

Report to Planning Committee

5 October 2022

Application Reference	DC/22/67155
Application Received	10 June 2022
Application Description	Proposed two 4 bedroom detached dwellings.
Application Address	134 Newton Road, Great Barr, Birmingham B43 6BT
Applicant	T Johal, Green Sustainable Developments Ltd
Ward	Newton
Contact Officer	Mr Anjan Dey anjan_dey@sandwell.gov.uk

1 Recommendations

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


- (i) External materials;
- (ii) Drainage and SuDS;
- (iii) Landscaping;
- (iv) Boundary treatment (including any retaining walls and the boundary treatment adjacent to Newton Road not exceeding 900mm);
- (v) Electric vehicle charging point;
- (vi) Low NOx boiler;
- (vii) Construction method statement (to include working hours); and
- (viii) Permitted development rights removed for extensions including dormers and outbuildings.



2 Reasons for Recommendations

- 2.1 The principle of residential living in this location has already been considered appropriate and it is my view that the proposed two new build dwellings would be in keeping with other properties in the surrounding area.
- 2.2 The existing surgery has been vacant for some time, and this development would utilise an existing brownfield site.

3 How does this deliver objectives of the Corporate Plan?

	Quality homes in thriving neighbourhoods.	
-----------------------------------------------------------------------------------	-------------------------------------------	--

4 Context

- 4.1 This application is being reported to your Planning Committee because it has generated 3 material objections.
- 4.2 To assist members with site context, a link to Google Maps is provided below:

[134 Newton Road, Great Barr](#)

5 Key Considerations

- 5.1 The site is unallocated and is the site of vacant doctor's surgery.
- 5.2 The material planning considerations which are relevant to this application are: -

Planning history (including appeal decisions),
Overlooking/loss of privacy,



Loss of light and/or outlook,
 Overshadowing,
 Public visual amenity, and
 Access, highway safety and parking

6. The Application Site

- 6.1 The application site relates to a former Doctors Surgery that is currently no longer in use and is located at the southern side of Newton Road, Great Barr at the junction with Jayshaw Avenue. Vehicular access to one of the properties (B) would be from Newton Road, with vehicular access also served via Jayshaw Avenue for the rear parking area of property A.
- 6.2 The vacant surgery is two-storey in nature, with this part of Newton Road characterised by two storey detached dwellings. Furthermore, Jayshaw Avenue is also characterised by two storey dwellings that are mainly semi-detached in nature.
- 6.3 Land levels significantly fall from the application site, down into Jayshaw Avenue.

7. Planning History

- 7.1 Planning permission was granted in 2021 for a change of use of the medical centre to a family dwelling.
- 7.2 Relevant planning applications are as follows:

DC/21/65587	Proposed change of use from medical centre to family dwelling (previously withdrawn application DC/21/65141).	Grant Permission subject to conditions. 09.07.2021.
-------------	---------------------------------------------------------------------------------------------------------------	------------------------------------------------------------



8. Application Details

- 8.1 It is proposed to construct 2 no 4-bedroom, two storey dwellings with associated parking and amenity space at the rear of each of the dwellings.
- 8.2 Each of the proposed dwellings would measure a maximum 15.8m (L), by 7.4m (W) with a maximum height of 9m to the height of the dual pitched roofs. Each of the dwellings would have flat roof single storey rear elements measuring 4.05m (L) by 7.4m (W) by 2.8m(H).
- 8.3 Floor plans show that 3 bedrooms would be at first floor level, with a fourth in the roof space and the dwellings would also have basements comprising of additional sitting areas and domestic gyms. Total floor space for each dwelling is 270 square metres.
- 8.4 The site layout plan shows that each of the dwellings would have private rear gardens and off-road parking. Dwelling A closest to the junction with Jayshaw Avenue would have 2 parking spaces at the rear with access from Jayshaw Avenue, whilst dwelling B would have frontage parking.

The Separation distance between the rear elevations of the dwellings and the side return of no 2 Jayshaw Avenue would exceed 30 metres, which is greater than the 14 metres stated in the authority's Residential Design SPD. Furthermore, no 2 Jayshaw Avenue is located a lower ground level to the application site.

9. Publicity

- 9.1 The application has been publicised by neighbour notification letter with concerns raised by 3 different neighbours.

9.2 Objections

Objections have been received on the following grounds:



- i) The proposed dwellings would have a detrimental impact on Highway safety on a busy carriageway.
- ii) The properties are out of keeping with surrounding dwellings and constitute over-development of the site.

9.3 Responses to objections

I respond to the objector's comments in turn:

- (i) Highway Engineers have been consulted and has no objections to the proposal. However, they have recommended that boundary treatments at the frontage do not exceed 900mm in order to protect the visibility splay on this 40 mph A road (i.e. Newton Road).
- (ii) This part of Newton Road has a variety of houses types that vary in character and appearance however, it is noted that many of the houses are detached in nature. In view of this the detached houses are considered to be in keeping with the context of the area and surrounding dwellings.

Although the existing property is to be demolished to accommodate 2 dwellings it is considered that the proposal is within the existing curtilage and the agent has demonstrated that the development complies with adopted standards; both highway standards and adopted standards relating to garden sizes and internal living space in excess of the Council's adopted standards.

In consideration of this it is my view that the proposals do not constitute over-development and comply with relevant plan policies – ENV3 (Design Quality) & EOS9 (Urban Design).

10. Consultee responses

10.1 Highways

No objections subject to the boundary treatment to the front (adjacent to Newton Road) being no higher than 0.9m.



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:

CSP4 - Place Making

DEL1 – Infrastructure Provision

HOU1 - Delivering Sustainable Housing Growth

HOU2 – Housing Density, Type and Accessibility

ENV3 – Design Quality

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

ENV8 – Air Quality

SAD H2 – Housing Windfalls

SAD EOS 9 – Urban Design Principles

12.2 DEL1 is addressed by low NOx boiler provision and EVC parking.

12.3 CSP4, ENV3 and SAD EOS 9 refers to design standards, and in my opinion would be of satisfactory design, in keeping with the existing character of the area.

12.4 HOU1 requires the local planning authority to deliver 63,000 homes up to 2026, at present there is a housing shortfall and hence the introduction of this dwelling would be a modest contribution to housing targets.

12.5 ENV5 requires development to reduce the capacity on sewers using SUDs, and the scheme can be conditioned to ensure that the scheme provides a drainage scheme that meets this requirement.



12.6 ENV8 and the Black Country Air Quality SPD considers the need to minimise the impacts of air quality and recommends mitigation measures for minor development. In this instance these are electric vehicle charge points, low NOx boilers and a construction management plan. All these are conditioned as part of the recommendation.

12.7 SAD H2, refers to new development being on brownfield land and compatible with other policies, of which the proposal is compliant.

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 Planning History

Planning consent was granted in July 2021 for the conversion of the vacant surgery into a family dwelling, so the principle of residential use in this location has already been considered acceptable.

13.3 Overlooking/loss of privacy

The proposal would not cause any loss of privacy to the occupants of the adjoining properties; all windows in the side return of the dwellings, with particular regards to plot B are shown to be secondary windows serving landing areas. Furthermore, the loft bedrooms would be served by velux roof windows.

