

# Planning Committee Agenda

Wednesday 9 September 2020 at 5.00pm.  
(Virtual Meeting)

**Please click on this link to view the meeting live:**  
[Planning Committee 9th September 2020](#)

1. **Apologies**  
To receive any apologies for absence.
2. **Declarations of Interest**  
To receive any declarations of interest from members relating to any item on the agenda, in accordance with the provisions of the Code of Conduct and/or S106 of the Local Government Finance Act 1992.
3. **Minutes**  
To agree the minutes of the meeting held on 5 August 2020 as a correct record.
4. Planning Application DC/20/64395 - Proposed two storey side and rear extension. 4 Michael Road, Smethwick B67 7LH.
5. Planning Application DC/20/64403 - Proposed double storey side/rear and single storey rear extensions. 46 Highland Road, Great Barr B43 7SQ.
6. Planning Application DC/20/64405 - Proposed single/two storey side extension. 59 Hembs Crescent, Great Barr B43 5DG.
7. Planning Application DC/20/64505 - Proposed development of 13 dwellings. Brook Road Open Space, Wolverhampton Road, Oldbury.
8. Applications Determined Under Delegated Powers.
9. Decisions of the Planning Inspectorate.

**David Stevens**  
**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, I Jones, Mabena, Millar, Rouf and Simms.

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

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## Planning Committee

**5<sup>th</sup> August 2020 at 5.00pm  
Virtual Meeting**

**Present:** Councillor Downing (Chair);  
Councillor Hevican (Vice-Chair);  
Councillors Ahmed, Allen, Chidley, Dhallu, M Hussain, I  
Jones, Millar and Rouf.

**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]

**55/20 Apologies for Absence**

Apologies were received from Councillors S Davies, G Gill and Simms.

**56/20 Declarations of Interest**

No declarations of interests were made.

**57/20 Minutes**

The minutes of the meeting held on 8<sup>th</sup> July 2020 were agreed as a correct record and signed by the Chair.



**Planning Application DC/20/63931 - Proposed amendment to site layout and house types of previously approved application DC/16/59277 with the addition of 28 dwellings. Land at Hall Green Road, Hall Green Road, West Bromwich.**

The Service Manager – Development Planning and Building Consultancy reported that further comments had been received from objectors, which were already addressed in the report.

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

- What had the applicant done to keep the application alive since its approval in 2016?
- There was concern about the size of the properties and the practicalities of fitting them onto the site.
- There was a 99 year covenant on the trees on the site as part of the Urban Forestry Programme.
- Traffic in and out of the estate would cause gridlock at Crankhall Lane.
- There was no need to dig up the playing field.

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

- The additional properties would be accommodated on the site by changing some of the detached properties into smaller, semi-detached.
- The proposed changes related to the centre of the site so would not affect the boundary conditions.
- The Traffic Impact Assessment addresses concerns about traffic and drainage.
- The principle of the proposal had been established and approved under another planning application.
- The proposal was in accordance with advice received from planning officers and the Council's policy requirements.

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

- 10% of the properties would have electric vehicle charging points.

- The construction and skills plan would detail proposals to engage local apprentices in the construction.
- There had been some issues with land remediation that required additional testing to be done, which had stalled development.
- It was proposed to lay a stone blanket at the excavation level and then extracted soil would be re-engineered back in before normal development could start.
- The foundations to the properties in Hall Green Road were outside of the excavation area.
- Stonework for the first 15metres of the access way was required before development could commence.
- There would be no loss of green space as a result of the additional properties and the required 1.5ha would still be in the same position approved under the previous application.
- A revised drainage plan had been submitted, however there was little difference to the one submitted with the outline planning application.
- There was no objection from the Environment Agency.
- It was estimated that land remediation would take 9-12 months, so at a standard rate of 50 dwellings per year the development would be complete in 5-6 years.
- The existing planning permission had a condition requiring analysis of the surrounding highway network and implementation of any required measures before the dwellings could be occupied.
- All vehicles would enter and exit the site from Hall Green Road and there would be three points of pedestrian access.
- If the applicant chose to have the roads adopted by the Council, there would be standards to meet regarding street lighting and construction of footpaths. An additional condition could be added regarding the layout of external lighting should the road network not be adopted by the Council.
- The Highways Act 1980 required external lighting to be in place before the road network could be adopted by the Council.
- Every property would have parking in line with requirements set out in the Council's supplementary planning guidance.
- There would be a mix of property layouts to cater for a variety of buyers. There was no requirement to provide ensuite rooms.

- None of the trees on the site had Tree Preservation Orders in place and the previous planning permission had established the principle of self-seeding trees being planted.

The Committee was minded to approve the application, subject to an additional condition requiring details of external lighting to be submitted.

**Resolved** that planning application DC/20/63931 (Proposed amendment to site layout and house types of previously approved application DC/16/59277 with the addition of 28 dwellings. Land at Hall Green Road, Hall Green Road, West Bromwich.) is approved, subject to the following conditions:-

- (i) details of external materials,
- (ii) details of finished floor levels
- (iii) ground conditions and remediation
- (iv) drainage (to include sustainable drainage systems),
- (v) provision of electric vehicle charging points,
- (vi) parking spaces provision and retention,
- (vii) construction management plan controlling noise and dust,
- (viii) a revised noise mitigation assessment is provided,
- (ix) details of a construction employment skills plan,
- (x) renewable energy details,
- (xi) Permitted Development Rights being removed in terms of extensions and outbuildings,
- (xii) details of hard and soft landscaping,
- (xiii) details of boundary treatment,
- (xiv) a revised construction management plan to include management of construction traffic,
- (xv) details of external lighting being submitted.

59/20

**Planning Application DC/20/64114 - Proposed construction of a new two storey teaching block within the grounds of Bristnall Hall Academy, including new access to the school, increased parking provision and landscaping. Bristnall Hall Academy, Bristnall Hall Lane, Oldbury.**

The Service Manager – Development Planning and Building Consultancy reported that comments from the lead local flood authority had now been received and there was no objection to the proposal.

There was no objector present.

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

- The school would accommodate an additional 150 pupils and additional teaching staff.
- The existing access from Bristnall Hall Road would be used.
- Additional space for pupils with special educational needs would be provided, as well as additional teaching space and dining facilities.
- The western boundary would be limited to single storey to reduce the visual impact on the neighbouring residential properties.
- The existing tree belt would be kept.
- An extra 23 parking spaces would be provided.

**Resolved** that Planning Application DC/20/64114 (Proposed construction of a new two storey teaching block within the grounds of Bristnall Hall Academy, including new access to the school, increased parking provision and landscaping. Bristnall Hall Academy, Bristnall Hall Lane, Oldbury.) is approved, subject to the following conditions:-

- (i) details of drainage;
- (ii) details of external materials;
- (iii) ground conditions;
- (iv) noise in relation to external plan protection extraction and filtration specification and management plan;
- (v) Method Statement;
- (vi) car parking implemented and retained;
- (vii) hard and soft landscaping;
- (ix) electric vehicle charging points;
- (x) external lighting scheme;
- (xi) gate management plan;
- (xii) staff only entrance signage;
- (xiii) car parking hereby approved shall not be used on weekend or bank holidays;
- (xiv) the development to be constructed in accordance with the fabric first approach;
- (xv) boundary treatment;
- (xvi) implementation of submitted travel plan.



**Planning Application DC/20/64188 - Proposed change of use to House in Multiple Occupancy (HMO), including a first floor rear extension, with external alterations and associated car parking. Granville House, 40 Wood Green Road, Wednesbury**

There was no objector present.

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

- The site was currently in disrepair and subject to anti-social behaviour.
- Approval had previously been granted for an extension to the property to increase the number of bedrooms.
- The applicant had attempted to market the property for rental but had been unsuccessful.
- The applicant was an experienced social landlord.

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

- The extension would increase the number of bedrooms from 19 to 28.
- It was not financially viable for the applicant to reduce the number, due to the investment required.
- Parking provision was in line with the Council's policy and there were no objections from Highways.
- The site was close to public transport links and within a walkable distance to a local shopping centre.
- Wood Green Road was protected by a Traffic Regulation Order.
- Internal space standards were in accordance with adopted planning policy guidance, with the exception of just one bedroom.
- There would be a caretaker living on site.

**Resolved** that planning application DC/20/64188 (Proposed change of use to House in Multiple Occupancy (HMO), including a first floor rear extension, with external alterations and associated car parking. Granville House, 40 Wood Green Road, Wednesbury) is approved, subject to the following conditions:-

- (i) details of external materials;

- (ii) details of construction hours/no bonfires;
- (iii) details of security gates;
- (iv) bin storage details; implementation and retention of approved details;
- (v) cycle storage details; implementation and retention of approved details;
- (vi) provision and retention of parking;
- (vii) provision and retention of electric vehicle charging points;
- (viii) retention of existing trees;
- (ix) details of security measures;
- (x) windows indicated on submitted plans as having obscure glazing shall be provided and retained as such;
- (xi) details of how car parking area shall be laid out, graded and surfaced.

61/20

**Planning Application DC/20/64318 - Proposed additional lift and enclosure to 5 No. blocks. Conniston, Derwent, Rydal, Ullswater & Windermere Houses, Badsey Road & Bredon Road, Oldbury.**

The Service Manager – Development Planning and Building Consultancy reported that 269 letters/emails had been sent to residents with only 2 objections received.

There was no applicant or objector present.

**Resolved** that Planning Application DC/20/64318 (Proposed additional lift and enclosure to 5 No. blocks. Conniston, Derwent, Rydal, Ullswater & Windermere Houses, Badsey Road & Bredon Road, Oldbury) is approved, subject to:-

- (i) the approval of external materials;
- (ii) details of lift noise and mitigation measures.

62/20

**Planning Application DC/20/64341 - Proposed single storey rear extension to provide café use to the rear of existing shop premises. 74 - 76 Cape Hill, Smethwick**

There was no applicant or objector present.

**Resolved** that Planning Application DC/20/64341 (Proposed single storey rear extension to provide café use to the rear of existing shop premises. 74 - 76 Cape Hill, Smethwick.) is approved, subject to

- (i) provision of suitable refuse storage and collection;
- (ii) rear access to café for emergencies, deliveries and collections only;
- (iii) a noise report and implementation of any recommendation;
- (iv) installation of an extraction and ventilation system;
- (v) restriction of opening hours.

63/20

**Planning Application DC/20/64422 - Proposed single storey side and rear extension. 8 Alwin Road, Rowley Regis.**

The Service Manager – Development Planning and Building Consultancy reported that the publicity period had now ended and therefore the recommendation was that planning permission be granted.

There was not applicant or objector present.

**Resolved** that Planning Application DC/20/64422 (Proposed single storey side and rear extension. 8 Alwin Road, Rowley Regis.) is approved, to the external materials matching the existing property.

64/20

**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.


**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 6.34pm.

## REPORT TO PLANNING COMMITTEE

**9 September 2020**

<b>Application Reference</b>	DC/20/64395
<b>Application Received</b>	23 <sup>rd</sup> June 2020
<b>Application Description</b>	Proposed two storey side and rear extension
<b>Application Address</b>	4 Michael Road Smethwick B67 7LH
<b>Applicant</b>	Mr Ranjeet Singh
<b>Ward</b>	St Pauls
<b>Contribution towards Vision 2030:</b>	
<b>Contact Officer(s)</b>	Dave Paine 07765 156081 David_Paine@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 agent is an employee of Sandwell MBC.
- 1.2 To assist members with site context, a link to Google Maps is provided below:

[4 Michael Road, Smethwick](#)

## **2. SUMMARY OF KEY CONSIDERATIONS**

- 2.1 The Site is unallocated in the adopted development plan.

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

Planning history (including appeal decisions)

Loss of light and/or outlook

Design, appearance and materials

### **3. THE APPLICATION SITE**

3.1 The application relates to a semi-detached property situated on the south-west side of Michael Road, Smethwick. This is a residential area characterised by mid-20<sup>th</sup> century semi-detached dwellings.

### **4. PLANNING HISTORY**

4.1 In 2007, permission was granted for a similar 2 storey extension, running to the side and wrapping around the rear of the property. This permission has not to have been implemented.

4.2 Relevant planning applications are as follows:-

DC/07/47847	Proposed two storey side and rear extension.	Approve with conditions 16.06.2007
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### **5. APPLICATION DETAILS**

5.1 The applicant proposes to construct a two storey side and rear wraparound extension. The overall dimensions would be 11.2m deep by 4.9m wide by 5.1m high, to the eaves. The first floor would be set back at the front by 0.5m with the roof set down to match. The extension would create an enlarged kitchen and ground floor shower room on the ground floor, and two additional bedrooms with an en-suite and family bathroom on the first floor.

