PLANNING APPLICATION NUMBER:P08/1910

Type of approval sought		Full Planning Permission	
Ward		COSELEY EAST	
Applicant		Mr Neil Smith, Midland Heart developments Ltd	
Location:	LAND ADJ TO, BROAD ST, OLD MEETING ROAD & WHITEHOUSE ST, COSELEY, DUDLEY, WEST MIDLANDS		
Proposal	DEMOLITION OF WALLBROOK HOUSE YOUTH CENTRE AND WOMEN'S DAY CENTRE AND REDEVELOPMENT TO FORM 72 APARTMENT RETIREMENT VILLAGE WITH COMMUNAL FACILITIES AND ASSOCIATED CAR PARKING		
Recommendation Summary:	APPROVE SU	JBJECT TO A 106 AGREEMENT	

SITE AND SURROUNDINGS

- 1. The site extends over 0.94 hectare and comprises an existing residential care home (Wallbrook House) and a youth centre with outdoor all-weather pitch. It is situated immediately to the east of the West Coast main railway line, which is in a deep cutting at this point, and adjoins three roads Old Meeting Road in the north, Whitehouse Street in the middle and Broad Street to the south. The site falls by 4.0metres from the north to the south which is a distance of about 150 metres.
- 2. The eastern and western (railway) boundaries of the site are marked by public footpaths linking Broad Street and Old Meeting Road. The Coseley Old Meeting House, a historically significant building, adjoins the boundary of the site between Whitehouse Street and Old Meeting Road. The church is adjoined by its graveyard and some vacant land adjoining which are two, two-storey blocks of Council flats, one fronting each road. Also adjoining the site are two pairs of semi-detached houses on the south side of Whitehouse Street.
- 3. The surrounding area is predominantly residential in nature comprising a mix of Victorian, inter-war and modern houses and flats, mostly two-storey in height. To the

south of the semi-detached houses on the south side of Broad Street is an estate of three-storey blocks of flats. Roseville centre is about 300 metres to the west and Clayton playing fields are on the other side of Old Meeting Road immediately opposite the site.

PROPOSAL

- 4. It is proposed to demolish Wallbrook House and the youth centre and remove the all-weather pitch, and redevelop the site to form a 72-apartment retirement village with communal facilities and car parking. It is developed along the extra care concept and would be occupied exclusively by persons over 55 years of age. Sixteen of the flats would be one-bedroomed and 56 two-bedroomed. Fifty-two flats would be rented with twenty available on a private sale/shared ownership basis. The objective of the development is to allow older people of varying dependencies to live longer and contribute positively to local social structures and communities, which in turn will raise the individual's self-esteem and challenge the general stereotype of older people. The development objectives are to create a facility for older people which will enable them to live as independently as possible whilst also meeting their changing needs and expectations. The applicants have extensive experience of providing extra care housing schemes. A similar but larger scheme was recently granted planning permission on some vacant land on the Russells Hall estate.
- 5. The development consists of a large, L-shaped building between two and three storeys in height. The larger part would be fully three storey and would run parallel with the railway with its end elevations fronting Old Meeting Road and Broad Street. The smaller part would front Broad Street and would be two-storeys to that road and three storeys on its northern side. Linking the two arms of the building would be the communal facilities which would also contain the main entrance to the development. This part of the scheme would include a hobby room, dining room, multi-purpose hall, gym, lounge and social bar, hair and beauty salon, an IT suite/library and a quiet lounge. It would provide facilities where residents can gather and make friends and is a key element of the extra care concept.

- 6. The building would be finished in a variety of materials (brickwork, render, cladding panels) with projecting oriel windows to 'break up' the long elevations and provide some visual interest. The roof would be a shallow V in shape which would help to keep the overall height down.
- 7. Access to the development would be from Whitehouse Street where a small visitors' car park (10 spaces) would be provided at the end of the cul-de-sac as well as a turning facility which is currently lacking. This turning facility would be adopted as highway thereby allowing all users of Whitehouse Street, including refuse vehicles, to turn.
- 8. The main car park for the development would be located in the eastern part of the site accessed from Whitehouse Street. It would provide 48 spaces

HISTORY

APPLICATION	PROPOSAL	DECISION	DATE
No.			
DB/67/3320	Erection of house for aged persons	Approved	01.01.68
DB/67/3220	New Youth Centre	Approved	20.12.67
DB/72/10061	Open play area	Approved	27.06.72
CD/79/2822	Use of land for adventure playground and allotments	Approved	23.06.80

PUBLIC CONSULTATION

Notification letters were sent to over eighty addresses and a site notice was posted.
 Two letters of objection have been received, one from a resident of Broad Street and one from the Coseley Civic Trust. The objections relate to the building being out of

keeping with existing development in the area because of its size, that it would be visually overbearing, the additional traffic would cause parking and traffic problems, the service yard would give rise to noise, smell and rubbish and would exacerbate parking problems in Broad Street. Concern is also raised at the loss of the Youth Centre, which has architectural value as an example of a purpose-built building from the late 1960s, and the lack of a replacement facility. The set-back of the proposed building from Old Meeting Road to retain views of the adjacent church building is also not considered to be sufficient.

OTHER CONSULTATION

- 10. Group Engineer (Development).: no objection subject to 1) an Order being made under Section 247 of the Town & Country Planning Act 1990 to stop up a section of public highway, 2) the improvement of other highways within or adjacent to the site 3) the formation of a turning facility at the end of Whitehouse Street , 4) the widening of the public footpath along the railway boundary to cycleway standard, and 5) a contribution towards transportation infrastructure improvements.
- 11. West Midlands Fire Service: the development appears satisfactory from a Fire Authority point of view.
- 12. Severn Trent Water: no objection subject to no buildings being erected or trees planted within 2.5metres of the public sewers crossing the site and a drainage condition.
- 13. Network Rail: no objection subject to construction not affecting the railway.
- 14. Head of Environmental Health & Trading Standards: 1) the submitted Combined Phase 1 Desk Study and Phase 2 Exploratory Investigation into soil conditions are satisfactory; recommends the standard contamination conditions are attached to any permission. 2) the submitted acoustic survey is satisfactory; recommends conditions requiring any habitable rooms likely to be affected by railway noise to be

suitably glazed to provide adequate sound insulation and extraction equipment to be fitted in the kitchen serving the communal dining room

RELEVANT PLANNING POLICY

15. Unitary Development Plan

DD1 Urban Design

DD4 Development in Residential Areas

DD7 Planning Obligations

DD8 Provision of Open Space, Sport and Recreation.

