

### **REPORT TO PLANNING COMMITTEE**

#### 15 January 2020

Application Reference	DC/19/63414				
Application Received	10 September 2019				
Application Description	Proposed residential development of 27 dwellings.				
Application Address	Land at Reservoir Road / Maer Close, Rowley Regis				
Applicant	Sandwell MBC				
Ward	Blackheath				
Contribution towards Vision 2030:					
Contact Officer(s)	Carl Mercer 0121 569 4048 <u>carl_mercer@sandwell.gov.uk</u>				

#### RECOMMENDATION

That planning permission is granted subject to conditions concerning:

- (i) External materials;
- (ii) Finished floor levels;
- (iii) Site investigation in respect of contaminated land;
- (iv) Submission and implementation of coal mining remedial strategy;
- (v) Drainage;
- (vi) Boundary treatments;
- (vii) Landscaping;
- (viii) Electric vehicle charging infrastructure being installed;
- (ix) Affordable housing;
- (x) Employment and skills plan; and,
- (xi) Construction work and deliveries to the site limited to between 7am and 6pm Monday to Friday and 8am and 4pm Saturdays, with no activity on Sundays or National Holidays.

#### 1. BACKGROUND

1.1 This application is being reported to your Planning Committee because the Council is the applicant and landowner.

#### 2. SUMMARY OF KEY CONSIDERATIONS

- 2.1 The site is allocated for housing in the development plan.
- 2.2 The material planning considerations which are relevant to this application are:

Government policy (NPPF); Proposals in the Local Plan; Loss of light, outlook or privacy; Layout and density of building; Design, appearance and materials; Land instability; Access, highway safety, parking and servicing; and Flood risk.

### 3. THE APPLICATION SITE

3.1 The site formally accommodated two local authority high rise blocks which were demolished some 25 years ago. The site is 'bowl shaped' and slopes from west to east. It is largely grass and scrub with trees around the perimeter, with greater tree coverage to a grassy embankment to the north.

#### 4. PLANNING HISTORY

- 4.1 There is some relevant planning history:
- 4.2 DD/31226 Demolition of buildings by Approved 01.03.1995 explosives

#### 5. APPLICATION DETAILS

- 5.1 The applicant proposes to erect 27 dwellings for social rent comprising of 19, two bedroom and eight, four bedroom dwellings.
- 5.2 Eight of the dwellings would be accessed from Maer Close, while the remainder would be situated along a new cul-de-sac accessible from Reservoir Road, opposite the junction of Enfield Road.
- 5.3 The design of the dwellings would be a mix of two storey, semi-detached and detached house types.

#### 6. PUBLICITY

6.1 The application has been publicised by neighbour notification letter and by site notice, without response.

#### 7. STATUTORY CONSULTATION

- 7.1 **Planning Policy** No objection.
- 7.2 **Highways** Minor amendments to highway gradients requested and received. No objection.

#### 7.3 Urban Design

Requested some architectural/fenestration detailing to improve the appearance and surveillance of some properties, with enhancement of corner properties. To this effect, amended plans have been received. Some improvements have been requested to boundary treatments, which can be secured by condition. Concerns raised over detachment of some parking spaces, but this would be difficult to address given the site constraints and would lead to less-desirable solutions (i.e. a domination of frontage parking to those corner plots). The connectively of the site is welcomed.

#### 7.4 Environmental Health (Air Quality)

Conditions to ensure electric vehicle charging bays are recommended. However; it has been agreed with the applicant that the infrastructure will be provided to enable future installation, if required, by the tenants.

- 7.5 **Environmental Health (Contaminated Land)** Relevant conditions recommended.
- 7.6 **Environmental Heath (Noise)** No objection.

#### 7.7 West Midlands Police

The connectivity between the cul-de-sacs which was praised by Urban Design has been criticised by the Police, due to the potential for an increased risk of crime by linking the cul-de-sacs. Natural surveillance by way of improved fenestration has also been raised. Other matters would be addressed by Building Regulations.

#### 7.8 The Coal Authority

Conditions requesting a remedial strategy to address coal mining legacy and the implementation of the recommendations of the strategy.

- 7.9 **Lead Local Flood Authority** No objection subject to condition.
- 7.10 **Severn Trent** No objection subject to condition.
- 7.11 **Tree Preservation Officer** No objection.

#### 8. GOVERNMENT GUIDANCE/NATIONAL PLANNING POLICY

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

#### 9. LOCAL PLANNING POLICY

9.1 The following policies of the Council's Local Plan are relevant:-

CSP4: Place-Making HOU2: Housing Density, Type and Accessibility HOU3: Delivering Affordable Housing EMP5: Improving Access to the Labour Market TRAN4: Creating Coherent Net for Cycling and Walk ENV3: Design Quality ENV5: Flood Risk, Sustainable Drainage System and Urban Heat Island Effect ENV7: Renewable Energy ENV8: Air Quality SAD H1: Housing Allocations SAD EMP2: Training and Recruitment SAD EOS9: Urban Design Principles

- 9.2 With regard to SAD H1, HOU2 and HOU3, the principle of housing is established given that the site is allocated for housing. The site will also provide much needed affordable homes and provides a mixture of different house types.
- 9.3 HOU3 and SAD H3 sets out the requirement of 25% affordable housing. Given that this is a residential development proposed on Council-owned land, where the Council would retain ownership of the land, no Section 106 is required to ensure compliance with affordable housing policy.
- 9.4 TRAN4 requires schemes to be well connected to aid cycling and walking which the layout of this development seeks to provide.

- 9.5 ENV3 and SAD EOS9 refers to well designed schemes that provide quality living environments. In the main the layout is considered to be acceptable, subject to conditions relating to boundary details.
- 9.6 ENV5 seeks the incorporation of sustainable drainage systems to assist with reducing the impact of flooding and surface run-off. The Lead Local Flood Authority has raised no objection.
- 9.7 ENV8 refers to mitigation measures to offset air quality issues, in this instance, electric vehicle charging infrastructure has been proposed.
- 9.8 EMP5 Improving Access to the Labour Market Training and Recruitment and SAD EMP2 – Training and Recruitment requires large employment generating schemes to provide opportunities for training and recruitment. This could be conditioned to secure these opportunities.

#### **10. MATERIAL CONSIDERATIONS**

10.1 The material considerations relating to Government policy (NPPF) and proposals with the local plan have been referred to above in Sections 8 and 9. With regard to the other considerations these are highlighted below:

#### 10.2 Loss of light, outlook or privacy

With regards to residential amenity, I am of the opinion that the dwellings would be of a sufficient distance from existing dwellings as to cause no harm to the residential amenity of surrounding residents by way of a loss of light, outlook or privacy.

#### 10.3 Layout and design

The appearance and layout of the scheme is broadly satisfactory and the scheme meets the aspirations of design policy. Urban Design raised some concern in respect of retaining walls across the site; however, this is in response to level differences across the site and, considering the severity of this constraint, I am not unduly concerned in respect of this matter as the quality of the design of the scheme outweighs the matter, given the context of this constraint.

#### 10.4 Land instability

The Coal Authority have confirmed that there are two mine entries, one falling within the site but are satisfied that the recommendations within the Coal Mining Risk Assessment Report will ensure safety and stability of the development. This will be conditioned accordingly.

#### 10.5 Access, highway safety, parking and servicing

No objections have been received from Highways subject to minor amendments to the highway gradients.

#### 10.6 Flood risk.

The scheme has provided a suitable drainage strategy to reduce surface water flooding.

#### 10.7 Security and safety

I note the concerns of the Police in respect of the pathways, but I am of the opinion that security fencing and/or limiting permeability through the site would be detrimental to the scheme as a whole. Access to the housing estate to the north at the top of the embankment is already restricted due to palisade fencing and will remain in place. The Council is at liberty to extended such fencing in the future. Surveillance has been improved on amended plans by way of increased fenestration to overlook the embankment to the north.

