

Report to Planning Committee

5 October 2022

Application Reference	DC/22/66716
Application Received	01 March 2022
Application Description	Retrospective change of use from police station to non-residential education centre (Use Class F1) with new boundary fencing to rear.
Application Address	240 Halesowen Road Cradley Heath B64 6JA
Applicant	Mr Terence Breen Impact Education & Training Ltd
Ward	Cradley Heath & Old Hill
Contact Officer	Mr Andrew Dean andrew_dean@sandwell.gov.uk

1 Recommendations

1.1 That retrospective planning permission is granted subject to conditions relating to:



- i) The maximum number of pupils shall not exceed 60.
- ii) The school shall operate in accordance with the submitted School Travel Plan.
- iii) Applicant only permission.
- iv) Hours of use to be restricted to 8.00 to 17.00 Monday to Friday.
- v) Details of padding to be added to the south western boundary wall.



2 Reasons for Recommendations

- 2.1 The education centre provides an additional teaching facility for pupils with specific needs within the borough. As the Head of Highways and Public Health have raised no objections to the application coupled by mitigation measures implemented by the school as well as the proposed conditions within the recommendation, I am satisfied no significant loss of amenity in terms of noise and disturbance would occur.

3 How does this deliver objectives of the Corporate Plan?

	Best start in life for children and young people
	Strong resilient communities

4 Context

- 4.1 This application is being reported to your Planning Committee because 7 objections against the proposal have been received from neighbouring properties.
- 4.2 To assist members with site context, a link to Google Maps is provided below:

[240 Halesowen Road, Cradley Heath](#)

5 Key Considerations

- 5.1 The site is unallocated in the Development Plan.
- 5.2 The material planning considerations which are relevant to this application are: -



Government policy (NPPF),
Proposals in the Development Plan,
Access, highway safety, parking and servicing, and
Noise and disturbance from the scheme.

6. The Application Site

- 6.1 The application site is the former Old Hill Police station located on the western side of Halesowen Road, Cradley Heath. The character of the surrounding area is mixed use in nature with a medical centre and residential housing directly adjacent to the site. Holy Trinity Church is located on the opposite side of Court Street whilst Old Hill Masjid and Community Centre is located on the opposite side of Halesowen Road. The site is located within Old Hill Local centre.

7. Planning History

- 7.1 There is no relevant planning history. This retrospective planning application has been submitted following enforcement action taken under ENF/21/11672.

8. Application Details

- 8.1 The applicant is applying retrospectively to retain the change of use from Old Hill Police Station to an education facility which started in April 2021. Impact Education & Training Ltd is an independent school which provides an alternative provision for students aged 11 to 16 who would benefit from a placement away from their mainstream setting. The school has confirmed that most of their students are dual registered and remain on their mainstream roll.
- 8.2 The school travel plan has confirmed 60 pupils are on the register at the application property (240 Halesowen Road) with 32 staff/support staff working at the site.



9. Publicity

9.1 The application has been publicised by neighbour notification letter with 7 objections being received.

9.2 Objections

Objections have been received on the following grounds:

- i) Antisocial behaviour. This includes pupils trespassing to collect footballs, verbal abuse, littering, bottles being thrown over neighbour's boundary walls and footballs being kicked against windows/walls.
- ii) Highways matter including the lack of staff car parking on site and parents parking.
- iii) Concerns regarding the type of pupils being taught at the education facility.

Immaterial objections have been raised regarding loss of property value and being unable to sell a property.

9.3 Responses to objections

I respond to the objector's comments in turn:

- i) Anti-social behaviour outside of the school grounds is a matter for the police, however, the applicant has confirmed staff accompany pupils when getting into vehicles which has been witnessed by a highways officer. The matter of noise and disturbance caused by the outside spaces has been clarified by the applicant and changes implemented. The outside space is used Monday to Friday between 11.10 to 11.25 and Monday to Thursday between 13.05 and 13.40. PE lessons are taught offsite. All students are supervised when using the outside area and are not allowed to take food or drink off the premises. The school have installed a net above the play area which will prevent footballs and drinks bottles from going over the boundary wall as well as preventing pupils from climbing onto the wall. The school have also confirmed that



padding will be added to the boundary wall to prevent noise from footballs.