13.4 Loss of light and/or outlook

It is anticipated that the proposal would not cause any significant loss of light to the occupants of the neighbouring dwellings. This row of houses fronting Newton Road have south facing rear elevation that benefit from good levels of natural light throughout the day.



13.5 Overshadowing

Given the mixture of the orientation of the properties to the sun cycle, the separation distances and the height of the proposed bungalow, I feel it is extremely unlikely that the proposal would cause any significant loss of light to the occupants of the existing surrounding properties.

13.6 Public visual amenity

In my opinion, the redevelopment of the site should be welcomed. The doctor's surgery has been vacant for some time and the curtilage is somewhat untidy; overgrown with some minor damage to the fence panels to Jayshaw Avenue. In view of this the development of the site would improve the current situation.

13.7 Overbearing nature of proposal

The proposal would be of a proportionate size, that reflects the character of the area.

13.8 Access, highway safety and parking

See point 10.1 above.

13.9 Noise and disturbance from the scheme

It is not anticipated that the proposal would cause any more noise than what is associated with a medical surgery.

13.11 Loss of trees

A detailed landscaping scheme would need to be provided should planning permission be granted.



14 Alternative Options

14.1 Refusal of the application is an option if there are material planning reasons for doing so.

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:	None
Social Value	None

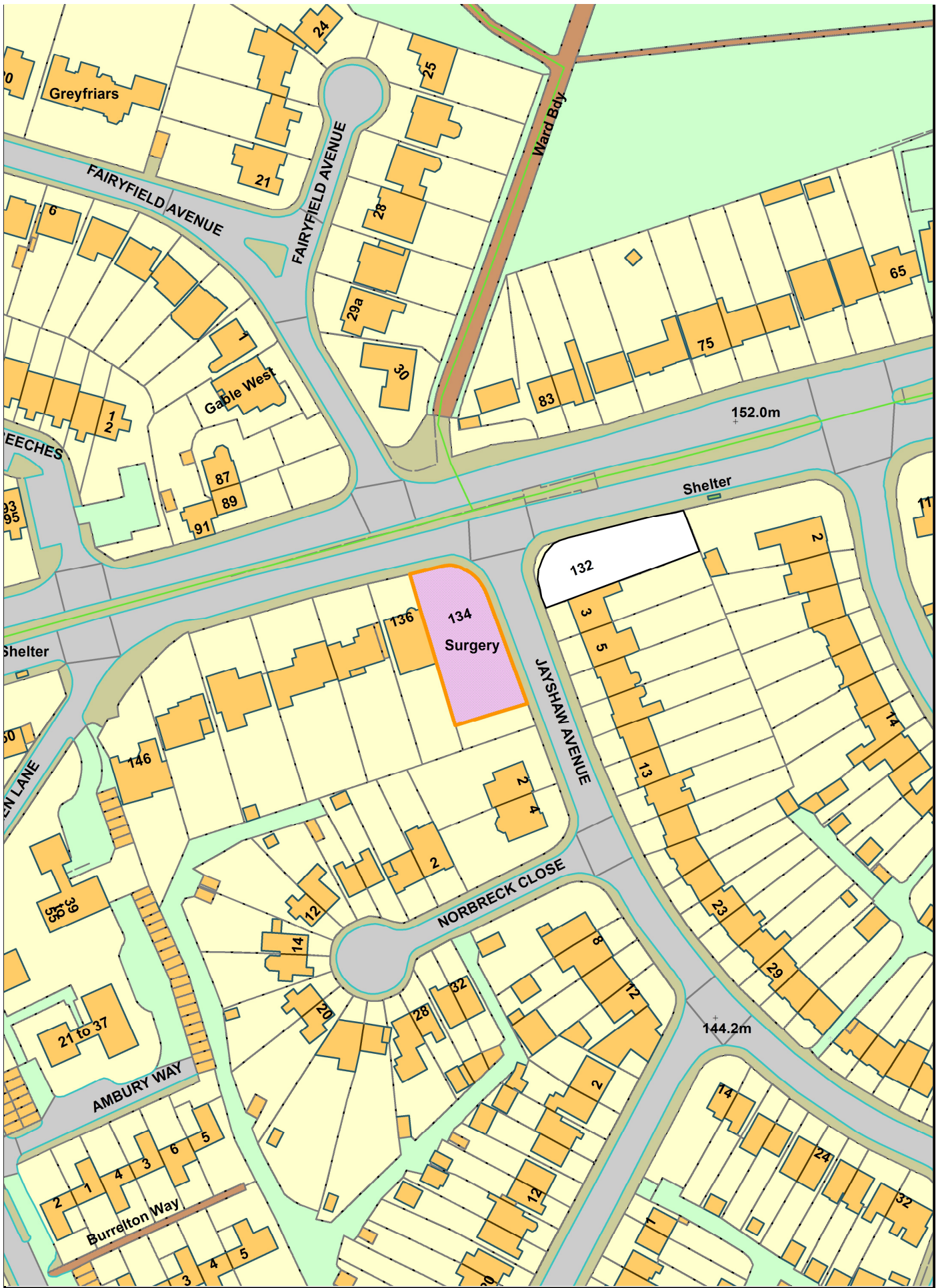
16. Appendices

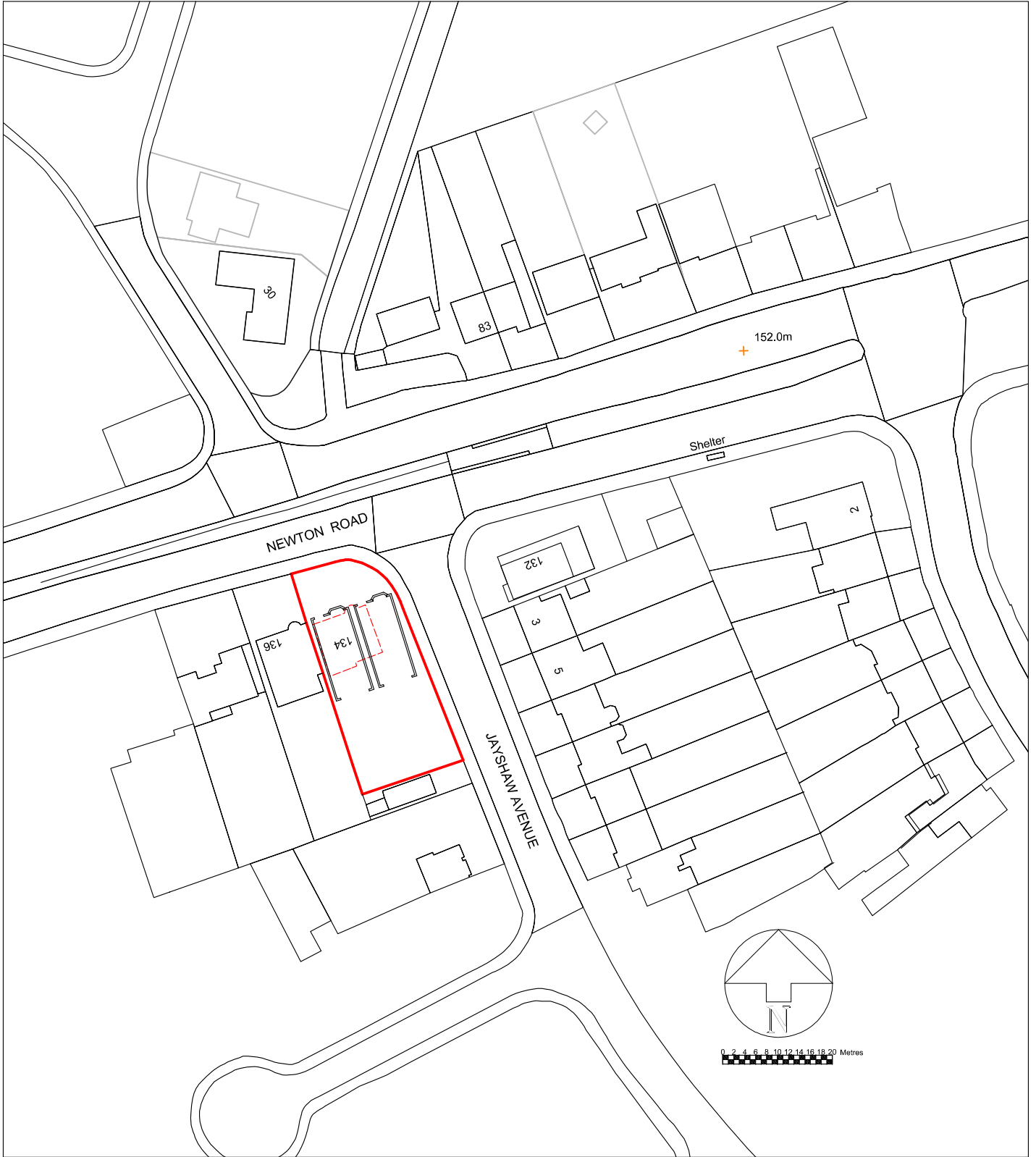
Block Plan

Proposed Floor Plans TW/020/301

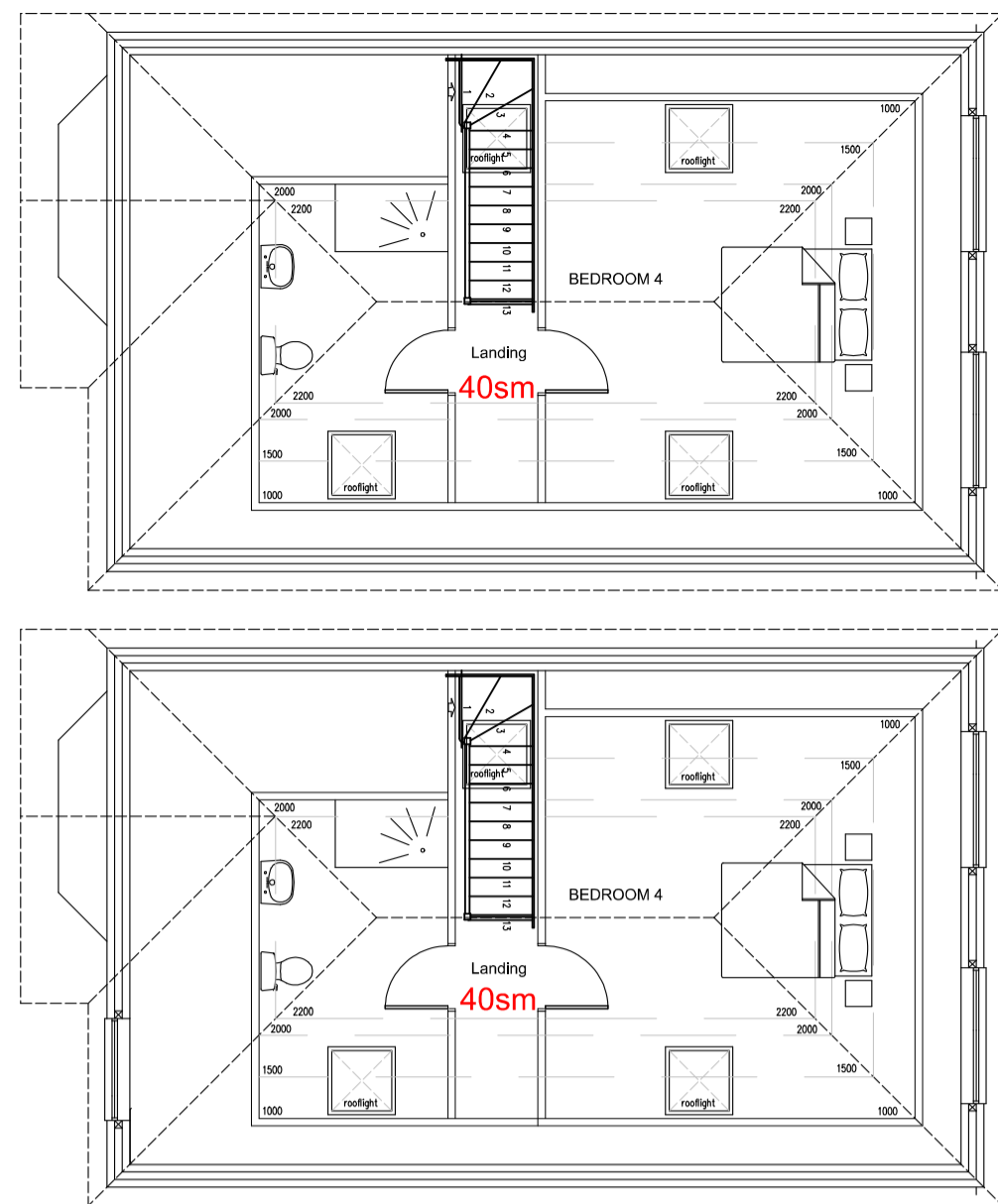
