

PLANNING APPLICATION NUMBER:P08/1049

Type of approval sought	Full Planning Permission
Ward	GORNAL
Applicant	Mr R Price
Location:	FORMER LOMOND VALE NURSING HOME, CHURCH STREET, LOWER GORNAL, DUDLEY, WEST MIDLANDS, DY3 2PF
Proposal	DEMOLITION OF EXISTING BUILDING AND ERECTION OF 2/3 STOREY BLOCK OF 10 NO. APARTMENTS
Recommendation Summary:	APPROVE SUBJECT TO A 106 AGREEMENT

SITE AND SURROUNDINGS

1. The site is a rectangular parcel of open land of 0.125 hectare at the junction of Church Street and St. James Street. It rises by between 1-2 metres from Church Street to the boundary with the adjoining detached house in St. James Street (No. 7), and by about 0.5 m from St. James Street to the boundary with the adjoining elderly person's bungalow in Church Street. The boundaries with the two roads are marked by Gornalstone walls between 1.5 m and 1.8 m in height. The boundary with 7 St. James Street is marked by a Gornalstone retaining wall between 2-3 metres in height. There are six mature trees on the site, five of which are growing close to the wall along Church Street. The existing vehicular access to the site is from St. James Street but there are old pedestrian accesses from Church Street.
2. Until fairly recently, there was a nursing home (Lomond Vale) on the site. This closed some years ago and the site suffered from vandalism and anti-social behaviour. Due to complaints from local residents, the applicant demolished the property last year. The rubble was crushed and has been left as a neat pile on the site. Some of the bricks were salvaged and are stacked on the site.
3. The site is adjoined by a detached house (No. 7) in St. James Street, set at least 2.0 m higher, and by a modern, end-of-terrace, part flat-roofed, elderly person's

bungalow to the north in Church Street. This property is set well back from the road behind a fully lawned front garden which extends across all the front gardens within the terrace of bungalows.

4. The surrounding area comprises a mix of houses, bungalows and flats, mostly modern, and of varied designs. Both Church Street and St. James Street are on inclines at this point so the topography is also varied. Directly opposite the site on the other side of Church Street is the listed St. James the Great Catholic Church and its graveyard. This site contains a number of mature trees particularly along Church Street.

PROPOSAL

5. It is proposed to erect a two and three-storey building to provide 10 two-bedroomed apartments. The building would be of modern, contemporary design with a shallow, V-shaped roof constructed in profiled metal sheets with an aluminium fascia. The elevations would be in facing brickwork and render. It would be located in the middle of the site with its main elevation and main entrance facing Church Street.
6. Eighteen parking spaces would be provided mostly at the rear of the building accessed from the existing access off St. James Street. A further five spaces would be provided at the front of the building which would be accessed from a new access off St. James Street nearer to the junction with Church Street. This access would require removal of a section of the existing Gornalstone wall. The remaining area at the front of the building would be laid out as a landscaped, communal amenity area. With the exception of the new access, the intention is to retain the existing Gornalstone walls along the three boundaries marked by them.

HISTORY

7.

APPLICATION No.	PROPOSAL	DECISION	DATE
87/51713	Change of use from single dwelling to residential home for the elderly.	Approved	10.12.87
87/52274	Change of use from single dwelling to nursing home and erection of single-storey extension.	Approved	04.02.88
88/52730	Erection of extension to day room	Approved	13.04.89
92/50776	Extension to nursing home comprising 6 bedrooms, toilets and car parking.	Approved	08.10.92
94/50334	Extension to nursing home.	Approved	11.08.94
P05/0305	Conversion of nursing home into 7 self-contained flats	Granted on appeal	14.06.06
P08/1265	Part 31 Determination for the demolition of Lomond Vale Nursing Home.	Prior approval not required.	

PUBLIC CONSULTATION

8. Notification letters were sent to 33 residential properties in Church Street and St. James Street as well as to all the flats on the south side of St. James Street directly opposite the site. A site notice was also displayed and an advertisement placed in the Express and Star.
9. No representations have been received in respect of the proposals but, shortly before the application was submitted, a petition was received signed by a number of local residents complaining about the unsightly state of the site. The petition required 'action as to the Demolition Or Redevelopment of the Lomond Vale Nursing Home'.

