

REPORT TO PLANNING COMMITTEE

11 March 2020

Application Reference	DC/19/63633	
Application Received	11 th October 2019	
Application Description	Proposed 4 No. additional fourth floor flats to 5 No. existing blocks with a new pitched roof, two main entrance extensions and lift, new car parking area and accessible pathways. Proposed new pitched roof, new shop fronts, roller shutters, front canopies and re-cladding of existing Lion Farm shops and flats.	
Application Address	Coniston, Derwent, Rydal, Ullswater & Windermere Houses, Badsey Road & Lion Farm Shops And Flats, Hartlebury Road, Oldbury	
Applicant	Mr Phil Deery, Sandwell MBC, Sandwell Council House, Freeth Street, Oldbury, B69 3DE	
Ward	Langley	
Contribution towards Vision 2030:		
Contact Officer	William Stevens 0121 569 4897 William_stevens@sandwell.gov.uk	

RECOMMENDATION

Grant approval subject to:

- i) Materials including colour of the proposed cladding panels,
- ii) Affordable Housing

1. BACKGROUND

1.1 This application was originally reported to your Planning Committee because the Council is the applicant and landowner, and the proposal has generated local interest.

1.2 At the last meeting, Members resolved to visit the site.

2. SUMMARY OF KEY CONSIDERATIONS

2.1 The site relates to an existing flatted development. The material planning considerations which are relevant to this application are:

Government (NPPF) and local policy Loss of light, outlook and privacy Layout and density of building Design, appearance and materials Access, highway safety, and parking

3. THE APPLICATION SITE

- 3.1 The application site is split over several blocks of flats in two locations.
- 3.2 The larger of the two sites relates to five, three-storey, individual blocks of flats on the north-western side of Badsey Road, Oldbury on the Lion Farm Estate. These blocks of flats are known as Windermere House, Coniston House, Rydal house, Derwent House and Ullswater House.
- 3.3 The second site is contained with the Lion Farm shops themselves, which is within a local centre on the northern side of Hartlebury Road, Oldbury.

4. PLANNING HISTORY

4.2 There is no relevant planning history.

5. APPLICATION DETAILS

- 5.1 The applicant proposes to erect four additional flats by creating a fourth floor to each of the five existing blocks (Windermere House, Coniston House, Rydal house, Derwent House and Ullswater House), totalling 20 new flats.
- 5.2 The level roof of the flats would be replaced by a new pitched roof, the façade of the flats would be re-clad, and the two main entrances to each block of flats will be extended, where an internal lift and modified staircase would be fitted.
- 5.3 Externally, an additional 25 car parking spaces will be provided, and external spaces, including pathways, updated.

- 5.4 With regards to the Lion Farm shops and flats; the applicant proposes a new pitched roof, new shop fronts with roller shutters and front canopies, and the whole building will be re-clad.
- 5.5 This is a Council application, and the properties will be socially rented. However, some of the existing residential units are privately owned.

6. PUBLICITY

6.1 The application has been publicised by 374 neighbour notification letters, by site notice and press notice. Out of these, four objections have been received.

6.2 **Objections**

Objections have been received on the following grounds: -

- (i) The creation of a new flat above the objector's property would affect the right to quiet enjoyment;
- (ii) The objector brought the flat knowing it was a top floor flat in a low-rise development;
- (iii) The planning application was the first time that residents were notified about the scheme; and
- (iv) The front garden to flat 7 Rydal House will be lost.

Immaterial issues have been raised regarding loss of the value of the flats, increase in service charges and the cost and inconvenience of relocation whilst the works are being carried out.

6.3 Responses to objections

- (i) Noise attenuation between flats is covered by Building Regulations;
- (ii) The comments are noted and the concerns of the owner/occupier have been passed onto the applicant;
- (iii) The local planning authority always encourages developers to carry out their own public consultations prior to the submission of a planning application. It seems that whilst this is a Council application, no consultations with residents was carried out prior to the application being received. Again, this has been brought to the attention of the applicant; and

(iv) The areas outside the front of the flats are communal spaces, and are not for solely enjoy one flat to enjoy.

6.4 Support

One email of support has been received stating that the properties are currently in a very poor state, and that work is needed to bring the block of flats back to an acceptable standard.

7. STATUTORY CONSULTATION

7.1 **Severn Trent**

No objection subject to their standard conditions being attached to any approval.

