

Report to Planning Committee

28 June 2023

Application Reference	DC/23/68200
Application Received	20 April 2023
Application Description	Proposed 2 No. four bedroom dwellings with parking and landscaping.
Application Address	Land Adjacent 144 Hargate Lane West Bromwich
Applicant	Mrs B Kaur C/o agent.
Ward	Hately Heath
Contact Officer	Mr Anjan Dey Anjan_dey@sandwell.gov.uk

1 Recommendations

1.1 Subject to no adverse comments from Public Health (noise), that planning permission is granted subject to conditions relating to:

- (i) External materials;
- (ii) Parking areas laid out and retained;
- (iii) Contaminated land;
- (iv) Drainage (including SuDS);
- (v) Boundary treatments
- (vi) Landscaping;
- (vii) Finished floor levels;
- (viii) Electric vehicle charging provision;



- (ix) Low NOx boilers;
- (x) Construction management plan; and
- (xi) Removal of Permitted Development Rights to remove any extensions including the roof alterations and garden buildings without applying for planning permission.

2 Reasons for Recommendations

- 2.1 The proposal accords with relevant design policies in terms of scale, massing and parking provision and does not cause any harm to amenity in terms of overlooking, loss of light or highway safety.

3 How does this deliver objectives of the Corporate Plan?



Quality homes in thriving neighbourhoods – provides much needed new homes within Sandwell

4 Context

- 4.1 This application is being reported to your committee because three material planning objections have been received by local residents.
- 4.2 To assist members with site context, a link to Google Maps is provided below:

[Land adjacent 144 Hargate Lane, West Bromwich.](#)

5 Key Considerations

- 5.1 The site is not allocated in the Development Plan.
- 5.2 The material planning considerations which are relevant to this application are: -

Government policy (NPPF)
Overlooking/loss of privacy
Loss of light and/or outlook



Layout and density of building
Design, appearance and materials
Access, highway safety, parking and servicing
Traffic generation

6. The Application Site

- 6.1 The application site is an irregular shaped piece of land that is at the north-eastern corner of Hargate Lane, West Bromwich. The surrounding area is predominantly residential in character, and the site is adjacent to a row of terraced properties with semi-detached properties also in the locality. Land levels drop slightly at the corner with Gladstone Street.

7. Planning History

- 7.1 There is no planning history for the site however this formal application follows a pre-application enquiry for two new 4 bedroom detached dwellings (PA/23/00643).

8. Application Details

- 8.1 The applicant is proposing to erect two, 2 storey terraced houses along Hargate Lane. The houses would be four bed, having three bedrooms on the first floor and the fourth in the roof space. Living rooms at ground floor level with kitchens at the rear. The floor areas for each of the houses would be around 100 square metres. The houses would have a staggered building line due to the irregular shape of the land.
- 8.2 Ground floor plans show that the houses would have front living rooms and rear kitchens, with a typical layout at first floor level – bedrooms and bathrooms, and a fourth bedroom in the loft space. Private amenity space for each of the dwellings would be in the form of rear gardens.
- 8.3 Each dwelling provides two parking spaces. Parking for plot 1 would be provided in the form of a front driveway, and plot 2 would have parking at



the rear of the site due to the corner location of the site at a bend in the road where Hargate Lane meets Gladstone Street.

8.3 For drainage, attenuation will be provided in accordance with Severn Trent requirements.

9. Publicity

9.1 The application has been publicised by neighbour notification letters. Three objections have been received from nearby residents.

9.2 Objections

Objections have been received on the following grounds:

- i) The development would be detrimental to highway safety due its location at bend in the road.
- ii) Trees that are currently on this area of land will have to be removed to facilitate development, and this would affect local wildlife.

9.3 Responses to objections

In response to the objector's comments:

- i) Highways have no objection to the proposals. The site layout shows parking spaces that comply with the adopted standard and the proposed development would affect visibility splays.
- ii) It is noted that the site is privately owned and there are no Tree Preservation Orders (TPOs) that prevent the felling of trees to facilitate development. The site is mainly grassland with one or two trees on site. However, the agent has stated that trees along the rear boundary of the site, adjacent to 2 Gladstone Street will only be partially removed in order provide the parking spaces for plot 2. An landscaping condition is



recommended to ensure that suitable landscaping is provided post development.

