

# Planning Committee Agenda

Wednesday 8 July 2020 at 5.00pm.  
(Virtual Meeting)

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- 1. Apologies**  
To receive any apologies for absence.
- 2. Declarations of Interest**  
To receive any declarations of interest from members relating to any item on the agenda, in accordance with the provisions of the Code of Conduct and/or S106 of the Local Government Finance Act 1992.
- 3. Minutes**  
To agree the minutes of the meeting held on 10 June 2020 as a correct record.
- 4. Planning Application DC/19/63652 - Proposed 13 two bedroom apartments and 2 No. houses (outline application for access, layout, appearance and scale) (Amendment to previously refused application DC/19/62665). Land adjacent Compton Grange, Whitehall Road/St Annes Road, Cradley Heath.**
- 5. Planning Application DC/19/63818 - Retention of single storey rear extension and new staff and visitor parking area. 121 Witton Lane, West Bromwich.**
- 6. Planning Applications DC/20/64042 - Proposed retention of 2 No. car park automatic number plate recognition (ANPR) management systems. and DC/20/6685A - Retention of four car park sites management signage, 9 No. signs mounted on lighting columns, 12 No. signage poles and 12 No. wall building signs. Car Park, Albion Street, Tipton.**

7. Planning Application DC/20/64077 - Proposed 10 No new dwellings. Vacant land off junction of Britannia Road/Greenwood Avenue, Rowley Regis.
8. Planning Application DC/20/64149 - Further temporary approval of micro bar use for one year with external areas to be open to customers between 12:00 to 21:00hrs daily; subsequent to temporary approval of planning application DC/18/61502 (change of use from a convenience store to a micro bar (drinking establishment)). 45 - 47 Regent Road, Oldbury.
9. Planning Application DC/20/64152 - Proposed Development of 152 No.2,3,4 bedroom dwellings and 82 No.1 and 2 bedroom apartments together with associated roads, car parking, open space and associated works. Land at West Bromwich Street, Oldbury
10. Planning Application DC/20/64215 - Proposed 15m high Monopole, wraparound Cabinet at base and associated ancillary works. Land at Garratt Street, West Bromwich.
11. Applications determined under powers delegated to the Director – Regeneration and Growth.
12. Decisions of the Planning Inspectorate.

**David Stevens**  
**Chief Executive**

Sandwell Council House  
Freeth Street  
Oldbury  
West Midlands

**Distribution:**

Councillor Downing (Chair);  
Councillor Hevican (Vice-Chair)  
Councillors Ahmed, Allen, Chidley, S Davies, Dhallu, G Gill, P M Hughes, M Hussain, I Jones, Mabena, Millar, Rouf, Simms and Trow.

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## Planning Committee

**10<sup>th</sup> June 2020 at 5.00pm  
Virtual Meeting**

- Present:** Councillor Downing (Chair);  
Councillor Hevican (Vice-Chair);  
Councillors Ahmed, Allen, Chidley, S Davies, Dhallu, G  
Gill, M Hussain, I Jones, Millar, Rouf and Simms.
- Officers:** John Baker [Service Manager – Development Planning and  
Building Consultancy]  
Simon Chadwick [Principal Officer – Development,  
Highways]  
Sian Webb [Solicitor]  
Stephnie Hancock [Senior Democratic Services Officer]

33/20 **Apologies for Absence**

Apologies for absence were received from Councillors P M  
Hughes and Trow.

34/20 **Declarations of Interest**

Councillor Hevican declared an interest in the matter referred to at  
Minute No. 37/20 (Planning Application DC/19/63340 Proposed  
change of use to part of ground floor to create a self-contained flat  
on the ground floor with HMO on first floor and second floors,  
together with associated parking. 10 - 12 Park Hill, Wednesbury)  
in that she lived in proximity to the site.

35/20 **Minutes**

The minutes of the meeting held on 11<sup>th</sup> March 2020 were agreed  
as a correct record and signed by the Chair.

**Planning Application DC/19/63157 - Proposed community centre, parking and associated works (revised application DC/17/61185), and demolition of existing Gurdwara Guru Hargobind Sahib building on Dudley Road West to provide additional offsite parking. Gurdwara Guru Hargobind Sahib Car Park Upper Chapel Street, and Gurdwara Guru Hargobind Sahib Building, Dudley Road West, Tividale, Oldbury**

Councillors Downing, Ahmed, Allen, Chidley, S Davies, Dhallu, Mabena, Millar, Rouf and Simms indicated that they had been lobbied on the site visit, that had taken place on 2<sup>nd</sup> October 2019, by the applicant and objectors.

An objector was present and addressed the Committee with the following points:-

- 20 letters of objection and a petition had been submitted.
- Concerns centred around parking and the impact of the proposal on highway safety.
- The current car park could not cope with the current level of demand and parking already spilled onto the surrounding streets.
- There was substantial photographic evidence submitted by objectors over a range of dates and times.
- 113 parking spaces were required, with only 89 proposed.

The applicant's agent was also present and addressed the Committee with the following points:-

- The height of the building had been adjusted to have less of an impact on adjoining properties.
- The 14metre separation distance referred to by the objector referred to two storey buildings.
- Trees would be retained and new ones would be planted.
- Many of the parking issues related to the nearby school, however, the applicant did not wish to prevent the school from using the car park as they were happy to provide the service to the community.
- The building would not be able to accommodate 150 people.
- There would be two classrooms and an activity room.
- The existing structure was already screened by taller buildings, however, more trees would be planted if necessary.

In response to members' questions of the applicant, objectors and the officers present, the Committee noted the following:-

- The proposal was to accommodate the existing congregation and the capacity of the building was not being increased.
- The additional parking spaces being provided was to accommodate the existing congregation.
- One the existing Gurdwara was demolished the additional parking spaces would be put in place.
- The Gurdwara was around 300metres away from the site of the proposal so visitors were not likely to park there and were more likely to park in surrounding streets.
- Independent traffic surveys indicated the proposed parking provision was insufficient.
- The additional parking provision that was proposed had not accounted for space for bin storage and electric vehicle charging points.
- The original planning application had indicated that likely numbers using the building was 150, however, the application had been revised and the number was now 80.
- There had been a 4metre reduction in the size of the proposed centre.

The Committee also noted the following points, presented by an officer from the Highways service.

- Two independent traffic surveys had shown that on average there were 65-70 vehicles on the site each day.
- The applicant had not provided a Traffic Survey, despite being asked on several occasions, therefore the highways assessment had been made on the basis of other premises with similar uses.
- The Highways service could not support the proposal as its assessments indicated that 113 spaces were required and only 89 were proposed.
- Based on experience and guidance, 1 parking space was required per 17 square metres.
- Evidence indicated that for a banqueting suite use, there would be 3.5 people per car.
- 78 spaces were required for the Gurdwara alone.

Officers had recommended that planning permission be refused, on the grounds of inadequate parking provision, and loss of light and outlook for residents of Acacia Avenue.

The Committee felt that the proposal was acceptable, taking into account planned improvements to public transport networks in the future, and was minded to grant planning permission. The Service Manager – Development Planning and Building Consultancy recommended that the Committee allow officers to determine appropriate conditions to be attached to the permission, in consultation with the Chair and Vice-Chair.

**Resolved** that Planning Application DC/19/63157 (Proposed community centre, parking and associated works (revised application DC/17/61185), and demolition of existing Gurdwara Guru Hargobind Sahib building on Dudley Road West to provide additional offsite parking. Gurdwara Guru Hargobind Sahib Car Park Upper Chapel Street, and Gurdwara Guru Hargobind Sahib Building, Dudley Road West, Tividale, Oldbury) is approved, subject to conditions to be determined by the Interim Director – Regeneration and Growth, in consultation with the Chair and Vice-Chair.

37/20

**Planning Application DC/19/63409 - Retention of loft extension with dormer windows to front and rear to create 1 No retail unit, and 13 No bed HMO with external alterations and side wall with railings. Royal Oak Inn, 1 Causeway Green Road, Oldbury**

Councillor S Davies indicated that she had been lobbied by objectors.

The Service Manager – Development Planning and Building Consultancy reported that further objections had been received from the local Tenants and Residents Federation. Two additional conditions were also recommended.

There was no applicant or objector present.

**Resolved** that Planning Application DC/19/63409 (Retention of loft extension with dormer windows to front and rear to create 1 No retail unit, and 13 No bed HMO with external alterations and side wall with railings. Royal Oak Inn, 1 Causeway Green Road, Oldbury) is approved, subject to the following conditions:-

- (i) approval of external materials;

- (ii) car parking to be laid out and retained as such (including details of an Electric vehicle charging point);
- (iii) provision of cycle parking;
- (iv) provision of a bin store, and maintenance/service plan;
- (v) security measures plan – entrance details, locks, etc;
- (vi) submission of an air quality report showing mitigation measures and mechanical ventilation;
- (vii) the retail unit being limited to A1 use;
- (viii) submission of a construction management plan.

38/20

**Planning Application DC/19/63440 - Proposed change of use to part of ground floor to create a self-contained flat on the ground floor with HMO on first floor and second floors, together with associated parking. 10 - 12 Park Hill, Wednesbury**

Councillors Downing, Hevican, Ahmed, Allen, S Davies, G Gill, Mabena, Millar, Rouf and Simms indicated that they had been lobbied by objectors on the site visit, which had taken place on 11<sup>th</sup> March 2020.

An objector was present and addressed the Committee with the following points:-

- There was no dedicated fire escape so in the event of a fire people in the loft would be trapped.
- Roads were already very busy and there were two high schools and a primary school in the vicinity which already caused traffic problems on Woden Road East.
- Residents may park on the pavement, causing obstruction for users of mobility scooters.
- The proposal was not attractive and did not represent quality housing.
- There was no evidence of need for this type of accommodation in the area.
- There was no information provided about bin storage.

There was no applicant or agent present.

In response to members' questions of the objector and the officers present, the Committee noted the following:-

- The forecourt was private and was dedicated for use by residents of the flats, and not shoppers.



- The conditions recommended included the provision of a dropped kerb.
- The application proposed a reduction in the number of bedrooms overall in the property.
- Fire safety was dealt with under different legislation and was not a matter for the Committee.
- The proposed four parking spaces was sufficient.

The Committee was minded to refuse planning permission on the grounds of insufficient parking provision and the impact on surrounding properties.

**Resolved** that Planning Application DC/19/63440 (Proposed change of use to part of ground floor to create a self-contained flat on the ground floor with HMO on first floor and second floors, together with associated parking. 10 - 12 Park Hill, Wednesbury) is refused, on the grounds of inadequate parking provision for the HMO taking into account the existing shop, and over-intensification of the site, resulting in a detrimental impact on neighbouring properties.

[Councillor Hevican, having declared an interest, left the meeting during the consideration of this application.]

Meeting adjourned 7.30 - 7.45pm

39/20

**Planning Application DC/19/63745 - Proposed new unit and open storage bays. Princes Foundry, Bradleys Lane, Tipton**

Councillors Chidley and I Jones indicated that they had been lobbied by objectors.

There was no applicant or objector present.

In response to members' questions of the officers present, the Committee noted the following:-

- The proposed unit and storage bays would be at the end of the site off Bradleys Lane, and not the Kerr Drive/Waring Close end.
- This was a long-established scrap yard.
- Whilst the site was allocated for housing in the Council's Local Plan, the allocation related to the wider area and

would require the removal of a number of existing industrial units adjoining the proposal site. In addition there were no proposed Compulsory Purchase Orders in relation to the site.

- The proposal was not seeking additional use on the site, but re-organisation of existing use.
- There were several other substantial units next to the site of the proposal.

The Committee noted that, should it be minded to approve the application, the Emergency Committee would be asked to make an exception to the Local Plan before the application could proceed.

**Resolved** that, subject to the Emergency Committee granting an exception to the Local Plan to enable the application to proceed, Planning Application DC/19/63745 (Proposed new unit and open storage bays. Princes Foundry, Bradleys Lane, Tipton) is approved, subject to the following conditions:-

- (i) approval of external materials;
- (ii) site investigation and remediation;
- (iii) the development being carried out in accordance with Operational Statement;
- (iv) hard and soft landscaping;
- (v) submission of boundary treatment details

40/20

**Planning Application DC/20/63913 - Proposed 1 No. 4 bedroom dwelling with associated car parking and boundary fencing. Land to rear of Churchills, 8 Walsall, Street, Wednesbury.**

The Service Manager – Development Planning and Building Consultancy reported that additional information had been received from the applicant’s solicitor that confirmed right of access to the site via Hollies Drive. A further four objections had also been received, requesting that a site visit be undertaken. Due to information still being outstanding from Police and Ambulance services and a vehicle tracking plan being outstanding, he recommended that consideration of the application be deferred.

An objector was present and addressed the Committee with the following points:-

- The site was unsuitable for the proposal.
- There were no material changes since the previous application had been refused.
- The applicant did not have a legal right of access to the driveway.
- Elevation levels were in excess of 20 feet.
- The driveway was not wide enough to accommodate emergency vehicles comfortably.
- There would be a loss of privacy and light to neighbouring properties.

The applicant was not present but had requested that the application be determined by the Committee.

In response to members' questions of the objector and the officers present, the Committee noted the following:-

- The objector lived behind the boundary wall and the only access to his property was via the driveway.
- Right of access to the driveway was not a matter for the Committee and was a private matter. However, the applicant had provided proof of right of access.
- In 2018 an application for a two bedroom flat and two three bedroom houses had been refused. The current proposal was smaller.

A motion to defer was moved, seconded and lost at the vote.

The Committee was informed that the width of the driveway was approximately 14.5 feet, which was wide enough for one vehicle at a time.

A motion to grant approval, subject to the conditions recommended by the Interim Director – Regeneration and Growth as set out in the report, was moved, seconded and carried by the vote.

**Resolved** that Planning Application DC/20/63913 (Proposed 1 No. 4 bedroom dwelling with associated car parking and boundary fencing. Land to rear of Churchills, 8 Walsall, Street, Wednesbury.) is approved, subject to the following conditions:-

- (i) the approval of external materials;
- (ii) details of levels changes, retaining walls and finished floor levels

- (iii) details of the proposed drainage works;
- (iv) archaeology investigation, and recording;
- (iv) parking space retention;
- (v) electric vehicle charging point details, and retention;
- (vi) secure cycle store details, retention;
- (vii) Permitted Development Rights removed for loft conversions with dormer windows, and new external windows and doors;
- (ix) hard and soft landscaping scheme;
- (ix) boundary Treatment;
- (x) refuse storage;
- (xi) site management plan including wheel washing, noise mitigation measures and hours of construction;
- (xii) coal Authority investigation, mitigation measures;
- (xiii) ground conditions, mitigation measures.

41/20

**Planning Application DC/20/64117 - Proposed two storey side/rear extensions, single storey front/rear extensions, roof enlargements with rear facing gable and dormer window to rear. 188 Farm Road, Oldbury**

Councillors Ahmed, Allen, S Davies, Dhallu, Downing, Hevican, M Hussain, Millar, Rouf and Simms indicated that they had been lobbied by objectors on the site visit, which had taken place on 12<sup>th</sup> February 2020.

The Service Manager – Development Planning and Building Consultancy reported that additional comments had been received from two objectors reiterating concerns about the size of the extension and its relationship to the public highway.

The applicant's agent was present and addressed the Committee with the following points:-

- The application was retrospective, however he had worked with planning officers to accommodate the difference between the approved plans and the development.
- The height of the extension had been reduced.
- The footprint was the same as that approved in 2018.
- The ground floor had been reduced in size so that it no longer met the boundary.

The Committee was minded to grant planning permission, subject to the conditions recommended by the Interim Director –

Regeneration and Growth, with an amendment to allow the applicant six months to implement the permission.

**Resolved** that Planning Application DC/20/64117 (Proposed two storey side/rear extensions, single storey front/rear extensions, roof enlargements with rear facing gable and dormer window to rear. 188 Farm Road, Oldbury) is approved, subject to the following conditions:-

- (i) the alternations being carried out within six months of the grant of permission;
- (ii) external materials being constructed in accordance with the approved plan;
- (iii) no additional windows being incorporated into the extension;
- (iv) details of three off road parking spaces being provided and retained as such following approval.

42/20

### **Applications Determined Under Delegated Powers by the Director – Regeneration and Growth**



The Committee noted the planning applications determined by the Interim Director - Regeneration and Growth under powers delegated to her as set out in the Council's Constitution.

Those applications that would normally have been presented to the Committee for decision but had not been due to the Covi-19 outbreak and consequent social distancing requirements, had been determined by the Interim Director – Regeneration and Growth under powers delegated to her by the Emergency Committee on 18<sup>th</sup> March 2020. Details were available to view on the Committee Management Information System.

Meeting ended 9.04pm.

## REPORT TO PLANNING COMMITTEE

8<sup>th</sup> July 2020

<b>Application Reference</b>	DC/19/63652
<b>Application Received</b>	18 <sup>th</sup> October 2019
<b>Application Description</b>	Proposed 13 two bedrooms apartments and and 2 No. houses (outline application for access, layout, appearance and scale) (Amendment to previously refused application DC/19/62665).
<b>Application Address</b>	Land Adjacent Compton Grange Whitehall Road/St Annes Road Cradley Heath
<b>Applicant</b>	Mr Jason Shaw
<b>Ward</b>	Cradley Heath & Old Hill
<b>Contribution towards Vision 2030:</b>	 
<b>Contact Officer(s)</b>	Alison Bishop 0121 569 4039 Alison_bishop@sandwell.gov.uk

### **RECOMMENDATION**

That planning permission is granted subject to:

- (i) Details of external materials
- (ii) Landscaping details (as part of the reserved matter) to include native trees to replace those lost;
- (iii) Details of sustainable drainage;
- (iv) Details of vehicle electric charging points;
- (v) Details of cycle storage (preferably within the building);
- (vi) Ground investigation and remediation;
- (vii) Parking provision to be provided and retained as such;
- (viii) Details of window specifications to protect new residents from noise nuisance as per the submitted noise assessment;
- (ix) The apartment block shall be no more than 3 storey height and the two dwelling no more than 2 storey height;
- (x) Details of a lighting scheme to the access road and parking court;
- (xi) Compliance with renewable energy; and
- (xii) Compliance with jobs and apprenticeships.

## **1. BACKGROUND**

- 1.1 This application is being reported to your Planning Committee because three material objections have been received.
- 1.2 To assist members with site context, a link to google maps is provided below:

[Land adjacent Compton Grange, Cradley Heath](#)

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

- 2.1 The Site is unallocated with the development plan
- 2.2 The material planning considerations which are relevant to this application are:-

Government policy (NPPF)  
Proposals in the Local Plan  
Overlooking/loss of privacy  
Loss of light and/or outlook  
Overshadowing  
Overbearing nature of proposal  
Layout and density of building  
Design, appearance and materials  
Traffic generation  
Highway safety, parking and servicing

## **3. THE APPLICATION SITE**

- 3.1 The application refers to a landscaping area immediately adjacent to the Cradley Heath By Pass at the junction with St. Annes Road. The former Cradley Heath Neighbourhood office (now a Day Nursery) is to the immediate north. Cradley Heath Town Centre also part bounds the site, with Whitehall Road situated to the west. The application site area is approximately 0.44 hectares.
- 3.2 The site is linear in nature, which has a close relationship to development behind. There are significant level changes across the whole site, with the land dropping significantly from the pavement edge towards Compton Grange.

#### **4. PLANNING HISTORY**

- 4.1 The site was marketed by the Council and a Development Brief was prepared in 2015. The brief indicated that elements of the site would be suitable for residential development.
- 4.2 Two planning applications have been submitted seeking approval for the principal of residential development. Both schemes were considered to be inappropriate and the first, in 2015 was withdrawn by the applicant and the second more recent application, in 2019 was refused by your committee following a site visit.
- 4.3 List relevant applications are as follows:-

DD/02/38945	Construction of Cradley Heath by-pass and associated works	Grant with conditions 30.08.2002
DC/15/58467	Proposed 20 no. apartments and 2 no. houses (outline application with access, appearance, layout and scale)	Withdrawn 10.11.2015
DC/19/62665	Proposed 19 No. apartments and 2 No. houses (outline application for access, appearance, layout and scale).	Refused 12.06.2019

#### **5. APPLICATION DETAILS**

This is a further outline application which includes access, layout, appearance and scale for the construction of 13 apartments and two houses. Landscaping is reserved for later approval.

Two three bed houses would front Whitehall Road, both would have driveways which provide tandem parking for two vehicles which would be accessed off Whitehall Road. Materials would be largely brick.

The apartment block would be a maximum three storeys in height. The ground floor would primarily serve parking but one, 2-bedroom flat is proposed at this level also. The two storeys above would accommodate a further twelve, 2 bedroom flats. The apartment block would include brick and cladding materials and permeable tarmac to parking areas. The apartment block would also be accessed off Whitehall Road. A total of 14 spaces would be provided within the apartment block courtyard with an additional 4 visitor spaces provided off the access road. See layout.



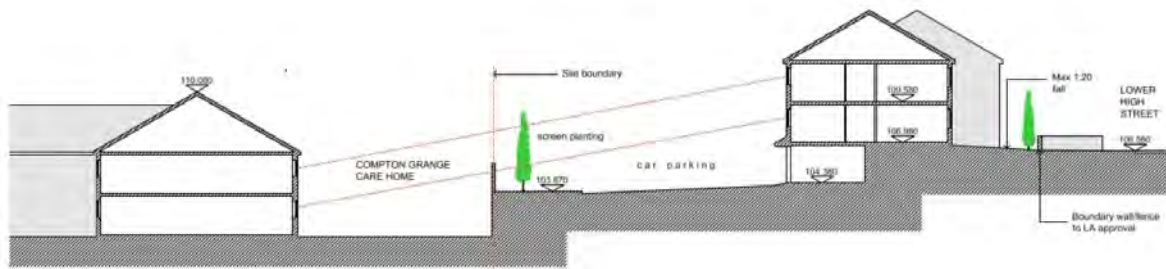


Due to the level changes the scheme would have the impression of being only two storeys in height when viewed from Lower High Street/Cradley by pass (a maximum height of 8.3 metres to the apex of the roof). See extract below:-



Elevation to Lower High Street (indicative to show levels)  
Scale 1:200

The scheme would however read as three storeys (a maximum of height of 11 metres to the apex of the roof) when viewed from Compton Grange. See the section overleaf:-



The key changes from this application to the previous two applications are that the scale of the building has been reduced by one storey and the number of apartments has been reduced from 19 to 13.

## 6. PUBLICITY

6.1 The planning application was publicised by 52 neighbour letters. At the time of the original publicity period in November 2019 three objections were received. Following revisions to the scheme which include the addition of the two houses and further information regarding site levels the application was re-publicised to the original 52 neighbours. Two of the previous objectors re-affirmed their objections and comments on the inclusion of the two houses.

### 6.2 Objections

Objections have been received on the following grounds: -

- (i) Increase in traffic generation – all traffic will have to use the one-way system, raising concerns about highway and pedestrian safety;
- (ii) Parking concerns – Whitehall Road is already heavily parked up. The development will result in new residents parking on Whitehall Road;
- (iii) Loss of mature trees;
- (iv) Impact on existing wildlife birds and badgers;
- (v) Loss of privacy to residents of Compton Grange;
- (vi) The height of the proposed flats would overshadow the gardens of Compton Grange
- (vii) Loss of outlook; and
- (viii) No solar panels are shown on the drawings

Immaterial objections have been raised regarding loss of a view.

### 6.3 Responses to objections

I respond to the objector's comments in turn;

- (i) Increase in traffic generation – Highways have no objection to the proposal. The proposal is for 15 units in total which would not put significant pressure on the junctions.
- (ii) The proposal provides off road parking for both residents and visitors and would not lead to parking pressures on Whitehall Road.
- (iii) It not disputed that some trees would be lost as part of the development, none are protected by tree preservation, and many are self-setting. Any future scheme would include new landscaping (as part of the reserved matter) to include native trees along with the retention of trees indicated on the proposed drawings.
- (iv) The area is not designated as site of local importance for nature conservation, however it is accepted that any green space will benefit from wildlife. Wildlife is protected under the Wildlife & Countryside Act 1981 and it is an offence which can be prosecuted by the police to harm protected schemes. Therefore, any removal of trees would need to be undertaken in consideration of this legislation and the nesting season.
- (v) Loss of privacy – the scheme is 33 metres away from the windowed elevations of Compton Grange. The Council’s separation distances within the Council’s residential design guidance for three storey buildings is 27 metres, however an additional 1 metre for every 1 metre of higher ground is also required when level changes occur between existing and new proposals. The change in ground levels is 2.8 metres, so the separation distance for this proposal should be a maximum of 30 metres. Therefore, the distances in this instance, namely 33 metres complies with design guidance. The nearest point (namely flat 12 and 13) being over the parking entrance has no windows serving this elevation.
- (vi) The orientation of the sun is east to west, the reduction in the height of building and the distance from Compton Grange would ensure that any overshadowing in the morning only affected the car park of the new development.
- (vii) The outlook for residents facing the proposed development is already facing a large retaining wall with trees above. The proposal does not remove the retaining wall and the indicative plans indicate that some trees will be retained on this boundary. Landscaping, as indicated above can be conditioned. Therefore, I consider that the outlook of residents will largely remain unchanged.
- (viii) The Council’s policy ENV7, Renewable energy seeks to incorporate renewables as part any new development. Therefore, details such as solar panels can be conditioned to comply with this policy.

## **7. STATUTORY CONSULTATION**

- 7.1 Planning and Transportation Policy** – No policy objections, the scheme is compatible with nearby uses and is located within a sustainable location.

- 7.2 **Highways** - No objections
- 7.3 **Public Health (Air Quality)** – No objection subject to the provision of electric vehicle charging points.
- 7.4 **Public Health (Contaminated Land)** – No objection subject to ground conditions.
- 7.5 **Public Health (Air Pollution and Noise)** - No objection subject to details of the glazing specification to protect residents from external noise.
- 7.6 **Public Health (Health Urban Development Officer)** – Undercover cycle provision should be provided.
- 7.7 **West Midlands Police** – They have recommended the scheme complies with secure by design measures such as appropriate lighting to the car parking areas.
- 7.8 **Severn Trent**- No objections.
- 7.9 **Lead Local Flood Authority** – no objections.

## **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:-

HOU1 Delivering Sustainable Housing Growth,  
 ENV3 Design Quality  
 ENV5 Flood Risk, Sustainable Drainage Systems and Urban Heat Island,  
 ENV7 Renewable Energy,  
 ENV8 Air Quality  
 TRAN4 Creating Coherent Networks for Cycling and for Walking  
 EMP5 – Improving Access to the Labour Market  
 SAD H2 Housing Windfalls  
 SAD EOS9 Urban Design Principles  
 SAD EMP2 – Training and Recruitment

- 9.2 HOU1 refers to delivering new housing in the right locations, namely within sustainable locations. This is reinforced by Policy H2 Windfalls which states that sites should have good public transport links and be

compatible with their surroundings. In this instance the site meets this criterion and would assist with Sandwell's shortfall of housing supply.

- 9.3 ENV3 and SAD EOS9 refers to well-designed schemes that provide quality living environments. In the main the layout is acceptable, subject to conditions relating to materials and landscaping.
- 9.3 ENV5 states that sustainable drainage should be provided in order to reduce surface water flooding. Permeable tarmac has been proposed and this can be conditioned.
- 9.4 ENV7 refers to incorporating renewable sources sufficient to off-set at least 10% of the estimated residual energy demand upon completion of the development. This can be conditioned.
- 9.5 ENV8 refers to air quality mitigations measures as part of new development, in this instance electric vehicle charging is required and can be conditioned.
- 9.6 TRAN4 promotes sustainable transport and that development should be safe with direct links to the town centre for both pedestrian, cycle and by car. In addition, secure cycle provision should be provided within developments. The scheme has good connections to the town centre with the satisfactory proposals for vehicle access and parking. Cycle provision can be conditioned.
- 9.7 EMP5 and SAD EMP2 refer to securing initiatives for apprenticeship and job opportunities for local people. Opportunities will be available for apprenticeships as part of the construction phase which can be conditioned accordingly.

## **10. MATERIAL CONSIDERATIONS**

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

### **10.2 Overlooking/loss of privacy**

The proposal has been reduced by one storey from the previous refusal, in doing so, this has reduced its dominance in relation to Compton Grange and the proposal now complies with the separation distances to opposing windowed elevations. Therefore, it is considered that the proposal would not result in inappropriate overlooking or loss of privacy to the residents of Compton Grange.

### **10.3 Loss of light and/or outlook/overshadowing**

The orientation of the sun, namely easterly towards Compton Grange, reduces the harm from the new proposal which combined with the separation distances and the existing retaining walls servicing Compton Grange would not result in a significant amount of loss of light, outlook or overshadowing.

### **10.4 Overbearing nature of proposal**

It is considered that the reduction in scale of the current proposal from the previous refusal, namely from a four-storey development to a three storey development, coupled with the footprint of the proposal is now appropriate in scale and size when viewed from both Compton Grange and Lower High Street/Cradley Heath by pass.

### **10.5 Layout and density of building**

The proposal, provides 13, 2 bed flats all complying with floor areas within the residential design guidance, namely 60-65 square metres and as indicated in 10.4 above it has been reduced in storey height. The two houses fronting Whitehall Road are in keeping with the building heights of the existing buildings. Furthermore, the proposal is situated within a town centre where increase densities are welcomed due to good links to public transport.

### **10.6 Design, appearance and materials**

The proposal incorporates brick and cladding materials which would reflect the vernacular of the area and details of the palette of materials can be conditioned to ensure that colours complement the existing historic characteristics of Cradley Heath town centre and the surrounding area.

### **10.7 Traffic generation**

As indicated above [6.3 (i)], the proposal is modest in scale and would not have significant impact on traffic generation when compared to the current vehicle trip rates in the area.

### **10.8 Highway safety, parking and servicing**

The Highways Section has no objection to the parking and servicing layout for the site.

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

- 11.1 The proposal supports Ambitions 3,7 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. This proposal provides opportunities to generate jobs/apprenticeships and has been conditioned accordingly.
- 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. This proposal of suitable scale and layout in relation to the existing built form and its proximity to the town centre.
- 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 revised proposal for a three-storey apartment block and two houses which is compliant with the council's spatial standards for floorspace, separation distances and parking and servicing. The reserved matter relating to landscaping can be conditioned to secure suitable replacement trees along with other conditions such as materials, drainage and lighting.
- 12.2 The proposal by virtue of the reduction in scale, will not result in unacceptable overlooking, loss of privacy, outlook or light.
- 12.3 To conclude the scheme is welcomed providing a good quality scheme within Cradley Town centre which will assist with providing much needed affordable homes.

## **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 equality 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 No objections have been received from the Police subject to suitable lighting and security measures being incorporated into the scheme in accordance with Secure by Design guidance.

## **18. SUSTAINABILITY OF PROPOSALS**

18.1 Refer to the National Planning Policy Framework (8), Local Plan policies (9) and material considerations (10).

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

19.1 The proposal provides opportunity for apprenticeships during the construction phases and is conditioned accordingly. Refer also to the summary of the report (12).

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

20.1 There will be no impact.

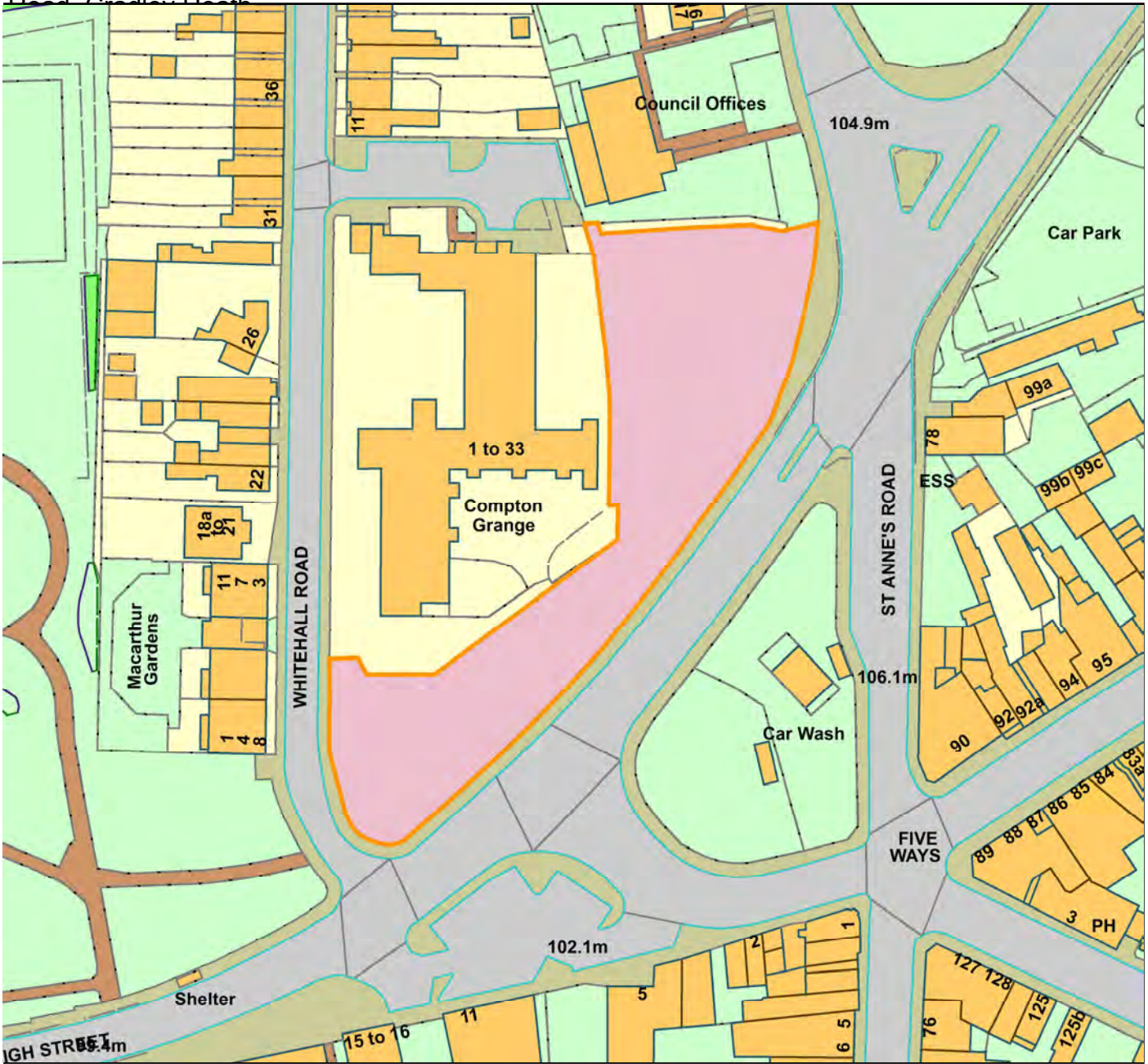
## **21. APPENDICES:**

Site Plan  
Context Plan  
002 Rev B  
001 Rev A  
04

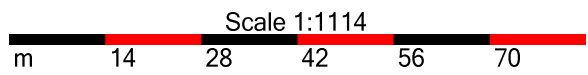


DC/19/63652

Land Adjacent Compton Garage, Whitehall Road/Stannes Road, Cuddley Heath

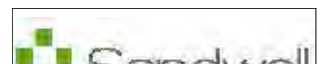
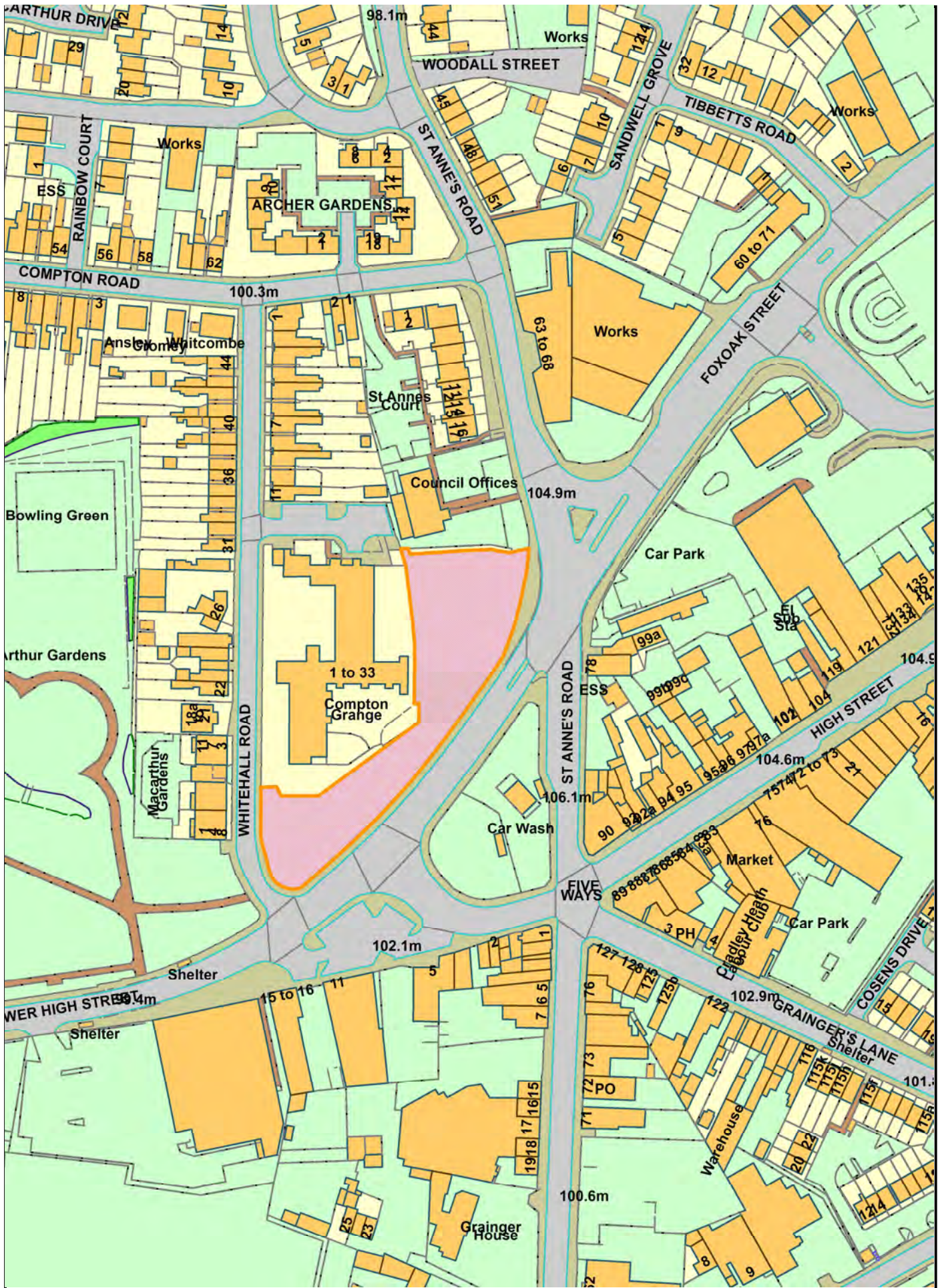


**Legend**



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Department	Not Set
25 Comments	Not Set
Date	21 May 2020

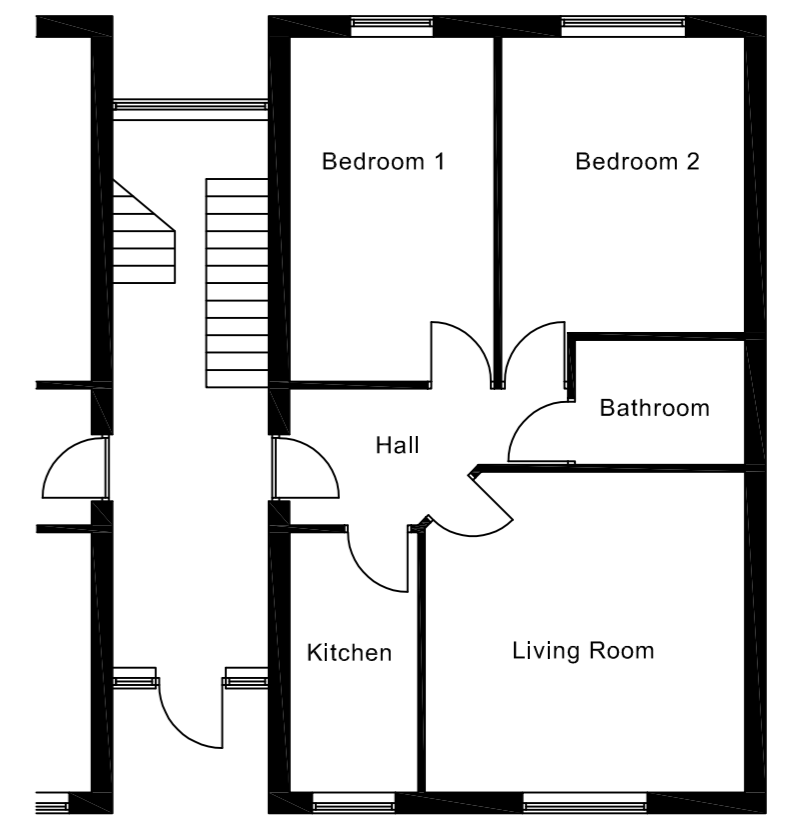




**Accommodation Schedule**  
 The development to consist of 13no 2-bed apartments with a floor area of 60m<sup>2</sup> per unit.

Lower Ground -  
 Parking/Plant/Bins  
 Accessible Flat

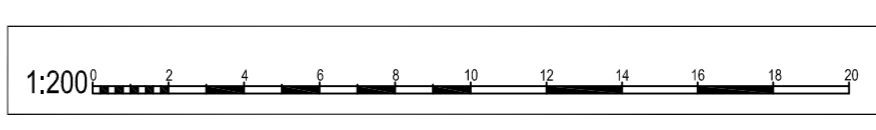
Upper/First -  
 Apartments/Communal



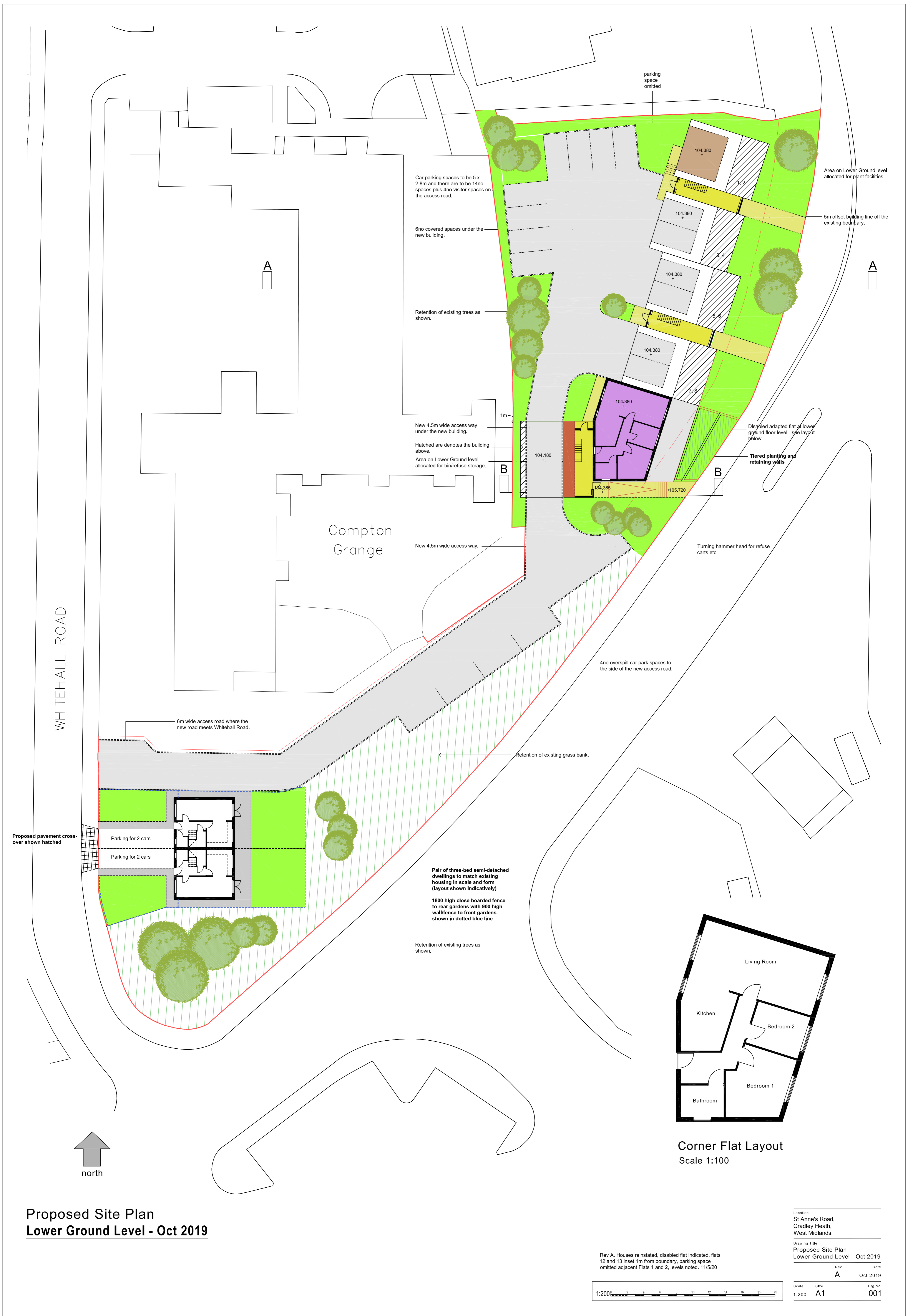
Typical Flat Layout  
 Scale 1:100

**Proposed Site Plan  
 Upper Ground Level - Oct 2019**

Rev B. Parking length to houses increased to 10m with 1m offset 29/5/20  
 Rev A. Houses reinstated, disabled flat indicated, flats 12 and 13 inset 1m from boundary, parking space omitted adjacent Flats 1 and 2, levels noted. 11/5/20

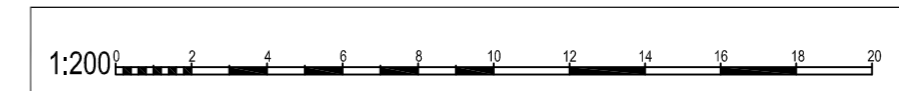


Location		St Anne's Road, Cradley Heath, West Midlands.	
Drawing Title		Proposed Site Plan Lower Ground Level - Oct 2019	
Rev	Date	B	Oct 2019
Scale	Size	1:200	A1
Drw No			002



**Proposed Site Plan  
Lower Ground Level - Oct 2019**

Rev A. Houses reinstated, disabled flat indicated, flats 12 and 13 inset 1m from boundary, parking space omitted adjacent Flats 1 and 2, levels noted. 11/5/20

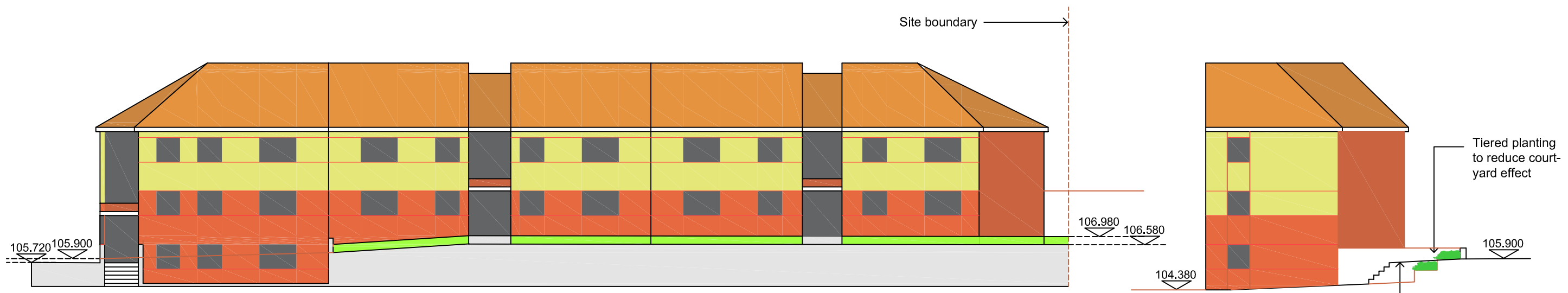


Location  
St Anne's Road,  
Cradley Heath,  
West Midlands.

Drawing Title  
**Proposed Site Plan  
Lower Ground Level - Oct 2019**

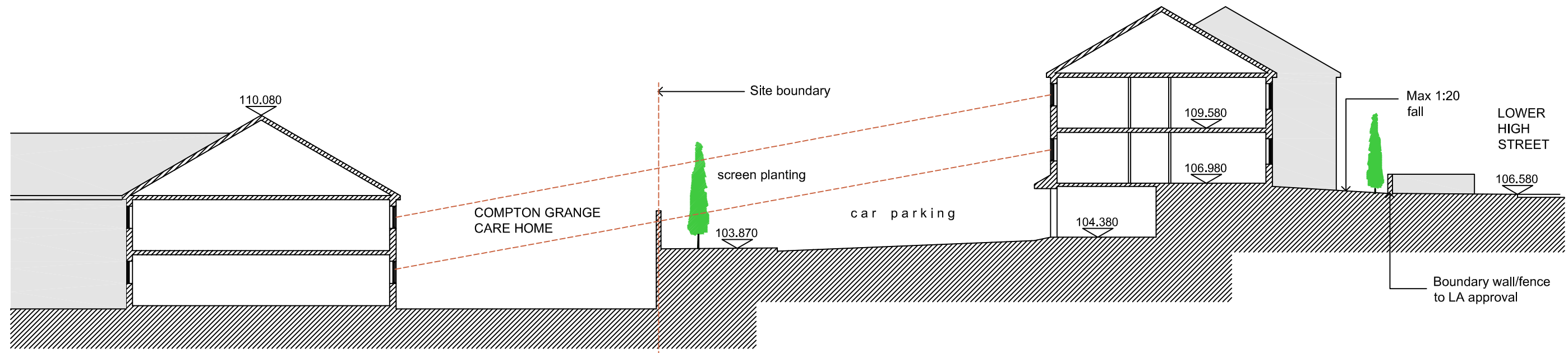
Rev	Date
A	Oct 2019

Scale: 1:200  
Size: A1  
Dwg No: 001



Elevation to Lower High Street (indicative to show levels)  
Scale 1:200

Section B-B Scale 1:200




Section A-A Scale 1:200

DATE Oct 19	OWNER	LOCATION Land to rear of Compton Grange Whitehall Road/St Anne's Road Cradley Heath	TITLE Section A-A and Elevation to Lower High Street	DRAWINGS PREPARED FOR LOCAL AUTHORITY APPROVALS ONLY. FIGURED DIMENSIONS TO BE USED IN PREFERENCE TO SCALE. THE WORKS MAY BE SUBJECT TO THE PARTY WALL ACT 1996. IT IS THE RESPONSIBILITY OF THE OWNER TO ENSURE ALL NECESSARY STEPS ARE TAKEN TO COMPLY WITH THE ACT IF REQUIRED.	NUMBER <b>04</b>	REVISION
SCALE 1:1250 @ A3	PROJECT Proposed Development of 13 Apartments and 2 Houses					

## REPORT TO PLANNING COMMITTEE

8 July 2020

<b>Application Reference</b>	DC/19/63818
<b>Application Received</b>	14 January 2020
<b>Application Description</b>	Retention of single storey rear extension and new staff and visitor parking area.
<b>Application Address</b>	121 Witton Lane West Bromwich B71 2AE
<b>Applicant</b>	Eurobrass
<b>Ward</b>	Wednesbury South
<b>Contribution towards Vision 2030:</b>	
<b>Contact Officer(s)</b>	Name: Carl Mercer Tel: 0121 569 4048 Email: <a href="mailto:carl_mercer@sandwell.gov.uk">carl_mercer@sandwell.gov.uk</a>

### **RECOMMENDATION**

That planning permission is granted subject to the following condition:

- i) The parking spaces shall be provided within three months of the date of this permission. Once provided, the spaces shall be retained.

## 1. BACKGROUND

1.1 This application is being reported to your Planning Committee because the proposal has received four neighbour objections.

1.1 To assist members with site context, a link to google maps is provided below:

[Eurobrass, 121 Witton Lane, West Bromwich](#)

## 2. SUMMARY OF KEY CONSIDERATIONS

2.1 The site is unallocated in the Local Plan.

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

Government policy (NPPF);  
Overlooking/loss of privacy;  
Loss of light and/or outlook;  
Overshadowing;  
Overbearing nature of proposal;  
Layout and density of building;  
Design, appearance and materials;  
Access, highway safety, parking and servicing;  
Traffic generation;  
Contamination by a previous use;  
Land instability;  
Noise and disturbance from the scheme; and  
Loss of trees.