The owner (applicant) responded by submitting a Part 31 application of the demolition of the building for which the Council decided a formal application was not required and it was subsequently taken down. Although the site is currently rather untidy, local residents are aware of the intention to redevelop the site and this is no doubt the reason for the absence of any further complaints.

OTHER CONSULTATION

10. Head of Environmental Health and Trading Standards: no objections.
11. Group Engineer (Development): objected to the original submission for 11 apartments on the grounds of insufficient car and cycle parking leading to vehicles parking in St. James Street which would be detrimental to highway safety. However, he raises no objection to the revised proposal for 10 apartments subject to a transport contribution of £2558.56.
12. Prior to the demolition of the building, a bat assessment had been submitted which showed no evidence of roosting bats or foraging activity on the site.

RELEVANT PLANNING POLICY

13. Adopted UDP

- DD1 Urban Design
- DD4 Development in Residential Areas
- DD7 Planning Obligations
- DD10 Nature Conservation and Development
- AM14 Parking
- AM11 Cycling
- NC9 Mature Trees
- LR1 Open Space

Supplementary Planning Documents

- Parking Standards and Travel Plans
- New Housing
- Nature Conservation

National Guidance

- PPS3 Housing

ASSESSMENT

14. The key issues are:-

- Principle
- Design and Density
- Impact upon Local Residents
- Access and Parking
- Planning Obligations

Principle

15. This is a previously-developed site and, therefore, constitutes brownfield land in its current open state. There is no objection in principle to its redevelopment.

Design and Density

16. Unlike the building it would replace, the proposed building is of a modern, contemporary design. The surrounding development is predominantly of traditional, modern design with full pitched roofs, but is nonetheless quite varied and the elderly persons' bungalows adjoining the northern boundary of the site are partly flat-roofed. Not far away from these are some recently built, three-storey flats which,

because they are built on land much higher than the bungalows and the application site, are very prominent in the area.

17. As the front and side elevations show, the proposed building would be built about a storey lower than the adjoining bungalows and about one-and-a-half storeys lower than the adjoining detached house in St. James Street. These level differences would help the building to be assimilated into the street scene despite its three storeys. In conclusion, it is considered that the design and scale of the building is appropriate and that it would not be detrimental to the locality.
18. As it would be on the other side of the road from the listed St. James Church, it is not considered that it would adversely affect the setting of the listed building.
19. The density of development is 80 dwellings per hectare. Although this is higher than the adjoining elderly persons' bungalows and the nearby semi-detached housing, it is not considered excessive. Also, the recently completed development of houses and flats just to the north of the bungalows has a density of 84 dwellings per hectare.

Impact upon local residents

20. As previously stated, the proposed building would be appreciably lower than both adjoining properties. It would also be further away from them than the former nursing home was. Windows in the rear elevation would face the side elevation and rear garden of No. 7 St. James Street. However, they would be 11.75 m away from the boundary with this property at their closest with the main car park to the development in between. The side of the house contains a landing window and side door which has a porch in front of it. It is not considered that there would be any unreasonable overlooking of this property or loss of privacy for the occupiers, who have not objected to the proposals. The car park to the former nursing home was in the same area as the main car park proposed for the new building.

21. The relationship of the new building to the adjoining elderly person's bungalow is comparable to that of the former nursing home and it is not considered that there would be any additional loss of amenity for the occupiers of the bungalow, who have also not objected to the proposals.
22. There would be no adverse impact upon any other properties.

Access and Parking

23. The Group Engineer raises no objection to the amended scheme for 10 apartments in terms of parking numbers, layout and access. It is intended that the existing Gornalstone wall along the two road frontages will be retained as much as possible with removal only as necessary to provide safe access to the parking areas.
24. Since the former nursing home was demolished and the site cleared, all the shrubbery that existed at the front of the site has been removed and only six trees remain. Visibility coming out of St. James Street is very poor because of the narrow footway in Church Street and the position of the Gornalstone wall. This visibility could be improved if the wall was set further back but it would mean the removal of two of the frontage trees the trunks of which are immediately adjacent to the wall. Whilst the situation could remain as it is, it is considered that the rebuilding of part of the wall further back to improve visibility at the junction together with comprehensive landscaping of the area behind the wall would be a better long-term solution. This will be discussed with the agent and, if any changes to the front of the site are agreed, this will be included in a pre-Committee note.

