

## Planning Committee

**8<sup>th</sup> July 2020 at 5.00pm  
Virtual Meeting**

- Present:** Councillor Downing (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]

### 43/20 **Apologies for Absence**

An apology was received from Councillor Hevican (Vice-Chair).

### 44/20 **Declarations of Interest**

Councillor Allen declared an interest in the planning applications referred to at Minutes Nos. 47/20 and 50/20 and left the meeting during consideration of those applications.

Councillor Simms declared an interest in the planning application referred to at Minute No. 47/20 and left the meeting during consideration of that application.

Councillor I Jones declared an interest in the planning application referred to at Minute No. 47/20 and left the meeting during consideration of that application.



45/20 **Minutes**

The minutes of the meeting held on 10<sup>th</sup> June 2020 were agreed as a correct record and signed by the Chair.

46/20 **Planning Application DC/19/63652 - Proposed 13 two bedroom apartments and 2 No. houses (outline application for access, layout, appearance and scale) (Amendment to previously refused application DC/19/62665). Land adjacent Compton Grange, Whitehall Road/St Annes Road, Cradley Heath**

The Service Manager – Development Planning and Building Consultancy reported that the applicant's agent was a Sandwell employee.

The Committee was informed that this was an outline application and that a further reserved matters application would be required, which would need to include detail on floor levels.

There was no objector present and the applicant/agent did not wish to address the Committee.

**Resolved** that planning application DC/19/63652 (Proposed 13 two bedroom apartments and 2 No. houses (outline application for access, layout, appearance and scale) (Amendment to previously refused application DC/19/62665). Land adjacent Compton Grange, Whitehall Road/St Annes Road, Cradley Heath) is approved, subject to the following conditions:-

- (i) details of external materials;
- (ii) landscaping details (as part of the reserved matter) to include native trees to replace those lost;
- (iii) details of sustainable drainage;
- (iv) details of vehicle electric charging points;
- (iv) details of cycle storage (preferably within the building);
- (v) ground investigation and remediation;
- (vi) parking being provided and retained as such;
- (vii) details of window specifications to protect new residents from noise nuisance as per the submitted noise assessment;

- (viii) the apartment block being no more than 3 storeys in height and the two dwellings no more than 2 storey height;
- (ix) details of a lighting scheme to the access road and parking court;
- (x) compliance with renewable energy requirements;
- (xi) compliance with jobs and apprenticeships.
- (xii) approval of finished floor levels.

47/20

**Planning Applications DC/20/64042 - Proposed retention of 2 No. car park automatic number plate recognition (ANPR) management systems and DC/20/6685A - Retention of four car park sites management signage, 9 No. signs mounted on lighting columns, 12 No. signage poles and 12 No. wall building signs. Car Park, Albion Street, Tipton**

Councillors Allen, I Jones and Simms declared an interest and left the meeting during the consideration of these applications.

There was no applicant or objector present.

The Service Manager – Development Planning and Building Consultancy advised the Committee that the application was for the retention of cameras and signage only and the issue of parking charges and enforcement of parking restrictions was not a matter for the Committee.

**Resolved:-**

- (1) that planning application DC/20/64042 (Proposed retention of 2 No. car park automatic number plate recognition (ANPR) management systems at Car Park, Albion Street, Tipton.) is approved;
- (2) that planning application DC/20/6685A (Retention of four car park sites management signage, 9 No. signs mounted on lighting columns, 12 No. signage poles and 12 No. wall building signs. Car Park, Albion Street, Tipton.) is approved.

**Planning Application DC/19/63818 - Retention of single storey rear extension and new staff and visitor parking area. 121 Witton Lane, West Bromwich.**

The Service Manager – Development Planning and Building Consultancy reported that consideration of this application had been deferred at the meeting held on 11<sup>th</sup> March 2020 for further information and also to enable a sit visit to take place. However, due to the restrictions as a result of the covid-19 pandemic it had not been possible to visit the site. The Committee was therefore shown photographs of the rear of the site to provide context.

The Committee noted that further comments had been received from objectors in relation to the transport note submitted by the applicant.

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

- The site was commercial and was there before the nearby residential properties were built.
- The proposed extension would improve existing operations.
- The parking layout would be improved as a result of the extension.
- There would be no increase in staffing or deliveries as a result of the extension.
- The access to the site was narrow, and could not be improved.
- The objectors' concerns would be reported to the applicant.

