

Report to Planning Committee

19 July 2022

Application Reference	DC/22/66532
Application Received	18 January 2022
Application Description	Proposed 147 dwelling houses (65 houses and 82 apartments) with associated highway, parking, landscaping and drainage works.
Application Address	Former Gas Works, Swan Lane, West Bromwich
Applicant	Green Square Accord
Ward	Greets Green & Lyng
Contact Officer	William Stevens William_stevens@sandwell.gov.uk

1 Recommendations

1.1 That subject to a S106 being signed and a satisfactory amended plan being received, planning permission is granted subject to conditions relating to:

- (i) External materials;
- (ii) Parking to be implemented and retained;
- (iii) Contaminated land;
- (iv) Coal Authority ground investigation,
- (v) Finished floor levels;
- (vi) Boundary treatments including details of retaining walls;
- (vii) Noise assessment and mitigation measures;




- (viii) Electric vehicle charging points;
- (ix) Renewable energy;
- (x) Hard and soft landscaping scheme to be implemented;
- (xi) Surface water drainage scheme to be implemented, retained and maintained;
- (xii) Foul sewage drainage scheme;
- (xiii) External lighting scheme;
- (xiv) Method of working statement including dust mitigation measures, hours of construction and the Canal and Rivers Trust requirements;
- (xv) Travel Assessment and Travel Plan;
- (xvi) Removal of permitted development rights for enlargements including rear extensions, dormer windows and outbuildings;
- (xvii) Employment and skills plan;
- (xviii) Details of refuse and cycle storage to be provided, implemented and retained; and
- (xix) Low NOx boilers.

2 Reasons for Recommendations

- 2.1 The development would provide much needed affordable housing of good design quality, compliant with national and local planning policy, with no undue harm to the amenities of the surrounding area or to the safety and convenience of users of the highway.

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 before your Committee as the proposal requires a S106 agreement in relation to affordable housing. No objections have been received.



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

[Aerial View - Swan Lane, West Bromwich](#)

[Street View - Swan Lane, West Bromwich](#)

5 Key Considerations

5.1 The site is allocated for housing 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, and
Planning History.

6. The Application Site

6.1 The application site is situated on the southern side of Swan Lane, West Bromwich. The application site relates to the former gas works, within an industrial and commercial area.

7. Planning History

7.1 The site has extensive planning history, with outline Planning Permission granted in 2010 for residential use on the site.

7.3 Relevant planning applications are as follows:

DC/18/61573	Proposed demolition of gasholders.	Grant Demolition Consent 22/03/2018
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DC/17/60413	Proposed change of use to builders merchants.	Grant Permission subject to Conditions 14/07/2017
DC/12/54624	Proposed demolition of 4 former commercial/industrial buildings and 2 gasholders.	Grant Demolition Consent 15/06/2012
DC/10/52849	Outline application for residential development.	Grant Outline Permission with Conditions 01/05/2012
DC/09/50845	Screening opinion for environmental impact assessment for proposed residential development.	Screening opinion - EIA not required 15/05/2009

8. Application Details

8.1 The application is for 147 dwelling houses (65 houses and 82 apartments) with associated highway, parking, landscaping and drainage works.

8.2 The development would consist of the following properties:

- 41, two-bedroom houses,
- 24, three-bedroom houses,
- 17, one-bedroom flats, and
- 65, two-bedroom flats

8.2 All 147 properties proposed will be classed as “affordable”.



9. Publicity

9.1 The application has been publicised by site and press notice, as well as by neighbour notification letters. No objections have been received.

10. Consultee responses

10.1 Planning Policy

No objections to the proposed development however they note that affordable housing should only relate to 25% of the site not 100%. However, the proposed site would provide much needed homes for the local area and therefore approval is recommended.

10.2 Highways

Minor changes have been requested and Members will be verbally updated.

10.3 Public Health (Air Quality)

Recommends several conditions to be attached to any approval:

- Dust Management Plan,
- Travel Assessment and Travel Plan,
- Electric Vehicle Charging points, and
- Low NOx Boilers.

