



REPORT TO PLANNING COMMITTEE

5th August 2020

Application Reference	DC/20/63931
Application Received	28 th January 2020
Application Description	Proposed amendment to site layout and house types of previously approved application DC/16/59277 with the addition of 28 dwellings.
Application Address	Land at Hall Green Road, Hall Green Road, West Bromwich
Applicant	Mr Mark Horsley, Aurora Living Ltd
Ward	Hateley Heath
Contribution towards Vision 2030:	 
Contact Officer(s)	William Stevens 0121 569 4897 William_stevens@sandwell.gov.uk

RECOMMENDATION

Subject to a S106 agreement, planning permission is granted subject to

- (i) Details of external materials,
- (ii) Levels,
- (iii) Ground conditions,
- (iv) Drainage (to include sustainable drainage systems),
- (v) Electric vehicle charging points,
- (vi) Parking spaces provision and retention,
- (vii) Construction management plan controlling noise and dust,
- (viii) A revised noise mitigation assessment is provided,
- (ix) Details of a construction employment skills plan,
- (x) Renewable energy details,
- (xi) Permitted Development Rights removed in terms of extensions and outbuildings,
- (xii) Details of hard and soft landscaping,
- (xiii) Boundary treatment, and
- (xiv) A revised construction management plan to include management of construction traffic.

1. BACKGROUND

- 1.1 This application is being reported to your Planning Committee because of the number of objections and that a Section 106 agreement is required in terms of affordable housing. This s106 would be a variation of the already signed agreement under existing permission (ref: DC/16/59277).
- 1.2 To assist members with site context, links to Google Maps is provided below:

[Hall Green Road, aerial view](#)

[Hall Green Road, street view](#)

2. SUMMARY OF KEY CONSIDERATIONS

- 2.1 The site is allocated for housing and currently benefits from an extant permission for 210 houses.
- 2.2 The material planning considerations which are relevant to this application are:-

Government policy (NPPF), and
Traffic generation.

3. THE APPLICATION SITE

- 3.1 The application site lies to the north of Hall Green Road about 300m to the west of the local centre at Stone Cross. The majority of the site, formerly a quarry, is the disused T&S elements Tip, accessed off Hall Green Road. The remainder of the site, part of the same former quarry, is an area of open space off Needwood Grove to the east.
- 3.2 The wider site drops in level from Hall Green Road towards its north-western edge adjacent to the canal by approximately 4.5m. There is a 7-9m high embankment dropping from the northern boundary down the canal side.
- 3.3 The applicant site is broken up into smaller parcels where the applicant proposed to change the approved house types, and introduce further properties.

4. PLANNING HISTORY

- 4.1 The current site benefits from an extant permission for 210 dwellings.

4.2 Relevant planning applications are as follows:-

4.3	DC/16/59277	Reserved matters application (pursuant to outline application DC/12/54434) for appearance, landscaping, layout and scale of 210 No. dwellings.	Granted Reserved Matters Application 25 th May 2016
	DC/12/54434	Outline application for access Of proposed residential Development of up to 250 Dwellings (all other Matters Reserved).	Outline Consent 1 st April 2014
	DC/12/54431	Screening opinion for proposed Outline application for 250 Dwellings	EIA not required 5 th April 2012

5. APPLICATION DETAILS

- 5.1 Proposed amendment to site layout and house types of previously approved application DC/16/59277 with the addition of 28, 4 bed dwellings which would comprise of three house types, all two storeys with additional rooms in the roof space to include dormer windows.
- 5.2 For clarity, 38 additional properties were proposed as part of this application but during the application process, this was reduced by 10 units.

6. PUBLICITY

- 6.1 The application has been publicised by site notice and neighbour notification letters with 5 objections received.

6.2 Objections

Objections have been received on the following grounds;

- (i) Concerns over the first approval in terms of vehicular movements, and the added problems the additional properties will create, and
- (ii) An updated EIA is required to coincide with the existing increase in property numbers,

- 6.3 Other concerns listed below fall outside this application site and relates to the former 2016 application. However, these are listed below, and a response provided under section 6.5.
- (iii) Concerns over the 99-year covenant that is in place to protect the trees as part of the Urban Forest Project,
 - (iv) Work has not commenced on the site; therefore the 2016 applicant has timed out,
 - (v) Part of the site is Council owned and only Council Houses should be built,
 - (vi) Concerns over flooding and details of the approved attenuation tank and management, with risks to flooding for existing residents,
 - (vii) Concerns about potential construction vehicles using Needwood Grove,

6.4 **Responses to objections**

I respond to the objector's comments in turn;

- (i) The Council's Highways department has been consulted and raise no objections (see point 7.1), and
- (ii) Whilst the EIA regulations have been updated, this is not significant enough to overturn the EIA screening opinion from 2012 which was based on 250 homes.

6.5 **Response to other concerns relating to the previous consent**

- (iii) Matters relating to restrictive covenants are not material to the determination of this application.
- (iv) The applicant has implemented the 2016 permission, albeit works have subsequently stalled on site, nevertheless the works were deemed sufficient to confirm that the permission remains extant.
- (v) Whilst ownership is not a material consideration, affordable homes would be secured through the original s106 agreement and this agreement would be revised to include the additional affordable homes under this application.
- (vi) The Lead Local Flood Authority (LLFA) raised no objections to the Flood Risk Assessment, subject to a full drainage strategy being submitted, this was conditioned as part of the original consent (DC/12/54434).
- (vii) A construction management plan and conditions attached to hours of construction were imposed at the time of the original outline permission (DC/12/54434) and reserved matters (DC/16/59277). Notwithstanding this, a further condition seeking a revised management plan during construction is recommended as part of this application.

7. STATUTORY CONSULTATION

7.1 Highways

Revised plans have been received that address highways earlier concerns. They no longer raise objections.

7.2 Public Health (Air Quality)

No objections raised and recommends the applicant provide electric vehicle charging points and a construction management plan to safeguard existing residents from noise and dust.

7.3 Public Health (Contaminated Land)

As the development comprises solely of a change of layout from the original application, there are no comments to make.

7.4 Public Health (Air Pollution and Noise)

That a noise assessment is provided with mitigation measures.