- ii) The Head of Highways has reviewed the submitted travel plan and raised no objections to the application on highway safety grounds.
- iii) I hear the concerns of the residents, however, the installation of measures mentioned above, and the careful management of the site would ensure disturbance from pupils is kept to a minimum.

10. Consultee responses

10.1 **Planning Policy** – There is no planning policy objection to the application in principle. BCCS HOU5 Education & Healthcare Facilities sets out various criteria for schools. The proposal broadly meets these, in that it's in a centre, has sustainable public transport links and is well related to a local catchment area, and is at an appropriate scale. A potential concern was raised with regards to outside space for physical education. However, the school have confirmed that these lessons take place off site and furthermore, the school will need to be inspected by Ofsted.

10.2 **Highways** – The Head of Highways has raised no objections to the application following receipt of a school travel plan and subject to the conditions contained within the recommendation. Highways have undertaken site visits and witnessed on street parking available on Court Street, Church Street and Lawrence Lane during the hours the school was open, therefore staff parking is not excessive. Due to the operating hours of the school, staff parking and residential parking should not be effected during the evenings and weekends. Highways have also confirmed that pupils left by 3 mini buses and private taxi/public transport accompanied by staff to get into vehicles. No parental parking during the time of the visits linked to this site was witnessed with only parental parking for the existing primary school on Lawrence Lane being viewed.

10.3 **Public Health (Air Quality)** – No objection subject to the standard conditions.

10.4 **Public Heath (Air Pollution and Noise)** – No objection



11. National Planning Policy

11.1 National Planning Policy Framework promotes sustainable development but states that local circumstances should be taken into account to reflect the character, needs and opportunities for each area.

12. Local Planning Policy

12.1 The following polices of the council's Development Plan are relevant:

HOU5: Education & Healthcare Facilities

12.2 The site is unallocated within the Development Plan.

12.4 HOU5 sets out various criteria for new education and healthcare Facilities. The proposal broadly meets these, in that it's in a local centre, has sustainable public transport links and is well related to a local catchment area, and is at an appropriate scale.

13. Material Considerations

13.1 National and local planning policy considerations have been referred to above in Sections 11 and 12. With regards to the other material considerations, these are highlighted below:

13.2 Proposals in the Development Plan

The site is unallocated within the development plan.

13.3 Access, highway safety, parking, servicing and traffic generation.

Following receipt of a school travel plan, the Head of Highways has raised no objections to the application on highway safety grounds.

13.4 Noise and disturbance from the scheme.



Public Health have raised no objections to the application. The school have implemented measures to reduce noise and disturbance from the outside space which include confirmation of the times the outside space is used (11.10 to 11.25 and Monday to Thursday between 13.05 and 13.40), the fact PE lessons are taught offsite, confirmation all students are supervised when using the outside area and are not allowed to take food or drink off the premises and the installation of a net above the play area which will prevent footballs and drink bottles from going over the boundary wall to the residential properties at the rear. Padding being added to the boundary wall of the neighbouring property will also reduce noise from footballs. The school have confirmed staff accompany pupils when leaving the school grounds.

14 Alternative Options

14.1 Refusal of the application is an option if there are material planning reasons for doing so. In my opinion the proposal is compliant with relevant polices and there are no material considerations that would justify refusal.

15 Implications

Resources:	When a planning application is refused the applicant has a right of appeal to the Planning Inspectorate, and they can make a claim for costs against the Council.
Legal and Governance:	This application is submitted under the Town and Country Planning Act 1990.
Risk:	None.
Equality:	There are no equality issues arising from this proposal and therefore an equality impact assessment has not been carried out.
Health and Wellbeing:	None.
Social Value	None.