10.4 Public Health (Contaminated Land)

The Contaminated Land officer concludes that the remediation strategy is acceptable. Additional information has been requested, however, this can be controlled via condition.



10.5 Public Health (Air Pollution and Noise)

The Public Health Officer has concerns over the potential for noise associated from users of the Black Country New Road, and therefore questions the proposed sound insulation measures. However, this can be investigated further and controlled via condition.

10.6 West Midlands Police

West Midlands Police have provided comments, and these have been passed onto the applicant for review. The comments include site security such as CCTV, LED lights, card entry systems into the flats. These can be controlled by the applicant and the management company.

10.7 Lead Local Flood Authority

No objections raised.

10.8 Severn Trent

Have requested their standard drainage conditions be attached to any approval.

10.9 Urban Design Officer

There is no objection in principle, however the Urban Design Team have requested some changes to the development in terms of plot types and garden sizes. Members will be verbally updated upon receipt of a satisfactory revised plan.

10.10 Employment and Skills

The proposed development provides an opportunity for work experience and apprenticeships. This can be conditioned accordingly.



10.11 Tree Preservation Officer

The Council's TPO officer has commented on the landscaping plan and has stated that there is a good mix of shape and form and that the street tree planting is welcome.

10.12 The Coal Authority

Potential concerns have been raised over the location of mine shafts. As a result, the standard coal mining investigation conditions will be attached to any approval.

10.13 The Canal and Rivers Trust

They have recommended conditions in relation to the construction and environmental management plan, travel plan and also requests an informative is placed on the decision notice.

10.14 Transport Planner

Details of cycle storage are requested and are conditioned as such; however, the proposed layout plan does at least show where these are proposed.

10.15 Birmingham Wildlife Trust (BWT)

A badger survey was carried out and no badger sets were found to be on site. This document has been passed onto the BWT for comment. Another report was carried out and concluded that great crested newts were likely to be absent from the ponds on site, however, if no work commences on site within two years, a further survey is recommended.



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 (subject to the minor changes requested).

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,

ENV7: Renewable Energy,

ENV8: Air Quality,

TRAN4: Creating Coherent Networks for Cycling and Walking,

SAD H1: Housing Allocations,

SAD H3: Affordable Housing,

SAD EOS9: Urban Design Principles,

SAD EMP2: Training and Recruitment.

- 12.2 The site is allocated for residential development in the Development Plan. The proposal therefore complies with SAD H1: Housing Allocations.

- 12.3 HOU2 identifies the need for a range of types and sizes of accommodation within the borough and accessibility in terms of



sustainable transport to residential services. The proposed site layout confirms the development would contain a mixture of dwelling sizes and types. The site is near local infrastructure which includes a metro stop.

- 12.4 ENV3 and SAD EOS9 refers to well-designed schemes that provide quality living environments. The proposed layout and design are considered to be acceptable with no concerns being raised from Urban Design (see point 10.9 above).
- 12.5 ENV5 seeks the incorporation of sustainable drainage systems to assist with reducing the impact of flooding and surface run-off. The Lead Local Flood Authority has raised no objections to the application.
- 12.6 A condition to ensure that at least 10% of the estimated residual energy demand of the development is generated by energy from renewable sources has been included within the recommendation and therefore accords with Policy ENV7.
- 12.7 ENV8 refers to mitigation measures to offset air quality issues. In this instance, conditions for electric vehicle charging points and low NOx boilers to be provided have been recommended.
- 12.8 TRAN4 requires scheme to be well connected to aid cycling and walking. The proposal includes cycle storage for all units.
- 12.9 SAD H3 sets out the requirement of 25% affordable housing, the site would achieve 100%.
- 12.10 SAD EMP2 requires large employment generating schemes to provide opportunities for training and recruitment. This has been conditioned to secure these opportunities.



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

The site is allocated for housing, therefore complies with the local plan.

13.3 Planning history

Outline permission for a residential use was granted in 2010.

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.