Proposed Elevation Plans TW/020/302



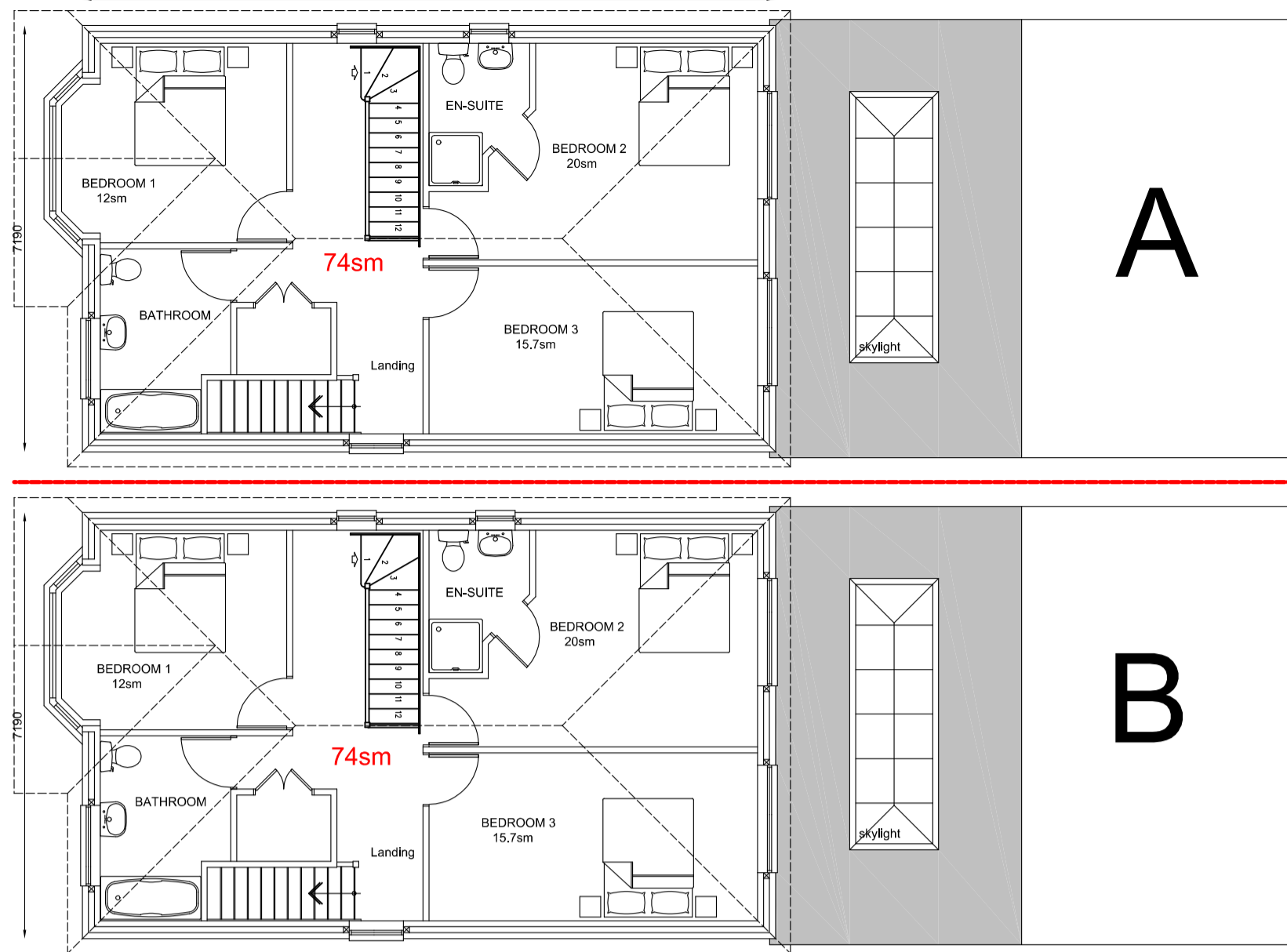




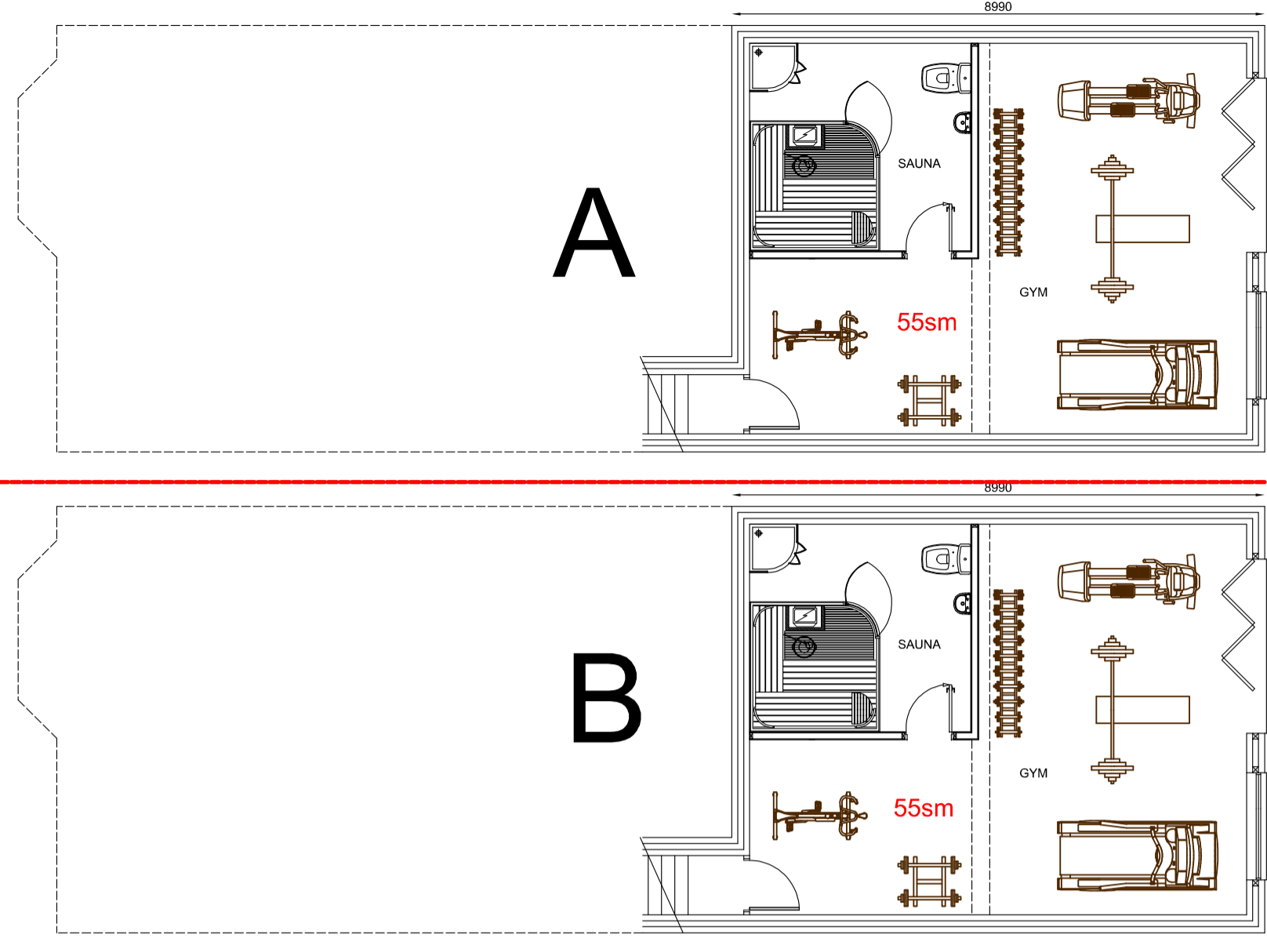
134 Newton Road



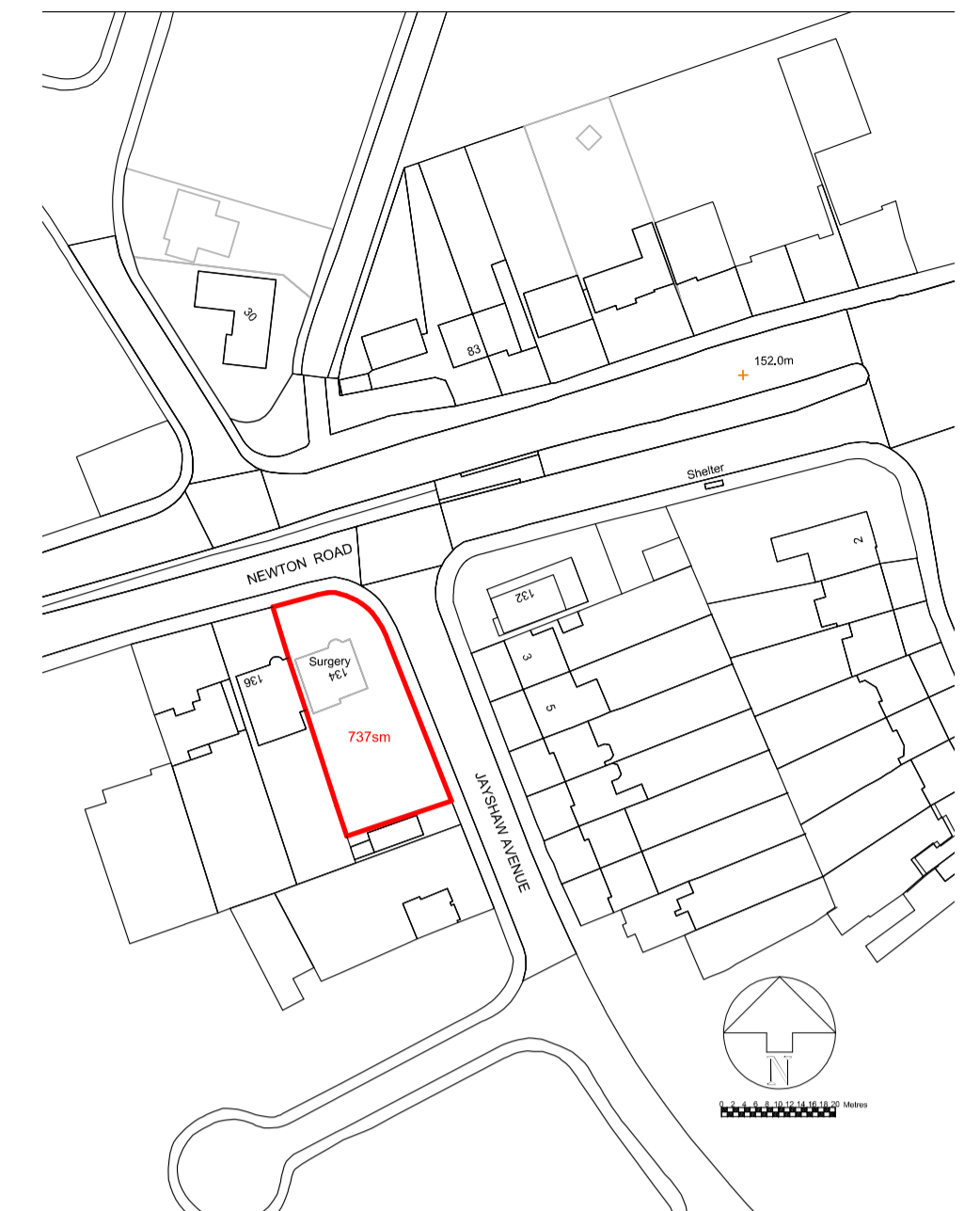
Proposed Loft



Proposed First Floor Plan



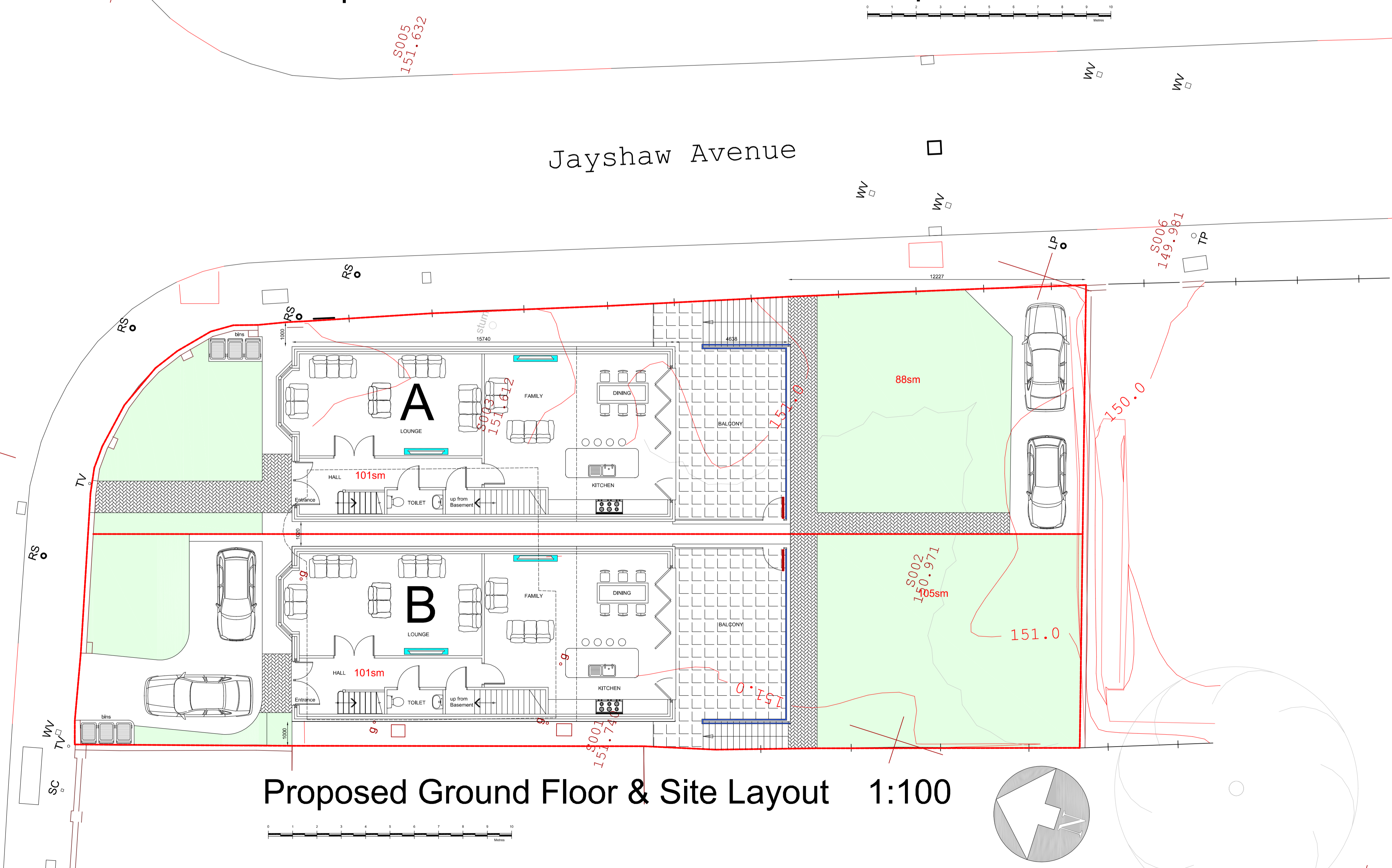
Proposed Basement



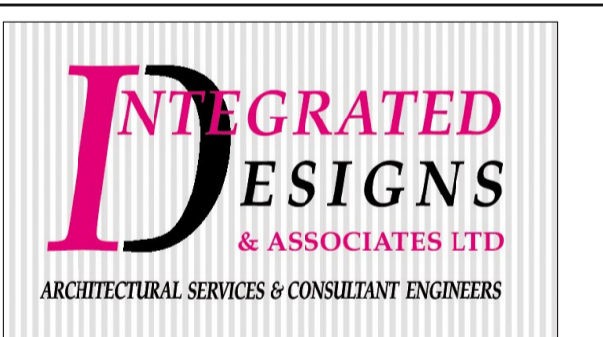
Location Plan 1:1250

Jayshaw Avenue

Newton Road



Proposed Ground Floor & Site Layout 1:100

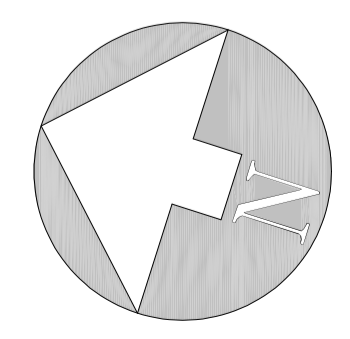


38 Old Walsall Road,
Great Barr,
Birmingham, B42 1NP
Tel: 0121 358 2233
Fax: 0121 357 7492
Email: contact@integratedesigns.co.uk

