

# PLANNING APPLICATION NUMBER:P21/2117

Type of approval sought	Full Planning Permission
Ward	Halesowen South
Agent	Michael Cooray
Case Officer	Jenny North
Location:	<b>220, SPIES LANE, HALESOWEN, B62 9SW</b>
Proposal	<b>DEMOLITION OF EXISTING BUNGALOW &amp; GARAGE AND ERECTION OF 1 NO. DORMER BUNGALOW, AND 3 NO. BUNGALOWS AND ASSOCIATED WORKS</b>
Recommendation Summary:	<b>APPROVE SUBJECT TO NO OBJECTIONS</b>

## SITE AND SURROUNDINGS

1. The application relates to No. 220 Spies Lane and land to the rear. It is understood that land has been purchased from adjacent gardens to create an inverted 'L' shape plot which abuts the rear gardens of dwellings in Spies Lane, Lockington Croft and Goodrest Avenue.
2. The application site fronts onto the heavily trafficked Spies Lane (B4043). It is located within an established residential area.
3. The site contains 220 Spies Lane, a detached 1960's dormer bungalow. An associated detached garage, which is set over 25m to the rear of the property adjacent to the rear boundary of 37 Lockington Croft and is accessed via a hard surfaced driveway. The remainder of the site is mostly vegetated.

## PROPOSAL

4. The application seeks permission for the residential development of 4 No. dwellings plus associated works. It comprises:

- The demolition of 220 Spies Lane and its replacement with a narrower, three bedroomed dormer bungalow (Plot A);
  - A detached bungalow close to the eastern boundary. Its curtilage would abut the rear gardens of Nos 39 and 41 Lockington Croft and Nos 11 and 12 Goodrest Avenue (Plot C);
  - A pair of semi-detached bungalows on the extreme southern part of the site adjacent to the rear gardens of Nos 212, 214 and 216 Spies Lane and Nos 8,9 and 10 Goodrest Avenue (Plots D1 and D2)
5. It is important to note that there was previously a Plot B, but this has been removed from this application. The area of land upon which it was proposed to be located is indicated as an area of hard standing for vehicles to turn such that they enter and leave the site in a forward gear.
6. Since the application was first submitted all of the plots have been redesigned to reduce the impact upon adjacent neighbours/improve design. The parking layout has also been amended.
7. The application is supported by a Design and Access Statement.

## HISTORY

8. Relevant history

<b>APPLICATION No.</b>	<b>PROPOSAL</b>	<b>DECISION</b>	<b>DATE</b>
HB/63/180	A bungalow	Approved with conditions	11/06/1963
P07/1774	Demolition of existing dwelling and erection of 3 No. 2 bedroom dormer bungalows	Refused	02/11/2007
P08/0328	Demolition of existing dwelling and erection of 2 No. two bedroom detached bungalows with associated access and parking (resubmission of refused application P07/1774)	Refused	18/04/2008
P19/1734	Demolition of existing bungalow & garage. Erection of 2 no. bungalows, 2 no. dormer bungalows and 4 no. garages with 1 no. flat above and associated works.	Withdrawn	22/03/2020
P20/1396	Demolition of existing bungalow & garage. Erection of 1 no. bungalow, 2 no. dormer bungalows and 3 no. garages with 1 no. flat above and associated works	Refused Dismissed at Appeal	11/12/2020 01/06/2021

	(resubmission of withdrawn application P19/1734)		
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## PUBLIC CONSULTATION

9. When first submitted, letters were sent to thirty neighbouring properties. Neighbours have been re-consulted on the amended scheme. Fifteen letters of objection (two from one property and one containing a petition with 20 signatures) were received to the initial scheme as submitted and are summarised below:

### Principle

- It contravenes the 'New Housing Development SPD' (2013) as inappropriate garden grabbing/backland
- The Planning Inspectorate's conclusion that the site is in a suitable location for development hinges on the interpretation of Policy L1 (DBDS) in the context of previously developed land. The definition of pdl in the NPPF excludes land such as residential gardens and allotments in built up areas. The Inspector's interpretation is contestable.
- Continuous number of applications on the site with repeat objections
- The development would not be reflective of the surrounding settlement pattern. It would result in an incongruous form of development and the intensity, design and appearance is too much for a small area and will fail to improve the character and quality of the area
- The development would not be in keeping with its surroundings
- There is a surplus of brownfield sites in the Black Country

### Access/Parking/Highway Safety

- Very dangerous access point for ingress and egress of vehicles.
- Entrance too narrow to allow safe entrance, passage of pedestrians and steep driveway into the site
- Large emergency vehicles, delivery vehicles etc would struggle to gain access and manoeuvre within the site. It is noted that access for emergency vehicles was raised by the Planning Inspector for the previous application

- Intensification of access close to a well-used bus stop close to a bend.
- Numerous accidents and fatalities in Spies Lane and accidents in close proximity to this site – the Design and Access Statement does not accurately reflect this. An adequate and independent road safety audit needs to be conducted
- Question whether visibility splay is adequate for pedestrian safety
- Visitors, delivery drivers and trades people will park close to Plot D rather than Spies Lane. This would block the access road and turning area preventing access for emergency vehicles and vehicle turning
- Visitors to plots D may park on the access road
- The garage at plot D1 is too small and therefore would not qualify as a parking space leaving that property with a need to find an additional space. The garage at Plot D2 may also be too small.
- Garages are today used more for storage, or they can be converted into living space. This will place more parking requirement onto the access road.
- No pavement through the site
- Is the access drive wide enough?
- On-street parking on Spies Lane associated with staff and visitors to Allenbrook Nursing Home/ Insufficient parking leading to parking along Spies Lane
- It is dangerous to gain access to driveways due to the speed of vehicles on Spies Lane and parked cars
- Refuse trucks reversing onto the site – is this viable from a very busy main road?
- Question access for disabled people on scooters and in wheelchairs

### **Amenity Issues**

- Loss of privacy/overlooking
- Dormer windows can overlook
- Overdevelopment of the site
- Overbearing appearance/loss of light close to boundary
- Detrimental impact on health and wellbeing
- Security concerns. Currently no public access to the rear of properties but the new road through the site will create public access
- The claim that natural surveillance and security will be improved is nonsense
- Obscure glazing could be converted to clear glass.

