

Report to Planning Committee

9 March 2022

Application Reference	DC/21/66443
Application Received	16 December 2021
Application Description	Proposed development of 9 dwellings and associated parking (previously refused application DC/20/64367).
Application Address	Land Adjacent 63 Oxford Way, Tipton
Applicant	Icon Properties UK Ltd
Ward	Tipton Green
Contact Officer	William Stevens William_stevens@sandwell.gov.uk

1 Recommendations


- 1.1 That Members visit the site.

2 Reasons for Recommendations

- 2.1 The application site borders Dudley and has received significant objections. Amended plans have been requested following the consultation process and as a result, it is advised that Members familiarise themselves with the site prior to the application being determined.



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.
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4 Context

- 4.1 This application is being reported to your Planning Committee because a significant number of objections have been received. More details of these objections will be provided but to summarise, the key concerns centre the loss of a wildlife haven; overlooking of existing properties leading to a loss of privacy; highway safety concerns; and a potential flooding risk being created.
- 4.2 To assist members with site context, links to Google Maps is provided below:

[Aerial View](#)

[Street View, Oxford Way](#)

[Birmingham New Road View](#)

5 Key Considerations

- 5.1 The site is allocated as a site of local importance for nature conservation and as a wildlife corridor. Therefore, it is important for Members to see the site prior to determination.
- 5.2 The material planning considerations which are relevant to this application are: -

Government policy (NPPF)

Proposals in the Development Plan

Planning history (including appeal decisions)



Overlooking/loss of privacy
 Loss of light and/or outlook
 Overshadowing
 Overbearing nature of proposal
 Layout and density of building
 Design, appearance and materials
 Access, highway safety, parking and servicing
 Traffic generation
 Land instability
 Noise and disturbance from the scheme
 Nature conservation and loss of ecological habitats
 Loss of trees
 Flood risk

6. The Application Site

- 6.1 The site relates to an area of green land that has for many years been left to nature. Recent extensive work has been carried out with reports that the land has been cleared of all vegetation.

7. Planning History

- 7.1 A recent application DC/20/64367 was refused for residential use because of lack of information regarding a requested Coal Mining Report. The applicant's agent has re-applied with the additional information required. Before then, in 2004 planning permission was refused (DC/04/42959) for the change of use of open space into a private garden.

- 7.2 Relevant planning applications are as follows:

DC/01/38244	Provision of access road and erection of 62 Dwellings.	Grant Permission subject to Conditions 21/05/2002
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DC/04/42959	Change of use of land formerly designated as open space to garden area.	Refused 05/10/2004
DC/20/64367	Proposed development of 9 dwellings and associated parking.	Refused 02/06/2021

8. Application Details

- 8.1 The applicant proposes to erect nine dwellings. They would consist of three detached properties, a pair of semi-detached and four terraced properties. Plots 1, 2, 6, 7, 8 and 9 would be 4-beds and plots 3, 4 and 5 would be 3-bedroom properties.

9. Publicity

- 9.1 The application has been publicised by neighbour notification letters with ten objections. Given the site bounds properties within Dudley, Dudley Council were also consulted but no objections have been received.

10. Recommendation

- 10.1 It is therefore recommended that Members visit the site.

11. 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:	To be reviewed for April's Planning Committee
Health and Wellbeing:	To be reviewed for April's Planning Committee
Social Value	To be reviewed for April's Planning Committee

