

<p>Mr Singh 54 Surfeit Hill Road Cradley Heath B64 7EB</p>	<p>Proposed external alterations, ground and first floor extensions to create 3 self-contained flats, and conversion and extension of existing ground floor shop storage room into separate self-contained shop (Use Class A1). 54 Surfeit Hill Road Cradley Heath B64 7EB</p>
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Date Valid Application Received: 13th March 2019

1. Recommendations

Refusal

The proposed development is over intensive and contrary to the National Planning Policy Framework in that the increased demand for the parking of vehicles associated with the proposed developments cannot be provided on site.

2. Observations

At your last Committee, Members resolved to visit the site. This application has been brought to the attention of your Committee as the proposed scheme has received significant interest from residents.

The Application Site

The application site is situated on the eastern side of Surfeit Hill Road, Cradley Heath. The application relates to the former Bull Terrier Public House, now a retail unit known as The Happy Shopper. The surrounding area is residential.

Planning History

In 2015 the former public house changed to a retail shop. Since then, various uses have been applied for and refused due to highway safety issues or due to the impact on the private amenity of residents.

Current Application

The applicant proposes some external alterations, including ground and first floor extensions to create 3 additional self-contained flats (currently the site has one), and conversion and extension of the existing shop storage room into a separate self-contained shop (use class A1 (shops)).

The extension would be of irregular shape and measure a maximum width of 27.8m, a maximum depth of 13.1m with a maximum height of 8.8m. The proposed opening times of the shop are Monday till Sunday 07:00 – 22:00 hours (including bank holidays).

The internal size of the flats complies with the Council's minimum standards.

Publicity

The application has been publicised by neighbour notification letters with objections and one neither objecting or supporting the application being received. These comments can be summarised as;

- i) Any removal of trees would have a negative impact on the privacy of the bungalows behind the shop, the trees support wildlife such as bats;
- ii) The proposal would increase the noise and activity in the area from users of the new retail unit and from the occupiers of the proposed flats;
- iii) The number of flats for the site is excessive and is over intensive;
- iv) Can the existing drainage cope with the intended change of use?
- v) The proposed uses would lead to the increased in the demand for parking and concerns have been raised over the amount of onsite parking that can realistically be

achieved. This will potentially lead to residents and customers parking on the street;

- vi) Yellow lines and speed humps outside the shop and opposite number 39 and 41 are requested to ensure the safety of pedestrians attempting to cross the road;
- vii) Customers from the existing site throw rubbish on the ground, and by having another shop this would make the situation worse; and
- viii) Concerns that if the shop is granted, a further application will be submitted for a hot food takeaway as per the 2015 refused application.

Comments in support;

- i) The proposal would offer affordable housing within the local area;
- ii) A further retail shop in the area would be useful to the residents; and
- iii) No hot food takeaway is not being applied for.

Statutory Consultee Responses

The Council's Highways Department do not consider that the number of spaces shown on the plan can be accommodated on site. They have suggested a survey be carried out to assess if the site can cope with the extra demand for parking. At the time of writing this report no survey has been carried out.

Environmental Health (Air Quality Team) have recommended a condition be attached to any approval requiring the provision of electrical vehicle charging points that would serve the residents of the proposed flats.

Environmental Health (Air Pollution and Noise) requires further information by way of condition. They require a comprehensive noise impact assessment with any mitigation measures including upgraded glazing and ventilation to be provided and retained, in order to protect future residents from noise derived from the commercial premises below.

Environmental Health (Contaminated Land) have recommended the condition, that, if contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Planning Authority. An investigation and risk assessment must be undertaken, and where remediation

is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

The Council's Transport Planner states the site should provide cycle parking where currently none exists on site.

Planning Policy have raised no objections and stated that the proposal will be CIL liable.

The Access Alliance comments relates to matters concerning Building Regulations.

Responses to objections

The responses to the objections received are as follows;

- i) There are many trees that bound the site. None of these are covered by a Tree Preservation Order nevertheless it is accepted that they provide a good screen from the existing premises and would do with the current proposal;
- ii) The increase in the number of flats and the creation of a new store is bound to increase the activity on the site,
- iii) Increasing the number of flats on the site will (as per submitted drawing no: 101/8) require half of the site's parking provision to be provided for the flats. This could potentially lead to conflicts between occupiers of the flats, shoppers and the existing residents on Surfeit Hill Road all seeking parking spaces,
- iv) This is a building regulations matter,
- v) See reason iii) above;
- vi) Residents need to raise this with the Council's Highway Department for investigation;
- vii) A condition could be attached to any approval requiring the provision of extra bins on the site to encourage customers to use them before leaving the site. However, the control of what people do with their rubbish is out of the applicant's control; and
- viii) Any proposal for a hot food takeaway on site will need a further planning application.

Planning Policy and Other Material Considerations

The Council's Site Allocations Document policy H2 classes the site as a housing windfall as the application is on a site of previously developed land. However, whilst compliant with the

above policy, the proposal would create an additional three flats meaning the number of bedrooms on site rises from three to nine, thus, increasing the demand for parking. The addition of the extra shop will also intensify the need for off-street parking.

The submitted plan (101/8) demonstrates how the two existing car parks on either side of the building would be shared. The plans have tried to demonstrate how the site can operate, yet these plans are not to scale, and when counting the existing spaces on site to that of what is proposed, there is a significant difference, which raises concern over the provisions within the National Planning Policy Framework.

Paragraph 109 of The National Planning Policy Framework 2018 states that *development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*

A parking demand survey has been requested to demonstrate the existing and future parking requirements. No such survey has been provided.

Conclusion

Therefore, based on the current information provided there is a potential for the development to have a significant highway safety impact on the road network.

I therefore recommend this application for refusal.

