


REPORT TO PLANNING COMMITTEE

5th August 2020

Application Reference	DC/20/64318
Application Received	2 nd June 2020
Application Description	Proposed additional lift and enclosure to 5 No. blocks.
Application Address	Conniston, Derwent, Rydal, Ullswater & Windermere Houses Badsey Road & Bredon Road Oldbury B69 1BY
Applicant	Mr Phil Deery Sandwell MBC
Ward	Langley
Contribution towards Vision 2030:	
Contact Officer(s)	William Stevens 0121 569 4897 William_stevens@sandwell.gov.uk

RECOMMENDATION

That planning permission is granted subject to:

- (i) The approval of external materials, and
- (ii) Details of lift noise and mitigation measures

1. BACKGROUND

- 1.1 This application is being reported to your Planning Committee because the applicant is Sandwell Council and that objections have been received.
- 1.2 To assist members with site context, a link to Google Maps is provided below:-

[Badsey Road, Oldbury](#)

2. SUMMARY OF KEY CONSIDERATIONS

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

Government policy (NPPF), and
Noise and disturbance from the scheme.

3. THE APPLICATION SITE

3.1 The application site is split over several blocks of flats.

3.2 The site relates to five, three-storey, individual blocks of flats on the north-western side of Badsey Road, Oldbury on the Lion Farm Estate. These blocks of flats are known as Windermere House, Coniston House, Rydale House, Derwent House and Ullswater House.

4. PLANNING HISTORY

4.1 Planning Committee granted approval in April 2020 for an additional floor on each of the blocks of flats, creating 20 additional flats in total.

4.2 Relevant planning applications are as follows: -

4.3	DC/19/63633	Proposed 4 No. additional fourth floor flats to 5 No. existing blocks with a new pitched roof, two main entrance extensions and lift, new car parking area and accessible pathways. Proposed new pitched roof, new shop fronts, roller shutters, front canopies and re-cladding of existing Lion Farm shops and flats.	Grant approval 9 th April 2020
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5. APPLICATION DETAILS

5.1 To access the additional 20 flats approved under DC/19/63633 an external lift block per block of flats is proposed, meaning there would be two lift shafts in each block of flats.

5.2 The height of the lift shafts will be lower than the building height approved under DC/19/63633.

6. PUBLICITY

6.1 The application has been publicised by 269 letters and two objections have been received.

6.2 **Objections**

Objections have been received on the following grounds:

- (i) Objector as requested that the application is put on hold until the current pandemic is over so that residents can voice their concerns;
- (ii) Concerns over the proximity of the bedrooms to the lifts and the potential for noise disturbance;
- (iii) The lifts will be built in the flat's drying rooms impacting on resident's ability to do laundry; and
- (iv) Concerns over the size of the lifts in that they are too small to fit a wheelchair or to move furniture.

6.3 **Responses to objections**

I respond to the objector's comments in turn;

- (i) 269 letters were posted to residents to inform them of the proposal and allow them an opportunity to comment. Whilst it is accepted that the pandemic has limited movement of the public, residents can submit comments online or by post and also contact the planning officer. Central Government expects local planning authorities to continue with 'business as usual' and therefore given that wide consultation that has taken place, the various way residents can contact the service it is considered that there would be no reason to delay reporting the application to your committee to reach a decision.
- (ii) A condition covering noise mitigation measures can be conditioned,
- (iii) The proposed new lift shafts will be purpose built. The internal lifts relate to a previous application.
- (iv) Whilst the lifts will be able to accommodate a wheelchair user, the objector is right that most furniture could not be carried in the lifts; however, with no lifts present, the introduction of a lift is an improvement.

6.4 **Other immaterial considerations**

Objectors have raised additional concerns that are not material considerations or that are covered by other legislation:

- (i) Concerns over the safety of the occupiers of the flats whilst work takes place over head,
- (ii) Concerns over the ceiling and foundations not strong enough to withstand another floor and pitched roof,
- (iii) Concerns that the adding of the lift will reduce the footage of the objector's property,

- (iv) Any extra levy put onto resident's due to the result of these works is unfair, and
- (v) Concerns over the quality of the new windows proposed.