- Obscure glazing provides poor living conditions for the occupants of the dwelling
- Increased noise pollution introduced to the residential area. It will adversely affect the elderly and people working from home
- Light pollution
- Refuse collection strategy flawed as it depends upon a caretaker. The collection point is quite a distance from the units
- Plot D will lead to high fences and trees planted to create privacy thus negatively impacting on future residents

### **Environmental**

- Impact on wildlife
- Trees have been removed from the site
- Loss of a natural rainwater store
- It would fail to improve the economic, social and environmental conditions of the area
- Drainage impact

### **Other matters raised which are not directly planning related:**

- Continuous submission of applications.
- The acquired parcels of land that comprise the site were purchased for environmental purposes to create an orchard.
- A number of alternative uses are proposed for the site
- Noise disruption from construction traffic particularly for elderly residents and home workers
- Pollution/dust during construction
- Possible road closure, diversions, temporary movement of bus stop during construction
- Only one access point for demolition and construction – impact on adjacent residents during construction
- Damage to adjacent properties and infrastructure
- Devalue properties
- Attract youths congregating/playing on site during construction
- Security risk during construction

10. Following re-consultation on the amended plans, at the time of writing the report No. 14 objections had been received from neighbours to the amended scheme and two letters of support. Any further objections/support will be reported to Members in the pre-committee notes. In making further objections, some objectors attached their original objection letter to the first scheme reiterating their concerns. The points raised in new letters specifically to the amended scheme by objectors are summarised below:

**Principle**

- The site is not suitable for development
- The Planning Inspectorate's conclusion is contestable. The land has been extended by purchasing land from several adjacent houses.
- The reason given for developing the land is that it cannot be maintained. It could however be maintained using a landscape gardener rather than demolishing a perfectly good bungalow
- The land could be used for community uses, to help organisations helping residents with special needs, help our hero's, loneliness and depression and coming together in a community garden. Fruit and vegetables could be grown
- Over intensive development on an irregular shaped piece of land
- Site not large enough for four houses especially now it is smaller. Backland development not reflective of the settlement pattern
- **Highway Safety**
- Concerns remain about the volume and speed of traffic in the vicinity of the site close to a blind bend. There have been several recent serious accidents nearby. Concern that it will become an accident blackspot. An independent road safety audit should be conducted;
- The proposed access is near to a bus stop would make it hard to gauge the speed of oncoming traffic overtaking stationary buses or vehicles entering or leaving the site. The site is also metres from the exit of Spies Close on the opposite side of the road.
- Entering the current driveways is already a risky manoeuvre as quite often there is a bus at the stop on the other side of the road which traffic overtake at speed

- Emergency vehicle access would be along a narrow access road. Emergency vehicles, especially the heavy duty type, would struggle to manoeuvre beyond Plot C risking the welfare of residents of Plot D. Question whether provision for emergency vehicles to manoeuvre is adequate. If reversing it should be no more than 20m from the main road. Fire safety is not addressed, parking will block access for emergency fire services
- The amended scheme does not adequately address the concerns raised by the highways officer
- The preservation of human life should be above making financial gain or making minimal gains in local housing stock. Brownfield land should be prioritised for development
- Increase in road congestion due to increased traffic flows
- Pedestrian safety on Spies Lane. It could be blocked by vehicles entering and leaving the site. The access is close to a bus stop used by students to a nearby primary school
- Not convinced that the visibility spay will provide adequate pedestrian safety on Spies Lane. It does not meet highway officials specification
- Pedestrian safety on the new access road – lack of a pavement
- Parking on the access Road to Plot D will occur as it will be treated as a cul-de-sac. This will obstruct the access road and turning areas which could prevent emergency vehicles accessing Plot D or turning within the site within Plots C and D.
- Road likely to be unadopted which could lead to problems arising with respect to public utility services, neighbour disputes and maintenance liabilities
- The amended plans do not address bin lorry collection. The refuse collection strategy is flawed. Reference to a caretaker is not workable
- Parking along Spies Lane is limited for residents at peak times especially for disabled residents due to the proximity of Allenbrook nursing home which has minimal on-site parking. Insufficient parking within the site for residents and visitors

### **Amenity**

- Lack of privacy/neighbouring properties will be overlooked
- Overshadowing/loss of light
- Detrimental to resident's health and wellbeing



- Additional noise created by people and traffic. Traffic Calming Strips and Noise Reducing Asphalt will not adequately address safety and noise concerns
- Asphalt is a source of air pollution when it is a legally binding UK government priority for new residential development to be more sustainable and adequately address UN Sustainable Development Goals
- Light pollution
- Unwanted security issues – at the moment there is no public access to the rear of properties. The addition of a public access road at the end of the gardens will create security issues for all residents some of whom are elderly community
- The current peaceful back gardens are good for their occupiers' mental and physical health. Noise nuisance introduced from new neighbours
- Loss of privacy. Frosted glass could be replaced by clear glass. It also diminishes the living conditions of the occupants
- The area between Plot c and Plot D's – allocating only a small area of frontage and the rest as a communal area will create conflict
- Plot D's will encourage future adjacent residents and the new resident of Plot D to erect high fences and plant trees to create privacy effectively turning them into a three-sided prison with limited outlook
- The development does not enhance or fit in with the area
- The plans show my garden as being re-landscaped. This does not reflect what is on the ground

### **Environment**

- Serious Environmental Impact. It is a haven for wildlife and a natural rainwater store. Loss of habitat
- A number of trees are to be planted at the rear of my property. Whilst they may assist with security and a reduction in noise pollution, the concern is the height they might grow to and the potential loss of light incurred
- Drainage concerns. No provision for surface water outfall and there area is to be significantly hard surfaced. Possible flooding issues
- No lighting proposed along access point to Plot D

### **None planning comments**

- Impact on Spies Lane, public transport and pavement during construction works

- Noise, inconvenience, dust and nuisance to neighbours during construction
- The building site will attract youths
- Concerns regarding the impact on the foundations of adjacent properties
- Devalue house prices
- The land could be sold back to residents to reduce the maintenance burden and create the planned orchard

11. Two letters of support have been received to the amended scheme which note:

- there is a severe lack of small bungalows in the area to cater for people seeking to downsize for retirement. They state that these bungalows would be a welcome addition and a positive use of surplus land.
- The plans seem well thought out. It will create high quality housing and will secure jobs for those building them
- The land has attracted unwanted behaviour and no doubt is a ground for pests and vermin
- 225 Spies Lane was granted permission to build a three bedroom bungalow in the back garden, this too should gain planning permission

## OTHER CONSULTATION

12. Head of Environmental Health and Trading Standards – No adverse comments in terms of noise and air quality
13. Head of Planning and Regeneration (Highway Engineer) – the design now meets the requirements for the width of the entrance and access road. The most recently submitted plan shows visibility splays in accordance with Manual for Streets Guidance that exceed 2.4m x 59m and therefore this is acceptable. Tracking shows that a Dennis Fire tender can access and egress the site in a forward gear. The initial gradient from the Highway remains unclear but can be addressed by a suitably worded condition. Plot A now has an access door adjacent to parking at the front which is now acceptable. Plot D1 now has parking adjacent to the building and is acceptable.

14. Head of Planning and Regeneration (Land contamination) – no adverse comments
15. West Midlands Fire Service – the turning area and access road would need to meet the following requirements:
  - Access - 3.7m width and 15 tonne carrying capacity.
  - Turning facilities - As this proposal is over 20m turning facilities as per Approved Document are required if the appliance needs to get up the drive to meet the 45m requirement.

Alternatively, sprinklers can increase this distance to 75m or 90m depending on floor height above ground level. This would then mean that the appliance could be positioned on Spies Lane and not have to travel up the access road.

