Sandwell
Metropolitan Borough Council

Report to Planning Committee

15 February 2022

Application Reference	DC/21/66122
Application Received	15 September 2021
Application Description	Proposed 2 no. 3 bedroom dormer bungalows with boundary fencing and associated car parking.
Application Address	Land Adjacent The Bungalow Corngreaves Road Cradley Heath
Applicant	Mr Adrian Lloyd
Ward	Cradley Heath & Old Hill
Contact Officer	Dave Paine David_paine@sandwell.gov.uk

1 Recommendations

1.1 That planning permission is granted subject to:

(i) External materials
(ii) Boundary treatments
(iii) Landscaping
(iv) Drainage to include SuDS
(v) Cycle storage
(vi) Method statement for construction
(vii) Provision and retention of parking
(viii) Compliance with recommendations of ecological report
(ix) Electric vehicle charging

ONE COUNCIL
ONE TEAM

2 Reasons for Recommendations

2.1 This site enjoys outline consent for a single dwelling. The addition of a second dwelling would not cause any significant impact on the amenity of the occupiers of surrounding properties or cause significant additional traffic to warrant refusal. The 2 dwellings would be of good quality design and appearance. This proposal would bring an unused plot of land back into use and would have benefits in deterring anti-social behaviour and other crime which can be associated with plots such as this, which lack natural surveillance.

3 How does this deliver objectives of the Corporate Plan?

	Quality homes in thriving neighbourhoods – The design of the proposal is acceptable in respect of national and local planning policy.

4 Context

4.1 At your last planning committee members resolved to defer the application in order to visit the site.

4.2 This application is being reported to your Planning Committee because 8 objections have been received.

4.2 To assist members with site context, a link to Google Maps is provided below:

Land at Corngreaves Road

5 Key Considerations

5.1 The site is unallocated in the development plan.

5.2 The material planning considerations which are relevant to this application are:-

Government policy (NPPF)
Planning history
Overlooking/loss of privacy
Loss of light and/or outlook
Public visual amenity
Layout and density of building
Design, appearance and materials
Access, highway safety, parking and servicing
Noise and disturbance from the scheme
Nature conservation and loss of ecological habitats

6. The Application Site

6.1 The application site is situated adjacent to The Bungalow, Corngreaves Road and behind a row of houses facing onto Corngreaves Road.

6.2 The site is currently overgrown and unused. There is a semi-derelict workshop/garage on site.

6.3 The site is accessed from a private driveway which currently serves 11 dwellings for the first 10 metres, then it splits to serve only The Bungalow and a parking area to the rear of Cremona House.

6.4 The site is approximately 760sqm in area.

7. Planning History

7.1 Outline consent was granted in January 2020 for a single dwelling.

7.2 Relevant planning applications are as follows:

7.3

DC/19/63555	Proposed erection of 1 No. dwelling (outline application for access).	Grant Outline Permission with Conditions 8.1.2020

8. Application Details

8.1 The applicant proposes to construct 2no. 3 bedroom detached dormer bungalows, with rear private gardens, front to rear access and 2 parking spaces each to the front.

8.2 The dwellings would be of a matching design with front and rear dormers, and front and rear gabled features. Each bungalow would provide 2 bedrooms on the ground floor and a master suite on the first floor/loft space.

9. Publicity

9.1 The application has been publicised by neighbour notification letter with 8 objections and one letter of support received in return.

9.2 **Objections**

Objections have been received on the following grounds:

(i) Increased traffic.
(ii) Increased parked cars.
(iii) Issues during construction: dust, noise, safety, impact on sewers, blocking of driveway access.
(iv) Loss of privacy.
(v) Loss of light to gardens.
(vi) Ecological impact.
(vii) Demolition of the existing building.

(viii) Noise from the development impacting on neighbours' enjoyment of their garden.

(ix) Impact on drainage.

Immaterial objections have been raised regarding impact on existing electric vehicle charging, existing boundary issues and matters relating to another site.

9.3 **Responses to objections**

I respond to the objector's comments in turn:

(i) This development would require 2 parking spaces per dwelling. This would add some pressure on the junction between the private driveway and Corngreaves Road. However, the addition of these two dwellings would not create a significant difference here, when considering that a single dwelling already has outline consent.

(ii) The proposed site plan shows 2 parking spaces of acceptable size per dwelling. Sufficient space would exist to allow manoeuvring in and out of the spaces.

(iii) Concerns relating to construction, can be adequately addressed by the inclusion of a condition requiring a construction management plan.

(iv) The residential design guide requires a side to rear separation distance of 14 metres and a rear to rear separation distance of 21 metres. The side facing bathroom window of the nearer proposed bungalow would be 22 metres from the nearest existing facing window.