16. Appendices

100
105 Rev B
106 Rev B
107 Rev B
108 Rev B
109 Rev B
110 Rev B
112 Rev A
114 Rev A
116 Rev A
118 Rev A
121 Rev A
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130 Rev A

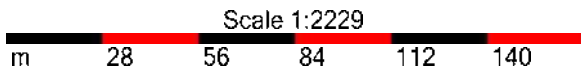


DC/22/66532
Former Gas Works, Swan Lane, West Bromwich



Legend

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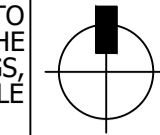


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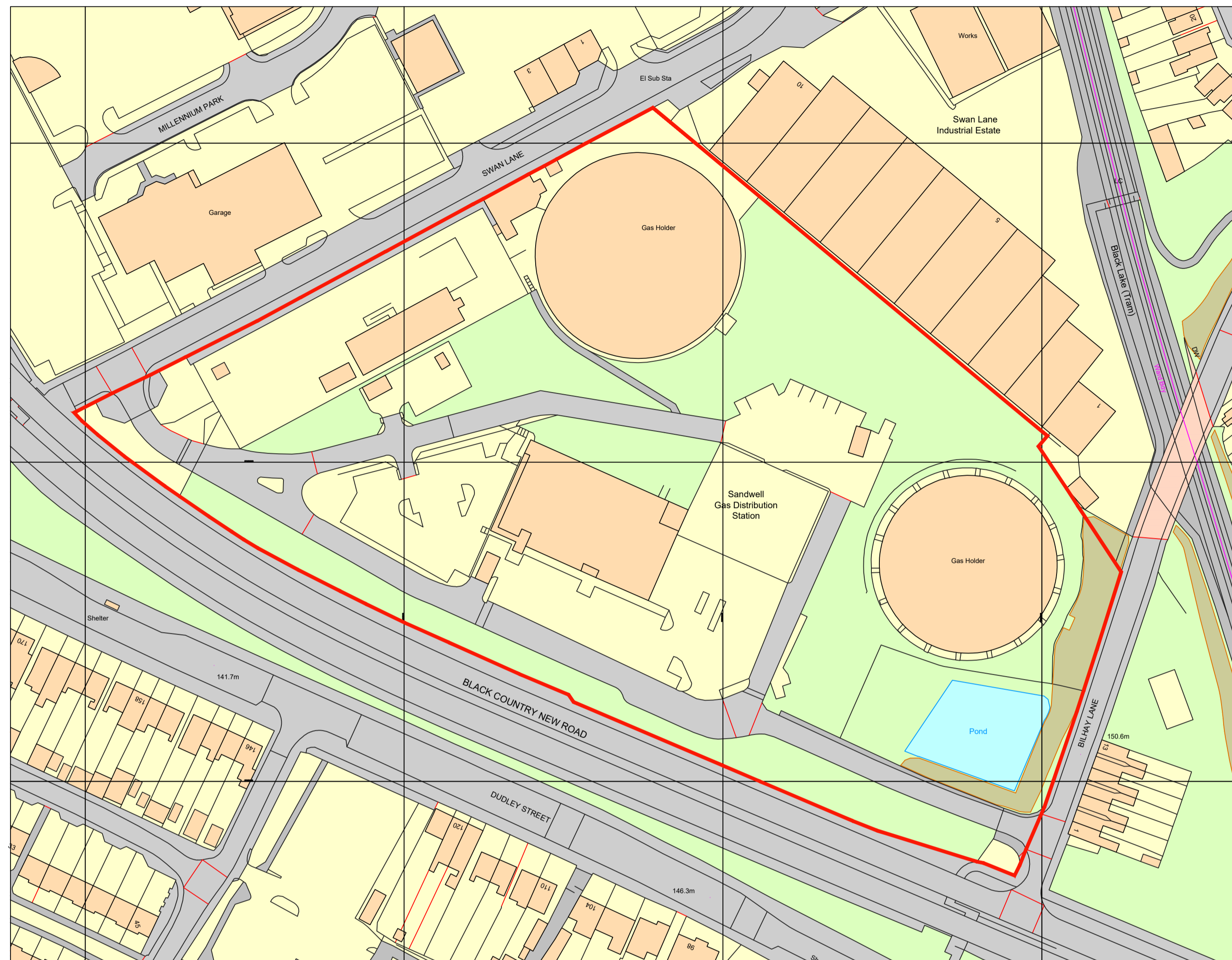
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Department	Not Set
Comments	Not Set
Date	07 July 2022
OS Licence No	



