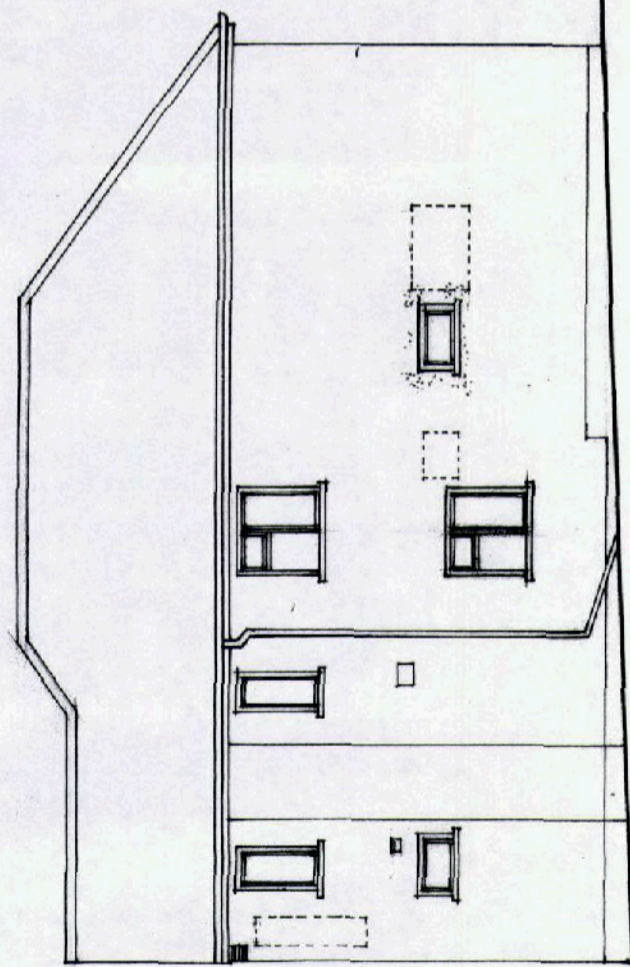
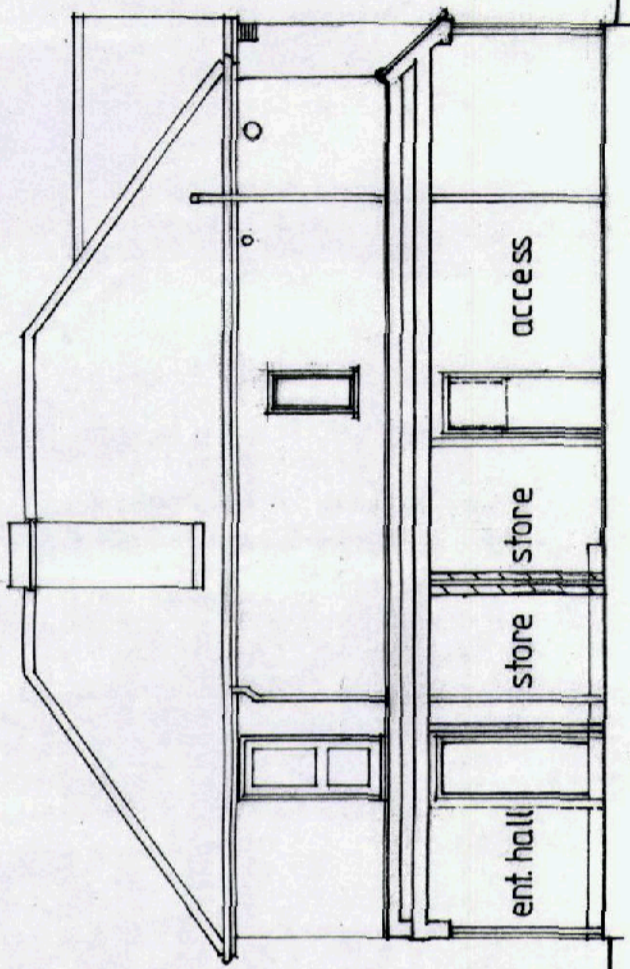
access