7.2 Environmental Health (Air Quality)

The Environmental Health Team have recommended that electric vehicle charging points should be installed on the newly created car parking spaces. However, these spaces are disconnected from the residents they would serve and the remote location would make them a target for vandalism. Therefore, in this instance I do not consider that the it would be reasonable to condition this requirement.

7.3 Environmental Health (Air Pollution and Noise)

Conditions have been recommended regarding opening times, odour and noise control of the existing hot food takeaway on the Lion farm shops. However, as this application only relates to the cladding of the premises and not the actual use of the unit, conditions cannot be enforced on historic permissions.

7.4 West Midlands Police

No objections have been received. The comments received relates to the improvement of security, and these comments have been passed on to the applicant.

7.5 **Healthy Urban Development Officer**

Conditions regards electric vehicle charging points have also been recommended. See point 7.2

7.6 **Highways** - No objections

7.7 **Cadent** - Their standard advice has been sent to the applicant.

7.8 Access Alliance

Has requested that the entrance door to the extended new entrances have a doors width of 1.0m. These comments are not planning related but have been passed onto the applicant.

7.9 **Planning Policy** - No objection

7.10 **Urban Design**

Concerns have been raised over the size of the proposed flats. The Council's minimum size of flats for a two-bedroom property is 60sqm, whereas the proposed flats internal space ranges from 55sqm to 60sqm, mirroring those units below. Therefore, I have little concern.

The Council's Urban Design Team are uneasy about the colour of the proposed cladding however final colour details can be conditioned.

Concerns has also been raised over the height of the development in relation to the adjacent two-storey residential units on Badsey Road, Oldbury. In my opinion, the properties are angled from each other which would not cause any significant loss of light, outlook or privacy issues, and furthermore, no objections were received from the occupiers of the nearest properties.

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:-
- 9.2 HOU1: Delivering sustainable Housing Growth

HOU2: Housing Density, Type and Accessibility

HOU3: Delivering Affordable Housing

ENV3: Design Quality

SAD EOS9: Urban Design Principles

9.3 With regard to policies HOU1 and HOU2 the site already provides housing but this proposal will provide additional homes to meet future needs.

- 9.4 HOU3 sets out the requirement of 25% affordable housing. This development would provide 100% socially rented homes and can be conditioned accordingly.
- 9.5 ENV3 and SAD EOS9 refers to well designed schemes that provide quality living environments. The proposal is broadly considered to be acceptable in spatial standards and will enhance the tired appearance of the existing flats and shops.

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:

10.3 Loss of light, outlook and privacy

As indicated in 7.10 above the relationship of the existing two-storey residential units on Badsey Road to the proposed development have been considered, but as they are angle away from each other it is considered that existing residents will not be significantly affected.

10.4 Design, appearance and materials, layout and density of building

It is my opinion, that the proposal would enhance the design of the blocks of flats, whilst providing quality new homes.

10.5 Access, highway safety, and parking

The Council's highways Department have raised no issues.

10.8 Affordable housing

The scheme provides 100% Council housing provision and conditions can be imposed to ensure that the affordable housing policy is complied with.

11. IMPLICATIONS FOR SANDWELL'S VISION

- 11.1 The proposal supports Ambitions 7 and 10 of the Sandwell Vision 2030:
- 11.2 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.

11.3 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 It is understood that occupiers of the privately-owned flats may have reservations, as there are significant questions that need to be answered by the applicant in terms of practicalities, but these are not material planning considerations.
- 12.2 In terms of the development itself, the proposal is of satisfactory design, that enhances the appearance of the blocks of flats (and those of Lion Farm shops), updating them, and providing lifts to the flats, making them more accessible to a wider range of tenants.
- 12.3 The 20 new properties will be Council owned, and increase much-needed affordable homes within the Borough.
- 12.4 Conditional grant of planning permission is therefore recommended.

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 Refer to the summary of the report (12).

20. IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND

20.1 The proposal is on Council owned land.

21. APPENDICES:

Site Plan

Context Plan

00 ZZ AP(04) 01 S2

00 XX L-P(9-) 01 S2

00 ZZ AP(09) 01 S2

00 ZZ AP(06) 11 S2

00 ZZ AP(05) 12 S2

00 ZZ AP (04) 11 S2

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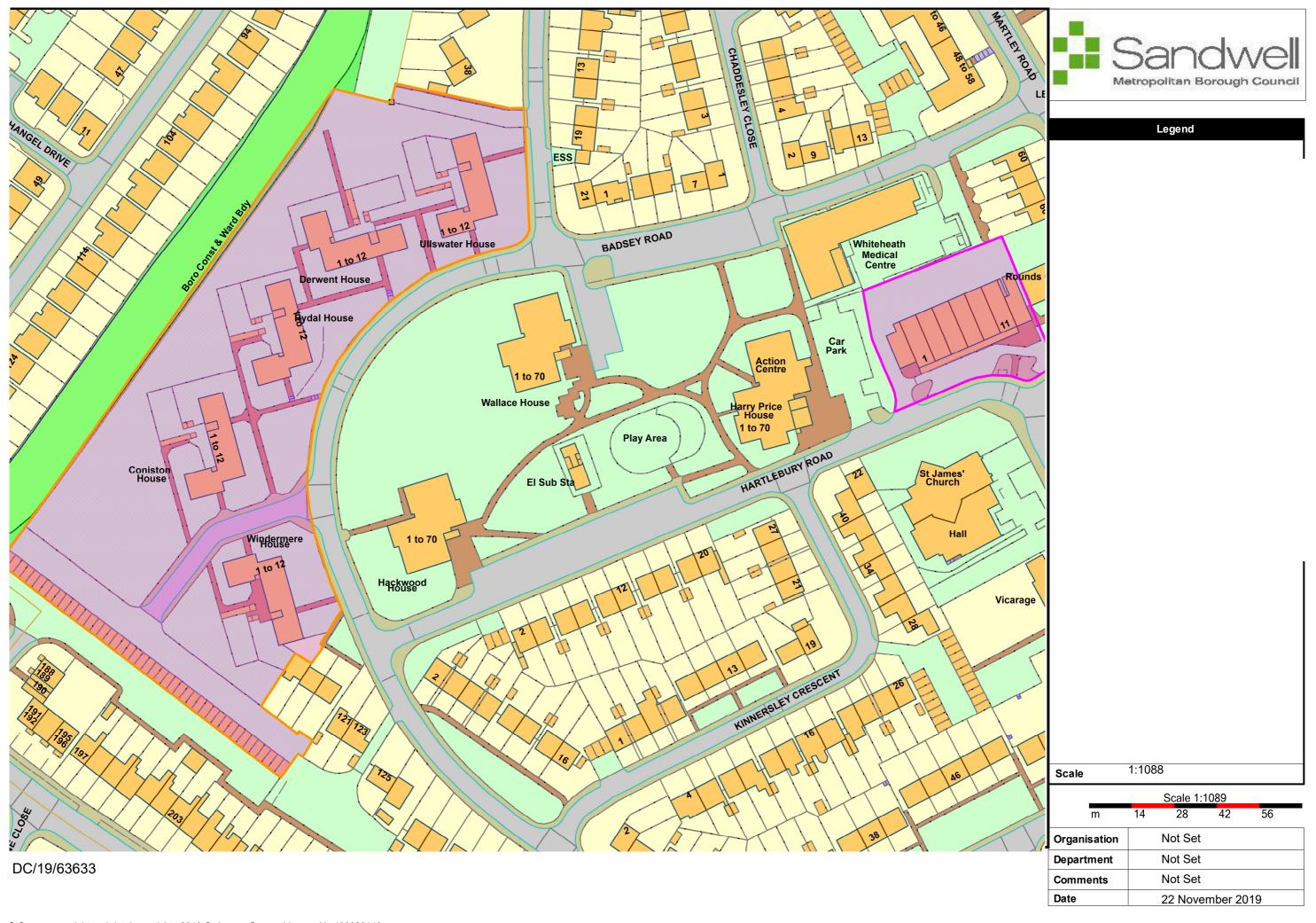
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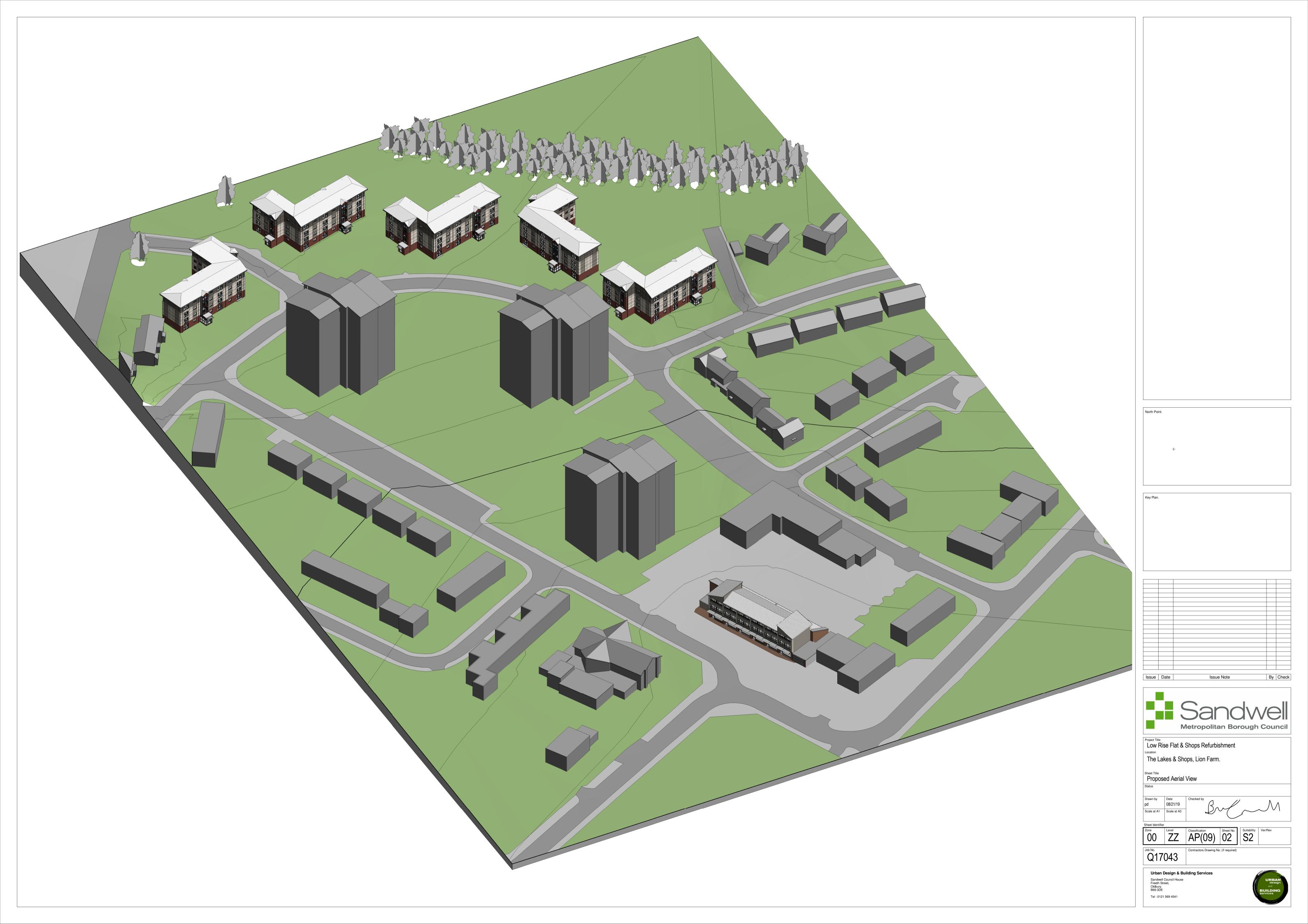