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EXISTING SITE LOCATION PLAN



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NOTES

We draw your attention to the fact that the layout is conceptual only and there are instances where planning issues such as overlooking distances, car parking provision, public open space requirements and highway issues etc will need consultation with the appropriate bodies. We will not at this time have made any approach to either the planning or highways department for their comments.

We also may not have been provided with any site level, site/ground condition report, service/easements or tree preservation order information during the preparation of the proposals. These could have a fundamental effect on the sketch proposals

TOTAL		41035 m ²
SITE AREA		4.1 ha
		10.9 acres

EXISTING AERIAL PHOTOGRAPHS



rev	note	date	by
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indesign.

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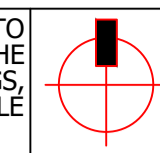
client
GREENSQUAREACCORD

project
PROPOSED DEVELOPMENT OFF SWAN LANE
WEST BROMWICH
B700NY

title
EXISTING SITE LOCATION PLAN

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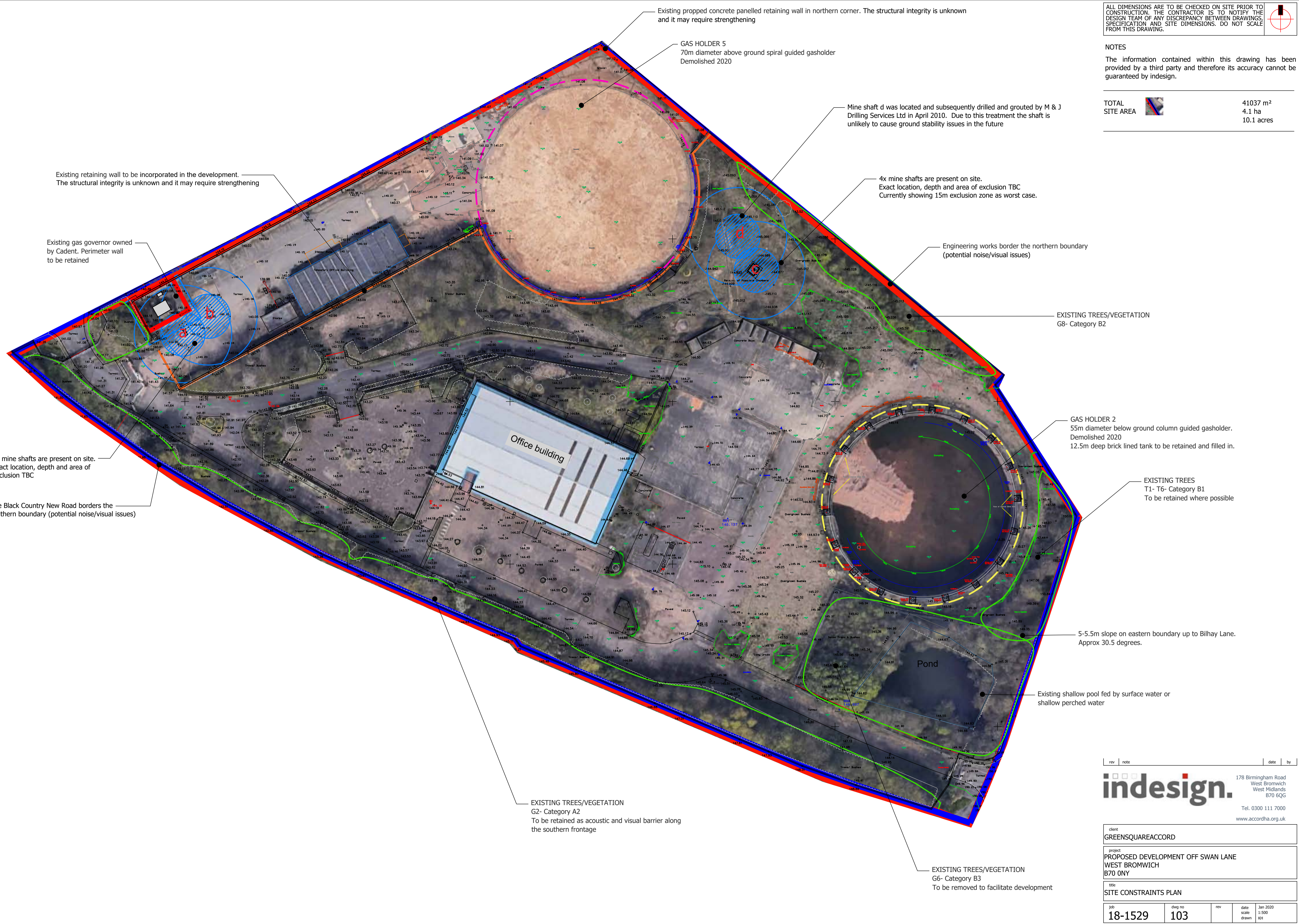
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NOTES

