

Report to Planning Committee

7 September 2022

Application Reference	DC/22/67090
Application Received	25 May 2022
Application Description	Proposed 33 No. dwellings with parking and landscaping.
Application Address	Land Between Stanhope Road/Dale Street/Dale Close Smethwick
Applicant	Speller Metcalfe Ltd
Ward	Soho & Victoria
Contact Officer	Carl Mercer carl_mercer@sandwell.gov.uk

1 Recommendations

1.1 That planning permission is granted subject to the following conditions relating to:

- (i) External materials;
- (ii) Finished floor levels;
- (iii) Contamination;
- (iv) Drainage;
- (v) Energy statement;
- (vi) Boundary treatments;
- (vii) Landscaping;
- (viii) External lighting;





- (ix) Cycle parking;
- (x) Electric vehicle charging;
- (xi) Low NOx boilers;
- (xii) Construction method statement;
- (xiii) Employment and skills statement;
- (xiv) Bathroom windows on the boundary with 17 Stanhope Road shall be obscurely glazed;
- (xv) Removal of permitted development rights; and
- (xvi) Retention of parking.

2 Reasons for Recommendations

- 2.1 The proposal raises no significant concerns from a policy, design or highway perspective and would deliver housing in a sustainable location, whilst also removing a current untidy site which has generated complaints from residents.

3 How does this deliver objectives of the Corporate Plan?

	<p>Quality homes in thriving neighbourhoods – The design of the proposal is acceptable in respect of national and local planning policy.</p>
	<p>A strong and inclusive economy.</p>

4 Context

- 4.1 The application is being reported to your Planning Committee because the site is council owned and one objection to the proposal has been received.
- 4.2 To assist members with site context, a link to Google Maps is provided below:

[Stanhope Road, Smethwick](#)



5 Key Considerations

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

Government policy (NPPF);
Layout and density of buildings;
Design, appearance and materials;
Amenity – loss of light, outlook and privacy;
Access, highway safety, parking and servicing;
Contamination by a previous use; and
Flood risk.

6. The Application Site

- 6.1 The application relates to a parcel of land to the east of Stanhope Road, between Stanhope Road and Dale Street. The character of the surrounding area is residential.
- 6.2 The site rises significantly to its eastern boundary, with a 3.75 to 4.5 metre difference in height above ground level between back of pavement on Dale Street and Stanhope Road.
- 6.3 There is a sewer easement across the site which has dictated the site layout.

7. Planning History

7.1 The application has a previous permission for residential development, which lapsed in 2014. Since this time the site has generated complaints regarding the untidy nature of the land.

7.2

DC/11/53075	Proposed construction of affordable social housing for rent comprising 25no.	Approved - 19.05.2011
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	2 bed flats and 15no. 3 & 4 bed houses.	
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8. Application Details

- 8.1 The development proposes 16, two, three and four bed houses and 17 one bed apartments.
- 8.2 The development would consist of two, three storey apartment blocks to the northern site boundary with the houses being two storey detached and semi-detached house types accessed from and fronting Stanhope Road and Dale Street.
- 8.3 Amended plans have been received which attempt to address elevational issues raised by Urban Design.

9. Publicity

- 9.1 The application has been publicised by neighbour notification letter, site and press notice with one objection being received.

9.2 Objections

The main points of objection may be summarised as follows:

- i) Design - The proposed houses along Dale Street would be out of character with existing properties;
- ii) Amenity -The proposed houses along Dale Street would impact on light and outlook to existing properties;
- iii) Highways - The houses on Dale Street would be too close to the road for drivers to exit drives safely; the houses would reduce on-street parking for existing residents on Dale Street and hinder refuse lorries;



- iv) The proposed walkway between Dale Street and Stanhope Road would increase crime, litter and anti-social behaviour; and
- v) Greater consultation for the application is required.

These points will be discussed further below in paragraph 13 under Material Considerations.

10. Consultee responses

10.1 Planning Policy

No objection. The site of the proposed development is allocated as residential in the development plan, therefore there are no policy issues with the principle of residential development.

10.2 Highways

No objection. Highways were involved in pre-application discussions and all issues have been resolved through the design process. Parking amount and the dimension of spaces would be to the council standard.