(v) Although there would be some shading over neighbouring gardens, this is not considered a significant planning concern. The height of the proposed bungalows is not excessive.

(vi) An ecological report was requested, and this was completed and provided on 25th November 2021. Requirements regarding protection of birds and hedgehogs were recommended which can be conditioned.

(vii) A condition is recommended to control demolition methods and disposal of materials.

(viii) This proposal falls within a built-up area. All affected neighbours have existing boundaries with other residential dwellings. It is therefore reasonable for residents to expect some noise whilst using their gardens and the addition of these two dwellings would not significantly change this.

(ix) A drainage condition is recommended which would also include details of Sustainable Drainage Systems (SuDS) to reduce surface water run off.

9.4 Support

The response of support noted that this would bring an area of wasteland back into use. They noted that vermin have been seen in the area and expressed concern about crime being associated with the site.

10. Consultee responses

10.1 Planning Policy

Planning Policy noted that this would be a housing windfall site and would comply with policy SAD H2 in this respect. They noted that the proposal could be considered backland development.

10.2 Highways

Highways requested further information, specifically regarding information on how refuse trucks and emergency vehicles would manoeuvre. They noted that the access is over 25 metres in length and commented that the width of the drive should be 4.5m.

Highways object to the application primarily due to the length of the driveway with no passing places, causing congestion at the vehicular access from Corngreaves Road. This could lead to vehicles queuing on the highway at the entrance to the driveway or even reversing back onto

Corngreaves Road and could lead to an increase in injury accidents at this location.

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.

The NPPF also states;

"Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

The effect caused by an additional dwelling in this instance would not create an unacceptable highway safety issue or a severe cumulative impact.

12. Local Planning Policy

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

DEL1: Infrastructure Provision
HOU1: Delivering Sustainable Housing Growth
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 Windfalls
SAD EOS9: Urban Design Principles

12.2 In regard to DEL1, electric vehicle charging points are required for new development. Although the charging points are shown on the plan, a condition is recommended to ensure these are installed and retained.

12.3 The proposal would contribute to the target for providing new homes (policy HOU1).

12.4 The proposal meets the requirements of policy HOU2 in that it proposes a property type which would be accessible by sustainable transport to residential services. The proposal would also achieve high quality design with minimal amenity impact.

12.5 The proposal raises no significant concerns in respect of design and is therefore compliant with policy ENV3 and policy SAD EOS 9.

12.6 A condition can be applied to ensure appropriate drainage to include SuDS, in accordance with policy ENV5.

12.7 In respect of air quality (ENV8), an electric vehicle charging point would be ensured by condition, in accordance with the Black Country Air Quality SPD.

12.8 The development site is not allocated for residential development in the SAD Policies Map and is therefore classed as a housing windfall site. Whilst policy SAD H2 would be applicable, the policy officer has confirmed that the proposal meets the guidance set out in the policy, as the site is previously developed land that is suitable for residential development.

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**

This site already has outline consent for a single dwelling which remains extant.

13.3 **Overlooking/loss of privacy**

This proposal would exceed the separation distance standards set out in the residential design guide. No privacy issues would occur between habitable rooms of adjoining dwellings.

13.3 **Loss of light**

The proposal may cause some shading to neighbouring gardens but would not impact significantly on windows serving habitable rooms of neighbouring dwellings. The 45-degree line would not be breached by this proposal.

13.5 **Layout and density of building**

The sizes of the proposed dwellings would be reasonable, and the plot sizes would be generous. The use of bungalows on the site would lead to a reduced impact when compared to a more typical 2 storey dwelling.

13.6 **Design, appearance and materials**

The design of these two bungalows would differ from any neighbouring dwellings. However, this is a somewhat isolated site which stands apart from its neighbours. The two dwellings would match and would be of a high-quality design. Materials shown on plan appear to be acceptable, but the specifics of material type would be ensured by condition. Furthermore, sufficient external amenity space would be provided for future occupants.

13.7 **Access, highway safety, parking and servicing.**

There are a number of concerns regarding these matters. Highways have objected for the reasons given in 10.2 above. Objections have also referred to these issues. In mitigation of these concerns, consideration must be given to the extant outline consent granted in 2020. The officer's comments at the time stated; *"The Bungalow is exclusively served by the access way, but the owners of Cremona House do access and park in a small parking area at the rear of their property. Given that only three properties would use the accessway, I have no significant concerns from a highway safety perspective; particularly as visibility when pulling out onto Corngreaves Road is adequate. Concerns were raised over access for emergency service vehicles (the accessway ranges from approximately 2.8m – 3m). Manual for Streets states that 'the requirements for emergency vehicles are generally dictated by the fire service requirements'. Paragraph 6.7.3 goes on to state 'Simply to reach a fire, the access route could be reduced to 2.75 m over short distances, provided the pump appliance can get to within 45 m of dwelling entrances'. Furthermore, access for fire service is a requirement of the Building Regulations and I see no reason to impose conditions which would replicate requirements under that legislation."*

These comments would largely hold for this application. In terms of access and highway safety, this application differs only in that 2 dwellings are proposed, rather than 1. Given that the existing consent allows for 3 dwellings to be served by the main driveway (The Bungalow, Cremona House and the new dwelling), I do not consider that the addition of a fourth dwelling would create a sufficient impact such as to warrant refusal. The driveway entrance from Corngreaves Road currently serves 11 dwellings.