Planning Obligations

25. The development would attract the following contributions under the SPD:-

Open Space, Sport and Recreation Improvements	£14,360.52
Libraries Improvements	£ 1,795.30
Public Realm Improvements	£ 4,953.00
Transport Infrastructure Improvements	£ 2,558.56
Management and Monitoring Charge	£ 1,000.00
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TOTAL	£24,667.86

The applicant has formally confirmed that he is agreeable to paying these contributions.

CONCLUSION

26. The proposed building is of contemporary design but would not look out of place in a locality characterised by modern housing development. Its relationship with the two adjoining dwellings, which would be at a higher level, would be satisfactory and not dissimilar to the recently demolished former nursing home on the site. The site is sufficiently removed from the listed St. James Church for the development not to affect its setting. The density of development is considered acceptable. The Group Engineer raises no objection to the access and parking arrangements. No objections to the proposals have been received and the former derelict building, which was the source of complaints, has been demolished. The site is awaiting redevelopment.

RECOMMENDATION

27. 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 and play provision, library, public

realm and transport infrastructure improvements and a monitoring and management charge totalling £24,667.86 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 1st April each subsequent year, in accordance with the Council's planning obligations policies.
- c. The following conditions, with delegated powers to the Director of the Urban Environment to make amendments to these as necessary.

Reason for the grant of planning permission

The proposed building is of contemporary design but would not look out of place in a locality characterised by modern housing development. Its relationship with the two adjoining dwellings, which would be at a higher level, would be satisfactory and not dissimilar to the recently demolished former nursing home on the site. The site is sufficiently removed from the listed St. James Church for the development not to affect its setting. The density of development is considered acceptable. The Group Engineer raises no objection to the access and parking arrangements. No objections to the proposals have been received and the former derelict building, which was the source of complaints, has been demolished. The site is awaiting redevelopment.

The decision to grant planning permission has been taken with regard to the policies and proposals in the Dudley Unitary Development Plan and to all relevant material considerations including supplementary planning guidance.

Note for applicant

The development hereby permitted shall be built in accordance with the amended plans received by the Local Planning Authority on 16th December 2008 and

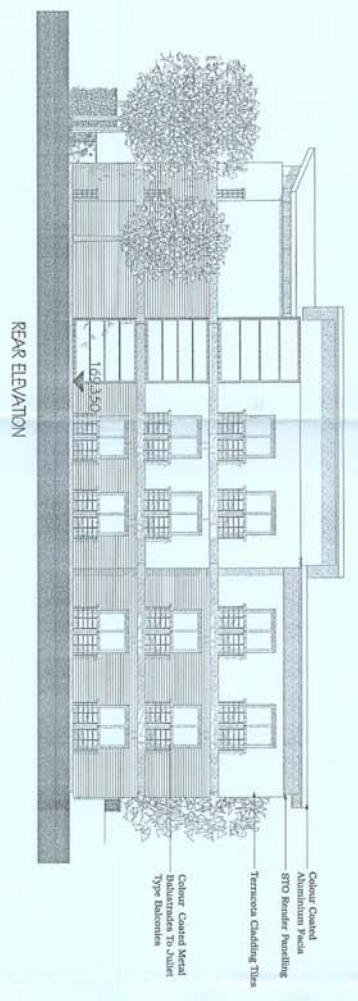
numbered 3663/7d, 8d, 9d, 10d unless otherwise agreed in writing by the Local Planning Authority.