10.3 Urban Design

No overall objection. Extensive pre-application discussions were held regarding this site where, due to the site constraints (levels and the presence of a large drain), a compromise was reached of limited units to the front of Stanhope Road, and reduced interface distances between units on Dale Street and properties behind; however street scenes had not been fully worked up by this point and most of the comments relate to elevational detailing. The agent has provided amended plans to address some of these issues and provided justification where it was felt that they could not. Landscaping matters can be reserved by condition. On balance, I am of the opinion that the design is acceptable given the very restrictive constraints on site.



10.4 **Lead local flood authority**

No objection subject to compliance condition.

10.5 **Severn Trent**

No objection subject to condition.

10.6 **Public Health (Air Quality)**

No objection. Electric vehicle charging, low NOx boilers and construction method statement required by condition.

10.7 **Public Health (Contaminated Land)**

No objection subject to condition.

10.8 **Public Health (Noise)**

No objection received.

10.9 **West Midlands Police**

No objection.

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:



BCCS

CSP4 – Place Making

DEL1 – Infrastructure Provision

HOU1 - Delivering Sustainable Housing Growth

HOU2 – Housing Density, Type and Accessibility

HOU3 – Delivering Affordable Housing

EMP5 - Improving Access to the Labour Market

TRAN2 – Managing Transport Impacts of New Developments

TRAN4 - Creating Coherent Networks for Cycling and for Walking

ENV3 – Design Quality

ENV5 – Flood Risk, Sustainable Drainage Systems / Urban Heat Island

ENV7 – Renewable Energy

ENV8 – Air Quality

SADD –

SAD H1 – Housing Allocations

SAD H3 – Delivering Affordable Housing

SAD EMP 2 - Training and Recruitment

SAD EOS 9 - Urban Design Principles

- 12.2 In respect of CSP4 the design of the development is influenced by the context of the local area and the contrast along Dale Street would be acceptable. The development would enhance the attributes the area offers in terms of its local character and deliver a positive street frontage to both Stanhope Road and Dale Street.
- 12.3 Infrastructure provision, in this case EVC bays, would be ensured by condition (DEL1). The proposal is CIL liable.
- 12.4 The land is identified and allocated in the development plan to meet the borough's sustainable housing growth. The proposal would assist with providing much needed housing within the borough.



- 12.5 The proposal meets the requirements of policy HOU2 in that it proposes a range of types and sizes of accommodation which would be accessible by sustainable transport. The proposal would also achieve high quality design with minimal amenity impact.
- 12.6 In respect of affordable housing (HOU3 and SAD H3), the land is council-owned and 100% affordable for rent. No s106 is required to safeguard this as the council as land owner would ensure the affordable provision in perpetuity.
- 12.7 Training and recruitment opportunities should be provided as part of any new development (EMP5 and SAD EMP 2). The Employment and Skills officer has confirmed that, due to the commitments made by the developer on the larger site, a further condition would not be required.
- 12.8 Highways raise no objection to the traffic generation attributed to this development (TRAN2).
- 12.9 Sufficient amenity space is provided to allow for cycle parking provision (TRAN4).
- 12.10 The proposal raises no significant concerns in respect of design and is therefore compliant with policy ENV3 and SAD EOS 9.
- 12.11 Drainage can be addressed by the submission of further information and a compliance condition (ENV5).
- 12.12 It is likely that the requirements of policy ENV7 can be met by a 'fabric first' approach, which aims to minimise the need for energy consumption through building design and is generally considered to be more sustainable than relying on energy saving technology, or renewable energy generation. A statement is required by condition to this effect.
- 12.13 In respect of air quality (ENV8), electric vehicle charging points can be ensured by condition.



12.14 The proposed dwellings realise the land allocation under SAD H1.

13. Material Considerations

13.1 National and local planning policy considerations have been referred to above in sections 11 and 12. With regards to the other material considerations, these are highlighted below:

13.2 **Layout and density of buildings / Design, appearance and materials**

The objector raises issues with the design of the houses along Dale Street and that the proposed would be out of character with existing properties. The objector correctly observes that the design departs from the established design code (terraced housing), but the proposal is for modern housing which caters for the needs of families and has been designed with practicality in mind. Whilst the row of housing opposite the site is early 20th century, in this instance, I do not consider it to be good design to replicate this street scene and risk creating a pastiche of what has gone before. Introducing some contrast would not unduly harm the character of the area and would allow for off-street parking for future residents, which is currently unavailable to existing residents of Dale Street who rely on street parking.

