

# Report to Planning Committee

**6 October 2021**

<b>Application Reference</b>	DC/21/65829
<b>Application Received</b>	23 June 2021
<b>Application Description</b>	Proposed variation of condition 2 of DC/19/62696 (Proposed 5 No. 3 bed houses and 4 No. 2 bed flats with associated access, landscaping and infrastructure) to amend access arrangements and plots 1-5 (5 houses) to incorporate a fourth bedroom in each loft and minor alterations to the layout and elevations of Plots 6-9 (4 flats)
<b>Application Address</b>	Land to the Rear of Vicarage Road/Ebrington Road/Arlington Road West Bromwich
<b>Applicant</b>	Windyridge Property Investments Ltd
<b>Ward</b>	Charlemont With Grove Vale
<b>Contact Officer</b>	Alison Bishop alison_bishop@sandwell.gov.uk

## 1 Recommendations

1.1 That planning permission is granted with the following conditions

- (i) Drainage (including SuDS) details;
- (ii) Site investigation and remediation;
- (iii) External materials details;




- (iv) External lighting details;
- (v) Fire safety measures for each dwelling;
- (vi) Bin storage and bin management details;
- (vii) Boundary treatment details;
- (viii) Electric vehicle charging points;
- (ix) Secure cycle parking provision;
- (x) Hard and soft landscaping details implemented;
- (xi) Surfacing and parking laid out and retained;
- (xii) Construction management plan to include hours of work and deliveries as follows:
  - 08:00-18:00 (Monday to Friday) – construction work
  - 08:00-14:00 (Saturday) – construction work
  - 09:30-14:30 (Monday to Friday) – Deliveries
  - 08:00-14:00 (Saturday) – Deliveries
  - No construction work or deliveries on Sundays and public holidays;
- (xiii) Removal of permitted development rights for extensions (Class A); and
- (xiv) Details of secure gated access and its management and maintenance.

## 2 Reasons for Recommendations

- 2.1 The proposed amendments to the previously approved scheme following an appeal to the planning inspectorate, do not increase the number of units or the overall scale and massing of the development and the use of solely one access serving the site does not raise any highway safety concerns.

## 3 How does this deliver objectives of the Corporate Plan?

	<p>Quality homes in thriving neighbourhoods – The scheme provides additional homes and is well designed.</p>
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## 4 Context

- 4.1 This application is being reported to your Planning Committee because it has generated four material planning objections from residents.



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

[Land to the rear Of Vicarage Road/Ebrington Road/Arlington Road West Bromwich](#)

## 5 Key Considerations

- 5.1 The site is unallocated within the development plan
- 5.2 The material planning considerations which are relevant to this application are: -

Government policy (NPPF)  
Planning history (including appeal decisions)  
Overlooking/loss of privacy  
Access, highway safety, parking and servicing

## 6. The Application Site

- 6.1 The application refers to vacant land (0.17 hectares approx.) that is bounded by the rear gardens of houses fronting Arlington Road, Ebrington Road and Vicarage Road. The application site is irregular in shape and has a gentle slope running approximately from north to south. Natural vegetation has established itself in recent years, although the site was cleared in October 2018. For many years there was a tennis court on the site. The site has suffered from unauthorised dumping of green and household waste. Access to the site is gained via two narrow access ways leading off Ebrington Road and Arlington Road. Neighbouring residents have a legal right to use the drive ways for access to the rear gardens.

## 7. Planning History

- 7.1 This is the tenth application submitted since July 2011 for the residential redevelopment of the application site. The most recent approval was for 5 no. 3 bed houses and 4 no. 2 bed flats with associated landscaping



and infrastructure (DC/19/62696). This application had been refused permission at the Planning Committee in August 2019 but was subsequently allowed at appeal by the Planning Inspectorate in July 2020. The appeal decision is attached to this report, but it should be noted that the primary access of Vicarage Road was considered acceptable and that no conditions were imposed to removed permitted development to construct dormers to create additional bedrooms within the roof space.

7.2 It should also be noted that when DC/11/53351 was refused by Planning Committee, contrary to officer recommendation, it was allowed on appeal and the applicant was awarded cost of £4,390. Both the appeal decisions are attached to this report.

7.3 Relevant planning applications are as follows:

DC/19/62696	Proposed 5 no. 3 bed houses and 4 no. 2 bed flats with associated landscaping and infrastructure	Refused 22.08.2019 Allowed with conditions 02.07.2020
DC/18/61609	Proposed 3 No. dwellings (outline application for access).	Approved 12.06.2018
DC/17/61238	Outline application for 5 no. Dwelling (access only) (half of the site)	Approved 25.01.2018
DC/16/60101	Outline application for 4 no. Houses (access only)	Approved 15.03.2017
DC/16/60100	Outline application for 5 no. Houses (access only)	Approved 15.03.2017
DC/16/59164	Reserved Matters for 4 no. Bungalows (appearance, Layout, scale & landscaping	Approved 16.04.2016
DC/12/55465	Outline application for 4 no. Bungalows (revision to	Approved 27.03.2013



	DC/12/54875)	
DC/12/54875	Outline application for 3 no. Bungalows	Approved 31.10.2012
DC/11/53351	Outline application for 2 no. Bungalow	Refused 22.07.2011 Allowed on appeal 27.06.2012

## 8. Application Details

8.1 This is a s73 planning application which is seeking to vary the permission granted at appeal for nine dwellings comprising of five, three-bed houses and four, two-bed flats. A s73 planning applications can be submitted for previously approved scheme when the amendments relate to the layout of the site, however they cannot alter the number of units granted permission. The amendments which the applicant is seeking are as follows: -

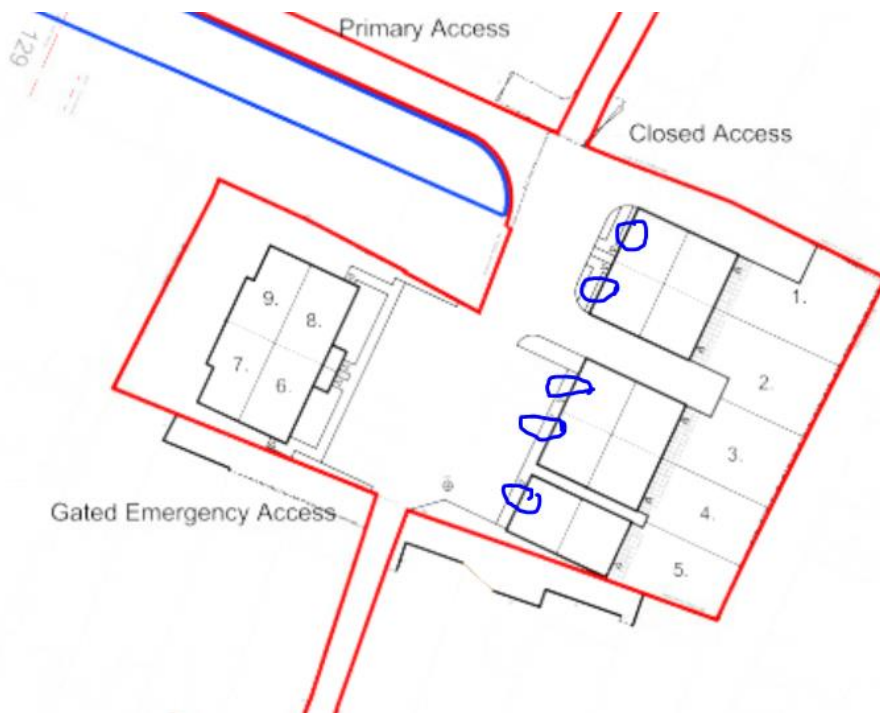
1. The access arrangements currently approved provides three vehicular accesses to the site, namely Vicarage Road, Arlington Road and Ebrington Road. The applicant is now seeking to **only** utilise the Vicarage Road access and reserve the Ebrington Road access for emergency use only (which would be gated) and the Arlington Road access would be closed up.

The proposed access drive, off Vicarage Road would be formed between 129a and 131 Vicarage Road, utilising part of the front and rear gardens of 129a Vicarage Road. At its widest point (entrance to Vicarage Road) it would be 4.8m wide narrowing to 3.1m as it extends into the site. There would be sufficient room at the front of the drive for two vehicles to pass. Two parking spaces would be provided within the remaining front garden of 129a Vicarage Road to serve this dwelling.

A revised Transport notice accompanied the application which states that the wider vehicle access off Vicarage Road would accommodate all vehicles using the development.



2. The five, two-storey houses proposed to be located on the east side of the site (plots 1-5), being two pairs of semi-detached and one detached property would now incorporate an additional bedroom in the roof space resulting in the properties increasing from three to four-bedroom houses. Skylights would be situated on the rear elevations and a small dormer to the frontages (see site plan circled blue indicate the position of the dormers and the elevation below).



Site plan – blue circle indicates the position of the dormers



Elevations of houses – blue circle of dormer to the front elevation



3. The four flats would incorporate modifications to the internal layout of each flat, however the flats remain two bed flats and no additional windows are proposed with the elevations largely remaining as previously approved. The applicant has stated that these modifications are to provide a more flexible floorplan.
4. The parking provision remains at one space for each flat and two spaces for each dwelling.

## 9. Publicity

- 9.1 The application has been publicised by neighbour notification letters to 50 residents. Amended plans were received and hence a further neighbour notification took place which expired on 17<sup>th</sup> September 2021. Four material planning objections had been received from neighbours at the close of both consultations.

## 9.2 Objections

Four objections have been received on the following grounds:

- i) Traffic concerns – Vicarage Road is already congested at peak times and reducing to one access point could cause pedestrian and highway safety issues;
- ii) Parking increases due to the additional bedrooms in the roof space for the houses;
- iii) Gating the access from Ebrington Road could cause delays for emergencies;
- iv) Disruption during construction;
- v) The Secluded nature of the dwelling could lead to increases in crime;
- vi) The site is not appropriate for development;
- vii) Concerns about possible fly tipping on the access road;
- viii) How will 27 bins be managed?



- ix) Loss of privacy – due to the new dormers overlooking surrounding property.

### 9.3 Responses to objections

I respond to the objector's comments in turn:

- (i) The access road off Vicarage Road was established as the primarily access to the site during the previous application albeit, that it included the two additional narrower access on Arlington and Ebrington Road. As has been indicated in point 7.1 (planning history) above, following refusal of the previous application the application was allowed at appeal. The inspector's comments stated: -

*'The proposed development would have 3 points of access from surrounding roads. **However, it is most likely that the principal access would be from Vicarage Road due to the restricted width of the access from Arlington Road and Ebrington Road.** I have considered that the swept path diagrams and highway note and find that cars and larger vehicles including ambulances and delivery vehicles would be able to enter the site and manoeuvre within it'*

Based on the inspector decision and that the proposal does not increase vehicle traffic to the site because of the layout proposed, it is considered that the sole primary access is acceptable.

- ii) The proposed increase of one bedroom for each house, increases the number of bedrooms in each of the five houses from 3 to 4. The Council parking standards for both 3 and 4 bedroom houses are 2 spaces for each dwelling. The scheme provides this and hence accords with our parking standards.
- iii) It is considered that an appropriate management and maintenance plan for the gated access would ensure that when



required it could be brought into use. This could be conditioned accordingly. In addition, Highways have raised no objections to these changes.

- iv) The construction process was considered by the Inspector during the 2020 appeal (see i) above), and hours of construction and deliveries were conditioned, however I consider that a construction management plan to clarify matters such as dust management, on site construction location together with hours should be conditioned and recommended in section 1.0 above.
- v) The scheme has a consent for 9 domestic units and could be implemented under the previous permission and hence the use of the site for residential development is now established. Notwithstanding this, given that the design and layout of the site, it is considered that the site would improve natural surveillance and would not result in an increase in crime.
- vi) Whilst I appreciate that residents do not wish the site to be developed, the previous consents have now unfortunately established that the site can be developed for residential development.
- vii) Whilst I appreciate that fly tipping can cause significant nuisance to residents, it is my opinion that by introducing a residential scheme with increased natural surveillance of the site it is less likely to have nuisance from fly tipping. If, however such matters were to occur then these should be reported to the Council.
- viii) The residents have expressed concerns about refuse collection from the site given its enclosed nature. The applicant has stated that a management company will be set up to arrange collection of the bins which will be from Vicarage Road. A condition is recommended to this effect.
- ix) The proposed dormer windows face in towards the development with only skylights proposed for the rear roof. The separation distances between the existing properties on Arlington Road are over 35 metres from the rear elevations of the proposed houses. This is well in excess of the 21 metre separation distances set out in the residential design guidance.