DD9 Public Art

DD10 Nature Conservation and Development

DD12 Sustainable Drainage Systems

AM11 Cycle route

AM12 Pedestrians

AM14 Car parking

AM15 Personal Mobility

UR9 Contaminated Land

CS3 Community Facilities

H4 Housing Mix

H5 Affordable Housing

H6 Housing Density

• Supplementary Planning Documents

New Housing Development SPD

Nature Conservation SPD

Open Space, Sport & Recreation SPD

Parking Standards and Travel Plans SPD

Planning Obligations SPD

Supplementary Planning Guidance

New Housing

• Regional Spatial Strategy

QE3 Creating a high quality built environment for all

National Policy Documents

PPS1 General Principles

PPS3 New Housing

PPS9 Nature Conservation

ASSESSMENT

16. The key issues relating to the development are –

Principle

Layout and design

Impact upon nearby residents

Access and parking

Highways

Railway noise

Planning Obligations

Principle

- 17. The site is already entirely developed and, therefore, constitutes brownfield land. Accordingly, there would be no objection in principle to its redevelopment in the manner intended. The loss of the existing old people's home and youth centre would not be contrary to any policies in the UDP. An alternative site for the youth centre is being investigated.
- 18. The proposed development would meet an identified housing need in terms of providing housing specifically for the over 55's. The latest Housing Needs and Demand Study completed in 2005 estimated that there would be an increase in the older population groups over the plan period of the Adopted Dudley Unitary Development Plan (2005). This follows and is supported by an increase in the

demand and need for specific accommodation to meet the requirements of the ageing population.

Layout and design

19. The design and form of the buildings reflects the somewhat irregular shape of the site The main building is very long but would run parallel to the railway line and would be set back from Old Meeting Road in order to maintain the prominence of the adjacent church building and views of its attractive side elevation. The new building would be slightly lower than the church. The smaller building would be two-storey in height which reflects the existing development in Broad Street. The elevational treatment is extremely varied in terms of finishes, colours, balconies and window detail and this helps to break up the long facades and reduce the mass of the building. The V-shaped roof is not typical of the area but is appropriate in terms of the design of the building and would result in the building being lower than it would be with a traditional pitched roof. The density of development is 76 dwellings per hectare which is higher than the surrounding housing but not much higher than the flats to the south of Broad Street. Despite its overall size, it is not considered that the new building would be detrimental to the area.

Impact upon nearby residents.

- 20. The proposed development would have an impact upon the four semi-detached houses in Whitehouse Street as the site effectively wraps around these properties. The communal facilities part of the scheme would run at the rear of these houses above which there would be a corridor link between the two residential parts of the building. This long corridor would be lit by a number of windows but they would be non-opening and obscurely glazed thereby preventing any overlooking of the backs of the houses. There would be windows in the north-facing elevation of the smaller residential part of the scheme. However, this building is offset from the four houses and, therefore, there would be loss of privacy because the windows would not be directly facing one another. No objections have been received from the occupiers of the houses.
- 21. It is not considered that there would be any loss of privacy, outlook or overlooking of any other properties. There would be 19 metres between windows in the smaller

residential block and the houses directly opposite in Broad Street which is considered to be sufficient to ensure no loss of privacy.

Access and parking.

- 22. Main access to the development would be from Whitehouse Street where a small visitor's car park would be provided at the end of the road. The main car park for the development would also be accessed from Whitehouse Street just to the east of the four houses. Service vehicles would access the building from Broad Street where a small yard would be provided immediately to the south of the main residential block. The Group Engineer raises no objection to these arrangements.
- 23. The scheme would provide 58 parking spaces including 6 for disabled persons. The total parking requirement under the SPD would be 98 spaces. However, information has been provided by the applicants of the parking provided at their other Extra Care developments which shows a maximum car parking occupancy rate of less than one parking space per dwelling. Accordingly, the Group Engineer considers the overall level of parking and the number of disabled spaces proposed to be satisfactory and does not envisage there being any capacity problems on local roads because of the development.

Highways

- 24. Part of the site is currently highway and would need to be extinguished before the development could proceed. This would be done through an Order under Section 247 of the Town and Country Planning Act. If the application were to be approved this would effectively mean that the Council as Highway Authority was supporting the closure. The Group Engineer raises no objection to the closure of the section of highway concerned.
- 25. Other sections of highway would be improved under the proposals and the new turning head in Whitehouse Street would become adopted highway.
- 26. The developer would also be required to widen the public footpath running along the western boundary of the site to cycleway standard (this is part of a designated

cycle route in the UDP) and to retain a strip of land adjacent to the footpath running along the eastern boundary of the site.

Railway Noise

- 27. The site immediately adjoins the West Coast main railway line. The main building would run parallel with the railway and, necessarily, there would be windows to residential flats in that elevation. Because of this relationship, the potential for noise disturbance from trains was considered high and an acoustic survey was requested.
- 28. The Head of Environmental Health and Trading Standards has considered the report and raises no objection on this ground subject to conditions requiring all bedrooms and other habitable rooms in the west elevation having a line of sight of the railway being glazed to achieve a minimum sound attenuation of R 35dB(A) and R 31dB(A) respectively, and all rooms receiving the above glazing treatment being fitted with acoustic wall and window ventilators designed to achieve the same degree of sound attenuation.

