

PLANNING APPLICATION NUMBER:P12/1529

Type of approval sought	Full Planning Permission
Ward	Wollaston & Stourbridge Town
Applicant	Mrs Sharon Ramsey
Location:	16/18, HAGLEY ROAD, STOURBRIDGE, WEST MIDLANDS, DY8 1PS
Proposal	CHANGE OF USE FROM INSURANCE OFFICES (B1) TO PRIVATE DAY NURSERY (D1)
Recommendation Summary:	RESOLVED TO APPROVE SUBJECT TO CONDITIONS

INTRODUCTION

The above planning application was presented to Members at the Development Control Committee on the 18th February 2013. The officer recommendation was to refuse the application for the following reason:

- The proposed change of use does not make provision for sufficient drop-off and pick up of children and will result in vehicles being displaced onto the highway to the detriment of highway safety contrary to Policy TRAN2 of the Black Country Core Strategy (February 2011) and the adopted Parking Standards SPD.

Following a debate on the proposed development by Members, the Committee resolved to overturn the Officer recommendation and approve the application subject to Conditions. Members requested that any proposed conditions should be considered by the Committee prior to the Decision Notice being issued.

The following conditions are proposed:

- I. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

- II. The use hereby approved shall cease on or before three years from the first operation of the date of this permission.
- III. The development hereby permitted shall be carried out in accordance with the following approved plans: OS Mastermap 27 November 2012.
- IV. Development shall not begin until a detailed scheme for the management of the parking of vehicles and means of access has been submitted to and approved in writing by the local planning authority. The approved management plan shall be implemented commensurate with first occupation of the approved change of use and the development shall be operated in full accordance with the management plan thereafter for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.
- V. The use hereby approved shall not operate with more than 70 children unless otherwise agreed in writing by the Local Planning Authority.
- VI. The nursery hereby approved shall only be accessed from the doors situated to the rear of the property (on the west facing elevation). At no time shall the doors upon the front elevation (east facing onto Hagley Road) be utilised for access or egress other than for emergency proposes.

The remainder of this report is identical to that presented to Members at the Development Control Committee on the 18th February 2013.

SITE AND SURROUNDINGS

1. The application site is a vacant office building occupying a plot of 590m² and is set within Stourbridge Town Centre. The application site was formally two properties and now functions as one building. To the rear of the application curtilage is an area of shared car parking utilised by the application site and neighbouring properties. 8 spaces to the rear are allocated to the application site.

2. The application site is bound on both sides by commercial properties. To the south is number 20-22 Hagley Road. These properties as the application site were formally two separate properties now operating as one. It is currently occupied by an estate agent. To the north of the application site is number 14 Hagley Road. This property is operating as offices and includes a physiotherapy practice and an estate agent.

PROPOSAL

3. This application seeks approval for a change of use of the building from offices to day nursery.

HISTORY

4. None relevant

PUBLIC CONSULTATION

5. 2 letters have been received after 19 direct notification letters were sent out and a site notice displayed.
6. 1 letter of objection has been received and refers to the highway safety issues associated with short term drop off and collection of children when vehicles are parked on Hagley Road.
7. 1 letter has been received stating no objection to the proposed change of use.

OTHER CONSULTATION

8. Group Engineer (Development): Raise fundamental concerns with the proposed scheme due to no convenient drop-off and pick-up facility.
9. Head of Environmental Health and Trading Standards: No objections to the proposed scheme.

RELEVANT PLANNING POLICY

10. Black Country Joint Core Strategy
- TRAN2 Managing Transport Impacts of New Development

- CEN2 Hierarchy of Centres
- CEN4 Regeneration of Town Centres
- HOU5 Education and Health Care Facilities

11. Saved Unitary Development Plan Policies

- STC2(xvi) Block 21 – Established areas

12. Supplementary Planning Documents / Guidance

- Parking Standards

ASSESSMENT

13. The main issues are

- Principle
- Access and Parking

Principle/Policy

14. The site is located at the southern gateway to Stourbridge town centre on the outskirts of the ring road. The development block in which the application site is located is an established area where the land use mix is considered as acceptable. Any proposed change of use should not conflict with any other relevant policies.