3. Relevant History

DC/17/61125 - Retention of self-service launderette facility to rear of car park. Refused 15.01.2018

DC/17/60451- Proposed single storey side extensions/conversion to create hot food takeaway (A5 use) with ancillary extraction equipment. Refused 26.05.2017

DC/15/58846 - Proposed single storey side extension to create a hot food take-away (A5 use), with additional parking. Refused 16.09.2016

DC/15/57862 - Proposed conversion to retail shop, installation of new shop front with roller shutters and ramped access, and single storey side extension, and 3 No. refrigeration units to rear.
GC 11.06.2015

4. Central Government Guidance

National Planning Policy Framework promotes sustainable development

5. Development Plan Policy

ENV3 – Design Quality

ENV5 – Flood Risk, Sustainable Drainage Systems and Urban Heat Island

ENV7 – Renewable Energy

ENV8 – Air Quality

H2 – Housing Windfalls

EOS9 – Urban Design Principles

6. Contact Officer

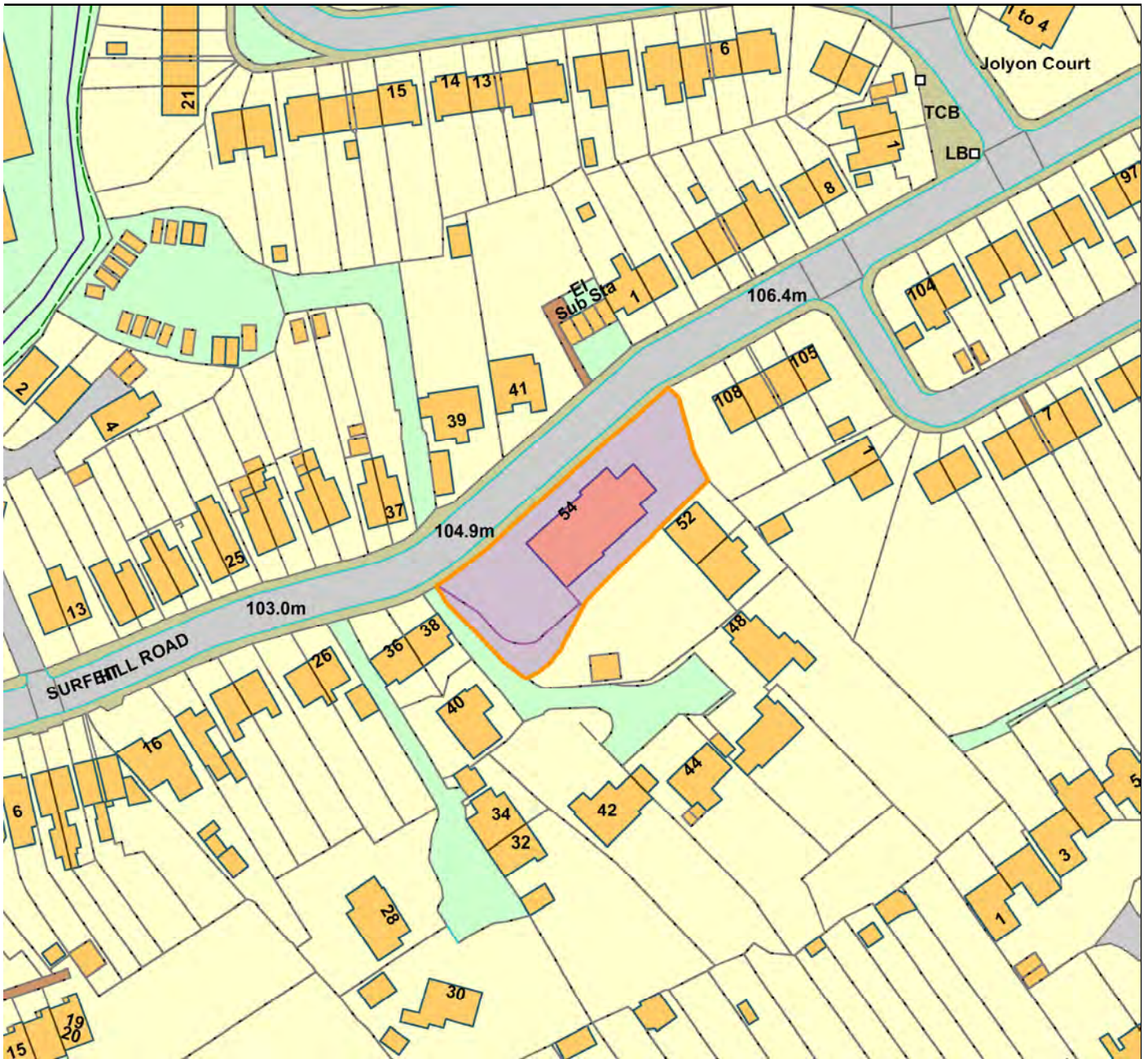
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DC/19/62906

