

PLANNING APPLICATION NUMBER: P09/1070

Type of approval sought	FULL PLANNING PERMISSION
Ward	WOLLASTON & STOURBRIDGE TOWN
Applicant	QUADRANT LAND PARTNERSHIP
Location:	FOSTER & RASTRICK (FORMER FOUNDRY SITE), LOWNDES ROAD, STOURBRIDGE, WEST MIDLANDS, DY8 3SW
Proposal:	CONVERSION AND EXTENSIONS TO EXISTING FOUNDRY BUILDING TO PROVIDE MEDICAL CENTRE AND ASSOCIATED PARKING (RESUBMISSION OF REFUSED APPLICATION P08/1784)
Recommendation summary:	APPROVE SUBJECT TO A 106 AGREEMENT

SITE AND SURROUNDINGS

1. This site relates to a parcel of land on the northern side of Lowndes Road which contains a derelict, but significant, Grade II* listed building which sits centrally on the site. It is known as the Foster and Rastrick building and was part of a new foundry erected around 1821. The foundry and wider site have strong historic connections to heavy industry and the canal network. The building forged the 'Stourbridge Lion' locomotive which was the first steam railway engine to be used in the USA.
2. The building has stood empty for a long period of time, and is now in a poor state of repair and on the current English Heritage Register as a 'Building at Risk' of the highest category. It is of brick construction with feature dentil courses towards the eaves, with a hipped slate roof. Unusually the building has an early iron truss roof which allowed a larger workspace and space for lifting. The building is configured into bays which are clearly defined in the arched bays of the building on all elevations. At first floor level smaller arched windows exist around the building.
3. Adjacent and to the east of the main foundry are two single storey buildings (possible later Victorian) which are closely associated with the foundry. To the west on the canal side is the original cottage associated with the use of the site. These buildings are

curtilage listed and form part of the historic context of the site. The cottage does not form part of this application. There is also a listed river bridge at the site.

4. The frontage to the foundry faces the River Stour and canal network to the north. There is a simple feature gable on this elevation. The building and its immediate environs are clearly visible from the canal tow path. The building is set down on the floodplain of the river. Much of this land is relatively flat and is only sparsely populated by occasional trees to the north and east of the building. The main foundry sits adjacent to Lowndes Road to the south. The building here is separated from the road in part by a listed boundary brick wall. Directly on the western boundary is an industrial unit. To the east there is evidence of other cleared buildings with concrete pads still in situ. The land then extends towards the 'Rolling Mills' site. The site lies within the Stourbridge Branch Canal (Canal Street) Conservation Area.

PROPOSAL

5. The application proposes the conversion of, and extension to, the foundry building to provide the main part of an existing GP surgery which is to be relocated from Worcester Street. The existing surgery wishes to expand and extend its health care and health promotion services, and in order to be able to do so it is necessary for the practice to relocate to new premises as the existing premises cannot be extended to meet its healthcare aspirations.
6. The proposal involves the demolition of the two detached outbuildings at the site. A justification report for the proposed demolition of the buildings explains that they are in poor condition, restoration costs are prohibitive, by virtue of their siting, size and structure they are not suitable to meet health care requirements, and that they do not make any positive contribution to the character of the main foundry building. It is submitted that their loss will facilitate viable and long lasting proposals which will secure the restoration of the principal building.
7. The existing southern boundary wall is to be part repaired, part replaced and single storey additions are to be provided in the space between it and the foundry building to form consulting rooms, separated by open landscaped courtyards.
8. A new three storey wing is to be provided on the northern elevation, running along the site's western boundary. The extension will be a steel and glass structure, attached to the existing building by a glazed link.

9. The foundry building is to undergo a comprehensive programme of restoration and repair. A new entrance glass canopy is to be provided and new windows are to be inserted within the building.
10. A new public square is to be created to the front of the foundry, integrating pedestrian footpaths and paved areas with new landscaping. An area for public art has been included within the site, visible from Lowndes Road.
11. 132no. parking spaces are to be provided.
12. The scheme is supported by the following documents:
 - A Flood Risk Assessment
 - PPS25 Sequential Test Report
 - Ground Investigation Report
 - Transport Assessment
 - Travel Plan
 - Ecological Surveys
 - Archaeological Impact Assessment
 - Tree Survey
 - Financial Appraisal
13. This application should be considered in association with the corresponding listed building application. That application relates directly to the impact on the listed building and its fabric and adjoining buildings.

HISTORY

14.

APPLICATION NO.	PROPOSAL	DECISION	DATE
PO8/1784	Conversion and Extensions to Existing Foundry Building to Provide Medical Centre and Associated Parking	Refused	February '09

15 The above application was refused for the following reasons:

1. Due to the inadequacy of the submission as presented, it is considered that the resulting design and appearance of the development would have an adverse and detrimental impact on the setting of this Grade II* listed building contrary to the advice in Policies HE1, HE5 and HE6 of the Dudley UDP and the advice contained in PPS1 and PPG15.

2. Due to the inadequacy of the submission as presented it is considered that the resulting development would not preserve and enhance the setting of the Stourbridge Canal Conservation Area and it would therefore be contrary to Policy HE1, HE4 of the Dudley UDP and the advice contained in PPS1 and PPG15

3. Due to the inadequacy and inadequate level of detail of the submission as presented, it is considered that the resulting appearance of the development would have an adverse and detrimental impact on the building and wider connectivity of the area contrary to Policy DD1 Of the Dudley UDP and the advice and guidance contained in PPS1.

4. The scheme as submitted is considered unsustainable and would lead to a large number of extra trips onto the local highway network. The inconsistencies/inaccuracies found in the submitted information compounds this situation. The development is therefore considered contrary to Policy S2 and AM14 of the Dudley UDP and PPG13.

5. The ecological report/assessment has been submitted in draft format. This is considered inadequate as no detailed assessment of the protected species/wildlife has been provided in order to assess the nature contribution value of the site and therefore

the proposal is considered contrary to policy NC5 , NC6 and DD10 of the Dudley UDP and the advice and guidance in PPS9.

6. The development has not proven there would be any risk of flooding. Whilst it is accepted a further Flood Risk Assessment has been submitted no evidence to the contrary has been provided to prove that this assessment overcomes the harm of flooding to the site and consequently the development proposal is considered contrary to policies EP3 and EP4 of the Dudley UDP and the advice and guidance contained in PPS25.

PUBLIC CONSULTATION

16 Two letters of support for the proposal have been received from local residents.

OTHER CONSULTATION

17. English Heritage

Welcome the proposals for bringing a new use for the building and the potential to attract funding for its repair. The scheme has been designed to minimise alterations to the external fabric of the premises. The proposed extensions would work in a complementary relationship to the existing building.

18. Inland Waterways Association

Object to the proposed extensions to the Lowndes Road frontage of the building as they would detract from its setting, contrary to PPG15 advice.

19. Environmental Protection

No objection subject to a condition requiring the submission of a scheme to deal with contamination of land.

20. Environment Agency

No objection to the proposal in respect of the protection of Controlled Waters. The majority of the site lies within Flood Zone 2 (Medium Probability), although 18% of the site does fall within Flood Zone 3a (High Probability). The local planning authority should be satisfied that the sequential test has been passed in line with PPS25 guidance and that no other suitable site in Flood Zone 1 or 2 is available for this development. More vulnerable development such as the medical centre proposed is acceptable in Flood Zone 3a provided that the exception test has been passed.

Discussions between the applicant and the Environment Agency regarding the flood risk issues have been ongoing and have been summarised in the Flood Risk Assessment Summary Briefing Note. The FRA and FRA addendum submitted have demonstrated that the development is safe and does not increase flood risk elsewhere and that there is a betterment post development (i.e. surface water runoff rates to be reduced, an increase in flood storage available post development, restoration works to the river corridor which will lower water levels locally, improved access to the watercourse for improvement works).

The proposed development will therefore be acceptable if the measures detailed in the Flood Risk Assessment and FRA Addendum submitted with the application are implemented and secured by way of a planning condition on any planning permission.

In terms of river restoration landscape management the development will only be acceptable if a condition is imposed requiring a scheme to be agreed to ensure that the River Stour and the landscape associated with it is managed in such as way as to protect the ecological value of the site. A river restoration and long term management plan should be submitted to and approved in writing by the local planning authority.

21. CENTRO

None of CENTRO's existing infrastructure would be adversely affected by the proposal. However the pedestrian route from bus stops on Enville Street to the site

area a concern, with poor lighting, high walls and blind spots which could potentially discourage people from accessing the proposed facility by bus. The applicant should therefore enhance the attractiveness of public transport to visitors of the medical facility by improving the public realm between the site and nearby bus stops.

The inclusion of a Framework Travel Plan as part of the application is welcomed. A condition should be imposed requiring the Plan to be fully drafted, adopted, monitored and promoted for the site.

22. British Waterways

The proposal for the health centre appears to work well in plan form. The proposed general arrangement is inventive in its reuse of the existing building, making the most of existing features such as the openings to connect additional accommodation to the main building and using the double height space to create an exciting internal space. However, the additional block remains dominant on this heritage building.