15. Policy CEN2 Hierarchy of Centres within the adopted Black Country Joint Core Strategy (2011) sets out a hierarchy of centres where investment in retail and town centre uses of an appropriate scale will be promoted and existing provision enhanced, to facilitate sustainable development. Stourbridge is designated as a town centre and will provide comparison retail along with a range of other town centre uses such as office, leisure and cultural facilities. Policy CEN4 Regeneration of Centres identifies the network of town centres in the borough which provide for convenience shopping as well as local comparison shopping opportunities, local services and local leisure

facilities. The nursery will provide a local facility and will enable access to childcare for families in the area and for businesses in the town.

16. Policy HOU5 Education and Health Care Facilities includes pre-school facilities and recommends that they should be well designed and well related to neighbourhood services, amenities and good public transport. This site is well located close to Stourbridge town centre and provides a valuable service for businesses and residents in and around Stourbridge
17. Given the above the proposed use would comply with the requirements of Policies CEN2 Hierarchy of Centres, CEN4 Regeneration of Town Centres and HOU5 Education and Health Care Facilities of the Black Country Core Strategy (February 2011). However, as stated in paragraph 14 of this officer report the proposed change of use should not conflict with any other relevant policies.

Access and parking

18. Hagley Road (A491) forms part of the strategic highway network. These roads are for long distance and strategic traffic. Street parking and direct frontage access will be kept to a minimum to ensure the effective flow of traffic, and the Council will give a high priority to improvements and traffic management measures to assist traffic flows.
19. There are 8 available parking spaces for the application site which is considered as sufficient for the staff potentially present at the site, which is estimated given the floor area to be 11. However, parking at the rear of the site doesn't represent a convenient drop-off and pick up point for parents. The width of the access road to the rear is 4.3m and which is short of the 5.5m which would be expected for two cars to pass safely. This could lead to vehicles having to reverse onto Hagley Road. The inconvenience of using the rear parking area would result in parents indiscriminately parking on Hagley Road, to the detriment of highway safety and the convenience of other highway users. It is noted that the applicant states that the access door to the

nursery facility is to the rear of the property and the doors presently located to the front would be utilised for emergency egress only. It is still considered however on balance that for convenience the patrons of the proposed use would still temporarily park on Hagley Road.

20. The proposal fails to provide a convenient drop-off and pick up facility, which will result in parents using Hagley Road, a strategically important highway to drop-off and pick up children. This activity would have a detrimental effect on highway safety contrary to Policy TRAN2 of the adopted Joint Core Strategy, Policies DD1 and DD4 of the saved Unitary Development Plan and the adopted Parking Standards SPD.

CONCLUSION

21. The proposal does not make provision for sufficient drop-off and pick up of children. This will result in vehicles being displaced onto the highway to the detriment of highway safety.

