


## REPORT TO PLANNING COMMITTEE

11<sup>th</sup> March 2020

<b>Application Reference</b>	DC/20/63873
<b>Application Received</b>	10 January 2020
<b>Application Description</b>	Proposed erection of 2 No. semi-detached houses (outline application for access only)
<b>Application Address</b>	Land Adjacent 136, Regis Heath Road, Rowley Regis.
<b>Applicant</b>	Mr Kevin Hartle
<b>Ward</b>	Blackheath
<b>Contribution towards Vision 2030:</b>	
<b>Contact Officer(s)</b>	Andrew Dean 0121 569 4056 <a href="mailto:andrew_dean@sandwell.gov.uk">andrew_dean@sandwell.gov.uk</a>

### **RECOMMENDATION**

That planning permission is granted subject to:-

- (i) Submission of reserved matters application.
- (ii) External materials.
- (iii) Ground conditions.
- (iv) Drainage including sustainable drainage.
- (v) Levels Plan
- (vi) Car parking details.
- (vii) Boundary treatments.
- (viii) Conformity to the Revised Residential Design Guide SPD.
- (ix) Dwellings limited to two storey, two No. semi-detached dwellings only.
- (x) Removal of permitted development rights for class A, B, C, D, E and F.
- (xi) External lighting scheme.
- (xii) Refuse storage details.
- (xiii) Electric vehicle charging points.
- (xiv) Construction times.
- (xv) No burning of waste during site clearance works.

## **1. BACKGROUND**

- 1.1 This application is being reported to your Planning Committee because three objections have been received.

## **2. SUMMARY OF KEY CONSIDERATIONS**

- 2.1 The site is unallocated within the Local Plan.
- 2.2 The material planning considerations which are relevant to this application are:-

Government policy (NPPF)  
Proposals in the Local Plan  
Public visual amenity  
Access and highway safety

## **3. THE APPLICATION SITE**

- 3.1 The application site is a grassed area of open land sandwiched between Oldbury Road and Regis Heath Road, Rowley Regis. The character of the surrounding area is predominantly residential in nature.

## **4. PLANNING HISTORY**

- 4.1 None relevant.

## **5. APPLICATION DETAILS**

- 5.1 This application is an outline application for access only for a proposed residential development consisting of two semi-detached dwellings. The proposed access into the site would be from Regis Heath Road.

## **6. PUBLICITY**

- 6.1 The application has been publicised by neighbour notification letter, with three letters of objection being received from residents on Regis Heath Road.

### **6.2 Objections**

Objections have been received on the following grounds:-

- (i) The proposed development would remove an area of green space.

- (ii) The grassed area was left un-developed because an underground brook is located underneath the land opposite 118 and 116 Regis Heath Road.
- (iii) Drainage issues. Oldbury Road suffers from erratic flooding and building on this green space would contribute to water drainage problems.
- (iv) The objectors view would be obstructed by parked vehicles in the visitor parking area.
- (v) Cars entering and leaving the proposed access would cause a nuisance as it is directly opposite the objectors driveway.
- (vi) The proposed entrance being near to a sharp bend raises highway safety concerns.

### 6.3 Responses to objections

I respond to the objector's comments in turn;

- (i) It is noted that a section of grassed area would be removed for the proposed development. The land in question is not allocated as public open space and the development has received no objections from Strategic Planning Policy. As this outline application is only dealing with site access, the scale, layout and appearance of the development would be assessed during a reserved matters application. However, the indicative layout shows the proposed properties would be located in line with No. 136 which would preserve the openness of the area for properties on Regis Heath Road. From my site visit, I noted a large section of the grassed area which contains mature trees falls outside of the application red line boundary and would therefore be retained. The applicant would also be required to submit a reserved matters application for landscaping which would be used to enhance the frontage of the proposed properties and the Oldbury Road elevation. Furthermore, a condition to remove permitted developments rights for Class F (hard surfaces incidental to the enjoyment of a dwellinghouse) would ensure landscaping areas to the frontage are maintained.
- (ii) A review of the underground drainage on the site has shown a storm water pipe is present adjacent to Oldbury Road. The applicant would need approval from Severn Trent to build within three metres of this pipe. No river/ brook culvert has been identified.
- (iii) A condition for drainage to include sustainable drainage has been included within the recommendation.
- (iv) Loss of view is unfortunately not a material planning consideration. As this application is for outline only dealing with access, the site layout has not been assessed during this application and is subject to change. The applicant would be required to submit a reserved matters application for the remaining matters (landscaping, scale,