An objector was present and presented a number of photographs to the Committee. He addressed the Committee with the following points:-

- Vehicle manoeuvring on the site was not safe and large delivery vehicles were forced to park on the street to unload, causing obstructions.
- There had already been an accident where a vehicle had knocked a lamppost down.
- Pedestrians were often forced to walk in the road due to obstructions on the footpath.
- The retention of the building would exacerbate the existing problems.

The Service Manager – Development Planning and Building Consultancy advised the Committee that the site housed a long-established business and there were currently no planning controls in place. However, the use of the site was not a matter for the Committee, only the retention of the new extension. He added that the extension had not been built on manoeuvring space or car parking space but had been built on an area where there had previously been an embankment.

The Head of Highways advised the Committee that, whilst there were some concerns about existing manoeuvres on the site, it was a matter for the Police to address as the Council's powers were limited. The car park was used by existing staff and there would be no increase in operations, therefore there were no objections on highway grounds.

Members were minded to approve the application, however, advised the objector to contact his local ward representatives to discuss his concerns about road safety.

**Resolved** that Planning Application DC/19/63818 (Retention of single storey rear extension and new staff and visitor parking area. 121 Witton Lane, West Bromwich) is approved, subject parking spaces being provided within three months of the date of planning permission being granted, and being retained thereafter.

49/20

**Planning Application DC/20/64077 - Proposed 10 No new dwellings. Vacant land off junction of Britannia Road/Greenwood Avenue, Rowley Regis.**

The Service Manager – Development Planning and Building Consultancy reported that amended plans had been received, which were satisfactory.

There was no objector present. The applicant and applicant's agent were present but did not wish to address the Committee.

Members welcomed the proposal and were minded to grant planning permission. However, as comments were still outstanding from the Lead Local Flood Authority, the Committee was minded to delegate determination of the application to the Interim Director – Regeneration and Growth, in consultation with the Chair and Vice-Chair.

**Resolved** that determination of Planning Application DC/20/64077 (Proposed 10 No new dwellings. Vacant land off junction of Britannia Road/Greenwood Avenue, Rowley Regis.) is delegated to the Interim Director – Regeneration and Growth, in consultation with the Chair and Vice-Chair.

50/20

**Planning Application DC/20/64149 - Further temporary approval of micro bar use for one year with external areas to be open to customers between 12:00 to 21:00hrs daily; subsequent to temporary approval of planning application DC/18/61502 (change of use from a convenience store to a micro bar (drinking establishment)). 45 - 47 Regent Road, Oldbury.**

Councillors Allen and I Jones left the meeting during the consideration of this application. Councillors S Davies, Dhallu, Downing, G Gill and Rouf declared that they were members of the Licensing Committee.

The Service Manager – Development Planning and Building Consultancy reported that an amended plan was required to clarify a discrepancy in relation to the site boundary. He also reported that a further temporary permission was recommended due to the proposed increase in opening hours in relation to the external drinking area.

There was no objector present. The applicant's agent was present and addressed the Committee with the following points:-

- Permanent planning permission would be preferred, as opposed to another temporary permission.
- Only three representations had been received about the application.
- There had been no complaints about highways issues and as a local bar, most customers walked anyway.
- Notices were displayed asking patrons to park responsibly.
- The Licensing Committee was not required to consider the application as the proposed extension to opening hours was allowed in the existing licence.
- There had been no complaints about noise.
- The bar was located in a community "hub" which drew many people to the site, not all of which were there to visit the bar.
- The police had made no objections to the proposal.

- There was no evidence to support any of the three objections received.

**Resolved** that Planning Application DC/20/64149 (Further temporary approval of micro bar use for one year with external areas to be open to customers between 12:00 to 21:00hrs daily; subsequent to temporary approval of planning application DC/18/61502 (change of use from a convenience store to a micro bar (drinking establishment)). 45 - 47 Regent Road, Oldbury.) is approved, subject to the following conditions:-

- (i) the use being discontinued at the expiration of a period of one year from the date of planning permission;
- (ii) the approved vehicle parking area being kept clear at all times for the parking of vehicles and remaining laid out and in place for the lifetime of the development;
- (ii) the use being open to the public between 12:00 and 23:00 hours Monday to Friday (vacated by 23:30 hours), and 12:00 to 00:00 hours Saturday and Sunday (vacated by 00:30 hours), with no deliveries outside of these hours;
- (iii) external areas of the premises being open to customers between the hours of 12:00 and 21:00 hours each day, except for the purpose of smokers complying with smoke-free legislation;
- (iv) no drinks in external areas outside of these hours on any day;
- (v) no amplified live or recorded music being played at the premises;
- (vi) no external plant equipment being installed unless first being agreed in writing by the local planning authority;
- (i) the commercial waste storage area being retained as such;
- (ii) the approved use being personal to the applicant only;
- (iii) submission of an amended plan showing the correct red line boundary.