The use of a light structured glazed link to connect the existing main building with the proposed consulting blocks, as well as the internal garden areas, seem to work well: the consulting rooms are built as small additional blocks and are architecturally subservient to the main heritage building.

The elevations of the new consulting blocks are not pastiche but low key modern brick 'boxes'- it is however hoped that their detailing will be of good quality.

The proposed clear glazed window solution will detract from the overall character of the foundry building. Despite the need for authenticity as an approach in refurbishment work, where the old is 'restored' and any new addition is clearly marked and apparent as contemporary, the fragile character of the building would be irreparably impaired if this new type of glazing was to be introduced as it will give a feeling of 'gaping' openings. It is believed that the original pattern, taken from photographic records could be more successful in this instance and quite easily reproduced. Secondary glazing would be the appropriate solution for this type of windows.

23. Group Engineer (Development)

Based on the trip rates contained within the Transport Assessment the proposed medical centre will generate 1425 two-way trips over the operational day of the development. The previous industrial use on the site generated 76 two-way trips over the operational day of the development, thus increasing the trips generated by 1349 per day. The Planning Obligations SPD requires a contribution of £61.74 per additional trip for transportation infrastructure. Therefore the proposed development, will require a contribution of 1349 two-way trips x £61.74 = **£83287.26.**

Based on the standards set out in the Parking Standards SPD the medical facility will require the provision of 120 parking spaces. The proposed development provides 132 car parking spaces, including 12 No. disabled spaces.

All gates to industrial/commercial premises should be set back by a sufficient distance to allow the largest vehicle expected at the site to wait at the barrier/gates, without obstructing the public highway, should the gates be closed when the vehicle arrives. Given the size of the turning facility within the development, it is clear that large vehicles will be visiting the facility. The current location of the barrier/gates does not cater for these large vehicles and therefore the barrier/gates should be set back sufficiently to allow these vehicles to wait clear of the carriageway.

In relation to the issue of 'trip netting' as discussed in *Paragraph 3.5* of the TA, it is considered that since the existing facility on Worcester Street can be brought into reuse within a similar land use category, the principle of trip netting will result in double counting of discount factors and is not accepted by the highway authority. Therefore the base information within the Transport Assessment is incorrect and the junction assessment analysis and conclusions of the Transport Assessment do not reflect the true situation and would need to be reassessed without trip netting being taken into consideration.

The relocation of the Worcester Street surgery may result in an increased need to travel for existing patients who currently use a local surgery which is to be

moved to the opposite side of Stourbridge. When the existing site is compared to this proposed site, it is clear that the existing premises on Worcester Street enjoy more convenient links to public transport and the town centre. This difference in the sustainability of the sites is reflected in the accessibility scores of the sites, with the existing facility scoring 21 on the accessibility assessment and the proposed site scoring 15.

There is a lack of information within the Transport Assessment and the Travel Plan relating to the travel patterns for existing premises relocating to the proposed facility. The information is required to show how the proposed relocation would affect the need to travel for existing patients. Without such information concerns relating to the increased need to travel by private car remain and it is therefore assumed that the scheme is contrary to PPG 13, as it will increase the need to travel by private vehicle for the existing patients.

There is a footpath/cycleway leading to Wollaston Recreation Ground to the west of the site which provides links to the cycleway network linking Stourbridge to Kingswinford. This route is extremely narrow at approximately 1.6m wide and requires cyclists to dismount due to the lack of available width. It is also bounded by high walls and bends to a significant degree obstructing forward visibility. This is considered to be a major barrier to sustainable travel from areas to the west of the site. The site to the south of the cycleway is owned by the applicant and it is therefore requested that sufficient land is vested to the Highway Authority to allow it undertake necessary realignment and widening improvements to improve its usability, in order to maximise the potential for sustainable travel to the development:

In view of the accessibility scores for the existing Worcester Street Surgery and the proposed facility and the lack of information relating to the existing travel patterns, it is considered that the site is not sustainable in terms of transportation and will result in a greater need for patients to travel by the private car. The vesting over of the land adjacent the cycleway to the west of the site should form an integral part of the development, to address its shortfall in sustainable links. Without this the proposal would be contrary to PPG 13 and therefore could not be supported by the highway authority.

24. Natural England

The proposal would not be likely to have any adverse effect on legally protected species and therefore there is no objection. The Council should ensure that the application proposals secure the appropriate mitigation of development activities. Such measures should include the retention and enhancement of the required ecological habitat on site to encourage the further activity of protected species. Specifically, Natural England would advise the Council seek to ensure the adoption of all recommendations provided in the Ecology Report (EDP, September 2009) via planning condition. Natural England would reinforce the need for the applicant's to undertake a Kingfisher Survey immediately prior to works.

The River Stour is an important wildlife corridor in the area, providing a pivotal connection /commuting / foraging route for a number of locally and nationally protected species and enabling links between locally designated sites of ecological importance. Natural England would therefore expect any development proposals for the site to include significant landscaping proposals for the River corridor area in particular. We would advise the Council to seek to ensure the provision of a detailed landscaping/planting plan or management plan for the site via condition.

RELEVANT PLANNING POLICY

25. Unitary Development Plan

S2 Creating a More Sustainable Borough
S10 Quality Design
S16 Access and Movement
DD1 Urban Design
DD6 Access and Transport Infrastructure
DD7 Planning Obligations
DD10 Nature Conservation and Development
DD11 Water Courses
UR8 Derelict Land
EE1 Key Industrial Area

AM12 Pedestrians
CS2 Health and Social Care Facilities
NC5 Sites of Importance for Nature Conservation
NC6 Wildlife Species
HE1 Local Character and Distinctiveness
HE4 Conservation Areas
HE6 Listed Buildings
HE8 Archaeology and Information
S02 Linear Open Space
S03 Access and Enhancement of Green Belt and Linear Open Space
EP4 Development in Floodplains

26. Supplementary Planning Documents

Parking Standards and Travel Plans
Planning Obligations

27. Regional and National Policy documents

The West Midlands Regional Spatial Strategy

PPS1 Delivering Sustainable Development
PPS9 Biodiversity
PPG15 Planning and the Historic Environment
PPS25 Development and Flood Risk

ASSESSMENT

28. The report will highlight the main issues with regard to the submission and will cover the following topics:

Policy/Principle
Access/Highways
Flood Risk
Layout/Design
Listed Building/Conservation Area impacts

Policy/Principle

29. The site is located within a Key Industrial Area as designated by Policy EE1 of the UDP. The thrust of this policy is to safeguard existing and ongoing industrial land use and identify other acceptable industrial uses. The foundry which sits at the heart of the site has been redundant for some time, and its Grade II* listed status represents a significant constraint to any potential redevelopment for modern industrial purposes. It is accepted that any reuse of this building would cost a considerable amount of money and would make many alternative uses unviable.
30. It is also clear that a number of redundant buildings in the vicinity have been unoccupied for a considerable amount of time and have been subsequently been demolished, which would support surveys that have been undertaken which demonstrate that industrial uses have little or no market interest.
31. It is accepted that a health care centre at this site would be contrary to the aims of Policy EE1, however the long terms benefits of enabling a development to retain such an important building would outweigh some of the policy concerns for this site. The proposed type of use is encouraged by Policy CS2 of the UDP and by Policies S2 and UR8, which advise that the reclamation, regeneration and reuse of derelict and underused land should be a priority in facilitating the development of land in urban areas for appropriate uses in order to contribute to the creation of a more sustainable borough.

Access/Highways

32. Policy DD6 of the UDP requires that all development should be appropriate in scale to the existing transportation infrastructure of the immediate area and should make adequate and safe provision for access and egress by vehicles and pedestrians. The site is accessed from Lowndes Road, where a new access point will be formed to the development into the proposed car park area. The proposed number and layout of parking spaces is acceptable. Amended plans have been submitted showing the relocation of the barrier/gates as requested by the Group Engineer.

33. The development will give rise to an increase in car borne trips to and from the site, and therefore from this perspective is not considered sustainable. The existing medical centre at Worcester Street is more sustainable in terms of access to other modes of transport. With regard to the comments received from the Group Engineer relating to the need to improve links to and from the site, the applicant has agreed to transfer to the Council part of the land they own adjacent to the footway/cycleway to the west of the site in order that the required improvements can be carried out to it. This is in accordance with Policy S16 of the UDP which advises that access and movement for the Borough's residents can be improved by improving accessibility to everyday facilities and enhancing facilities for cyclists, pedestrians and people with reduced mobility, and Policy AM12 which states that the Council will endeavour to enhance pedestrian facilities and seek contributions from developers to offset planning loss caused through development.