## 10. Consultee responses

### 10.1 Highways

Under the new proposals one access would be stopped up and the other (onto Ebrington Rd) would be gated but residents could use this for emergency access.

Given the previous approvals and planning inspectorate comments on the site and the number of units proposed previously, it is unlikely that any objections to the change of access would be upheld at appeal. Therefore, highways have no objections to the proposed.

## 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.

## 12. Local Planning Policy

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

ENV3: Design Quality

TRAN2: Managing Transport Impacts of New Development

SAD EOS9: Urban Design Principles

- 12.2 The design of the proposal remains largely as previously granted by the Planning Inspectorate, notwithstanding this the properties are appropriate in scale and appearance in context to the area and meet the council's design guidance in terms of internal living space, separation distances between existing and proposed properties and parking provision.

- 12.3 The revised transport note states that the proposal would not have a detrimental effect on the operation of the highway network. In addition,



reference is made to accessible public transport (bus stops) and the site would provide cycle provision to ensure that sustainable transport options are also available. In addition, given the previous appeal decision, no objections have been raised by highways.

### **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 (including appeal decisions)**

As has been indicated, two appeal decisions (both attached to this report) have been allowed on this site, granting planning permission for residential development. The most recent in 2020 which establishes permission for the 9 units on the site. Therefore, significant weight must be attached to these decisions in the determination of this application. The matters which are being amended, have been referred to in the recent appeal decision, whereby:

- a) The inspector considered that the primary access to the site would be from Vicarage Road and
- b) The inspector did not remove permitted development rights for dormer windows to create a room in the roof, hence future occupiers under the previous appeal decision could make these changes without the need for further planning permission. It is therefore my opinion that introducing the dormers as part of this consent provides more certainty of the design and appearance of the dormers.

#### **13.3 Overlooking/loss of privacy**

As indicated in point 9.3 (ix), the separation distances are well above the prescribed 21 metres between rear to rear elevations.



### 13.3 Access, highway safety, parking and servicing

Whilst the access to the site will now be solely from Vicarage Road, this is the best access into the site, providing a sufficient layout to enable vehicles to wait for oncoming traffic. In addition, the technical note has demonstrated that the vehicle access can accommodate larger vehicles for services and emergency services. The remaining issue referred to fire service vehicles being restricted, at the time of the 2020 appeal decision, the inspector considered that a condition requiring suitable fire safety measures within each property would address this. A condition has been recommended to this effect.

## 14 Alternative Options

- 14.1 Refusal of the application is an option if there are material planning reasons for doing so. In this instance, the changes proposed are minor and do not significantly alter the development that was granted at appeal in 2020.

## 15 Implications

<b>Resources:</b>	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.
<b>Legal and Governance:</b>	This application is submitted under the Town and Country Planning Act 1990.
<b>Risk:</b>	None.
<b>Equality:</b>	There are no equality issues arising from this proposal and therefore an equality impact assessment has not been carried out.
<b>Health and Wellbeing:</b>	None
<b>Social Value</b>	None.



## 16. Appendices

Site Plan

Context Plan

30697 00 Rev D

30697 01 Rev C

395/6-9/200

395/6-9/300

385/P/01



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# Appeal Decision

Site visit made on 2 June 2020

**by Bhupinder Thandi BA (Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 02 July 2020**

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**Appeal Ref: APP/G4620/W/19/3242702**

**Land to the rear of Vicarage Road/Ebrington Road/Arlington Road, West Bromwich**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Windyridge Property Investments Ltd against the decision of Sandwell Metropolitan Borough Council.
  - The application Ref DC/19/62696, dated 2 February 2019, was refused by notice dated 22 August 2019.
  - The development proposed is erection of nine new dwellings (Use Class C3) comprising 5no 3-bedroom houses and 4no 2-bedroom maisonettes with associated infrastructure.
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## Decision

1. The appeal is allowed and planning permission is granted for the erection of nine new dwellings (Use Class C3) comprising 5no 3-bedroom houses and 4no 2-bedroom maisonettes with associated infrastructure at land to the rear of Vicarage Road/Ebrington Road/Arlington Road, West Bromwich in accordance with the terms of the application, Ref DC/19/62696 dated 2 February 2019 subject to the conditions set out in the Schedule to this decision.

## Procedural Matter

2. From the evidence before me it appears that the appellant changed the site address and the development description during the course of the application. However, for clarity I have taken the details from the appeal form.

## Application for costs

3. An application for costs was made by Windyridge Property Investments Ltd against Sandwell Metropolitan Borough Council. This application is the subject of a separate Decision.

## Main Issue

4. The main issue is the effect of the proposed development upon the character and appearance of the area.

## Reasons

5. I have been made aware of the planning history for this site which includes several planning permissions that have been granted by the Council and a

previous appeal<sup>1</sup> that was allowed. In summary these include two permissions in 2018 for a total of 8 dwellings across the site, two permissions in 2017 for a total of 9 dwellings across the site and older permissions for between 2 and 4 bungalows.

6. The appeal site comprises a broadly L shaped parcel of land located behind dwellings fronting Arlington Road, Ebrington Road and Vicarage Road. The primary access into the site is next to No 129a Vicarage Road with other narrower accesses between houses on Arlington Road and Ebrington Road. The site is relatively flat and is overgrown.
7. The site is surrounded on all sides by existing residential development and generally parking takes place on street. There is a primary school within close proximity of the site.
8. The development proposes nine residential units in the form of a block of four maisonettes and a row of five dwellings. I am mindful that planning permission has previously been granted for a similar number of dwellings across the site. In my view, the number of units and the layout would not result in a cramped development as there would be adequate spacing between the dwellings within the site and the site boundaries.
9. The density would be appropriate within this location. Moreover, I note that the proposed development would comply with the requirements of the Supplementary Planning Guidance – Revised Residential Design Guide (2014) (SPD) regarding internal layout, separation from neighbouring properties, provision of amenity space as well as vehicle parking.
10. As such, I find that the proposed scheme would not represent an over-development of the site or that the number of units would undermine its overall quality. Indeed, I consider that it would result in an efficient use of land in a sustainable and well-established residential location in keeping with the character and appearance of its surroundings.
11. The Council's decision notice does not allege harm in respect of living conditions of existing occupiers, with regard to a loss of privacy or, indeed, in relation to parking and the safe operation of the local highway, although it is referred to in their statement of case.
12. The proposed development would back onto existing residential development. The SPD requires a minimum distance of 21m between rear elevations and 14m between gables and windowed elevations. The proposed development would accord with the guidance. On this basis there is adequate separation between the proposed development and existing houses and would not result in overlooking, loss of privacy, outlook or light. Consequently, the proposal would not adversely affect the living conditions of occupants neighbouring the site.
13. The SPD sets out a requirement for a total of 17 spaces. The proposed development would provide the required number of spaces. Whilst the accesses are narrow it is unlikely to put off future residents who would tend to park in front of their houses rather than on surrounding roads. As such the proposed development would not exacerbate parking issues in the area.

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<sup>1</sup> APP/G4620/W/11/2165538

14. The proposed development would have 3 points of access from surrounding roads. However, it is most likely that the principal vehicular access would be from Vicarage Road due to the restricted width of the accesses from Abington Road and Ebrington Road. I have considered the swept path diagrams and highway note and find that cars and larger vehicles including ambulances and delivery vehicles would be able to enter the site and manoeuvre within it.
15. I acknowledge that some larger vehicles including fire appliances and refuse lorries would not be able to enter the site. However, a condition has been imposed to ensure an adequate fire suppression system is implemented before the houses are occupied. However, in all likelihood fire appliances visiting the site is unlikely to be a common occurrence. Furthermore, West Midlands Fire Service did not object to the proposal with regard to the access or on safety grounds.
16. In terms of refuse collection, I note that communal bin storage would be provided within the site and would be collected by a private waste management company. This arrangement would ensure that individual bins are not left on the highway. A condition has been imposed to ensure that appropriate facilities for refuse and recycling are provided within the site.
17. Notwithstanding the representations received regarding additional cars and parking, the highway authority had raised no objection to the planning application. There is no compelling evidence before me so as to lead me to a different conclusion in respect of this matter. I therefore find that the proposed development would not adversely affect the safe operation of surrounding roads.
18. Taking all matters into account I therefore conclude that the development proposed would not be harmful to the character and appearance of the area. It would accord with guidance set out in the SPD which seeks to ensure that housing and residential environments meet the needs and aspirations of the local community.
19. The proposed development would accord with Policies CSP4, ENV1 and ENV3 of the Black Country Core Strategy (2011) which, amongst other things, requires all development to understand local distinctiveness, make a positive contribution to place and environmental improvement and a high quality network of streets, buildings and spaces. It would also accord with Policies SAD H2 and SAD EOS 9 of the Site Allocations and Delivery Development Plan Document (2012) which, amongst other things, supports residential development on previously developed land and development that is compatible with its surroundings.

### **Other Matters**

20. There is no compelling evidence before me to indicate that nearby occupiers would be adversely affected by noise resulting from the proposed development particularly given that they would be sited approximately 21m from existing houses. In addition, there is nothing to suggest that the proposal would result in incidents of crime, anti-social behaviour or fly-tipping.
21. In respect of the potential for disruption during construction works this would be short term. A condition limiting construction and delivery hours has been imposed to ensure that the living conditions of nearby occupiers and the safe

operation of the surrounding roads is maintained during the construction of the development.

22. I find no substantive evidence before me to suggest that the proposed development would adversely affect wildlife or trees in the area.
23. The effect on property values, covenants on the land and rights of access are matters which fall outside of what I consider in my decision.

### **Conditions**

24. The Council has suggested 18 conditions in the event that the appeal was to be allowed. I have considered these, in light of the National Planning Policy Framework (the Framework) and the Planning Practice Guidance (PPG). In the interests of precision, clarity and brevity I have reworded some conditions suggested by the Council.
25. In addition to the standard time three-year limit condition for implementation; it is necessary to specify the approved plans in the interests of certainty. Conditions relating to the external materials, landscaping, boundary treatments and external lighting have been imposed to ensure the satisfactory appearance of the development.
26. In the interests of securing water sustainability a condition requiring details of a sustainable drainage system has been imposed.
27. In the interests of sustainable travel conditions for electric vehicle charging points and cycle storage have been imposed. In the interests of highway safety conditions for the parking, turning areas and entrance gate have been imposed. In the interests of highway safety and the living conditions of nearby occupiers a condition has been imposed limiting construction work, deliveries and collections to certain times and days.
28. A condition requiring details of refuse and recycling facilities has been imposed in the interests of highway safety and ensuring adequate living conditions for occupiers.
29. The Council has suggested removing permitted development rights for the enlargement, improvement or other alteration of a dwellinghouse, additions or alterations to the roof, the construction of a porch, or a building or enclosure incidental to the enjoyment of the dwellinghouse falling within Classes A, B, C and D of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO).
30. Paragraph 53 of the Framework advises planning conditions should not be used to restrict national permitted development rights unless there is clear justification to do so. In this instance I consider it would be unreasonable to impose such a blanket condition. In terms of extensions and alterations to the roof falling within Classes B and C of the GPDO these would be small scale and would not adversely affect the living conditions of nearby occupiers as an adequate distance would be maintained between buildings. In addition, porches under Class D would be small scale and unlikely to harm the overall appearance of the development.

31. However, in the interests of maintaining adequate amenity space and living conditions for future occupiers I have determined that permitted development rights should be removed in respect of Class A of the GPDO.
32. The Council has suggested a condition in respect of land contamination. However, I note that part of the site has been cleared as part of a previous planning permission. I have therefore amended the condition for a risk assessment and a remediation scheme to be submitted in the event of unexpected contamination on site.
33. The Council have suggested that the parking areas for No 129a Vicarage Road should be provided as part of a more general condition. I note that this property although within the ownership of the appellant lies beyond the red line boundary of the site. Therefore, the condition has been amended to omit this property from the condition.
34. The Council has suggested a condition for a hard and soft landscaping scheme. However, sufficient information is shown on the submitted plans and thus has not been imposed. I have still found it necessary to ensure that dead or diseased plants are replaced for 3 years following completion of the development and therefore a condition requiring this has been imposed.
35. The Council has suggested a condition for the levels across the site. Sufficient information is shown on the plans in respect of building heights and distances from existing properties and therefore the condition has not been imposed.

