

Report to Planning Committee

28 June 2023

Application Reference	DC/22/66968
Application Received	22 April 2022
Application Description	Proposed demolition of existing pub and construction of 3 storey detached building consisting 20 No. self-contained apartments with parking to rear.
Application Address	The Wheatsheaf 1 Turners Hill Rowley Regis B65 9DP
Applicant	Jugraaj Singh
Ward	Tividale
Contact Officer	Alison Bishop Alison_bishop@sandwell.gov.uk

1 Recommendations

1.1 That subject to the application being reported to Full Council, and a s106 agreement to secure compliance with affordable housing, that planning permission is granted subject to conditions relating to:

- i) External materials;
- ii) Landscaping details;
- iii) Boundary treatments;
- iv) Ground investigation and remediation;





- v) Electric vehicle charge points;
- vi) Low NOx boilers;
- vii) Parking laid out and retained;
- viii) Vehicular cross over removed and footpath re-instated.
- ix) Noise assessment recommendations in relation to sound insulation, balconies and fixed plant;
- x) Construction management plan (to include noise, vibration and dust suppression measures etc);
- xi) Construction hours limited to 08:00 – 17:30 Monday to Friday, 08:00 – 13:00 Saturday and no working on Sunday and Public Holidays.
- xii) Waste management/refuse plan;
- xiii) Renewable energy details;
- xiv) Details of sustainable drainage system (surface water) and disposal foul;
- xv) Details of security measures to include CCTV, Lighting, access entrance points;
- xvi) Jobs and skills plan; and

2 Reasons for Recommendations

2.1 The development will not harm the openness of the Rowley Hills, provides a good quality scheme that would deliver much needed homes within the borough and raises no amenity issues.

3 How does this deliver objectives of the Corporate Plan?

	Quality homes in thriving neighbourhoods – the proposal provides a mix of flats which meet local need
	A strong and inclusive economy – during the construction process there will be an opportunity for apprenticeships

4 Context

4.1 The application was deferred at your last meeting as members resolved to visit the site.



- 4.2 The application is being reported to your Planning Committee because the proposal is a departure from the development plan and a s106 agreement is required to secure affordable housing. In addition, 3 objections have been received to the amended proposal.
- 4.3 It should be noted that the original scheme which had included a retail store, received 13 objections.
- 4.2 To assist members with site context, a link to Google Maps is provided below:

[The Wheatsheaf, 1 Turners Hill, Rowley Regis](#)

5 Key Considerations

- 5.1 The site forms part of the Rowley Hills Strategic Open Space in the Development Plan.
- 5.2 The material planning considerations which are relevant to this application are: -

Government policy (NPPF)
Proposals in the Development Plan
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 a former public house, known as the Wheatsheaf and is situated at the junction of Portway Road and Turners Hill.



The site to the south west is surrounded by garden land and the Rowley Hills and Dudley Golf Course, to the east the Rowley Olympic Rooms, to the north west is a commercial tyre depot and residential properties are situated to the north on Portway Road.

7. Planning History

7.1 The planning history relates to development associated with the public house which is listed in detail below.

7.2 Relevant planning applications are as follows:

DC/07/47901	Smoking shelter	Grant with external materials 26.06.2007
DC/97/33119	Window alterations	Grant permission 10.04.1997
DC/2230A	Two set house name letters and two lanterns.	Grant advert consent 26.10.1984

8. Application Details

8.1 The applicant proposes to demolish the existing public house and construct a three-storey building containing 20 apartments with parking to the rear which provides 23 car parking spaces.

8.2 The development would provide 18, 1 bed and 2, 2 bed flats with balconies to provide outdoor amenity space for each flat. The internal floor space ranges between 39 sqm for the smaller 1, bed (1-person flats, to 50 sqm (1 bed, 2-person flats) and 72 sqm (2 bed, 4-person flats). Cycle parking and bin stores are provided within the block. Entrance points are provided from both the frontage and to rear from the car park area. Security gates form the vehicular entrance.



9. Publicity

9.1 The application has been publicised by neighbour notification letters, a site and press notice. The scheme has been amended from the original proposal to remove a retail element and was re-publicised as such.

9.2 Objections

Objections have been received on the following grounds:

- i) Road safety, given that the site is situated at a 4-way junction with no traffic signals and is already dangerous without the addition of 20 flats.
- ii) Insufficient parking is provided within the development. The removal of the retail component only sought to increase the number of flats. Where will visitors park? Surrounding streets are already congested.
- iii) Major current issues with school drop off/pick up for Oakham Primary school.
- iv) Large Goods Vehicle traffic would cause significant disruption during demolition and construction.
- v) Design is out of character being 'ultra-modern' and three storey height which is not in keeping with the local area.
- vi) Overdevelopment, due to increased pressure on existing highway infrastructure (busy roads/perilous junction) and the footprint of the building.

Non-material objections have been raised regarding loss of property value, loss of view, loss of area appeal and water pressure issues.

9.3 Support

One response has been received in support stating that following the removal of the retail component new homes are welcomed



9.3 Responses to objections

These are addressed in section 13 (Material considerations)

10. Consultee responses

10.1 Planning Policy

The scheme is a departure given that the site forms part of the Rowley Regis Strategic Open Space, however the site already benefits from built form, namely the Wheatsheaf public house with hardstanding surrounding it. The extent of the proposed development is arguably no greater than this. Other relevant policy issues are referred to in sections 11 and 12 below.