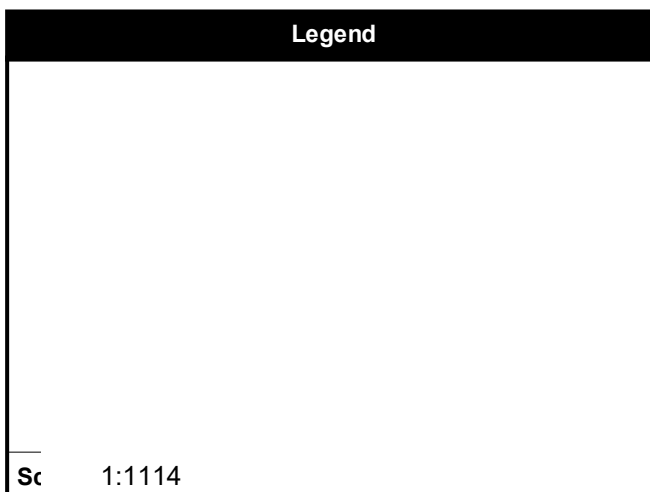
12. Appendices

Site Plan

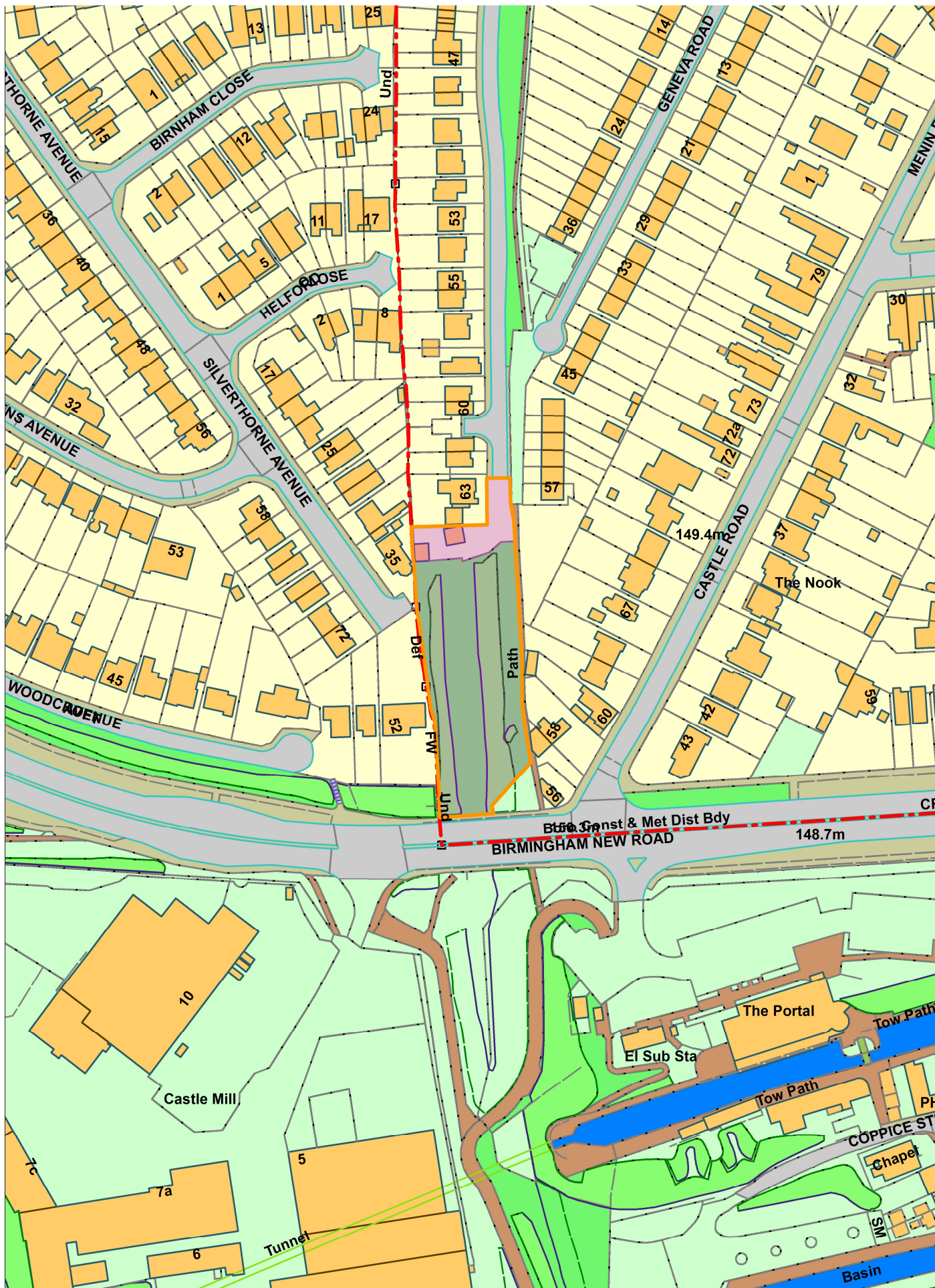
Context Plan

Plan No: SH/18/200 A