ALTERATIONS TO 131 ENVILLE STREET STOURBRIDGE, Scale 1:50, 1:100

Section

LP5/12

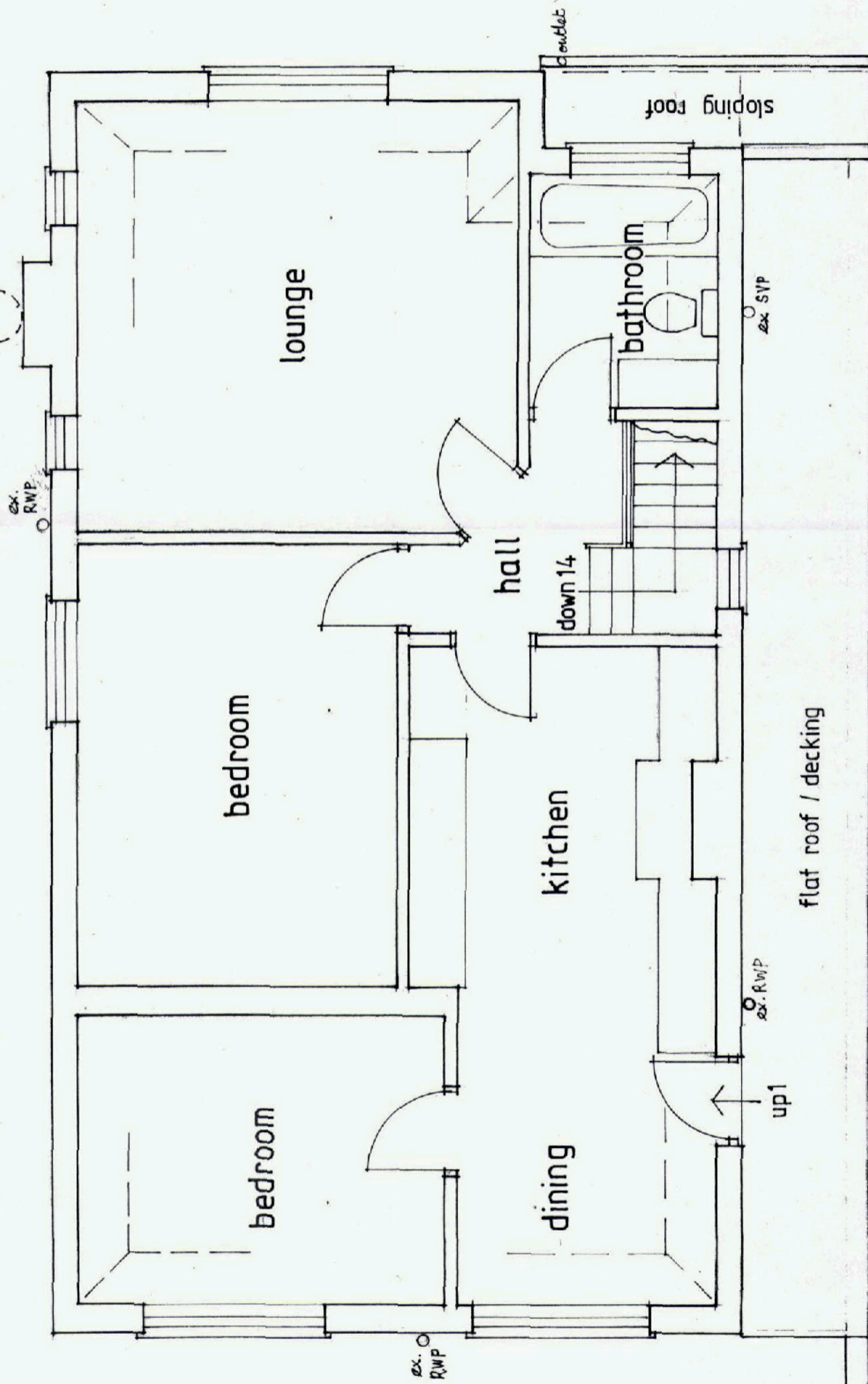
Proposed floor plan & elevations
 P10/0115

