

# Minutes of Planning Committee

**Wednesday 19<sup>th</sup> January 2022 at 5.00pm  
in the Council Chamber, Sandwell Council House, Oldbury**

**Present:** Councillor Z Hussain (Chair)  
Councillor Webb (Vice-Chair)  
Councillors Allcock, Allen, Chapman, Chidley, Fenton,  
Kaur, O Jones, C Padda and Rouf.

**Also Present:** Councillors Hadley, Jalil and R Jones.

John Baker (Service Manager – Development Planning and Building Consultancy); Alison Bishop (Development Planning Manager) Sian Webb (Solicitor); Simon Chadwick (Principal Officer – Development, Highways Direct – Traffic and Road Safety); Alexander Goddard (Democratic Services Officer).

**01/22      Apologies for Absence**

Apologies for absence were received from Councillors Dhallu, S S Gill and Kalari.

**02/22      Declarations of Interest**

Councillor O Jones declared a personal interest in Planning Application DC-21-66233 (Minute No. 11/22) and subsequently took no part in proceedings.

**03/22      Additional Item of Business**

There were no additional items of business to consider.

04/22 **Minutes**

**Resolved** that the minutes of the meeting held on 8 December 2021 were approved as a correct record.

05/22 **Planning Application DC/21/66233 Retention of use of garage as hair salon (previously refused application DC/21/65576). 1 Hydes Road, Wednesbury, WS10 9SX**

It was proposed to hold a site visit for this application to assist the Committee in understanding the issues raised.

**Resolved** that determination of Planning Application DC/21/66233 Retention of use of garage as hair salon (previously refused application DC/21/65576). 1 Hydes Road, Wednesbury, be deferred to allow a site visit to be undertaken.

06/22 **Planning Application DC/21/66185 Proposed change of use from dwelling to 8 No. bedroom HMO (house in multiple occupation) with two/single storey side and single storey rear extensions. St James Road, Oldbury B69 2DX**

The Service Manager – Development Planning and Building Consultancy reported that there was no additional information for members to consider.

Objectors were present and addressed the Committee with the following points:-

- The development would exacerbate issues with traffic and parking.
- Concerns were expressed regarding the extra flow of vehicles travelling to and from the nearby Ambulance Hub and the objectors were unsure whether Highway's officers had taken this into account.
- It was highlighted that there were several disabled residents that lived near to the proposed site,

therefore it was particularly important for these individuals to have parking and sufficient accessibility to their homes.

The applicant and applicant's agent were present and addressed the Committee with the following points:-

- The development aimed to provide good quality and affordable housing to the local community.
- With the Government plans to work towards net zero emissions by 2050, the development would be future proof.
- The garden and communal spaces within the development would facilitate the wellbeing of the tenants.
- The development satisfied housing requirements and the proposal would manifest social, economic and environmental benefits in Sandwell.
- Tenants would be vetted and would be matched for best fit. The intended occupiers for the development were professionals and local skilled people.
- Plans were in place to deal with anti-social behaviour.
- The property would be maintained and inspected monthly to ensure compliance with HMO regulations.
- The site had 4 off road parking spaces and cycle storage, therefore would relieve some of the parking issues on the road.
- The development had considered the comfort and living space of the tenants to facilitate community development. The site would include 23m<sup>2</sup> of communal space, each tenant would have their own private bathroom and, aside from one room, all rooms would be more than 10m<sup>2</sup>.

The Principal Officer for Development – Highways explained that the development would have 8 bedrooms and 4 parking spaces, therefore would satisfy parking standards for one space per two bedrooms. However, as raised at the previous Committee meeting, there was a lot of existing residential parking on-street on St James Road.

Consequently, officers attended the site to survey how many

spaces were available during different times of the day. Officers attended the site on three separate occasions, 8:30am, 9:20am and 7:10pm. In all three cases, there were over 23 spaces on the road. Closer to the proposed site, there were 5 available parking spaces during those times.

