

## Planning Committee

**10<sup>th</sup> June 2020 at 5.00pm  
Virtual Meeting**

- Present:** Councillor Downing (Chair);  
Councillor Hevican (Vice-Chair);  
Councillors Ahmed, Allen, Chidley, S Davies, Dhallu, G  
Gill, M Hussain, I Jones, Millar, Rouf and Simms.
- Officers:** John Baker [Service Manager – Development Planning and  
Building Consultancy]  
Simon Chadwick [Principal Officer – Development,  
Highways]  
Sian Webb [Solicitor]  
Stephnie Hancock [Senior Democratic Services Officer]

### 33/20 **Apologies for Absence**

Apologies for absence were received from Councillors P M  
Hughes and Trow.

### 34/20 **Declarations of Interest**

Councillor Hevican declared an interest in the matter referred to at  
Minute No. 37/20 (Planning Application DC/19/63340 Proposed  
change of use to part of ground floor to create a self-contained flat  
on the ground floor with HMO on first floor and second floors,  
together with associated parking. 10 - 12 Park Hill, Wednesbury)  
in that she lived in proximity to the site.

### 35/20 **Minutes**

The minutes of the meeting held on 11<sup>th</sup> March 2020 were agreed  
as a correct record and signed by the Chair.



**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 offsite 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 and Simms indicated that they had been lobbied on the site visit, that had taken place on 2<sup>nd</sup> October 2019, by the applicant and objectors.

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

- 20 letters of objection and a petition had been submitted.
- Concerns centred around parking and the impact of the proposal on highway safety.
- The current car park could not cope with the current level of demand and parking already spilled onto the surrounding streets.
- There was substantial photographic evidence submitted by objectors over a range of dates and times.
- 113 parking spaces were required, with only 89 proposed.

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

- The height of the building had been adjusted to have less of an impact on adjoining properties.
- The 14metre separation distance referred to by the objector referred to two storey buildings.
- Trees would be retained and new ones would be planted.
- Many of the parking issues related to the nearby school, however, the applicant did not wish to prevent the school from using the car park as they were happy to provide the service to the community.
- The building would not be able to accommodate 150 people.
- There would be two classrooms and an activity room.
- The existing structure was already screened by taller buildings, however, more trees would be planted if necessary.

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

- The proposal was to accommodate the existing congregation and the capacity of the building was not being increased.
- The additional parking spaces being provided was to accommodate the existing congregation.
- One the existing Gurdwara was demolished the additional parking spaces would be put in place.
- The Gurdwara was around 300metres away from the site of the proposal so visitors were not likely to park there and were more likely to park in surrounding streets.
- Independent traffic surveys indicated the proposed parking provision was insufficient.
- The additional parking provision that was proposed had not accounted for space for bin storage and electric vehicle charging points.
- The original planning application had indicated that likely numbers using the building was 150, however, the application had been revised and the number was now 80.
- There had been a 4metre reduction in the size of the proposed centre.

The Committee also noted the following points, presented by an officer from the Highways service.

- Two independent traffic surveys had shown that on average there were 65-70 vehicles on the site each day.
- The applicant had not provided a Traffic Survey, despite being asked on several occasions, therefore the highways assessment had been made on the basis of other premises with similar uses.
- The Highways service could not support the proposal as its assessments indicated that 113 spaces were required and only 89 were proposed.
- Based on experience and guidance, 1 parking space was required per 17 square metres.
- Evidence indicated that for a banqueting suite use, there would be 3.5 people per car.
- 78 spaces were required for the Gurdwara alone.

Officers had recommended that planning permission be refused, on the grounds of inadequate parking provision, and loss of light and outlook for residents of Acacia Avenue.

The Committee felt that the proposal was acceptable, taking into account planned improvements to public transport networks in the future, and was minded to grant planning permission. The Service Manager – Development Planning and Building Consultancy recommended that the Committee allow officers to determine appropriate conditions to be attached to the permission, in consultation with the Chair and Vice-Chair.

**Resolved** that 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 offsite parking. Gurdwara Guru Hargobind Sahib Car Park Upper Chapel Street, and Gurdwara Guru Hargobind Sahib Building, Dudley Road West, Tividale, Oldbury) is approved, subject to conditions to be determined by the Interim Director – Regeneration and Growth, in consultation with the Chair and Vice-Chair.