7. STATUTORY CONSULTATION

7.1 **West Midlands Police** - 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 Development Plan are relevant: -

ENV3: Design Quality

SAD EOS9: Urban Design Principles

9.2 ENV3 and SAD ESO0 refers to well-designed schemes that provide quality living environments. The proposal is broadly considered to be acceptable in spatial standards and will provide additional lifts to the blocks of flats.

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 Noise Nuisance

The proposed would have to comply with noise regulations associated with Building Regulations. Given that lifts are not uncommon in flats, I do not foresee a noise related issue. However, a conditioned can be placed on any approval requiring an assessment of noise levels associated with the lifts and any recommended mitigation measures to be implemented and retained.

11. IMPLICATIONS FOR SANDWELL'S VISION

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

- 11.2 Ambition 7 – We now have many new homes to meet a full range of housing needs in attractive neighbourhoods and close to key transport routes
- 11.3 Ambition 10 – Sandwell has a national reputation for getting things done, where all local partners are focussed on what really matters in people’s lives and communities.

12. CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 12.1 It is understood that occupiers of the flats may have some reservations, as there are some significant questions that need to be answered by the applicant in terms of practicalities, but these are not material planning considerations.
- 12.2 In terms of the development itself, the extra lifts would improve access to the building for all occupants both existing and future.
- 12.3 Therefore, I recommend the granting of conditional planning permission.

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), 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).

20. IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND

20.1 The proposal is on Council owned land.

21. APPENDICES:

Site Plan

Context Plan

Plan No:

00 ZZ (AP) 05 S2 A

00 ZZ AP (04) 12 S2 B

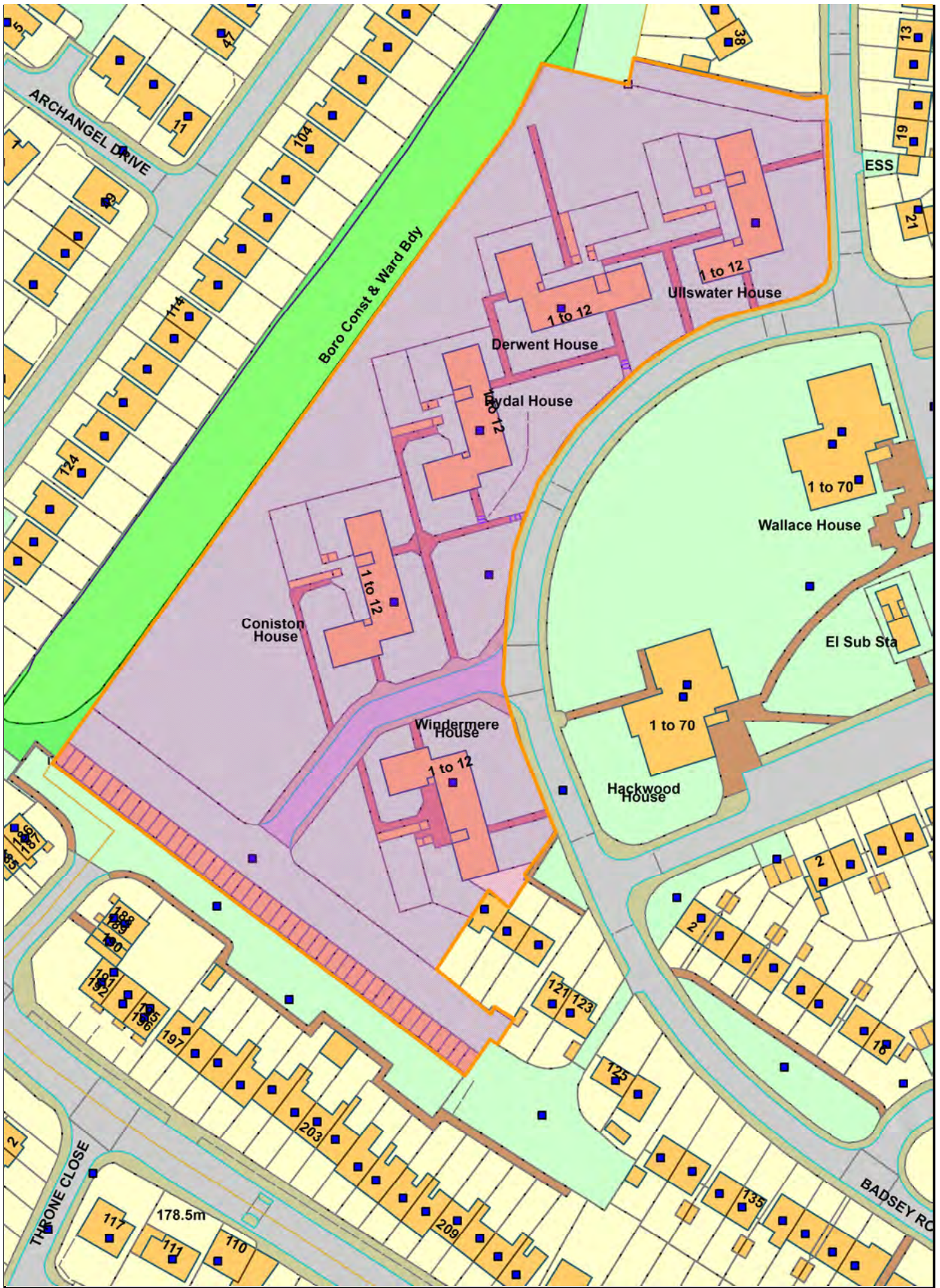
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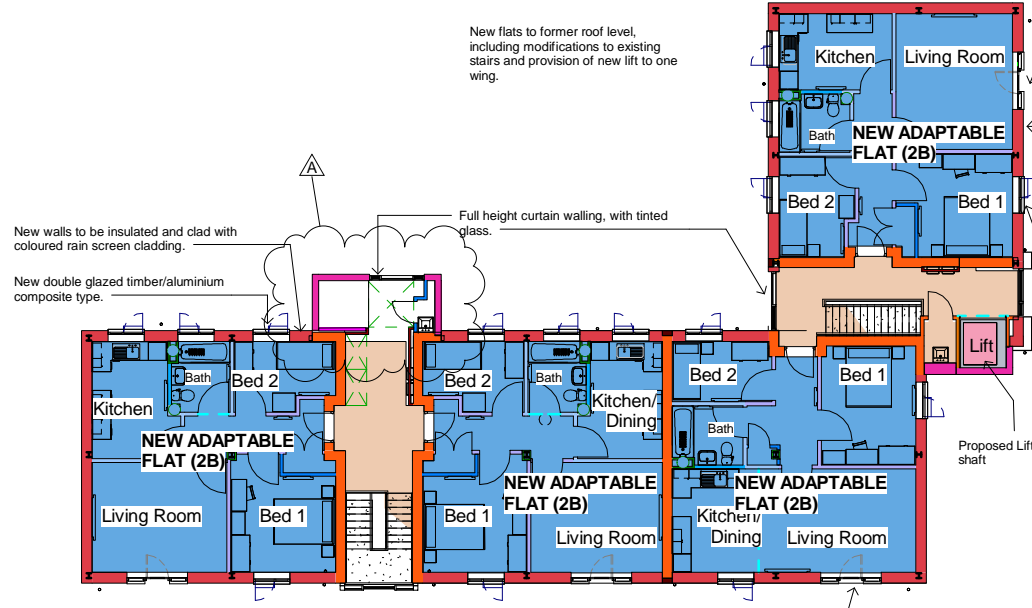
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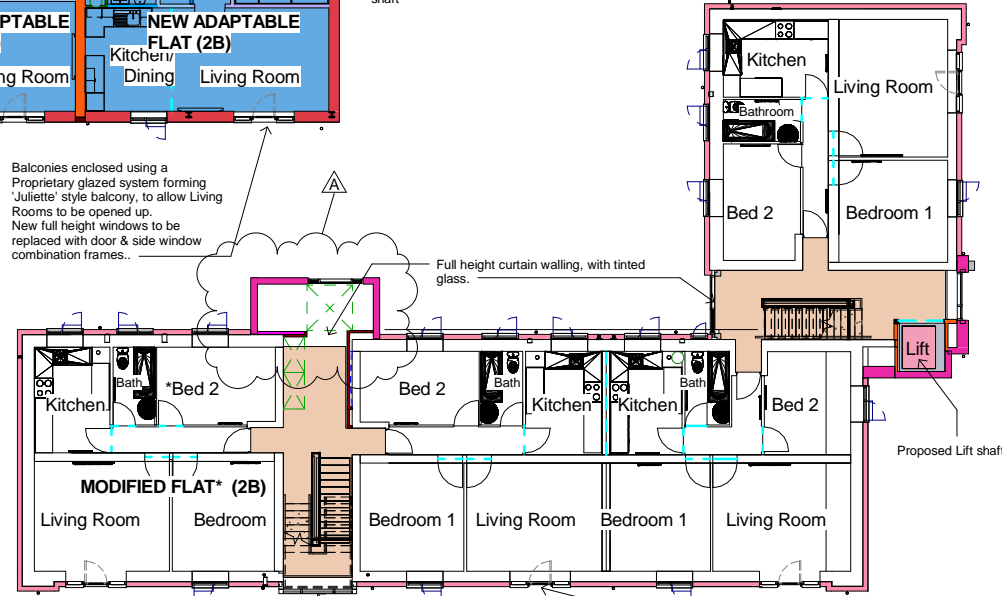