Conditions and/or reasons:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. Prior to the commencement of development, details of the types, colours and textures of the materials to be used on the external surfaces of the buildings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved details.
3. Prior to the occupation of the dwelling[s] hereby approved, the parking and turning area[s] shown on the approved plan [no. x] shall be provided and thereafter maintained for these purposes for the lifetime of the development.
4. 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.
5. The existing Gornalstone walls along the site boundaries in Church Street and St. James Street shall be retained except to provide access to the car parks.
6. The cycle parking shown on the approved plan (Drawing No. 3663/7d) shall be provided before any of the apartments are first occupied and retained for the life of the development.
7. The development shall not commence until a scheme for the provision of library, open space and play area, public realm and transport infrastructure improvements has 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.
8. All planting, seeding or turfing comprised in the details of landscaping approved in accordance with condition 4 shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development whichever is the sooner; and any trees, hedgerows or plants contained in the approved planting scheme which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

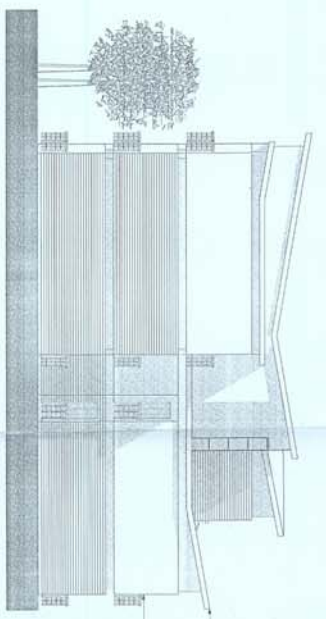
ST JAMES COURT

104/1049



REAR ELEVATION

- Colour Coat
- Aluminium Panels
- STO Render Finishing
- Terracotta Cladding Tiles
- Colour Coat Metal Balustrade To Match
- Type Balustrade



SIDE ELEVATION

- Standing Seam Kangaroo Metal Profile Starting To Roof
- Finishing Backwork To Match Terracotta Finishing

Apartment 6
Bedroom 1 13.8sqm
Bedroom 2 7.4sqm

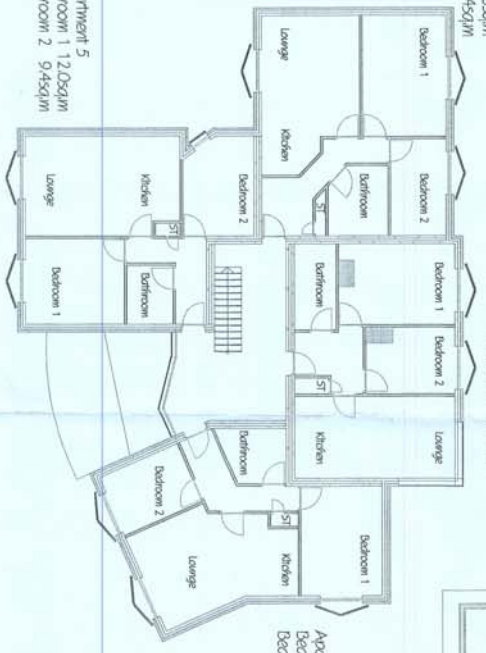
Apartment 7
Bedroom 1 13.0sqm
Bedroom 2 8.2sqm

Apartment 8
Bedroom 1 12.5sqm
Bedroom 2 7.5sqm

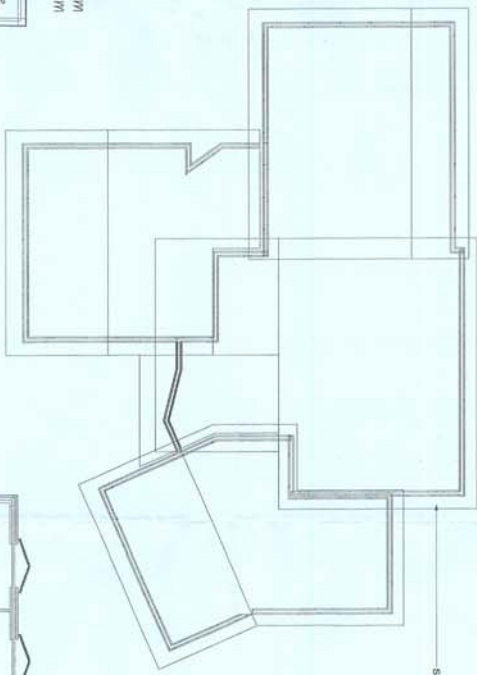
Apartment 10
Bedroom 1 16.5sqm
Bedroom 2 8.2sqm