HMOs required one off street car parking space for every two bedrooms proposed. The applicant would be providing the required four off-street spaces to the property frontage.

Consequently, Highways did not consider that the application would have a severe impact on the highways network.

In response to members' questions of the applicants and the officers present, the Committee noted the following:-

- The property owners were not based in Sandwell therefore it was anticipated for a HMO management agency to always be contracted to manage the HMO.
- It was rare that more than half of tenants were car owners. Furthermore, the site would incorporate alternative forms of transport including cycle storage and the site being on a bus route.
- With the 5 available parking spaces, as identified by Highways, and the four off-street proposed parking spaces, this would be sufficient to accommodate residents.
- It was reiterated that HMO regulations provided that the minimum bedroom size for licensed HMO's is 6.5m<sup>2</sup> and this had been satisfied.
- The Ambulance Hub had its own large car park to accommodate staff, therefore preventing any spill over into the surrounding area.
- The HMO management agency were working alongside police to address any anti-social behaviour issues.
- Assured shorthold tenancies would be provided, with the average length of stay for tenants being 12 to 18 months to prevent the transient feel of usual HMOs and assist in community building.

- A separate licensing application would be required to be submitted if planning permission was to be granted.

The Service Manager – Development and Building Consultancy clarified that offenders would not be able to occupy the property without a separate application for planning permission as this fell under a different use class.

The Committee was minded to approve the application, subject to the conditions recommended by the Director – Regeneration and Growth.

**Resolved** that Planning Application DC/21/66185 Proposed change of use from dwelling to 8 No. bedroom HMO (house in multiple occupation) with two/single storey side and single storey rear extensions, 54 St James Road, Oldbury, B69 2DX is granted planning permission subject to the following conditions:

- (i) External Materials;
- (ii) Car parking to be implemented and retained;
- (iii) Existing drop kerb to be extended;
- (iv) Details of Cycle storage;
- (v) Details of bin storage;
- (vi) No glazing shall be inserted into the Western facing side elevation of the proposed single and two storey side/rear extension;
- (vii) Room 7 privacy glazing scheme;
- (viii) Details of drainage to the car parking area;
- (ix) Electric Vehicle Charging point;
- (x) Low NOx boilers;
- (xi) Construction management plan; and
- (xii) Details of security measures.

07/22

**Planning Application DC/21/65664 Proposed two storey side/rear and single storey rear extensions, front bay window, raising of roof height, loft conversion with 2 No. side loft dormer windows. 8 Aldridge Close, Oldbury, B68 9NY**

The Service Manager – Development Planning and Building Consultancy reported that there was no additional information for members to consider.

The applicant was present but did not wish to address the Committee with any additional information.

There were no objectors present.

The Committee was minded to approve the application, subject to the conditions recommended by the Director – Regeneration and Growth.

**Resolved** that Planning Application CD/21/65664 Proposed two storey side/rear and single storey rear extensions, front bay window, raising of roof height, loft conversion with 2 No. side loft dormer windows, 8 Aldridge Close, Oldbury, B69 9NY is granted planning permission subject to the following conditions:

- (i) External Materials.
- (ii) The rear facing window of the spa room shall be obscurely glazed and retained as such.
- (iii) Proposed glazing in the south facing dormer window shall remain obscurely glazed and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.
- (iv) No additional glazing shall be inserted into the north and south facing dormer windows.
- (v) Construction management plan.

08/22

**Planning Application DC/21/66106 Proposed industrial unit (Use Class E(g)(iii) Industrial processes) with ancillary offices and associated parking. Land at Summerton Road, Oldbury**

The Service Manager – Development Planning and Building Consultancy informed the Committee that the application was a departure from the Development Plan and, should the Committee be minded to approve the application, Council would be asked to make an exception to the Plan.

Additionally, a further email had been received from the objector who raised that, while he was unable to attend the meeting, a summary of his objections could be found within the report.

Furthermore, it was reported that the following additional conditions had been added:

(xiii) new drop kerb to provide access to the parking and manoeuvring area.

