

# Report to Planning Committee

**23 November 2022**

<b>Application Reference</b>	DC/22/67364
<b>Application Received</b>	4 August 2022
<b>Application Description</b>	Proposed change of use from church to pre-school nursery – temporary permission for three years
<b>Application Address</b>	Macefields Mission Hall, Claremont Street, Cradley Heath
<b>Applicant</b>	Mr Faiz Rasool
<b>Ward</b>	Cradley Heath & Old Hill
<b>Contact Officer</b>	Beth Astley-Serougi <a href="mailto:Beth_AstleySerougi@sandwell.gov.uk">Beth_AstleySerougi@sandwell.gov.uk</a>

## 1 Recommendations

1.1 That planning permission is granted subject to:



- i) A temporary consent for three years;
- ii) Details of an electric vehicle charging point;
- iii) Low NOx boiler (if required);
- iv) A construction method statement;
- v) Parking area to be laid out;
- vi) The existing dropped kerb extended to facilitate vehicular access;
- vii) Hours of use between Monday to Friday 08:00 – 20:00; and
- viii) Details of secure cycle parking.



## 2 Reasons for Recommendations

- 2.1 It is considered that the proposed change of use (temporary permission for three years) is acceptable and would not have a significant negative impact on the amenity of the surrounding area.

## 3 How does this deliver objectives of the Corporate Plan?

	Best start in life for children and young people
	A strong and inclusive economy

## 4 Context

- 4.1 At you last meeting members resolved to visit the site.
- 4.2 This application is being reported to your Planning Committee at the request of the Ward Councillor, Vicki Smith who has raised concerns due to limited parking provision in this area combined with current parking pressures from nearby schools. In addition, three material planning objections have been received.
- 4.2 To assist members with site context, a link to Google Maps is provided below:

[Aerial View Macefields Mission Hall, Cradley Heath](#)

[Street View, Macefields Mission Hall, Cradley Heath](#)

## 5 Key Considerations

- 5.1 The site is unallocated within the development plan.



5.2 The material planning considerations which are relevant to this application are:

Government policy (NPPF),  
Access, highway safety, parking and servicing,  
Traffic generation, and  
Noise and disturbance from the proposal.

## 6. The Application Site

6.1 The application relates to an existing church located in a predominantly residential area of Cradley Heath.

6.2 The applicant is applying for a change of use from a church to a pre-school nursery, temporary permission for 3 years.

## 7. Planning History

7.1 There is no relevant planning history.

## 8. Application Details

8.1 The applicant is proposing to change the use of the existing church to a pre-school nursery. The nursery would cater for 50 children between 2 and 4 years old. The operating hours of the proposed nursery would be Monday – Friday 08:00 – 20:00. The nursery would have 7 full time staff members. There are no structural changes to the existing building, however the applicant would provide four off-road parking spaces as part of the application.

## 9. Publicity

9.1 The application has been publicised by neighbour notification letter and a total of 3 objections, including one from the Ward Councillor, Councillor Vicki Smith have been received.



## 9.2 Objections

Objections have been received on the following grounds:

- i) Parking Provision,
- ii) Traffic Generation, and
- iii) Noise Disturbance

Non-material objections have been raised regarding qualifications of applicant, lack of demand for childcare, and a lack of detail in the application.

The objectors have raised concerns that not all neighbours were consulted. However, I can confirm that the neighbours who share a boundary with the proposed site were notified by neighbour notification letter, this is in accordance with legal requirements. Furthermore, letters were also sent to seven properties on Claremont Street and Sidaway Close.

## 9.3 Responses to objections

I respond to the objector's comments in turn:

- (i) It is considered that the proposal offers a betterment from when compared to the current use in terms of traffic generation along with the provision of four new off street parking spaces. This would therefore reduce accumulation on Claremont Street and the surrounding area. The parking spaces proposed are also larger than the minimum standard which will allow further space for boundary treatments adjacent to parked vehicles. Furthermore, the vehicular access would be 10m from the junction of Sidaway Street and vehicles would be able to turn and leave in a forward gear providing good forward visibility.



- (ii) Highways raise no objection as indicated above.
- (iii) No objections have been received from Public Health, the use is a complimentary use within a residential area and the nursery opening times are during the week between 08:00 – 20:00 which can be conditioned accordingly.

## 10. Consultee responses

### 10.1 Planning and Transportation Policy

Cycle parking should be provided and is conditioned as such;

### 10.2 Highways

No objections, given a betterment to the existing use subject to conditions regarding parking provision and vehicle crossover.

