

Planning Committee

**Wednesday 6 November 2019 at 5.00pm
in the Council Chamber,
at the Sandwell Council House, Freeth Street, Oldbury.**

Agenda

(Open to Public and Press)

1. Apologies for absence.
2. Members to declare any interest in matters to be discussed at the meeting.
3. To confirm the minutes of the meeting held on 2 October 2019 as a correct record.

Matters Delegated to the Committee

Items for Decision

4. To consider whether site visits are necessary and relevant to the determination of any applications.
5. Planning Applications for Consideration.
6. Applications determined under powers delegated to the Director – Regeneration and Growth.
7. Decisions of the Planning Inspectorate.

Date of Next Meeting: **Wednesday 4 December 2019**

David Stevens
Interim Chief Executive

Sandwell Council House
Freeth Street
Oldbury
West Midlands

Distribution: –

Councillor Downing (Chair);
Councillor Hevican (Vice-Chair)
Councillors Ahmed, Allen, Chidley, S Davies, Dhallu, G Gill, P M
Hughes, M Hussain, Mabena, Millar, Rouf, Simms and Trow.

Agenda prepared by Stephnie Hancock
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Democratic Services Unit
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Apologies

To receive any apologies from members

Declarations of Interest

Members to declare any interests in matters to be discussed at the meeting.

Minutes of the Planning Committee

2 October 2019 at 5.00 pm
at the Sandwell Council House, Oldbury

Present: Councillor Downing (Chair);
Councillors Ahmed, Allen, Chidley, S Davies,
Dhallu, Mabena, Millar, Rouf, Simms and
Trow.

Apologies: Councillors Hevican (Vice-Chair), P M
Hughes, M Hussain and Shackleton.

85/19 **Declaration of Interests**

Councillor S Davies declared a personal interest in planning application DC/19/63157 (Proposed community centre, parking and associated works (revised application DC/17/61185), and demolition of existing Gurdwara Guru Hargobind Sahib building on Dudley Road West to provide additional off-site parking. Gurdwara Guru Hargobind Sahib Car Park Upper Chapel Street; and Gurdwara Guru Hargobind Sahib Building, Dudley Road West, Tividale, Oldbury.) in that she lived in the immediate vicinity of the application site.

86/19 **Minutes**

Resolved that the minutes of the meeting held on 4 September, 2019 be approved as a correct record.

87/19 **Applications Deferred Pending a Site Visit by Members of the Committee and Ward Representatives**

Resolved that consideration of planning application DC/19/63297 (Proposed development to provide 2 No. units comprising of Industrial process (Class B1c), General Industrial (Class B2), Storage or Distribution (Class B8) with ancillary offices, car parking, landscaping, service yard areas, and associated external works. Land Adjacent to Asda,

Wolverhampton Road, Oldbury) be deferred, pending a site visit by the Committee and ward representatives.

88/19 **DC/19/62958 (Proposed dwelling, 59 Compton Road, Cradley Heath, B64 5BB.)**

Councillors Allen, Downing, Mabena, Millar, and Trow indicated that they had been lobbied on the site visit, that had taken place before, at the previous Committee, by the objectors.

There was no applicant or objector present.

The Committee was minded to grant planning permission, subject to the conditions recommended by the Director – Regeneration and Growth.

Resolved that planning application DC/19/62958 (Proposed dwelling, 59 Compton Road, Cradley Heath, B64 5BB) be approved, subject to following conditions:-

- 1) External materials,
- 2) Levels
- 3) Ground conditions,
- 4) Parking retention,
- 5) Electric Vehicle Charging points
- 6) Hard and soft landscaping,
- 7) Cycle storage,
- 8) Drainage,
- 9) PD rights removed (extensions, outbuildings, loft conversions),
- 10) Off-street parking spaces, provision and retention,
- 11) Construction management plan, wheel cleaning, hours of construction, etc.

89/19 **DC/19/63157 (Proposed community centre, parking and associated works (revised application DC/17/61185), and demolition of existing Gurdwara Guru Hargobind Sahib building on Dudley Road West to provide additional off-site parking. Gurdwara Guru Hargobind Sahib Car Park Upper Chapel Street; and Gurdwara Guru Hargobind Sahib Building, Dudley Road West, Tividale, Oldbury.)**

Councillors Downing, Ahmed, Allen, Chidley, S Davies, Dhallu, Mabena, Millar, Rouf, Simms and Trow indicated that they had been lobbied on the site visit, that had taken place earlier that day, by the applicant and objectors.

The Service Manager – Development Planning and Building Consultancy reported that information was still awaited concerning the proposed uses of the community centre and consequently the Service Manager – Highways maintain his objections to the proposal.

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

- The proposed car parking provision fell short of 24 spaces.
- The area had narrow streets and cars were forced to park on both sides of street.
- The proposed off-site car park was 300 meters away from the community centre and it seemed unlikely that users of the community centre would use the car park.
- The ground level of the proposed community centre is higher than surrounding houses and would result in lack of privacy and loss of light.
- The proposal would create a concealed alleyway; which increased risk of sinister events.

An objector showed Members pictures taken on Dudley Road West to demonstrate the issues of parking in the area.

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

- It had reduced the size of community centre to accommodate concerns.
- The community centre and off-site car park was to be used for the whole community, not only worship needs. Schools will be able to hire out the centre.
- Parking provision is adequate and the demolition of the existing Gurdwara will provide space for more parking.
- The proposed community centre would not cause a loss of light to residents.
- The photos provided by objectors show on streets parking at school drop off and collection times.

The Service Manager – Highways addressed the Committee. In the absence of detailed information about the proposed use of the community centre, the assessment of parking need had been based on a range of possible uses and their impact. This had resulted in a range of possible parking demands, that exceed the available parking spaces, indicating a shortfall of between 19 and 61 spaces. A mid-range assessment indicated a shortfall of 32 spaces that could not be accommodated on car parks or on street. Taking into account the impact on the highway, particularly congestion and an increased risk of accidents, refusal of the application had been recommended.

In response to member' questions of the applicant, objectors and the officers present, the Committee noted the following:-

- The space inside the community centre had not been arranged and a further application would be submitted once the requirements had been assessed.
- The parking provisions proposed does not accommodate the 150 people that are estimated to use the centre.
- The proposed community centre is not to be used as a banqueting suite.
- The current building, the Gurdwara Guru Hargobin Sahib, had yet to be demolished and when the work started it may affect traffic.
- The Council's adopted decision guide stated a minimum distance of 14 metres between one and two storey buildings. The plans shared proposed community centre was a distance of only 11 metres away from residential properties. The matter was also compounded by a condition on the application approved in 2012 which acquired boundary treatment so the current application contradicted that condition.

The Committee was minded to defer the determination of the application, to enable the applicant to provide more information on uses of the proposed community centre so that a more precise assessment of parking requirements could be provided.

Resolved that the planning application DC/19/63157 (Proposed community centre, parking and associated works (revised application DC/17/61185), and demolition of existing Gurdwara Guru Hargobind Sahib building on Dudley Road West to provide additional off-site parking.

Gurdwara Guru Hargobind Sahib Car Park Upper Chapel Street; and Gurdwara Guru Hargobind Sahib Building, Dudley Road West, Tividale, Oldbury.) be deferred to enable the applicant a further opportunity to submit information on the proposed use of the community centre.

(Councillor S Davies declared a personal and prejudicial interest in the application and left the room during its consideration.)

90/19

Applications Determined Under Delegated Powers by the Director – Regeneration and Growth

The Committee received a report for information on planning applications determined by the Director - Regeneration and Growth under delegated powers.

(The meeting ended at 6.12 pm)

*Contact Officer: Stephnie Hancock
Democratic Services Unit
0121 569 3189*

The Committee will consider whether a site visit would be beneficial to the determination of any of the applications for consideration.



Planning Committee

6th November 2019

Report - Regeneration and Growth

Applications for Consideration

Sandwell Metropolitan Borough Council

Planning Committee

6th November 2019


Index of Applications

Application No & Agenda Page Ref	Premises, Application and Applicant	Recommendation
DC/19/63297 Langley Pg. 14	Proposed development to provide 2 No. units comprising of Industrial process (Class B1c), General Industrial (Class B2), Storage or Distribution (Class B8) with ancillary offices, car parking, landscaping, service yard areas, and associated external works. Land Adj To Asda Wolverhampton Road Oldbury	Defer
DC/19/63360 Greets Green and Lyng Pg.22	Retention of outbuilding to rear. 29 Izons Road West Bromwich B70 8PG Mr Juned Rahman	Grant Conditional Retrospective Consent
DC/19/63389 Great Barr and Yew Tree Pg. 32	Proposed self-contained annex at rear. 112 Birmingham Road Great Barr Birmingham B43 7AE Mr Kirpal Tethy	Grant Permission Subject to Conditions
DC/19/63392 Smethwick Pg. 41	Proposed 20 No. dwellings. Former Resource Centre Lowry Close Smethwick Mr Alan Martin	Defer for Visit

<p>DC/19/63417</p> <p>Wednesbury North</p> <p>Pg. 47</p>	<p>Retention of pergola at rear. Wood Green Nursing Home 27 Wood Green Road Wednesbury WS10 9AX Michael Goss</p>	<p>Grant Conditional Retrospective Consent</p>
<p>DC/19/63482</p> <p>Abbey</p> <p>Pg. 61</p>	<p>Proposed single storey rear extension, two storey side extension, single and two storey front extension with porch, and loft conversion with dormers to rear. 65 Lightwoods Hill Smethwick B67 5EA Mr Sureash Chopra</p>	<p>Grant Permission subject to Conditions</p>
<p>DC/19/63521</p> <p>St Pauls</p> <p>Pg. 78</p>	<p>Proposed part change of use from a garage to a barbers shop. 92 St Pauls Road Smethwick B66 1EY Mrs Shazia Bibi</p>	<p>Defer for Visit</p>
<p>DC/19/63571</p> <p>Tividale</p> <p>Pg. 84</p>	<p>Proposed single/two storey side extensions and single storey rear extension. 89 Barncroft Road Oldbury B69 1TU Mrs M Chilton</p>	<p>Grant Permission with external materials</p>

REPORT TO PLANNING COMMITTEE

6th November 2019

Application Reference	DC/19/63297
Application Received	10 th July 2019
Application Description	Proposed development to provide 2 No. units comprising of Industrial process (Class B1c), General Industrial (Class B2), Storage or Distribution (Class B8) with ancillary offices, car parking, landscaping, service yard areas, and associated external works
Application Address	Land Adj To Asda Wolverhampton Road Oldbury
Applicant	Canmoor (Oldbury) Ltd C/o Agent Michael Sparks Associates Units 11 And 12 Plato Place 72-74 St Dionis Road London SW6 4TU
Ward	Langley
Contribution towards Vision 2030:	
Contact Officer(s)	Alison Bishop 0121 569 4039 alison_bishop@sandwell.gov.uk

RECOMMENDATION

That the application is deferred for further information.

1. BACKGROUND

- 1.1 This application is being reported to your Planning Committee because the proposal has generated a high volume of objections.

Members visited the site prior to your October Committee, however it was deferred from this meeting due to further assessments being required and consultation with statutory consultees and residents.

2. SUMMARY OF KEY CONSIDERATIONS

2.1 The Site is allocated for employment land and forms part of a wildlife corridor.

2.2 The material planning considerations which are relevant to this application are:

Government policy (NPPF)

Proposals in the Local Plan

Overlooking/loss of privacy

Loss of light and/or outlook

Overbearing nature of proposal

Design, appearance and materials

Access, highway safety, parking and servicing

Traffic generation

Noise and disturbance from the scheme

Air quality/pollution

Nature conservation and loss of ecological habitats

Flood risk

2.3 Further explanation will be provided at your next meeting

3.0 The APPLICATION SITE

3.1 The application site relates to land between Asda, adjacent to junction 2 of the M5, and the west of Titford Road, Oldbury.

3.2 The residential properties on Titford Road back directly onto the site which presently is a private green space which contains a number of self setting trees and shrubs. A water course also runs through the site to the along the north and western boundary of the site.

4. PLANNING HISTORY

4.2 The site is situated on undeveloped land which was historically used as allotment gardens. Whilst there has been a subsequent application for additional car parking to serve the existing Asda store, this was refused in 2004 and no further applications have been received.

4.3 Relevant planning applications are as follows:-

DC/03/41246	Proposed additional car parking	Refused 29.09.2004
DC/20712	Change of use to car parking in connection with U.K. Car Auction business.	Approved with Conditions 17.11.1986

5. APPLICATION DETAILS

- 5.1 The applicant proposes to construct two industrial units which would be marketed for Light Industry (Class B1c), General Industrial (Class B2), Storage or Distribution (Class B8). Access would be gained from the roundabout serving Asda and Junction 2 (M5). The units would be situated adjacent to the boundary with the gardens of Titford Road being between 5 metres and 10 metres from this boundary. Trees would be retained and further tree planning would be incorporated along this boundary. The units would measure 76 metres (W) by 45 metres (L) by 12 metres (H) (Unit 1) and 57 metres (W) by 45 metres (L) by 12 metres (H) (Unit 2). Ancillary offices would be attached to each unit with associated servicing beyond to include HGV parking and 63 car parking spaces.

The proposal is accompanied by a Planning Statement, Design and Access Statement, Tree Survey, Ecology appraisals and a Transport Statement, Travel Plan, Air Quality Assessment, Noise Assessment and Environmental Impact Assessment. Further explanation will be provided at your next meeting.

6. PUBLICITY

- 6.1 The application has been publicised by neighbour notification letters. The comments/objections received will be reported to your next committee

7. STATUTORY CONSULTATION

- 7.1 All statutory consultations will be reported at your next meeting.

8. GOVERNMENT GUIDANCE/NATIONAL PLANNING POLICY

- 8.1 National Planning Policy Framework promotes sustainable development but states that that local circumstances should be taken into account to reflect the character, needs and opportunities for each area. This should include creating a strong economy, achieving strong, vibrant and healthy communities and protecting and enhancing the natural and built

environment. It is important that all these factors are considered when deciding on the merits of proposed new development.

9. LOCAL PLANNING POLICY

9.1 The following sections of the Council's Development Plan are relevant:-

EMP3: Local Quality Employment Areas

ENV1 : Nature Conservation

ENV3: Design Quality

ENV5: Flood Risk, Sustainable Drainage System and Urban Heat Island Effect

ENV7: Renewable Energy

ENV8: Air Quality

TRAN2: Managing Transport Impacts of New Development

EMP5 Improving Access to the Labour Market Training and Recruitment

SAD EMP1: Employment Land Development Sites

SAD EMP2 – Training and Recruitment

SAD EMP4 : Relationship between Industry and Sensitive Uses

SAD EOS9: Urban Design Principles

SAD EOS10: Design Quality & Environmental Standards

9.2 The local policy considerations will be outlined in detail at your next meeting.

10. MATERIAL CONSIDERATIONS

10.1 Members will be updated at the next Planning Committee.

11. IMPLICATIONS FOR SANDWELL'S VISION

11.1 The proposal supports Ambitions 3, 8 and 10 of the Sandwell Vision 2030:-

11.2 Ambition 3 – Our workforce and young people are skilled and talented, geared up to respond to changing business needs and to win rewarding jobs in a growing economy

11.3 Ambition 8 – Our distinctive towns and neighbourhoods are successful centres of community life, leisure and entertainment where people increasingly choose to bring up their families.

11.4 Ambition 10 – Sandwell has a national reputation for getting things done, where all local partners are focussed on what really matters in people's lives and communities.

12. CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

12.1 That Members defer the application until their next meeting.

13. STRATEGIC RESOURCE IMPLICATIONS

13.1 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.

14. LEGAL AND GOVERNANCE CONSIDERATIONS

14.1 This application is submitted under section 55 of the Town and Country Planning Act 1990.

15. EQUALITY IMPACT ASSESSMENT

15.1 There are no equalities issues arising from this proposal and therefore an equality impact assessment has not been carried out.

16. DATA PROTECTION IMPACT ASSESSMENT

16.1 The planning application and accompanying documentation is a public document.

17. CRIME AND DISORDER AND RISK ASSESSMENT

17.1 The scheme will be considered in accordance with Secure by Design guidance.

18. SUSTAINABILITY OF PROPOSALS

18.1 Refer to the national planning framework (8) and local plan policies (9) and material considerations (10).

19. HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)

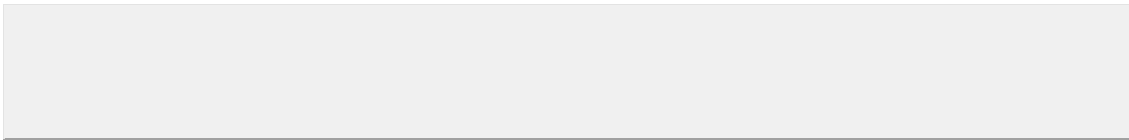
19.1 Members will be updated at the next Planning Committee.

20. IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND

20.1 There will be no impact.

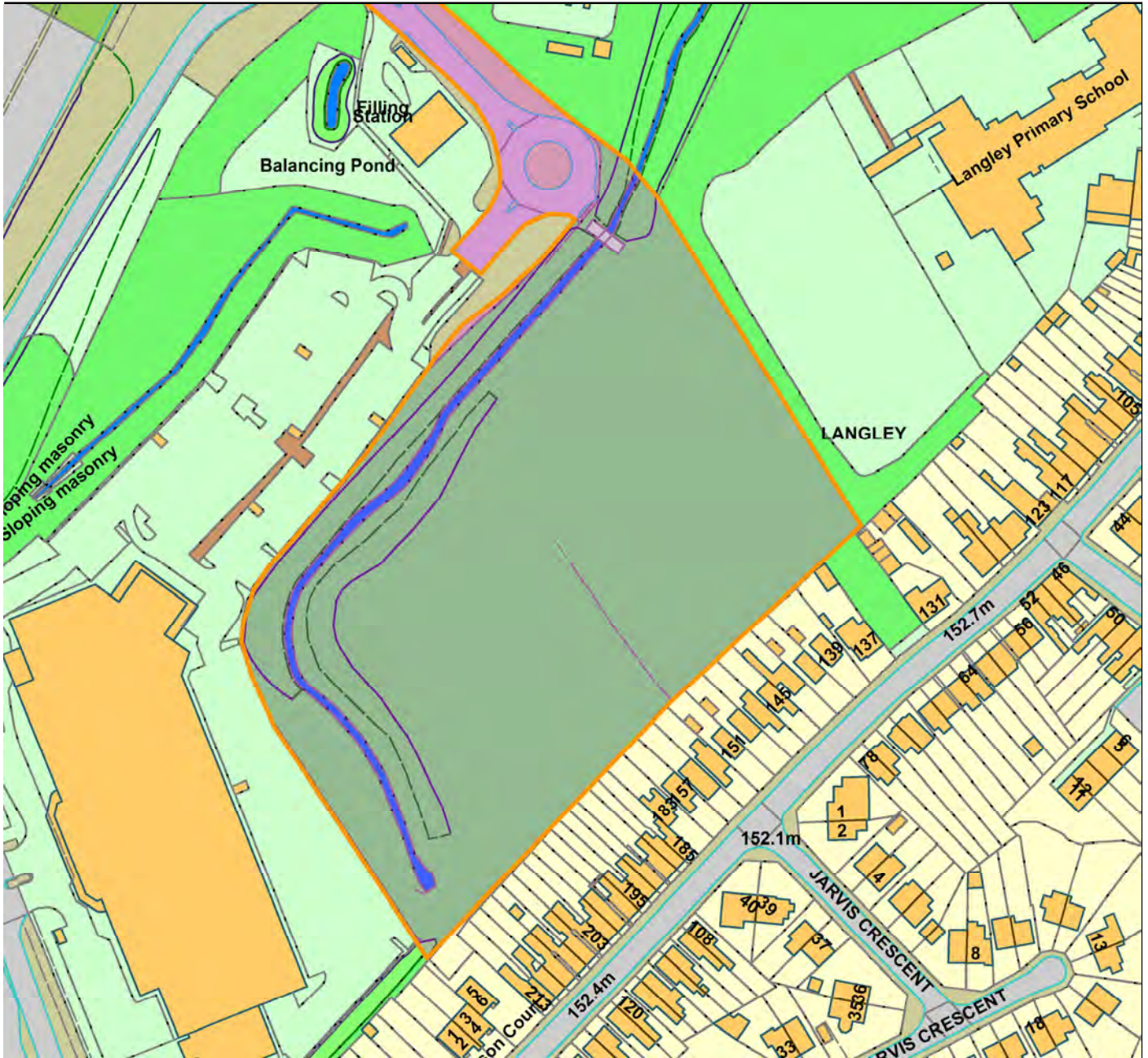
21. APPENDICES:

Site Plan
Context Plan



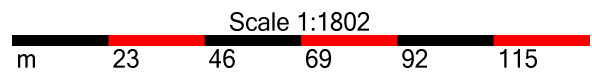
DC/19/63297

Land Adj to Asda, Wolverhampton Road



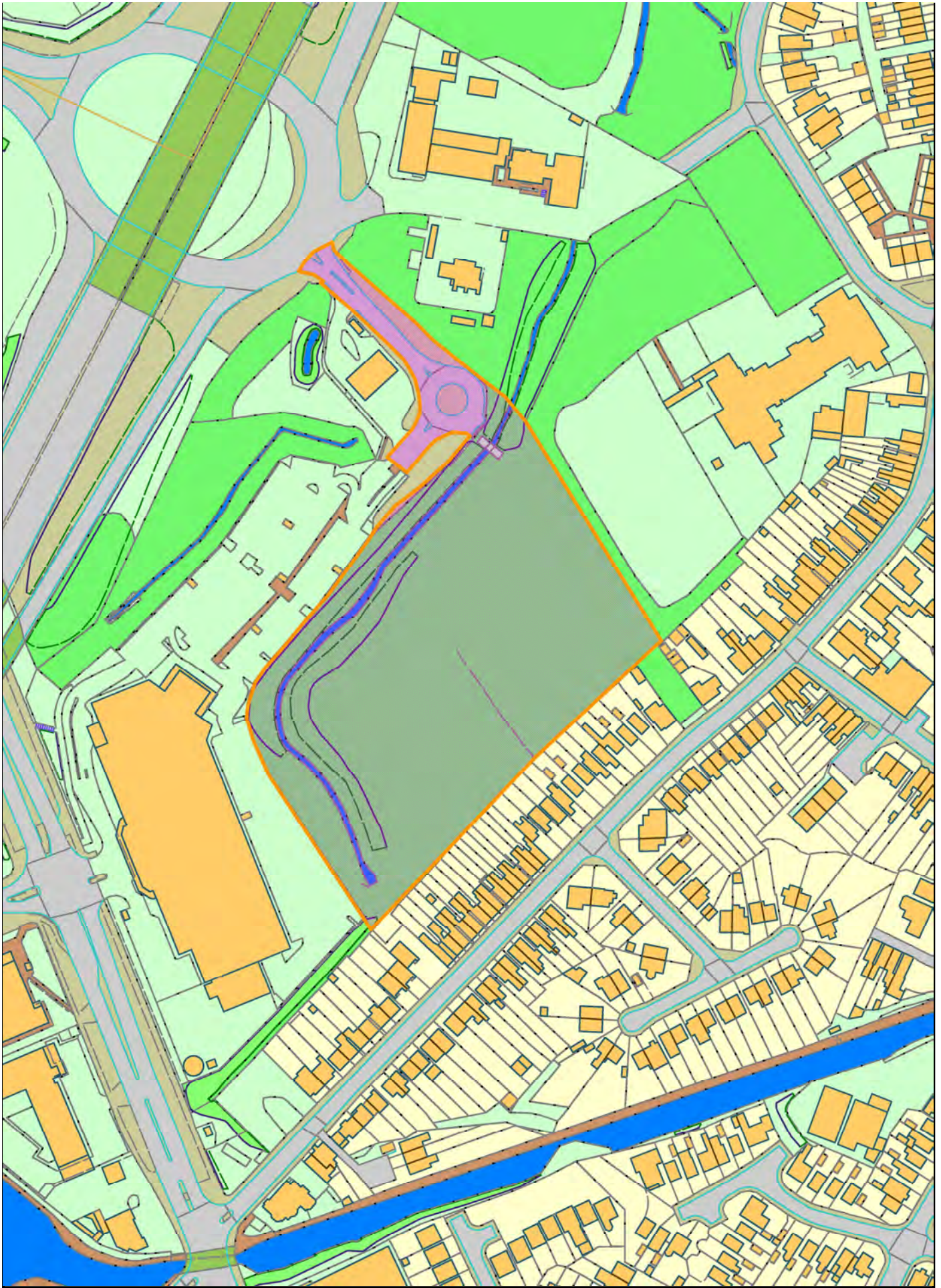
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Department	Not Set
Comments	Not Set
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REPORT TO PLANNING COMMITTEE

6th November 2019

Application Reference	DC/19/63360
Application Received	29 th July 2019
Application Description	Retention of outbuilding to rear
Application Address	29 Izons Road West Bromwich B70 8PG.
Applicant	Mr Juned Rahman 29 Izons Road West Bromwich B70 8PG
Ward	Greets Green & Lyng
Contribution towards Vision 2030:	
Contact Officer(s)	Mr Anjan Dey 0121 569 4896 anjan_dey@sandwell.gov.uk

RECOMMENDATION

That planning permission is granted subject to the following conditions:-

- (i) The western side elevation shall be rendered and painted within 2 months of the date of the permission;
- (ii) The rain water gutters and down pipe shall be extended/repositioned across the front elevation within 2 months of the date of the permission and
- (iii) The outbuilding shall be used purposes that remain ancillary to the main dwelling-house.

