

**21/01286/COU
MINOR**

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**Cllr Ewart & Cllr Barrow
CODSALL**

Council Offices Wolverhampton Road Codsall WV8 1PX

Change of use from a Cafe to Chiropodist, classification E, for the small designated Cafe space within Codsall Community Hub's new build extension, adjacent to the Library

1. SITE DESCRIPTION AND PLANNING HISTORY

1.1 Site Description

1.1.1 The application relates to the Council building on a corner piece of land between Wolverhampton Road and Histons Hill in the main service village of Codsall. The building has a fairly modern appearance although it was built in the late 1970's and later extended in the late 1980's. There is a large amount of parking surrounding the building with some soft landscaping that has been allowed to mature over the years. There is a large earth bund to the south of the site adjacent to the railway, containing a number of mature trees. There is palisade fencing securing the site from the cutting for the railway line to the south. Planning permission was granted in 2019 for an extension to the existing Council Offices to provide a new library area, retail unit and more prominent entrance from Wolverhampton Road (19/00738/FUL) and work on this is practically complete. The proposal also included the remodel of the existing parking area of Histons Hill, internal re-arrangements and the inclusion of a General Practice Medical Centre. Alterations to this permission was recently made with the change of the retail unit with a children's nursery (21/00818/FUL). This proposal seeks to make further revisions with the change of the small café area on the ground floor with a Chiropodist.

1.1.2 The building is home to South Staffordshire Council as well as the local library. More recently the offices have also become home to a number of private businesses and some County Council Teams, as well as Staffordshire Police. There is parking available to the public on the bottom half of the site and staff only parking on the top half.

1.1.3 The surrounding built form is mixed but predominately residential, especially on the opposite side of Wolverhampton Road and Histons Hill.. The Birches shopping parade is found to the southeast, alongside the boundary to the railway line. St Christopher's church is directly opposite the site access on Wolverhampton Road and is a modern building built in the late 1990s. Codsall Middle school is also found on Wolverhampton Road along with Pendrell Court, a 1980s development that is 'of its time' design wise. A separate Council building that is now redundant is found off Histons Hill, also directly opposite the site's second access although this site is earmarked for residential development.

1.2 Recent Planning History

2000 Two wall-mounted air conditioning units, approved [00/00266/FUL]
2000 Water feature, approved [00/00393/FUL]
2001 Wireless ethernet aerial, approved [01/00377/FUL]
2001 Refurbishment of offices, new roof to courtyard and new entrance canopies, approved [01/01278/FUL]
2001 Installation of new package boiler house and one wall mounted air conditioning unit, approved [01/01329/FUL]
2002 Erection of galvanised fencing, approved [02/00674/FUL]
2002 Install solar shading onto south side of council building, approved [02/01408/FUL]
2008 Alteration to access on Histons Hill, approved [08/00897/FUL]
2009 Installation of roof-mounted photovoltaic solar tiles, approved [09/00265/FUL]
2015 To apply six frosted livery to the windows of S33. All advertising to be applied on the inside of the glass, approved (15/01025/ADV)
2019 New extension to existing council building incorporating entrance, library, cafe and retail unit. Standalone electrical plant room. New soft and hard landscaping, including increase in car and cycle parking, approved (19/00738/FUL)
2021, Change of use from a retail unit to a community day nursery - The unit currently has A1 Shop use, proposed change to E (f) use for a nursery setting. Adding window film to a height of 5 meters from ground level on all publicly accessible windows. Adding a secure 5ft fence and fire gate between the new retail unit and the existing building (gap shown on proposed elevations shaded green) to create an outdoor play space for children attending the nursery, approved (21/00878/FUL)
2021, Installation of a 40meter long open carport over existing car parking spaces with 40Kw solar panel array on top and four EV car charging points below along with a 50kw Battery Energy Storage System housed in a 10' shipping container at the North West end of the car port, approved (21/01032/FUL)

2. APPLICATION DETAILS

2.1 The Proposal

2.1.1 This application seeks a change of use of the approved cafe area (11sqm) into a Chiropodist which would be operate between the hours of 7am and 8pm Monday to Saturday.