7.5 Urban Design

Revised plans have been received that addresses the Council's Urban Design team's comments. Therefore, they have no objections to the proposal.

7.6 Lead Local Flood Authority

No objections subject to a surface water drainage system being conditioned.

7.7 Cadent (gas distribution service)

Details of Cadent's services has been provided to the applicant.

7.8 The Canal and Rivers Trust

The Canal and Rivers Trust commented on the previous application and conditions were recommended. The revised house type substitutions do not impact on the previous comments.

7.9 **West Midlands Police**

West Midlands Police raised concerns over the number of pedestrian entrance points and the road design. However, these were agreed under DC/16/59277 and fall outside the scope of this application.

7.10 **National Grid**

National Grid has no objections to the development which is in proximity to an overhead line.

7.11 **Community Benefits and Social Value**

That the developer creates a construction employment skills plan to provide opportunities for apprenticeships as part of the construction of the site.

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 Development Plan are relevant: -

CSP4: Place-Making

HOU2: Housing Density, Type and Accessibility

HOU3: Delivering Affordable Housing

ENV3: Design Quality

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

ENV7: Renewable Energy

ENV8: Air Quality

SAD H3: Affordable Housing

SAD EMP2: Training and Recruitment

SAD EOS9: Urban Design Principles

- 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. It is considered that the proposal broadly meets the requirements of the policy.

- 9.3 With regards to HOU2, this equally promotes good design, providing a range of house type to suit local needs and good transport and local service connections. The proposed house types are for a mix of two

storey housing which is predominate in the surrounding area, the principle of housing and the proposed house types is acceptable in this location and provides a mixture of house types within proximity of local services and good transport links.

- 9.4 HOU3 and SAD H3 sets out the requirement for affordable housing. The applicant has verbally agreed to provide additional contributions above that of the 2016 application. This will be complied with through the revised s106 agreement.
- 9.5 ENV3 and SAD EOS9 refers to well-designed schemes that provide quality living environments. As referred to above (9.3)
- 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 no objection subject to the approval of a detailed drainage scheme. This can be conditioned accordingly.
- 9.7 ENV7 requires 10% of a qualifying development's energy to be generated by renewable means and can be controlled by condition.
- 9.8 ENV8 refers to mitigation measures to offset air quality issues, in this instance, electric vehicle charging infrastructure can be ensured by condition.

10. MATERIAL CONSIDERATIONS

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

10.2 Traffic Generation

The house type substitutions would result in 28 additional properties and each would have their own parking requirements and vehicle movements. The Council's Highways department has accessed the application and concluded that the additional units would not adversely impact the highway network.

11. IMPLICATIONS FOR SANDWELL'S VISION

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

11.5 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 change in house types is of satisfactory design and the increase in the total number by 28 would not have a detrimental impact on the highway network.

12.2 Subject to a revised s106 agreement to secure affordable housing, conditional approval is recommended.

13. STRATEGIC RESOURCE IMPLICATIONS

13.1 When a planning application is refused the applicant has a right of appeal to the Planning Inspectorate, and they can make a claim for costs against the council.

14. LEGAL AND GOVERNANCE CONSIDERATIONS

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

15. EQUALITY IMPACT ASSESSMENT

15.1 There are no 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 that directly impact this application.

18. SUSTAINABILITY OF PROPOSALS

18.1 Refer to the National Planning Policy Framework (8), Development 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) and the scheme will provide an opportunity for apprenticeships as part of the construction phase.

20. IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND

20.1 There would be no impact.

21. APPENDICES:

Site Plan P002 Rev M

4Ag Rev A

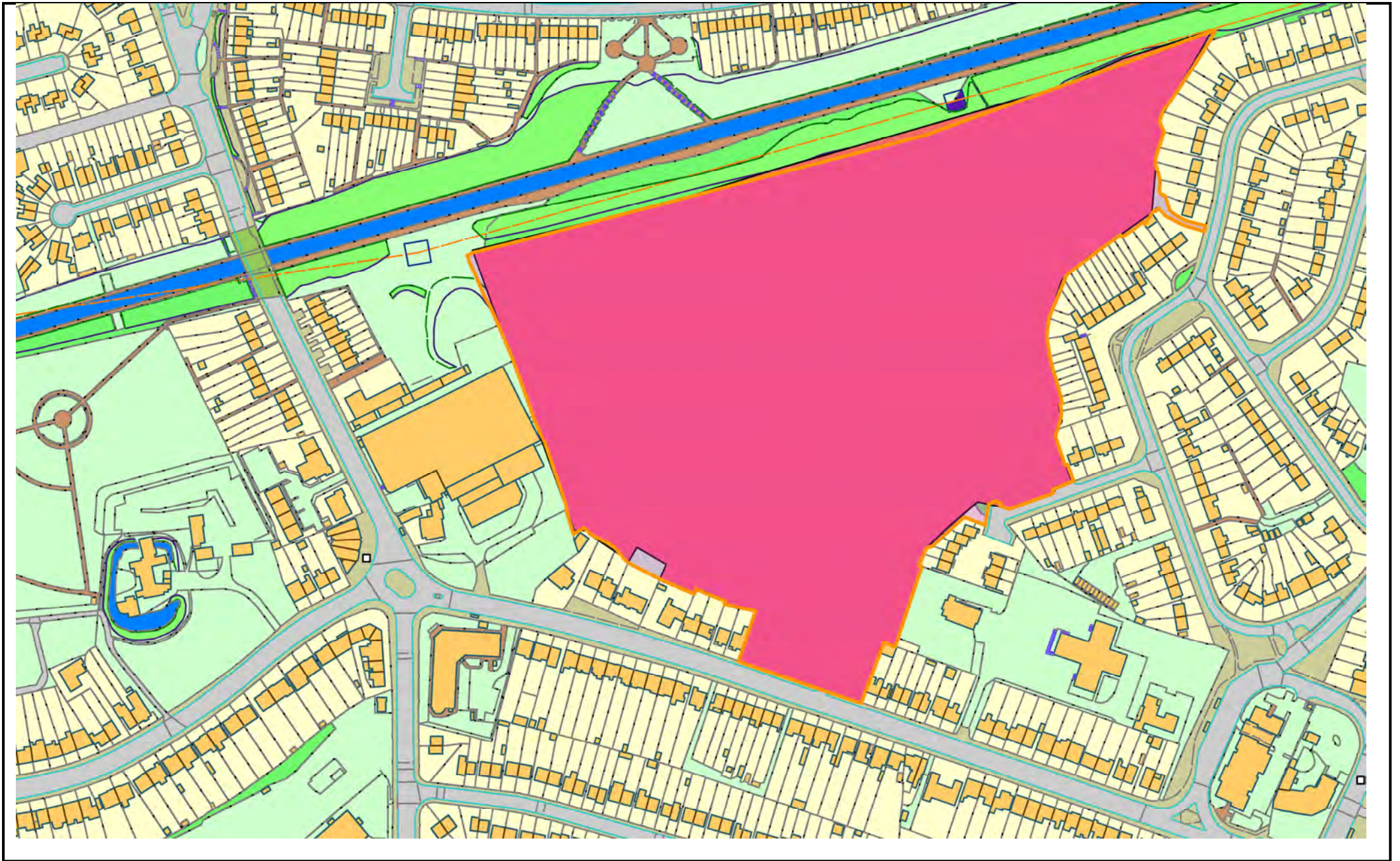
4.06

4.08



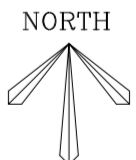
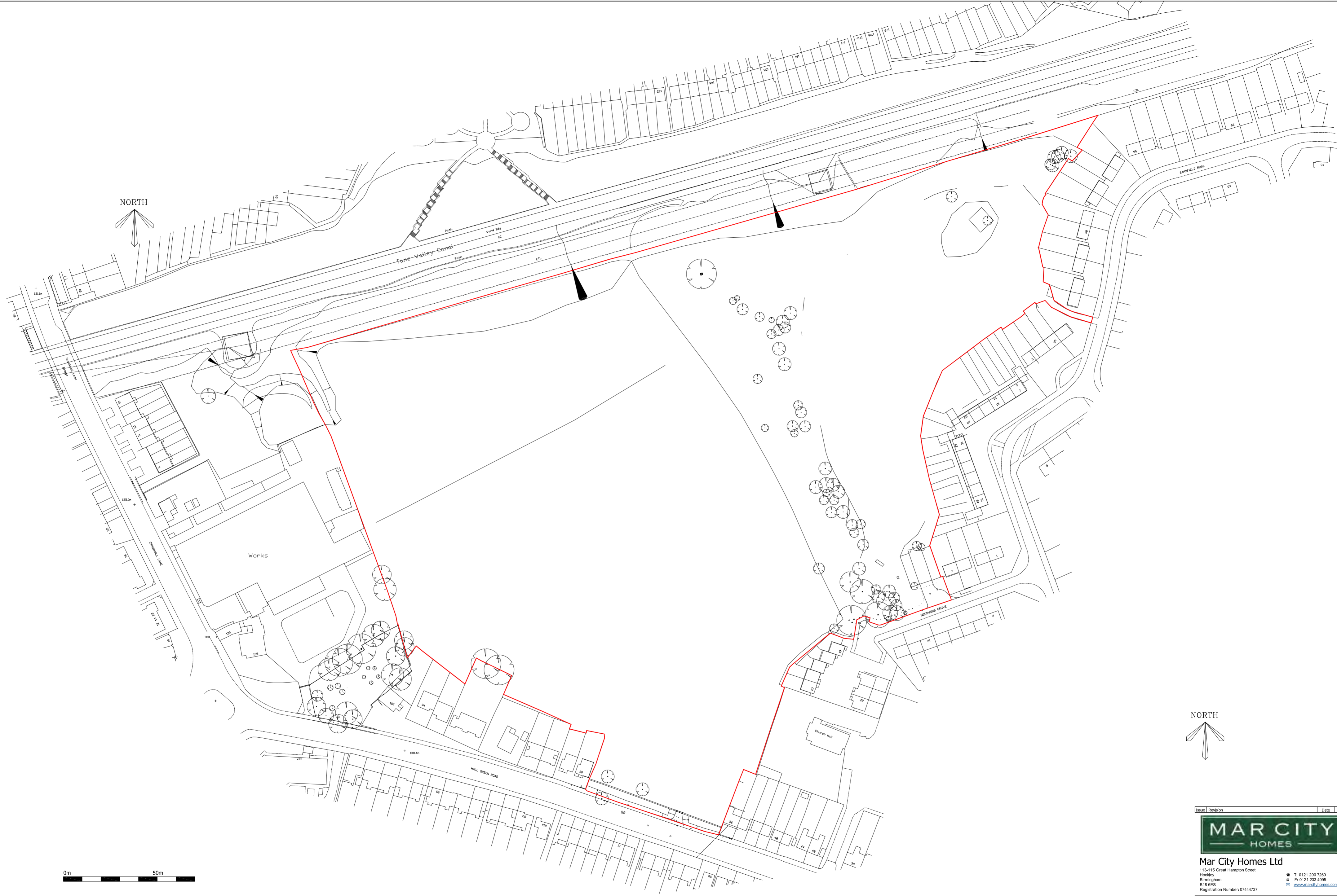
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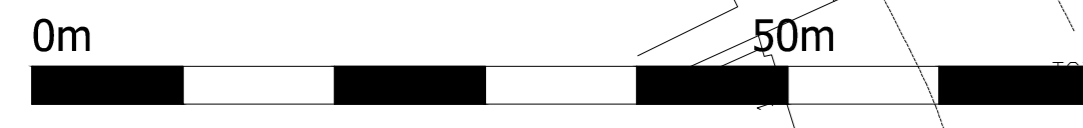
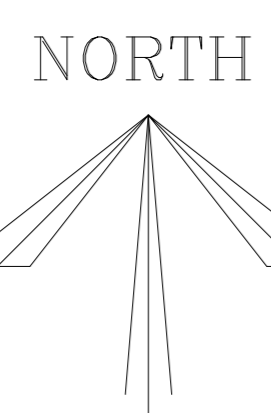