## RELEVANT PLANNING POLICY

16. National Planning Guidance  
National Planning Policy Framework (2021)
17. Black Country Core Strategy (2011)  
Policy CSP2 Development Outside the Growth Network  
Policy DEL2 Managing the Balance Between Employment Land and Housing  
Policy HOU1 Delivering Sustainable Housing Growth  
Policy HOU2 Housing Density, Type and Accessibility  
  
Policy TRAN2 Managing Transport Impacts of New Development  
Policy ENV2 Historic Character and Local Distinctiveness  
Policy ENV3 Design Quality  
Policy ENV 8 Air Quality
18. Dudley Borough Development Strategy (2017)  
Policy S1 Presumption in favour of Sustainable Development  
  
Policy S2 Planning for a Health Borough

Policy S6 Urban Design

Policy S8 Conservation and Enhancement of Local Character and Distinctiveness

Policy L1 Housing Development, Extensions and alterations to existing Dwellings

Policy D2 Incompatible Land Uses

Policy D5 Noise Pollution

19. Supplementary Planning Guidance/Documents

New Housing Development SPD (2013)

Parking Standards SPD (2017)

## ASSESSMENT

### Key Issues

- Principle
- Site layout/Design
- Amenity of new residents
- Amenity of adjacent residents
- Access and Parking
- Financial Material Considerations

### Principle

20. The National Planning Policy Framework (NPPF) has a presumption in favour of sustainable development. This does not change the status of the development plan as the starting point for decision making. Planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
21. Paragraph 60 (NPPF) reiterates the Government's objective of significantly boosting the supply of homes.

22. The strategic objective of Policy HOU1 (Delivering Sustainable Housing Growth) of the Black Country Core Strategy (BCCS) is the creation of a network of cohesive, healthy and prosperous communities across the Black Country.
23. Policy S1 (Presumption in Favour of Sustainable Development) of the Dudley Borough Development Strategy (DBDS) notes that the Council will take a positive approach that reflects the presumption in favour of sustainable development.
24. Policy L1 (DBDS) states that housing will be supported on previously developed land and on sites in sustainable locations, close to public transport facilities and links. Housing development will be permitted provided that the design is of an appropriate form, siting, scale and mass. Also, that the development is appropriate to its locality and would not cause unacceptable harm to the amenities of occupiers of neighbouring dwellings. And finally, that an appropriate level of amenity is provided for future occupants of the development and that adequate access, parking and provision for the manoeuvring of vehicles, with no detrimental impact on highway safety and free flow of traffic.
25. There is a long history of planning refusals with respect to this site. The most recent application was for 2 No. dormer bungalows, a flat over garages and 1 No. bungalow (ref P20/1396) which was dismissed at Appeal on 1<sup>st</sup> June 2021. However, in dismissing the Appeal, the Inspector considered the site to be within a sustainable location. Although not previously developed land (PDL) he noted that the New Housing Development Supplementary Planning Document (NHDSPD) acknowledges that proposals for new development on residential garden land also need to be considered within the context of making the most efficient use of land and the broad concept of sustainable development. Paragraph 10 of the Appeal Statement states:

‘Hence, although the site does not constitute PDL, as noted, Policy L1 of the DBDS supports new housing development on sites in sustainable locations close to public transport links, subject to meeting certain criteria. Additionally, the NHDSPD does not rule out the principle of new housing development on domestic garden land, provided it is “*appropriate garden land development.*” I

have concluded that the site is in a suitable location. Therefore, if the proposal meets the criteria outlined in Policy L1 and is deemed to be “*appropriate garden land development*”, as advised in the NHDSPD, then the proposal would be acceptable in principle.’

26. The Inspector goes on to say that he considered the backland nature of the proposal in itself, would not be out of keeping with or detrimental to the character or appearance of the area (para 11) and that the form, scale, and mass of the proposed properties would be in keeping with the area (para 12).
27. The Inspector did however raise detailed concerns regarding the lack of outdoor amenity space for the proposed flat. The heights and overbearing appearance of Plots B and C were not supported nor was the lack of outlook from proposed upper floor windows for the future occupants due to the use of obscure glazing to overcome privacy issues. For these reasons he concluded that the proposal did not accord with Policy L1 of the DBDS, sub paragraph 127 (f) of the NPPF and guidance within the NHDSPD. The Appeal was therefore dismissed.
28. On the basis of the Inspector’s conclusions, the Local Planning Authority reluctantly concludes that the development of the site is acceptable, in principle. This application however also needs to overcome previous concerns with respect to Policy L1 (DBDS) and guidance within the NHDSPD regarding residential amenity, highway safety particularly relating to an adequate pedestrian visibility splay, a satisfactory turning area and parking scheme. Also, the design, scale and mass of the properties should not be dissimilar to the previously considered application.

#### Site Layout/Design

29. The site layout now comprises four units. Plot B has been removed from the previous scheme (P20/1396) and that part of the site now indicates a large turning head for vehicle manoeuvring.

30. The scheme requires the demolition of the existing bungalow to facilitate the widening of the access track to the side. Following discussions, the design of Plot A has been significantly altered in order to be visually more in keeping with its surroundings. As it would be a narrower bungalow it is important to keep the height in proportion to the width and the roof is now hipped at the front and rear and both contain large windows to provide outlook. Like the existing bungalow, there would be one side facing dormer to increase useable space within the unit but the windows within it would be obscure glazed. The front door has been moved from the side to the front of the property to prevent parking on the track and there is also access to the rear parking spaces to encourage rear parking. The amended design of this unit is now considered to be acceptable.
31. Plot C is a detached bungalow and plots D1 and D2 are semi-detached bungalows. All have been amended since submission such that their height is reduced, windows have better outlook and the garages for Plots D1 and D2 have been removed in order to bring the development away from the side boundaries of the site. Their design is now also considered to be acceptable

#### Amenity of new residents

32. The gardens to each property are of sufficient size. Unlike the previous application, all habitable rooms have sufficient levels of outlook. All also have a sufficient amount of private rear garden space.

#### Amenity of adjacent residents

33. The scheme has been designed and has also been amended since it was first submitted, to reduce the impact upon of the development on adjacent residents. Plot A is less overbearing in terms of height and has a similar depth to the existing property. Overlooking is prevented by the use of obscure glazing in the side dormer. This will be secured by condition.
34. Plot C is not directly adjacent to the site boundaries and since submission, its roof has been lowered. Its general location, size and massing is such that, although it will be seen above the fencing, its impact would be much reduced from previous

schemes. No dormer windows are proposed. This addresses the previous concern made by the Planning Inspector with regard to the scheme being overbearing when viewed from adjacent gardens in Lockington Croft and Goodrest Avenue.

35. Plots D1 and D2 have been reduced in size by the removal of the garages and as such are not now directly adjacent to the site boundary. This, along with the reduction in roof height significantly reduces their visual impact. Again, no dormer windows are proposed. Their visual impact when viewed from adjacent gardens is now considered to be acceptable.
36. Given that the site is surrounded by residential properties, in order to protect the amenities of the adjacent residents in the future it is proposed to remove certain permitted development rights normally afforded to development within the curtilage of a dwellinghouse (within the auspices of the Town and Country Planning (General Permitted development) (England) Order 2015 (as amended)). A condition would require development falling within Part 1, Classes A (enlargement, improvement or other alteration of a dwellinghouse), Class B (additions etc to the roof of a dwellinghouse), Class C (other alterations to the roof of a dwellinghouse) and Class E (buildings etc incidental to the enjoyment of a dwelling house). This would provide some control on the size and massing of future extensions to ensure that they are not visually overbearing; to prevent the use of roof spaces for habitable accommodation; to ensure that they do not lead to a lack of privacy for adjacent neighbours; and to ensure that the size and location of garden buildings do not spoil the outlook from neighbouring properties.
37. As in the previously dismissed application (P20/1396), in order to reduce the sound of vehicle movement through the site, the applicant proposes the use of porous noise reducing asphalt for the road finish and the installation of traffic calming strips close to the entrance. Commenting on the previous application (P20/1396) the Planning Inspector concluded that there would be an increase in traffic to serve the properties. However, he noted that the proposed development would not result in unacceptable noise disturbance to the occupiers of existing properties due to the use of a low noise asphalt surface on the driveway with traffic calming strips that would slow traffic and



reduce the sound. He also noted that suitable boundary treatment would also be appropriate. As the current scheme also includes these elements it must be concluded that the impact upon adjacent neighbours in terms of noise, would be acceptable. Conditions however are required to secure the satisfactory implementation of these measures.