The Development and Flood Risk

34. Policy EP4 of the UDP states that development will not be permitted in areas liable to flood unless appropriate mitigation measures can be incorporated into the development proposal. Developments will be assessed in accordance with current Government guidance and having regard to appropriate sequential tests and criteria.
35. With regard to the comments of the EA, a 'sequential test' has been carried out which demonstrates that there are no alternative sites less prone to flooding than the application site which could accommodate the development proposed.
36. The existing river bank is subject to channel works as set out in the Flood Risk Assessment. The FRA has according to the EA satisfactorily demonstrated that the development would not increase flood risk, and that indeed there would be an improved situation post development in respect of reducing the potential for the area to be flooded.

Layout/Design

37. The design of the development is mainly driven by the adaptation of the existing listed building and modern extension to the north and south elevations. The design

approach taken in this case is to ensure that the renovated foundry building remains the dominant building on the site, with the new elements to be subservient to give emphasis to the foundry.

38. The existing building is of a robust brick form, with the building's brick skin punctuated with window openings topped with a massive roof in heavy grey slate. The building is to undergo sensitive repair, with simple insertions only in the form of new windows and doors so that the integrity of the building is maintained.
39. The proposed new wing by contrast is a 'light' structure predominantly of transparent vertical fenestration with some solid elements.
40. The proposed new hardsurfacing and planting will enhance the appearance of the public space. The development will also provide a link to the canalside to the north across the listed river bridge, in accordance with Policy SO3 of the UDP which requires that public access to, through and within the Borough's Linear Open Space is protected and where possible enhanced.
41. Policy S10 of the UDP states that higher quality of design of buildings and spaces will be promoted and encouraged in all development, whilst Policy DD1 advises that all development should make a positive contribution to the character and appearance of the area with appropriate massing, bulk, materials and detailing. It is considered that the development complies with the aim of both policies.

Impact on Listed Building/Conservation Area

42. The site is located within a Conservation Area and therefore Policies HE1 and HE4 are of particular importance in the assessment of this application. Developments in Conservation Areas are required to preserve or enhance their setting. Policy HE4 sets out to resist the demolition or inappropriate alteration of buildings in Conservation Areas, whilst Policy HE1 states that proposals which would result in the loss of physical features that strongly contribute to the local character and distinctiveness of the Borough's townscape will be resisted. The detailed consideration of both the conversion of the foundry building and the demolition proposals will form part of the determination of a separate application for Listed Building Consent. Policy HE6 advises that proposals for the demolition or inappropriate alteration of, or addition to,

listed buildings, or for development which would be detrimental to their setting, will be resisted.

43. The conversion works to the foundry building are acceptable in principle, having been the subject of extensive pre application discussions and the submission of detailed supporting documentation. The information supplied demonstrates that the foundry can be sensitively converted to house the new medical centre accommodation. This can be achieved without any structural impact upon the historic fabric of the foundry building. The provision of a full height atrium in the central area of the foundry will allow the proper appreciation of Rastricks innovative cast iron roof design that forms a highly significant component of the listed building's special interest. Whilst further information regarding the detailed implementation of some of the works will be required these can be arrived at through the imposition of suitable conditions as part of the determination of the Listed Building Consent application.
44. Similarly, it is considered that the new extensions proposed have been fully detailed and carefully designed in a modern approach that does not compete with the historic foundry. It is considered that the new build elements remain effectively subservient to the principal listed building, rather than competing with it.
45. The conversion and extension works cannot be viewed in isolation from their much wider historic context; rather that the whole ironworks complex stands to be considered in relation to the current planning application. Consideration of the historic environment issues arising from the application cannot properly be confined to the planning application boundary only. This reflects the fact that individual historic assets on the site are all part of a greater integrated whole which include the grade II Listed Managers House 'Riverside' (with associated stables and pig sties) the grade II listed dry dock and boatyard workshops, the canal itself and the historic boundary walls that defined the site and former canal arms that penetrated into it.
46. The potential demolition of the structures needs to be considered in the wider context of the ironworks complex as a whole and also in the context of ensuring that future phases of redevelopment affecting the wider site are carried out in a complementary fashion. This is necessary, amongst other things, to ensure that the Council complies with its' statutory duty to have special regard to the desirability of preserving or enhancing the character or appearance of Conservation Area.

47. The loss of the structures could be justified if there were a greater degree of certainty that the redevelopment of the site would lead on to the refurbishment of the other historic structures in the ironworks complex. This needs to be accomplished in such a way that would in future lead to all of the restored historic ironworks features, including the foundry, 'reading' as an integrated whole within the totality of the redeveloped canalside.
48. The certainty required could normally be achieved via a condition attached to the granting of listed building consent for the demolition of the buildings. This would be designed to require the pre-demolition commissioning by the landowner of a Conservation Plan covering the wider historic ironworks site and considering future phases of development and their integration with that. However, since such considerations extend beyond the boundary of the site in this case such a condition would not be enforceable. Therefore a Section 106 Agreement for the consideration of these wider issues would be required as part of this planning application. Such an approach is endorsed in the Historic Environment section of the Council's adopted Planning Obligations SPD.
49. Policy HE8 of the UDP requires that adequate information should be provided to allow the full and proper consideration of the impact of a development on archaeological remains. It is considered that archaeological remains of considerable significance could have survived at the site in extremely good condition and be deserving of investigation and full 'preservation by record' in mitigation of the destructive impacts of the development proposals. It is recommended that the implementation of development works should be subject to an archaeological watching brief to allow the archaeological recording of any significant remains that might be revealed.

Wildlife/ecology

50. Policies DD10 and NC6 of the UDP state that the Council will ensure that the effects of development proposals on wildlife features will be taken into account. Where damage is unavoidable, appropriate mitigation will be required. Particular care will be taken to safeguard designated sites and protected species.

51. The site has been derelict for a long period of time and has become attractive to both wildlife and allowed plant colonisation. The area is designated as a linear open space and as such increases the potential for wildlife in the site and surrounding area. One of the functions of linear open space as set out in Policy SO2 of the UDP is to provide a corridor for wildlife and encourage the management of corridors for wildlife. It is clear from surveys submitted that a number of species and different types of wildlife are/could be using or have colonised the site. The canal/river is designated at a Site of Local Importance for Conservation (SLINC). Policy NC5 of the UDP advises that development within SLINC's will be required to protect areas of high ecological value in the design and layout of the proposal and provide appropriate mitigation for the loss of other areas of nature conservation value. Measures to protect the integrity of corridor and linear features will be required within layout and design of proposals. The site is therefore considered to be of significant importance in terms of its ecological value.
52. It is clear that the development will have impacts on the associated wildlife and therefore appropriate mitigations should be provided for the loss of habitats and opportunities should be provided to increase the potential for biodiversity. These mitigations can be sought via the conditions recommended by the Council's Nature Conservation Officer and Natural England, which will also help to ensure that the development complies with Policy DD11 of the UDP which requires that development should maintain or enhance the quality and value for nature conservation of existing water courses and their floodplains.

Planning Obligation/Contributions

53. The proposed development has a requirement to provide planning obligations to mitigate against the consequential planning loss to the existing community. Should permission be granted a Section 106 Agreement would be required in respect of the following contributions:

Highways Infrastructure

A contribution of £83,287.26 was requested. However the applicant has satisfactorily demonstrated that the provision of this contribution would potentially affect the scheme to the extent that it would become unviable, and it is therefore considered acceptable in this case that no contribution is sought. The applicant has however agreed to

transfer to the Council part of the land they own adjacent to the footway/cycleway to the west of the site in order that the required improvements can be carried out to it.

Public Art

A contribution of 1% of the design and development costs of the scheme was sought. The applicant considers that the new glass canopy at the entrance to the site can be considered to be the required public art feature. Officers are of the opinion that the proposed alterations to the exterior of the foundry building can be considered to represent a contribution to public art.

Public Realm

A contribution of £103,138.92, to be spent on or off-site was requested. The applicant has argued that the proposed development works, including the restoration of the foundry building, the improvements to the existing boundary treatment, the provision of high quality hard and soft landscaping, and the improved links across the site to the canal, do constitute significant improvements to the public realm and as such a financial contribution should not be sought. Again, Officers concur with this.

Historic Environment

54. The pre-demolition commissioning by the landowner of a Conservation Plan covering the wider historic ironworks site. The applicant has agreed to provide this Plan.

Employment Compact

55. An agreed framework for promoting job opportunities using locally sourced labour and materials. The applicant has agreed to this.
56. According to the applicant, their financial appraisal demonstrates that the scheme will not generate a normal level of profit and is effectively unviable. The scheme is apparently only proceeding because it is important to secure a new use for the listed building, with benefits to the local community by improving health service facilities in the area. The applicant has stated that the financial contributions sought in respect of

highways infrastructure, public realm and public art would render the scheme so unviable that it could not reasonably proceed.

57. The Council's Strategic Surveyor has advised that the PCT is only prepared to part fund the rent per annum for the development and that the need for the developer to provide the rest of the rent leaves the scheme in a financially precarious position. On this basis the Strategic Surveyor is of the opinion that there would be uncertainties over how much profit the scheme will actually make.