### **3. THE APPLICATION SITE**

- 3.1 The application site is situated on the south side of Witton Lane, West Bromwich and is bounded to the east, south and west by residential development. A public house and more dwellings are located across the road from the site.
- 3.2 The premises are occupied by Eurobrass, stockists of brass rods, profiles, wires, strips and hollow bar and is effectively a storage and distribution use.
- 3.3 The Witton Lane frontage consists of a red brick boundary wall and a sliding metal access gate, and the buildings within the site are largely obscured from public view from the highway; however, some of the blue metal cladding of the building is visible. The building extends back into the site and is overlooked by residential properties on Edwin Phillips Drive and Rydding Square. There is a notable levels difference between residential properties to the south and west of the application site and the site itself (the site being set lower down).

### **4. PLANNING HISTORY**

4.1 There is some relevant planning history:

- 4.2 ENF/18/10741 Alterations to ground levels - Case closed 03.10.2019
- ENF/17/10445 Engineering works - Case closed 06.03.2018
- DC/02/38702 Residential Development -Approved 06.03.2002

DC/32292            Extension to assembly work - Approved 28.06.1996

DC/22516            Single-storey extension - Approved 19.02.1988

- 4.3 As objectors have made reference to enforcement matters, it is worth discussing these issues in greater detail. Within the rear of the site is an embankment which the applicant has, over the course of some two and a half years, been removing soil from. The embankment was previously covered in trees which were removed by the applicant at the start of the process.
- 4.4 Planning officers explored the need for enforcement action, as the embankment did not appear to constitute an established land level, rather it seemed to be made up of 'spoil' which had been deposited years ago in the rear yard area of the premises (the high boundary walls being reminiscent of a coal yard or similar). This was corroborated by a local resident.
- 4.5 Enforcement action was considered on the premise that the works constituted an 'engineering operation', but an enforcement notice would only have required the applicant to return the soils, which was neither practical or desirable.
- 4.6 Once a large part of the embankment had been cleared, the applicant then proceeded to construct the unauthorised extension and was instructed to submit a planning application by the local planning authority.

## **5. APPLICATION DETAILS**

- 5.1 The applicant proposes to retain a single storey extension to the premises and a new staff and visitor parking area. The extension serves to expand the stockholder use.
- 5.2 The extension measures 15.1m in length by 12.3m in width by 5.4m in height with an approximate floor area of 186m<sup>2</sup>.
- 5.3 The car parking area provides a total of four staff and visitor spaces.

## **6. PUBLICITY**

- 6.1 The application has been publicised by neighbour notification letter with four objections being received.

### **6.2 Objections**

Objections have been received on the following grounds:



- (i) The proposal would increase the number of delivery vehicles;
- (ii) Manoeuvring/vehicle movements already compromise highway safety;
- (iii) Loss of outlook;
- (iv) Proximity to residential property – fire safety concerns;
- (v) Noise from lorries and forklifts;
- (vi) Large tank and containers now visible;
- (vii) Impact on property value;
- (viii) Land stability/damage to property;
- (ix) Loss of trees/wildlife;
- (x) Contamination; and,
- (xi) Dirt and dust

### 6.3 Responses to objections

In addressing the objectors' comments in turn:

- (i) Many of the concerns raised relate to the existing operation of the site. However, the site has an established business use and is a legacy parcel site of a former industrial area. The application is for an extension to the business and does not provide an opportunity to reassess the stockholder use. What is material is whether or not the increased floor area would exacerbate any concerns. In respect of this matter, while the extension would certainly not improve the situation in respect of the HGV manoeuvrability into the site, I cannot confidently state that the extension would significantly worsen matters from a highway safety perspective. Furthermore, Highways have not forwarded an objection in this regard.
- (ii) As above.
- (iii) With regards to loss of outlook, the extension is set at a much lower land level than adjacent properties and the extension does not have an appreciable impact in respect of a loss of outlook.
- (iv) I note the proximity of the extension to neighbouring properties, however, the extension is no closer to the side boundary of the site than the existing building. Furthermore, fire safety is not within the planning remit and, as the business is predominantly a brass stockholder, the likelihood of an extraordinary fire risk is not expected.
- (v) Noise from lorries and forklifts is associated with the existing use and the extension should not appreciably worsen the current noise climate.

- (vi) The tank and containers are not subject to this planning application.
- (vii) The impact on property value is not a material planning consideration.
- (viii) The applicant is liable for any works which have caused damage to neighbouring property. While soils have been removed to enable this development, land stability is not a significant consideration of the application. In my opinion, the applicant is liable for works within the site which may affect neighbouring property in this regard. This includes the excavation of the embankment.
- (ix) The applicant removed trees on site before any development work commenced and the matter cannot retrospectively be addressed as an issue during the determination of this application, as planning permission was not required for their removal.
- (x) With regards to contamination, it is not usual practice to consult the Council's contaminated land team on extensions to existing premises. I note that the objector raises the issue of the soil which was excavated. As I am not a relevant professional in respect of contamination, I cannot comment further in this regard, but the applicant should have ensured all necessary environmental protections were agreed and ensured, as is the applicant's responsibly under paragraph 179 of the National Planning Policy Framework.
- (xi) Dirt and dust was an issue during the removal of the embankment, but the retention of the extension raises no such concerns.

## **7. STATUTORY CONSULTATION**

### **7.1 Highways**

While no objection has been received from Highways, the engineer has brought some existing matters to my attention concerning HGV manoeuvring into the site. These matters relate to the existing operation and not specifically in respect of this application. My opinion on these matters has already been set out above.

- 7.2 The determination of the application has been deferred pending the submission and consideration of information relating to highway matters. The applicant has submitted further information in the form of a Transport Note. The Note sets out the existing site working practices, development proposals, vehicle trip generation and overview in respect of highways impact. The Note concludes that the proposal would not cause significant issues in respect of trip generation or traffic impact.

- 7.3 Highways have considered the Note, and have reiterated their previous concerns in that currently the manoeuvring space/yard is not fit for purpose. I acknowledge that it is not ideal that and HGVs reverse into and out of the site and have, on occasion, damaged street furniture. However, Highways have conceded that the increase in trip rates is minimal due to the ground floor area proposed by the extension.
- 7.4 In my opinion, as discussed earlier in the report, the situation with regards to manoeuvring is not ideal, but it is an existing situation that the minimal rise in vehicle movements because of this proposal would not appreciably exacerbate; certainly not to the degree to refuse the application or impose unreasonable conditions.

## **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. Paragraph 109 of the NPPF, in respect of refusal on highways grounds is relevant to this application and is quoted in paragraph 10.3 below.

## **9. LOCAL PLANNING POLICY**

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

ENV3: Design Quality

SAD EOS 9: Urban Design Principles

SAD EOS 10: Design Quality & Environmental Standards

- 9.2 With regard to design policies ENV3, EOS9 and EOS 10, the development raises no significant concerns in respect of its appearance. The massing and scale of the extension corresponds to the existing building and respects its existing appearance.

## **10. MATERIAL CONSIDERATIONS**

- 10.1 The material considerations relating to Government policy (NPPF) and proposals within 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 extension is of a sufficient distance from surrounding dwellings, with its impact lessened by the lower land level, as to have no significant impact on light, outlook or privacy.

### 10.3 **Layout and design**

The extension is a continuation of the existing built form into the site, and the materials used in its construction are of a similar appearance to the existing building.

### 10.4 **Access, highway safety, parking and servicing**

As referred to above, the NPPF states that:

*'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'*

On balance, taking into account the existing use and in acknowledgement of the issues raised, I am of the opinion that the extension does not present an unacceptable impact on highway safety.

### 10.5 **Flood risk**

Not relevant due to the minor nature of the proposal.

### 10.6 **Security and safety**

The site is fully secured by existing boundary treatments.

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

11.1 The proposal supports Ambition 9 of the Sandwell Vision 2030:-

11.2 Ambition 9 – Sandwell has become a location of choice for industries of the future where the local economy and high performing companies continue to grow.

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

12.1 Taking into account that the extension is of an appropriate size and appearance in the context of the existing site, and that no significant highway implications would occur due to the increased floor area, I am of the opinion that the application should be approved.

### **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 Not relevant.

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

20.1 None.

### **21. APPENDICES:**

Site Plan

Context Plan

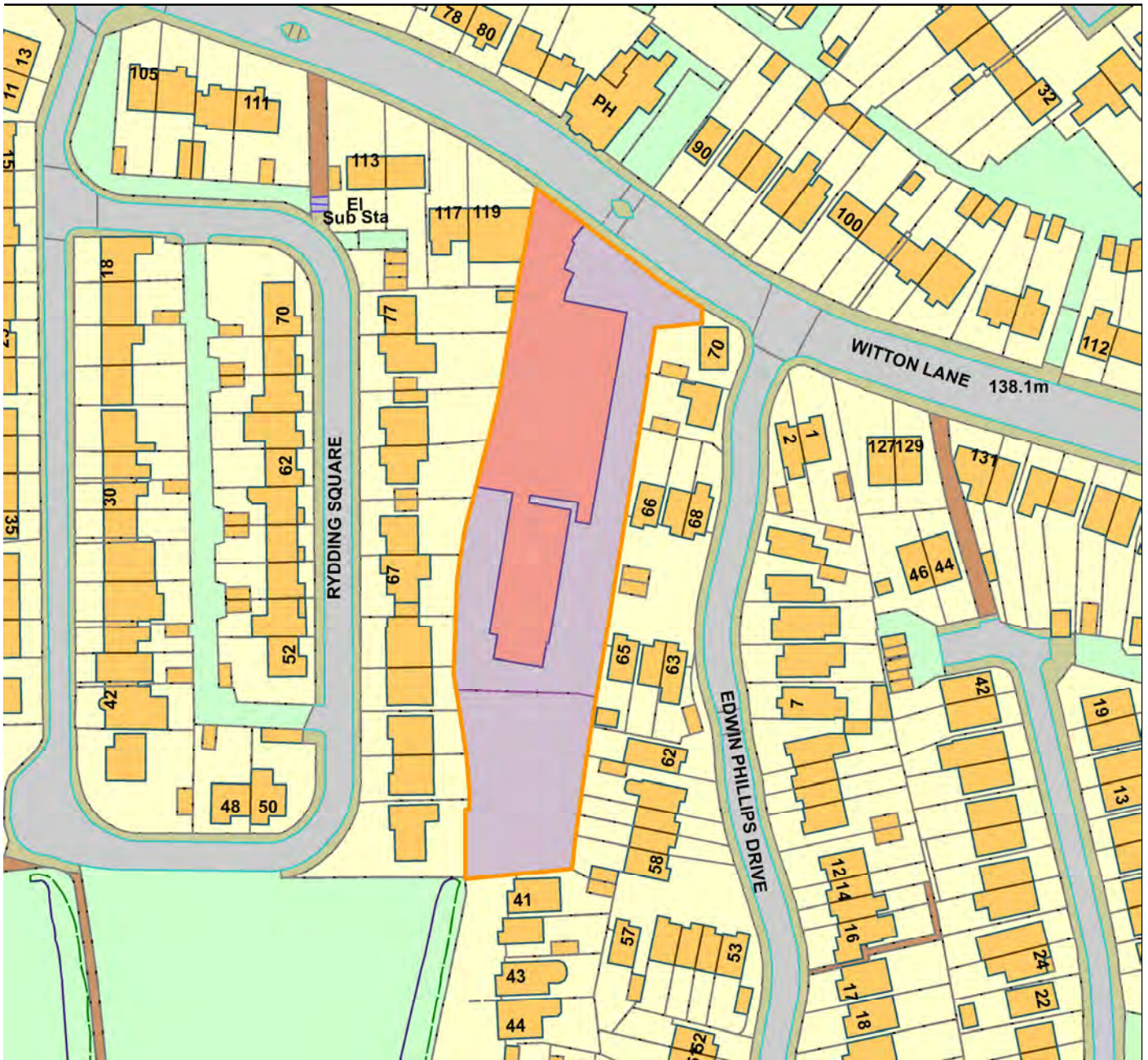
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INC-MA[21]0002 P01

DC/19/63818  
121 Witton Lane, West Bromwich



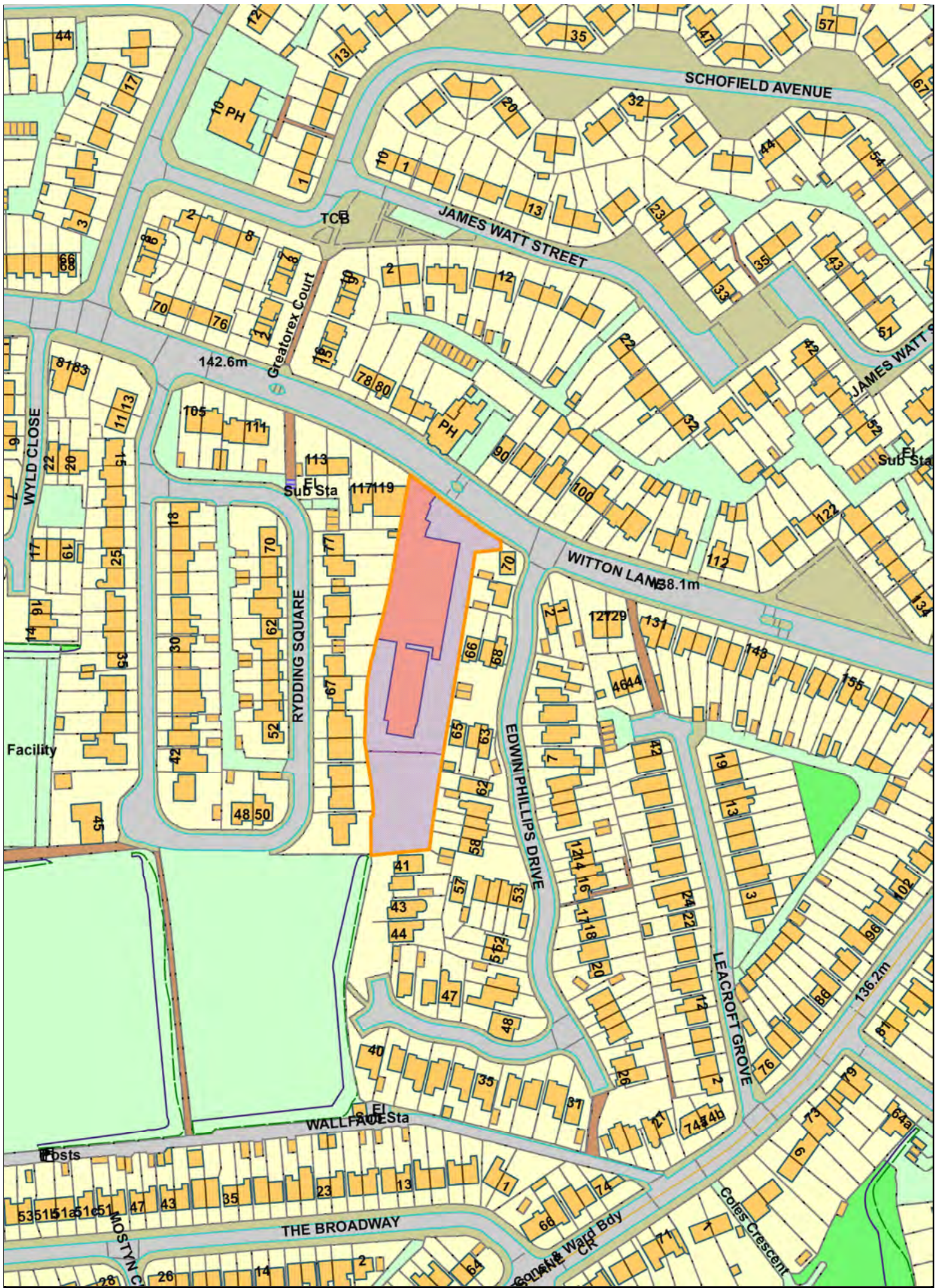
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<b>Date</b>	26 February 2020
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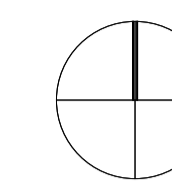
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PROJECT ARCHITECT TO BE NOTIFIED OF DISCREPANCIES IN FIGURED DIMENSIONS. CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE. THIS DRAWING IS COPYRIGHT.

Orientation



Schedule of Areas



Rev	Description	Date
P01	Parking bays added to plan	13.01.20
P00	Preliminary issue	12.12.19



ASSOCIATES LTD  
 1 Dudley Court North, Waterfront East  
 Level Street, Brierley Hill  
 West Midlands, DY5 1XP  
 T: 01384 571330 F: 01384 575644  
 E: incdesign@incdesign.net

Client



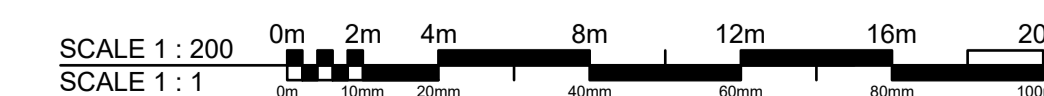
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 121 WITTON LANE, HILL TOP  
 WEST BROMWICH, B71 2AE

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 SITE PLAN AS PROPOSED

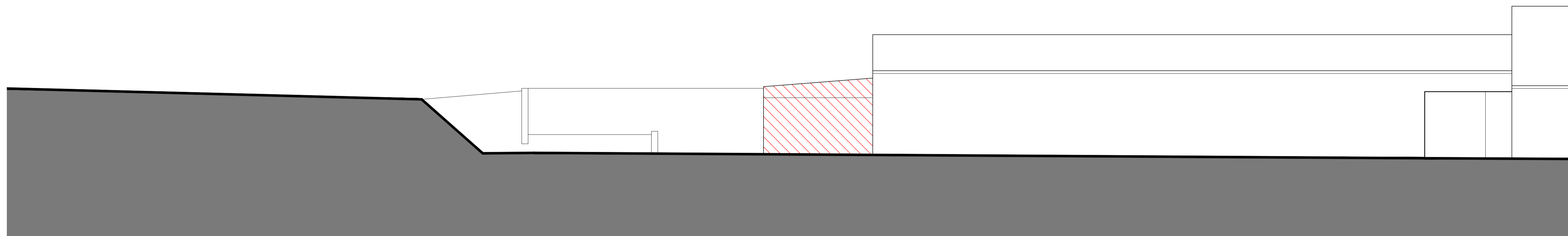
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Scale	Date	Drawn by
1:200@A1	12.12.19	CJ

PLANNING

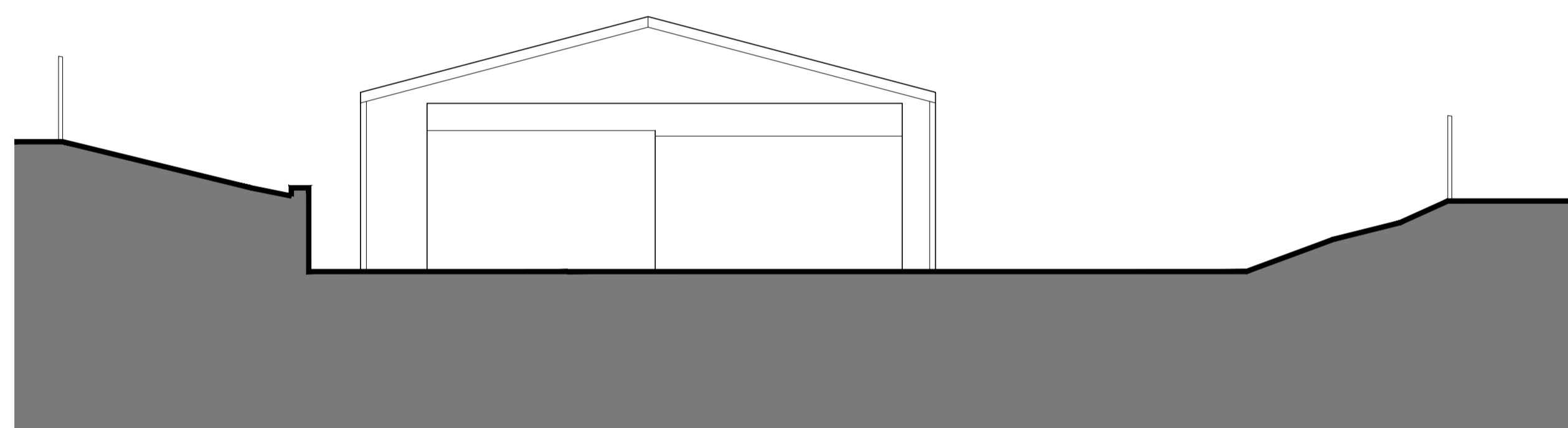
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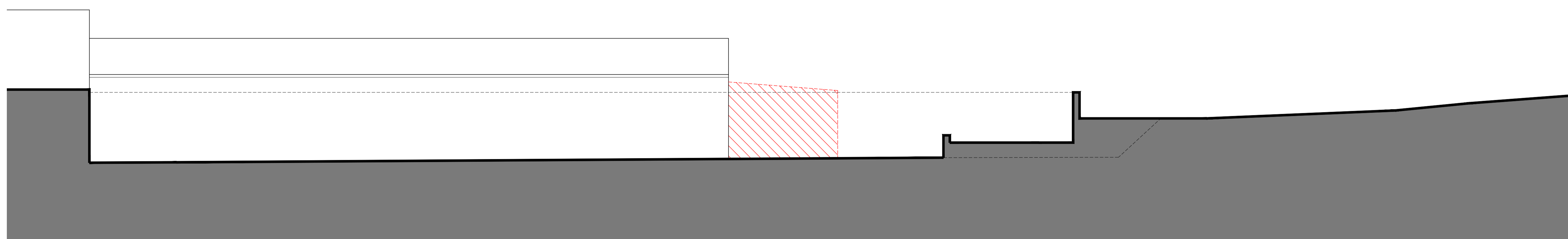




**01** EAST ELEVATION AS EXISTING  
1:100



**02** SOUTH ELEVATION AS EXISTING  
1:100



**03** WEST ELEVATION AS EXISTING  
1:100

Rev	Description	Date
P00	Preliminary issue	12.12.19



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Client



Project  
121 WITTON LANE, HILL TOP  
WEST BROMWICH, B71 2AE

Drawing Title  
ELEVATIONS AS EXISTING

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Scale	Date	Drawn by
1:100@A1	12.12.19	CJ



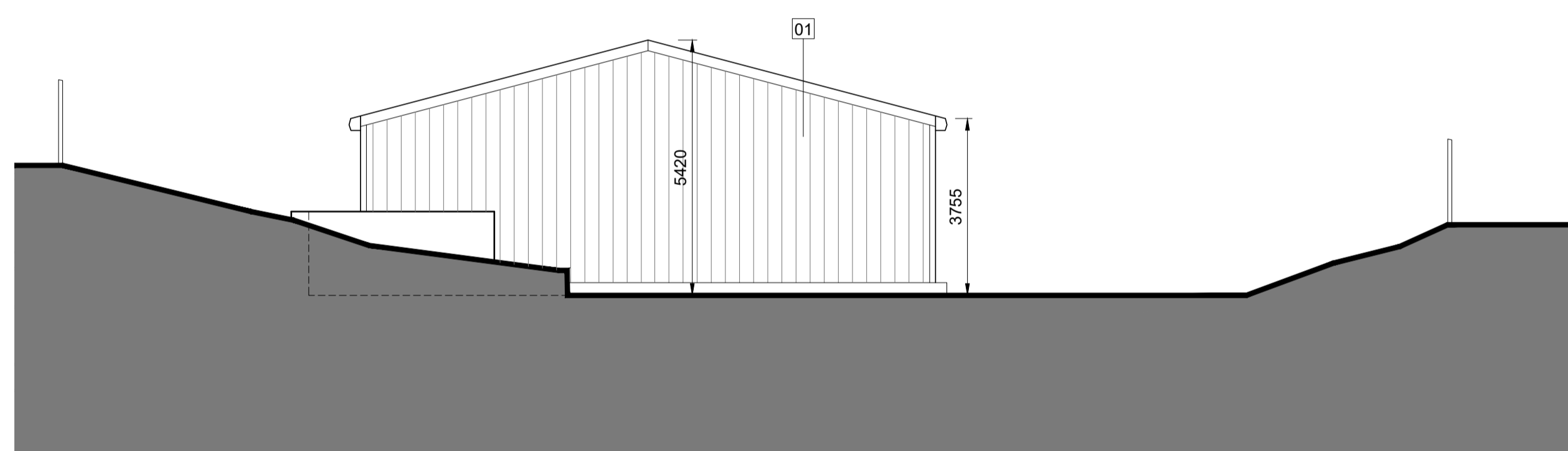
Orientation

Materials Key

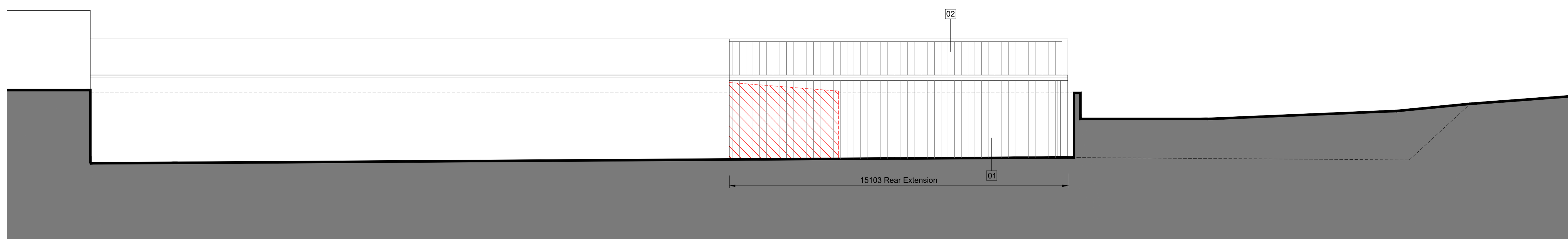
1. New profiled metal cladding to match existing.
2. New profiled metal roofing to match existing.
3. New roller shutter door to match existing.



**01 EAST ELEVATION AS PROPOSED**  
1:100



**02 SOUTH ELEVATION AS PROPOSED**  
1:100



**03 WEST ELEVATION AS PROPOSED**  
1:100

Rev	Description	Date
P00	Preliminary issue	12.12.19



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Project  
121 WITTON LANE, HILL TOP  
WEST BROMWICH, B71 2AE

Drawing Title  
ELEVATIONS AS PROPOSED


Project No.	Drawing No.	Revision
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Scale	Date	Drawn by
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PLANNING

## REPORT TO PLANNING COMMITTEE

8<sup>th</sup> July 2020

<b>Application Reference</b>	DC/20/64042 and DC/20/6685A
<b>Application Received</b>	28 <sup>th</sup> February 2020
<b>Application Description</b>	Proposed retention of 2 No. car park ANPR management systems (DC/20/64042)  and  Retention of four car park sites management signage, 9 No. signs mounted on lighting columns, 12 No. signage poles and 12 No. wall building signs (DC/20/6685A)
<b>Application Address</b>	Car Park, Albion Street, Tipton
<b>Applicant</b>	Parking Eye Ltd.
<b>Ward</b>	Tipton Green
<b>Contribution towards Vision 2030:</b>	
<b>Contact Officer(s)</b>	Name: Mr Anjan Dey Tel: 0121 569 4055 Email: <a href="mailto:anjan_dey@sandwell.gov.uk">anjan_dey@sandwell.gov.uk</a>

### **RECOMMENDATION**

Grant Retrospective Planning Permission (DC/20/64042)

And

Grant retrospective Advertisement Consent (DC/20/6685A)

### **1. BACKGROUND**

- 1.1 At the meeting on 13<sup>th</sup> May 2020, the Interim Director of Regeneration resolved to defer a decision to allow for additional consultations with local shops/businesses and further discussions with Corporate Property. The agent has also been asked to submit a Data Protection Risk Assessment.

- 1.2 These two applications were originally reported to your Planning Committee because Councillor Peter Allen had requested that the application (DC/20/64042) be determined at Planning Committee given that there is great concern in the community regarding the management of the car parks.
- 1.3 DC/20/6685A refers to the associated signage for the same two car parks along with two further car parks situated on the opposite side of Albion Street (refer to location plan and site plan no. C-36976-001).
- 1.4 To assist members with site context, a link to google maps is provided below:

[Albion Street, Tipton](#)

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

- 2.1 The Site is unallocated in the adopted development plan.
- 2.2 The material planning considerations which are relevant to this application are: -

Government policy (NPPF)

Local Policy

Public visual amenity

Access, highway safety, parking and servicing

## **3. THE APPLICATION SITE**

- 3.1 The application sites are two Council-owned public Car Parks managed by PBM Debury Ltd, located at the northern side of Albion Street, Tipton.
- 3.2 There are a total of four Council-owned car parks along Albion Street, consisting of a total of 162 bays and as referred to above the signage application (DC/20/6685A) refers to all four car parks.
- 3.3 The surrounding area is highly commercialised in nature characterised by a variety of shops, businesses and town-centre uses. Tipton railway station is on the other side of the road.

## **4. ADDITIONAL INFORMATION**

### **4.1 Lease**

- 4.2 The car parks are owned by Sandwell MBC and Corporate Property has confirmed that both car parks have 150 year leases granted to PBM Debury from 1<sup>st</sup> March 2000. Furthermore, it has been confirmed that

there is nothing contained within the agreements that prohibits charging for parking.

4.3 Following the deferral, Corporate Property has reiterated that the lease agreement for the car parks is a longstanding one. No provision is contained within the lease agreement for Corporate Property to control the activity currently being undertaken.

#### 4.4 Data Protection Impact Assessment

4.5 The *ParkingEye* Privacy Team has submitted a *Data Protection Impact Assessment*.

#### 4.6 **The purpose for the system**

ParkingEye Ltd collects and process personal data captured by Automatic number-plate recognition (ANPR) systems ensure compliance with the terms and conditions of parking on site, and to enforce where necessary. When collecting and processing data captured by the ANPR system ParkingEye is the Data Controller.

#### 4.7 **Description of the processing and scope**

When a vehicle enters or exits the site, a still image is captured which is then time stamped. The ANPR systems captures personal data of every vehicle that enters or exits the car park.

#### 4.8 **Data Retention**

Any non-contravening vehicle data captured by the ANPR systems is retained for 6 months, with non-contravening images being retained for 90 days. Personal data captured that pertains to a parking charge will be retained for longer and is dependent on the lifecycle of the parking charge, for example, whether it is paid or cancelled or remains open and is recovered through debt recovery or county court processes, (which may require retention for longer).

#### 4.9 **Data security and access controls**

Data is collected at site either on a physically secured ANPR server facility or locally on the camera and transmitted securely to our data processing facility via a Virtual Private Network (VPN) connection. No integration requests originate outside of the camera's localised network, meaning the devices are securely firewalled.

#### 4.10 **Identified risks**

The personal data captured in the first instance by the ANPR systems consists of the Vehicle Registration Mark (VRM), the vehicles location and the time/date of their visit. If these were to be compromised, there would be very little risk as it would require additional personal data to positively identify someone from just their VRM. This risk is solely associated with ParkingEye Ltd as the data controller, the owner/leaseholder of the car park would not be responsible in relation to data protection as they have no relationship with the data.

- 4.11 The still images of vehicles entering and exiting the car park are captured to focus only on the VRM, the applicant states that any driver, passenger or member of the public passing through would not be identifiable.

## **5. PLANNING HISTORY**

- 5.1 Various planning consents have been granted for redevelopment/retail.

- 5.2 Relevant planning applications are as follows:-

DC/96/32719	Demolition of existing retail units and community centre and construction of new retail outlets and library.	Approved 27.08.1997
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DC/08883	Commercial area redevelopment including shops, and supermarket.	Approved 11.04.1979
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## **6. APPLICATION DETAILS**

- 6.1 The retrospective planning application (DC/20/64042) is for the retention of 2 no. car park ANPR management systems. The systems capture registration numbers of vehicles using all four Council-owned car parks on Albion Street.

- 6.2 The applicant has stated that the cameras are required, in order to reduce car park abuse (including the long stay users of the railway network) and to ensure that spaces are available for genuine site/users of the town centre. Vehicles parking at the car parks are restricted to a maximum stay of 2 hours free of charge. Penalties are incurred for any over-stay of the two-hour limit.

- 6.3 The ANPR Management Systems are of standard specification, each of which consists of the following elements;

- i. ANPR Cameras;
- ii. 5m high camera column;
- iii. Camera cabinet;

iv. Cabling link to power supply.

6.4 The retrospective advertisement application is for the retention of four car park site management signs, 9 No. signs mounted on lighting columns, 12 No. signage poles and 12 No. wall building signs. None of the signage is illuminated. The signage details are as follows:-

- i. Mounted lighting columns signage measures 0.6m by 0.88m with a maximum height of 2.8m
- ii. Signage poles measures 0.6m by 0.8m with a maximum height of 2.1m
- iii. Wall mounted signage measures 0.6m by 0.8m positioned at a height of 1.5m

## **7. PUBLICITY**

7.1 The planning application has been publicised by site notice with an objection received from a resident in Tipton; the original complainant. Furthermore, Councillor Allen has stated that the management of this car park is of great concern to the local community.

7.2 Following deferral in May a further 123 neighbour notification letters have been issued to local residents and businesses with 2 responses received. One from a local resident stating they have no objections to the proposal and another one objection from the Manager on behalf of residents of 27 sheltered housing properties located at Chatwins Wharf.

### **7.3 Objections**

Objections have been received on the following grounds: -

- (i) The systems and enforcement actions taken by the management company has resulted in vehicles parking elsewhere in the town centre, thereby generating increase levels of traffic;
- (ii) Details relating to ownership of the Car Park are incorrect as the management company does not own the land;
- (iii) The 2-hour time limit is too short and results in penalty charges for over-staying;
- (iv) Associated signage contravenes Civil Law;
- (v) Concerns relating to new lighting columns.

### **7.4 Responses to objections**

I respond to the objector's comments in turn;

- (i) Highway Engineers has been consulted and have no objections to the ANPR systems;

- (ii) The ownership of the Car Park has been stated incorrectly in the submitted 'Design and Access Statement'. This in my view is an error by the agent, however this itself does not warrant refusal. The correct notice has now been served on Corporate Property;
- (iii) Matters relating to the management of the car parking including time restrictions, penalty notices are beyond the control of the planning authority. The management of the car park is matter between the landlord and the tenant, and are not material to the determination of application;
- (iv) These is not material to the determination of the application;
- (v) New lighting does not form part of the application.

## **8. STATUTORY CONSULTATION**

8.1 **Highways** - no objections.

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

9.1 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.

9.2 The guidance also refers to considerations relating to amenity and highway safety in relation to advertisement signage. The proposed signage would not harm residential amenity due to its commercial location and would not cause highway safety issues.

## **10. LOCAL PLANNING POLICY**

10.1 The following polices of the Council's Local Plan are relevant:-

ENV3: Design Quality  
SAD EOS9: Urban Design Principles.

10.2 ENV3 and SAD EOS9 refers to well-designed schemes that are appropriate to their surroundings. The ANPR management systems are of standard specification and design and do not impact visual amenity. It is my view that they are appropriate to the centre location and are similar to other car park management systems throughout the region.

## **11. MATERIAL CONSIDERATIONS**

11.1 The material considerations relating to Government Policy (NPPF), and proposals within the local plan. These are referred to in Sections 9 and 10. Other considerations are highlighted below:

### **11.2 Public Visual Amenity**



The development does any significant visual amenity and is considered to appropriate to this predominantly retail/commercialised centre.

### **11.3 Access, highway safety and parking**

The Council's highway service raises no objections.

## **12. IMPLICATIONS FOR SANDWELL'S VISION**

12.1 The proposal supports Ambitions 8 of the Sandwell Vision 2030: -

12.2 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.

## **13. CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS**

13.1 The objector's concerns relate to parking fines etc; and whilst understanding their concerns, these are not material planning considerations, and do not warrant refusal of the application.

13.2 The proposals raises no planning concerns; the retention of the ANPR systems and associated signage are considered to be acceptable and appropriate to the town centre location.

## **14. STRATEGIC RESOURCE IMPLICATIONS**

14.1 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.

## **15. LEGAL AND GOVERNANCE CONSIDERATIONS**

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

## **16. EQUALITY IMPACT ASSESSMENT**

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

## **17. DATA PROTECTION IMPACT ASSESSMENT**

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

## **18. CRIME AND DISORDER AND RISK ASSESSMENT**

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

## **19. SUSTAINABILITY OF PROPOSALS**

19.1 Refer to the national planning framework (9) and local plan policies (10) and material considerations (11).

## **20. HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)**

20.1 Refer to the summary of the report (13).

## **21. IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND**

21.1 The Car Parks are owned by Sandwell MBC and Corporate Property has confirmed that a 150-year lease was granted to PBM Debury from 1<sup>st</sup> March 2000. Furthermore, it has been confirmed that there is nothing contained within the agreements that prohibits charging for parking.

21.2 Following complaints made to the Planning Department, Corporate Property has been in discussion with their tenant regarding the regularisation of the ANPR Management Systems.

21.3 Following deferral, Corporate Property has reiterated that the lease agreement for the car parks is a longstanding one. No provision is contained within the lease agreement for Corporate Property to control the activity currently being undertaken.

## **22. APPENDICES:**

Location Plan

Context Plan

C-36976-002 Rev A

C-0000-001

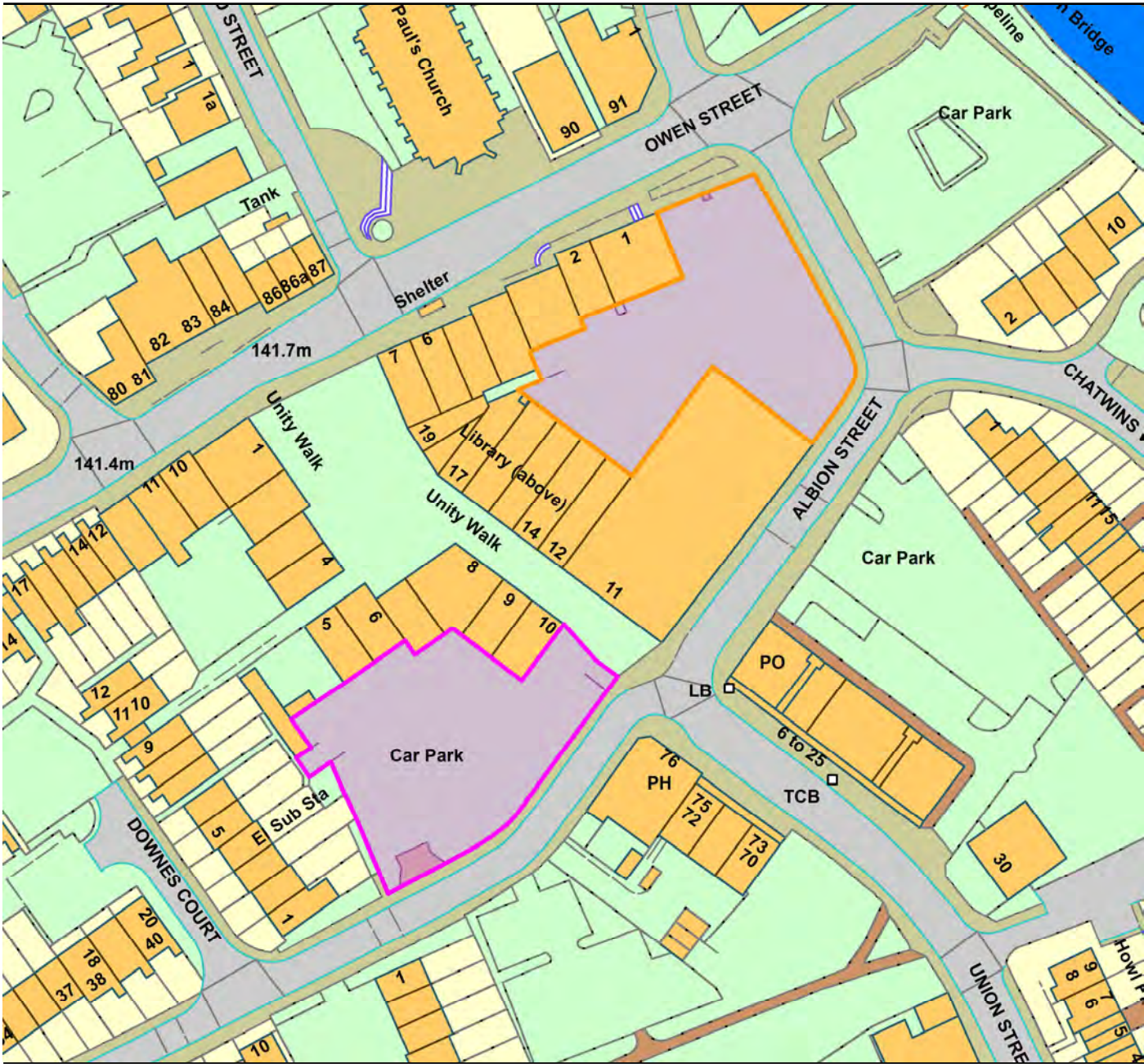
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C-0000-006

C-36976-003 2 Rev A

C-36976-004 Rev A

DC/20/64042  
Car Park, Albion Street, Tipton

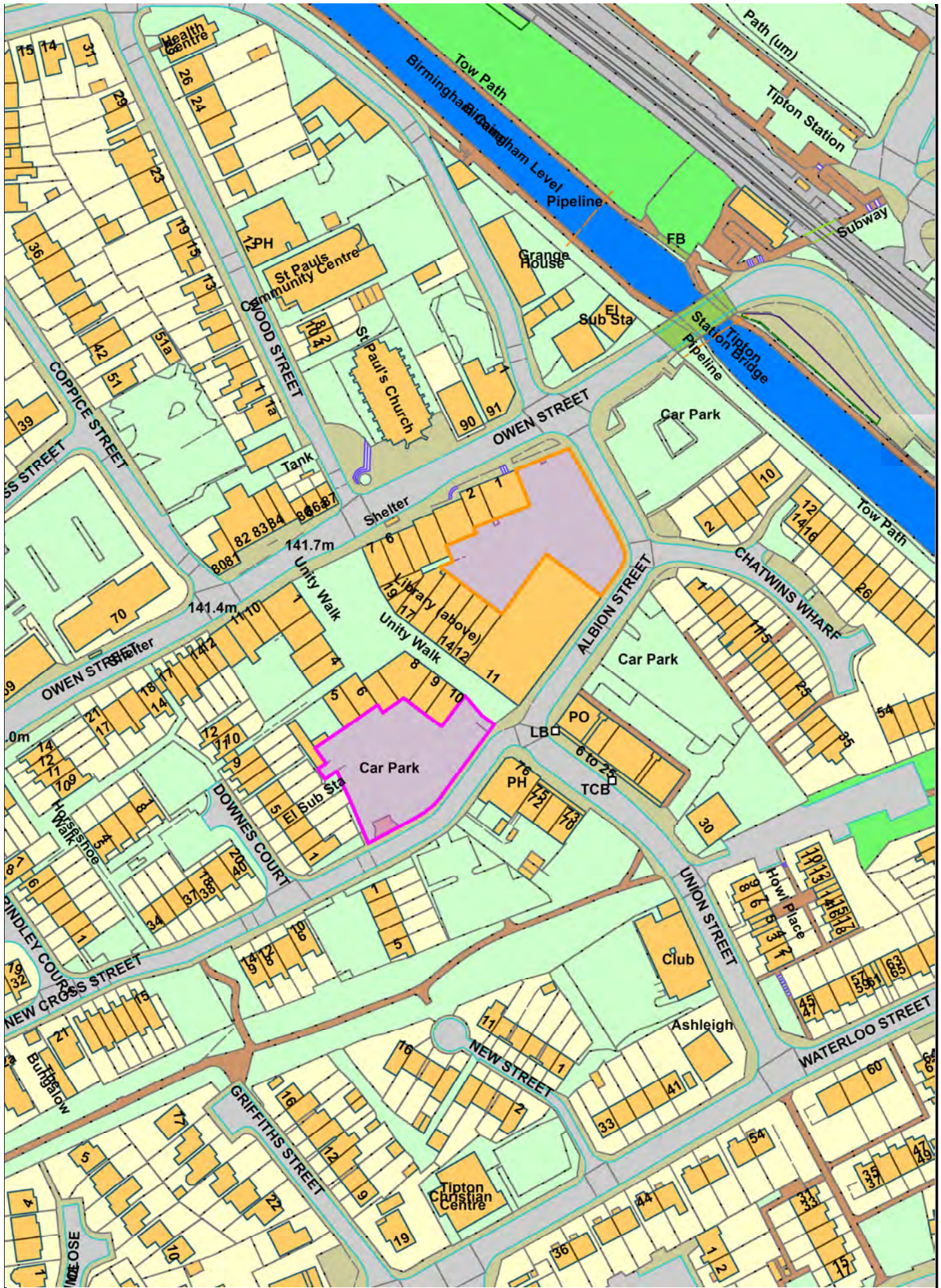


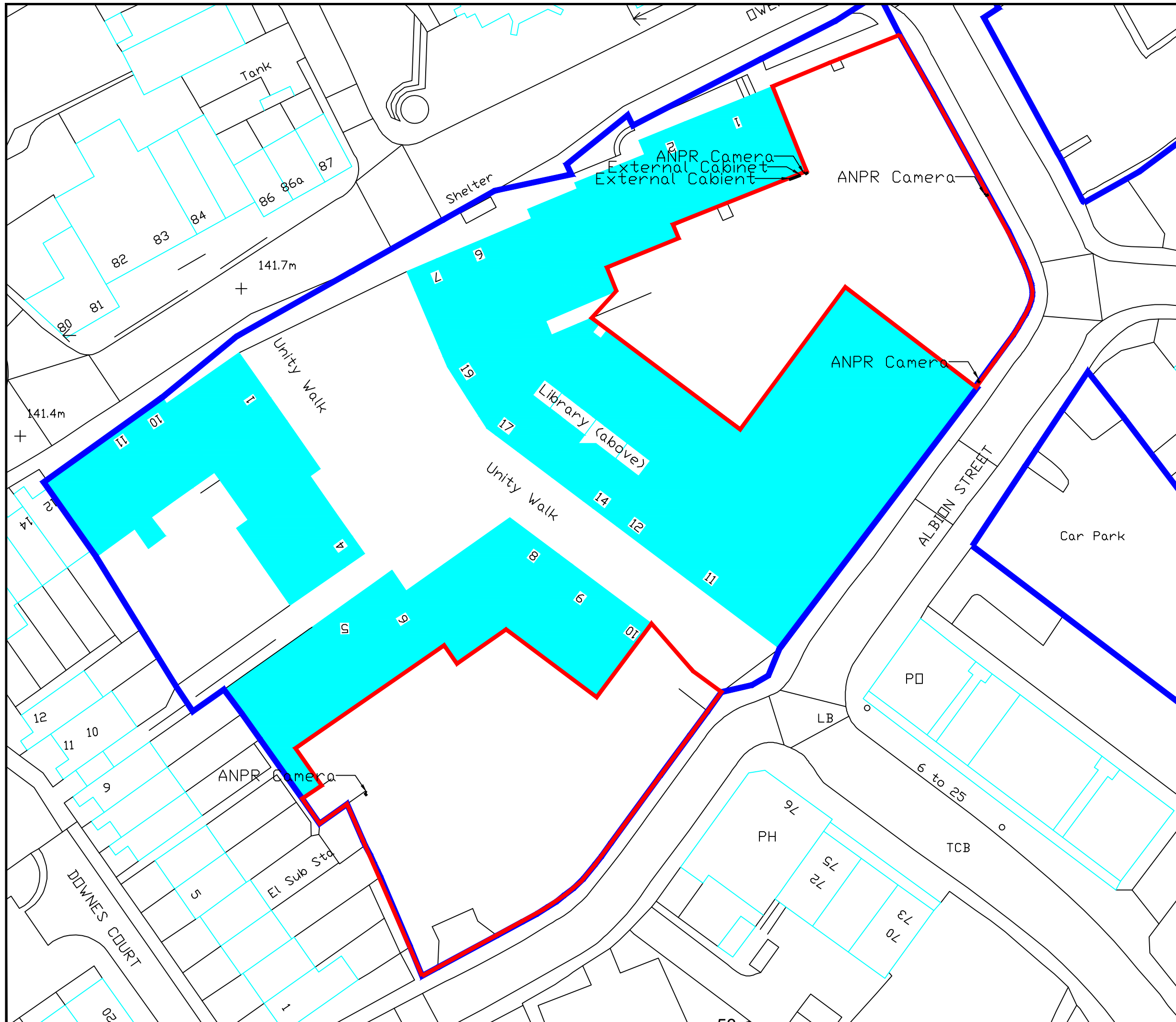
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Organisation	Not Set
Department	Not Set
51 Comments	Not Set
Date	21 May 2020





**Notes:**

1. Contractors to check dimensions and notify any discrepancies or errors to the company immediately.
2. Work to figured dimensions only and to be checked before commencement of work on site.
3. Do not scale off this drawing.
4. All dimensions in millimeters unless otherwise stated.

**Legend**

- Location Plan
- Site Plan

Rev	Purpose Of Issue	Drn	Ckd	App	Date



Office Contact:  
 40 Eaton Avenue, Matrix Park  
 Buckshaw Village, Chorley,  
 Lancashire, PR7 7NA

Tel: 01772 450 970  
 Fax: 01772 450 979  
 Email: [ops.civils@parkingeye.co.uk](mailto:ops.civils@parkingeye.co.uk)

Client:  
 PBM Debury Limited

Project:  
 The Tipton Shopping Centre

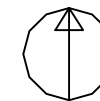
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 Site Plan

Purpose: Information	Drawn: <i>Faden Fish</i>	Date: 13/02/2020
Status: Planning	Checked: <i>S. Lang</i>	Date:
Scale @ A3: 1:500	Approved: <i>S. Lang</i>	Date:

Drg. No: C-36976-002.A	Rev: A
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**Legend**

- Location Plan
- Site Plan

Rev	Purpose Of Issue	Drn	Ckd	App	Date
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40 Eaton Avenue, Matrix Park  
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Tel: 01772 450 970  
Fax: 01772 450 979  
Email: [ops.civils@parkingeye.co.uk](mailto:ops.civils@parkingeye.co.uk)

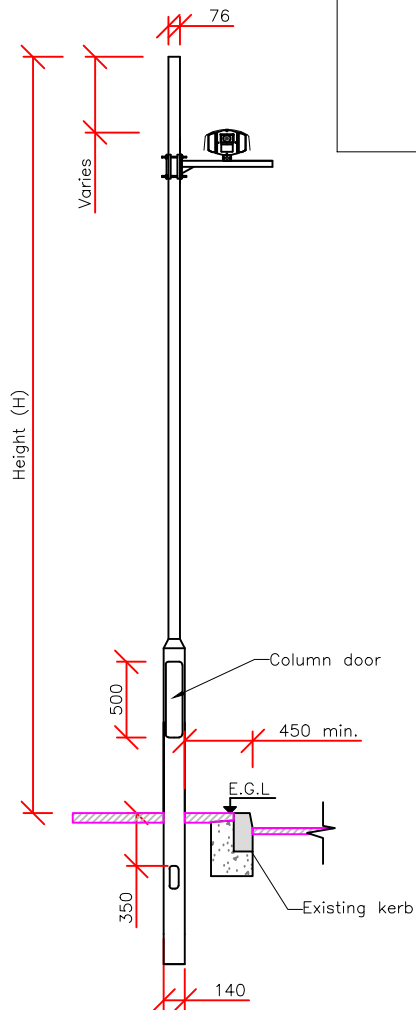
Client:  
PBM Debury Limited

Project:  
The Tipton Shopping Centre

Title:  
Location Plan

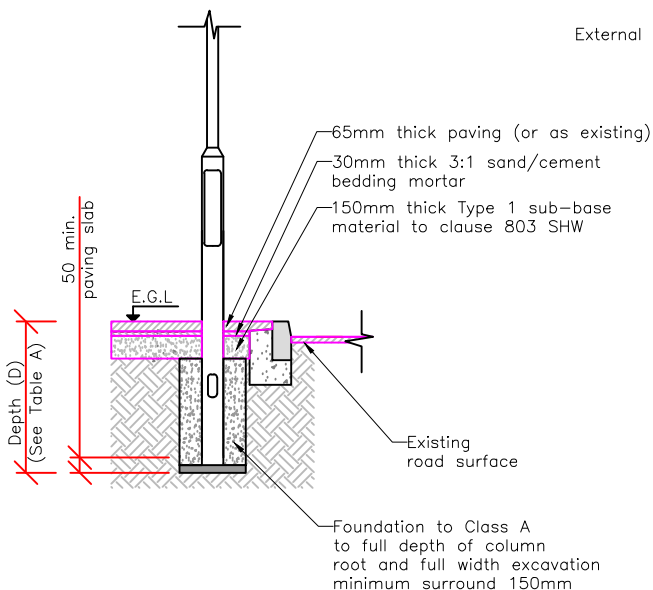
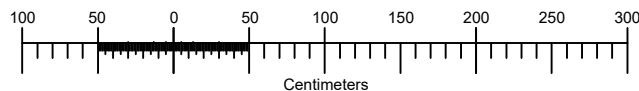
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Status: Planning	Checked: <i>S. Lang</i>	Date:
Scale @ A3: 1:1250	Approved: <i>S. Lang</i>	Date:

Drg. No: C-36976-001.A	Rev: A
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Lighting Column and Camera  
General Arrangement Detail

TABLE A:	DEPTH (D) (mm)		
	G630 GOOD SOIL	G390 AVERAGE SOIL	G230 POOR SOIL
COLUMN HEIGHT (H) (mm)			
5000	800	1000	1200



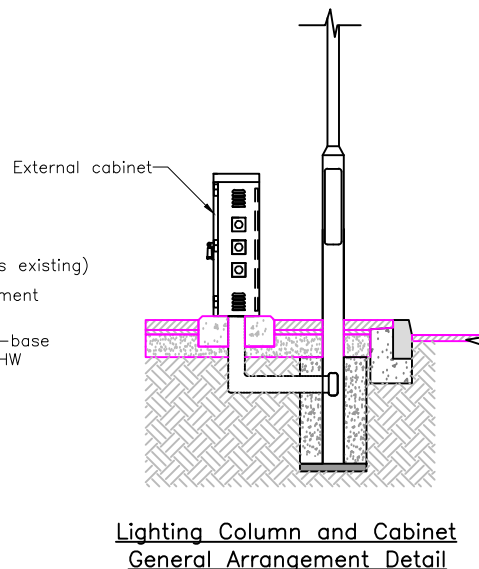
Column Foundation and  
Reinstatement Details

**Soil Type:** (Factor G) (BS 5649 Part 2)

**G630 Good:** Compact, well graded sand and gravel, hard clay, well graded fine and coarse sand, decomposed granite rock and soil. Good material should be well drained and in locations where water will not stand.