**Planning Application DC/20/64152 - Proposed Development of 152 No.2,3,4 bedroom dwellings and 82 No.1 and 2 bedroom apartments together with associated roads, car parking, open space and associated works. Land at West Bromwich Street, Oldbury**

The Service Manager – Development Planning and Building Consultancy reported that, should the Committee be minded to grant planning permission, the Council would be asked to make an exception to the Local Plan, as the land was allocated for retail use.

There was no objector present. The applicant's agent was present and, in response to members' questions, made the following points:-

- The applicant had engaged with the Council's Urban Design team to ensure that the proposal reflected the Council's vision and Urban Design Strategy.
- The site was challenging, containing a number of mineshafts, therefore it was not sustainable for the developer to provide affordable housing. However, the applicant had partnered with a registered housing provider that would be able to provide an element of affordable housing.
- There would be a mixture of property sizes and tenures, but the exact percentages were not yet clear.
- Timescales for the development were unclear.

Members welcomed the proposal, which would bring long vacant land into use.

**Resolved** that, subject to subject to Council granting an exception to the Local Plan to enable the application to proceed and comments from the District Valuer regarding the viability for the provision of affordable housing, Planning Application DC/20/64152 (Proposed Development of 152 No.2,3,4 bedroom dwellings and 82 No.1 and 2 bedroom apartments together with associated roads, car parking, open space and associated works. Land at West Bromwich Street, Oldbury.) is approved, subject to the following conditions:-

- (i) approval of external materials;



- (ii) implementation and retention of approved car parking spaces to include garages;
- (iii) review of parking restrictions;
- (iv) drainage (to include implementation and retention of suds management and maintenance plan);
- (v) ground conditions;
- (vi) levels to include cross section in relation to the public highway;
- (vii) boundary treatments;
- (viii) implementation of submitted travel plan;
- (ix) submission of supplementary detailed site investigation in respect of contaminated land;
- (x) submission and implementation of coal mining remedial strategy;
- (xi) site investigation in respect to shallow coalmine workings being submitted to approved;
- (xii) submission and implementation of coal mining remedial strategy in respect of surface stability;
- (xiii) details of an acoustic barrier to the boundary of plots numbers 230 to 234;
- (xiv) specification and implementation of acoustic glazing and ventilation for properties fronting onto Bromford Road, Fountain Lane and West Bromwich Street;
- (xv) electric vehicle charging points;
- (xvi) renewable energy;
- (xvii) hard and soft landscaping to include tree pit design;
- (xviii) Method Statement for site working;
- (xix) employment and skills plan
- (xx) external lighting scheme;
- (xxi) cycle and refuse stores to be constructed in accordance with the submitted details;
- (xxii) removal of permitted development rights in relation to Class A (enlargement, improvement or other alteration), Class B (additions to the roof), Class D (porches) and Class E (garden buildings) developments.

52/20

**Planning Application DC/20/64215 - Proposed 15m high Monopole, wraparound Cabinet at base and associated ancillary works. Land at Garratt Street, West Bromwich.**

The Service Manager – Development Planning and Building Consultancy reported that the monopole would be painted green and positioned against a backdrop of trees and the nearest residential properties would be over 30metres away.

**Resolved** that Planning Application DC/20/64215 (Proposed 15m high Monopole, wraparound Cabinet at base and associated ancillary works. Land at Garratt Street, West Bromwich.) is approved.

53/20      **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.

54/20      **Decisions of the Planning Inspectorate**

The Committee noted that, following its decision not to grant planning permission in respect of planning application DC/19/63452 (4No 2B/3P flats & 5No 3B/5P houses. Land to the rear 1-29 Sean Dolan Close, Rowley Regis.) the Planning Inspectorate had dismissed the applicant's appeal.

Meeting ended 7.06pm