10.2 Planning Policy

No policy concerns, the site is a housing windfall site, but accords with this policy given its location.

10.3 Highways

No objection subject to the implementation and retention of parking spaces shown.

10.4 Public Health (Air Quality)

No objection subject to the submission of electric vehicle charging points details and implementation thereafter.

10.5 Public Health (Air Pollution & Noise)

At the time of writing comments are awaited and can be provided at your meeting. But, it is expected that a construction management plan may be requested to minimise noise and general disturbance to neighbouring residents during the construction phase.

10.6 Public Health (Contamination)

No objections subject to the submission of desktop study prior to the commencement of development relating to on-site contamination. Conditions also recommended relating to remediation.

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.



In terms of design the guidance refers to development adding to the overall quality of the area by achieving high quality design, achieving good architecture and layouts. The design is in character with the scale, massing and appearance of the wider area and is therefore in accordance with paragraph 124 of the NPPF.

The same guidance promotes sustainable transport options for development proposal and paragraph 111 states that developments should be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. The proposal is modest in scale, provides off road parking raises no objections from Highways.

12. Local Planning Policy

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

HOU2: Housing Density type and Accessibility

ENV3: Design Quality

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

ENV8: Air Quality

SAD H2: Housing Allocations.

SAD EOS9: Urban Design Principles

DEL1: Infrastructure Provision

12.2 With regard to housing policy HOU2, the proposal is in character with the area and provides good pedestrian and vehicular accessibility. In respect of policy SAD H2, the development site is not allocated for residential development in the Development Plan and therefore it is classed as a housing windfall site. The proposed residential development meets the guidance set out in the policy, would bring an under-used piece of land into use and for much needed housing within Sandwell.



- 12.3 ENV3 and SAD EOS9 refers to well-designed schemes that provide quality living environments. The area is characterised by a range of house types; from terraced properties to semi-detached houses and bungalows, so it is considered that there is no uniform design code.
- 12.4 ENV5 seeks the incorporation of sustainable drainage systems to assist with reducing the impact of flooding and surface run-off. The scheme proposes to provide porous paving within the parking areas and intends to provide attenuation to address discharge rates required by Severn Trent. This can be conditioned accordingly.
- 12.5 ENV8 refers to mitigation measures to offset air quality issues, in this instance, electric vehicle charging infrastructure, low NOx boilers and a construction management plan. All these can be conditioned.

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 Overlooking/loss of privacy

It is considered that the privacy of existing residents will be safeguarded, given that the rear elevations of these dwellings would face the side return of the nearest bungalow along Gladstone Street. Both properties are 14 metres at their nearest point from the existing property (which complies with separation distances within the Residential Design Guide). Furthermore, the side return of plot 1, nearest to houses on Hargate Lane does not contain any first-floor windows. The agent has also stated that it is only intended to partially fell some of the trees along the rear boundary that provides some screening.



13.3 Loss of light and/or outlook

There would be a sizeable gap between the development and the nearest property along Hargate Lane (144). Although the houses would be setback from the established building line, it is my view that they would not result in any significant loss of light of light to neighbouring properties.

13.4 Design, appearance and materials

The proposal will incorporate brick and slate roof finish, which mirrors surrounding properties. Final materials can be conditioned to ensure the final proposals are acceptable. Furthermore, plot 2 would have a dual-aspect design with a ground floor window located in the side return to Gladstone Street. Given the configuration, it is considered that permitted development rights for any further extensions should be withdrawn and is conditioned as such.

13.6 Access, highway safety, parking and servicing

The proposal complies with parking standards, namely two parking spaces per dwelling and their locations raise no objections from Highways, in terms of highway safety.

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 proposal is compliant with relevant polices and there are no material considerations that would justify refusal.



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.
Climate Change	Sandwell Council supports the transition to a low carbon future, in a way that takes full account of the need to adapt to and mitigate climate change. Proposals that help to shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure, will be welcomed.