10.2 Highways

Highways raise no objections to the revised proposal, whilst the scheme has a shortfall of two visitor spaces, they consider that these can be comfortably provided on street.

10.3 Public Health (Air Quality)

No objections subject to conditions relating to electric vehicle charge points, low NOx boilers and a construction method statement to control dust emissions.

10.4 Public Health (Contaminated Land)

No objection subject to condition relating to site investigation and remediation measures.

10.5 Public Health (Air Pollution and Noise)

A noise survey and assessment has been undertaken due to the proximity to the road and the adjacent commercial (tyre) premises. The



survey findings are broadly agreed, however further mitigation in the form of solid protection to balcony enclosures fronting the public highway should be provided. All recommendations in report such as noise insulation, fixed plant should be conditioned as such. Furthermore, construction hours should be conditioned to 08:00 – 17:30 Monday to Friday, 08:00 – 13:00 Saturday and no working on Sunday and Public Holidays. A construction method statement details noise and vibration during the construction phases should also be conditioned.

10.6 West Midlands Police

No objection, but refers to security measures, such a lighting and secure entrance points.

10.7 Lead Local Flood Authority

The submitted drainage strategy required additional details, relating to discharge method, hydraulic calculations, exceedance and maintenance. A detailed drainage strategy can be conditioned.

10.8 Urban Design Officer

The revised scheme now works spatially within the footprint of the site given that the density has been reduced. This now provides more sustainable amenity space as well as a key pedestrian front access point into the block. Control into the rear court space has also been provided. The proposal now reduces the parking requirements and the provision is now reasonable. The very modern architectural design /concept for the site is welcome and will provide a focal point building that replaces the former Public House.

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.



11.2 Taking into account the views of the Council's Urban Design officer, I am of the opinion that the scheme is of a good design, in accordance with paragraph 124 of the NPPF.

11.3 In respect of paragraphs 128-130 of the NPPF, the Urban Design officer raises no objections to the scheme. The development would assimilate with the overall form and layout of the site's surroundings.

12. Local Planning Policy

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

CPS4: Place Making

HOU2: Housing Density type and Accessibility

HOU3: Affordable Housing

DEL: Infrastructure Provision

ENV3: Design Quality

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

ENV7: Renewable Energy

ENV8: Air Quality

EMP5: Improving Access to the Labour Market

TRAN4: Creating Coherent Networks for Cycling and Walking.

SAD H3: Affordable Housing

SAD EOS3: Rowley Hills Strategic Open Space

SAD EOS9: Urban Design Principles

SAD EMP2: Training and Recruitment.

12.2 The site forms part of the Rowley Hills Strategic Open Space in the Development Plan. Policy SAD EOS3 refers to development not being permitted which would prejudice the character of the Rowley Hills in terms of the wider open space, merging urban areas, the skyline and wildlife. The site itself, is already developed as a public house, the extent of the footprint is not substantially greater, arguably improving the



visual appearance of the site and its setting within the Rowley Hills open space.

- 12.3 HOU2 refers to providing appropriate density and new housing. In this instance the scheme works spatially in terms of the footprint and the number of units and provides a range of flat sizes.
- 12.4 HOU3 and SAD H3 requires scheme to provide 25% affordable housing, in this instance this equates to 4 units which will be secured through a s106 agreement.
- 12.5 CPS4, ENV3 and SAD EOS9 refers to well-designed schemes that provide quality living environments in context to the area. The proposed layout and design are considered to be acceptable creating a focal point on this prominent corner site with no concerns being raised from the Urban Design Officer.
- 12.6 ENV5, 7 and 8, these policies refer to sustainable drainage, renewable energy and air quality. Sustainable drainage and renewable energy can be conditioned along with mitigate in relation air quality such as electric charge points, low NOx boilers and a dust management plan during construction.
- 12.7 DEL1 refers to infrastructure provision, the scheme will require a financial contribution under the Community Infrastructure Levy and will also provide air quality mitigation measures referred to above.
- 12.8 EMP5 and SADEMP2 refers to securing access to the labour market. In this instance this can be achieved through a condition which requires an employment and skills plan during construction.



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 Proposals in the Development Plan

As referred to above, the site forms part of the Rowley Hills Strategic Open space but is already developed land and so does not prejudice the existing openness of the Rowley Hills.

13.3 Access, highway safety, parking, servicing and traffic generation

Highways have no objections to the traffic generation associated with this proposal, existing problems such a school drop cannot be blockage to new development when the scheme itself does not cause harm to the highway network. In terms of construction traffic, this can be scheduled to operate outside of peak network hours. In terms of the parking, there is a shortfall of 2 visitor parking spaces, however it is considered these can be accommodated on street.

13.6 Loss of light and/or outlook, Overshadowing and loss of privacy.

The footprint itself does not have any impact on neighbouring property due to the surrounding open space around the site.

13.7 Layout and density of building

The layout, as amended, now works spatially and meets the Council's external and internal spatial standards for residential flats.

13.8 Design, appearance and materials

The design is modern and bends around the corner of the site, however given that the building sits in isolation on this frontage, a modern design



provides opportunity to visually enhance the area. The materials do however pick up key notes such as red brick and anthracite roof and slates to the balcony features.

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	Apprenticeships and job opportunities can be conditioned during construction
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

Location Plan

Context plan

Proposed site layout

Proposed floor plans

Proposed elevations

