

Report to Planning Committee

7th April 2021

Application Reference	DC/20/65059
Application Received	14th December 2020
Application Description	Proposed residential development comprising of 223 dwellings with associated car parking, boundary treatment, landscaping, improvement of the existing access and play area.
Application Address	Land At Hall Green Road, Hall Green Road, West Bromwich
Applicant	Countryside Properties UK
Ward	Hateley Heath
Contact Officer	William Stevens William_stevens@sandwell.gov.uk

1 Recommendations

1.1 Subject to a S106 agreement regarding public open space maintenance, and any potential affordable housing contributions, that planning permission is granted subject to:

- i) Site investigation and remediation strategy – to include phasing and timetable
- ii) External materials
- iii) Boundary treatment, provision and retention
- iv) Levels
- v) Construction environmental management plan



- vi) Details of noise mitigation, including landscaping and noise attenuation buffer between existing industrial units and proposed residential development,
- vii) Drainage – standard conditions as requested by Lead Local Flood Authority (LLFA)
- viii) Social value and skills plan (Job opportunities and Apprenticeships)
- ix) Phasing plan regarding construction
- x) Additional junction monitoring and details of proposed mitigation if necessary
- xi) Details of proposed traffic calming around the site
- xii) Maintenance/management details for private drives to be agreed
- xiii) Cross-sections of turning heads adjacent to the canal and appropriate vehicle restraints to be agreed
- xiv) Details of footpath link to canal to be agreed prior to first occupation
- xv) External lighting scheme details to be agreed prior to first occupation
- xvi) Residential travel plan in accordance with Framework Travel Plan to be approved prior to first occupation
- xvii) Hard and soft landscaping scheme implemented prior to 50% occupation
- xviii) Local equipment area for play (LEAP) details to be agreed and to be provided by 50% occupation
- xix) Footpath links to Hall Green Road and Needwood Grove to be implemented prior to 50% occupation
- xx) Roads, access, driveways, parking to be laid out prior to occupation of dwellings they serve
- xxi) Noise mitigation scheme implemented before occupation of affected plots
- xxii) Electric vehicle charging specifications and the points to be installed as per approved layout and specification and prior to occupation of effected dwellings
- xxiii) PD rights removed, all extensions and outbuildings
- xxiv) Public open space to remain as such in perpetuity
- xxv) Parking spaces to remain as such
- xxvi) Low NOx boilers
- xxvii) Details of how the canal is protected from any contamination arising from ground remediation works and drainage,
- xxviii) 10% renewable energy provision,
- xxix) Cycle parking statement, provision





- xxx) Bird boxes provisions, and
- xxxii) Construction working hours to be agreed.

2 Reasons for Recommendations

- 2.1 The site is allocated for housing and currently benefits from an extant permission for 210 houses and a further separate approval for additional 28 properties, meaning the site currently has permission for 238 residential properties to be built on site.
- 2.2 The proposal before your committee is also for a residential scheme but with a reduced number (namely 223 dwellings) and is satisfactory in policy terms.

3 How does this deliver objectives of the Corporate Plan?

	Quality homes in thriving neighbourhoods – The scheme would assist with meeting the council’s housing targets and provides good quality homes.
	A strong and inclusive economy - The redevelopment would provide opportunities for local employment and apprenticeships during the construction phase.

4 Context

- 4.1 This application is being reported to your Planning Committee because of the number of objections received and that a Section 106 agreement is required in terms of the future maintenance of the proposed public open space.
- 4.2 To assist members with site context, links to Google Maps is provided below:

[Aerial view of site](#)

[View from Hall Green Road, West Bromwich](#)



5 Key Considerations

- 5.1 The site is allocated for housing and currently benefits from planning permission for 238 houses (see point 2.1).
- 5.2 The material planning considerations which are relevant to this application are: -

Traffic generation

Contamination by a previous use

Nature conservation and loss of ecological habitats

Loss of trees

6. The Application Site

- 6.1 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 relates to the former quarry and the disused tip, accessed off Hall Green Road. The remainder of the site, also part of the former quarry, is an area of open space off Needwood Grove to the east.
- 6.2 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.

7. Planning History

- 7.1 Planning Committee have approved various residential schemes on this site, and the relevant planning applications are as follows:

7.2

DC/21/65173

Screening opinion for proposed residential development comprising of 223 dwellings with

Screening opinion - EIA not required

22/01/2021



associated car parking, boundary treatment, landscaping, improvement of the existing access and play area (DC/20/65059).