#### 11. IMPLICATIONS FOR SANDWELL'S VISION

- 11.1 The proposal supports Ambitions 3, 7, 8 and 10 of the Sandwell Vision 2030:-
- 11.2 Ambition 3 Our workforce and young people are skilled and talented, geared up to respond to changing business needs and to win rewarding jobs in a growing economy.
- 11.3 Ambition 7 We now have many new homes to meet a full range of housing needs in attractive neighbourhoods and close to key transport routes.
- 11.4 Ambition 8 Our distinctive towns and neighbourhoods are successful centres of community life, leisure and entertainment where people increasingly choose to bring up their families.
- 11.5 Ambition 10 Sandwell has a national reputation for getting things done, where all local partners are focussed on what really matters in people's lives and communities.

## 12. CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 12.1 The proposal offers a social housing scheme for an allocated residential site, within the context of an established residential area.
- 12.2 On balance, with all matters considered, the proposal is considered to be acceptable and is recommended for approval subject to conditions.

#### **13. STRATEGIC RESOURCE IMPLICATIONS**

13.1 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.

#### 14. LEGAL AND GOVERNANCE CONSIDERATIONS

14.1 This application is submitted under the Town and Country Planning Act 1990.

#### 15. EQUALITY IMPACT ASSESSMENT

15.1 There are no equalities issues arising from this proposal and therefore an equality impact assessment has not been carried out.

#### 16. DATA PROTECTION IMPACT ASSESSMENT

16.1 The planning application and accompanying documentation is a public document.

#### 17. CRIME AND DISORDER AND RISK ASSESSMENT

17.1 There are no crime and disorder issues with this application.

#### 18. SUSTAINABILITY OF PROPOSALS

18.1 Refer to the national planning framework (8) and local plan policies (9) and material considerations (10).

# 19. HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)

19.1 Conditions would ensure local jobs and apprenticeships would be available during construction phase.

#### 20. IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND

20.1 The application has been submitted by the Council in order to bring forward a social housing scheme on Council-owned land.

#### 21. APPENDICES:

Site Plan Context Plan 00 ZZ AE(04) 01 S2 P 60596749/SK/04 00 ZZ A P(9-) 23 S2 00 SS AP(09) 01 S2 00 ZZ AP(06) 02 S2 P1 00ZZ AP (06) 03 S2 P1 H5dc HAP(08) 01 S2 P1 H5dc HAP(08) 01 S2 P1 H1/Sch ZZ AP(08) 01 S2 H9s ZZ A(08) 01 S2 P1 H/sch ZZ AP(08) 01 S2 H5 ZZ AP(08)91 S2 / H5sch ZZ AP(08) 01 S2

# Sandwell Metropolitan Borough Council

#### DC/19/63414

Land At Reservoir Road/Maer Close, Rowley Regis, B65



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#### Legend

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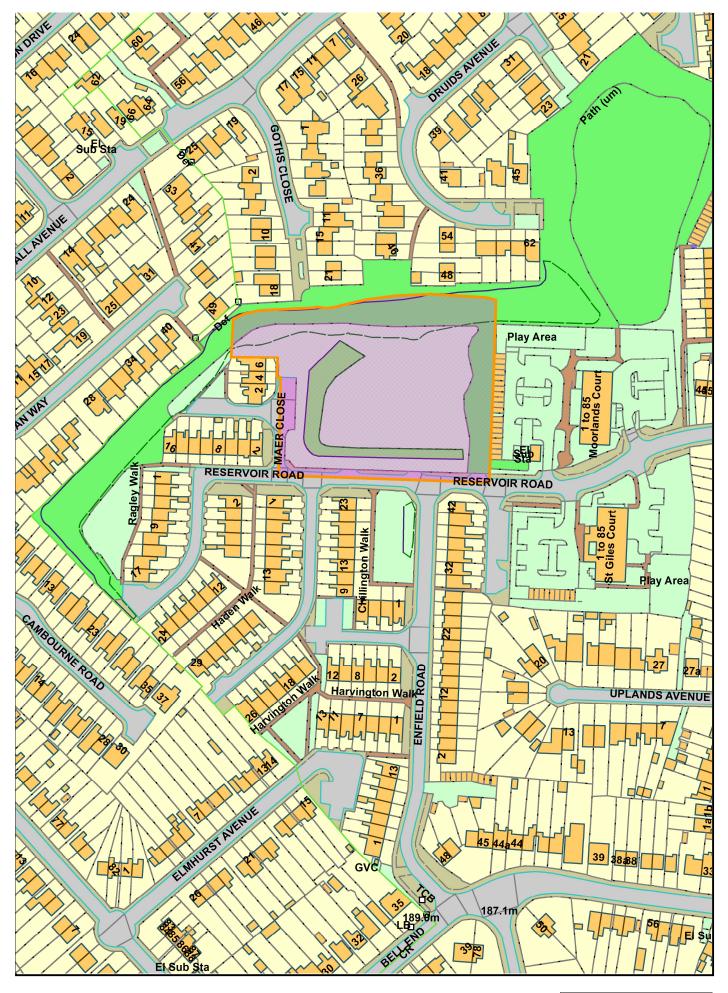
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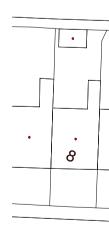


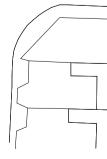




# **1** Location Plan 1 : 1250

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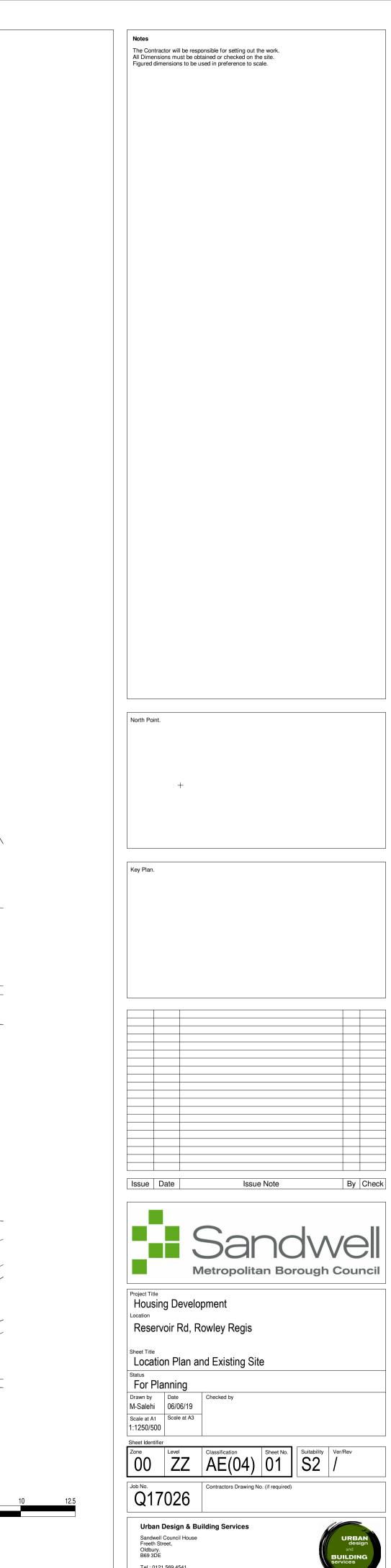






# 2 Existing Site Plan 1:500





Tel : 0121 569 4541



Project Management Initials: Designer: SJC Checked: AR Approved: AR ISO A1 594mr.