**G390 Average:** Compact fine sand, medium clay, compact, well drained sandy loam, loose coarse sand and gravel. Average soils should be drained sufficiently well that water does not stand on surface.

**G230 Poor:** Soft clay, clay loam, poorly compacted sand, clays containing a large amount of silt and vegetable matter, and made ground. Poor soils will normally be wet and have poor drainage.



Lighting Column and Cabinet  
General Arrangement Detail

**Notes:**

- Contractors to check dimensions and notify any discrepancies or errors to the company immediately.
- Work to figured dimensions only and to be checked before commencement of work on site.
- Do not scale off this drawing.
- All dimensions in millimetres unless otherwise stated.
- For further details of external cabinet and base, refer to drawing number C-0000-004.

A	For Information	DAO	DAO	CL	01/06/2014
Rev	Purpose Of Issue	Dm	Ckd	App	Date



Office Contact:  
40 Eaton Avenue, Matrix Park  
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Tel: 01772 450 970  
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Email: [ops.civils@parkingeye.co.uk](mailto:ops.civils@parkingeye.co.uk)

Client: ParkingEye

Project: Standard Details

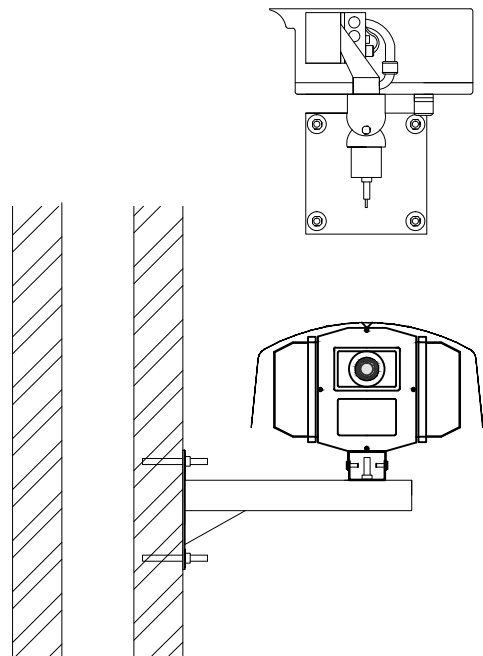
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General Arrangement

Purpose: Information  
Drawn: *S. Long*  
Date: 17/02/2017

Status: Information  
Checked:  
Date:

Scale @ A4: 1:50  
Approved: *S. Long*  
Date: 17/02/2017

Drg. No: C-0000-001  
Rev: A



**KEY FEATURES:**

- The ability to capture multiple lanes of traffic with a single camera;
- An increased field of view meaning less time spent aligning cameras high reliability and read accuracy;
- No requirements for lane management in certain situations;
- A more accurate ANPR recognition engine.

**Notes:**

1. Contractors to check dimensions and notify any discrepancies or errors to the company immediately.
2. Work to figured dimensions only and to be checked before commencement of work on site.
3. Do not scale off this drawing.
4. All dimensions in millimetres unless otherwise stated.

A	For Information	DAO	DAO	CL	01/06/2014
Rev	Purpose Of Issue	Dm	Ckd	App	Date



Office Contact:  
40 Eaton Avenue, Matrix Park  
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Tel: 01772 450 970  
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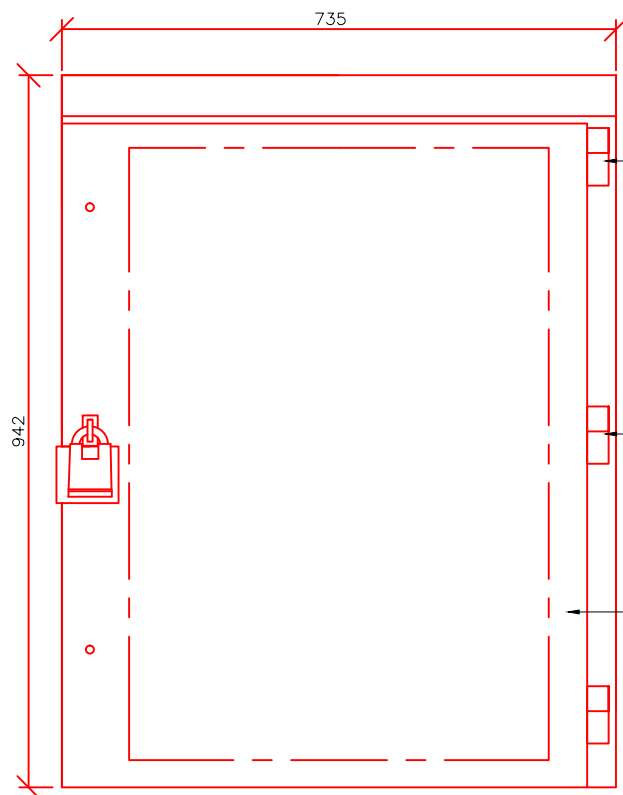
Client: ParkingEye

Project: Standard Details

Title: Phantom Camera Details

Purpose: Information	Drawn: <i>S. Lang</i>	Date: 16/02/2017
Status: Information	Checked: <i>A. Beagley</i>	Date: 16/02/2017
Scale © A4: NTS	Approved: <i>S. Lang</i>	Date: 16/02/017
Drg. No: C-0000-006	Rev: A	

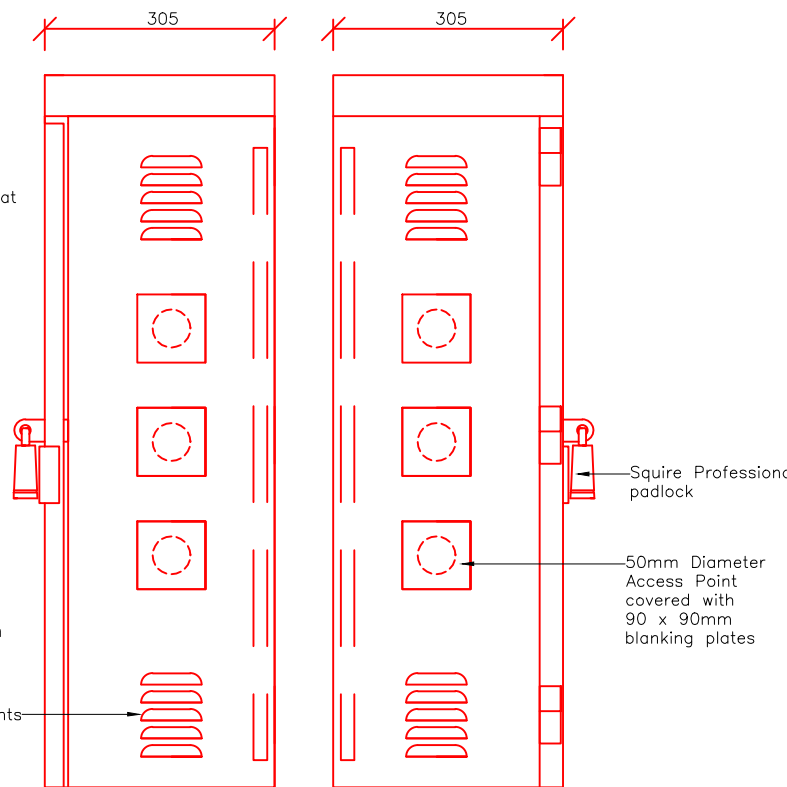




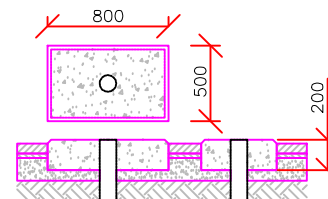
External Cabinet  
Front Elevation  
Scale 1:10



External Cabinet  
Plan  
Scale 1:10



External Cabinet  
Side Elevations  
Scale 1:10



External Cabinet Base  
Scale 1:50

- Notes:**
- Contractors to check dimensions and notify any discrepancies or errors to the company immediately.
  - Work to figured dimensions only and to be checked before commencement of work on site.
  - Do not scale off this drawing.
  - All dimensions in millimetres unless otherwise stated.

A	For Information	DAO	DAO	CL	01/06/2014
Rev	Purpose Of Issue	Dm	Ckd	App	Date



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40 Eaton Avenue, Matrix Park  
Buckshaw Village, Chorley,  
Lancashire, PR7 7NA

Tel: 01772 450 970  
Fax: 01772 450 979  
Email: [ops.civils@parkingeye.co.uk](mailto:ops.civils@parkingeye.co.uk)

Client: ParkingEye

Project: Standard Details

Title: External Cabinet Details

Purpose: Information  
Drawn: *D. O'Riordan*  
Date: 01/06/2014

Status: Information  
Checked: *D. O'Riordan*  
Date: 01/06/2014

Scale © A4: As Shown  
Approved: *S. Lee*  
Date: 01/06/2014

Drg. No: C-0000-004  
Rev: A

We wish to confirm that ParkingEye are the controller in respect of personal data captured by our ANPR systems, terminals and payment machines on site. PBM Debury Limited have no relationship with these categories of personal data, they would only be the controller in respect of vehicle registrations provided to ParkingEye for whitelist purposes, staff permits for example. In addition to which, they would be the controller of any information provided by PBM Debury Limited instructing ParkingEye to cancel Parking Charges issued on site at their request.

For the purposes of having a high level view of our approach to managing personal data, we confirm access to personal data on our system is only available to ParkingEye employees that require it based on role specific permissions. We also enforce a clear workspace policy that is available to all staff to ensure no personal data is left unattended for any length of time and kept secure at all times. We have a mature, automated data management and retention process in place to ensure all our data including VRMs and other personal data collated through our processes is appropriately protected and handled in accordance with its retention requirement. Data is continually purged and/or anonymised as appropriate. We can confirm that non-contravening vehicle data captured by our ANPR systems is retained for 6 months, with non-contravening images being retained for 90 days. Personal data captured that pertains to a Parking Charge will be retained for longer and is dependent on the lifecycle of the Parking Charge, for example, whether it is paid or cancelled or remains open and is recovered through debt recovery or county court processes, (which may require retention for longer). We continually reassess our needs for the data and review our retention policies in line with the need to retain.

For further information about data subject rights, plus information about the categories of data we process, data transfers, the legal basis for our processing, and the purposes of processing, please visit: <https://www.parkingeye.co.uk/privacy-policy/>

If you have any further questions regarding the above information, please contact us by return to the below address or via [privacy@parkingeye.co.uk](mailto:privacy@parkingeye.co.uk).

## ParkingEye Data Protection Risk Assessment

### **The purpose for the system**

ParkingEye Ltd collect and process personal data captured by our ANPR systems ensure compliance with the terms and conditions of parking on site, and to enforce where necessary. In addition to which, personal data is captured for car park management purposes. This will include, for example, reporting on vehicle turnover and repeat visits in order to improve the customer experience. This information is available to all visitors on signage throughout the car parks. When collecting and processing data captured by the ANPR system ParkingEye is the Data Controller.

### **Description of the processing and scope**

When a vehicle enters or exits the site, a still image is captured which is then time stamped using NTP as well as a 'hit' record that contains the VRM, a location code as well as the date/time it was captured. Our ANPR systems will capture personal data of every vehicle that enters or exits the car park where a VRM is present and readable.

### **Estimated data volume**

This is entirely dependent on the traffic flowing through the car park on any given day and will ultimately vary from site to site.

### **Data Retention**

We can confirm that non-contravening vehicle data captured by our ANPR systems is retained for 6 months, with non-contravening images being retained for 90 days. Personal data captured that pertains to a Parking Charge will be retained for longer and is dependent on the lifecycle of the Parking Charge, for example, whether it is paid or cancelled or remains open and is recovered through debt recovery or county court processes, (which may require retention for longer). We continually reassess our needs for the data and review our retention policies in line with the need to retain. We have a mature, automated data management and retention process in place to ensure all our data including VRMs and other personal data collated through our processes is appropriately protected and handled

in accordance with its retention requirement. Data is continually purged and/or anonymised as appropriate.

### **Data security and access controls**

Data is collected at site either on a physically secured ANPR server facility or locally on the camera and transmitted securely to our data processing facility via a Virtual Private Network (VPN) connection. The interaction between the camera and central solution can also be pushed from the camera to an API over HTTPS encrypted end-to-end using TLS (Transport Layer Security) typically over the public internet via a 3G/4G cellular network or business grade ADSL service. No integration requests originate outside of the camera's localised network, meaning the devices are securely firewalled away with no exposed ports to the outside world reducing the threat attack surface. ParkingEye have a number of sites delivered over a site-to-site VPN. Cayenne is ParkingEye's purpose built (in-house) car park management solution, facilitating the complete parking life cycle. Our in-house Technical Operations teams get access to dashboards, offering real-time visibility of devices in the wild and their health. Each site is assigned a dedicated Technical Owner who not only has an intimate knowledge of the site installation and client, but has access to tools to proactively monitor sites, giving them a holistic view of car park operational health. If a device or ANPR camera has not sent a heartbeat to Cayenne for a configurable period of time, this is brought to the attention for investigation through both dashboards and notifications. For the purposes of having a high level view of our approach to managing personal data, we confirm access to personal data on our system is only available to ParkingEye employees that require it based on role specific permissions. We also enforce a clear workspace policy that is available to all staff to ensure no personal data is left unattended for any length of time and kept secure at all times.

### **Identified risks**

The personal data captured in the first instance by the ANPR systems consists of the VRM, the vehicles location and the time/date of their visit. If these were to be compromised, there would be very little risk as it would require additional personal data to positively identify someone from just their VRM. This risk is solely associated with ParkingEye Ltd as the data controller, the owner/leaseholder of the car park would not be responsible in relation to data protection as they have no relationship with the data.

Please note that the still images of vehicles entering and exiting the car park are captured to focus only on the VRM, any driver, passenger or member of the public passing through would not be identifiable.

### **Mitigating measures**

The ANPR servers use NTP to regularly verify the accuracy of the local time clock with any adjustments being logged thus ensuring that all images are captured and stamped with an accurate time and date. Network Time Protocol (NTP) is a widely used standard to accurately synchronise computer time over wide area networks. Information provided above in relation to cyber security mitigates the risk of any unauthorised third party access to data captured by the ANPR systems on site.

### **Residual risks**


None to the landowner or leaseholder of the car park.

### **Responsible officer or Information Asset Owner**

Please refer any query in relation to personal data captured by our ANPR systems via email to [privacy@parkingeye.co.uk](mailto:privacy@parkingeye.co.uk). They will then be reviewed by our in-house data protection specialist and a response provided accordingly.

## REPORT TO PLANNING COMMITTEE

8 July 2020

<b>Application Reference</b>	DC/20/64077
<b>Application Received</b>	5 March 2020
<b>Application Description</b>	Proposed 10 No new dwellings.
<b>Application Address</b>	Vacant Land Off Junction Of Britannia Road/Greenwood Avenue Rowley Regis
<b>Applicant</b>	Sandwell MBC
<b>Ward</b>	Blackheath
<b>Contribution towards Vision 2030:</b>	
<b>Contact Officer(s)</b>	Name: Carl Mercer Tel: 0121 569 4048 Email: <a href="mailto:carl_mercer@sandwell.gov.uk">carl_mercer@sandwell.gov.uk</a>

### **RECOMMENDATION**

That planning permission is granted subject to no objection from the Lead Local Flood Authority, the submission of satisfactorily amended plans to address minor design points and to conditions concerning:

- (i) External materials;
- (ii) Finished floor levels;
- (iii) Site investigation in respect of contaminated land;
- (iv) Drainage;
- (v) Boundary treatments;
- (vi) Landscaping;
- (vii) Secure cycling provision;
- (viii) Electric vehicle charging infrastructure being installed;
- (ix) Energy statement;
- (x) Review of parking restrictions and highway street furniture;
- (xi) Employment and skills plan;
- (xii) Provision/retention of parking spaces; and
- (xiii) 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, and one objection has been received.
- 1.2 To assist members with site context, a link to Google Maps is provided below:

[Britannia Road/Greenwood Avenue, Rowley Regis](#)

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

- 2.1 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;  
Access, highway safety and parking; and  
Flood risk.

## **3. THE APPLICATION SITE**

- 3.1 The application site is situated on the corner of Britannia Road and Greenwood Avenue, Rowley Regis.
- 3.2 The site forms part of the grounds of Blackheath Primary School and formally accommodated a teaching block. The teaching block has been demolished and the site has come forward for redevelopment.

## **4. PLANNING HISTORY**

- 4.1 There is some relevant planning history:
- 4.2 PD/19/01206 Proposed demolition of two storey building - former Science Block - 01.07.2019

## **5. APPLICATION DETAILS**

- 5.1 The applicant proposes to erect 10 dwellings for social rent comprising of two, four bedroom and eight, two bedroom dwellings.
- 5.2 Five of the dwellings would be accessed from Britannia Road, while the remainder would be accessed from Greenwood Avenue.

5.3 The design of the dwellings would be two storey, semi-detached house types.

## **6. PUBLICITY**

6.1 The application has been publicised by site notice (due to Covid-19 restrictions on service at the time the application was submitted), with one letter of objection being received.

### **6.2 Objections**

Objections have been received on the following grounds:

- (i) Safeguarding issues – the development is adjacent to a primary school;
- (i) Highway safety/parking concerns; and
- (ii) Loss of trees/impact on wildlife

### **6.3 Responses to objections**

I respond to the objector's comments in turn:

- (i) The concern is not a material planning consideration and the school is already surrounded and overlooked by residential properties. Whilst West Midlands Police have raised a query with regards to 'overlooking', no concern in respect of safeguarding has been stated. Notwithstanding this, comments could only be considered in respect of design matters, not safeguarding.
- (ii) Highways raise no objection to the application subject to conditions. The area is already subject to a Traffic Regulation Order and a review of this Order is recommended by Highways by way of condition.
- (iii) The removal of the trees did not require consent and is not part of this application. The objector refers to the felling of trees around the site perimeter, which was carried out before the start of the nesting season. Furthermore, these trees were not protected by Tree Preservation Orders.



## **7. STATUTORY CONSULTATION**

- 7.1 **Planning Policy** – No objection, subject to compliance with ENV7 ‘Renewable Energy’ and provision of EVC bays. This can be ensured by condition.
- 7.2 **Highways** - No objection. Highways’ comments are made on the basis of a review and implementation of the existing Traffic Regulation Order in place in the vicinity, as well as the review and possible relocation of street furniture. This can be achieved by condition. However, I have no significant concerns with regards to parking provision and general highway safety matters.
- 7.3 **Urban Design** – Comments received in respect of the orientation of some of the plots, appearance, landscaping, boundary walls and materials. Whilst some of these matters can be addressed by condition, the agent is currently working towards addressing the outstanding matters and amended plans are anticipated.
- 7.4 **West Midlands Police** – No objection. All relevant matters raised can be largely addressed by the amended plans and conditions.
- 7.5 **Lead Local Flood Authority** – The LLFA is yet to comment, but a drainage strategy has been submitted and I currently have no reason to suspect any significant issues, in advance of the LLFA’s response.
- 7.6 **Severn Trent** - No objection subject to condition.

## **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 H2: Housing Windfalls  
SAD H3: Affordable Housing  
SAD EMP2: Training and Recruitment  
SAD EOS9: Urban Design Principles  
SAD DM 5 The Borough's Gateways

- 9.2 CSP4 promotes good design, requiring a bespoke approach to place-making and a high quality of design of the built and natural environment. I am of the opinion that the proposal broadly meets the requirements of the policy.
- 9.3 With regards to HOU2, HOU3 and SAD H2, given that two storey housing is predominate in the surrounding area, the principle of housing and the proposed house types is acceptable in this location. The development would also provide much needed affordable homes, provide a mixture of house types and is within proximity of services and transport links.
- 9.4 HOU3 and SAD H3 set out the requirement for 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.
- 9.5 TRAN4 requires schemes to be well connected to aid cycling and walking, which the layout of this development seeks to provide.
- 9.6 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.
- 9.7 ENV5 seeks the incorporation of sustainable drainage systems to assist with reducing the impact of flooding and surface run-off. Severn Trent has no concerns subject to condition.
- 9.8 ENV7 requires 10% of a qualifying development's energy to be generated by renewable means. 'Fabric first' has been determined as an acceptable method of complying with this policy. An energy statement is required by condition to demonstrate compliance with this policy.
- 9.9 ENV8 refers to mitigation measures to offset air quality issues, in this instance, electric vehicle charging infrastructure can be ensured by condition.
- 9.10 EMP5 and SAD EMP2 requires large employment generating schemes to provide opportunities for training and recruitment. This should be conditioned to secure these opportunities.

9.11 SAD DM 5 is relevant as the site is within a 'gateway' area. However, given the site is not particularly prominent as a gateway site, and the design is of an acceptable quality, I have no concerns.

## **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, subject to the receipt of satisfactorily amended plans.

### **10.4 Access, highway safety, parking and servicing**

No objections have been received from Highways subject to conditions, as referred to above.

### **10.5 Flood risk**

Comments from the LLFA are expected, but no insurmountable issues are anticipated to arise.

### **10.7 Security and safety**

Secure boundary treatments can be ensured by condition.

## **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 Policy Framework (8), 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

00XXAS-003 REV-A

60619706/SK/01

H5DCHAP(08)04

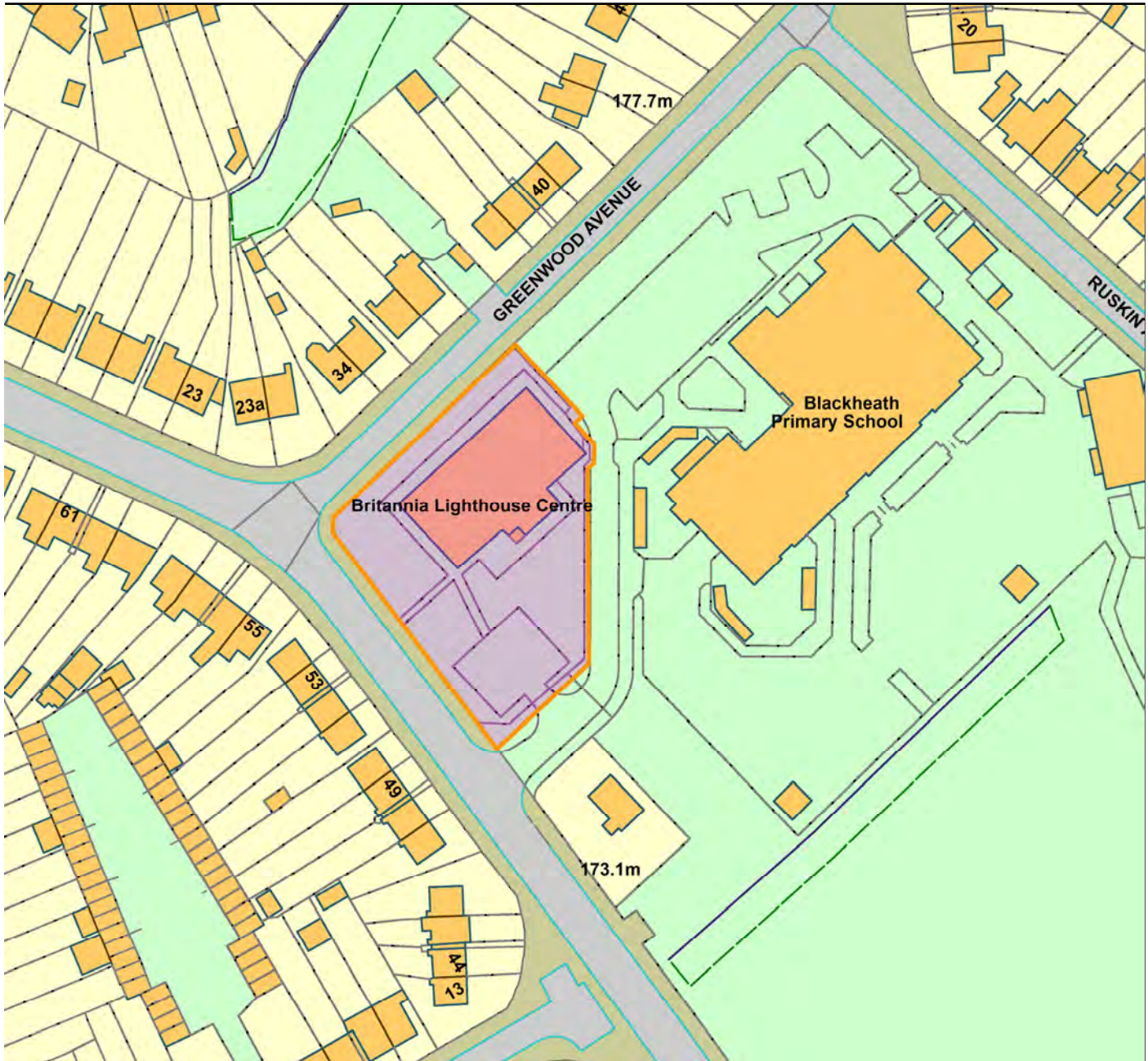
ZZAP(08)03

00ZZAS(3-) 02 REV-B

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DC/20/64077

Vacant Land off Junction of Britannia Road

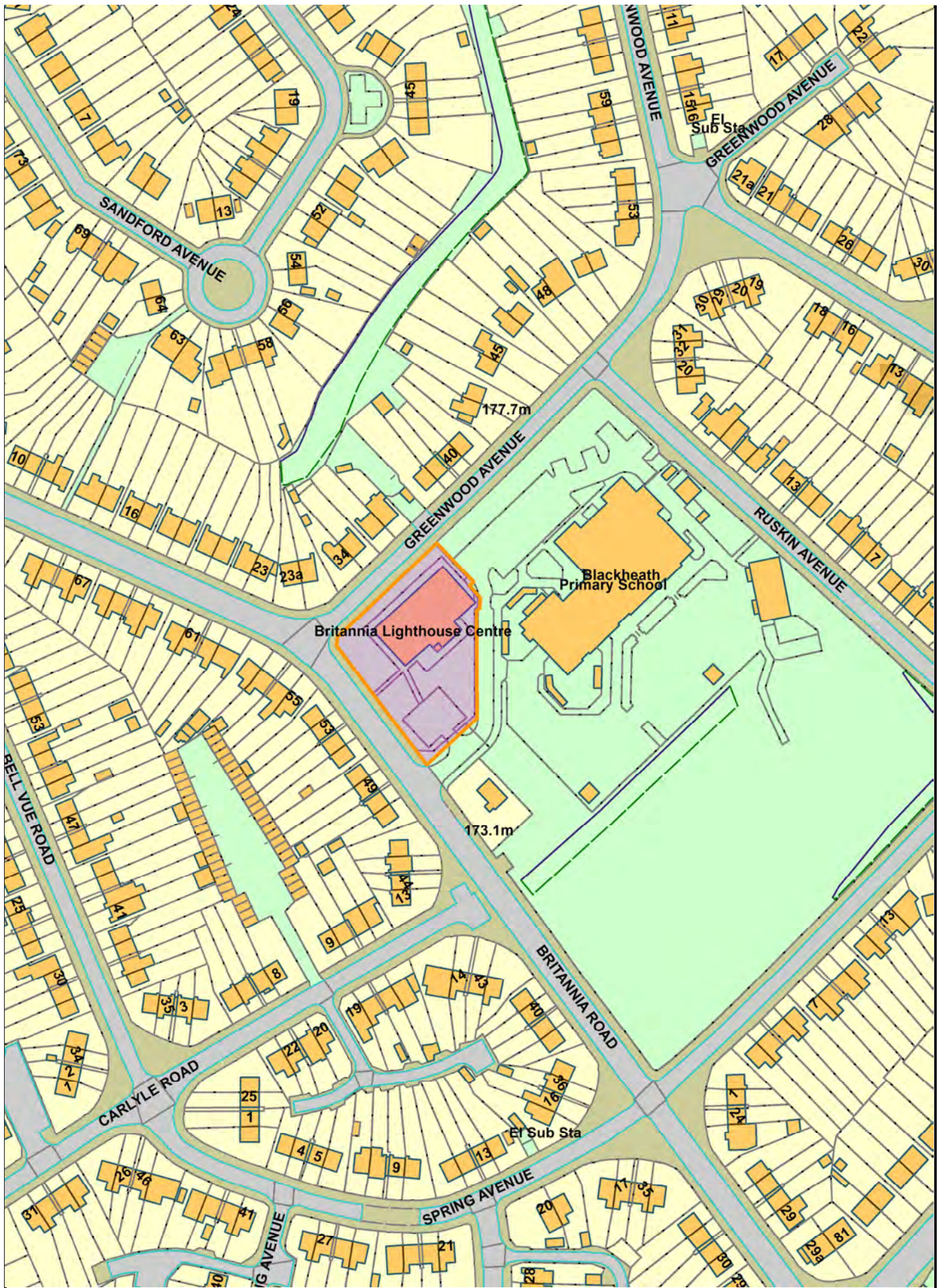


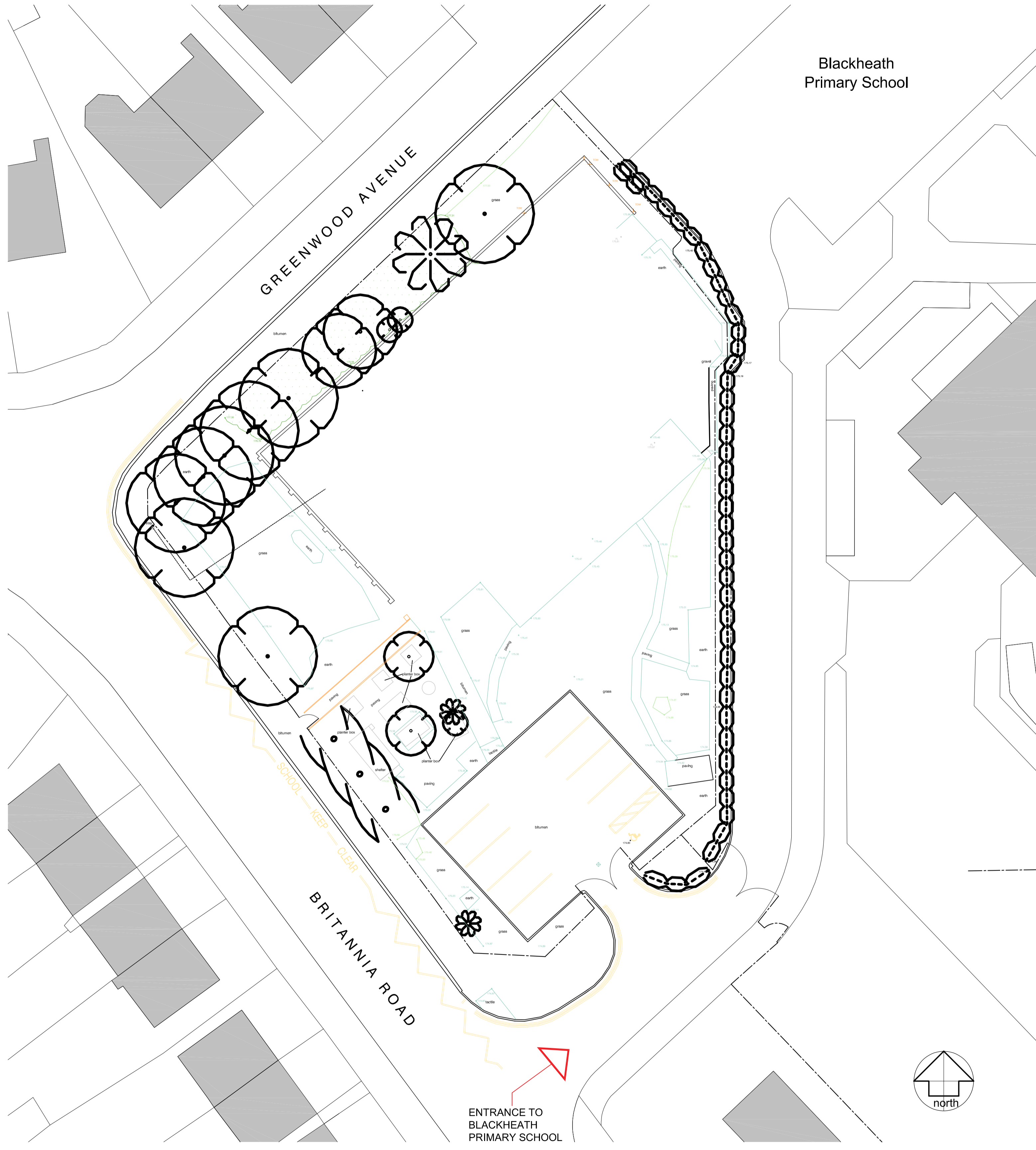
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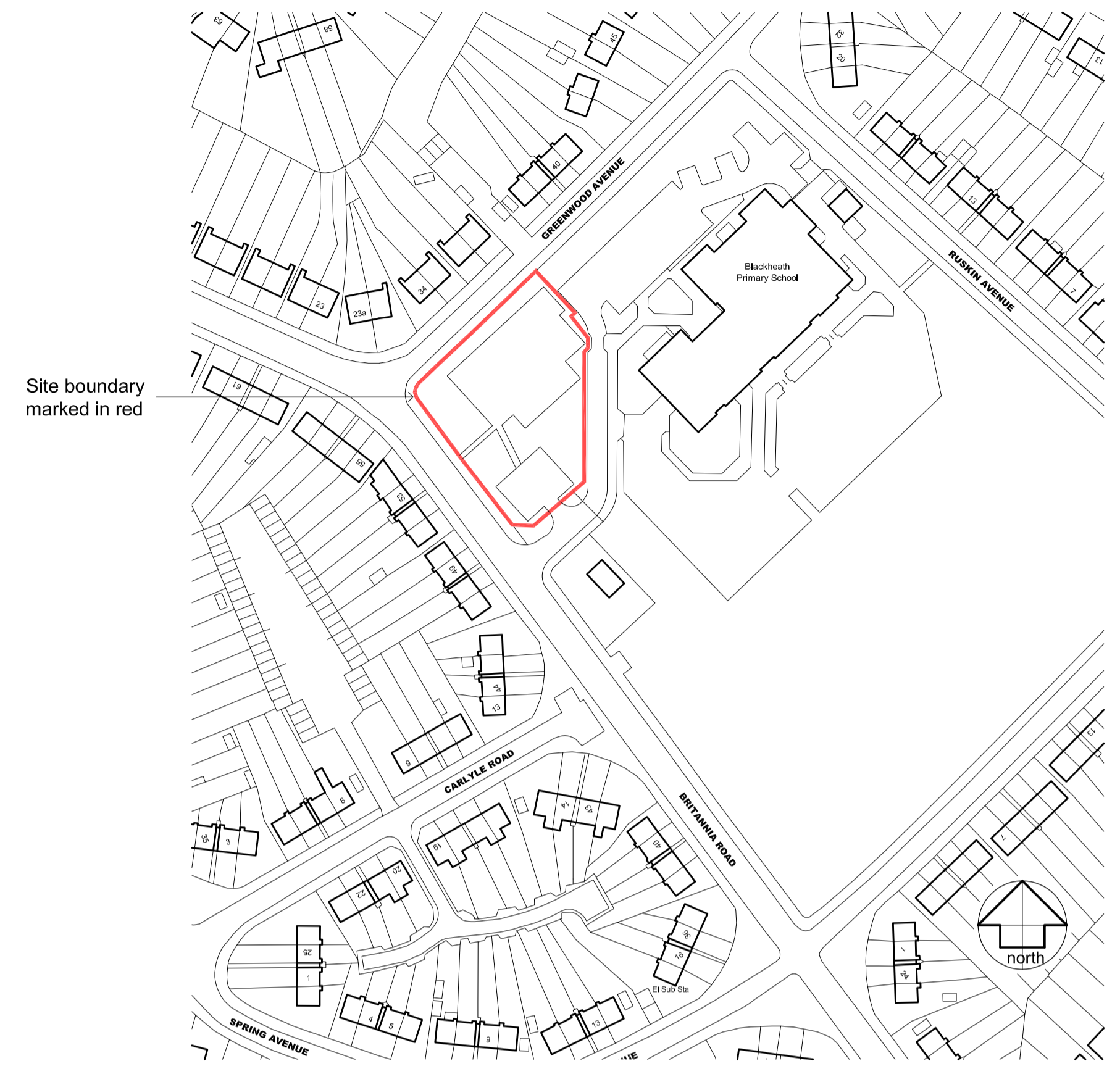
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Ordnance Survey Licence No 100023119

Organisation	Not Set
Department	Not Set
70 Comments	
Date	24 June 2020





Existing Site Plan scale 1:200



Site Location Plan scale 1:1250

Site boundary marked in red

Denotes 1800 high steel palisade fence to site boundary

Denotes 1800mm high PPC steel palisade fence to site boundary

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.

North Point:

Key Plan:

Rev	Date	Revision Note	By	Check



Project: PROPOSED HOUSING DEVELOPMENT  
 Location: FORMER BRITANNIA LIGHTHOUSE CENTRE  
 BRITANNIA ROAD/GREENWOOD AVENUE ROWLEY REGIS  
 Sheet title: EXISTING SITE LAYOUT  
 Status: S0

Drawn by	Date	Checked
SC	NOV 2019	

Scale at A1	Scale at A3
1:200	1:400

Rev	Level	Classification	Sheet No.	Subsity	Ver/Rev
00	ZZ	AS(3-)	01		

Job No: Q17027  
 Contractors Drawing No. (if required)  
 Urban Design & Building Services  
 Sandwell Council House  
 Fresh Street, Oldbury,  
 B19 3DE  
 Tel: 0121 569 4541

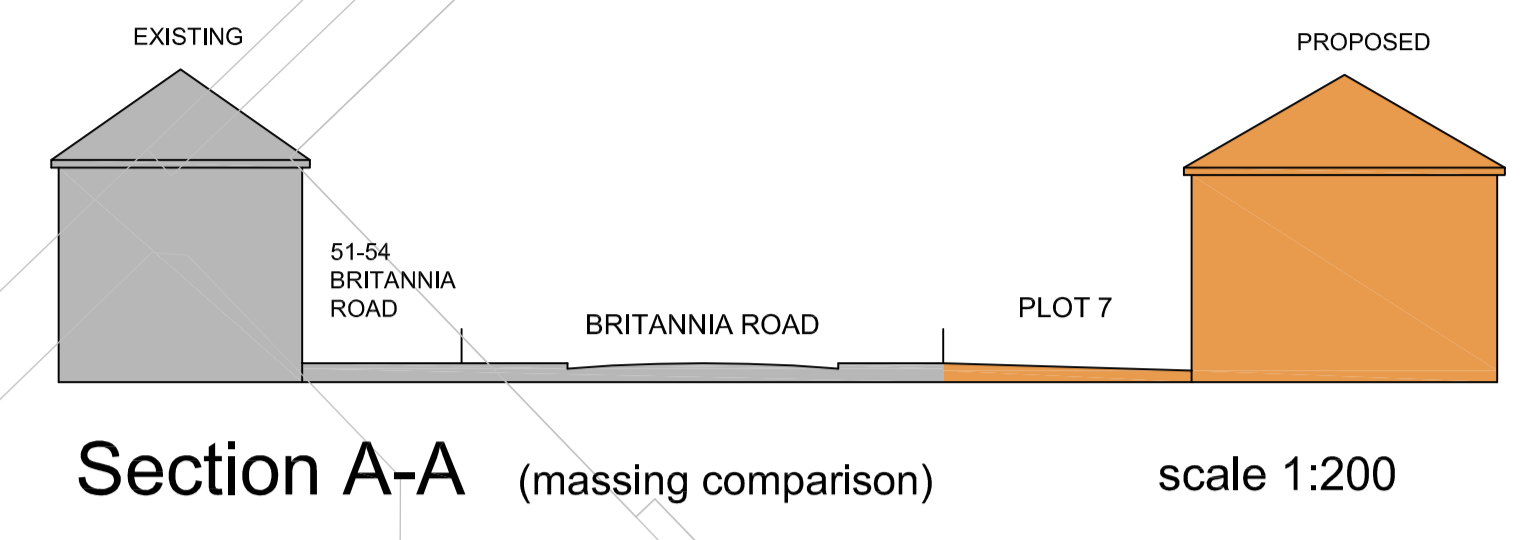




Notes  
 The Contractor will be responsible for setting out the work.  
 All dimensions must be obtained or checked on the site.  
 Figure dimensions to be used in preference to scale.



Proposed Site Plan scale 1:200



Section A-A (massing comparison) scale 1:200


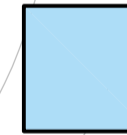



Site boundary marked in red

Proposed retaining wall (to be confirmed)

Blackheath Primary School

**ALL NEW HOUSES ARE TO BE SOCIAL HOUSING**

**Key to Site Plan**

-  House (see type above)
-  Parking
-  Path (front garden)
-  Paving (rear garden)
-  Grass (soft landscaping)

Schedule of Accommodation				
PLOT No.	REF.	BEDS	TYPE	PLAN REF *
PLOT 1	H9	2 BED	SEMI	AS DRAWN
PLOT 2	H1	2 BED	SEMI	AS DRAWN
PLOT 3	H1	2 BED	SEMI	HANDED
PLOT 4	H9	2 BED	SEMI	HANDED
PLOT 5	H5	4 BED	SEMI	AS DRAWN
PLOT 6	H5	4 BED	SEMI	AS DRAWN
PLOT 7	H9	2 BED	SEMI	AS DRAWN
PLOT 8	H1	2 BED	SEMI	AS DRAWN
PLOT 9	H1	2 BED	SEMI	HANDED
PLOT 10	H9	2 BED	SEMI	HANDED

\* For details of H1 & H9 pair - see drawing AP(08)-03  
 For details of H5 pair - see drawing AP(08)-04

North Point:

Key Plan:

Rev C 17/03/20 Plan references added. SC  
 Rev B 12/12/19 Section A-A, hipped roofs, bay window to H9, added. SC  
 Rev A 31/12/19 Housing layout reconfigured boundary reduced. SC  
 Hipped roofs added. SC

Rev	Date	Revision Note	By	Check



Project: PROPOSED HOUSING DEVELOPMENT  
 Location: FORMER BRITANNIA LIGHTHOUSE CENTRE  
 BRITANNIA ROAD/GREENWOOD AVENUE ROWLEY REGIS  
 Sheet title: PROPOSED SITE LAYOUT

Drawn by	Date	Checked
SC	NOV 2019	
Scale at A1	Scale at A3	
1:200	1:400	

Zone	Level	Classification	Sheet No.	Subsity	Ver/Rev
00	ZZ	AS(3-)	02		B

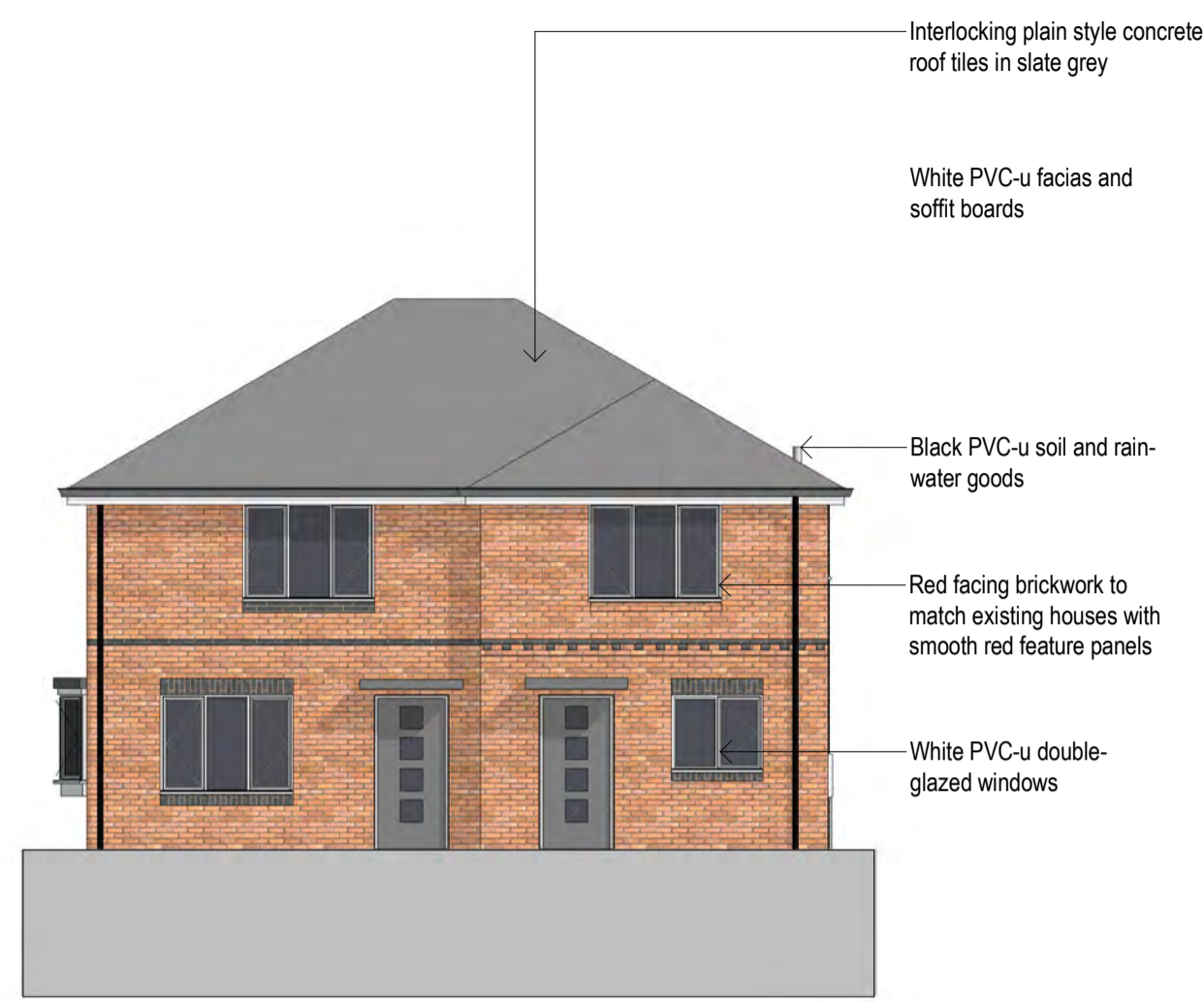
Job No. Q17027  
 Contractors Drawing No. (if required)

Urban Design & Building Services  
 Sandwell Council House  
 Freeth Street, Oldbury,  
 B69 3DE  
 Tel: 0121 569 4541

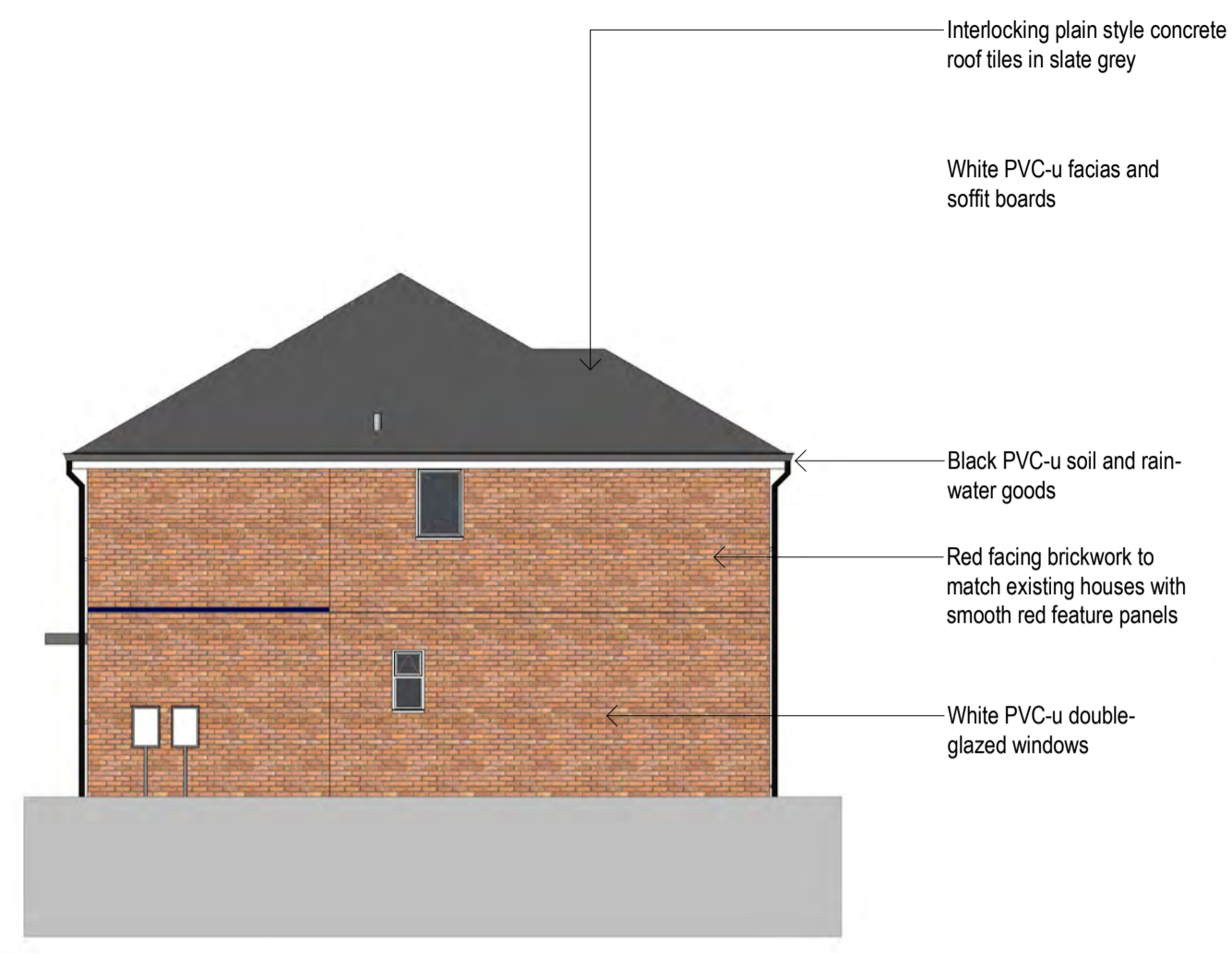




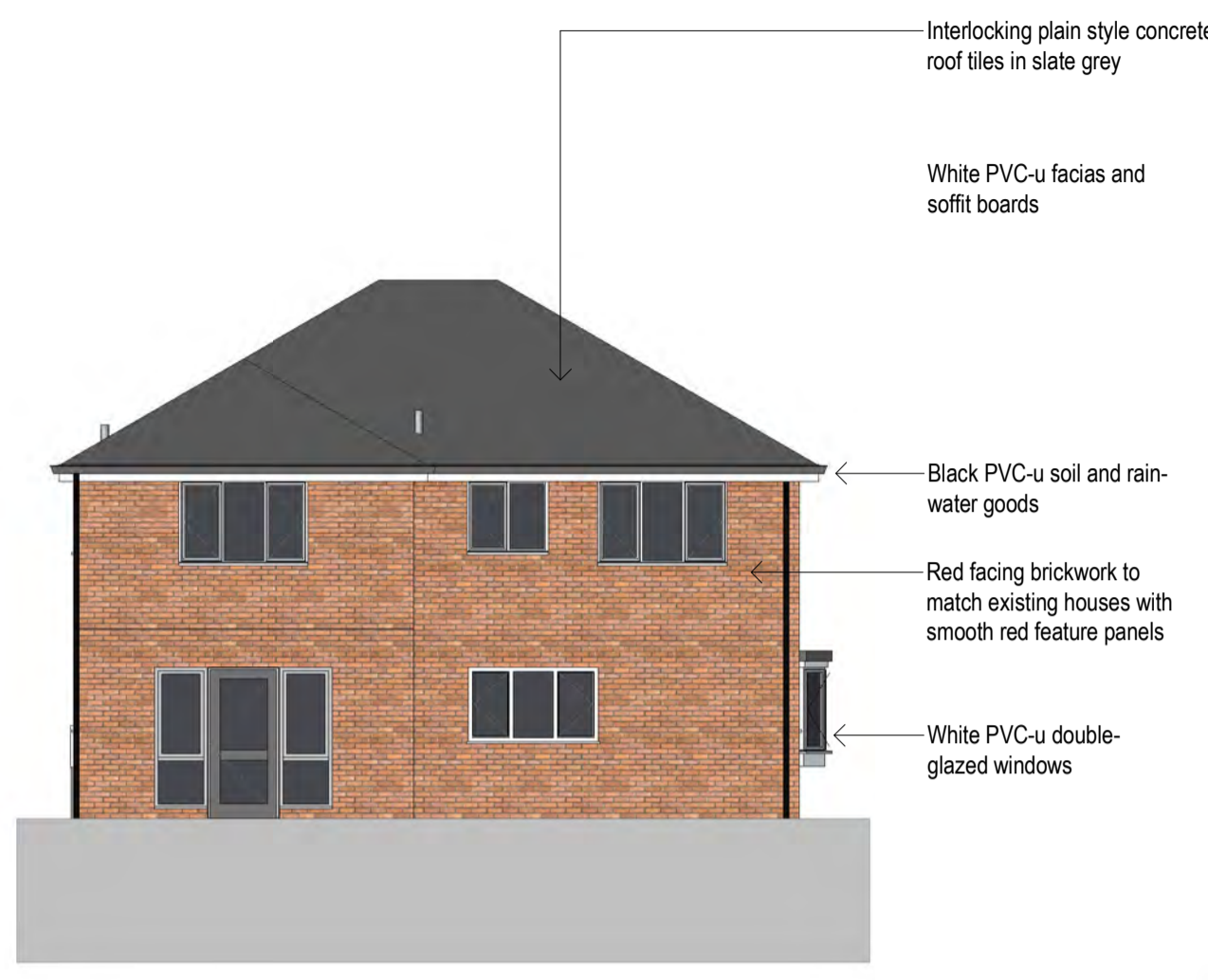
**Notes**  
 The Contractor will be responsible for setting out the work.  
 All Dimensions must be obtained or checked on the site.  
 Figured dimensions to be used in preference to scale.