DC/20/63931	Proposed amendment to site layout and house types of previously approved application DC/16/59277 with the addition of 28 dwellings.	Grant Permission Subject to Conditions 12/10/2020
DC/16/59277	Reserved matters application (pursuant to outline application DC/12/54434) for appearance, landscaping, layout and scale of 210 No. dwellings.	Grant Conditional Reserved Matters 20/05/2016
DC/12/54434	Outline application for access of proposed residential development of up to 250 dwellings (all other matters reserved).	Grant Outline Permission with Conditions 01/04/2014
DC/12/54431	Screening opinion for proposed outline planning application for up to 250 dwellings.	Screening opinion - EIA not required 05/04/2012
DC/03/41242	Request for screening opinion for an Environmental Statement.	Screening opinion - EIA required 09/10/2003



8. Application Details

8.1 The current application is for proposed residential development comprising of 223 dwellings with associated car parking, boundary treatment, landscaping, improvement of the existing access to the site and a new play area (LEAP).

8.2 In total there would be:

34, 2-bedroom properties,
153, 3-bedroom properties, and
36, 4-bedroom properties.

8.3 The LEAP (adjacent to plots 162-166) is an area of open space specifically designed and laid out with features including equipment for children who are beginning to go out and play independently close to where they live.

8.4 Amended plans have been received taking on board comments raised including A-Frame motorbike inhibitors and changes to parking layouts.

9. Publicity

9.1 384 letters were sent to residents and local businesses in the area. Of those, two letters from residents, one from a local business, and a joint letter from Ward Members were received objecting to this application.

9.2 Objections

Objections have been received on the following grounds:

- i) Concerns over noise and that a landscaping and attenuation buffer should be created between the existing businesses and the new homes,
- ii) The land is contaminated; therefore, an objector feels an Environmental Impact Assessment (EIA) should have been required,



- iii) A previous approval stated that no more than 200 dwellings should be allowed on the site,
- iv) The proposal would mean the loss of trees (some of which are protected by a covenant) and therefore wildlife in the area,
- v) There are highway concerns over construction traffic and the increase in traffic from future occupiers of the site,
- vi) Loss of access to the rear of properties in Campville Crescent and Sandfield Road,
- vii) Concerns over working hours,
- viii) Concerns over airborne contamination/pollutants,
- ix) No details of cycle parking have been provided.

9.3 Immaterial objections

Immaterial objections have been raised which include an objector's own opinion that the site should be remediated back to open space and the former tip site should be industrialised to bring back investment into the local area and create jobs. Whilst I do sympathise with the objector, the local planning authority can only consider the proposal that is presented namely a proposed residential scheme.

9.4 Responses to objections

I respond to the objector's comments in turn:

- i) Conditions regarding noise attenuation measures that include boundary fence buffers are recommended,
- ii) Under the provisions of the Environmental Impact Assessment Regulations, the site is not EIA development, however, suitable ground investigation and mitigation measures will be required as part of the approval,
- iii) This related to a condition within the original outline planning application but does not preclude a developer seeking an increase to this number as part of a new planning submission. In addition, the site benefits from consent for 238 properties following the grant of recent permission.



- iv) A detailed landscaping scheme will be required as part of any approval which includes tree replacement. Issues over covenants are private issues that the applicant will need to address separately,
- v) See point 10.2
- vi) Amended plans have been provided to allow access to those properties,
- vii) Hours of work can be conditioned to safeguard nearby residents from unsociable working hours,
- viii) A dust mitigation plans is also proposed to be conditioned as per point 10.5 of this report,
- ix) All properties have their own garden space and can provide secure parking if needed, as well as some plots having garages where these can be stored. Nevertheless, a secure cycle parking condition is recommended.

10. Consultee responses

10.1 Planning and Transportation Policy

No objections to the scheme. However, the site requires 25% of the properties to be affordable housing to make the scheme policy compliant. The applicant has provided a viability assessment which is currently being considered by the District Valuer.

Members will be verbally updated on this.

10.2 Highways

Amended plans have been provided following consultation responses resulting in highways still having concerns regarding the internal layout and the wider road network.

Firstly, in terms of the internal road, this relates to six or more properties being served off a private driveway, (the Council's standard is a maximum of five),



In response to these concerns:-

Whilst against adopted policy, it is important to note that the previous approval which remains extant for the site (DC/16/59277) allowed for 7 properties to be served off a private drive. Therefore, if this application were refused, the developer could still implement the approved layout with a greater number of properties serving a private drive. I am also mindful, that future homebuyers are likely to have to pay a service charge to a management company for the continued upkeep, as whilst the road maybe built to adoptable standards, certain roads as shown on the plans remain private.