Nature Conservation and Trees

- 29. Bat and badger surveys and a survey of the trees on the site were submitted with the application. The Nature Conservation Officer is satisfied that the existing buildings and the site contain no evidence of use by bats or badgers and raises no objection.
- 30. Trees on the site are concentrated along the southern boundary. Many of these trees are small and have limited impact in the streetscene for this reason. Two birches in front of Wallbrook House are of moderate merit but would be too close to the new building to retain. The only sizeable tree on the site is a sycamore growing at the side of the youth centre. However, the Civic Trust state that the roof system to the tree is undermining the Old Meeting House and, accordingly, have requested the removal of the tree.
- 31. The Tree Protection Officer concurs with the findings of the tree survey that none of the trees are of sufficient merit to be retained and that it would be more appropriate

to plant new trees in suitable positions around the new buildings. He also considers that the removal of the sycamore would be acceptable in the light of the damage being cause to the church.

Planning Obligations

32. The development is subject to the Planning Obligations SPD and would attract the following contributions:-

Public Open Space - £65,802.24

Transport infrastructure improvements - £ 6,575.05

Public realm improvements - £35,661.60

Management and Monitoring charge - £ 2,379.00

There would be no contribution for libraries because a small library would be included in the development.

Total contributions: = £110,417.89

Confirmation from the applicants that they are agreeable to these contributions is awaited.

CONCLUSION

- 33. The development proposed would provide accommodation aimed at persons of 55 years and over in an environment where care, support and wider services would be close at and where they could remain involved in the community and live rewarding lives. It represents a more away from institutional solutions to issues of social care and health provision and is in line with Government policy to enhance choice, diversity and inclusion.
- 34. The development has been designed to take advantage of the configuration of the site and to respect adjoining buildings, and would be mostly two and three storeys.

 Adequate parking has been provided, the public footpaths adjoining the eastern and

western boundaries would be improved and a new turning facility would be provided in Whitehouse Street. It is not considered that there would be any adverse impact upon existing residents or that the development is inappropriate in this location.

RECOMMENDATION

- 35. It is recommended that the application be approved subject to:
 - a. The development shall not be commenced until a scheme for the submission and approval of a planning obligation to guarantee the provision, maintenance and enhancement of off-site public open space, transport infrastructure improvements, public realm improvements and a management and monitoring charge totalling £110,417.89 has been submitted to and agreed in writing by the Local Planning Authority.
 - b. 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.
 - c. The Stopping Up of the highway identified on the Stopping Up plan (Drawing No.) attached to the report.
 - d. The widening of the public footpath between Old Meeting Road and Broad Street by the developer and at the developer's expense.
 - e. The provision of a turning facility at the end of Whitehouse Street and its subsequent adoption as public highway.
 - f. The improvement of the areas of highway shown on the highway improvement plan (Drawing No......)
 - g. The following conditions with delegated powers to the Director of the
 Urban Environment to make amendments as necessary.

Second Recommendation

That the applicants be invited to apply to the Secretary of State for a Stopping Up Order under Section 247 of the Town and Country Planning Act 1990. Any costs incurred by the Council in making the Order (including any public inquiry) shall be borne by the developer.

Reason for Approval

The development proposed would provide accommodation aimed at persons of 55 years and over in an environment where care, support and wider services would be close at and where they could remain involved in the community and live rewarding lives. It represents a more away from institutional solutions to issues of social care and health provision and is in line with Government policy to enhance choice, diversity and inclusion.

The development has been designed to take advantage of the configuration of the site and to respect adjoining buildings, and would be mostly two and three storeys. Adequate parking has been provided, the public footpaths adjoining the eastern and western boundaries would be improved and a new turning facility would be provided in Whitehouse Street. It is not considered that there would be any adverse impact upon existing residents or that the development is inappropriate in this location.

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 a summary of the reasons for the grant of planning permission. For further detail on the decision please see the application report.

The development hereby permitted shall be built in accordance with the approved plans numbered B4549/PL/01-09, Landscape Masterplan No. TNA_ 340_03 and Landscape Strategy Plan No. TNA_340_02 and the Proposed Site Boundary - Whitehouse Street, Coseley -11.02.09.

Informative

There are public sewers crossing the site. No buildings should be erected or trees planted within 2.5 m either side of the 150 SWS. The applicant may wish to apply to Severn Trent Water to divert the sewer in accordance with Section 185 of the Water Industry Act 1991.

There is Japanese Knotweed growing on the site. This should be eradicated before the development is occupied.

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. Development shall not commence until an arrangement for the provision of
 - Transport infrastructure improvements
 - Public open space improvements
 - Public realm improvements
 - Management and monitoring charge

Have been submitted to and approved in writing by the Local Planning Authority, the scheme shall include the method, timing and arrangements to comply with the Council's policies for the provision of the infrastructure required in connection with the proposed development.

3. All bedrooms on the west elevation, with line of sight of the railway, shall have suitable glazing to achieve a minimum sound attenuation of R 35dB(A) with respect to rail noise.

All other habitable rooms on the west elevation, with line of sight of the railway, shall have suitable glazing to achieve a minimum sound attenuation of R 31dB with respect to rail noise.

All rooms receiving the above glazing treatment shall also be fitted with acoustic wall and windows ventilators designed to achieve the same degree of sound attenuation.