**3 Elevation - Front**  
 1 : 100



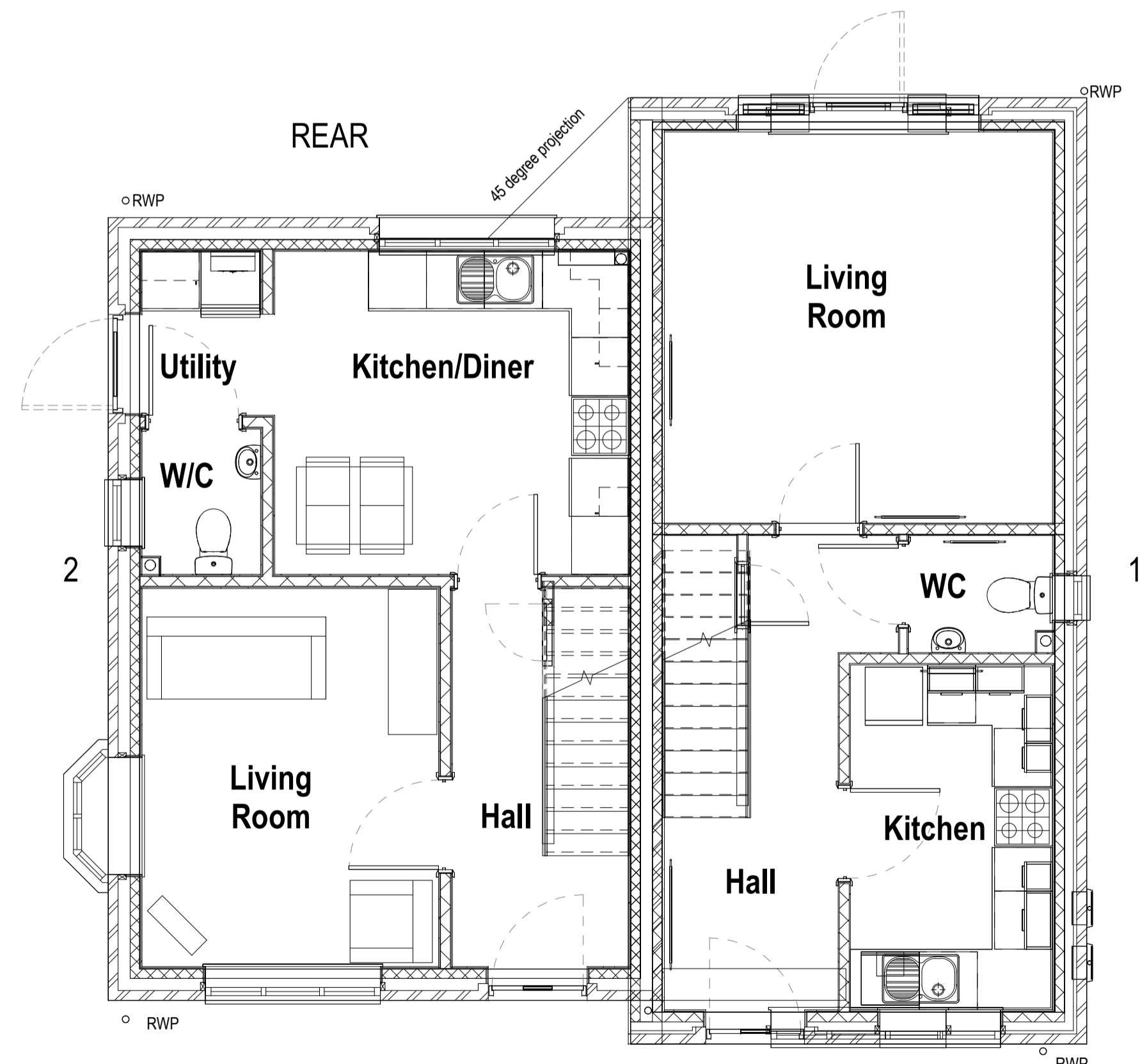
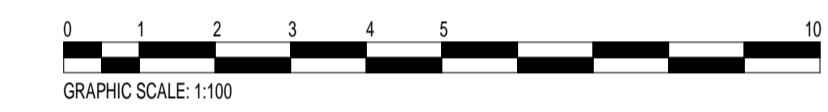
**4 Elevation - Side 1**  
 1 : 100



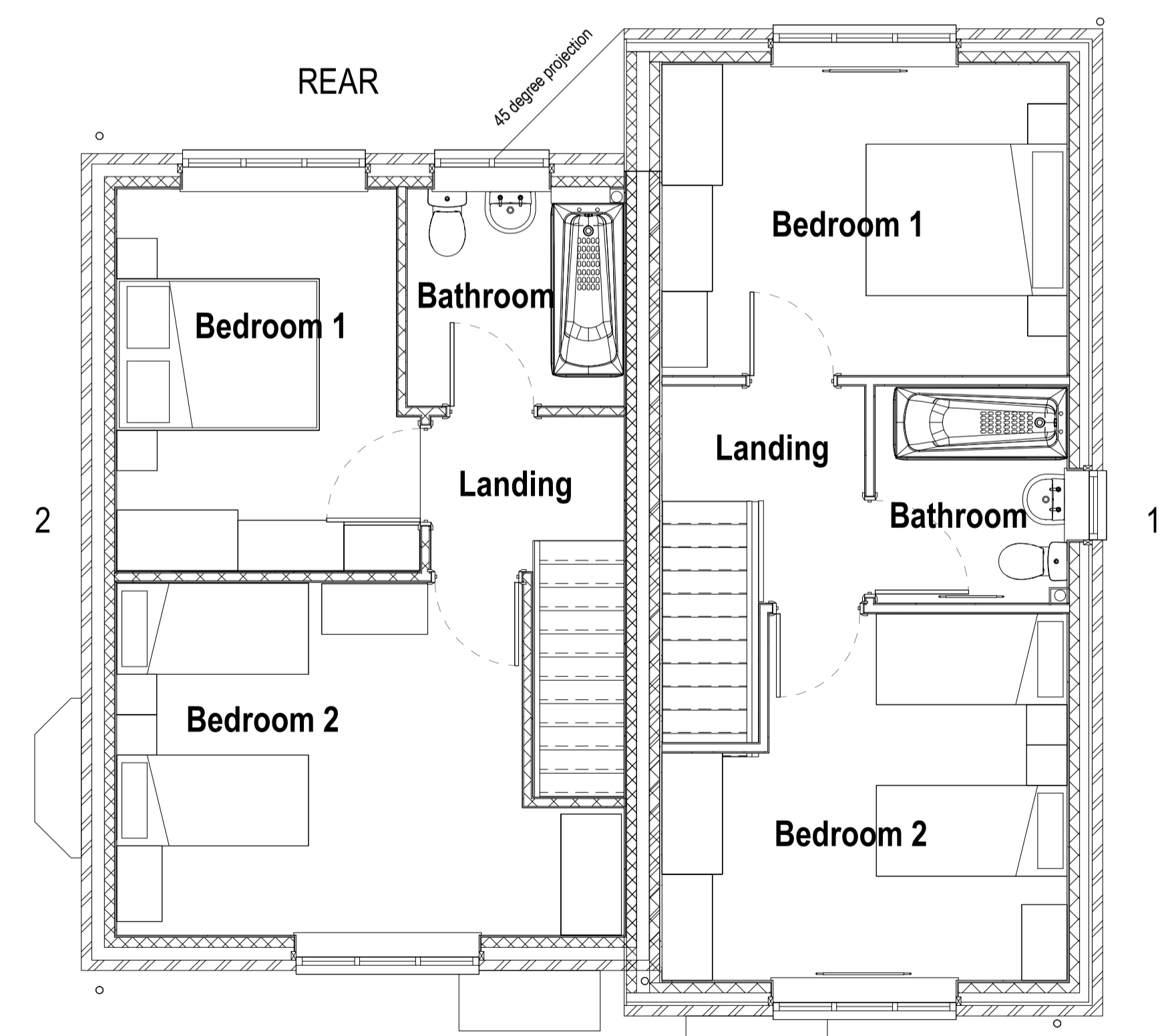
**5 Elevation - Rear**  
 1 : 100



**6 Elevation - Side 2**  
 1 : 100



**1 Ground Floor**  
 1 : 50



**2 First Floor**  
 1 : 50

**H1 & H9**

North Point:  
 +

Key Plan:

Issue	Date	Issue Note	By	Check



Project Title  
 Proposed Housing Development  
 Location  
 Britannia Road/Greenwood Avenue  
 Rowley Regis, Sandwell, West Midlands  
 Sheet Title  
 Plans & Elevations - H1 & H9 2 Bed Semi Pair

Zone	Level	Classification	Sheet No.	Subsity	Ver/Rev
ZZ		AP(08)	03	S2	


Job No.  
 Q17023

Urban Design & Building Services  
 Sandwell Council House  
 Fresh Street,  
 Oldbury,  
 B69 3DE  
 Tel: 0121 959 4541



## REPORT TO PLANNING COMMITTEE

8 July 2020

<b>Application Reference</b>	DC/20/64149
<b>Application Received</b>	27 March 2020
<b>Application Description</b>	Further temporary approval of micro bar use for one year with external areas to be open to customers between 12:00 to 21:00hrs daily; subsequent to temporary approval of planning application DC/18/61502 (change of use from a convenience store to a micro bar (drinking establishment)).
<b>Application Address</b>	45 - 47 Regent Road Oldbury B69 1TR
<b>Applicant</b>	Mr Delwyn Sharpe
<b>Ward</b>	Tividale
<b>Contribution towards Vision 2030:</b>	
<b>Contact Officer(s)</b>	Name: Carl Mercer Tel: 0121 569 4048 Email: <a href="mailto:carl_mercer@sandwell.gov.uk">carl_mercer@sandwell.gov.uk</a>

### **RECOMMENDATION**

That temporary planning permission is granted subject to the following conditions:-

- (i) The use authorised by this permission shall be discontinued at the expiration of a period of one year from the date of this permission;
- (ii) The approved vehicle parking area shall be kept clear at all times for the parking of vehicles and shall remain laid out and in place for the lifetime of the development;
- (iii) The use shall only be open to the public between 12:00 and 23:00 hours Monday to Friday (vacated by 23:30 hours), and 12:00 to 00:00 hours Saturday and Sunday (vacated by 00:30 hours), with no deliveries outside of these hours;
- (iv) External areas of the premises shall only be open to customers between the hours of 12:00 and 21:00 hours each day, except for the purpose of smokers complying with smoke-free legislation. Drinks

shall not be permitted in external areas outside of these hours on any day;

- (v) No amplified live or recorded music shall be played at the premises;
- (vi) There shall be no external plant equipment installed unless first being agreed in writing by the local planning authority;
- (vii) The commercial waste storage area shall be retained as such; and
- (viii) The use hereby approved shall be personal to the applicant only.

## **1. BACKGROUND**

- 1.1 This application is being reported to your Planning Committee as three objections have been received.
- 1.2 To assist members with site context, a link to Google Maps is provided below:

[45 - 47 Regent Road, Oldbury](#)

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

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

Government policy (NPPF);  
Planning history;  
Access, highway safety, parking and servicing;  
Anti-social behaviour/fear of crime; and  
Noise and disturbance from the scheme.

## **3. THE APPLICATION SITE**

- 3.1 The application site consists of two former retail units situated on the corner of Regent Road and Elm Terrace, Oldbury. For the past two years, the premises have been trading as a microbrewery called 'Tivi-ale'.

## **4. PLANNING HISTORY**

- 4.1 The previous, temporary approval is relevant to this case. This was approved subject to conditions by Planning Committee for a period of two years and issued on 18 June 2018:
- 4.2 DC/18/61502 Proposed change of use from a convenience store to a micro bar (drinking establishment) - Temporary approval 18.06.2018

- 4.2 The reason for the temporary consent was to allow the Council to monitor and review the impact of the use on highway safety and residential amenity.

## **5. APPLICATION DETAILS**

- 5.1 The applicant is applying for a further temporary consent for one year, and to extend the hours by which patrons can use the external drinking area by one hour. Currently, the area is closed to patrons at 8pm, by way of condition. The applicant wishes to extend this period to 9pm.

## **6. PUBLICITY**

- 6.1 The application has been publicised by neighbour notification letter, with three objections being received.

### **6.2 Objections**

Objections have been received on the following grounds:

- i) Noise;
- ii) Highway matters; and
- iii) Anti-social behaviour/fear of crime.

### **6.3 Responses to objections**

I respond to the objectors' comments in turn;

- (i) Public Health (Noise) has confirmed that they have received no significant complaints regarding noise or disturbance relating to the premises since the two-year temporary permission was granted. However, concerns were raised by the extension of the hours for the external drinking areas. As part of the current application, the applicant originally applied for permanent consent of the use and wanted this area to remain open until 10pm. As the temporary consent was originally issued in order for the Council to monitor the impact of the use on the surrounding area, the use of the external hours beyond 8pm was not part of this initial monitoring. Given the comments from Public Health in regard to noise, I did not think it would have been appropriate to consider a permanent consent for the use of the external areas outside of the hours originally agreed for the temporary consent. Therefore, the applicant has agreed to compromise on a further one-year temporary consent and an extension of the use of the external drinking hours to 9pm. This can be monitored and reviewed should permanent consent be applied for next year.

- (ii) Highways have received no complaints or comments during the temporary permission in relation to highways grounds. However, they ask that the parking area should be kept clear at all times. Given the nature of the objectors' comments with regards to highway matters (i.e. the blocking of driveways/visibility), these issues can be monitored further during the temporary period; however, residents should report such instances to the relevant Council departments when they occur.
- (iii) West Midlands Police has no objection to the proposal. Whilst I acknowledge that the fear of crime is a valid consideration, I have been presented with no evidence that alleged increases in anti-social behaviour or crime emanate from the premises.

## **7. STATUTORY CONSULTATION**

7.1 **Highways** – No objection subject to conditions.

7.2 **Public Health (Air Pollution and Noise)** – No objection subject to conditions (as above).

7.3 **West Midlands Police** – 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 None relevant.

## **10. MATERIAL CONSIDERATIONS**

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

### **10.2 Planning history**

Given that no significant concerns were reported to Council departments during the two-year temporary consent period, I am of the opinion that, whilst there are clearly some issues as reported by objectors, these are not appreciable enough to recommend refusal of the application.



However, I am conscious that the initial temporary consent did not permit the external drinking area to function beyond 8pm, and for that reason, a further temporary consent to allow the external area to operate until 9pm is recommended to allow further review.

### **10.3 Access, highway safety, parking and servicing**

Again, as no issues were reported to Highways during the temporary period, and Highways raise no objection, in my opinion, refusal on highway grounds would not be defensible.

### **10.4 Anti-social behaviour/fear of crime**

Despite the concerns of objectors, my opinion on this matter is very much swayed by the lack of objection from West Midlands Police. However, any significant matters can be reported to the Police or raised with Licensing. I am of the opinion that there is insufficient weight to refuse the application on this consideration.

### **10.5 Noise and disturbance from the scheme**

As discussed in paragraph 10.2, whilst I am of the opinion that these matters are not significant enough to refuse the application, further consideration to the extended hours for the external drinking area during the one year period is required. Issues can also be raised with Licensing.

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

- 11.1 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.

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

- 12.1 On balance, taking into account the matters discussed above, I consider it just to all parties concerned to recommend a further temporary consent of one year 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 equality 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 significant crime and disorder issues with this application.

## **18. SUSTAINABILITY OF PROPOSALS**

18.1 Refer to the National Planning Policy Framework (8), 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**

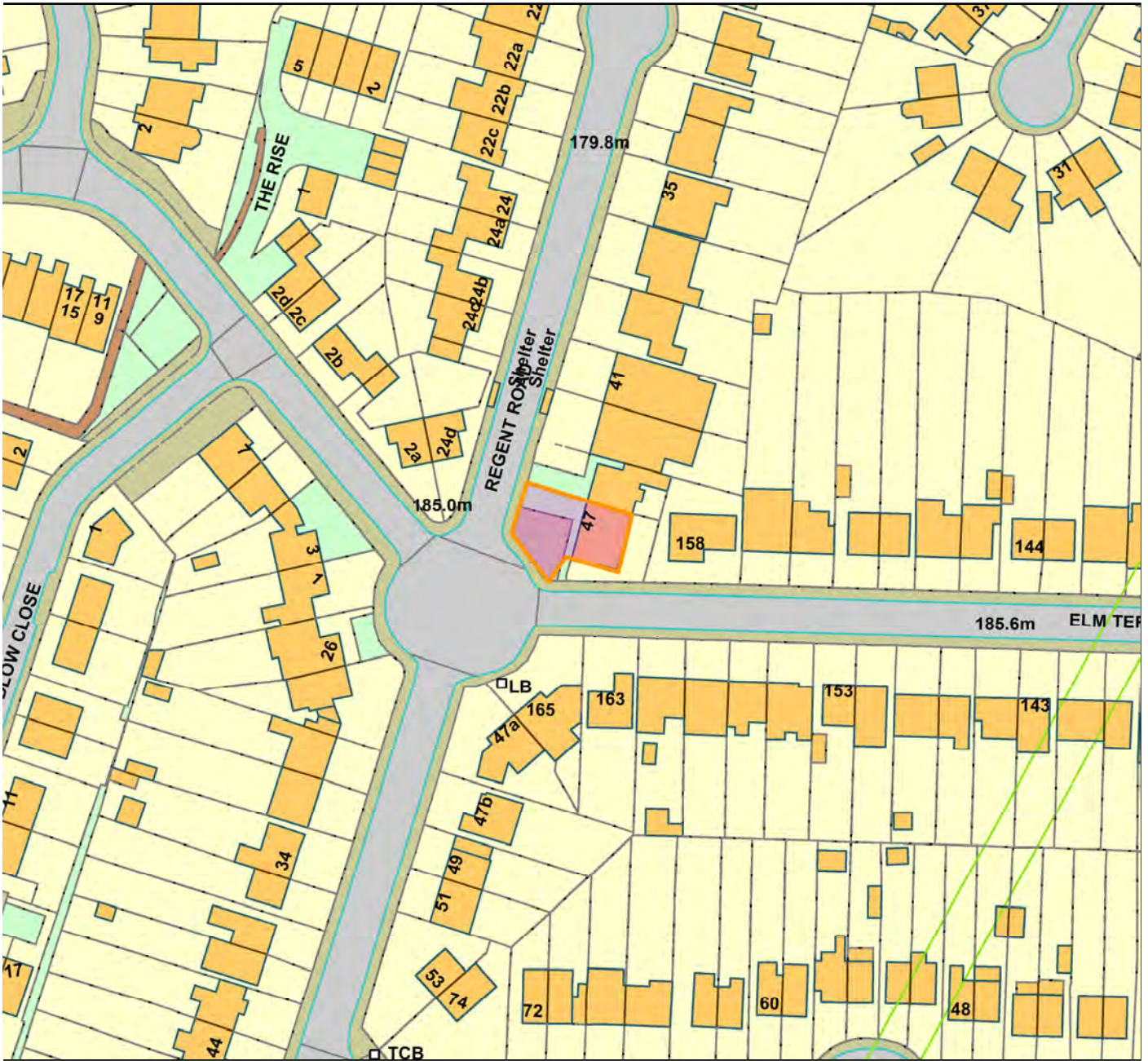
20.1 There will be no impact.

## **21. APPENDICES:**

Site Plan  
Context Plan  
SK01  
2  
Photographs

DC/20/64149

45 - 47 Regent Street, Oldbury, B69 1TR

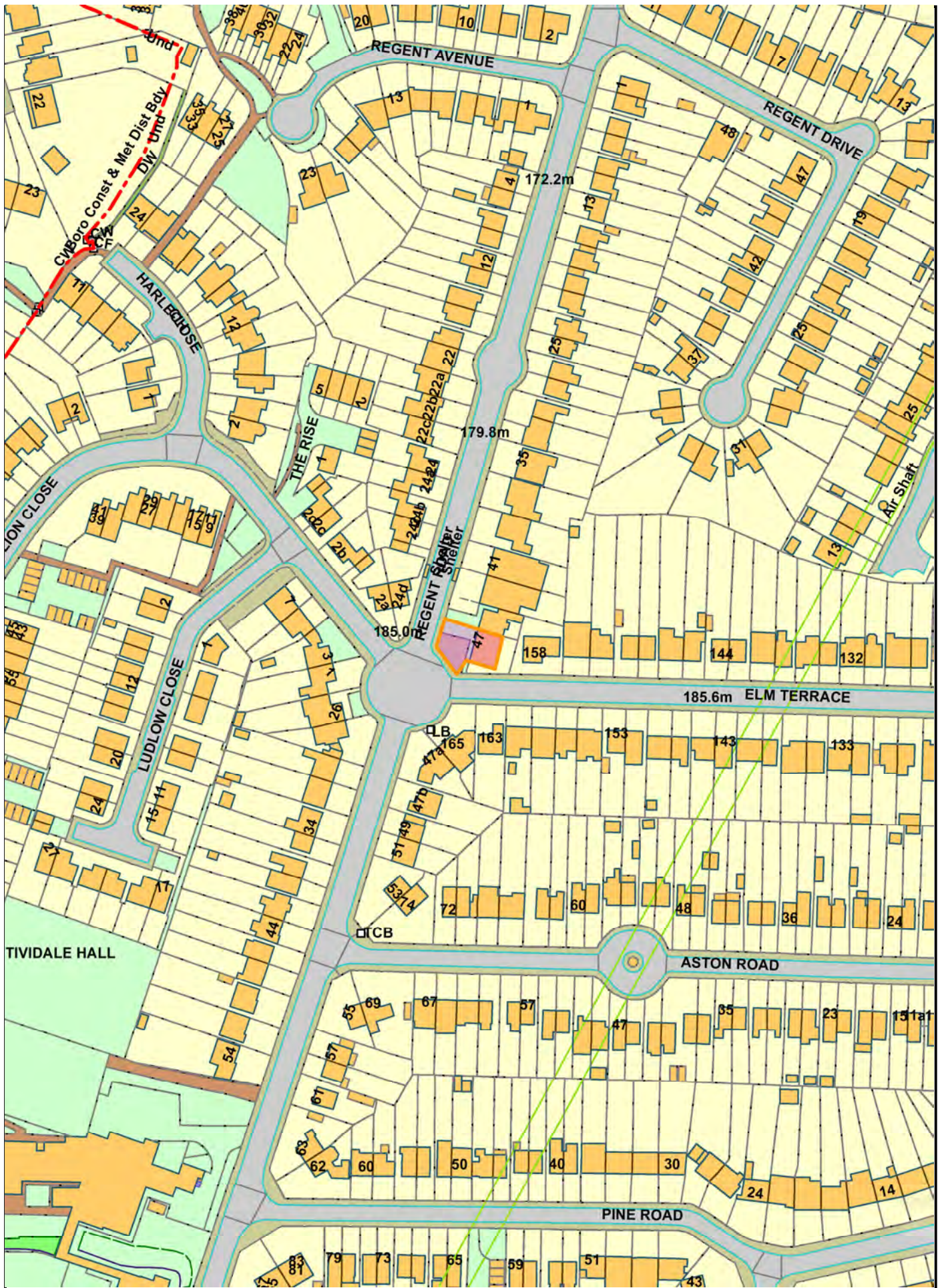


**Legend**



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<b>Organisation</b>	Not Set
<b>Department</b>	Not Set
<b>83 Comments</b>	Not Set
<b>Date</b>	25 June 2020





1 x 2.0m x 6.0m parking bay

4 x 2.4m x 4.8m parking bays

Notes:



**COTSWOLD  
TRANSPORT  
PLANNING**

**Cotswold Transport Planning Ltd**  
 121 Promenade  
 Cheltenham Gloucestershire GL50 1NW  
 Tel: 01242 370283  
 cheltenham@cotswoldtp.co.uk  
 www.cotswoldtp.co.uk

Drawing Title:  
**Proposed Parking Layout**

Client:  
**Delwyn Sharp**

Project:  
**45-47 Regent Road, Oldbury**

Drawing No: SK01	Revision: C
---------------------	----------------

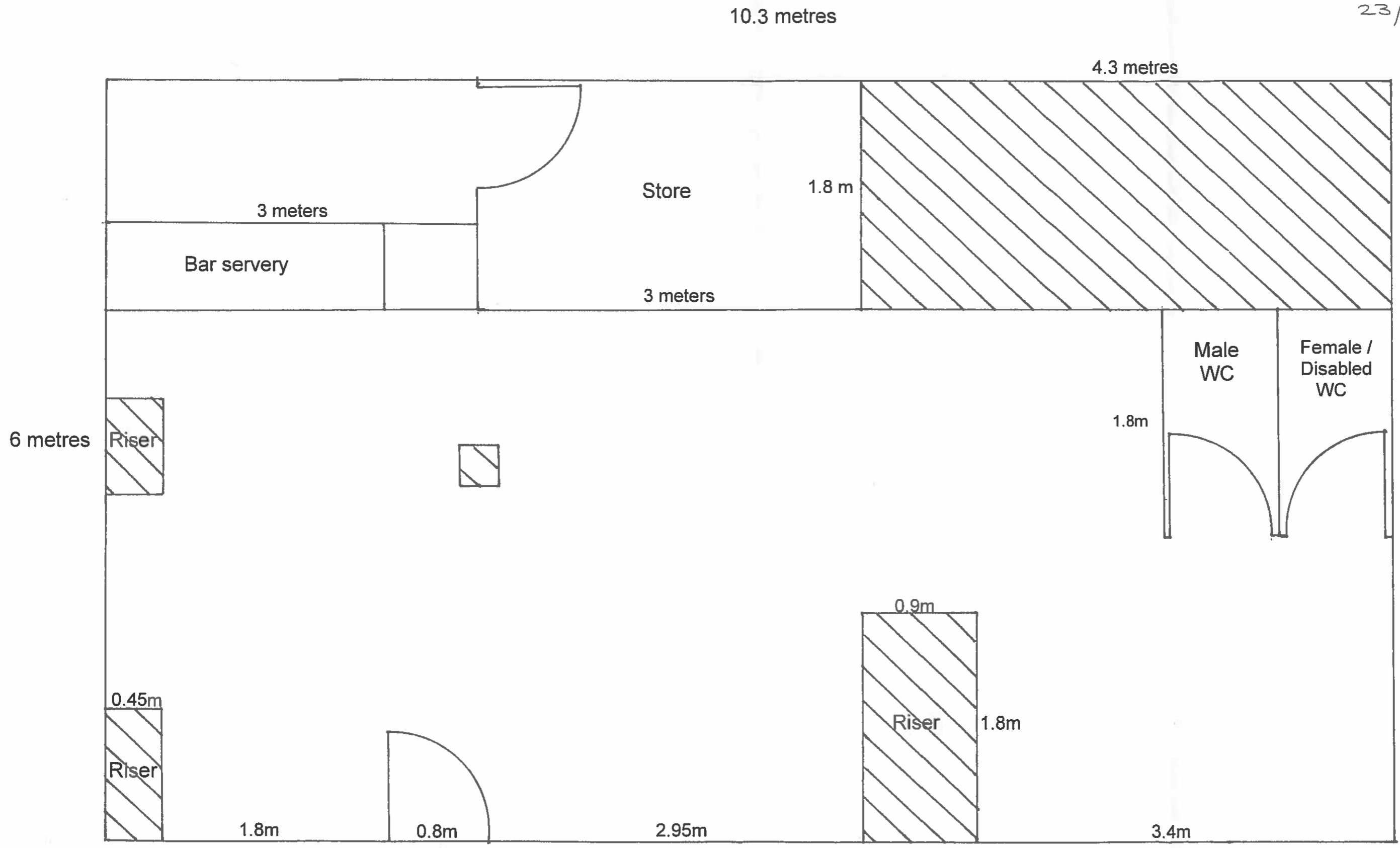
Date Drawn: 10.10.18	Issue Date: 10.10.18
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Drawn by: TG	Checked by: MG
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Project Code: CTP-18-311	Scale at A3: 1:250
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Drawing Status:  
**INFORMATION**


DC/18/61502  
23/2/18



Tivi Ale  
46-47 Regent Road, Tividale, Oldbury B69 1TL  
Scale @ A3: 1 cm:0.3 metres

## REPORT TO PLANNING COMMITTEE

8<sup>th</sup> July 2020

<b>Application Reference</b>	DC/20/64152
<b>Application Received</b>	31 <sup>st</sup> March 2020
<b>Application Description</b>	Proposed Development of 152 No.2,3,4 bedroom dwellings and 82 No.1 and 2 bedroom apartments together with associated roads, car parking, open space and associated works.
<b>Application Address</b>	Land at West Bromwich Street, Oldbury, B69 3AT.
<b>Applicant</b>	Taylor Grange (Oldbury) Ltd & Lovell Homes
<b>Ward</b>	Oldbury
<b>Contribution towards Vision 2030:</b>	
<b>Contact Officer(s)</b>	Mr 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 the approval of Full Council, clarification of highway access to land parcel B, clarification of Air Quality Assessment, District Valuer comments and conditions concerning: -

- (i) External Materials.
- (ii) Implementation and retention of approved car parking spaces to include garages.
- (iii) Review of parking restrictions.
- (iv) Drainage (to include implementation and retention of suds management and maintenance plan).
- (v) Ground conditions.
- (vi) Levels Plan
- (vii) Boundary treatments.
- (viii) Implementation of submitted travel plan.
- (ix) Submission of supplementary detailed site investigation in respect of contaminated land.
- (x) Submission and implementation of coal mining remedial strategy.
- (xi) Site investigation in respect to shallow coalmine workings shall be submitted to and approved by LPA.

- (xii) Submission and implementation of coal mining remedial strategy in respect of surface stability.
- (xiii) Details of an acoustic barrier to the boundary of plots numbers 230 to 234.
- (xiv) Specification and implementation of acoustic glazing and ventilation for properties fronting onto Bromford Road, Fountain Lane and West Bromwich Street
- (xv) Electric vehicle charging points.
- (xvi) Renewable energy.
- (xvii) Hard and soft Landscaping to include tree pit design.
- (xviii) Method Statement for site working.
- (xix) Employment and skills plan.
- (xx) External lighting scheme.
- (xxi) Cycle and refuse stores to be constructed in accordance with the submitted details.
- (xxii) Removal or PD rights for Class A, B, D and E.

## 1. BACKGROUND

- 1.1 This application is being reported to your Planning Committee because the application is a departure from the Development Plan and would require a Section 106 agreement in respect of affordable housing.
- 1.2 The application has been submitted on behalf of the applicant by Nick Bubalo, the former Director of Regeneration and Economy, who is acting in a private capacity as an agent on behalf of the applicant.
- 1.3 To assist members with site context, a link to google maps is provided below:

[West Bromwich Street, Oldbury](#)

## 2. SUMMARY OF KEY CONSIDERATIONS

- 2.1 The Site is allocated for mixed use in the Site Allocations and Delivery Plan Document with reference made to retail and leisure opportunities.
- 2.2 The material planning considerations which are relevant to this application are: -

Government policy (NPPF)  
 Proposals in the Local Plan  
 Overlooking/loss of privacy  
 Loss of light and/or outlook  
 Public visual amenity  
 Layout and density of building



Design, appearance and materials  
Access, highway safety, parking and servicing  
Contamination by a previous use  
Land instability  
Flood risk  
Security and safety

### **3. THE APPLICATION SITE**

- 3.1 The application site is split into two sites located on either side of West Bromwich Street, Oldbury. Both sites have a combined site area of approximately 5.7 hectares. It is bounded by Bromford Road (A4034) to the east, Fountain Lane (B4166) to the north and West Bromwich Street to the west.
- 3.2 Both sites are cleared, and the ground levels fall quite steeply from Church Street/Oldbury Ringway down towards Fountain Lane.
- 3.3 The surrounding area is mixed use in nature with Sandwell Council House to the south, Sandwell Council's staff car park to the south west, semi-detached houses and industrial premises to the north on Fountain Lane and predominantly residential to the south east side of Bromford Road. The site is well served by bus routes and the Sandwell and Dudley Railway Station is about 120m to the east.

### **4. PLANNING HISTORY**

- 4.1 The site has a complex planning history, in November 2004, following a Local Inquiry, the First Secretary of State granted planning permission (ref DC/03/40338) for a mixed use (retail, leisure and office) regeneration scheme on the northern edge of Oldbury Town Centre. The permission was for a larger site than the current application which included the Council's car park and land beyond on Dudley Road (A457). In May 2007, July 2009 and March 2012 the Council granted approval (ref DC/06/46890, DC/07/48773 and DC/11/53841 respectively) for amendments to the permitted scheme. Each approval was subject to a Section 106 Agreement and 28 planning conditions that sought to define and control the scheme. The S106 agreement reflected the increase size of the original scheme which required a number of significant junction improvements and public transportation measures. The application is an extant planning permission following commencement of development, through the marking out of the internal roads and discharge of conditions 5 (broad phasing of development works) and 27 (extent and phasing of drainage works). A further application for a smaller section of the site was granted approval by this committee under application reference DC/16/59067 for a mixed use scheme including retail and restaurants.

4.2 Relevant planning applications are as follows: -

DC/20/63871	Request for a screening opinion in respect of whether an Environmental Impact Assessment (EIA) is required in connection with the proposed development of the above land for residential purposes.	Screening Opinion -EIA Not required. 29.01.2020.
DC/16/59067	Erection of a phased retail (Class A1) development, with three associated food and beverage units (Class A1 shops, A3 restaurants and cafes, A5 hot food takeaways), a 551 space customer car park, and new signal controlled junction to Bromford Road, alongside various public realm improvement works, servicing, soft landscaping, and enhanced pedestrian linkages.	Grant Permission subject to conditions. 31.05.2016.
DC/11/53841	Variation of conditions 4, 13, 21(a), 21(b), 22 and 26, and removal of conditions 23, 24 and 25 of planning permission DC/03/40338, as amended by DC/06/46890 and DC/07/48773 - full planning permission for reclamation and regeneration of former foundry, industrial and other land to provide comprehensive mixed use redevelopment including community leisure, recreational, retail and restaurant uses and associated car parking, landscaping, public transport and highway improvements. Outline permission for the office development.	Grant Permission subject to conditions. 02.03.2012.
DC/07/48773	Section 73 application to vary conditions 4 and 21 of planning permission DC/03/40338 as amended by DC/06/46890 - Full permission for reclamation and regeneration of former foundry, industrial and other land to provide comprehensive mixed use redevelopment including community	Grant Permission subject to conditions. 23.01.2008.

	leisure, recreational, retail and restaurant uses and associated car parking, landscaping, public transport and highway improvements. Outline permission for office development.	
DC/07/48748	Reserved matters application for design, external appearance, and landscaping in relation to DC/03/40338, as amended by DC/06/46890, for proposed office development.	Grant Reserved Matters. 19.12.2007/
DC/06/46890	Section 73 application to vary conditions 4,13,21,23,24 and 25 of permission DC/03/40338. Full permission for reclamation and regeneration of former foundry, industrial and other land to provide comprehensive mixed use redevelopment including community leisure, recreational, retail and restaurant uses and associated car parking, landscaping, public transport and highway improvements. Outline permission for office development.	Grant Permission subject to conditions. 13.12.2006.
DC/03/40338	Full permission for reclamation and regeneration of former foundry, industrial and other land to provide comprehensive mixed use redevelopment including community leisure, recreational, retail and restaurant uses and associated car parking, landscaping, public transport and highway improvements. Outline permission for office development.	Grant Permission subject to conditions. 24.11.2004.
DC/00/36299	Application under S73 to vary condition 2 of planning permission BCS3579 dated 14 Feb 1997 to extend the period for submitting the final details of the landscaping of the site as required by condition 1 (e) of the consent, to 14 Aug 2000.	Grant Outline Permission subject to conditions. 21.03.2000

BCS3579	Demolition of existing foundry and industrial buildings. Erection of comprehensive leisure complex incorporating multiplex cinema and associated car parking.	Grant Outline Permission with Conditions. 14.02.1997.
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## 5. APPLICATION DETAILS

- 5.1 The current application is seeking approval for a residential scheme for 234 dwellings consisting of 152 No. 2, 3, 4 bedroom dwellings and 82 No.1 and 2 bedroom apartments together with associated roads, car parking, open space and associated works.
- 5.2 The design of the dwellings would contain a mixture of apartments, detached, semi detached and terraced dwellings.
- 5.3 The site is split into two parcels of land located on either side of West Bromwich Street. The larger parcel of land would contain 201 dwellings with the smaller site containing 33 dwellings.

## 6. PUBLICITY

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

## 7. STATUTORY CONSULTATION

- 7.1 **Planning Policy** – Planning Policy has raised no objections to the application. The proposal would be a departure from the local plan as a residential use does not fall within the allocated mixed use category. Although the site has been granted permission for mixed use development in the past, which would have been in line with the proposals within the Local Plan, all such proposals have failed to come to fruition. The site has therefore remained vacant for a significant number of years. An alternative but compatible use could therefore be considered in this location.
- 7.2 Planning Policy also stated in their comments that as the application is a departure from the development plan and due to the scale of the proposal, the Secretary of State would need to be informed. The Planning Policy Team Leader has reviewed this statement and confirmed the application is a departure from the development plan, however, the Secretary of State would not need to be informed. The application would however require the approval of full council should your committee be minded to grant approval of this application.

- 7.3 As the site falls adjacent to a town centre, is in close proximity to local facilities and has good connections to the public transport network, including a railway station, it is possible that a residential scheme could achieve a highly sustainable development. A residential scheme would also be appropriate for the area and would make use of the vacant land. Further comments with regards to Planning Policy can be found in section 8 of this report.
- 7.4 **Highways** – The head of highways has raised no objections to the application subject to minor amendments. One outstanding matter in relation to Highways is the clarification of highway access to land parcel B. Further technical drawings have been requested to confirm vehicles can enter the site without crossing the centre line. Highways have also requested the applicant undertakes a review of car parking restrictions due to the proximity of the site in relation to Sandwell and Dudley train station. Appropriate conditions from highways have been included within the recommendation.
- 7.5 **Urban Design** – have raised no objections to the application subject to minor amendments to the scheme. A condition for external materials and boundary treatments has been included within the recommendation.
- 7.6 **Public Health (Air Quality)** – No objection subject to further clarification with regards to confirmation whether the air quality assessment adequately addresses exposure of the future occupants of the residential units to emissions from vehicle movements on the public car park. Conditions to ensure electric vehicle charging points, the adoption of a travel plan and a method statement for the control of dust and emissions have been included within the recommendation.
- 7.7 **Public Health (Contaminated Land)** – No objections raised subject to conditions contained within the recommendation.
- 7.8 **Public Health (Air Pollution and Noise)** – No objections raised subject to the following recommendations.
1. With regard to the proposed units of accommodation adjacent to the existing highways in Bromford Road, Fountain Lane and West Bromwich Street, I would request that specific details be provided of the acoustic glazing and ventilation systems to be installed in order to attain the noise levels set out in Table 1 of the report.
  2. Plot numbers 230 to 234 of the development share a boundary with the Gupta Trading Estate. It is recommended that an acoustic barrier be installed along this boundary to mitigate the effect of noise from the units on that estate.

Further comments with regards to HGV's waiting on Fountain Lane could give rise to complaints from residents with regards to noise. This matter is outside of the control of the applicant.

- 7.9 **West Midlands Police** – No objections to the application.
- 7.10 **The Coal Authority** – No objections subject to conditions contained within the recommendation.
- 7.11 **Severn Trent** – No objections subject to the standard drainage condition.
- 7.12 **Lead Local Flood Authority** – No objections subject to a condition contained within the recommendation.
- 7.13 **Birmingham and Black Country Wildlife Trust** – No comments received.

## **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:-

CSP3: Environmental Infrastructure

CSP4: Place Making

CSP5: Transport Strategy

DEL1: Infrastructure Provision

EMP5: Improving Access to the Labour Market

HOU2: Housing Density, Type and Accessibility

HOU3: Delivering Affordable housing

TRAN1: Priorities for the Development of the Transport Network

TRAN2: Managing Transport Impacts of New Development

TRAN4: Creating Coherent Networks for Cycling and for Walking

TRAN5: Influencing the Demand for Travel and Travel Choices ENV5 – Flood Risk, Sustainable Drainage Systems and Urban Heat Island

ENV3: Design Quality

ENV6: Open Space, Sport and recreation

ENV7: Renewable Energy

ENV8: Air Quality

SAD H3: Affordable Housing

SAD EOS4: Community Open Space

SAD EOS5: Environmental Infrastructure

SAD EOS9: Urban Design Principles

## SAD EMP2: Training and Recruitment

- 9.2 HOU2 identifies the need for a range of types and sizes of accommodation within the borough and accessibility in terms of sustainable transport to residential services. The proposed site layout confirms the development would have a mixture of dwelling sizes and types. The site is within a sustainable location with Oldbury town centre with sustainable transport links within close proximity. The site is also within close proximity to Sandwell and Dudley train station. The site layout also demonstrates a number of access points for pedestrians and cyclists have been provided around the site, which adds a level of permeability and connection to the sustainable transport links. The originally proposed home zone section to the middle of the site has been removed and pavements have now proposed around the entire site.
- 9.3 HOU3 and SAD H3 sets out the requirement of 25% affordable housing. Due to the ground conditions of the site, the applicant has submitted a viability assessment as they believe it would not be viable to develop the site with the inclusion of a Section 106 agreement for affordable housing. The viability assessment is currently being assessed by the district valuer.
- 9.4 CSP3, CSP4 and CSP5 advocate connectivity, permeability and integrated transport modes in order to achieve a sustainable development. BCCS policies TRAN1, TRAN2 and TRAN4 requires schemes to be well connected to aid cycling and walking which the layout of this development seeks to provide by having good permeability. Planning policy have raised a concern regarding how the site links to the surrounding area. However, in my opinion the development has good connectivity with the surrounding area with a pedestrian and cycle only link provided to Bromford Road which is within close proximity to two bus stops and Sandwell and Dudley train station. A further pedestrian and cycle only link has been provided to West Bromwich Street, which would provide a link to Oldbury town centre.

The applicant has submitted a travel plan with the development to promote sustainable development. A condition relating to the implementation of the travel plan this has been included within the recommendation.

- 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 and a travel plan has been submitted.
- 9.8 EMP5 and SAD EMP2 require large employment generating schemes to provide opportunities for training and recruitment. This has been conditioned to secure these opportunities.
- 9.9 DEL1 states that all new development should be supported by the necessary on and off-site infrastructure to ensure the development is sustainable and contributes to the proper planning of the wider area. This includes the implementation of CIL, which will be required. The amount of CIL that will be required will depend on the number, size and type of dwelling.
- 9.10 Concerning ENV6 and SAD EOS4, the development has included areas of open space within the development to help to improve the image and environmental quality of the Black Country and reduce the Urban Heat Island effect. The open space would also act as sustainable drainage in the form of attenuation ponds during periods of significant rainfall.

## **10. MATERIAL CONSIDERATIONS**

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

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

With regards to residential amenity, the only residential dwellings within close proximity to the site can be found on the opposite side of Fountain Lane and Bromford Road. Taking into consideration both Bromford Road and Fountain Lane are wide roads in nature, I am of the opinion that the proposed dwellings would be of a sufficient distance from the existing properties 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 density of building**

Urban Design have raised no objections to the application subject to minor amendments. The proposed development complies with the minimum standards for internal and external amenity space as identified within the councils Revised Residential Design Guide SPD 2014. The appearance and layout of the scheme is therefore satisfactory, and the scheme meets the aspirations of design policy.



#### **10.4 Design, appearance and materials**

The scheme has been designed with two feature apartment buildings in prominent locations. The apartment block at the junction with Fountain Lane/ Bromford Road would be a maximum of four storeys in height and would mirror the height/ general design of the apartment block located on the opposite side of Bromford Road. This would therefore frame Bromford Road heading towards Oldbury town centre. The apartment block at the entrance to the estate from Fountain Lane would be three storeys in height and would provide a further key feature of the development and would also overlook the open space/ attenuation pond. The design and appearance of the dwellings are acceptable, and the development complies with design policies ENV3 (Design Quality) of the Black Country Core Strategy and SAD EOS9 (Urban Design Principles) of the Site Allocations and Delivery Plan Document. An external materials condition has been included within the recommendation.

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

The Head of Highways has raised no objections to the application subject to minor amendments. The required number of car parking spaces per unit have been provided. Due to the proximity of Sandwell and Dudley train station, highways have recommended a condition to review parking restrictions.

#### **10.6 Contamination by a previous use**

The site has a significant industrial history and as such there is a significant likelihood of soil contamination. Public Health (Contaminated Land) have reviewed the submitted information and raised no objections to the application subject to a condition for a supplementary detailed site investigation to be carried out to establish the degree and nature of the contamination and its potential to pollute the environment or cause harm to human health. Where necessary, details of remediation measures shall be provided.

#### **10.7 Land instability**

The Coal Authority have confirmed that there are 16 mine entries either within, or within very close proximity to the planning boundary. The submitted Geotechnical and Mining Assessment confirms the results of the mineshaft investigation. Based on their review of existing geological and coal mining information, along with the results of a preliminary intrusive site investigation, the Geotechnical and Mining Assessment confirms that further investigations will be required to establish whether shallow coalmine workings pose a risk to the stability of the proposed development. The Assessment also confirms that the recorded mine

entries will also require investigation and potential treatment. Accordingly, the proposed mineshaft investigations have now been undertaken, with a number positively identified, which the proposed development layout has been designed around. The investigations undertaken appear to be appropriate having regard to the evidential source of the mine entry position and the layout also appears to afford consideration to those shafts located outside of the planning boundary. The Coal Authority have therefore identified the coal mining legacy potentially poses a risk to the proposed development and that recorded mine entries should be fully remediated prior to the commencement of development. The Coal Authority have raised no objections to the proposal subject to suitably worded conditions in relation to remediation and further site investigations.

## **10.8 Flood risk**

The scheme has provided a suitable drainage strategy to reduce surface water flooding. The Lead Local Flood Authority have raised no objections to the proposal subject to the implementation and retention of the scheme.

## **10.9 Security and Safety**

Boundary treatments and street lighting have been conditioned. Recommendations from West Midlands Police have been forward to the agent to review.

## **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. A condition for an employment and skills plan to submitted to and approved by the local planning authority has been included within the recommendation.

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 residential development of the site is welcomed as it would bring a long term highly visible, vacant and derelict site into an appropriate use. It is noted that the proposal would be a departure from the adopted development plan where the site is allocated for mixed use purposes. However, although the site has had numerous approvals for mixed use developments, none have been developed. The site, which has suffered from fly tipping and traveller incursion, would be suitable for a residential development.

12.2 The design of the development including housing and apartments would complement the surrounding two, three and four storey dwellings surrounding the site.

## **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 equality 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 The scheme has been designed/or has been asked to design the scheme in accordance with Secure by Design guidance.

## **18. SUSTAINABILITY OF PROPOSALS**

18.1 Refer to the National Planning Policy Framework (8), 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). A condition for an employment and skills plan to be submitted to and approved by the local planning authority has been included within the recommendation.