37/20

**Planning Application DC/19/63409 - Retention of loft extension with dormer windows to front and rear to create 1 No retail unit, and 13 No bed HMO with external alterations and side wall with railings. Royal Oak Inn, 1 Causeway Green Road, Oldbury**

Councillor S Davies indicated that she had been lobbied by objectors.

The Service Manager – Development Planning and Building Consultancy reported that further objections had been received from the local Tenants and Residents Federation. Two additional conditions were also recommended.

There was no applicant or objector present.

**Resolved** that Planning Application DC/19/63409 (Retention of loft extension with dormer windows to front and rear to create 1 No retail unit, and 13 No bed HMO with external alterations and side wall with railings. Royal Oak Inn, 1 Causeway Green Road, Oldbury) is approved, subject to the following conditions:-

- (i) approval of external materials;

- (ii) car parking to be laid out and retained as such (including details of an Electric vehicle charging point);
- (iii) provision of cycle parking;
- (iv) provision of a bin store, and maintenance/service plan;
- (v) security measures plan – entrance details, locks, etc;
- (vi) submission of an air quality report showing mitigation measures and mechanical ventilation;
- (vii) the retail unit being limited to A1 use;
- (viii) submission of a construction management plan.

38/20

**Planning Application DC/19/63440 - Proposed change of use to part of ground floor to create a self-contained flat on the ground floor with HMO on first floor and second floors, together with associated parking. 10 - 12 Park Hill, Wednesbury**

Councillors Downing, Hevican, Ahmed, Allen, S Davies, G Gill, Mabena, Millar, Rouf and Simms indicated that they had been lobbied by objectors on the site visit, which had taken place on 11<sup>th</sup> March 2020.

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

- There was no dedicated fire escape so in the event of a fire people in the loft would be trapped.
- Roads were already very busy and there were two high schools and a primary school in the vicinity which already caused traffic problems on Woden Road East.
- Residents may park on the pavement, causing obstruction for users of mobility scooters.
- The proposal was not attractive and did not represent quality housing.
- There was no evidence of need for this type of accommodation in the area.
- There was no information provided about bin storage.

There was no applicant or agent present.

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

- The forecourt was private and was dedicated for use by residents of the flats, and not shoppers.

- The conditions recommended included the provision of a dropped kerb.
- The application proposed a reduction in the number of bedrooms overall in the property.
- Fire safety was dealt with under different legislation and was not a matter for the Committee.
- The proposed four parking spaces was sufficient.

The Committee was minded to refuse planning permission on the grounds of insufficient parking provision and the impact on surrounding properties.

**Resolved** that Planning Application DC/19/63440 (Proposed change of use to part of ground floor to create a self-contained flat on the ground floor with HMO on first floor and second floors, together with associated parking. 10 - 12 Park Hill, Wednesbury) is refused, on the grounds of inadequate parking provision for the HMO taking into account the existing shop, and over-intensification of the site, resulting in a detrimental impact on neighbouring properties.

[Councillor Hevican, having declared an interest, left the meeting during the consideration of this application.]

Meeting adjourned 7.30 - 7.45pm

39/20

**Planning Application DC/19/63745 - Proposed new unit and open storage bays. Princes Foundry, Bradleys Lane, Tipton**

Councillors Chidley and I Jones indicated that they had been lobbied by objectors.

There was no applicant or objector present.

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

- The proposed unit and storage bays would be at the end of the site off Bradleys Lane, and not the Kerr Drive/Waring Close end.
- This was a long-established scrap yard.
- Whilst the site was allocated for housing in the Council's Local Plan, the allocation related to the wider area and

would require the removal of a number of existing industrial units adjoining the proposal site. In addition there were no proposed Compulsory Purchase Orders in relation to the site.

- The proposal was not seeking additional use on the site, but re-organisation of existing use.
- There were several other substantial units next to the site of the proposal.

The Committee noted that, should it be minded to approve the application, the Emergency Committee would be asked to make an exception to the Local Plan before the application could proceed.