### **6. PUBLICITY**

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

#### **6.2 Objections**

An immaterial objection has been received which relates to a boundary wall and fence at the rear of their garden. The neighbour is concerned about how the proposed extension would be constructed with regard to this boundary treatment. Such matters are beyond the scope of planning and can be dealt with under the Party Wall legislation. Nevertheless the applicant has been appraised of the neighbour's concerns.

## **7. STATUTORY CONSULTATION**

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 policies 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 proposals should be of an acceptable scale. This proposal accords with these policies.

## **10. MATERIAL CONSIDERATIONS**

- 10.1 Planning History:

A similar application was approved at this address in 2007.

- 10.2 Loss of light and outlook:

It is considered that this proposal would not adversely impact on neighbours in a significant way. The 45 degree line would not be breached.

- 10.3 Design and visual amenity:

The proposed design would adhere to the requirements of the Sandwell Revised Residential Design Guide. In particular, the front first floor set-back would ensure the subservience of the extension and the preservation of the original design of the dwelling and its symmetrical relationship with the adjoining property.

## **11. IMPLICATIONS FOR SANDWELL'S VISION**

- 11.1 The proposal supports Ambitions 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 accords with relevant design policy and would provide additional living accommodation for the occupants whilst ensuring the impacts on neighbours would be minimised.

## **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 the Town and Country Planning Act 1990.

## **15. EQUALITY IMPACT ASSESSMENT**

15.1 There are no equality 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 Policy Framework (8), Development 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 would be no impact.

## **21. APPENDICES:**

Site Plan

Context Plan

Plan No. 2020-01 Rev 01

Plan No. 2020-02 Rev 01

Plan No. 2020-03 Rev 01

Plan No. 2020-04 Rev 01

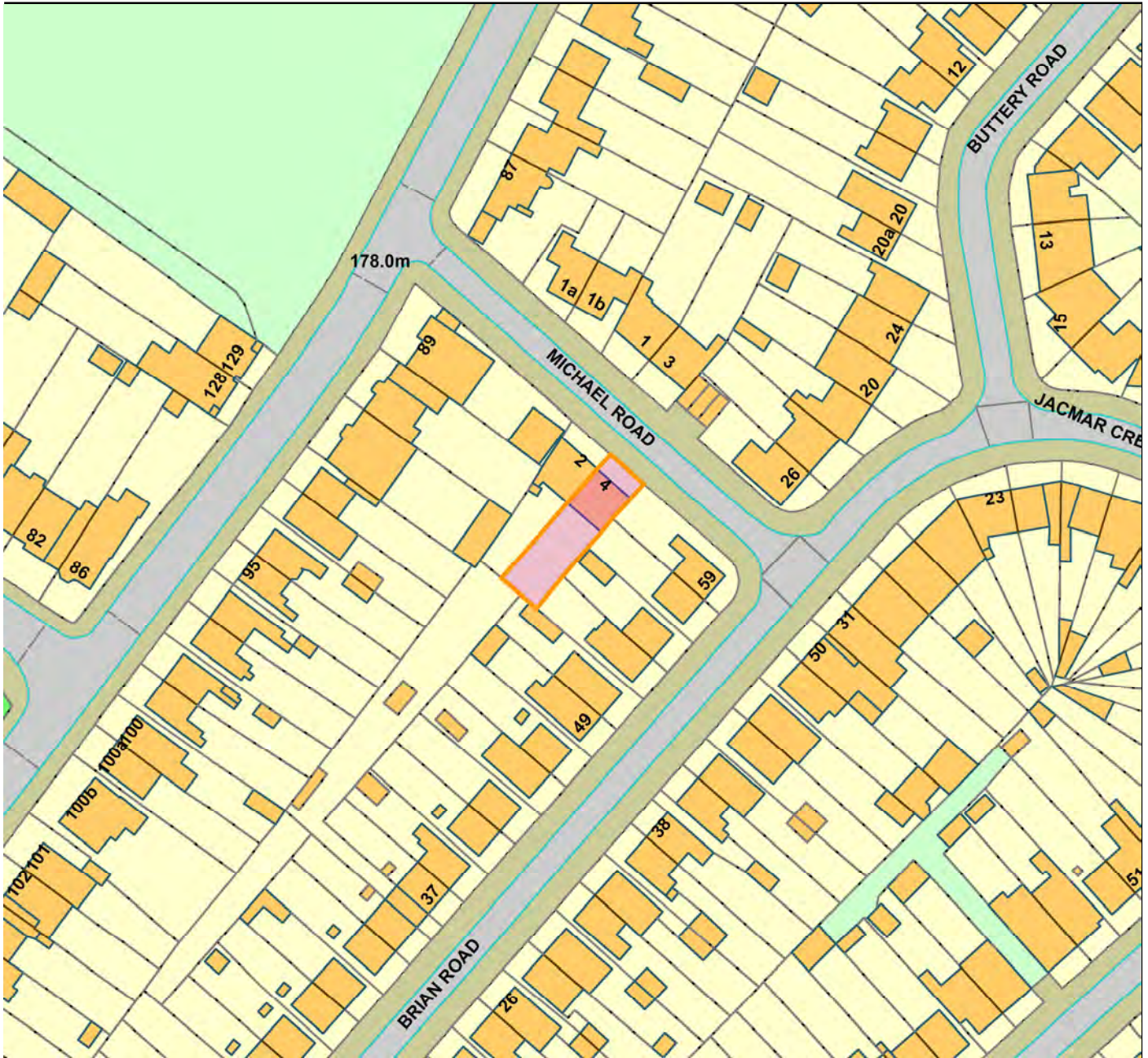
Plan No. 2020-05 Rev 02

Plan No. 2020-06 Rev 02

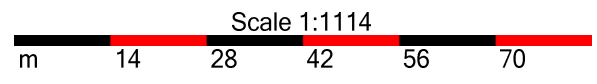
Plan No. 2020-07 Rev 01

DC/20/64395

4 Michael Road, Smethwick



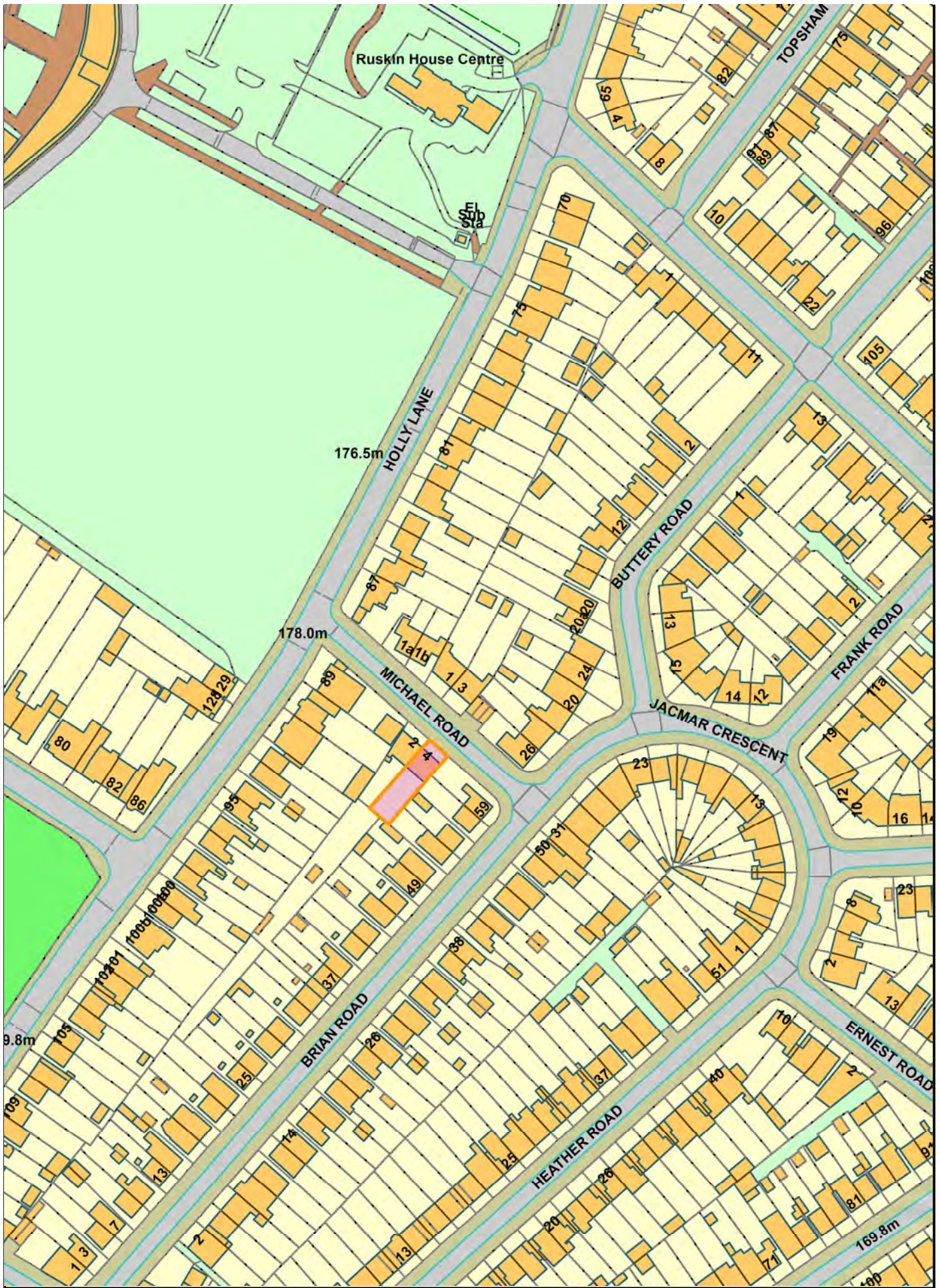
**Legend**



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<b>Organisation</b>	Not Set
<b>Department</b>	Not Set
<b>Comments</b>	Not Set
<b>Date</b>	26 August 2020
<b>OS Licence No</b>	

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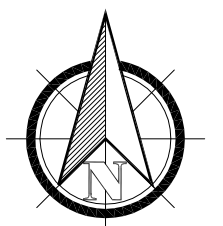


**Site Plan**  
Scale 1:500



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**REVISIONS**



<b>CLIENT:</b> Mr Ranjeet Singh		
<b>JOB:</b> 4 Michael Road, Smethwick, B67 7LH		
<b>DRG TITLE:</b> Site Plan Proposed		
<b>DRG NO.</b>	<b>REV.</b>	<b>Paper</b>
2020-02/	01	A3
<b>DATE:</b> Jun' 20	<b>SCALE:</b> 1.500	