In addition, various conditions have also been recommended in order to make the scheme acceptable, such as parking space retention, minors roads being built to adoptable standards, levels plan and cross sections of turning heads near to the canal, and details of boundary treatment, especially around the LEAP to protect users of the proposed children's play area.

Secondly potential concerns have been raised regarding works to the highway outside of the boundaries of the site, given that the proposal will increase traffic outside of the application site. Highways are not satisfied that sufficient junction analysis has been conducted in relation to the development of this site.

In response to these concerns

The previously approved application for the whole site (ref: DC/16/59277) required the following conditions to make the scheme acceptable:

Before the development is commenced details of an analysis of the operation of the traffic lights at the south eastern end of Hall Green Road and at Newton Road/All Saints Way/Hollyhedge Road junction and a



scheme to improve the operation of those junctions shall be submitted to and approved by the local planning authority.

Before any dwellings are occupied the improvements approved in pursuance of the preceding condition shall be implanted.

It is therefore considered that this condition should be attached to the current proposal for 223 houses. This will ensure that highways are satisfied that appropriate additional traffic works are identified to the surrounding road network to address any potential increased traffic issues in the area.

10.3 Public Health (Air Quality)

No objection subject to the provision of Electric Vehicle Charging points, the introduction of low NOx boilers, a dust management plan and an air quality assessment with mitigation measures.

10.4 Public Health (Contaminated Land)

The site is potentially contaminated and remediation measures are required to safeguard future inhabitants. Therefore, it is recommended that ground investigation and remediation measures conditions are attached to any approval.

10.5 Public Health (Air Pollution and Noise)

Public health requires various conditions. During the construction phase, details of noise, dust suppression wheel cleaning etc is required. With regards to the future occupiers of the proposed residential properties, details regarding protection from external noise sources are also required.



10.6 West Midlands Police

No objections, the increase in properties backing onto existing residential properties would make the site and existing dwellings more secure.

10.7 Urban Design

The applicant has been working closely with colleagues in Urban Design and provided amended plans that have addressed original concerns. Urban Design do not object to this application.

10.8 Cadent

The applicant has been made aware of the comments from Cadent and their responsibilities.

10.9 The Health and Safety Executive

The Health and Safety Executive does not advise against the granting of planning permission.

10.10 Tree Officer

The Council's Tree Preservation Officer raises no objections to the scheme. A detailed landscaping scheme will be required as part of any approval.

10.11 Severn Trent

Severn Trent have requested their standard drainage conditions being attached to any approval.



10.12 Planning Transportation

Amended plans have been provided to address the comments about providing links from the site to the adjacent canal.

10.13 Canal and Rivers Trust

Comments from the Canal and Rivers Trust has been passed onto the applicants which includes contact details of various departments prior to construction. However, they have requested that conditions be attached to any approval that protects the canal from any contamination resulting in the cleaning and drainage of the site.

10.14 Lead Local Flood Authority

They have requested their standard SUDs conditions be attached to any approval.

10.15 Birmingham Wildlife Trust

The Birmingham Wildlife Trust have been consulted without response. However, the safeguarding of any existing wildlife on site such as potential badger sets is covered by other legislation and controlled through Natural England. It is criminal offence to harm or destroy badger setts and the applicant would need to apply for a licence to undertake any works to relocate any badgers setts that were present on the site.

11. National Planning Policy

11.1 National Planning Policy Framework promotes sustainable development but states that local circumstances should be taken into account to reflect the character, needs and opportunities for each area.



12. Local Planning Policy

12.1 The following policies of the council's Development Plan are relevant:

DEL1 – Infrastructure provision

HOU2 – Housing Density, Type and Accessibility

HOU3 – Delivering Affordable Housing

TRAN4 - Creating Coherent Networks for Cycling and for Walking

ENV3 – Design Quality

ENV5 – Flood Risk, Sustainable Drainage Systems and Urban heat Island

ENV7 – Renewable Energy

ENV8 – Air Quality

H1 – Housing Allocations

H3 – Affordable Housing

HE5 – Archaeology and Development Proposals

EMP2 – Training and Recruitment

EOS4 – Community Open Space

EOS9 – Urban Design Principles

12.2 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 meets the requirements of the policy.

