

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan Ref. Expiry Date
Mr. S. Smith 'A'	Renovation of an existing dwelling into 1 no. commercial unit (Use Class A1), 2 no. 1 bedroom flats with on site parking - 25 Alcester Road, Lickey End, Bromsgrove, B60 1JT	GB	11/0568-SC 02.09.2011

RECOMMENDATION: that permission be **GRANTED**.

Councillor M. J. A. Webb has requested that this application be considered by the Committee, rather than being determined under delegated powers.

Consultations

WH	Consulted - view received 19.08.2011: No objection s.t.c
WMC	Consulted - view received 20.07.2011 - "This is a low crime area. This development will not have a significant impact on crime and disorder in the area."
CSO	Consulted 15.07.2011 - no comments received as yet.
EDO	Consulted 15.07.2011 - no comments received as yet.
CO	Consulted 15.07.2011 - no comments received as yet.
Publicity	5 Neighbour notification letters posted 21.07.2011, expire 11.08.2011

15 Letters of objection received from 20 individuals raising the following concerns:

- Insufficient parking to service proposed development.
- Concern that traffic generated by the proposed development will exacerbate current inappropriate parking leading to highway safety issues.
- Concern that road is already congested and that additional traffic generated by the proposal will increase this problem for local residents and cause highway safety issues for the many elderly and young people in the area (a lady was knocked over in recent years).
- Proposal will devalue value of local properties.
- Additional commercial unit may be a target for crime.
- Additional commercial unit will create additional litter.
- Proposal will create additional air / noise pollution.
- No space provided for bins or refuse collection.
- Concern that emergency vehicles can not access site.
- Concern that emergency escape routes from dwelling not provided.
- Concern that commercial unit will become a take-away.

Two signed petitions received:

Petition One - Residents of Alcester Road (39 Signatures, representing 28 households) - Received 09.08.2011

"We the undersigned wish to formally object to the proposed developments at 25 Alcester Road on the basis of the following:

- Increase in traffic along what is already a very busy residential road and the impact of this on both local residents and pedestrians.
- Insufficient parking to accommodate both customers and staff working at the proposed commercial unit which will exacerbate the parking problems that already exist along the road.
- Increase in hazard on the road through customers or staff regularly driving on and reversing off the proposed parking area in front of the commercial unit and onto the carriageway."

Petition Two - Committee Members and users of the Working Men's Club of Alcester Road (24 Signatures, representing 23 households) - Received 09.08.2011

"We the undersigned wish to formally object to the proposed developments at 25 Alcester Road on the basis of the following:

- Increase in traffic along what is already a very busy residential road and the impact of this on both local residents and pedestrians.
- Insufficient parking to accommodate both customers and staff working at the proposed commercial unit which will exacerbate the parking problems that already exist along the road.
- Increase in hazard on the road through customers or staff regularly driving on and reversing off the proposed parking area in front of the commercial unit and onto the carriageway."

The site and its surroundings

The application site is located at the northern end of Alcester Road, Lickey End. The site is presently occupied by two ground floor commercial units (a convenience store and a hairdressers), a two-bedroom flat and a six-bedroom dwelling. The retail element of the site currently occupies the northern two-thirds of the ground-floor of the building. The building was extended by permission B/2002/1365 with the addition of a first floor side extension and three roof dormers. To the north of the building, a driveway provides access to an area of parking serving both the application site and three recently constructed dwellings to the rear. Directly to the north of the application site is the Lickey End Social Club. Residential properties are located directly to the south of the application site and also across the highway to the west. The building is set back from the highway by approximately 5m and this set back provides two parking spaces accessed via dropped curbs. The facing highway is a classified B road (B4096) and the site is located approximately 180m to the south of the nearby motorway junction (M42 Junction 1).

The application site is located within an area designated as residential by the BDLP 2004.

Proposal

This application proposes to convert the existing six-bed residential unit into a ground floor commercial unit (Use Class A1) of 19.8 sq m and two one-bedroom apartments located across the first and second floors.

Limited external changes are proposed and the main visual change will be the introduction of a commercial premises style frontage, similar to the two existing commercial frontages immediately to the north, in place of the current brick finish and bow window. This new frontage will consist of a doorway, window and fascia, with a painted rendered finish to match the existing commercial premises.

Access to the new flats is to be via the existing recessed entry to the six-bed dwelling, set back 7.1m from the main frontage adjacent the residential properties to the south. Lounge, kitchen and bathroom for both proposed flats are accommodated at first floor level and bedrooms are to be located at second floor level. The existing residential courtyard is to be retained to the rear of the property. The ground floor kitchen and WC will be retained within the rear of the building; however, no use is specified at this point.