# Location Plan

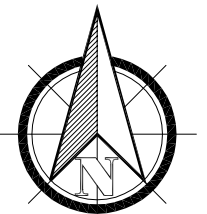
Scale 1:500



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## REVISIONS



## CLIENT:

Mr Ranjeet Singh

## JOB:

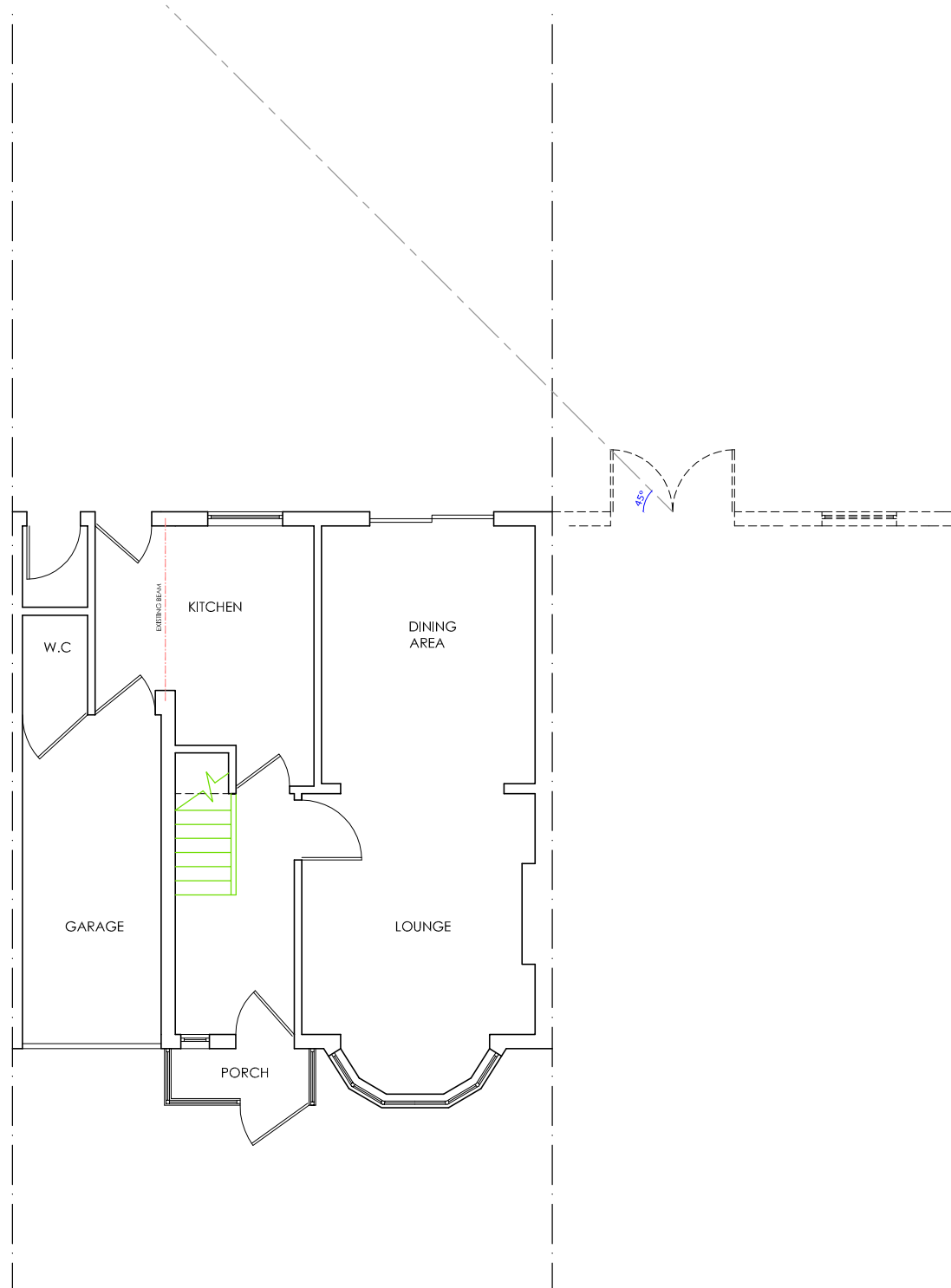
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B67 7LH

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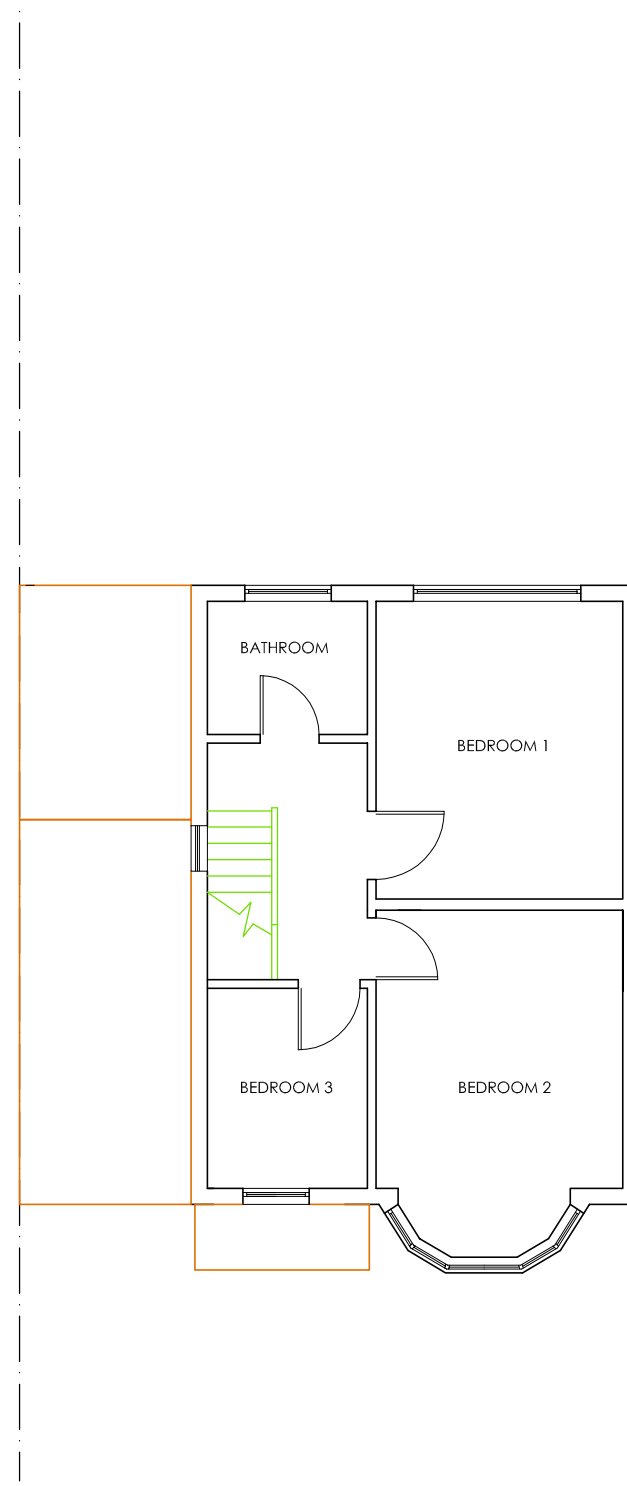
Location Plan  
Existing

