

Report for information

Appeal made against the refusal of Planning Permission

Appeal Ref: APP/P1805/A/12/2168097

Planning Application: 11/0776

Proposal: Change of use from existing office usage to A3 hot food restaurant.

Location: 74 Worcester Road, Hagley, Stourbridge, DY9 0NJ

Decision: The appeal was **dismissed**.

The author of this report is Stuart Castle who can be contacted on 01527 881339 (email: s.castle@bromsgrove.gov.uk).

Discussion

The main issue in this case was the effect of the proposed development on the living conditions of the occupiers of adjoining property, having regard to any noise and disturbance arising from the use of the car park.

The Inspector concluded that:

Despite the presence of the intervening wall between the site and the adjoining property, the level of customer activity in the car park would, with regular comings and goings, engine noise, closing of car doors and voices, create significant additional noise close to neighbouring property. The wall would not be high enough to screen the first floor windows of the nearby dwelling, 1 Kidderminster Road. I accept that the current proposal is different from the earlier appeal in that the size and intensity of the proposed business would be less. However, a popular restaurant is likely to generate a significant level of disturbance at a time when local residents can reasonably expect a more peaceful environment and the amendments to the previous proposals are not sufficient to outweigh the harm to residential amenity likely to be caused.

Appeal Outcome

The appeal was **DISMISSED**.

Recommendation

The Committee is asked to RESOLVE that this item of information is noted.