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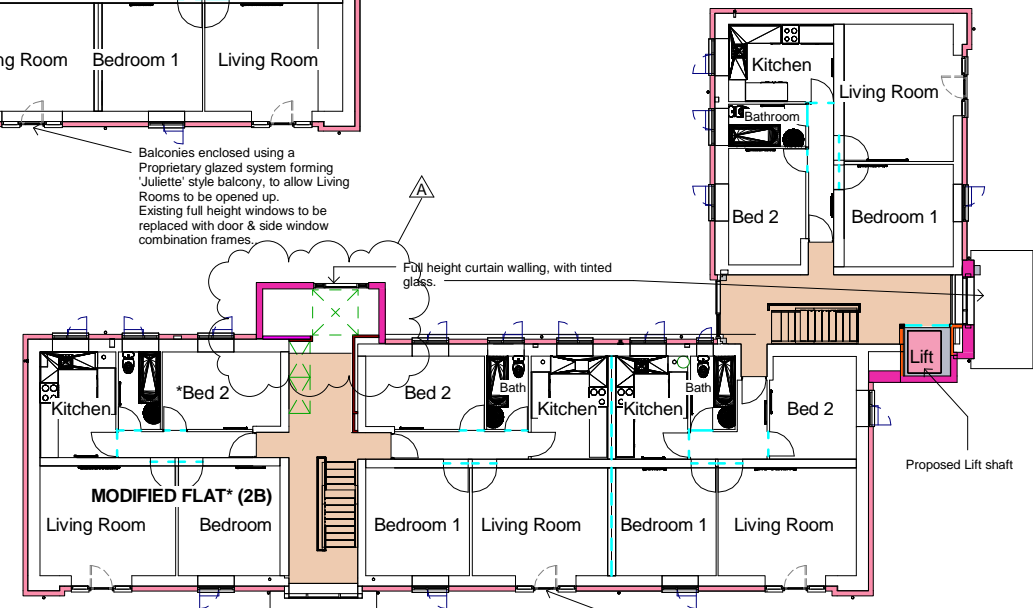
Notes
 The Contractor will be responsible for setting out the work.
 All Dimensions must be obtained or checked on the site.
 Figured dimensions to be used in preference to scale.