The information contained within this drawing has been provided by a third party and therefore its accuracy cannot be guaranteed by indesign.

TOTAL SITE AREA	41037 m ² 4.1 ha 10.1 acres
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rev	note	date	by
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client	GREENSQUAREACCORD		
project	PROPOSED DEVELOPMENT OFF SWAN LANE WEST BROMWICH B70 0NY		
title	SITE CONSTRAINTS PLAN		
job	dwg no	rev	date
18-1529	103		Jan 2020
			scale
			1:500
			drawn
			KH



Existing office building. To be demolished



North-east boundary with neighbouring Industrial premises



Industrial premises on perimeter



Concrete perimeter wall on north-west boundary



Internal access road along southern boundary



Gas holder 2 structure- since been demolished. Only base of metalwork remains and circular pit



Existing hardstanding and structures to be removed



Access road off Bilhay Lane



Gas holder 5 structure- since been demolished 2019.



Outbuildings- to be demolished

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client GREENSQUAREACCORD
project PROPOSED DEVELOPMENT OFF SWAN LANE WEST BROMWICH B70 0NY
title SITE PHOTOGRAPHS

job 18-1529	dwg no 102	rev	date Jan 2020	scale N/A	drawn KH
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SITE AREA	41037 m ² 4.1 ha 10.1 acres
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SCHEDULE OF ACCOMMODATION	
HOUSING	
2 Bed 4 Person houses	41 No
3 Bed 5 Person houses	24 No
FLATS	
1 Bed 2 Person flats	17 No
2 Bed 3 Person flats	65 No
TOTAL	147 No

DENSITY
36 units per ha

CARPARKING	
1 Bed @ 1:1	
2 Bed @ 1:1	
3 Bed @ 2:1	
176 + 28 Visitor spaces (Total 204 spaces/1:3 spaces per dwelling)	

AMENITY SPACE FOR FLATS
5126m²
[approx 62m²/per unit]

PUBLIC OPEN SPACE
3788m²

KEY			
	Red line boundary		Hedgerow
	Primary highway Tarmac		Shrub planting
	Secondary highway, shared surfaces & private parking courts Tegula Block Paving		Public open space To be maintained by GSA
	Private parking bays Block Paving		Existing gas holder columns. To be repositioned at new site levels
	Private rain gardens		Apartment bin stores
	Attenuation Basin		Crossover points
	Proposed Trees		High contrast block paving to primary highway
	Existing Trees		Grass verges To be offered for LA adoption

B - Existing trees retained to match tree report.	11.03.22	CI	
A - House type references changed to match elevation. Existing trees retained to match tree report.	07.03.22	CI	
rev	note	date	by

