

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Ian Robinson	Variation of condition 3 of permission 11/0164 to extend opening times from 9am to 9pm Monday to Sunday including Bank Holidays Rear Of 186 - 210, New Road, Rubery, Worcestershire, B45 9JA	21.12.2015	15/0928

Councillor C. M. McDonald has requested that this application is considered at Planning Committee rather than being considered under Delegated Powers

RECOMMENDATION: That planning permission be Granted.

Consultations

Worcestershire Highways Consulted 27.10.2015

We have reviewed the application documentation and have concluded that the proposals are unlikely to significantly affect the operation or safety of the strategic road network. This is based on the low trip generation and minimal physical impact of the development on the M5. We are therefore not raising any objection to the application.

Worcester Regulatory Services- Noise, Dust, Odour & Burning Consulted 27.10.2015
No Comments Received To Date

Worcestershire County Council Countryside Service Consulted 27.10.2015
No Comments Received To Date

Worcester Regulatory Services- Light Pollution Consulted 27.10.2015
No Comments Received To Date

Relevant Policies

Bromsgrove District Local Plan 2004 (BDLP):

DS13 Sustainable Development
S20 Main Shopping Location

Others:

NPPF National Planning Policy Framework

Relevant Planning History

10/0062	The front office to be changed from B1 Office space to A1 Hairdressers.	Approved	04.03.2010
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10/0496	Use the building as car valeting.	Approved	09.09.2010
11/0164	Change of use of warehouse and office B1 to A1. Indoor market and cafe.	Approved	20.07.2011
11/0307	Non-illuminated fascia sign	Approved	27.05.2011
12/0161	Change of Use of adjacent security fenced compound area to accommodate temporary stalls for a produce market on Wednesdays and Saturdays.	Approved	17.05.2012

Assessment of Proposal

The site comprises a single storey building of brickwork and a flat roof with high level windows to the north and south sides. The site lies to the rear of a terrace of shops which front New Road and have residential units above with rear access balconies which overlook this site. Around the building is hard standing forming parking and delivery access to many of the units in this part of New Road. The site is accessed from New Road in a gap between the aforementioned terrace of shops and the co-op store and this access also leads to additional co-op parking at the rear.

The building in question appears to be split into 2 units, both of which appear to be occupied. Planning permission was given in 2011 for the whole building to be used for A1 retail and ancillary café uses subject to 6 conditions. Condition 3 required that the building only operate between 9am and 530pm Tuesday-Saturday. This application seeks an extension of these opening hours so that the units can operate between 9am and 9pm seven days a week.

In considering the application the significant factor is the additional impact on the surrounding occupiers and whether additional movement of people and traffic and their associated actions would warrant sufficient disruption to be harmful enough to refuse. This might be due to volume or to timings.

In this case, the surrounding area contains a mix of retail and residential uses and it is the latter that are of most concern. It is considered, however, that the additional days of the week would not be likely to lead to any difference in the type of use or its impacts, and it is also not considered that 9pm is sufficiently late relative to the consented 530pm that it would have a significant additional impact. The residential units over the New Road shops are considered unlikely to be harmfully affected by the additional hours of operation, and to the south of the site properties in Graham Crescent are screened from the site and any activities by a tall thick conifer hedge, as well as having a greater physical separation.

Therefore, due to distance, location and proposed hours, it is not considered likely that the additional operating hours would result in any significant harm to amenity.

RECOMMENDATION: That planning permission be Granted

Conditions:

- 1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004

- 2) The development hereby permitted shall be carried out in accordance with the Approved Plans and Drawings listed in this notice:

Location Plan at Scale 1:1250
Site Plan at Scale 1:500
Drawing Number 301 Elevations
Drawing Number 200A Ground Floor
Drawing Number 303 Shop front

and the details agreed in relation to conditions 4-6 of permission 11/0164.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 2) The use shall only operate between the hours of 09:00 hrs. and 21:00 hrs. on any day.

Reason: In the interests of the residential amenities of the area.

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