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PROJECT

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## RESERVOIR ROAD

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SANDWELL

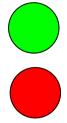
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#### CONSULTANT

AECOM Infrastructure & Environment UK Limited 3 Pemberton House Stafford Court, Stafford Park Telford, Shropshire, TF3 3AP 01952-235600 tel www.aecom.com

LEGEND



MINESHAFT LOCATIONS. POSITIONS INDICATED ARE BASED UPON INFORMATION SUPPLIED BY SMBC AND TAKEN FROM DRAWING Q17026/SE100

#### **ISSUE/REVISION**

13	03.10.2019	STEPS TO GARDENS ADDED
12	05.09.2019	LOCATION OF MS3400 MOVED
11	03.09.2019	END OF MAER CLOSE AMENDED
10	29.08.2019	PLOTS 22 AND 23 AMENDED
09	03.06.2019	AMENDED TO CLIENT COMMENTS
08	30.04.2019	MINE SHAFTS ADDED
07	26.03.2019	FOOTPATH LINK
06	13.03.2019	BACK TO BACK DIMS MAXIMISED
05	07.03.2019	LAYOUT REDRAWN
04	18.02.2019	PLOTS 1 - 6 ADJUSTED
03	18.02.2019	CLIENT COMMENTS
02	11.02.2019	CLIENT COMMENTS
01	07.02.2019	FIRST ISSUE
I/R	DATE	DESCRIPTION

#### DRAWING STATUS



#### PROJECT NUMBER

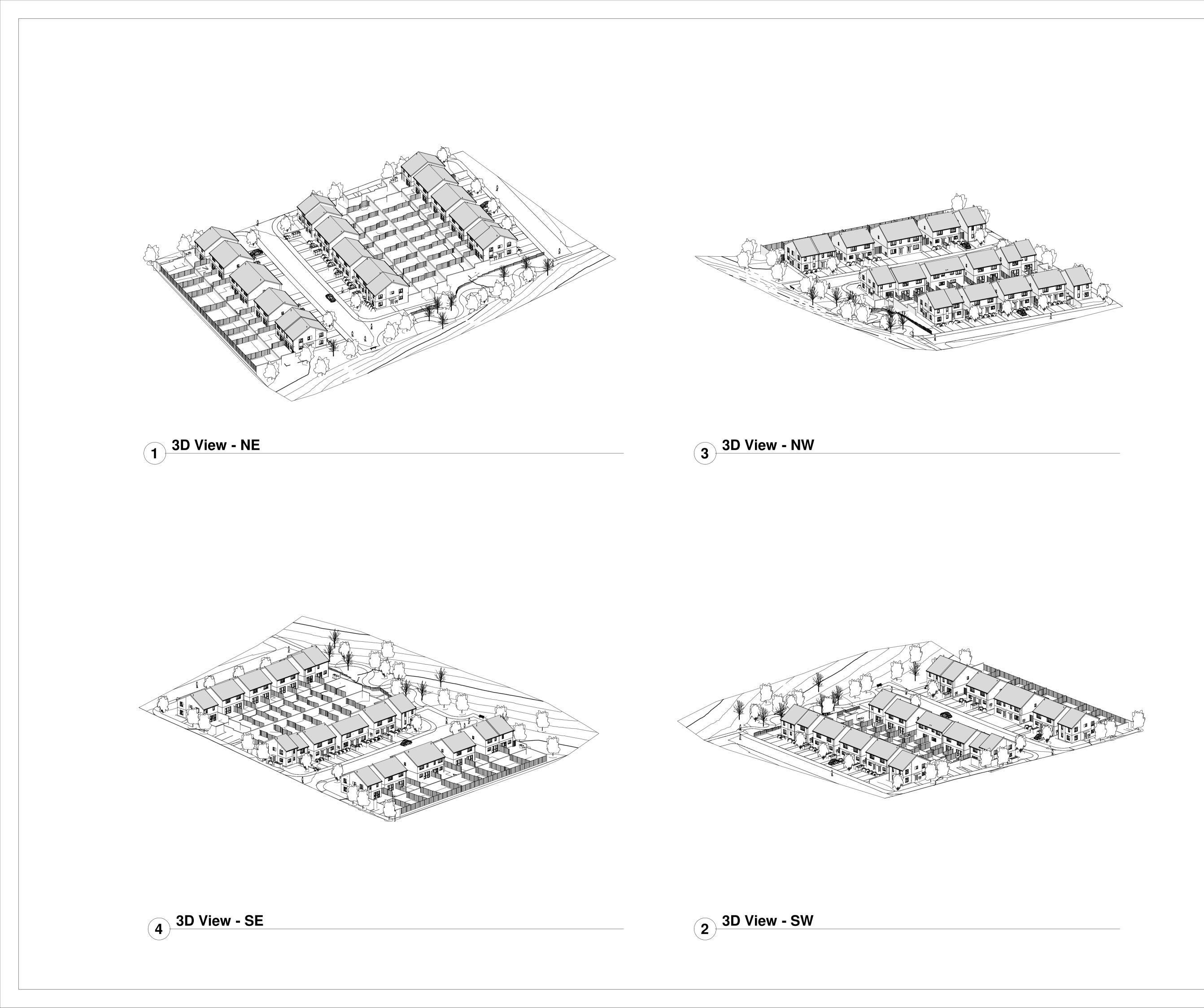
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#### SHEET TITLE

SKETCH OF PROPOSED SITE LAYOUT

#### SHEET NUMBER

P 60596749/SK/04



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2 Section 2 - Street View 1:200









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6 Section 6 - Street View 1 : 200







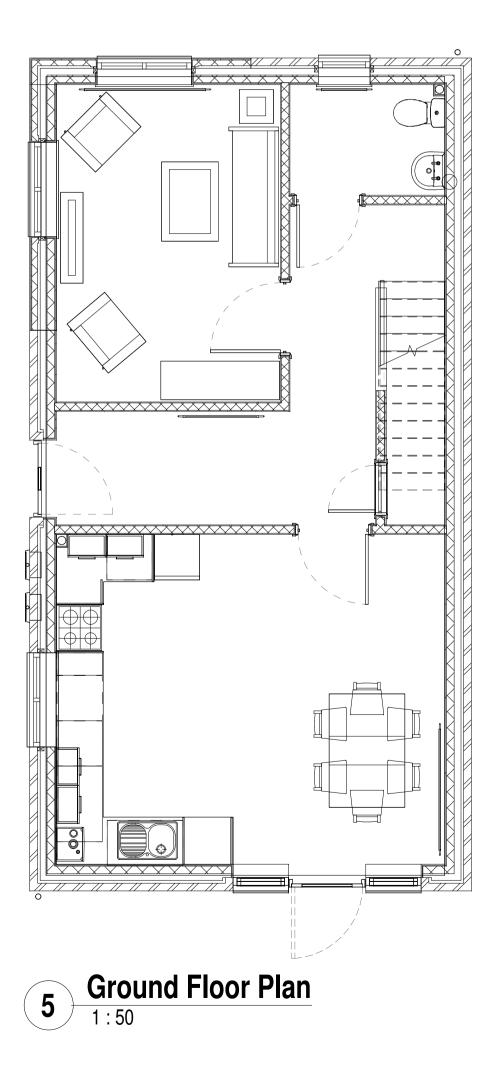


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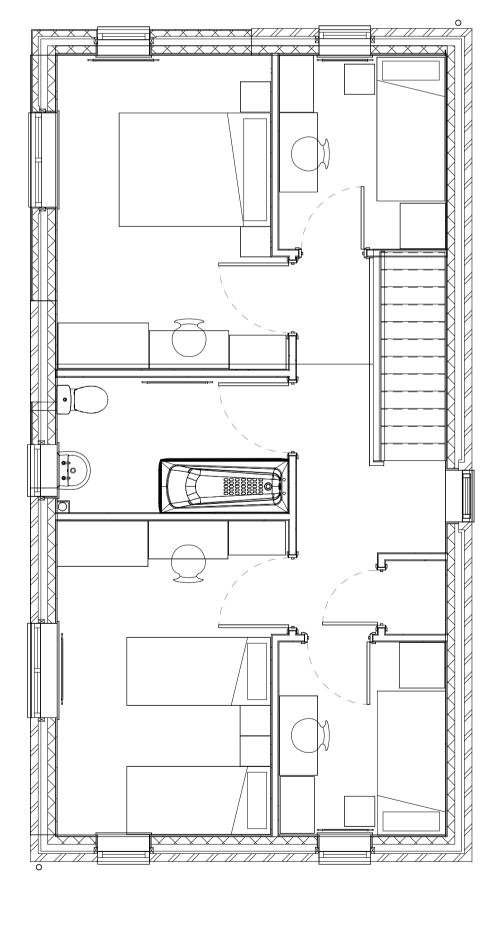