Apartment 9
Bedroom 1 17.3sqm
Bedroom 2 10.5sqm

Apartment 5
Bedroom 1 12.0sqm
Bedroom 2 9.4sqm



FIRST FLOOR PLAN



ROOF PLAN

Solar Glazing Panels For Heat Collection And Distribution



SECOND FLOOR PLAN

AMENDED PLAN

DATE	1:100	DRG. NO.	3663 / 904
REVISIONS		NO.	DATE

ST JAMES COURT
CHURCH ROAD
CORNWALL

PARTNERSHIP
ARCHITECTS AND BUILDING SURVEYORS
OLD REFORMATORY WORKS, 34 THORN HILL EST
BLOWERS GREEN, DULLEA, WEST MIDDLESEX
SY2 8DB 01889 822500 FAX 822501

SIMMS DAVIES

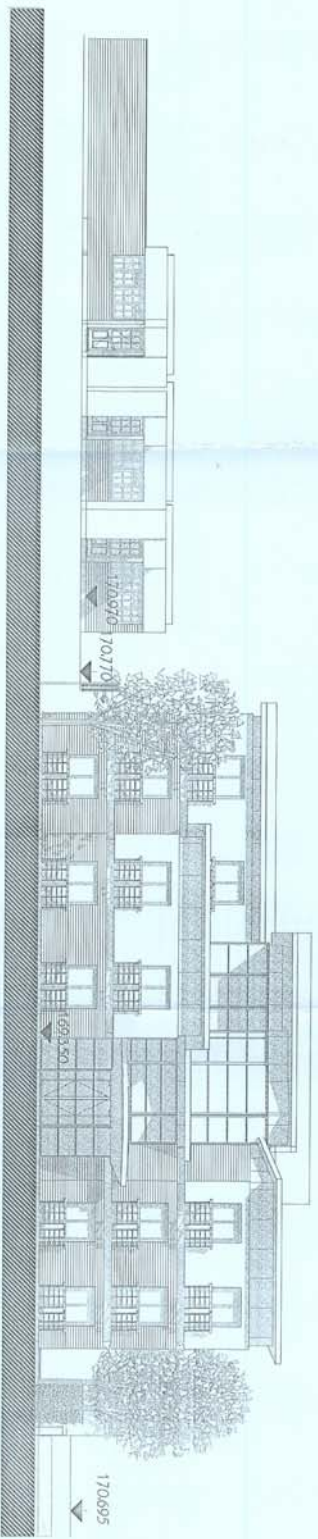


Red 16/12/08

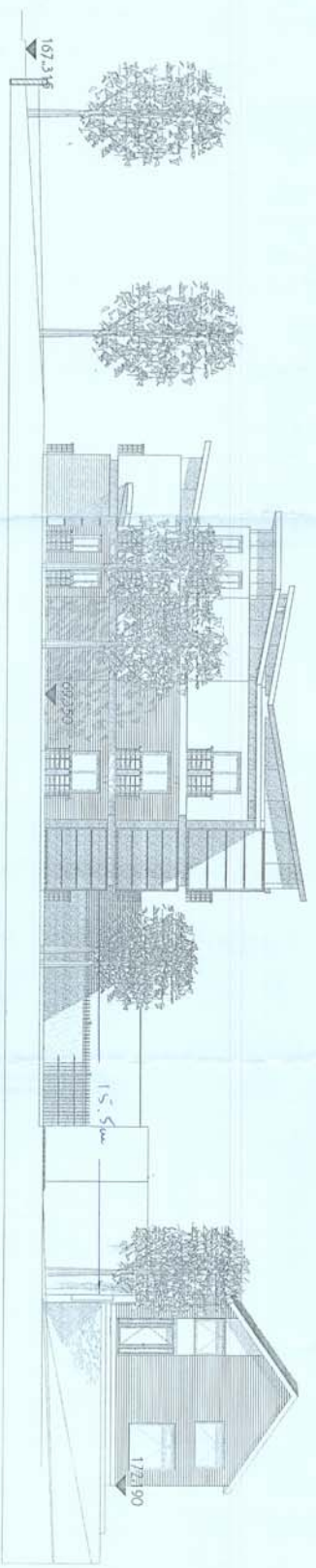
NO.	DATE

ST JAMES COURT

108/1049



FRONT ELEVATION



SIDE ELEVATION

AMENDED PLAN
PHILIP DAVIES
 ARCHITECTS AND BUILDING SURVEYORS
 101 HERBERTSON WINGS, 34 THORNHURST
 BLOEMSBURG, BOKING, WEST MICHIGAN
 DTZ Bldg 0134 32280 FAX 32281