DRG NO.	REV.	Paper
2020-01/	01	A3
DATE: Jun' 20	SCALE: 1.500	

Existing



Ground Floor



First Floor

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**JOB:**

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**DRG TITLE:**

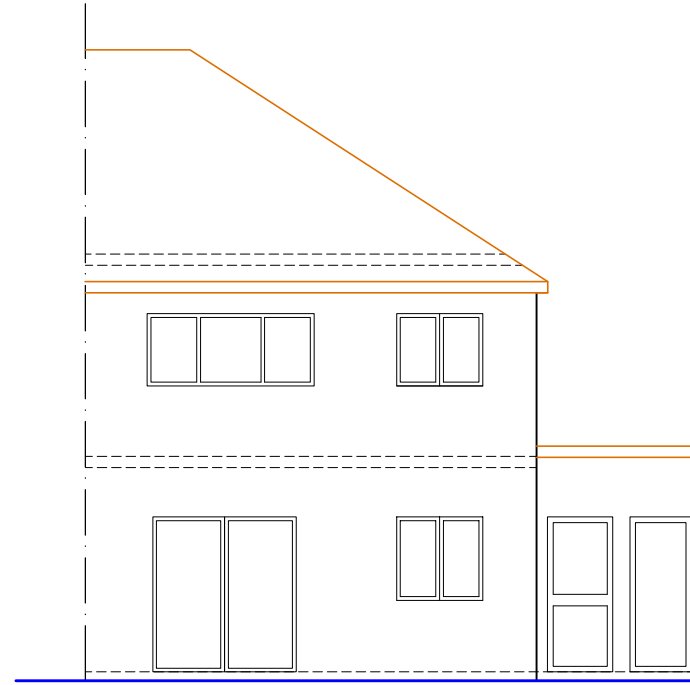
Existing Plans

DRG NO.	REV.	Paper
2020-03/	01	A3
DATE: Jun' 20	SCALE: 1:100	

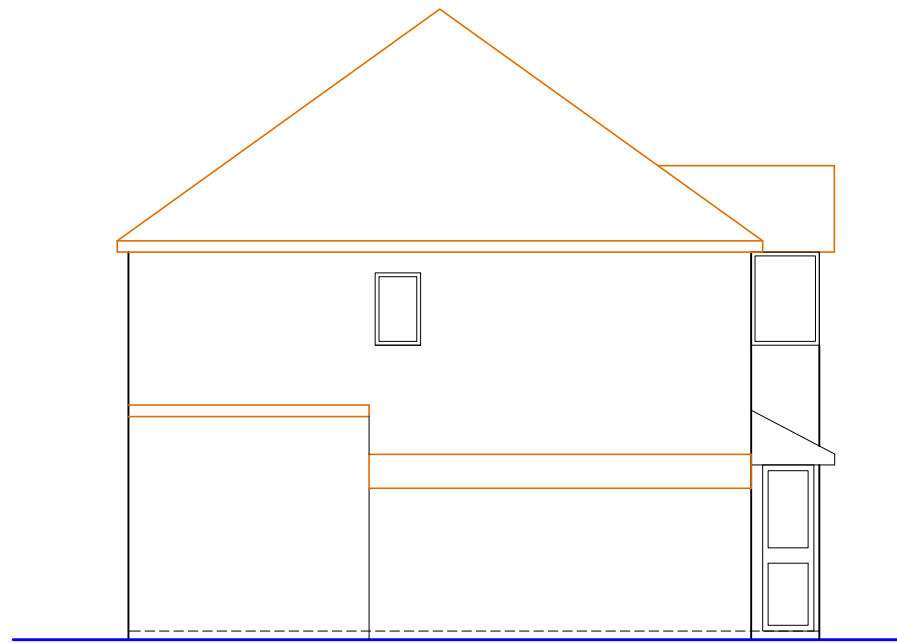
Existing



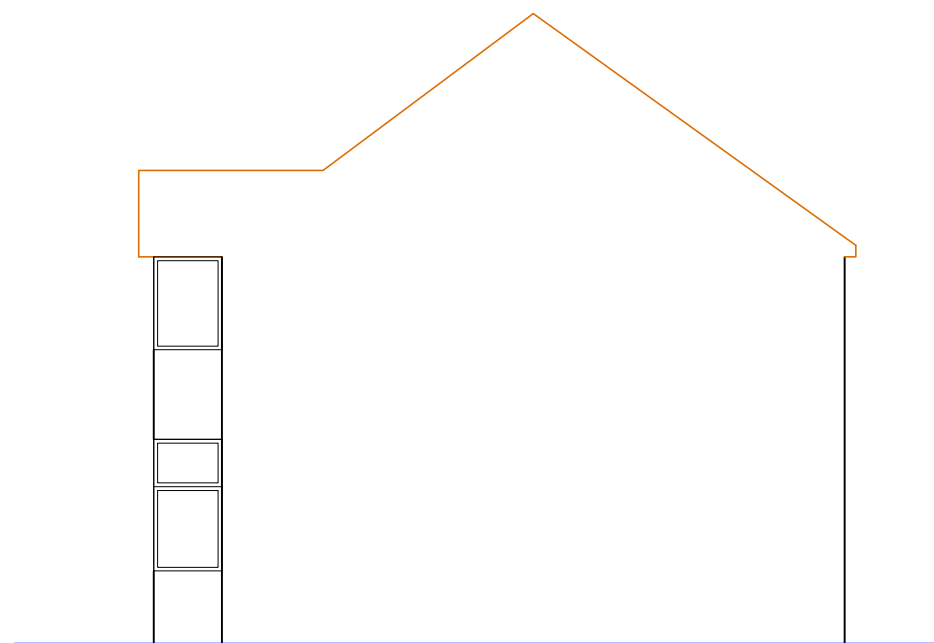
Front Elevation



Rear Elevation



Side Elevation



Side Elevation

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**REVISIONS**

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Mr Ranjeet Singh

**JOB:**

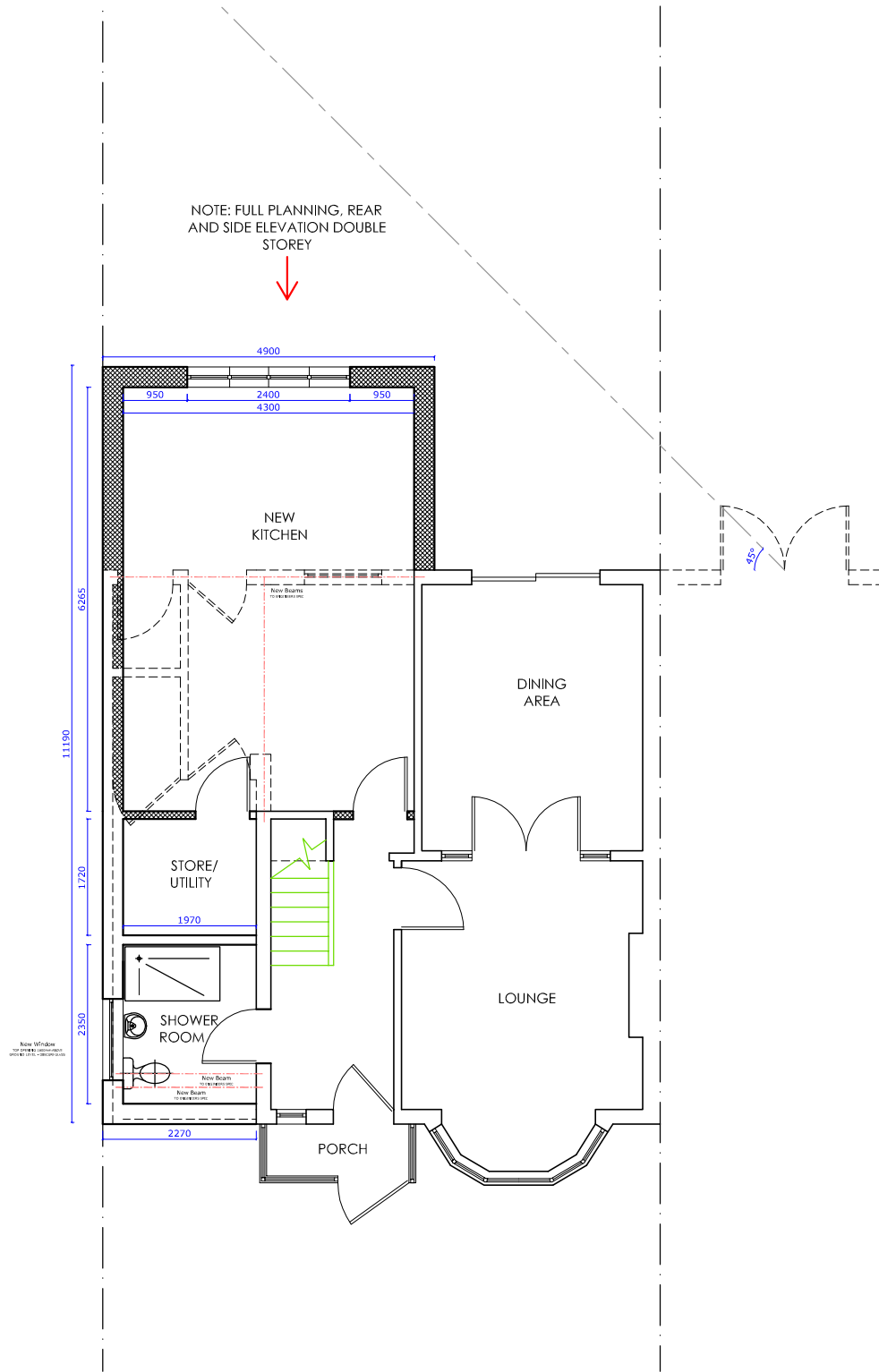
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**DRG TITLE:**