**Resolved** that, subject to the Emergency Committee granting an exception to the Local Plan to enable the application to proceed, Planning Application DC/19/63745 (Proposed new unit and open storage bays. Princes Foundry, Bradleys Lane, Tipton) is approved, subject to the following conditions:-

- (i) approval of external materials;
- (ii) site investigation and remediation;
- (iii) the development being carried out in accordance with Operational Statement;
- (iv) hard and soft landscaping;
- (v) submission of boundary treatment details

40/20

**Planning Application DC/20/63913 - Proposed 1 No. 4 bedroom dwelling with associated car parking and boundary fencing. Land to rear of Churchills, 8 Walsall, Street, Wednesbury.**

The Service Manager – Development Planning and Building Consultancy reported that additional information had been received from the applicant's solicitor that confirmed right of access to the site via Hollies Drive. A further four objections had also been received, requesting that a site visit be undertaken. Due to information still being outstanding from Police and Ambulance services and a vehicle tracking plan being outstanding, he recommended that consideration of the application be deferred.

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

- The site was unsuitable for the proposal.
- There were no material changes since the previous application had been refused.
- The applicant did not have a legal right of access to the driveway.
- Elevation levels were in excess of 20 feet.
- The driveway was not wide enough to accommodate emergency vehicles comfortably.
- There would be a loss of privacy and light to neighbouring properties.

The applicant was not present but had requested that the application be determined by the Committee.

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

- The objector lived behind the boundary wall and the only access to his property was via the driveway.
- Right of access to the driveway was not a matter for the Committee and was a private matter. However, the applicant had provided proof of right of access.
- In 2018 an application for a two bedroom flat and two three bedroom houses had been refused. The current proposal was smaller.

A motion to defer was moved, seconded and lost at the vote.

The Committee was informed that the width of the driveway was approximately 14.5 feet, which was wide enough for one vehicle at a time.

A motion to grant approval, subject to the conditions recommended by the Interim Director – Regeneration and Growth as set out in the report, was moved, seconded and carried by the vote.

**Resolved** that Planning Application DC/20/63913 (Proposed 1 No. 4 bedroom dwelling with associated car parking and boundary fencing. Land to rear of Churchills, 8 Walsall, Street, Wednesbury.) is approved, subject to the following conditions:-

- (i) the approval of external materials;
- (ii) details of levels changes, retaining walls and finished floor levels



- (iii) details of the proposed drainage works;
- (iv) archaeology investigation, and recording;
- (iv) parking space retention;
- (v) electric vehicle charging point details, and retention;
- (vi) secure cycle store details, retention;
- (vii) Permitted Development Rights removed for loft conversions with dormer windows, and new external windows and doors;
- (ix) hard and soft landscaping scheme;
- (ix) boundary Treatment;
- (x) refuse storage;
- (xi) site management plan including wheel washing, noise mitigation measures and hours of construction;
- (xii) coal Authority investigation, mitigation measures;
- (xiii) ground conditions, mitigation measures.

41/20

**Planning Application DC/20/64117 - Proposed two storey side/rear extensions, single storey front/rear extensions, roof enlargements with rear facing gable and dormer window to rear. 188 Farm Road, Oldbury**

Councillors Ahmed, Allen, S Davies, Dhallu, Downing, Hevican, M Hussain, Millar, Rouf and Simms indicated that they had been lobbied by objectors on the site visit, which had taken place on 12<sup>th</sup> February 2020.

The Service Manager – Development Planning and Building Consultancy reported that additional comments had been received from two objectors reiterating concerns about the size of the extension and its relationship to the public highway.

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

- The application was retrospective, however he had worked with planning officers to accommodate the difference between the approved plans and the development.
- The height of the extension had been reduced.
- The footprint was the same as that approved in 2018.
- The ground floor had been reduced in size so that it no longer met the boundary.

The Committee was minded to grant planning permission, subject to the conditions recommended by the Interim Director –

Regeneration and Growth, with an amendment to allow the applicant six months to implement the permission.

**Resolved** that Planning Application DC/20/64117 (Proposed two storey side/rear extensions, single storey front/rear extensions, roof enlargements with rear facing gable and dormer window to rear. 188 Farm Road, Oldbury) is approved, subject to the following conditions:-

- (i) the alternations being carried out within six months of the grant of permission;
- (ii) external materials being constructed in accordance with the approved plan;
- (iii) no additional windows being incorporated into the extension;
- (iv) details of three off road parking spaces being provided and retained as such following approval.

42/20

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

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

Those applications that would normally have been presented to the Committee for decision but had not been due to the Covi-19 outbreak and consequent social distancing requirements, had been determined by the Interim Director – Regeneration and Growth under powers delegated to her by the Emergency Committee on 18<sup>th</sup> March 2020. Details were available to view on the Committee Management Information System.

Meeting ended 9.04pm.