- layout and appearance). Properties on opposite side of Oldbury Road are also 25 metres from the start of the site.
- (v) As the proposal is for two residential properties only, I do not consider a significant level of comings and goings would occur to cause significant harm to the residential amenity of neighbouring properties.
  - (vi) The Head of Highways has raised no objections to the proposed location of the site access (see 7.1 below).

#### **6.4 Support**

- 6.1 No comments have been received which support the application.

### **7. STATUTORY CONSULTATION**

- 7.1 Highways have raised no objections to the proposed vehicular access from Regis Heath Road.
- 7.2 The Tree Preservation Officer has raised no objections to the application.

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

- 8.1 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.

### **9. LOCAL PLANNING POLICY**

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

HOU 1 – Delivering Sustainable Housing Growth

ENV3: Design Quality

ENV5: Flood Risk, Sustainable Drainage System and Urban Heat Island Effect

ENV8: Air Quality

SAD EOS9: Urban Design Principles

SAD H2 – Housing Windfalls.

- 9.2 With regard to housing policy HOU2, the development would bring forward dwellings to add to the range of property types available in the borough. In respect of policy SAD H2, the development site is not allocated for residential development in the Local Plan and therefore it is classed as a housing windfall site. The proposed residential development meets the guidance set out in the policy and would bring an under used piece of land back into beneficial use.

- 9.3 ENV3 and SAD EOS9 refers to well-designed schemes that provide quality living environments. The proposed scheme would be assessed against these policies when a reserved matters application is submitted dealing with appearance, landscaping, layout and scale.
- 9.4 ENV5 seeks the incorporation of sustainable drainage systems to assist with reducing the impact of flooding and surface run-off. A condition (including a requirement for sustainable drainage to be incorporated) has been included within the recommendation.
- 9.5 ENV8 refers to mitigation measures to offset air quality issues, in this instance, electric vehicle charging infrastructure has been conditioned.

## **10. MATERIAL CONSIDERATIONS**

### **10.1 Public visual amenity**

The proposed dwellings and landscaping scheme would need to be of a high quality given the prominent location of the site. These details would be submitted as part of a reserved matters application and are not for consideration during this application.

### **10.2 Access and Highway Safety**

The Head of Highways has raised no objections to the proposed location of the site access being off Regis Heath Road. I am therefore satisfied the site access would raise no concerns regarding the safety and convenience of users of the highway. As the proposal is for two residential dwellings only, I do not consider a significant level of comings and goings would occur to cause the residential amenity of neighbouring residential properties.

## **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 housing scheme within the context of an established residential area.
- 12.2 The proposal is considered to be acceptable and is recommended for approval subject to conditions and the submission of a reserved matters application dealing with appearance, landscaping, layout and scale.