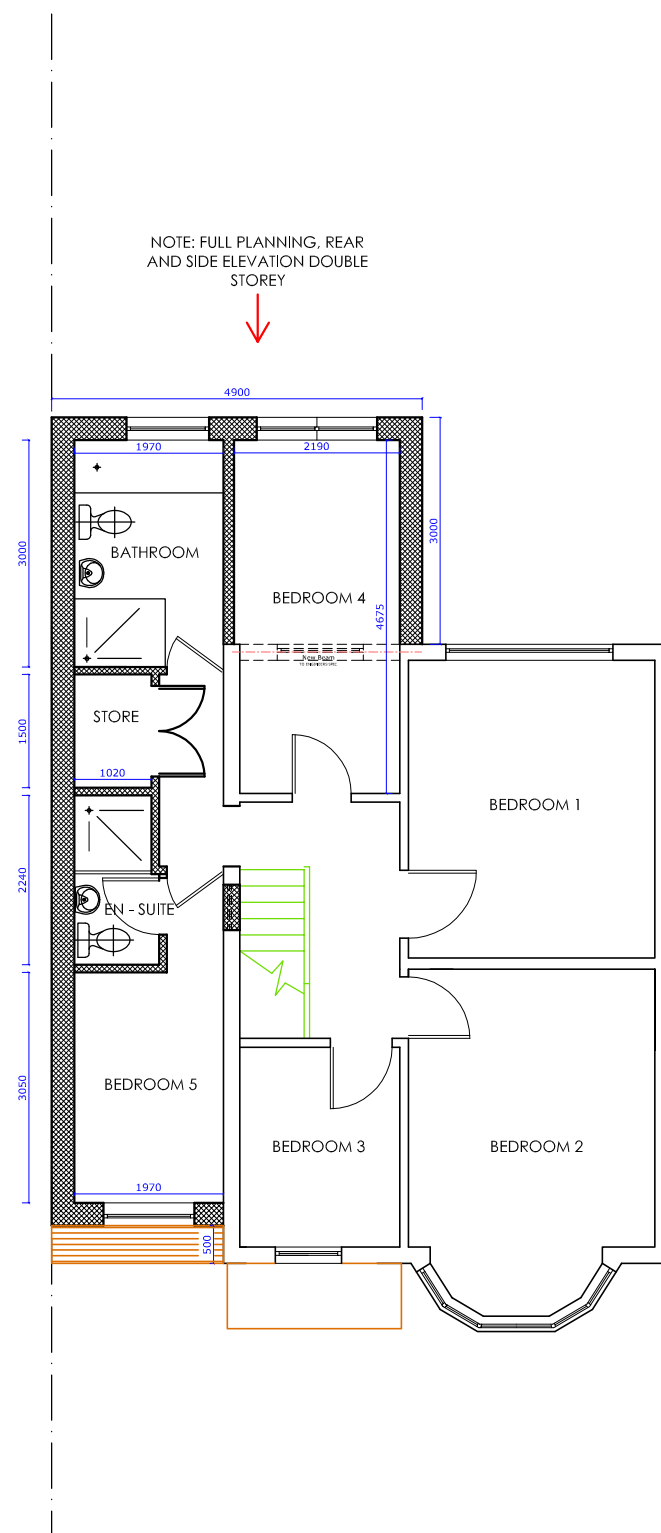
Existing Elevations

DRG NO.	REV.	Paper
2020-04/	01	A3
DATE: Jun' 20	SCALE: 1:100	

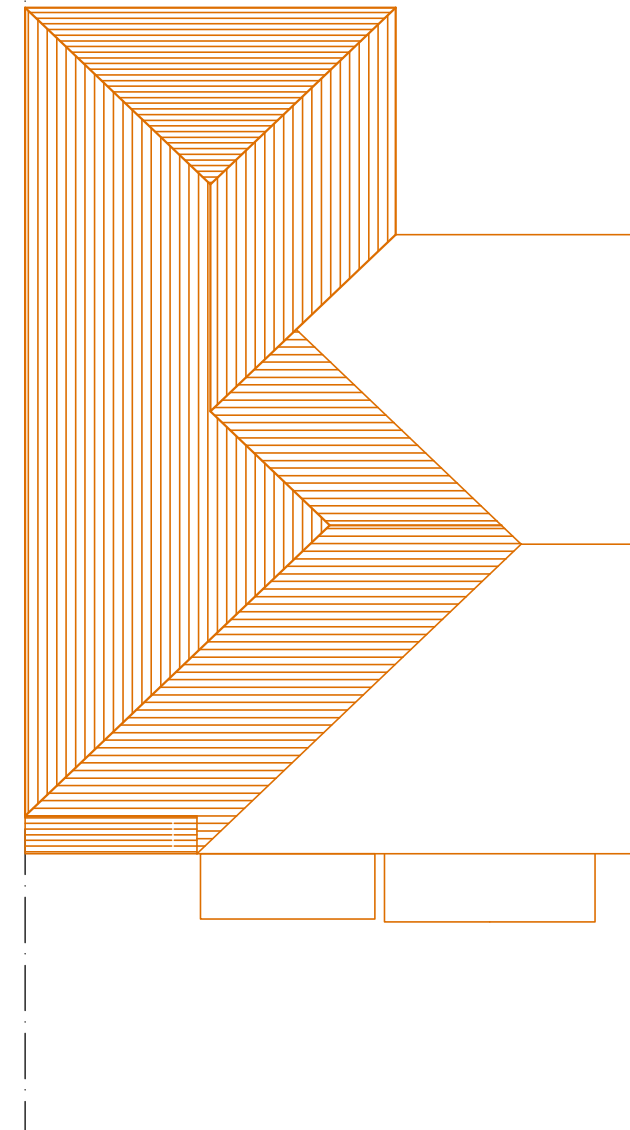
**Proposed**



**Ground Floor**



**First Floor**



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**REVISIONS**

**CLIENT:**

Mr Ranjeet Singh

**JOB:**

4 Michael Road, Smethwick, B67 7LH

**DRG TITLE:**

Proposed Plans

DRG NO.	REV.	Paper
2020-05/	02	A3
DATE: Jun' 20	SCALE: 1:100	

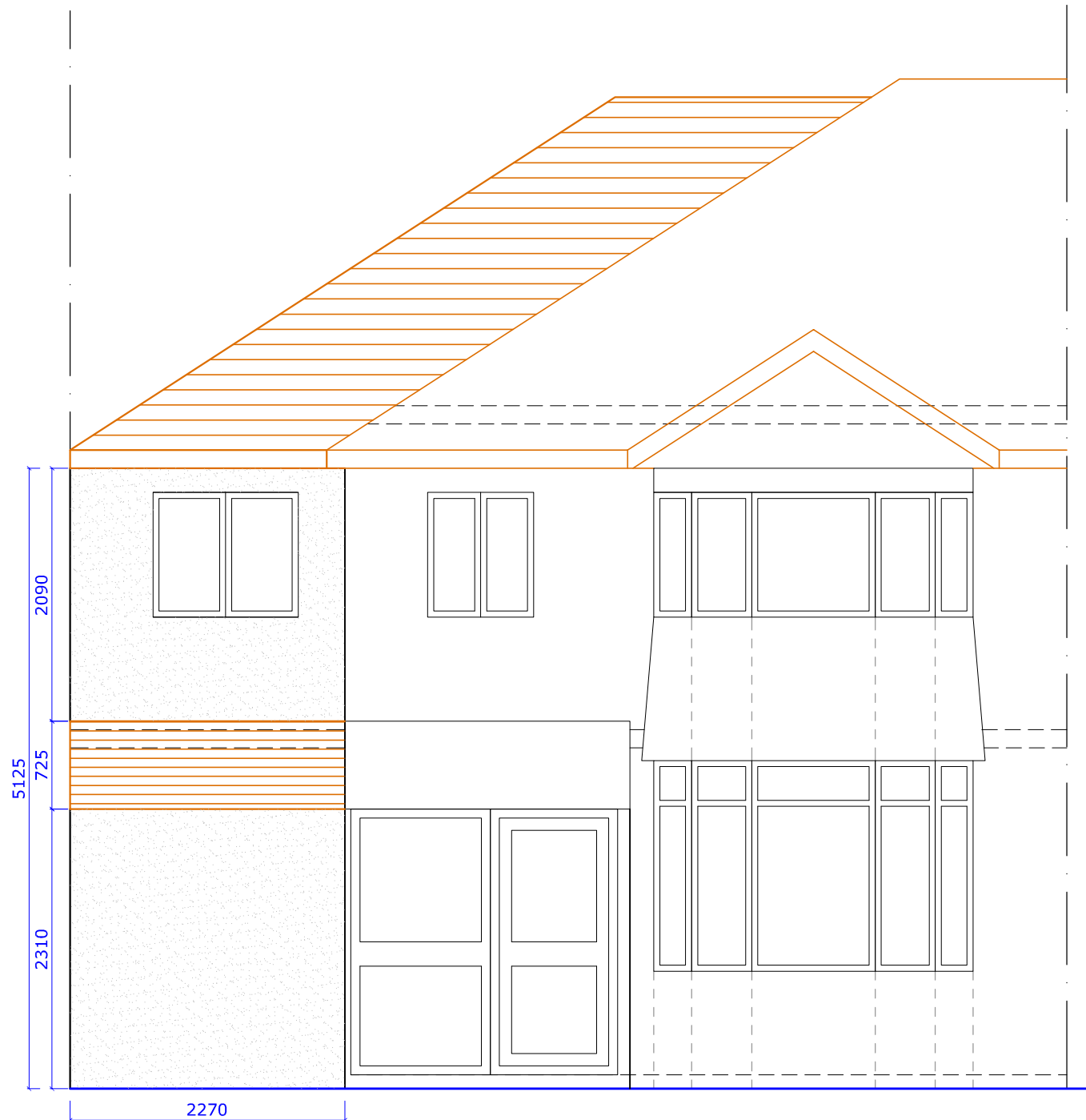


Proposed

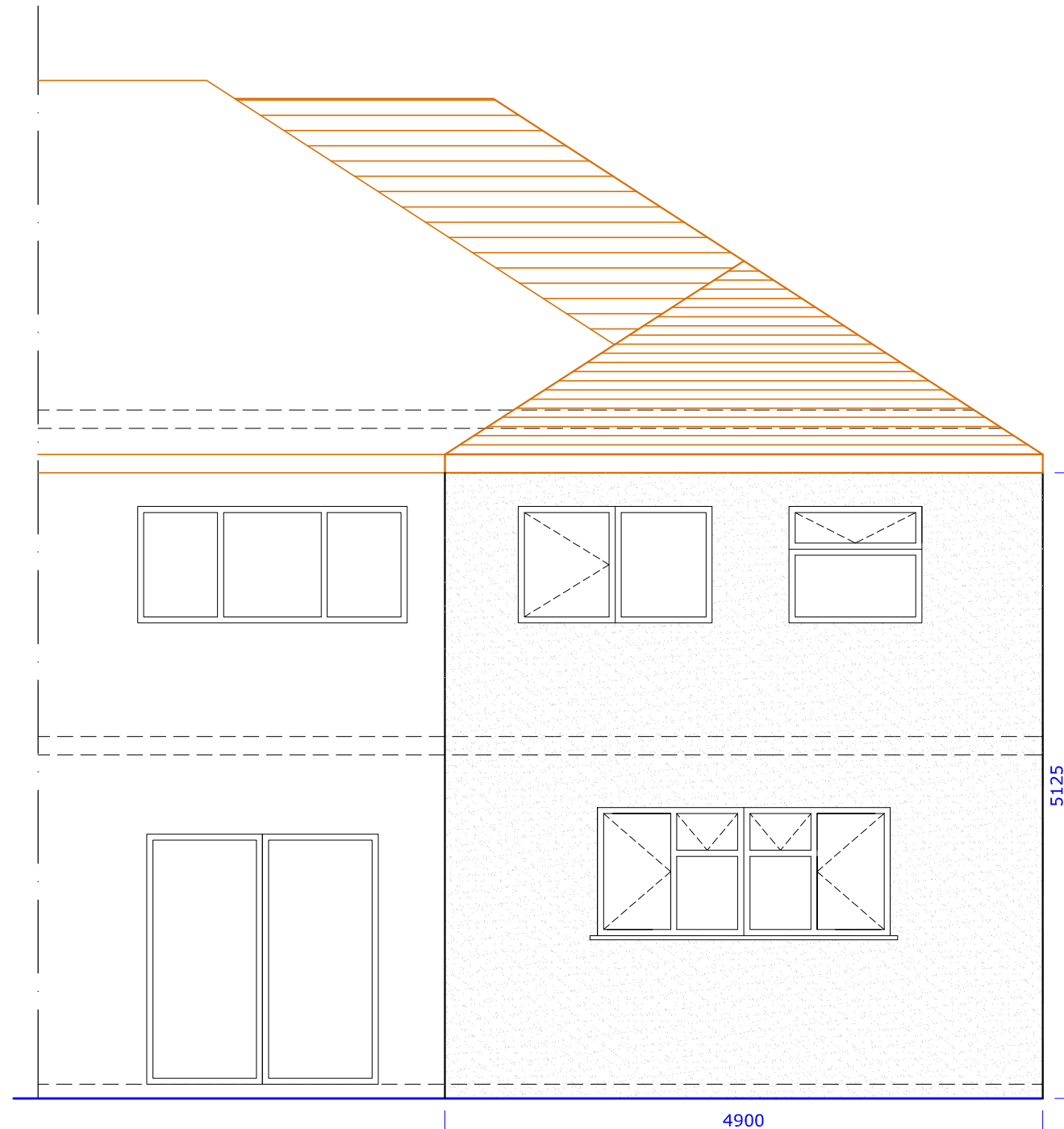
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**REVISIONS**



Front Elevation



Rear Elevation

**CLIENT:**

Mr Ranjeet Singh

**JOB:**

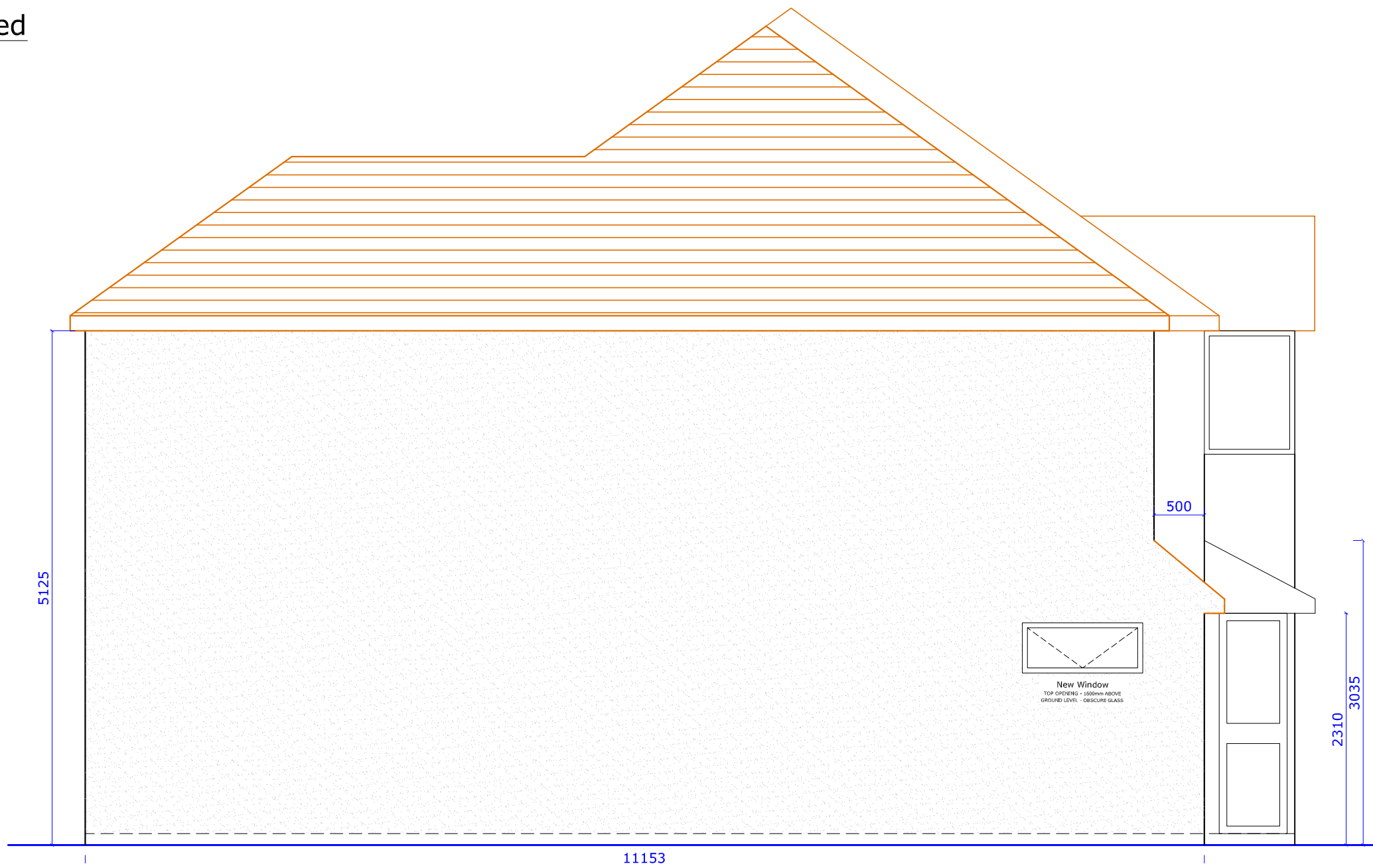
4 Michael Road, Smethwick,  
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**DRG TITLE:**

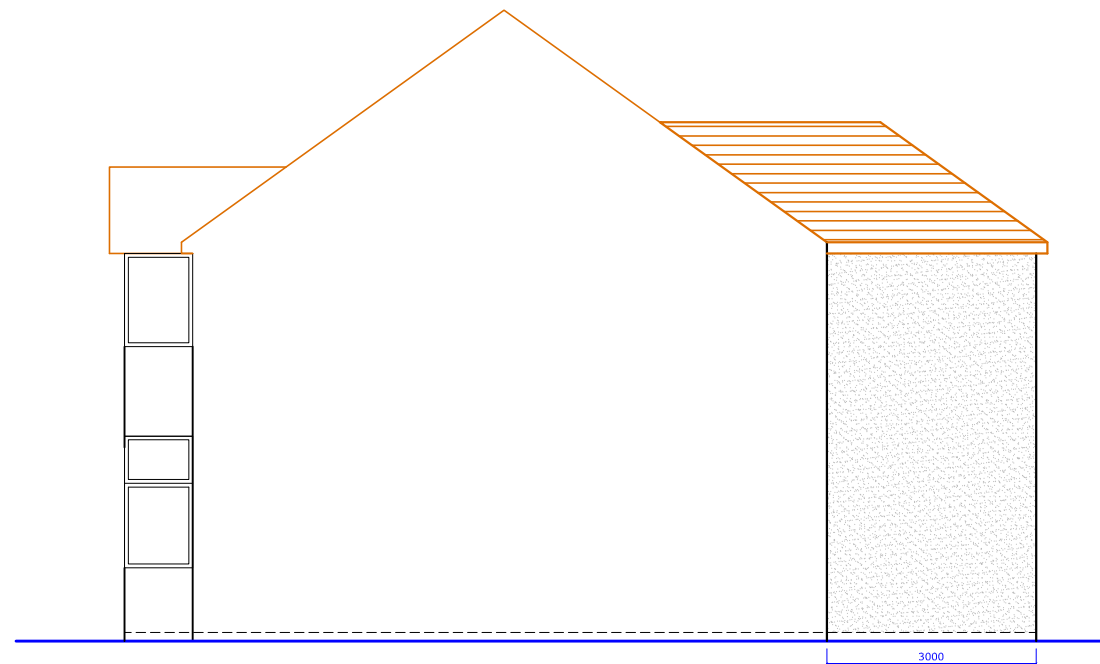
Proposed Elevations

DRG NO.	REV.	Paper
2020-06/	02	A3
DATE: Jun' 20	SCALE: 1:50	

Proposed



Side Elevation



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**REVISIONS**

**CLIENT:**

Mr Ranjeet Singh

**JOB:**

4 Michael Road, Smethwick, B67 7LH


**DRG TITLE:**

Proposed Elevations

DRG NO.	REV.	Paper
2020-07/	01	A3
DATE: Jun' 20	SCALE: 1:100/50	

## REPORT TO PLANNING COMMITTEE

**9 September 2020**

<b>Application Reference</b>	DC/20/64403
<b>Application Received</b>	25.06.2020
<b>Application Description</b>	Proposed double storey side/rear and single storey rear extensions.
<b>Application Address</b>	46 Highland Road, Great Barr, B43 7SQ.
<b>Applicant</b>	Bal Bains
<b>Ward</b>	Great Barr with Yew Tree
<b>Contribution towards Vision 2030:</b>	
<b>Contact Officer(s)</b>	Anjan Dey 0121 569 4896 <a href="mailto:anjan_dey@sandwell.gov.uk">anjan_dey@sandwell.gov.uk</a>

### RECOMMENDATION

That planning permission is granted subject to;

- i) The approval of external materials and implementation thereafter; and
- ii) All first-floor windows in the eastern side elevation shall be obscurely glazed and retained as such.

## 1. BACKGROUND

- 1.1 This application is being reported to your Planning Committee because the application has generated more than 3 material planning objections. To assist members with site context, a link to Google Maps is provided below:

[46 Highland Road, Great Barr](#)

## 2. SUMMARY OF KEY CONSIDERATIONS

- 2.1 The Site is unallocated within the adopted development plan.

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

Government policy (NPPF)  
Proposals in the Development Plan  
Loss of light, outlook and privacy

### **3. THE APPLICATION SITE**

- 3.1 The site is a residential semi-detached house located at the north-eastern corner of Highfield Road, Great Barr. There was previously a detached outbuilding to the side of the property that has been demolished.
- 3.2 The application site is at the northern end of this residential street and is set back from the road, with a drive at the front of the house.

### **4. PLANNING HISTORY**

- 4.1 An application was received under the prior approval large homes procedure for a proposed single storey rear extension, however this application was withdrawn on 9<sup>th</sup> July 2020.

PD/20/01465	Proposed single storey rear extension: 4.30m L x 3.15m H (3.00m to eaves)	Withdrawn 9/7/2020
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### **5. APPLICATION DETAILS**

- 5.1 The applicant proposes to construct a two storey side extension along with a two-storey rear extension and single storey rear extension. A site visit was carried out on 6<sup>th</sup> August 2020 and it was noted that the applicant, who is also the builder has already carried out works against the advice of the planning authority. At the time of the visit block work has been constructed to single storey height only.