### 10.3 Public Health (Air Quality, Pollution and Noise)

No objections subject to provision of a low NOx boiler (if required), an electric vehicle charging point and construction method statement. These can be conditioned accordingly.

## 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.

The same guidance promotes sustainable transport options for development proposal and states that developments should be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.



## 12. Local Planning Policy

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

ENV3: Design Quality

SAD EOS9: Urban Design Principles

SAD DM6: Community Facilities

12.2 As there are no significant concerns raised over the impact of the amended proposal on residential amenity including parking provision and traffic generation, or in respect to its design and appearance, the development is considered to be compliant with policies ENV3, SAD EOS9 and SAD DM6.

## 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 Parking

It is considered that the proposed parking provision will improve off road parking provision and is therefore a betterment. The the vehicular access being 4.5m wide complies with highway standards. The applicant has, in my opinion, alleviated any significant parking concerns.

### 13.3 Traffic Generation

As a temporary permission for three years is being applied for, this will give highways the opportunity to make further comments on any future planning applications should there be an increase in inappropriate parking and injury accidents in the vicinity prior to full planning permission being granted. However, the application as is, does not carry with it any significant concerns in regard to traffic generation.



## 13.4 Noise Disturbance

The proposed application would not be open during unsociable hours, which can be conditioned. Therefore I do not consider the proposed use to have a significant impact on neighbouring properties in terms of noise disturbance to an extent that would warrant a refusal.

## 14 Alternative Options

14.1 Refusal of the application is an option if there are material planning reasons for doing so. However, it is considered that this proposal would comply with relevant planning policies and there are no material considerations to warrant refusal.

## 15 Implications

<b>Resources:</b>	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.
<b>Legal and Governance:</b>	This application is submitted under the Town and Country Planning Act 1990.
<b>Risk:</b>	None.
<b>Equality:</b>	There are no equality issues arising from this proposal and therefore an equality impact assessment has not been carried out.
<b>Health and Wellbeing:</b>	None
<b>Social Value</b>	None