#### Highways/Parking

38. The issue of highway safety has been raised many times by residents. Concerns include the location of the access, that it is close to a bend and bus stop on the heavily trafficked Spies Lane where there have been numerous accidents. Questions have also been raised about the adequacy of the entrance, the steep entrance and adequacy of the visibility splay.
39. The Head of Planning and Regeneration (Highway Engineer) considers that the entrance to the site and the width of the access road are acceptable. The visibility splay can be achieved and that a large fire applicant can turn within the site.
40. Neighbours have also raised concerns about insufficient parking on the site to the detriment of highway safety. Again, however the Head of Planning and Regeneration (Highway Engineer) is now supportive of the layout and considers there to be sufficient parking within the site.
41. Section (124) of the Localism Act states: Local planning authorities are to have regard to material considerations in dealing with applications including any local finance considerations, so far as material to the application. A 'local finance consideration' may be taken to cover the payment of New Homes Bonus, or sums that a relevant authority has received, or will or could receive, in payment of the Community Infrastructure Levy (CIL).
42. The section does not change the law in any way. It is not a new basis for planning policy, and it remains unlawful for planning applications to be 'bought'

43. Following the demolition of the bungalow this proposal would provide four additional dwellings generating a New Homes Bonus grant of four times the national average council tax for the relevant bands.
44. In addition, the proposal is liable for CIL. The site is divided by two CIL Zones. Plots A and C are within Zone 2 and Plots D1 and D2 are within Zone 5. Due to the recent receipt of the amended plans and the two different CIL zones identified across the site, further work will need to be done to establish the CIL calculation. This will be confirmed in the pre-committee notes.

## CONCLUSION

45. This application relates to the residential development of the large curtilage of 220 Spies Lane. Although not previously developed land, the Planning Inspector, when considering a previous application (P20/1396) on this site, took the view that it has a sustainable location and that the form, siting, scale and mass of development would not be out of keeping with the character of the area. This application retains a similar form, scale, siting and mass, and has been significantly amended since submission such that it now satisfactorily addresses the concerns raised by the Inspector with respect to residential amenity, access, parking and manoeuvring. On this basis the application would be in accordance with the National Planning Policy Guidance, Policies CSP2, DEL2, HOU1, HOU2, TRAN2, ENV2, ENV3 and ENV8 of the Black Country Core Strategy, Policies S1, S2, S6, S8, L1, D2 and D5 of the Dudley Borough Development Strategy, the New Housing Development Supplementary Planning Document and the Parking Standards Supplementary Planning Document.

## RECOMMENDATION

46. It is recommended that the application be approved subject to conditions

Conditions and/or reasons:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
REASON: To comply with Section 91 of the Town & Country Planning Act 1990, as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.
2. The development hereby permitted shall be carried out in accordance with the following plans and amended plans: Proposed Site Plan and Location Plan Drawing number 113/A110 Rev D, Amended Plot A House Type 7a Drawing number 113/A115 Rev E, Amended Plot C House Type 8a Drawing number 1113/A117 Rev D, Plots D1 and D2 House Type 9 Drawing number 1113/A119 Rev C, 3D Views Drawing number 1113/A113 Rev C, Amended Site Sections Drawing number 1113/ A 114 Rev B, Finishes Dwg No. 1113/A112 Rev A, Amended Visibility Splay Drawing number 1113/A120 Rev B and Parking and Refuse Strategy Drawing number 1113/A 111 Rev E  
REASON: For the avoidance of doubt and in the interests of proper planning.
3. No materials other than those indicated on the approved plans, particularly the 'Finishes' plan Drawing Number 1113/A112 Rev A shall be used without the approval in writing of the Local Planning Authority  
REASON: To ensure the satisfactory appearance of the development in accordance with BCCS Policy ENV2 Historic Character and Local Distinctiveness and Borough Development Strategy 2017 Policy S6 Urban Design and Policy L1 Housing Development, extensions and alterations to existing dwellings/ Policy D2 Incompatible Land Uses (in part)
4. Work shall not begin on the demolition and construction of the development until a method statement for the control of dust and emissions arising from the demolition and construction of the development has been submitted to and approved by the local planning authority. All works which form part of the approved scheme shall be implemented throughout the construction and demolition phase of the development.  
Reason: To protect existing residents in the area from dust arising from demolition and construction works on the proposed site in accordance with Policy ENV8 of the Black Country Core Strategy
5. In order to minimise the impact of the development on local air quality, any gas boilers provided within the development must meet a dry NOx emission concentration rate of <40mg/kWh.  
Reason: To safeguard the air quality of the Borough which is an Air Quality Management Area in compliance with the Black Country Core Strategy Policy ENV8 and the adopted Air Quality SPD.
6. Prior to first occupation of the dwellings hereby approved further details of the boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in complete accordance with the approved details prior to the first occupation of the dwellings and shall thereafter be retained for the lifetime of the development unless otherwise agreed in writing with the Local Planning Authority

REASON: In order to make a positive contribution to place-making and provide a high quality public realm in accordance with BCCS Policies CSP4 - Place-Making, ENV 2 Historic Character and Local Distinctiveness, ENV3 - Design Quality and DEL1 - Infrastructure Provision and Borough Development Strategy 2017 Policy S6 Urban Design and Policy L1 Housing Development, extensions and alterations to existing dwellings

7. Prior to any above ground works (excluding demolition, site clearance and initial ground works) full details of the soft landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented in accordance with the approved details before the end of the first planting season following first occupation of the development.

Any trees or shrubs planted in pursuance of this permission including any planting in replacement for which is removed, uprooted, severely damaged, destroyed or dies within a period of five years from the date of planting shall be replaced by trees or shrubs of the same size and species and in the same place unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order to make a positive contribution to place-making and provide a high quality landscaping in accordance with BCCS Policies CSP4 - Place-Making, ENV 2 Historic Character and Local Distinctiveness, ENV3 - Design Quality and DEL1 - Infrastructure Provision and Borough Development Strategy 2017 Policy S6 - Urban Design and Policy L1 Housing Development, extensions and alterations to existing dwellings and Policy D2 Incompatible Land Uses (in part). This detail is required pre commencement (excluding demolition, site clearance and initial ground works) as landscaping is integral to providing a high quality and sustainable development.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order (England) 2015 (or any order revoking and re-enacting that Order), at no time during the life of the development shall the areas approved for landscaping be used for any other purpose unless otherwise agreed in writing by the local planning authority.