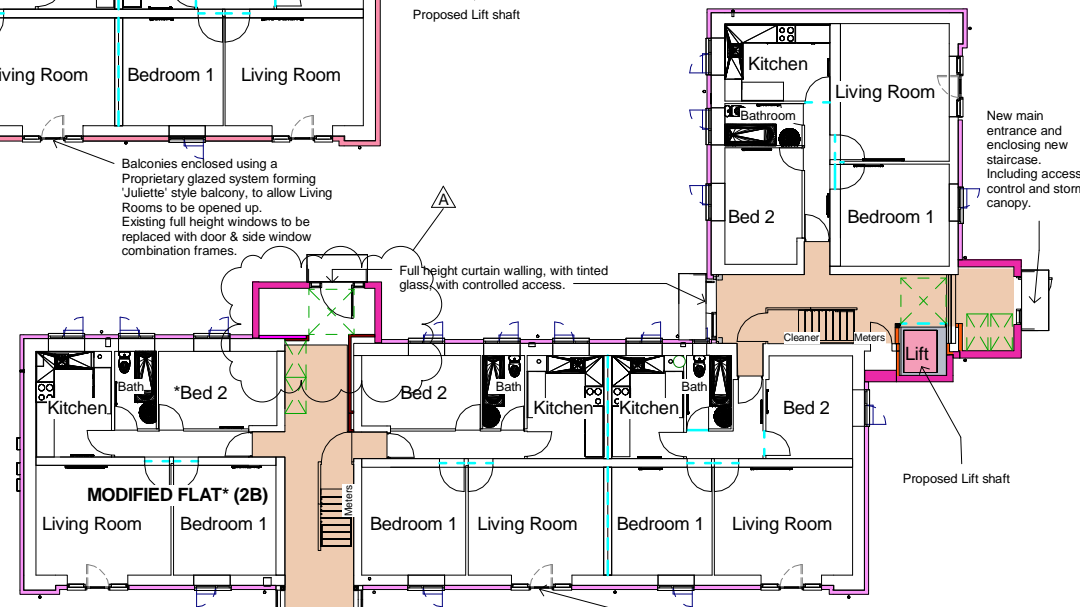
4 Proposed New Third Floor
 1:125



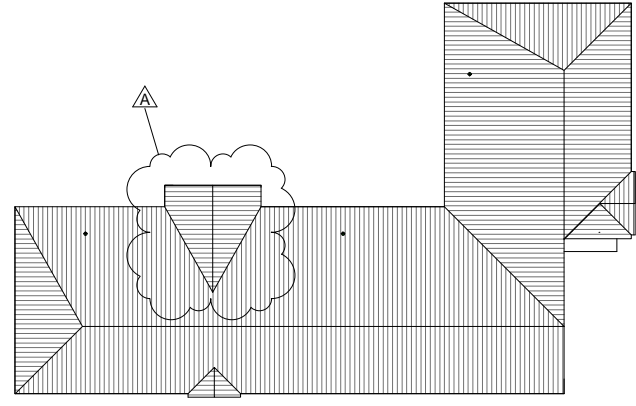
3 Proposed Second Floor
 1:125



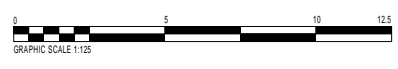
2 Proposed First Floor
 1:125



1 Proposed Ground Floor
 1:125



5 Proposed Roof
 1:200



North Point



Key Plan



Issue	Date	Issue Note	By	Check
A	28/05/20	Additional Lift to rear of Stairwell A		



Project Title
 Low Rise Refurbishment

Location
 The Lakes, Badsey Road, Lion Farm.
 Recladding & 4 No. additional flats to roof, to 5 No. blocks.