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client	GREENSQUAREACCORD
project	PROPOSED DEVELOPMENT OFF SWAN LANE WEST BROMWICH B70 0NY
title	PROPOSED MASTERPLAN SITE LAYOUT

job	18-1529	dwg no	105	rev	B	date	11.06.18
drawn		scale	1:500	drawn			KH

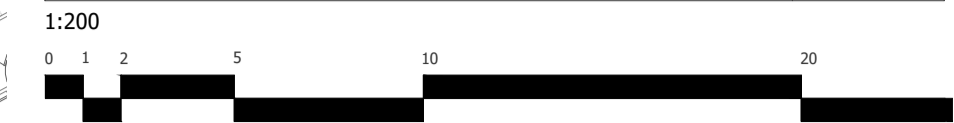


NOTE
Assumed existing access will be retained as is (No S278 works)

Layout Information

- 1 **New site entrance**
5.5m carriageway with 2m footpaths either side
- 2 **Existing mine shafts**
Approx 8 metre exclusion zone shown
- 3 **Existing Cadent Gas Governor**
Perimeter wall and compound to be retained
- 4 **Planting/ Tree Zone**
Existing trees along southern perimeter to be retained to provide a visual and acoustic buffer to the Black Country Route
- 5 **Apartment parking courts**
Private highway/parking to be maintained by GSA
- 6 **Existing retaining structure to remain**
Approx 2.5-3 m level difference. Wall to be overlaid or rendered to improve appearance with planting screen in front.

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SITE AREA	41037 m ² 4.1 ha 10.1 acres
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SCHEDULE OF ACCOMMODATION	
HOUSING	
2 Bed 4 Person houses	41 No
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176 + 28 Visitor spaces (Total 204 spaces/1:3 spaces per dwelling)	

AMENITY SPACE FOR FLATS	5126m ² [approx 62m ² /per unit]
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PUBLIC OPEN SPACE	3788m ²
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KEY

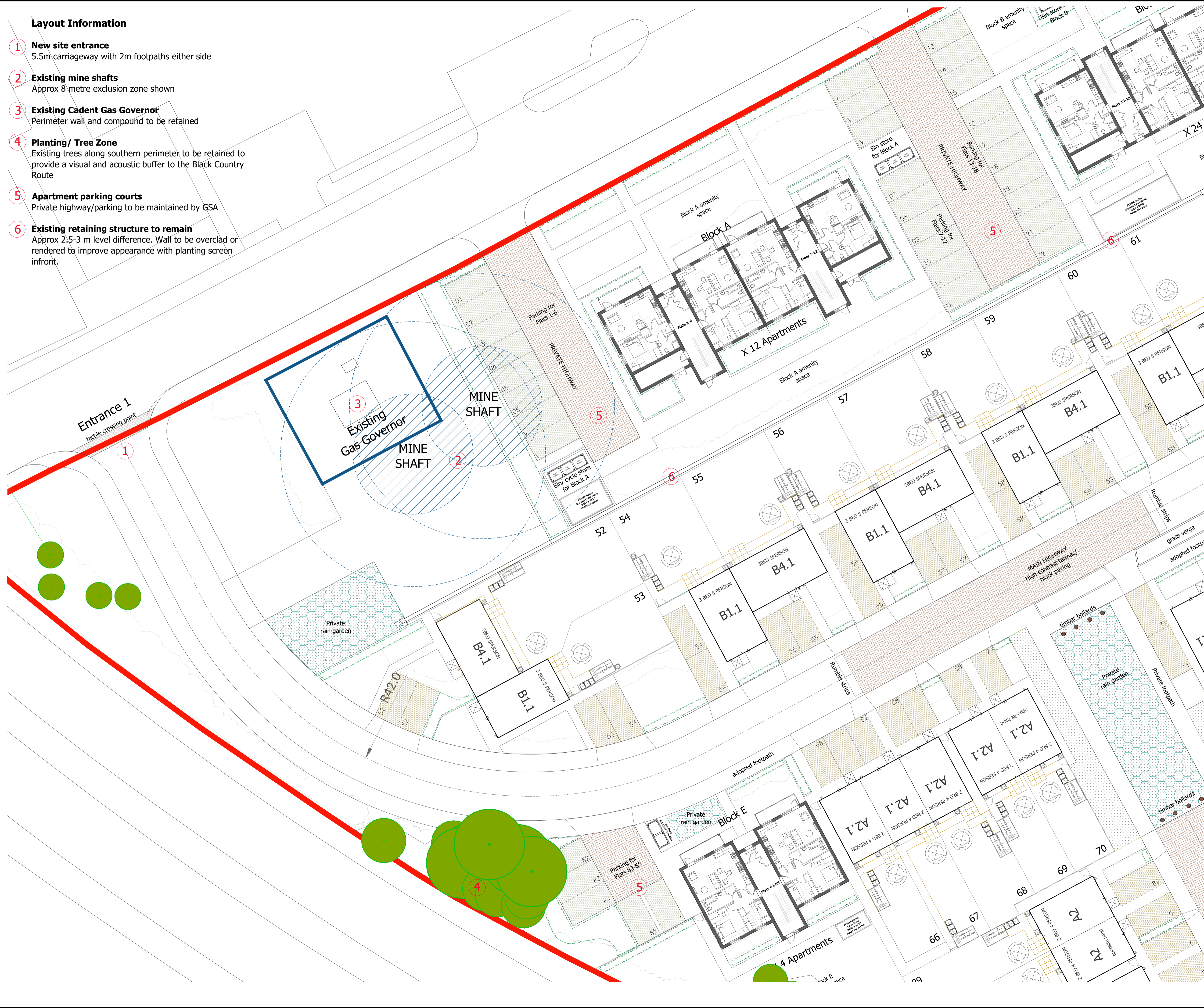
	Red line boundary		Hedgerow
	Primary highway Tarmac		Shrub planting
	Secondary highway, shared surfaces & private parking courts Tegula Block Paving		Public open space To be maintained by GSA
	Private parking bays Block Paving		Existing gas holder columns. To be repositioned at new site levels
	Private rain gardens		Apartment bin stores
	Attenuation Basin		Crossover points
	Proposed Trees		High contrast block paving to primary highway
	Existing Trees		Grass verges To be offered for LA adoption

