

**PLANNING
COMMITTEE**

2nd November 2011

PLANNING APPLICATION 2011/245/COU

**CHANGE OF USE FROM B1 (OFFICE) TO D1 (NON-RESIDENTIAL
INSTITUTION) FOR AN EDUCATION CENTRE OFFERING ENGLISH,
MATHS AND SCIENCE TUITION FOR 6 - 16 AGE GROUPS**

SHRUBBERY HOUSE, 47 PROSPECT HILL, REDDITCH

**APPLICANT: MR J HUSSAIN
EXPIRY DATE: 3RD NOVEMBER 2011**

WARD: ABBEY

The author of this report is Steven Edden, Planning Officer (DM), who can be contacted on extension 3206 (e-mail: steve.edden@bromsgroveandredditch.gov.uk) for more information.

(See additional papers for Site Plan)

Site Description

The site comprises a large office building set between a similarly sized commercial premises to the south of the site, and a detached dwelling located immediately beyond the sites northern boundary. The property is situated to the western side of Prospect Hill. Directly opposite (to the eastern side of the road) is a large pay and display public car park. The site is located approximately 120 metres due south from the Clive Road / Prospect Hill junction. Part of the existing building is used as an accountants office. The remaining floorspace within 47 Prospect Hill (subject to this planning application) has been vacant for two years. The floorspace was last used as offices.

The surrounding area which is of no defined character is comprised of a mix of commercial and residential uses.

Proposal Description

This is a full planning application to change the use of part of the first floor area and the single storey extension to the main building situated to the rear, to an education centre offering English, maths and science tuition for 6-16 age groups. Such a use would be defined as being a D1 use under the terms of the Town and Country Planning (Use Classes) Order 1987, (as amended).

The use would offer after school tuition for children between the hours of 4pm to 7pm on Mondays and Thursdays and between 10am to 3.30pm on Saturdays. In order to allow for preparation time before and after lessons, the applicant has requested that the building be in operation from between 3pm and 8pm on a weekday and between 9am and 4.30pm on a Saturday. A maximum of 15 children could be accommodated within the larger of the two

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proposed classrooms, with a maximum of 10 children in the smaller of the two. The classrooms would be situated within the existing first floor area of the building. The single storey extension to the building contains toilets and a small kitchen area (as existing) and would be used as a small reception. An existing staircase leads from this smaller building to the first floor (proposed teaching) area.

Officers have been informed that a maximum of 6 part-time teaching staff would be employed. Children would be taught by means of maximum 1 hour 20 minute block periods after which time they would depart for the day. It is expected that children would arrive in small groups of 5 to 6, leaving after the 80 minute period to be replaced by a second set of children. There would be a maximum of 2x1hour 20 minute sessions during week days and a maximum of 3x1hour 20 minute sessions on a Saturday.

A non-demarcated parking area exists within the site capable of accommodating a maximum of three vehicles in connection with the applicant's proposed business.

Relevant Key Policies:

All planning applications must be considered in terms of the planning policy framework and all other relevant material considerations (as set out in the legislative framework). The planning policies noted below can be found on the following websites:

www.communities.gov.uk

www.redditchbc.gov.uk

National Planning Policy

PPS1 Delivering Sustainable Development

PPG13 Transport

Borough of Redditch Local Plan No.3

CS.7 The sustainable location of development

B(BE).13 Qualities of good design

C(T).12 Parking Standards (Appendix H)

Relevant Site Planning History

None

Public Consultation Responses

Responses in favour

None received

Responses against

Four letters received. Comments summarised as follows:

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- Limited on-site parking coupled with a very busy road means that highway safety would be prejudiced
- Building is not fit for purpose
- Concerns regarding over-intensive use of the site
- Noise disturbance arising from the proposed use would have a detrimental impact on residential amenity

Some comments received are not reported here since they are not material considerations in the determination of this application.

Consultee Responses

Worcestershire Regulatory Services

No objection

County Highway Network Control

No objection

Procedural matters

This application is put before the Planning Committee because two or more objections to the application have been received, and the recommendation is to grant planning permission.

Assessment of Proposal

The key issues for consideration are as follows:

Principle

The site occupies a sustainable urban location, being situated only 140 metres due north of the Redditch Town Centre boundary, as shown on the Local Plan Town Centre inset map. The area is mixed in character containing residential as well as a number of commercial uses. Part of the building is already in commercial use (as an accountancy office). The area to be changed to education use, subject to this application was last used for office use before becoming vacant two years ago. Officers raise no objections to the principle of the building being used for the proposed purpose since the use would bring part of a vacant building back into beneficial use and would create new employment in a sustainable location near to the town centre.

Highway Safety

A non-demarcated parking area which could accommodate a maximum of four small cars exists within the curtilage of the building, although one of the spaces is leased to the accountancy firm referred to earlier in the report. Three parking spaces are therefore allocated to the proposed use. The floorspace subject to this planning application could be used by a general office user at any time without requiring planning permission. Your Officers do not consider that the proposed use of the in-curtilage car park would be

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any more intensive (by staff only) than that which could exist at any time in the future (as an office) without requiring consent.

A maximum of six part-time staff would be employed in a teaching capacity, some of whom may need to park elsewhere (if they are not to cycle, walk or to use public transport to travel to and from the site). The applicant has stated that the part-time teaching staff would be able to park in the public car park directly opposite the site and that the applicant, as manager of the business would pay for charges incurred by paying to park at that car park. Parents of children being dropped off and collected from the site by car would not be able to park within the site itself. Literature sent to parents would encourage parents to park elsewhere and particularly at the large public car park opposite the entrance to the site which is accessed off Prospect Hill, or use more sustainable travel options to access the site.

County Highways have raised no objection to the application and Officers consider that the proposals are unlikely to give rise to significant highway safety issues.

Impact upon nearby residential amenity

Whilst vehicle movements to and from the site are unlikely to be materially different from that which could occur at any time without requiring planning consent, the nature of this use with the associated 'comings and goings' of parents and children from the site in the 1hr 20 minute blocks has to be assessed. Having done so, Officers are satisfied that no loss of residential amenity would result from the proposed development. Any noise arising from the proposed use which is unlikely to be significant would be contained wholly within the building. No opportunities for outdoor play exist anywhere within the application site and in any case, the nature of such a use would not require such a facility.

In order to protect nearby residential amenity, a condition restricting hours of operation is recommended.

Conclusion

The proposal is considered to comply with the planning policy framework and would not cause harm to amenity or safety.

Recommendation

That having regard to the development plan and to all other material considerations, planning permission be GRANTED subject to conditions and informatives as summarised below:

1. Development to commence within three years
2. Development in accordance with plans (listed)

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3. Hours of operation to be limited to between 3pm & 8pm Monday to Friday and between 9am & 4.30pm on Saturdays and at no other times

Informatives

1. Reason for approval.