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6 First Floor Plan



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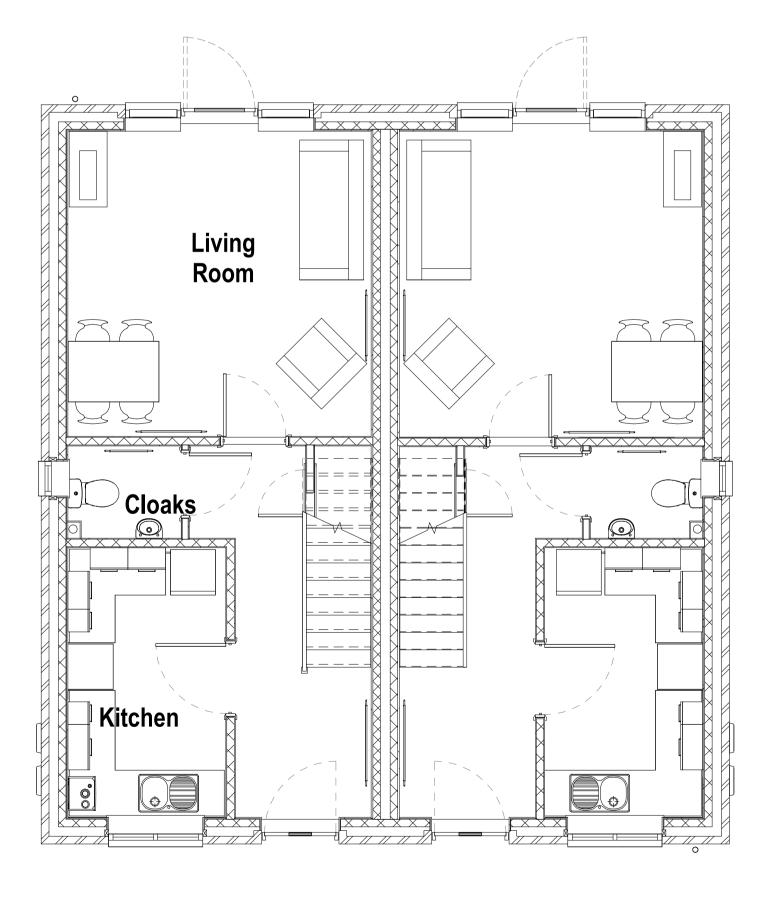
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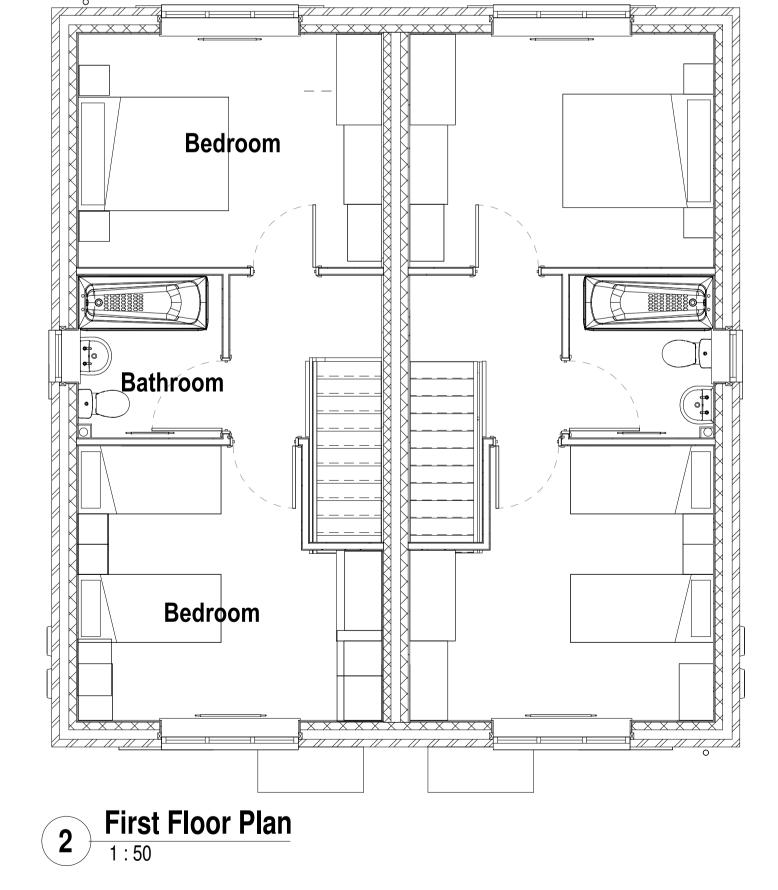


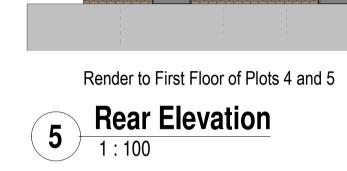


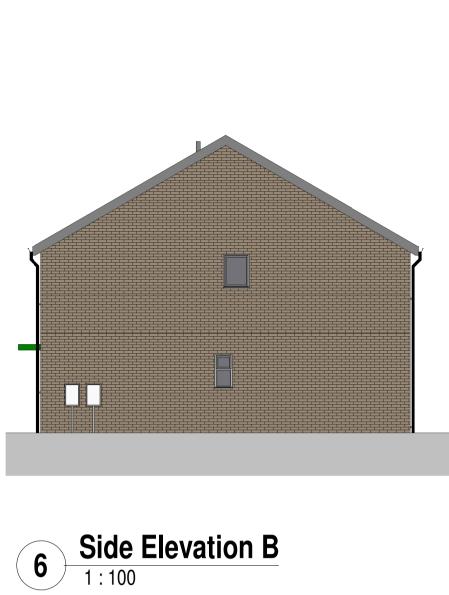


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# Plots (2,3)(4,5)(6,7)(11,12)(15,16)(20,21)(24,25)









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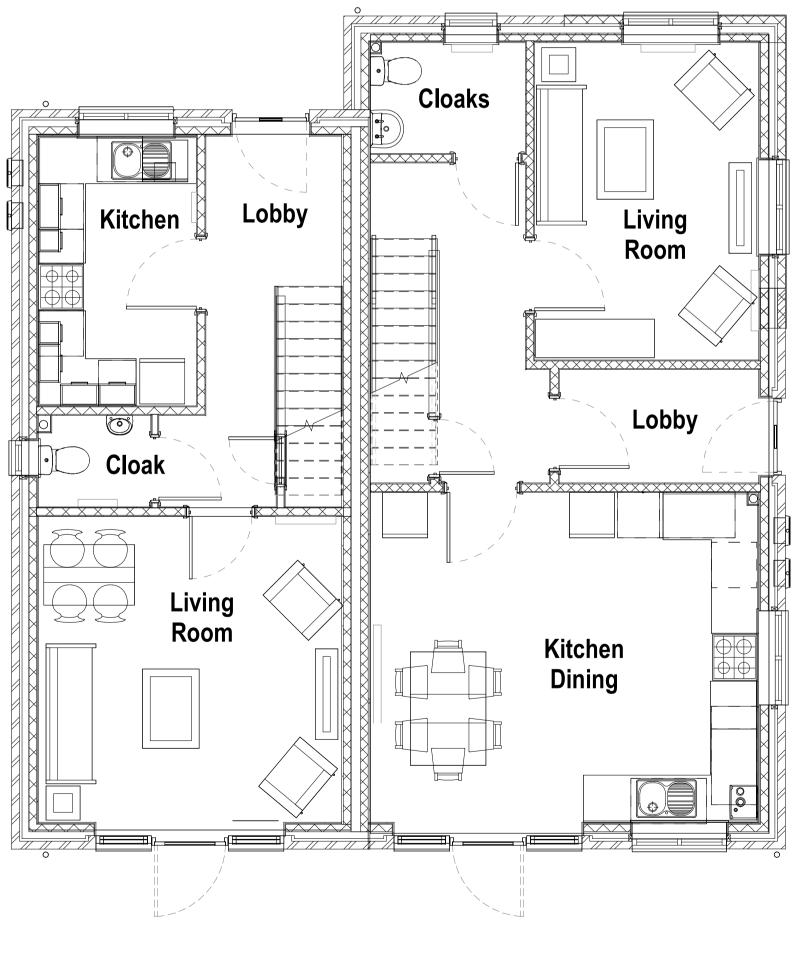
Notes