12.3 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 include 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.

12.4 HOU3 and SAD H3 sets out the requirement for affordable housing. The applicant has submitted a viability report to demonstrate that affordable housing cannot be provided due to the financial constraints associated with this development. This report is currently being reviewed by the



District Valuer. If the viability is proven then affordable housing would not be required alternatively in not proven, the scheme will need to provide affordable housing.

12.5 ENV3 and SAD EOS9 refers to well-designed schemes that provide quality living environments.

12.6 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.

12.7 ENV7 requires 10% of a qualifying development's energy to be generated by renewable means and can be controlled by condition.

12.8 ENV8 refers to mitigation measures to offset air quality issues, in this instance, electric vehicle charging infrastructure and low NOx boilers can be ensured by condition.

13. Material Considerations

13.1 The material considerations relating to government policy (NPPF) and proposals within the Development Plan have been referred to above in Sections 11 and 12. With regards to the other considerations these are highlighted below:

13.2 Traffic generation

A review of the existing highway network and mitigation measures will be a requirement and accordingly conditioned should approval be granted.

13.3 Contamination by a previous use

Relevant site investigation and remediation measures conditions can be attached to any approval making the land safe for future inhabitants.



13.4 Nature conservation and loss of ecological habitats

An ecological/wildlife report and mitigation measures could overcome any concern for the impact on wildlife, however other legislation covers the protection of protected species.

13.5 Loss of trees

A detailed landscaping condition will ensure that any loss of trees will adequately replaced.

14 Alternative Options

14.1 Refusal of the application is an option if there are material planning reasons for doing so. In my opinion the scheme is appropriate in design, is supported by the existing extant permission and conditions can address any outstanding matters.

15 Implications

Resources:	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.
Legal and Governance:	This application is submitted under the Town and Country Planning Act 1990.
Risk:	None.
Equality:	There are no equality issues arising from this proposal and therefore an equality impact assessment has not been carried out.
Health and Wellbeing:	Various conditions have been recommended that would safeguard existing residents and future occupants of the site.
Social Value	A condition is recommended relating to jobs and apprenticeships.