CONCLUSION

58. The proposal provides the opportunity to retain a Grade II* listed building which English Heritage consider to be 'at risk'. The proposed use of the site would involve the regeneration and reuse of derelict and underused land, thereby contributing to the creation of a more sustainable borough.
59. The submitted Flood Risk Assessment satisfactorily demonstrates that the development would not increase flood risk, and that indeed there would be an improved situation post development in respect of reducing the potential for the area to be flooded. A 'sequential test' has been carried out which demonstrates that there are no alternative sites less prone to flooding than the application site which could accommodate the development proposed.
60. The proposal complies with development plan policies which promote and encourage higher quality of design of buildings and spaces and require that they make a positive contribution to the character and appearance of the area. The information supplied demonstrates that the foundry can be sensitively converted to house the new medical centre accommodation without any structural impact upon the historic fabric of the foundry building. It is considered that the new extensions proposed have been fully detailed and carefully designed in a modern approach that does not compete with the historic foundry.
61. The development will have impacts on the associated wildlife in and around the site. Appropriate mitigations can be sought via conditions to provide for the loss of habitats and to create opportunities to increase the potential for biodiversity.

62. The proposed development works, including the restoration of the foundry building, the improvements to the existing boundary treatment, the provision of high quality hard and soft landscaping, and the improved links across the site to the canal constitute significant improvements to the public realm and as such a financial contribution should not be sought. The new glass canopy at the entrance to the site can be considered to be the required public art feature. The provision of a highways infrastructure contribution would potentially affect the scheme to the extent that it would become unviable, and it is therefore considered acceptable in this case that no contribution is sought.

RECOMMENDATION

63. It is recommended that the application be approved subject to:
- a) the development not commencing until a scheme for the submission and approval of a planning obligation to guarantee the provision of the following has been submitted to and agreed in writing by the local planning authority:
 - 1) The pre-demolition commissioning by the landowner of a Conservation Plan covering the wider historic ironworks site;
 - 2) The land transfer by the landowner to the Council of land under their ownership to enable the required improvements to the footway/cycleway to the west of the site;
 - 3) the developer entering into a Local Employment Statement with the Council in order to provide for economic and community development benefits. This could be in the form commitments to sourcing building materials locally and the provision of jobs for local people in both the construction and end-use phases

The scheme shall include the method, timing and arrangements including a means to guarantee a financial payment, increased through index linking from the first April each subsequent year, in accordance with the Council's planning obligations policies, and

- b) the following conditions, with delegated powers to the Director of the Urban Environment to make amendments to these as necessary:

Conditions and/or reasons:

1. BA01 Commencement within 3 years (full)
2. The development shall not begin until a scheme for the provision of:
 - 1) The pre-demolition commissioning by the landowner of a Conservation Plan covering the wider historic ironworks site;
 - 2) The transfer by the landowner to the Council of land under their ownership (shown on plan drawing no. XXXX) to enable the required improvements to the footway/cycleway to the west of the site
 - 3) the developer entering into a Local Employment Statement with the Council in order to provide for economic and community development benefits

has been submitted to and approved in writing by the local planning authority.

3. BD02I Access prior to occupancy of buildings
4. AD04I Details of levels
5. AD16 Travel plan
6. AE02 Submission of hard and paved surfacing details
- 7.
8. AH03 Archaeological investigation & watching brief
9. AI01I Landscaping scheme to be submitted
10. AI03I Boundary treatments to be agreed
11. BI06I Landscaped areas for no other purpose
12. AI16 Recent NC survey
13. No development shall commence until details of an interpretation panel to be installed at the site have been submitted to and approved in writing by the local planning authority. The panel shall thereafter be installed in accordance with the approved details.
14. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:
 1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
 2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

15. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

16. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.

17. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) undertaken by Peter Brett Associates (Ref:18989/001) dated January 2009 and the FRA Addendum and the following mitigation measures detailed within the FRA:

1. Limiting the surface water runoff generated by the site as highlighted in Section 3.7.2 of the FRA and in Point 8 of Peter Brett Associate's letter dated 22 June 2009 (Ref: 18989/001/NTN/MP/CC) so that it will not exceed the runoff from the existing site and not increase the risk of flooding offsite.

2. Finished floor levels are set no lower than 65.60 m AOD (600mm above the modelled 1 in 100 year flood level including 20% increase in flow due to climate change impacts) as confirmed in Point 4 of Peter Brett Associates letter dated 22 June 2009 (Ref:18989/001/NTN/MP/CC) .

3. There must be no new buildings, structures (including gates, walls and fences) or raised ground levels within 8 metres of the top of bank of the River Stour (other than the 4.85m pinch point shown on Drawing No. 18989_09/A from the new wing).

4. A Flood Management and Evacuation Plan should be produced and implemented and flood warning notices shall be erected in numbers, positions and with wording to be agreed with the Local Planning Authority as recommended in Section 5 of the FRA.

5. A scheme for the restoration and future maintenance of the River Stour within the site (including improvement works to the bridge structure as shown in Drawing No 18989/SK100/A) must be submitted in accordance with Drawing No 18989/03b and

18989_09 and outlined in Sections 2.2 and 3.7.1 of the FRA.

6. There shall be no raising of ground levels or storage of any materials (including soil) within that part of the site liable to flood (including climate change) as shown in blue on Drawing No 18989_011 - Figure 11 in the FRA.

18. Prior to the commencement of development a river restoration and long term management plan, including long- term design objectives, management responsibilities and maintenance schedules for the river corridor, shall be submitted to and approved in writing by the local planning authority. The river restoration plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

The scheme shall include the following elements:

1. low flow channel to be a variable width (as at present) and to be no wider than the current low flow channel width.
2. The channel bed is to be variable in width and length as at present and should contain the same number and length of riffles and pools as at present.
3. The channel should be re-designed in conjunction with a suitably qualified Geomorphologist to ensure that the work will be sustainable and will not result in a reduction in ecological or Geomorphological value of the river. The Geomorphologist should produce a report which supports a sustainable solution.
4. The flood flow channel should be of sufficient capacity to allow the retention and/or replanting of trees along the river bank. Bankside trees are essential for a healthy river. They regulate water temperature, provide food (leaf and insect fall), provide refuge for fish during flood events and provide habitat and refuge for many species associated with rivers.
5. The low flow channel should meander through the flood flow channel
6. Suitable conditions for otters to forage for food and take refuge (i.e. lying up sites)
7. Pools for kingfishers to fish, with associated perching trees.
8. Detail extent and type of new planting (NB planting to be of native species)
9. Details of maintenance regimes
10. Programme of eradication of invasive species, including Giant Hogweed, Japanese Knotweed and Himalayan Balsam.

19. Prior to the commencement of development a plan is required for the protection and/or mitigation of damage to populations of otter and water vole, protected species under The Wildlife and Countryside Act 1981 / Habitats Directive Annex II, and their associated habitat during construction works and once the development is complete. Any change to operational, including management, responsibilities shall be submitted to and approved in writing by the local planning authority. The otter and water vole protection plan shall be carried out in accordance with a timetable for implementation as approved.

The scheme shall include the following elements:

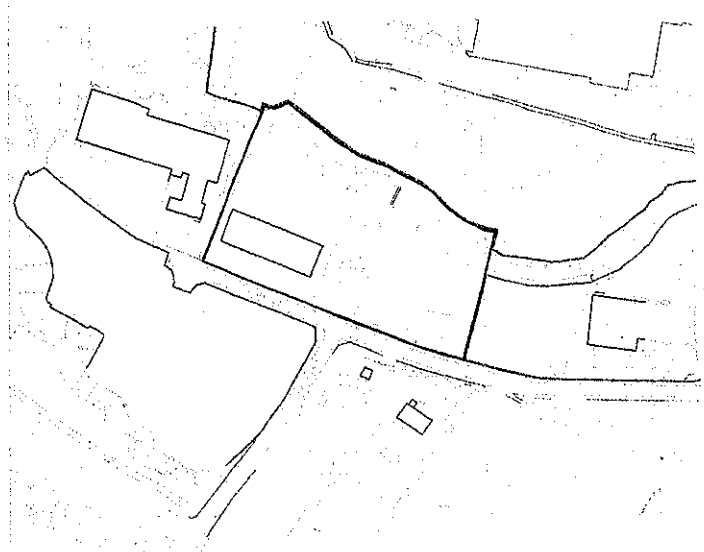
1. Detailed surveys for otter and water vole to determine to current use of the site
 2. Details of water vole protection measures throughout construction period (including capture and temporary holding if necessary, long with release proposals)
 3. Creation of suitable feeding habitat for otter and water vole (as set out in the river restoration plan)
 4. Creation of suitable conditions for water vole to colonise and burrow into the bank
 5. Creation of otter holt
 6. Creation of condition to minimize disturbance.
20. Prior to the commencement of development, a detailed method statement for the removal or long-term management /eradication of <plant name> on the site shall be submitted to and approved in writing by the local planning authority. The method statement shall include proposed measures to prevent the spread of Japanese knotweed and giant hogweed and Himalayan balsam during any operations such as mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981. Development shall proceed in accordance with the approved method statement.
21. No development approved by this permission shall be commenced until a scheme to deal with contamination of land (including ground gases and vapours) has been submitted to and approved by the Local Planning Authority (LPA). Furthermore, no part of the development shall be occupied until the LPA has been satisfied that the agreed scheme has been fully implemented and completed.