(xiv) an archaeological desktop study to be submitted prior to commencement of development.

No applicants or objectors were present.

The Committee was minded to approve the application, subject to the conditions recommended by the Director – Regeneration and Growth.

**Resolved** that Planning Application DC/21/66106 Proposed industrial unit (Use Class E(g)(iii) Industrial processes) with ancillary offices and associated parking, Land at Summerton Road, Oldbury, subject additional comments being received from the Council's Conservation Officer, be granted planning permission, subject to the approval of Full Council as the development is a departure from the development plan being allocated for housing, and conditions concerning: -

(i) External Materials.

- (ii) Vehicle parking and manoeuvring areas to be Q implemented and retained.
- (iii) Drainage including (SuDS).
- (iv) Contaminated Land.
- (v) Finished floor levels.
- (vi) Use restriction.
- (vii) Hard and soft landscaping scheme to include additional tree planting to canal frontage.
- (viii) Boundary treatments.
- (ix) External lighting scheme to include details of any light spillage over the canal corridor.
- (x) Cycle Storage details and implementation.
- (xi) Electric Vehicle Charging points.
- (xii) Construction management plan.

09/22

**Planning Application DC/21/66122 proposed 2 no. 3 bedroom dormer bungalows with boundary fencing and associated car parking, land adjacent the Bungalow, Corngreaves Road, Cradley Heath**

The Service Manager – Development Planning and Building Consultancy reported that there was no additional information for members to consider.

The applicant was not present.

An objector was present and addressed the Committee with the following points:-

- An increase in traffic and parking on the road would put pressure on the only entrance which was already serving 13 properties.
- Concerns were also expressed with regards to loss of privacy and the impact on neighbours' enjoyment of their gardens.
- The development would also have an impact on drainage.
- Noise disturbance during construction would have an adverse impact on residents.
- Any new property would require an independent sewage system to be implemented. This would potentially involve the right of way being blocked for a considerable amount of time.

- Residents were concerned about the impact the development would have on their water and electric supply.
- No communication has been received from the developer on it was intended to provide the gas, water, electric and sewage facilities for the development.

The Service Manager – Development and Building Consultancy clarified that granting of planning permission would not override other legal considerations. Furthermore, whilst the application in question would permit the development to go ahead, considerations such as the drainage system, would be dealt with under building regulations.

In response to members' questions of the officers present, the Committee noted the following:-

- It was highlighted that Highways objected to the application primarily due to the length of the driveway with no passing places, causing congestion at the vehicular access from Corngreaves Road.

Councillor Allen expressed concerns with the elevation of the site and requested the Committee to undertake a site visit in order to understand the impact of the development. The motion was seconded by Councillor Chidley.

The Committee was minded to defer determination of application to undertake a site visit.

**Resolved** that determination of Planning Application DC/21/66122 proposed 2 no. 3 bedroom dormer bungalows with boundary fencing and associated car parking, land adjacent the Bungalow, Corngreaves Road, Cradley Heath, be deferred to allow a site visit to be undertaken.

10/22

**Planning Application DC/21/66156 Proposed two storey side, first floor front and single storey front/rear extensions. 21 Yewtree Lane, Rowley Regis, B65 8BU**

The Service Manager – Development Planning and Building Consultancy highlighted that the application was before Committee for transparency purposes as there was involvement of a Council employee in the role as agent.

There were no objections received for the application.

The applicant was not present.

The Committee was minded to approve the application, subject to the conditions recommended by the Director – Regeneration and Growth.

**Resolved** that Planning Application DC/21/66156 Proposed two storey side, first floor front and single storey front/rear extensions, 21 Yewtree Lane, Rowley Regis, B65 8BU, is granted planning permission subject to the materials matching the existing property.

11/22

**Planning Application DC/21/66223 Proposed demolition of existing buildings and construction of a five-storey building comprising of 42 No. apartments with external bin/cycle store, associated access, parking and landscaping. Regis Lodge, 50 George Avenue, Rowley Regis B65 98D**

The Service Manager – Development Planning and Building Consultancy reported that the following additional conditions had been added:

(xv) existing drop kerb to be removed and a new drop kerb provided.