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

20.1 There will be no impact.

## **21. APPENDICES:**

Site Plan

Context Plan

20-018-01 REV C

20-018-02 REV C

20-018-03 REV C

301 REV 09

317 REV 03

318 REV 03

320 REV 03

321 REV 03

322 REV 03

323 REV 02

333

302 REV 02

303 REV 03

308 REV 02

310 REV 03

327 REV 02

328 REV 04

324 REV 02

304 REV 02

305 REV 02

306 REV 02

309 REV 01

311 REV 02

312 REV 01

313 REV 01

314 REV 01  
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331 REV 01  
332 REV 01  
300 REV 02



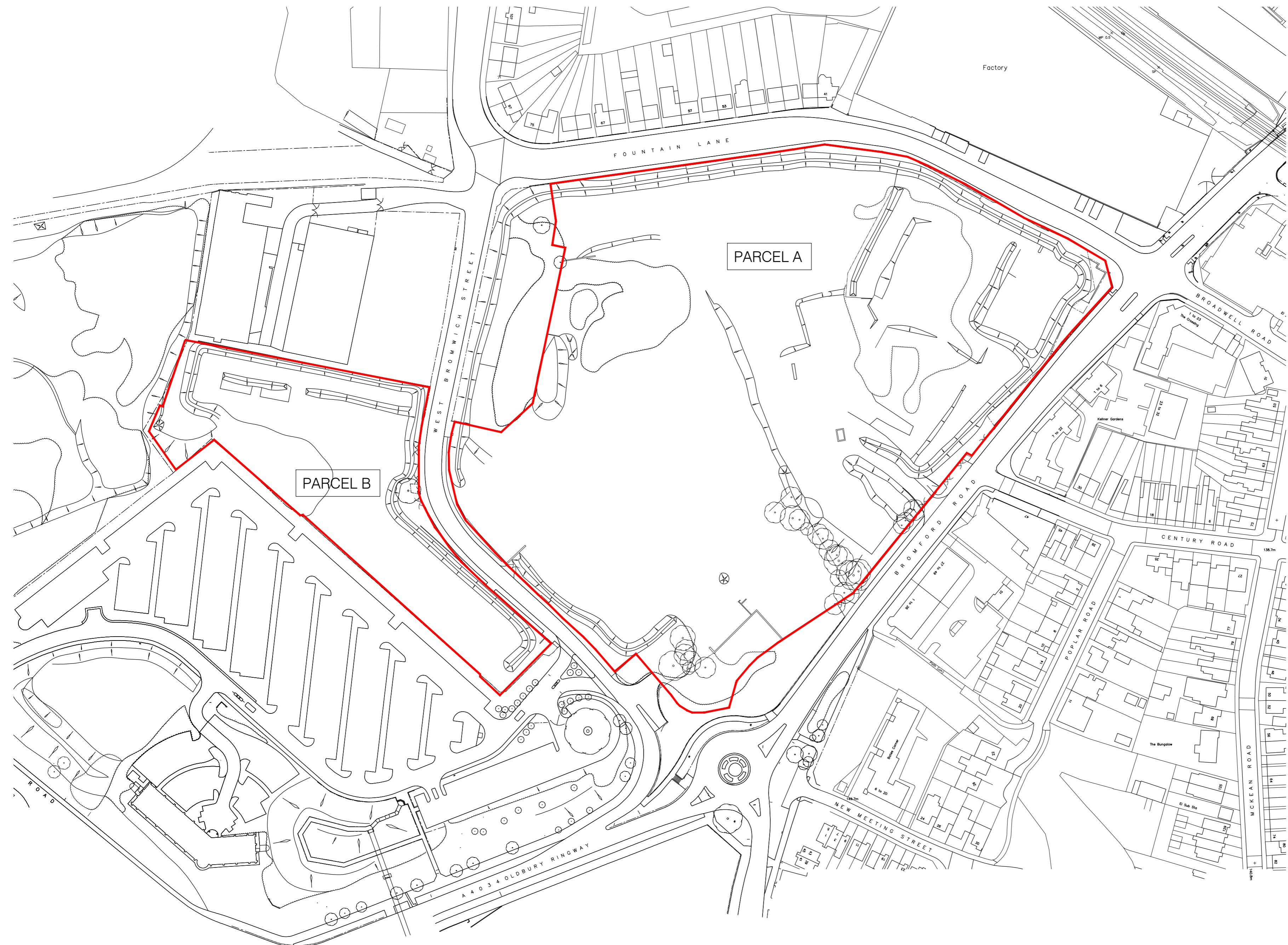
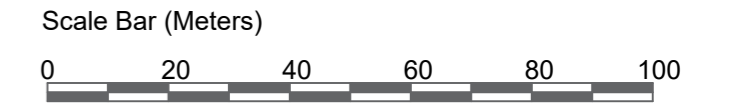
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NOTES:



02	07.04.20	Scale Bar added	TS
01	27.02.20	Parcel C removed.	LL
REV	DATE	NOTES	CHK

Client  
**LOVELL**

Project  
**FOUNTAIN LANE  
OLDBURY**

Drawing Title  
**LOCATION PLAN**

Drawn	Checked	Paper Size	Scale	Date
LL	LL	A2	1:1250	JAN 2020

Project No.	Drawing No.	Revision
18644	300	02

**CORSTORPHINE  
+ WRIGHT  
ARCHITECTS**

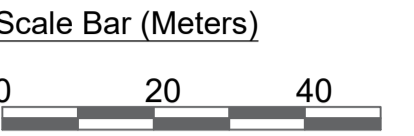
- Warwick
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NOTES:



KEY

- Red multi brick
  - Red/orange multi brick
  - Brickwork at ground floor with panel board to first floor
  - Reconstituted stone ground floor with red multi brick to upper floors
  - Reconstituted stone ground floor with render to upper floors
  - Red multi brick ground floor with render to upper floors
  - Slate grey roof tile
  - Brown roof tile
- All windows and doors to be PVCu



04	21.04.20	Updated following minor layout changes	TS
03	15.04.20	Updated following minor layout changes	TS
02	14.04.20	Apartment 706 changed to 707	TS
01	08.04.20	Scale bar added	TS

REV	DATE	NOTES	CHK

Client: **LOVELL**

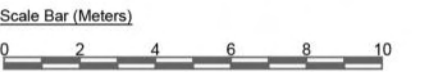
Project: **FOUNTAIN LANE  
OLDBURY**

Drawing Title: **MATERIALS PLAN**

Drawn	Checked	Paper Size	Scale	Date
TS	LL	A1	1:1000	MAR 2020
Project No.	Drawing No.	Revision		
18644	328	04		

**CORSTORPHINE + WRIGHT ARCHITECTS**

- Warwick
- London
- Birmingham
- Manchester
- Leeds
- Canterbury
- Glasgow
- Dublin



Plot 148      Plots 93 - 94      Plots 91 - 92      Plot 90      Plots 88 - 89      Plots 86 - 87      Plot 85      Plot 84      Plots 82 - 83

Street Scene AA



Plot 84      Plots 82 - 83      Plots 80 - 81      Plots 78 - 79      Plots 55 - 77

Street Scene AA (Continued)



Plots 55 - 77      Plots 48 - 49      Plots 46 - 47      Plot 34

Street Scene BB



Plot 34      Plots 1 - 33

Street Scene BB (Continued)

01	08.04.20	Scale bar amended	TS
REV	DATE	NOTES	CHK

Client  
LOVELL

Project  
FOUNTAIN LANE  
OLDBURY

Drawing Title  
STREET SCENES  
SHEET 1

Drawn	Checked	Paper Size	Scale	Date
TS	LL	A1	1:200	MAR 2020
Project No.	18644	Drawing No.	326	Revision
				01

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Street Scene CC



Street Scene CC (Continued)



Street Scene DD



Street Scene DD (Continued)

02	09.04.20	Plots 106-110 updated following layout changes	TS
01	08.04.20	Scale bar amended	TS

REV	DATE	NOTES	CHK
-----	------	-------	-----

Client  
LOVELL

Project  
FOUNTAIN LANE  
OLDBURY

Drawing Title  
STREET SCENES  
SHEET 2

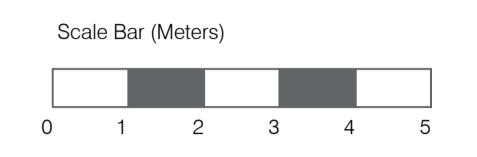
Drawn	Checked	Paper Size	Scale	Date
TS	LL	A1	1:200	MAR 2020

Project No.	Drawing No.	Revision
18644	327	02

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North Elevation



West Elevation



South Elevation

02	08.04.20	Scale bar amended	TS
01	30.03.20	Minor amendments to Client's comments	TS

REV	DATE	NOTES	CHK

Client  
**LOVELL**

Project  
**FOUNTAIN LANE  
OLDBURY**

Drawing Title  
**APARTMENT ELEVATIONS - PLOTS 1-33  
FRONT ELEVATIONS**

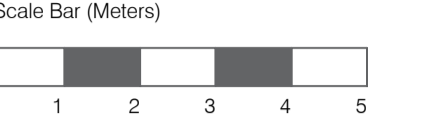
Drawn	Checked	Paper Size	Scale	Date
TS	LL	A1	1:100	FEB 2020

Project No.	Drawing No.	Revision
18644	319	02

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South Facing Rear Elevation



East Facing Rear Elevation



North Facing Rear Elevation

03	02.06.20	Windows added to side elevations	TS
02	08.04.20	Scale bar amended	TS
01	30.03.20	Minor amendments to Client's comments	TS

REV	DATE	NOTES	CHK
-----	------	-------	-----

Client  
LOVELL

Project  
FOUNTAIN LANE  
OLDBURY

Drawing Title  
APARTMENT ELEVATIONS - PLOTS 1-33  
REAR ELEVATIONS

Drawn	Checked	Paper Size	Scale	Date
TS	LL	A1	1:100	FEB 2020

Project No.	Drawing No.	Revision
18644	320	03

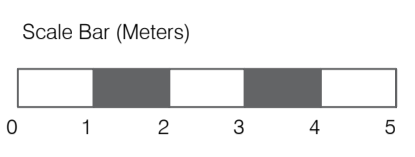
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SCHEDULE OF ACCOMMODATION (PLOTS 1-33)			
	Area	N <sup>o</sup>	Total Area (ft <sup>2</sup> )
<b>GROUND FLOOR</b>			
543 - 1 bed apartment	543	3	1,629
657 - 2 bed apartment	657	2	1,314
706 - 2 bed apartment	707	5	3,535
741 - 2 bed apartment	741	1	741
<b>Total:</b>		<b>11</b>	<b>7,219</b>
<b>FIRST FLOOR</b>			
543 - 1 bed apartment	543	3	1,629
657 - 2 bed apartment	657	2	1,314
706 - 2 bed apartment	707	5	3,535
741 - 2 bed apartment	741	1	741
<b>Total:</b>		<b>11</b>	<b>7,219</b>
<b>SECOND FLOOR</b>			
543 - 1 bed apartment	543	3	1,629
657 - 2 bed apartment	657	2	1,314
706 - 2 bed apartment	707	5	3,535
741 - 2 bed apartment	741	1	741
<b>Total:</b>		<b>11</b>	<b>7,219</b>
<b>TOTAL (ALL FLOORS):</b>		<b>33</b>	<b>21,657</b>



03	02.06.20	Windows added to side elevations	TS
02	14.04.20	Schedule and plot numbers amended	TS
01	08.04.20	Scale bar amended, schedule & o/a dims added	TS
REV	DATE	NOTES	CHK

Client: **LOVELL**

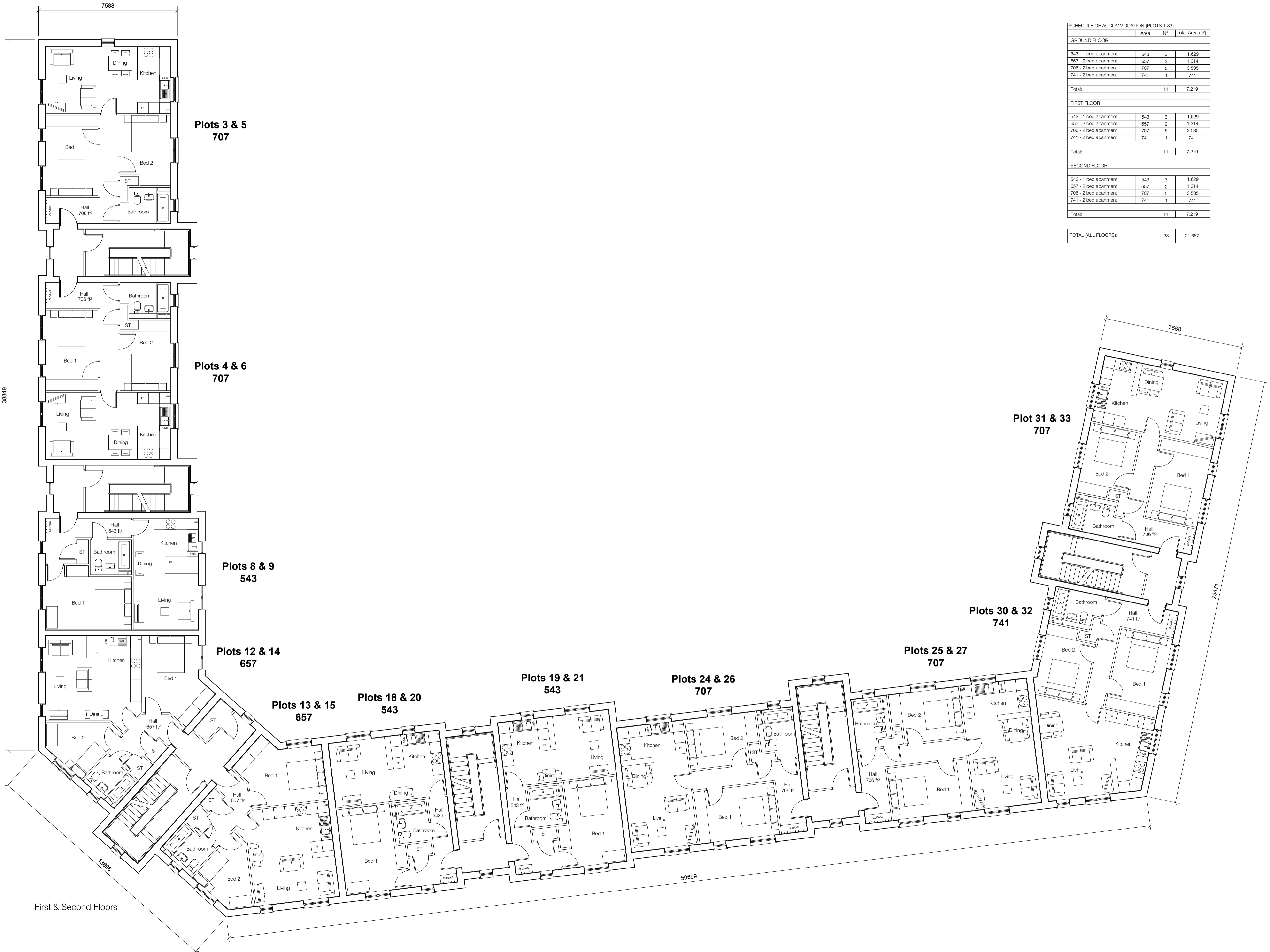
Project: **FOUNTAIN LANE  
OLDBURY**

Drawing Title: **APARTMENT PLANS - PLOTS 1-33  
GROUND FLOOR**

Drawn	Checked	Paper Size	Scale	Date
TS	LL	A1	1:100	FEB 2020
Project No.	Drawing No.	Revision		
18644	317	03		

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SCHEDULE OF ACCOMMODATION (PLOTS 1-33)			
	Area	N°	Total Area (ft²)
<b>GROUND FLOOR</b>			
543 - 1 bed apartment	543	3	1,629
657 - 2 bed apartment	657	2	1,314
706 - 2 bed apartment	707	5	3,535
741 - 2 bed apartment	741	1	741
<b>Total:</b>		<b>11</b>	<b>7,219</b>
<b>FIRST FLOOR</b>			
543 - 1 bed apartment	543	3	1,629
657 - 2 bed apartment	657	2	1,314
706 - 2 bed apartment	707	5	3,535
741 - 2 bed apartment	741	1	741
<b>Total:</b>		<b>11</b>	<b>7,219</b>
<b>SECOND FLOOR</b>			
543 - 1 bed apartment	543	3	1,629
657 - 2 bed apartment	657	2	1,314
706 - 2 bed apartment	707	5	3,535
741 - 2 bed apartment	741	1	741
<b>Total:</b>		<b>11</b>	<b>7,219</b>
<b>TOTAL (ALL FLOORS):</b>		<b>33</b>	<b>21,657</b>



REV	DATE	NOTES	CHK
03	02.06.20	Windows added to side elevations	TS
02	14.04.20	Schedule and plot numbers amended	TS
01	08.04.20	Scale bar amended, schedule & o/a dims added	TS

Client: **LOVELL**

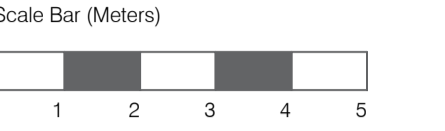
Project: **FOUNTAIN LANE  
OLDBURY**

Drawing Title: **APARTMENT PLANS - PLOTS 1-33  
FIRST & SECOND FLOORS**

Drawn	Checked	Paper Size	Scale	Date
TS	LL	A1	1:100	FEB 2020
Project No. 18644		Drawing No. 318		Revision 03

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North East Elevation



South East Elevation



North West Elevation



South West Elevation

02	02.06.20	Windows added to side elevations	TS
01	08.04.20	Scale bar amended	TS

REV	DATE	NOTES	CHK
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Client  
LOVELL

Project  
FOUNTAIN LANE  
OLDBURY

Drawing Title  
APARTMENT ELEVATIONS - PLOTS 55-77

Drawn	Checked	Paper Size	Scale	Date
TS	LL	A1	1:100	FEB 2020

Project No.	Drawing No.	Revision
18644	323	02

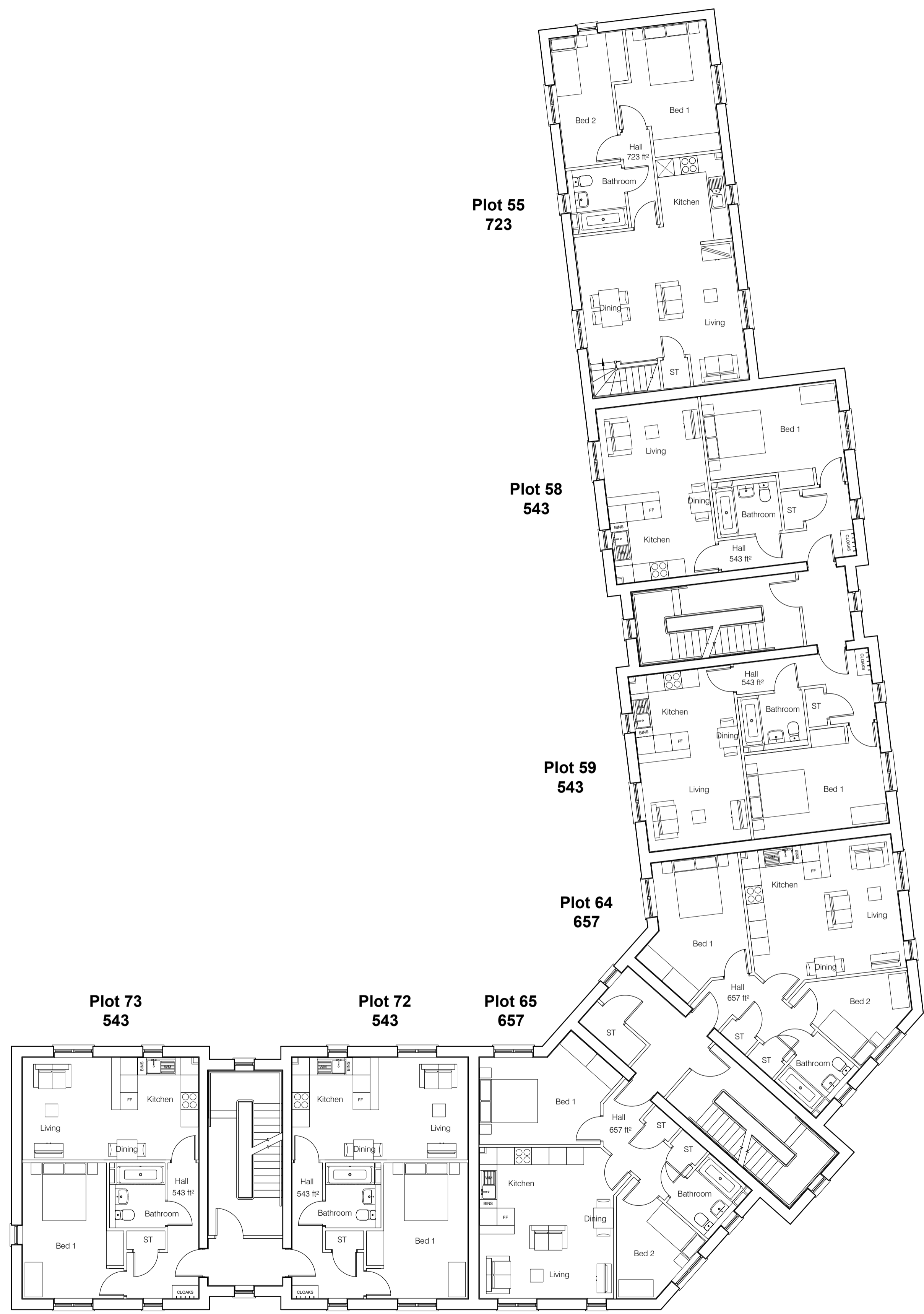
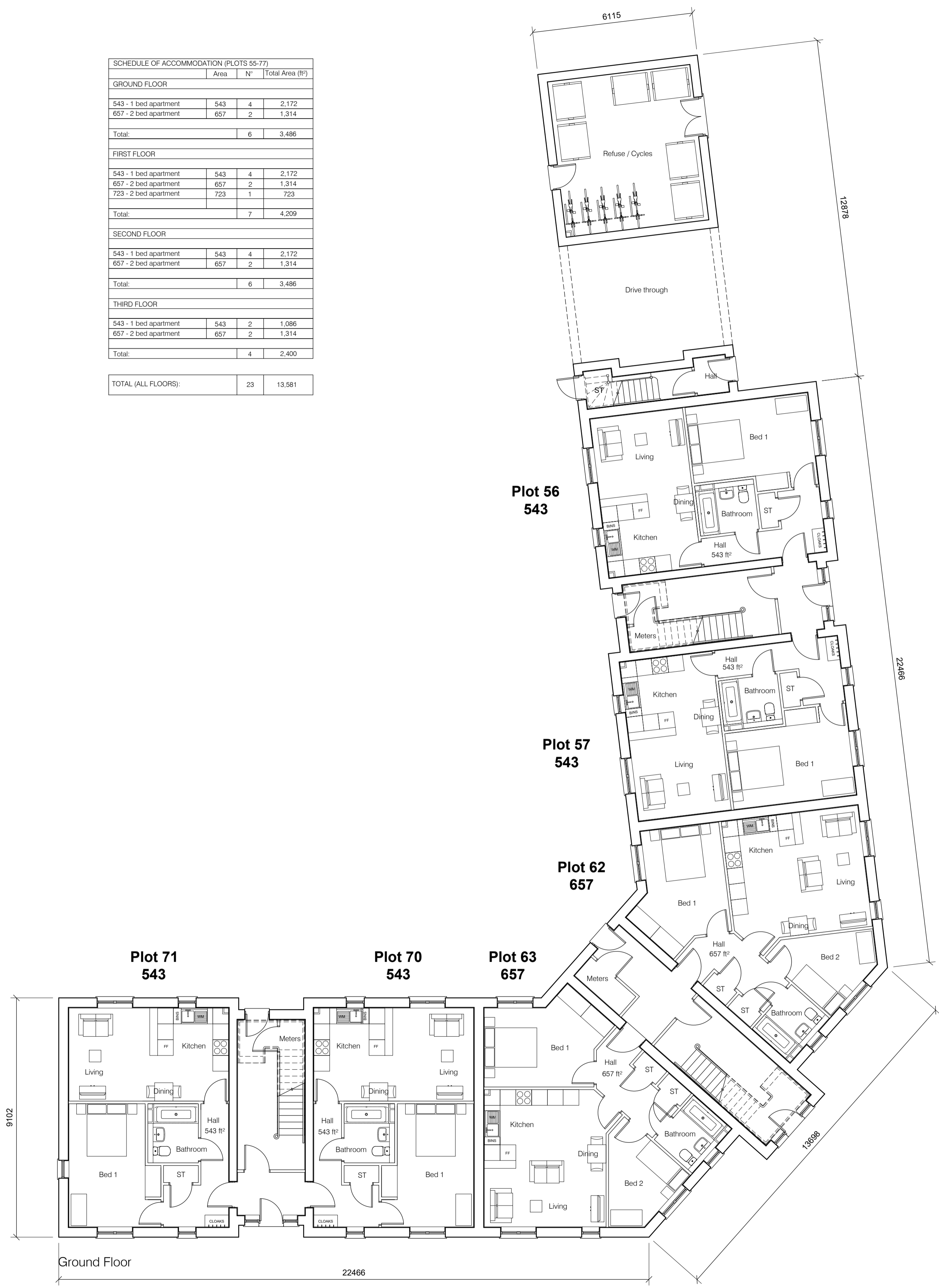
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SCHEDULE OF ACCOMMODATION (PLOTS 55-77)			
	Area	N <sup>o</sup>	Total Area (ft <sup>2</sup> )
<b>GROUND FLOOR</b>			
543 - 1 bed apartment	543	4	2,172
657 - 2 bed apartment	657	2	1,314
<b>Total:</b>		<b>6</b>	<b>3,486</b>
<b>FIRST FLOOR</b>			
543 - 1 bed apartment	543	4	2,172
657 - 2 bed apartment	657	2	1,314
723 - 2 bed apartment	723	1	723
<b>Total:</b>		<b>7</b>	<b>4,209</b>
<b>SECOND FLOOR</b>			
543 - 1 bed apartment	543	4	2,172
657 - 2 bed apartment	657	2	1,314
<b>Total:</b>		<b>6</b>	<b>3,486</b>
<b>THIRD FLOOR</b>			
543 - 1 bed apartment	543	2	1,086
657 - 2 bed apartment	657	2	1,314
<b>Total:</b>		<b>4</b>	<b>2,400</b>
<b>TOTAL (ALL FLOORS):</b>		<b>23</b>	<b>13,581</b>



REV	DATE	NOTES	CHK
03	02.06.20	Windows added to side elevations	TS
02	14.04.20	Schedule amended	TS
01	08.04.20	Scale bar amended, schedule & o/a dims added	TS

Client: LOVELL

Project: FOUNTAIN LANE OLDBURY

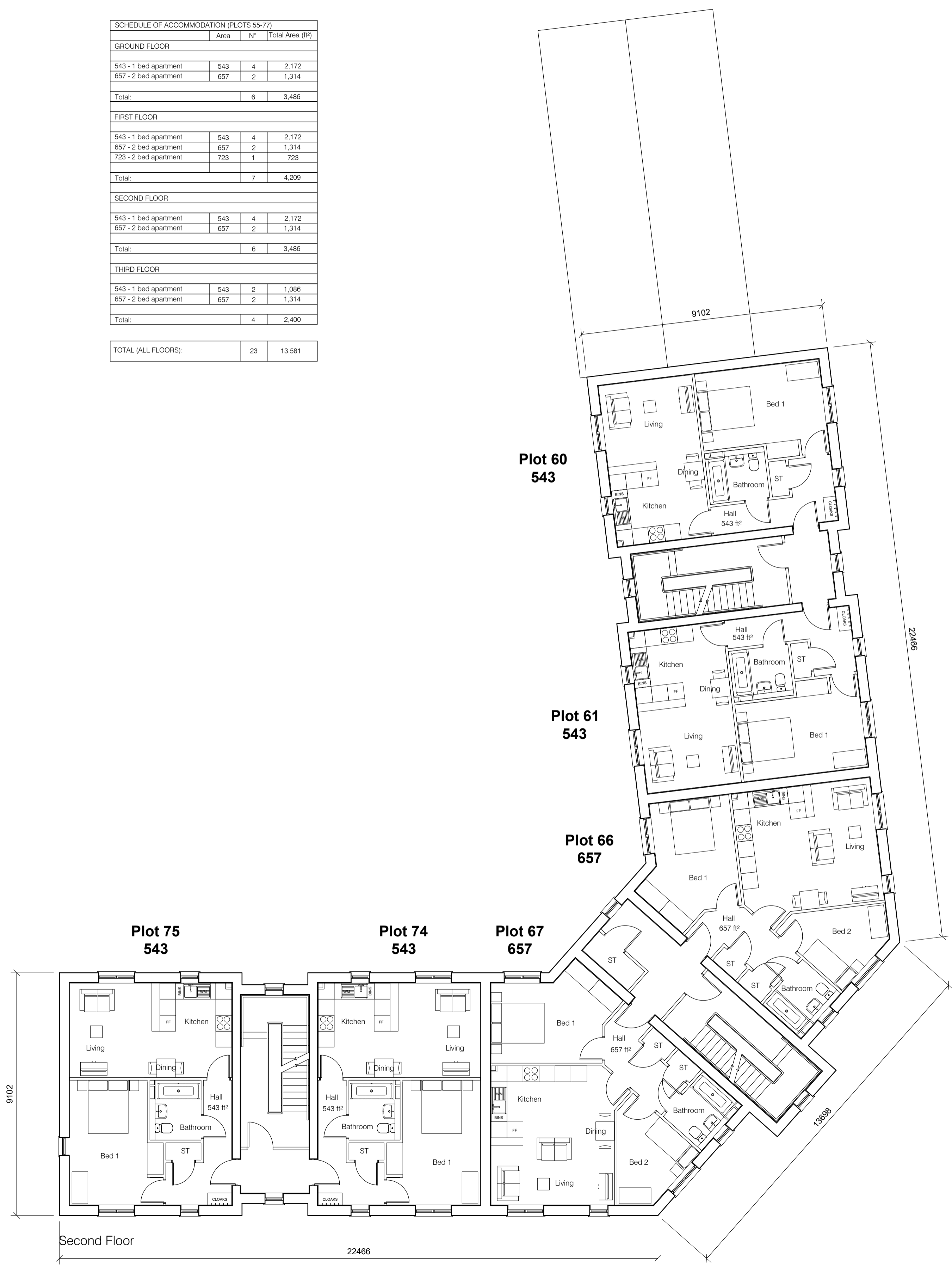
Drawing Title: APARTMENT PLANS - PLOTS 55-77 GROUND & FIRST FLOOR PLAN

Drawn	Checked	Paper Size	Scale	Date
TS	LL	A1	1:100	FEB 2020
Project No.	Drawing No.	Revision		
18644	321	03		

**CORSTORPHINE + WRIGHT ARCHITECTS**

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SCHEDULE OF ACCOMMODATION (PLOTS 55-77)			
	Area	N <sup>o</sup>	Total Area (ft <sup>2</sup> )
<b>GROUND FLOOR</b>			
543 - 1 bed apartment	543	4	2,172
657 - 2 bed apartment	657	2	1,314
<b>Total:</b>	<b>6</b>	<b>6</b>	<b>3,486</b>
<b>FIRST FLOOR</b>			
543 - 1 bed apartment	543	4	2,172
657 - 2 bed apartment	657	2	1,314
723 - 2 bed apartment	723	1	723
<b>Total:</b>	<b>7</b>	<b>7</b>	<b>4,209</b>
<b>SECOND FLOOR</b>			
543 - 1 bed apartment	543	4	2,172
657 - 2 bed apartment	657	2	1,314
<b>Total:</b>	<b>6</b>	<b>6</b>	<b>3,486</b>
<b>THIRD FLOOR</b>			
543 - 1 bed apartment	543	2	1,086
657 - 2 bed apartment	657	2	1,314
<b>Total:</b>	<b>4</b>	<b>4</b>	<b>2,400</b>
<b>TOTAL (ALL FLOORS):</b>	<b>23</b>	<b>23</b>	<b>13,581</b>



03	02.06.20	Windows added to side elevations	TS
02	14.04.20	Schedule amended	TS
01	08.04.20	Scale bar amended, schedule & o/a dims added	TS
REV	DATE	NOTES	CHK

Client: LOVELL

Project: FOUNTAIN LANE OLDBURY

Drawing Title: APARTMENT PLANS - PLOTS 55-77 SECOND & THIRD FLOOR PLAN

Drawn	Checked	Paper Size	Scale	Date
TS	LL	A1	1:100	FEB 2020
Project No.	Drawing No.	Revision		
18644	322	02		

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Front Elevation



Side Elevation



Side Elevation



Side Elevation (Through Access)



Rear Elevation

01	08.04.20	Scale bar amended	TS
REV	DATE	NOTES	CHK
Client			
LOVELL			
Project			
FOUNTAIN LANE OLDBURY			
Drawing Title			
APARTMENT ELEVATIONS - PLOTS 155-178			
Drawn	Checked	Paper Size	Scale
TS	LL	A1	1:100
			Date
			FEB 2020
Project No.	Drawing No.	Revision	
18644	325	01	

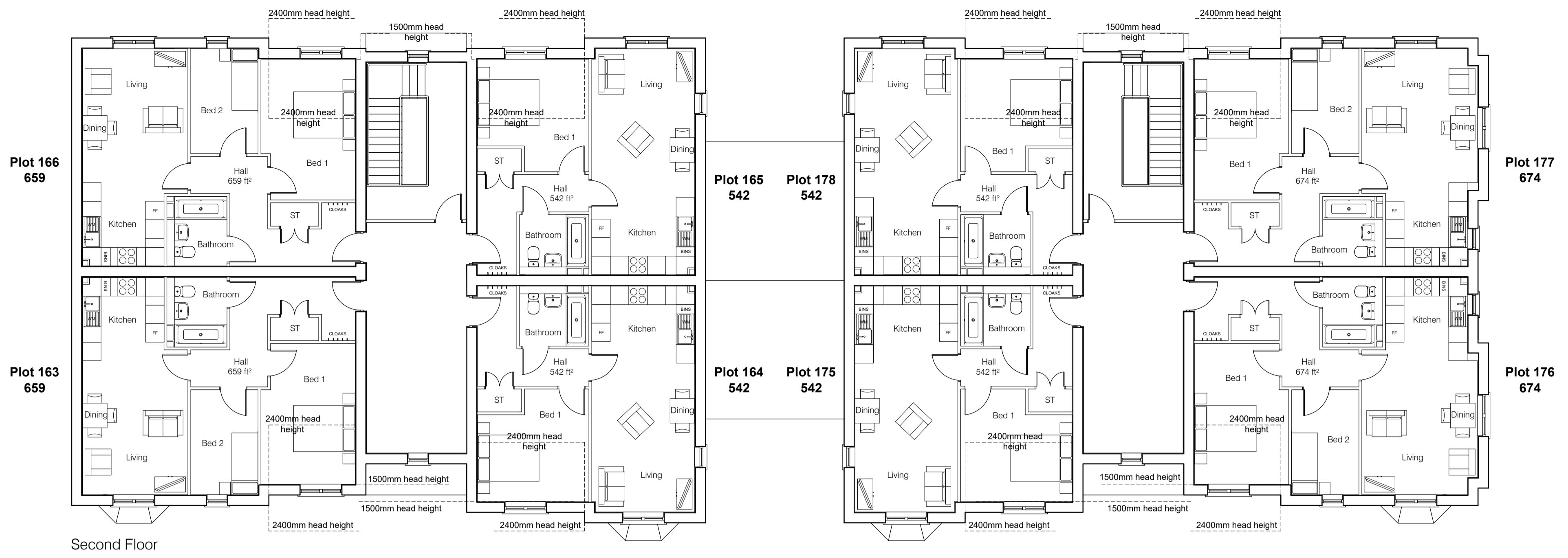
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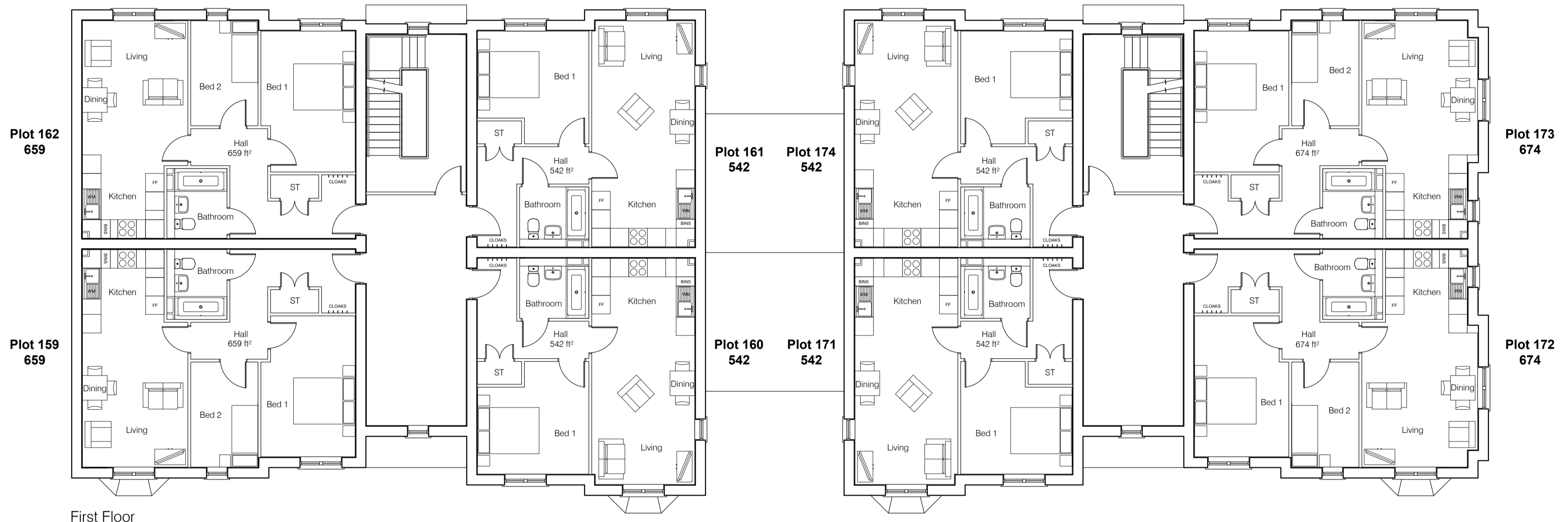
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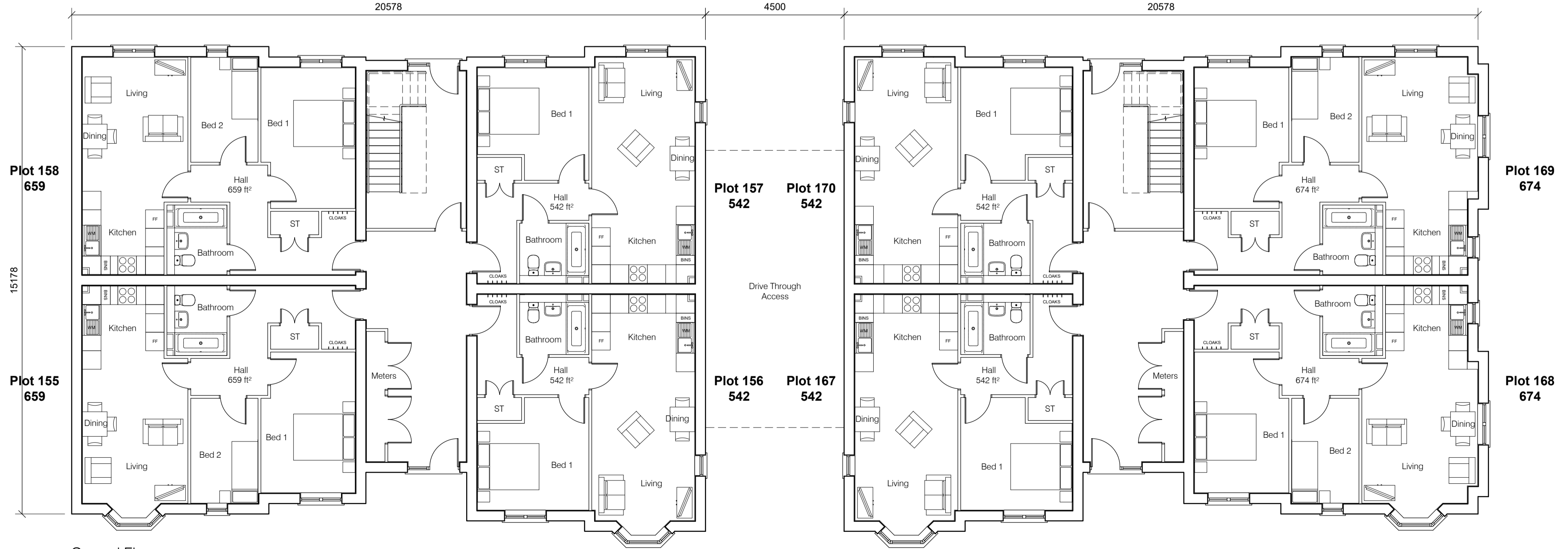
SCHEDULE OF ACCOMMODATION (PLOTS 155-178)			
GROUND FLOOR	Area	N <sup>o</sup>	Total Area (ft <sup>2</sup> )
542 - 1 bed apartment	542	4	2,168
659 - 2 bed apartment	659	2	1,318
674 - 2 bed apartment	674	2	1,348
<b>Total:</b>	<b>8</b>	<b>8</b>	<b>4,834</b>
FIRST FLOOR			
542 - 1 bed apartment	542	4	2,168
659 - 2 bed apartment	659	2	1,318
674 - 2 bed apartment	674	2	1,348
<b>Total:</b>	<b>8</b>	<b>8</b>	<b>4,834</b>
SECOND FLOOR			
542 - 1 bed apartment	542	4	2,168
659 - 2 bed apartment	659	2	1,318
674 - 2 bed apartment	674	2	1,348
<b>Total:</b>	<b>8</b>	<b>8</b>	<b>4,834</b>
<b>TOTAL (ALL FLOORS):</b>	<b>24</b>	<b>24</b>	<b>14,502</b>



Second Floor



First Floor



Ground Floor

02	14.04.20	Schedule amended	TS
01	08.04.20	Scale bar amended, schedule & o/a dims added	TS
REV	DATE	NOTES	CHK

Client: **LOVELL**

Project: **FOUNTAIN LANE OLDBURY**

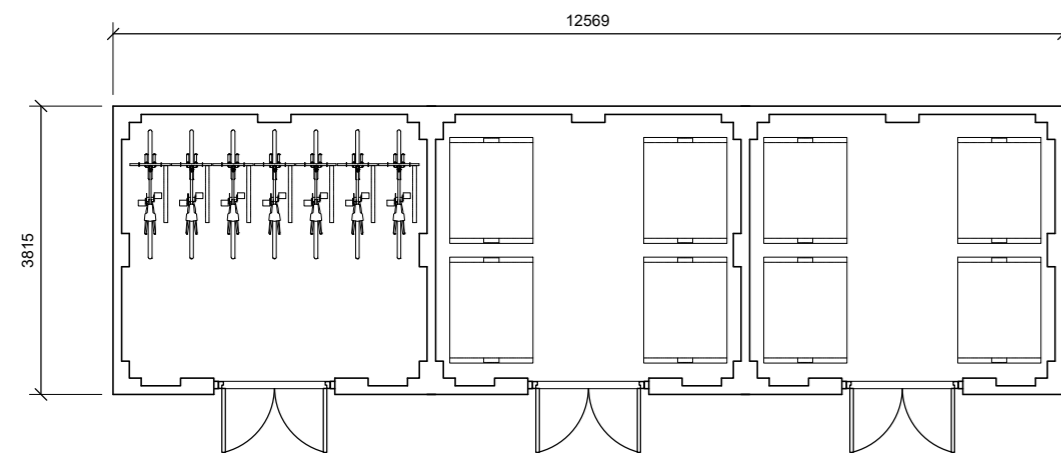
Drawing Title: **APARTMENT PLANS - PLOTS 155-178**

Drawn	Checked	Paper Size	Scale	Date
TS	LL	A1	1:100	FEB 2020
Project No.	Drawing No.	Revision		
18644	324	02		

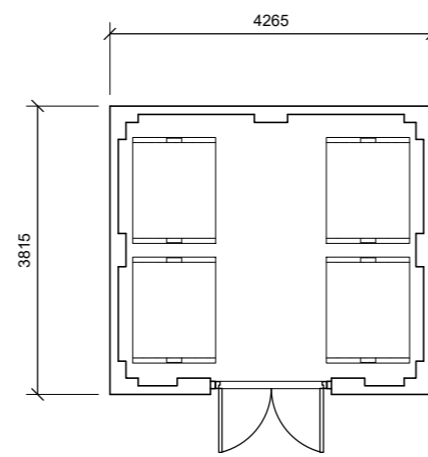
**CORSTORPHINE + WRIGHT ARCHITECTS**

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- Leeds
- Canterbury
- Glasgow
- Dublin

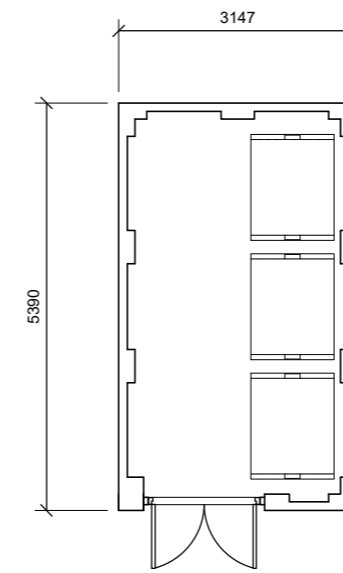
NOTES:



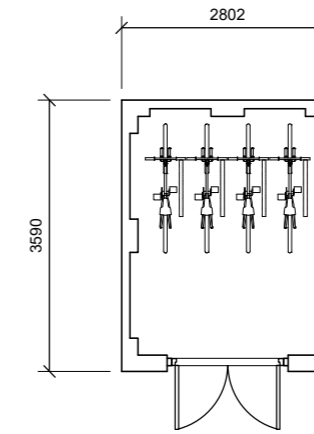
Floor Plan



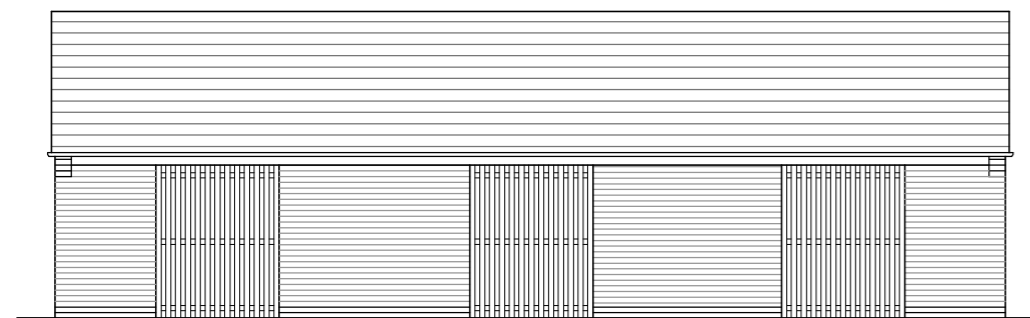
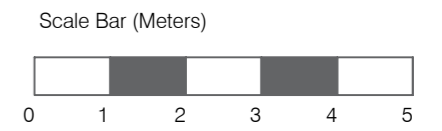
Floor Plan



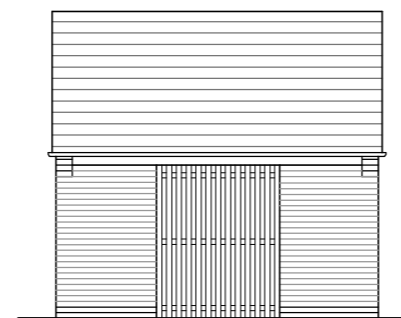
Floor Plan



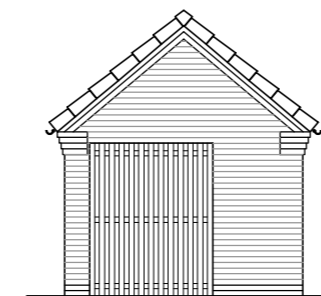
Floor Plan



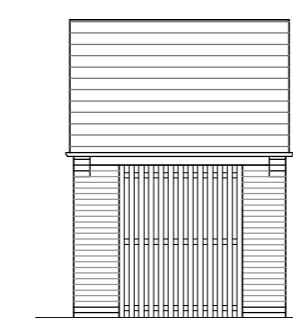
Front Elevation



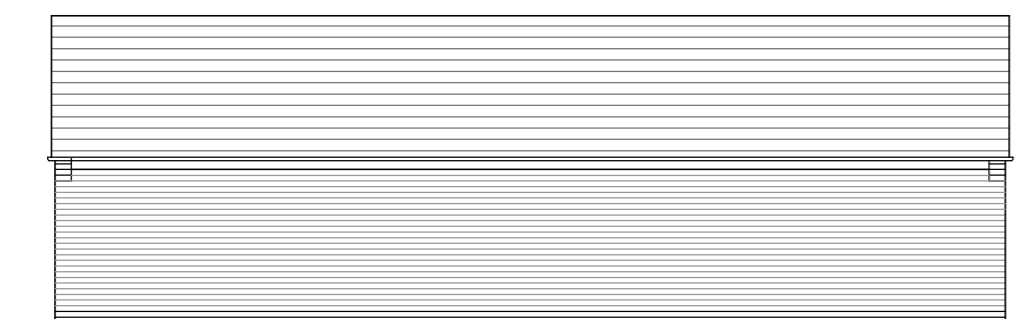
Front Elevation



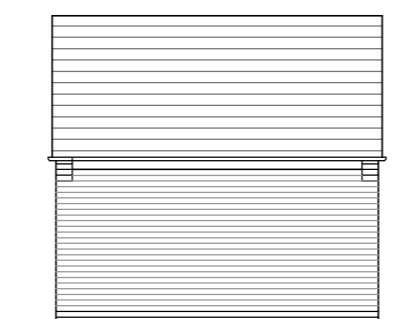
Front Elevation



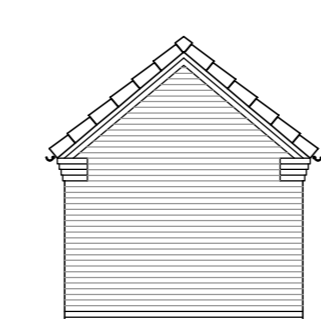
Front Elevation



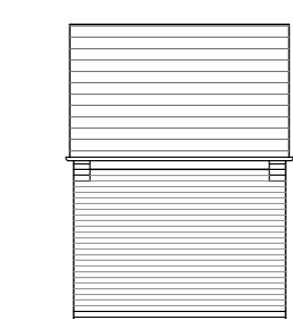
Rear Elevation



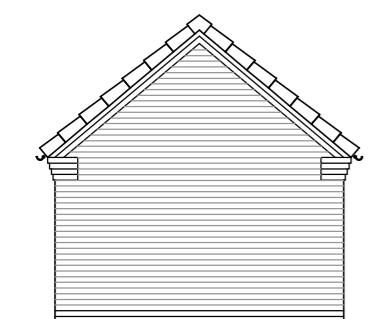
Rear Elevation



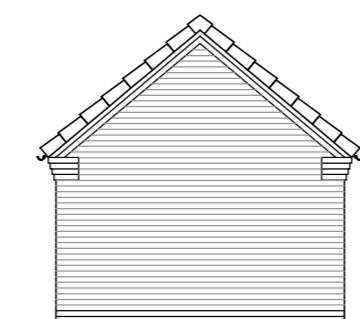
Rear Elevation



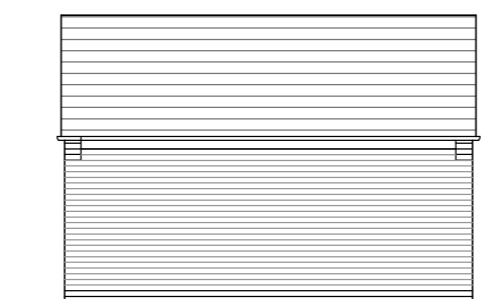
Rear Elevation



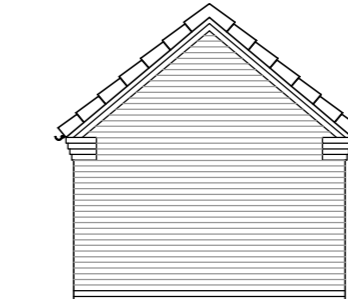
Side Elevation



Side Elevation



Side Elevation



Side Elevation

REV	DATE	NOTES	CHK
01	04.06.20	Amended to Clients comments.	TS

Client

LOVELL

Project

FOUNTAIN LANE  
OLDBURY

Drawing Title

REFUSE & CYCLE STORES

Drawn	Checked	Paper Size	Scale	Date
TS	LL	A2	1:100	JUN 2020

Project No.	Drawing No.	Revision
18644	334	01

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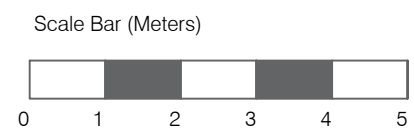
Refuse & Cycle Store  
PLOTS: 155 - 178

Refuse Store  
PLOTS: 1 - 33

Refuse Store  
PLOTS: 1 - 33

Cycle Store  
PLOTS: 1 - 33

**Plot Numbers:**  
 Semi-detached - 118, 119, 120, 121, 202, 204, 207, 208, 215, 216, 217, 218, 221, 222, 225, 226, 229 & 230  
 Mid terrace - 203