Issue	Revision	Date	By
			
Mar City Homes Ltd 113-115 Great Hampton Street Hockley Birmingham B18 6ES Registration Number: 07444737			
Project HALL GREEN ROAD, STONECROSS, WEST BROMWICH			
Title SITE LOCATION PLAN			
Job No.	Drawing No.	Rev	Date
	P005	-	18/03/16
		Drawn	Scale A2 @ 1:1250
			MH

LANDSCAPING KEY

- Proposed Trees, Type and size TBC
- Block Paving to Highway areas
- Turfed POS areas
- Rear Garden areas Grass seeded
- Compacted stone footpath through POS areas



DEVELOPMENT AT OAKLEY PARK, STONE CROSS

REF:	UNIT	STOREY HEIGHT	SQ.M	SQ.FT	NO.	TOTAL SQ.M	TOTAL SQ.FT	MIX %	TOTAL MIX %	REF:	
2.01	2 Bed House	2	63.63	685	23	1463.49	15753	9.7%	35%	2 BEDS	
2.02	2 Bed House	2	64.82	698	41	2657.62	28607	17.2%			
2.03	2 Bed House	2	60.08	647	2	120.16	1293	0.8%			
2.04	2 Bed House	2	68.34	736	18	1230.12	13241	7.6%			
3.02	3 Bed House	2	84.83	913	13	1102.79	11870	5.5%	21%	3 BEDS	
3.03	3 Bed House	2	86.24	928	10	862.4	9283	4.2%			
3.04	3 Bed House	2	86.24	928	0	0	0	0.0%			
3.05	3 Bed House	2	82.2	885	4	328.8	3539	1.7%	43%	4 BEDS	
J3.01	3 Bed House	2	88.78	956	22	1953.16	21024	9.2%			
4.01	4 Bed House	2	139.18	1498	20	2783.6	29963	8.4%			
4.06	4 Bed House	2.5	125.3	1349	9	1127.7	12139	3.8%			
4.08	4 Bed House	2.5	121	1302	24	2904	31259	10.1%			
4Ag	4 Bed House	2.5	103	1109	28	2884	31043	11.8%	5.0%	5 BEDS	
4.02	4 Bed House	2	115.92	1248	12	1391.04	14973	5.0%			
4.03	4 Bed House	2	117.8	1268	9	1060.2	11412	3.8%			
5.02	5 Bed House	2.5	181.8	1957	3	545.4	5871	1.3%	1%		
TOTAL					238	22,414	241,269	100%	100%		
GROSS SITE AREA					20	ACRES					
NET SITE AREA					18.70	ACRES					
DENSITY					31.4	HECTARE					

PARKING :
Houses
 2 Bed = 1 or 2 spaces per dwelling
 3 Bed = 2 spaces per dwelling
 4 Bed = 2 or 3 spaces per dwelling generally 100% garages inclusive (location dependent)

M	Revised in accordance with highway officer's comments	21/07/20	MH
L	Revised in accordance with highway officer's comments	12/06/20	MH
K	Scheme revised in accordance with planner's comments	08/06/20	MH
J	Scheme revised in accordance with planner's comments	22/05/20	MH
I	Scheme revised in accordance with planner's comments	15/04/20	MH
Issue:	Revision	Date	By



Ground Floor T51,
 Pinewood Business Park
 Coleshill Road, Solihull,
 West Midlands, B37 7HG
 Registration Number: 07444737

T: 0121 200 7260
 F: 0121 233 4095
 www.auroraliving.co.uk

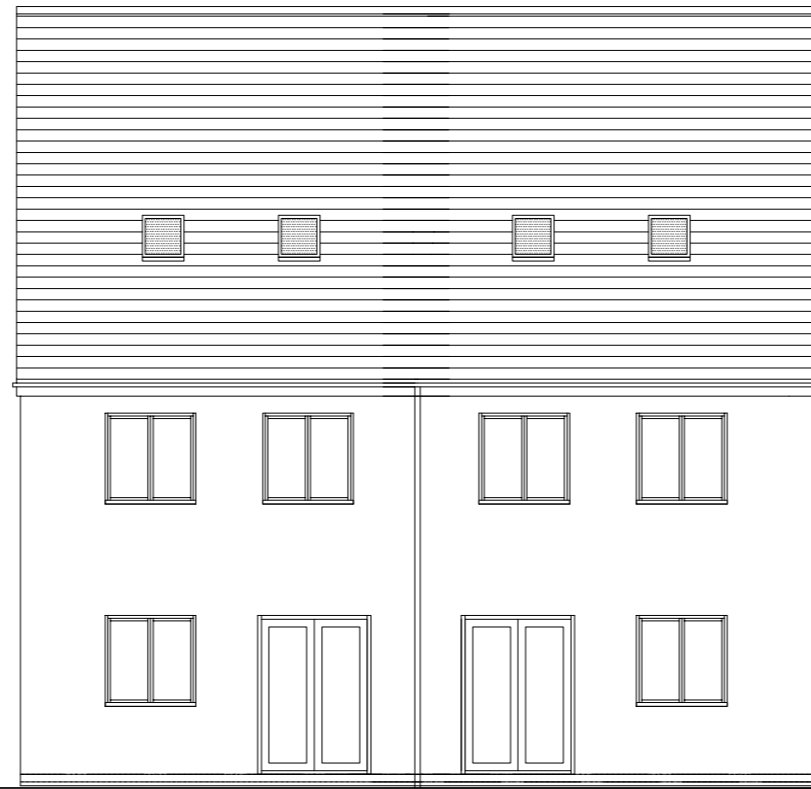
Project
**HALL GREEN ROAD, STONECROSS,
 WEST BROMWICH**