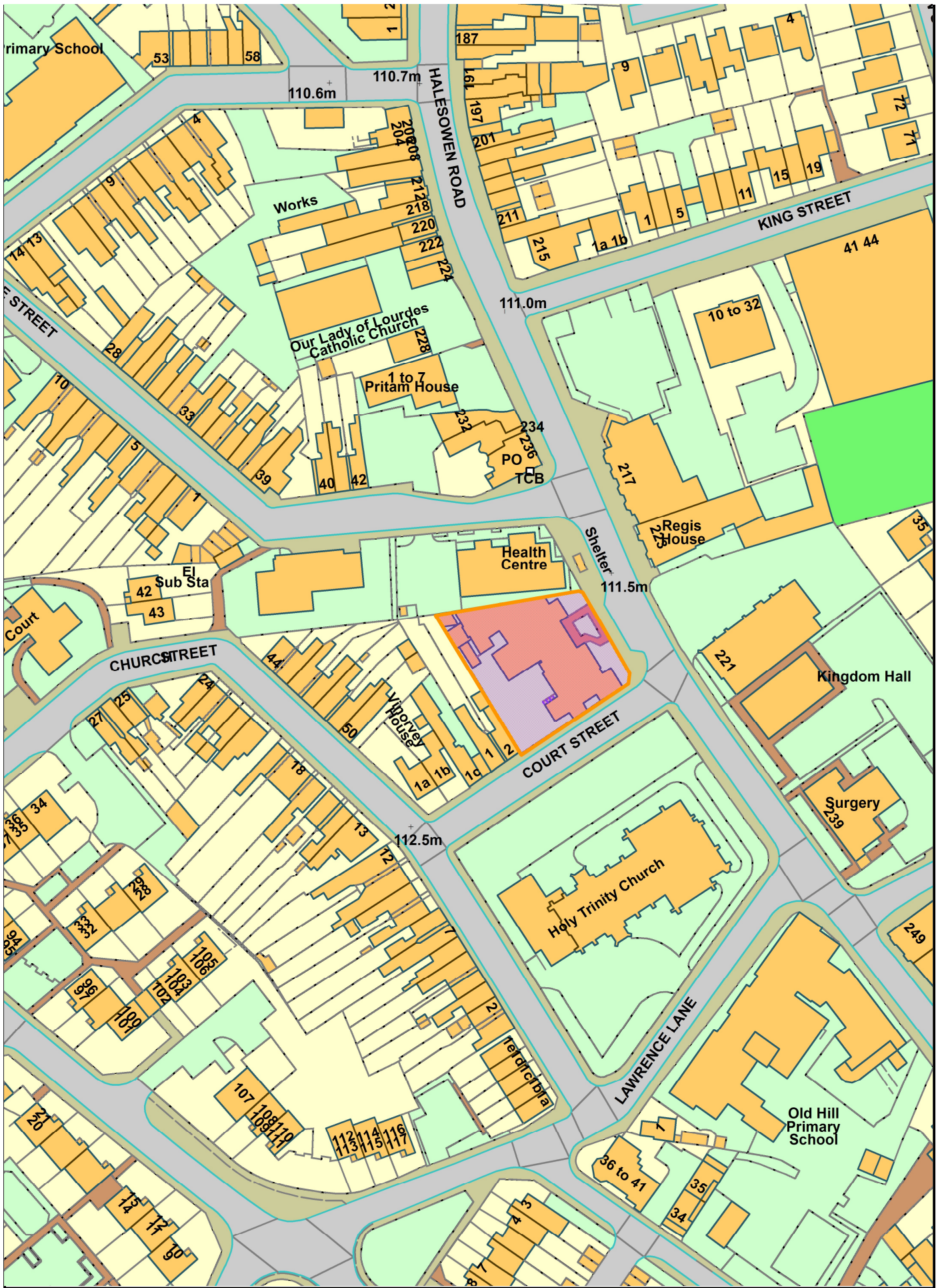
16. Appendices

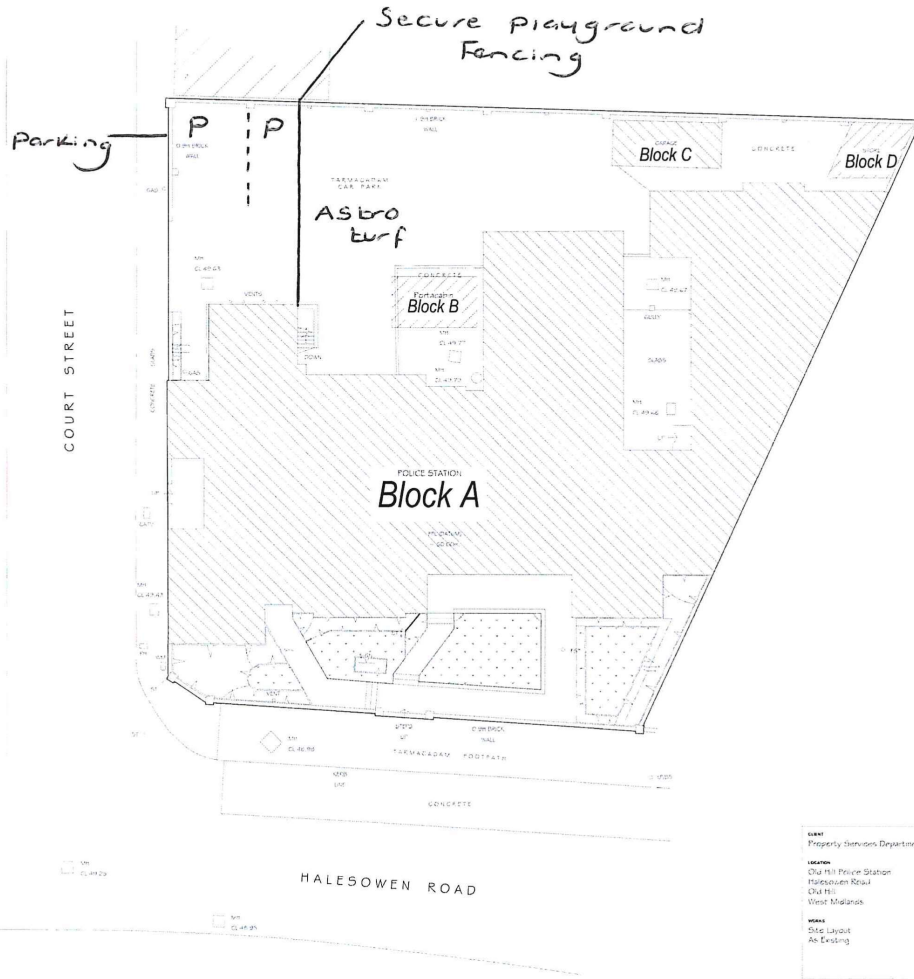
1 – Location Plan

5 – Block Plan

9 - Proposed floor plans.