## **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 There will be no impact.

**21. APPENDICES:**

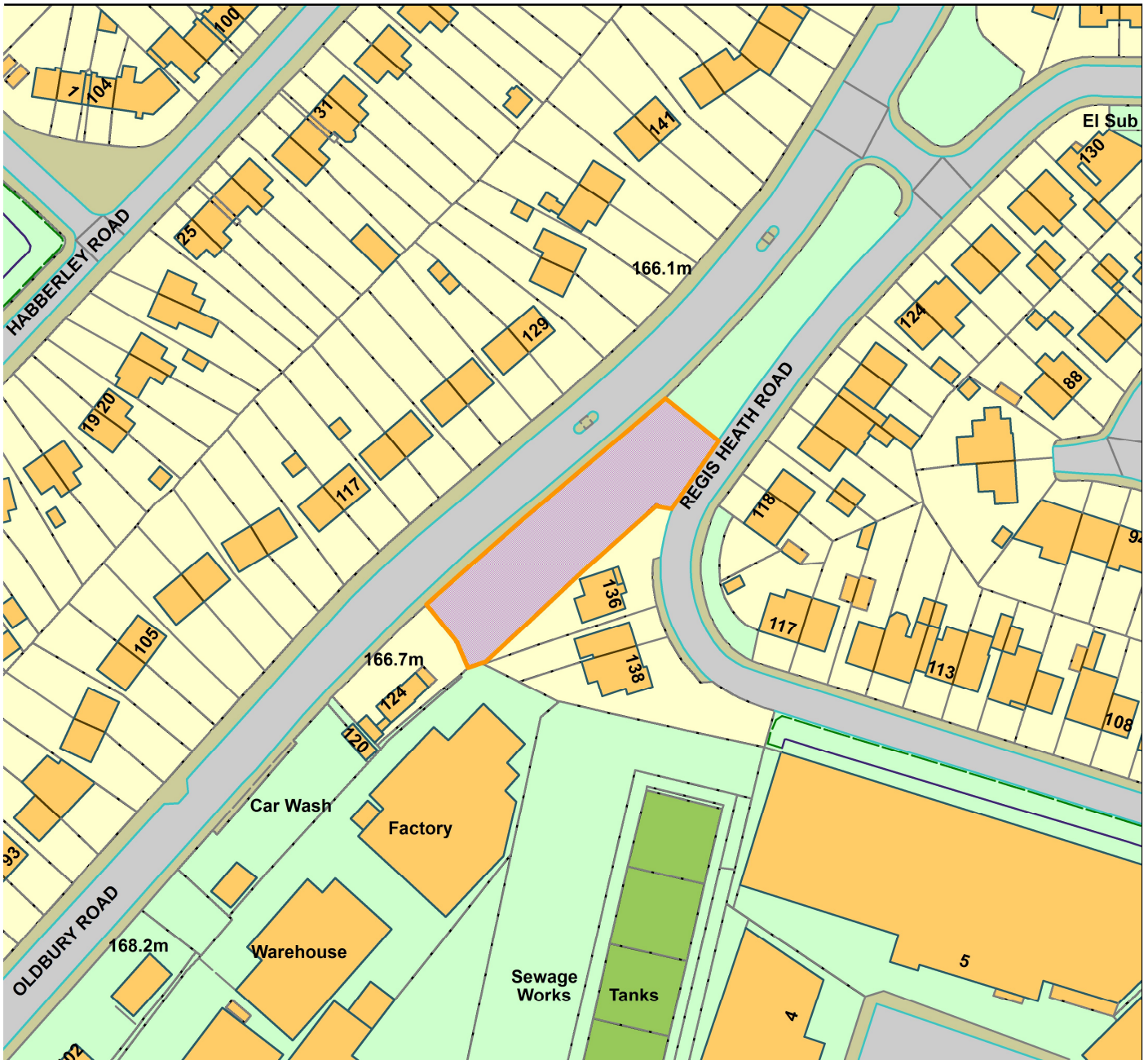
Site Plan

Context Plan

Block Plan 1

Location Plan 2

DC/20/63873  
Land Adjacent 136, Regis Heath Road



**Legend**

Sc 1:1251



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<b>Organisation</b>	Not Set
<b>Department</b>	Not Set
<b>Comments</b>	
<b>Date</b>	26 February 2020
<b>OS Licence No</b>	