Party Wall Act 1996 - The client is the building owner, and as such should take necessary steps to comply with the act where applicable.
CDM - It is the clients responsibility to take all necessary steps to fully comply with the CDM regulations 2007. The designer has taken necessary action to avoid injury / incidents within the specifications and reasonable & practicable steps in the design of the building.
These drawings are for Planning and Building Regulations approval only. Figured dimensions must be taken in preference to scaled. All dimensions must be checked on site by the contractor. Advise of any discrepancies before commencing work, no liability is taken for any deviation or any unreported variations found on site prior to or during work in progress.
The copyright of this drawing is vested in the Architect and must not be copied or reproduced without consent.

Project
Proposed Two Detached
4-Bedroom Dwellings
Location
134 Newton Road
Great Barr
Birmingham B43 6BT
Client

Scale
1:100@ A1
Drawing No. Date Checked
TW/020/301A 8 June 2022
A scale bar added on Location Plan 13072022 TW

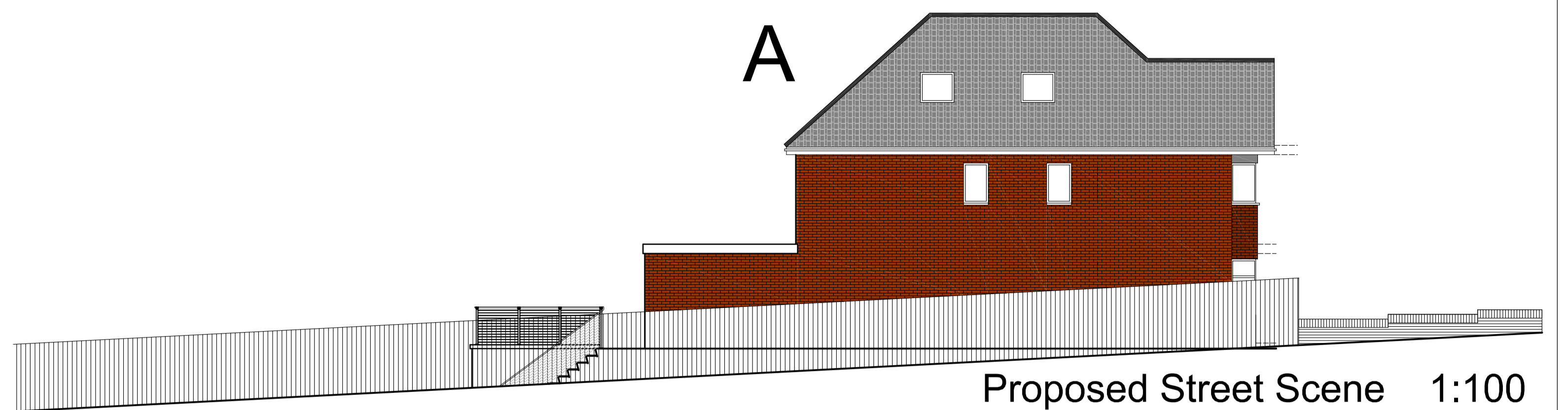




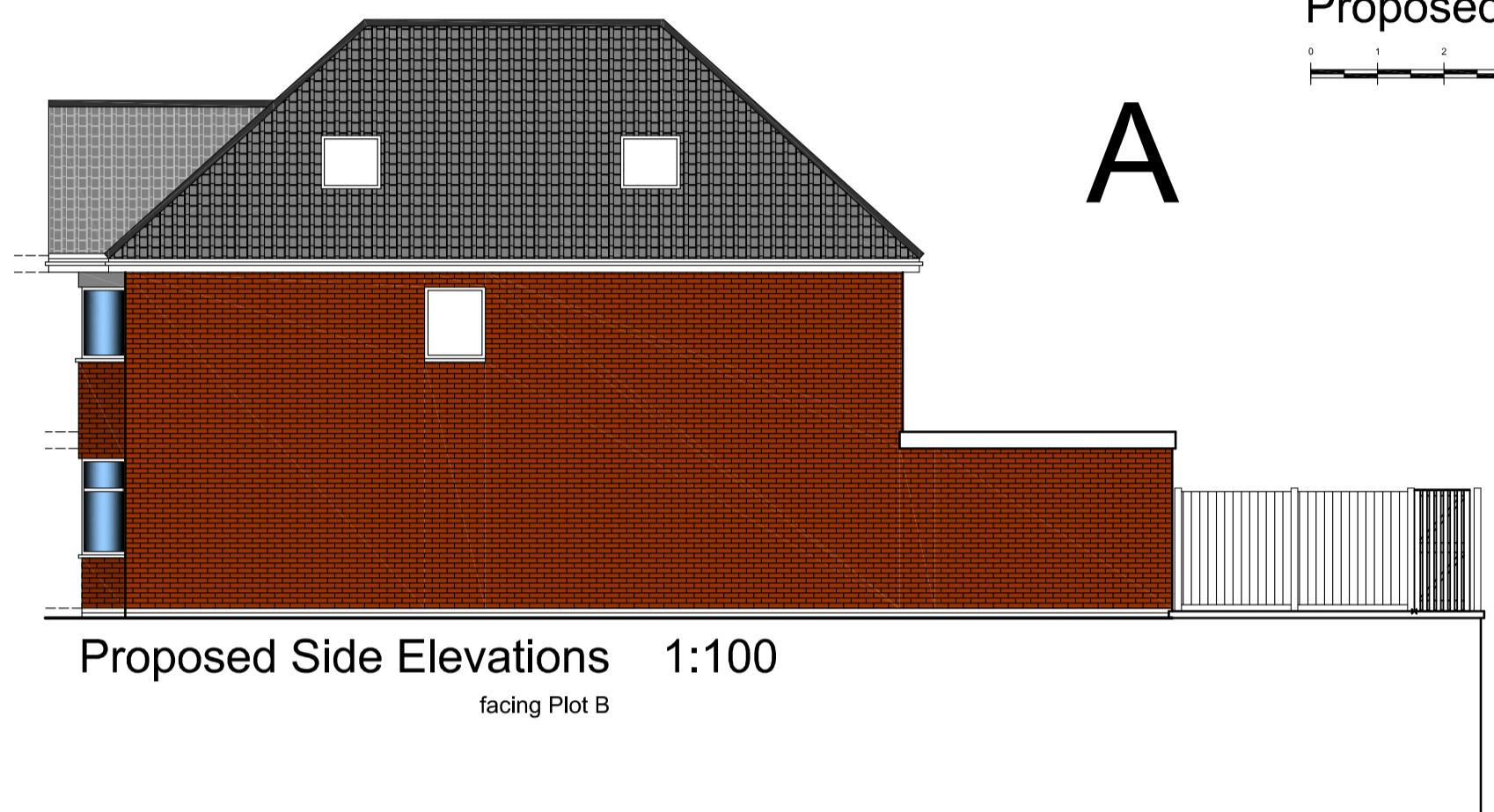
Proposed Front Elevations 1:100



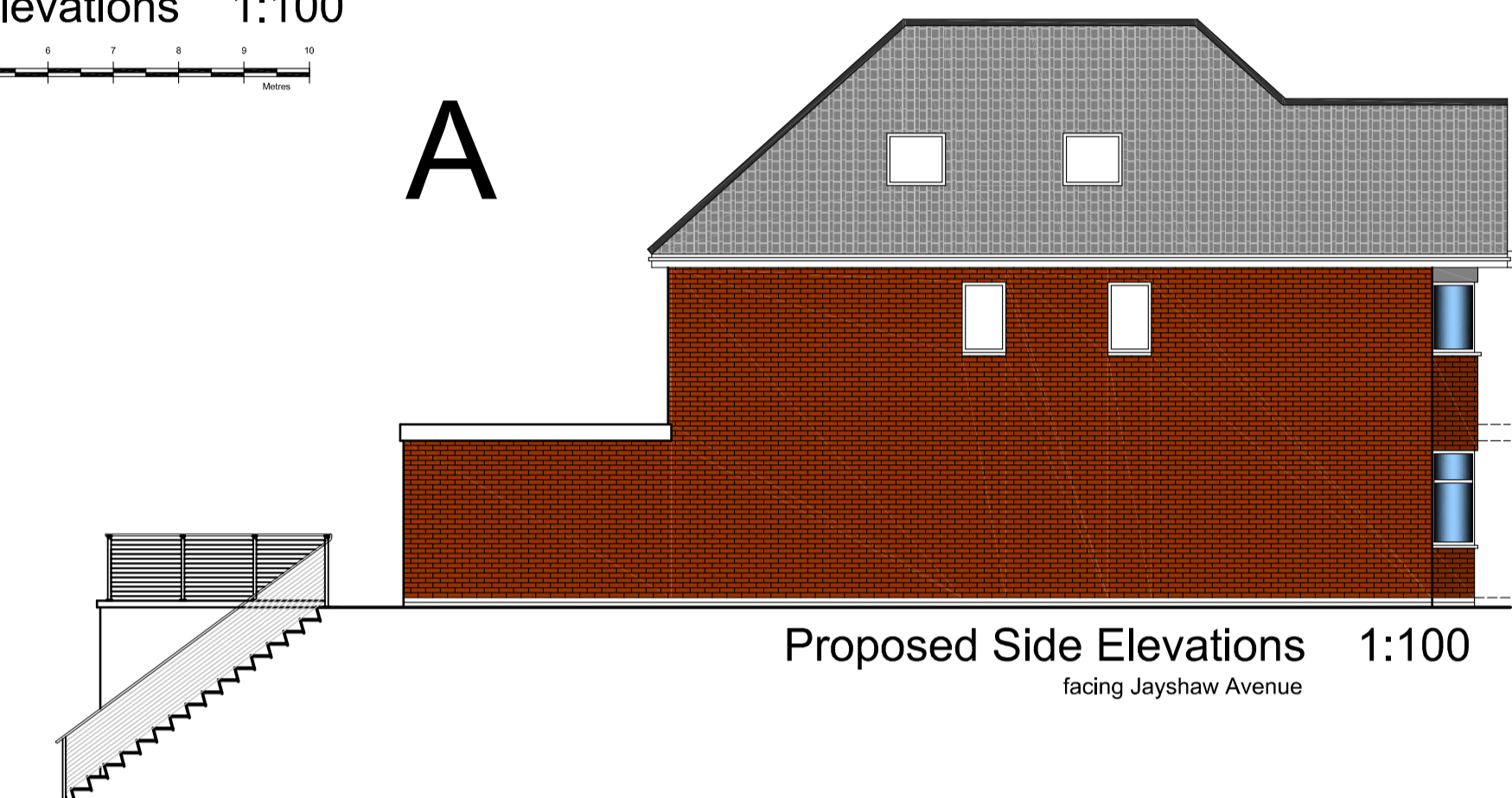
Proposed Rear Elevations 1:100



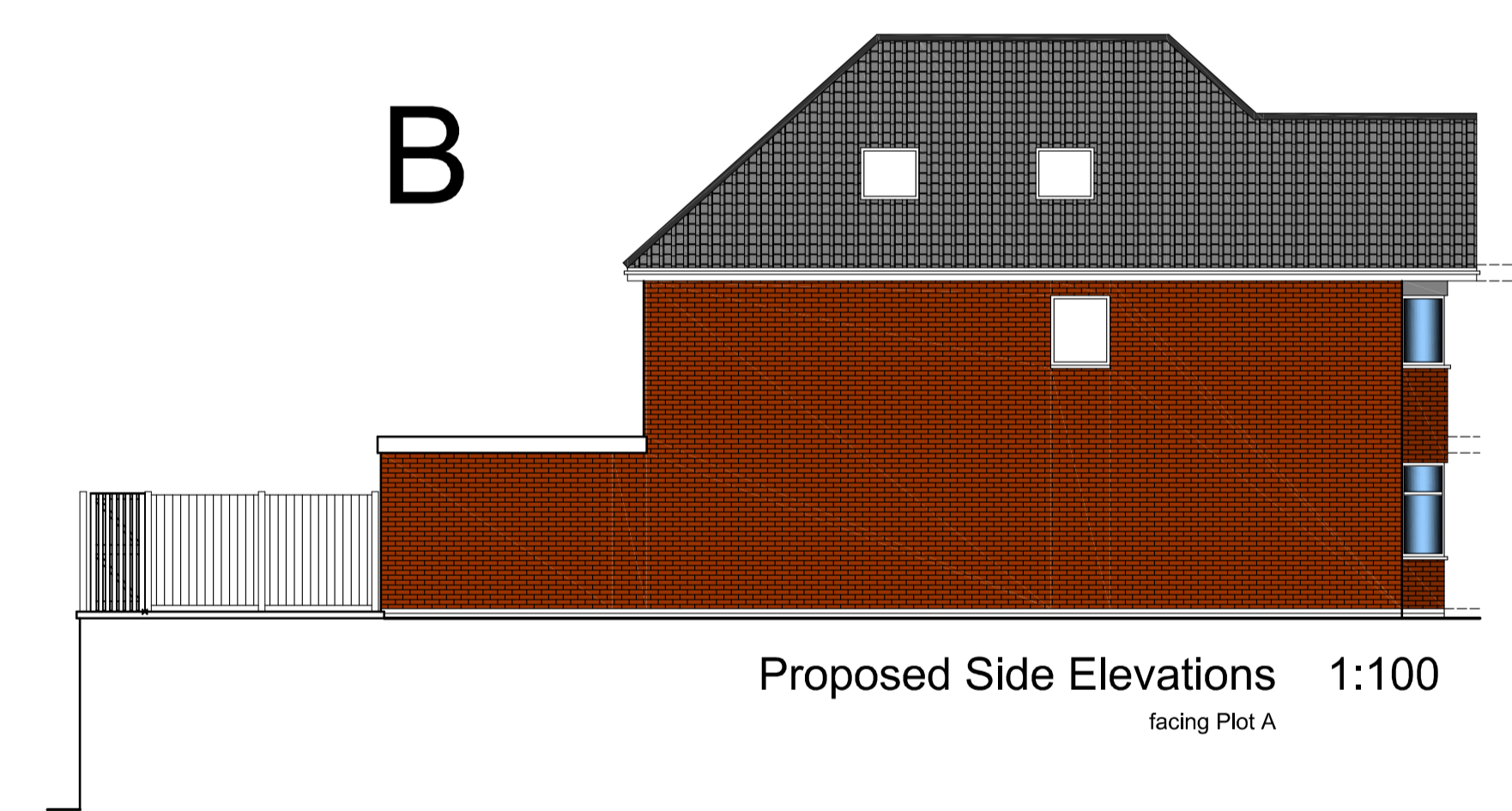
Proposed Street Scene 1:100
(facing Jayshaw Avenue)