The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement specifically in writing:

- i) A desk-top study to formulate a conceptual model of the site. The requirements of the LPA shall be fully established before the desk-study is commenced;
- ii) Once the desk study has been approved by the LPA, a site investigation shall be carried out to identify and evaluate all potential sources and impacts of identified contamination in accordance with the conceptual model. The findings of site investigation shall be presented in report format for approval by the LPA and shall include a risk-based interpretation of any identified contaminants in line with UK guidance;

- iii) Following the approval of both desk-top study and site investigation reports, a written remediation scheme and method statement (the contamination proposals) shall be agreed in writing with the LPA prior to commencement. The contamination proposals shall include provisions for validation monitoring and sampling, including a scheme and criteria for both the use of imported materials and reuse of site-won materials, and be retained throughout the lifetime of the development.
 - iv) The contamination proposals shall be implemented in full and no deviation shall be made from the contamination proposals without the express written permission of the LPA.
 - v) If during development works any contamination should be encountered which was not previously identified or is derived from a different source and/or of a different type to those considered under the contamination proposals then the LPA should be notified immediately and remediation proposals formulated/amended for consideration.
 - vi) If during development work, contaminants are found in areas previously expected to be acceptable, then the LPA should be notified immediately and remediation proposals formulated/amended for consideration.
 - vii) A completion report confirming the objectives, methods, results and conclusions and demonstrating that the contamination proposals have been fully implemented and completed shall be submitted to the LPA for approval.
22. No works of construction, levels changes, regrading or other site clearance or infrastructure works involving ground disturbance shall begin until the developer has secured the implementation of a programme of archaeological investigation and recording work including appropriate provision for subsequent analysis, reporting and archiving in accordance with a Written Scheme of Investigation (WSI) which has first been submitted to and approved in writing by the local planning authority. The WSI shall include details of any physical archaeological evaluation works to areas identified as having the potential for archaeological significance and at the appropriate stage details of any subsequent programmes of archaeological recording works required in mitigation of damage to or loss of archaeological remains or proposals for the preservation in situ of archaeological remains. The WSI shall include details of proposed general archaeological monitoring and recording in relation to the ongoing development. Following approval of the WSI all such works will be carried out in accordance with the agreed details
23. No works involving the demolition removal or alteration of the existing Locally Listed Cast Iron Bridge (HBSMR 7240) or other built structures directly associated with it or affording it support shall commence until the developer has secured the implementation of a programme of archaeological buildings recording work to include subsequent analysis, reporting and archiving all to be in accordance with a written

- scheme of investigation which has first been submitted to and approved in writing by the local planning authority.
24. No works involving the demolition temporary removal or alteration of the existing Locally Listed Cast Iron Bridge (HBSMR 7240) or other built structures directly associated with it or affording it support shall commence until a detailed written schedule of works including structural and other specifications for the refurbishment of the bridge any works for strengthening or any other works of alteration has been submitted and approved in writing by the local planning authority. The works shall be carried out in strict accordance with the approved details.
25. The development hereby approved shall only take place in accordance with the recommendations set out in the EDP Ecology Report dated September 2009.



JULY 09 REV.B - West boundary adjusted
JUNE 09 REV.A - Red line boundary
amended as site plan

Rev.	Date	Revision
------	------	----------

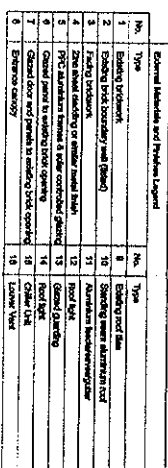
ABACUS
CHARTERED ARCHITECTS AND DESIGNERS
25 VICTORIA STREET
BIRMINGHAM B1 2PE
TEL: 0121 609 7700 FAX: 0121 609 9063
E-MAIL: enquiries@abacus.co.uk

Development
Stourbridge Lion Medical Centre

Title
P09/1070
Location Plan

Scale **1:1250**
Date **Feb 2008** Drawn **DB**

Fig no **0729** SP02 Rev **B**



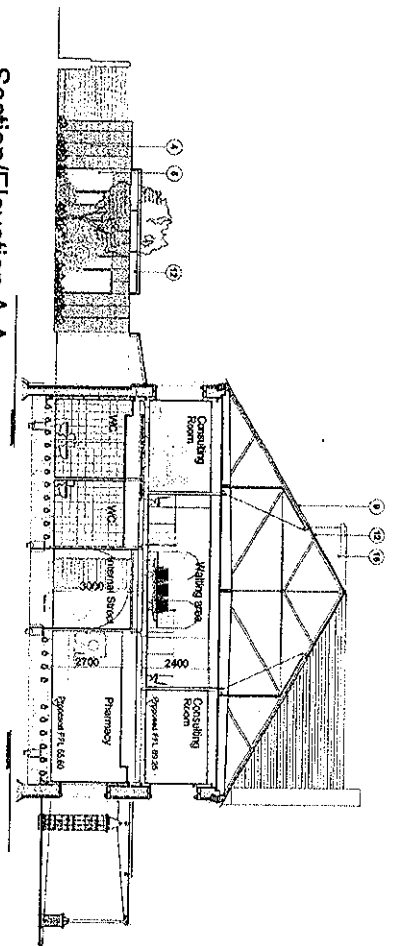
Day no. 012200

AL34CUS

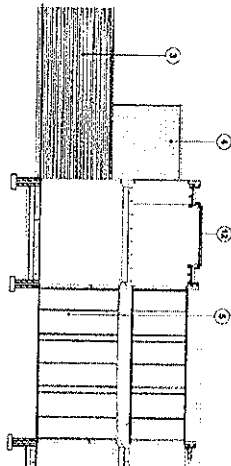
Development
Stourbridge Lion Medical Centre