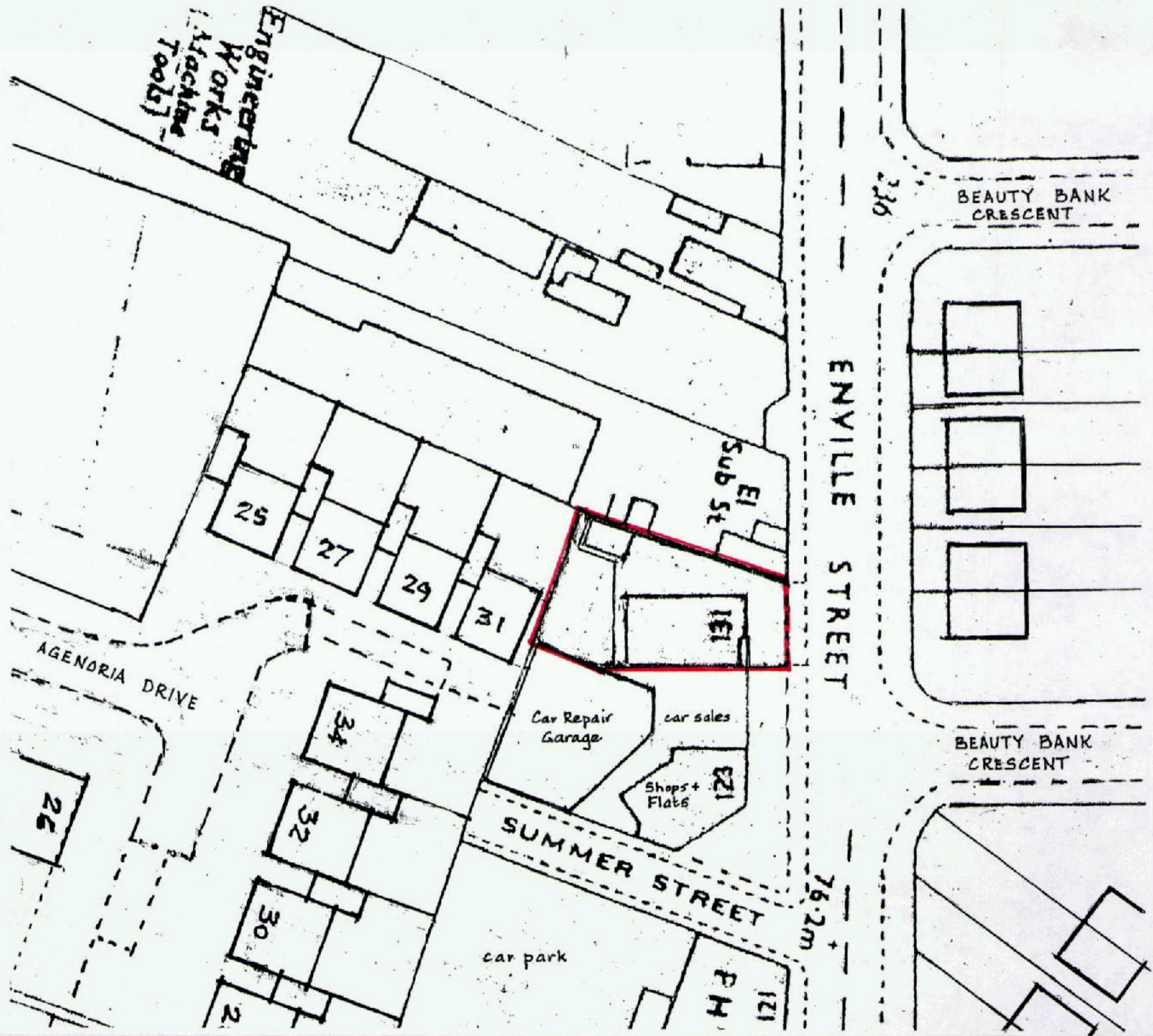


S.W.ELEVATION

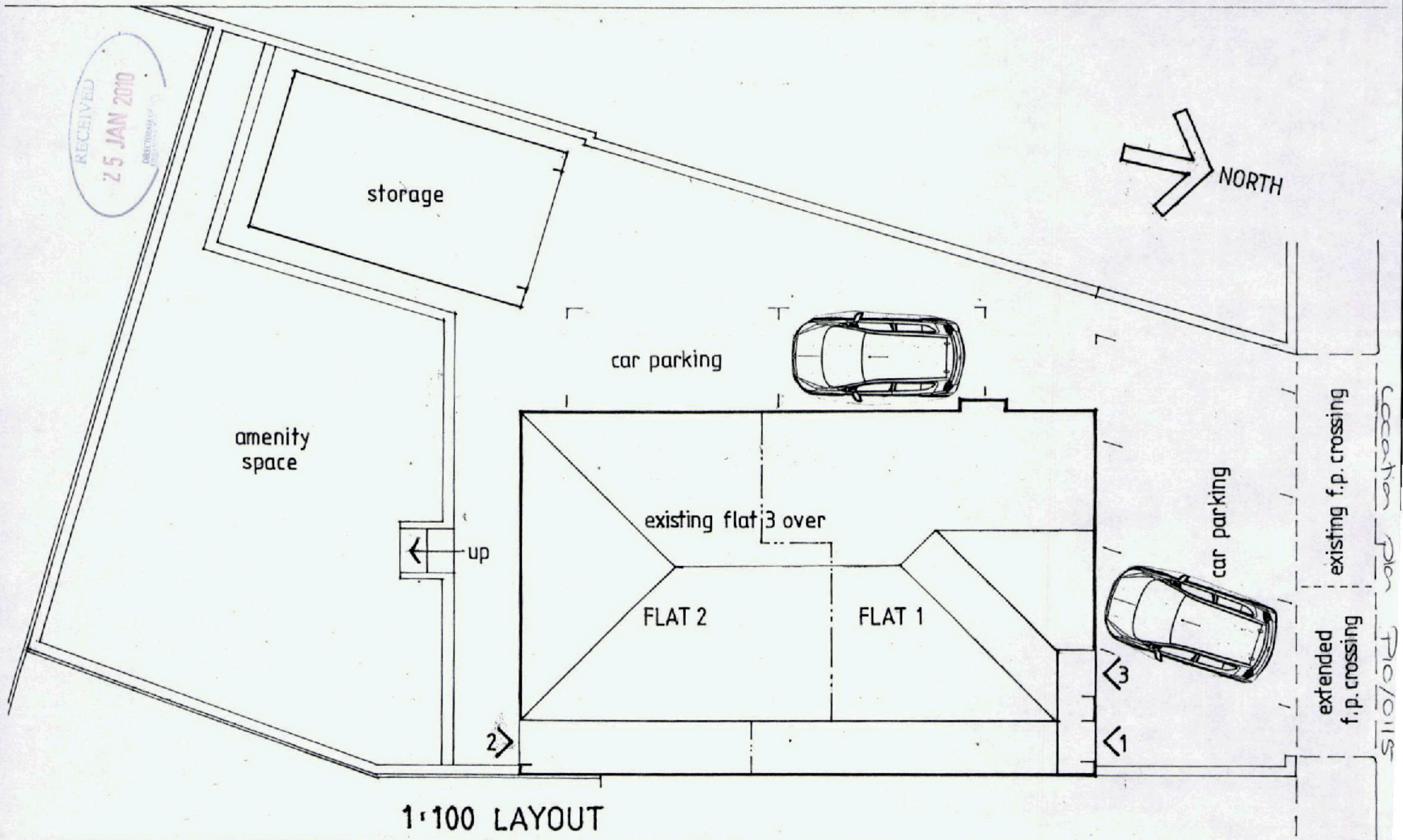
N.E.ELEVATION

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 25 JAN 2010





1:500 BLOCK PLAN



1:100 LAYOUT