16. Appendices

Location Plan

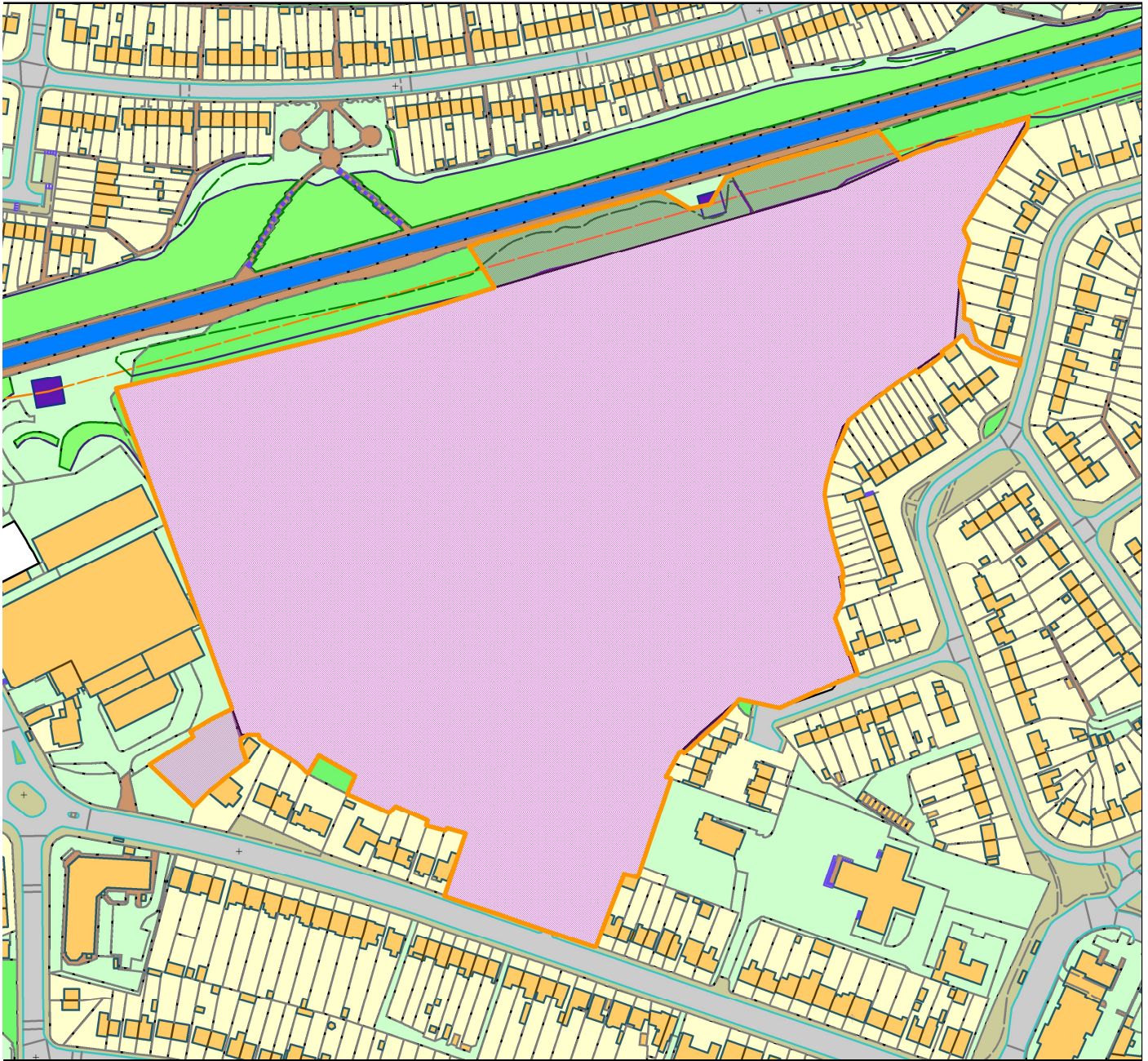
Site Plan

Site Layout SKM56-PL-02 Rev N

Tree Retention Removal Plan 20-117-03 Rev A

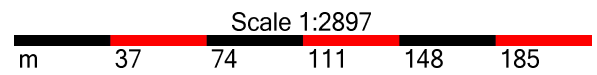


DC/20/65059
Land at Hall Green Road



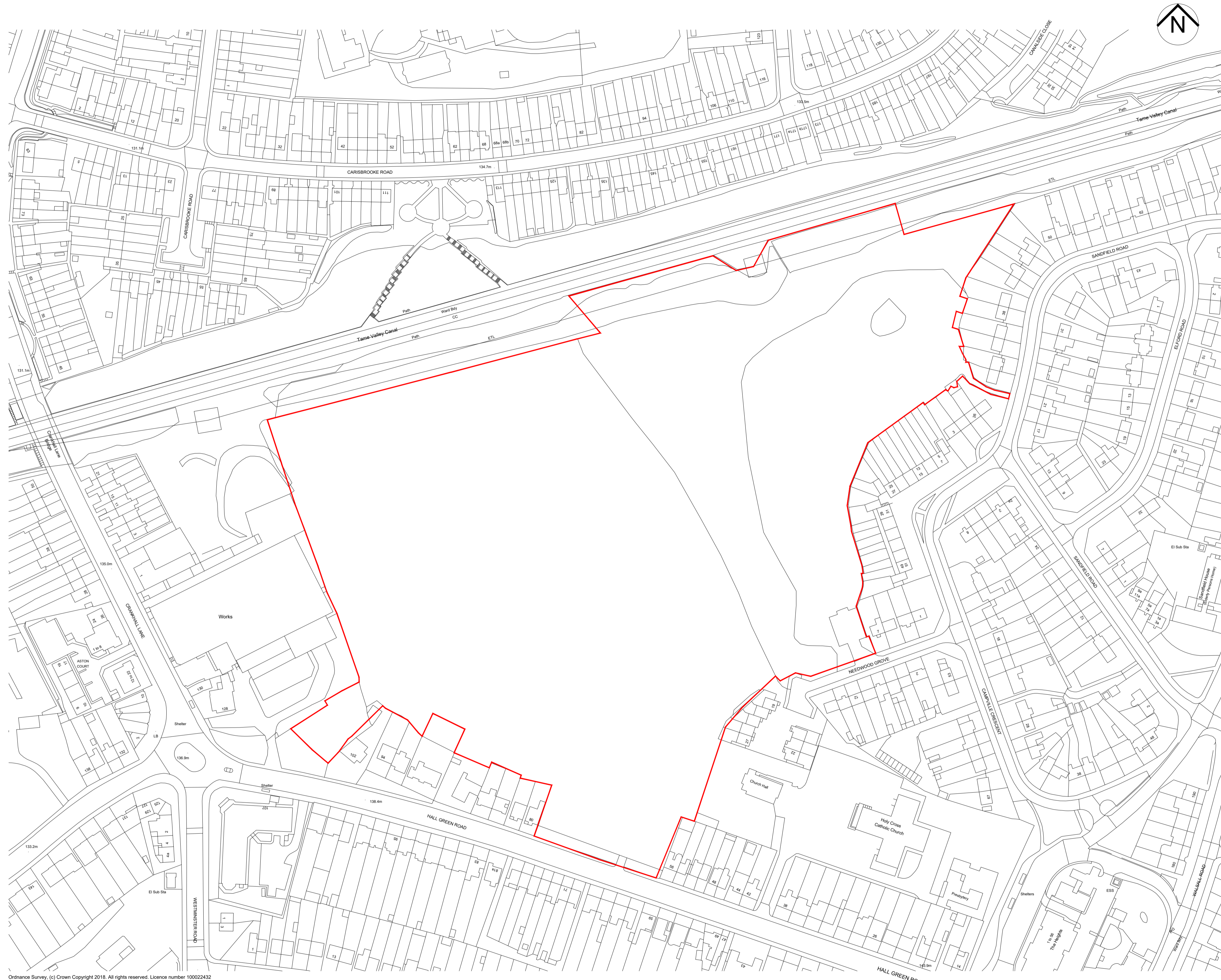
Legend