D Ground Floor - Plots 8 & 9 1:50

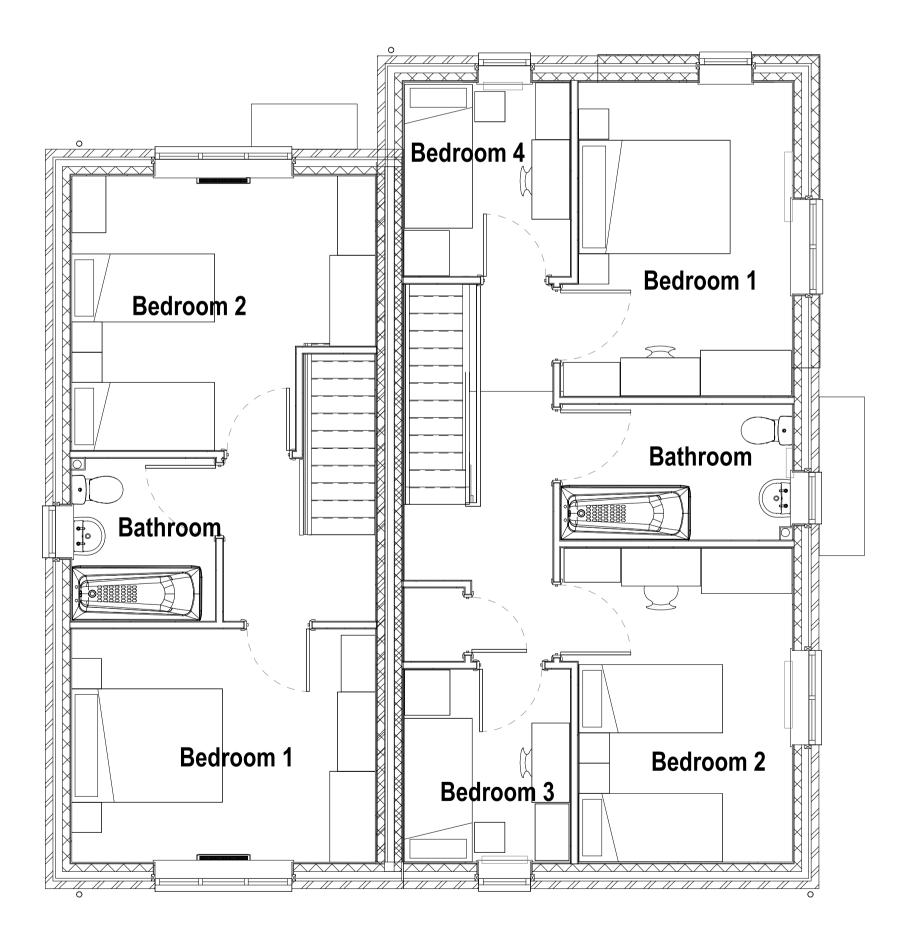
0 0.5 1 1.5 2 2.5 3 3.5 4 4.5 5 metres 1:50











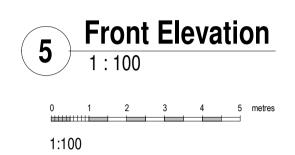


North Point.			
		+	
Key Plan.			
Issue Date	Issue Note		By Check
Project Title Housing Developme Location Reservior Road, Ro			
Sheet Title Plans & Elevations Status For Planning	Plots 8 & 9		
Drawn by         Date         Che           M-Salehi         06/06/19         Che         Che           Scale at A1         Scale at A3         Che         Che	scked by		
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Q17026 Urban Design & Buildin Sandwell Council House			URBAN
Freeth Street, Oldbury, B69 3DE Tel : 0121 569 4541		Ba	urban design and UILDING rvices

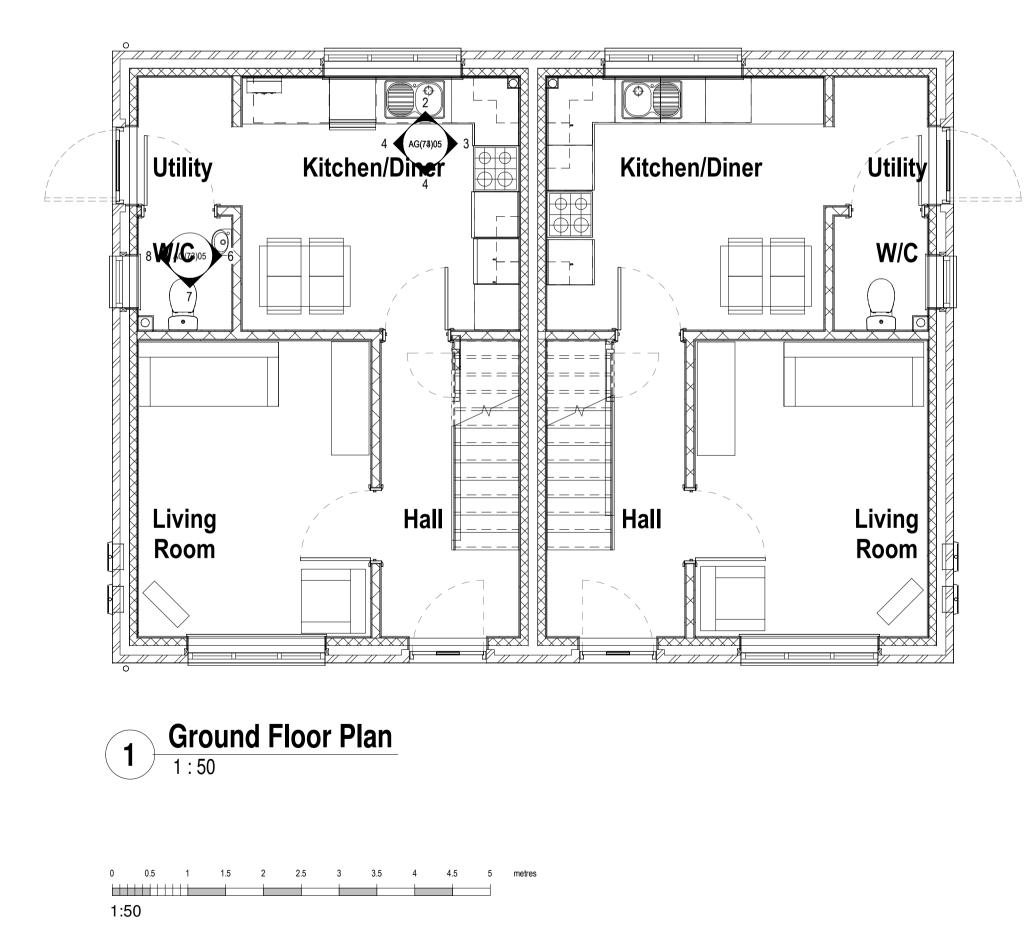
Notes

The Contractor will be responsible for setting out the work. All Dimensions must be obtained or checked on the site. Figured dimensions to be used in preference to scale.