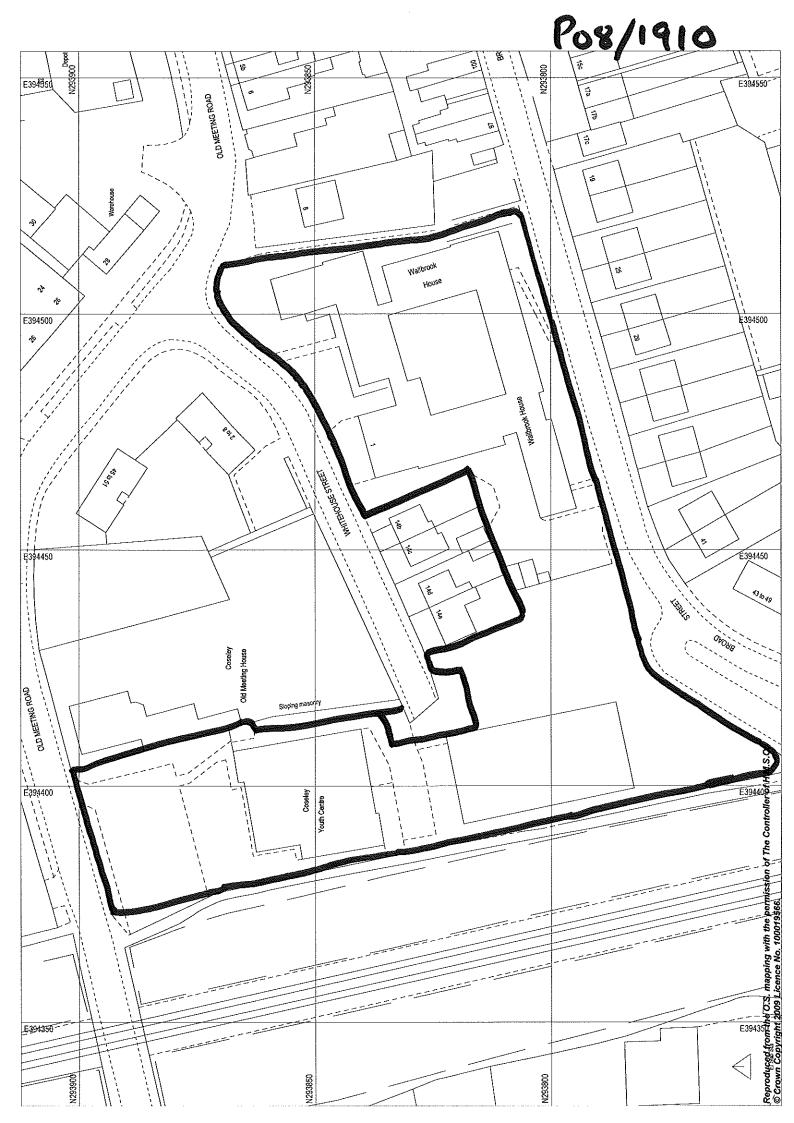
4. Development shall not begin until drainage details, incorporating sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, have been submitted to an approved by the Local Planning Authority, and the scheme shall subsequently be implemented in accordance with the approved details before the development is completed/occupied.

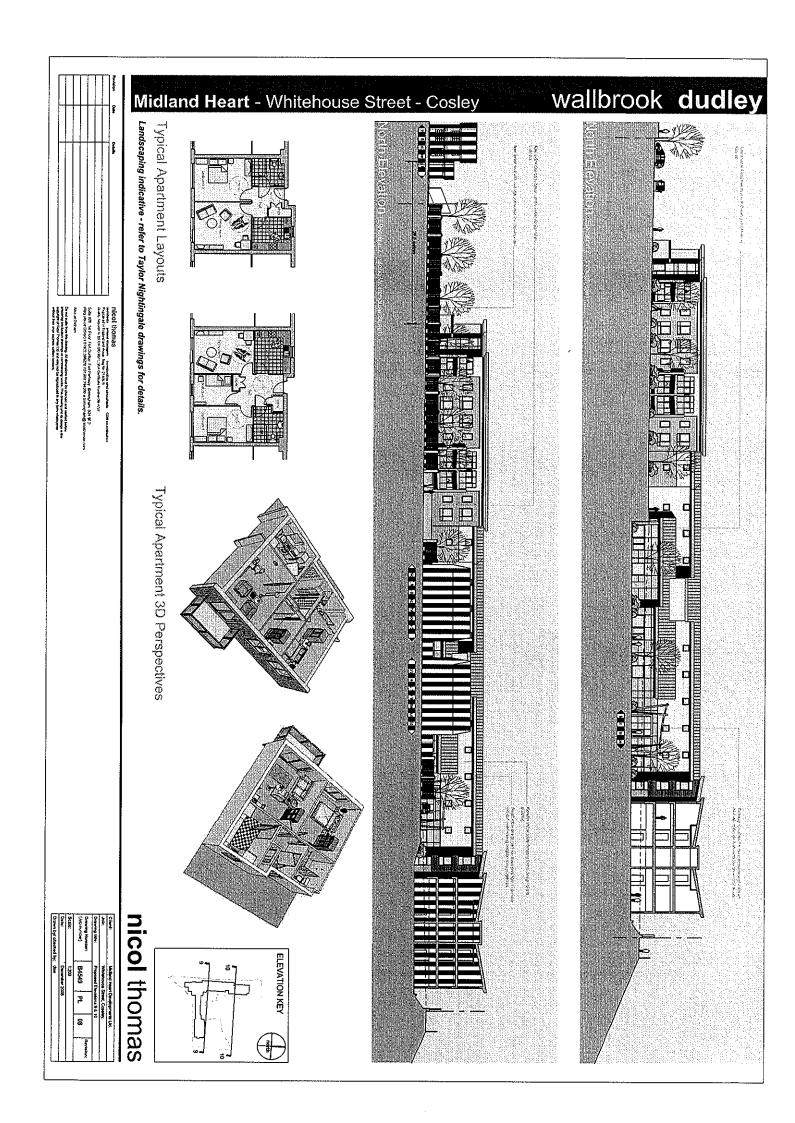
- 5. The development shall not begin until a scheme for extraction and treatment of cooking odours has been submitted to and approved by the Local Planning Authority and all works which form part of the scheme shall be completed before the building is occupied. The agreed scheme shall be retained and suitably maintained for the duration of the development.
- 6. Development shall not begin until a comprehensive written site investigation strategy (in a form to be agreed with the Local Planning Authority), has been submitted to and approved by the Local Planning Authority. Such a strategy shall facilitate the identification of soil gases and vapours that have the potential to pose a risk to human health and the wider environment. Where the investigations identify the presence of soil gases and vapours, 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 and sampling; be implemented in accordance with the approved details before the development is first occupied; and be retained throughout the lifetime of the development.
- 7. No development approved by this permission shall be commenced until a scheme to deal with contamination of land has been submitted to and approved by the LPA and the development shall not be occupied until the measures approved in that scheme have been fully implemented. 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 Local Planning Authority shall be fully established before the desk top study is commenced;
 - ii. Once the desk study has been approved by the Local Planning Authority, 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 Local Planning Authority 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 Local Planning Authority prior to commencement. 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 Local Planning Authority. The contamination proposals shall include provisions for validation monitoring and sampling.