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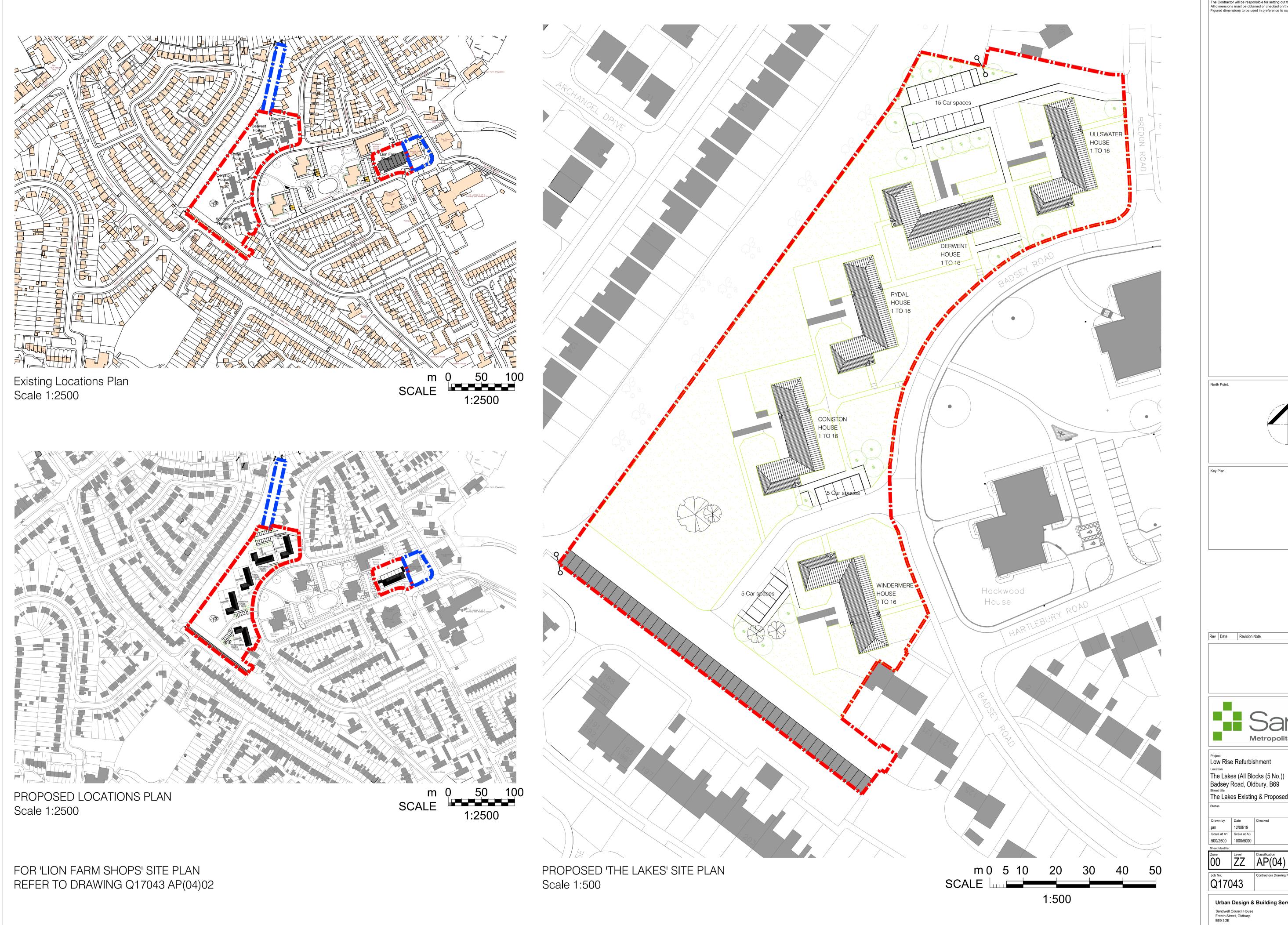
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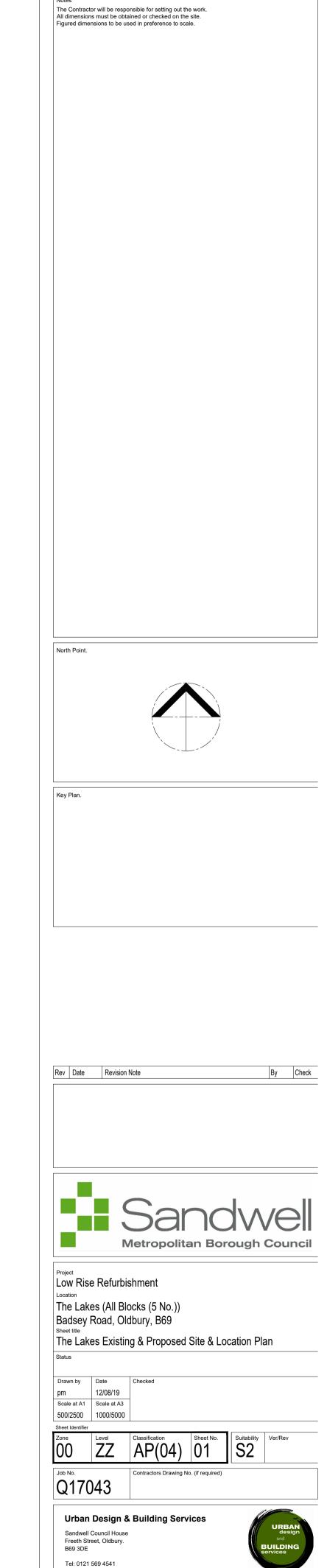
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View B - Proposed