REASON: To preserve the character and visual amenities of the area, in accordance with BCCS Policies CSP4 - Place-Making, ENV 2 Historic Character and Local Distinctiveness, ENV3 - Design Quality and DEL1 - Infrastructure Provision and Borough Development Strategy 2017 Policy S6 Urban Design and Policy L1 Housing Development, extensions and alterations to existing dwellings Policy D2 Incompatible Land Uses (in part).

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) the proposed first floor side facing dormer window to be installed in the northern elevation of Plot A shall be:

- i) obscure glazed,
- ii) and non-opening, unless the parts of the window which can be opened are top hinged and more than 1.7 metres above the floor of the room in which the window is installed.

The windows shall be permanently maintained thereafter as obscure glazed and non-opening.

REASON: In the interests of the privacy and amenity of surrounding residents

and in accordance with Borough Development Strategy 2017 Policy L1 Housing Development, extensions and alterations to existing dwellings.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order (England) 2015 (or any order revoking or re-enacting that order with or without modification) no development referred to in Schedule 2, Part 1, Classes A, B, C and E of that order shall be carried out without the express grant of planning permission.

REASON: In the interests of the privacy and amenity of surrounding residents in accordance with Borough Development Strategy 2017 Policy L1 Housing Development, extensions and alterations to existing dwellings  
Policy D2 Incompatible Land Uses (in part).

11. No part of the development shall be occupied until visibility splays to the new access have been provided at the junction between the proposed means of access and the carriageway with an 'x' set back distance of 2.4 metres and a 'y' distance of 59 metres. No structure or vegetation exceeding 600mm in height above the adjoining highway shall be placed or allowed to grow within the visibility splay for the life of the development unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of highway safety and to comply with comply with Policy TRAN2 Managing Transport Impacts of Development of the Black Country Core Strategy and Policies S6 Urban Design and Policy L1 Housing Development, extensions and alterations to existing dwellings of the Borough Development Strategy

12. No part of the development shall be occupied until visibility splays to the new access have been provided at the junction between the proposed means of access and the footway with an 'x' set back distance of 2.4 metres and a 'y' distance of 2.4 metres. No structure or vegetation exceeding 600mm in height above the adjoining highway shall be placed or allowed to grow within the visibility splay for the life of the development unless otherwise agreed in writing by the Local Planning Authority.

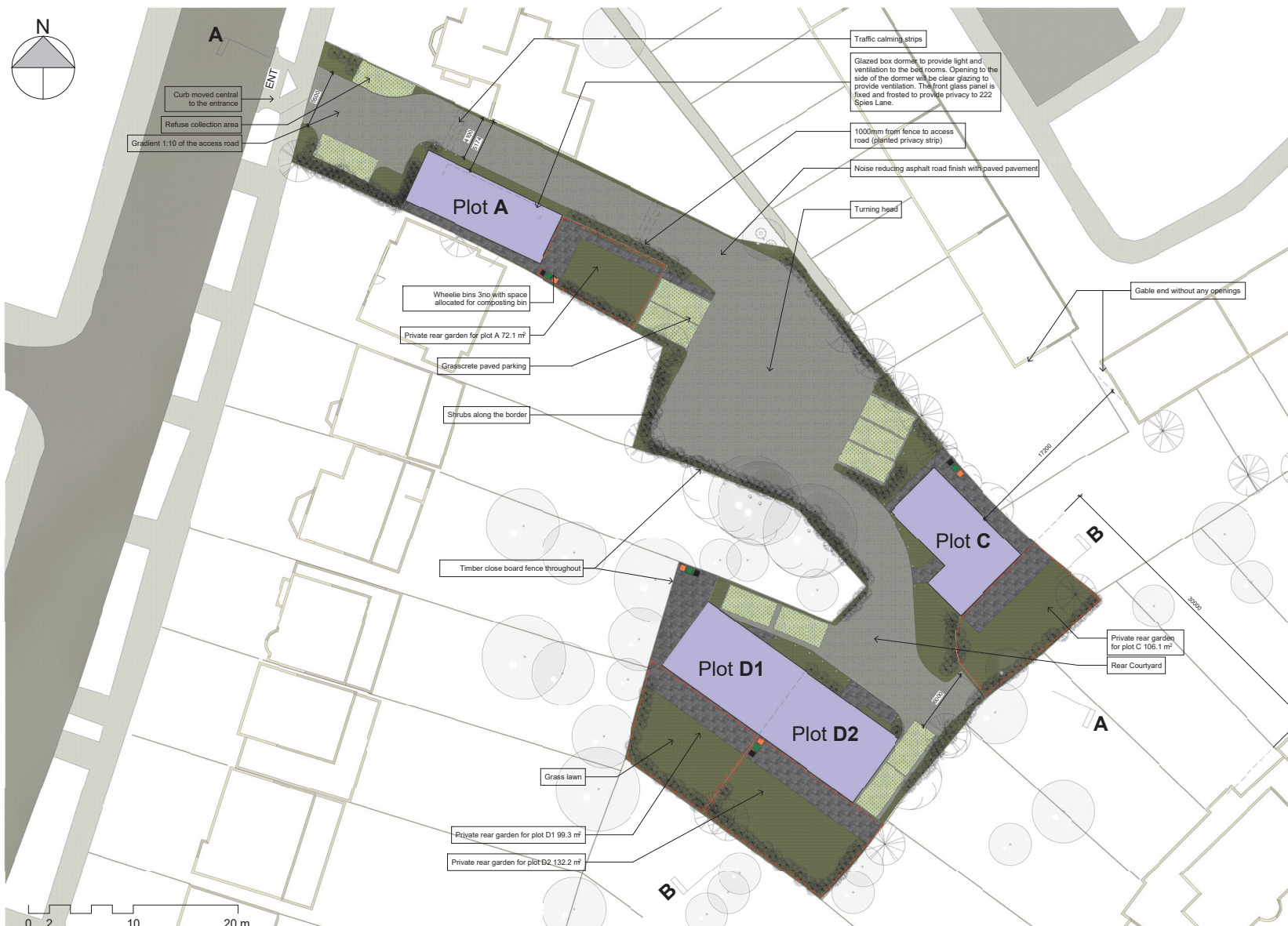
REASON: In the interests of highway safety and to comply with comply with Policy TRAN2 Managing Transport Impacts of Development of the Black Country Core Strategy and Policies S6 Urban Design and Policy L1 Housing Development, extensions and alterations to existing dwellings of the Borough Development Strategy

13. No development shall commence (excluding demolition, site clearance and initial ground investigation works) until details of the access(es) into the site, together with parking and turning area(s) [including details of lines, widths, levels, gradients, cross sections, drainage and lighting] have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the access(es) into the site, together with parking and turning area(s) within the site have been laid out in accordance with the approved details. These area(s) shall thereafter be retained and not be used for any other purpose for the life of the development.