1. BACKGROUND

- 1.1 This application is being reported to your Planning Committee because more than 3 material objections have been submitted.

2. SUMMARY OF KEY CONSIDERATIONS

- 2.1 The site is not allocated in the adopted development plans.

2.2 The material planning considerations which are relevant to this application are:

Overlooking/loss of privacy
Loss of light and/or outlook
Design, appearance and materials

Refer to section 6 below for more details.

3. The APPLICATION SITE

3.1 This application relates to a terraced property located on the southern side of Izens Road, West Bromwich. The surrounding area is residential in character, dominated by terraced properties. A health centre is located on the opposite side of Izens Road.

4. PLANNING HISTORY

4.1 There is no relevant planning history.

5. APPLICATION DETAILS

5.1 This retrospective application relates to enforcement case ENF/19/10792 and is for the retention of an outbuilding constructed at the rear of the property. The outbuilding is used for domestic storage purposes and has dimensions of:-

- 9.1m deep by 3.8m wide by 2.8m high to the maximum height of the mono pitched roof.

5.2 The structure is a combination of exposed blockwork and rendered elevations containing uPVC doors and windows. The western side elevation has been built into the side wall that forms the boundary. As built it consists of brick and exposed blockwork.

5.3 The applicant's property is flanked by terraced properties on Lodge Road, whose rear gardens are served by a shared access. The western side elevation contains a door that allows access via the shared alleyway.

6. PUBLICITY

6.1 The application has been publicised by neighbour notification letter with 3 objections received from the occupiers of 54 Lodge Road. One of the objection letters has been counter-signed by 5 residents of various properties situated on Lodge Road.

6.2 **Objections**

Objections have been received on the following grounds:-

- (i) The outbuilding has been constructed without obtaining planning consent;
- (ii) The outbuilding results in loss of outlook from their properties and is unduly prominent and out of keeping with surrounding dwellings;
- (iii) The outbuilding results in loss of privacy to their properties;
- (iv) It will be used as self-contained living accommodation;
- (v) There is no drainage for the structure;
- (vi) Concerns as to whether it requires Building Regulations approval.

6.3 **Responses to objections**

I respond to the objector's comments in turn;

- (i) the applicant was unaware that planning permission should have been obtained for the outbuilding, this is a common occurrence. I have no reason to doubt the reasons why prior consent was not obtained, however this in itself, would not warrant refusal. Following a complaint to the planning service and subsequent investigation, the applicant now seeks to regularise the matter.
- (ii) the height of the structure along the shared access to the rear of properties of Lodge Road is 2.47 metres. This measurement is marginally below the 2.5 metre height that is allowed under Class E of 'Permitted Development Regulations'. Its maximum height (2.8 metres) is 300mm above the height allowed under current regulations. Notwithstanding this, it is my view that the height is not detrimental to neighbouring properties.
- (iii) the nearest ground floor primary windows at the rear of nos 56 & 58 Lodge Road are estimated to be 21 metres away from the side elevation of the outbuilding. Primary windows at the rear of no 54 Lodge Road do not directly face the outbuilding. Furthermore the outbuilding is not visible from the main frontage to Izons Road. It is my view that privacy would not be affected due to the separation distances referred to above and given that the outbuilding is being used for domestic storage purposes.
- (iv) There is no evidence to suggest that the outbuilding would be used for self-contained living accommodation. Such a use would require planning consent and is unlikely to be supported due to the spatial constraints of the site.

- (v) The outbuilding has a mono pitched roof that slopes from east to west and gutters have been fitted along the western side elevation to contain rain water. The gutter down pipe currently discharges rain water onto the shared access which is not acceptable. It is my view that the gutters and downpipe should be extended across the front elevation so that rain water is discharged within the curtilage of the dwelling. This can also be controlled by an appropriate condition.
- (vi) Building Regulations approval is not a material planning consideration.

6.4 Support

No comments have been received which support the application.

7. STATUTORY CONSULTATION

- 7.1 There are no statutory consultation responses to report for this application.

8. GOVERNMENT GUIDANCE/NATIONAL PLANNING POLICY

- 8.1 National Planning Policy Framework promotes sustainable development but states that that local circumstances should be taken into account to reflect the character, needs and opportunities for each area.

9. LOCAL PLANNING POLICY

- 9.1 The following sections of the Council's Development Plan are relevant:-

ENV3: Design Quality

SAD EOS9: Urban Design Principles

- 9.2 These policies emphasise the need for good design and that proposals should be in scale with the local area. As indicated the height at its maximum is only 300mm above a standard permitted development building and hence, in terms of scale, it is considered to be acceptable. With regard to appearance, it is accepted that the areas of exposed blockwork are unsightly, however to render the northern and eastern elevations, the applicant would need consent from neighbour's to access their gardens. This is ultimately a private matter, however the side return to objectors' properties can be accessed through the side passage.
- 9.3 Turning to the western side elevation, along the shared access, it is considered that this should be rendered and painted to improve its visual appearance. This can be controlled by condition.

10. MATERIAL CONSIDERATIONS

- 10.1 The key material considerations with this proposal are design referred to above (9.1) and the impact of the outbuilding from loss of outlook and privacy to the neighbouring properties. As indicated in 6.3 above (response to objections):-
- 10.2 Design. The proposal is acceptable in scale and conditions can be attached to improve its appearance.
- 10.3 Loss of outlook. There are no windows which directly face the outbuilding;
- 10.1 Loss of Privacy. The outbuilding is 21 metres away from the rear of nos 56 & 58 Lodge Road;

11. IMPLICATIONS FOR SANDWELL'S VISION

- 11.1 The proposal supports Ambition 10 of the Sandwell Vision 2030:-
- 11.2 Ambition 10 – Sandwell has a national reputation for getting things done, where all local partners are focussed on what really matters in people's lives and communities.

12. CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 12.1 The proposal accords in the main with relevant design policies and conditions regarding improving its appearance can be conditioned. When considering the key material considerations of loss of outlook and privacy, it is considered that the proposal does not result in any harm to the neighbouring residents.

13. STRATEGIC RESOURCE IMPLICATIONS

- 13.1 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.

14. LEGAL AND GOVERNANCE CONSIDERATIONS

- 14.1 This application is submitted under section 55 of the Town and Country Planning Act 1990.

15. EQUALITY IMPACT ASSESSMENT

- 15.1 There are no equalities issues arising from this proposal and therefore an equality impact assessment has not been carried out.

16. DATA PROTECTION IMPACT ASSESSMENT

16.1 The planning application and accompanying documentation is a public document.

17. CRIME AND DISORDER AND RISK ASSESSMENT

17.1 There are no crime and disorder issues with this application.

18. SUSTAINABILITY OF PROPOSALS

18.1 Refer to the national planning framework (8) and local plan policies (9) and material considerations (10).

19. HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)

19.1 Refer to the summary of the report (12).

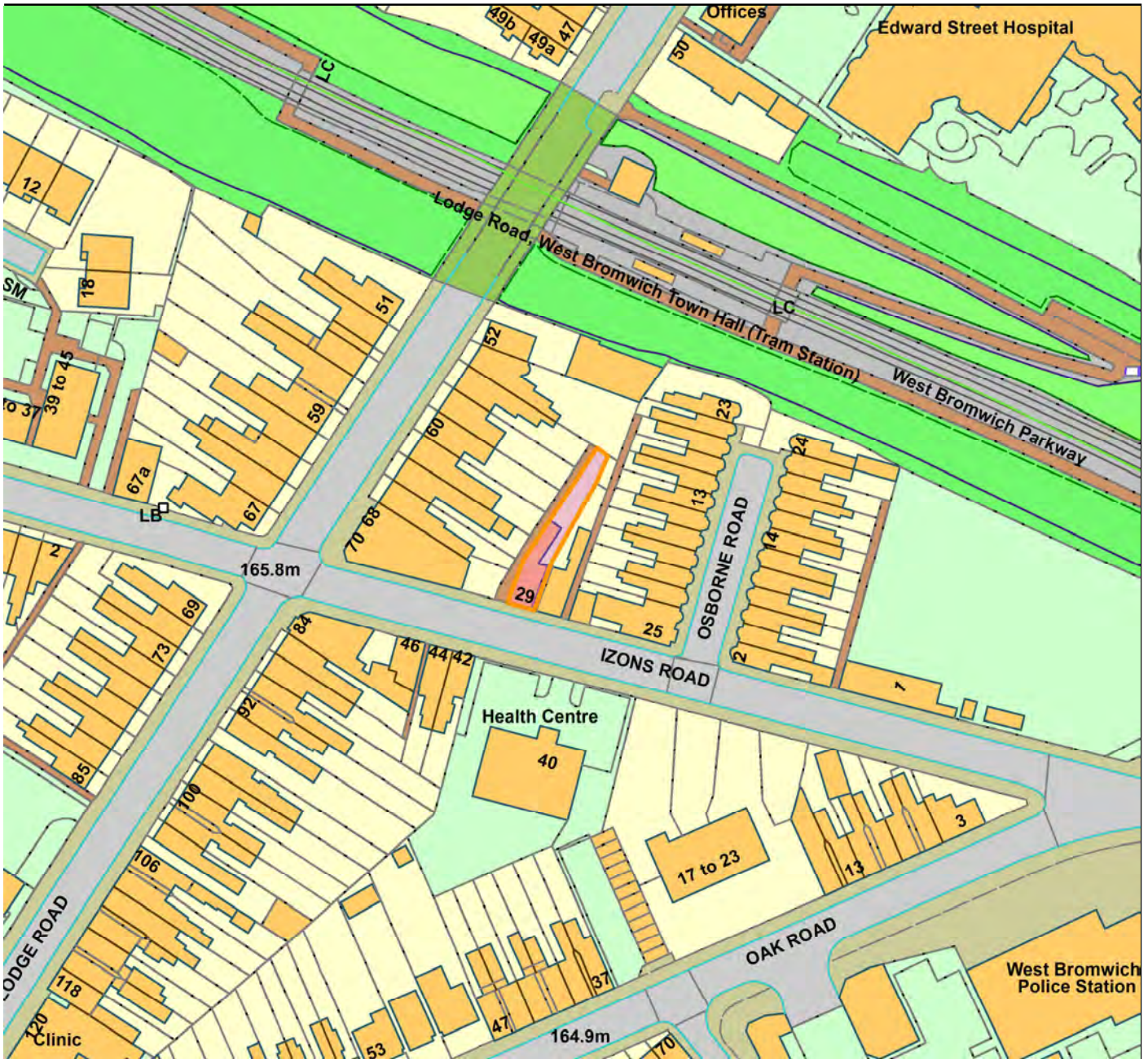
20. IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND

20.1 There will be no impact.

21. APPENDICES:

Site Plan
Context Plan
Plan No. 2
Plan No. 3

DC/19/63360
29 IZONS ROAD



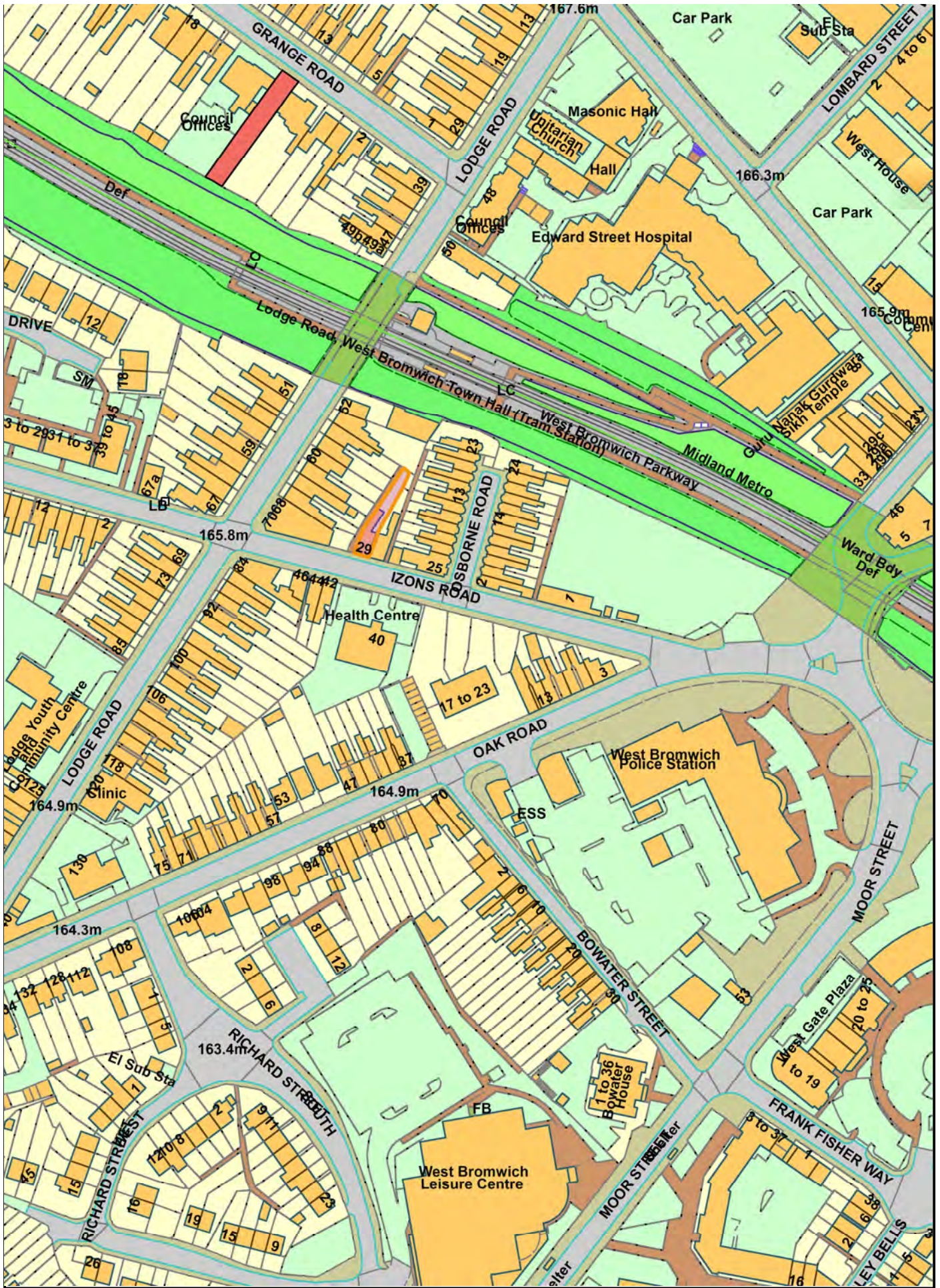
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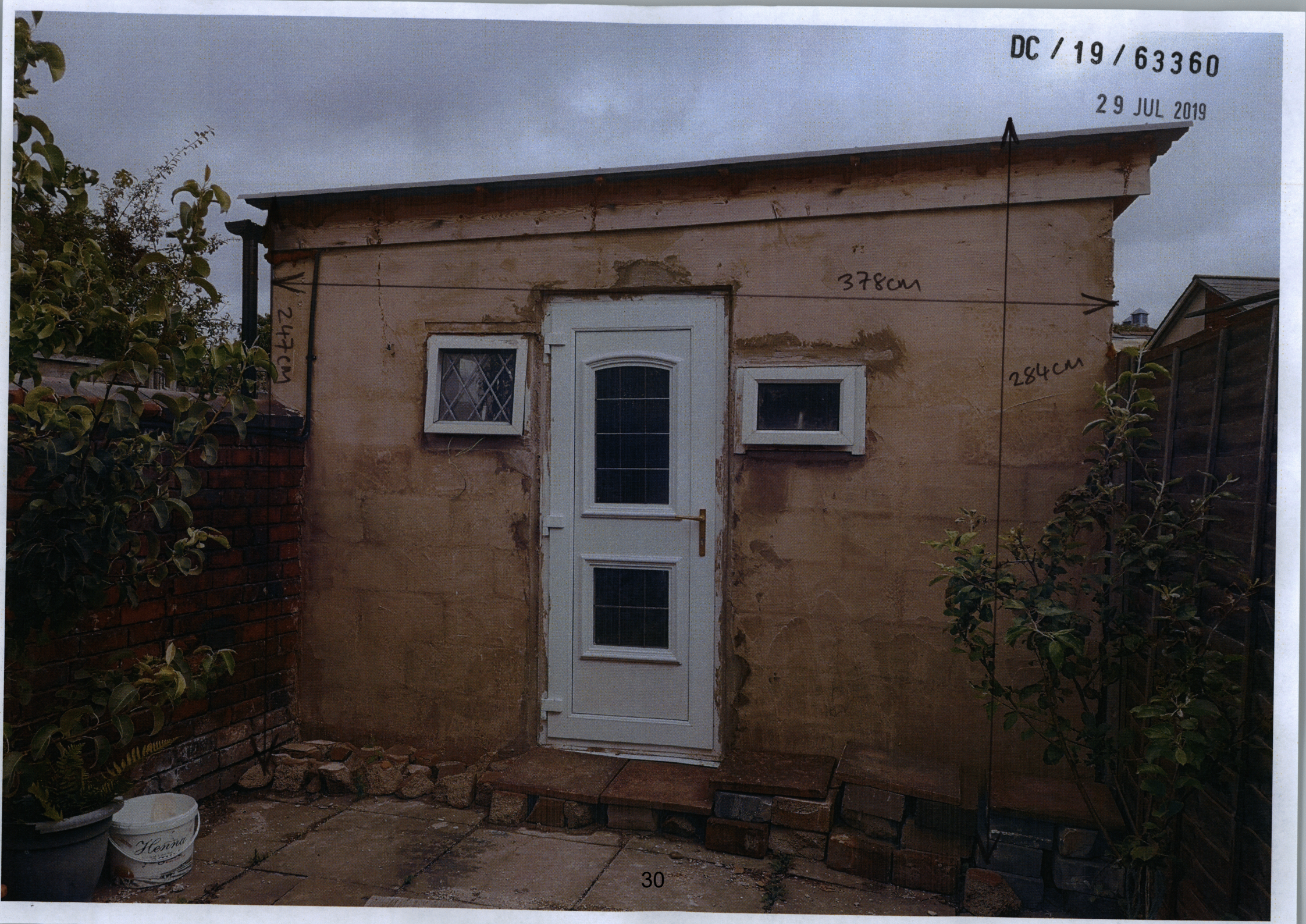
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29 JUL 2019

247cm

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284cm



DC / 19 / 63360

29 JUL 2019


918cm

378cm.

267cm

REPORT TO PLANNING COMMITTEE

6th November 2019

Application Reference	DC/19/63389
Application Received	29 th August 2019
Application Description	Proposed self-contained annex at rear.
Application Address	112 Birmingham Road, Great Barr. B43 7AE
Applicant	Mr Kirpal Thethy
Ward	Great Barr with Yew Tree
Contribution towards Vision 2030:	
Contact Officer(s)	Mrs Christine Phillips 0121 569 4040 christine_phillips@sandwell.gov.uk

RECOMMENDATION

That planning permission is granted subject to :-

- (i) The approval of external materials;
- (ii) That the building is used as ancillary accommodation to the main dwelling and not a separate dwelling; and
- (iii) The permission being personal to the applicant.

1. BACKGROUND

- 1.1 This application is being reported to your Planning Committee because three material objections have been received and the application is recommended for approval.

2. SUMMARY OF KEY CONSIDERATIONS

- 2.1 The site is not allocated in the adopted development plans.
- 2.2 The material planning considerations which are relevant to this application are:

The intended use and whether it is reasonably required
Design, appearance and materials and
Impact on neighbouring residential amenity in terms of loss of light,
outlook and privacy.

3. The APPLICATION SITE

- 3.1 The application refers to a detached dormer bungalow on the west side of Birmingham Road close to junction 7 of the M6 motorway.
- 3.2 The house has a large front drive/garden and a substantial rear garden, surrounded by housing in Arran Close and Ravenhurst Drive.

4. PLANNING HISTORY

- 4.1 The property already benefits from a loft conversion granted in 2016.
- 4.2 Relevant planning applications are as follows:-

DC/16/59199	Proposed hip to gable roof extensions with rear dormer.	Approved 27.04.2016
-------------	---	------------------------

5. APPLICATION DETAILS

- 5.1 The construction of a single-storey self-contained annex in the rear garden is proposed, to be occupied by the Mother and Father of the applicant.
- 5.2 The annex would be sited on the southern side of the garden on part of an existing hard surfaced patio, approximately 7m away from the rear garden boundaries of 4 and 6 Arran Close. It would measure 9.9m width x 5.5m length x 2.8m high to a shallow tiled roof and be constructed in brickwork. Internally the annex would contain a kitchen/lounge area, one double bedroom and a wet room. There would be no windows on the rear elevation facing the rear gardens of 4 and 6 Arran Close.
- 5.3 The proposal has been reduced in height, design and scale during the processing of the application. Originally it was to be 5.4m high with windows on the rear elevation, have a footprint of 68sqm (larger than the average two-bed semi-detached house) and comprise of two bedrooms.

6. PUBLICITY

- 6.1 The application has been publicised by neighbour notification. The original scheme generated three material objections. The neighbours

have been re-consulted on the amended scheme and any further representations will be reported verbally.

6.2 **Objections**

Objections to the original scheme have been received on the following grounds: -

- (i) Loss of privacy;
- (ii) Loss of outlook;
- (iii) Loss of light/over-shadowing.

Immaterial issues have also been raised regarding devaluation of house prices.

6.3 **Responses to objections**

I respond to the objector's comments in turn;

- (i) Given that the originally proposed windows on the rear elevation have been deleted there would be no loss of privacy.
- (ii) The proposal has been significantly reduced in height from 5.4m to 2.8m and would therefore not appear unduly prominent above the fence line or cause a loss of outlook.
- (iii) There would be a gap of 7m between the annex and the closest garden boundary. Combined with the reduction in height, it is not considered that the proposal would result in a loss of light or any over-shadowing.

6.4 **Support**

No comments have been received in support of the application.

7. **STATUTORY CONSULTATION**

- 7.1 There are not statutory consultation responses to report for this application.

8. **GOVERNMENT GUIDANCE/NATIONAL PLANNING POLICY**

- 8.1 National Planning Policy Framework promotes sustainable development but states that that local circumstances should be taken into account to reflect the character, needs and opportunities for each area.

9. LOCAL PLANNING POLICY

9.1 The following sections of the Council's Development Plan are relevant: -

ENV3: Design Quality

SAD EOS9: Urban Design Principles

9.2 These policies emphasise the need for good design and that proposals should be in scale with the local area. It is considered that the amended scheme comprising of a reduction in the height of the building would be appropriate in the locality. The use of bricks and tiles in the construction would be robust and aesthetically pleasing.