13.8 **Noise and disturbance from the scheme**

Objector's comments raised concerns about disturbance caused during construction, particularly regarding construction vehicles blocking the drive and loss of utilities. These are not planning matters. Contractors would be expected to comply with other, non-planning legislation and civil law in these respects. Although some noise etc. would be expected

as part of any construction scheme, with the inclusion of a condition relating to a construction management plan, there is no reason to suppose that this proposal would lead to any uncommon or unreasonable disturbance.

13.9 **Nature conservation and loss of ecological habitats**

A preliminary ecological report was carried out in response to an objection. The recommendations from this report can be ensured by condition.

14 Alternative Options

14.1 Refusal of the application is an option if there are material planning reasons for doing so. This application would provide good quality new homes and would not significantly impact on local residential amenity. Whilst noting the highway objections, given the planning history of the site and that this is a marginal increase of one additional dwelling, highway safety is unlikely to be significantly impacted by this change.

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

Location plan

Context plan
Plan No. 1000 – Location plan
Plan No. 1100 - Site plan
Plan No. BA29410819-01 – Topographical survey
Plan No. 3000 – Floor elevation plans

DC/21/66122

Land Adjacent The Bungalow Corngreaves Road

Legend

Scale 1:1114

m 14 28 42 56 70

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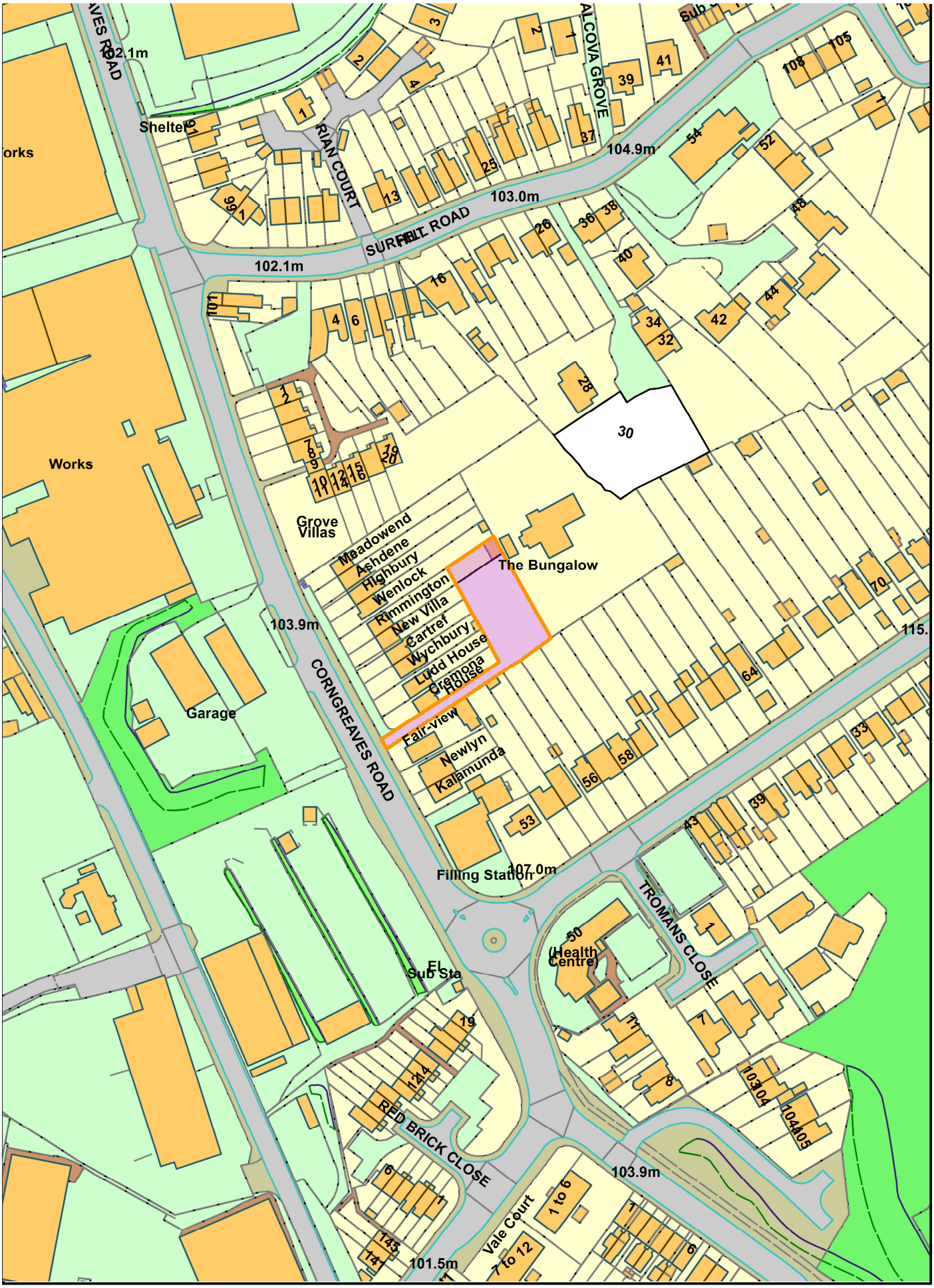
Organisation	Not Set
Department	Not Set
Comments	Not Set
Date	04 January 2022
OS Licence No	