REASON: In the interests of highway safety and to comply with Policy TRAN2 Managing Transport Impacts of Development of the Black Country Core Strategy and Policies S6 Urban Design and Policy L1 Housing Development, extensions and alterations to existing dwellings of the Borough Development Strategy

14. The turning area indicated on the approved site plan shall be set out in accordance with the approved site layout plan Drawing number 1113/A110 Rev D and retained in its entirety and not used for parking or any other purpose for the lifetime of the development.  
REASON: To ensure that vehicles can enter the site and leave in a forward gear in the interests of highway safety in accordance with Policy TRAN2 (Managing Transport Impacts of New Development) and S17 (Access & Impact of Development on the Transport Network) of the Dudley Borough Development Strategy
15. Prior to the occupation of the first dwelling, the traffic calming strips shall be installed in the location indicated on Drawing number 1113/A110 Rev D and the material used for the surface of the new road through the site and the turning area shall be porous noise reducing asphalt as indicated on the 'Finishes' plan Drawing Number 1113/A112 Rev A . They shall thereafter be retained for the lifetime of the development  
REASON: To minimise the noise generated by car movements in this residential area and to assist with the control of storm water management in accordance with Policy D5 (Noise Pollution) and Policy S5 (Minimising Flood Risk and Sustainable Drainage Systems) of the Dudley Borough Development Strategy
16. No above ground development shall commence until details of the electric vehicle charging points, to be provided for the dwellings in accordance with the Council's standard (Parking Standards SPD), has been submitted to and approved in writing by the local planning authority. Prior to first occupation the electric vehicle charging points shall be provided in accordance with the approved details and shall be maintained for the life of the development.  
Reason: In the interests of creating a sustainable form of development and to encourage the use of ultra low emission vehicles in accordance with Policies ENV8 (Air Quality) and DEL1 (Infrastructure Provision) of the Black Country Core Strategy.
17. Demolition or construction works shall not take place outside the hours of 07:00 to 18:00 hours Mondays to Fridays and 08:00 hours to 17:00 hours on Saturdays nor at any time on Sundays or Public Holidays  
REASON: To protect the amenities of nearby residents in accordance with Borough Development Strategy 2017 Policy D5 Noise Pollution, Policy L1 Housing Development, extensions and alterations to existing dwellings and Policy D2 Incompatible Land Uses (in part).
18. The development shall not be first occupied/used until details of the surface of the bin storage area at the site frontage and any associated landscaping have been submitted to and approved in writing by the Local Planning Authority. The bin storage area shall be provided in accordance with the approved details prior to the first use/occupation of the development and shall thereafter be retained and maintained for no other purpose for the life of the development.  
REASON: In the interests of highway safety and to comply with Policy TRAN2 Managing Transport Impacts of Development of the Black Country Core Strategy and Policies S6 Urban Design and Policy L1 Housing Development, extensions and alterations to existing dwellings of the Borough Development Strategy





**3 Elevation - Existing**  
1 : 100



**2 Elevation - Proposed**  
1 : 100

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If in doubt, ask before action.


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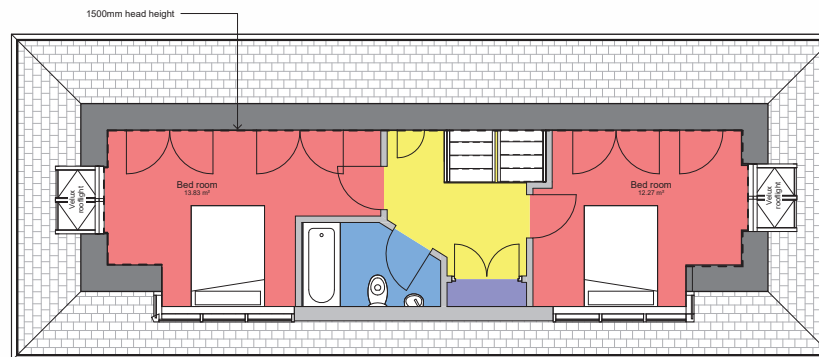
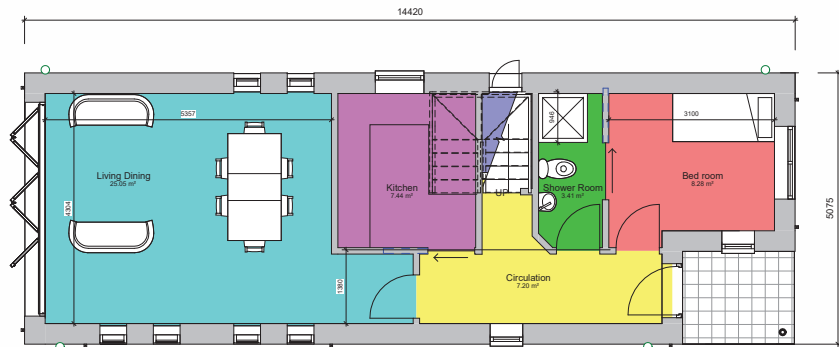
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**MECHANICAL AND ELECTRICAL**  
Any Mechanical and Electrical items are indicative only. For detailed layouts, please refer to Engineers Drawings.

D	16/02/22	Layout amended to suit comments from the planners	Initials
Rev	Date	Description	
<b>STATUS</b> <b>Planning</b>			
<b>TITLE</b> <b>Site Plan - Proposed</b>			
<b>NUMBER</b> <b>1113/ A110</b>		<b>DATE</b> <b>11/03/19</b>	<b>REV</b> <b>d</b>
		<b>SCALE</b> <b>As indicated @A1</b>	
Demolition of house & garage, and erection of 4 dwellings			
For _____			
at _____			
<b>G R U H E</b> 			

85 Weymoor Road, Harborne, Birmingham B170RS  
01212708858 07816847763 studio@gruhe.co.uk www.gruhe.co.uk



2 House Type 7a - Ground Floor

1 House Type 7a - First Floor

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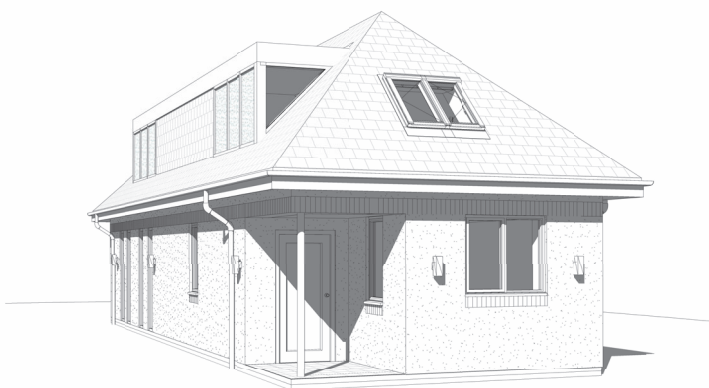
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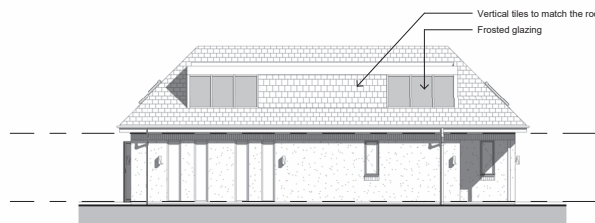
**MECHANICAL AND ELECTRICAL**  
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Bed room  
Circulation  
Kitchen  
Living Dining  
Shower Room  
Storage

GROUND FLOOR GIA - 55.3 m<sup>2</sup>  
FIRST FLOOR GIA - 40.4 m<sup>2</sup>  
**TOTAL GIA - 95.7 m<sup>2</sup>**



