

PLANNING APPLICATION NUMBER: P07/0301

Type of approval sought	Full Planning Permission
Ward	Netherton, Woodside & St. Andrew's
Applicant	Mr M McHugo
Location:	NOAHS ARK (REDUNDANT CHURCH), CRADLEY ROAD, DUDLEY, DY2 9RB
Proposal	CHANGE OF USE OF VACANT CHURCH AND SUNDAY SCHOOL TO ELEVEN APARTMENTS TO INCLUDE PART DEMOLITION AND ALTERATIONS TO THE BUILDING (RESUBMISSION OF WITHDRAWN APPLICATION P06/0894)
Recommendation Summary:	APPROVE SUBJECT TO A 106 AGREEMENT

SITE AND SURROUNDINGS

- 1 The site lies at the junction of Cradley Road and Griffin Street in Netherton, south of the main shopping street. The site contains a large, red brick Victorian style church building, but only dating from 1925, typical of its age, with a paved area to the corner. The building has an L shaped footprint, with the part fronting Cradley Road forming the main worship area, and the wing to the rear, fronting Griffin Street forming the Sunday School element. The worship area is tall, with a gallery to the Cradley Road end, and the Sunday School element was two storeys internally with similar external proportions. The site has a boundary wall with railings atop, and pedestrian gates to the corner and in the Cradley Road frontage opposite the main entrance doors. The site measures 0.0865ha in area and is currently vacant and boarded, as the buildings are no longer in regular use.

- 2 The surrounding area is characterised by residential development in a variety of styles, sizes and ages, with retail units in close proximity on the main Halesowen Road. These include a three storey block of buff brick flat roofed flats to the northern side of Griffin Street at the junction, and larger detached and attached

dwelling houses to the south of the site along Cradley Road. A narrow lane leading to rear garages runs along the western boundary of the site.

PROPOSAL

- 3 Full planning application for the conversion of the premises for use for residential purposes. The application is therefore in two parts, firstly the change of use from D1 (non residential intuitions) to C3 (dwelling house) usage, and secondly the details of the proposed changes to the fabric of the building. The application is accompanied by a design and access statement.
- 4 The conversion would result in the creation of 11 apartments, 2 with one bedroom, 7 with two bedrooms and 2 with three bedrooms. The front portion of the building fronting Cradley Road would be retained as a lobby area with stairs, providing access to the apartments. There would be two 2bed units on the ground floor of the church, and on the first floor, and a single 3bed apartment on the second floor.
- 5 The element to the rear linking the two wings of the building would be removed, and the two buildings would return to being separate. To the south west end (rear) of the Sunday School building would be a two storey 2bed unit, and in the middle of the Sunday School building would be one 1bed and one 2bed unit at ground floor level, with a similar arrangement above, and a two storey 3bed unit fronting Griffin Street.
- 6 Externally, the paved area to the north east corner of the site would become a parking area, providing 8 spaces, with an opening made in the Griffin Street frontage of the boundary wall/railings and including a visibility splay of 2mx2m. Minimal alterations to the existing fenestration are proposed, including the insertion of rooflights in the northern and southern elevations to serve the second floor unit, and the addition of a juliette balcony to the south elevation of the Sunday School building.

HISTORY

7

APPLICATION No.	PROPOSAL	DECISION	DATE
P05/0801	Change of use from D1 to C3	Withdrawn	27/6/5
P06/0894	Conversion to 11 apartments	Withdrawn due to lack of progress on S106 agreement	31/1/7

PUBLIC CONSULTATION

- 8 One letter of support for the proposal has been received, on the basis of the sympathetic conversion and the retention of the buildings.
- 9 No other responses have been received, however any received between writing this report and its consideration at the meeting will be noted on the pre-committee notes. It should be noted that whilst the neighbour notification period has elapsed at the time of writing, the site notice display does not expire until March 26th.

OTHER CONSULTATION

- 10 **Group Engineer/Development:** No objection received
- 11 **Environmental Protection:** No objection received
- 12 **Historic Environment Team:** 'Raise no objections subject to conditions. The scheme proposed is welcomed because it a) proposes to retain the existing locally listed buildings; b) it proposes to make very few minor alterations to the external

appearance of the Griffin Street and Cradley Road elevations and as such it is in accordance with policy HE5 of the adopted UDP.'

RELEVANT PLANNING POLICY

13 Adopted Unitary Development Plan (2005)

DD1 Urban design

DD4 Development in residential areas

DD6 Access and transport infrastructure

DD7 Planning obligations

DD8 Provision of open space, sport and recreation facilities

UR6 Housing renewal areas

AM11 Cycling

AM14 Parking

H1 New housing development

H3 Housing assessment criteria

H4 Housing mix

H6 Housing density

HE5 Buildings of local historic importance

The building is locally listed

The site lies within a designated housing renewal area in the UDP and adjacent to the local centre boundary.

Supplementary Planning Guidance

14 PPS1 Delivering sustainable development

PPG3 Housing and draft PPS3 Housing

ASSESSMENT

- 15 The main issues for consideration here are the principle of the proposed development, its impact on the historic environment, the design and amenity of the proposal, highway safety and any requirement for a planning obligation.

Principle

- 16 The principle of residential conversion is considered to be acceptable as it would bring back into use a redundant building that is worthy of retention. Furthermore, the site is within an accessible location, in close proximity to retail, health and other services, and public transport routes. There appear to be no material changes between this application and that previously withdrawn. Therefore, the matters for consideration remain as follows:

Historic environment

- 17 The building has been designated as having historic or architectural importance of local significance by virtue of its local listing, and is therefore considered to be a heritage asset to the built environment of Netherton. Therefore planning policy seeks to retain the building, and where its previous use has ceased, as in this case, find appropriate re-uses for the building. It is therefore considered that its conversion for residential purposes would be acceptable and encourage its reuse and return to vitality. There is no need to impose conditions in order to ensure that its appearance remains, as the proposed use would not benefit from any Permitted Development Rights (PDRs) to alter the fenestration etc anyway.