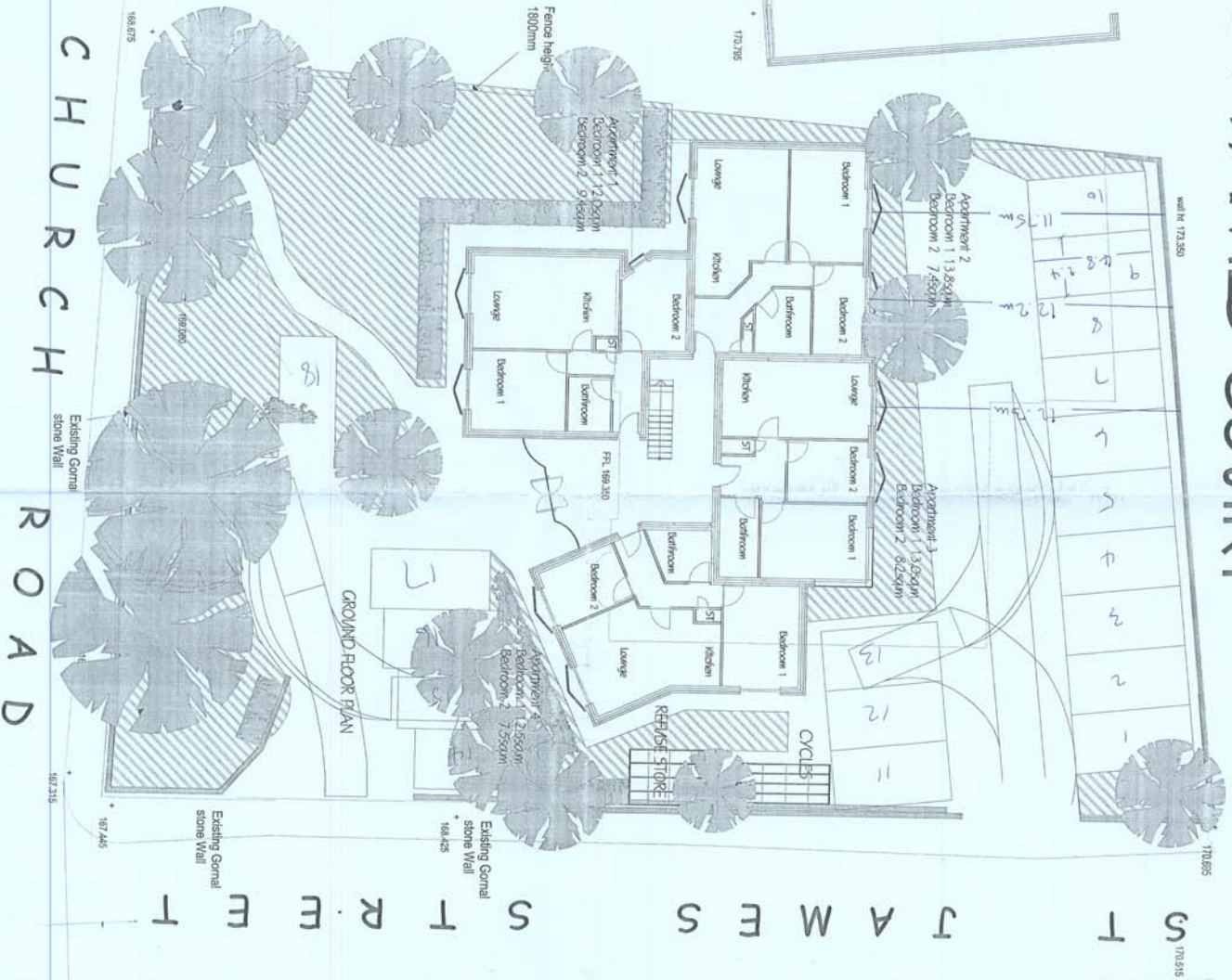


Red
 16/12/08

ST JAMES COURT CHURCH ROAD CORNWALL	
PROPOSED ELEVATIONS	
Scale 1:100	Dwg No. 3663 / 10d
Drawn	No. Date
Revisions	