Title
SITE PLAN - 238 PLOTS

Job No.	Drawing No.	Rev	Date	17/01/20
7020	P002	M	Scale	A0 @ 1:500
			Drawn	MH



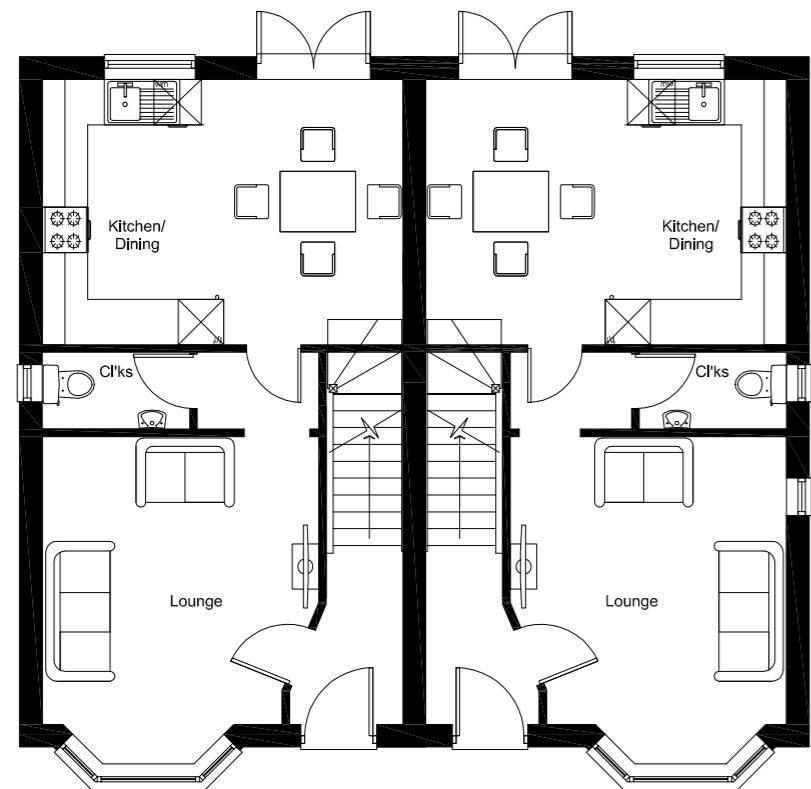
Front Elevation



Rear Elevation

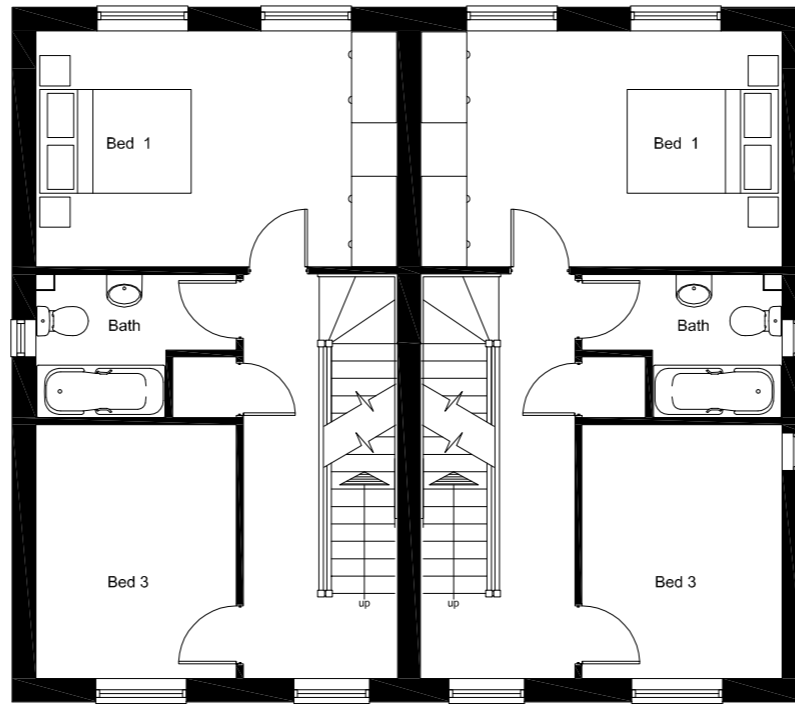


Side Elevation



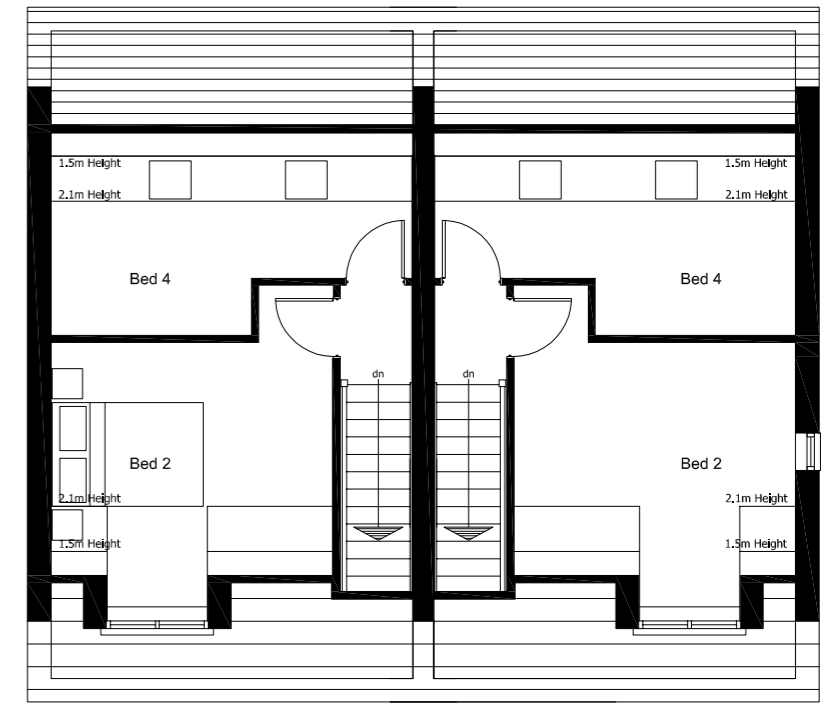
Ground Floor Plan
TOTAL NIA 109sqm (1173sqft)

* Additional windows provided on plots with * on site plan



First Floor Plan

* Additional windows provided on plots with * on site plan



Second Floor Plan

* Additional windows provided on plots with * on site plan



Ground Floor TS1,
Pinewood Business Park
Coleshill Road, Solihull,
West Midlands, B37 7HG
Registration Number: 07444737

T: 0121 200 7260
F: 0121 233 4095
www.auroraliving.co.uk

Issue	Revision	Date	By
A	Additional windows incorporated into gable elevations	15/04/20	MH