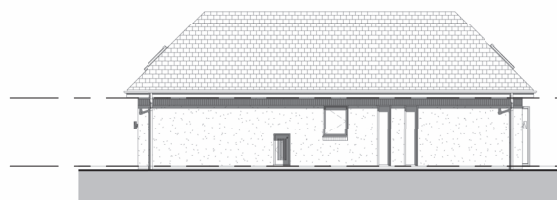
7 3D View 1



3 Type 7a - Front View



4 Type 7a - Side View 01



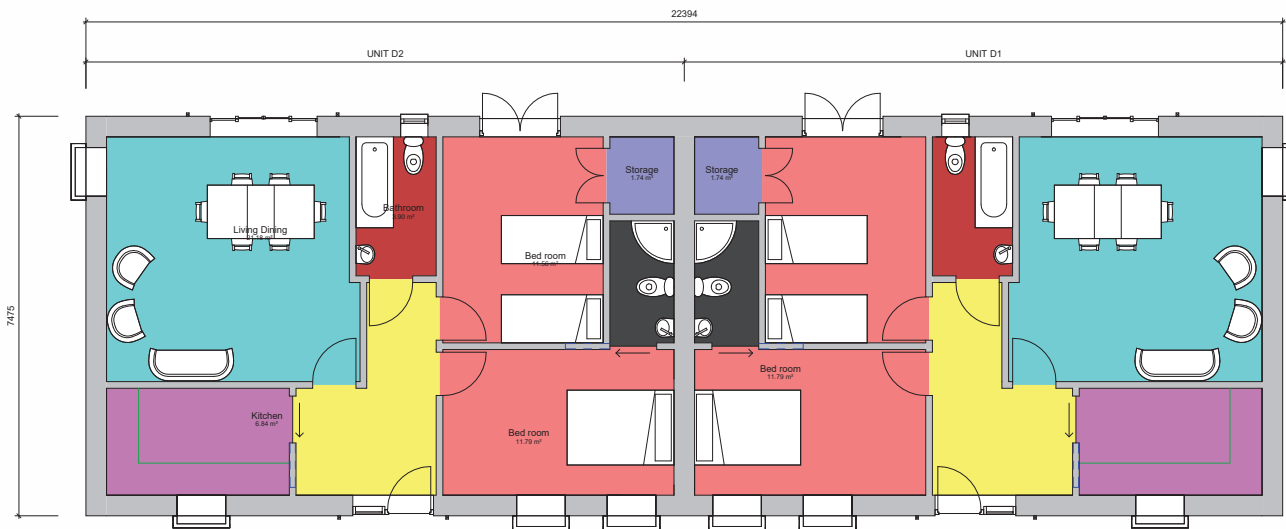
5 Type 7a - Rear View



6 Type 7a - Side View 02

E	09/03/22	Roof design changed and first floor layout adjusted	
Rev	Date	Description	Initials
STATUS Planning			
TITLE Plot A - House type 7a			
NUMBER	1113/ A/115	DATE 11/10/19	REV E
		SCALE AS indicated @A1	
Proposed development r/o 220 Spies Lane, Halesowen			
For Mr Sham Gill			
at 220 Spies Lane, Halesowen, B62 9SW			
G R U H E			
85 Weymoor Road, Harborne, Birmingham B170RS			
01212708858 07816847763 studio@gruhe.co.uk www.gruhe.co.uk			





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**MECHANICAL AND ELECTRICAL**  
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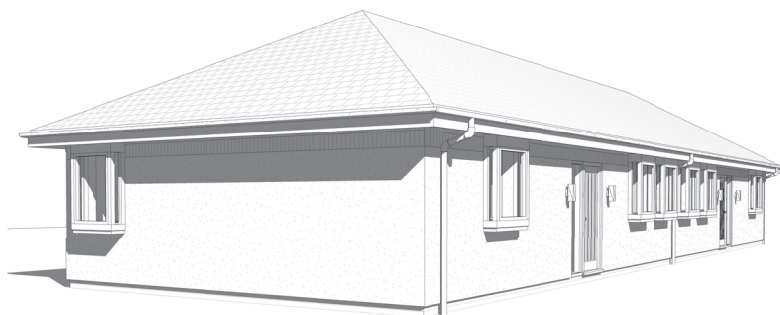
■ Bathroom  
■ Bed room  
■ Circulation  
■ Ensuite  
■ Kitchen  
■ Living Dining  
■ Storage

**GIA UNIT D1 - 72.5 m²**  
**GIA UNIT D2 - 72.5 m²**

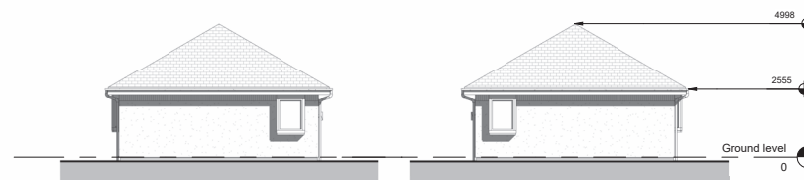
**1 House Type 9 - Ground Floor**

1 : 50

0 2 5 m

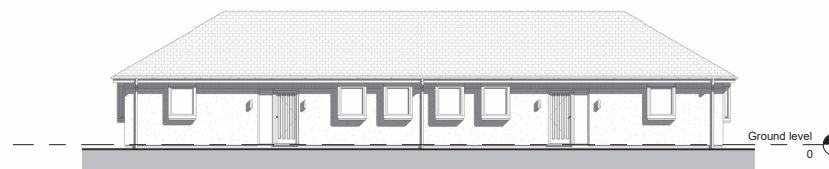


**2 3D View 1**

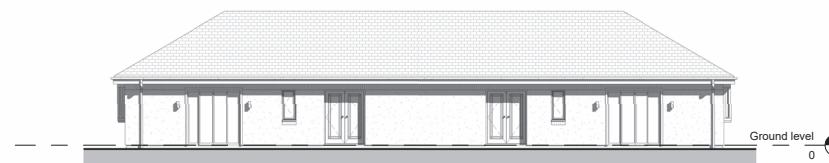


**5 Type 9 - Side elevation 01**  
1 : 100

**6 Type 9 - Side elevation 02**  
1 : 100



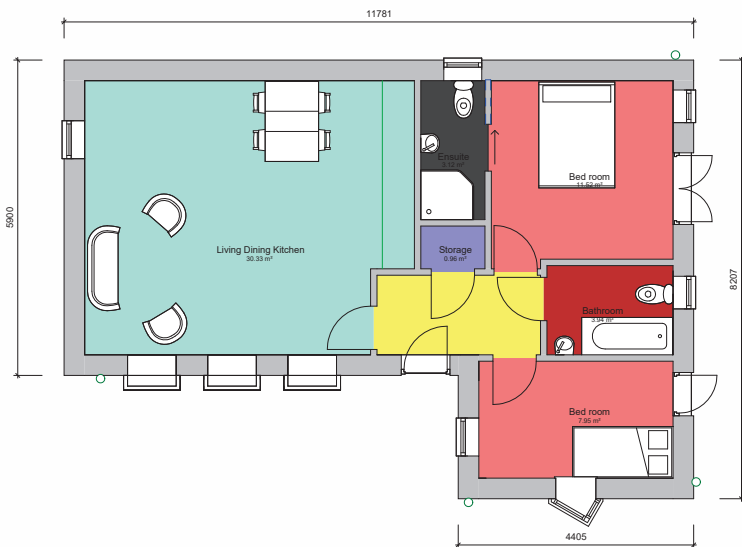
**3 Type 9 - Front elevation**  
1 : 100