### **Conclusion**

36. For the reasons set out above the appeal succeeds.

*B Thandi*

INSPECTOR

**Schedule of conditions (16 in total)**

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing 30697 00 Rev C Location and Proposed Site Plan; Drawing No 30697 - Plots 1-4 Proposed Floor Plans and Elevations; Drawing No 30697 - Plot 5 Proposed Floor Plans and Elevations; Drawing No 30697 – Plots 6-9 Proposed Floor Plans and Elevations and Drawing No 30697 01 Rev B – Landscaping Plan.
- 3) Prior to the commencement of development details of the surface water drainage and foul sewage works shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and maintained thereafter for the lifetime of the development.
- 4) Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development is resumed or continued.
- 5) No development shall commence above ground until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved samples.
- 6) Prior to the occupation of the development an external lighting scheme shall be implemented in accordance with details, which shall first be submitted to and approved in writing by the local planning authority. The scheme shall thereafter be retained for the lifetime of the development.
- 7) Prior to occupation of the development each unit shall be fitted with a sprinkler system or alternative package of fire suppression or firefighting measures. The details of which shall be first submitted to and approved in writing by the local planning authority. These measures shall be thereafter retained for the lifetime of the development.
- 8) Prior to occupation of the development provision for refuse and recycling facilities for each unit shall be provided. The details of which shall be first submitted to and approved in writing by the local planning authority. The refuse and recycling facilities shall be thereafter retained for the lifetime of the development.
- 9) Prior to the occupation of the development all boundary treatments and the gate access arrangements shall be implemented in accordance with details, which shall first be submitted to and approved in writing by the local planning authority.
- 10) The development shall not be occupied until details of electric vehicle charging points have been first submitted to and approved in writing by

the local planning authority. The electric charging points shall be implemented as per the approved details and shall thereafter be retained for the lifetime of the development.

- 11) No dwelling shall be occupied until the provision of secure cycling parking has been first submitted to and approved in writing by the local planning authority. The cycle parking shall be carried out in accordance with the approved details and thereafter retained for the lifetime of the development.
- 12) No dwelling shall be occupied until the hard and soft landscaping scheme, access road and parking and turning areas have been laid out and completed in accordance with Drawing No 30697 01 Rev B – Landscaping Plan and Drawing No 30697 00 Rev C – Location and Proposed Site Plan. The areas shall thereafter be kept available at all times for those purposes for the lifetime of the development.
- 13) All planting, seeding or turfing comprised in the approved landscape details shown on Drawing No 30697 01 Rev B – Landscaping Plan shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 3 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 14) Demolition or construction works shall take place only between 0800 – 1800 on Mondays-Fridays and 08:00-14:00 on Saturdays and shall not take place at any time on Sundays or on Bank or Public Holidays.
- 15) Deliveries and collections during the construction works shall be taken at or despatched from the site only between 0930-1430 on Mondays-Fridays and 0800-1400 on Saturdays and not at any time on Sundays or on Bank or Public Holidays.
- 16) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no enlargement, improvement or other alteration of the dwellinghouses, additions or buildings or enclosures incidental to the enjoyment of the dwellinghouses falling within Class A shall be constructed.

Quality Assurance Unit  
Temple Quay House  
2 The Square  
Bristol, BS1 6PN

Direct Line: 0117 372 8252  
Customer Services: 0117 372 6372

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John Baker  
Sandwell Metropolitan Borough  
Council  
Directorate of Regeneration  
Sandwell Council House  
Freeth Street  
Oldbury  
West Midlands  
B69 3DE  
West Midlands

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Your Ref: DC/11/53351  
Our Ref: APP/G4620/A/11/2165538/NWF  
Date: 27 June 2012

Dear Mr Baker

**Town and Country Planning Act 1990**

**Appeal by Dr Beatrice Anderson**

**Site at Land To The Rear Of Arlington/ebrington Road, West Bromwich, B71  
1AD**

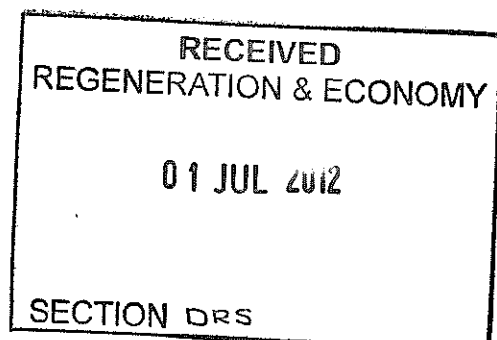
I enclose a copy of our Inspector's decision on the above appeal together with a copy of the decision on an application for an award of costs.

If you have queries or complaints about the decision or the way we handled the appeal, you should submit them using our "Feedback" webpage at [www.planningportal.gov.uk/planning/appeals/planninginspectorate/feedback](http://www.planningportal.gov.uk/planning/appeals/planninginspectorate/feedback). This page also contains information on our complaints procedures and the right of challenge to the High Court, the only method by which the decision can be reconsidered.

If you do not have internet access, or would prefer hard copies of our information on the right to challenge and our complaints procedure, please contact our Quality Assurance Unit on 0117 372 8252 or in writing to the address above.

Please note the Planning Inspectorate is not the administering body for High Court challenges. If you would like more information on the strictly enforced deadlines for challenging, or a copy of the forms for lodging a challenge, please contact the Administrative Court on 020 7947 6655.

You should also note that there is no statutory provision for a challenge to a decision on an application for an award of costs. The procedure is to make an application for judicial review. This must be done promptly. Please contact the Administrative Court for further information.



Yours sincerely

*Jackie Whitworth*

Jackie Whitworth

COVERDL2

*You can use the Internet to submit documents, to see information and to check the progress of this case through the Planning Portal. The address of our search page is -*

*<http://www.pcs.planningportal.gov.uk/pcsportal/casearch.asp>*

*You can access this case by putting the above reference number into the 'Case Ref' field of the 'Search' page and clicking on the search button*

# The Planning Inspectorate

## Award of appeal costs:

### Local Government Act 1972 – section 250(5)

#### How to apply for a detailed and independent assessment when the amount of an award of costs is disputed

This note is for general guidance only. If you are in any doubt about how to proceed in a particular case, you should seek professional advice.

If the parties cannot agree on the amount of costs to be recovered, either party can refer the disputed costs to a Costs Officer or Costs Judge for detailed assessment<sup>1</sup>. This is handled by:

The Senior Court Costs Office<sup>2</sup>  
Clifford's Inn  
Fetter Lane  
London EC4A 1DQ  
(Tel: 020 7947 7124).

But before this can happen you must arrange to have the costs award made what is called an order of the High Court<sup>3</sup>. This is done by writing to:

The Administrative Court Office  
Royal Courts of Justice  
Strand  
London WC2A 2LL

You should refer to section 250(5) of the Local Government Act 1972, and enclose the original of the order of the Secretary of State, or their Inspector, awarding costs. A prepaid return envelope should be enclosed. The High Court order will be returned with guidance about the next steps to be taken in the detailed assessment process.

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(updated)

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<sup>1</sup> The detailed assessment process is governed by Part 47 of the Civil Procedure Rules that came into effect on 26 April 1999. These rules are available online at [http://www.justice.gov.uk/civil/procrules\\_fin/menus/rules.htm](http://www.justice.gov.uk/civil/procrules_fin/menus/rules.htm)

You can buy these Rules from The Stationery Office bookshops or look at copies in your local library or council offices.

<sup>2</sup> Formally named the Supreme Court Costs Office

<sup>3</sup> Please note that no interest can be claimed on the costs claimed unless and until a High Court order has been made. Interest will only run from the date of that order.





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## Appeal Decision

Site visit made on 28 May 2012

**by Stuart Hall BA(Hons) DipTP FRTPI MCIHT**

an Inspector appointed by the Secretary of State for Communities and Local Government

**Decision date: 27 June 2012**

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**Appeal Ref: APP/G4620/A/11/2165538**

**Land to the rear of Arlington/Ebrington Road, West Bromwich, West Midlands B71 1AD**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
  - The appeal is made by Dr Beatrice Anderson against the decision of Sandwell Metropolitan Borough Council.
  - The application Ref DC/11/53351, dated 9 May 2011, was refused by notice dated 22 July 2011.
  - The development proposed is the erection of 2 No. single storey dwellings.
- 

### Application for Costs

1. An application for costs was made by the appellant against the Council. This application is the subject of a separate decision.

### Decision

2. The appeal is allowed and planning permission is granted for the erection of 2 No. single storey dwellings at land to the rear of Arlington/Ebrington Road, West Bromwich, West Midlands B71 1AD in accordance with the terms of the application, Ref DC/11/53351, dated 9 May 2011, subject to the conditions in the Schedule attached to this decision.

### Points of Clarification

3. At the site visit, a resident pointed out that the site boundary shown on submitted plans is at variance with the actual ownership boundary on a short length to the rear of 32 Arlington Road. Account is taken of this discrepancy, which is not material to the decision. Submissions include reference to the potential numbers of pedestrian visitors to a communal garden on the application site, notated on superseded plan 001 revision A as a wetland area for enhanced ecology and on replacement plan 001 revision B as a naturalistic garden. Notwithstanding those notations, the appeal application seeks permission for dwellings only, and landscaping remains reserved for the Council's later consideration. Therefore, those submissions do not bear directly on matters for determination in this appeal.

## Main Issues

4. The outline application includes matters of access and scale for determination at this stage. The Council does not raise objection to the principle of residential development of the appeal site, or to the scale of the proposal. Having regard to the Council's reasons for refusal and to the views of local residents, there are two main issues in this appeal. These are the effects of the proposed use of existing private access drives on the personal safety of users of the accesses, and its effects on the interests of highway safety.

## Reasons

5. The appeal site, surrounded by dwellings and their rear gardens, is at the centre of a roughly rectangular block of suburban residential development bounded to the west by Vicarage Road and on its other sides by Arlington Road and Ebrington Road. Anecdotal evidence is that it once contained lock-up garages and, until more recently, a number of mature trees. There are no significant trees now, and the site is now overgrown with nettles, brambles and similar vegetation. The site can be accessed from opposite directions via two narrow private drives, one from Arlington Road and one from Ebrington Road, each of which appears to enable access to the rears of up to eight dwellings. Whilst details of layout are not for determination now, submitted plans indicate that each proposed dwelling would have access to both drives. Details of access are considered on that basis.

### *Personal safety of access users*

6. There are two aspects to this issue. The first, and primary concern of the Council, is the site's practical accessibility to emergency services. It is common ground that the private drives off Arlington Road and Ebrington Road are respectively some 39 metres (m) and 37 m long, are no more than 2.9 m and 2.73 m wide, and have minimum pinch point widths of 2.47 m and 2.34 m, the latter measurements having been checked at the site visit. Both drives are too narrow to permit access by a fire appliance. However, *Manual for Streets* explains that a layout with otherwise inadequate access could be acceptable if buildings are equipped with sprinkler systems. The West Midlands Fire Service confirms that such systems would enable compliance with its standards, and a planning condition could require their installation.
7. Whilst it is not disputed that the drives and their openings to the highway are sufficiently wide to enable an ambulance to reach the site, each drive would be difficult to negotiate. Therefore, progress would be correspondingly slow. However, there is no evidence to suggest that the location is on the edge of the catchment of the nearest ambulance base. Accordingly, there is no reason to suppose that normally it would take longer for an ambulance to reach the proposed dwellings than is deemed an acceptable response time with regard to other dwellings served by that base. Another vehicle negotiating a drive could cause a brief obstruction. However, 11 of the dwellings with potential rear access have off-street frontage parking. Only three, all on Arlington Road, appear to make significant use of their drive. I conclude that the risk of obstruction is slight.
8. The second aspect concerns the safety of pedestrians, taking into account that Nos 32 and 34 Arlington Road have pedestrian access immediately to the rear

of their dwellings from the drive running between them. Whilst the drives are wide enough for cars, they are also narrow enough to require drivers to be cautious irrespective of the presence of people on foot. Visibility along the drives is unhindered, and both vehicle and pedestrian movements are likely to be infrequent. The risk of personal injury is slight, less than if all potential rear accesses were in use.

9. The drives have less width than the 3 m sought by the Council. Even so, though this is a commonly adopted yardstick, the justification for requiring 3 m at this site is unclear in the absence of a locally adopted policy explanation. It would not enable two vehicles to pass. Implications for emergency services are addressed above. A 3 m width would allow a car driver to pass a pedestrian, but the inability to do so would be an infrequent and minor inconvenience. The case for rigorous application of the standard is not compelling.
10. More than four properties sharing a private drive would be contrary to advice, albeit lacking reasoning, adopted in 2004 in *Residential Design*, the Council's Supplementary Planning Guidance. However, more recent guidance in *Manual for Streets* does not refer to private drive standards. Further, at Arlington Road one sprig appears to be little used, and is partially gated. The other, also gated, is used by three of the four properties it adjoins. At Ebrington Road, both sprigs are overgrown and the drive, gated close to the highway, appears to be largely disused. This relative lack of use is borne out by surveys submitted on behalf of the appellant. It seems unlikely that this will change, in view of the prevalence of frontage parking. Even if the scheme did result in more than four properties using either drive, personal safety would not be put at undue risk.