The extension would create additional living space at ground floor level and a total of 4 bedrooms at first floor level. The 'Master bedroom' at the rear of the first-floor extension would be served by a 'Juliet-style' balcony, with a games room proposed in the roof-space.

- 5.2 The side extension would measure a maximum of 8.5m in length, 4.3m in width by 7.8m high to the maximum height of the dual-pitched roof.
- 5.3 The double storey rear extension would measure 5.5m in length from the rear wall of the original dwellinghouse, a maximum 6.6m in width at first floor level by 7.3 m high to the height of the dual sloping roof.

5.4 The single rear extension would measure 4.3m deep by 3.4m wide by 3.1m high to the height of the flat roof.

## **6. PUBLICITY**

6.1 The application has been publicised by neighbour notification letter with 7 objections, and 1 representation received from various properties on Highland Road and also Wilderness Lane which back onto to the application premises. A letter in support of the proposals has been submitted on behalf of the current owner of the neighbouring property at 44 Highland Road.

### **6.2 Objections**

Objections have been received on the following grounds;

- i) Works have commenced on site without planning permission;
- ii) Works are not being carried in accordance with submitted plans;
- iii) The extensions are to be constructed in a poor choice of external materials – black render, timber clad etc.
- iv) There is insufficient parking for the extended property;
- v) The extension would have a detrimental visual impact – areas of exposed blockwork etc.
- vi) The extensions would result in loss of privacy and loss of light to their nearby properties;

Immaterial objections have been received in relation to devaluation of property and lack of building regulation approval. With regard to the latter these concerns have been reported to Building Control.

### **6.3 Responses to objections**

- (i) The agent and the applicant has been advised that works should not continue pending a planning decision and that these works would be carried out at their own risk. This situation is unfortunate but in itself, does not warrant refusal of the application;
- (ii) There was a discrepancy between the submitted plans and the ground floor elements that have been constructed on site. This related to patio/barbecue area that has been incorporated into the side extension at ground floor level. Amended plans have now been submitted by the agent to show this;
- (iii) The original plans show that the front and side extensions would consist of brick with the first floor of the rear extension having a white rendered finish. The eastern side elevation of the first-floor rear extension would consist of a section of black render, and the ground floor rear extension would be timber clad. This choice of materials is designed to give the property a 'modern' appearance

and has been discussed with the applicant. Following discussions with applicant on site, satisfactory amended plans have now been submitted that show a more traditional choice of external materials, that is in keeping with surrounding properties. It is my view that final detail relating to external materials can be dealt with by condition should your committee be minded to approve the application.

- iv) Parking requirement for the 4 bedroom property (as extended) is 2 off-road spaces. It has been considered that there is an existing driveway at the front of the house to accommodate this.
- v) Satisfactory amended plans have been submitted to show that areas of exposed blockwork would be rendered and painted to ensure a satisfactory external appearance.
- vi) For a detailed response see Section 10. Material Considerations, which addresses concerns relating to loss of light, outlook and privacy/overlooking.

The owner of number 44 Highland Road has confirmed that at the end of May 2020, the applicant had discussed his proposals to extend the property prior to the submission of a formal application. She has also stated that she has no concerns with the proposed single storey rear extension.

## **7. STATUTORY CONSULTATION**

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 policies of the Council's Development Plan are relevant:-

ENV3: Design Quality

SAD EOS9: Urban Design Principles

- 9.2 ENV3 and SAD EOS9 refers to well-designed schemes that are in scale and massing to the existing area. The extension would be constructed of red brick to match and render the existing property and is not overly dominant given its size and roof design. Satisfactory amended plans have been submitted that show a setback at the front elevation of 500mm as recommended in the authority's Residential Design SPD. This has also

resulted in a step-down from the apex of the roof to ensure the extension would remain subservient to the main house. It is therefore considered that it would be in character with a standard residential extension design.

## **10. MATERIAL CONSIDERATIONS**

10.1 The material considerations relating to Government Policy (NPPF) and proposals within the Development Plan have been referred to above in Sections 8 and 9. With regards to the other considerations these are highlighted below:

### **10.2 Loss of light, outlook and privacy**

It is noted that both of the immediate neighbours – nos 44 and 48 have not objected to the application. One of the consulted neighbours has stated that one of his family members has verbally agreed to purchase no 44 from the current owner.

Number 46 is located within a pair of semi-detached houses that have rear elevations that face north-west. Natural sunlight to the rear of these house is limited to early mornings and afternoons/evenings during the summer months. I do not consider that the extension would result in any significant overshadowing of the adjoining neighbour and light during the afternoon would not be affected. It has been confirmed that number 44 has a through lounge/open plan arrangement that allows for good levels of natural light to the ground floor throughout the day. Furthermore, the first floor rear extension would not breach the 45 degree code and therefore would not impact on nearest ground or first floor windows at number 44.

Although the single storey rear extension breaches the 45 degree code, that is used for guidance, in respect of adjacent patio doors, it is my view that any loss of outlook would not be to a level that warrants refusal. It is also my view that the extensions would not result in any appreciable harm to objectors' properties that are located elsewhere on Highland Road.

All first floor windows proposed in the side extension would serve ensuite/bathrooms and would be obscurely glazed to ensure privacy. This can also be ensured by way of an appropriate planning condition.

It has also been considered that the proposed first floor rear extension complies with the authority's recommended minimum separation distance of 21 metres between windowed rear elevations, to ensure privacy between dwellings. The rear separation distance from the extension to the opposing properties, no 39, 41 and 43 Wilderness Lane, is 29 metres. This increases to 37 & 47 metres for other properties to the west on Wilderness Lane.

It is also noted that there is natural screening (trees) along the rear boundary to houses on Wilderness Lane that would obscure much of the extension from view, hence coupled with compliance with separation distances, there would not be a loss of privacy to properties on Wilderness Lane.

## **11. IMPLICATIONS FOR SANDWELL'S VISION**

- 11.1 The proposal supports Ambitions 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 would be compliant with relevant design policies and would not result in any significant loss of light, outlook or privacy to neighbouring properties.

## **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 the Town and Country Planning Act 1990.

## **15. EQUALITY IMPACT ASSESSMENT**

- 15.1 There are no equality 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 Policy Framework (8), Development 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 would be no impact

## **21. APPENDICES:**

Location Plan

Context Plan

Plan No. 224-00-099 Rev A Location Plan

Plan No. 224-00-100 Existing ground floor plan

Plan No. 224-00-101 Existing first floor plan

Plan No. 224-00-102 Existing second floor plan

Plan No. 224-00-103 Existing elevations

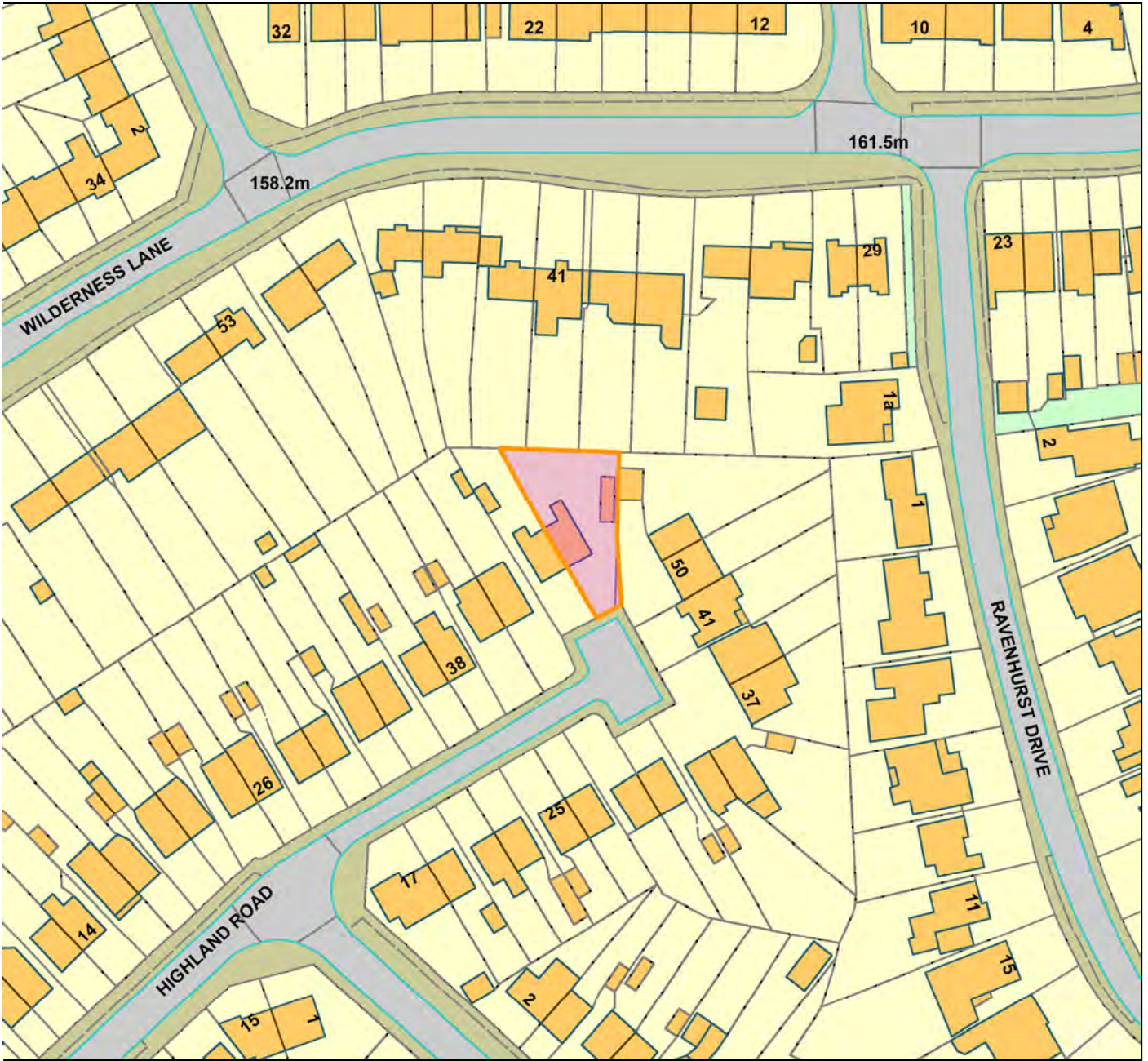
Plan No. 224-00-104 Rev C Proposed ground floor plan

Plan No. 224-00-105 Rev B Proposed first floor plan

Plan No. 224-00-106 Rev B Proposed second floor plan

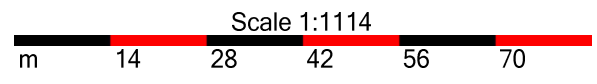
Plan No. 224-00-107 Rev C Proposed elevations