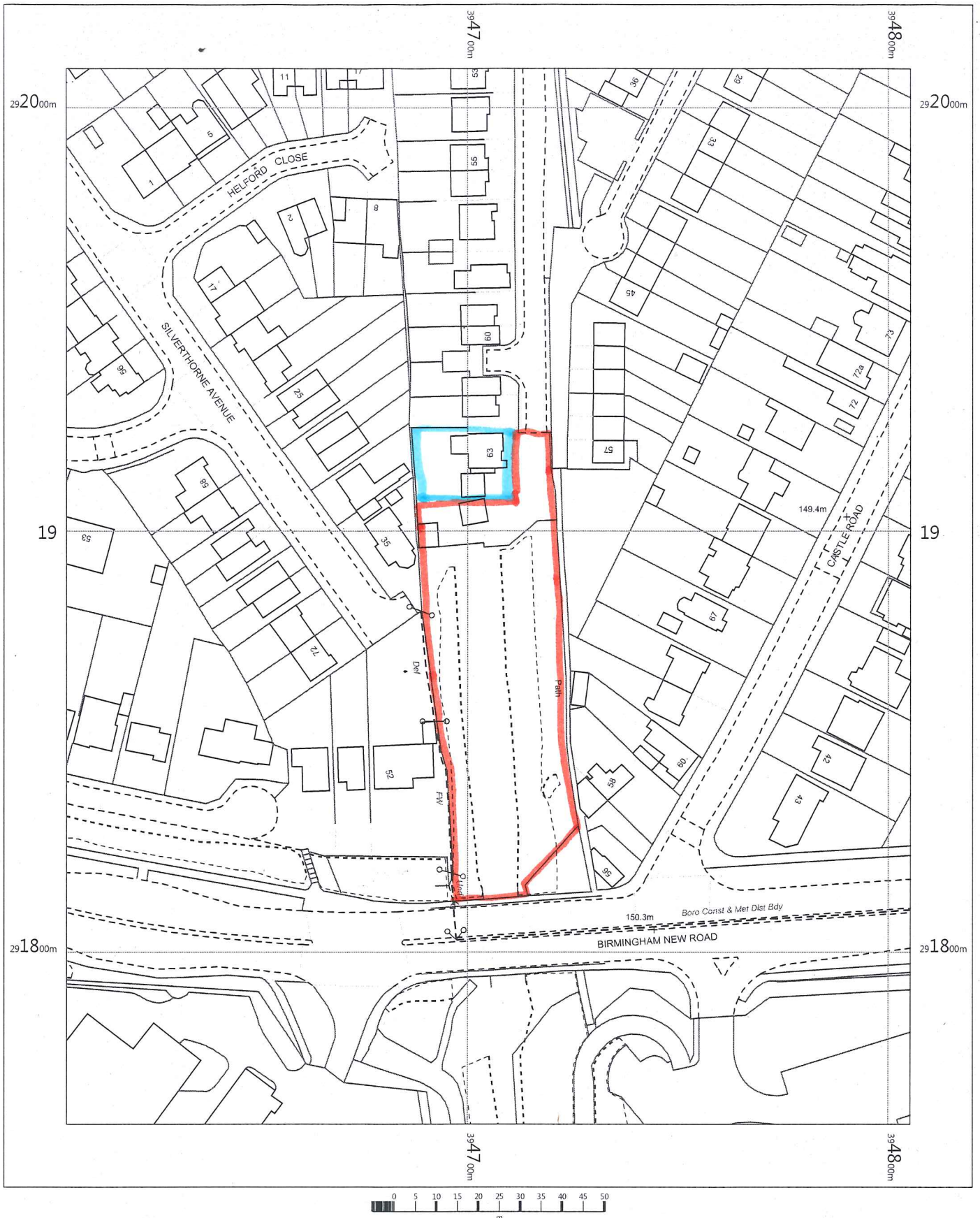




Organisation	Not Set
Department	Not Set
Comments	Not Set
Date	31 January 2022
OS Licence No	