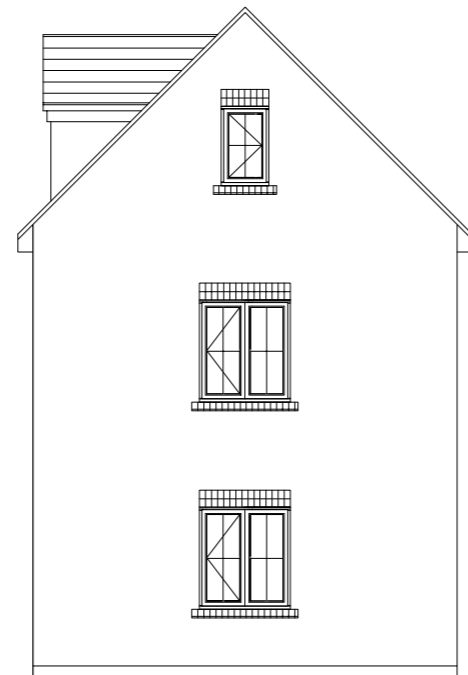
Project
HALL GREEN ROAD/ NEEDWOOD GROVE
STONECROSS, WEST BROMWICH

Title
4Ag House Type

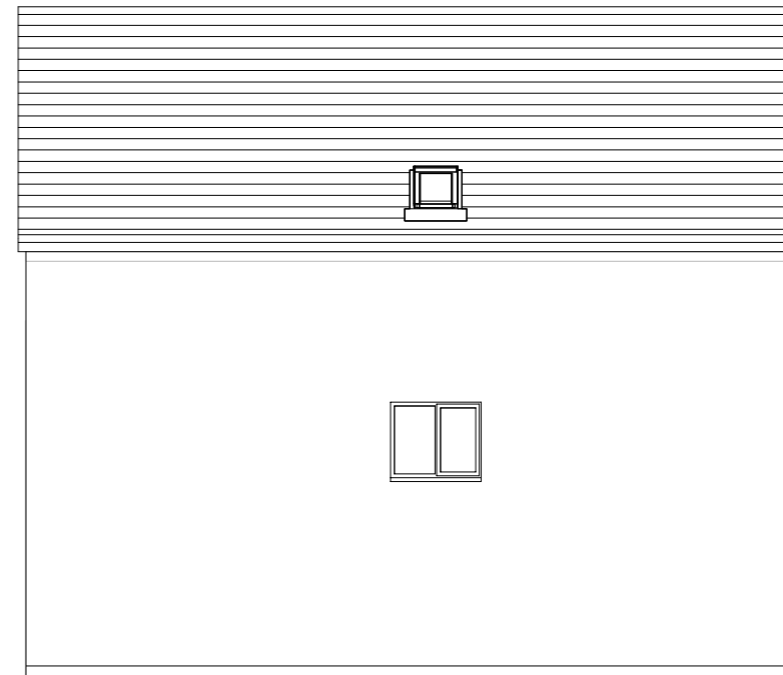
Job No.	Drawing No	Rev	Date Scale	Date
7020	4Ag	A	A3 @ 1:100	15/01/20



Front Elevation



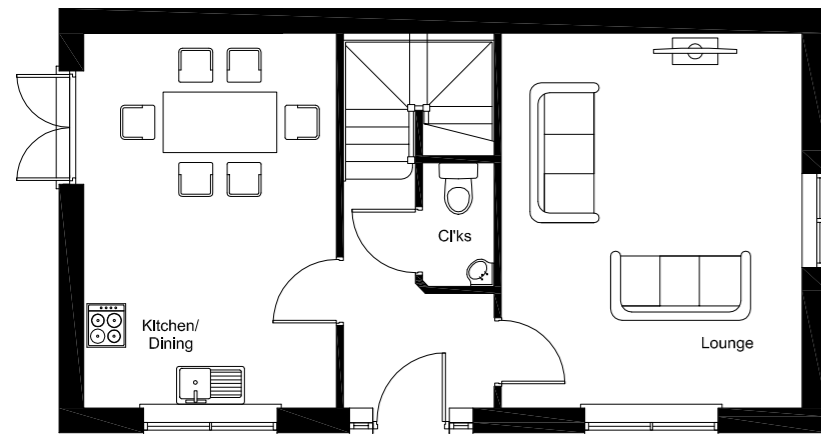
Side Elevation



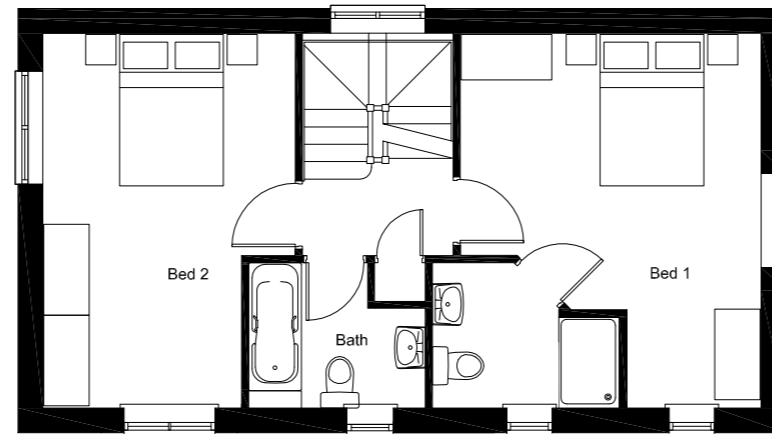
Rear Elevation



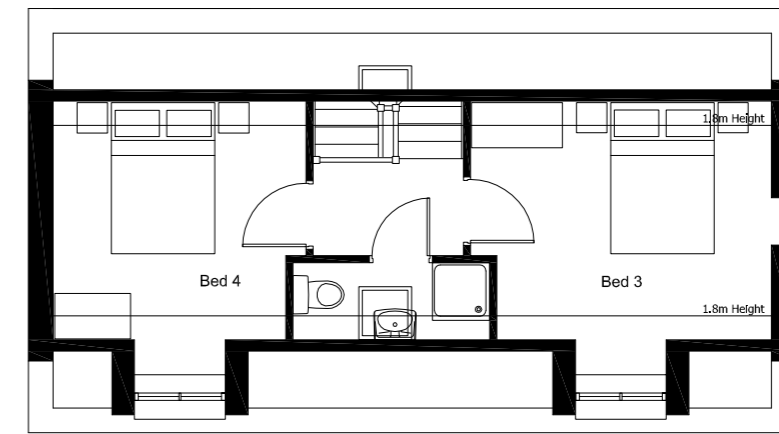
Side Elevation



Ground Floor Plan
TOTAL NIA 126sqm (1356sqft)