Sc	1:2897
----	--------



© Crown copyright and database rights 2019
Ordnance Survey Licence No 100023119

Organisation	Not Set
Department	Not Set
Comments	Not Set
Date	23 March 2021
OS Licence No	

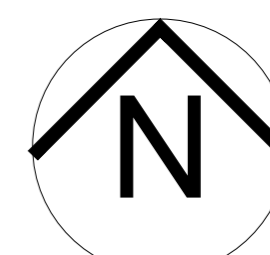
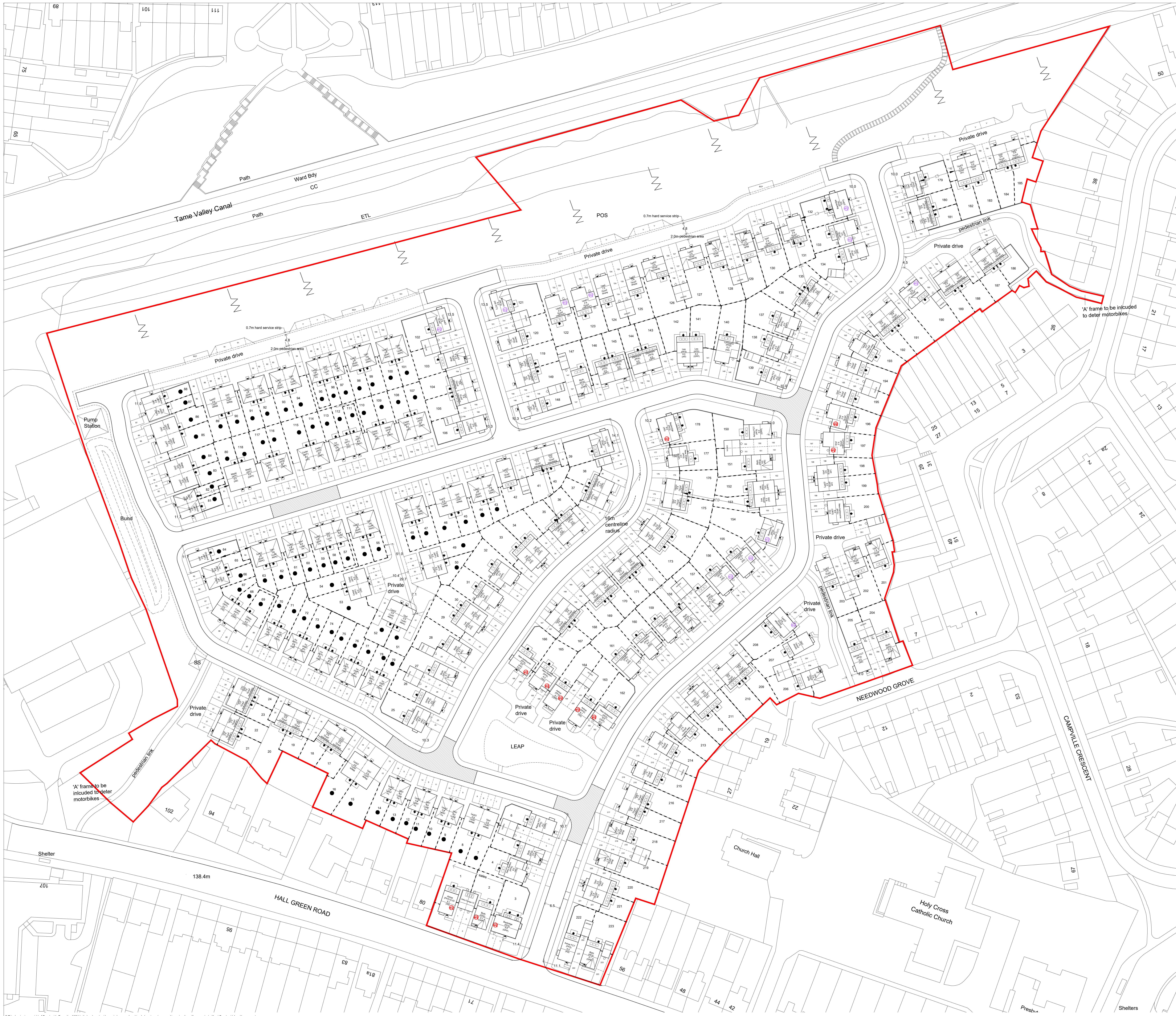