Relevant Policies

WMSS	QE3
WCSP	CTC.1, SD.1, SD.3, SD.4, SD.5, T.1, T.2, T.4, D.43
BDLP	DS13, S8, S19, S20, S25, S26, E9, TR8, TR11, TR12, TR13
Draft CS	CP3, CP14, CP11
Others	SPG1, SPG2, PPS1, PPS3, PPS4, PPG13

Relevant Planning History

B/1494/1975	Change of use of lounge / dining room to form extension to shop - Granted - 15.09.1975
B/2633/1976	Extension to rear of dwelling to form kitchen and bathroom - Granted - 13.08.1976
B/4946/1978	Conversion of lounge / dining room to shop area - Granted - 17.07.1978
B/8924/1981	Extension to shop and resiting of garage - Granted - 01.06.1981
B/9413/1981	First floor extension to shop for storage of general goods - Granted - 04.01.1982
B/2002/1365	Alterations to retail area to form an additional unit, form separate living accommodation over and provide 3 dormer windows - Granted - 20.05.2003
B/2003/1544	Three No. 2-bed terraced houses with associated parking and access - Granted - 12.01.2004
B/2004/1454	Dropped kerb for vehicular access - Granted - 13.01.2005
10/0763	The renovation of an existing domestic dwelling into 1 No. commercial unit, 2 No. 1 bedroom flats and 1 no. bedroom apartments with on site parking - Withdrawn - 25.10.2010

Notes

This application raises a number of key issues:

1. Whether the principle of developing of an additional commercial unit is acceptable in this location;
2. Whether the proposal would unduly harm the amenities of neighbouring occupiers;

3. Whether the proposal would prejudice the safety or proper functioning of the highway; and
4. The impact of the proposal on the character and visual amenity of the area.

The Principle of Development

The application site is located within a designated residential area and outside of any designated shopping or commercial area. As such, I am satisfied that the principle of residential development in this location is acceptable.

In relation to the proposed commercial unit, national planning policy PPS4: Planning For Sustainable Economic Growth, paragraph EC10.1, requires local planning authorities to adopt a positive and constructive approach towards planning applications for economic development. Planning applications that secure sustainable economic growth should be treated favourably.

Local plan policy DS3 aims to centre the majority of growth in the district on the urban area of Bromsgrove, which has the majority of the population and is well served by existing public transport networks including the railway station. It is noted, however, that PPS4 supports small scale economic development in local centres.

It is noted that whilst the application site is outside of a designated commercial or shopping zone, there is a longstanding history of retail use at this site and given the diminutive size of the proposed additional unit, it is not considered that the proposal would negatively affect the vitality and viability of the Bromsgrove Town Centre.

It is viewed that the small scale of the commercial unit proposed is unlikely to be suitable for comparison goods retail space and could reduce unnecessary trips to a major centre, whilst not being of such a scale to attract visits from outside the local area. The existing commercial units provide a local service that can be accessed by sustainable transport (walking / cycling) and the provision of bicycle parking is recommended to be secured via condition.

In consideration of the above, given the longstanding history of commercial units at this site, it is viewed that a further small scale retail unit in this location could provide sustainable economic benefits of a local nature, in accordance with PPS4, and therefore represents an acceptable development, in principle, at this location.

Residential Amenity

Although there is a longstanding history of commercial units at the application site, the site is located in a residential area as defined in the BDLP 2004 and is in particularly close proximity to No. 127 Alcester Road on the southern boundary. Having regard to policy S19 of the BDLP, the District Council will not allow land use that would adversely impact on residential amenity.

Members will note that this proposal has generated a significant number of objection letters from nearby occupiers and two signed petitions submitted in objection to the proposal.

The application proposes an A1 use (Shops) for the additional commercial unit in accordance with the existing commercial units at the site. The A1 use class includes uses such as, convenience stores, post offices, sandwich bars, dry cleaners, travel agents and hairdressers. Such uses are unlikely to generate significant environmental impacts (noise / smells etc) for nearby residents and it is common to have class A1 uses in close proximity to residential properties. Additionally, it is unlikely that extended opening hours for such uses would be required and this aspect of any permission granted could be conditioned to ensure appropriate hours of operation. I consider that noise and disturbance arising from the coming and going of customers and delivery vehicles can be controlled through the use of a condition restricting the opening hours of the unit.