54 Surfbit Hill Road, Cradley Heath



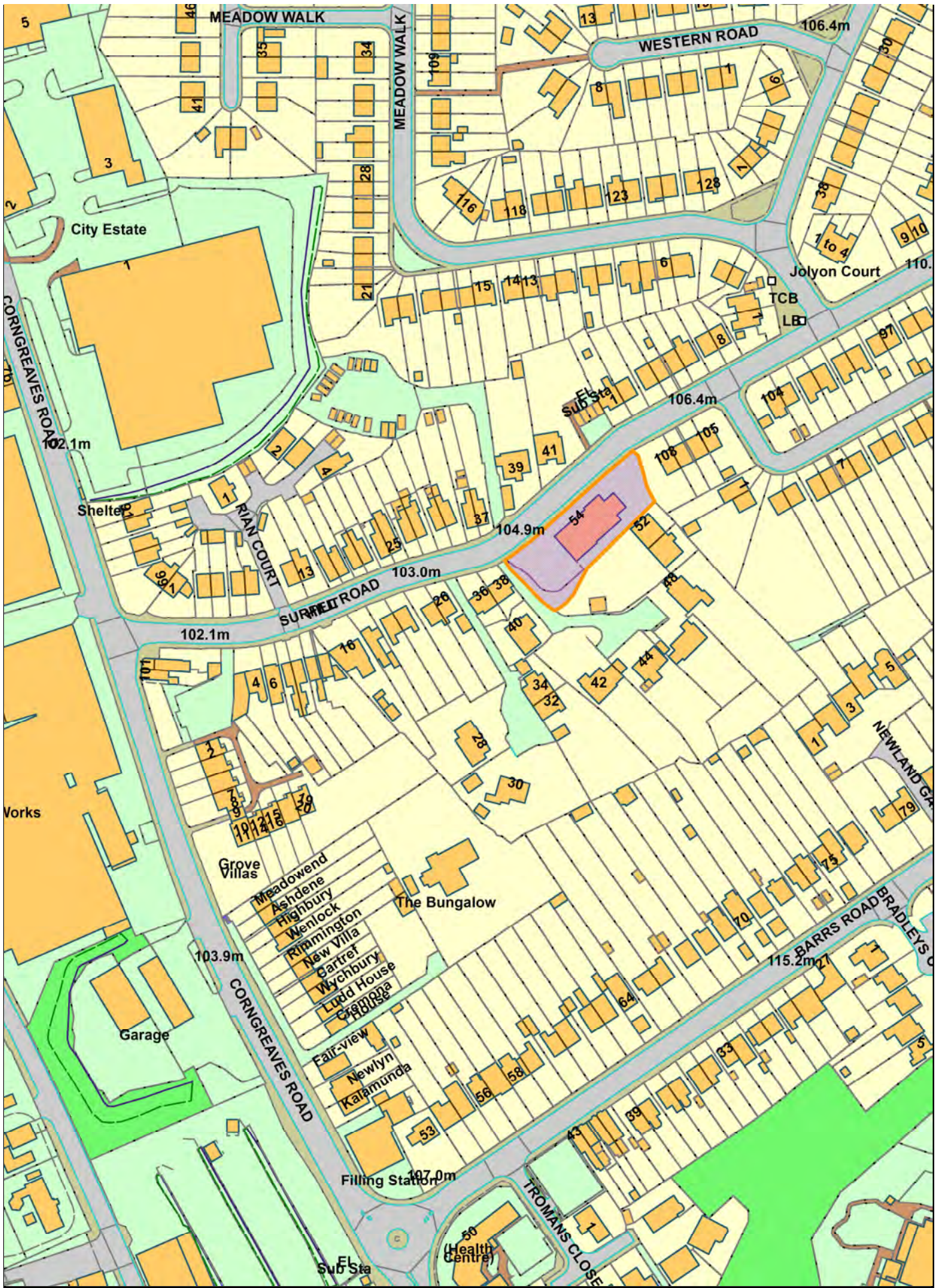
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Date	24 April 2019
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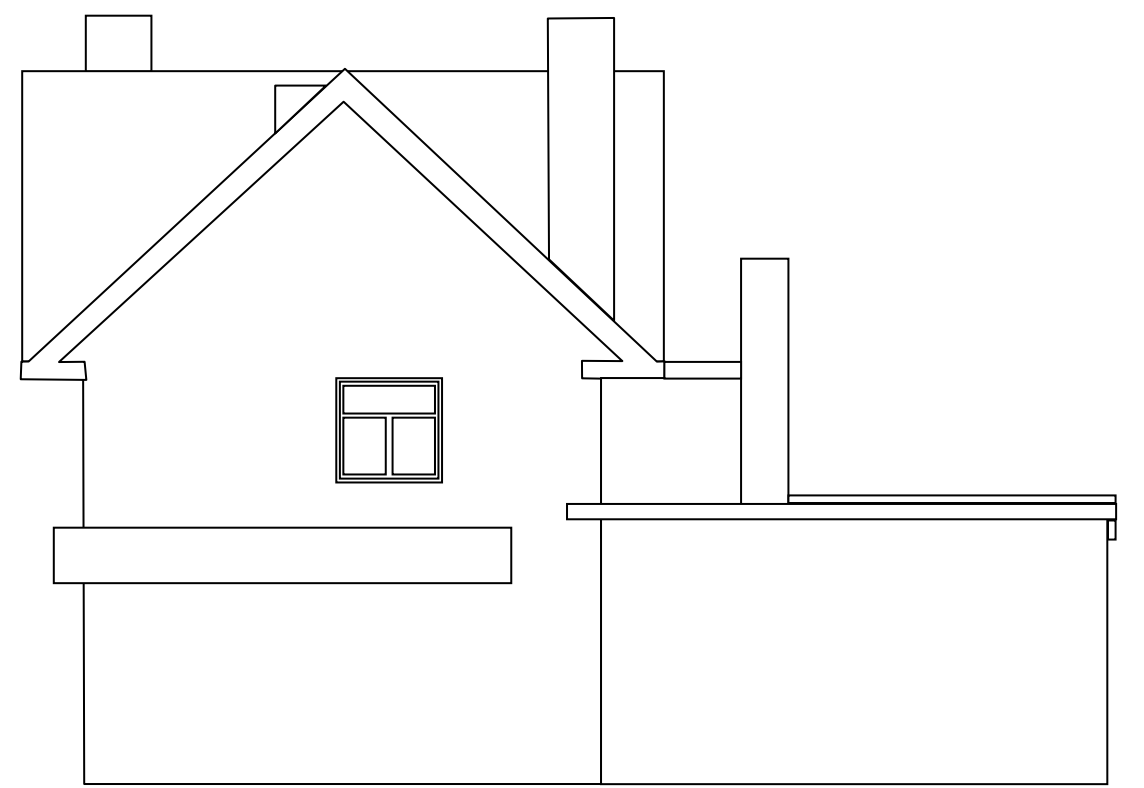
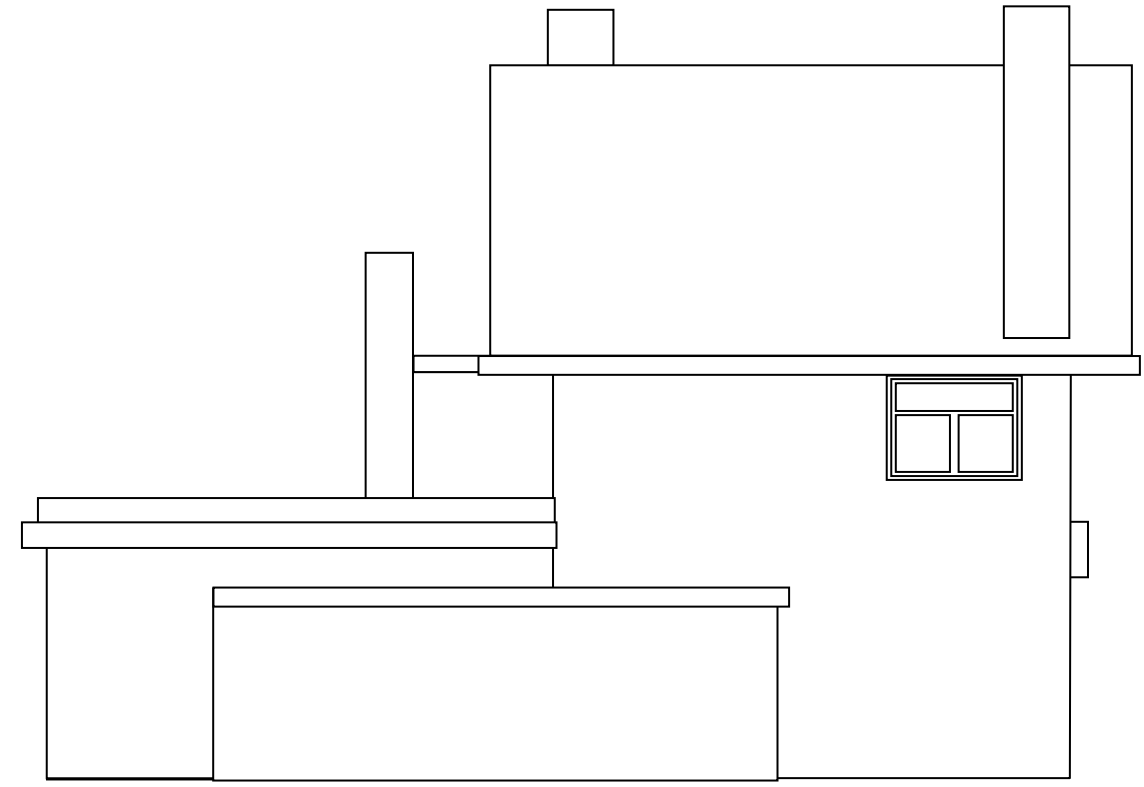