Ordnance Survey, (c) Crown Copyright 2018. All rights reserved. Licence number 100022432



Site: Hall Green Road, West Bromwich
 Title: Location Plan

Drawn by: PT	Checked: JT
Scale: 1:1250	Date: 2020
Drawing no: SKM56-LOC	Revision:



HOUSE TYPE	NUMBER	2017	2021	2025	TOTAL	sqft	MA	End	Det	Total
Element	22	855	3		1810			22		22
Langford	24	850	3		2142			24		24
Line	163	1252	3		16776			163		163
Apartment FCT	5	991	3		4995			5		5
Bath	20	1022	3		2044			20		20
Walon	50	1031	3		2062			50		50
Amey	71	1215	4		2430			71		71
Langham	5	1258	4		6290			5		5
Burford	5	1262	4		6310			5		5
Burford	5	1262	4		6310			5		5
TOTAL CM	142				142095					142
Net CM Area	9.47	Acres								
Coverage	15,008	sqft/Acre								
Density	15.5	UFA								
Net PL Area	4.37	Acres								
Coverage	14,443	sqft/Acre								
Density	18.5	UFA								
TOTAL PL	81				71856					81
Net PL Area	4.37	Acres								
Coverage	14,443	sqft/Acre								
Density	18.5	UFA								
TOTAL =	223				219651					223
Net PL Area	13.94	Acres								
Coverage	16,489	sqft/Acre								
Density	18.5	UFA								

NOTES

- PATHS GENERALLY TO BE 900mm WIDE.
 - PATIOS GENERALLY TO BE 2700 x 1800mm UNLESS INDICATED OTHERWISE.
 - PAVING SLABS TO BE OFFSET 150mm WHERE A FOOTPATH OR PATIO IS ADJACENT TO A DWELLING TO ALLOW FOR A GRAVEL MARGIN.
 - MOVING STRIP TO BE PROVIDED WHERE TURFED AREAS ADJUT HOUSE, TO CONSIST OF 100mm WIDE WHITE STONE CHIPPINGS.
 - GROUND LEVEL ADJACENT TO HOUSE TO BE 150mm BELOW S.L. UNLESS OTHERWISE NOTED.
 - ALL DWELLING FRONT ENTRANCES TO HAVE LEVEL THRESHOLD.
- MATERIAL REFERENCE**
 G = BRICK
 G1 = BRICK / RENDER
 G2 = BRICK / TILE HANGING
- METER REFERENCES**
 G = GAS METER
 E = ELECTRIC METER
 W = STOP TAP
- HOUSETYPE REFERENCES**