DC/20/64403  
 46 Highland Road, Great Barr



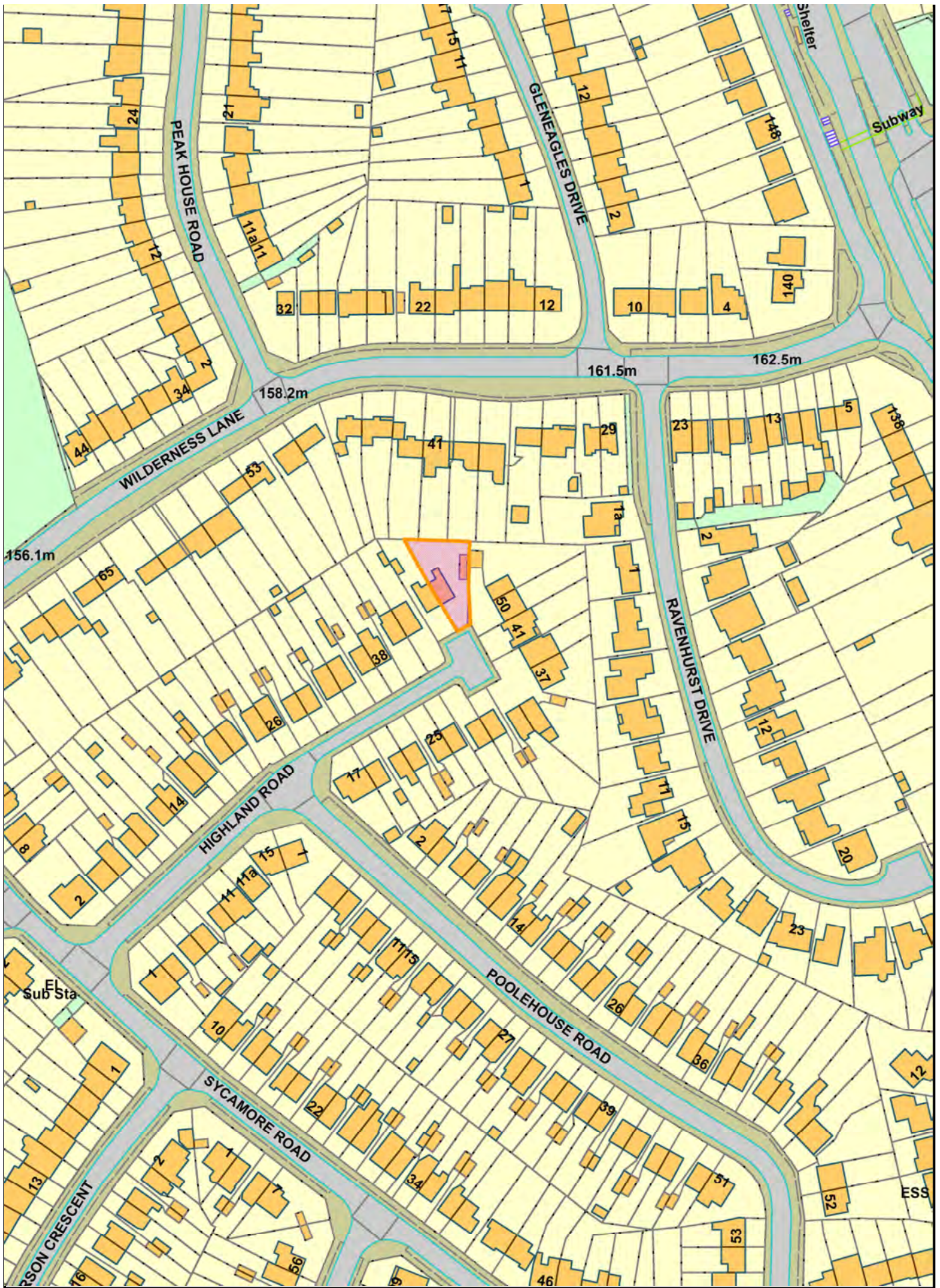
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<b>Organisation</b>	Not Set
<b>Department</b>	Not Set
<b>Comments</b>	Not Set
<b>Date</b>	26 August 2020
<b>OS Licence No</b>	





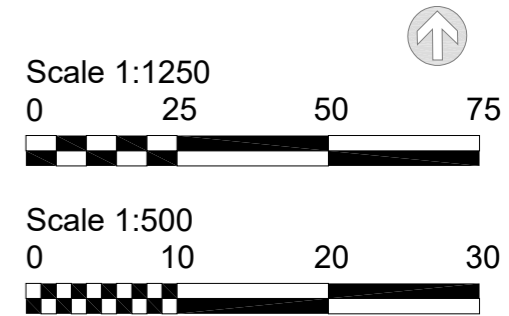
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**02** Existing Site Plan  
00-099 1:500@A3



**03** Proposed Site Plan  
00-099 1:500@A3

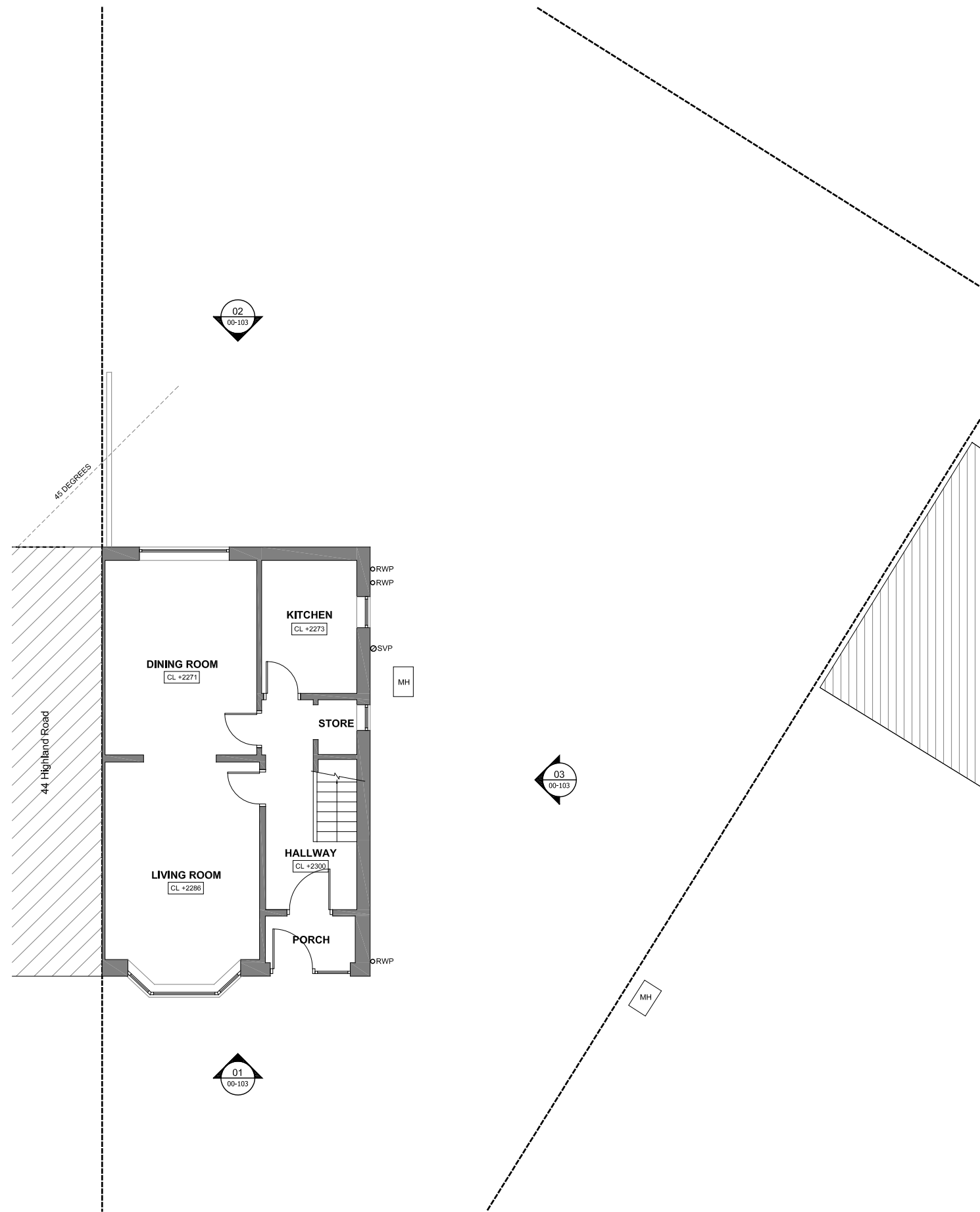


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4. THE SOLE PURPOSE OF THE DRAWING IS FOR THE ISSUE STATUS ONLY.

CLIENT <b>Mr Bal Bains</b>			
PROJECT <b>46 Highland Road, B43 7SQ</b>			
DRAWING TITLE <b>Location and Site Plan</b>			
ISSUE STATUS <b>PLANNING PERMISSION</b>			
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JOB NO. <b>224</b>	DRG. NO. <b>224-00-099</b>	REVISION <b>A</b>	

NOTES:



01 Existing Ground Floor Plan  
00-100 1:100@A3

SCALE 1:100 (cm)  
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CLIENT  
**Mr Bal Bains**

PROJECT  
**46 Highland Road, B43 7SQ**

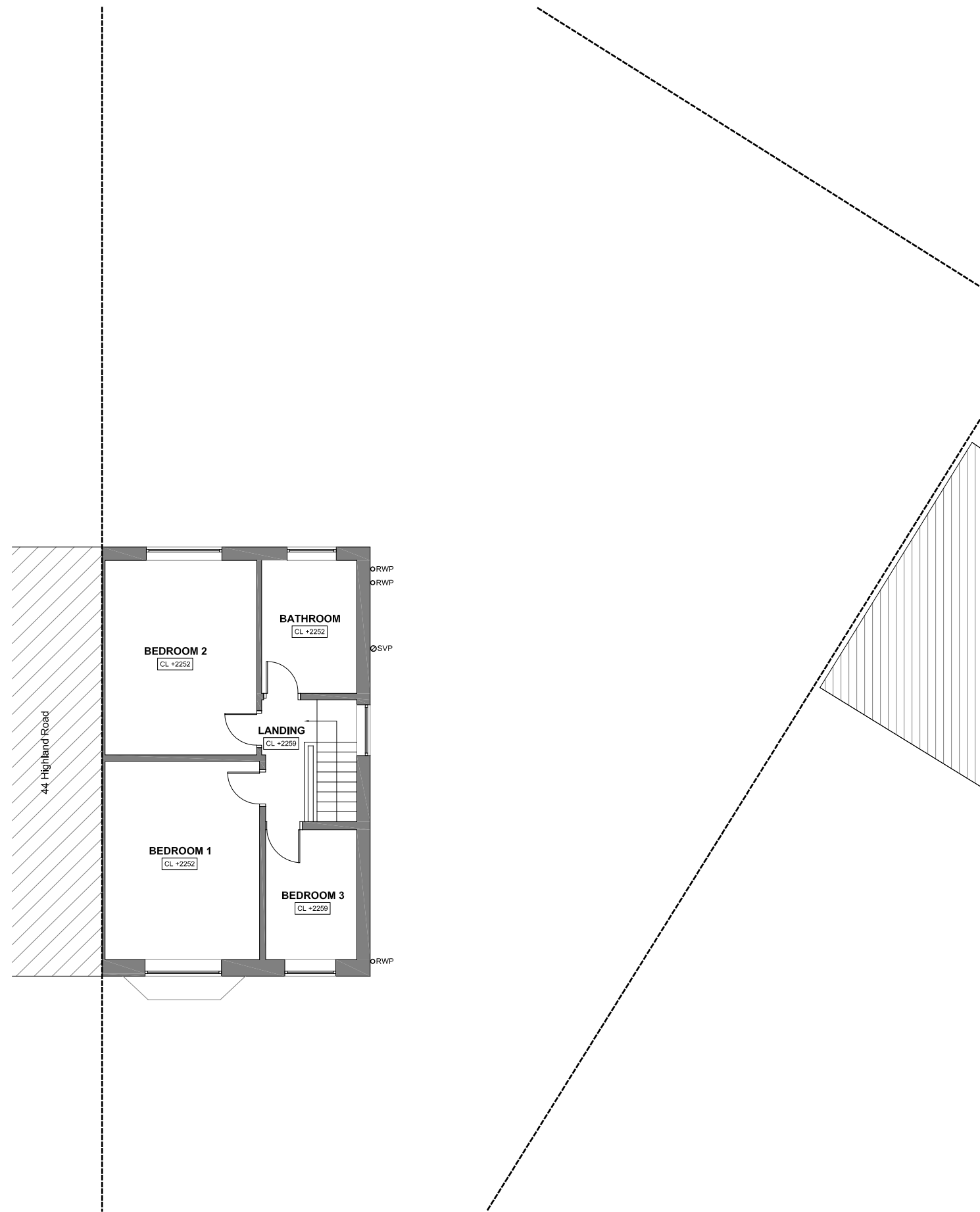
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ISSUE STATUS  
**PLANNING PERMISSION**