#### *Highway safety*

11. The block of dwellings around the site, and those facing across Arlington and Ebrington Roads, are designed so that almost all are potentially served by rear access drives. Whilst many occupiers may make little or no use of them, the large majority also have off-street frontage parking, which limits the need for residents to park on the highway. Except for short periods when the rear access to a primary school on Ebrington Road is used as a drop-off/pick-up point, it is unlikely that the two Roads are subject to serious congestion or abnormal risk to safety. Some 60 dwellings face the roads around the appeal site. Additional car movements would have no readily discernible effect on general traffic conditions in the area.
12. Delivery vehicles would probably not enter the site, but would have to wait in the highway. However, this applies to almost all the nearby dwellings. The much greater length of carry would cause longer waiting times, but their infrequency would not significantly increase the limited inconvenience, and possible risk, that occurs now. Whilst visibility at the exit onto Ebrington Road is restricted, the risk to highway safety is substantially mitigated by the likely low volume and slow speeds of passing vehicles. On-street parking has a greater adverse effect on visibility from many frontage parking areas, from several of which it is likely that cars are frequently reversed onto the highway. Reversing movements from the drives would be rare, as the low frequency of movements in them is unlikely to cause vehicle conflict. These points strongly suggest that increased activity arising from the scheme would not materially affect traffic conditions in close proximity to the access drives.

### *Conclusions on main issues*

13. Bearing the above points in mind, and taking full account of the petition of objection signed by some 90% of local households, the substantive evidence does not support withholding permission on the grounds that the Council's normal yardsticks are not met. That evidence leads me to conclude that the scheme would not have a materially adverse effect on the personal safety of access users or on the wider interests of highway safety. Rather, it would achieve the acceptable level of accessibility and safety required by Policy TRAN2 of the recently adopted *Black Country Core Strategy*, and in this respect would similarly comply with the thrust of earlier saved development plan policies related to highway safety.

### *Other matters*

14. Doubts as to whether the proposed development would prove to be financially viable are matters for the appellant and do not bear on the planning merits of the scheme. Refuse collection arrangements, whether with the Council or a private contractor, are likely to inconvenience future occupiers rather than other residents or the collection agency. Whilst some inconvenience and disturbance during construction works is likely, given that materials may well have to be unloaded from the highway, such adverse effects would be temporary and would not cause prolonged harm.
15. Concerns about security, should the gates across the Ebrington Road drive be removed, are acknowledged. However, residential occupation of the site would increase natural surveillance, and the site owner's right of access remains whether or not the appeal scheme is built. The limited permanent increased use of the drives is unlikely to cause undue disturbance to the fenced properties to each side. Whilst layout details are not for determination at this stage, illustrative plans demonstrate that a separation distance of some 40 m could be achieved between facing elevations of existing and new dwellings. This would ensure adequate privacy standards. The single storey scale of the proposed dwellings is acceptable in principle and would further help to safeguard the privacy of adjacent occupiers.

### *Overall conclusion*

16. Full account is taken of the force and extent of opposition to the appeal scheme from those living closest to the site, as it is of local representations in favour of the re-development of this allegedly previously developed but now derelict land. However, the concerns expressed regarding personal and highway safety, though supported by the Council following the Committee's visit to the site, are not borne out by the balance of substantive evidence. My conclusions on the main issues, based on that evidence, outweigh the sum of all other matters raised. Whilst policies in the recently published *National Planning Policy Framework* (NPPF) have also been considered, in light of the facts in this case the NPPF does not alter those conclusions. It follows that the appeal should succeed.

### *Conditions*

17. Regard is had to the conditions suggested by the Council in this event, in the light of advice in *Circular 11/95 The Use of Conditions in Planning Permissions*.

Though the Council lists "scale" among the matters to be reserved for future determination, approval to that aspect of the scheme is sought now and is granted by the terms of this decision. Details of external materials and landscaping relate to matters that are still reserved. Control over means of site enclosure will help to protect privacy, and provision of car parking prior to occupation will serve highway safety interests. A condition requiring installation of sprinkler systems in the dwellings is added, as proposed by the appellant. For the avoidance of doubt, and in the interests of the proper planning of the area, a further condition specifies the plans hereby approved.

*Stuart Hall*

#### INSPECTOR

#### Schedule of conditions

- 1) Details of the appearance, landscaping, and layout, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
- 3) The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.
- 4) The development hereby permitted shall be carried out in accordance with the following approved plans: drawing No 001 revision B so far as it relates to access, and drawing No 002 so far as it relates to scale.
- 5) Prior to the first occupation of each dwelling hereby permitted, that dwelling shall be fitted with a sprinkler system, details of which shall be first submitted to and approved in writing by the local planning authority.
- 6) Prior to the first occupation of any dwelling hereby permitted, all driveways, car parking areas and spaces for vehicles to turn so that they may leave the site in a forward gear shall be constructed in accordance with details which shall be first submitted to and approved in writing by the local planning authority.
- 7) Prior to the first occupation of any dwelling hereby permitted, all walls, fences and any other means of enclosure shall be erected in accordance with details which shall be first submitted to and approved in writing by the local planning authority.





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## Costs Decision

Site visit made on 28 May 2012

**by Stuart Hall BA(Hons) DipTP FRTPI MCIHT**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 27 June 2012

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**Costs application in relation to Appeal Ref: APP/G4620/A/11/2165538  
Land to the rear of Arlington/Ebrington Road, West Bromwich, West  
Midlands B71 1AD**

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
  - The application is made by Dr Beatrice Anderson for a full award of costs against Sandwell Metropolitan Borough Council.
  - The appeal was made against the refusal of outline planning permission for the erection of 2 No. single storey dwellings.
- 

### Decision

1. The application for an award of costs is allowed in part in the terms set out below.

### Reasons

2. Circular 03/2009 advises that, irrespective of the outcome of the appeal, costs may only be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.
  3. With reference to paragraph A3 of the Circular, the applicant was encouraged by pre-application discussions with some Council officers, and the Council's submission that no such discussions were held with those responsible for framing the recommendation is disputed. However, those discussions could not fetter the Council's decision or guarantee a favourable outcome. The fact that the decision was contrary to the pre-application advice is not in itself evidence of unreasonable behaviour. In relation to paragraph B29, nor is the submission that other schemes had been allowed with narrow accesses, as no two cases are identical and each stands to be determined on its individual merits.
  4. However, the first reason for refusal, that the scheme would involve more than four dwellings being served from private drives contrary to Supplementary Planning Guidance (SPG), is merely a statement of fact. It gives no indication of consequential harm. Whilst the SPG is a material consideration, it appears to offer no explanation as to why as a matter of principle no more than four dwellings should be permitted. It is also advisory, and lacks the status and commensurate weight of development plan policy.
-

5. In the face of the applicant's detailed survey of existing movements on the drives, which the Officers' report does not mention, the reason for refusal does not explain why strict adherence to the guidance is imperative in this case. The Council provides no appeal evidence to justify that adherence, relying only on its statement that it is Council policy, notwithstanding its acknowledgement that the guidance has not been universally applied. With regard to paragraphs A3 and B16 of the Circular, I conclude that this first reason for refusal does not stand up to scrutiny, and is not substantiated by evidence. Therefore, I further conclude that in these respects the Council acted unreasonably.
6. With reference to paragraph A22, the failure to inform Councillors of proposed refuse collection arrangements does not bear directly on the reasons for refusal and, therefore, on the need to appeal. The same is true of reference to an access width standard that is not formally adopted but which is commonly applied. The absence of reference to sprinkler systems does not relate to the Council's main concern, evident in the officers' report and the second reason for refusal, that access for ambulances would not be safe and convenient. Whether these and other alleged omissions amount to maladministration is not for determination here.
7. In relation to the second reason for refusal, though there are inconsistencies in the officers' report it is not the case that information demonstrating that an ambulance could access the site was ignored. Rather, the report states that the narrow access would "clearly result in the ambulance having to travel at very slow speeds". That is a reasoned conclusion and is not in dispute. Councillors visited the site before making their decision. Whilst neither party appears to have consulted the relevant authority, the facts available entitled the Council to form the opinion that such access would not be sufficiently safe and convenient, and to determine the weight to be attached to this conclusion.
8. The safety of future occupiers can be a material planning consideration. Therefore, lack of reference to a specific development plan policy in this reason for refusal does not undermine that entitlement. The reasoned basis for the objection, and its meaning, are clear. The reason is also consistent with the thrust of concerns expressed by the Council's highways adviser. Whilst the Council's stance does not prevail in the appeal decision, there is a respectable basis for it. I conclude that in relation to the second reason for refusal the Council did not behave unreasonably.
9. There is no substantive evidence of undue delay in the appeal process as a consequence of the Council's actions, and delay itself does not necessarily result in additional cost. The Council's inaction, in not attending the appeal site visit first arranged for 17 April 2012, did cause the applicant additional costs of attendance on the re-arranged date. However, there is no cause to doubt the Council's submission that non-attendance was accidental, arising from non-receipt of the notification, and was not unreasonably deliberate.
10. Omitting the first reason for refusal would not have removed the need to appeal. However, the need to address it has added to the cost of the process to the applicant. Therefore, to that limited extent I find that unreasonable behaviour resulting in unnecessary expense, as described in Circular 03/2009, has been demonstrated and that a partial award of costs is justified.

### **Costs Order**

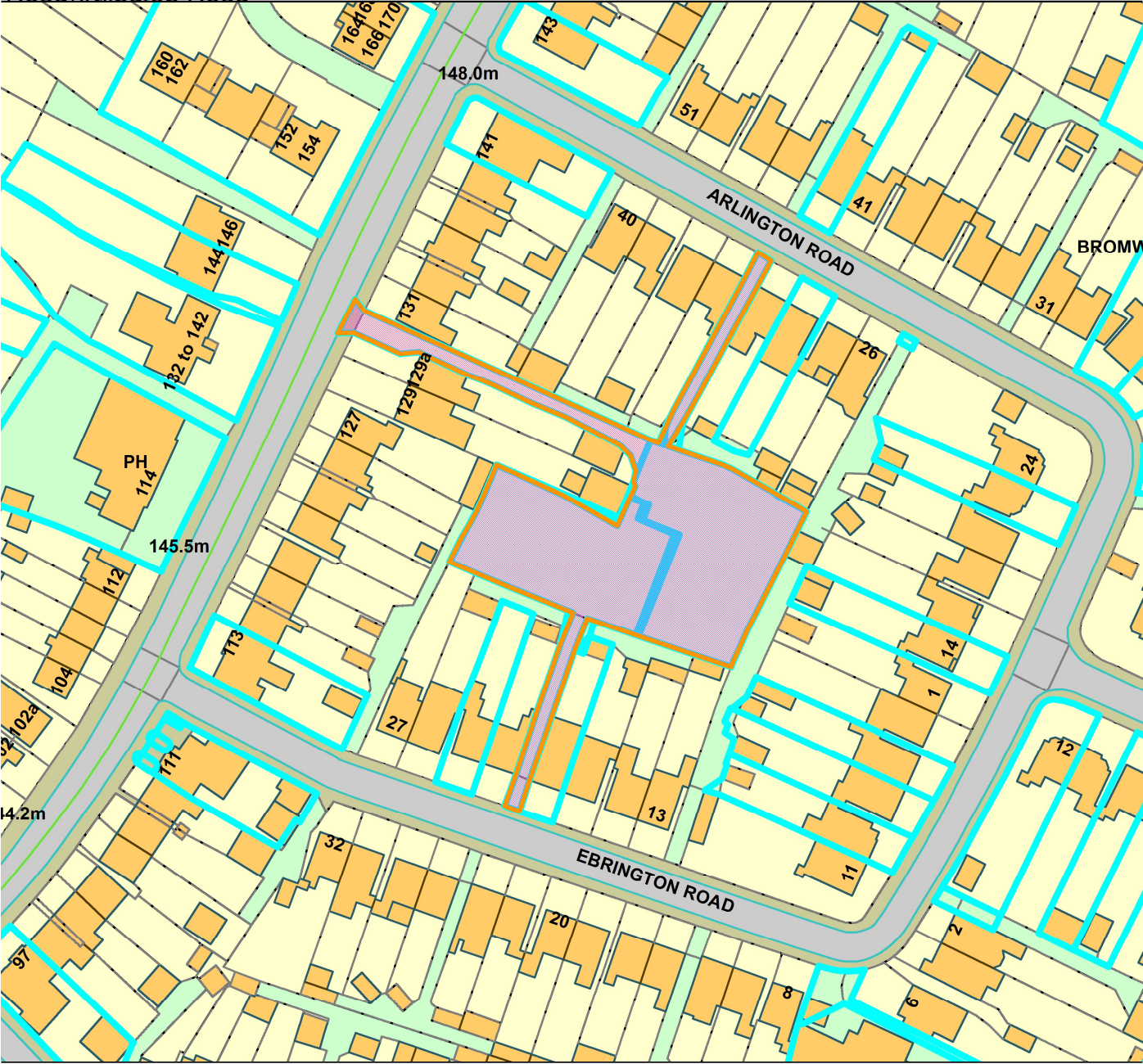
11. In exercise of the powers under section 250(5) of the Local Government Act 1972 and Schedule 6 of the Town and Country Planning Act 1990 as amended, and all other enabling powers in that behalf, IT IS HEREBY ORDERED that Sandwell Metropolitan Borough Council shall pay to Dr Beatrice Anderson, the costs of the appeal proceedings described in the heading of this decision limited to those costs incurred in addressing reason for refusal No. 1.
12. The applicant is now invited to submit to Sandwell Metropolitan Borough Council, to whom a copy of this decision has been sent, details of those costs with a view to reaching agreement as to the amount. In the event that the parties cannot agree on the amount, a copy of the guidance note on how to apply for a detailed assessment by the Senior Courts Costs Office is enclosed.