Sc 1:1114



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Site Plan 1:200

Location Plan 1:1250

0 1 2 3 4 5 6

Metres - Scale 1:100

0 2 4 6 8 10 12

Metres - Scale 1:200

0 10 20 30 40 50 60

Metres - Scale 1:1250

b. 07/01/2022 - planning & highways amendments
a. 22/10/2021 - planning & highways amendments

TITLE:

Proposed 2 No. New 3 Bed Bungalows
Land Adjacent The Bungalow
Corngreaves Road
Cradley Heath
B64 7EA

DRAWING NO. CR/2

REV: b

DATE: September 2021

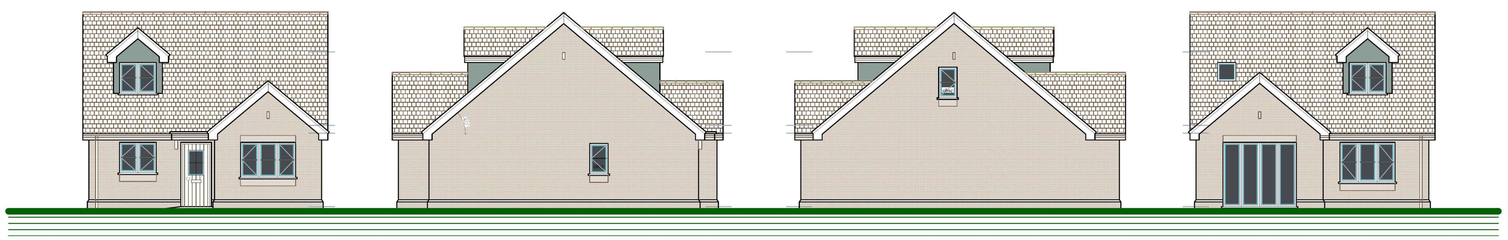
SCALE: 1:100, 1:200 & 1:1250

NCR ARCHITECTURAL DESIGN & TOWN PLANNING

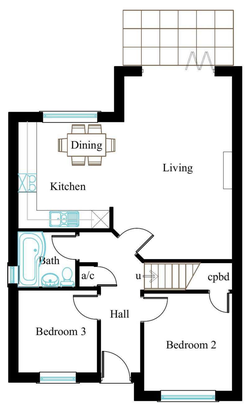
1st & 2nd Floors
34 Lower High Street
Stourbridge
West Midlands
DY8 1TA

[redacted]

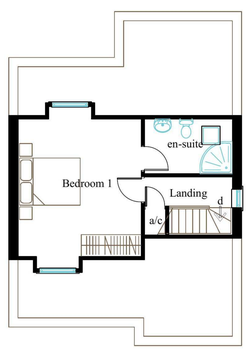
Street Scene 1:100



Front Elevation 1:100 | Side Elevation 1:100 | Side Elevation 1:100 | Rear Elevation 1:100



Ground Floor Plan 1:100



First Floor Plan 1:100

0 1 2 3 4 5 6

Metres - Scale 1:100

0 2 4 6 8 10 12

Metres - Scale 1:200

0 10 20 30 40 50 60

Metres - Scale 1:1250

TITLE:

Proposed 2 No. New 3 Bed Bungalows
Land Adjacent The Bungalow
Corngreaves Road
Cradley Heath
B64 7EA

DRAWING NO. CR/3

REV: -

DATE: September 2021

SCALE: 1:100

NCR ARCHITECTURAL DESIGN & TOWN PLANNING

1st & 2nd Floors
34 Lower High Street
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[redacted]