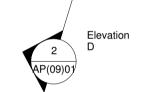






View B - Existing

Block Plan 1:1000

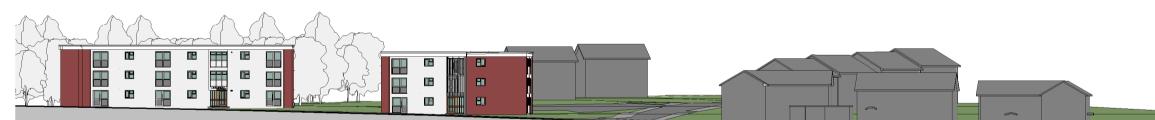


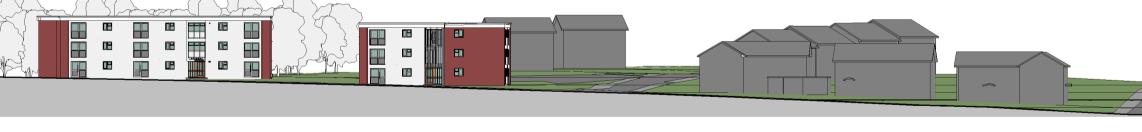


Elevation E - Existing Shops



Elevation C - Proposed





Elevation E - Proposed Shops



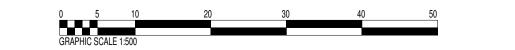
Elevation D - Proposed 1:500

Elevation C - Existing

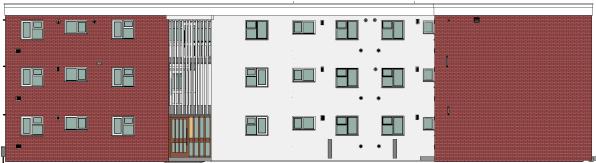
1:500



Elevation D - Existing 1:500







Existing East Elevation
1:100 **Existing North Elevation**



Existing South Elevation 1:100

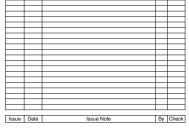
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Details indicated are from DERWENT HOUSE (B89 1DP). They are relevent to all other blocks:CONISTON HOUSE (B89 182), RYDAL HOUSE (B89 1DA),
ULLSWATER HOUSE (B89 1DD), and for WINDERMERE HOUSE (B89 1BY).

"WINDERMERE HOUSE BUILDING/LAYOUT IS HANDED.
Any discrepancies found on site are to be notified to the C.A. NOTE - ALL EXISTING FLOOR LEVELS TO EACH BLOCK ARE TO BE SURVEYED/CONFIRMED PRIOR TO ANY DESIGN/DETAILING OF THE NEW STAIR FLIGHTS. For Sanitary Setting-out refer to drawing series 'AG(73) & AG(74)'. EXISTING -EXTERNAL COLOUR SCHEDULE Brickwork Off White Flat Roof Felt, Red Fascia Concrete Panels Typical Window Frames -Framing -Glass -Handles -Internal Sash uPVC White Clear PPC White uPVC White WINDERMERE HOUSE -Sandy Yellow CONISTON HOUSE Light Pink RYDAL HOUSE -Pastel Green DERWENT HOUSE -Light Ivory ULSSWATER -Light Pink











4 New Adaptable, Lift in Flats 1,5,9&13

Existing Typical Elevations-All blocks, Windermere handed

Drawn by MKSurveys	Date 09/06/18	Checked by
Scale at A1 1:100	Scale at A3 1:200	

Q17043

Urban Design & Building Service

Sandwell Council Freeth Street, Oldbury. B69 3DE



3 Existing West Elevation





Proposed North Elevation

Proposed East Elevation





Proposed West Elevation (3

regized amerisaries to be used in presentary assess.

Details indicated are from DER INVENT HOUSE (B69 1DP).
They are relevent to all other blocks:
CONISTON HOUSE (B69 1BZ), RYDAL HOUSE (B69 1DA),
ULLSWATER HOUSE (B69 1DD), and for WINDERMERE HOUSE*
(B69 1DD). ULLSWATER HOUSE (BOSTDU), and for WINDERMETE IN (B69 1BY).

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The Contractor will be responsible for setting out the work. All Dimensions must be obtained or checked on the site.

Drawn by Date
pd 08/23/18

Scale at A1 Scale at A3
1:100 1:200

 $\begin{bmatrix} \text{Zone} & \text{Level} & \text{Classification} \\ \text{ZZ} & \text{AP(05)} & \text{12} \end{bmatrix} \begin{bmatrix} \text{Sheet No.} \\ \text{S2} \end{bmatrix}$

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Proposed South Elevation