*Stuart Hall*

INSPECTOR



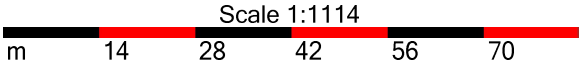
DC/21/65829  
Land To The Rear of Vicarage Road/Ebrington  
Road/Arlington Road



Legend

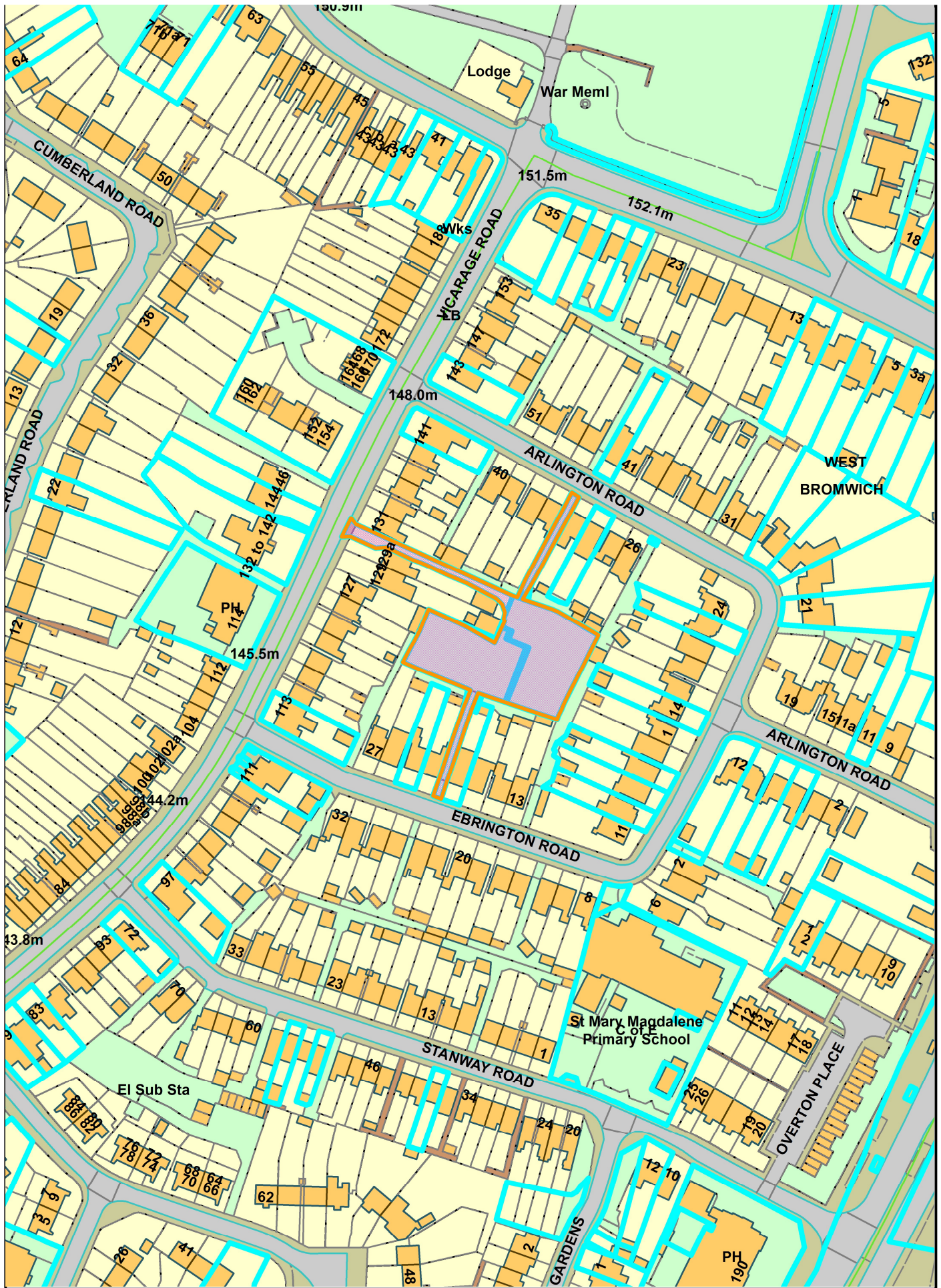
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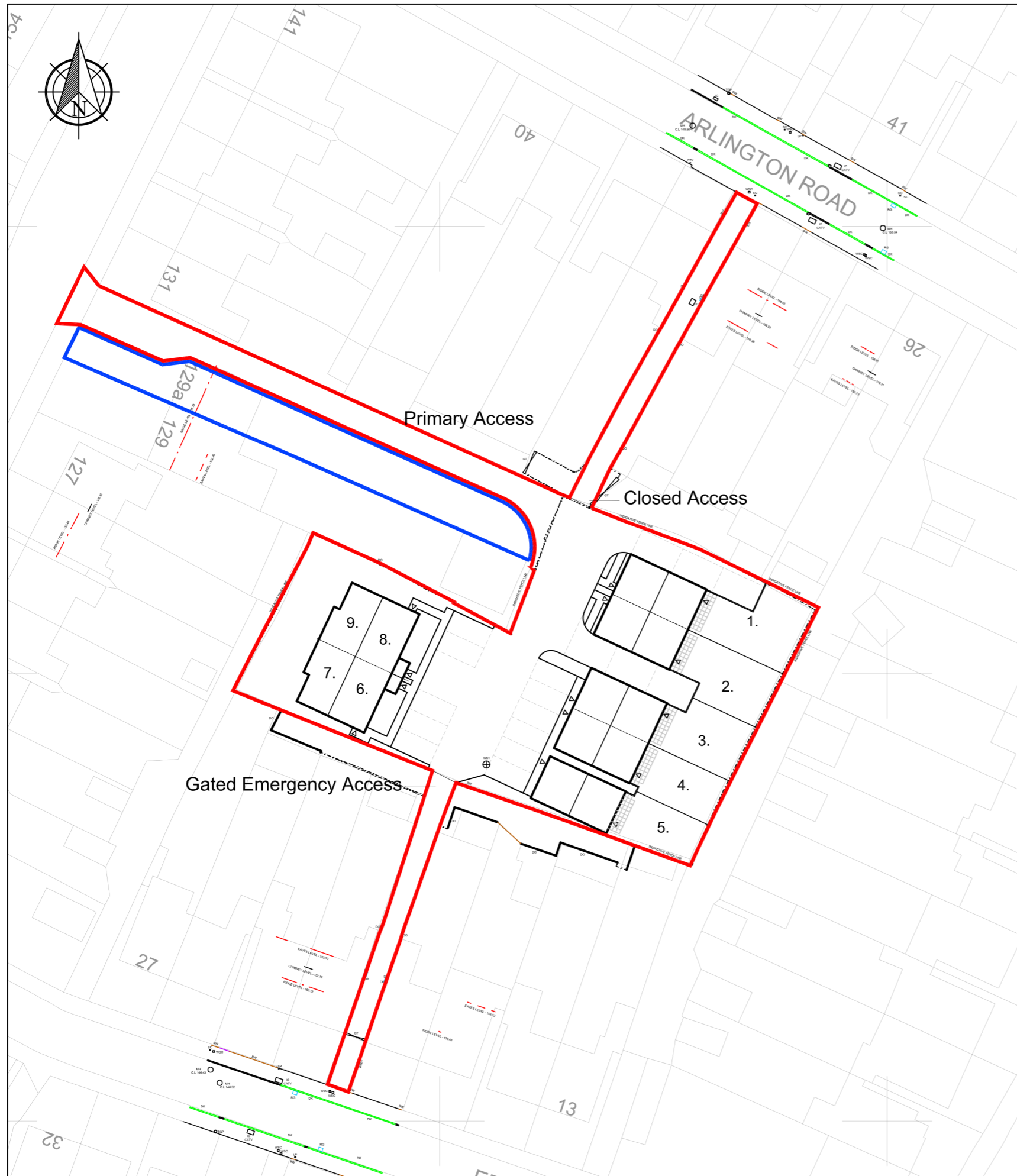
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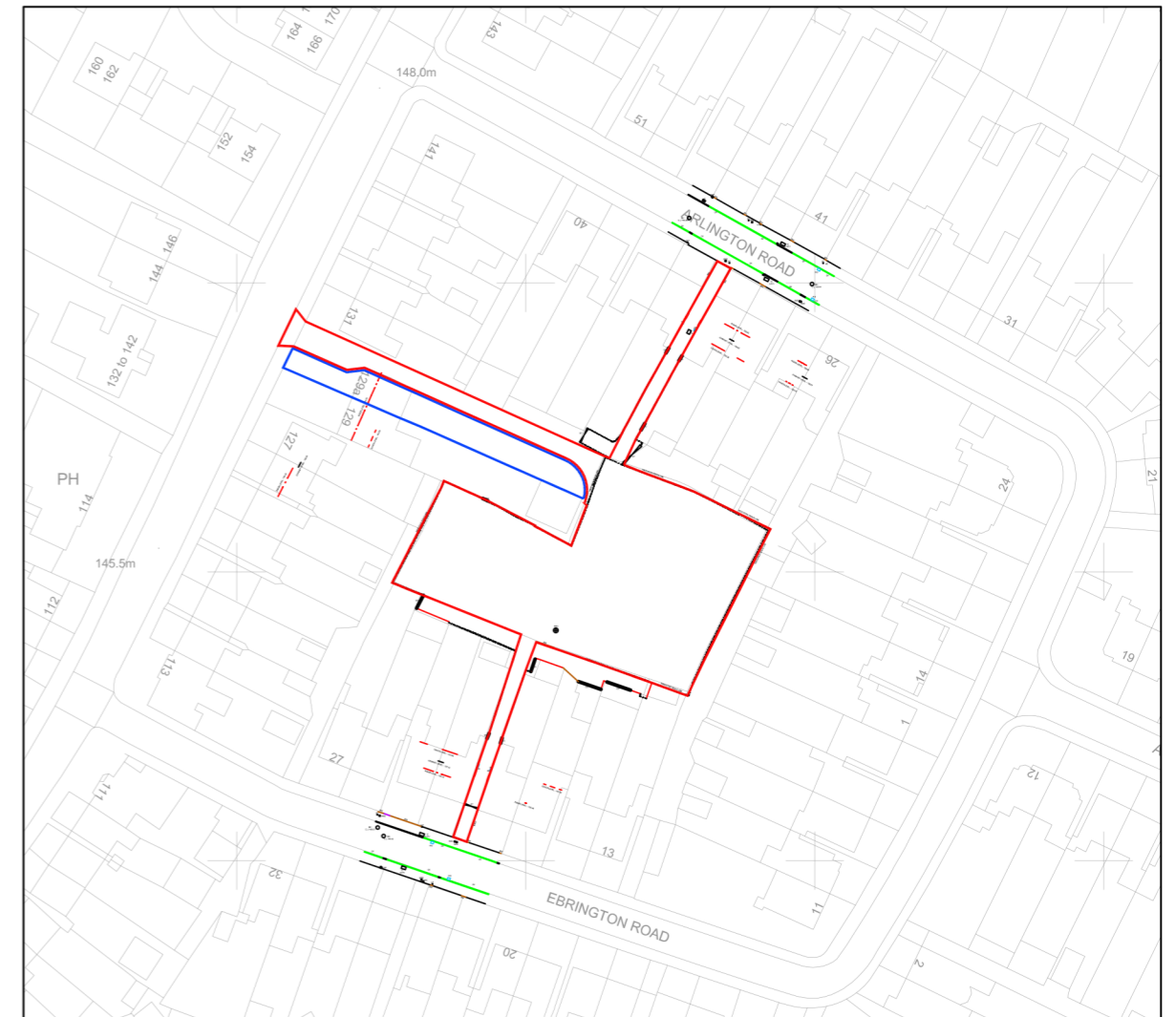
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Organisation	Not Set
Department	Not Set
Comments	Not Set
Date	23 September 2021
OS Licence No	