13.3 In respect of the site layout, as mentioned above, the design of the site is very much led by land levels and a drainage easement, so the site can only be delivered in a specific way. The agent has submitted justification for the site layout which examines the evolution of the design choices leading to the layout which is now before the committee. In my opinion, the site layout presents a reasonable compromise in responding to constraints and bring forward a viable development. It would be preferable to have a stronger street frontage to Stanhope Road, but the easement prevents this. Separation distances between the rears of the proposed dwellings off Stanhope Road and Dale Street are not all to the council's design standards, but the dwellings have been offset and habitable room windows arranged in such a way as to limit significant overlooking between the proposed, whilst providing adequate external



amenity space. Whilst not all of the dwellings would achieve national internal space standards, the internal arrangements have been designed to provide a practical living space.

13.4 Amenity – loss of light, outlook and privacy

The nearest neighbouring property which may be affected by the proposal is 17 Stanhope Road, which is adjacent to the apartment blocks. However, the 45-degree line has been shown on the site plan from the closest habitable room window and this would not be breached. Furthermore, the massing of the apartments would be offset by an acceptable distance from the boundary as for no significant loss of light or outlook to occur. Bathroom windows overlooking this property can be obscurely glazed by condition to ensure privacy.

13.5 With regards to the objector's concerns, the proposed dwellings would be of a sufficient distance across the road from existing properties along Dale Street and no impact on light, outlook or privacy would occur.

13.6 Access, highway safety, parking and servicing

The development meets with the approval of the highway authority and parking spaces are in accordance with the requirements of council design guidance. In addressing the objector's concerns, visibility when exiting drives would be adequate and would not compromise highway safety (the proposed building line along Dale Street would be at least 1 metre from back of footpath). Highways raise no issue with waste lorry collections and the progression of these vehicles along Dale Street would not be hindered. Furthermore, off-street parking outside of the proposed houses, whilst eroded by some drop kerb access to the proposed, would still be available.

13.7 Contamination by a previous use

No significant issues anticipated. The matter can be addressed by condition.



13.8 Flood risk

No objection from relevant consultees.

13.9 Other matters

Anti-social behaviour – West Midlands Police raise no objection to the proposal and there is no pedestrian link proposed between Dale Street and Stanhope Road as the objector fears. Therefore, there is no evidence to suggest that the development would increase crime, litter or ASB.

Consultation – In response to the objector’s concerns regarding public consultation, all statutory consultation in accordance with the relevant legislation has been carried out. A site notice was posted, a press notice published in The Chronicle and 51 neighbour letters notifying residents of the development were sent to surrounding properties.

As indicated above the site has generated complaints about its untidy nature, the proposal would ensure that the site is cleared and re-developed and would ensure it future maintenance.

14 Alternative Options

14.1 Refusal of the application is an option if there are material planning reasons for doing so. Given that no significant objections are raised to the proposal, it is considered that refusal of the application would not be justified.