The applicant's agent was present but did not wish to address the Committee with any additional information.

No objectors were present.

In response to members' questions of the officers present, the Committee noted the following:-

- The new drop kerb would be for George Avenue.

- The development would be a good fit for the area and separation distances showed that it would not have an adverse impact on existing properties.
- It was clarified that there was a right of way near Birmingham Road and George Avenue, but this was off-site therefore would be unaffected by the development.

The Committee was minded to approve the application, subject to the conditions recommended by the Director – Regeneration and Growth.

**Resolved** that Planning Application DC/21/66223 Proposed demolition of existing buildings and construction of a five-storey building comprising of 42 No. apartments with external bin/cycle store, associated access, parking and landscaping, Regis Lodge 50 George Avenue Rowley Regis B65 9BD, subject to no objection from the Lead Local Flood Authority (LLFA), planning permission is granted subject to the applicant entering into a section 106 agreement to ensure affordable housing and to conditions relating to the following:-

- (i) External materials (compliance with submitted detail);
- (ii) Contamination;
- (iii) Noise mitigation scheme;
- (iv) Landscaping and boundaries (compliance with submitted detail);
- (v) Cycle storage (compliance with submitted detail);
- (vi) Refuse storage (compliance with submitted detail);
- (vii) Electric vehicle charging (compliance with submitted detail);
- (viii) Low NOx boilers;
- (ix) External lighting;
- (x) Provision and retention of parking;
- (xi) Method statement for site working;

- (xii) Restriction on construction house (8:00 – 17:30 weekdays, 9:00 – 13:00 Saturdays, no working on Sundays or bank holidays); and
- (xiii) Employment and skills plan

12/22

**Planning Application DC/21/66293 Proposed new section of 2.1m high railings and relocation of access gate to the front of private footway (Resubmission of previously withdrawn application DC/21/66021). Footpath adjacent to the front garden of 1 Asbury Walk, Great Barr, Birmingham, B43 6HF**

The Service Manager – Development Planning and Building Consultancy reported that there was no additional information for members to consider.

No objectors were in attendance.

A supporter of the application was present and addressed the Committee with the following points:-

- The proposal would secure the existing open boundary preventing various crimes that had been experienced by existing residents and was recommended by West Midlands Police to eliminate the constant occurrence of crime since 2006 within the cul-de-sac.
- The estate was owned by Asbury Walk Management Company. There were procedures in place for a voting system to be followed for any changes to the road.
- The majority of residents (4), against 3 who objected, voted for this extra security to be put in place.

In response to members' questions of the applicants and the officers present, the Committee noted the following:-

- On the estate, each property owner owns 1/7 of the property of the road and paid a service charge. An article of association provided that each owner held a vote for any changes proposed for footpaths, road, entrances etc.
- The previous application was objected by a neighbour, consequently the applicants amended the application

to ensure the railing was not near to the neighbouring property.

- The development would greatly improve security of the residents.

The Committee was minded to approve the application, subject to the conditions recommended by the Director – Regeneration and Growth.

**Resolved** that Planning Application DC/21/66239 Proposed new section of 2.1m high railings and relocation of access gate to the front of private footway (Resubmission of previously withdrawn application DC/21/66021) footpath adjacent to the front garden of 1 Asbury Walk, Great Barr, Birmingham, B43 6HF is granted planning permission subject to:

- (i) The fence and gate being painted to match in colour to the existing entrance gates.

13/22

**Planning Application DC/21/66295 Proposed single storey front/side extension to existing outbuilding in rear garden for use as a home office/gym. 125 Bleakhouse Road, Oldbury, B68 0LT**

The Service Manager – Development Planning and Building Consultancy reported that there was no additional information for members to consider. It was highlighted that a further email of objection was received from Councillor Bhullar which reiterated objections raised in the report.