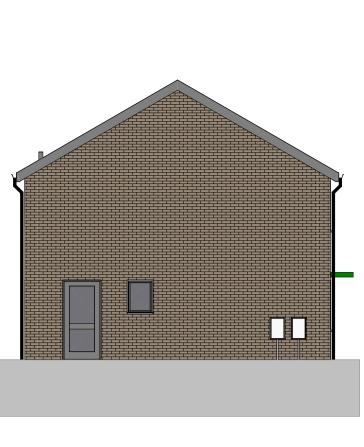
## Plots 8 & 9 Resevoir Rd





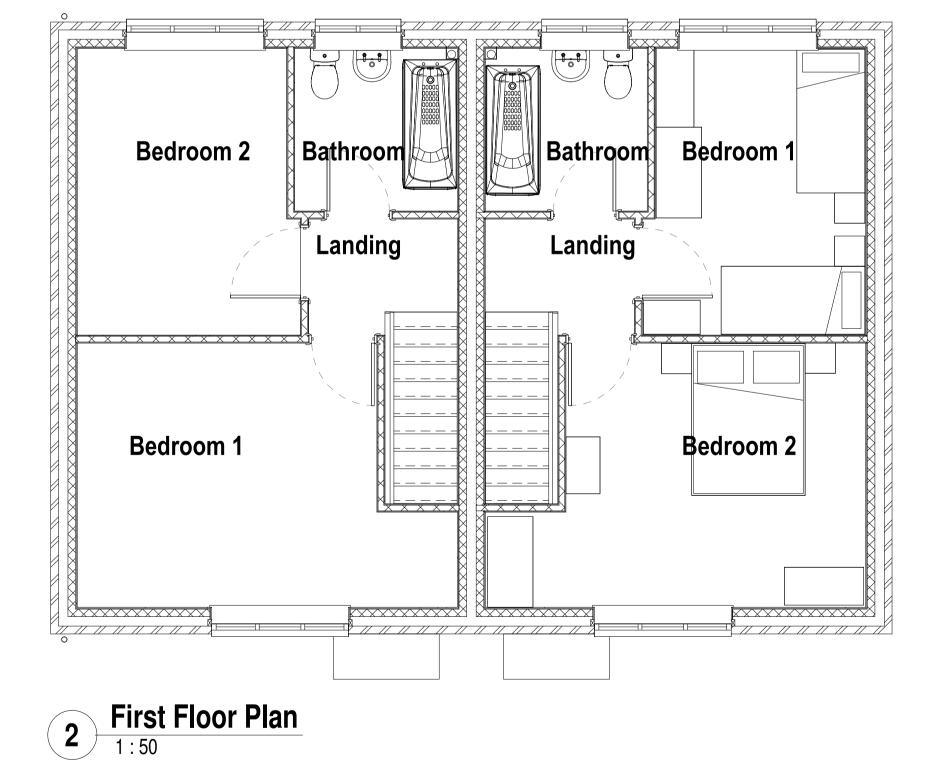












Plots 13 and 14 Reservoir Rd



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	12.19 Added re	nder to First Floor, front a		quested by Plan	ners CF SS By Check
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Project Title Housin Location	g Develoj	oment			
	oir Rd, R	owley Regis			
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Sandwell Freeth Str Oldbury.	Council House	ilding Services			URBAN design and
B69 3DE Tel : 0121	569 4541				BUILDING