P09/1070.i

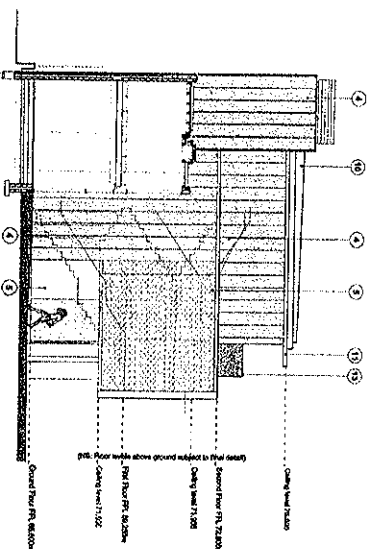
Section/Elevation A-A



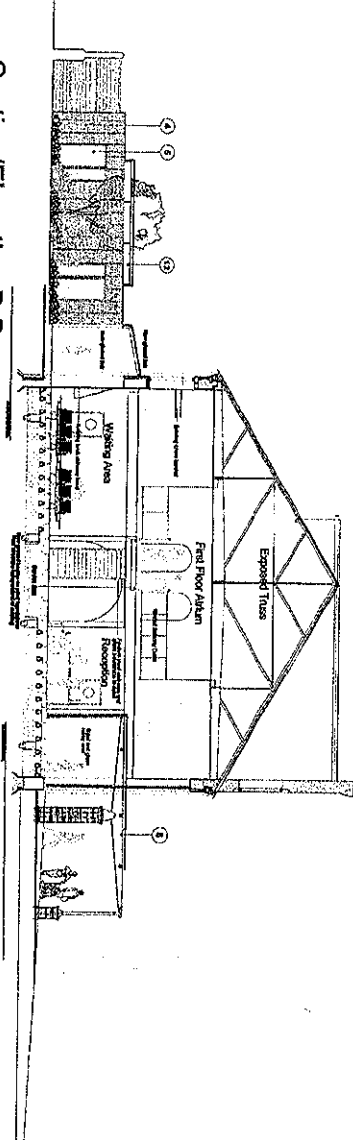
Section/Elevation D-D



Section/Elevation C-C

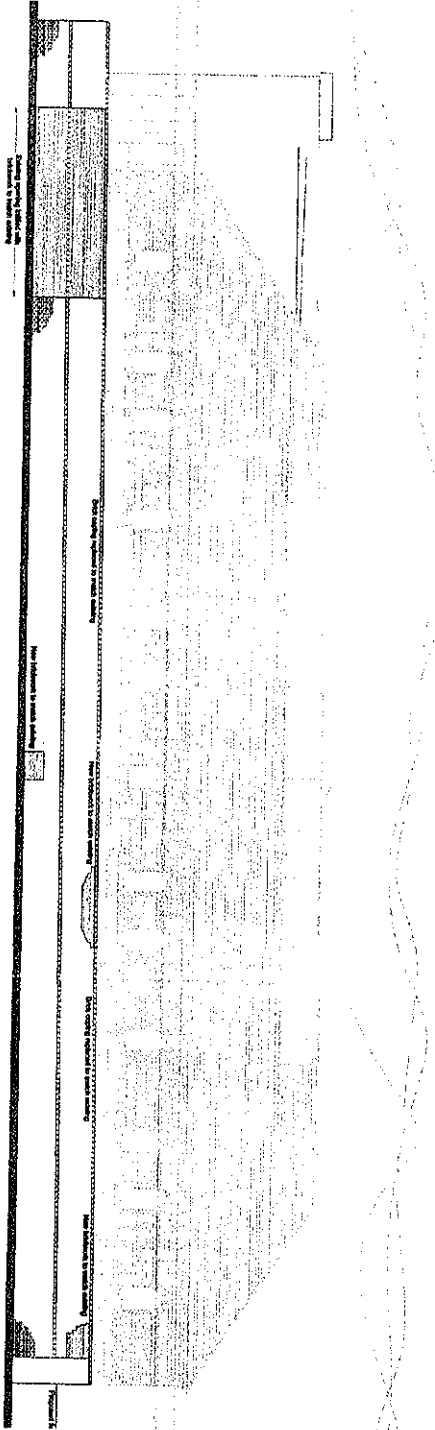


Section/Elevation B-B

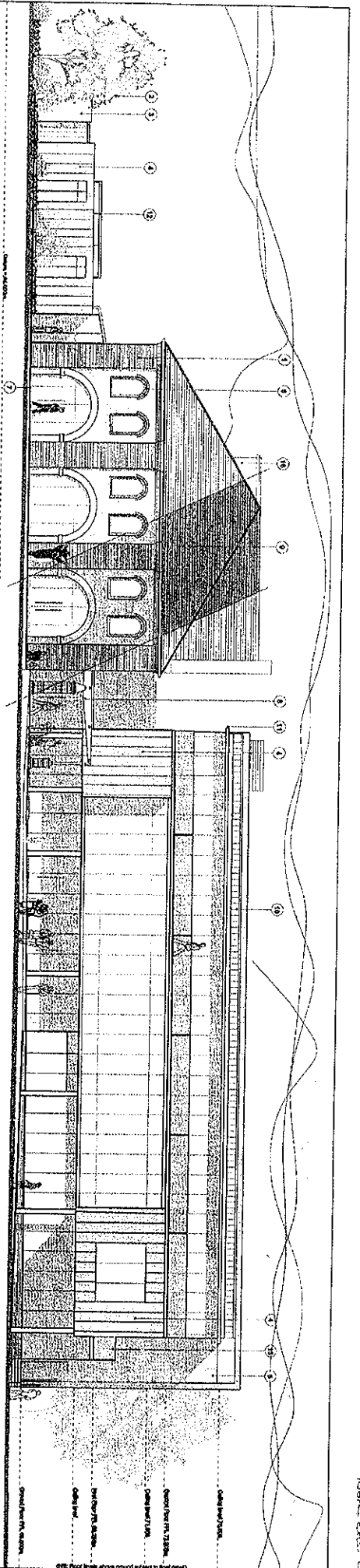


No.	Type	No.	Type
1	Exposed Truss	10	Exposed Truss
2	Exposed Truss	11	Exposed Truss
3	Exposed Truss	12	Exposed Truss
4	Exposed Truss	13	Exposed Truss
5	Exposed Truss	14	Exposed Truss
6	Exposed Truss	15	Exposed Truss
7	Exposed Truss	16	Exposed Truss
8	Exposed Truss		
9	Exposed Truss		

South East Elevation (Boundary wall)

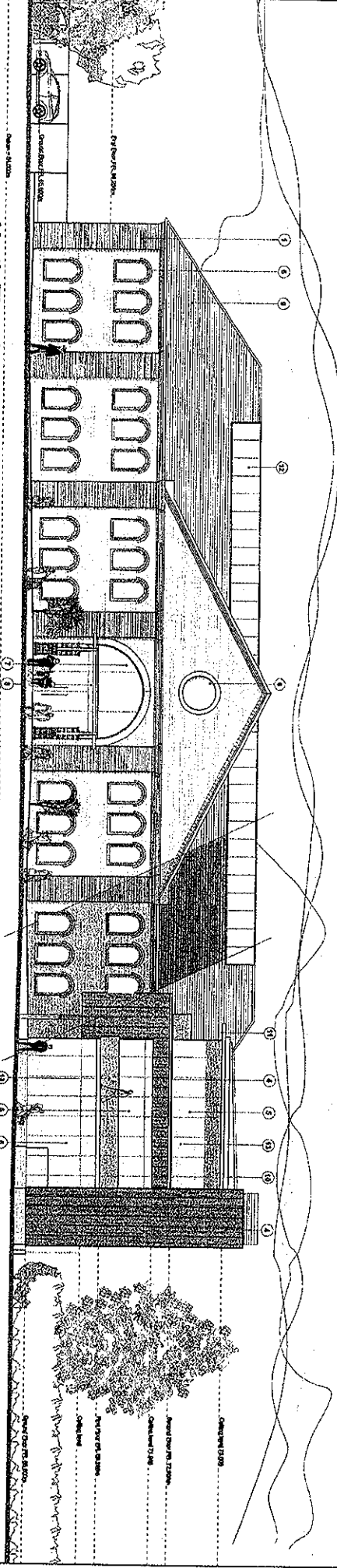






East Elevation

New Wing



North Elevation

New Wing

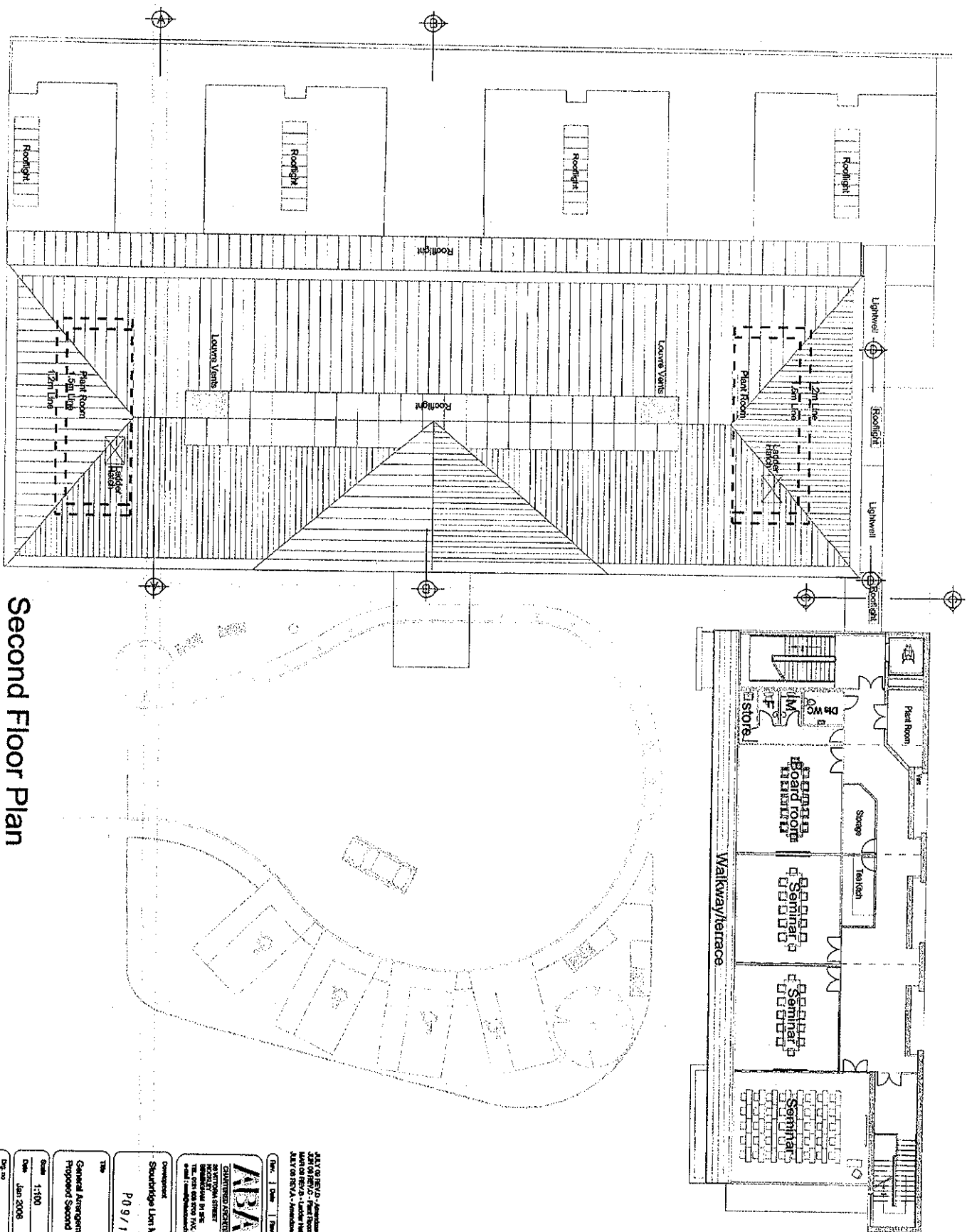
No.	Type	No.	Type
1	Existing building	9	Existing roof line
2	Existing brick boundary wall (New)	10	Existing street level
3	Existing driveway	11	Existing street level
4	Proposed building or other new building	12	Proposed street level
5	Proposed building or other new building	13	Proposed street level
6	Proposed building or other new building	14	Proposed street level
7	Proposed building or other new building	15	Proposed street level
8	Proposed building or other new building	16	Proposed street level
9	Proposed building or other new building	17	Proposed street level
10	Proposed building or other new building	18	Proposed street level