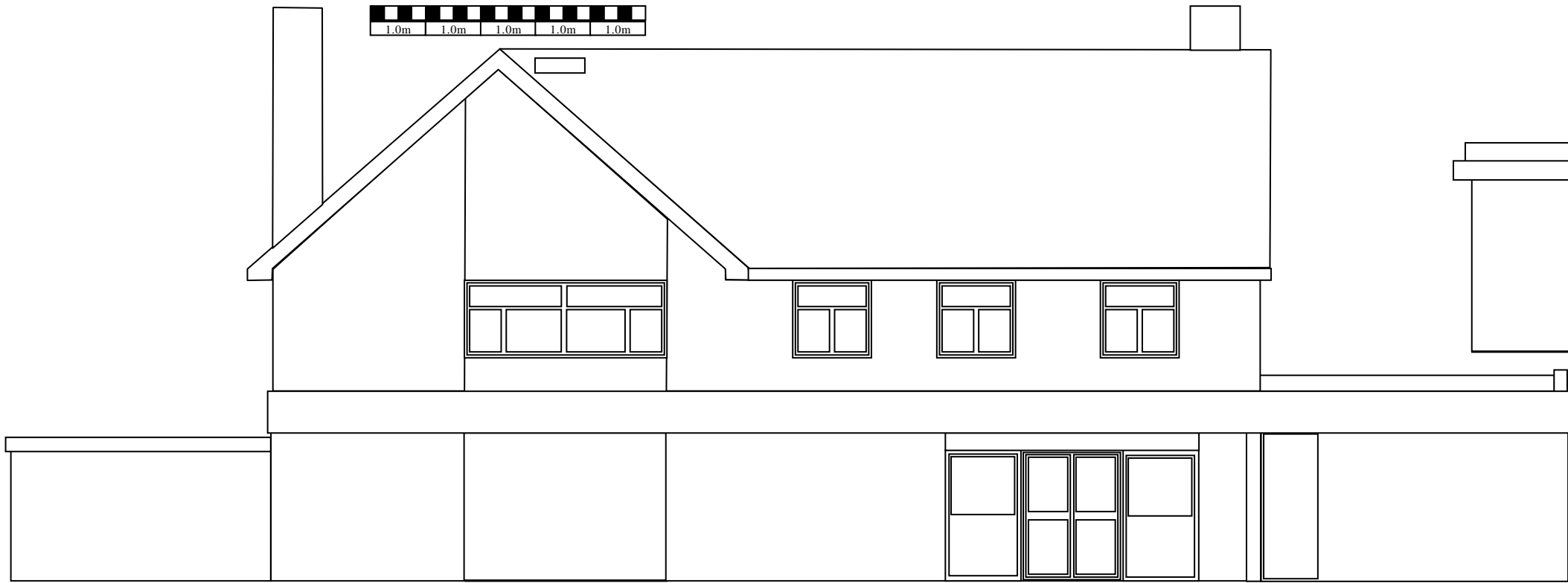
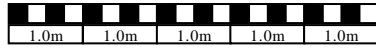
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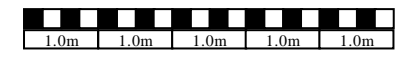
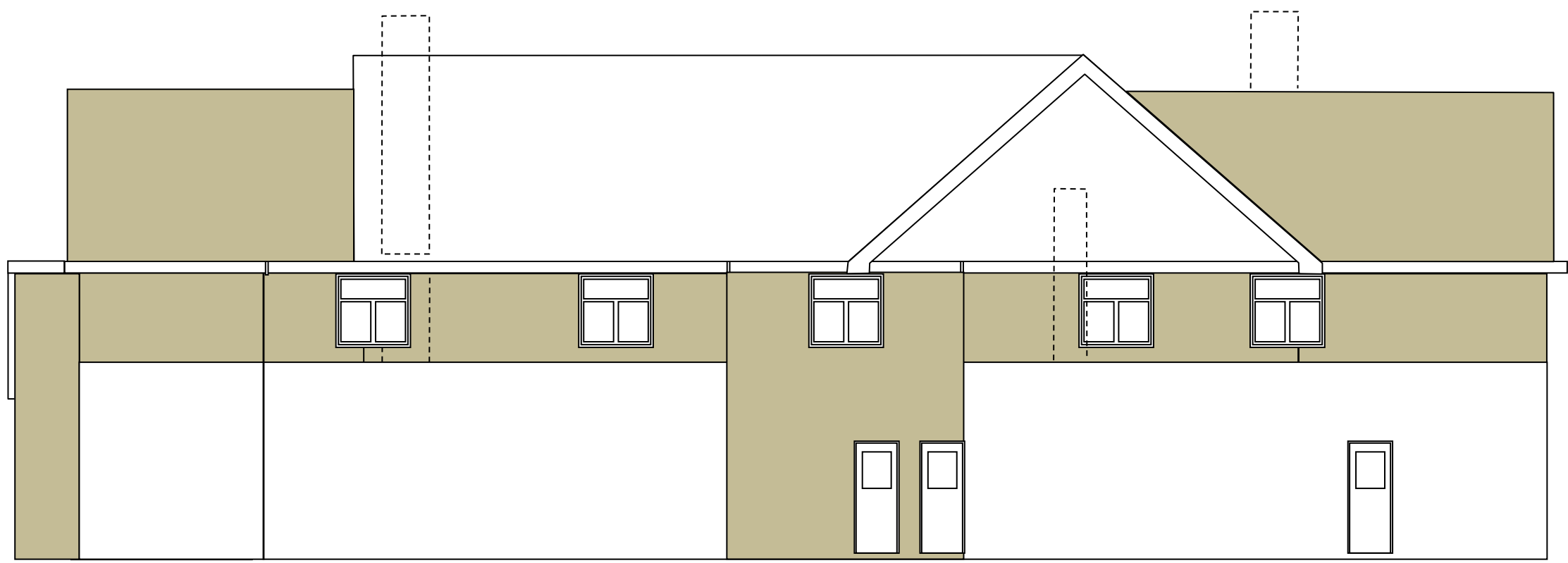
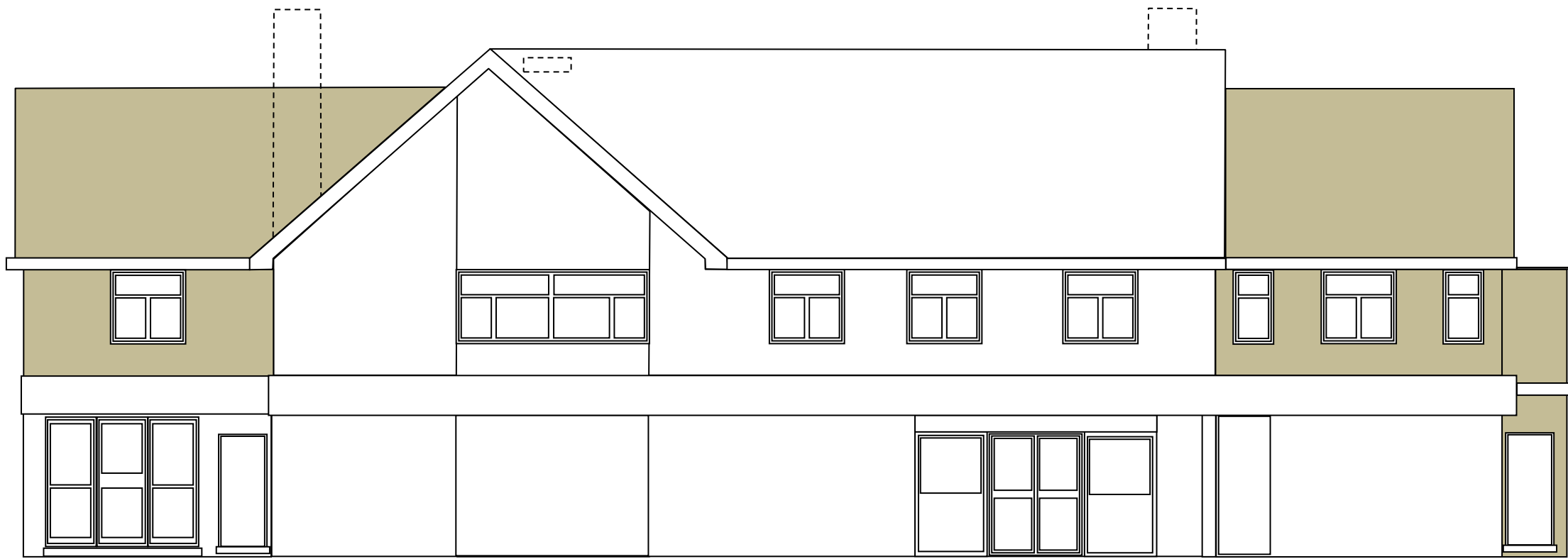