9.3 The development is liable to the Community Infrastructure Levy.

10. MATERIAL CONSIDERATIONS

10.1 The key material considerations with this proposal are design referred to above (9.1) and the intended use and whether the development is reasonably required and impact on neighbouring residential amenity in terms of loss of light, outlook and privacy. As indicated in 6.3 above (response to objections):-

10.2 Design. The reduced height is complementary to the area and proposed materials are acceptable.

10.3 Intended use. The applicant has verbally confirmed that the accommodation would be used by his parents is therefore considered to be reasonably required, particularly as the proposal has been reduced in scale during the processing of the application. This can be controlled by planning conditions to ensure that it would not be used as a separate and independent dwelling. Any permission could be made personal to the applicant.

10.4 Impact on nearby residential property. The proposal is acceptable following the receipt of amended plans.

11. IMPLICATIONS FOR SANDWELL'S VISION

11.1 The proposal supports Ambition 7 and 10 of the Sandwell Vision 2030 :-

11.2 Ambition 7 – We now have many new homes to meet a full range of housing needs in attractive neighbourhoods and close to key transport routes

11.3 Ambition 10 – Sandwell has a national reputation for getting things done, where all local partners are focussed on what really matters in people’s lives and communities.

12. CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

12.1 The proposed development would provide ancillary accommodation for elderly relatives in an annex building within a substantial rear garden. Amendments to the proposal along with appropriate planning conditions would ensure the development accords to relevant policies and would not detract from amenity.

13. STRATEGIC RESOURCE IMPLICATIONS

13.1 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.

14. LEGAL AND GOVERNANCE CONSIDERATIONS

14.1 This application is submitted under section 55 of the Town and Country Planning Act 1990.

15. EQUALITY IMPACT ASSESSMENT

15.1 There are no equalities issues arising from this proposal and therefore an equality impact assessment has not been carried out.

16. DATA PROTECTION IMPACT ASSESSMENT

16.1 The planning application and accompanying documentation is a public document.

17. CRIME AND DISORDER AND RISK ASSESSMENT

17.1 There are no crime and disorder issues with this application.

18. SUSTAINABILITY OF PROPOSALS

18.1 Refer to the national planning framework (8) and local plan policies (9) and material considerations (10).

19. HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)

19.1 Refer to the summary of the report (12).

20. IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND

20.1 There will be no impact.

21. APPENDICES:

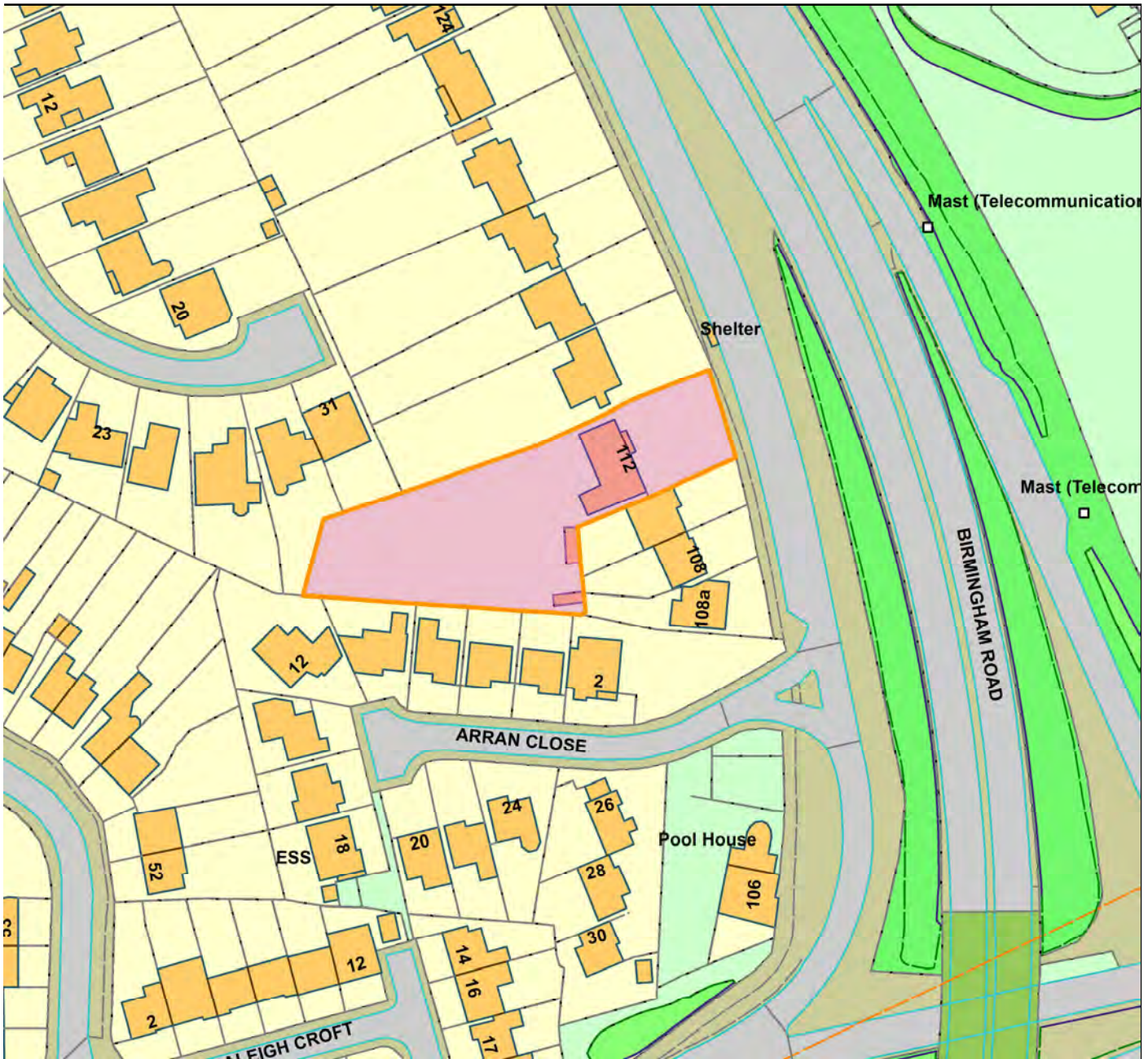
Site Plan

Context Plan

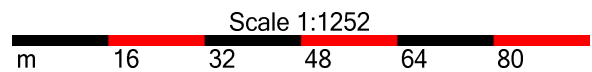
Plan No. 01-BLK

Plan No. 1001-2019-03

DC/19/63389
112 Birmingham Road



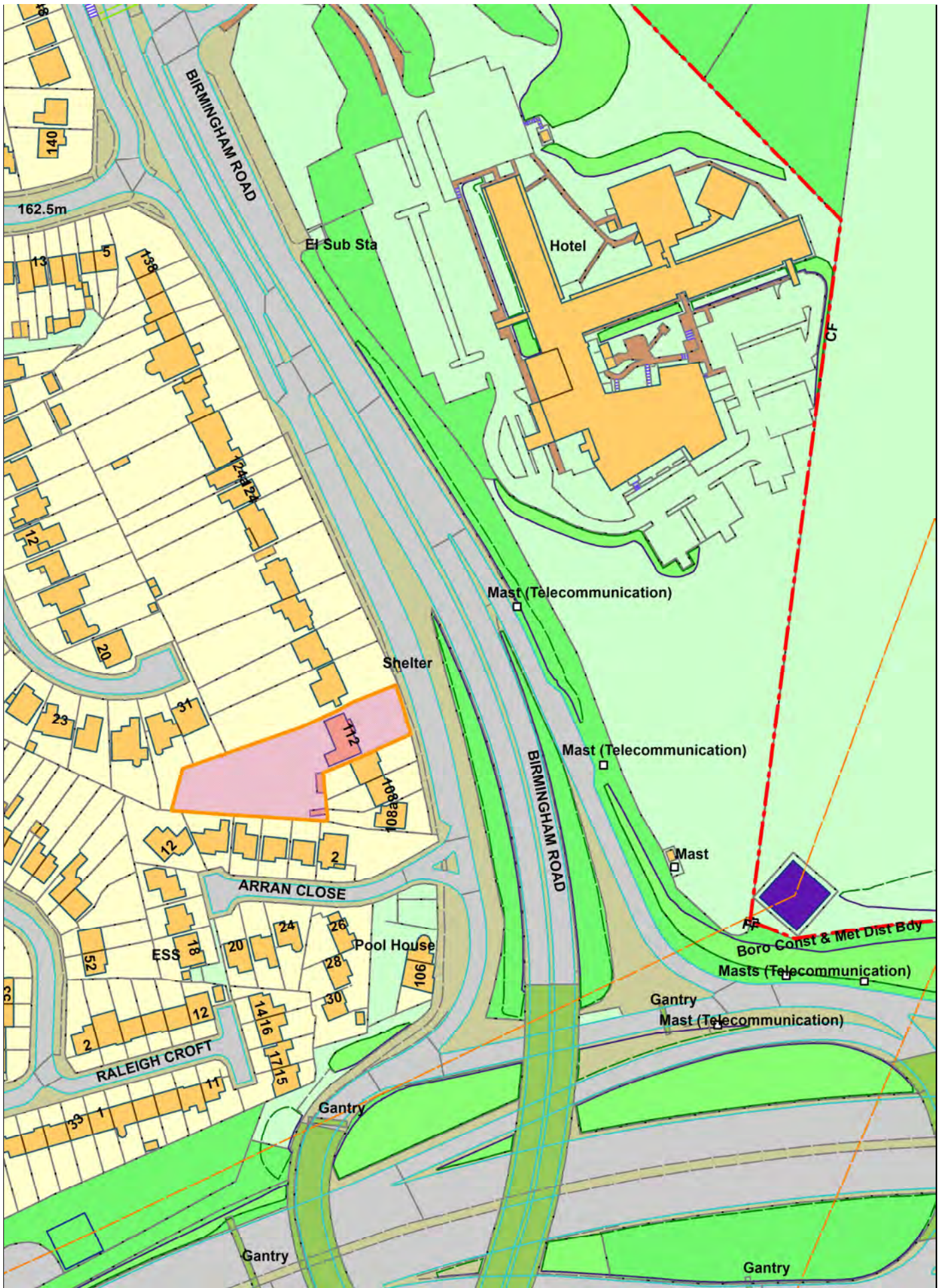
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Comments	Not Set
Date	22 October 2019
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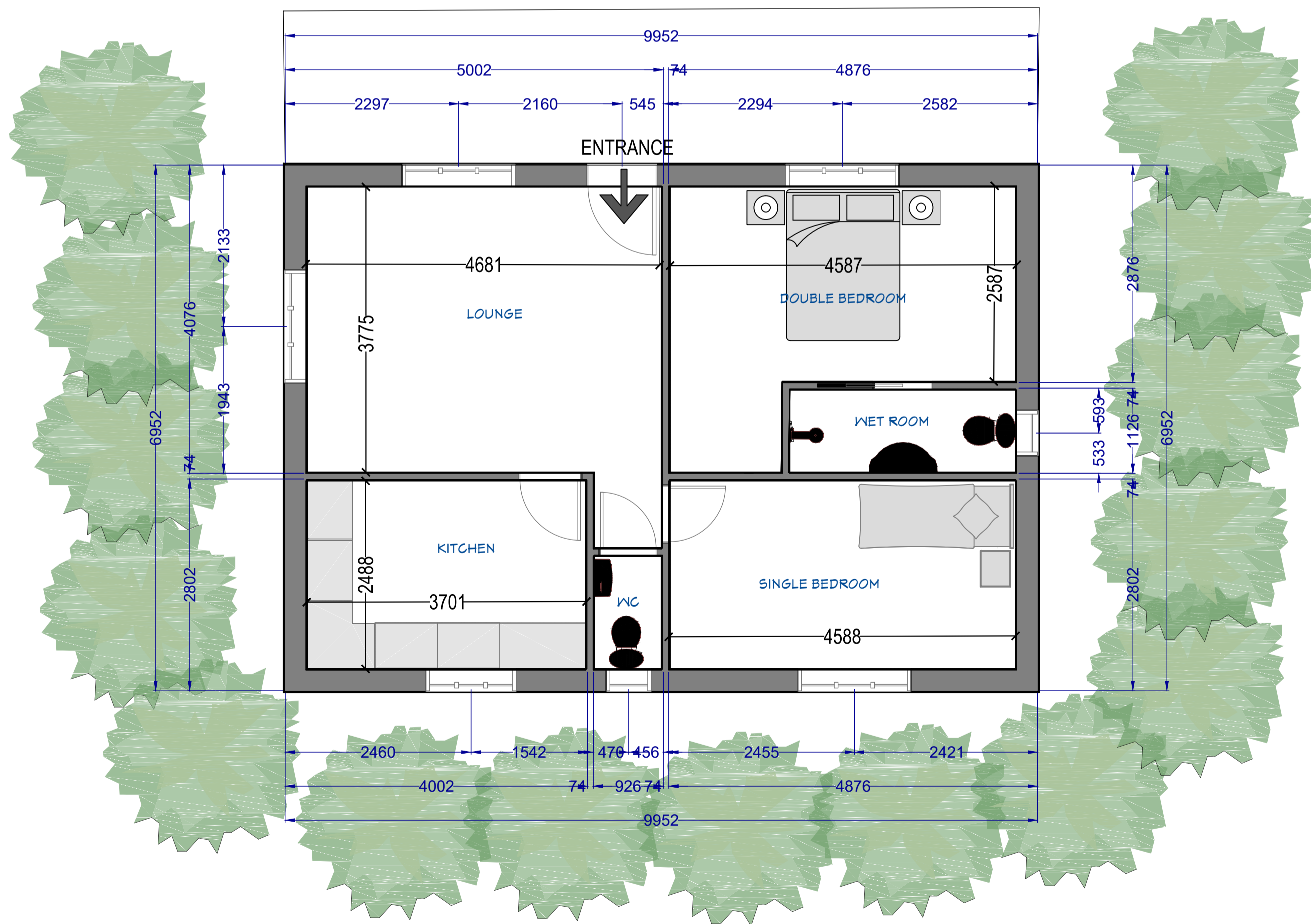
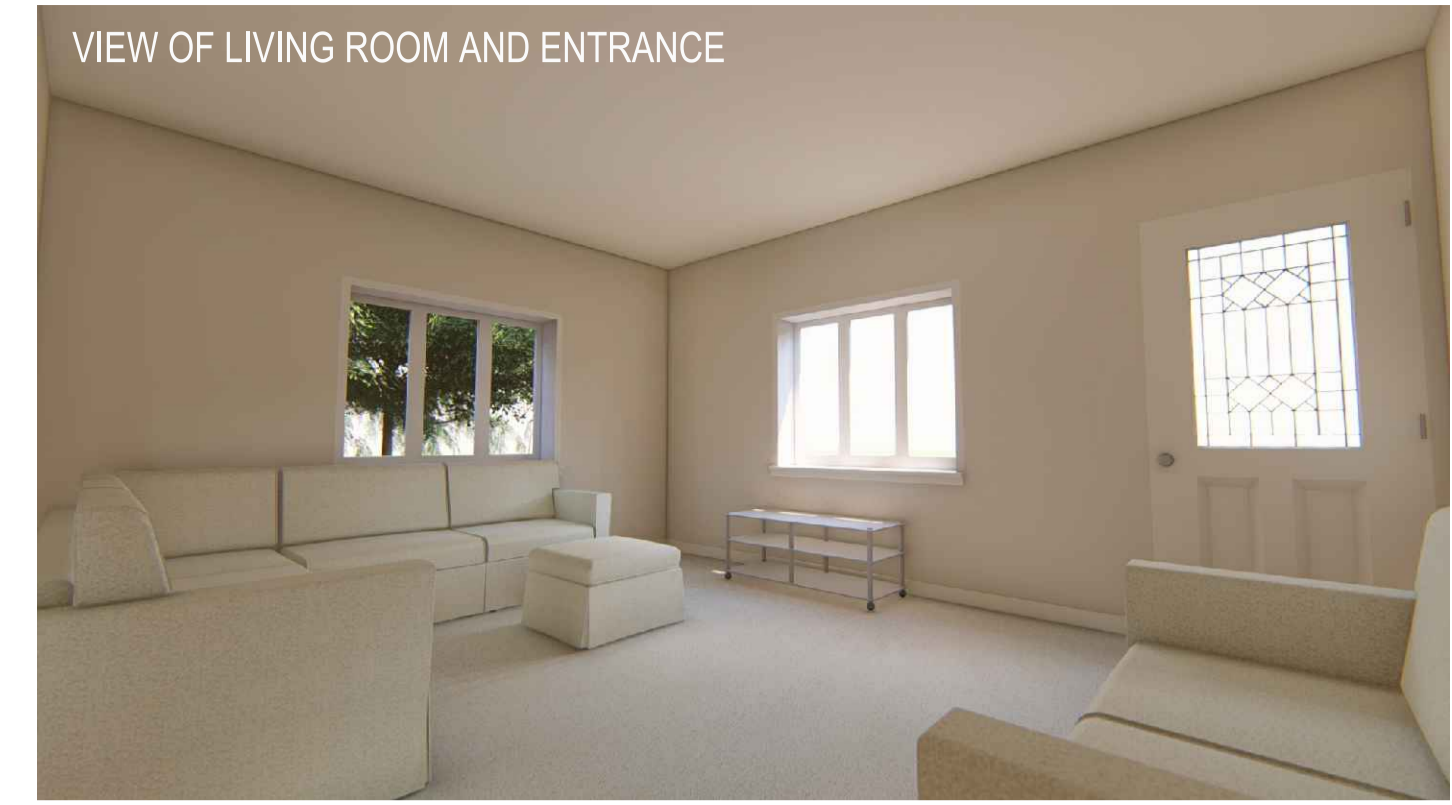
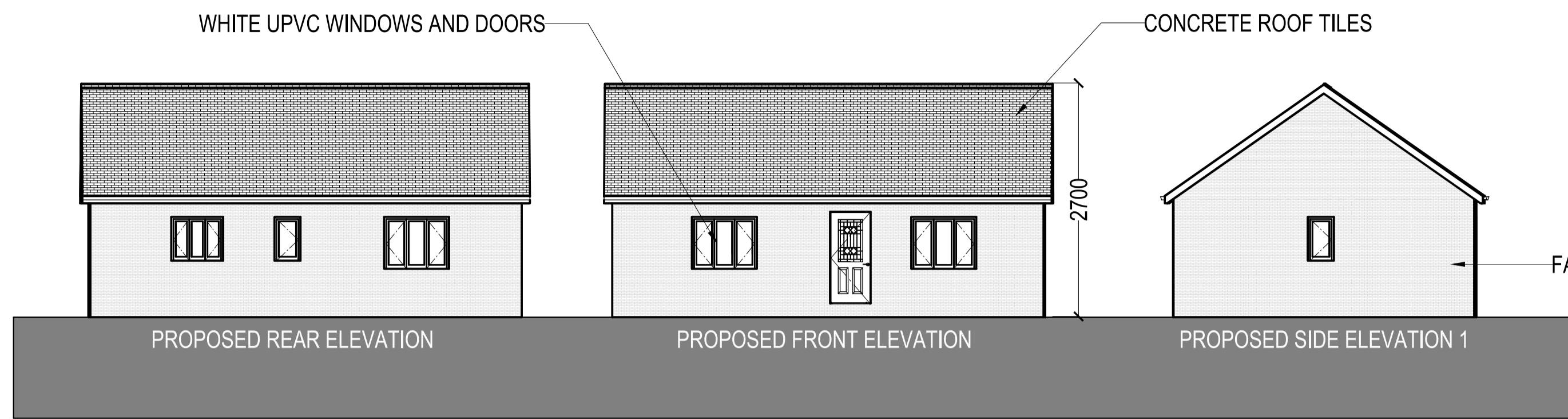
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PROPOSED GROUND FLOOR PLAN





3D PLAN VIEW 2

CLIENT	MR KIRPAL THETHY
PROJECT SITE	112 BIRMINGHAM ROAD GREAT BARR B43 7AE
DRG TITLE	EXISTING AND PROPOSED PLANS
SCALE	1:50 @ A1
DATE	27/08/2019
JOB NO	1068
DRG NO	1001-2019-01

REPORT TO PLANNING COMMITTEE

6th November 2019

Application Reference	DC/19/63392
Application Received	6 th August 2019
Application Description	Proposed 20 No. dwellings
Application Address	Former Resource Centre, Lowry Close, Smethwick
Applicant	Mr Alan Martin, Sandwell MBC, Sandwell Council House, Freeth Street, Oldbury, B69 3DE
Ward	Smethwick
Contribution towards Vision 2030:	 
Contact Officer(s)	William Stevens 0121 569 4897 William_stevens@sandwell.gov.uk

RECOMMENDATION

That Members Visit the site

1 BACKGROUND

- 1.1 This application has been reported to your Planning Committee because the applicant is Director of Regeneration and Economy and the proposal has generated local interest. By reporting the application, at an early stage, it will enable Members to visit the site but also adhere to government timescales.

2 SUMMARY OF KEY CONSIDERATIONS

- 2.1 The Site is allocated for housing in the adopted development plans.
- 2.2 The material planning considerations will be addressed at the next meeting in the full report.

3. The APPLICATION SITE

3.1 The application site is bound by Church Hill Street, and Vicarage Road, Smethwick, with the site separated in two by Lowry Close, Smethwick.

3.2 The immediate area is residential with retail and offices and close to a multi-storey car park opposite the application site.

4. PLANNING HISTORY

4.2 Planning Permission was granted in 2018 (DC/18/62088) for the demolition of the former resource centre on site. The resource centre has since been demolished and the site remains vacant.

4.3 Relevant planning applications are as follows:-

DC/18/62088	Demolition of resource centre	Approved 15.08.2018
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5. APPLICATION DETAILS

5.1 The applicant proposes to erect 20 No. Dwellings. These will be made up of different house types including 11 no. 2 bedroom semi-detached properties, 4 no. 4 bedroom properties, and 5 no. 2 bedroom bungalows, all with associated car parking and gardens.

6. PUBLICITY

6.1 The application has been publicised by neighbour notification letters, site notice and press notice. Comments received will be reported to your next committee.

7. STATUTORY CONSULTATION

7.1 All statutory consultations will be reported at your next meeting.

8. GOVERNMENT GUIDANCE/NATIONAL PLANNING POLICY

8.1 National Planning Policy Framework promotes sustainable development but states that that local circumstances should be taken into account to reflect the character, needs and opportunities for each area.

9. LOCAL PLANNING POLICY

9.1 Members will be updated at the next Planning Committee.

10. MATERIAL CONSIDERATIONS

10.1 Members will be updated at the next Planning Committee.

11. IMPLICATIONS FOR SANDWELL'S VISION

11.1 The proposal supports Ambition 7 and 10 of the Sandwell Vision 2030:-

11.2 Ambition 7 – We now have many new homes to meet a full range of housing needs in attractive neighbourhoods and close to key transport routes.

11.3 Ambition 10 – Sandwell has a national reputation for getting things done, where all local partners are focussed on what really matters in people's lives and communities.

12. CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

12.1 That Members visit the site in order for the application to be determined within the statutory time period.

13. STRATEGIC RESOURCE IMPLICATIONS

13.1 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.

14. LEGAL AND GOVERNANCE CONSIDERATIONS

14.1 This application is submitted under section 55 of the Town and Country Planning Act 1990.

15. EQUALITY IMPACT ASSESSMENT

15.1 There are no equalities issues arising from this proposal and therefore an equality impact assessment has not been carried out.