First Floor Plan



Second Floor Plan



Issue	Revision	Date	By



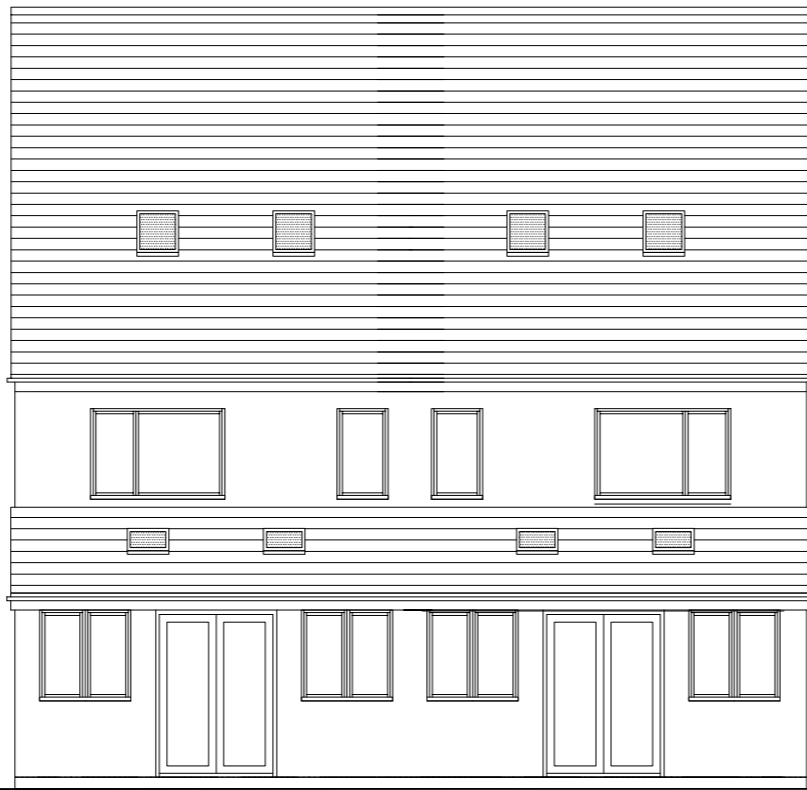
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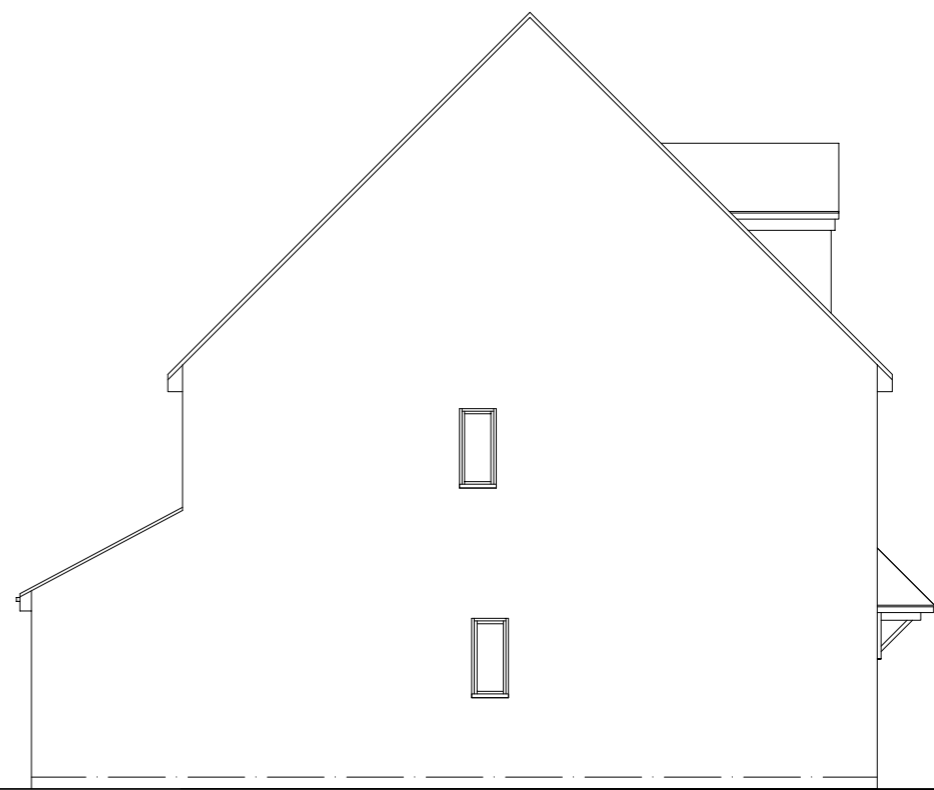
Project HALL GREEN ROAD/ NEEDWOOD GROVE STONECROSS, WEST BROMWICH			
Title 4.06 House Type			
Job No. 7020	Drawing No 4.06	Rev /	Date 15/01/20 Scale A3 @ 1:100 Drawn MH