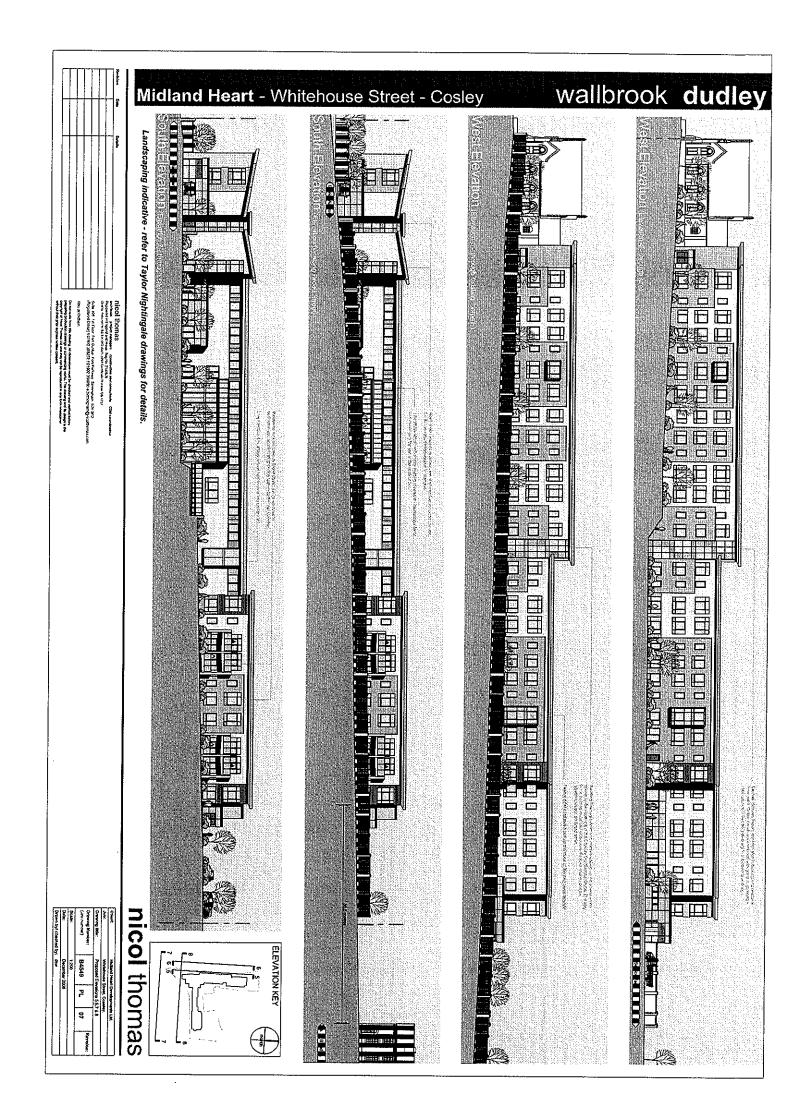
If during development works any contamination should be encountered which was not previously identified or is derived from a different source and/or of a different type to those considered under the contamination proposals then the Local Planning Authority should be notified immediately and remediation proposals formulated/amended for consideration.

If during development work, contaminants are found in areas previously expected to

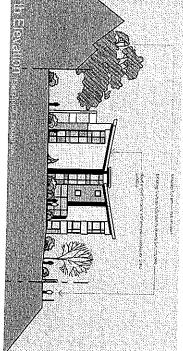
- be acceptable, then the Local Planning Authority should be notified immediately and remediation proposals formulated/amended for approval. The development shall be completed in accordance with the approved details.
- 8. Prior to the commencement of development, details of the landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented in accordance with the approved details before the end of the first planting season following initial occupation of the development.
- 9. All first and second floor windows in the north-facing elevation of that part of the building immediately to the south of Nos. 14b, 14c, 14d and 14e Whitehouse Street shall be fitted with obscuring glass and be non-opening and shall be retained as such for the life of the development.
- 10. Prior to the occupation of the buildings here approved, the parking and turning areas shown on the approved plan (No.) shall be provided and thereafter maintained for these purposes for the lifetime of the development.
- 11. Details of all boundary fences, railings and walls, including measure to protect the occupiers of Nos. 14b. 14c, 14d and 14e, Whitehouse Street from noise and loss of amenity in their gardens, shall be submitted to and agreed in writing by the Local Planning Authority. Such agreed details and measures shall be implemented before any of the flats are occupied and shall be retained for the life of the development.
- 12. Details of all security lighting shall be submitted to and agreed in writing by the Local Planning Authority prior to its installation and shall remain in accordance with the agreed details for the life of the development.