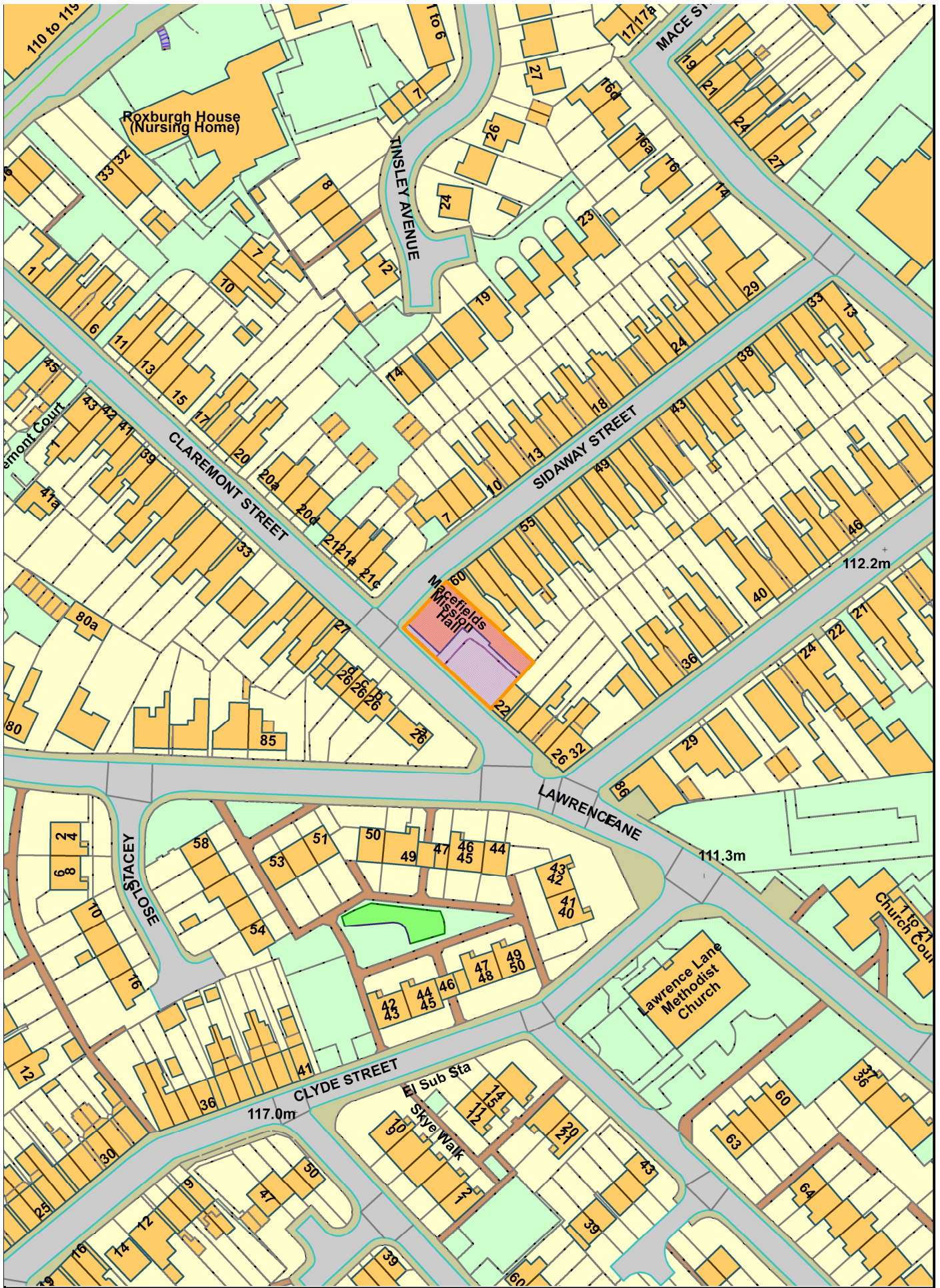
## 16. Appendices

Site Plan

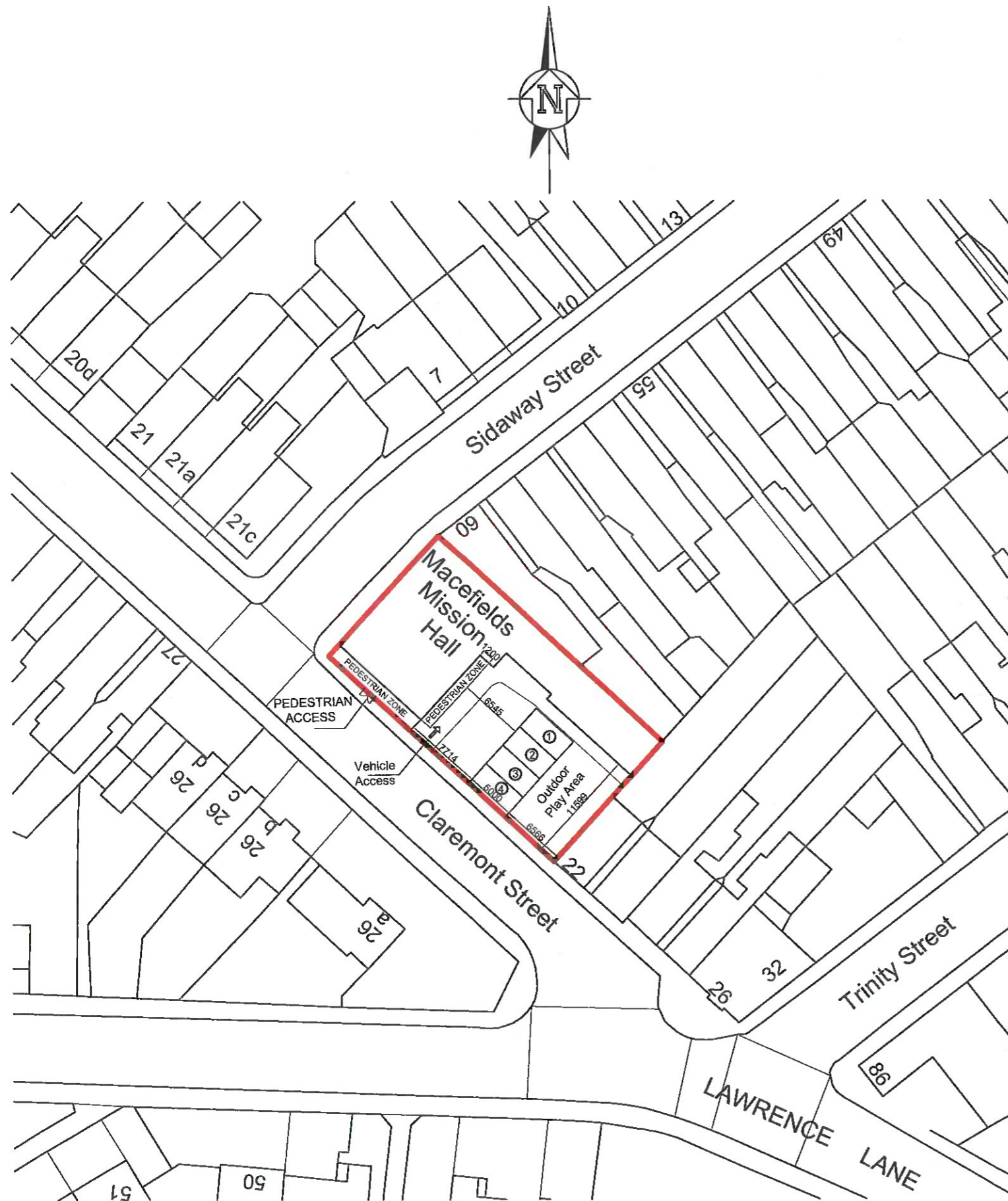
Context Plan

Proposed Ground Floor Plan ZL-4983/3 REV A

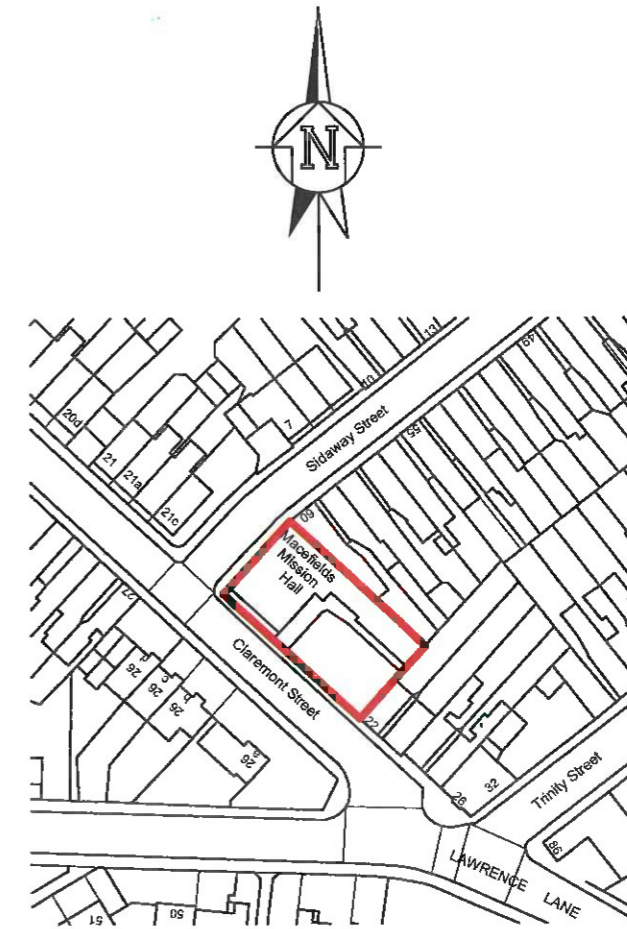




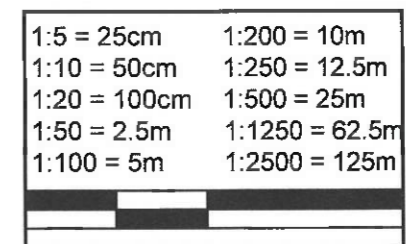




**BLOCK PLAN 1:500**



**LOCATION PLAN 1:1250**



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**PLANNING ISSUE**

**ZSP**  
**ZS Partnership Ltd.**  
 Architectural Design & Planning  
 469 Coventry Road, Small Heath  
 Birmingham B10 0TJ  
 0121 772 4096

Drawing Title:  
**Block Plans**

Proposal:  
 Temporary use As Nursery

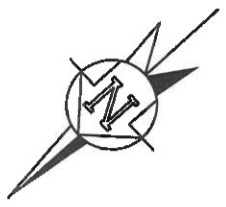
Project Location:  
 Macefield Mission hall, Claremont Street  
 Cradley Heath, Sandwell  
 B64 6HR