Letters of objection raised specific concerns in relation to litter, refuse collection and crime. Members will note the consultation response of West Mercia Police in relation to the low crime rate of the area and the view that the proposal will not generate a significant impact on crime or disorder. Similarly, I view that litter generated by the proposal would not be significant and the control of carelessly dropped litter is outside of the remit of the planning system. I am satisfied that there is sufficient space within the application site for refuse collection to be managed sensibly without harm to the amenity of local residents.

Highway Impact

Members will note the significant concerns this proposal has generated in relation to its implications for parking, highway safety and the proper functioning of an already busy road. Policy TR11 of the BDLP states that the Council will require development proposals to incorporate sufficient off-street parking. Parking space standards are set as a maximum rather than the minimum. The use of minimum standards is in accordance with Planning Policy Guidance 13: Transport and is designed to reduce travel by private car in favour of more sustainable forms of transport.

The Highways Engineer has been consulted and has not raised an objection in relation to the proposal.

The site is presently occupied by 2 commercial units, one two-bed flat and a 6 bed house, this provides a car parking requirement of 3 spaces for the commercial units, 1 space for the flat and 3 spaces for the house. By comparison the current application would result in 3 commercial units, one two-bed flat and two two-bed flats with a parking requirement of 4 spaces for the retail and 3 spaces for the flats. In the existing and proposed scenario 7 spaces are required. Therefore there is no increase in car parking demand. Also in practical terms there is 5 car parking spaces to the rear of the site and 2 formal spaces to the front, 1 additional space could be provided by altering the kerb, but this is not required to make the application acceptable.

It is accepted that small retail units may create more demand for car parking than can be practically provided. However, the existing shops are local facilities that the local community can access through sustainable travel means such as walking and cycling in accordance with PPG13. PPG13 guides that the provision of car parking should be limited to encourage such sustainable travel methods. The car parking standards for retail developments are maximum standards and when considering the additional commercial space in this application, a maximum of 1 space is required and this is already available.

It would not be appropriate to provide parking facilities to provide for the peak hour parking need.

The Highways Engineer is of the view that as the required parking standard is not changed by the current application and is already available, a highway refusal reason could not be substantiated as the application will not result in the displacement of vehicles onto the carriageway. Conditions are recommended to ensure that appropriate cycle storage is provided for the proposed commercial unit and the additional flats for commuting and leisure purposes.

Having regard to this specialist advice, though I note the significant concerns in relation to parking and highways safety, I am satisfied that the proposal will be appropriately serviced from a parking perspective and will not be detrimental to the proper functioning or safety of the highway. As such, I consider the proposal to be in accordance with policy TR11 BDLP.

Visual Amenity

As noted earlier, the proposals introduce limited external changes. The introduction of the new shop frontage, given adjacent retail units, does not raise concerns and is not viewed to introduce an incongruous element into the street scene.

Conclusion

In consideration of the above, it is viewed that the residential and commercial elements of this proposal are acceptable by virtue of the small scale nature of the commercial unit proposed in the context of an existing mixed use residential and commercial site. The proposal does not increase the existing parking requirement of the site and the impact on the amenities of nearby residents can be satisfactorily limited through the use of suitable conditions. I therefore recommend that planning permission be granted.

RECOMMENDATION: that permission be **GRANTED**.

Conditions:

1. **C001** (Standard time - three years)
2. **C001A** (In accordance with approved plans)
3. **HC35** (Cycle parking - single unit)
4. **HC36** (Cycle parking - multi unit)
5. **The commercial unit hereby approved shall only be open between the hours of 08:30 and 18:00 hours Monday to Saturday and 10:00 to 16:00 on Sundays and bank holidays.**

Reason: To protect the amenity of nearby residential occupiers in accordance with policies DS13 and S19 of the Bromsgrove District Local Plan 2004.

Notes

This decision has been taken having regard to the policies within the West Midlands Spatial Strategy, the Worcestershire County Structure Plan (WCSP) June 2001 and the

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Bromsgrove District Local Plan January 2004 (BDLP) and other material considerations as summarised below:

WMSS	QE3
WCSP	CTC.1, SD.1, SD.3, SD.4, SD.5, T.1, T.2, T.4, D.43
BDLP	DS13, S8, S19, S20, S25, S26, E9, TR8, TR11, TR12, TR13
Draft CS	CP3, CP14, CP11
Others	SPG1, SPG2, PPS1, PPS3, PPS4, PPG13

It is the Council's view that the proposed development complies with the provisions of the development plan and that, on balance, there are no justifiable reasons to refuse planning permission.