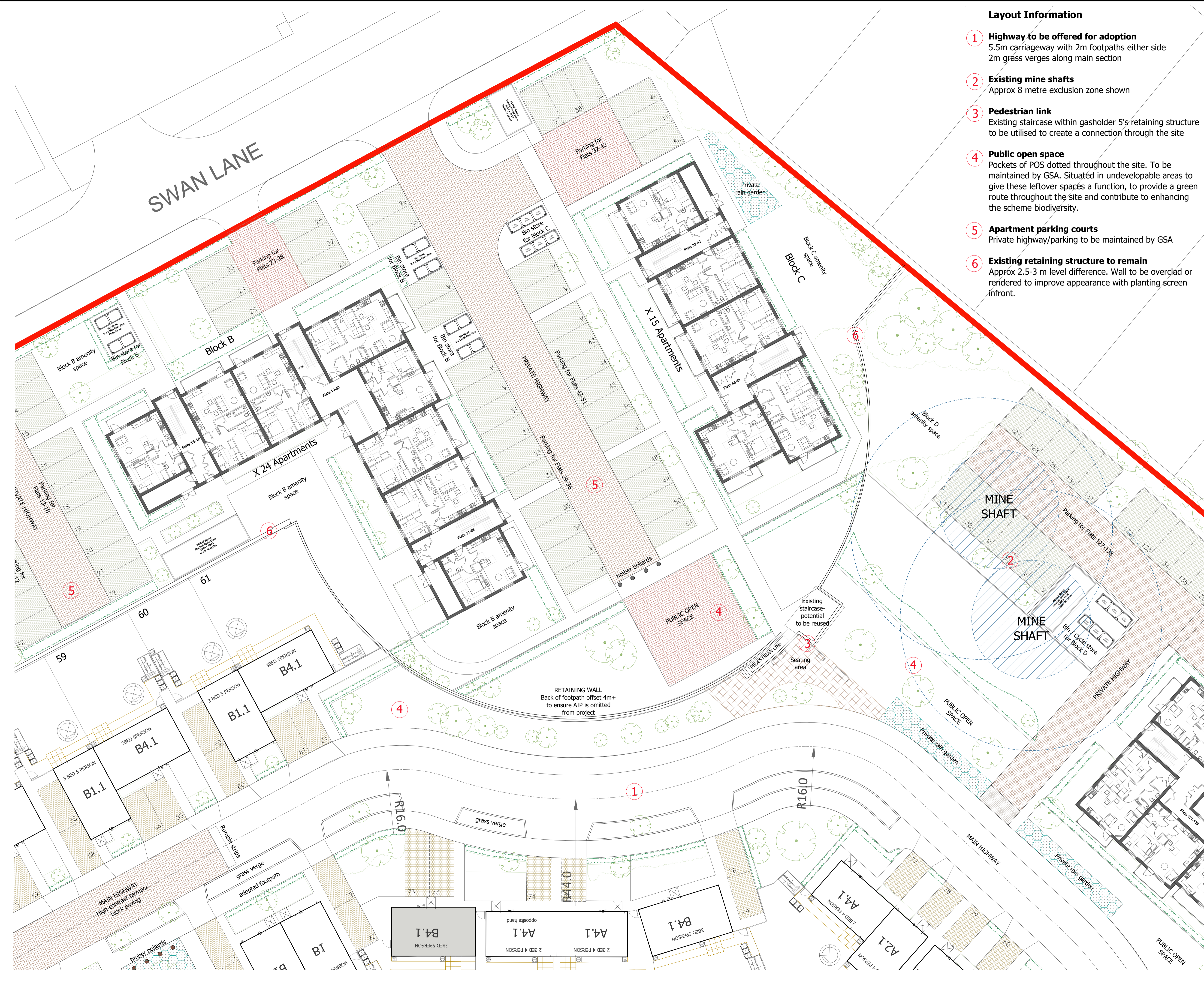
B - Existing trees retained to match tree report. 11.03.22 C
 A - House type references changed to match elevation. Existing trees retained to match tree report. 07.03.22 C