Scale: 1/1250-1/500 @ A3	Drawn: RA
Drawing No. ZL-4983/1	Date: 03/08/22

Amendments

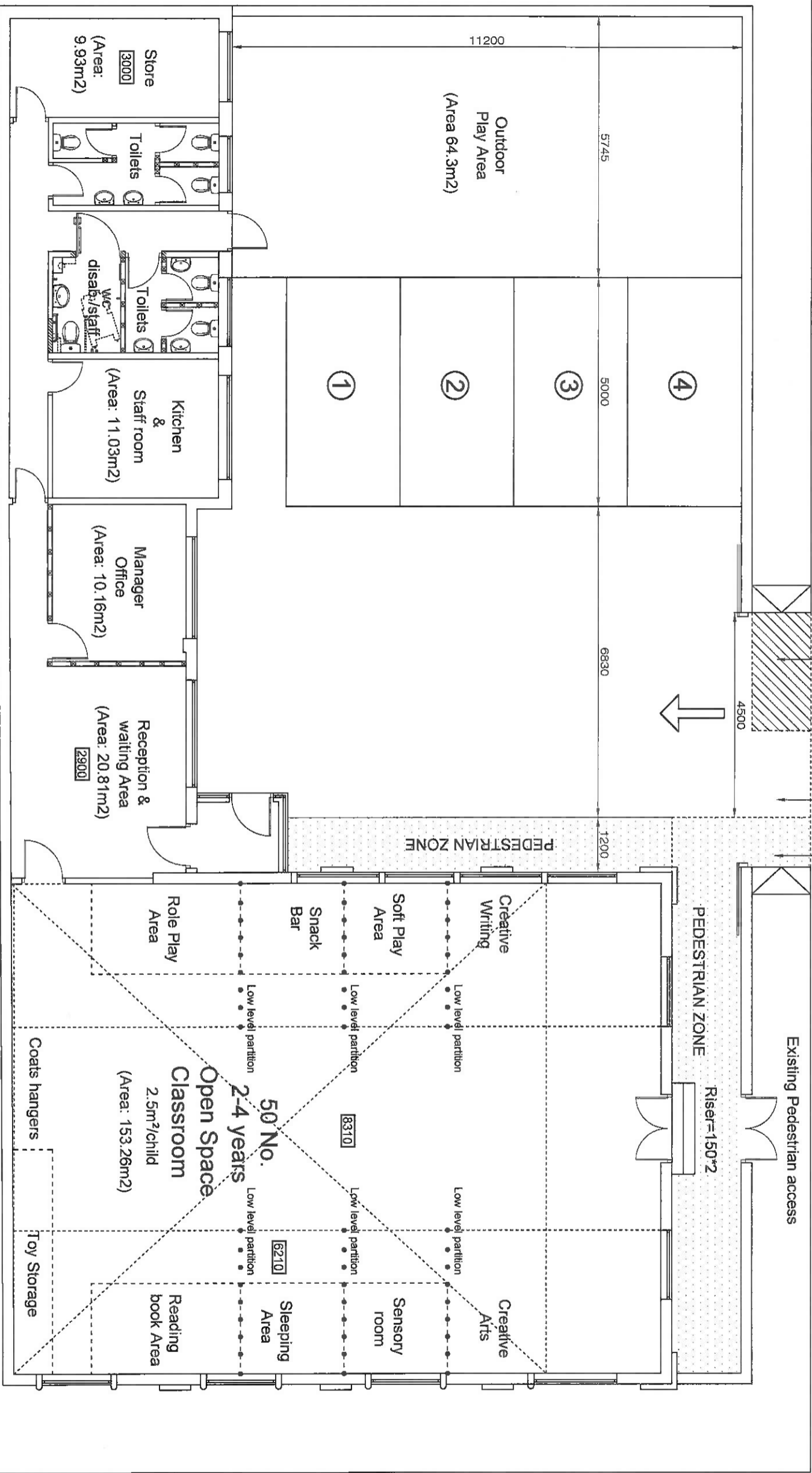
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Note: This drawing to be read in  
 Conjunction with drg.No.ZL-4983/2



Gate to remain open during the Nursery opening hours

Extension to existing vehicle access  
Existing vehicle access  
Pedestrian access (Retain drop Kerb to allow pram access)



1:5 = 25cm	1:200 = 10m
1:10 = 50cm	1:250 = 12.5m
1:20 = 100cm	1:500 = 25m
1:50 = 2.5m	1:1250 = 62.5m
1:100 = 5m	1:2500 = 125m

**PROPOSED GROUND FLOOR PLAN**

Rev. A: Vehicle access moved and Plan updated accordingly 20-09-22 RA

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469 Coventry Road, Small Heath  
Birmingham B10 0TJ  
0121 772 4096

Drawing Title:  
**Proposed Ground Floor Plan**

Proposal:  
Temporary use As Nursery

Project Location:  
Macefield Mission hall, Clarendon Street  
Cradley Heath, Sandwell  
B64 6HH

Scale: 1/100 @ A3  
Drawing No: ZL-4983/3  
Date: 10/06/22

Amendments:  
A

Note: This drawing to be read in conjunction with dng No.ZL-4893/1