EXISTING ELEVATIONS

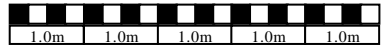
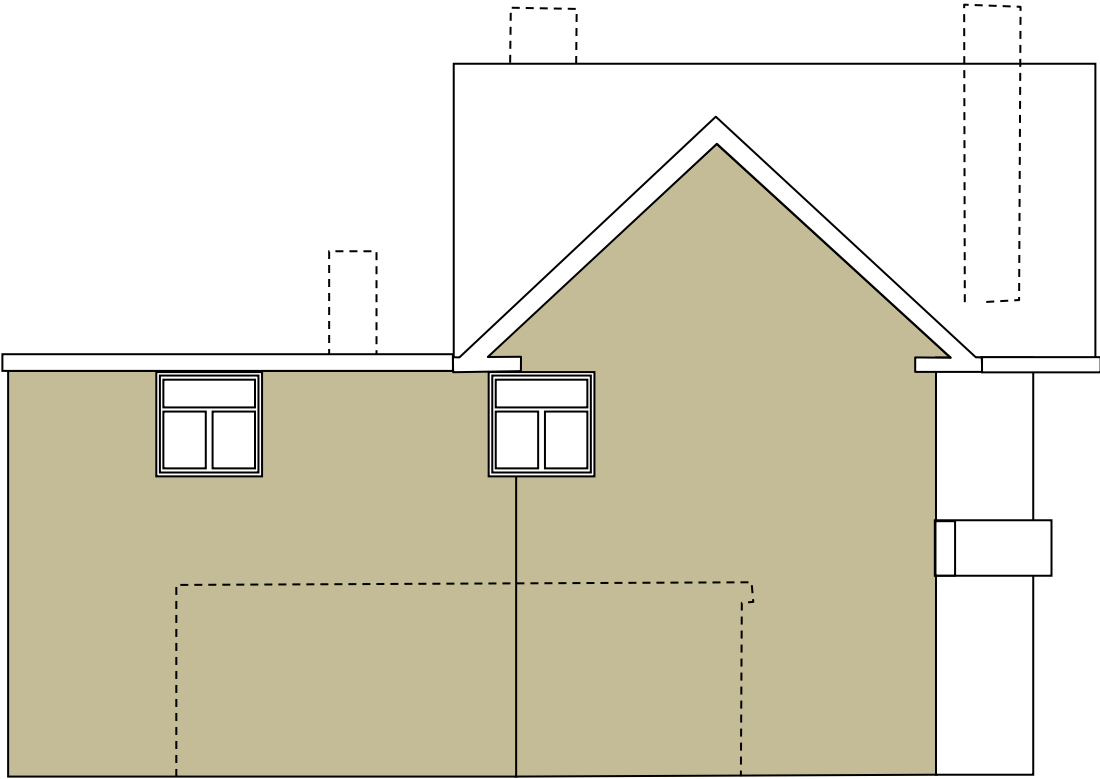
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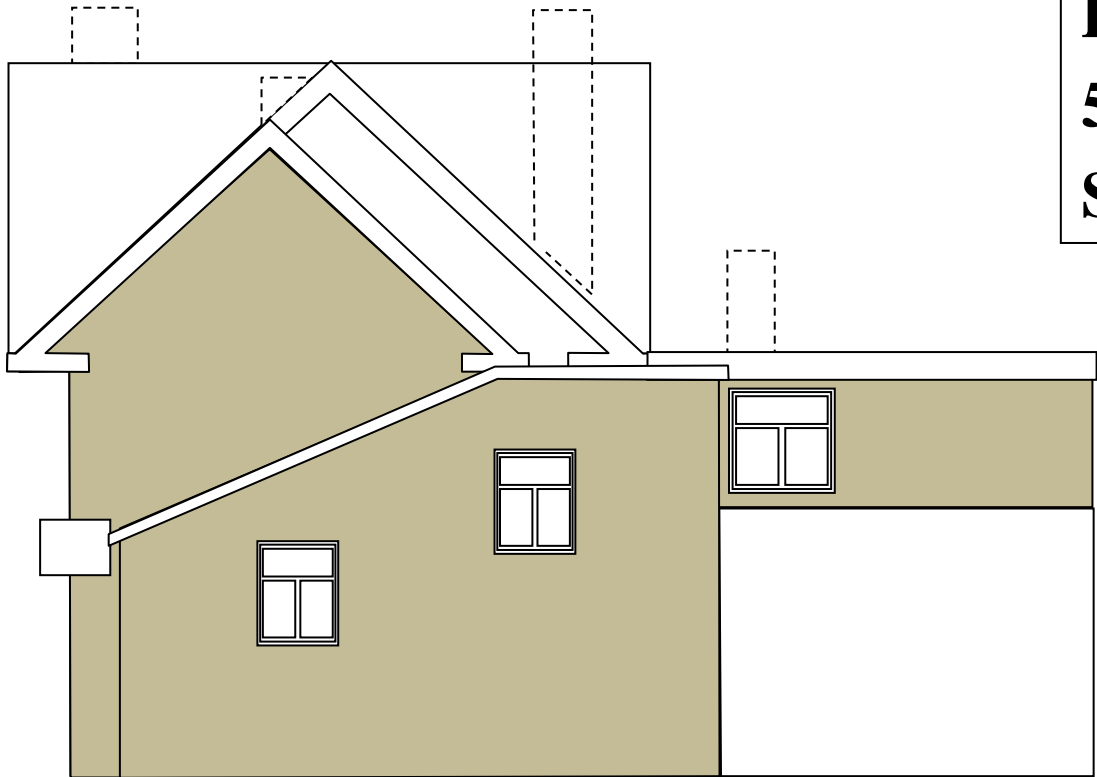