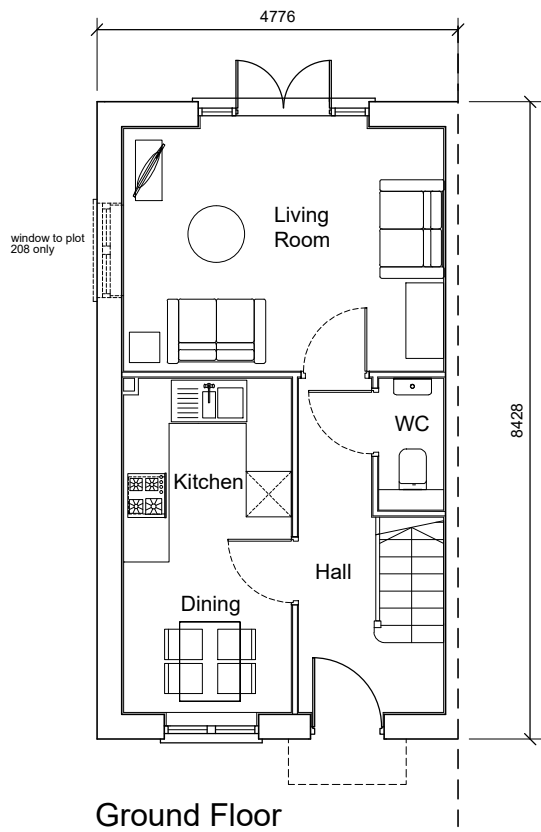
Front Elevation



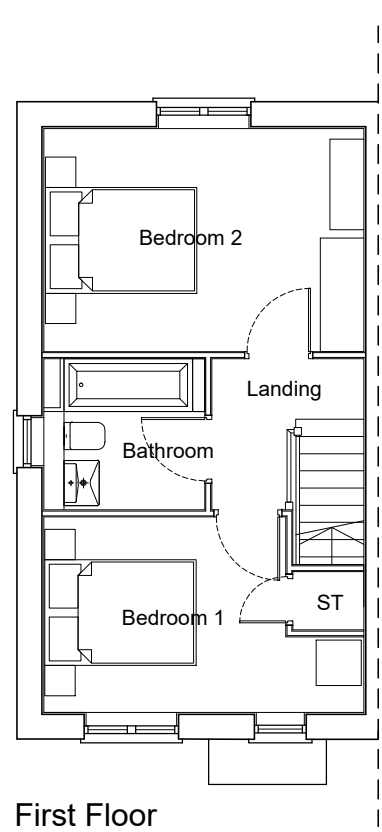
Side Elevation



Rear Elevation



Ground Floor



First Floor

02	08.04.20	Plots numbers updated due to layout changes	TS
01	08.04.20	Scale bar and o/a dimensions added	TS

REV	DATE	NOTES	CHK
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Client  
 LOVELL

Project  
 FOUNTAIN LANE  
 OLDBURY

Drawing Title  
 HOUSE TYPE 703

Drawn	Checked	Paper Size	Scale	Date
SP	LL	A3	1:100	FEB 2020

Project No.	Drawing No.	Revision
18644	302	02

**CORSTORPHINE + WRIGHT ARCHITECTS**

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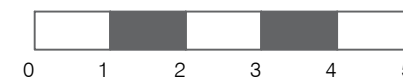
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For plot specific materials please refer to the Materials Plan (dwg no. 18644 / 328)

**Plot Numbers:**

Semi-detached - 151, 152, 211, 212, 224, 227, 228, 232 & 233

**Scale Bar (Meters)**



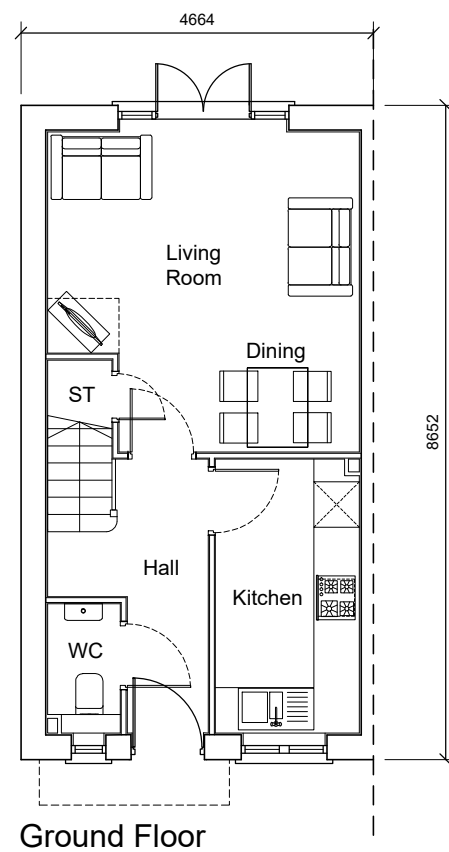
Front Elevation



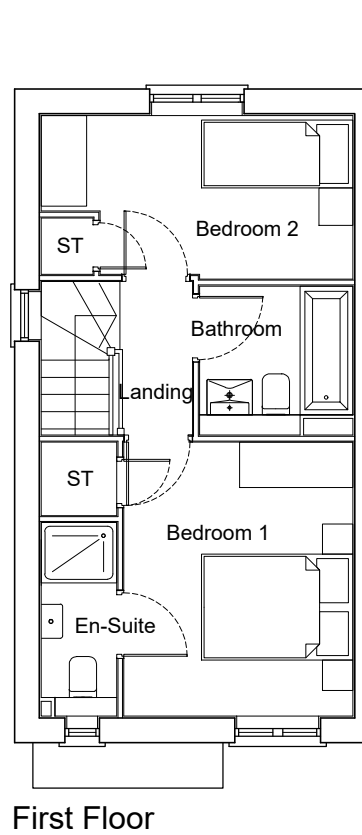
Side Elevation



Rear Elevation



Ground Floor



First Floor

03	09.04.20	Plots numbers updated due to layout changes	TS
02	08.04.20	Scale bar and o/a dimensions added	TS
01	25.03.20	Minor amendment to First Floor Plan	SP

REV	DATE	NOTES	CHK
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Client

LOVELL

Project

FOUNTAIN LANE  
OLDBURY

Drawing Title

HOUSE TYPE 706

Drawn	Checked	Paper Size	Scale	Date
SP	LL	A3	1:100	FEB 2020

Project No.	Drawing No.	Revision
18644	303	03

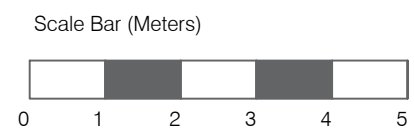
**CORSTORPHINE + WRIGHT ARCHITECTS**

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Leeds  
Canterbury  
Glasgow  
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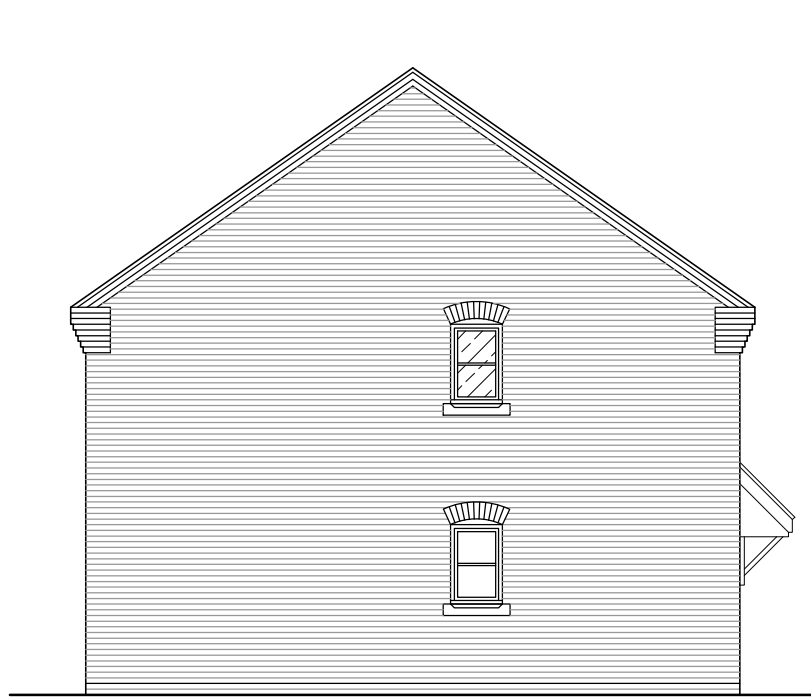
The Old Library Hagley Road Stourbridge DY8 1QH  
Tel. 01384 909850 www.corstorphine-wright.com

For plot specific materials please refer to the Materials Plan (dwg no. 18644 / 328)

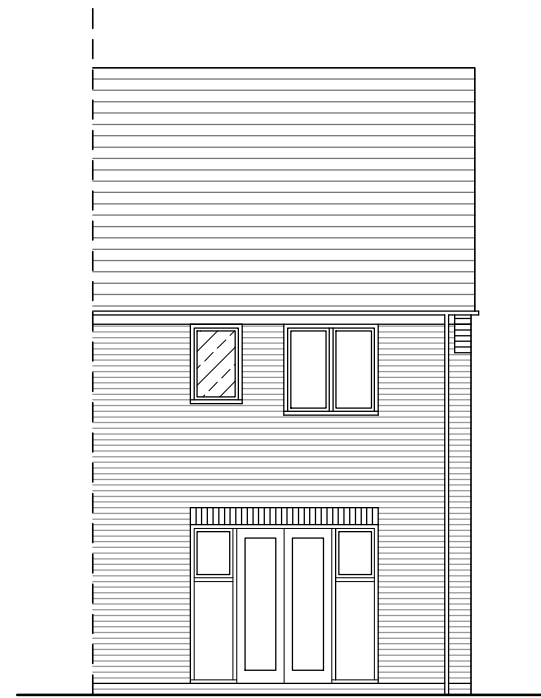
**Plot Numbers:**  
Semi-detached - 42, 96, 97, 98, 102, 103, 104, 106, 107, 108, 109, 111, 112 & 114  
Mid terrace - 113



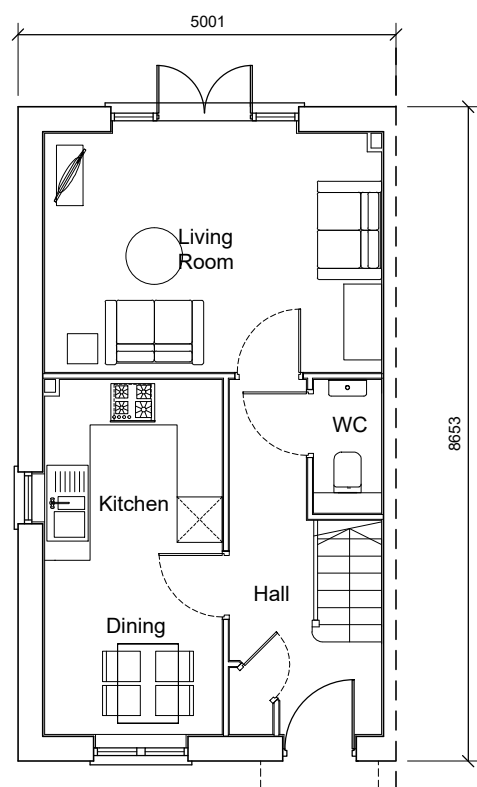
Front Elevation



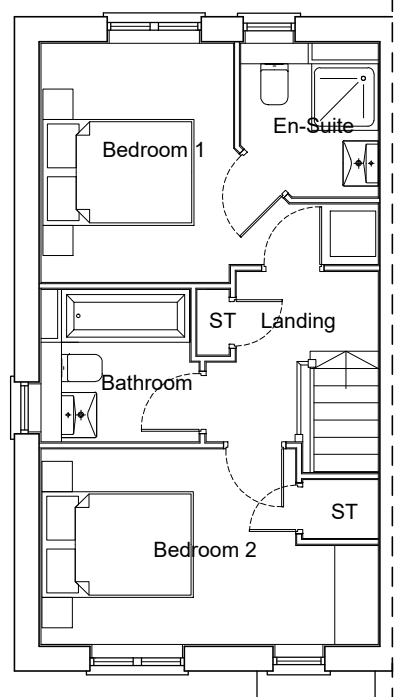
Side Elevation



Rear Elevation



Ground Floor



First Floor

REV	DATE	NOTES	CHK
Client	LOVELL		
Project	FOUNTAIN LANE OLDBURY		
Drawing Title	HOUSE TYPE 763		
Drawn	Checked	Paper Size	Scale
TS	LL	A3	1:100
Date	APR 2020		
Project No.	Drawing No.	Revision	
18644	333		

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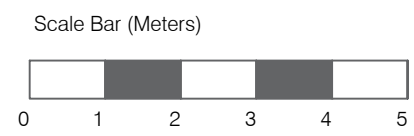
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Dublin

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Tel. 01384 909850 www.corstorphine-wright.com

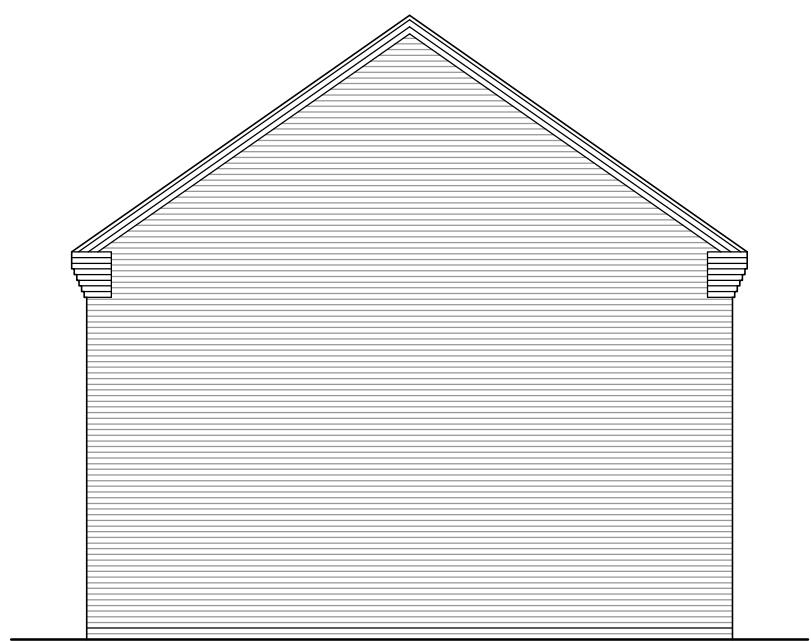
For plot specific materials please refer to the Materials Plan (dwg no. 18644 / 328)



**Plot Numbers:**  
Semi-detached - 122, 132, 133, 149, 188, 198 & 199



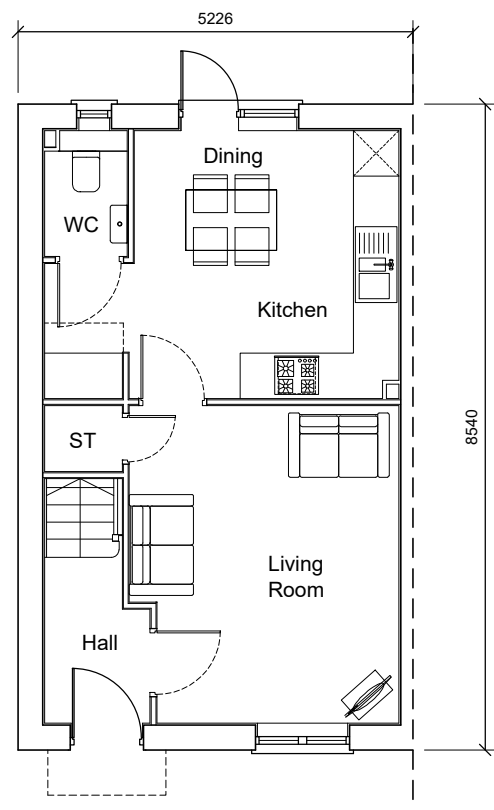
Front Elevation



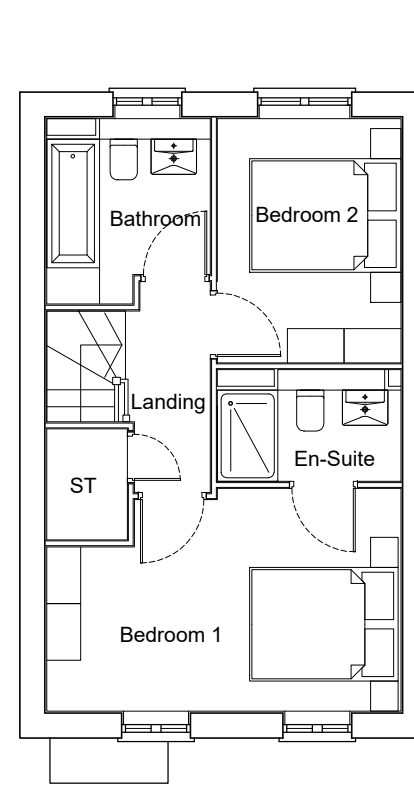
Side Elevation



Rear Elevation



Ground Floor



First Floor

REV	DATE	NOTES	CHK
02	08.04.20	Scale bar and o/a dimensions added	TS
01	25.03.20	Minor amendment to First Floor Plan	SP

Client  
LOVELL

Project  
FOUNTAIN LANE  
OLDBURY

Drawing Title  
HOUSE TYPE 789

Drawn	Checked	Paper Size	Scale	Date
SP	LL	A3	1:100	FEB 2020
Project No. 18644		Drawing No. 304		Revision 02

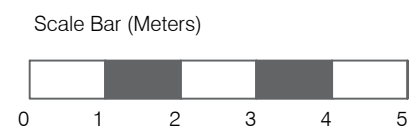
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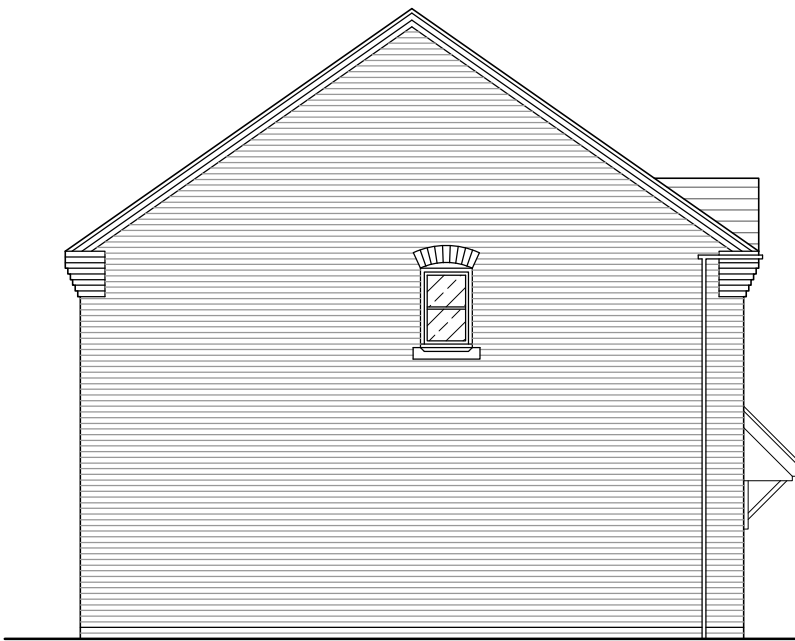
The Old Library Hagley Road Stourbridge DY8 1QH  
Tel. 01384 909850 www.corstorphine-wright.com

For plot specific materials please refer to the Materials Plan (dwg no. 18644 / 328)

**Plot Numbers:**  
 Semi-detached - 36, 37, 40, 51, 99, 101, 136, 137, 189, 190, 195, 196, 205, 206, 219 & 220  
 Mid terrace - 100



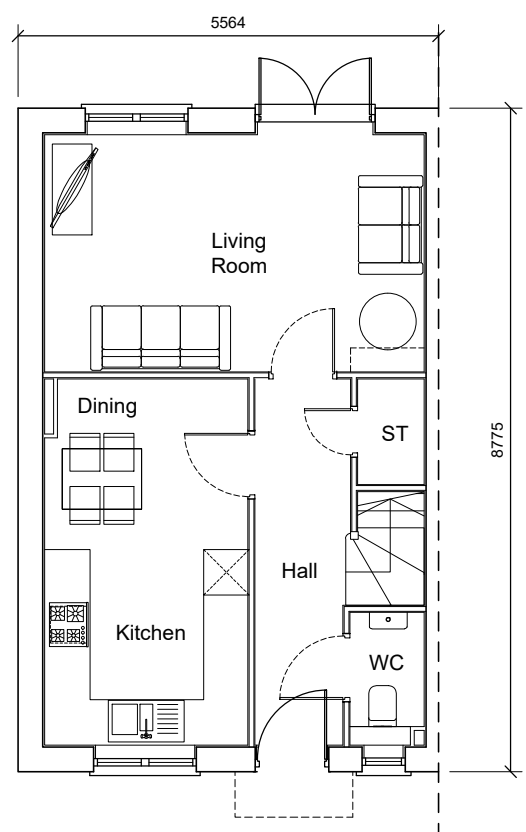
Front Elevation



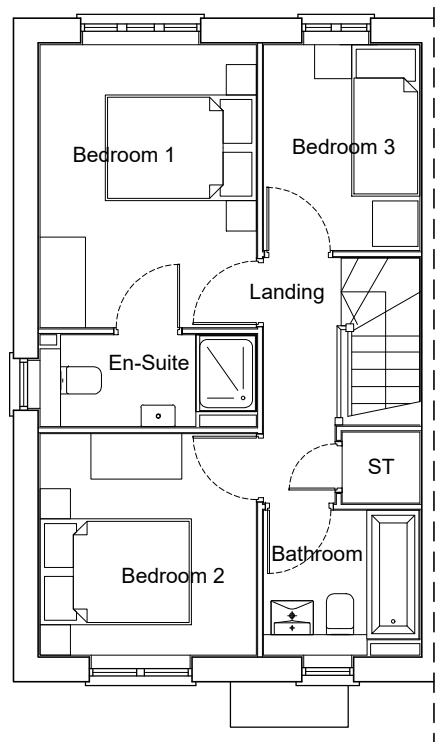
Side Elevation



Rear Elevation



Ground Floor



First Floor

02	08.04.20	Scale bar and o/a dimensions added	TS
01	25.03.20	Minor amendment to First Floor Plan and Elevations	SP

REV	DATE	NOTES	CHK
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Client  
 LOVELL

Project  
 FOUNTAIN LANE  
 OLDBURY

Drawing Title  
 HOUSE TYPE 871

Drawn	Checked	Paper Size	Scale	Date
SP	LL	A3	1:100	FEB 2020

Project No.	Drawing No.	Revision
18644	305	02

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For plot specific materials please refer to the Materials Plan (dwg no. 18644 / 328)

**Plot Numbers:**

Semi-detached - 38, 39, 52, 54, 116, 117, 126, 127, 128, 129, 140, 142, 184, 185, 209 & 210

Mid terrace - 53 & 141

**Scale Bar (Meters)**



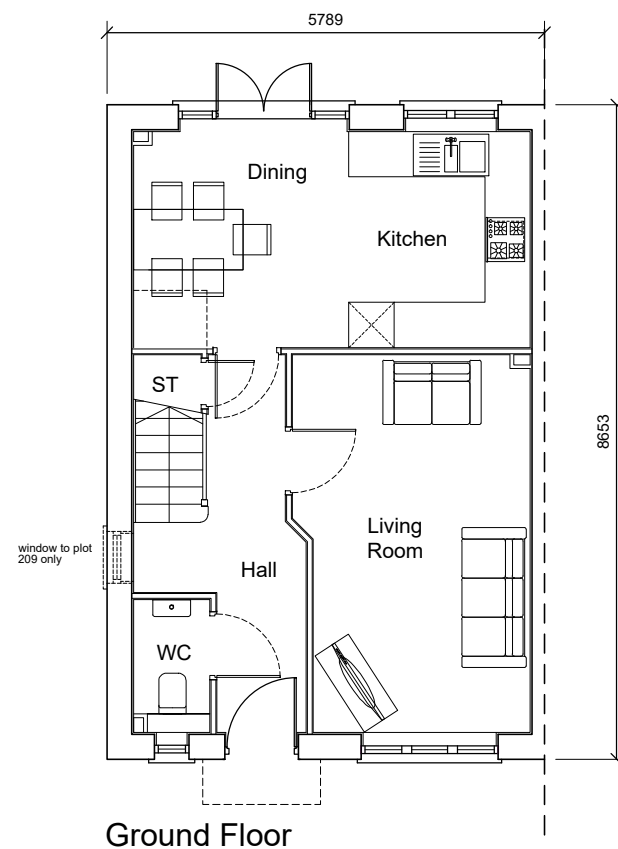
Front Elevation



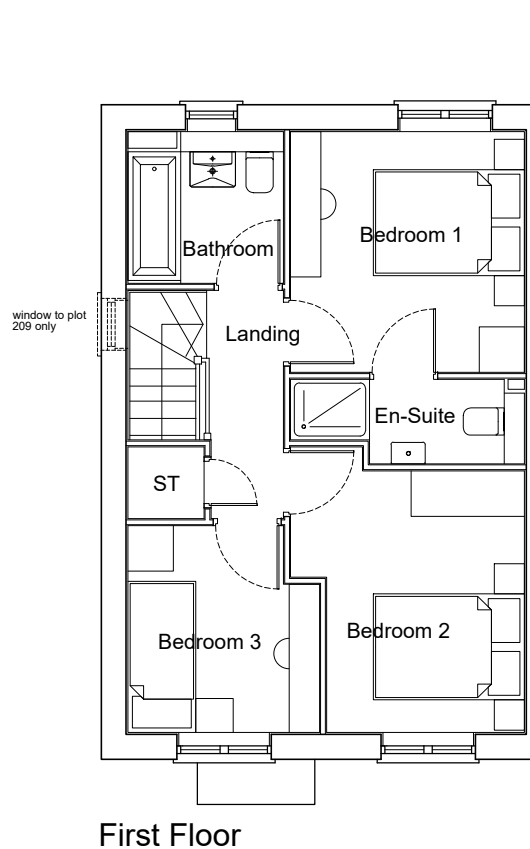
Side Elevation



Rear Elevation



Ground Floor



First Floor

02	08.04.20	Scale bar and o/a dimensions added	TS
01	25.03.20	Minor amendment to First Floor Plan	SP

REV	DATE	NOTES	CHK
-----	------	-------	-----

Client

LOVELL

Project

FOUNTAIN LANE  
OLDBURY

Drawing Title

HOUSE TYPE 897

Drawn	Checked	Paper Size	Scale	Date
SP	LL	A3	1:100	FEB 2020

Project No.	Drawing No.	Revision
18644	306	02

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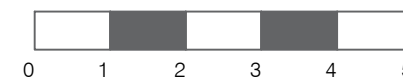
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For plot specific materials please refer to the Materials Plan (dwg no. 18644 / 328)

Plot Numbers:

85 & 90

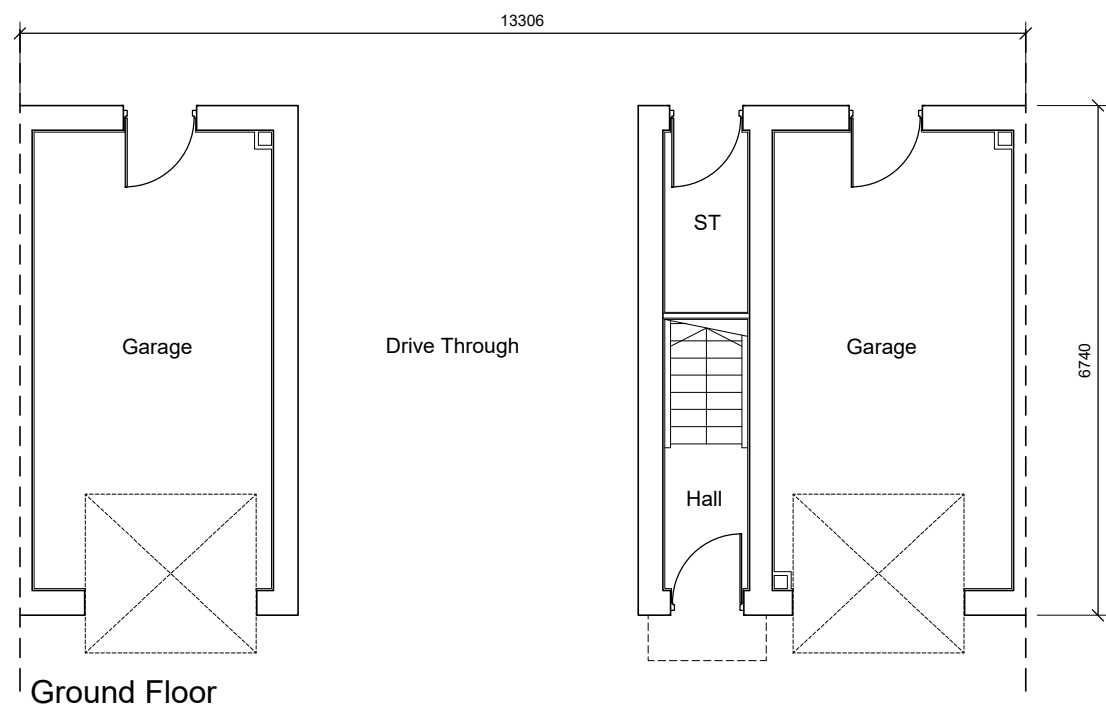
Scale Bar (Meters)



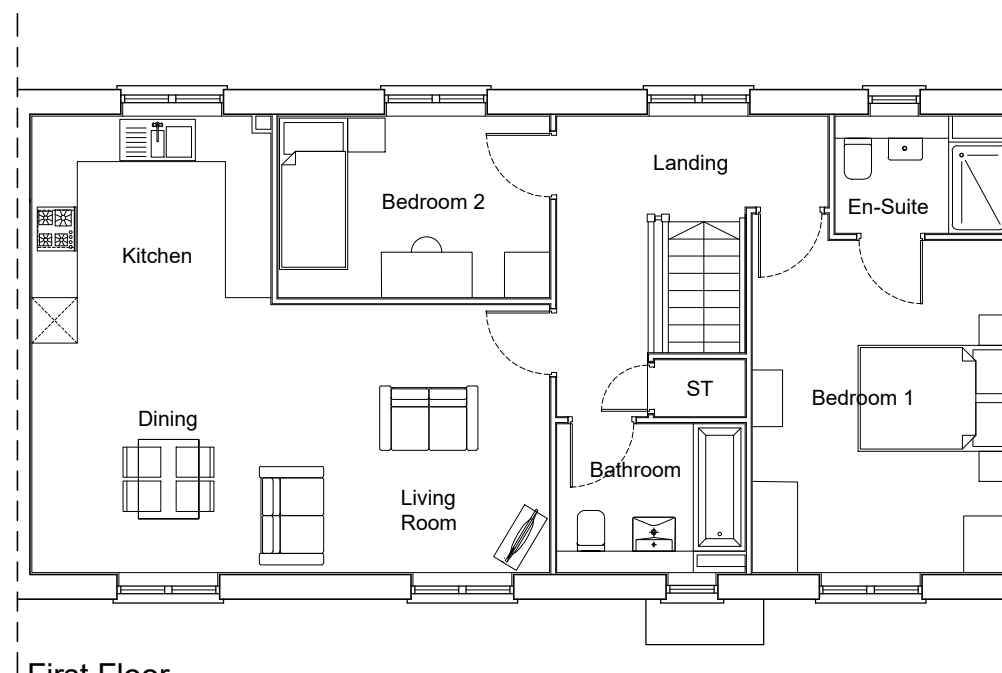
Front Elevation



Rear Elevation



Ground Floor



First Floor

02	08.04.20	Scale bar and o/a dimensions added	TS
01	25.03.20	Minor amendment to First Floor Plan	SP

REV DATE NOTES CHK

Client

LOVELL

Project

FOUNTAIN LANE  
OLDBURY

Drawing Title

HOUSE TYPE 910

Drawn	Checked	Paper Size	Scale	Date
SP	LL	A3	1:100	FEB 2020

Project No.	Drawing No.	Revision
18644	307	02

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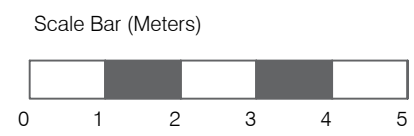
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NOTES:

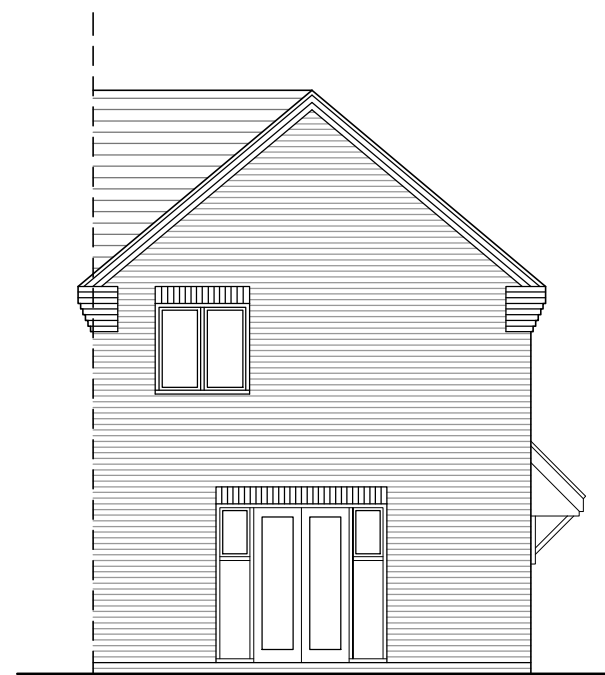
**Plot Numbers:**  
Semi-detached - 43, 95, 105, 110, 123, 148, 187, 223, 231 & 234



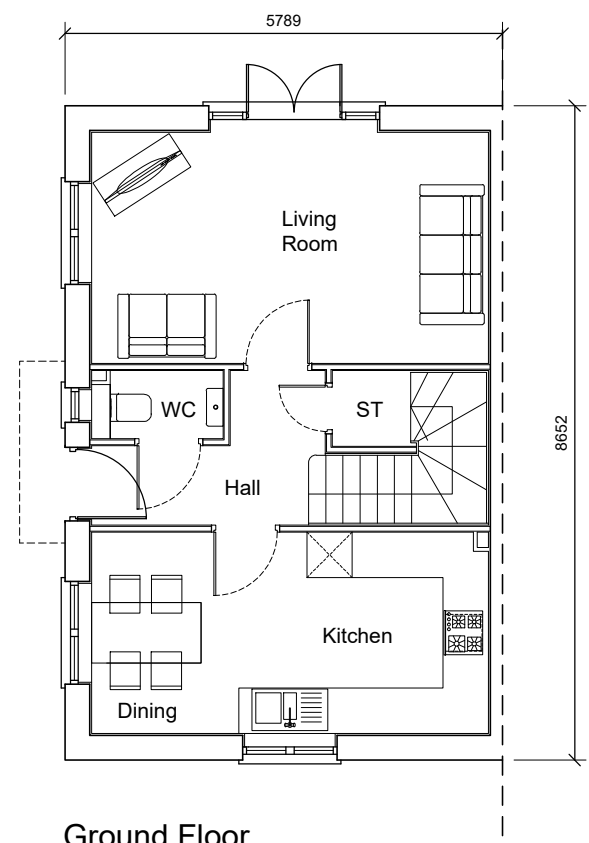
Front Elevation



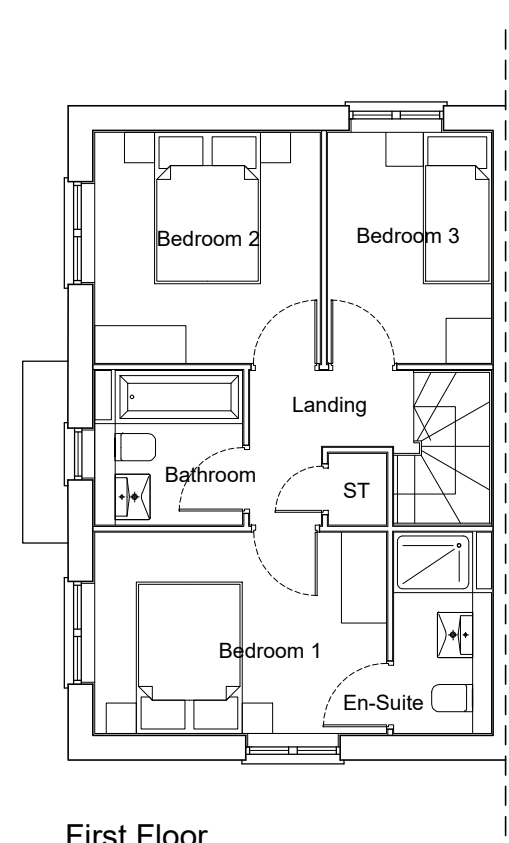
Front / Side Elevation



Rear / Side Elevation



Ground Floor



First Floor

02	08.04.20	Plots numbers updated due to layout changes	TS
01	08.04.20	Scale bar and o/a dimensions added	TS

REV	DATE	NOTES	CHK
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Client

LOVELL

Project

FOUNTAIN LANE  
OLDBURY

Drawing Title

HOUSE TYPE 912

Drawn	Checked	Paper Size	Scale	Date
SP	LL	A3	1:100	FEB 2020

Project No.	Drawing No.	Revision
18644	308	02

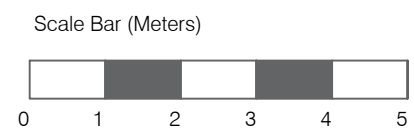
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For plot specific materials please refer to the Materials Plan (dwg no. 18644 / 328)

**Plot Numbers:**  
 Detached - 115, 125, 130, 147, 150, 181, 183, 191, 192, 194 & 197



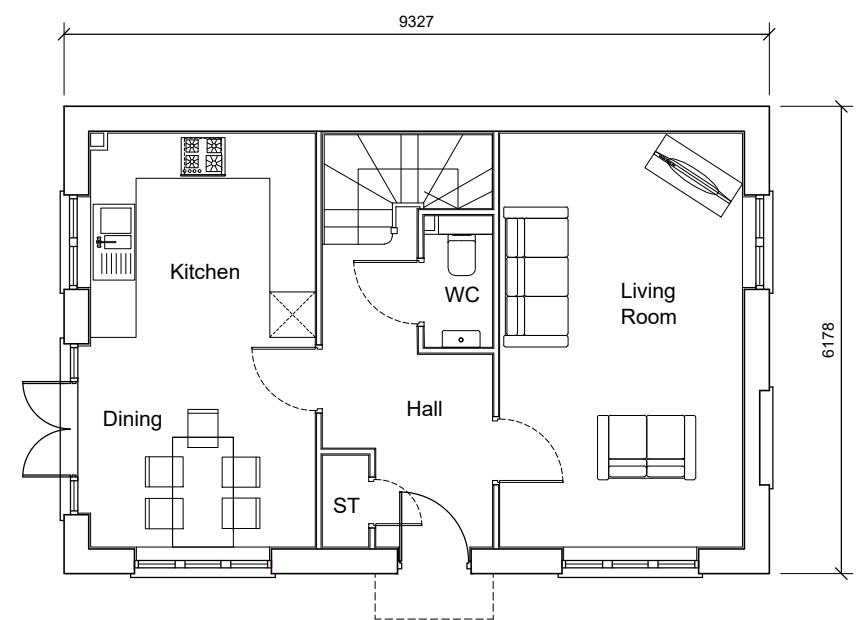
Front Elevation



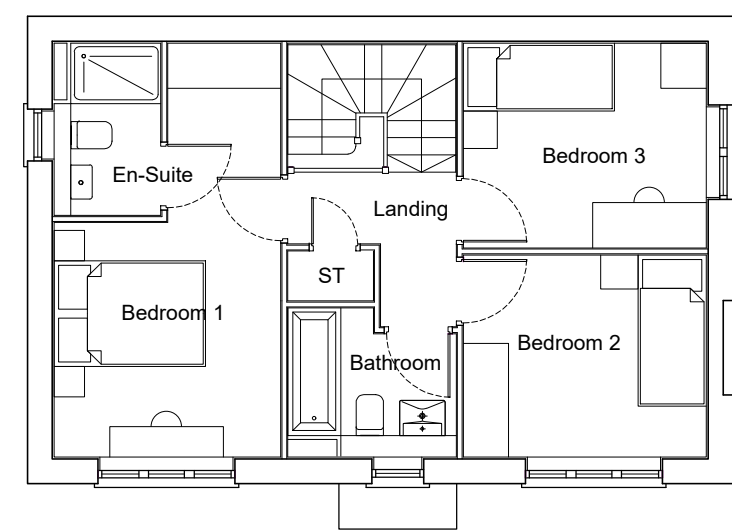
Front / Side Elevation



Rear Elevation



Ground Floor



First Floor



Rear / Side Elevation

01	08.04.20	Scale bar and o/a dimensions added	TS
REV	DATE	NOTES	CHK
Client			
LOVELL			
Project			
FOUNTAIN LANE OLDBURY			
Drawing Title			
HOUSE TYPE 1015			
Drawn	Checked	Paper Size	Scale
SP	LL	A3	1:100
Date		FEB 2020	
Project No.	Drawing No.	Revision	
18644	309	01	

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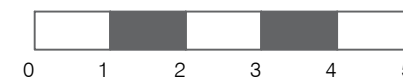
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For plot specific materials please refer to the Materials Plan (dwg no. 18644 / 328)

Plot Numbers:

Semi-detached - 41 & 50

Scale Bar (Meters)



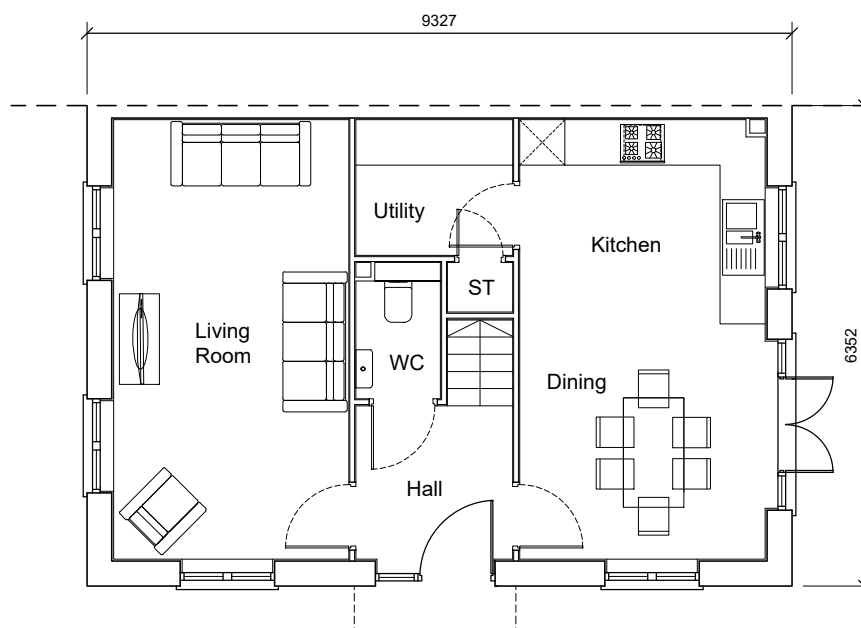
Front Elevation



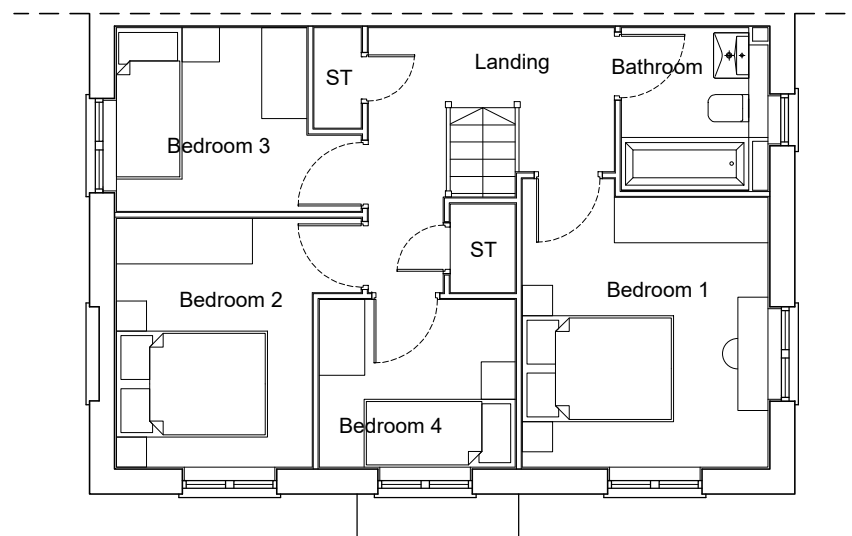
Side Elevation



Side Elevation



Ground Floor



First Floor

03	09.04.20	Plots numbers updated due to layout changes	TS
02	08.04.20	Scale bar and dia dimensions added	TS
01	25.03.20	Minor amendment to First Floor Plan	SP

REV	DATE	NOTES	CHK
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Client

LOVELL

Project

FOUNTAIN LANE  
OLDBURY

Drawing Title

HOUSE TYPE 1078

Drawn	Checked	Paper Size	Scale	Date
SP	LL	A3	1:100	FEB 2020

Project No.	Drawing No.	Revision
18644	310	03

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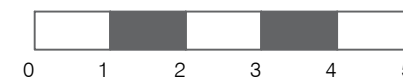
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For plot specific materials please refer to the Materials Plan (dwg no. 18644 / 328)

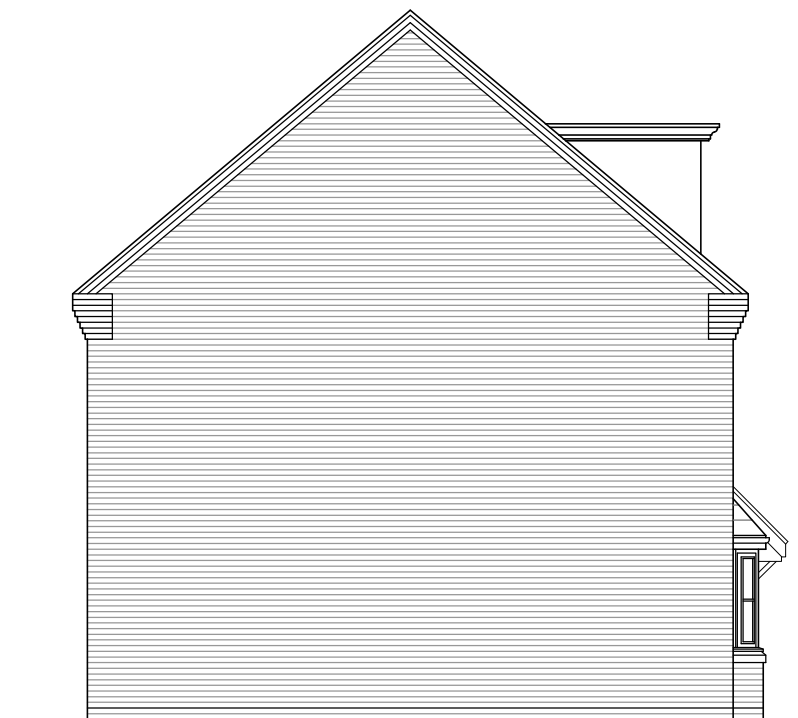
**Plot Numbers:**

Semi-detached - 44, 45, 46, 47, 80, 81 & 93

**Scale Bar (Meters)**



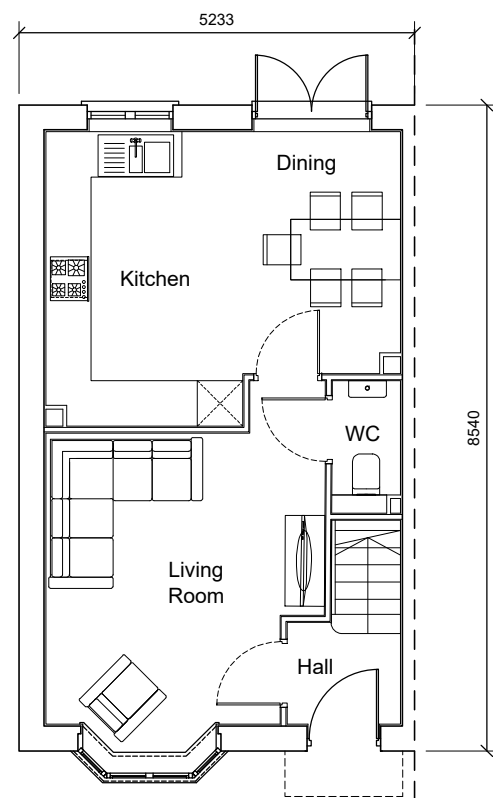
Front Elevation



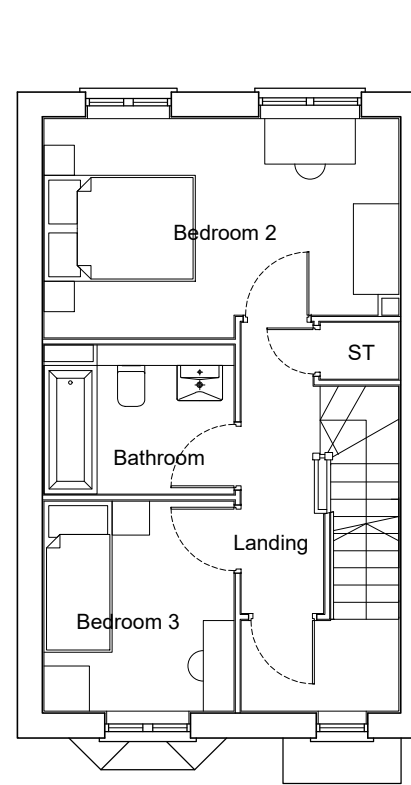
Side Elevation



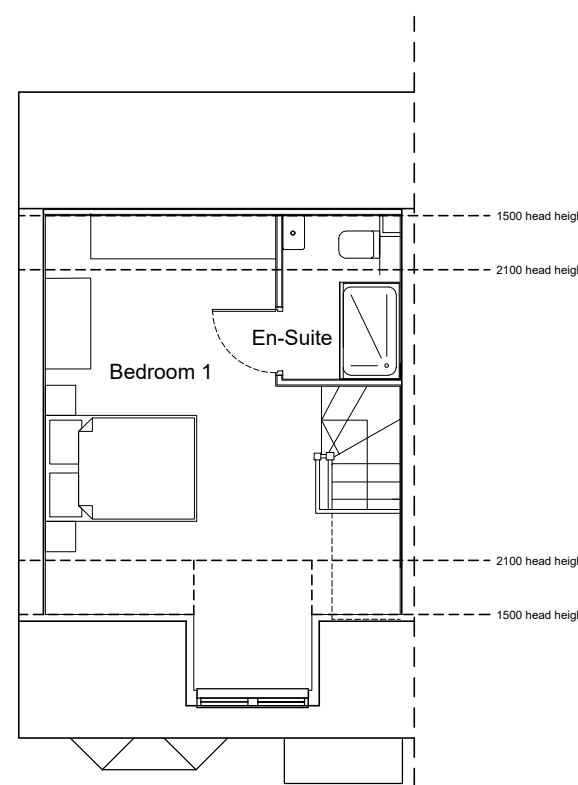
Rear Elevation



Ground Floor



First Floor



Second Floor

02	08.04.20	Scale bar and o/a dimensions added	TS
01	25.03.20	Minor amendment to Second Floor Plan	SP

Client

LOVELL

Project

FOUNTAIN LANE  
OLDBURY

Drawing Title

HOUSE TYPE 1080

Drawn	Checked	Paper Size	Scale	Date
SP	LL	A3	1:100	FEB 2020

Project No.	Drawing No.	Revision
18644	311	02

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For plot specific materials please refer to the Materials Plan (dwg no. 18644 / 328)