16. DATA PROTECTION IMPACT ASSESSMENT

16.1 The planning application and accompanying documentation is a public document.

17. CRIME AND DISORDER AND RISK ASSESSMENT

17.1 Comments will be provided within the next full report.

18. SUSTAINABILITY OF PROPOSALS

18.1 Comments will be provided within the next full report.

19. HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)

19.1 Comments will be provided within the next full report.

20. IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND

20.1 The proposal is on Council owned land.

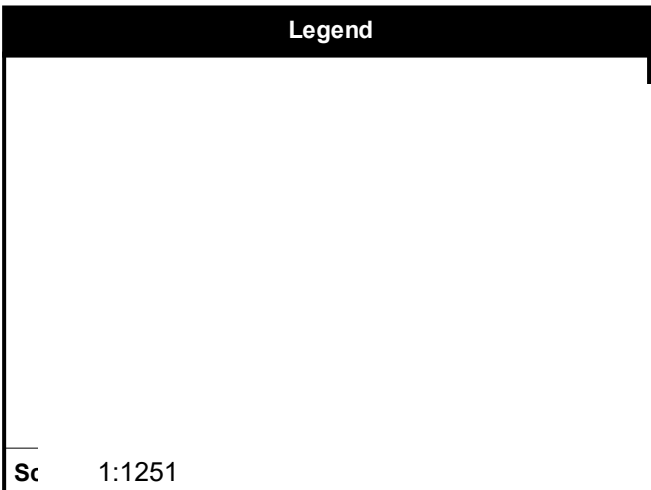
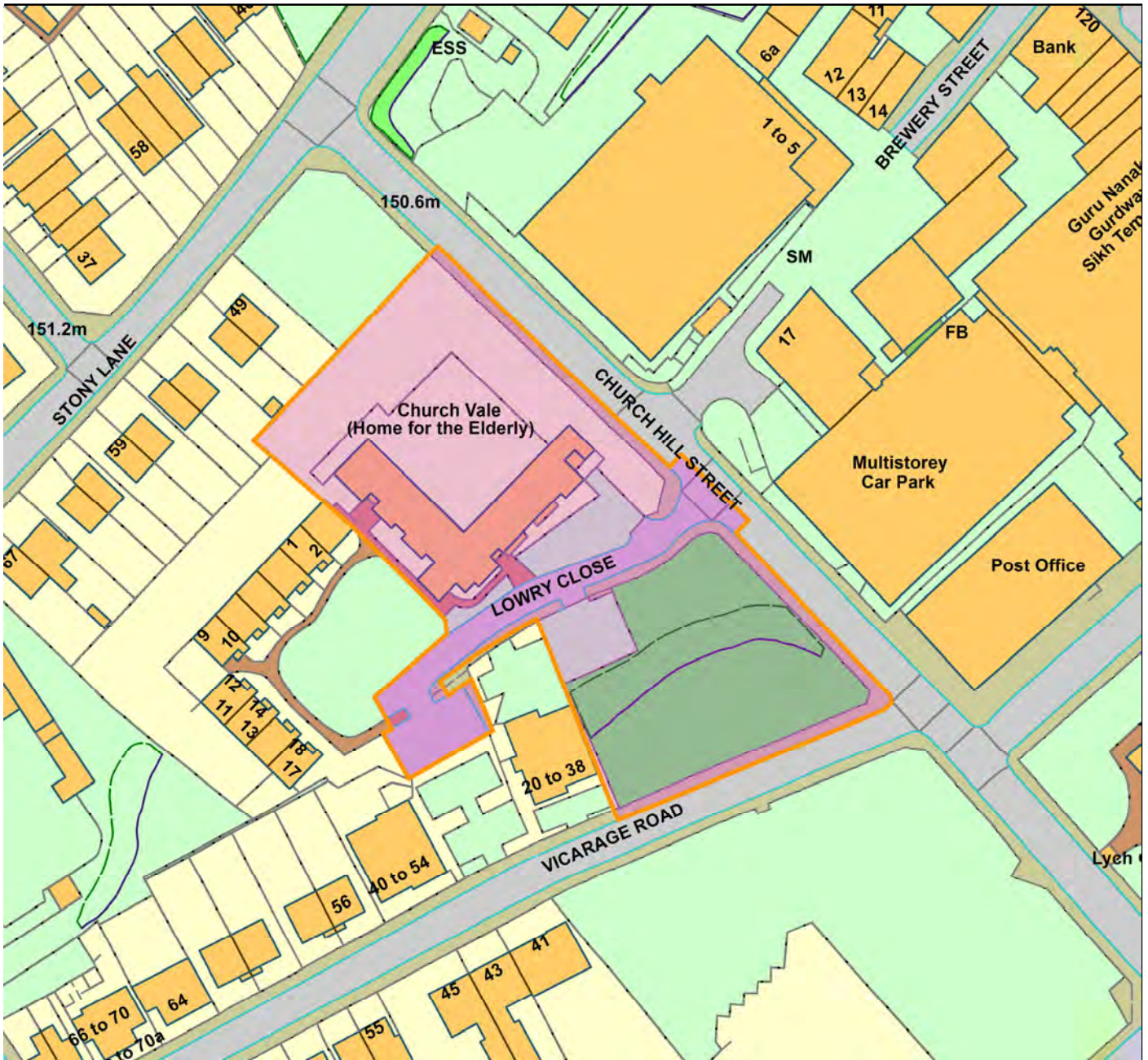
21. APPENDICES:

Site Plan

Context Plan

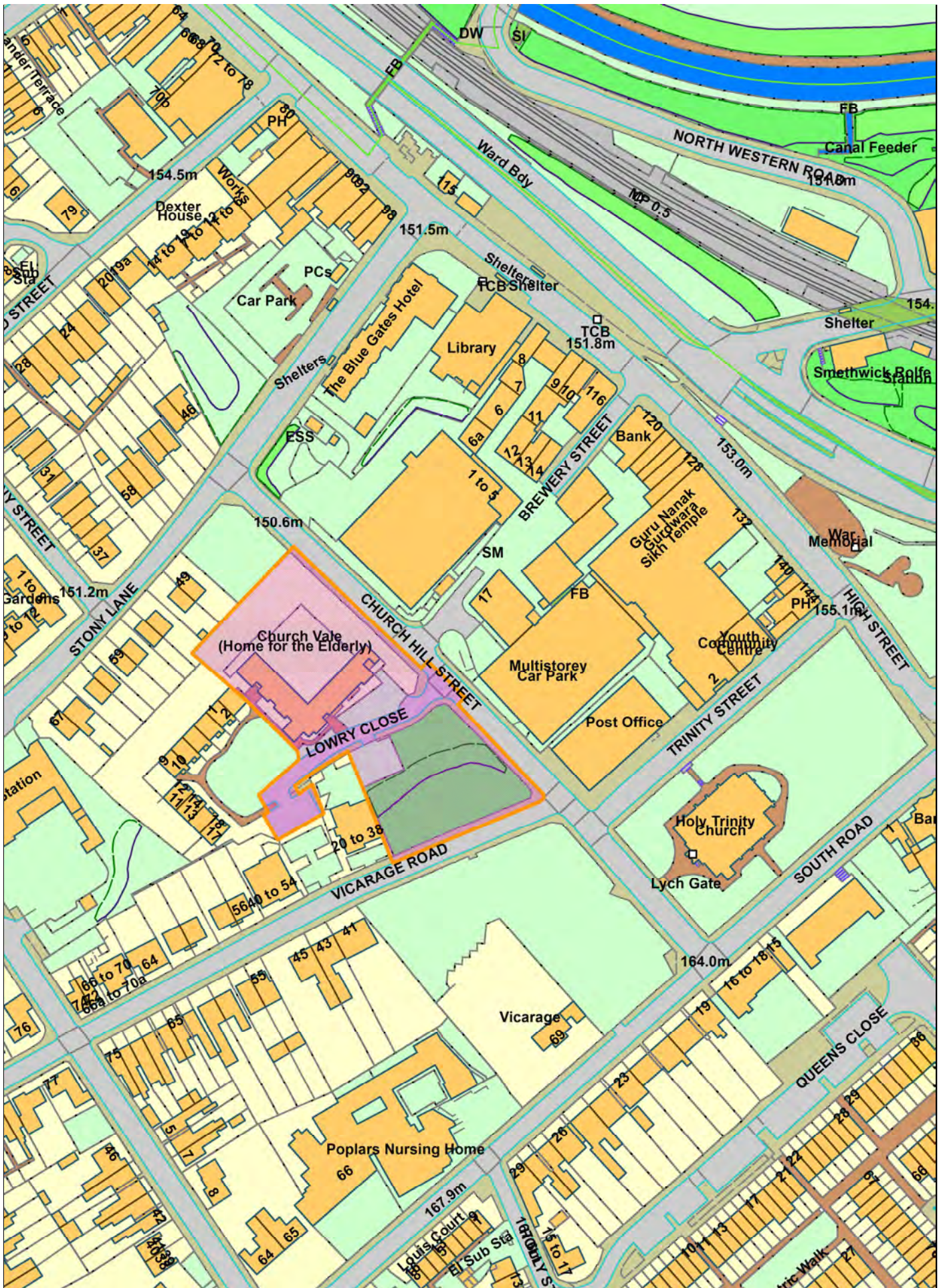
Plan No: AG(0-) 01

DC/19/63392
Former Resource Centre, Lowry Close



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Organisation	Not Set
Department	Not Set
Comments	Not Set
Date	24 October 2019
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REPORT TO PLANNING COMMITTEE

6th November 2019

Application Reference	DC/19/63417
Application Received	16 th September 2019
Application Description	Retention of pergola at rear
Application Address	Wood Green Nursing Home 27 Wood Green Road Wednesbury WS10 9AX
Applicant	Michael Goss
Ward	Wednesbury North
Contribution towards Vision 2030:	
Contact Officer(s)	Mrs Christine Phillips 0121 569 4040 christine_phillips@sandwell.gov.uk

RECOMMENDATION

Subject to confirmation that the pergola would not be used as a smoking shelter, verification that a smoking shelter would not be required at the application premises, and that alternative provision has been made elsewhere within the site, retrospective planning permission is recommended subject to:

- (i) The pergola not being used as a smoking shelter; and
- (ii) The planting of a conifer tree along the boundary.

1. BACKGROUND

1.1 This application is being reported to your Planning Committee at the request of Councillor Peter Hughes and Councillor Elaine Costigan due to previous objections from neighbouring residents. Both Councillors have requested that your Committee visit the site before determining the application.

2. SUMMARY OF KEY CONSIDERATIONS

2.1 The site is not allocated in the adopted development plans.

- 2.2 The material planning considerations which are relevant to this application are:-

Design, appearance and materials

The intended use

The impact on adjoining property in terms of loss of privacy

Refer to section 6 below for more details

3. The APPLICATION SITE

- 3.1 The application refers to an established nursing home on the north-west side of Wood Green Road, opposite Brunswick Park. The site also backs onto Jockey Lane. The original house at 27 Wood Green Road has been significantly extended since 2007 as part of the conversion to a nursing home so that it fills most of the frontage and extends into the back of the site in roughly a “u” shape. There is an enclosed rear garden adjoining the boundary with 28 Wood Green Road and there is extensive planting along the boundary, largely planted within the garden of the house no. 28 Wood Green Road.

4. PLANNING HISTORY

- 4.1 In 2007 application DC/06/46393, was approved on appeal following refusal by the Council, giving permission for enlargements to make the home capable of housing up to 40 residents. The extensions have been part implemented which enables the applicants to continue building the remaining approved alterations at their convenience. These remaining changes relate to the main frontage block.

During the implementation of DC/06/46393 various changes were made to the layout and design to meet practical construction demands and means of escape requirements. This resulted in the approval of a non-material amendment application to retain the changes in December 2011.

A further application DC/11/54048 sought to make alterations to the approved scheme including bringing the extension closer to the rear of no 28 Wood Green Road. Whilst several of the changes were deemed to be acceptable, the submission was refused by your Committee on the following grounds: -

“The proposed extension would detract from the amenities of the neighbouring residential property at no 28 Wood Green Road by reason of loss of light to a rear lounge and kitchen.”

Application DC/12/54441 was a re-submission of DC/11/54048 for alteration/extension to infill the lounge; laundry extension; gables to frontage; new entrance; enclosure of external staircase and elevational improvements. It was approved in May 2012.

4.2 Relevant planning applications are as follows:-

DC/12/54441	Alteration/extension to infill lounge, Laundry extension, gables to frontage New entrance, enclosure of external Staircase and elevation improvements, (re-submission of DC/11/54048)	Approved 30/5/2012
DC/11/54048	Extensions and alterations to proposals originally approved under DC/10/51926.	Refused 27/3/2012
DC/06/46393	Non-Material Amendment Submission For amendment to DC/06/46393.	Agreed 30/12/2011
DC/10/51926	Renewal of (DC/06/46393) consent for proposed part single-storey and part two-storey extension.	Approved 6/5/2010
DC/06/46393	Part rear single-storey and part two-Storey extension.	Allowed on Appeal 25/5/2007

4.3 It should be noted that the consented applications required the applicant to plant additional landscaping and mature planting along the boundary with no. 28 Wood Green Road and this has not been implemented to date. The local planning authority have received ongoing complaints about the development of the site since work commenced.

5. APPLICATION DETAILS

5.1 It is proposed to retain a timber pergola in the rear garden located close to the boundary with the garden of 28 Wood Green Road. The structure measures 5m x 6m x 3m high to the highest point of a fully hipped tiled roof (2.2m to eaves height). The structure is open sided, although on the rear elevation facing 28 Wood Green Road, an artificial green screen wall has been affixed to prevent overlooking.

6. PUBLICITY

6.1 The application has been publicised by neighbour notification with one response.

6.2 Objections

Objections have been received on the following grounds: -

- (i) Loss of privacy due to the construction of the pergola along with the fact that the applicant has failed to comply with previous planning conditions relating to landscape planting along the boundary.
- (ii) Concern that the pergola would be used as a smoking shelter 24/7 all year round by staff, residents and visitors resulting in litter, possibility of the fence setting alight (as has happened in the past), and smoke.
- (iii) Increased noise closer to the boundary.
- (iv) Loss of light and outlook to all habitable rooms on the ground and first floor of the adjoining house.
- (v) That the land levels have been increased when the original building works were commenced by approximately 1m and therefore making the pergola unduly prominent.

Immaterial issues have also been raised regarding fire damage to the fence and rubble being stored against the fence causing it to break. Also, rubbish stored in areas that are designated for emergency vehicles. The local planning authority has advised the objector that it has no control over these issues.

6.3 Responses to objections

I respond to the objector's comments in turn;

- (i) The pergola itself extends along a 6m stretch of the boundary and the applicant has installed an artificial green screen along its rear elevation to protect privacy. In terms of other landscaping, it is recognised that the applicant has failed to comply with earlier planning conditions relating to the provision of additional landscaping. When building works first commenced in relation to the nursing home extensions, many of the trees that were due to be retained along the boundary were felled by the applicant and not replaced. In response the owner of the adjoining house planted trees within his boundary that, in the last 10 years, have established to provide a relatively full and evergreen screen between the two sites. There is a gap towards the back of the site away from the pergola and a single conifer tree would fill the gap, in my view. This could be dealt with via planning condition.

- (ii) The applicant has been asked to verify the use of the pergola. The assumed use is a sun shelter for residents and visitors although this is not clarified in the application. The applicant has been asked to confirm that it will not be used as a smoking shelter and whether there is an existing smoking shelter within the site. Furthermore, Environmental Health Officers have been asked to confirm whether this type of business would be required to provide such a shelter under Health and Safety or Smoke Free Regulations. I will update your Committee on this matter.
- (iii) It is not considered that the use of the pergola as a sun shelter for residents and visitors would cause significant noise issues to warrant refusal of permission. However, this may not be the case should it be used as a smoking shelter by staff at all hours.
- (iv) It is not considered that the pergola causes any appreciable loss of light or outlook to the habitable rooms of the neighbouring property. It is positioned approximately 7m away from the closest window and largely screened by trees/hedging. Also, the materials used in its construction are not unsightly.
- (v) The increase in land levels do not form part of this planning application submission. The structure is not unduly high (max 3.2m to a hipped roof) and is largely obscured from view.

6.4 Support

No comments have been received which support the application.

7. STATUTORY CONSULTATION

- 7.1 Environmental Health – Comments awaited in relation to the requirement of a smoking shelter under Health and Safety or Smoke Free Regulations.

8. GOVERNMENT GUIDANCE/NATIONAL PLANNING POLICY

- 8.1 National Planning Policy Framework promotes sustainable development but states that that local circumstances should be taken into account to reflect the character, needs and opportunities for each area.

9. LOCAL PLANNING POLICY

- 9.1 The following sections of the Council's Development Plan are relevant: -

ENV3: Design Quality
SAD EOS9: Urban Design Principles

9.2 From a design perspective the pergola is considered acceptable and would accord to adopted design policies.

10. MATERIAL CONSIDERATIONS

10.1 The key material considerations with this proposal are design referred to above (9.2) and the intended use and the impact on adjoining property in terms of loss of privacy. As indicated in 6.3 above (response to objections):-

10.2 Design. The design is considered to be acceptable in size and appearance.

10.3 Intended use of the structure. Awaiting clarification from the applicant, however it is considered that as a facility for residents and visitors to be shaded from the sun, the use is considered appropriate. However, I would have reservations about the use of the pergola as a smoking shelter.

10.3 Loss of privacy. This is negligible and would not warrant refusal of permission.

11. IMPLICATIONS FOR SANDWELL'S VISION

11.1 The proposal supports Ambition 10 of the Sandwell Vision 2030

11.2 Ambition 10 – Sandwell has a national reputation for getting things done, where all local partners are focussed on what really matters in people's lives and communities.

12. CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

12.1 The proposal is of appropriate design in accordance with adopted policy. Also, it would not have an adverse impact on adjoining residential property providing it is used solely as a sun shelter for residents and visitors. It is further considered that the existing landscaping, albeit largely within the garden of no 28, along with the artificial green screen, does ensure adequate privacy.

12.2 It is recognised that the adjoining residents have suffered from the development of the site, where breaches of planning control have taken place, and where the local planning authority has been unable to achieve acceptable outcomes in the past. This situation has largely arisen from the earlier decision by the Planning Inspectorate to allow an appeal that was refused by your Committee (DC/06/46393). I do sympathise with the

objector's concerns but I am mindful of the fact that 10 years has now elapsed and, in relation to this proposal, an established and substantial landscape screen exists between the two premises which lies within the boundary and control of the adjoining neighbour. It is nevertheless considered appropriate to request that the additional conifer is planted along the boundary to complete the screen between the two properties.

- 12.3 Finally, the fact that the full landscaping scheme has not been installed in accordance with earlier consents cannot be controlled by this application. Although I fully understand the frustration of the objectors at the failure of the applicant to comply with this element of the development, enforcement action has been considered but it would not be expedient to pursue it given the existing substantial screening along the boundary. The planting of one additional conifer would complete the screen and the applicant has verbally agreed to do this.

13. STRATEGIC RESOURCE IMPLICATIONS

- 13.1 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.

14. LEGAL AND GOVERNANCE CONSIDERATIONS

- 14.1 This application is submitted under section 55 of the Town and Country Planning Act 1990.

15. EQUALITY IMPACT ASSESSMENT

- 15.1 There are no equalities issues arising from this proposal and therefore an equality impact assessment has not been carried out.

16. DATA PROTECTION IMPACT ASSESSMENT

- 16.1 The planning application and accompanying documentation is a public document.

17. CRIME AND DISORDER AND RISK ASSESSMENT

- 17.1 There are no crime and disorder issues with this application.

18. SUSTAINABILITY OF PROPOSALS

- 18.1 Refer to the national planning framework (8) and local plan policies (9) and material considerations (10).

19. HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)

19.1 Refer to the summary of the report (12).

20. IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND

20.1 There will be no impact.

21. APPENDICES:

Site Plan

Context Plan

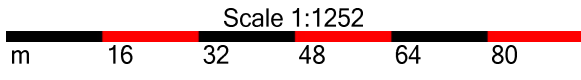
Plan No. 01

Photograph 02



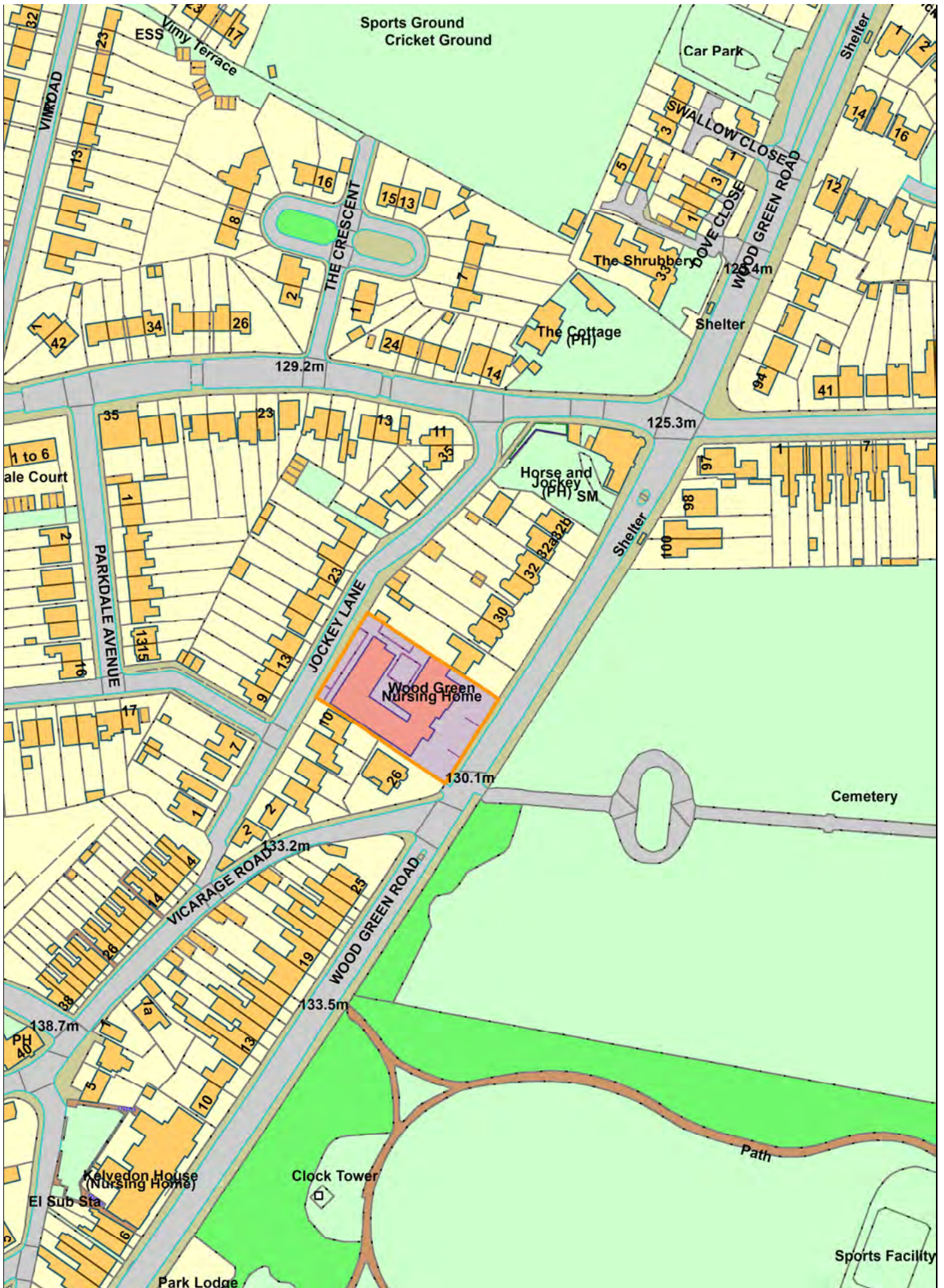
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Date	23 October 2019
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WoodGreen








REPORT TO PLANNING COMMITTEE

6th November 2019

Application Reference	DC/19/63482
Application Received	30 th August 2019
Application Description	Proposed single storey rear extension, two storey side extension, single front extension with porch.
Application Address	65 Lightwoods Hill Smethwick B67 5EA
Applicant	Mr Sureash Chopra
Ward	Abbey
Contribution towards Vision 2030:	
Contact Officer(s)	Dave Paine 0121 569 4869 david_paine@sandwell.gov.uk

RECOMMENDATION

That planning permission is granted subject to:-

- (i) Approval of external materials and
- (ii) Construction work limited to between 8:30 to 17:30 Monday to Friday with no working on Saturday, Sunday or Public Holidays.