PROPOSED SITE PLAN @ 1:500



LOCATION PLAN @ 1:1250

REVISIONS		
D	10/05/21	Updated as per Client Request
C	10/04/19	Updated as per Client Request
B	21/03/19	Updated as per Client Request
A	11/03/19	Revised boundary

neil boddison associates ltd



architecture planning land

POOL HOUSE, 30 DAM STREET, LICHFIELD, WS13 6AA  
TEL: 01543 262444  
WEB: WWW.N-B-A.CO.UK

CLIENT:  
WINDYRIDGE PROPERTY LTD

PROJECT:  
LAND TO THE REAR OF 14 - 27 EBRINGTON RD  
WEST BROMWICH

DRAWING TITLE:  
LOCATION PLAN AND PROPOSED SITE PLAN

PRELIMINARY

SCALE AS NOTED	SHEET A3
DATE AUG 2018	DRAWN BY JAB

DRAWING.NO 30697 00	REV. D
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The contractor is to check and verify all site and building dimensions, levels and sewer invert levels prior to commencement of the works.

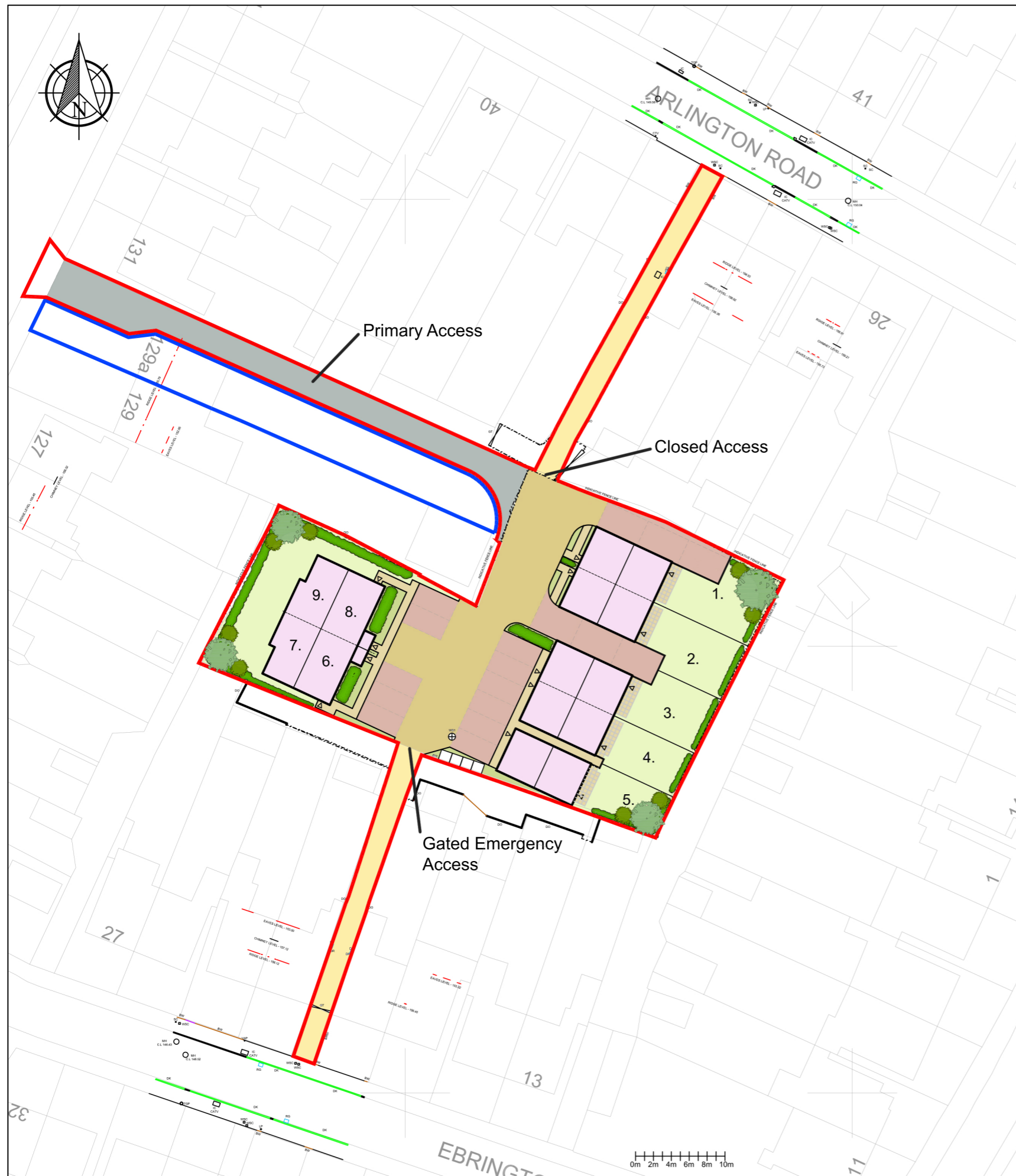
The contractor must comply in full with all current building legislation, such as British Standard Specifications, Building Regulations etc., whether or not specifically stated on this drawing.

This drawing is not intended to show foundation details, ground conditions or ground contamination. The contractor must investigate each area of land relied upon to support any structure - a suitable method of foundation should be provided to allow for existing ground conditions. Any suspect fluid ground, contaminants on or within the ground, should be further investigated by a suitable expert. Any earthwork constructions shown indicate typical slopes for guidance only and should be further investigated by a suitable expert.

Where existing trees are shown to be retained they should be subject to a full Arboricultural Inspection for safety.

All trees are to be planted so as to ensure they are a minimum of 5 metres from buildings and 3 metres from drainage and services. A suitable method of foundation is to be provided in order to accommodate the proposed tree planting.

This drawing and the building works depicted are the copyright of Neil Boddison Associates Ltd and may not be amended or reproduced without written permission. No liability will be accepted for amendments or alterations made by others.



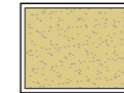
PROPOSED SITE PLAN @ 1:500

## KEY

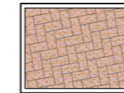
### HARD LANDSCAPE KEY



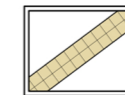
BUILDING



COLOURED BLOCK PAVING  
SURFACING TO ROAD  
Colour to suit adjacent hard  
surface areas e.g. buff



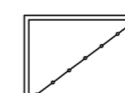
BLOCK PAVING TO FRONT



SLAB PAVING TO PATHS  
AND PATIOS



EXISTING PERMEABLE  
GRAVEL



FENCE



TARMAC

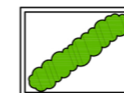
### SOFT LANDSCAPE KEY



HEAVY STANDARD TREES  
*Cupressusocyparis*  
*Laylandii*  
10-12cm girth  
5L Pot



SPECIMEN SHRUBS  
(300mm depth of topsoil)  
Species Supply Size Size  
*Hamamelis mollis* 600-800mm 10L  
*Viburnum x burkwoodii* 600-800mm 10L



PROPOSED HEDGEROW  
(300mm depth of topsoil)  
NATIVE HEDGE  
Planted at 450mm centres in a double staggered row.  
Rows to be 400mm apart.  
% Species Supply Size Age Root  
100% *Carpinus betulus* 600-800mm 1+1 OG



PROPOSED ORNAMENTAL PLANTING  
(300mm depth of topsoil)  
Species Supply Size Pot Size Spacing  
*Anemone x hybrida 'Honorine Jobert'* Strong Clump 2L 500mm c/s  
*Bergenia 'Silberlicht'* Strong Clump 2L 400mm c/s  
*Cornus alba 'Sibirica'* 600-800mm 3L 600mm c/s  
*Cornus stolonifera 'Kelsey'* 400-600mm 3L 450mm c/s  
*Geranium macrorrhizum 'Album'* Strong Clump 2L 400mm c/s  
*Helleborus orientalis* Strong Clump 2L 400mm c/s  
*Liriope muscari 'Big Blue'* Strong Clump 2L 400mm c/s  
*Lonicera pileata* 300-400mm 2L 500mm c/s  
*Pachysandara terminalis* 150-200mm 2L 400mm c/s  
*Persicaria affinis 'Darjeeling Red'* Strong Clump 2L 300mm c/s  
*Rosa 'Kent'* 300-400mm 3L 450mm c/s  
*Sarcococca hookeriana var. humilis* 200-300mm 2L 400mm c/s  
*Vinca minor 'Bowles Variety'* 200-300mm 2L 400mm c/s



PROPOSED MOWN GRASS TO FRONT OF PRIVATE PROPERTY  
(150mm depth of topsoil)



PROPOSED MOWN GRASS TO REAR OF PRIVATE PROPERTY  
(150mm depth of topsoil)



SITE BOUNDARY

The contractor is to check and verify all site and building dimensions, levels and sewer invert levels prior to commencement of the works.  
The contractor must comply in full with all current building legislation, such as British Standard Specifications, Building Regulations etc., whether or not specifically stated on this drawing.  
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Where existing trees are shown to be retained they should be subject to a full Arboricultural Inspection for safety.  
All trees are to be planted so as to ensure they are a minimum of 5 metres from buildings and 3 metres from drains and services. A suitable method of foundation is to be provided in order to accommodate the proposed tree planting.

### REVISIONS

B	24/04/19	Materials updated
A	10/04/19	Revised to match site plan

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architecture planning land

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DRAWING TITLE:  
LANDSCAPING PLAN