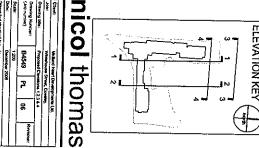


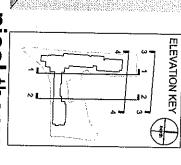


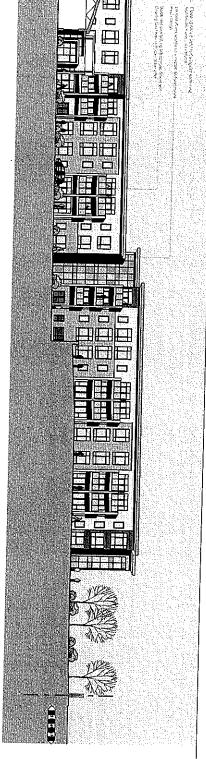


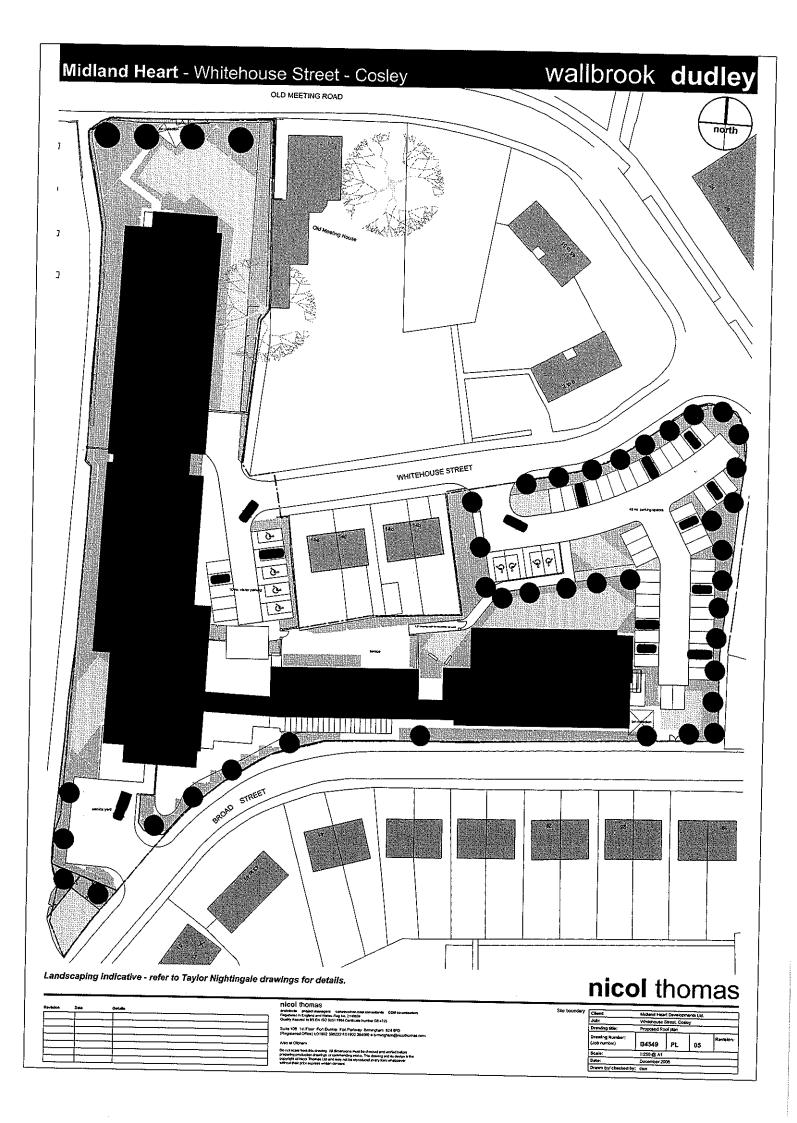
Midland Heart - Whitehouse Street - Cosley wallbrook dudley Landscaping indicative - refer to Taylor Nightingale drawings for details. Sola (0): 1s flux fol Dollo fol Palway Simayyun (30 %) (Rajisand Oslo) (0 m): 38822 (8890) 88280 o timaylangsisphones co