Sheet Title
 Proposed Windermere Floor Plans

Status
 1 Lift Flat 13

Drawn by	GH	Checked by	
Date	14/08/19	Date	
Scale at A1	1:125	Scale at A3	1:250

Sheet Identifier

Zone	Level	Classification	Sheet No.	Subsity	Ver/Rev
00	ZZ	AP(04)	52	S2	A

Job No.
 Q17043

Urban Design & Building Services
 Sandwell Council House
 Heath Street,
 Oldbury,
 B89 3DE
 Tel: 0121 689 4541



1 Proposed North Elevation (Derwent)
1 : 100



2 Proposed East Elevation (Derwent)
1 : 100



4 Proposed South Elevation (Derwent)
1 : 100



3 Proposed West Elevation (Derwent)
1 : 100

NOTE: Windermere House handed.

Notes
The Contractor will be responsible for setting out the work. All dimensions must be checked on site.
Details indicated are from DERWENT HOUSE (869 10P), WINDERMERE HOUSE (869 10A), CORNISTON HOUSE (869 10C), FRYDAL HOUSE (869 10A), LLSWATER HOUSE (869 10D), and for WINDERMERE HOUSE (869 10E).
WINDERMERE HOUSE BUILDING LAYOUT IS HANDED.
Any discrepancies found on site are to be notified to the C.A.
... IMPORTANT ...
THE HORIZONTAL JOINTS TO THE EXTERNAL CLADDING PANELS AND THE CENTRE OF THE ENTRANCE GLAZING TRANSVERSE WHERE APPLICABLE ARE TO ALIGN. THE CLADDING JOINT LINES ARE TO BE CONTINUOUS AND BASED ON THE PROPOSED WINDOWS & DOORS, WHICH ARE SUBJECT TO CONFIRMATION OF THE EXISTING OPENINGS (FLOOR LEVEL VARIATIONS) AND THEIR ALIGNMENT THROUGH FROM INSIDE TO OUTSIDE AND ALSO AROUND THE BUILDING. REFER TO ELEVATIONS.
NOTE - ALL EXISTING FLOOR LEVELS TO EACH BLOCK ARE TO BE SURVEYED/CONFIRMED PRIOR TO ANY DESIGN/DETAILING OF THE NEW FIFTH FLOOR LIFT AND ENTRANCE SCREENING. CA TO BE INFORMED IMMEDIATELY OF ANY DISCREPANCIES.
Door reference suffix -
- H: minimum 30 minute Fire Rating door set (30FR) - 30 minute rating
- R: 30 minute insulation (30SI)
- S: smoke seal required
- P: positive locking
For Sundry Settings refer to drawing series AG(7) & AG(74).

PROPOSED - EXTERNAL COLOUR SCHEDULE

Typical Grid Floor Brickwork/Brick Slips - Cheddar Brown (Biscuit)

Typical 1st & 2nd Floor Rainscreen Cladding -
Main Walls - RAL 9001 (Cream)
Pavilion Areas - RAL 7030 (Stone Grey)

Typical 3rd Floor Rainscreen Cladding - RAL 7030 (Stone Grey)

Typical Pitched/Profile Roof -
Sheeting - Natural Shocco Embossed
Flashed/Trims - RAL 7012 (Basalt Grey)
Soffs - RAL 9010 (Pure White)

Typical Windows Frames -
Frames - RAL 7012 (Basalt Grey)
Glass - Clear
Handles - PWR Clear Lacquer

Typical Balconies -
Frames - RAL 7012 (Basalt Grey)
Glass - Clear
Handrails - Stainless Steel

Spandrel Panel Colours -
WINDERMERE HOUSE - RAL 8012 (Red Brown)
CORNISTON HOUSE - RAL 8012 (Red Brown)
FRYDAL HOUSE - RAL 8012 (Red Brown)
DERWENT HOUSE - RAL 8012 (Red Brown)
LLSWATER - RAL 8012 (Red Brown)