RECOMMENDATION

22. It is recommended that the application be refused for the following reason(s):

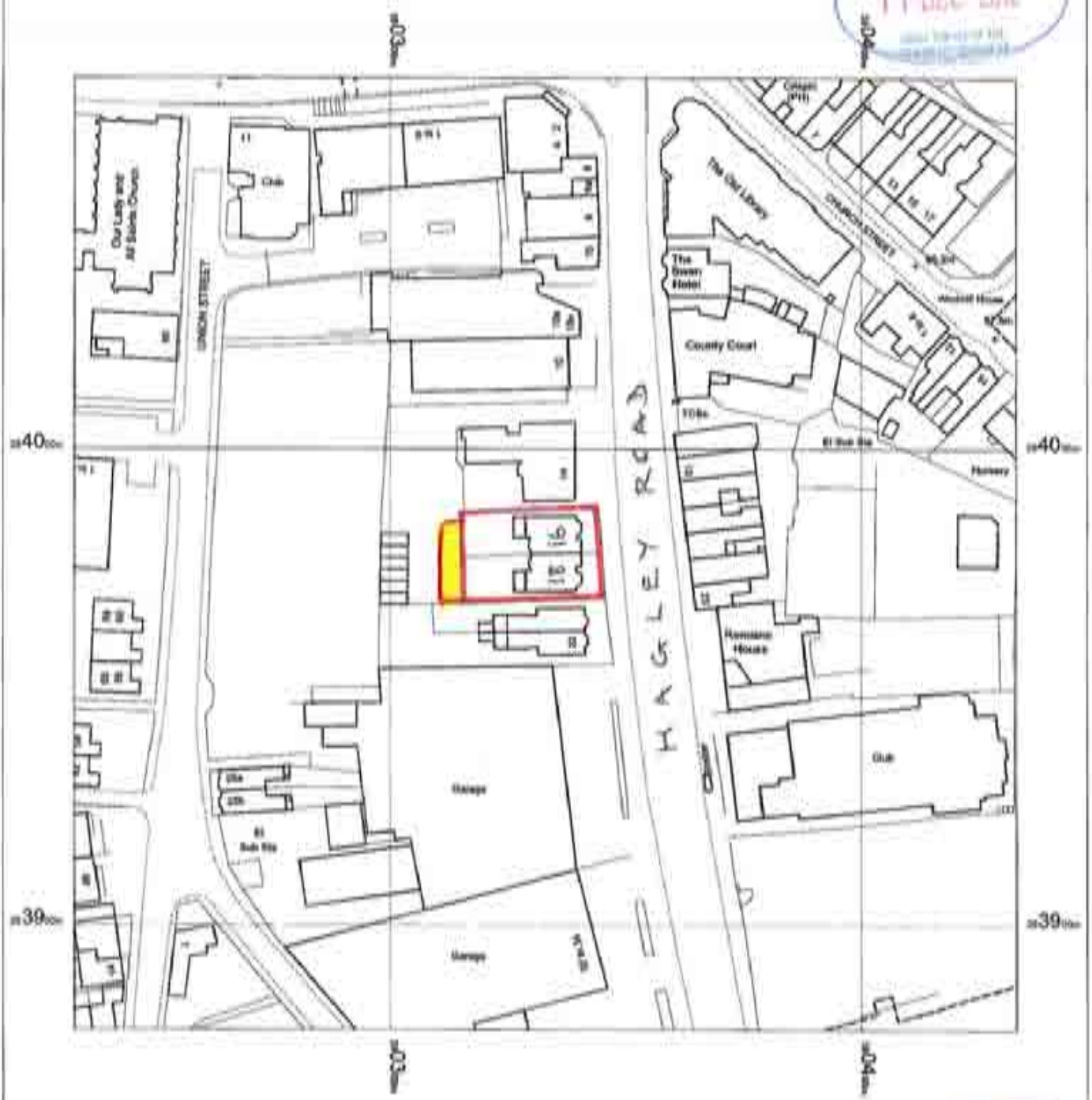
Conditions and/or reasons:

1. The proposed change of use does not make provision for sufficient drop-off and pick up of children and will result in vehicles being displaced onto the highway to the detriment of highway safety contrary to Policy TRAN2 of the Black Country Core Strategy (February 2011) and the adopted Parking Standards SPD.

Note to Applicant

The local planning authority is aware of the requirement of paragraph 186 and 187 in the National Planning Policy Framework to work with the applicant in a positive and proactive manner, seeking solutions to problems arising in relation to dealing with the application. In this case, after careful balanced consideration the Local Planning Authority considers that there are insurmountable technical issues in relation to highway safety that have not been satisfactorily resolved to demonstrate that the scheme would result in the creation of a sustainable form of development and thereby failing to improve the economic, social and environmental conditions of the area.

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11 DEC 2012



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- 3 DEC 2012



OS Mastermap
 27 November 2012, ID: BW1-00192888
www.blackwellmapping.co.uk
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