Scale	1:100
Date	Jan 06
Drawn	DB
By	0728
Check	GAUS
Rev	C

ABACUS
 ARCHITECTS
 20 WILSON STREET
 MELBOURNE VIC 3000
 TEL: 031 988 8000 FAX: 031 988 8000
 e-mail: info@abacusarchitects.com.au

Developer
 Southridge Lion Medical Centre
 P09/1070

Title
 General Arrangement Plan
 Elevation Sheet 01

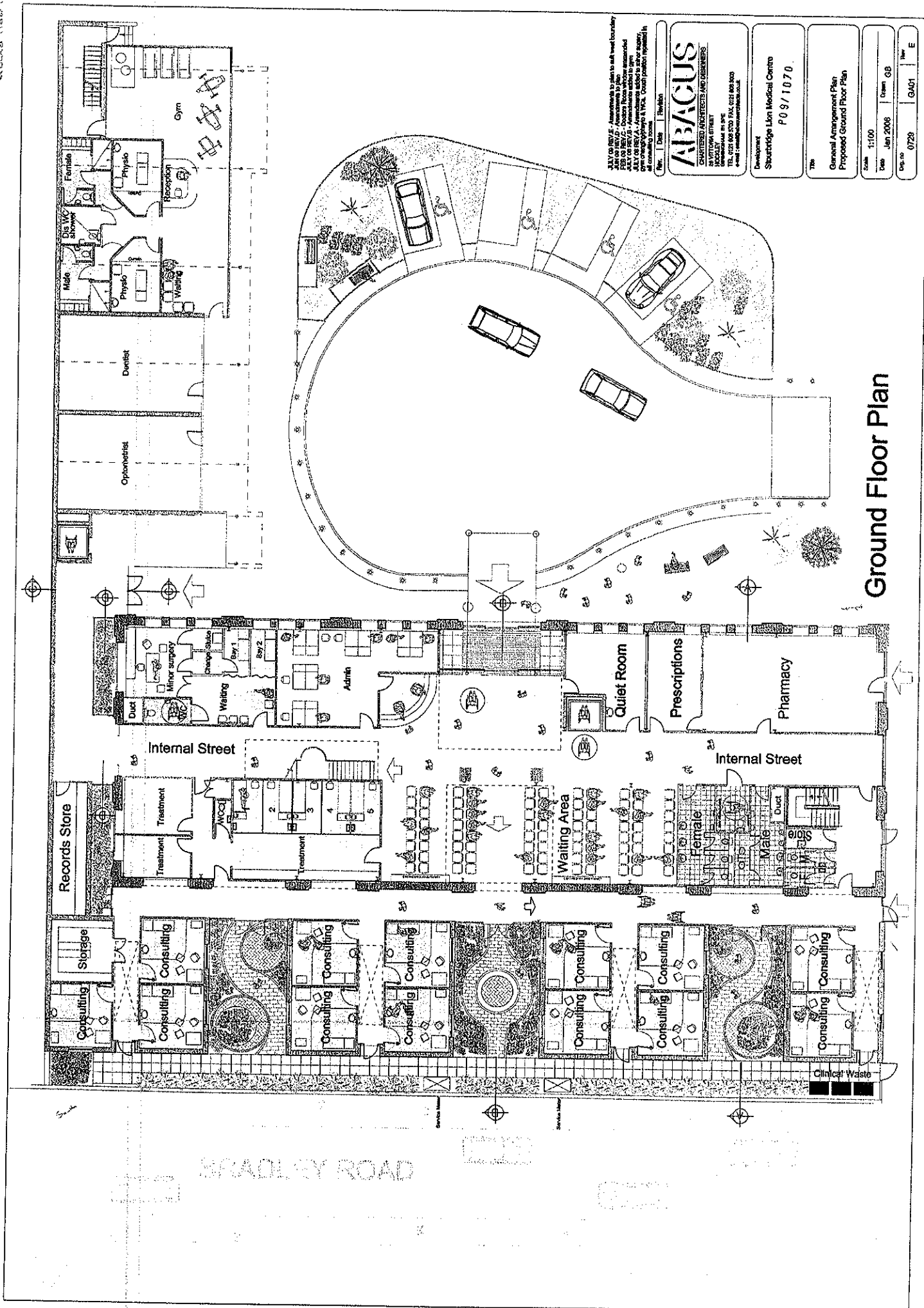


Second Floor Plan

ABACUS
CHARITABLE ASSOCIATES AND DESIGNERS
20 WATFORD STREET
WATFORD, Herts, WD17 7LJ
TEL: 0181 608 8700 FAX: 0181 608 8003
email: info@abacusarchitects.co.uk

Client: Stourbridge Unit Medical Centre
Project: P09/10701
Scale: 1:100
Date: Jan 2008
Drawn: DJS
Dwg no: 0729
GACS: Rev: 0

ALL YD REV'D - Amendments to plans to suit wall boundary
ALL YD REV'D - Floor plates added
ALL YD REV'D - Amendments added to WCA, Main entrance



JULY 08 REV E - Amendments to plan to add new boundary
JULY 08 REV D - Amendments to plan
JULY 08 REV C - Amendments to plan
JULY 08 REV B - Amendments to plan
JULY 08 REV A - Amendments to plan
All drawings are the property of the client and are not to be used for any other purpose without the written consent of the architect.

ABACUS
CHARTERED ARCHITECTS AND DESIGNERS
25 WITTON STREET
WITTON, LEICESTER LE19 1FQ
TEL: 01533 605 500 FAX: 01533 605 505
e-mail: enquiries@abacus.co.uk

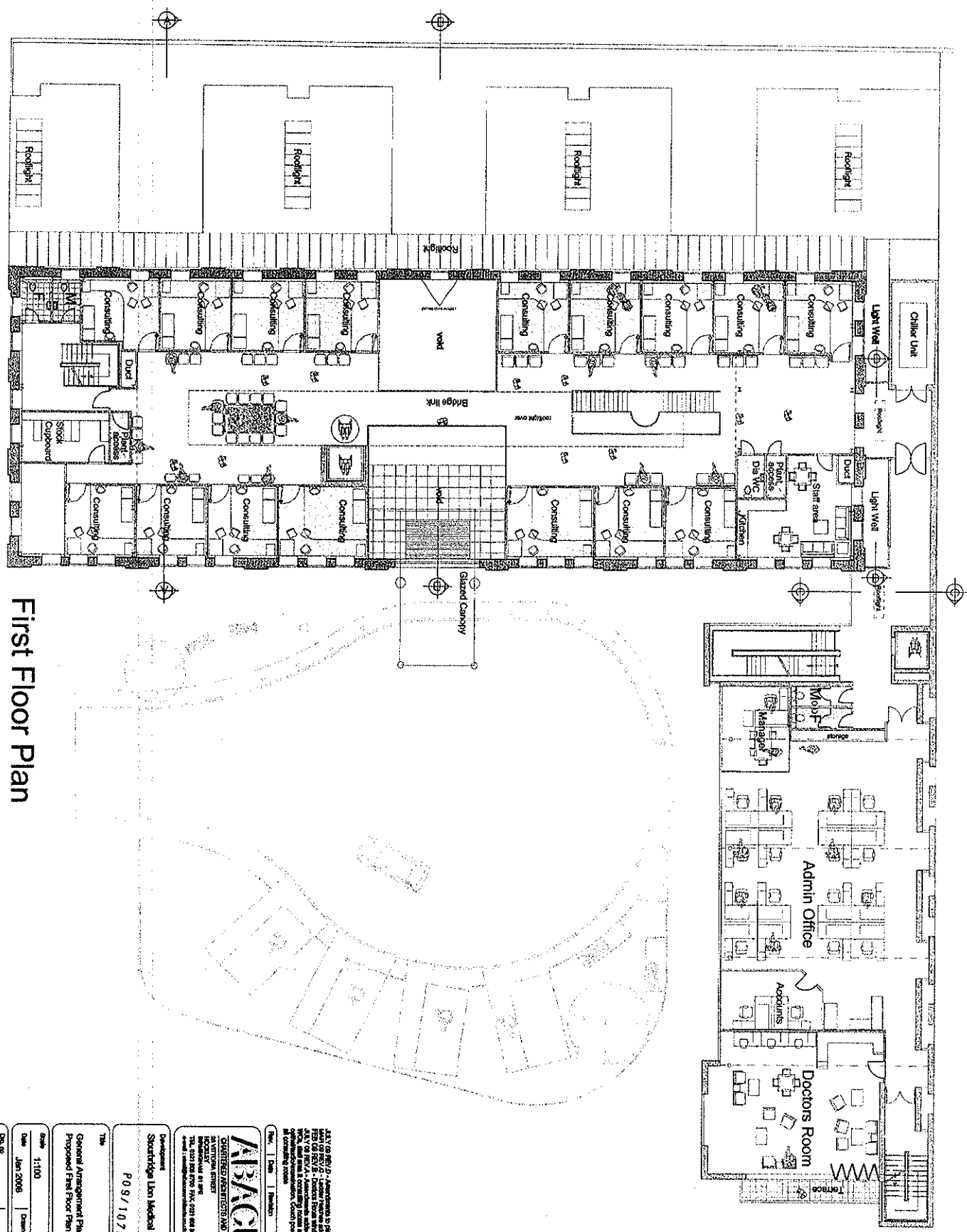
Development
Sturridge Lion Medical Centre
PO 9 / 1070

