

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan Ref. Expiry Date
Mr Paul Larner 'A'	Proposed Change of use from warehouse and office (Class B1) to indoor market and ancillary cafe (Class A1). Rear of 186 - 210 New Road, Rubery.	Shopping	11/0164-HR 30.05.2011

**RECOMMENDATION:** that **DELEGATED POWERS** be granted to the Head of Planning and Regeneration Services to determine the application following the expiry of the publicity period on 25<sup>th</sup> May 2011.

### **MINDED TO APPROVE**

**Councillor P. M. McDonald has requested that this application be considered by the Committee, rather than being determined under delegated powers.**

### Consultations

Worcestershire Highways 14.04.2011 - No objection subject to the imposition of a condition relating to the submission of parking /unloading details to be approved in writing by the Local Planning Authority

Strategic Planning 14.04.2011 - No objection.

Economic Development 14.04.2011 - No objection.

Ramblers Association 14.04.2011 - No comments received.

Public Rights of Way 14.04.2011 - No objection.

Environmental Health 04.05.2011 - No objection subject to the imposition of conditions relating to noise attenuation measures and odour.

Community Safety 04.05.2011 – No objection subject to the Highways Officer being satisfied that sufficient parking can be accommodated

Publicity Site Notice Posted 21.04.2011 expires 13.04.2011  
Press Notice Posted 21.04.2011 expires 13.04.2011  
3 letters sent 14.04.2011 expire 06.05.2011  
36 additional letters sent 04.05.2011 expire 25.05.2011.  
No response received.

### The site and its surroundings

The application site relates to a small single storey warehouse and office unit (Class B1) located to the rear of shops and services occupying 186 to 210 New Road, Rubery. The unit shares the building known as the Nexus Centre with a hair salon. The site area is approximately 0.076 ha.

To the north of the site is a driveway providing rear access to the retail units on the parade and balcony access to the residential units located above.

Residential dwellings are situated along Graham Crescent located to the south the site. A garage is situated to the east of the site, retail units to the west of the site and a car park is located to the south west of the site.

The site is located within a Shopping Area as defined in the Bromsgrove District Local Plan 2004 though the car park area shown on the location plan is within a Residential Area.

### Proposal

It is proposed to change the use from an existing warehouse and office unit to indoor market and ancillary cafe. The existing use falls within the B1 category of the Town and Country Planning Use Classes Order 1987 (as amended) and the proposed use is an A1 with an incidental A3 use.

The proposed hours of opening would be 9am to 5.30pm (Tuesday to Friday) and 9am to 2pm (Sundays and Bank Holidays).

External alterations are proposed as part of this application. To the south elevation, the existing shutters would be removed and fire escape doors installed for the proposed indoor market and for the proposed café/kitchen. To the north elevation, the existing fire escape would be removed and a window for the café is proposed. To the west elevation, a new roller shutter (which would replace the existing), automatic doors and a non illuminated sign is proposed. A 2m (H) security fence is proposed to the east and west elevation.

### Relevant Policies

WMSS	UR3
WCSP	SD.9, D.34
BDLP	DS13, S21, RUB2, TR11
DCS2	CP3, CP10
Others	PPS1, PPS4

### Relevant Planning History

10/0062	The front office to be changed from B1 Office space to A1 Hairdressers – granted 04.03.2010
10/0496	Use the building as car valeting – granted 09.09.2010
06/0209	To erect 2 short runs of 2m high fencing to small area of land adjacent to main building – granted 24.04.2006

## Notes

The advice of the Council's Strategic Planning Section has been sought in relation to the proposal's acceptability in policy terms

The site is situated within the designated shopping area of Rubery in the Bromsgrove District Local Plan. As such retail development is seen as appropriate in this location.

Policy RUB2 provides that all retail uses within Classes A1 - A5 of the Town and Country Planning (Use Classes) Order 1987 (as amended) will be acceptable in Rubery's designated Shopping Area.

In accordance with policy RUB2 proposals for retail development on the ground floor are acceptable. This also includes ancillary A3 use, which is proposed as part of the development. The District Council will only allow retail proposals which are capable of being integrated within the existing frontages and which do not extend the shopping area. The proposal is not contradictory to this policy.

Relevant national policies include PPS1 Delivering Sustainable Development and PPS4 Planning for Sustainable Economic Growth.

The proposal would conform to PPS4 as it would encourage sustainable economic growth, promote sustainable patterns of development, encourage retail diversity and facilities and provide real consumer choice and competition.

On this basis, the proposed use is considered to be acceptable in principle.

I therefore consider that the main issues to address are those arising from the proposal's impact on the surrounding residential properties and would the proposal have a detrimental impact in terms of parking arrangements

## Residential Amenity

The proposal has potential to create noise and odour through customer / staff activity, fume extraction and air conditioning mechanisms. It is considered that this may be a nuisance to the occupiers of the surrounding residential properties. The Environmental Health department have been consulted on the proposal. No objection subject to the imposition of conditions relating to noise attenuation measures and odour created by the proposed use.

## Parking

The Community Safety Officer has no objection to the proposal subject to the Highways Officer being satisfied that sufficient parking can be accommodated.

The site is situated within an accessible and sustainable location and therefore the Highways Officer has no objection to the proposed parking area arrangement subject to the imposition of a condition relating to the submission of parking /unloading details to be approved in writing by the Local Planning Authority.

I therefore conclude that the proposal would be acceptable and I am therefore minded to approve consent.

**RECOMMENDATION:** that **DELEGATED POWERS** be granted to the Head of Planning and Regeneration Services to determine the application following the expiry of the publicity period on 25<sup>th</sup> May 2011.

**MINDED TO APPROVE.**