2.2 Agents Submission

2.1.2 Not applicable

3. POLICY CONTEXT

3.1 Within the Development Boundary

3.2 Core Strategy

NP1: The Presumption in Favour of Sustainable Development

CP2: Protecting and enhancing the natural and historic environment

CP3: Sustainable development and climate change

CP4: Promoting high quality design

Policy EQ1: Protecting, Enhancing and Expanding Natural Assets

Policy EQ5: Sustainable resources and energy efficiency

Policy EQ9: Protecting Residential Amenity

Policy EQ11: Wider design considerations

Policy EQ12: Landscaping

Policy EV1: Retention of Existing Employment Sites

Policy EV12: Parking Provision

3.3 National Planning Policy Framework

3.4 National Planning Policy Guidance

3.4.1 Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

3.4.2 The law makes a clear distinction between the question of whether something is a material consideration and the weight which it is to be given. Whether a particular consideration is material will depend on the circumstances of the case and is ultimately a decision for the courts. Provided regard is had to all material considerations, it is for the decision maker to decide what weight is to be given to the material considerations in each case, and (subject to the test of reasonableness) the courts will not get involved in the question of weight.

4. CONSULTATION RESPONSES

Councillor: No comments received, expired 24/12/2021

Codsall Parish Council [received 09/12/2021]: *Recommend approval*

Environmental Health: No comments received, expired 24/12/2021

County Highways: No comments received, expired 24/12/2021

Neighbours [received 24/12/2021]: *One comment received expressing no concern with the principle of the change of use, but issues with the existing illumination and signs on the frontage of the site.*

A site notice was posted on the 07/12/2021 and expired 28/12/2021

5. APPRAISAL

5.1 The application has been referred to planning committee due to the Council being the landowner of the building as well as the applicants.

5.2 Key Issues

- Principle of development
- Impact on the character of the area
- Impact on the neighbouring properties
- Highway safety

5.3 Principle of development

5.3.1 The site lies within the development boundary of Codsall, which is classed as a Main Service Village in the Council's Core Strategy. Core Policy 10 and Policy EV9 of the Core Strategy aim to support the provision and enhancement of essential community facilities and services, with the provision of additional facilities that improve the wellbeing and cohesion of local communities and ensure that communities are sustainable to be encouraged. These policies are closely aligned with paragraph 80 of the National Planning Policy Framework [NPPF] which states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt.

5.3.2 The provision of a chiropodist within the Community Hub for the local community will therefore be supported provided the development does not have a detrimental impact on the amenity of the area, or on neighbours.

5.4 Impact on the character of the area

5.4.1 Policy EQ11 requires that new development respects local character and distinctiveness, including that of the surrounding development and landscape [...] by enhancing the positive attributes whilst mitigating the negative aspects[.] In terms of scale, [design] and materials, development should contribute positively to the street scene and surrounding buildings, whilst respecting the scale of spaces and buildings in the local area. The Council's adopted Design Guide emphasises these requirements stating that developments should sit easily within their surrounding environment, taking account of the surrounding character, and building the proposals layout around existing features.

5.4.2 The proposal would require no changes to the fabric of the approved building and would only involve internal alterations.

5.4.3 There are no conflicts with the aims of EQ11 and the Design Guide.

5.5 Impact on neighbouring properties

5.5.1 Policy EQ9 of the Core Strategy requires that new development should take into account the amenity of any nearby residents.

5.5.2 The chiropodist would be positioned inside the community hub where there is a variety of community uses and several private businesses. The use would be compatible and neighbour friendly. The opening times are reasonable, and the

proposal would not result in any significant travel movements beyond which would be expected of the community hub. With regards to the neighbour representation, this application is purely for a change of use, and involves no additional signage. The signage for the site is currently being dealt with under a separate application [21/01287/ADV].

5.5.3 The proposal is in accordance with aims of EQ9.

5.6 Highway Safety

5.6.1 The application site is within a sustainable location and the proposal would have use of the large Council car park [total of 333 spaces] and when compared to parking standards for the approved café use, the parking requirements are less.

5.6.2 The County Highways Team have been consulted on the application and any comments received will be added to the committee late list.

6. CONCLUSIONS

6.1 The proposal represents sustainable development and would cause no adverse harm on neighbouring amenity, character of the area or highway safety and as such I recommend the application for approval.

7. RECOMMENDATION - APPROVE Subject to Conditions

Subject to the following condition(s):

1. The development to which this permission relates must be begun not later than the expiration of 3 years beginning with the date on which this permission is granted.
2. The development shall be carried out in accordance with the approved drawings: Site Plan, received 30/11/2021

Reasons

1. The reason for the imposition of these time limits is to comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. In order to define the permission and to avoid doubt.
3. Proactive Statement - In dealing with the application, the Local Planning Authority has approached decision making in a positive and creative way, seeking to approve sustainable development where possible, in accordance with paragraph 38 of the National Planning Policy Framework, 2021.



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