Canopies -
Canopy Frame - RAL 7012 (Basalt Grey)
Glass - Fire - Anti-Lam Grey Tinted Glass

North Point

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Key Plan

Issue	Date	Issue Note	By	Check
A	08/09/20	Additional full height entrance block added to new lift shaft.	PH	BC
B	08/09/20	Additional full height entrance block added to new lift shaft.	PH	KED



Low Rise Refurbishment
Location:
The Lakes, Badsey Road, Lion Farm,
Recladding & 4 No. additional flats to roof, to 5 No. blocks.
Scale: 1:50
Prop. Typical Elev's - Derwent shown (Windermere handed)

Drawn by:	PH	14/09/19	Checked by:	
Scale:	AS1	1:50	Scale:	AS1
Scale:	AS1	1:50	Scale:	AS1

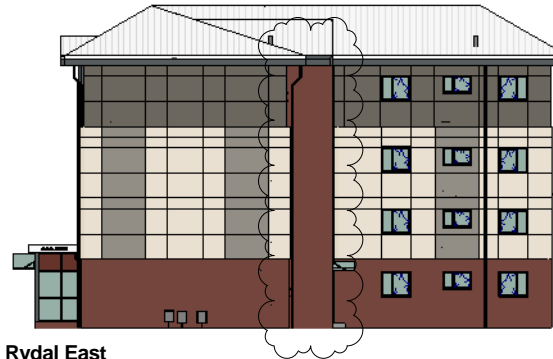
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Q17043
Urban Design & Building Services
Tel: 0121 568 6561





1 Rydal North
1 : 100



2 Rydal East
1 : 100



3 Rydal South
1 : 100



4 Rydal West
1 : 100

Notes
The Contractor will be responsible for setting out the work.
All Dimensions must be checked on the site.
Figured Dimensions take precedence to scales.

PROPOSED - EXTERNAL COLOUR SCHEDULE

Typical 0rd Floor Brickwork/Brick Slips - Cheddar Brown (Black)

Typical 1st & 2nd Floor Rainscreen Cladding - Cheddar Brown (Black)

Main Walls - RAL 9001 (Cream)
External Areas - RAL 7039 (Stone Grey)

Typical 3rd Floor Rainscreen Cladding - RAL 7039 (Quartz Grey)

Typical Pitched/Profile Roof -
Shedding - Natural Shuco Embossed
Roofline Trim - RAL 7039 (Stone Grey)
Soffit - RAL 9010 (Pure White)

Typical Windows Frames -
Frame - RAL 7012 (Basalt Grey)
Class - Clear
Handle - Silver
Internal Sash - Pine, Clear Lacquer

Typical Balconies -
Frame - RAL 7012 (Basalt Grey)
Class - Clear
Handrails - Stainless Steel

Spandrel Panel Colours -
WINDERMERE HOUSE - RAL 8012 (Red Brown)
COMSTON HOUSE - RAL 8012 (Red Brown)
RYDAL HOUSE - RAL 8012 (Red Brown)
BERWENT HOUSE - RAL 8012 (Red Brown)
LILSWATER - RAL 8012 (Red Brown)

Canopies -
Canopy Frame - RAL 7012 (Basalt Grey)
Class - Anti-sun Grey Tinted Glass

North Point

+

Key Plan

Issue	Date	Issue Note	By	Check
A	08/14/10	Additional 4 No. additional entrance block added to rear of each block.	JKH	BC
B	08/14/10	Let plan approved to permit 2 external apartment porches and outdoor included in plan and their associated construction updates.	JKH	BCD



Low Rise Refurbishment
Location: The Lakes, Badsey Road, Lion Farm.
Recladding & 4 No. additional flats to roof, to 5 No. blocks.
Drawn To: Proposed Rydal House Elevations

Drawn by:	JKH	Checked by:	JKH
Date:	08/14/10	Scale:	As Shown
Block No.:	100	Block No.:	100

00	ZZ	AP(05)	14	S2
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Urban Design & Building Services
0121 568 6511