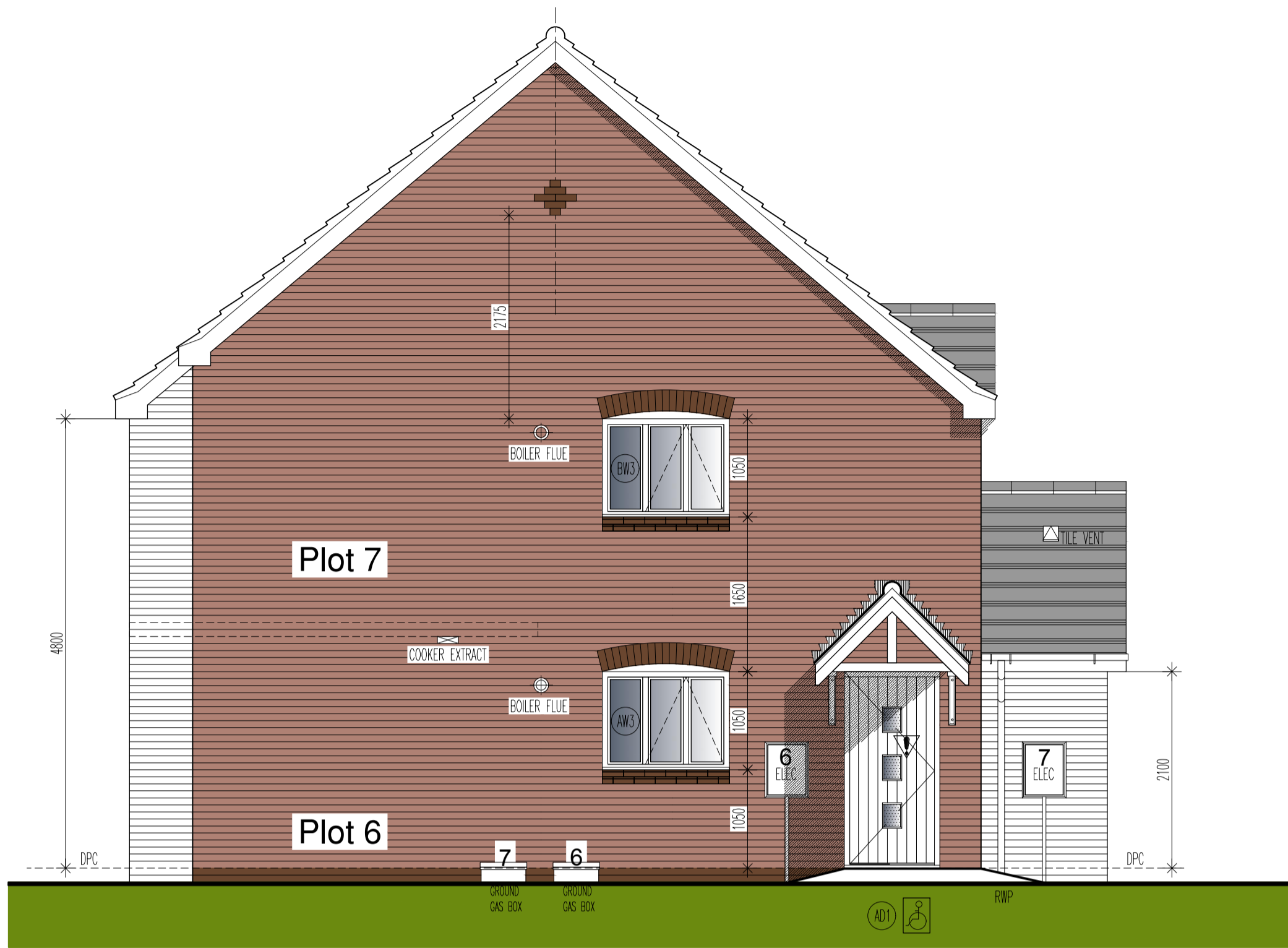
PRELIMINARY

SCALE AS NOTED	SHEET A3
DATE AUG 2018	DRAWN BY JAB

DRAWING NO 30697 01	REV. C
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PROPOSED RESIDENTIAL DEVELOPMENT TO REAR 14-27 EBRINGTON ROAD, WEST BROMWICH.



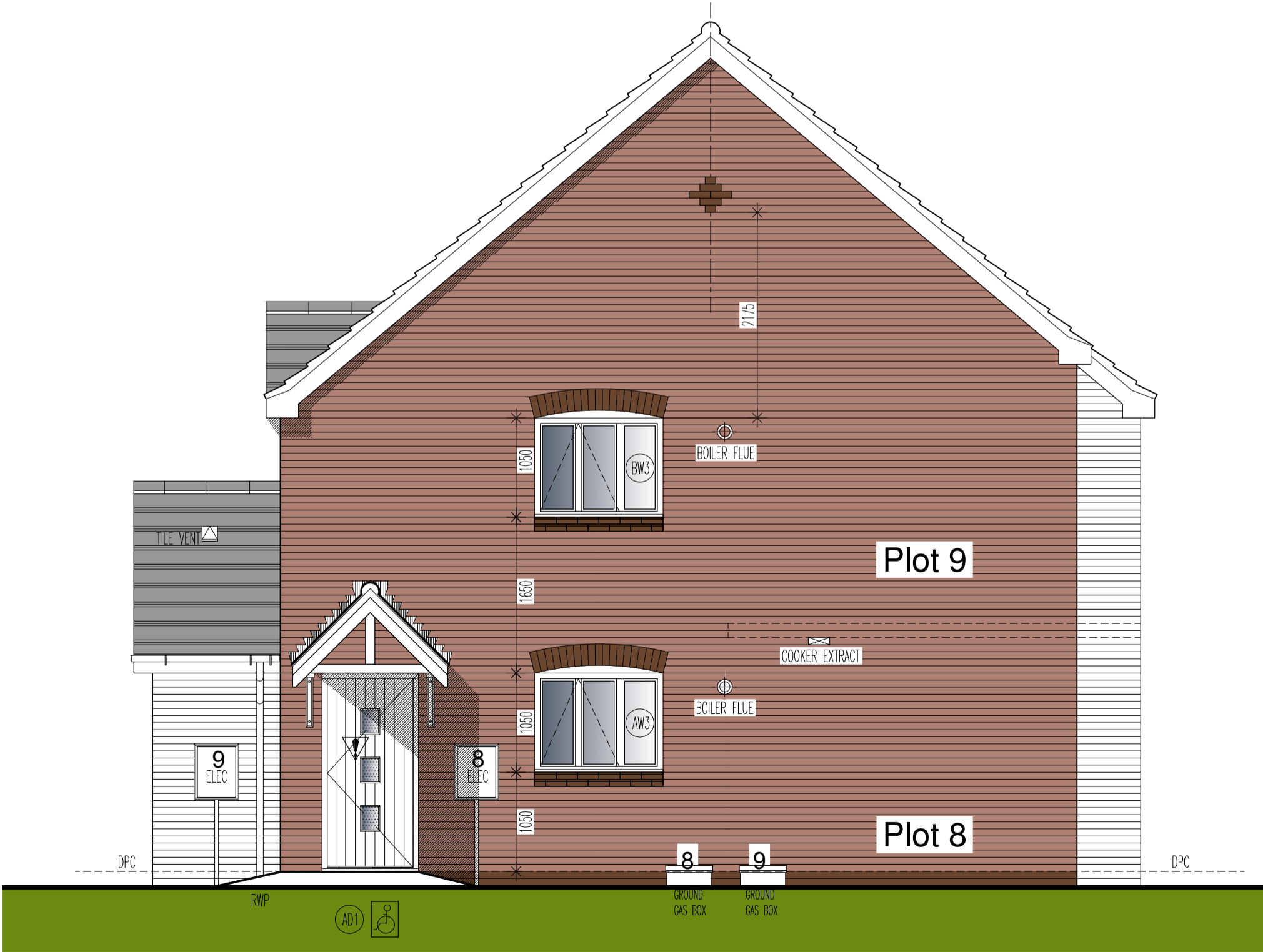
L.H. SIDE ELEVATION PLOTS 6 - 9



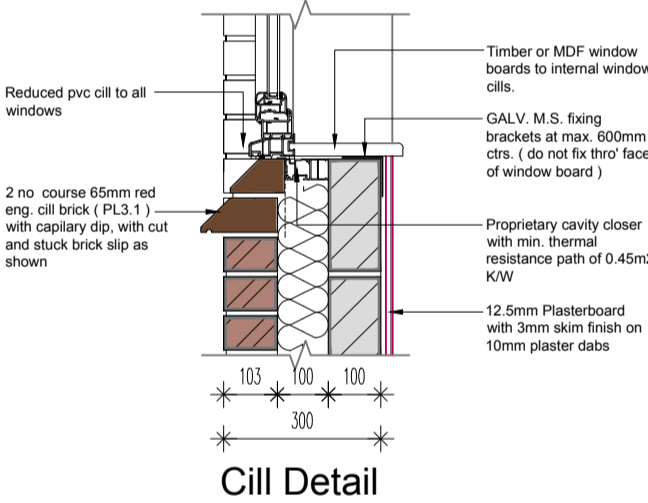
FRONT ELEVATION PLOTS 6 - 9



REAR ELEVATION PLOTS 6 - 9



R.H. SIDE ELEVATION PLOTS 6 - 9



- ▼ DENOTES WINDOWS / DOORS TO BE SUPPLIED AS TOUGHENED SAFETY GLASS.
- E\*E DENOTES ESCAPE EGRESS WINDOW. MIN 450x750mm CLEAR UNOBSTRUCTED
- Ⓟ PREFERRED LEVEL ACCESS LOCATION. MIN LANDING AREA OF 1.2 x 1.2M. MAXIMUM THRESHOLD UPSTAND OF 15mm
- Ⓜ-2 WINDOW / DOOR REFERENCE

The Green,  
Milford,  
Nr Stafford,  
Staffordshire.  
ST17 0UR  
Email : dovearchdesign@gmail.com  
Mobile : 07967 216955

Client: WINDYRIDGE PROPERTY LTD

Site: PROPOSED RESIDENTIAL DEVELOPMENT AT:-  
Rear 14-27 Ebrington Road,  
West Bromwich.  
B71 1AB

Plots 6-9  
ELEVATIONS

Scale: 1:50, Date: July 2021

Drg No.: 385/6-9/300 Rev:

Written dimensions to be taken only.  
Minor inaccuracies may occur due to printing processes.

"PLOTS 6 - 9"

Dove Architectural Design Limited  
Architectural & Building Design Consultants

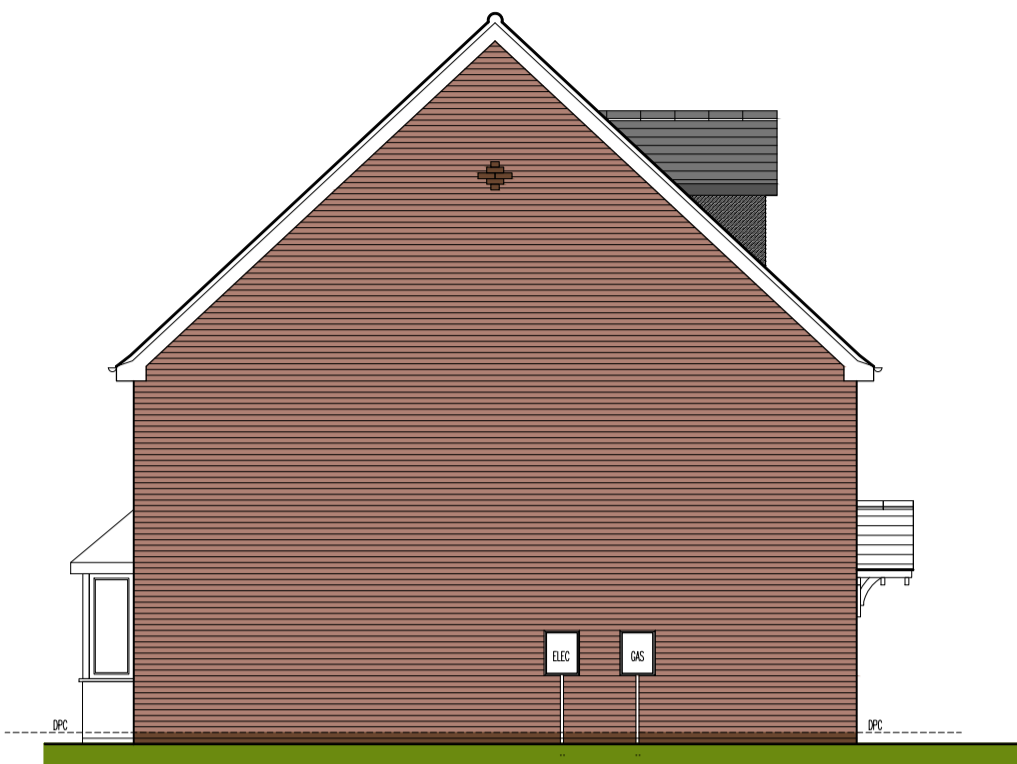


PROPOSED RESIDENTIAL DEVELOPMENT TO REAR 14-27 EBRINGTON ROAD, WEST BROMWICH.