1. BACKGROUND

- 1.1 This application is being reported to your Planning Committee because the applicant is an employee of Sandwell MBC and the applicant's wife is a former Sandwell Councillor and current Member of Parliament.

2. SUMMARY OF KEY CONSIDERATIONS

- 2.1 The site is not allocated in the adopted development plans.

2.2 The material planning considerations which are relevant to this application are:

Overlooking/loss of privacy
Loss of light and/or outlook
Design, appearance and materials
Access, highway safety, parking and servicing
Noise and disturbance from the scheme

Refer to section 6 below for more details.

3. The APPLICATION SITE

3.1 The application relates to a linked semi-detached property on the north side a Lightwoods Hill. The area is residential in character with a Lightwoods public park situated to the immediate west.

4. PLANNING HISTORY

4.1 The property has been previously extended comprising a garage, shower room kitchen.

4.2 Relevant planning applications are as follows:-

DC/13173	Garage, shower room and kitchen extension.	Approved 29.04.1981
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5. APPLICATION DETAILS

5.1 The applicant proposes to construct a a single storey rear extension, two storey side extension, single front extension with porch with the following measurements:-

- single storey rear extension measuring 5.5m deep by 9.1m wide by 3.8m high
- two storey side extension measuring 2.9m wide by 8.7m deep by 8.7m high.
- A front extension forming a porch with an extension to the front room marked playroom/study measuring 4.5m wide by 1.3m deep by 3.6m high

6. PUBLICITY

6.1 The application has been publicised by neighbour notification letter with one objection received. It should also be noted that following receipt of amendments, the neighbours have been re-consulted. Any further response will be reported to your meeting.

6.2 Objections

The objection has been received on the following grounds:-

- (i) Traffic congestion caused during construction phase.
- (ii) The front extension would be without precedent in the vicinity and is therefore harmful to the character of the street.
- (iii) The two storey side extension would create a sense of enclosure and cause loss of light and heat to neighbouring properties.
- (iv) The single storey rear extension would cause loss of light and heat to neighbouring properties.
- (v) Building to the boundary line would cause structural problems to the neighbouring property.
- (vi) The rear dormer windows would cause a loss of privacy to the neighbouring gardens.
- (vii) Noise and dust pollution would be caused during the construction phase.

6.3 Responses to objections

I respond to the objector's comments in turn;

- (i) It is accepted that some nuisance may occur during construction which would result in additional traffic in and around the site, however this would only be for a limited period and if members were so inclined the hours of construction work could be limited between 8:30 to 17:30 Monday to Friday with no working on Saturday, Sunday or Public Holidays.
- (ii) Amended plans were requested to remove the front extension at first floor level and to set back the first floor by 0.5m, as it was considered that this was inappropriate in terms of design. Revised plans were submitted on 16th October 2019 and neighbours have been re-consulted.
- (iii) The nearest rear facing window to the boundary on number 63 is approximately 3.5m from the boundary. The side window does not serve as the primary source of light to a habitable room. Therefore, I do not consider that any significant loss of light or enclosure would

be caused by the side extension. The issue of loss of heat is not one which can be reasonably addressed by planning control.

- (iv) The applicant has provided a plan showing the 45 degree line for the single storey rear extension to the neighbouring properties. There is a minor breach of the line to number 67 but it is not sufficient to warrant refusal. There is no breach of the line in relation to number 63.
- (v) Boundary issues are not material planning concerns and are a private matter between the neighbours.
- (vi) The rear dormer is permitted development so does not require planning consent and does not form part of this proposal.
- (vii) There is no evidence that an abnormal level of dust would be created from this development. However, there could be some noise disturbance from the development, therefore limiting the construction hours as indicated in (i) above is recommended.

6.4 Support

No comments have been received which support the application.

7. STATUTORY CONSULTATION

- 7.1 There are no statutory consultation responses to report for this application.

8. GOVERNMENT GUIDANCE/NATIONAL PLANNING POLICY

- 8.1 National Planning Policy Framework promotes sustainable development but states that that local circumstances should be taken into account to reflect the character, needs and opportunities for each area.

9. LOCAL PLANNING POLICY

- 9.1 The following sections of the Council's Development Plan are relevant:-

ENV3: Design Quality
SAD EOS9: Urban Design Principles

- 9.2 These policies emphasise the need for good design and that proposals should be in scale with the local area. The introduction of a set-back at the first floor of the side extension with a pitched roof, set-down from the main roof would ensure the existing design is respected while ensuring the subservience of the extension.

The ground floor porch and front extension would be of a good quality, enhancing the design of the property as a whole.

10. MATERIAL CONSIDERATIONS

- 10.1 The key material considerations with this proposal are design referred to above (9.1) and the impact of the extensions on loss of outlook and privacy to the neighbouring properties. As indicated in 6.3 above (response to objections):-
- 10.2 Design, appearance and materials. The design of the publicly viewable parts of the development have been improved by the amendments.
- 10.3 Overlooking/loss of privacy. There would be minimal impact caused by this development on the neighbouring properties. Some loss of privacy may be experienced in garden areas but it is deemed that there is no reasonable expectation of privacy in gardens of built up areas.
- 10.4 Loss of light and/or outlook. There would be some very minor impacts on light entering liveable rooms of neighbouring properties. Primarily number 67 due to the minor breach of the 45 degree line.
- 10.4 Noise and disturbance from the construction of the scheme. This has been addressed by 6.3 (i) and (vii). A condition is recommended.

11. IMPLICATIONS FOR SANDWELL'S VISION

- 11.1 The proposal supports Ambition 10 of the Sandwell Vision 2030:-
- 11.2 Ambition 10 – Sandwell has a national reputation for getting things done, where all local partners are focussed on what really matters in people's lives and communities.

12. CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 12.1 This proposal would provide additional living accommodation for the occupants whilst ensuring the impacts on neighbours would be minimised with a good design which would enhance the overall street scene.

13. STRATEGIC RESOURCE IMPLICATIONS

- 13.1 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.

14. LEGAL AND GOVERNANCE CONSIDERATIONS

14.1 This application is submitted under section 55 of the Town and Country Planning Act 1990.

15. EQUALITY IMPACT ASSESSMENT

15.1 There are no equalities issues arising from this proposal and therefore an equality impact assessment has not been carried out.

16. DATA PROTECTION IMPACT ASSESSMENT

16.1 The planning application and accompanying documentation is a public document.

17. CRIME AND DISORDER AND RISK ASSESSMENT

17.1 There are no crime and disorder issues with this application.

18. SUSTAINABILITY OF PROPOSALS

18.1 Refer to the national planning framework (8) and local plan policies (9) and material considerations (10).

19. HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)

19.1 Refer to the summary of the report (12).

20. IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND

20.1 There will be no impact.

21. APPENDICES:

Site Plan

Context Plan

1731_6.1_20191015_001_Rev_A

1731_6.1_20191015_201_Rev_A

1731_6.1_20191015_202_Rev_A

1731_6.1_20191015_300_Rev_A

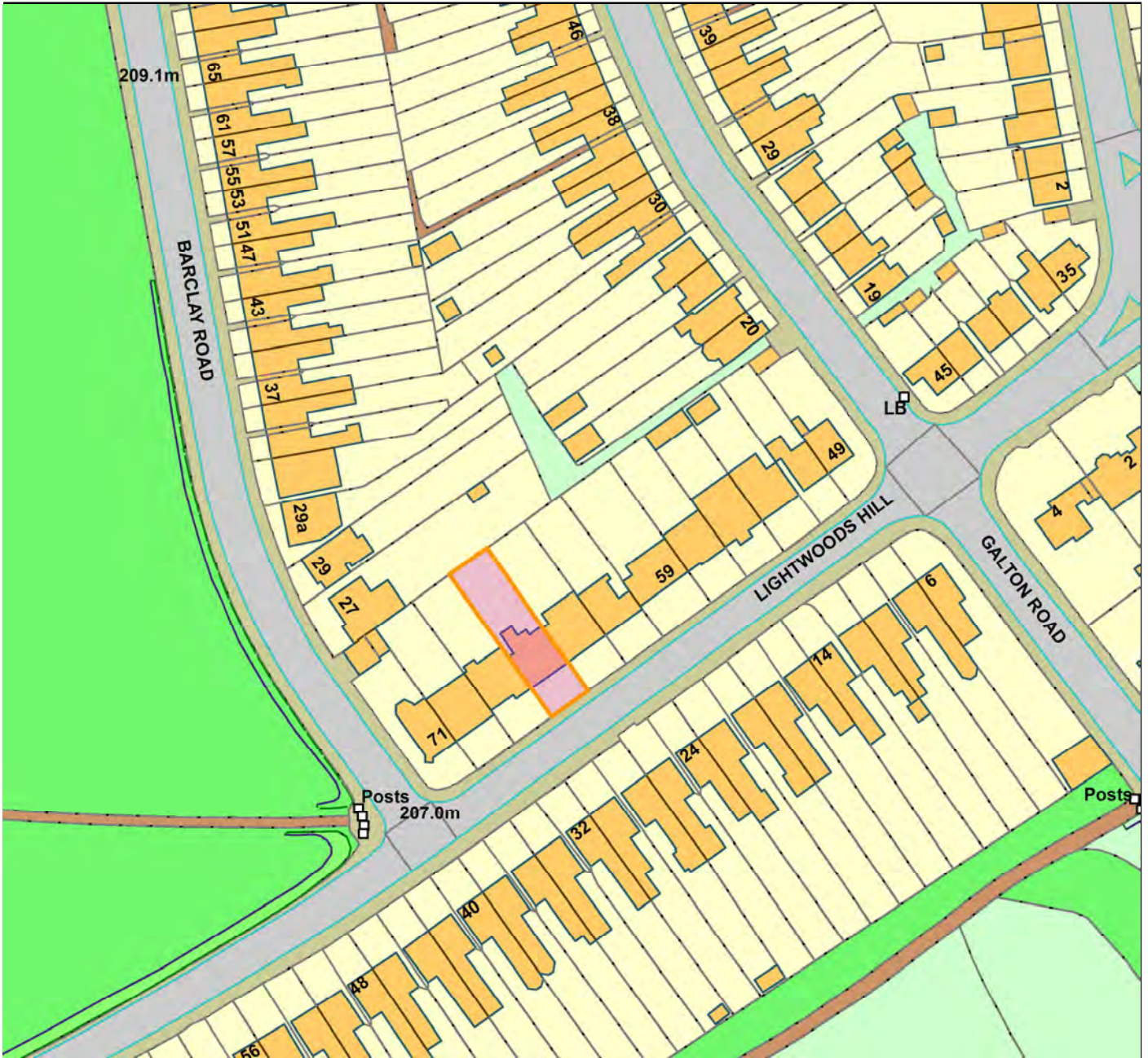
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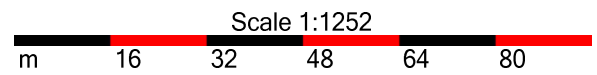
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DC/19/63482
65 Lightwoods Hill



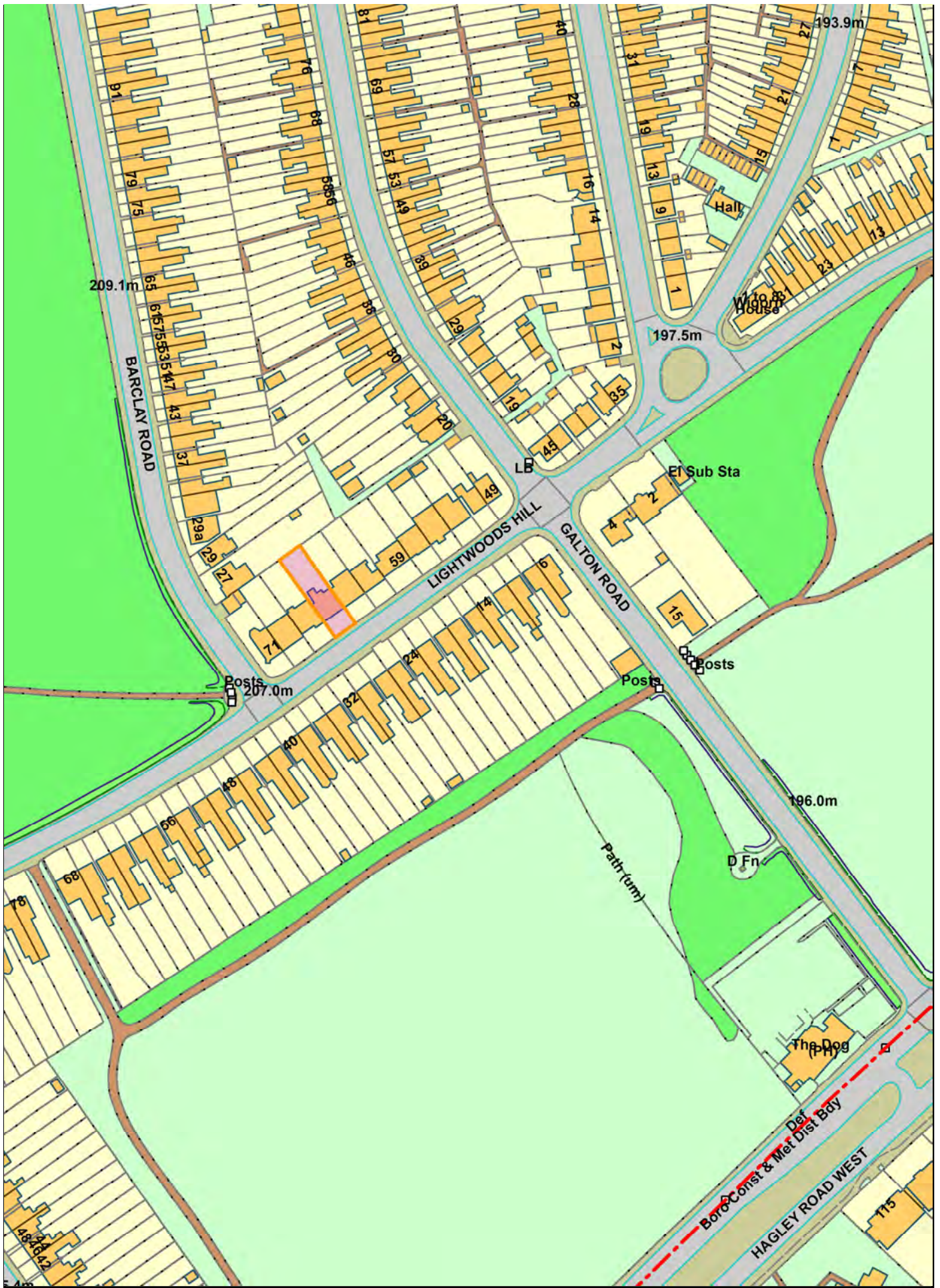
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Scale 1:1251



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Organisation	Not Set
Department	Not Set
Comments	Not Set
Date	23 October 2019
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Proposed extension to:
65 Lightwoods Hill, Bearwood
for Mr and Mrs Shergill

1731_6.1_20190801_001
Proposed Site Plan
Scale: 1:200 @ A3

Bob Ghosh RIBA



Key:

- 1. New composite window, timber internally, polyester powder coated aluminium externally
- 2. Hardwood front doorset with brushed stainless steel ironmongery
- 3. Polyester powder coated fascia and flashings
- 4. Obscured glass panel
- 5. Existing timber framed bay window refurbished
- 6. Facing brick to match existing
- 7. Existing render made good and painted / New render to match existing.

Proposed extension to:
65 Lightwoods Hill, Bearwood
for Mr and Mrs Shergill

1731_6.1_20191015_300_Rev_A
Proposed Front Elevation
Scale: 1:50 @ A3

Bob Ghosh RIBA



Key:

- 1. New composite window / French window, timber internally, polyester powder coated aluminium externally
- 3. Polyester powder coated fascia and flashings
- 4. Obscured glass panel
- 6. Facing brick to match existing

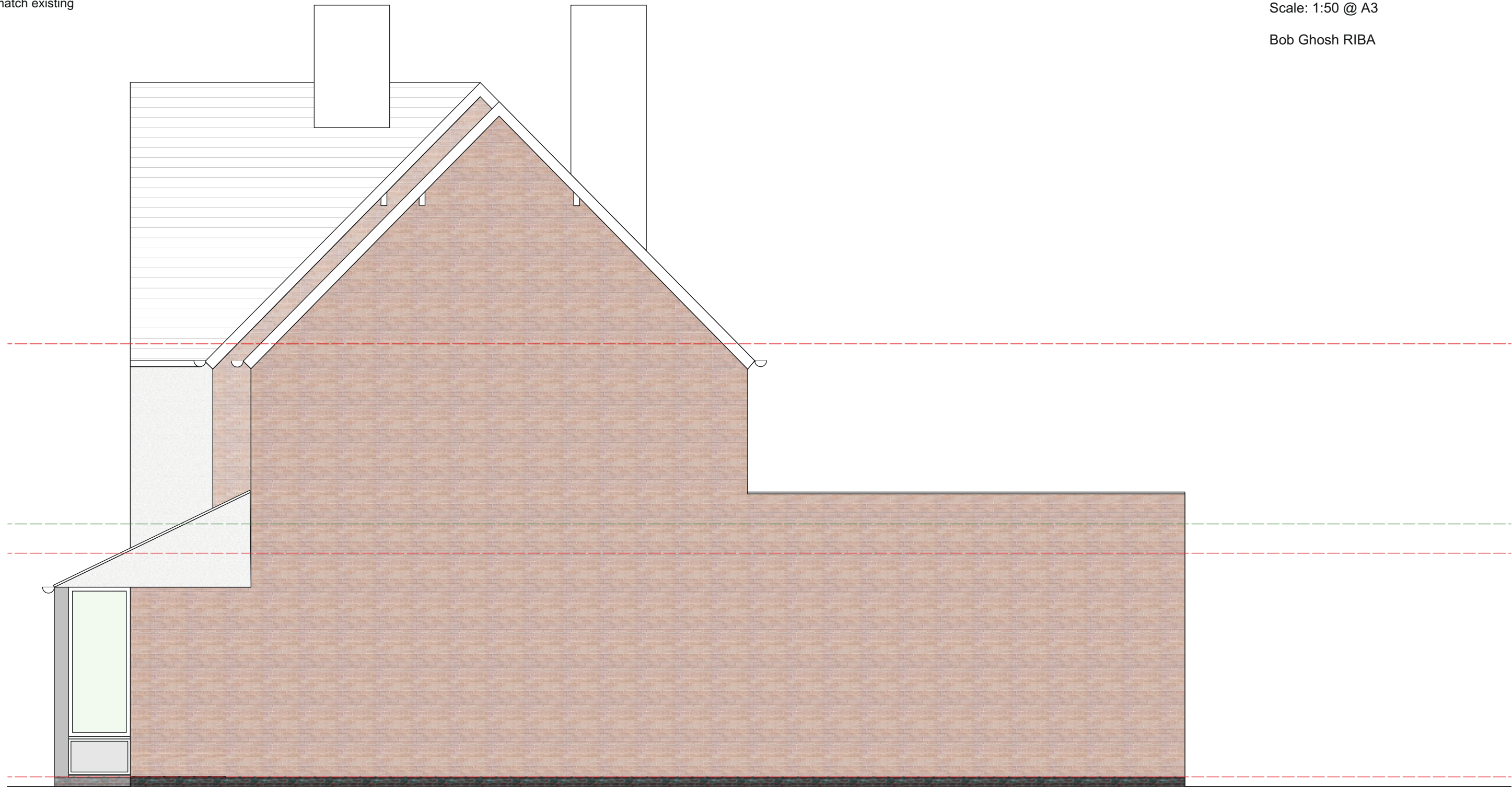
Proposed extension to:
65 Lightwoods Hill, Bearwood
for Mr and Mrs Shergill

1731_6.1_20191015_303

Proposed Side Elevation

Scale: 1:50 @ A3

Bob Ghosh RIBA



Approx garden level of 63 Lightwoods Hill (boundary fence not shown)

Key:

- 1. New composite window / French window, timber internally, polyester powder coated aluminium externally
- 1a. As above, with obscured glazing
- 3. Polyester powder coated fascia and flashings
- 4. Obscured glass panel
- 6. Facing brick to match existing

Proposed extension to:
65 Lightwoods Hill, Bearwood
for Mr and Mrs Shergill

1731_6.1_20191015_302_Rev_A
Proposed Rear Elevation
Scale: 1:50 @ A3

Bob Ghosh RIBA



Key:

- 1. New composite window, timber internally, polyester powder coated aluminium externally
- 2. Hardwood front doorset with brushed stainless steel ironmongery
- 3. Polyester powder coated fascia and flashings
- 4. Obscured glass panel
- 5. Existing timber framed bay window refurbished
- 6. Facing brick to match existing
- 7. Existing render made good and painted / New render to match existing.