General Arrangement Plan
Proposed Ground Floor Plan

Scale	1:100
Date	Jan 2008
Drawn	GB
Check	GB
Rev	0729
Rev	0401
Rev	E

Ground Floor Plan

Peninsula
Health Services



First Floor Plan

ABACUS
 CHARTERED ARCHITECTS AND ENGINEERS
 25 VICTORIA STREET
 NEWCASTLE NSW 1590
 TEL: 081 552 8700 FAX: 081 552 8800
 e-mail: info@abacus.com.au

Development
 Sturtcliffe Lane Medical Centre
 P09/1070

Title
 General Arrangement Plan
 Proposed First Floor Plan

Scale
 1:100

Date
 Jan 2006

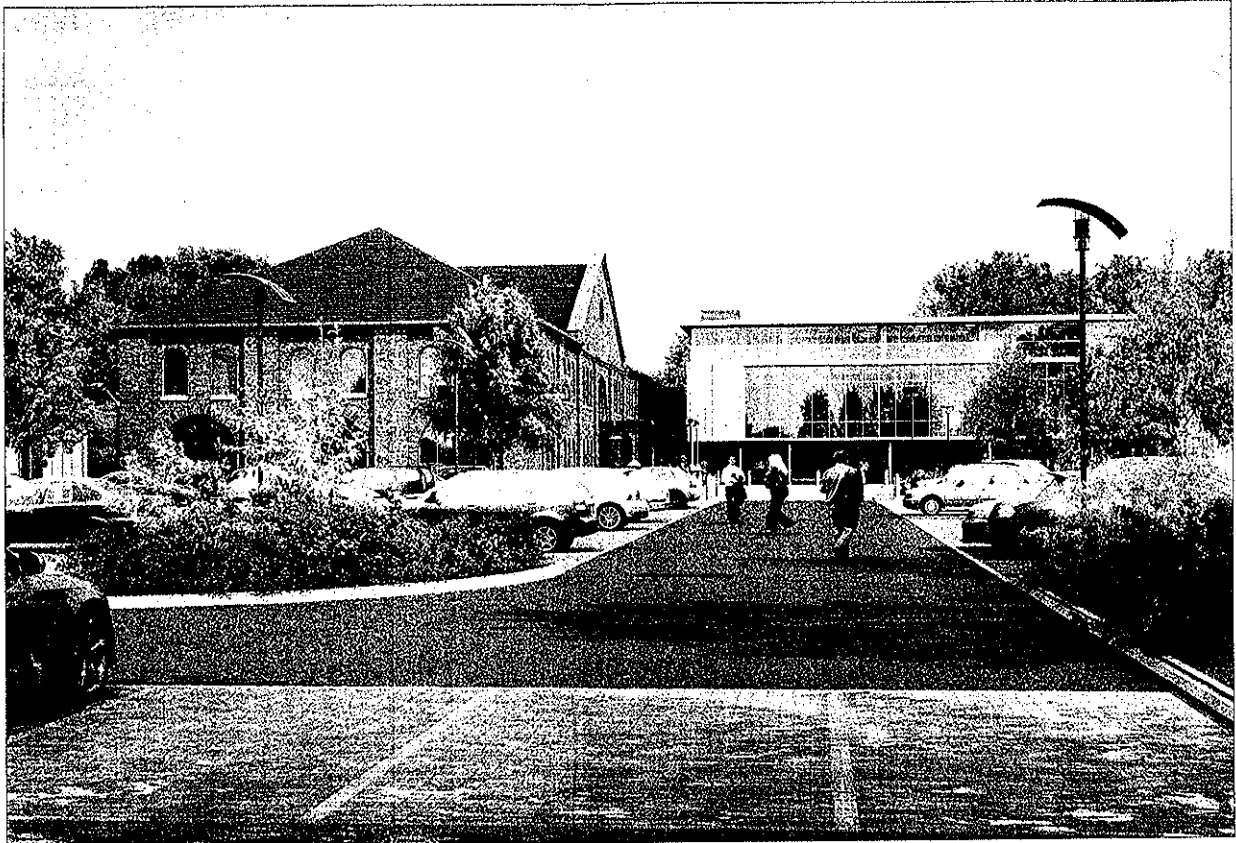
Drawn
 DB

Des. No.
 0729

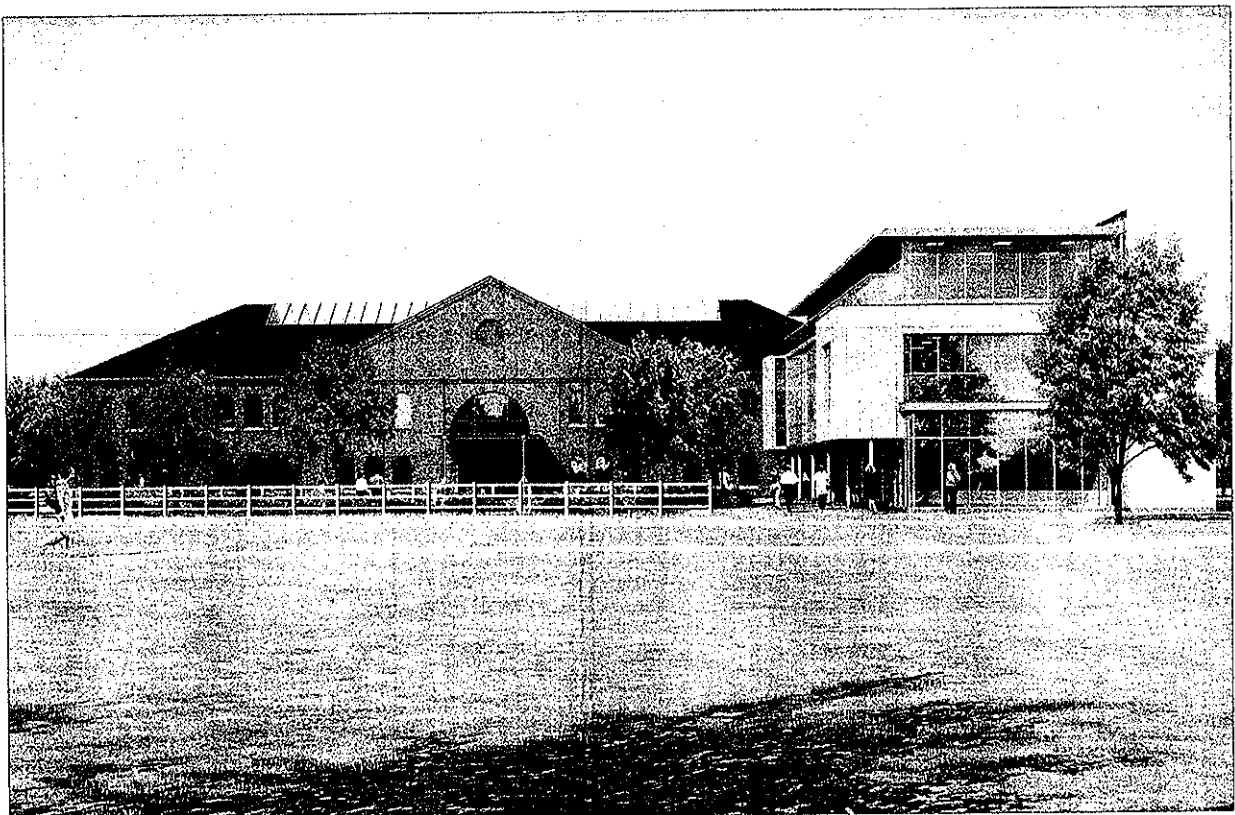
GWC

Rev
 0

ALL V & P 09/1070 - Amendments to Plans to suit need for boundary
 review of the site. The plan is a preliminary design and is subject to
 approval by the relevant authorities. The plan is not to be used for
 any other purpose without the written consent of the architect.
 The architect is not responsible for any errors or omissions in the
 plan or for any consequences arising from the use of the plan for
 any purpose other than that for which it was prepared.



View looking West



View looking South

**Stourbridge Lion Medical
Centre 3D Impressions
Dwg. no. 0729/IM01A**