Type A .(As) Type A .(Opp)

FRONT ELEVATION



Type A .(As)

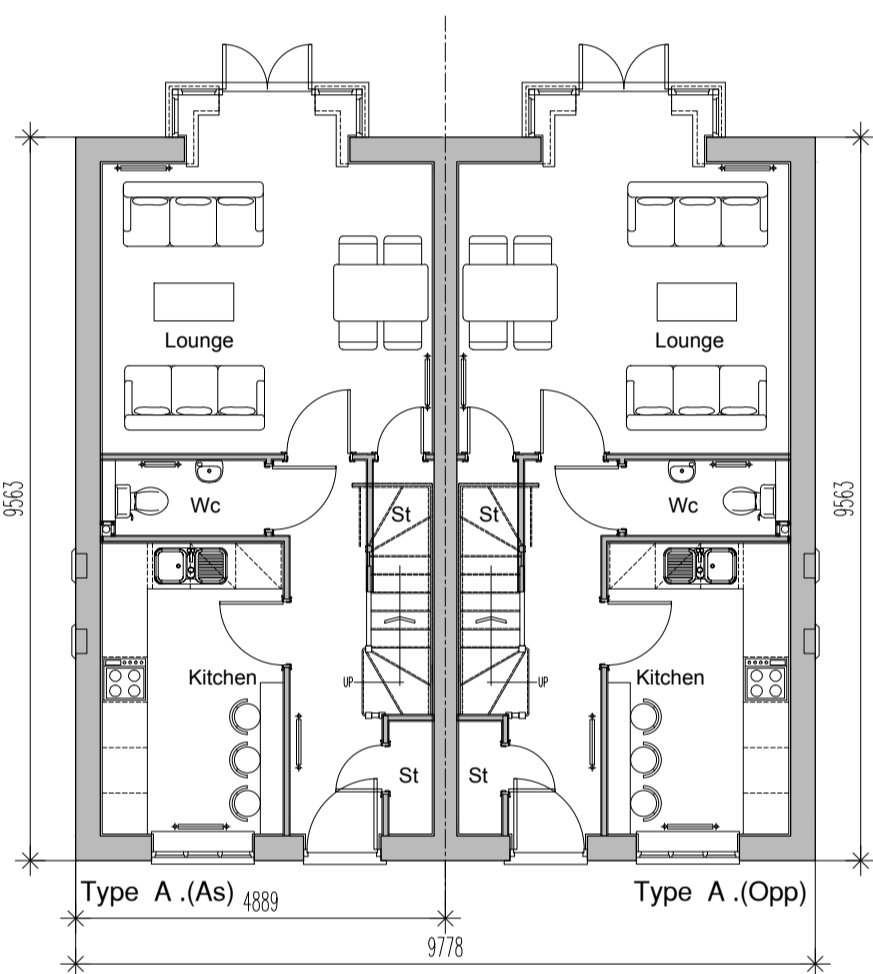
SIDE ELEVATION



Type A .(Opp)

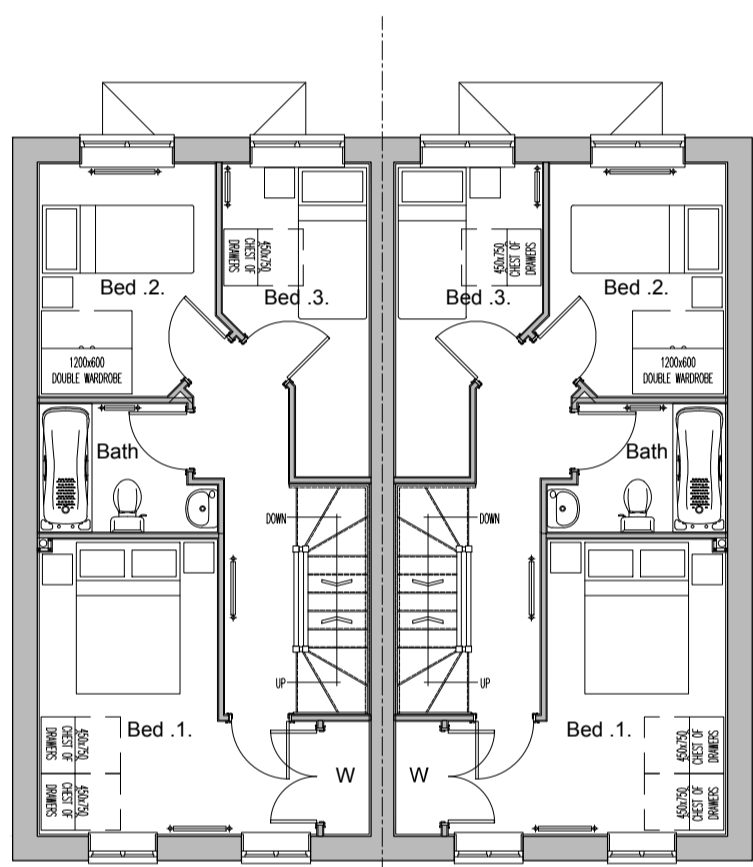
Type A .(As)

REAR ELEVATION



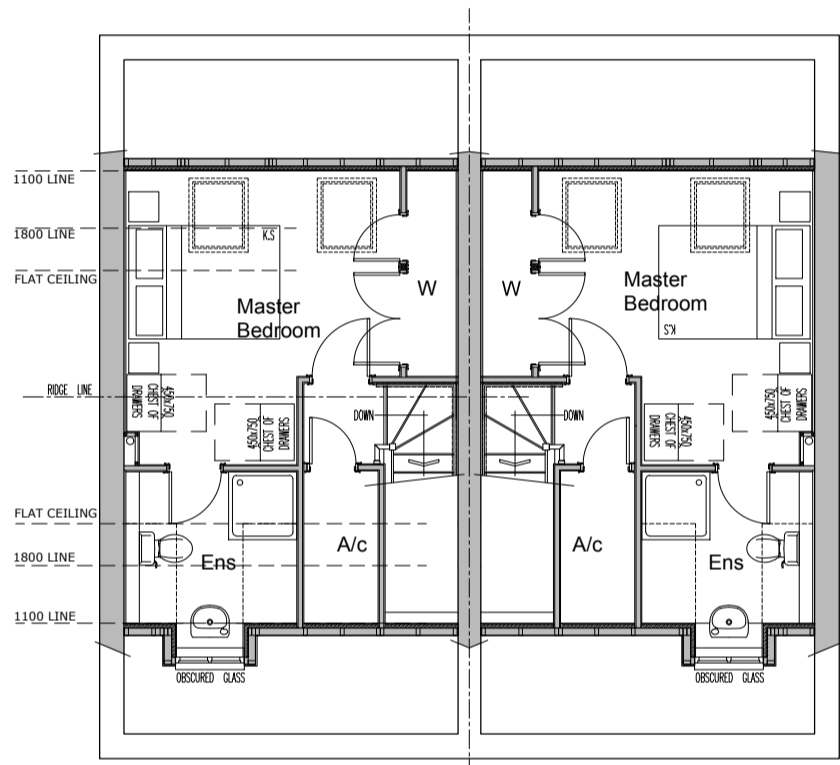
Type A .(As) 4889 Type A .(Opp)

GROUND FLOOR PLAN



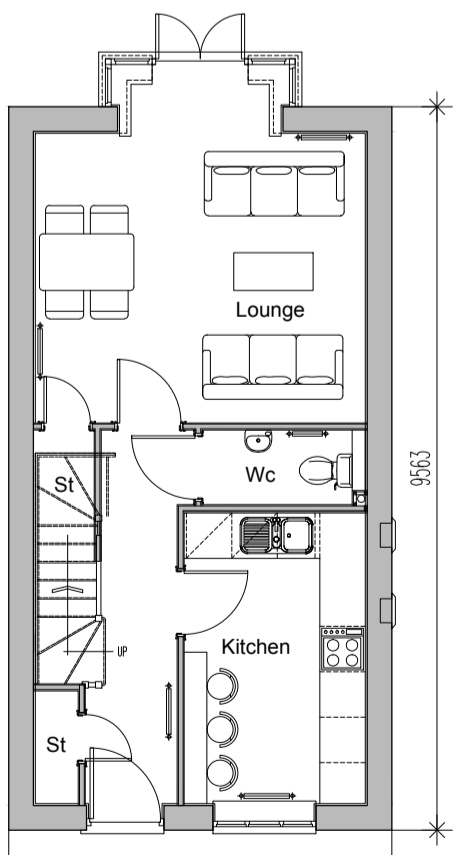
Type A .(As) Type A .(Opp)

FIRST FLOOR PLAN



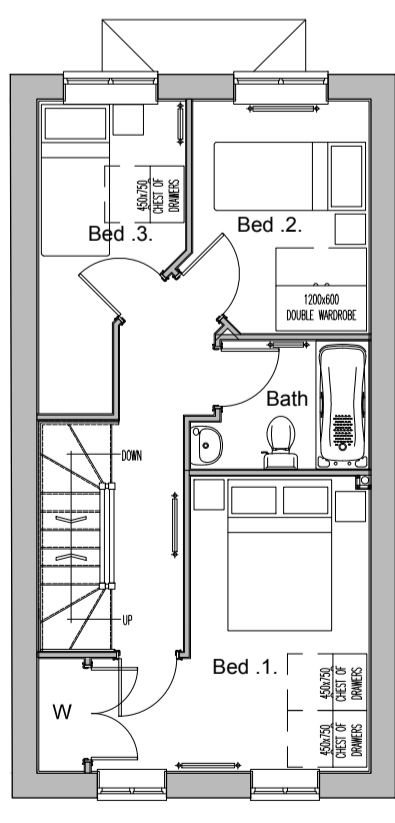
Type A .(As) Type A .(Opp)

SECOND FLOOR PLAN



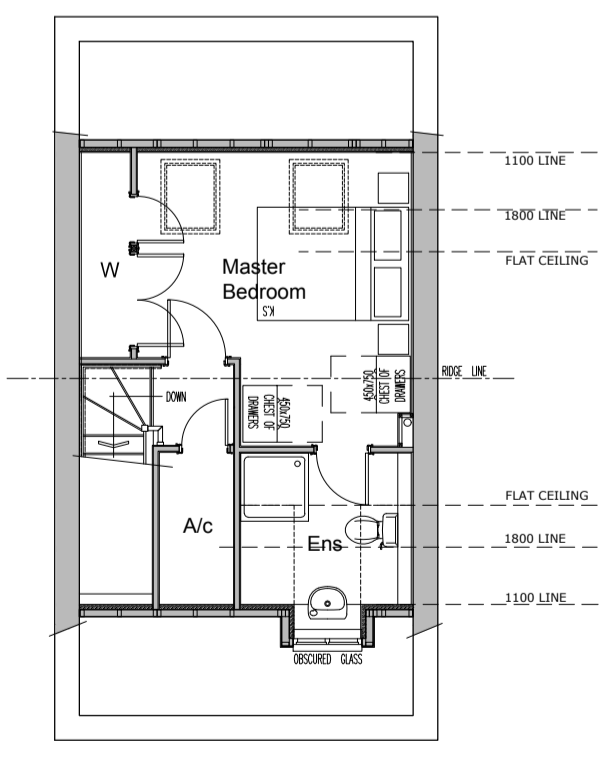
Type B .(As) 5064

GROUND FLOOR PLAN



Type B .(As)

FIRST FLOOR PLAN



Type B .(As)

SECOND FLOOR PLAN



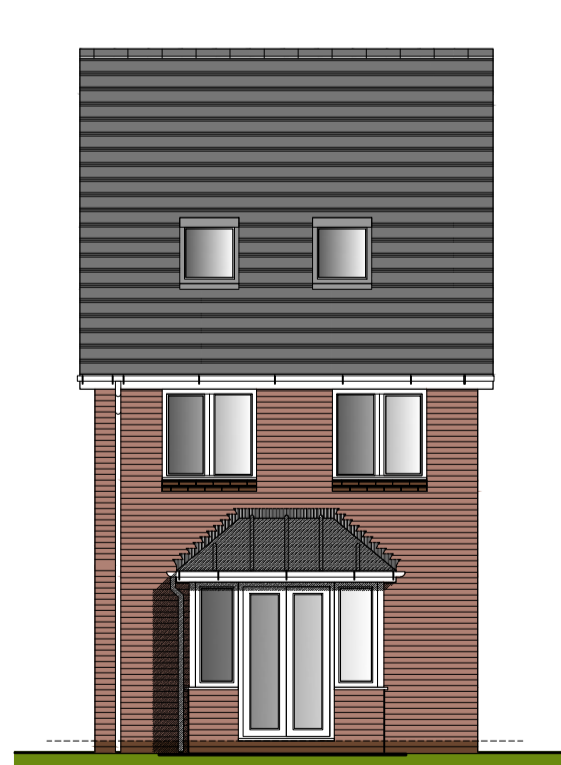
Type B .(As)

FRONT ELEVATION



Type B .(As)

SIDE ELEVATION



Type B .(As)

REAR ELEVATION

PLANNING

Rev	Amendment	Date
1	The Green, Milford, Nr Stafford, Staffordshire. ST17 0UR Email : dovearchdesign@gmail.com Mobile : 07967 216955	
Client:	WINDYRIDGE PROPERTY LTD	
Site:	PROPOSED RESIDENTIAL DEVELOPMENT AT:- Rear 14-27 Ebrington Road, West Bromwich. B71 1AB	
Title:	HOUSE TYPE PLANNING DETAILS	
Scale:	1:500	Date: July 2021
Dwg No.:	385/P/01	Rev:
Written dimensions to be taken only. Do not scale from drawing. Minor inaccuracies may occur due to printing processes.		

PRINT TO FIT  
A1

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Architectural Design Limited  
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