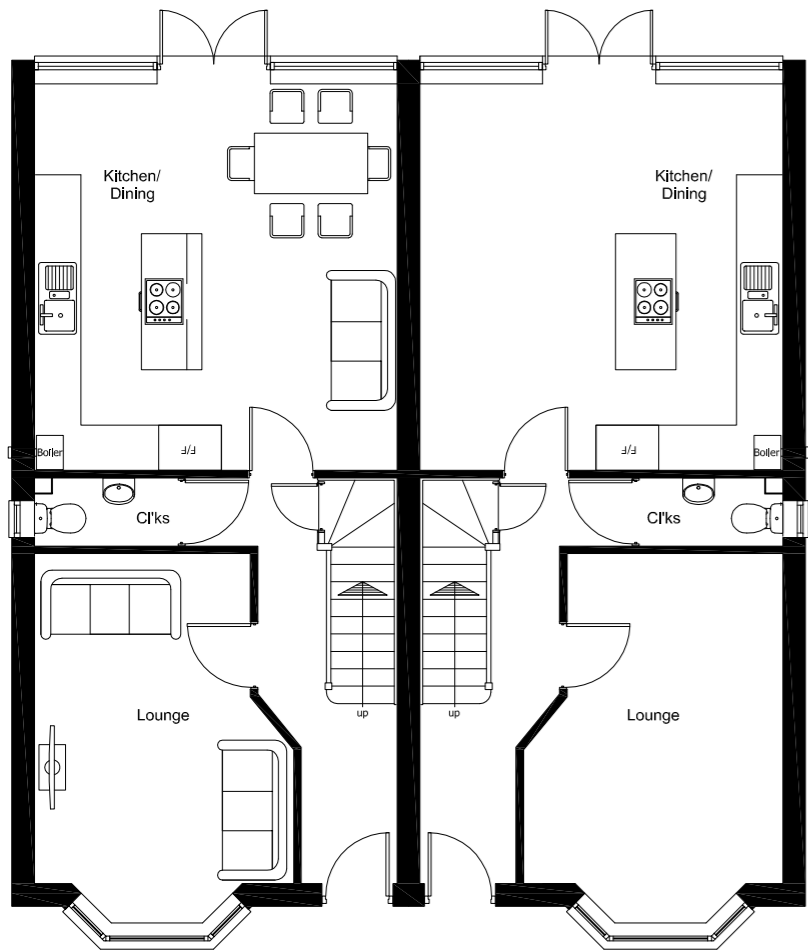
Front Elevation



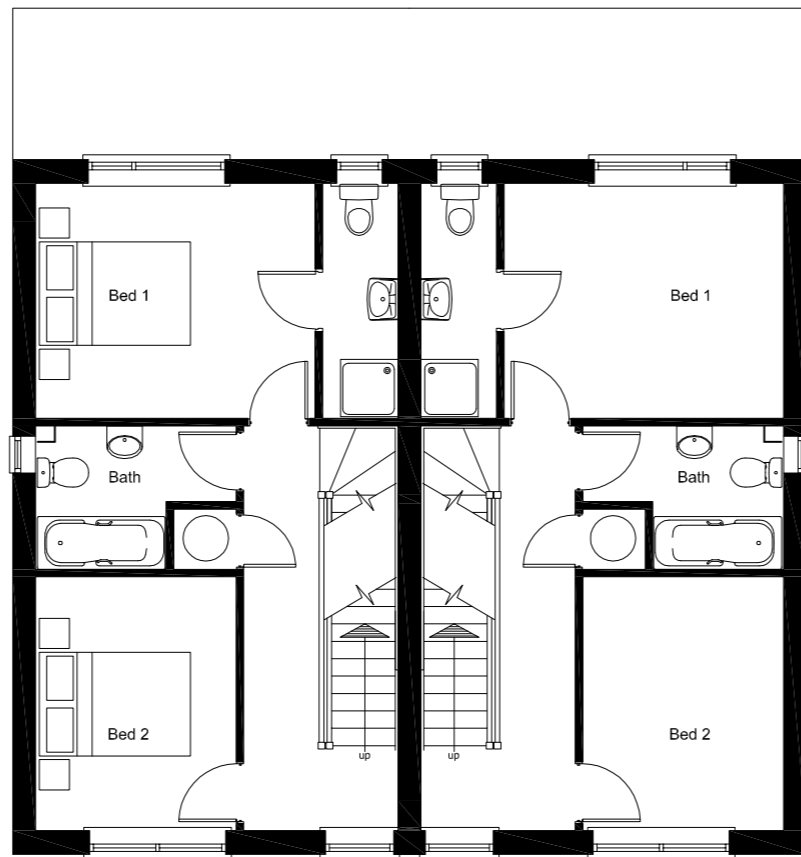
Rear Elevation



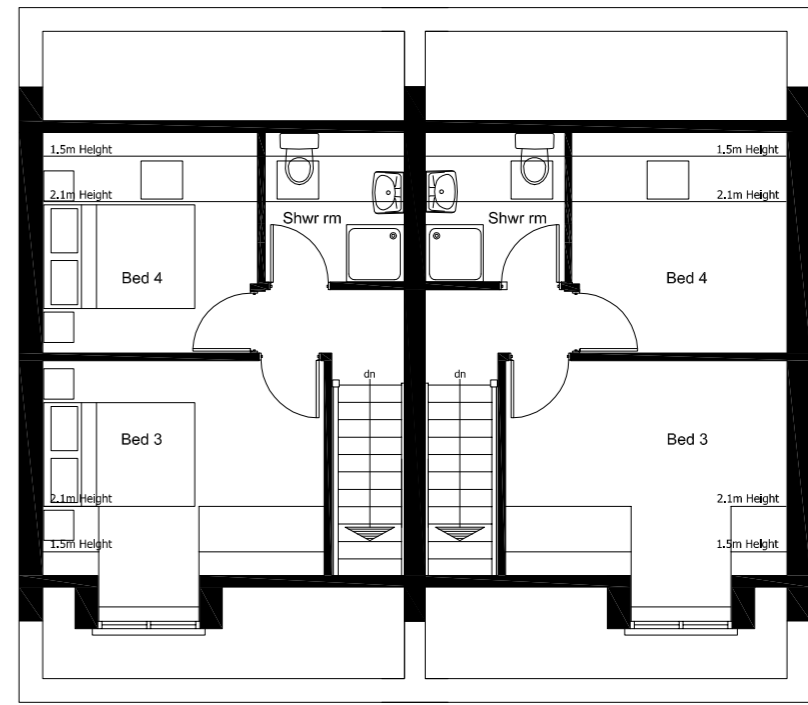
Side Elevation



Ground Floor Plan
TOTAL NIA 121sqm (1302sqft)



First Floor Plan



Second Floor Plan



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Pinewood Business Park
Coleshill Road, Solihull,
West Midlands, B37 7HG
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Project
HALL GREEN ROAD/ NEEDWOOD GROVE
STONECROSS, WEST BROMWICH

Title
4.08 House Type

Job No.	Drawing No	Rev	Date	Scale	15/01/20
7020	4.08	/	Scale	A3 @ 1:100	MH