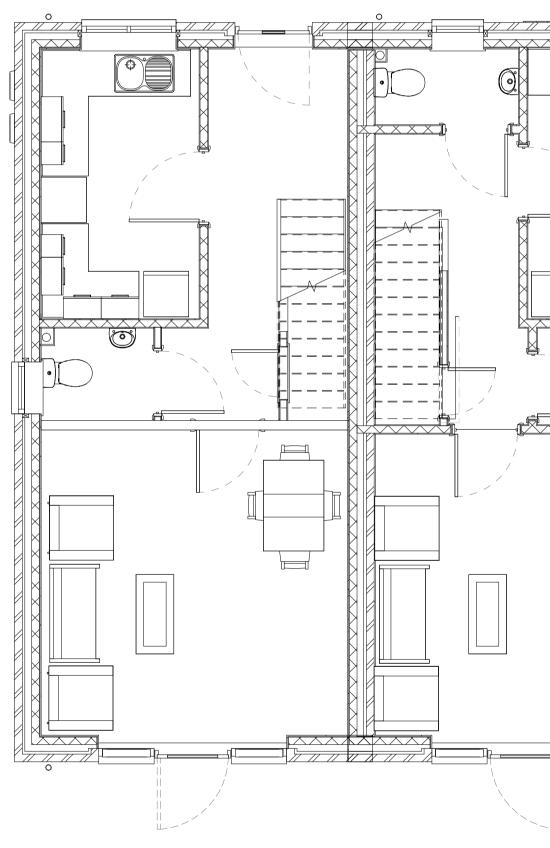
0 1 2 3 4 5 metres

1:100

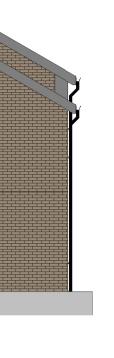








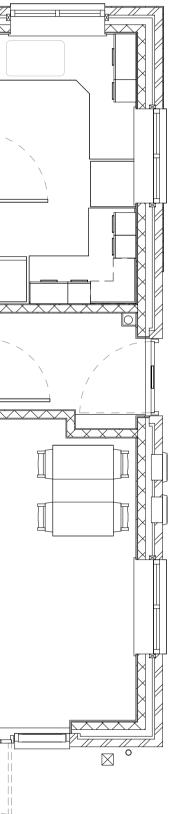


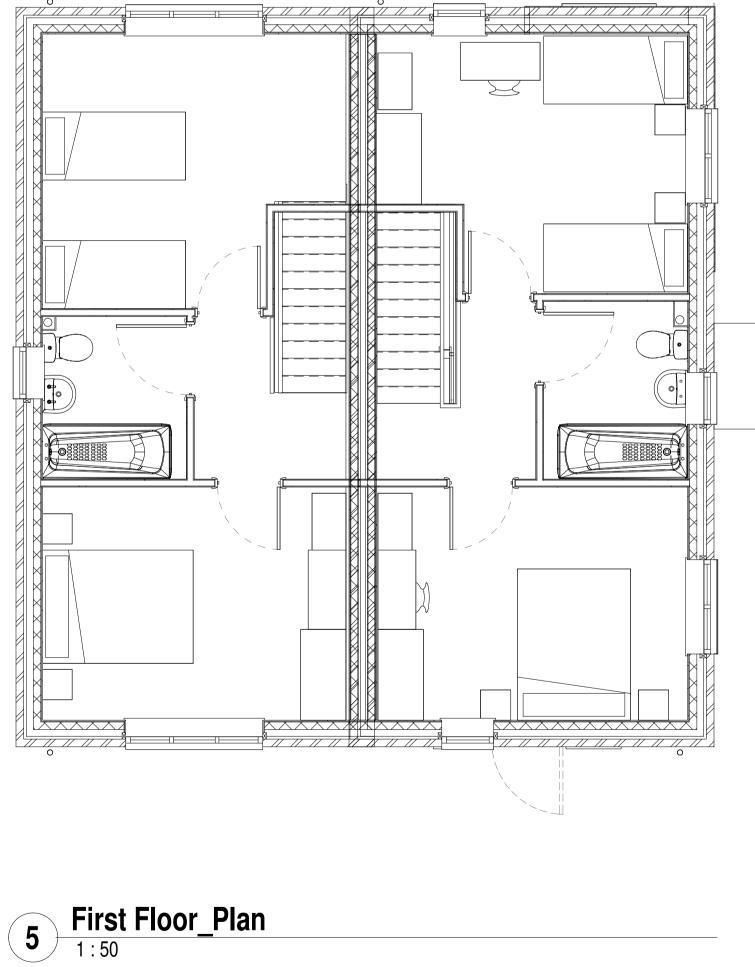


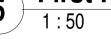












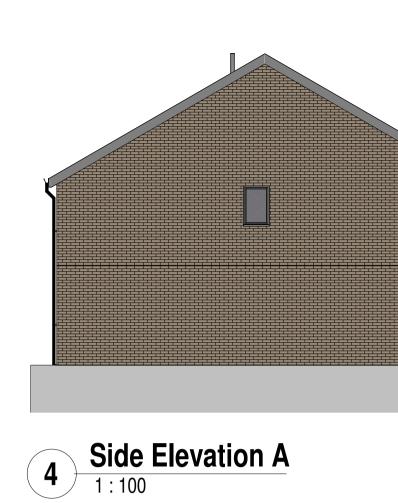
North Point.	
+	
Key Plan.	
Image:	
Issue Date Issue Note	By Check
Metropolitan Borough	
Project Title Housing Development Location Reservoir Road, Rowley Regis	
Sheet Title Plans & Elevations Plots 17 & 18 Status For Planning	
Drawn by     Date     Checked by       M-Salehi     06/06/19     Scale at A1       1:100     1:50     Sheet Identifier	
Zone     Level     Classification     Sheet No.       H1sch     ZZ     AP(08)     01       Job No.     Contractors Drawing No. (if required)	Ver/Rev
Q17026 Urban Design & Building Services Sandwell Council House	URBAN
Freeth Street, Oldbury, B69 3DE	design and BUILDING services

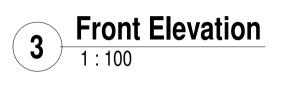
Notes

The Contractor will be responsible for setting out the work. All Dimensions must be obtained or checked on the site. Figured dimensions to be used in preference to scale.

# Plots 17 and 18 Reservoir Road





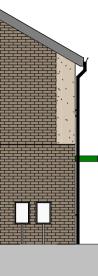


0 1 2 3 4 5 metres 1:100





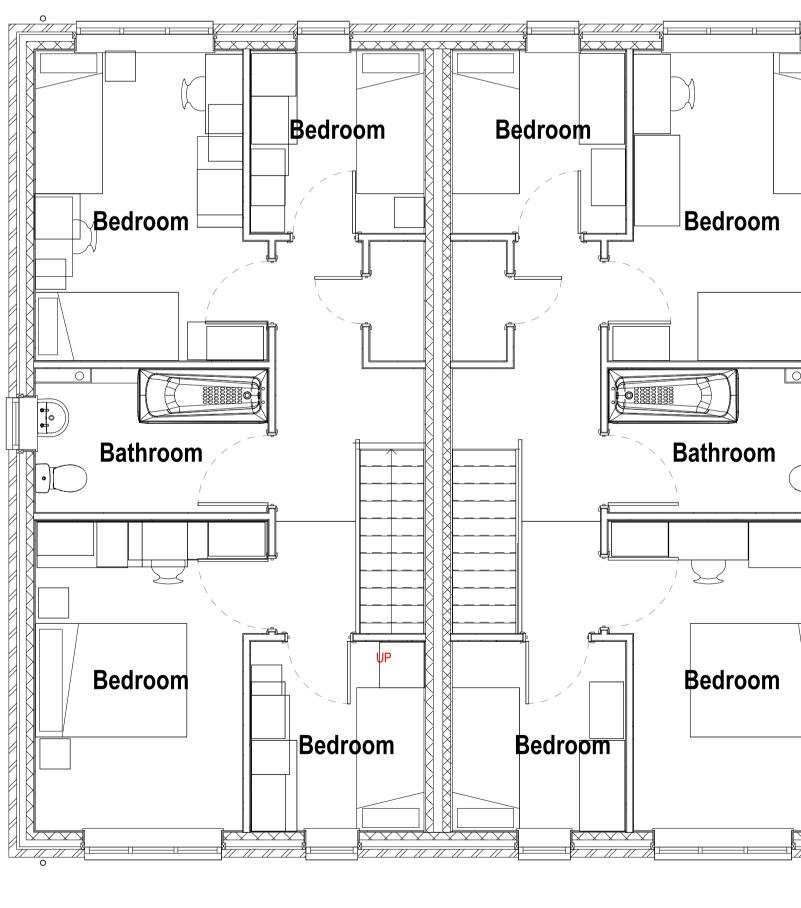
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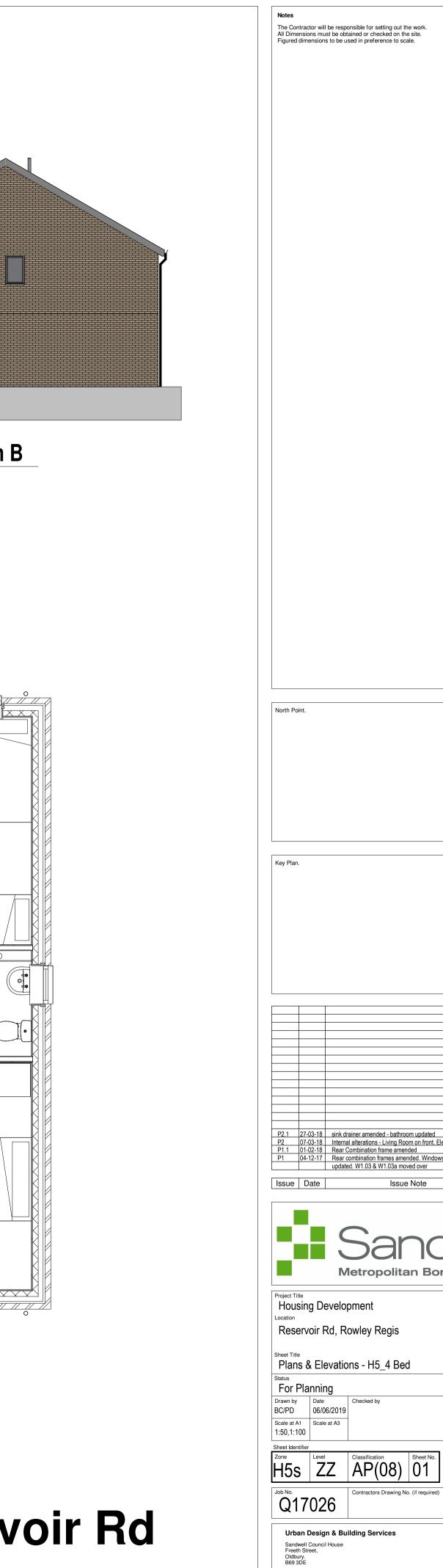






2 First Floor Plan 1:50

# Plots 22 & 23 Reservoir Rd



North Point.										
Key Plan.							+			
P2 07- P1.1 01- P1 04-	03-18 Inte 02-18 Rea 12-17 Rea	ernal alter ar Combi ar combir	nation frame nation frame 1.03 & W1.0	ng Roor ameno s amen	m on front. led ded. Windo ed over	Elev	vations amen	ded	pd pd pd pd By	Check
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URBAN design and