Location Plan



Land adjacent to 63 Oxford Way
Tipton
West Midlands
DY4 8AL

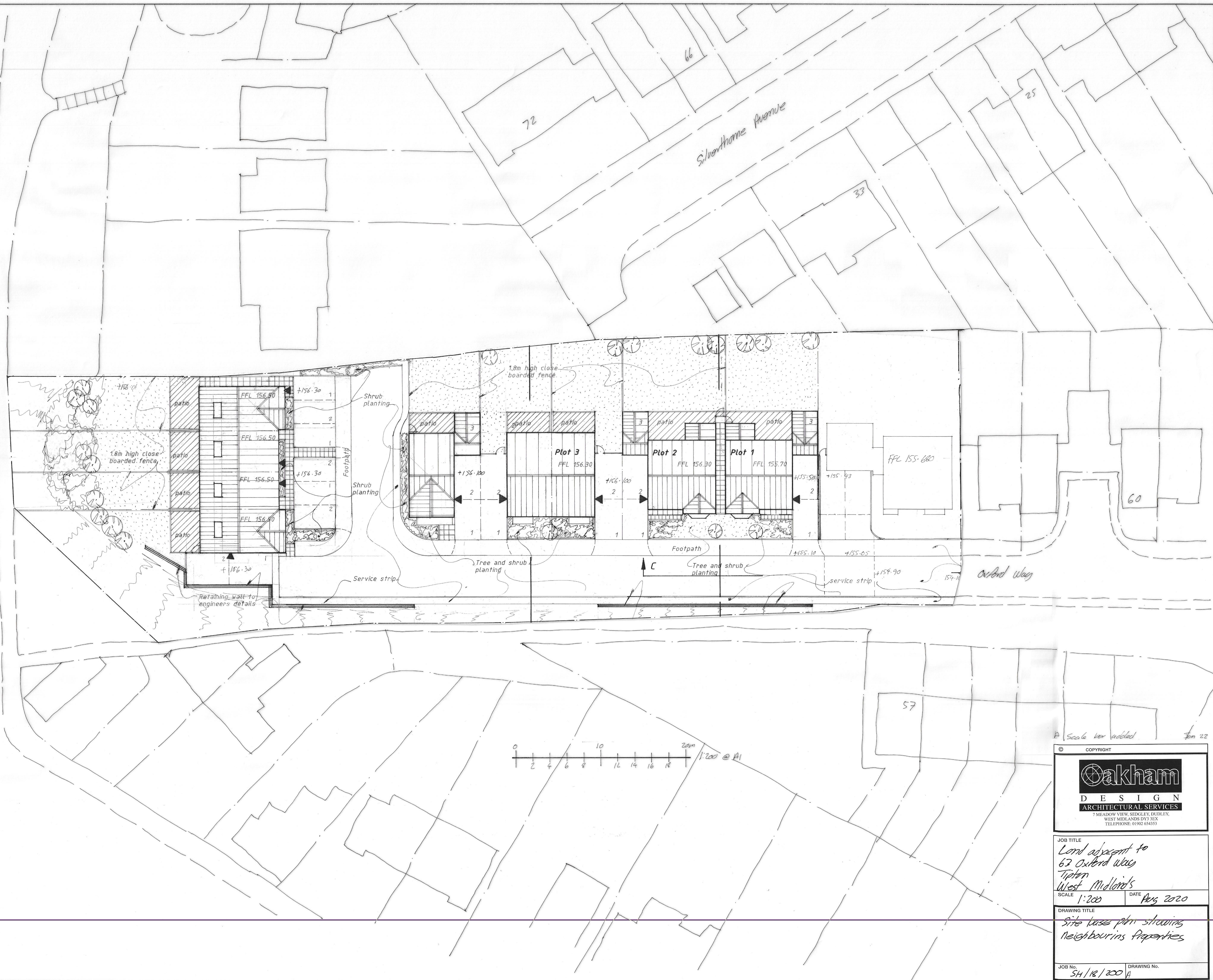
OS MasterMap 1250/2500/10000 scale
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Birmingham New Road



Scale bar added

Jan 22

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JOB TITLE Land adjacent to 63 Oxford way Tipton West Midlands	
SCALE 1:200	DATE Aug 2020
DRAWING TITLE Site layout plan showing Neighbouring Properties	
JOB No. 54/18/200	DRAWING No. A