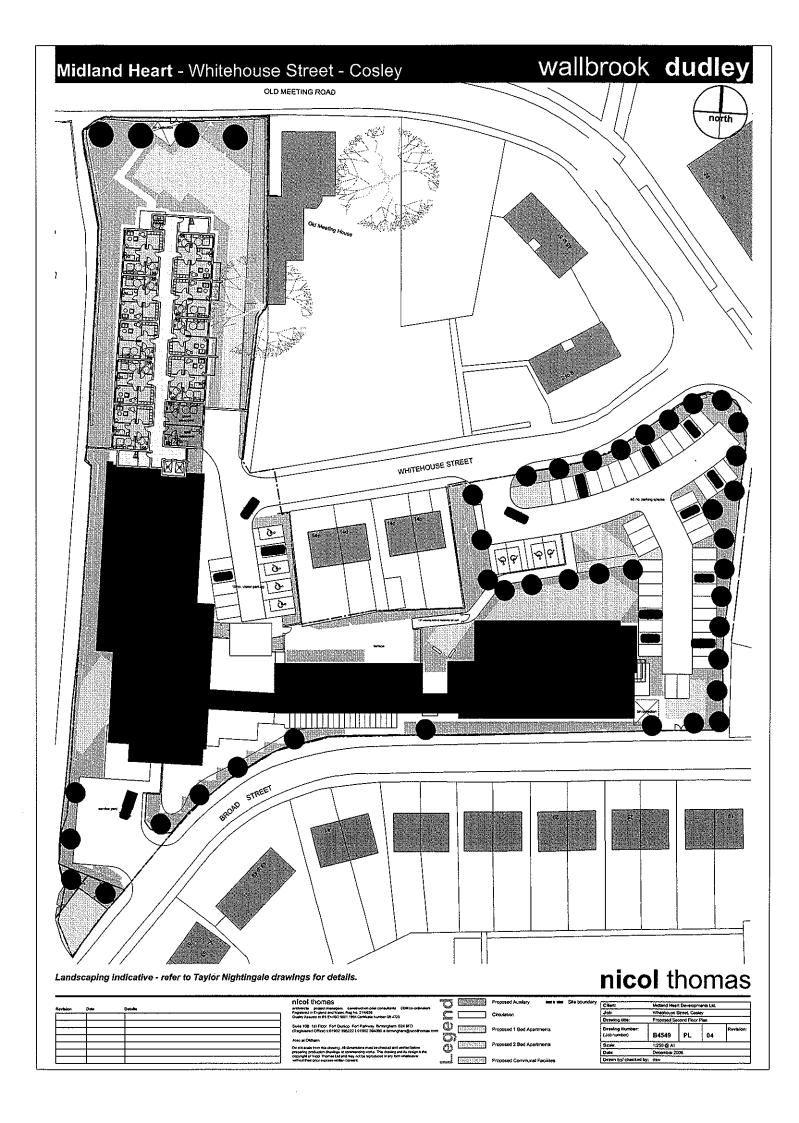


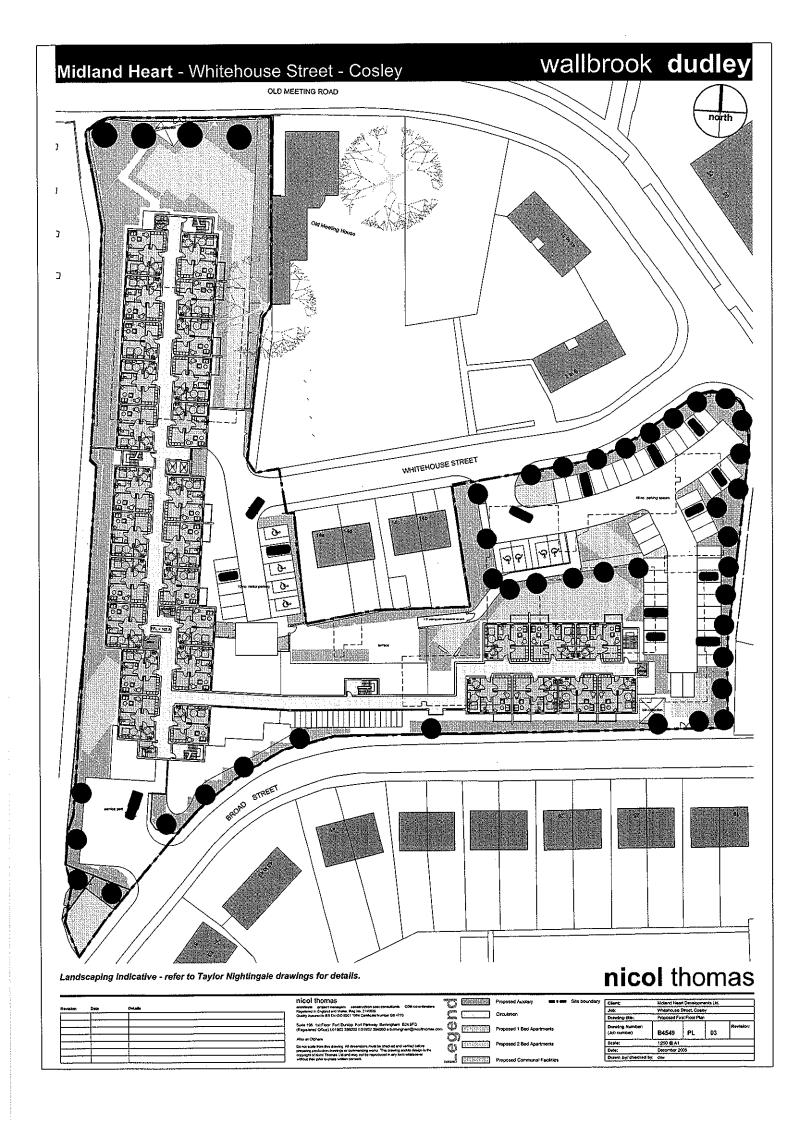


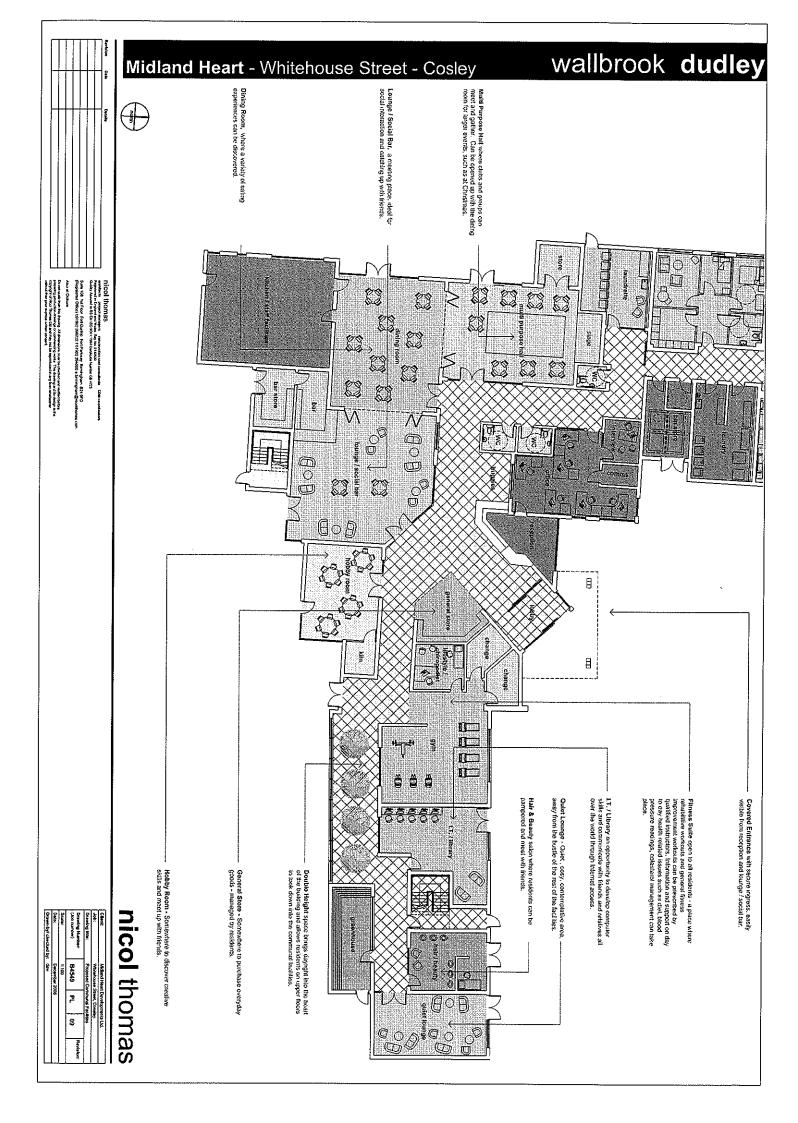


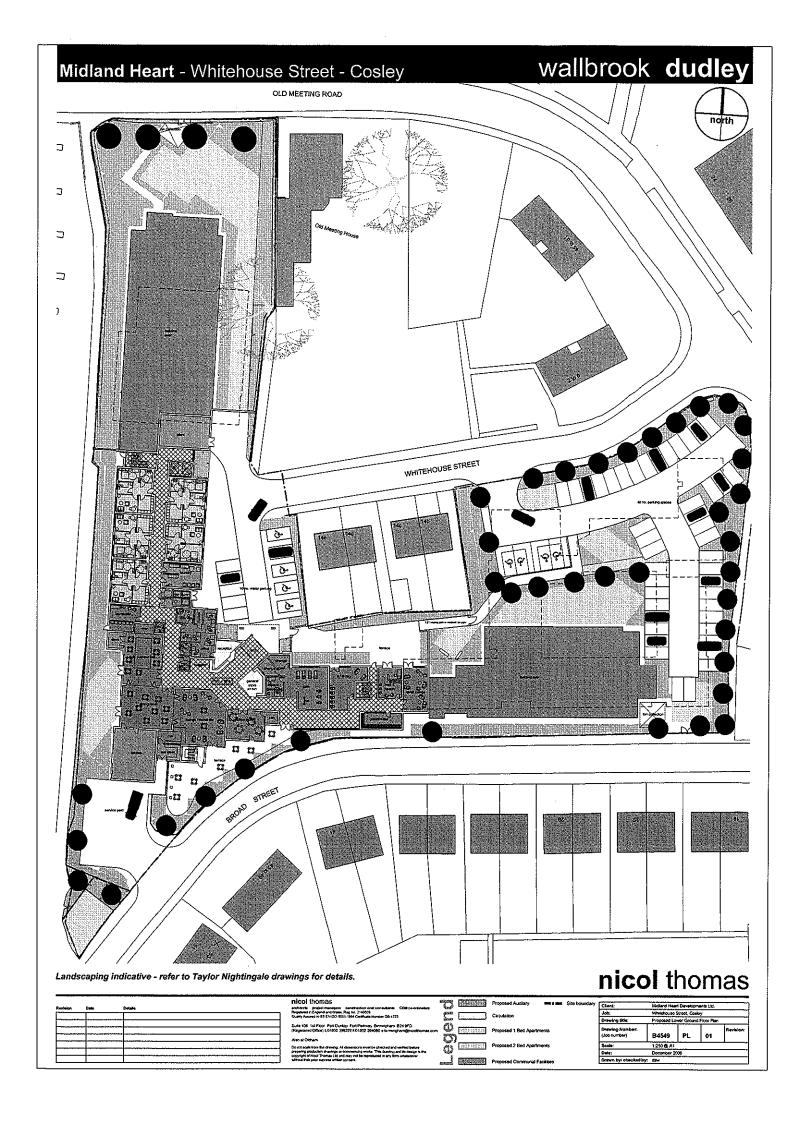


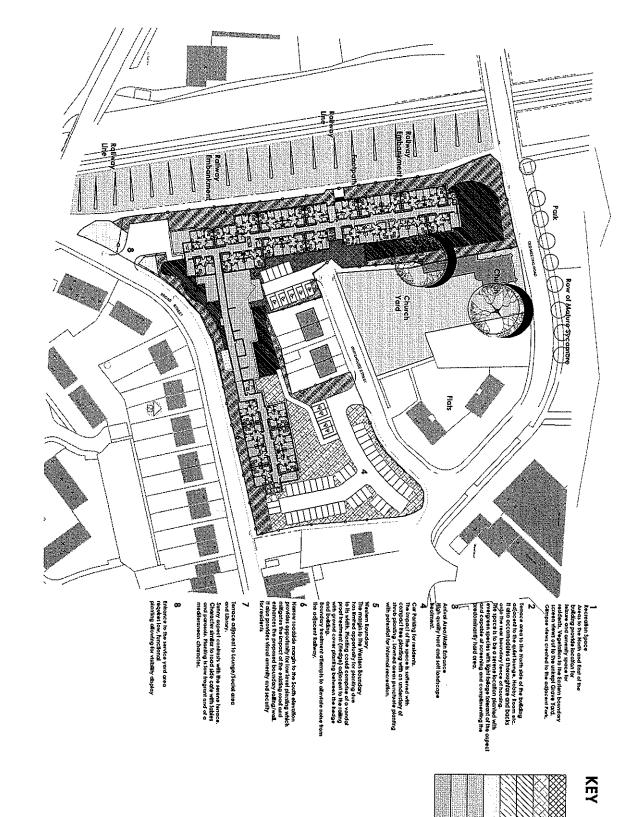










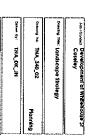


Service entrance
Edisting Embankment
Church and surrounds
Proposed Building

Access and Arrival Area
Car Park and Surrounds