Proposed extension to:
65 Lightwoods Hill, Bearwood
for Mr and Mrs Shergill

1731_6.1_20191015_301_Rev_A

Proposed Streetscene

Scale: 1:100 @ A3

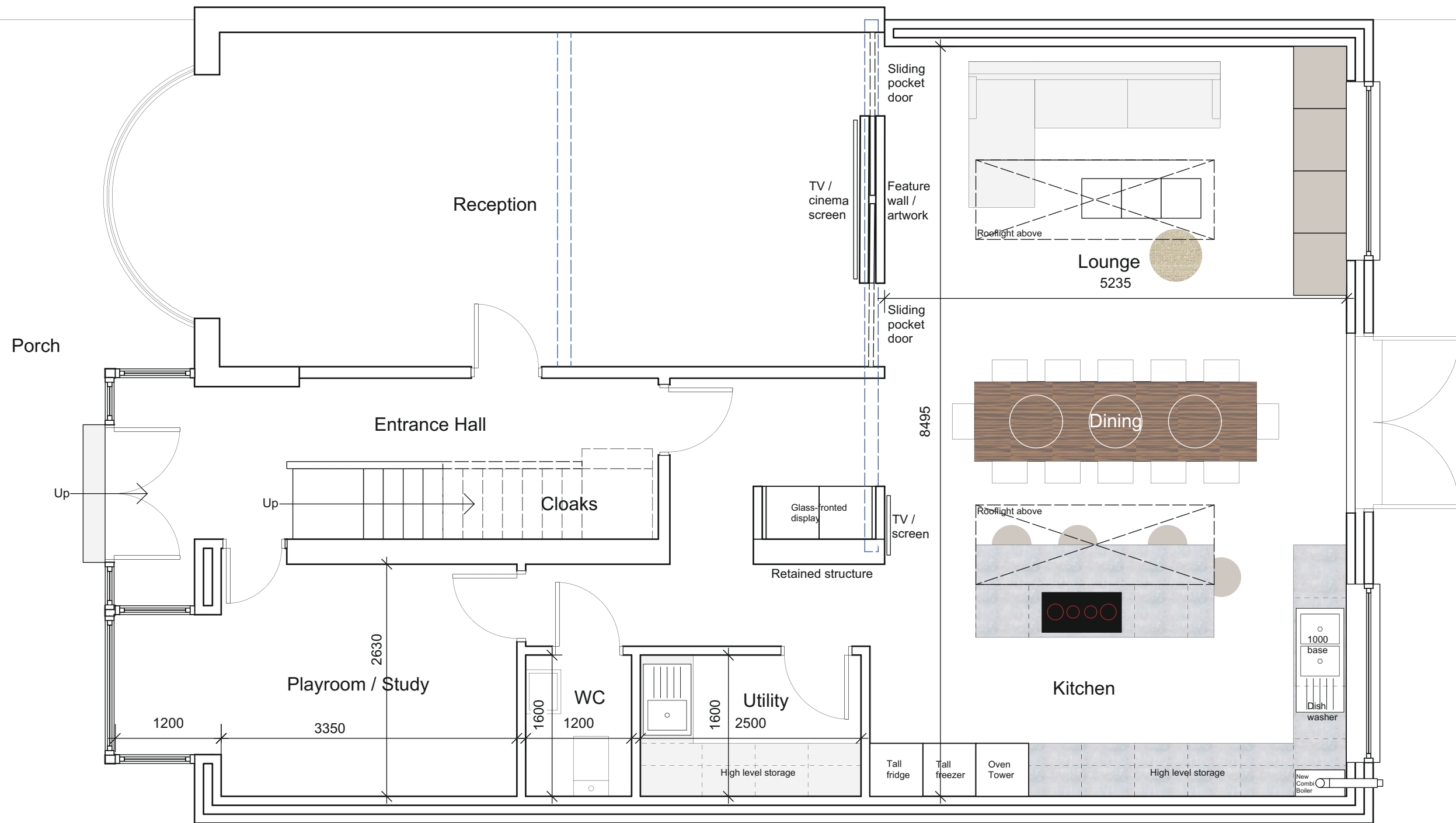
Bob Ghosh RIBA



Proposed extension to:
65 Lightwoods Hill, Bearwood
for Mr and Mrs Shergill

1731_6.1_20190801_200
Proposed Ground Floor Plan
Scale: 1:50 @ A3

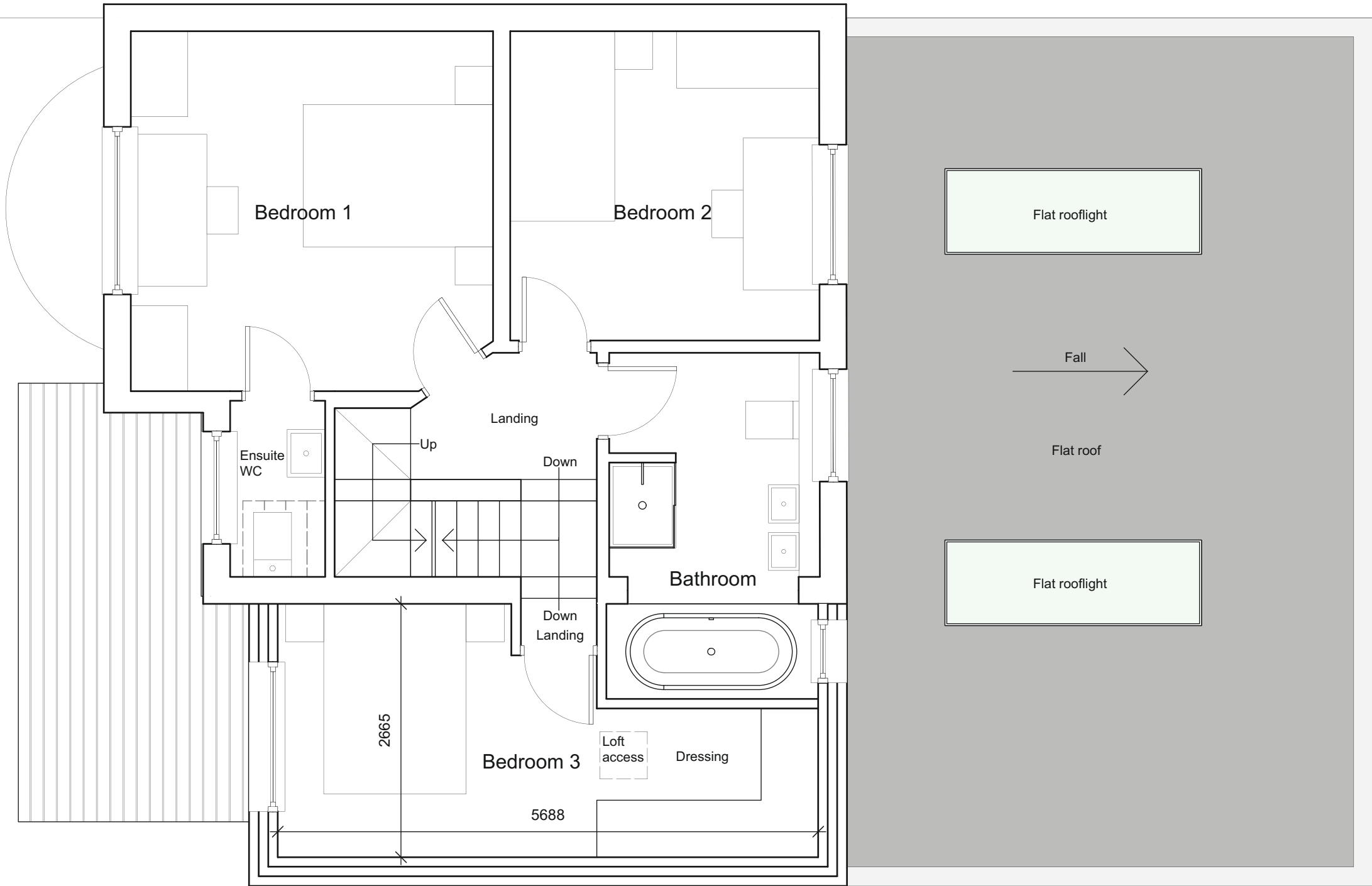
Bob Ghosh RIBA



Proposed extension to:
65 Lightwoods Hill, Bearwood
for Mr and Mrs Shergill

1731_6.1_20191015_201_Rev_A
Proposed First Floor Plan
Scale: 1:50 @ A3

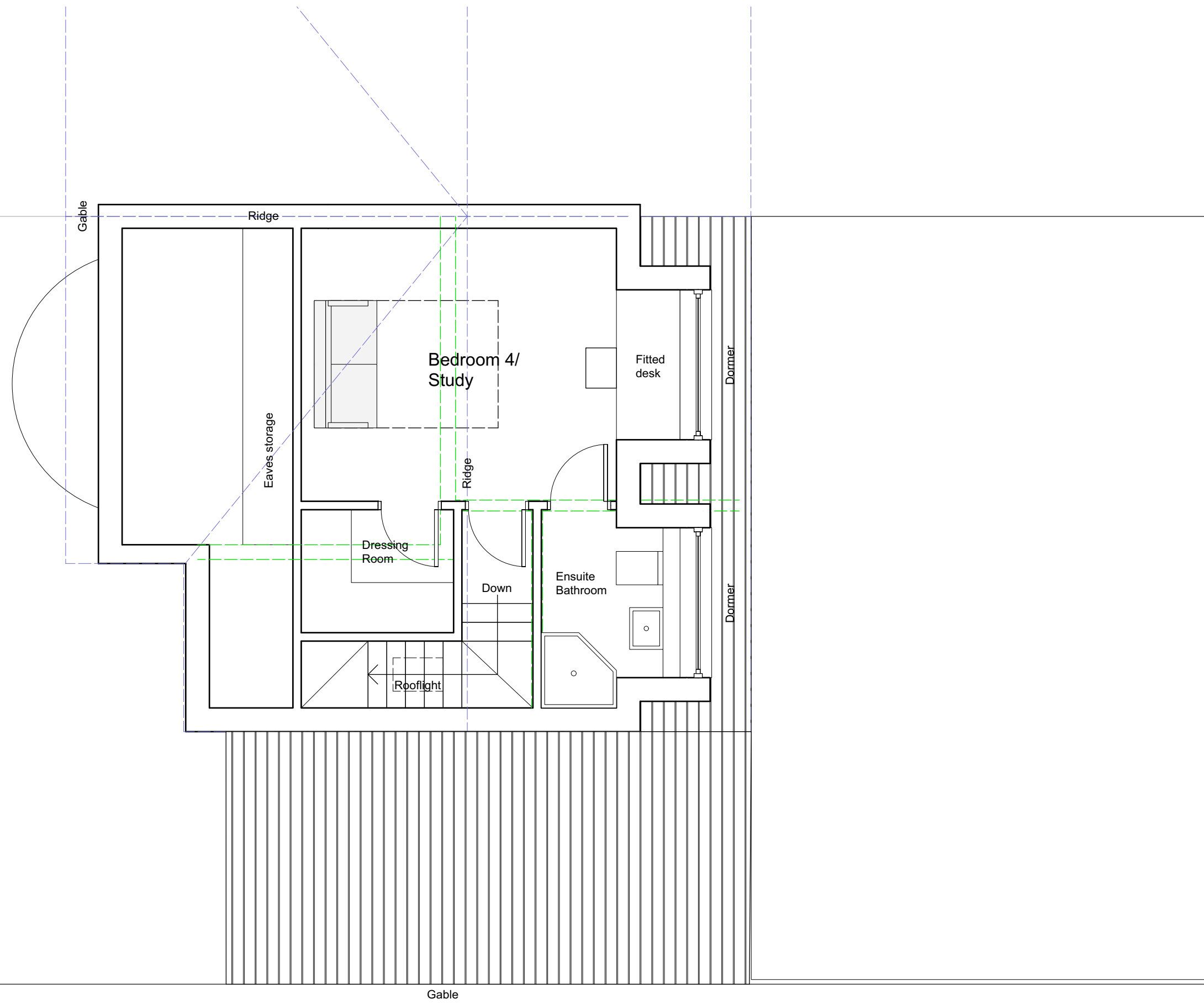
Bob Ghosh RIBA



Proposed extension to:
65 Lightwoods Hill, Bearwood
for Mr and Mrs Shergill



1731_6.1_20191015_202_Rev_A
Proposed Second Floor Plan
Scale: 1:50 @ A3

Bob Ghosh RIBA



REPORT TO PLANNING COMMITTEE

6th November 2019

Application Reference	DC/19/63521
Application Received	9th September 2019
Application Description	Proposed part change of use from a garage to a barber's shop.
Application Address	92 St Pauls Road, Smethwick, B66 1EY
Applicant	Mrs Shazia Bibi
Ward	St Pauls
Contribution towards Vision 2030:	 
Contact Officer(s)	Name – Andrew Dean Tel – 0121 569 4056 Email – andrew_dean@sandwell.gov.uk

RECOMMENDATION

That members visit the site.

1. BACKGROUND

- 1.1 This application is being reported to your Planning Committee because ten material objections have been received.

2. SUMMARY OF KEY CONSIDERATIONS

- 2.1 The Site is not allocated in the adopted development plans.
- 2.2 The material planning considerations will be addressed at the next meeting in the full report.

3. The APPLICATION SITE

- 3.1 The application relates to an end terraced residential property that has been converted into an 11 bedroom house in multiple occupation (HMO).

The character of the surrounding area is predominantly residential in nature with West Smethwick Methodist Church located on the opposite side of Holly Lane and a historic shop premises (newsagents) is located on the opposite side of St Pauls Road.

4. PLANNING HISTORY

4.1 The site has been subject to a previous refusal for a similar proposal. The double garage was previously approved under a separate application to be used as storage and parking.

4.2 Relevant planning applications are as follows:-

DC/18/62484	Proposed part change of use of garage to a barber shop.	Refused 15.2.2019
DC/13/56064	Proposed single storey rear extension and detached garage to rear (resubmission of DC/13/55615).	Approved with Conditions 9.8.2013

5. APPLICATION DETAILS

5.1 The applicant is proposing to convert one of the two garages approved under DC/13/56064 into a barber's shop. The applicant is proposing to have one full time employee with opening hours on Monday to Saturday 9.00am to 5.00pm. The applicant has stated the barbers would operate on an appointment system.

6. PUBLICITY

6.1 The application has been publicised by neighbour notification letter. Comments/objections received will be reported to your next committee.

7. STATUTORY CONSULTATION

7.1 All statutory consultations will be reported at your next meeting.

8. GOVERNMENT GUIDANCE/NATIONAL PLANNING POLICY

8.1 National Planning Policy Framework promotes sustainable development but states that that local circumstances should be taken into account to reflect the character, needs and opportunities for each area.

9. LOCAL PLANNING POLICY

9.1 The following sections of the Council's Development Plan are relevant:-

CEN5 – District and local centres.

CEN6 – Meeting local needs for shopping and services.

CEN7 – Controlling out - of – centre development.

- 9.2 Further explanation of these policies consideration will be reported to your next Planning Committee

10. MATERIAL CONSIDERATIONS

- 10.1 Members will be updated at the next Planning Committee.

11. IMPLICATIONS FOR SANDWELL'S VISION

- 11.1 The proposal supports Ambition 8 and 10 of the Sandwell Vision 2030 :-
- 11.2 Ambition 8 – Our distinctive towns and neighbourhoods are successful centres of community life, leisure and entertainment where people increasingly choose to bring up their families.
- 11.3 Ambition 10 – Sandwell has a national reputation for getting things done, where all local partners are focussed on what really matters in people's lives and communities.

12. CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 12.1 That Members visit the site.

13. STRATEGIC RESOURCE IMPLICATIONS

- 13.1 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.

14. LEGAL AND GOVERNANCE CONSIDERATIONS

- 14.1 This application is submitted under section 55 of the Town and Country Planning Act 1990.

15. EQUALITY IMPACT ASSESSMENT

- 15.1 There are no equalities issues arising from this proposal and therefore an equality impact assessment has not been carried out.

16. DATA PROTECTION IMPACT ASSESSMENT

16.1 The planning application and accompanying documentation is a public document.

17. CRIME AND DISORDER AND RISK ASSESSMENT

17.1 There are no crime and disorder issues with this application.

18. SUSTAINABILITY OF PROPOSALS

18.1 Refer to the national planning framework (8) and local plan policies (9) and material considerations (10).

19. HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)

19.1 Members will be updated at the next Planning Committee.

20. IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND

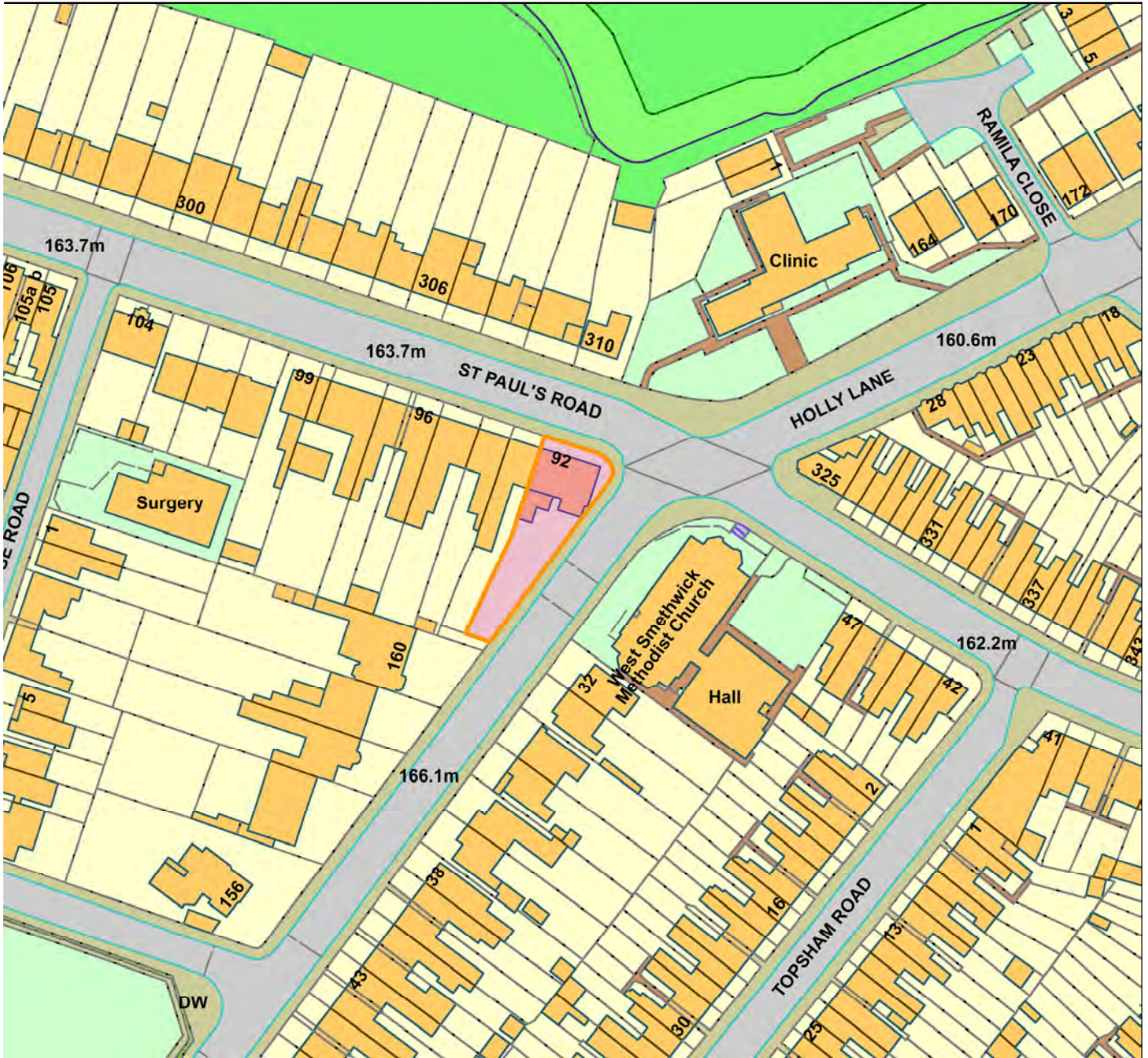
20.1 There will be no impact.

21. APPENDICES:

Site Plan
Context Plan

Finished? [Click here to remove buttons and surplus icons](#)

DC/19/63521
92 St Pauls Road



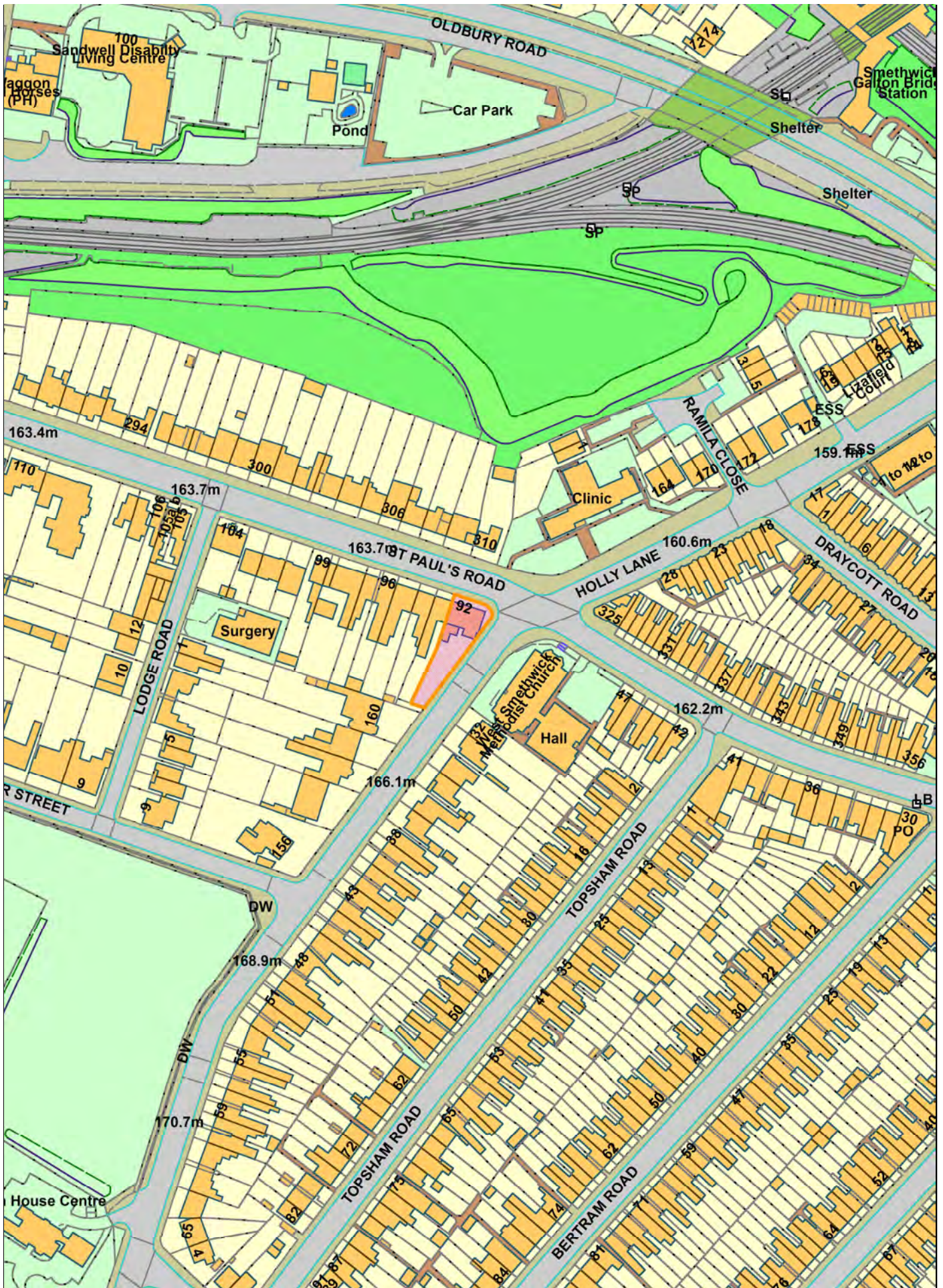
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REPORT TO PLANNING COMMITTEE

6th November 2019

Application Reference	DC/19/63571
Application Received	23 rd September 2019
Application Description	Proposed single/two storey side extensions and single storey rear extension.
Application Address	89 Barncroft Road, Oldbury, B69 1TU
Applicant	Mrs M Chilton
Ward	Tividale
Contribution towards Vision 2030:	
Contact Officer(s)	Andrew Dean 0121 569 4056 andrew_dean@sandwell.gov.uk

RECOMMENDATION

That planning permission is granted subject to:-

- (i) Approval of external materials.

1. BACKGROUND

- 1.1 This application is being reported to your Planning Committee because the applicant is related to Councillor Maria Crompton.

2. SUMMARY OF KEY CONSIDERATIONS

- 2.1 The site is not allocated in the adopted development plans.
- 2.2 The material planning considerations which are relevant to this application are:

Overlooking/loss of privacy
 Loss of light and/or outlook
 Design, appearance and materials.

3. The APPLICATION SITE

- 3.1 The application relates to a semi-detached residential property located on the southern side of Barnford Road, Tividale. The character of the surrounding area is residential in nature.

4. PLANNING HISTORY

- 4.2 There is no relevant planning history.

5. APPLICATION DETAILS

- 5.1 The applicant is proposing to construct a single and two storey side extension and single storey rear extension. The measurements are as follows:-

- The single and two storey side extension would measure a maximum 5.4 metres (W) by 6.5 metres (L) and have an overall height of 6.9 metres.
- The single storey rear extension would measure 3 metres (L), by 6.5 metres (W) and have an overall height of 2.9 metres.

6. PUBLICITY

- 6.1 The application has been publicised by neighbour notification letter, without response.

7. STATUTORY CONSULTATION

- 7.1 There are no statutory consultation responses to report for this application.

8. GOVERNMENT GUIDANCE/NATIONAL PLANNING POLICY

- 8.1 National Planning Policy Framework promotes sustainable development but states that that local circumstances should be taken into account to reflect the character, needs and opportunities for each area.

9. LOCAL PLANNING POLICY

- 9.1 The following sections of the Council's Development Plan are relevant:-

ENV3: Design Quality
SAD EOS9: Urban Design Principles

- 9.2 These policies emphasise the need for good design and that proposals should be in scale with the local area. The proposed two-storey side extension would be subordinate to the existing house as the first floor would be set back from the front of the existing dwelling, and the roofline would be set down from the original ridge line. Thereby the side extension would be compliant with the Council's supplementary design guidance.

10. MATERIAL CONSIDERATIONS

- 10.1 The material planning considerations which are relevant to this application are design, appearance and materials referred to above (9.2) and the impact on neighbouring residential amenity in terms of loss of light, outlook and privacy.
- 10.2 Design, appearance and materials. The proposal is of good design and complies with policy.
- 10.3 Loss of light, outlook and privacy. The proposal would not cause any significant loss of light, outlook or privacy to neighbouring properties.

11. IMPLICATIONS FOR SANDWELL'S VISION

- 11.1 The proposal supports Ambition 10 of the Sandwell Vision 2030:-
- 11.2 Ambition 10 – Sandwell has a national reputation for getting things done, where all local partners are focussed on what really matters in people's lives and communities.

12. CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 12.1 It is considered that the proposed extensions are suitable in design and appearance and the proposal would not cause any significant loss of light, outlook or privacy to neighbouring properties. On this basis the application is recommended for approval subject to an external materials condition.

13. STRATEGIC RESOURCE IMPLICATIONS

- 13.1 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.

14. LEGAL AND GOVERNANCE CONSIDERATIONS

- 14.1 This application is submitted under section 55 of the Town and Country Planning Act 1990.

15. EQUALITY IMPACT ASSESSMENT

15.1 There are no equalities issues arising from this proposal and therefore an equality impact assessment has not been carried out.

16. DATA PROTECTION IMPACT ASSESSMENT

16.1 The planning application and accompanying documentation is a public document.

17. CRIME AND DISORDER AND RISK ASSESSMENT

17.1 There are no crime and disorder issues with this application.

18. SUSTAINABILITY OF PROPOSALS

18.1 Refer to the national planning framework (8) and local plan policies (9) and material considerations (10).

19. HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)

19.1 Refer to the summary of the report (12).

20. IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND

20.1 There will be no impact.

21. APPENDICES:

Site Plan
Context Plan
Plan No. 0829/002.

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DC/19/63571
89 Barncroft Road



Legend

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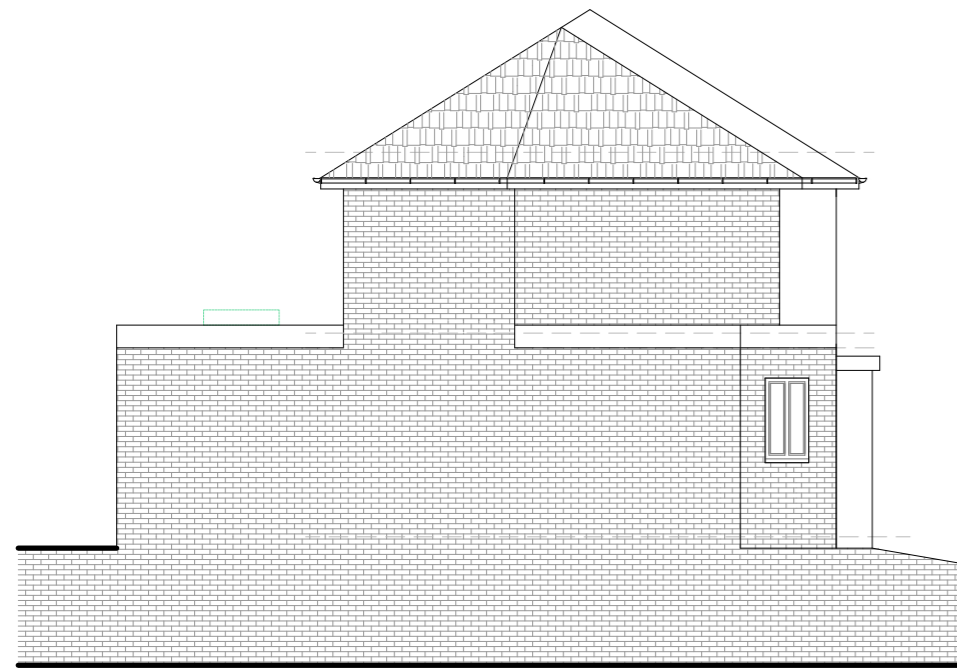
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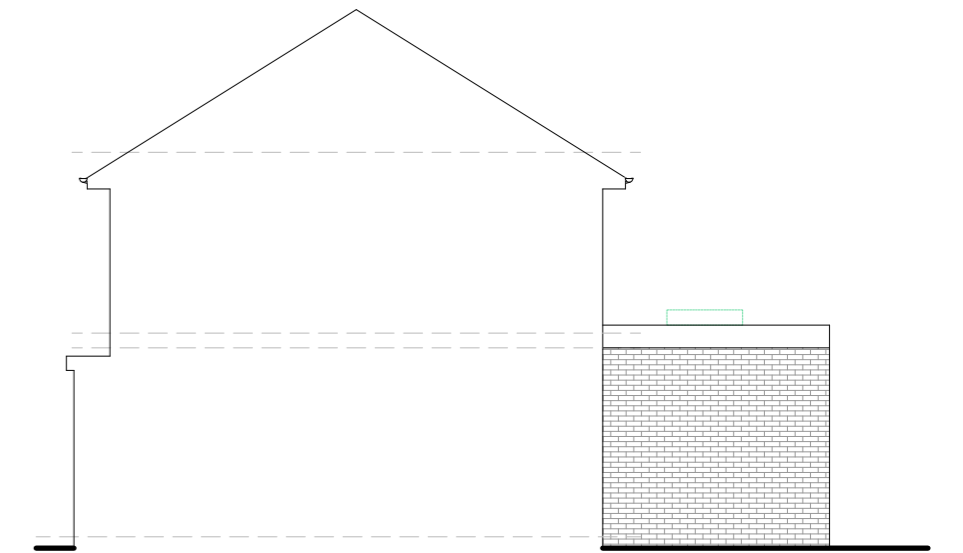
PROPOSED SIDE ELEVATION



PROPOSED FRONT ELEVATION

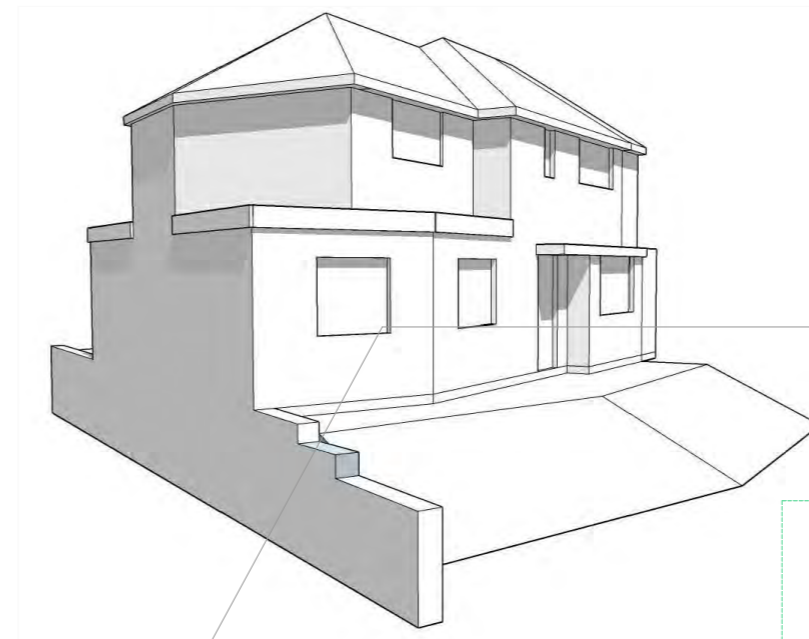


PROPOSED REAR ELEVATION

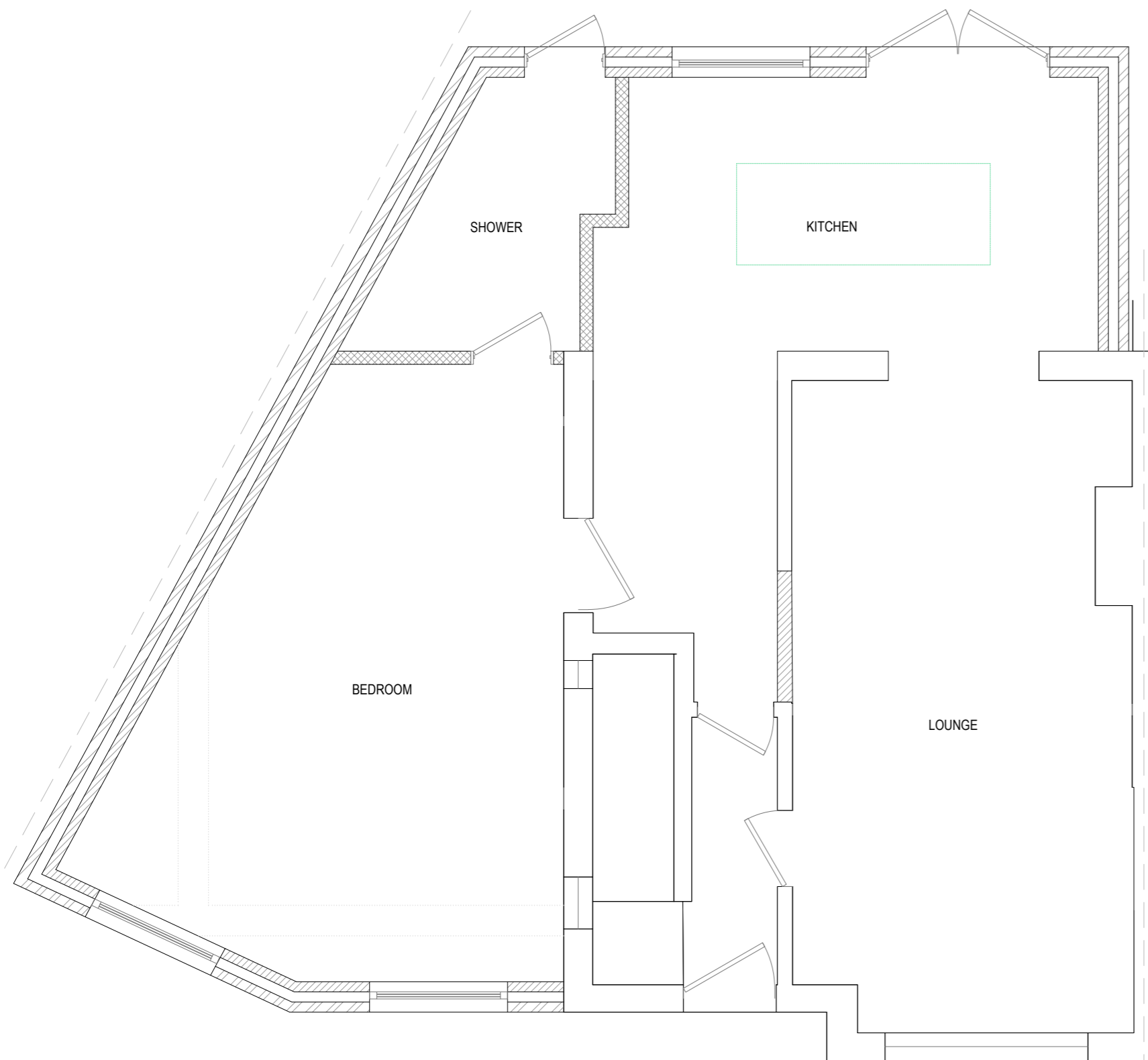
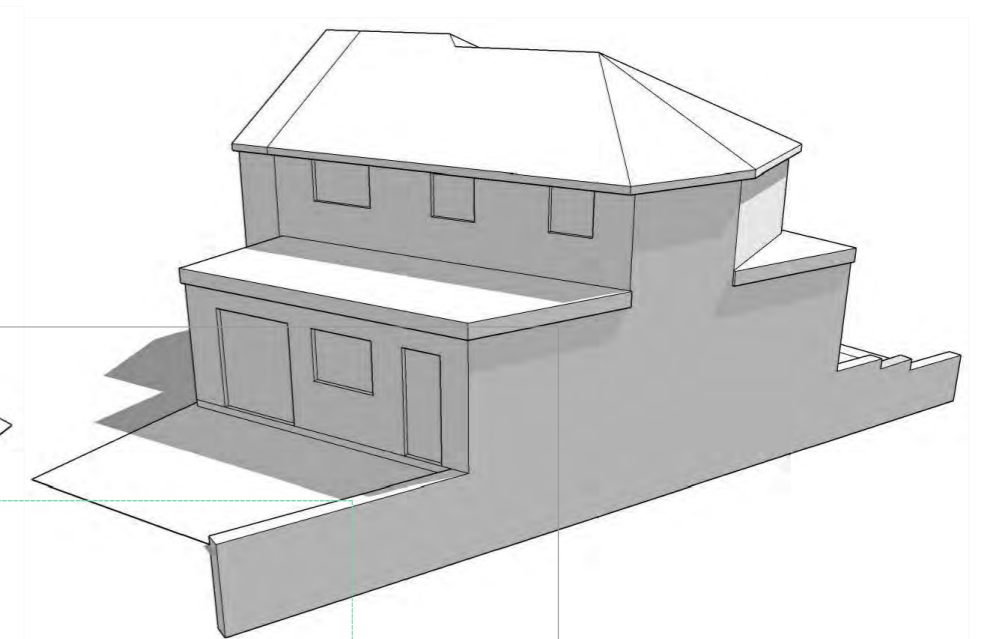


PROPOSED NEIGHBOUR ELEVATION

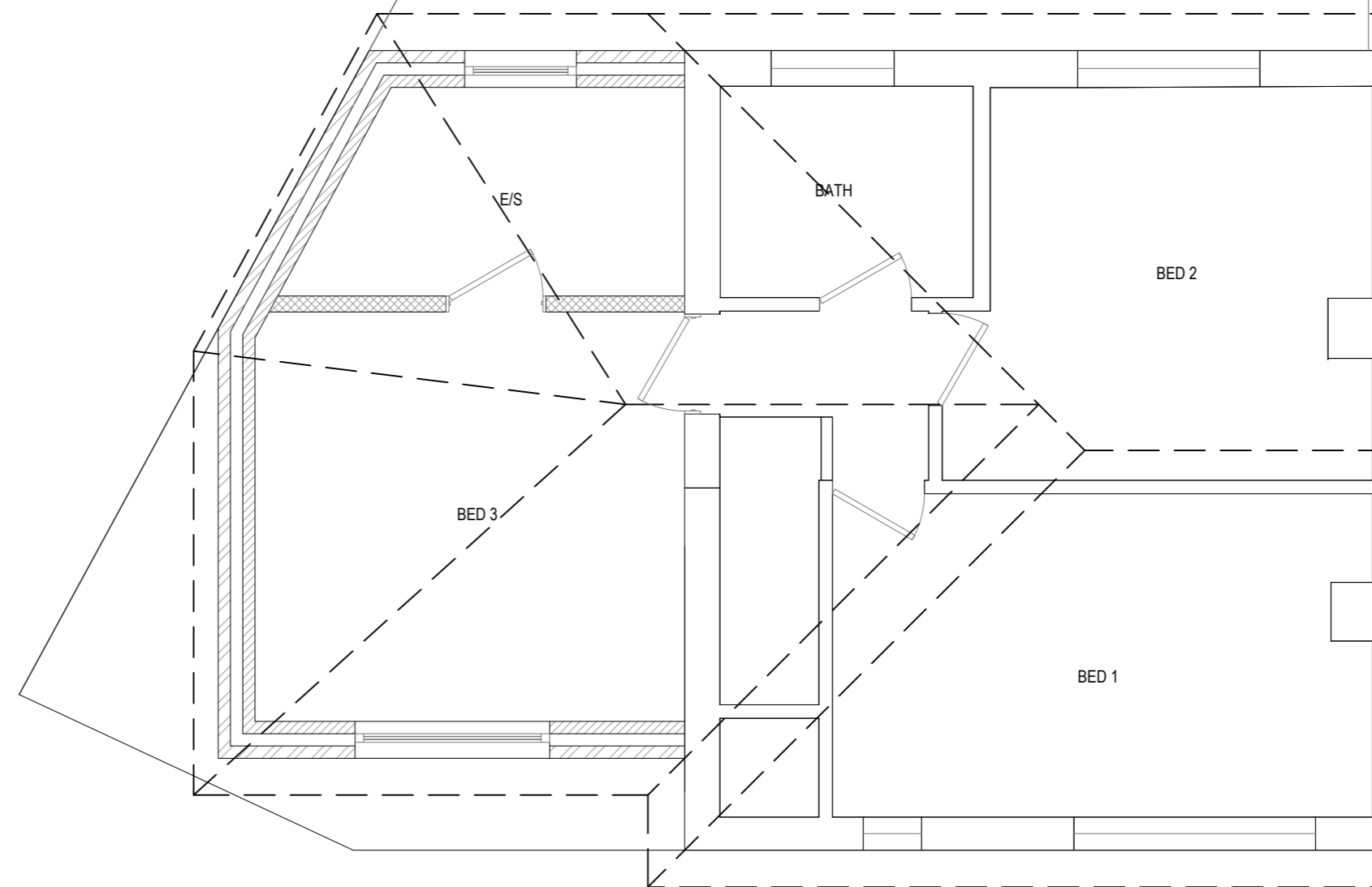
FRONT 3D ISO



REAR 3D ISO



PROPOSED GROUND FLOOR



PROPOSED FIRST FLOOR

0 100 200

REVISION
BETAPLAN LTD
 21 MILESTONE DRIVE, HAGELY, DY8 0LP
 01562 911020 / 07711 527239
 www.betaplan.co.uk
 info@betaplan.co.uk

PROJECT
 SIDE / REAR / FIRST
 FLOOR EXTENSION

ADDRESS
 89 BARNCROFT ROAD
 TIVIDALE
 B69 1TU

REF
 89BR/
 0829/002


NAME
 PROPOSED

DATE
 SEP19 DRAWN
 SRB SCALE
 1:100
 1:50

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Planning Committee

6 November 2019

Subject:	Applications Determined Under Delegated Powers
Director:	Director – Regeneration and Growth Amy Harhoff
Contribution towards Vision 2030:	
Contact Officer(s):	<p>John Baker Service Manager - Development Planning and Building Consultancy John_baker@sandwell.gov.uk</p> <p>Alison Bishop Development Planning Manager Alison_bishop@sandwell.gov.uk</p>

DECISION RECOMMENDATIONS

That Planning Committee:

Notes the applications determined under delegated powers by the Director – Regeneration and Growth set out in the attached Appendix.

1 PURPOSE OF THE REPORT

This report is submitted to inform the Committee of the decisions on applications determined under delegated powers by the Director – Regeneration and Growth.

2 IMPLICATIONS FOR SANDWELL'S VISION 2030

The planning process contributes to the following ambitions of the Vision 2030 –

Ambition 7 – We now have many new homes to meet a full range of housing needs in attractive neighbourhoods and close to key transport routes.

Ambition 8 - Our distinctive towns and neighbourhoods are successful centres of community life, leisure and entertainment where people increasingly choose to bring up their families.

Ambition 10 - Sandwell now has a national reputation for getting things done, where all local partners are focused on what really matters in people's lives and communities.

3 BACKGROUND AND MAIN CONSIDERATIONS

The applications determined under delegated powers are set out in the Appendix.

4 STRATEGIC RESOURCE IMPLICATIONS

There are no implications in terms of the Council's strategic resources.

5 LEGAL AND GOVERNANCE CONSIDERATIONS

The Director – Regeneration and Growth has taken decisions in accordance with powers delegated under Part 3 (Appendix 5) of the Council's Constitution.

Amy Harhoff
Director – Regeneration and Growth

SANDWELL METROPOLITAN BOROUGH COUNCIL
PLANNING COMMITTEE

Applications determined under delegated powers by the Director – Regeneration and Growth since your last Committee Meeting

REPORT FOR INFORMATION PURPOSES ONLY

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/18/62365 Great Barr With Yew Tree	Nairncroft 58 Hill Lane Great Barr Birmingham B43 6NA	Proposed ground and first floor extensions/raising of roof height to existing dwelling.	Grant Permission Subject to Conditions 17th October 2019
DC/19/62602 West Bromwich Central	Site Of 51 Beeches Road West Bromwich	Proposed residential development comprising 8 dwellings (6 detached houses and a pair of semi detached houses) with associated parking.	Grant Permission Subject to Conditions 16th October 2019
DC/19/62840 Bristnall	Alfred Gunn House Thompson Road Oldbury B68 8RN	Proposed external refurbishment and environmental works to high rise block, construction of ten flats above existing flat roof level, five flats at basement level; 16 houses, landscaping works, additional car parking and access road.	Grant Permission Subject to Conditions 30th September 2019

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/19/63059 Soho & Victoria	19 Cape Hill Smethwick B66 4RX	Proposed change of use from office to restaurant at ground floor, external alterations to front of property, proposed first floor rear extension and loft conversion with rear dormer window to accommodate change of use to 6 bedroom house in multiple occupation (HMO).	Grant Permission Subject to Conditions 30th September 2019
DC/19/63185 Hateley Heath	36 Lily Street West Bromwich B71 1QB	Proposed two storey side/rear and single storey rear extension.	Grant Permission Subject to Conditions 4th October 2019
DC/19/63221 St Pauls	Gurdwara Baba Sang Ji 7-9 St Pauls Road Smethwick B66 1EE	Proposed external alterations to front/side elevations and increase to roof height.	Grant Permission Subject to Conditions 1st October 2019
DC/19/63236 Greets Green & Lyng	206 Greets Green Road West Bromwich B70 9EP	Proposed single and two storey side and rear extensions, loft conversion with dormer at rear and outbuilding to rear.	Grant Permission Subject to Conditions 9th October 2019

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/19/63243 Greets Green & Lyng	Land Adjacent 16 Ryders Green Road West Bromwich B70 0AL	Proposed 2 No. 5 bed detached houses with associated parking and access.	Grant Permission Subject to Conditions 4th October 2019
DC/19/63250 Oldbury	Land Adj 3 Portland Drive Tividale Oldbury B69 3LJ	Proposed house 3 No. bed dwelling.	Refuse permission 1st October 2019
DC/19/63260 Tipton Green	6 Puppy Green Tipton DY4 8UD	Proposed ground and first floor front extensions, two storey rear extension and alterations to the roof.	Grant Permission with external materials 3rd October 2019
DC/19/63282 Bristnall	24 Kendal Rise Oldbury B68 8ER	Proposed first floor side/two storey side extension and rear conservatory.	Refuse permission 23rd September 2019
DC/19/63285 Great Barr With Yew Tree	110 Birmingham Road Great Barr Birmingham B43 7AE	Retention of rebuilding existing dwelling.	Grant Retrospective Permission 26th September 2019
DC/19/63289 West Bromwich Central	Land To The Rear Of 154 Hallam Street West Bromwich B71 4HS	Proposed demolition of 5 No. garages and 1 No. double carport and erection of 1 no. dwelling (Outline application all matters reserved).	Refuse permission 26th September 2019

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/19/63291 West Bromwich Central	Staples Limited Tildasley Street West Bromwich B70 9SJ	Proposed variation of condition 1 of planning permission DC/18/62210 (Proposed change of use to supermarket (Class A1), external alterations including new store access, loading bay extension, trolley bay canopy, and alterations to car park and landscaping) to remove loading bay extension and replace with rear access ramp and new ramp to customer service entrance.	Grant Permission Subject to Conditions 24th September 2019
DC/19/63293 Charlemont With Grove Vale	T Mobile Telecommunications Mast 63174 Walsall Road West Bromwich	Proposed replacement of 14.7m monopole, 3 no. antennas and redundant equipment cabinets with a 20m monopole, 12 no. antenna apertures and equipment cabinets.	Grant Permission 10th October 2019
DC/19/63300 Cradley Heath & Old Hill	60 Barrs Road Cradley Heath B64 7HH	Amendment to previously approved application DC/19/63104 for proposed single storey rear extension.	Grant Permission with external materials 18th October 2019
DC/19/63299 Wednesbury North	18 Upper High Street Wednesbury WS10 7HQ	Proposed 1 bedroom studio flat in loft space with dormer windows to rear.	Grant Permission Subject to Conditions 1st October 2019

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/19/63306 Cradley Heath & Old Hill	5 Haden Park Road Cradley Heath B64 7HE	Proposed single storey side and rear extension.	Grant Permission 3rd October 2019
DC/19/63311 Wednesbury South	HSBC 30 Market Place Wednesbury WS10 7AU	Proposed installation of 4 No. CCTV cameras.	Grant Permission 25th September 2019
DC/19/63319 West Bromwich Central	21 Houghton Street West Bromwich B70 6BW	Proposed renewal of temporary consent (condition 2) and variation of condition 4 of planning permission DC/17/60619 (change of use from offices to cafe (A3/A5 uses)) to amend the opening hours to 06.30am till 23.00pm Mon-Sat.	Grant Conditional Temporary Permission 24th September 2019
DC/19/63320 Newton	29 Spouthouse Lane Great Barr Birmingham B43 5PX	Proposed single and two storey side extensions.	Grant Permission with external materials 26th September 2019
DC/19/63315 Smethwick	26 Brisbane Road Smethwick B67 7AN	Proposed platform lift with steps and front boundary wall/handrail.	Grant Permission 3rd October 2019
DC/19/63316 Bristnall	84 Harvest Road Smethwick B67 6NG	Proposed vertical lift to front of property with steps.	Grant Permission 3rd October 2019