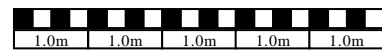
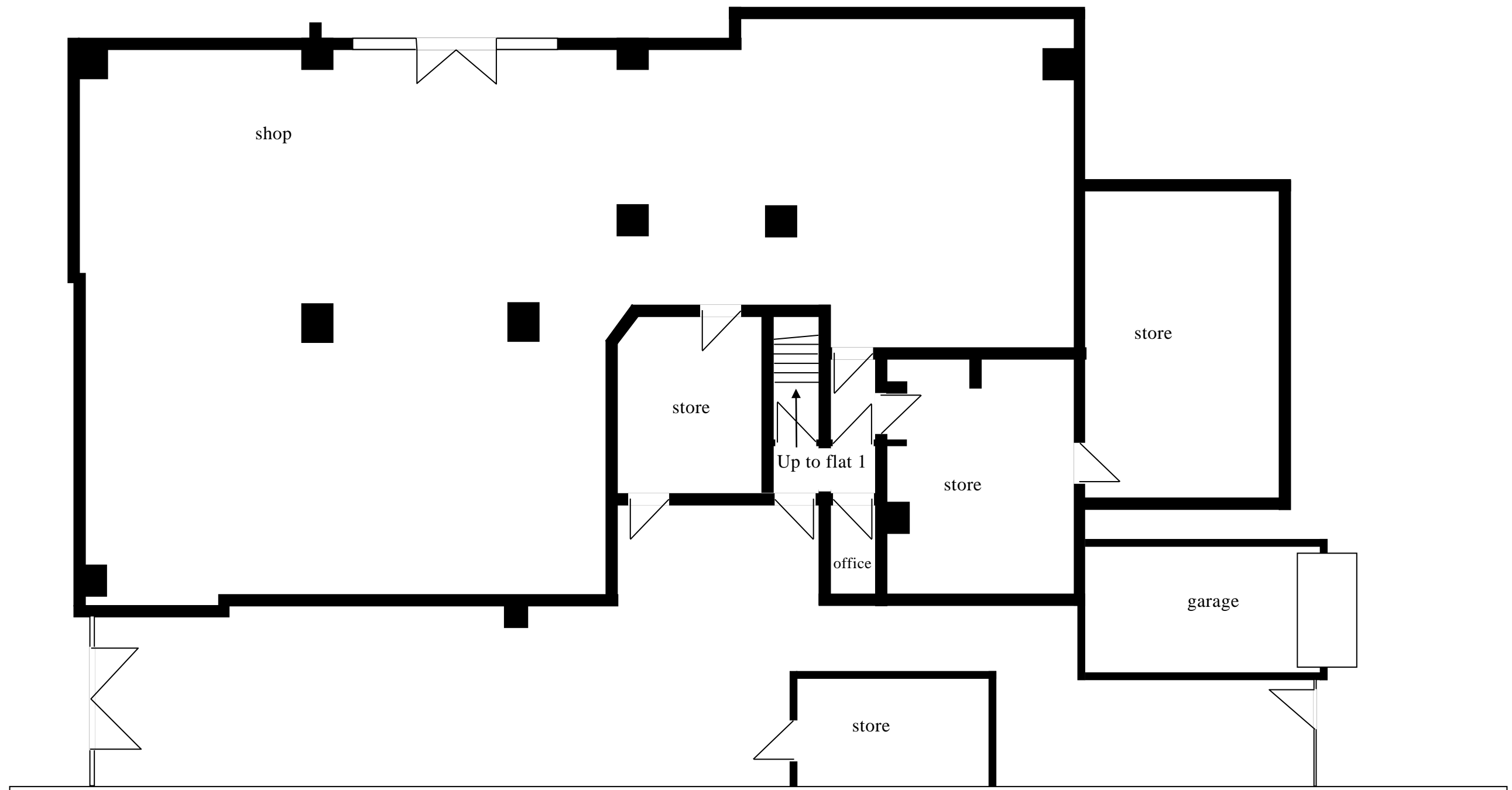