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.
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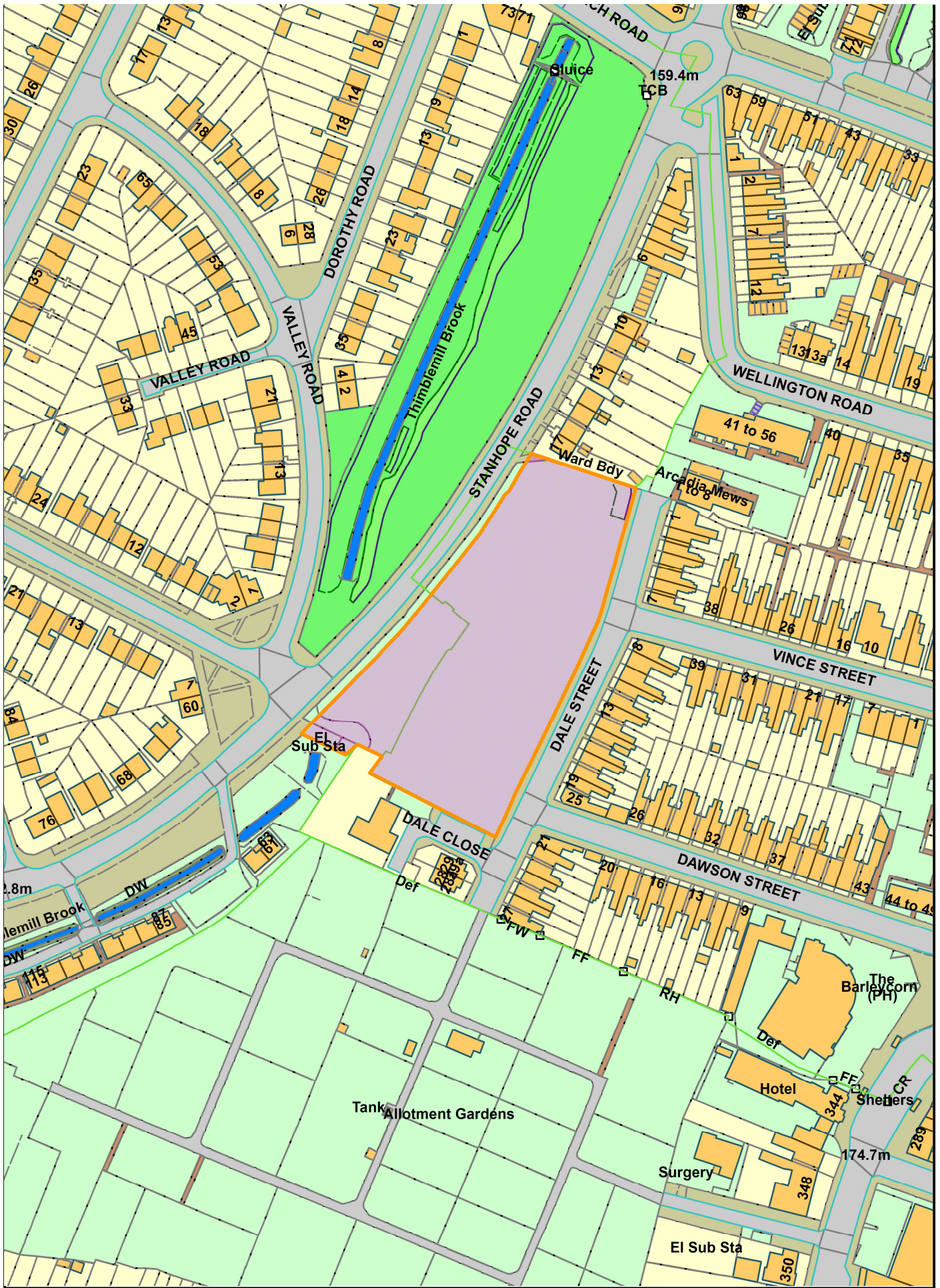


Legal and Governance:	This application is submitted under the Town and Country Planning Act 1990.
Risk:	None.
Equality:	There are no equality issues arising from this proposal and therefore an equality impact assessment has not been carried out.
Health and Wellbeing:	None.
Social Value	Jobs and apprenticeships ensured by condition.

16. Appendices

Site Plan
Context Plan
PL-010 REV A
PL050
SK030 REV D
SK031 REV D





zeb1670
**Stanhope Road
Smethwick**













PL010
Proposed Site Plan

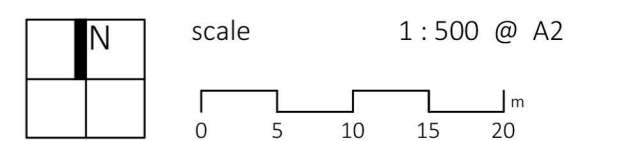
date MAY 2022

status PLANNING

rev **A**



-  Legal ownership boundary / Planning Application Boundary
-  Existing tree
-  Removed tree
-  Sewer and easement location
-  Sub station access
-  Water culvert
-  Existing Retaining wall
-  Proposed Retaining wall
-  2B4P- 10 plots
-  3B5P- 3 plots
-  4B7P- 3 plots
-  1B2P apartments- 17 plots



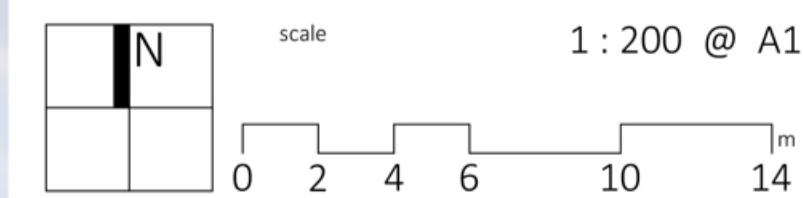
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proposed

proposed

proposed

proposed



site overview



site overview from south



view north from Stanhope Road



view north from behind Dale Street properties



site plan



site overview from north



view north from Dale Street



view south from north of Dale Street