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/19/63317 Soho & Victoria	18 Edgbaston Road Smethwick B66 4LA	Proposed lift to front of property.	Grant Permission Subject to Conditions 26th September 2019
DC/19/63318 Princes End	18 Fereday Street Tipton DY4 9NH	Proposed lift to front of property.	Grant Permission Subject to Conditions 8th October 2019
DC/19/63326 Great Bridge	71 Scott Street Tipton DY4 7AF	Proposed two storey and single storey rear extensions.	Grant Permission with external materials 14th October 2019
DC/19/63340 Old Warley	20 Brennand Road Oldbury B68 0SB	Proposed two storey side extension, single storey rear extension and tiled canopy to front.	Grant Permission Subject to Conditions 16th October 2019
DC/19/63343 Smethwick	Lilliput Lodge Childrens Day Nursery Thimblemill Road Smethwick B67 6NR	Proposed single storey side extension and re- location of main entrance with external ramp.	Grant Permission with external materials 30th September 2019

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/19/63352 Charlemont With Grove Vale	110 Bustleholme Lane West Bromwich B71 3AW	Proposed two storey side and single storey front and rear extensions, new hipped/pitched roof over existing first floor rear extension and covered barbeque area to rear.	Grant Permission Subject to Conditions 26th September 2019
DC/19/63354 Hateley Heath	116 Huntingdon Road West Bromwich B71 2RP	Proposed conversion of existing garage to kitchen.	Grant Permission with external materials 19th September 2019
DC/19/63355 Tipton Green	Unit 12 - 16 Unity Walk Tipton DY4 8QL	Proposed change of use to shops (Class A1).	Grant Permission 15th October 2019
DC/19/63356 Great Bridge	237 Toll End Road Tipton DY4 0HP	Proposed single storey side and rear extension.	Refuse permission 4th October 2019
DC/19/63358 Cradley Heath & Old Hill	Land To The Rear Of 62 Compton Road Cradley Heath	Proposed one bedroom house with parking and associated works.	Grant Permission Subject to Conditions 30th September 2019
DC/19/63362 Tipton Green	1 Keyworth Close Tipton DY4 8GA	Proposed two storey side and rear extensions (Revised application - DC/19/62746, amendment to include first floor rear extension).	Refuse permission 20th September 2019

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/19/63363 Charlemont With Grove Vale	6 Sheldon Road West Bromwich B71 3JB	Proposed two storey side and single storey rear extensions and front canopy.	Grant Permission Subject to Conditions 25th September 2019
DC/19/63367 Blackheath	147 Oldbury Road Rowley Regis B65 0NS	Proposed single storey rear, side and front extension.	Grant Permission with external materials 19th September 2019
DC/19/63370 Oldbury	99 Theodore Close Oldbury B69 3EF	Proposed single storey side and rear extension.	Grant Permission with external materials 20th September 2019
DC/19/63372 Smethwick	29 South Road Smethwick B67 7BN	Proposed single and two storey rear extensions.	Grant Permission Subject to Conditions 16th October 2019
DC/19/6641A Great Bridge	ClearChannel Advertisement Hoarding 439601 Wall Of 150 Toll End Road Tipton	Proposed replacement of an existing 48-sheet advertisement with an illuminated digital advertisement display.	Grant Advertisement Consent 26th September 2019

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/19/63373 Wednesbury North	45 Upper High Street Wednesbury WS10 7HJ	Proposed change of use of first floor from ancillary storage to self contained flat.	Grant Lawful Use Certificate 1st October 2019
DC/19/63377 Great Barr With Yew Tree	29 Sundial Lane Great Barr Birmingham B43 6PA	Proposed front garden wall and erection of metal gates.	Grant Permission with external materials 30th September 2019
DC/19/63379 Langley	79 Boundary Avenue Rowley Regis B65 0NZ	Lawful development certificate for proposed garage conversion to habitable room with garage door to be replaced with a window and masonry.	Grant Lawful Use Certificate 19th September 2019
DC/19/63380 Old Warley	237 Wolverhampton Road Oldbury B68 0TG	Proposed single storey rear extension.	Grant Permission with external materials 24th September 2019
DC/19/63381 Wednesbury North	113 Woden Road East Wednesbury WS10 9RD	Lawful development certificate for proposed hip-to-gable loft conversion with rear dormer.	Grant Lawful Use Certificate 27th September 2019
DC/19/63382 Langley	260 Oldbury Road Rowley Regis B65 0QG	Variation of condition 2 of planning permission DC/16/59521 (Proposed temporary change of use to offices) to continue using property as office accommodation.	Grant Conditional Temporary Permission 17th October 2019

Application No. Ward	Site Address	Description of Development	Decision and Date
PD/19/01258 Great Barr With Yew Tree	133 Coronation Road Great Barr Birmingham B43 7AU	Proposed single storey rear extension measuring: 4.0m L x 3.9m H (2.5m to eaves)	P D Householder required and refused 23rd September 2019
DC/19/63388 Langley	78 Boundary Avenue Rowley Regis B65 0NZ	Proposed single storey rear extension and mono pitched roof to existing side extension.	Grant Permission with external materials 20th September 2019
PD/19/01262 Newton	141 Stanton Road Great Barr Birmingham B43 5HU	Proposed single storey rear conservatory measuring: 5.0m L x 3.0m H (2.1m to eaves)	P D Householder not required 30th September 2019
DC/19/63393 Cradley Heath & Old Hill	117 Corngreaves Road Cradley Heath B64 7NP	Proposed ground and first floor rear and side extension.	Grant Permission with external materials 22nd October 2019
DC/19/63394 Wednesbury South	60 St Vincent Crescent West Bromwich B70 0LF	Proposed conversion of garage to habitable space.	Grant Permission with external materials 16th October 2019

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/19/63403 Soho & Victoria	12 Cape Hill Smethwick B66 4RN	Proposed change of use from shop (Class A1) to restaurant/cafe (Class A3) with extraction flue to rear and external alterations.	Grant Permission Subject to Conditions 18th October 2019
DC/19/63397 Soho & Victoria	15 Montague Road Smethwick B66 4QB	Proposed single storey rear extension.	Grant Permission with external materials 2nd October 2019
DC/19/63398 Blackheath	21 Grange Road Cradley Heath B64 6RS	Proposed single storey rear extension.	Grant Permission with external materials 2nd October 2019
DC/19/63399 Abbey	643 Bearwood Road Smethwick B66 4BL	Proposed change of use of ground floor from shop (A1) to a beauty salon (Sui Generis).	Grant Permission 3rd October 2019
DC/19/63400 Princes End	18 Hopton Close Tipton DY4 0DJ	Proposed single storey rear extension.	Grant Permission with external materials 30th September 2019

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/19/63406 Hateley Heath	5 Okehampton Drive West Bromwich B71 1DE	Proposed first floor rear extension.	Grant Permission Subject to Conditions 30th September 2019
DC/19/63413 Charlemont With Grove Vale	345 Beaconview Road West Bromwich B71 3PU	Proposed two storey side extension and front porch.	Grant Permission with external materials 4th October 2019
DC/19/63432 Tividale	24 View Point Tividale Oldbury B69 1UU	Proposed first floor extension over garage and two storey side infill extension (Resubmission of DC/16/59501).	Grant Permission with external materials 8th October 2019
DC/19/63408 Abbey	608 Bearwood Road Smethwick B66 4BW	Proposed change of use of ground floor from Class A1 (Shop) to Class A4 (Drinking Establishment).	Grant Permission Subject to Conditions 3rd October 2019
DC/19/63410 Old Warley	66 Forest Road Oldbury B68 0EF	Proposed two storey side/front and single storey rear extensions.	Refuse permission 8th October 2019

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/19/63415 Rowley	21 Portway Road Rowley Regis B65 9DB	Proposed single storey rear extension.	Grant Permission with external materials 3rd October 2019
DC/19/63416 Langley	32 Grafton Road Oldbury B68 8BP	Proposed single storey side extension.	Grant Permission with external materials 30th September 2019
DC/19/63419 Old Warley	26 Abbey Crescent Oldbury B68 9HQ	Proposed single storey rear extension, front porch with canopy.	Grant Permission with external materials 30th September 2019
DC/19/63420 Great Bridge	214 Horseley Heath Tipton DY4 7QP	Proposed single storey side extension.	Grant Permission with external materials 4th October 2019
DC/19/63434 Old Warley	156A Bleakhouse Road Oldbury B68 0LU	Proposed change of use of first floor living accommodation Class C3 (Dwelling House) to a beauty salon (Sui Generis).	Grant Permission Subject to Conditions 1st October 2019

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/19/63426 Charlemont With Grove Vale	3 Jervoise Lane West Bromwich B71 3AR	Proposed single storey side and rear extension.	Grant Permission with external materials 27th September 2019
DC/19/63427 Old Warley	45 Kingsway Oldbury B68 0QD	Proposed single storey side extension.	Grant Permission with external materials 11th October 2019
DC/19/63429 Great Bridge	21 Arthur Road Tipton DY4 0NH	Proposed single storey rear extension.	Grant Permission with external materials 26th September 2019
DC/19/63435 Greets Green & Lyng	90 Claypit Lane West Bromwich B70 9UH	Proposed two storey side extension and single storey front extension.	Grant Permission Subject to Conditions 11th October 2019
DC/19/63436 Friar Park	180 Kent Road Wednesbury WS10 0SF	Proposed canopy to front.	Grant Permission with external materials 14th October 2019

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/19/63442 Oldbury	85 Theodore Close Oldbury B69 3EF	Proposed single storey rear extension.	Grant Permission with external materials 11th October 2019
DC/19/6644A West Bromwich Central	Staples Limited Tildasley Street West Bromwich B70 9SJ	Proposed 2 No. internally-illuminated fascia signs & letters, 1 No. internally-illuminated wall-mounted sign, 1 No. non-illuminated vinyl entrance sign, 1 No. non- illuminated window graphics, 1 No. non- illuminated pedestrian sign and 2 No. internally- illuminated pole signs.	Grant Advertisement Consent 24th September 2019
PD/19/01271 Newton	35 Hembs Crescent Great Barr Birmingham B43 5DQ	Proposed single storey rear extension measuring: 5.2m L x 4.0m H (2.95 to eaves)	P D Householder not required 30th September 2019
DC/19/63439 Greets Green & Lyng	11 Emily Street West Bromwich B70 8LH	Proposed single storey rear extension.	Grant Permission with external materials 3rd October 2019
DC/19/63448 Soho & Victoria	Copes Potatoes (Midlands) Limited 11 New Street Smethwick B66 2AJ	Retention of roller shutters to front and side of property.	Grant Retrospective Permission 8th October 2019

Application No. Ward	Site Address	Description of Development	Decision and Date
PD/19/01273 Great Bridge	177 Highfield Road Ocker Hill Tipton DY4 0PB	Proposed single storey rear extension measuring: 4.6m L x 3.0m H (2.9m to eaves)	P D Householder not required 30th September 2019
DC/19/63446 Old Warley	7 Chestnut Road Oldbury B68 0AX	Proposed single storey side and rear extension.	Grant Permission with external materials 11th October 2019
DC/19/63449 Cradley Heath & Old Hill	17D Mace Street Cradley Heath B64 6HL	Proposed first floor side extension.	Grant Permission with external materials 16th October 2019
DC/19/6646A Abbey	J C Decaux Advertisement Hoarding 624 Bearwood Road Smethwick	Proposed replacement of 1 No. non-illuminated 48 sheet poster display with 1 No. 48 sheet internally illuminated digital display and associated logo box.	Grant Conditional Advertisement Consent 15th October 2019
DC/19/63453 Oldbury	35 Theodore Close Oldbury B69 3EE	Proposed first floor/double storey side extension and single storey rear extension.	Refuse permission 15th October 2019

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/19/63455 St Pauls	11 Jacmar Crescent Smethwick B67 7LF	Proposed first floor side/rear extension.	Grant Permission with external materials 15th October 2019
DC/19/63460 Wednesbury North	117 Park Lane Wednesbury WS10 9PT	Proposed single storey front extension.	Grant Permission with external materials 4th October 2019
DC/19/63462 Great Barr With Yew Tree	25 Newton Road Great Barr Birmingham B43 6AA	Retention of block paved driveway.	Grant Retrospective Permission 4th October 2019
DC/19/63473 Bristnall	51 Landswood Road Oldbury B68 9QF	Proposed rear conservatory.	Grant Permission with external materials 15th October 2019
DC/19/63475 Langley	830 Wolverhampton Road Oldbury B69 4RS	Proposed single storey side and rear extension (Amendment to planning application DC/19/63193).	Grant Permission with external materials 17th October 2019

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/19/6647A West Bromwich Central	Harvester 12 New Square West Bromwich B70 7PP	Retention of 1 No. Internally-Illuminated fascia sign.	Grant Advertisement Consent 24th September 2019
DC/19/63477 Newton	158 Newton Road Great Barr Birmingham B43 6BU	Proposed two storey rear extension with first floor balcony.	Grant Permission with external materials 10th October 2019
DC/19/6648A West Bromwich Central	Nationwide Building Society 265 Duchess Parade High Street West Bromwich B70 7LX	Proposed 1 No. non- illuminated fascia sign, 1 No. internally-illuminated fascia sign., 1 No. internally-illuminated projection sign and 1 No. ATM surround sign.	Grant Advertisement Consent 16th October 2019
DC/19/63489 Wednesbury North	5 Whitehouse Avenue Wednesbury WS10 7HT	Proposed two storey side extension.	Grant Permission with external materials 17th October 2019
DC/19/63491 Smethwick	15 Blackthorne Road Smethwick B67 6PX	Proposed first floor rear extension (revised application DC/18/62375).	Grant Permission with external materials 22nd October 2019


Application No. Ward	Site Address	Description of Development	Decision and Date
DC/19/63492 Charlemont With Grove Vale	27 Manorford Avenue West Bromwich B71 3QJ	Proposed single storey front extension.	Grant Permission with external materials 16th October 2019
DC/19/6649A Cradley Heath & Old Hill	Tesco Extra Foxoak Street Cradley Heath B64 5DF	Proposed 1 No. internally illuminated LCD media screen, 3 No. flag pole signs.	Grant Advertisement Consent 22nd October 2019
PD/19/01279 Smethwick	18 Unketts Road Smethwick B67 6RQ	Proposed single storey rear extension measuring: 6.0m L x 4.0m H (2.7m to eaves)	P D Householder not required 11th October 2019
PD/19/01282 St Pauls	146 Great Arthur Street Smethwick B66 1DG	Proposed single storey rear extension measuring: 6.0m L x 3.15m H (3.0m to eaves)	P D Householder not required 11th October 2019
PD/19/01280 Oldbury	25 Cartwright Gardens Oldbury B69 3JJ	Proposed single storey rear extension measuring: 3.4036m L x 2.794m H (2.28m to eaves)	P D Householder not required 11th October 2019

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/19/63498 Oldbury	Unit 9 Autobase Industrial Estate Tipton Road Tividale Oldbury B69 3HU	Proposed internal first floor office block with reception, toilets and storage area under at ground floor level, new entrance door with canopy and external alterations.	Grant Permission 18th October 2019
DC/19/63499 Soho & Victoria	263 - 267 High Street Smethwick B66 3NJ	Retention of a second ATM.	Grant Retrospective Permission 17th October 2019
DC/19/6650A Soho & Victoria	263 - 267 High Street Smethwick B66 3NJ	Retention of integral illumination and screen to the ATM fascia, internally illuminated Free Cash Withdrawals sign above the ATM with blue LED halo illumination surround.	Grant Advertisement Consent 15th October 2019
DC/19/6651A West Bromwich Central	Staples Limited Tildasley Street West Bromwich B70 9SJ	Proposed temporary free standing vinyl banner.	Grant Conditional Advertisement Consent 11th October 2019
DC/19/63516 Great Barr With Yew Tree	27 Peak House Road Great Barr Birmingham B43 7RY	Proposed first floor side extension.	Grant Permission with external materials 23rd October 2019

Application No. Ward	Site Address	Description of Development	Decision and Date
PD/19/01300 Friar Park	The Phoenix Collegiate Friar Park Road Wednesbury WS10 0JS	Proposed demolition of existing buildings.	Grant Demolition Consent 22nd October 2019

Planning Committee

6 November, 2019

Subject:	Decisions of the Planning Inspectorate
Director:	Director – Regeneration and Growth Amy Harhoff
Contribution towards Vision 2030:	
Contact Officer(s):	<p>John Baker Service Manager - Development Planning and Building Consultancy John_baker@sandwell.gov.uk</p> <p>Alison Bishop Development Planning Manager Alison_bishop@sandwell.gov.uk</p>

DECISION RECOMMENDATIONS

That Planning Committee:

Notes the decisions of the Planning Inspectorate as detailed in the attached appendices.

1 PURPOSE OF THE REPORT

This report is submitted to inform the Committee of the outcomes of appeals that have been made to the Planning Inspectorate by applicants who were unhappy with the Committee's decision on their application.

2 IMPLICATIONS FOR SANDWELL'S VISION 2030

The planning process contributes to the following ambitions of the Vision 2030 –

Ambition 7 – We now have many new homes to meet a full range of housing needs in attractive neighbourhoods and close to key transport routes.

Ambition 8 - Our distinctive towns and neighbourhoods are successful centres of community life, leisure and entertainment where people increasingly choose to bring up their families.

Ambition 10 - Sandwell now has a national reputation for getting things done, where all local partners are focused on what really matters in people’s lives and communities.

3 BACKGROUND AND MAIN CONSIDERATIONS

- 3.1 Applicants who disagree with the local authority’s decision on their planning application may submit an appeal to the Planning Inspectorate. An appeal may also be made where the local authority has failed to determine the application within the statutory timeframe.
- 3.2 Appeals must be submitted within six months of the date of the local authority’s decision notice.
- 3.3 Decisions on the following appeals are reported, with further detailed set out in the attached decision notices:-

Application Ref No.	Site Address	Inspectorate Decision
DC/19/62886	Baby Einsteins Nursery, Great Bridge Street, West Bromwich B70 0DE	Dismissed

4 STRATEGIC RESOURCE IMPLICATIONS

- 4.1 There are no direct implications in terms of the Council’s strategic resources.
- 4.2 If the Planning Inspectorate overturns the Committee’s decision and grants consent, the Council may be required to pay the costs of such an appeal, for which there is no designated budget.

5 LEGAL AND GOVERNANCE CONSIDERATIONS

- 5.1 The Planning Committee has delegated powers to determine planning applications within current Council policy.
- 5.2 Section 78 of the Town and Country Planning Act 1990 gives applicants a right to appeal when they disagree with the local authority's decision on their application, or where the local authority has failed to determine the application within the statutory timeframe.

Amy Harhoff
Director – Regeneration and Growth



Appeal Decision

Site visit made on 24 September 2019

by Beverley Wilders BA (Hons) PgDurp MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th October 2019

Appeal Ref: APP/G4620/W/19/3231231

Baby Einsteins Nursery, Great Bridge Street, West Bromwich B70 0DE

- 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 Mr I Riaar against the decision of Sandwell Metropolitan Borough Council.
 - The application Ref DC/19/62886, dated 28 February 2019, was refused by notice dated 16 May 2019.
 - The development proposed is described as change of use of the existing building to total no. of 6 residential flats which comprises of no.5 one bedroom and one two bedroom flat (including the existing one on site) with minor alterations and demolition part single storey rear extension.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. **The Council's first reason for refusal refers to Policy EMP3 of Sandwell's Adopted Unitary Development Plan.** However, it appears from the evidence **that Policy EMP3 forms part of the Council's Core Strategy rather than its Unitary Development Plan.** I have determined the appeal accordingly.

Main Issues

3. The main issues are:
 - whether the principle of residential development is acceptable having regard to the location of the site in a designated employment area;
 - whether future occupiers of the flats would have satisfactory living conditions having regard to noise and disturbance and to the size of the accommodation.

Reasons

Principle of development

4. The appeal site comprises **a vacant children's day care nursery and ancillary flat.** The site is surrounded by commercial development and the area is predominantly characterised by commercial uses, with a small number of residential properties evident to the east of the site on Great Bridge Street. It appears from the evidence that the site is within an area designated as local

quality employment land in the **Council's Site Allocations and Delivery** Development Plan Document adopted December 2012 (SAD). Policy EMP3 of the Black Country Core Strategy adopted February 2011 (CS) relates to local quality employment areas and states, amongst other things, that such areas will be safeguarded for the listed uses which does not include residential. The policy justification states that such areas are often most vulnerable to pressure for redevelopment to other uses such as housing but that the loss of too much local employment land will compromise the strategy.

5. Although reference has been made by the parties to the area being identified as having the potential for residential development in the longer term (beyond 2021), it appears that it is anticipated that this would involve comprehensive redevelopment of the area as opposed to the development of individual sites as is proposed. In any event, I have seen no evidence to suggest that this future aspiration forms part of any adopted policy document and in the absence of this, CS Policy EMP3 appears to be particularly relevant to the proposal.
6. I note that there is an existing residential use on site. However, this ancillary flat was approved for caretaker's accommodation in association with a previous use as a pool hall and bar. In the absence of any justification for the loss of the existing employment use on site, neither the existing flat or the presence of other dwellings on Great Bridge Street would justify the proposal which would be contrary to CS Policy EMP3 and **would undermine the Council's strategy of retaining local quality employment areas for commercial uses appropriate to the area.**
7. Taking the above matters into consideration, the principle of residential development is not acceptable having regard to the location of the site in a designated employment area. The proposal is therefore contrary to CS Policy EMP3 which seeks to safeguard local quality employment land.

Living conditions

8. As stated, the site is located in a predominantly commercial area and is surrounded by commercial development, some of which is industrial in nature. At the time of my visit I observed a fabricating business and an accident repair centre close to the site with various noises being emitted from these sites generated by the banging of metal and from a jet wash being operated.
9. Although occupiers of the existing flat will be subject to any existing noise and disturbance generated by the surrounding businesses, the flat was permitted in association with the business use of the site and in any event the proposal would result in a significant increase in the number of residential occupiers at the site. The nature of the area and the surrounding businesses is such that future occupiers of the proposed flats would be likely to be subject to undue noise and disturbance as a result of the operation of nearby businesses and this would lead to unsatisfactory living conditions.
10. The Council states that the size of the two new first floor flats falls below the **Council's minimum** internal space standards as set out within its Revised Residential Design Guide January 2014 (RDG). The minimum standard is 50 square metres and the Council states that the size of the new flats are 48.2 and 42.6 square metres. Whilst the appellant states that the standards would be met, no alternative figures or other evidence has been provided to demonstrate that this is the case. Having regard to this and to the particular

layout of the flats, I do not consider that future occupiers of the two new first floor flats would have satisfactory living conditions.

11. Taking the above matters into consideration, I conclude that future occupiers of the flats would not have satisfactory living conditions having regard to noise and disturbance and to the size of the accommodation. The proposal is therefore contrary to Policy ENV3 of the CS, Policy EOS9 of the SAD and to relevant guidance in the RDG. These policies and this guidance seek, amongst other things, the highest possible design standards and residential development to meet minimum internal floor space standards.

Other Matters

12. In reaching my decision I note that the proposal would provide an additional 5 units of residential accommodation in an area with reasonable access to goods and services. **It would contribute to the Council's housing supply and would provide a use for the building which is currently largely vacant.** However, the modest social and economic benefits of the proposal would not outweigh the harm that I have identified.

Conclusion

13. For the above reasons and having regard to all matters raised, I conclude that the appeal should be dismissed.

Beverley Wilders

INSPECTOR