**PROPOSED
ELEVATIONS**
**54 Surfeit Hill
Road, Cradley
Heath, B64 7EB**
Scale 1:100
May18 dwg no
101/6

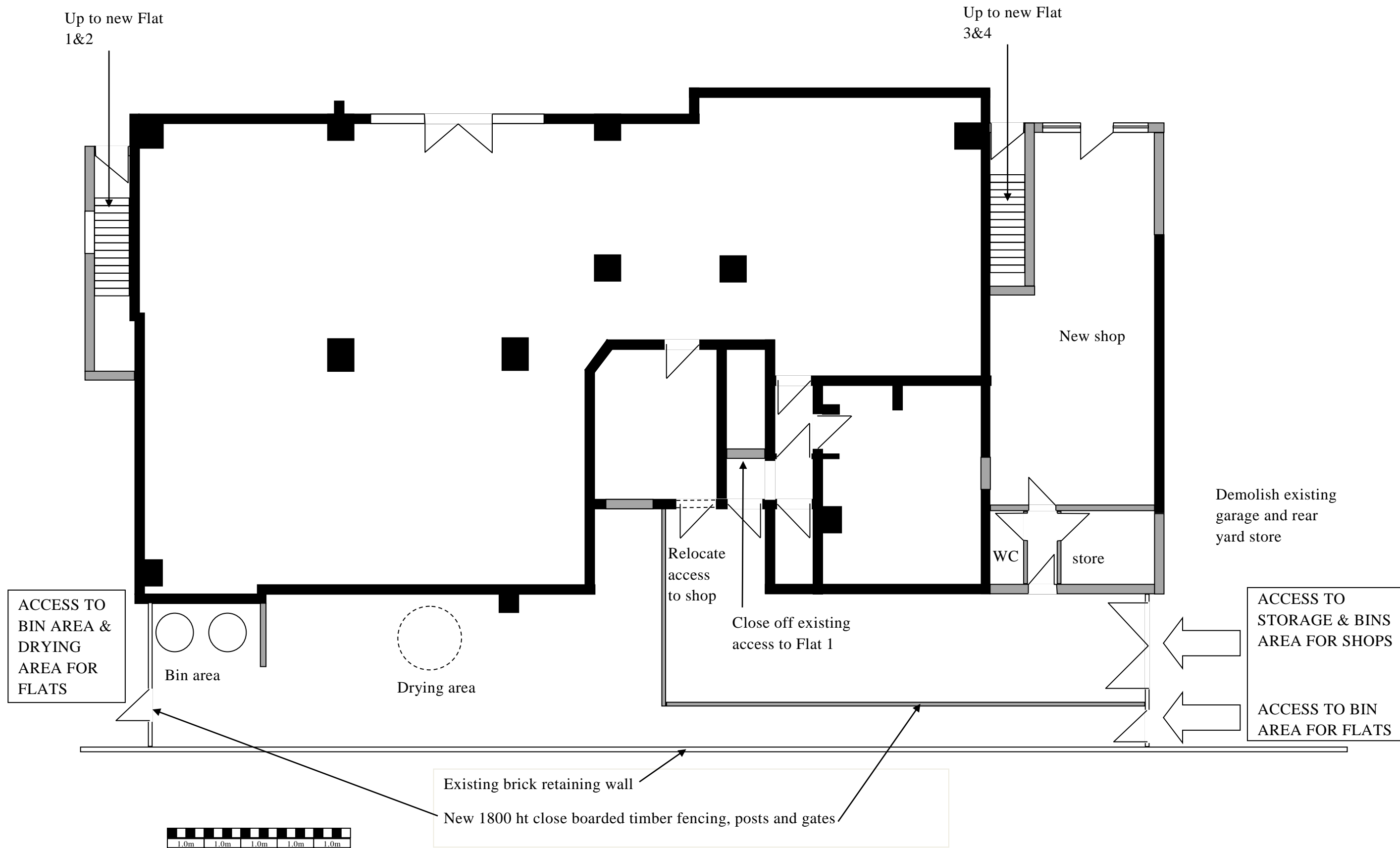


PROPOSED SIDE ELEVATIONS
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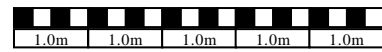
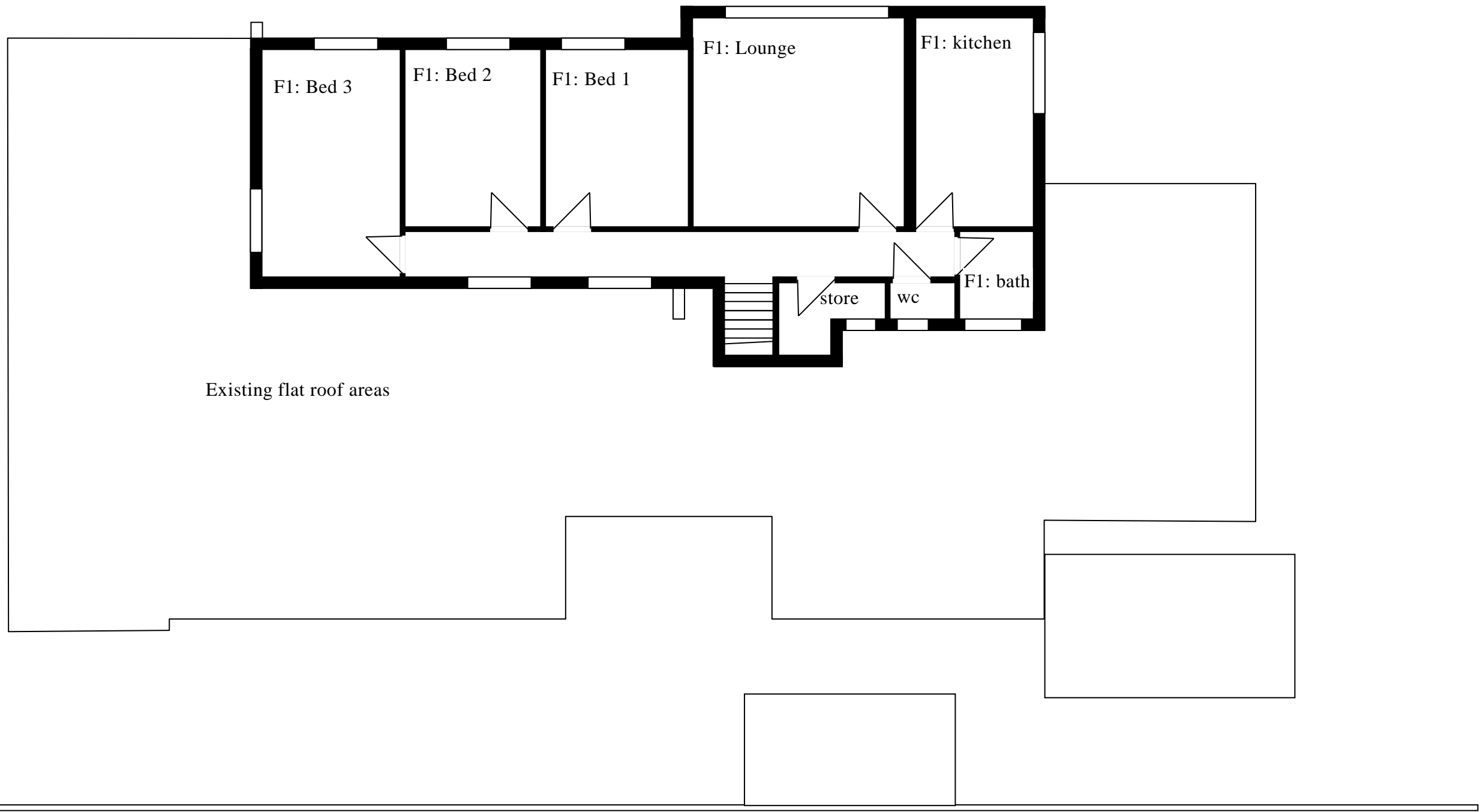




