

**Committee:** 5th November 2003    **Ward:** Tipton Green  
DC/03/41020

<b>Selbourne Homes</b> 74a Worcester Road Hagley DY9 ONJ	<b>Erection of 33 no. houses together with associated road and sewer works.</b> Land At Newcomen Drive/ Off Conygree Road Tipton West Midlands
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**Date Valid Application Received** 16th June 2003

**1. Recommendations**

Subject to the receipt of satisfactory amended plans and additional information, APPROVAL subject to:-

- (i) Satisfactory external materials, boundary treatment, landscaping, surfacing, levels and street lighting;
- (ii) A ground investigation and remediation report;
- (iii) The fitting of an approved sprinkler system in each house
- (iv) The surfacing, lighting and maintenance of the pedestrian route from Conygree Road;
- (v) A 2m high acoustic fence being erected along the southern boundary of the site and acoustically rated trickle vents being provided to call all first floor habitable rooms adjacent to that boundary.

**2. Observations**

The processing of this application has been delayed at the applicants request while they held discussions with an adjoining landowner.

Earlier this year planning permission (ref DC/02/39284) was granted for the residential development of a 0.9 hectares sports field. This new application is for a revised layout.

The application site is within a mainly residential area but is bounded to the south by large industrial buildings on the Conygree

Industrial Estate. It is currently accessed from Coneygree Road (to the east) via an unsurfaced drive that also provides rear access to Nos 44-64. However, the vehicular access to the approved development is via a continuation of Newcomen Drive which currently extends up to the western boundary of the site. The Coneygree Road access is retained as a pedestrian access and an emergency access for firefighters.

This is an application for full planning permissions for the erection of 33 two-storey dwellings and associated roads and sewers. In the northern half of the site there will be 16 four-bed detached dwellings, and 17 three-bed terraced units are proposed to the south. The detached dwellings will have their own garages whereas the terraced houses will have 2 forecourt parking spaces each.

The application has been publicised by site notice, press notice and neighbour notification letters. Five letters of objection have been received, the main areas of concern being:-

- a) loss of privacy due to the difference in levels between the application site and existing properties in Newcomen Drive;
- b) increased traffic in Newcomen Drive; and
- c) nuisance caused by the pedestrian entrance to the site from Coneygree Road.

The consultation responses received have been as follows:-

- i. Severn Trent Water – no objection subject to satisfactory drainage and no development within 2.5m of the public sewer which crosses the site;
- ii. Sport England – no objection subject to the compensatory measures for the loss of the sports field agreed in the earlier approval being implemented in respect of this application;
- iii. The Wildlife Trust – the application should fully comply with the requirements of Planning Policy Guidance note 17 (Planning for Open Space, Sport and recreation);
- iv. West Midlands Fire Service – no objection subject to the provision of the pedestrian route (from Coneygree Road)

for firefighters and to a domestic sprinkler system being provided in each house;

- v. The Head of Highways Direct - no objection subject to minor alterations to the road layout;
- vi. The Head of Environmental Health and Trading Standards - no objection subject to a ground contamination survey, site investigations, risk assessment and remediation report; and
- vii. The Architectural Liaison Officer (West Midlands Police) – alterations to rear access paths are necessary to deter crime.

The site is allocated for residential purposes in the Adopted Unitary Development Plan and in the UDP Review. The acceptability of residential development was even more clearly established by the granting of planning permission earlier this year. The layout of the proposed development is virtually identical to the earlier approved version with the exception that there will be one extra dwelling in the south west corner. I do not consider that this change has any implications for residential amenity, highway safety or convenience. The design and appearance of the dwellings are acceptable and the proposal is therefore considered to be satisfactory subject to the same conditions as those imposed on the earlier approval.

In the earlier application, in order to comply with Council UDP policy on open space/play space, the applicants entered into a Section 106 Agreement to provide extra changing facilities at Coneygree Community Centre and to pay a commuted sum towards improvements to the existing pitches at Victoria Park. There is no need for an additional agreement in respect of this application.