Density

- 18 The proposal would result in development at a density of 127 dph, which whilst above that recommended in the national planning guidance, there are other considerations to weigh against this element of the proposed scheme. These include the desire to retain and re-use the existing building, and its central accessible location in close proximity to services and facilities. These are considered to render the density acceptable.

Design and amenity

- 19 The external appearance of the building would change very little, and therefore would continue to provide a positive contribution to the built environment in this area and it is considered that the proposed new use would be appropriate to the surroundings and would therefore not cause harm to the visual amenities of the streetscene. Given the general retention of the existing pattern of fenestration, and

the separation distances and orientation of the buildings relative to each other, it is not considered that the change of use would result in any detrimental impacts on the residential amenities of the surrounding residents.

Highways

- 20 It is not considered that the proposal can be refused on the basis of lack of on site parking. This is particularly given that the site lies adjacent to the town centre, and is therefore in a very accessible location close to facilities, services and public transport provision. It is therefore considered that this accords with local and national planning policy guidance. No cycle parking provision is shown on the approved plans, and therefore a condition is recommended requiring that details be agreed and implemented prior to occupation in order to encourage sustainable options. The visibility is not considered to be any worse than other access points that already exist along Griffin Street, and therefore although substandard, is considered to be acceptable in these circumstances.

Planning Obligations

- 21 Given that the proposal is for more than 5 dwellings, a contribution towards the provision and enhancement of off site public open space and equipped play facilities would be required, through the imposition of a S106 legal agreement. The applicants have been in negotiations with the legal department and have agreed the contents of a document, which can be issued should a resolution to grant consent be reached.

CONCLUSION

- 22 It is considered that the proposal is compliant with policy and would not cause harm to amenities, and that the retention of a vacant locally listed building with a new use should be encouraged in accordance with local and national planning policy.

RECOMMENDATION

- 23 It is recommended that the application be approved subject to:

- a) The applicant entering into and completing a Section 106 Legal Agreement for a contribution to off-site recreational public open space enhancement
- b) The following conditions, with delegated powers to the Director of the Urban Environment to make amendments to these as necessary
- c) In the event that the Section 106 agreement has not been completed by 8 May 2007, the application will be refused under delegated powers.

Reason for approval

It is considered that the proposal is compliant with policy and would not cause harm to amenities, and that the retention of a vacant locally listed building with a new use should be encouraged in accordance with local and national planning policy.

The decision to grant planning permission has been taken with regard to the policies and proposals in the adopted Dudley UDP (2005) and to all other relevant material considerations.

The above is intended as a summary of the reasons for the grant of planning permission. For further detail on the decision please see the application report.

Conditions and/or reasons:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. Prior to the occupation of the dwellings hereby approved, the parking area shown on the approved plans shall be surfaced and marked out in accordance with the approved details and thereafter maintained available for use for the lifetime of the development.
3. Prior to the commencement of development, details of cycle parking provision shall be submitted to and approved in writing by the local planning authority. The agreed provision shall be implemented on site prior to the occupation of the dwellings hereby approved.
4. The flats hereby permitted shall not be occupied until a scheme for providing sound insulation between the dwellings has been submitted to and approved by the local planning authority and all works which form part of the approved scheme have been completed.
5. Prior to the commencement of development the following shall be submitted to and approved in writing by the local planning authority:
 - Large scale architectural drawings, to a scale of not less than 1:5 of windows and doors, including drawings of sections and profiles of jambs, heads, cills,

mullions, transoms and glazing bars together with their relationship to masonry apertures. The drawings are also to show how the windows are to be adapted to provide the required ventilation/means of escape.

- Details of the finish of the doors and windows.
- Details of any external extract grills
- Details of the type, texture, colour and bond of the brickwork to be used in the construction of the external walls.
- Details of the type, texture and colour of the roofing tiles.
- Details of the type, texture and colour of the hard landscaping materials.
- Details of the bin store.

The external windows, doors and associated features installed in the buildings shall be in accordance with the approved details and shall not be replaced, except in accordance with the same approved details. The approved bin store shall be provided prior to the first occupation of any of the apartments and shall remain available for the storage of refuse bins at all times thereafter.

6. Prior to the commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority showing details of the proposed means of enclosure/boundary treatment. No dwelling shall be occupied until all such works have been implemented in accordance with the approved details.
7. Development shall not begin until the Developer has secured the implementation of a programme of archaeological building recording work/ornamental audit of the existing buildings (at RCHME level 2/3) prior to the start of the programme of works. (A brief outlining the work required will be supplied by the Historic Environment Team once requested). Two copies of the record shall be submitted to the local planning authority within two months of its completion.
8. The development hereby permitted shall be built in accordance with the approved plans 4205/1, 4205/2, 4205/3, 4205/4, 4205/5, 4205/6, 4205/7A, 4205/8 and 4205/9, unless otherwise agreed in writing by the Local Planning Authority.
9. Development shall not begin until a comprehensive written site investigation strategy (in a form to be agreed by the local planning authority), has been submitted to and approved by the local planning authority. Such a strategy shall facilitate the identification of methane & carbon dioxide. Where the investigations identify the presence of methane and/or carbon dioxide the development shall not begin until a scheme to protect the development from the effects of such gases has been submitted to and approved by the local planning authority. Such a scheme shall: include provisions for validation monitoring & sampling; be implemented in accordance with the approved details before the development is first occupied; and be retained throughout the lifetime of the development.