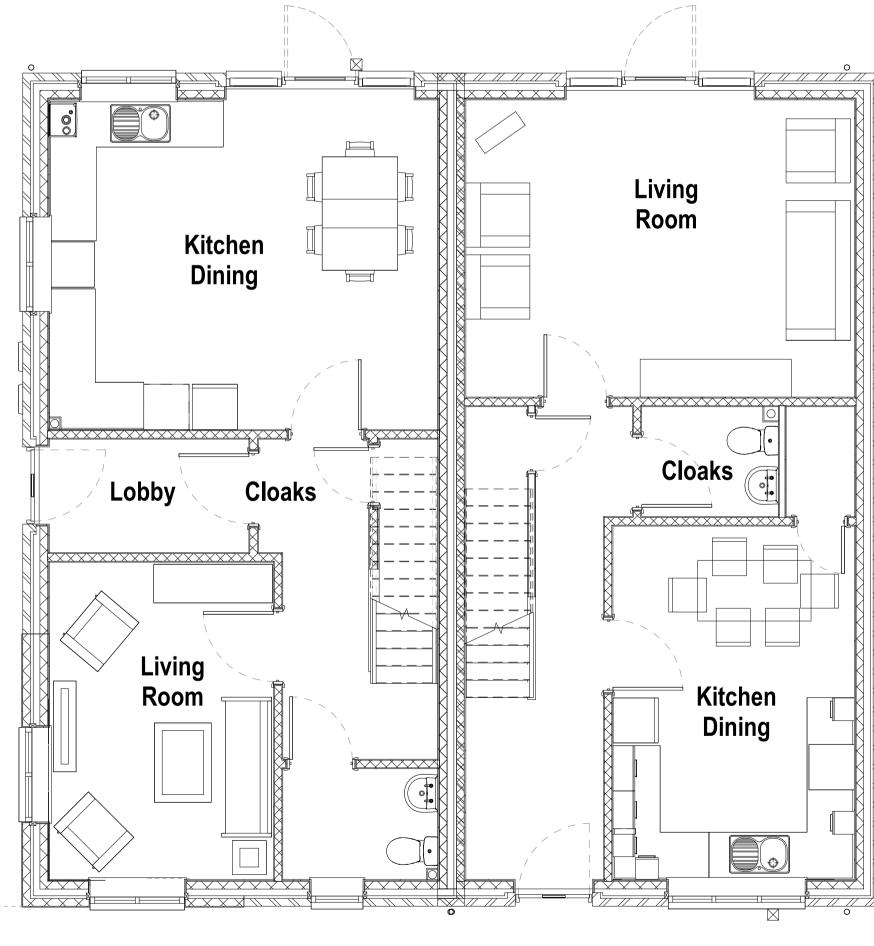
Tel : 0121 569 4541







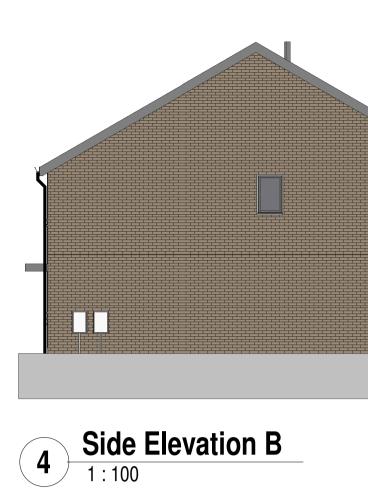
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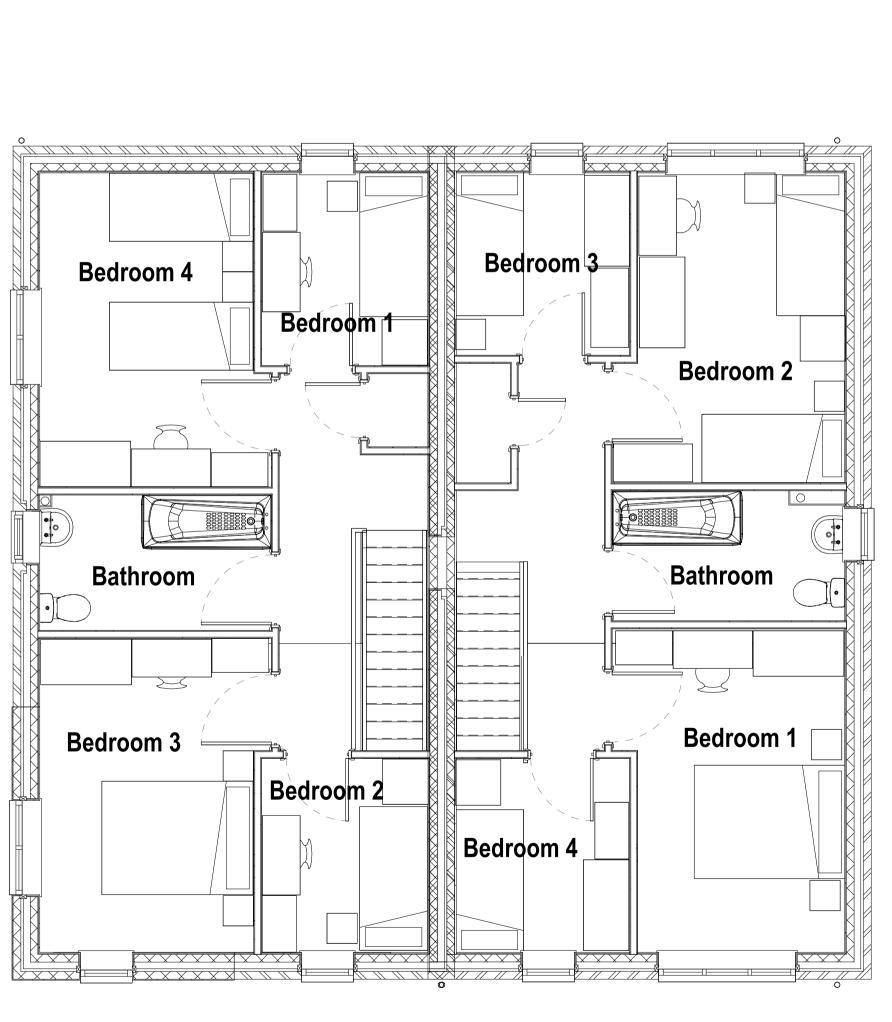


**5** Ground Floor Plan 1:50

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# Plots 26 & 27 Reservoir Rd

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Metropolitan Borough Council         Project Title         Housing Development         Location         Reservoir Rd, Rowley Regis         Sheet Title         Plans & Elevations - H5_4 Bed_semi_corner detail         Status         For Planning         Drawn by       Date         PD       06/06/2019         Checked by	Metropolitan Borough Council         Project Title         Housing Development         Location         Reservoir Rd, Rowley Regis         Sheet Title         Plans & Elevations - H5_4 Bed_semi_corner detail         Status         For Planning         Drawn by       Date         PD       06/06/2019         Scale at A1       Scale at A3         1:50,1:100       Checked by	Zon	he Level Classification Sheet No. Suitability Ver/Rev	
Metropolitan Borough Council         Project Title         Housing Development         Location         Reservoir Rd, Rowley Regis         Sheet Title         Plans & Elevations - H5_4 Bed_semi_corner detail         Status         For Planning         Drawn by       Date         PD       06/06/2019         Scale at A1       Scale at A3         1:50,1:100       Sheet No.         Suitability       Ver/Rev	Metropolitan Borough Council         Project Title         Housing Development         Location         Reservoir Rd, Rowley Regis         Sheet Title         Plans & Elevations - H5_4 Bed_semi_corner detail         Status         For Planning         Drawn by       Date         PD       06/06/2019         Scale at A1       Scale at A3         1:50,1:100       Sheet Kentifier         Zone       Level       Classification			
Metropolitan Borough Council         Project Title         Housing Development         Location         Reservoir Rd, Rowley Regis         Sheet Title         Plans & Elevations - H5_4 Bed_semi_corner detail         Status         For Planning         Drawn by       Date         PD       06/06/2019         Scale at A1       Scale at A3         1:50,1:100       Checked by         Sheet Identifier       Classification         Zone       Level         H5sch       ZZ         AP(08)       O1         Suitability       Ver/Rev	Metropolitan Borough Council         Project Title         Housing Development         Location         Reservoir Rd, Rowley Regis         Sheet Title         Plans & Elevations - H5_4 Bed_semi_corner detail         Status         For Planning         Drawn by       Date         PD       06/06/2019         Scale at A1       Scale at A3         1:50,1:100       Checked by         Sheet Identifier       Z         Zone       Level       Classification         H5sch       ZZ       Classification         AP(08)       D1       Suitability         Job No.       Contractors Drawing No. (if required)		Freeth Street, desig	N gn
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