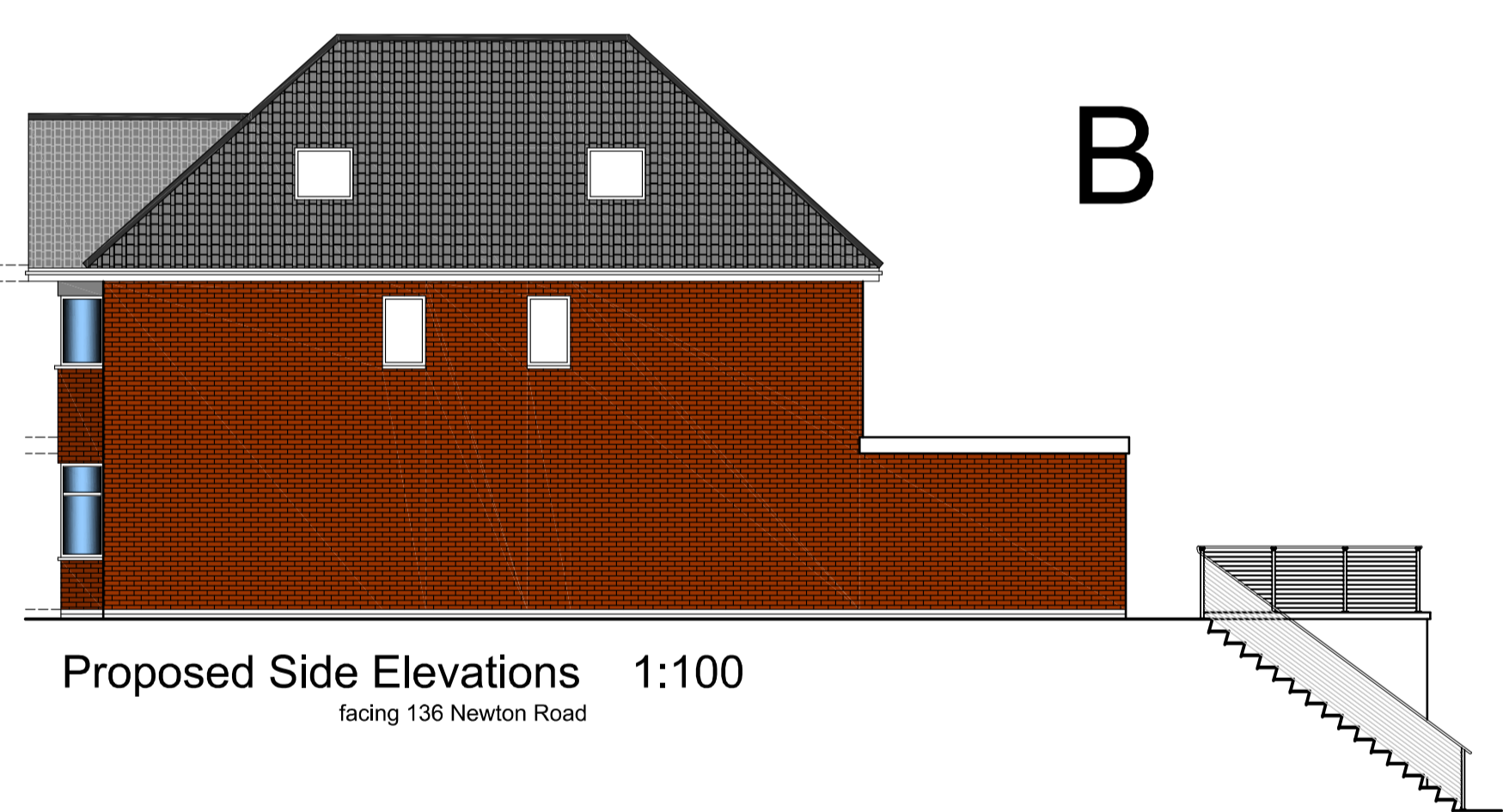
Proposed Side Elevations 1:100
facing Plot B



Proposed Side Elevations 1:100
facing Jayshaw Avenue



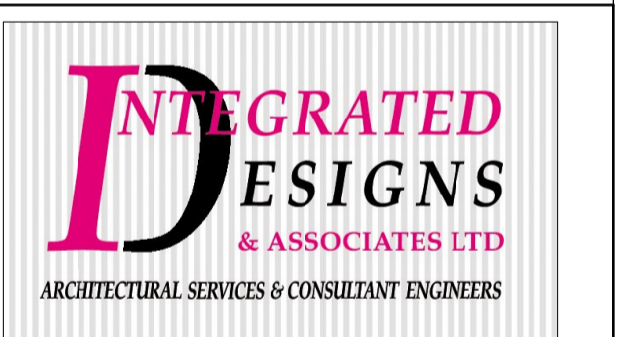
Proposed Side Elevations 1:100
facing Plot A



Proposed Side Elevations 1:100
facing 136 Newton Road



Proposed Street Scene (Newton Road)



38 Old Walsall Road,
Great Barr,
Birmingham, B42 1NP
Tel: 0121 358 2233
Fax: 0121 357 7492
Email: contact@integratedesigns.co.uk

Party Wall Act 1996 - The client is the building owner, and as such should take necessary steps to comply with the act where applicable.
CDM - It is the clients responsibility to take all necessary steps to fully comply with the CDM regulations 2007. The designer has taken necessary action to avoid injury / incidents within the specifications and reasonable & practicable steps in the design of the building.
These drawings are for Planning and Building Regulations approval only. Figured dimensions must be taken in preference to scaled. All dimensions must be checked on site by the contractor. Advise of any discrepancies before commencing work, no liability is taken for any deviation or any unreported variations found on site prior or during work in progress.
The copyright of this drawing is vested in the Architect and must not be copied or reproduced without consent.

Project
Proposed Two Detached
4-Bedroom Dwellings
Location
134 Newton Road
Great Barr
Birmingham B43 6BT
Client

Scale	1:100@ A1		
Drawing No.	Date	Checked	
TW/020/302	7 June 2022		TW