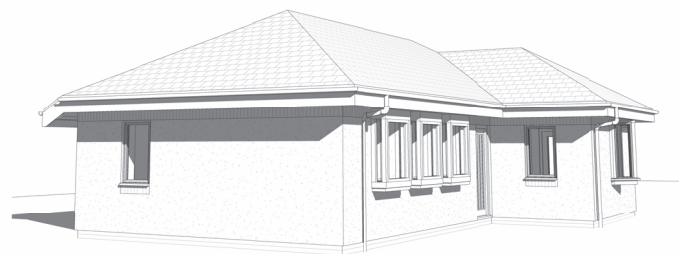
**4 Type 9 - Rear elevation**  
1 : 100

0 5 10 m

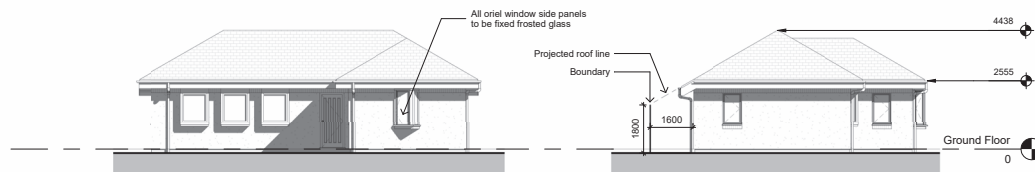
C	10.03.22	House type changed to house type 9	
Rev	Date	Description	Initials
<b>STATUS</b>			
<b>Planning</b>			
<b>TITLE</b>			
Plot D - House Type 9			
<b>NUMBER</b>			
1113/ A/119			
<b>DATE</b>			
11/11/19			
<b>SCALE</b>			
As indicated @A1			
<b>REV</b>			
C			
<b>Proposed development r/o 220 Spies Lane, Halesowen</b>			
<b>For</b>			
Mr Sham Gill			
<b>at</b>			
220 Spies Lane, Halesowen, B62 9SW			
<b>G R U H E</b>			
85 Weymoor Road, Harborne, Birmingham B17 0RS			
0121 2708858 07816847763 studio@gruhe.co.uk www.gruhe.co.uk			



1 House Type 8a - Ground Floor  
1 : 50



3 3D View 1



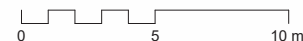
4 Type 8a - Front elevation  
1 : 100

5 Type 8a - Side elevation 01  
1 : 100



6 Type 8a - Rear elevation  
1 : 100

7 Type 8a - Side elevation 02  
1 : 100



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**MECHANICAL AND ELECTRICAL**  
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- Bathroom
- Bed room
- Circulation
- Ensuite
- Living Dining Kitchen
- Storage

**TOTAL GIA - 65.1 m²**

D	10.03.22	House type changed - Bedroom 2 made smaller	Initials
Rev	Date	Description	Initials
STATUS			
Planning			
TITLE			
Plot C - House type 8a			
NUMBER			
1113/ A/117			
DATE			
11/11/19			
SCALE			
As indicated @A1			
Proposed development r/o 220 Spies Lane, Halesowen			
For			
Mr Sham Gill			
at			
220 Spies Lane, Halesowen, B62 9SW			
G R U H E			
85 Weymoor Road, Harborne, Birmingham B17 0RS			
0121 2708858 07816847763 studio@gruhe.co.uk www.gruhe.co.uk			

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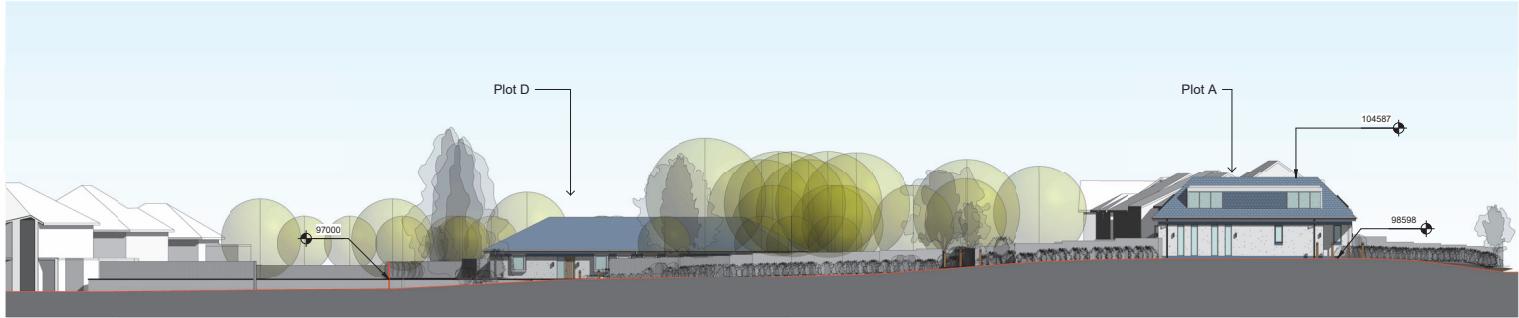
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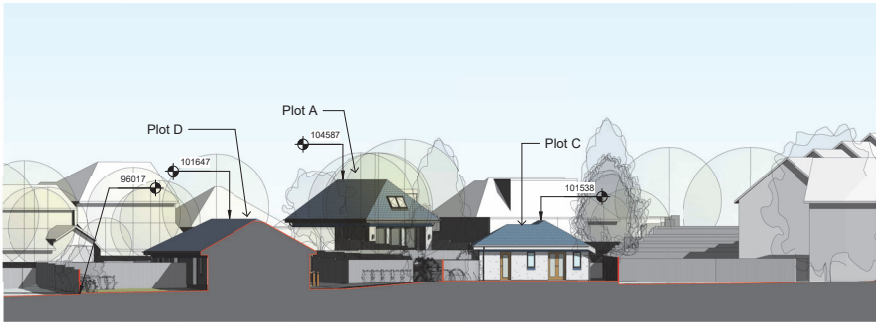
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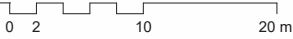
MECHANICAL AND ELECTRICAL  
Any Mechanical and Electrical items are indicative only. For detailed layouts, please refer to Engineers Drawings.



1 Section A-A  
1 : 200



2 Section B-B  
1 : 200



B	16/02/22	Layout amended to suit comments from the planners	
Rev	Date	Description	Initials
STATUS			
Planning			
TITLE			
Site sections			
NUMBER	1113/ A114		REV B
	DATE	18/08/20	SCALE 1 : 200 @A1
Demolition of house & garage, and erection of 4 dwellings			
For			
at			
G R U H E			
85 Weymoor Road, Harborne, Birmingham B17 0RS			
0121 2708858 07816847763 studio@gruhe.co.uk www.gruhe.co.uk			