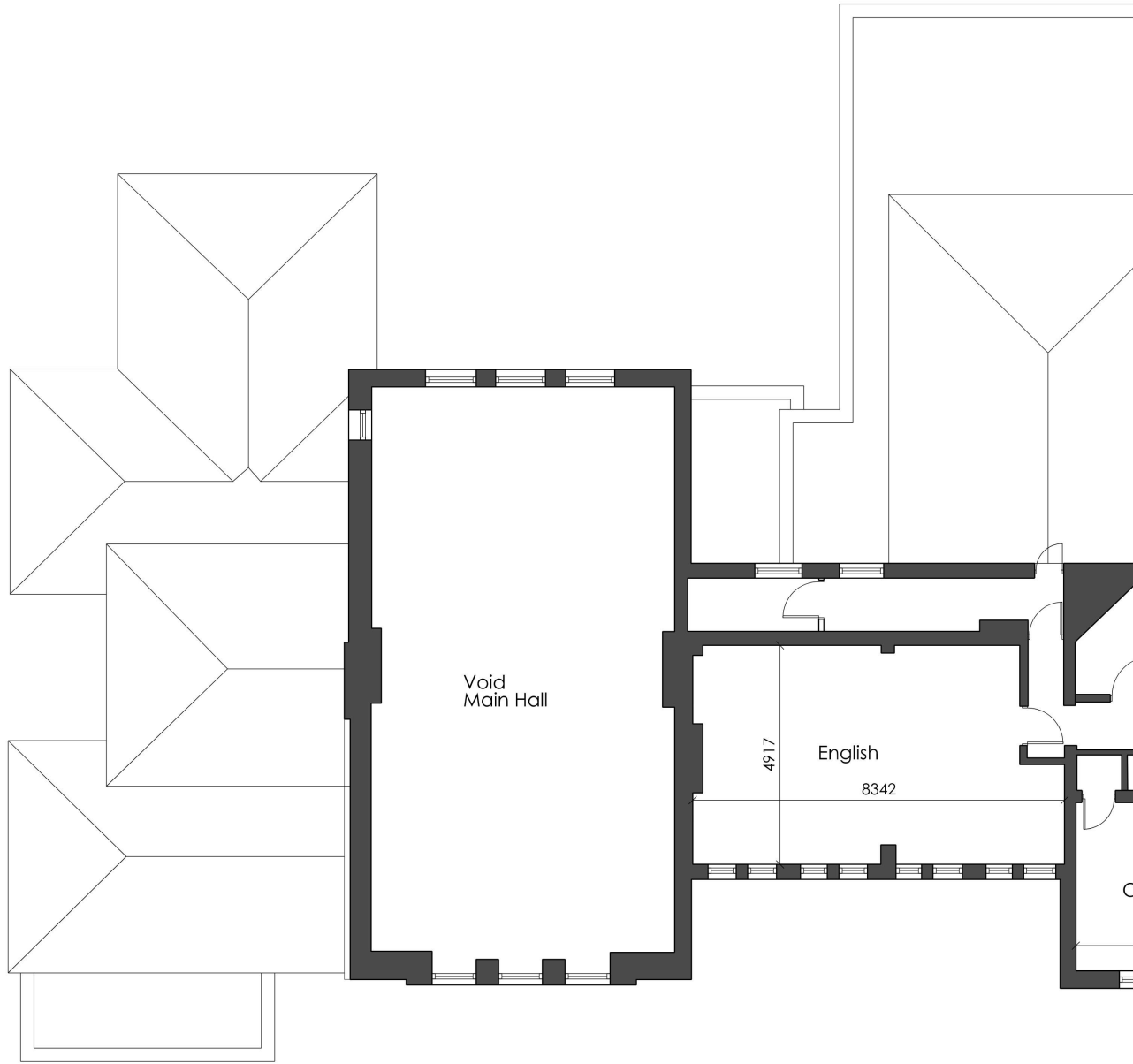


Client
Property Services Department

Location
Chai Hill Police Station
Halesowen Road
Chai Hill
West Midlands

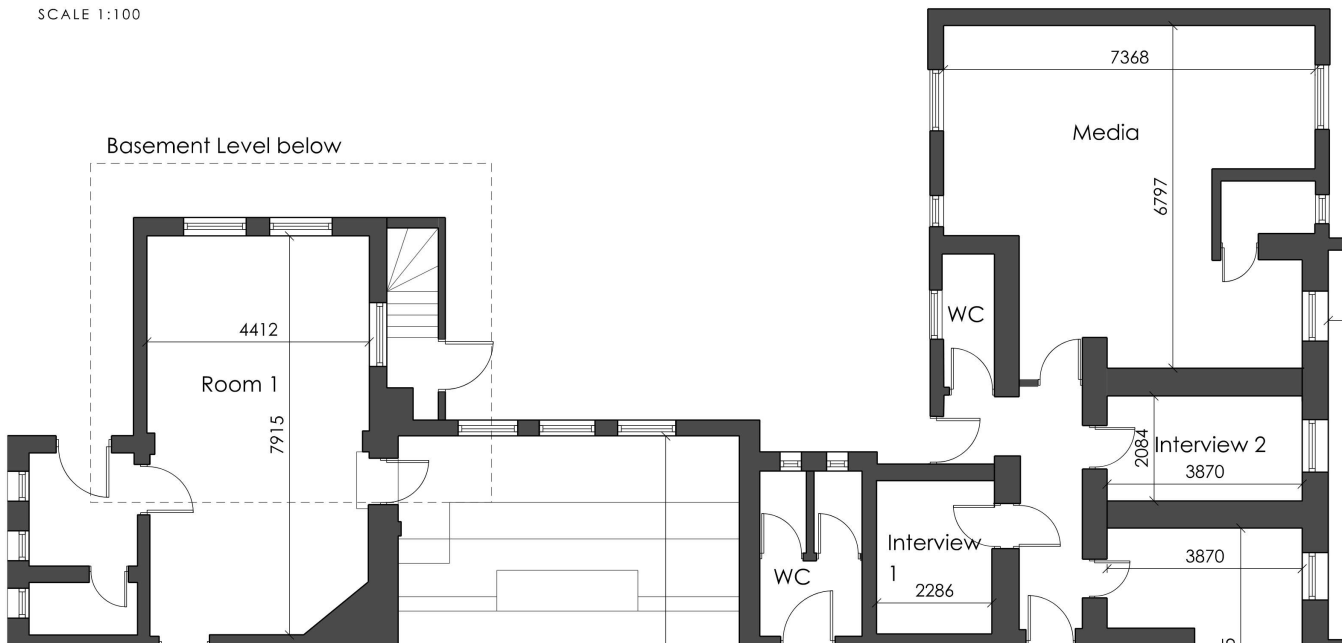
Notes
Site Layout
As Existing

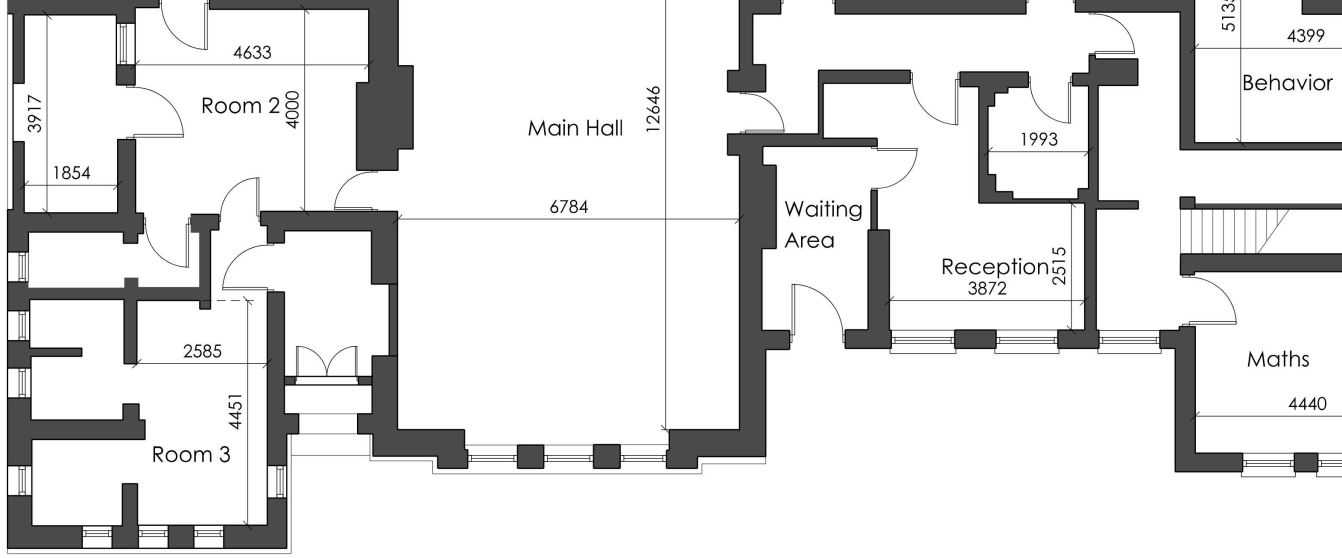
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Scale	Site	Drawn
1:100	A1	PSD
Checked Date	Issue Date	File
04/03/2017	04/03/2017	0209/0000



FIRST FLOOR PLAN

SCALE 1:100





GROUND FLOOR PLAN

SCALE 1:100



IMPACT INDEPENDENT SCHOOL
HALESOWEN ROAD
OLD HILL
WEST MIDLANDS
BUILDING FLOOR PLANS

BUILDING FLOOR PLANS