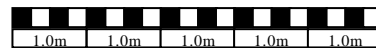
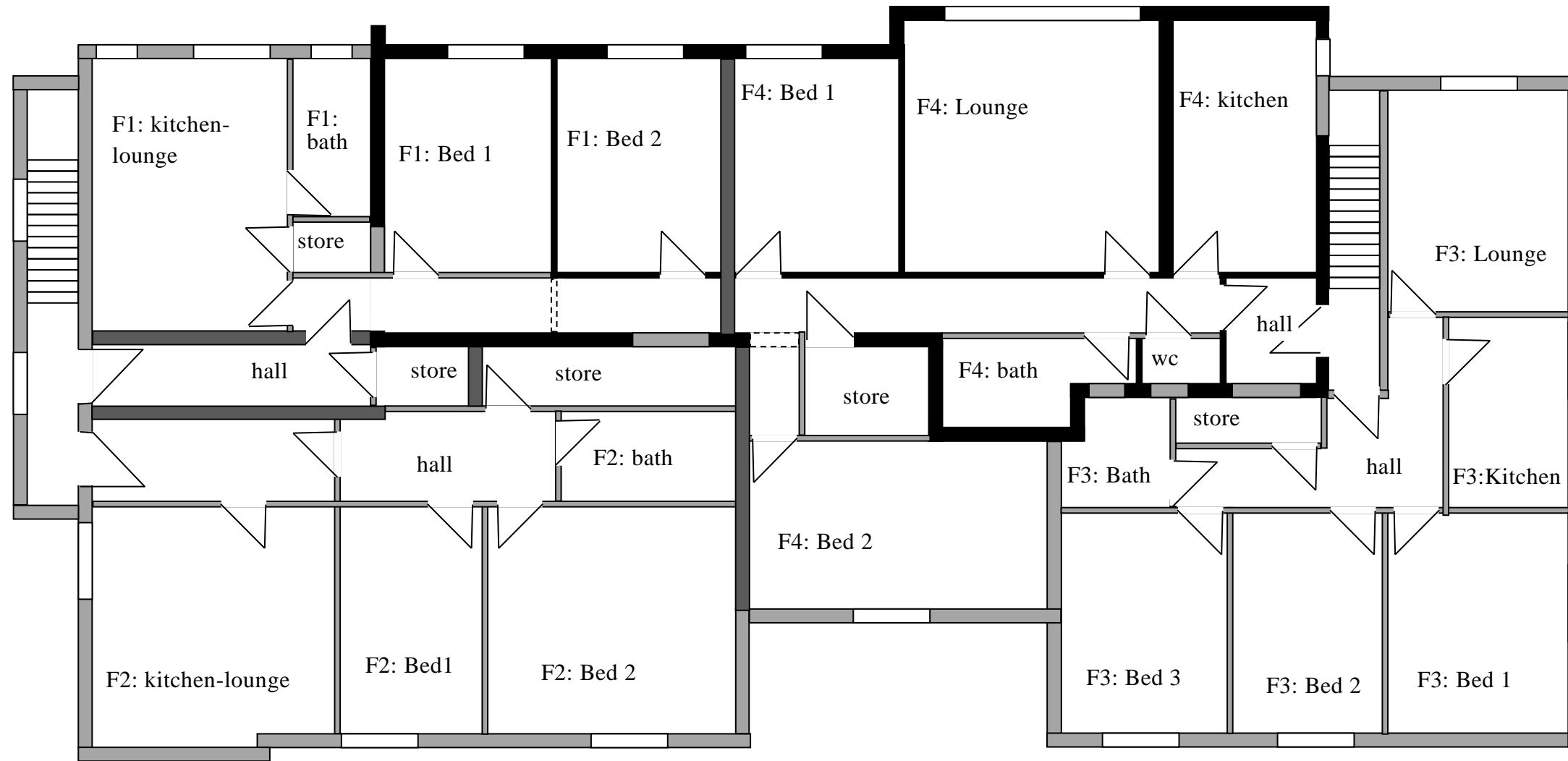
EXISTING GROUND FLOOR
54 Surfeit Hill Road, Cradley Heath, B64 7EB
Scale 1:100 May18 dwg no 101/1



PROPOSED GROUND FLOOR
54 Surfeit Hill Road, Cradley Heath, B64 7EB
Scale 1:100 May18 dwg no 101/3



EXISTING FIRST FLOOR
54 Surfeit Hill Road, Cradley Heath, B64 7EB
Scale 1:100 May18 dwg no 101/2



PROPOSED FIRST FLOOR
54 Surfeit Hill Road, Cradley Heath, B64 7EB
Scale 1:100 May18 dwg no 101/4

PROPOSED SITE & PARKING LAYOUT
54 Surfeit Hill Road, Cradley Heath, B64 7EB
Scale 1:500 May18 dwg no 101/8