ST JAMES COURT

B08/1049



- 10 No 2 BED APARTMENTS
- 18 CAR SPACES
- CYCLE PROVISION: 10 spaces



PERSPECTIVE VIEW

REAR ELEVATION

AMENDED PLAN
 AND ELEVATIONS

ST JAMES COURT CORNER CHURCH ROAD	
Scale:	1:100
Date:	3/6/23
Drawn by:	3603 / 8d

ARCHITECTS AND BUILDING SURVEYORS
 OLD REFRIGERATOR WORKS, 24 THORNHURST
 BUILDING DIVISION 8108 01-984 2622/0 FAX 24091

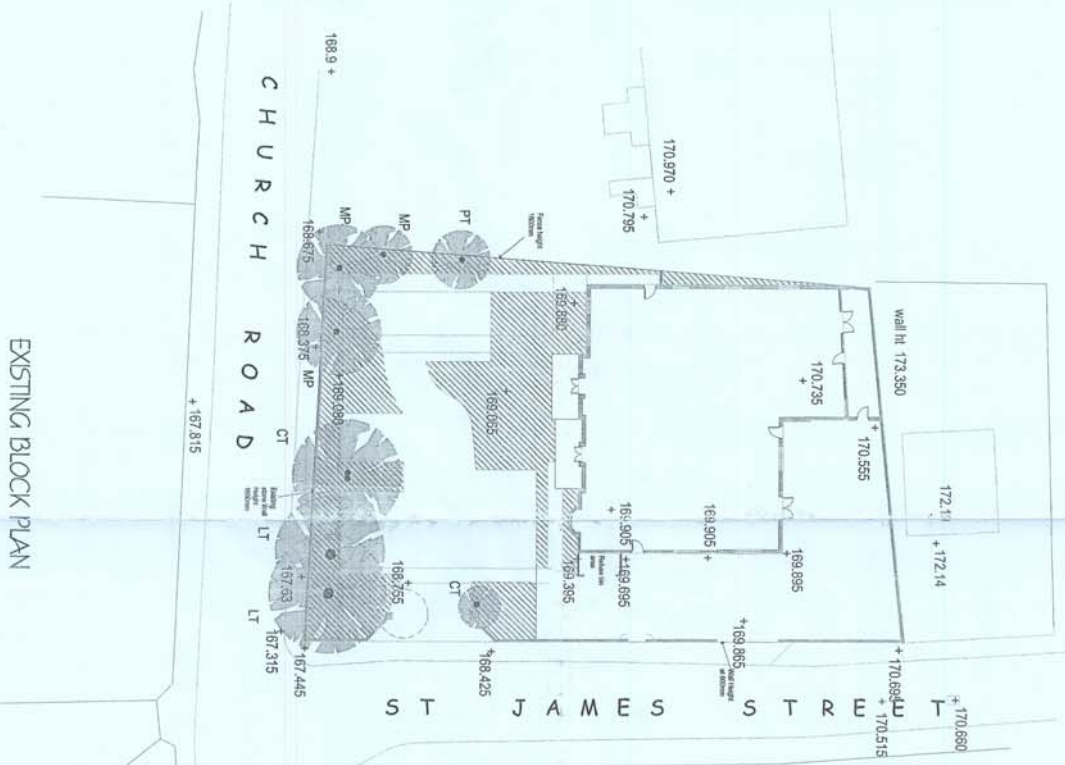
SIMMS DAVIES



Red 16/12/23

ST JAMESES COURT

108/1049



EXISTING BLOCK PLAN

PROPOSED BLOCK PLAN

AMENDED PLAN

Rec'd 16/12/08

BLOCK PLAN	
Draw No.	3603 / 14
Date	
ST JAMESES COURT CHURCH ROAD CORNER	
ARCHITECTS AND BUILDING SURVEYORS OLD REFLECTORY WORKS, 21 THORNHILL E WY 815 0181 2400 FAX 02007	
PARTNERSHIP SIMMS DAVIES	

ALL ELEVATIONS TO BE CHECKED ON SITE