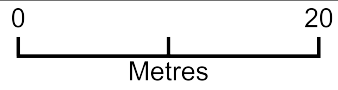
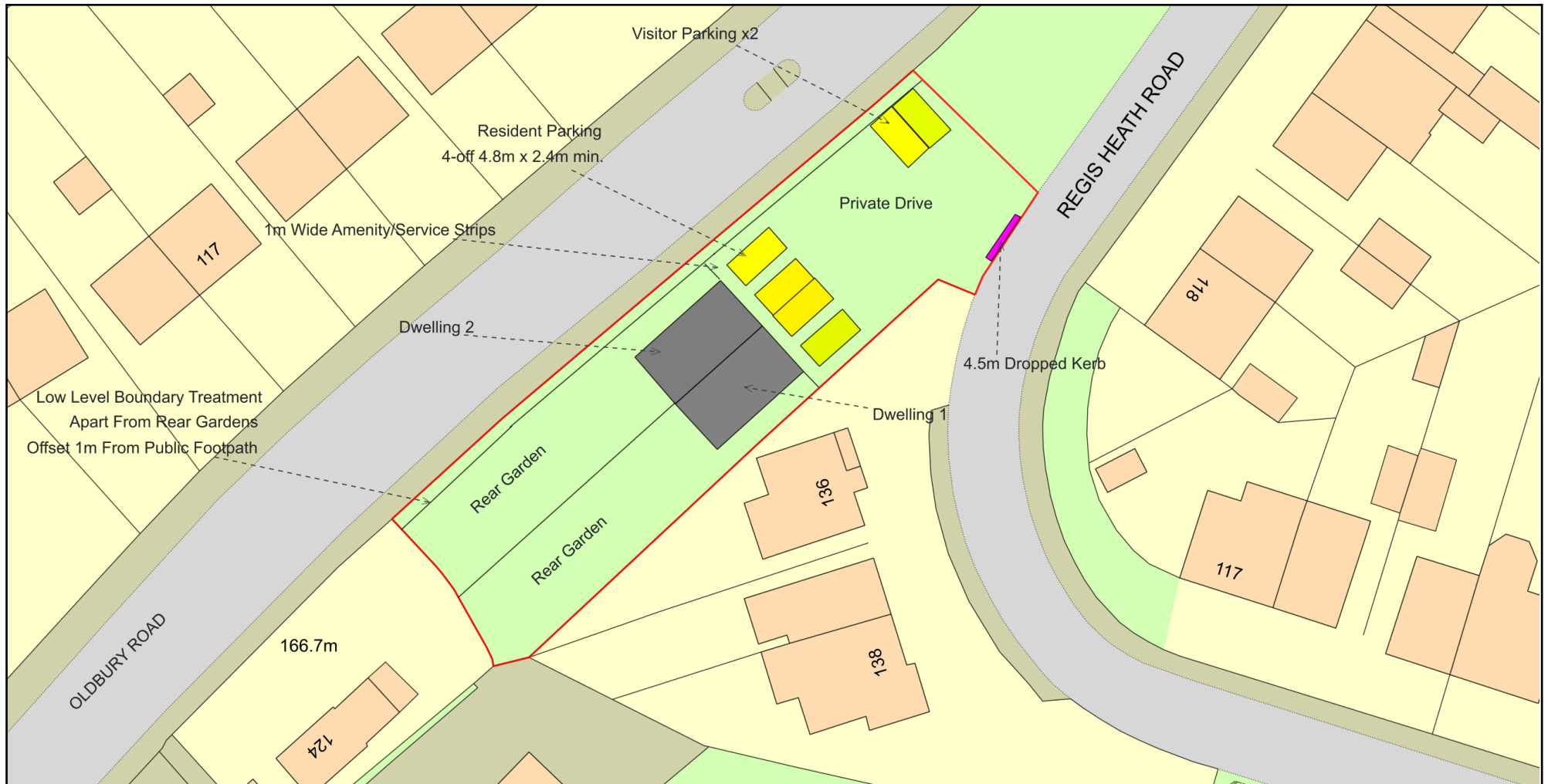


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# SITE PLAN - REF PP-08409612 (B65 0PH)



Plan Produced for: Kevin Hartle  
Date Produced: 09 Jan 2020  
Plan Reference Number: TQRQM20008201222675  
Scale: 1:500 @ A4