An applicant was present and addressed the Committee with the following points:-

- The proposed converted outbuilding would be used as personal office/gym space. There were no intentions to use the space for commercial purposes.
- The applicant would be working from home permanently therefore wished to create a suitable working space that provided a work-life balance.
- There was no intention to access the summerhouse via Edward Road.

- The application sought for a modification to an existing outbuilding to suit a working environment.
- The development would not impact neighbouring properties in terms of noise disturbance and sunlight.
- There was an existing bathroom in the garden, therefore the outbuilding would use the same pipeline.
- The garden gate was not intended to be used to access the outbuilding.
- The property was able to accommodate four parking spaces, therefore did not intend to use Edward Road for additional parking.

An objector was present and addressed the Committee with the following points:-

- The size of the proposed building would be akin to another property on Edwards Road and would affect the public visual amenity of the road.
- Residents believed it was important to protect the views and surroundings of Edward Road.
- Concerns were raised in regard to the noise and disturbance stemming from the proposed development.
- There were no time constraints on when the proposed gym facility could be used by the home owner. Furthermore, the potential to invite guests over to utilise the gym could potentially lead to traffic generation, inadequate access and highways safety issues.
- Edward Road was a narrow road, therefore would be difficult for vehicles, especially emergency vehicles, to travel safely and quickly if vehicles were to be parked on the pavement.
- Concerns were expressed with regards to the overbearing nature of the proposal.
- Residents questioned why the development needed to be bigger than what was allowed under permitted development rights.
- There were concerns with overlooking and the loss of privacy.

- The development would directly affect the neighbour at No.2 with a loss of sunlight on the driveway.
- There was a risk of creating precedent for similar constructions around the area.
- It was recommended that an additional condition be placed on the application to prevent a change of use application being submitted in the future for the building to be used for commercial purposes.

Councillor R Jones was also present and addressed the Committee with the following points:-

- The visual aspect of the planning application before the Committee was no different to the previous submitted application, which was refused. However, the previous application was for commercial use.
- There were concerns that the applicant would attempt to circumvent planning application at a later date to change the use for the building.
- The development would create additional parking issues in the area.

The Service Manager – Development and Building Consultancy reminded the Committee that they can only consider the application before them. Any commercial activity undertaken in the building would require a separate planning application for change of use. It would not be possible to include a further condition to the application to prevent the applicant from considering a change of use in the future.

In response to members' questions of the applicants and the officers present, the Committee noted the following:-

- The need to modernise the existing drainage system would be dealt with as part of the building regulations process.
- The gym would be for personal use, it was not intended for other people to use the facilities.
- The outbuilding would be accessed via the main door and not the garden gate.

- The application was triggered by the height of the proposed structure. There was no particular reason for the proposed height other than it being the applicant's preference to allow more natural light into the outbuilding.
- Loss of light on the neighbouring driveway was not considered a habitable room therefore would not be a relevant consideration.

The Committee was minded to approve the application, subject to the conditions recommended by the Director – Regeneration and Growth.

**Resolved** that Planning Application DC/21/66295 proposed single storey front/side extension to existing outbuilding in rear garden for use as a home office/gym, 125 Bleakhouse Road, Oldbury, B68 0LT is granted planning permission subject to:-

- (i) External materials;
- (ii) The outbuilding shall be used for purposes that remain ancillary to the main dwelling house

#### 14/22 **Applications Determined Under Delegated Powers**

The Committee noted the planning applications determined by the Director - Regeneration and Growth under powers delegated to him as set out in the Council's Constitution.

#### 15/22 **Decisions of the Planning Inspectorate**

The Committee noted that the Planning Inspectorate had made the following decisions in relation to appeals against refusal of planning permission:-

<b>Application Ref</b>	<b>Site Address</b>	<b>Inspectorate</b>
PD/21/01708	129 Charlemont Road West Bromwich B71 3EH	Dismissed

Meeting ended at 6.56pm

Contact: [democratic\\_services@sandwell.gov.uk](mailto:democratic_services@sandwell.gov.uk)