In addition to the changes requested by the Architectural Liaison Officer and the Head of Highways Direct, I have asked the applicants to provide further information regarding the proposed ground levels adjacent to the northern boundary of the site with 3-17 odds Newcomen Drive. I will update members verbally on any amended plans received.

### **3. Relevant History**

None relevant.

#### 4. **Central Government Guidance**

Planning Policy Guidance Notes 3 (Housing), 17 (Planning for Open Space, Sport and Recreation) and 24 (Planning and Noise).

#### 5. **Unitary Development Plan Policy**

**Policy RL6 Sports Pitches** The Council will endeavour to safeguard the current provision of sports pitches by resisting their redevelopment, unless the facilities are to be provided elsewhere in the Borough.

**Policy OS7. SPORTS FACILITIES** Proposals for development that would involve the loss of existing sports pitches or facilities will not normally be permitted, unless in accordance with allocations made in this plan. In exceptional circumstances, such proposals may be allowed, where there would be a net gain in benefit to the community through the benefits of the proposed development and through compensatory measures, which must be: the provision of alternative facilities of at least equivalent community benefit near to the development; or the enhancement of existing nearby facilities, subject to the level of enhancement being of at least equal community benefit.

**Policy H4 Amenity of New Housing** Major new housing developments will be required to incorporate appropriate levels of open space, including children's play areas. Developers will be required to carry out landscaping schemes on all new developments. When determining planning applications for new housing development, careful consideration will be given to ensuring that the scheme has full regard to the amenities needed by future residents, to the appearance and materials used for the dwellings and the creation of places of character and identity. New housing development will be expected to have close regard to natural features and where possible to provide new habitats for wildlife. Consideration will be given to local demand for other supporting facilities e.g. community centres as part of development proposals.

**Policy RL3 Level of Provision of Public Open Space**The Council will work towards the provision of at least 2 hectares of public open space per 1000 persons in all districts of the Borough. Priority will be given to providing open space in areas of the Borough currently below this level. Action will be taken to improve existing open space in areas where the provision is of poor quality. The Council will expect that within new developments additional public open space will be provided by developers based on the above criteria. In certain instances consideration will be given to improving the quality of existing open space rather than providing additional land.

**Policy RL4 Hierarchy of Public Open Space**Within the overall provision of public open space: i) at least 1 hectare of community open space will be provided within reasonable walking distance, taken to be about 0.4 kilometres, of any dwellings; ii) the Council will encourage, especially in new family housing developments, and where possible, in existing developments, the provision of toddler play areas at a minimum ratio of 50 sq metres for every 25 dwellings; iii) consideration should be given to the need for public open space in employment and shopping areas.

**Policy E7 Environmental Considerations**Proposals for industrial development that are likely to have an adverse effect on neighbouring uses will not normally be permitted. Equally, proposals that may adversely affect industry operating in appropriate locations will not be permitted. Where existing industry operates within residential areas the Council will seek to ensure that any harmful effects are mitigated through discussions with industrial operators. If necessary, the Council will consider the enforcement of appropriate regulations or other means to reduce the problems. Where possible the Council will offer grant assistance and encourage applications for grant assistance from other sources, such as European Community funds. Relocation of industrial uses will be considered in certain circumstances. New industrial development will be expected to have close regard to natural features and where possible to provide new habitats for wildlife. The use of buffer zones will be encouraged to separate certain industrial areas from adjoining sensitive uses.

## **6. Contact Officer**

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# Location Plan

DC/03/41020



GIS by ESRI (UK)



Scale : 1:1250

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Organisation	Sandwell MBC
Department	Development Control
Comments	Land at Newcomen Drive, Tipton
Date	30 June 2003
SLA Number	Not Set

Ret	House	Type	Sq Ft.	No.
Sh	Shaftebury	1483	1	
Sk	Selkirk	1337	4	
Sb	Shelburne	833	11	
Rk	Ruskin	1024	3	
Cr	Cranmore	1193	6	
Jm	Jesmond	1202	2	
As	Asquith	716	6	
Total		32,924	No	33

Existing Residential Development