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client	GREENSQUAREACCORD
project	PROPOSED DEVELOPMENT OFF SWAN LANE WEST BROMWICH B70 0NY
title	SITE LAYOUT 1 out of 5

job	18-1529	dwg no	106	rev	B	date	07-12-21
drawn		scale	1:200	drawn			KH

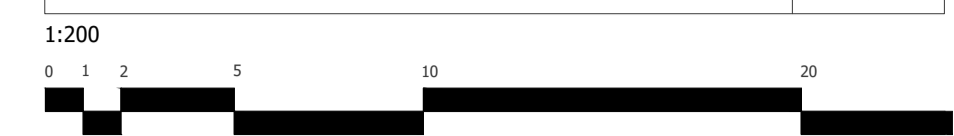




Layout Information

- 1 **Highway to be offered for adoption**
5.5m carriageway with 2m footpaths either side
2m grass verges along main section
- 2 **Existing mine shafts**
Approx 8 metre exclusion zone shown
- 3 **Pedestrian link**
Existing staircase within gasholder 5's retaining structure to be utilised to create a connection through the site
- 4 **Public open space**
Pockets of POS dotted throughout the site. To be maintained by GSA. Situated in undevelopable areas to give these leftover spaces a function, to provide a green route throughout the site and contribute to enhancing the scheme biodiversity.
- 5 **Apartment parking courts**
Private highway/parking to be maintained by GSA
- 6 **Existing retaining structure to remain**
Approx 2.5-3 m level difference. Wall to be overlaid or rendered to improve appearance with planting screen in front.

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AMENITY SPACE FOR FLATS	5126m ² [approx 62m ² /per unit]
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client	GREENSQUAREACCORD
project	PROPOSED DEVELOPMENT OFF SWAN LANE WEST BROMWICH B70 0NY
title	SITE LAYOUT 2 out of 5
job	18-1529
dwg no	107
rev	B
date	07-12-21
scale	1:200
drawn	KH