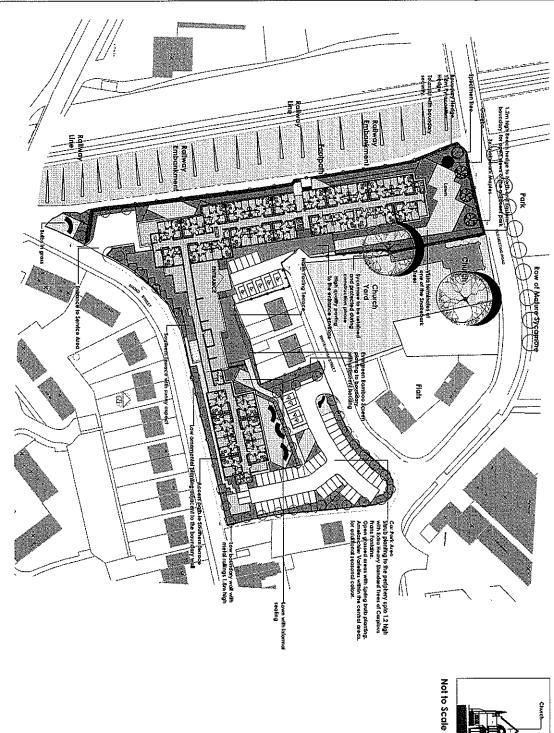
Leisure and Recreation boundary and Screen Trealment

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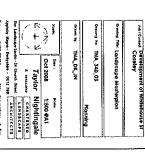
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idland heart



North Elevation along Old Meeting Street





LANDSCAPE MASTERPLAN WHITEHOUSE STREET COSELEY

MIDLAND HEART DEVELOPMENTS LTD