**Plot Numbers:**  
Semi-detached - 134, 135, 145, 146, 179 & 180



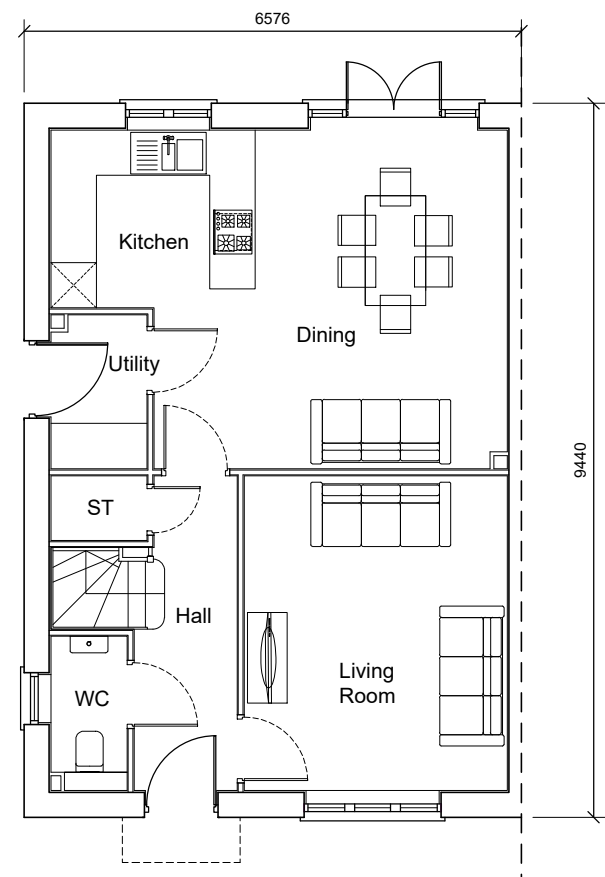
Front Elevation



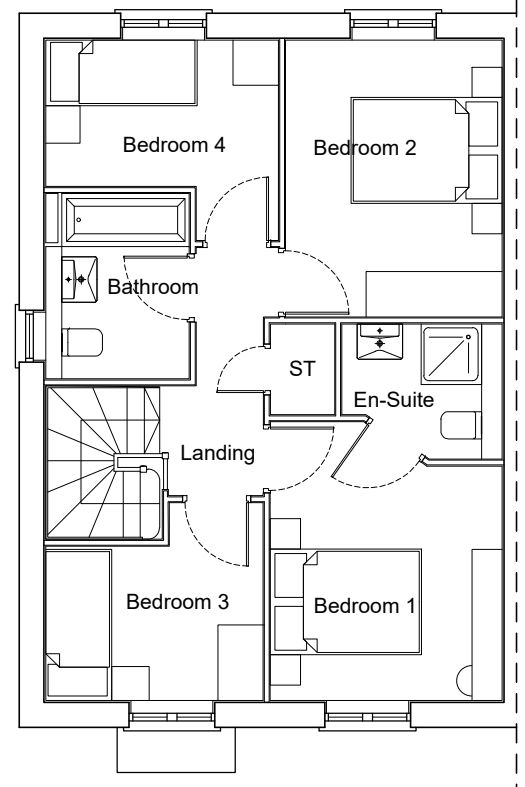
Side Elevation



Rear Elevation



Ground Floor



First Floor

01	08.04.20	Scale bar and o/a dimensions added	TS
REV	DATE	NOTES	CHK
Client			
LOVELL			
Project			
FOUNTAIN LANE OLDBURY			
Drawing Title			
HOUSE TYPE 1134			
Drawn	Checked	Paper Size	Scale
SP	LL	A3	1:100
Date	FEB 2020		
Project No.	Drawing No.	Revision	
18644	312	01	

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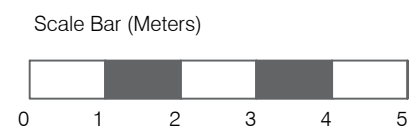
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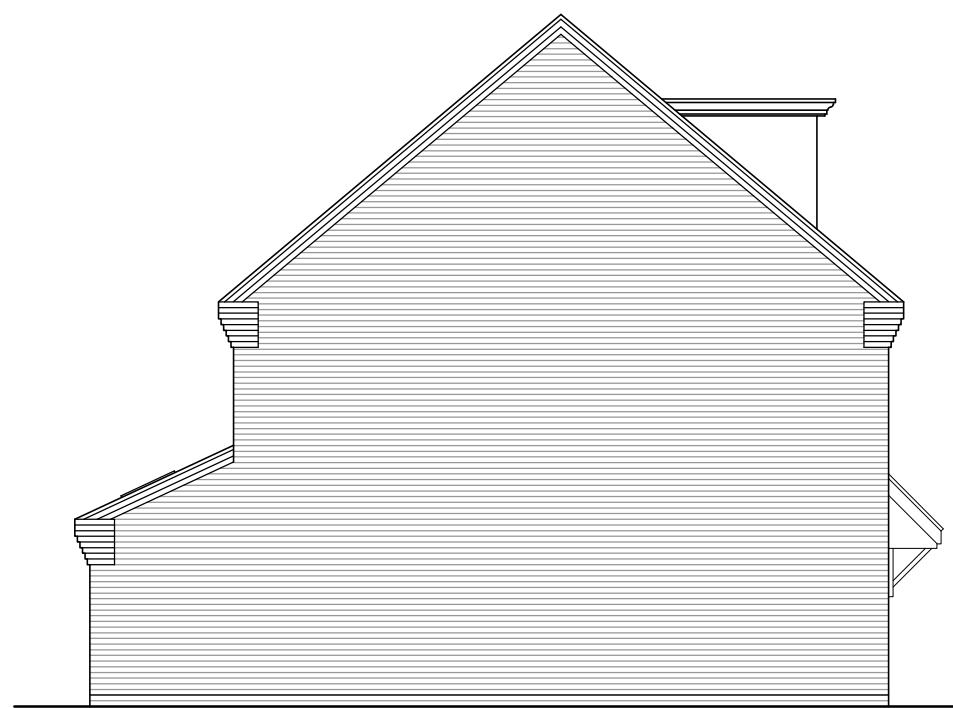
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NOTES:

**Plot Numbers:**  
Semi-detached - 138, 139, 143, 144, 153, 154, 200, 201, 213 & 214



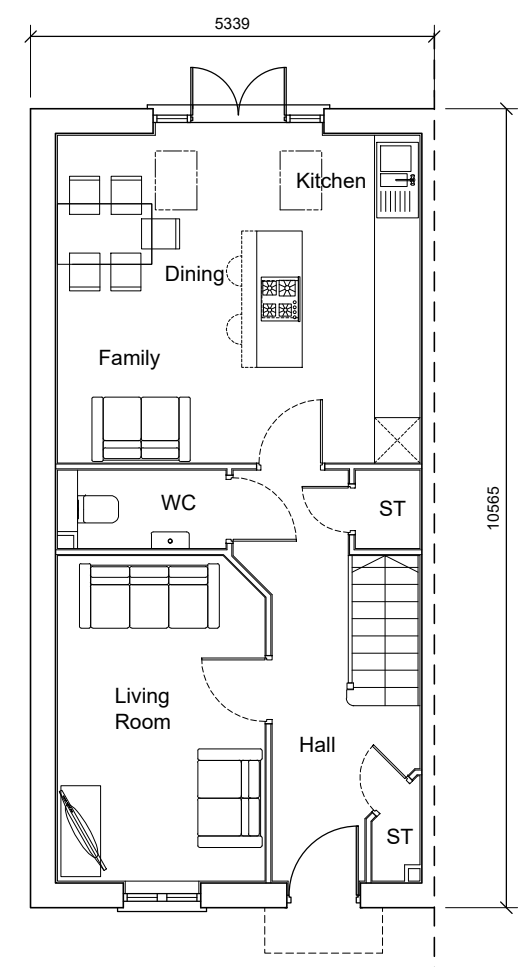
Front Elevation



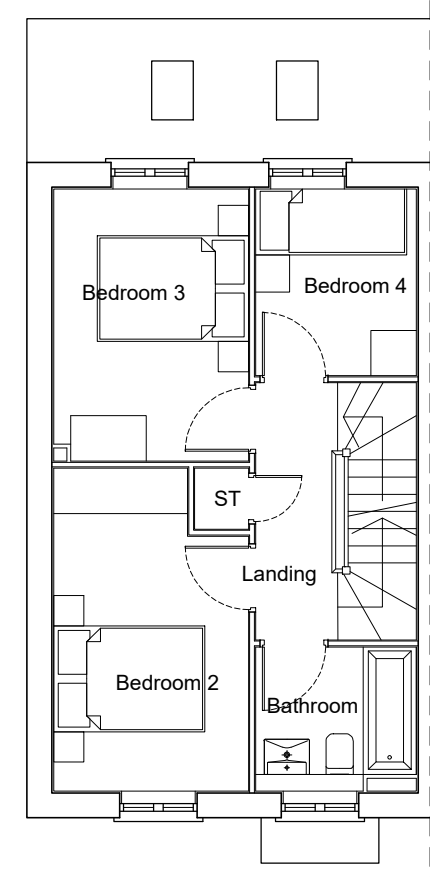
Side Elevation



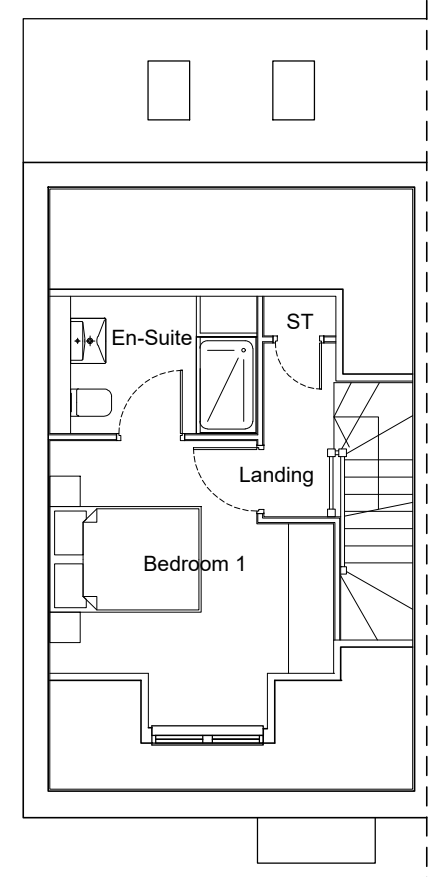
Rear Elevation



Ground Floor



First Floor



Second Floor

01	08.04.20	Scale bar and o/a dimensions added	TS
REV	DATE	NOTES	CHK
Client			
LOVELL			
Project			
FOUNTAIN LANE OLDBURY			
Drawing Title			
HOUSE TYPE 1173			
Drawn	Checked	Paper Size	Scale
SP	LL	A3	1:100
Date	FEB 2020		
Project No.	Drawing No.	Revision	
18644	313	01	

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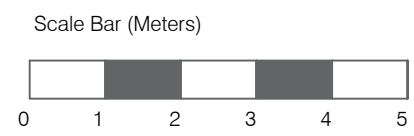
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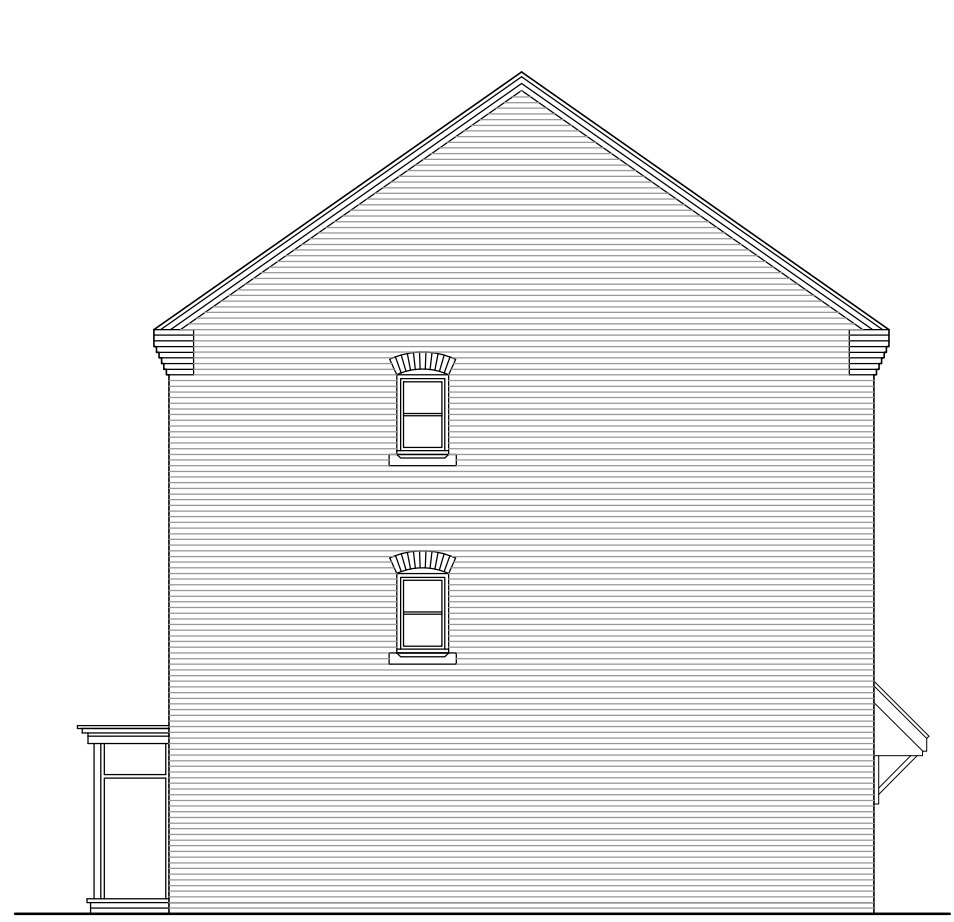
Figured dimensions only to be taken from this drawing. DO NOT SCALE. All contractors must visit the site and be responsible for checking all setting out dimensions and notifying the architect of any discrepancies prior to any manufacture or construction work.

NOTES:

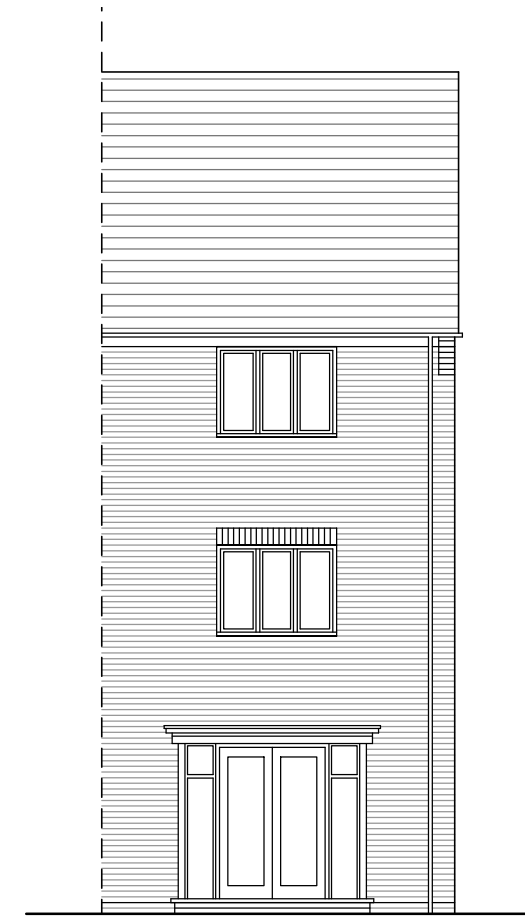
**Plot Numbers:**  
 Semi-detached - 35, 48, 78, 79, 82, 87, 88 & 92  
 Mid terrace - 86, 89 & 91



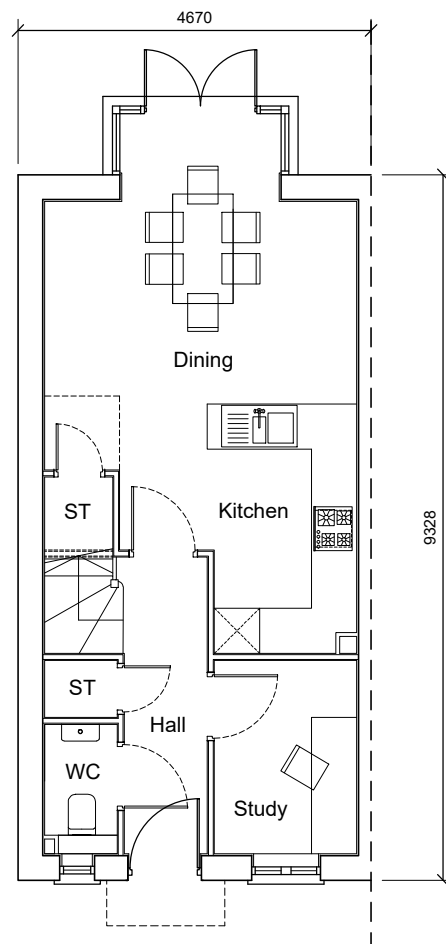
Front Elevation



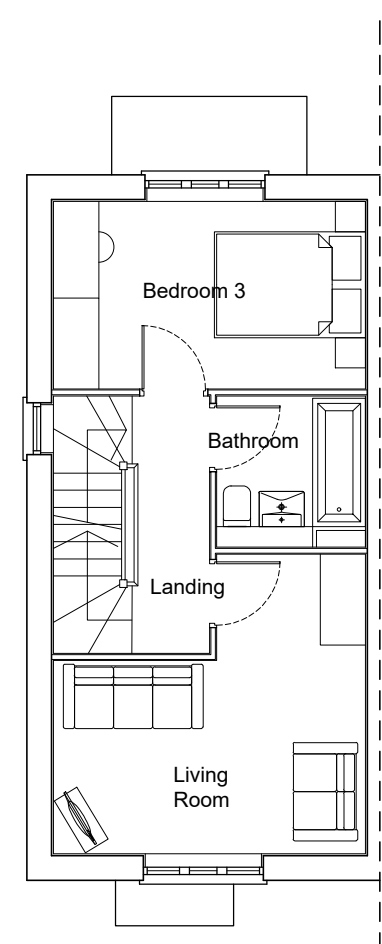
Side Elevation



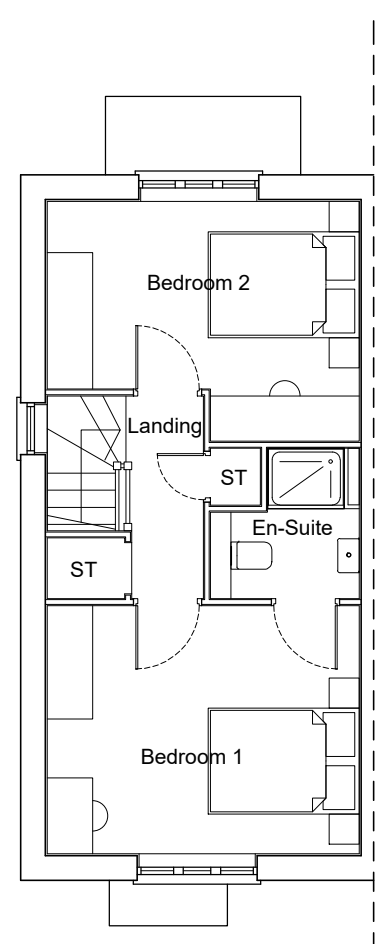
Rear Elevation



Ground Floor



First Floor



Second Floor

For plot specific materials please refer to the Materials Plan (dwg no. 18644 / 328)

01	08.04.20	Scale bar and o/a dimensions added	TS	
REV	DATE	NOTES	CHK	
Client				
LOVELL				
Project				
FOUNTAIN LANE OLDBURY				
Drawing Title				
HOUSE TYPE 1180				
Drawn	Checked	Paper Size	Scale	Date
SP	LL	A3	1:100	FEB 2020
Project No.	Drawing No.	Revision		
18644	314	01		

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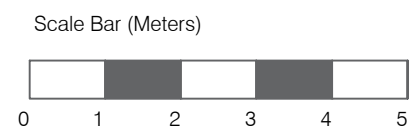
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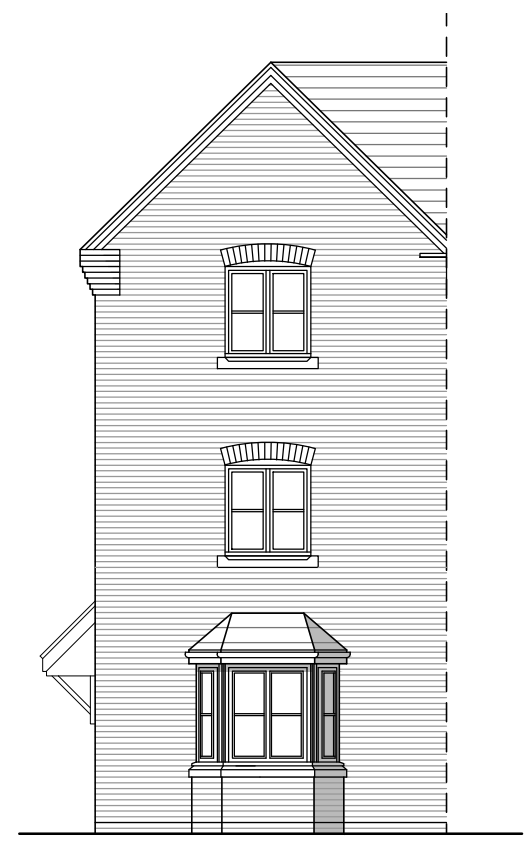
Figured dimensions only to be taken from this drawing. DO NOT SCALE. All contractors must visit the site and be responsible for checking all setting out dimensions and notifying the architect of any discrepancies prior to any manufacture or construction work.

NOTES:

**Plot Numbers:**  
Semi-detached - 34, 49, 83, 84 & 94



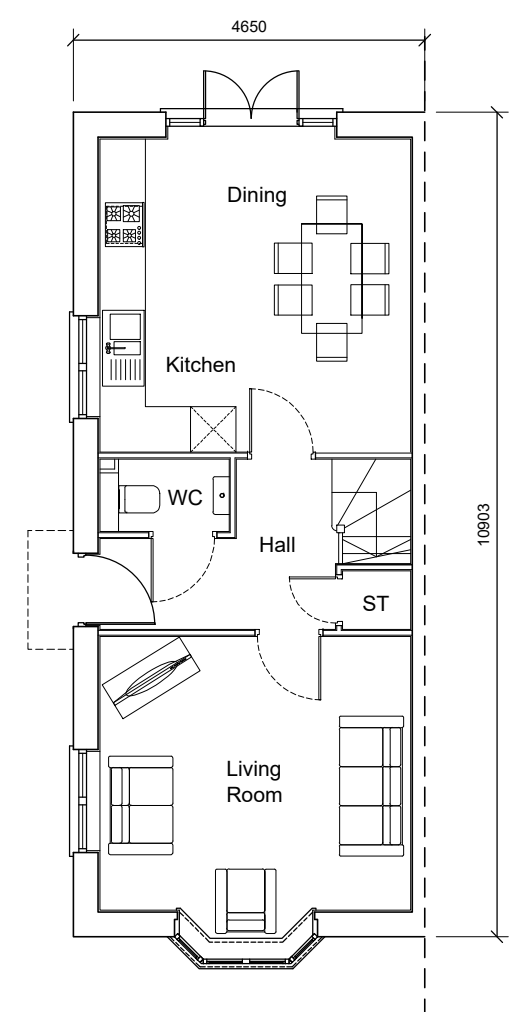
Front Elevation



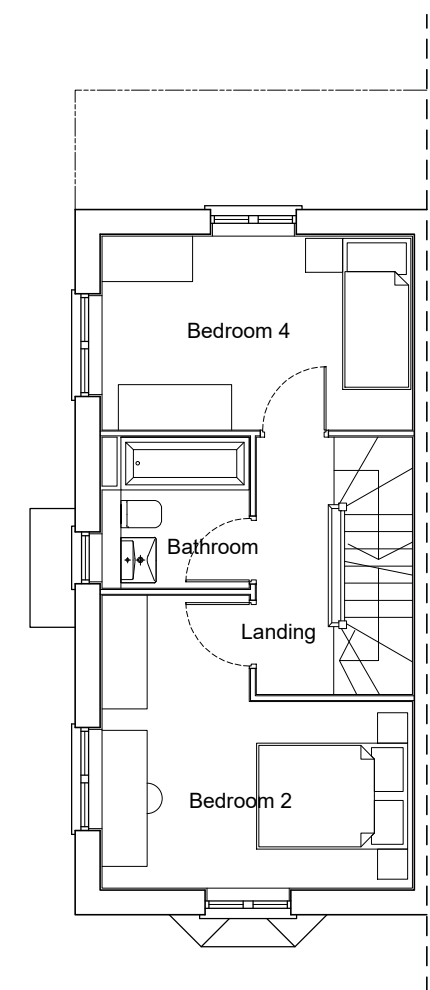
Front / Side Elevation



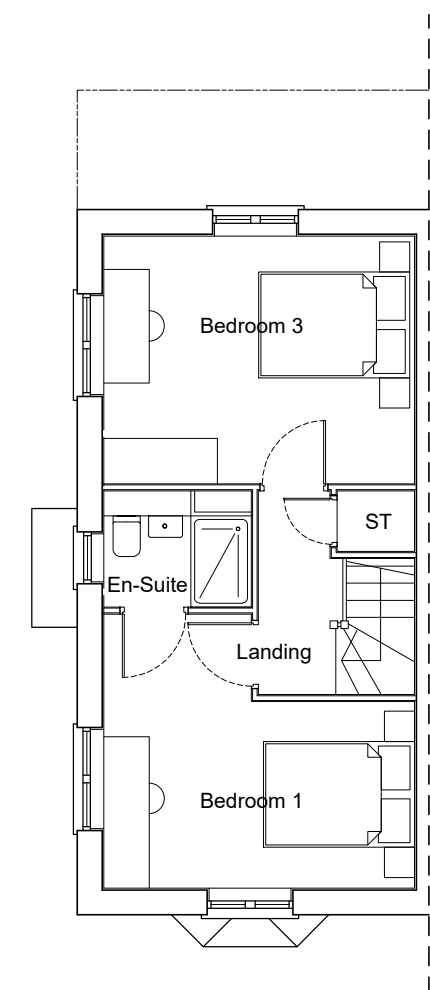
Rear / Side Elevation



Ground Floor



First Floor



Second Floor

For plot specific materials please refer to the Materials Plan (dwg no. 18644 / 328)

02	08.04.20	Scale bar and o/a dimensions added	TS
01	25.03.20	Minor amendment to Second Floor Plan	SP
REV	DATE	NOTES	CHK
Client			
LOVELL			
Project			
FOUNTAIN LANE OLDBURY			
Drawing Title			
HOUSE TYPE 1220			
Drawn	Checked	Paper Size	Scale
SP	LL	A3	1:100
Date	Date		
FEB 2020	FEB 2020		
Project No.	Drawing No.	Revision	
18644	315	02	

**CORSTORPHINE + WRIGHT ARCHITECTS**

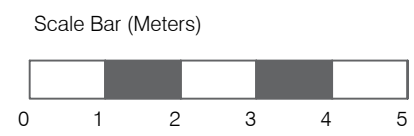
Wanwick  
London  
Birmingham  
Manchester  
Leeds  
Canterbury  
Glasgow  
Dublin  
The Old Library Hagley Road Stourbridge DY8 1QH  
Tel. 01384 909850 www.corstorphine-wright.com

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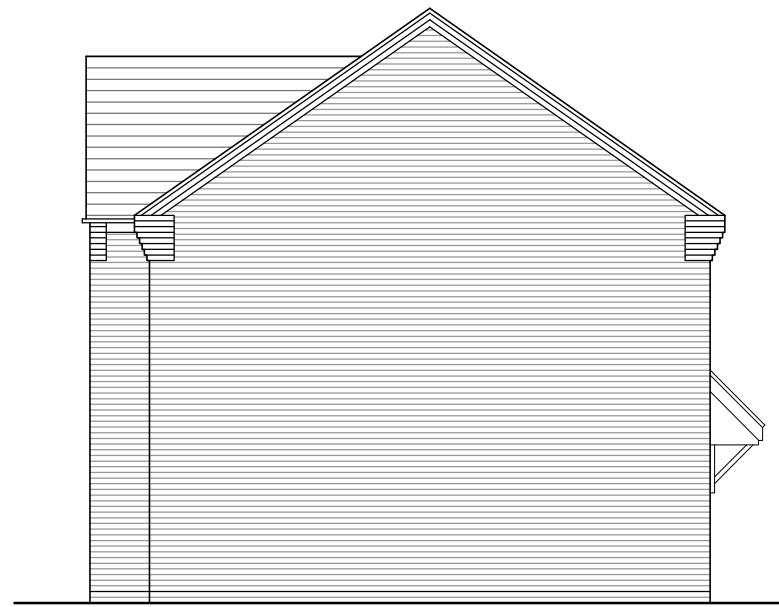
Figured dimensions only to be taken from this drawing. DO NOT SCALE. All contractors must visit the site and be responsible for checking all setting out dimensions and notifying the architect of any discrepancies prior to any manufacture or construction work.

NOTES:

**Plot Numbers:**  
Detached - 124, 131, 182, 186 & 193



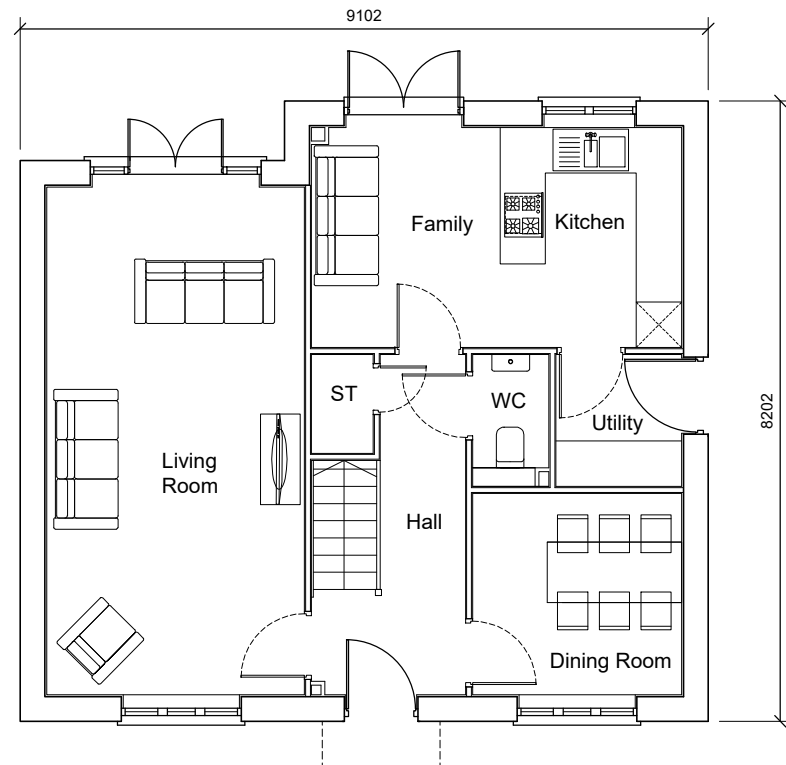
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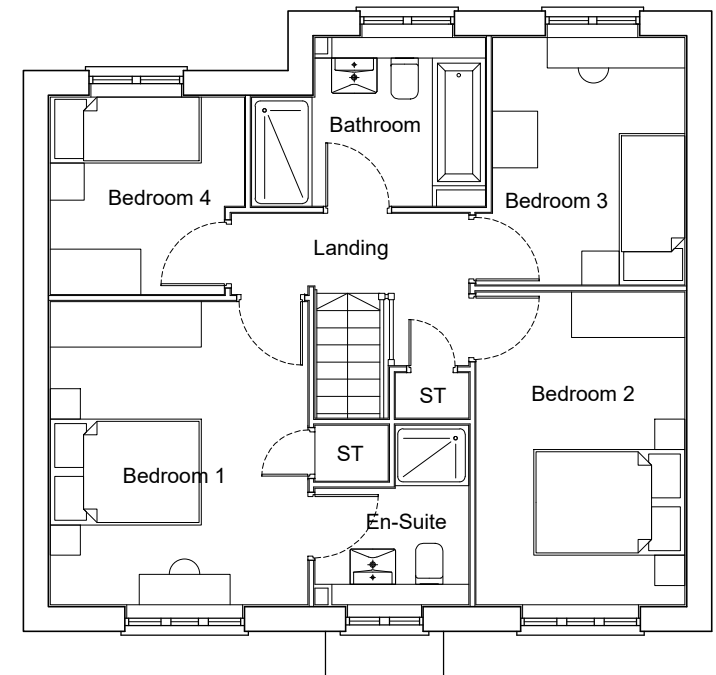
Side Elevation



Side Elevation



Ground Floor



First Floor



Rear Elevation

02	08.04.20	Scale bar and o/a dimensions added	TS
01	25.03.20	Minor amendments to First Floor Plan	SP
REV	DATE	NOTES	CHK
Client			
LOVELL			
Project			
FOUNTAIN LANE OLDBURY			
Drawing Title			
HOUSE TYPE 1295			
Drawn	Checked	Paper Size	Scale
SP	LL	A3	1:100
Project No.	Drawing No.	Date	
18644	316	FEB 2020	
Revision			
			02

**CORSTORPHINE + WRIGHT ARCHITECTS**

Wanwick  
London  
Birmingham  
Manchester  
Leeds  
Canterbury  
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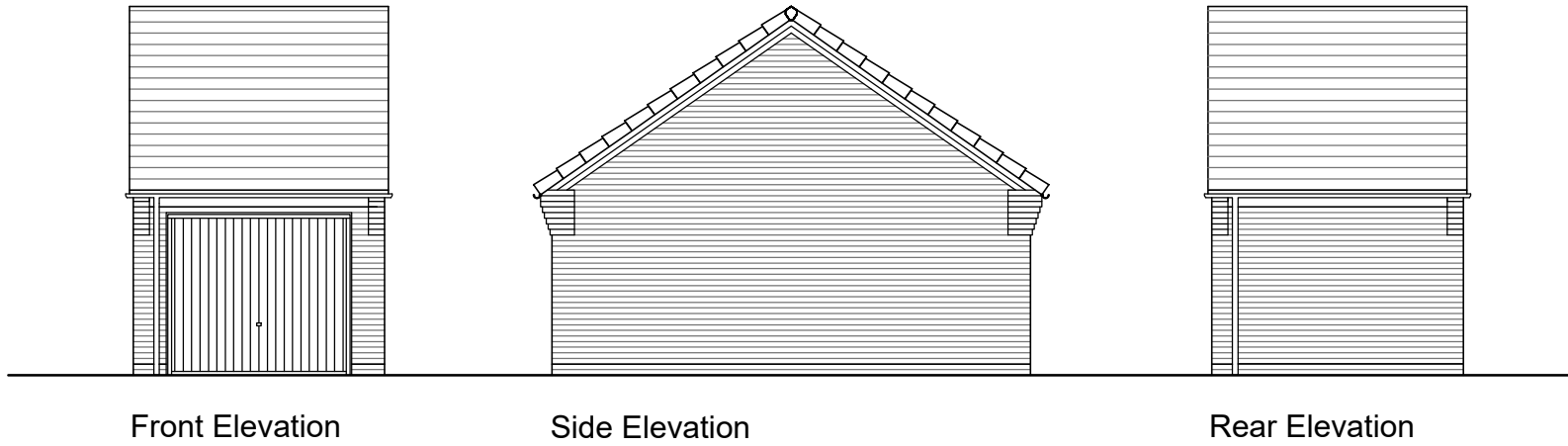
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Tel. 01384 909850 www.corstorphine-wright.com

For plot specific materials please refer to the Materials Plan (dwg no. 18644 / 328)

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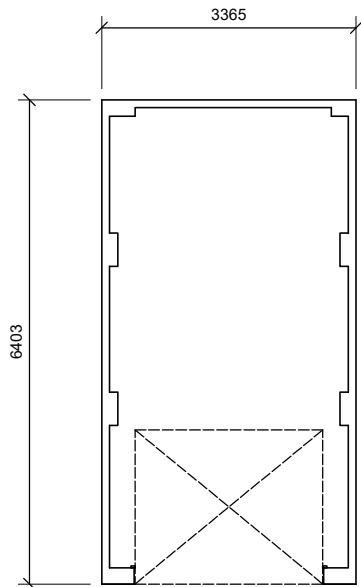
NOTES:



Front Elevation

Side Elevation

Rear Elevation

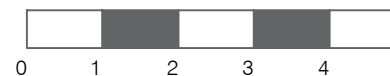


Floor Plan

**Single Garage**  
 PLOTS: 115, 124, 125, 134, 135, 138, 139, 143, 150, 153, 154, 182, 183, 186, 192, 193, 194, 197, 200, 201, 213 & 214

For plot specific materials please refer to the Materials Plan (dwg no. 18644 / 328)

Scale Bar (Meters)



01	08.04.20	Scale bar and o/a dimensions added	TS
REV	DATE	NOTES	CHK

Client  
 LOVELL

Project  
 FOUNTAIN LANE  
 OLDBURY

Drawing Title  
 SINGLE GARAGE  
 FLOOR PLANS AND ELEVATIONS

Drawn	Checked	Paper Size	Scale	Date
TS	LL	A4	1:100	MAR 2020

Project No.	Drawing No.	Revision
18644	331	01

**CORSTORPHINE + WRIGHT ARCHITECTS**

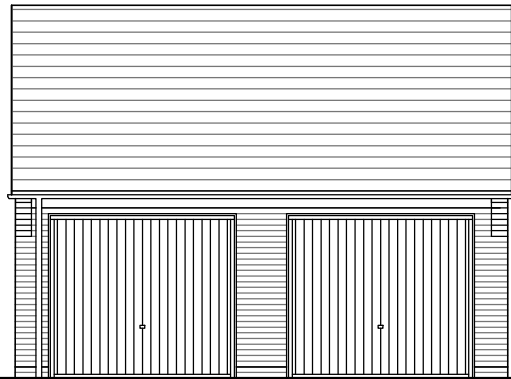
Warwick  
 London  
 Birmingham  
 Manchester  
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 Canterbury  
 Glasgow  
 Dublin

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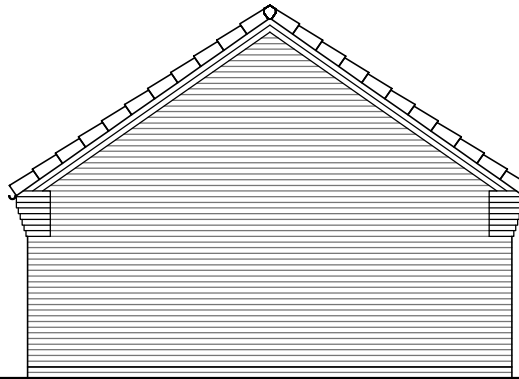
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NOTES:



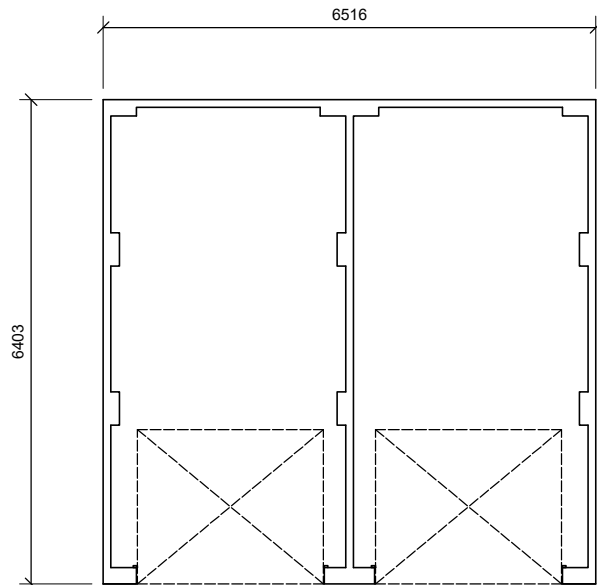
Front Elevation



Side Elevation



Rear Elevation

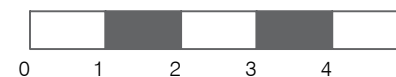


Floor Plan

**Double Garage**  
PLOTS: 130-131, 144-145, 146-147, 179-191 & 180-181

For plot specific materials please refer to the Materials Plan (dwg no. 18644 / 328)

Scale Bar (Meters)



01	08.04.20	Scale bar and o/a dimensions added	TS
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REV	DATE	NOTES	CHK
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Client			
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LOVELL

Project

FOUNTAIN LANE  
OLDBURY

Drawing Title

DOUBLE GARAGE  
FLOOR PLANS AND ELEVATIONS

Drawn	Checked	Paper Size	Scale	Date
TS	LL	A4	1:100	MAR 2020

Project No.	Drawing No.	Revision
18644	332	01



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## REPORT TO PLANNING COMMITTEE

8<sup>th</sup> July 2020

<b>Application Reference</b>	DC/20/64215
<b>Application Received</b>	24 <sup>th</sup> April 2020
<b>Application Description</b>	Proposed 15m high Monopole, wraparound Cabinet at base and associated ancillary works.
<b>Application Address</b>	Land at Garratt Street West Bromwich
<b>Applicant</b>	Hutchison 3G UK Ltd Star House 20 Grenfell Road Maidenhead SL6 1EH
<b>Ward</b>	West Bromwich Central
<b>Contribution towards Vision 2030:</b>	 
<b>Contact Officer(s)</b>	Douglas Eardley 0121 5694892 douglas_eardley@sandwell.gov.uk

### **RECOMMENDATION**

That prior approval is required and granted.

#### **1. BACKGROUND**

- 1.1 This application is being reported to your Planning Committee because the proposal has generated 4 objections.
- 1.1 To assist members with site context, a link to google maps is provided below:

[Garratt Street, West Bromwich](#)

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

- 2.1 The site is unallocated in the adopted development plans.



2.2 The material planning considerations which are relevant to this application are: -

Government policy (NPPF)  
Proposals in the Local Plan  
Out of character with the surrounding area

### **3. THE APPLICATION SITE**

3.1 The application relates to a piece of land on the northern side of Garratt Street, West Bromwich. To the north of the site is a park (Jesson Playing Field); there is an underpass and roundabout opposite the site; with residential properties situated approximately 30 metres east of the application site.

### **4. PLANNING HISTORY**

4.1 There is no relevant planning history.

### **5. APPLICATION DETAILS**

5.1 This application is seeking prior approval for the siting and appearance only of a proposed 15m high monopole, wraparound cabinet at base and associated ancillary works. These proposed telecommunication works are to provide 5G network coverage in the area. The application has been made under the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) – Schedule 2, Part 16, Class A.

### **6. PUBLICITY**

6.1 The application has been publicised by neighbour notification letter and site notice. Four objections have been received.

#### **6.2 Objections**

Objections have been received on the following grounds:

(i) Out of character with the surrounding area

Immaterial objections have also been raised relating to devaluing properties in the area and on health grounds. Regarding the objections raised on health grounds, the applicant has submitted an ICNIRP certificate with the application, which confirms that the proposal has been designed to be in full compliance with the requirement of the radio frequency (RF) public exposure guidelines of the International Commission on Non-Ionizing Radiation Protection (ICNIRP). As the

proposal complies with the guidelines of the International Commission on Non-Ionizing Radiation Protection (ICNIRP), the proposal is in compliance with the National Planning Policy Framework and therefore health grounds are not material to the determination of this application. It should be noted that as this is a prior approval telecommunications application, the Council can only consider the siting and appearance of the proposal.

### **6.3 Responses to objections**

I respond to the objector's comments below:

- (i) The scheme has been amended to reduce the height of the proposed monopole from 20 metres high to 15 metres high. Coupled with this height reduction, the colour of the proposed 15m high monopole and wraparound cabinet etc would be fir green (RAL 6009); which would camouflage the proposal, so that it would harmonise with its surroundings of trees etc. The nearest residential properties on Garratt Street are approximately 30 metres away from the proposal and do not directly face the proposal. Therefore, it is considered that the measures taken to reduce the height of the monopole and camouflage the proposal would make the proposal acceptable from a siting and appearance perspective in this location.

## **7. STATUTORY CONSULTATION**

- 7.1 **Transportation Planning** – 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.
- 8.2 Paragraph 113 of the National Planning Policy Framework concerning new sites requires equipment to be sympathetically designed and camouflaged. It is considered that the amended proposal, which has reduced the height of the proposed monopole from 20 metres high to 15 metres high and would be painted fir green (RAL 6009) to harmonise with its surroundings, would now be complaint with the National Planning Policy Framework.

## **9. LOCAL PLANNING POLICY**

- 9.1 The following policy of the Council's Local Plan is relevant: -

## SAD TEL1: Telecommunications Antenna and Masts

- 9.2 Policy SAD TEL1 refers to the siting and external appearance of apparatus should be designed to minimise the impact of such apparatus on amenity, while respecting operational efficiency. Therefore, it is considered that the amended proposal, which has reduced the height of the proposed monopole from 20 metres high to 15 metres high and would be painted fir green (RAL 6009) to harmonise with its surroundings, would now be compliant with the provisions of policy SAD TEL1.

## 10. MATERIAL CONSIDERATIONS

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

### 10.2 Out of character with the surrounding area

The nearest residential properties on Garratt Street are approximately 30 metres away and do not directly face the proposal, When this is coupled with the measures taken to reduce the height of the monopole to 15 metres high and camouflage the proposal by painting it fir green (RAL 6009), it is considered that it would make the proposal acceptable from a siting and appearance perspective in this location.

## 11. IMPLICATIONS FOR SANDWELL'S VISION

- 11.1 The proposal supports Ambitions 8 and 10 of the Sandwell Vision 2030: -
- 11.2 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.
- 11.3 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 New 5G installations are required as part of nationwide proposals to upgrade and improve mobile network coverage. It is my view that the proposed 15m high monopole, wraparound cabinet at base and associated ancillary works could be accommodated in this area and would not have a significant detrimental impact on visual amenity in the area. On this basis, prior approval is required and granted.