LEGEND

- BCP BIN COLLECTION POINT
- INDICATIVE PROPOSED TREES PLEASE REFER TO SPECIALIST CONTRACTORS DRAWING FOR FULL DETAILS & DETAILED LANDSCAPING
- FOOTPATH AND PATIOS TO BE MARSHALLS UTILITY 450 x 450mm BUFF CONCRETE FLUGS BUT JOINED, ON 50mm THICK SAND BED ON 100mm THICK LAYER OF WELL CONSOLIDATED HARDWARE.
- SHARED SURFACE TO BE TARMACED
- FRONT ENTRANCE DOOR, ALL DOORS TO HAVE FLUSH THRESHOLD, UNLESS NOTED OTHERWISE PROVIDE 1200 x 1200mm LEVEL PLATFORM AT ENTRANCE TO DWELLING.
- PATIO / FRENCH DOORS
- PARKING BAYS / DRIVEWAYS IN TRAFFICABLE BLACK BITUMEN MACADAM WEARING SURFACE TO LOCAL AUTHORITY STANDARDS, REFER TO CIVIL ENGINEERS DRAWINGS.
- INDICATES RAISED TABLE SURFACE
- 1800mm HIGH BRICK WALL, SEE RES 9001 TYPE 1, UNLESS OTHERWISE STATED ON ENGINEERING LAYOUT
- RETAINING WALLS AND GABION WALLS
- 1800mm HIGH CLOSE BOARD FENCE, SEE RES 9101 TYPE A (TIMBERS TO COMPLY WITH BS50599 WHERE NOTED), UNLESS OTHERWISE STATED ON ENGINEERING LAYOUT
- RETAINING WALLS AND GABION WALLS
- INDICATES INCLUDE MODE 3 EVCP
- INDICATES PLOTS TO INCLUDE INTERNAL WIRING AND BLANKING PLATE

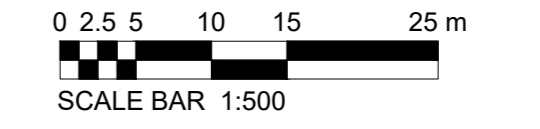
BUILDING REGULATIONS

NO GLAZING EXCEEDING 1m² TO BE INCLUDED TO ELEVATIONS WITHIN 1m OF THE BOUNDARY.

BOILER FLUES MUST DISCHARGE AT LEAST 900MM FROM THE BOUNDARY OR 1200MM FROM AN ADJACENT FLUE.

ALL DRIVES TO BE 15 TON+ TO SUPPORT ACCESS FOR LARGE EMERGENCY/REFUSE VEHICLES.

SITE DATA	
TENURE	CM
PART G BUILDING REGULATIONS / REQUIRED BY DESIGN	PART G ONLY
PART L BUILDING REGULATIONS	2013
CODE FOR SUSTAINABLE HOMES	NO
ACOUSTIC REQUIREMENTS	Refer to acoustic drawing for exact window spec requirements.
OTHER	TBC



	Hall Green Road, West Bromwich Proposed site layout	drawn by: RH checked by: JT scale: 1:500 date: 2020	drawing no: SKM56-PL-02 revision: N
--	--	--	--

This drawing is copyright of Countryside Properties (UK) Limited and must not be copied or reproduced in whole or in part, nor used in conjunction with any project without Countryside's written consent.

LEGEND: TREE RETENTION & REMOVAL
 All the original of this drawing was produced in colour - a monochrome copy should not be relied upon

- T1 Category A: High quality and/or value to be retained and protected to BS5837.
- T2 Category B: Moderate quality and/or value to be retained and protected to BS5837.
- T3 Category C: Low quality and/or value to be retained and protected to BS5837.
- (T4) Trees to be removed due to being in poor condition, unsuitable for retention or to facilitate the proposed development.



This drawing and the design it depicts are copyright and may not be copied or reproduced without written permission from Beo Landscape Design Ltd. No liability will be accepted for amendments made by others. This drawing is to be read in conjunction with the landscape specification and other relevant drawings.
 Contains Ordnance Survey Data © Crown Copyright and Database Right 2020. © Crown Copyright. All rights reserved 130018739.
 Refer any query to office of originator.

rev	date	amendments	alt
A	21/01/2021	T08 & T03 shown to be removed.	E.H



landscape design ltd

client:
COUNTRYSIDE PROPERTIES

project:
HALL GREEN ROAD
WEST BROMWICH

title:
TREE RETENTION &
REMOVAL PLAN

status:
PLANNING

date: NOV 20	drawn: E.C.H	number: 20-117-03
scale/as: 1:500	checked: T.G-W	revision: A



Beo Landscape Design Ltd
 132A The Westons, Compton Road,
 Walsingham, WY9 9ZB
 T: 01932 424 950 / 01902 435 001
 E: info@beolandscapedesign.co.uk
 W: www.beolandscapedesign.co.uk