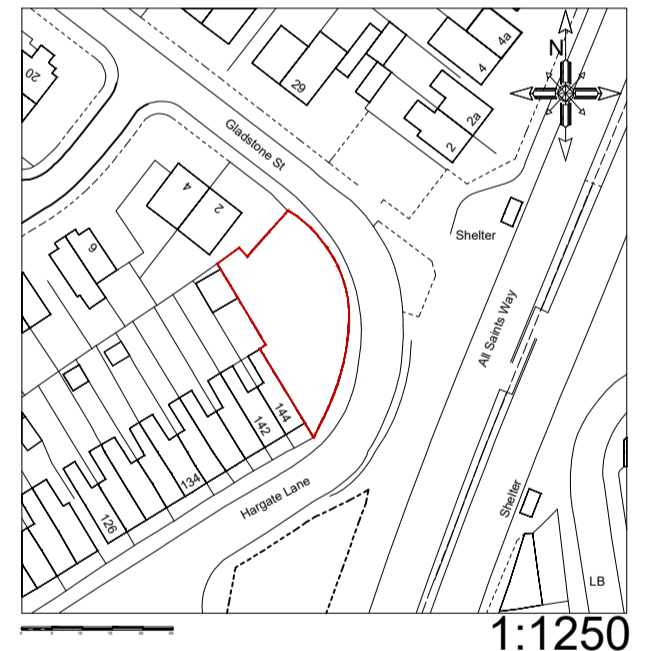
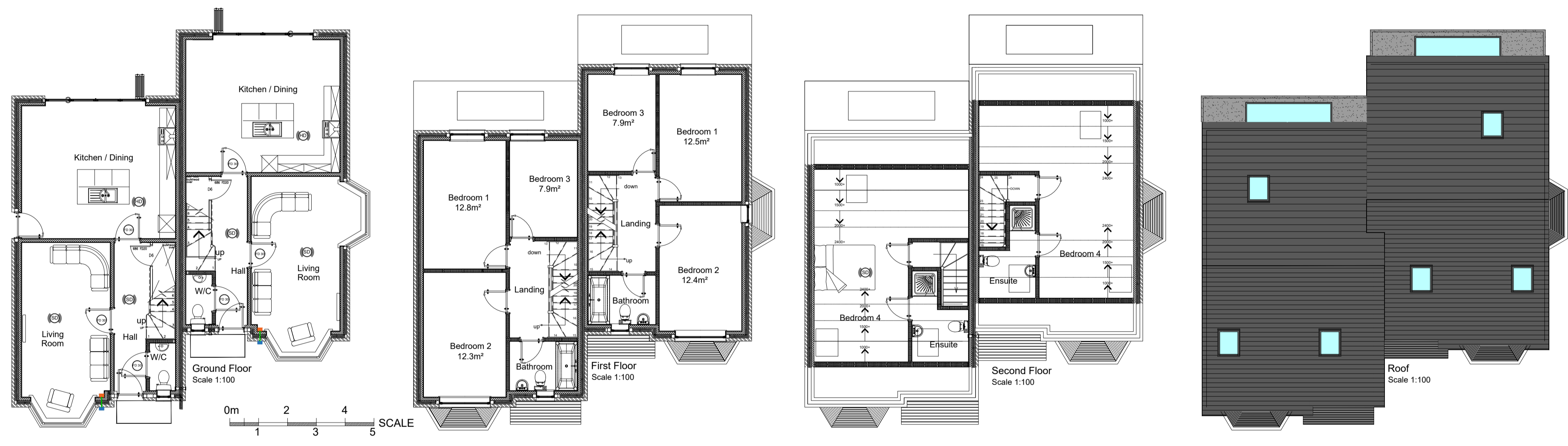
16. Appendices

Context Plan

Proposed floor plans/elevations, location and site plan. BV/449/0







FRONT ELEVATION
Scale 1:100



SIDE ELEVATION
Scale 1:100



REAR ELEVATION
Scale 1:100



SIDE ELEVATION
Scale 1:100

rev.	description	date	initial
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INTEGRATED DESIGNS & ASSOCIATES LTD
ARCHITECTURAL SERVICES & CONSULTANT ENGINEERS

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

Title Two New 4 Bedroom Detached Houses

Project Land at the corner of Hargate Lane & Gladstone Street

Scale 1:50/1:100 / 1:200 / 1:1250/ @ A1

Drawing No. Checked
BV/4490 PRELIMINARY