### **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 equality 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 Policy Framework (8), 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

Plan No. 002 Rev C

Plan No. 210 Rev C

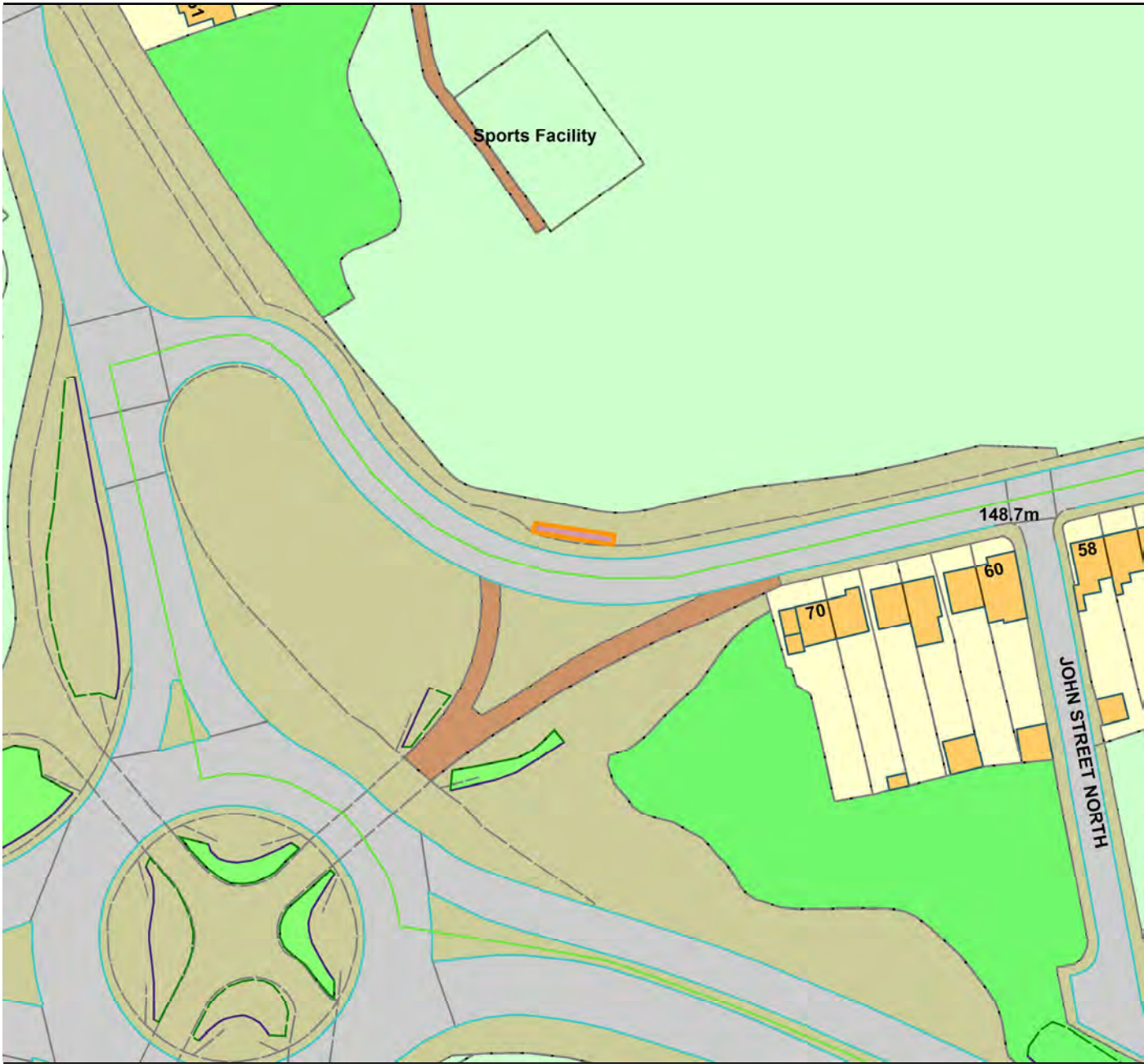
Plan No. 260 Rev C

Plan No. 150 Rev C

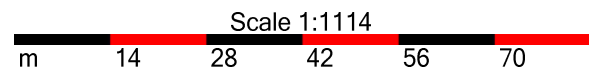
Plan No. 100 Rev C

DC/20/64215

Land At Garatt Street, West Bromwich



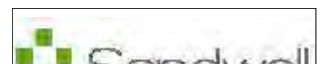
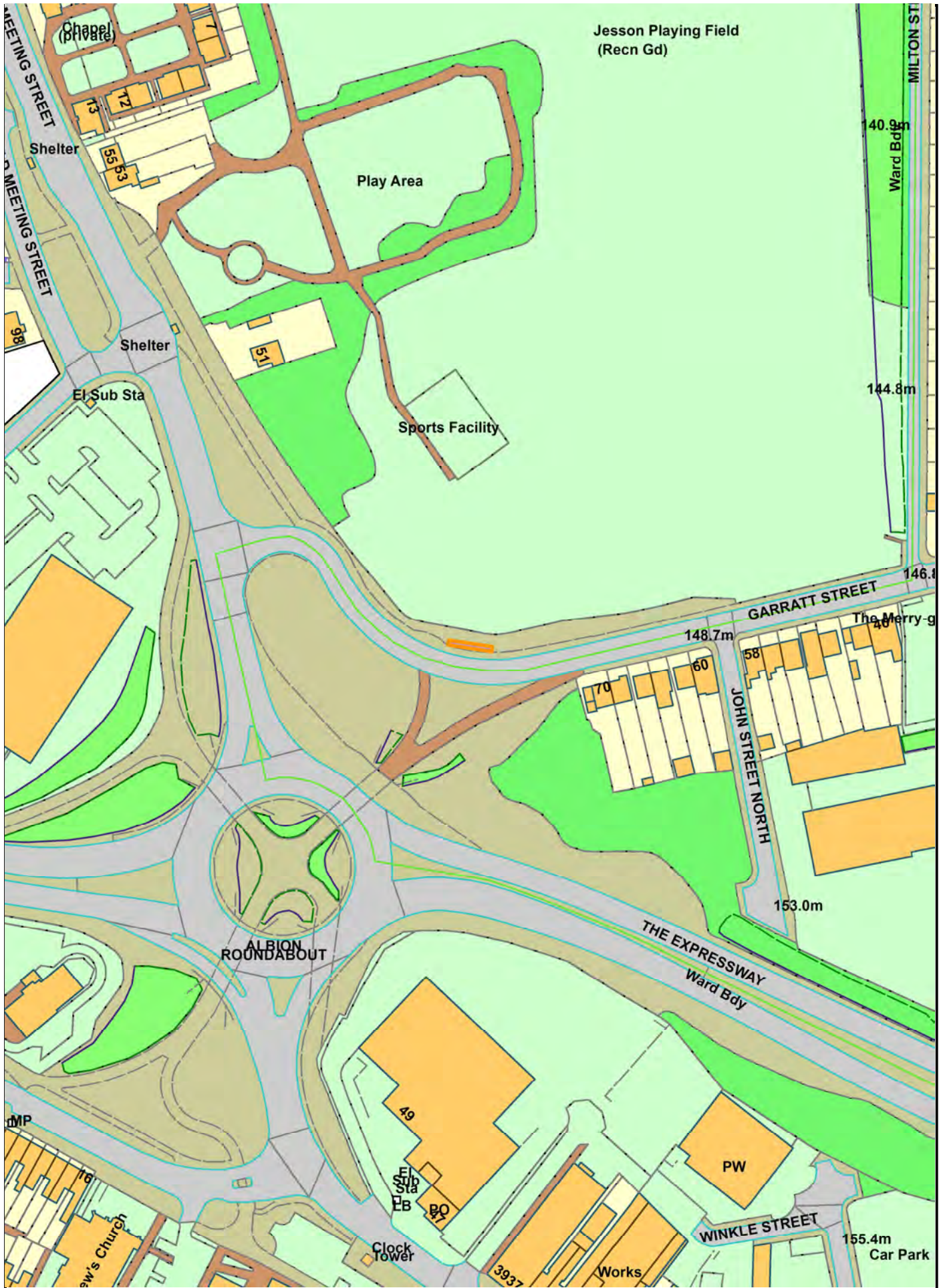
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<b>Department</b>	Not Set
<b>Comments</b>	Not Set
<b>Date</b>	25 June 2020

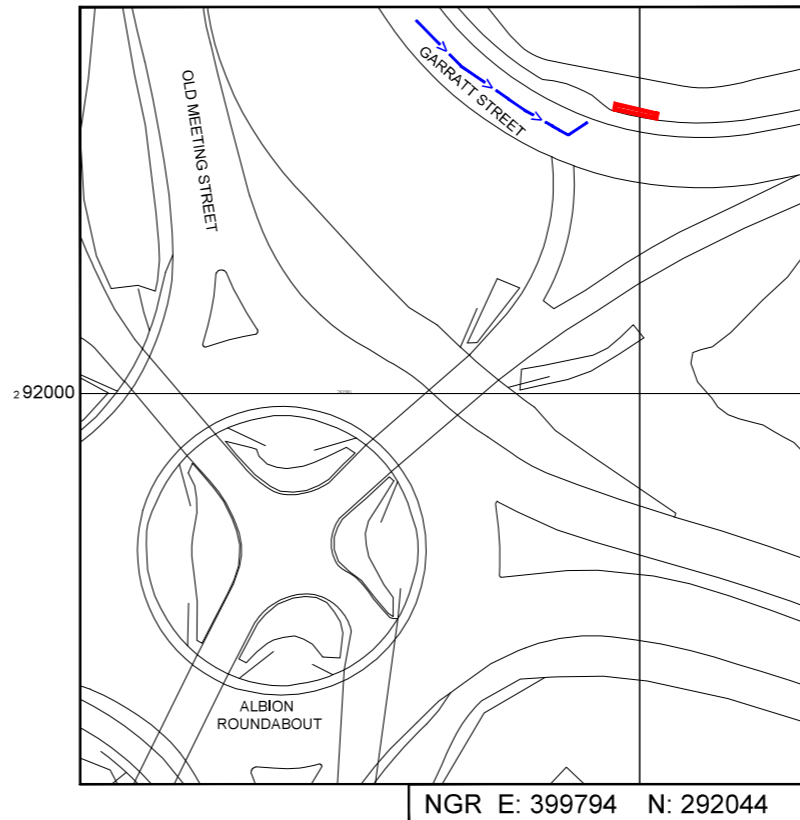
141



SITE LOCATION



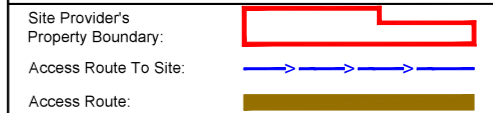
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NOTES:

- ALL DIMENSIONS IN MM UNLESS OTHERWISE NOTED.
- DIRECTIONS TO SITE:  
Head northeast on M5. At junction 1, take the A41 exit to West Bromwich/Birmingham (NW). At the roundabout, take the 2nd exit onto The Expy/A41. At Albion Roundabout, take the 3rd exit onto Old Meeting Street/A4196. Turn right onto Garratt Street, the site is located on the left hand side on footpath



Master:	MBNL / EE / H3G	Project:	H3G 5G UNILATERAL	Purpose of Issue:	Planning	Issue:	C
Date:	06/04/2020	Revision / Upgrade Description:					
Drawn:	PS	First Issue - Site nomination dated: 07/03/2020					
Checked:	DH	Rev B - Pole Height Reduced: 10/06/2020					
Approved:	SD	Rev C - Equipment Cabinet Colour added: 16/06/2020					



Hutchison 3G UK Limited  
Star House, 20 Grenfell Road  
Maidenhead, SL6 1EH  
Tel: 01628 765 000  
Fax: 01628 765 001

H3G Base Station Information line:  
0845 6043000  
Available 8am-8pm Monday to Friday

Design Consultant & Principal Contractor:



**WHP Telecoms**  
Unit 1 Maple Park,  
Low Fields Avenue, Leeds  
LS12 6HH

Tel: 01133023550  
e-mail: info@whptelecoms.com

Site Name: **GARRATT STREET SW**

Site ID: **SWL10532**

Address: **GARRATT STREET,  
HALL END,  
SANDWELL,  
B71 1NH**

Title: **002 SITE LOCATION PLAN**

Project: **H3G 5G UNILATERAL**

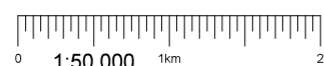
Purpose of Issue: **PLANNING**

EE Cell ID:	MBNL Cell ID:	3UK Cell ID:
N/A	N/A	N/A

Master Drawing No:	Issue:
SWL10532_M001	C

100mm  
50mm  
10mm

SITE AREA PLAN



SITE PHOTOGRAPH

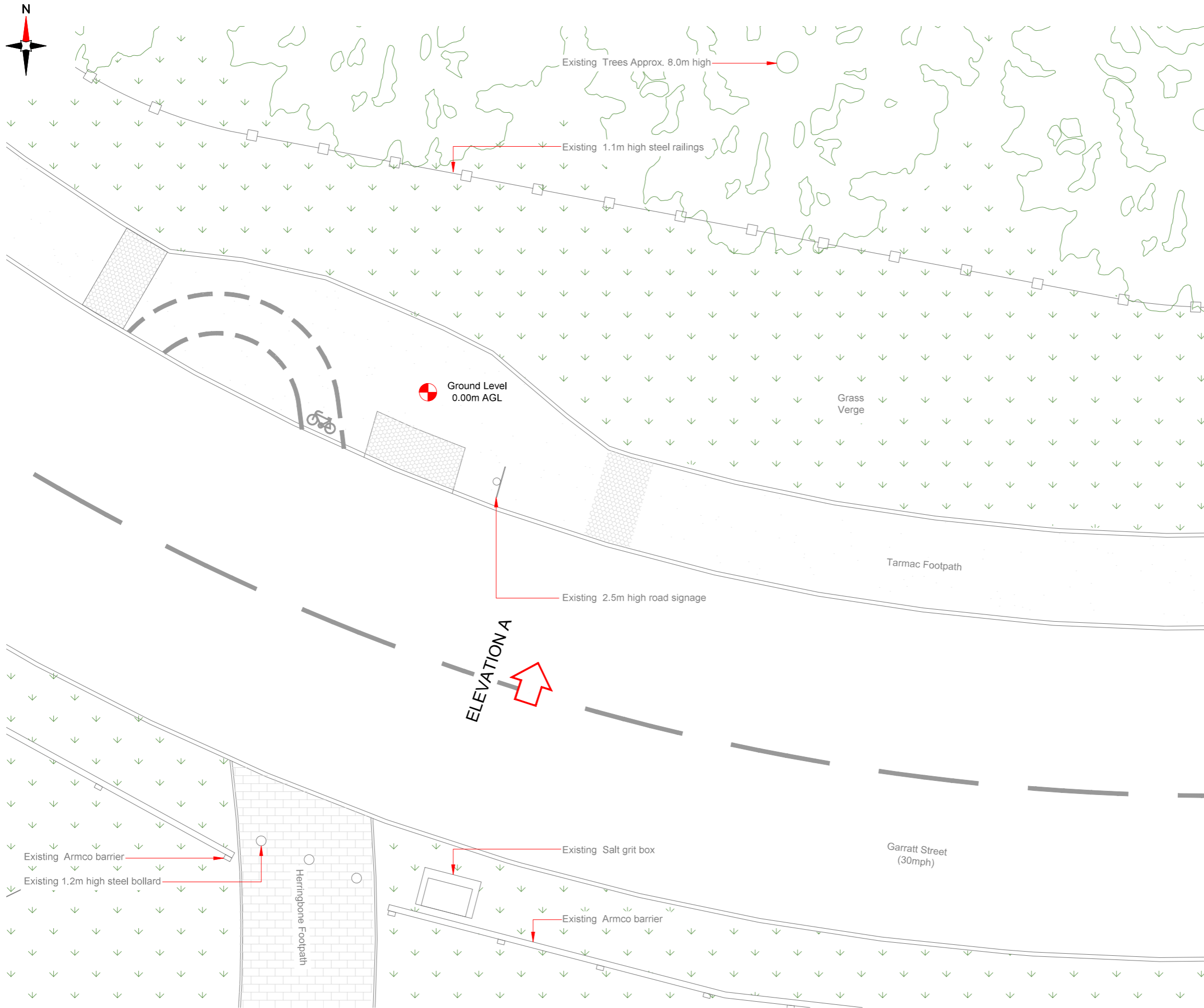
SITE LOCATION PLAN



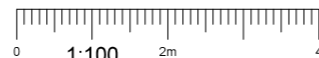
GOOGLE MAPS QR CODE

GOOGLE MAPS - <https://goo.gl/maps/N12J7ySwbJjsvrPJ9>

GOOGLE STREETVIEW - <https://goo.gl/maps/vSxNRjRQAYfuhNLDA>



EXISTING SITE PLAN



NOTES:

- ALL DIMENSIONS IN MM UNLESS OTHERWISE NOTED.

Master:	MBNL / EE / H3G:	Project:	Purpose of Issue:	Issue:
M001	MBNL	H3G 5G UNILATERAL	Planning	C
Date:	06/04/2020	Revision / Upgrade Description:		
Drawn:	PS	First Issue - Site nomination dated: 07/03/2020		
Checked:	DH	Rev B - Pole Height Reduced: 10/06/2020		
Approved:	SD	Rev C - Equipment Cabinet Colour added: 16/06/2020		



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Design Consultant & Principal Contractor:



WHP Telecoms  
 Unit 1 Maple Park,  
 Low Fields Avenue, Leeds  
 LS12 6HH

Tel: 01133023550  
 e-mail: info@whptelecoms.com

Site Name: **GARRATT STREET SW**

Site ID: **SWL10532**

Address: **GARRATT STREET,  
 HALL END,  
 SANDWELL,  
 B71 1NH**

Title: **100 EXISTING SITE PLAN**

Project: **H3G 5G UNILATERAL**

Purpose of Issue: **PLANNING**

EE Cell ID:	MBNL Cell ID:	3UK Cell ID:
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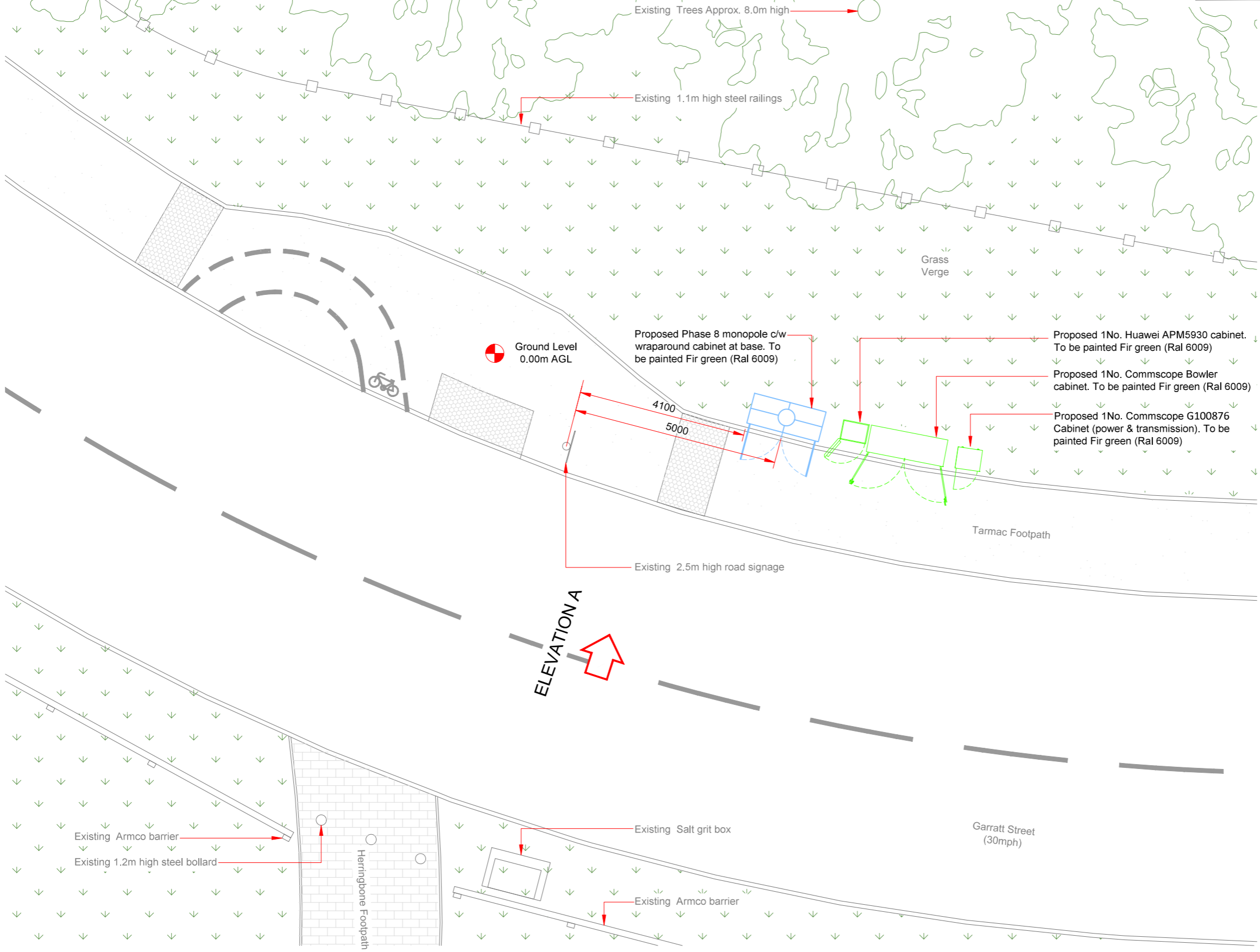
Master Drawing No: **SWL10532\_M001** Issue: **C**



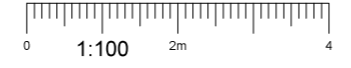


Antenna Aperture ID	Proposed 4G/5G Bearing	Operator: Shared/EE/H3G
A1	85°	H3G
A2	85°	H3G
B1	205°	H3G
B2	205°	H3G
C1	325°	H3G
C2	325°	H3G

NOTES:  
1. ALL DIMENSIONS IN MM UNLESS OTHERWISE NOTED.



PROPOSED H3G CONFIGURATION SITE PLAN



Master: M001	MBNL / EE / H3G	Project: H3G 5G UNILATERAL	Purpose of Issue: Planning	Issue: C
Date: 06/04/2020	Drawn: PS	Revision / Upgrade Description: First Issue - Site nomination dated: 07/03/2020		
Checked: DH	Approved: SD	Rev B - Pole Height Reduced: 10/06/2020		
		Rev C - Equipment Cabinet Colour added: 16/06/2020		



**Hutchison 3G UK Limited**  
 Star House, 20 Grenfell Road  
 Maidenhead, SL6 1EH  
 Tel: 01628 765 000  
 Fax: 01628 765 001

H3G Base Station Information line:  
 0845 6043000  
 Available 8am-8pm Monday to Friday

Design Consultant & Principal Contractor:

**WHP Telecoms**  
 Unit 1 Maple Park,  
 Low Fields Avenue, Leeds  
 LS12 6HH

Tel: 01133023550  
 e-mail: info@whptelecoms.com

Site Name: **GARRATT STREET SW**

Site ID: **SWL10532**

Address: **GARRATT STREET,  
 HALL END,  
 SANDWELL,  
 B71 1NH**

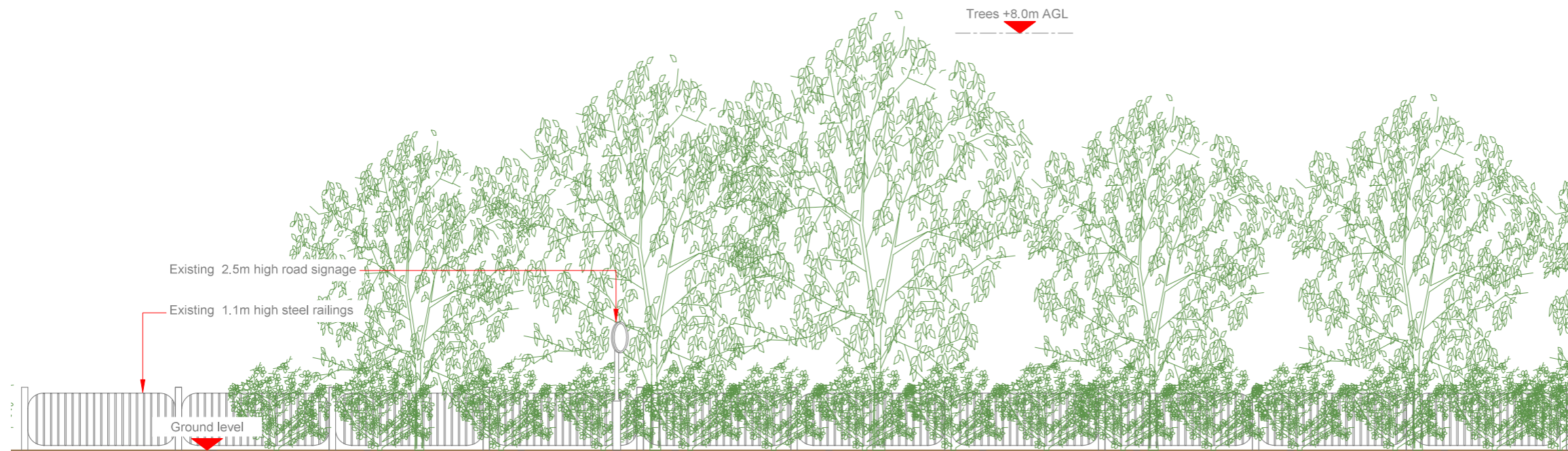
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Project: **H3G 5G UNILATERAL**

Purpose of Issue: **PLANNING**

EE Cell ID: <b>N/A</b>	MBNL Cell ID: <b>N/A</b>	3UK Cell ID: <b>N/A</b>
---------------------------	-----------------------------	----------------------------

Master Drawing No: **SWL10532\_M001** Issue: **C**



NOTES:

1. ALL DIMENSIONS IN MM UNLESS OTHERWISE NOTED.

Master:	MBNL / EE / H3G:	Project:	Purpose of Issue:	Issue:
M001	MBNL	H3G 5G UNILATERAL	Planning	C
Date:	06/04/2020	Revision / Upgrade Description:		
Drawn:	PS	First Issue - Site nomination dated: 07/03/2020		
Checked:	DH	Rev B - Pole Height Reduced: 10/06/2020		
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H3G Base Station Information line:  
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Design Consultant & Principal Contractor:



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Tel: 01133023550  
 e-mail: info@whptelecoms.com

Site Name: GARRATT STREET SW

Site ID: SWL10532

Address: GARRATT STREET,  
 HALL END,  
 SANDWELL,  
 B71 1NH

Title: 150 EXISTING ELEVATION A

Project: H3G 5G UNILATERAL

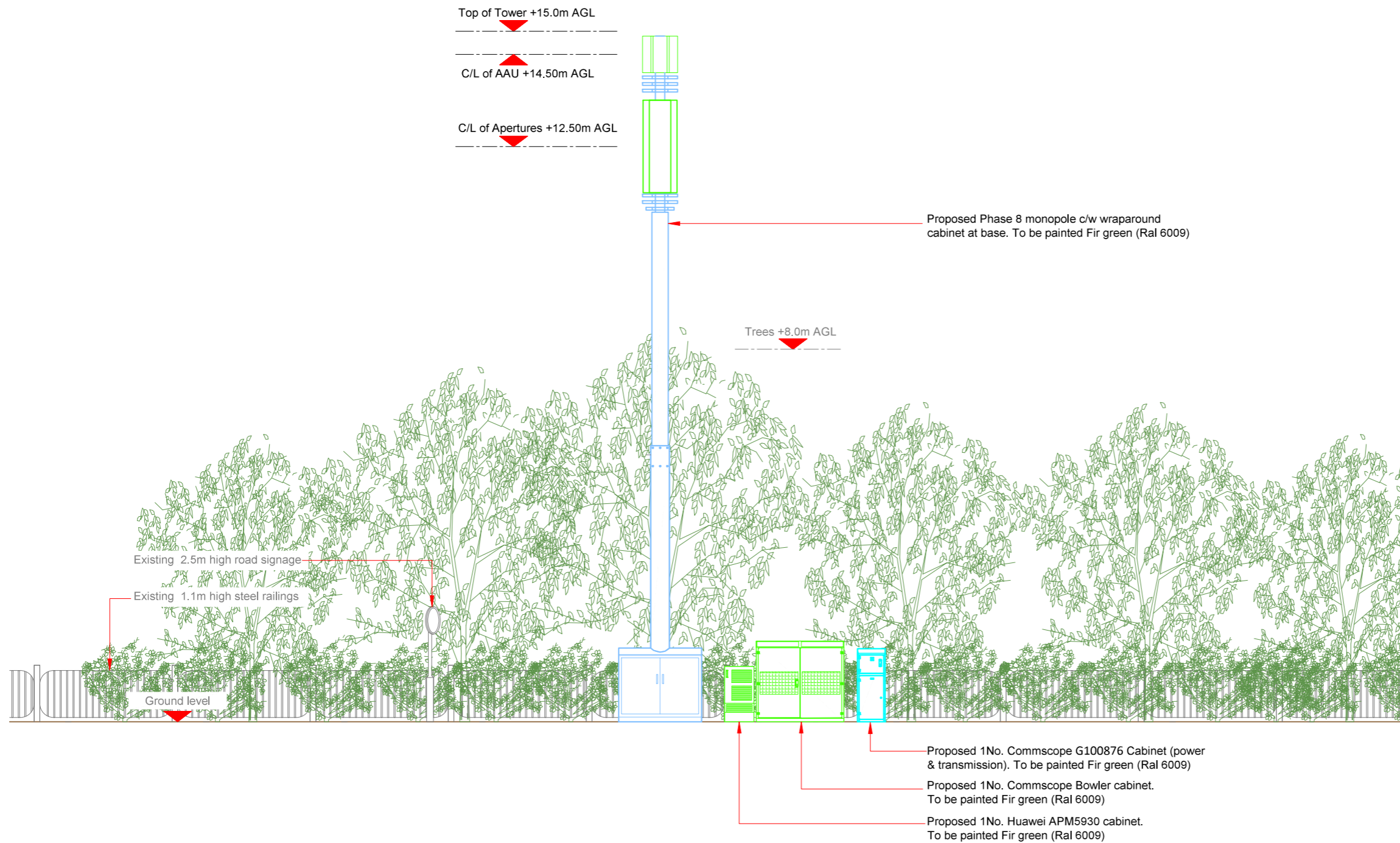
Purpose of Issue: PLANNING

EE Cell ID:	MBNL Cell ID:	3UK Cell ID:
N/A	N/A	N/A

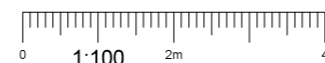
Master Drawing No:	Issue:
SWL10532_M001	C

Antenna Aperture ID	Proposed 4G/5G Bearing	Operator: Shared/EE/H3G
A1	85°	H3G
A2	85°	H3G
B1	205°	H3G
B2	205°	H3G
C1	325°	H3G
C2	325°	H3G

NOTES:  
1. ALL DIMENSIONS IN MM UNLESS OTHERWISE NOTED.



PROPOSED H3G CONFIGURATION ELEVATION



Master:	MBNL / EE / H3G	Project:	H3G 5G UNILATERAL	Purpose of Issue:	Planning	Issue:	C
Date:	06/04/2020	Revision / Upgrade Description:					
Drawn:	PS	First Issue - Site nomination dated: 07/03/2020					
Checked:	DH	Rev B - Pole Height Reduced: 10/06/2020					
Approved:	SD	Rev C - Equipment Cabinet Colour added: 16/06/2020					



Hutchison 3G UK Limited  
Star House, 20 Grenfell Road  
Maidenhead, SL6 1EH  
Tel: 01628 765 000  
Fax: 01628 765 001

H3G Base Station Information line:  
0845 6043000  
Available 8am-8pm Monday to Friday

Design Consultant & Principal Contractor:



WHP Telecoms  
Unit 1 Maple Park,  
Low Fields Avenue, Leeds  
LS12 6HH

Tel: 01133023550  
e-mail: info@whptelecoms.com

Site Name: GARRATT STREET SW

Site ID: SWL10532

Address: GARRATT STREET,  
HALL END,  
SANDWELL,  
B71 1NH

Title: 260 PROPOSED H3G ELEVATION

Project: H3G 5G UNILATERAL


Purpose of Issue: PLANNING

EE Cell ID:	MBNL Cell ID:	3UK Cell ID:
N/A	N/A	N/A

Master Drawing No:	Issue:
SWL10532_M001	C

## Planning Committee

**8 July 2020**

<b>Subject:</b>	Applications Determined Under Delegated Powers
<b>Director:</b>	Interim Director – Regeneration and Growth Tammy Stokes
<b>Contribution towards Vision 2030:</b>	
<b>Contact Officer(s):</b>	<p>John Baker Service Manager - Development Planning and Building Consultancy <a href="mailto:John_baker@sandwell.gov.uk">John_baker@sandwell.gov.uk</a></p> <p>Alison Bishop Development Planning Manager <a href="mailto:Alison_bishop@sandwell.gov.uk">Alison_bishop@sandwell.gov.uk</a></p>

### DECISION RECOMMENDATIONS

**That Planning Committee:**

Notes the applications determined under delegated powers by the Interim Director – Regeneration and Growth set out in the attached Appendix.

#### 1 **PURPOSE OF THE REPORT**

This report is submitted to inform the Committee of the decisions on applications determined under delegated powers by the Interim Director – Regeneration and Growth.

## **2 IMPLICATIONS FOR SANDWELL'S VISION 2030**

The planning process contributes to the following ambitions of the Vision 2030 –

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.

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.

Ambition 10 - Sandwell now has a national reputation for getting things done, where all local partners are focused on what really matters in people's lives and communities.

## **3 BACKGROUND AND MAIN CONSIDERATIONS**

The applications determined under delegated powers are set out in the Appendix.

## **4 STRATEGIC RESOURCE IMPLICATIONS**

There are no implications in terms of the Council's strategic resources.

## **5 LEGAL AND GOVERNANCE CONSIDERATIONS**

The Director – Regeneration and Growth has taken decisions in accordance with powers delegated under Part 3 (Appendix 5) of the Council's Constitution.

**Tammy Stokes**  
**Interim Director – Regeneration and Growth**

SANDWELL METROPOLITAN BOROUGH COUNCIL  
PLANNING COMMITTEE

Applications determined under delegated powers by the Director – Regeneration and Growth since your last Committee Meeting

REPORT FOR INFORMATION PURPOSES ONLY

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/19/63786 Cradley Heath & Old Hill	81 Lawrence Lane Cradley Heath B64 6EU	Proposed single and two storey rear extensions, enlargement of roof at rear to provide loft conversion and dormer windows to rear.	Grant Permission Subject to Conditions  5th June 2020
DC/20/63942 Cradley Heath & Old Hill	Unit 4 Ashmore Site Corngreaves Road Cradley Heath B64 7DA	Proposed new single storey industrial unit (B2).	Grant Permission Subject to Conditions  12th June 2020
DC/20/63992 Abbey	2 Pitcairn Road Smethwick B67 5NF	Proposed two storey front extension to include porch, two storey side and rear and single storey rear extension and raising of roof height including rear dormer.	Grant Permission Subject to Conditions  5th June 2020
DC/20/63994 Greets Green & Lyng	West Bromwich Collegiate Academy Kelvin Way West Bromwich B70 7LE	Reserved matters application (all matters) for proposed classroom extension and sports hall following outline approval (Hybrid application) (DC/17/61307).	Grant Conditional Reserved Matters  5th June 2020
DC/20/64009 Soho & Victoria	Avery Weigh Tronix Soho Foundry Foundry Lane Smethwick	Proposed remedial action to existing brick perimeter/boundary wall.	Grant Conditional Listed Building Consent

	B66 2LP		12th June 2020
DC/20/64027 Great Bridge	Site Of Former Royal Oak Pub And 257 - 259 Whitehall Road Tipton	Proposed demolition of the former Public House and proposed 12 No. 1 & 2 bedroom apartments (Renewal of previously approved planning application DC/13/55885).	Grant Permission Subject to Conditions  29th May 2020
DC/20/64043 Bristnall	9 Yeman Road Oldbury B68 9PD	Proposed canopy to front, two storey side/rear extension, single storey rear and dormer to rear.	Grant Permission with external materials  5th June 2020
DC/20/64056 Rowley	16 Cornfield Road Rowley Regis B65 8HL	Proposed lift to front garden.	Grant Permission  29th May 2020
DC/20/64059 Langley	33 Windsor Avenue Oldbury B68 8PA	Proposed single storey rear extension.	Grant Permission Subject to Conditions  19th June 2020
DC/20/64061 Cradley Heath & Old Hill	2 Norwood Avenue Cradley Heath B64 7NJ	Proposed platform lift to front of property.	Grant Permission Subject to Conditions  29th May 2020
DC/20/64068 Bristnall	388 Moat Road Oldbury B68 8EH	Proposed single/two storey side, single storey front and rear extensions and rear dormers.	Grant Permission with external materials  29th May 2020

DC/20/64086 St Pauls	Reca-uk Limited Doranda Way West Bromwich B71 4LE	Proposed creation of a new shopfront and trade counter with 6 No. vehicle charging points.	Grant Permission Subject to Conditions  12th June 2020
DC/20/64108 Hateley Heath	Hargate Primary School Hargate Lane West Bromwich B71 1PG	Proposed single storey extension to provide new learning and activity space and external alterations.	Grant Permission with external materials  29th May 2020
DC/20/64110 Great Bridge	12 St Peters Close Tipton DY4 7JL	Proposed two storey side and single storey rear and side extensions.	Grant Permission with external materials  29th May 2020
DC/20/64126 Old Warley	79 Broadway Oldbury B68 9DP	Proposed single storey front and rear extensions, two storey side extension and rear dormer.	Grant Permission with external materials  19th June 2020
DC/20/64136 Oldbury	Rear Of Unity House 6 Unity Place Oldbury	Proposed change of use from blinds factory to place of worship.	Grant Permission Subject to Conditions  29th May 2020
DC/20/64128 Bristnall	Land At The Junction Of Hurst Road Salop Road Oldbury	Proposed installation of a 20m high column supporting 6 No. antennas, 2 No. 300mm microwave dishes and 1 No. equipment cabinet.	Prior Approval is Required and Refused  10th June 2020
DC/20/64133	156 Milcote Road Smethwick	Proposed rear dormer loft extension (Lawful	Grant Lawful Use Certificate



Abbey	B67 5BW	Development Certificate).	28th May 2020
DC/20/64142 Smethwick	Smethwick Cricket Club Broomfield Smethwick B67 7DH	Proposed single storey front extension.	Grant Permission with external materials 29th May 2020
DC/20/64165 Great Barr With Yew Tree	12 Gleneagles Drive Great Barr Birmingham B43 7RX	Proposed single storey front extension and porch, and single storey rear extension (amendment to previously withdrawn application DC/20/63950).	Grant Permission with external materials 5th June 2020
DC/20/64166 Great Barr With Yew Tree	12 Gleneagles Drive Great Barr Birmingham B43 7RX	Lawful Development Certificate for a proposed hip-to-gable with dormer windows to rear.	Grant Lawful Use Certificate 23rd June 2020
PD/20/01425 Abbey	106 Gladys Road Smethwick B67 5AN	Proposed change of use of ground floor from pet parlour to dwelling house.	Prior Approval is Required and Refused 4th June 2020
DC/20/64146 Charlemont With Grove Vale	23 Willett Road West Bromwich B71 3DL	Proposed first floor rear and side extension.	Grant Permission with external materials 5th June 2020
DC/20/64148 Langley	330 Birchfield Lane Oldbury B69 1AE	Proposed single storey rear extension.	Grant Permission with external materials 29th May 2020

DC/20/64154 Oldbury	Unit 8-10 Cleton Street Business Park Cleton Street Tipton DY4 7TR	Proposed change of use from (Use Class D1 Non-Residential Institutions) to flexible uses within (Use Class B1 Light Industrial, Use Class B2 General Industrial and Use Class B8 Storage).	Grant Permission Subject to Conditions  4th June 2020
DC/20/64156 Langley	300 Oldbury Road Rowley Regis B65 0QG	Proposed conversion of property into 2 No. self contained flats.	Refuse permission  29th May 2020
DC/20/64158 Old Warley	13 Holly Road Oldbury B68 0AU	Lawful Development Certificate for proposed hip-to-gable loft conversion with rear dormer.	Grant Lawful Use Certificate  28th May 2020
DC/20/64159 Newton	5 Broomhill Lane Great Barr Birmingham B43 5LB	Proposed two storey side extension with bow window to front.	Grant Permission with external materials  29th May 2020
DC/20/64174 Charlemont With Grove Vale	23 Jill Avenue Great Barr Birmingham B43 6DH	Proposed detached garage, single storey side extension and increase to roof height to include dormer windows on all sides.	Refuse permission  29th May 2020
DC/20/64175 Cradley Heath & Old Hill	215 Halesowen Road Cradley Heath B64 6HE	Proposed removal of Condition 2 of planning permission DC/18/61816 (Proposed part change of use at ground floor from cafe to micro pub, and external alterations to brick up window to rear), to allow the retention of the use indefinitely.	Grant Permission Subject to Conditions  5th June 2020

DC/20/64169 Langley	Aldi 975 Wolverhampton Road Oldbury B69 4RJ	Proposed new vehicular egress from existing aldi store car park.	Grant Permission  29th May 2020
DC/20/64172 Tipton Green	89A Park Lane East Tipton DY4 8RP	Proposed single storey front extension and detached outbuilding to rear.	Grant Permission Subject to Conditions  5th June 2020
DC/20/64181 Tipton Green	6 Bath Road Tipton DY4 8SL	Proposed canopy to front, two storey side/rear and single storey rear extensions.	Grant Permission with external materials  29th May 2020
DC/20/6688A Rowley	Four Ways Inn Portway Hill Rowley Regis B65 9DD	Proposed erection of a single sided digital advertising board made from LED Panels.	Grant Conditional Advertisement Consent  16th June 2020
DC/20/64186 Abbey	40 Hurst Road Smethwick B67 5NZ	Proposed first floor side extension.	Grant Permission with external materials  19th June 2020
DC/20/64187 St Pauls	Pavement Opposite Holly Lane Cemetery Holly Lane Smethwick	Proposed installation of a 20m slim-line column supporting 6 No. antennas, 2 No. transmission dishes, 1 No. equipment cabinets and ancillary development including a GPS module and 3 No. Remote Radio Units.	Prior Approval is Required and Granted  5th June 2020

DC/20/64190 Charlemont With Grove Vale	9 Lyndhurst Road West Bromwich B71 3JF	Proposed single storey rear extension.	Grant Permission with external materials  29th May 2020
DC/20/64191 Charlemont With Grove Vale	11 Lyndhurst Road West Bromwich B71 3JF	Proposed single storey side/rear extension.	Grant Permission with external materials  29th May 2020
DC/20/64194 Soho & Victoria	JCDecaux Advertisement Hoardings 46101 And 46102 Junction Of New Street Hill Street Smethwick	Proposed installation of a 20m slim-line column supporting 6 No. antennas, 2 No. transmission dishes, 2 No. equipment cabinets and ancillary development including a GPS module and 3 No. Remote Radio Units.	Prior Approval is Required and Granted  5th June 2020
DC/20/64195 Wednesbury South	51 Chestnut Road Wednesbury WS10 0BQ	Proposed single and two storey side extension with canopy to front and single storey rear extension.	Grant Permission with external materials  10th June 2020
DC/20/64196 Oldbury	53 Lower City Road Tividale Oldbury B69 2HF	Proposed single storey side and rear extension.	Grant Permission with external materials  5th June 2020
DOC/20/00191 St Pauls	Parkrose Industrial Estate Middlemore Road Smethwick B66 2DZ	Discharge of conditions 3a, 7a, 9a and 12a of Planning Application DC/19/63364.	Discharged  8th June 2020

DOC/20/00192 Charlemont With Grove Vale	Land To Rear Of 1, 3 And 5 Pennyhill Lane West Bromwich	Discharge of condition 3A of planning permission DC/18/61874.	Discharged  8th June 2020
PD/20/01431 Smethwick	26 Francis Road Smethwick B67 7HU	Proposed single storey rear extension measuring: 4.848m L x 3.165m H (2.847m to eaves)	P D Householder not required  29th May 2020
DC/20/64199 St Pauls	Amenity Land Tram Way Smethwick	Proposed installation of a 20m high column supporting 6 No antennas, 2 No. 300mm microwave dishes and the installation of 1 No. equipment cabinet.	Prior Approval is Required and Granted  5th June 2020
DC/20/64204 Old Warley	49 Oak Road Oldbury B68 0BH	Proposed single storey rear and two storey side extension.	Grant Permission with external materials  17th June 2020
DC/20/64207 West Bromwich Central	5 Salters Vale West Bromwich B70 6QS	Proposed single storey side and rear extension.	Grant Permission with external materials  12th June 2020
DC/20/64208 Tividale	97 Newbury Lane Oldbury B69 1HE	Proposed single and two storey side/rear and single storey rear extension. (Amendment to previously approved application DC/19/62760)	Grant Permission with external materials  5th June 2020
DC/20/64212	Land At Corner Of Great Western	Proposed 20m high monopole C/W	Prior Approval is Required and

Great Bridge	Way/New Road Tipton DY4 7AB	wrapround Cabinet at base and associated ancillary works.	Granted  3rd June 2020
DC/20/64213  Charlemont With Grove Vale	16 Boscobel Road Great Barr Birmingham B43 6BB	Proposed demolition of porch, part garage, side veranda and utility and erection of single storey front and two storey side and rear extensions. (Amendment to previously approved application DC/19/63579).	Grant Permission with external materials  19th June 2020
DC/20/64214  Smethwick	18 Blackthorne Road Smethwick B67 6PZ	Proposed platform lift to front of property.	Grant Permission Subject to Conditions  19th June 2020
DC/20/64217  Old Warley	70 Warley Hall Road Oldbury B68 9JS	Proposed single storey rear extension.	Grant Permission with external materials  5th June 2020
DC/20/64220  Soho & Victoria	175 Montague Road Smethwick B66 4PW	Proposed single storey rear extension.	Grant Permission with external materials  19th June 2020
DC/20/6689A  West Bromwich Central	Metro Court 150 High Street West Bromwich	Proposed illuminated fascia sign.	Grant Advertisement Consent  19th June 2020
DC/20/64228  St Pauls	29 West Park Road Smethwick B67 7JJ	Proposed single storey side and rear extension.	Grant Permission with external


			materials 19th June 2020
DC/20/64229 Friar Park	Land At Corner Of Coronation Road/Friar Park Road Wednesbury	Proposed 20 metre high monopole, C/W wraparound cabinet at base and associated ancillary works.	Prior Approval is Required and Refused 4th June 2020
DC/20/64230 Newton	Adjacent Former Red Admiral PH Langford Avenue Great Barr Birmingham	Proposed 20 metre high monopole, C/W wraparound cabinet at base and associated ancillary works.	Prior Approval is Required and Refused 19th June 2020
DC/20/64231 Newton	3 Broomhill Lane Great Barr Birmingham B43 5LB	Proposed single storey side and rear extension and increase to roof height of existing rear single storey extension.	Grant Permission with external materials 5th June 2020
PD/20/01435 Wednesbury North	11 Hazel Avenue Wednesbury WS10 9QQ	Proposed single storey rear extension measuring 5.85m L x 3.00m H (2.50m to the eaves)	P D Householder required and refused 12th June 2020
PD/20/01437 Hateley Heath	22 Westmorland Road West Bromwich B71 1HQ	Proposed single storey rear extension measuring 4.00m L x 3.658m H (2.777m to the eaves)	P D Householder not required 12th June 2020
DC/20/64242 Greets Green & Lyng	37 Lyttleton Street West Bromwich B70 7SD	Proposed single storey rear extension.	Grant Permission with external materials 12th June 2020
DC/20/64244	65A Coneygree Road	Proposed porch with canopy to front and	Grant Permission with

Tipton Green	Tipton DY4 8XF	single storey rear extension.	external materials  19th June 2020
PD/20/01439 Newton	126A Appleton Avenue Great Barr Birmingham B43 5NB	Proposed single storey rear extension measuring 6m L x 3.3m H (3.0m to the eaves)	P D Householder not required  12th June 2020
PD/20/01441 Charlemont With Grove Vale	53 Thursfield Road West Bromwich B71 3DP	Proposed single storey rear extension measuring 4.0m L x 4.0m H (3.0m to the eaves)	P D Householder required and granted  19th June 2020
PD/20/01443 Cradley Heath & Old Hill	525 Halesowen Road Cradley Heath B64 7JE	Proposed single storey rear extension measuring 4.0m L x 3.77m H (2.15m to the eaves)	P D Householder not required  19th June 2020
DC/20/64312 Great Barr With Yew Tree	Battery Storage Facility National Grid Substation Painswick Close Walsall.	Screening Opinion for proposed installation of 49.9 MW lithium-ion battery storage facility.	Screening opinion - EIA not required  9th June 2020
DC/20/64277 Great Barr With Yew Tree	40 Aster Way Walsall WS5 4RX	Lawful Development Certificate for a proposed shed at rear.	Grant Lawful Use Certificate  5th June 2020



## Planning Committee

**8 July 2020**

<b>Subject:</b>	Decisions of the Planning Inspectorate
<b>Director:</b>	Interim Director – Regeneration and Growth Tammy Stokes
<b>Contribution towards Vision 2030:</b>	
<b>Contact Officer(s):</b>	<p>John Baker Service Manager - Development Planning and Building Consultancy <a href="mailto:John_baker@sandwell.gov.uk">John_baker@sandwell.gov.uk</a></p> <p>Alison Bishop Development Planning Manager <a href="mailto:Alison_bishop@sandwell.gov.uk">Alison_bishop@sandwell.gov.uk</a></p>

### **DECISION RECOMMENDATIONS**

#### **That Planning Committee:**

Notes the decisions of the Planning Inspectorate as detailed in the attached appendices.

#### **1 PURPOSE OF THE REPORT**

This report is submitted to inform the Committee of the outcomes of appeals that have been made to the Planning Inspectorate by applicants who were unhappy with the Committee's decision on their application.

#### **2 IMPLICATIONS FOR SANDWELL'S VISION 2030**

The planning process contributes to the following ambitions of the Vision 2030 –

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.

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.

Ambition 10 - Sandwell now has a national reputation for getting things done, where all local partners are focused on what really matters in people’s lives and communities.

### **3 BACKGROUND AND MAIN CONSIDERATIONS**

- 3.1 Applicants who disagree with the local authority’s decision on their planning application may submit an appeal to the Planning Inspectorate. An appeal may also be made where the local authority has failed to determine the application within the statutory timeframe.
- 3.2 Appeals must be submitted within six months of the date of the local authority’s decision notice.
- 3.3 Decisions on the following appeals are reported, with further detailed set out in the attached decision notices:-

<b>Application Ref No.</b>	<b>Site Address</b>	<b>Inspectorate Decision</b>
DC/19/63452	Land to the rear 1-29 Sean Dolan Close Rowley Regis	Dismissed

### **4 STRATEGIC RESOURCE IMPLICATIONS**

- 4.1 There are no direct implications in terms of the Council’s strategic resources.
- 4.2 If the Planning Inspectorate overturns the Committee’s decision and grants consent, the Council may be required to pay the costs of such an appeal, for which there is no designated budget.

### **5 LEGAL AND GOVERNANCE CONSIDERATIONS**

- 5.1 The Planning Committee has delegated powers to determine planning applications within current Council policy.
- 5.2 Section 78 of the Town and Country Planning Act 1990 gives applicants a right to appeal when they disagree with the local authority's decision on their application, or where the local authority has failed to determine the application within the statutory timeframe.

**Tammy Stokes**

**Interim Director – Regeneration and Growth**



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## Appeal Decision

Site visit made on 19 May 2020

by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 June 2020

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Appeal Ref: APP/G4620/W/19/3242951

Land to the rear of 1 - 29 Sean Dolan Close, Rowley Regis B65 8AD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Dr Manoj Prasad – Doc Web Limited against the decision of Sandwell Metropolitan Borough Council.
  - The application Ref DC/19/63452, dated 24 July 2019, was refused by notice dated 6 November 2019.
  - The development proposed is residential development comprising 4No 2B/3P flats & 5No 3B/5P houses.
- 

### Decision

1. The appeal is dismissed.

### Procedural Matters

2. **I have taken the address from the Council's decision notice and the appellant's appeal form which give the precise location of the site as land to the rear of 1 – 29 Sean Dolan Close. The appeal form also provides the postcode.**
3. The description of the proposals on the application forms abbreviated the proposal to '4No 2B/3P flats & 5No 3B/5P houses'. The submitted plans and the description of **development on the Council's decision notice confirm the proposal is for 4 x two-bedroomed flats and 5 x three-bedroomed houses and I have considered the appeal on this basis. I have removed the words 'on vacant land' from the description as this is not a description of development.**

### Main Issues

4. The main issues are the effect of the proposal on:
  - the character and appearance of the area including woodland covered by a Tree Preservation Order (TPO);
  - the living conditions for occupiers of neighbouring dwellings; and
  - biodiversity having regard to the site's **location** within a Site of Local Importance for Nature Conservation (SLINC).

### Reasons

#### *Character and appearance*

5. The appeal site is an irregular shaped plot, substantially covered by woodland which is protected by a group Tree Preservation Order (TPO) (TPO/127/W2).

The abundance of trees forms part of a verdant soft landscaped character to the outer edge of Sean Dolan Close. The appeal site provides a distinct buffer between properties on Sean Dolan Close and the boundaries of residential properties on Yew Tree Lane. House types on Sean Dolan Close mainly consist of two-storey semi-detached dwellings, some with dormers serving the roof space. Dedicated off-street parking is generally provided to the side of dwellings with planting to front gardens often providing gaps between neighbouring driveways.

6. The appellant contends that the TPO was applied many years ago without a detailed assessment of the trees. I acknowledge that the Tree Survey Assessment (May 2019) (TSA) before me does not identify any of the trees as being of high quality and value on an individual basis. Even so, the TSA only identifies a relatively small proportion as being in such a condition that the recommendation is to fell. My observations on site were that as a group, the trees retain a collective visual quality which makes a positive contribution to the character and appearance of the area.
7. The buildings would be of a similar scale to existing dwellings on Sean Dolan Close. However, the density and layout of the development necessitates access to a rear parking court and not all dwellings would be provided with their own distinct driveway. This would be contrary to paragraph 2.5 of the Sandwell Metropolitan Borough Council Revised Residential Design Guide (2014) (SPD) which states amongst other things that parking courts cannot be used to jointly serve car parking for individual family dwellings. The built footprint including hard surfacing would extend into the centre of the site. The **appellant's tree** constraints plan illustrates that this would result in extensive tree removal. This would appear as a substantial incursion into the woodland TPO. As a result, the integrity of the TPO in terms of its collective visual quality would be severely diminished, altering the soft landscaped character and appearance of the site to one dominated by buildings and hard surfacing.
8. Whilst some trees within the site are shown as being retained, these would mainly be to gardens serving the proposed terraced block of 3 dwellings. Opportunities for replacement planting are likely to be limited on the appeal site by the extent of hard surfacing and the need to retain space between tree canopies and windows on the proposed buildings. The appellant suggests trees could be planted in woodland that they own but no specific details have been provided as to how this would mitigate the visual impact on the site itself. I am not therefore persuaded by the evidence before me that replacement planting could adequately compensate for the extensive tree loss proposed or the consequential impact on the character and appearance of the area.
9. My attention has been drawn to two planning applications<sup>1</sup> relating to the original outline and reserved matters planning applications for the development of Sean Dolan Close. The appellant contends that particular development also involved the loss of trees protected by a TPO. However, whilst a subsequent application<sup>2</sup> allowed for some tree works including removal of some self-seeded trees, the evidence before me indicates that site predominantly related to a cleared area last in use as a playing pitch. The previous development was also supported by ecological surveys and a S106 Agreement securing enhancement/management of the SLINC and woodland. These factors indicate

<sup>1</sup> LPA Refs DC/07/48757 and DC/09/51104

<sup>2</sup> LPA Ref DC/08/50312

that the collective visual merits of the TPO were an integral part of the comprehensive design of the area. I am therefore not persuaded that the appeal proposal is directly comparable.

10. To conclude, the proposal would have a harmful effect on the character and appearance of the area. Consequently, in that regard, the development would be contrary to Policy ENV3 (Design Quality) of the Black Country Core Strategy (2011) (CS) and SAD EOS 9 (Urban Design Principles) of the Sandwell Metropolitan Borough Council Site Allocations and Delivery Development Plan Document (2012) (DPD).

#### *Living conditions for neighbouring occupiers*

11. The SPD includes amongst other things that a minimum separation distance of 14 metres should be provided between opposing two-storey gables and rear facing windowed elevations.
12. The gable end of the semi-detached dwellings would sit in close proximity to the rear boundaries of dwellings at Nos 26 – 28 Yew Tree Lane. **The Council's** report confirms the distance would be less than that set out in the SPD and my observations on site confirmed this is likely to be the case. These neighbouring dwellings have clear glazed windows to their rear elevations facing towards the boundary with the appeal site. Nos 26 and 27 also have conservatories to their rear elevations. The gable would only partially encroach into land parallel with the rear boundaries of Nos 26 and 28. As such the impact on outlook for occupants of these particular dwellings would be marginal. However, the development would be particularly overbearing for the occupiers of No 27 Yew Tree Lane given the side gable of the proposed building would span the full width of the rear boundary in close proximity to the garden and windows serving this neighbouring property.
13. To conclude, the proposal would result in material harm to outlook for occupiers of No 27 Yew Tree Lane. Consequently, in that regard, the proposal would have a harmful effect on the living conditions of neighbouring occupiers and would be contrary to Policy ENV3 (Design Quality) of the CS and SAD EOS 9 (Urban Design Principles) of the DPD.

#### *Biodiversity*

14. The evidence before me suggests that the site forms part of a SLINC and the appellant does not dispute this. As such the site is recognised as having value from a nature conservation perspective. Whilst I have not been provided with any substantive information from the parties in terms of the specific ecological value of the site, its heavily planted nature indicates that it is likely to provide habitat potential. I also note that the Wildlife Trust confirmed in their comments on the planning application that there are numerous records of badgers having been recorded within the SLINC.
15. The appellant suggests the proposal would not harm any species. However, the extent of tree removal and degree to which the site would be occupied by buildings and hard surfacing suggests that the size of the SLINC would be reduced and some change to the habitat potential of the site is inevitable. An Ecological Assessment of the site has not been provided. I am therefore not persuaded that the potential impacts of the proposal on ecology are fully understood. Furthermore, without this information the extent to which suitable

mitigation measures might be required or could be achieved cannot be ascertained.

16. To conclude, it has not been demonstrated that there would be no harm to the SLINC or that suitable mitigation could be provided. Consequently, in that regard, the proposals would be contrary to Policy ENV1 (Nature Conservation) of the CS which includes amongst other things that SLINC's will be protected from development proposals which could negatively impact upon them and that adequate information must be submitted to ensure the likely impacts of a proposal can be fully assessed.

#### Other Matters

17. The appellant contends that the Council did not request amendments to the proposal. Whether or not this is the case, this would not be a matter to be considered in an appeal made under Section 78 of the Act.
18. For the reasons set out under the main issues, there are material differences between the appeal proposal and the examples put forward by the appellant. I am therefore not persuaded that the Council has been inconsistent in its decision making.
19. The appellant suggests that there is a demand for starter homes, that house prices are increasing and that there are difficulties in recruiting key workers including to work in the local hospital. However, there is no substantive evidence before me to demonstrate that the Council is not meeting its housing delivery requirements, nor that it does not have a demonstrable five-year housing land supply. I am therefore not persuaded that other material considerations indicate a decision should be taken other than in accordance with the Development Plan which for the reasons set out, the development would clearly conflict.
20. The appellant suggests that steps were taken in the design process to allow for easy access of vehicles and that the development would not increase traffic significantly. However, I note that the Council did not refuse the proposals on highway safety grounds. This matter does not overcome the conflict with the development plan set out under the main issues.

#### Conclusion

21. For the reasons given, the appeal is dismissed.

*M Russell*

INSPECTOR