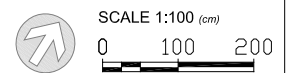
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JOB NO. 224	DRG. NO. 224-00-100	REVISION -
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01 Existing First Floor Plan  
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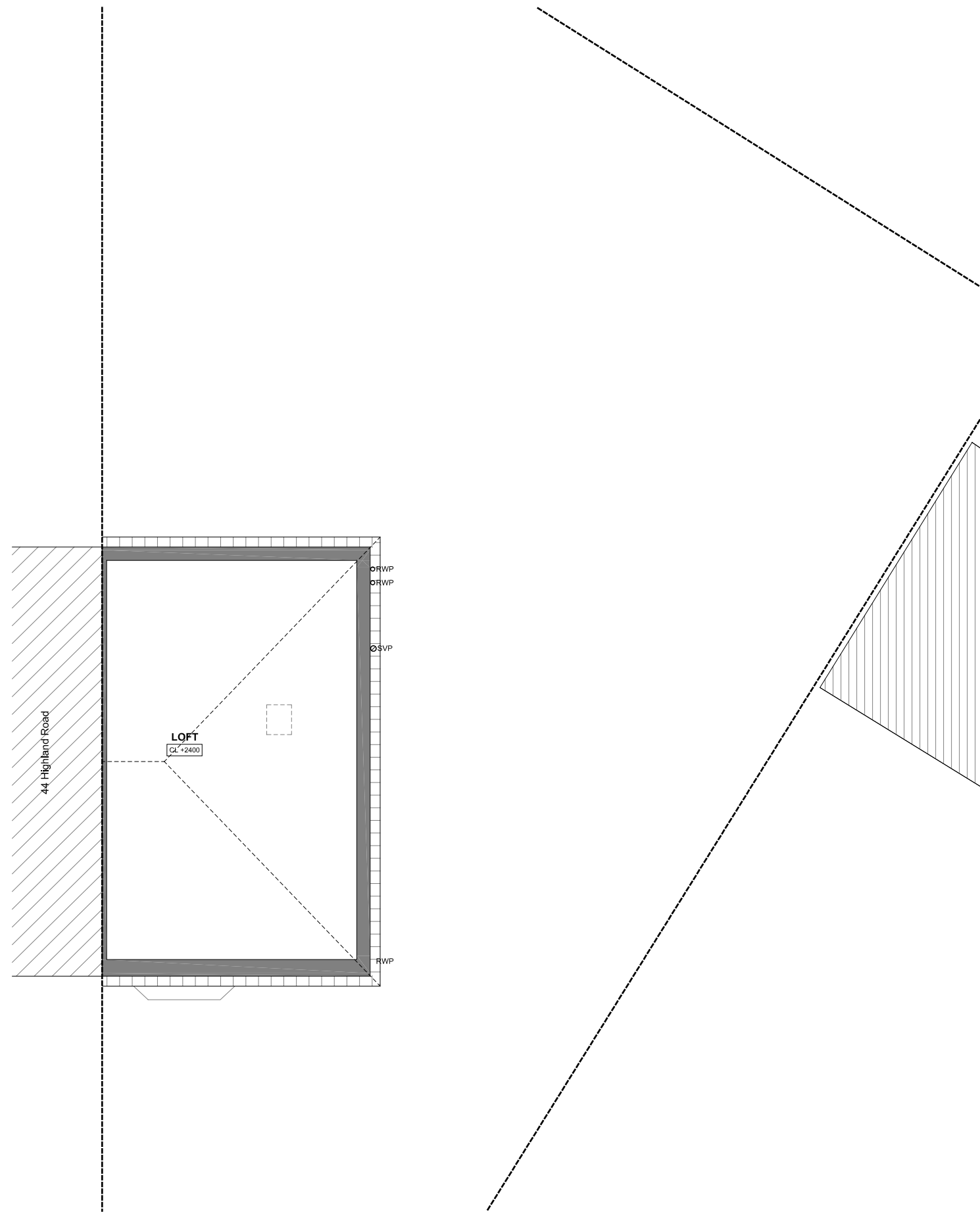
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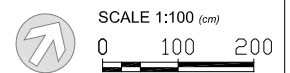
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NOTES:



01 Existing Second Floor Plan  
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CLIENT  
**Mr Bal Bains**

PROJECT  
**46 Highland Road, B43 7SQ**

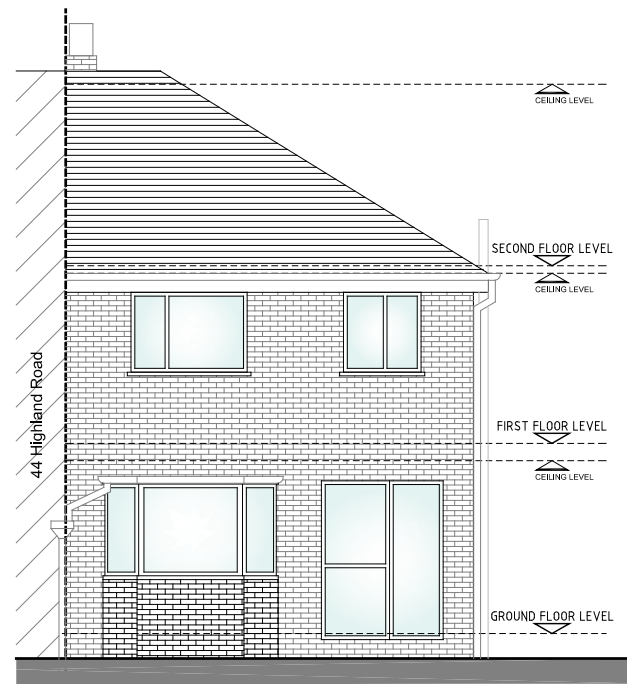
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ISSUE STATUS  
**PLANNING PERMISSION**

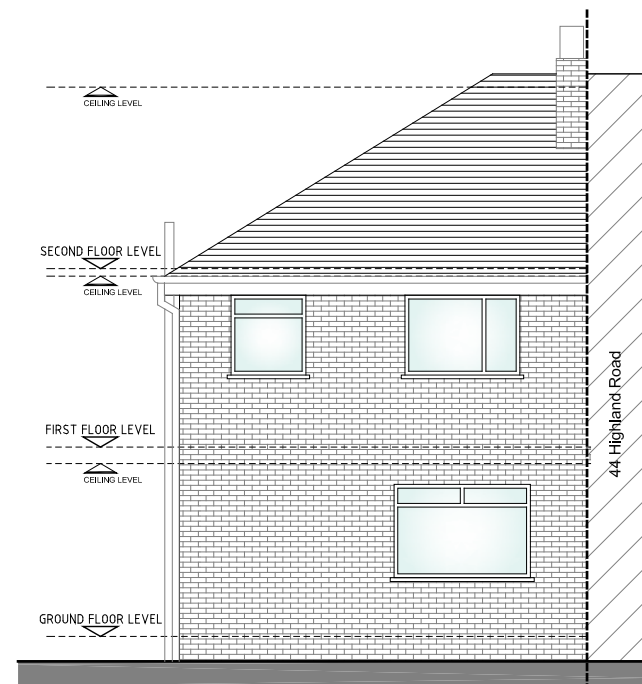
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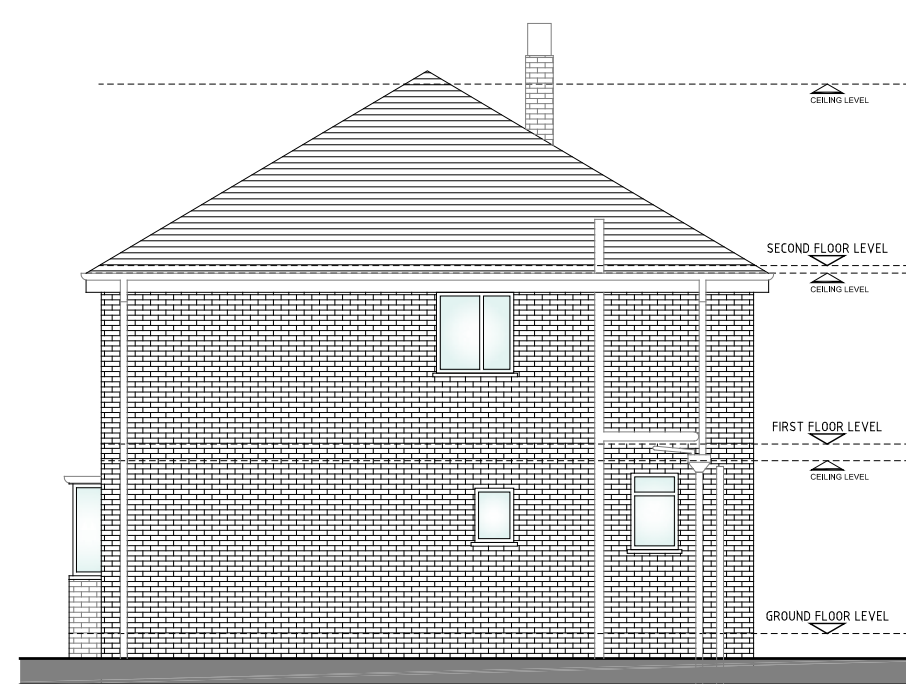
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02 Existing North Elevation  
00-103 1:100@A3



03 Existing East Elevation  
00-103 1:100@A3

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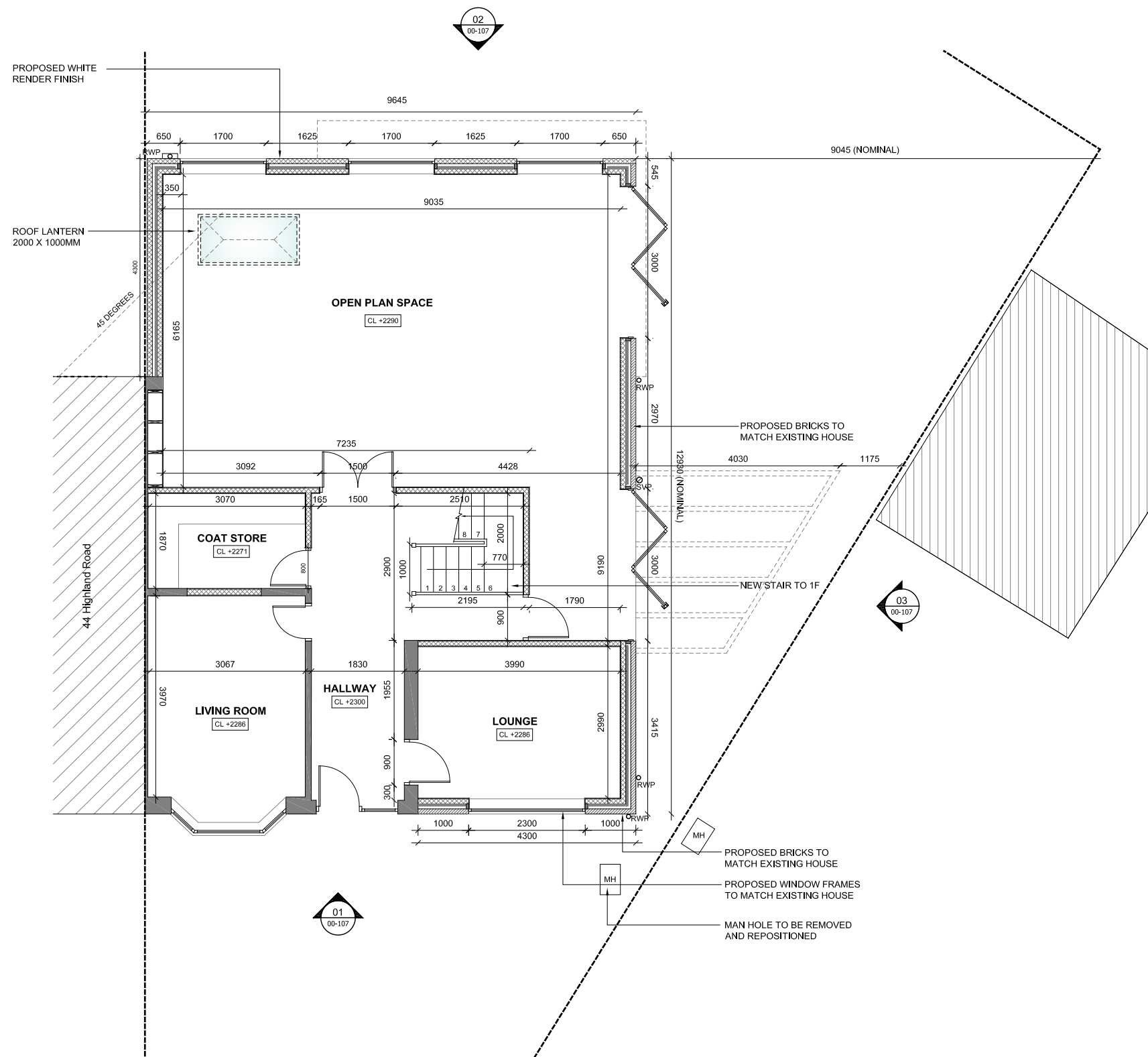
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CLIENT			
Mr Bal Bains			
PROJECT			
46 Highland Road, B43 7SQ			
DRAWING TITLE			
Existing Elevations			
ISSUE STATUS			
PLANNING PERMISSION			
SCALE	DRAWN	CHECKED	DATE
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CLIENT  
**Mr Bal Bains**

PROJECT  
**46 Highland Road, B43 7SQ**

DRAWING TITLE  
**Proposed Ground Floor Plan**

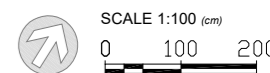
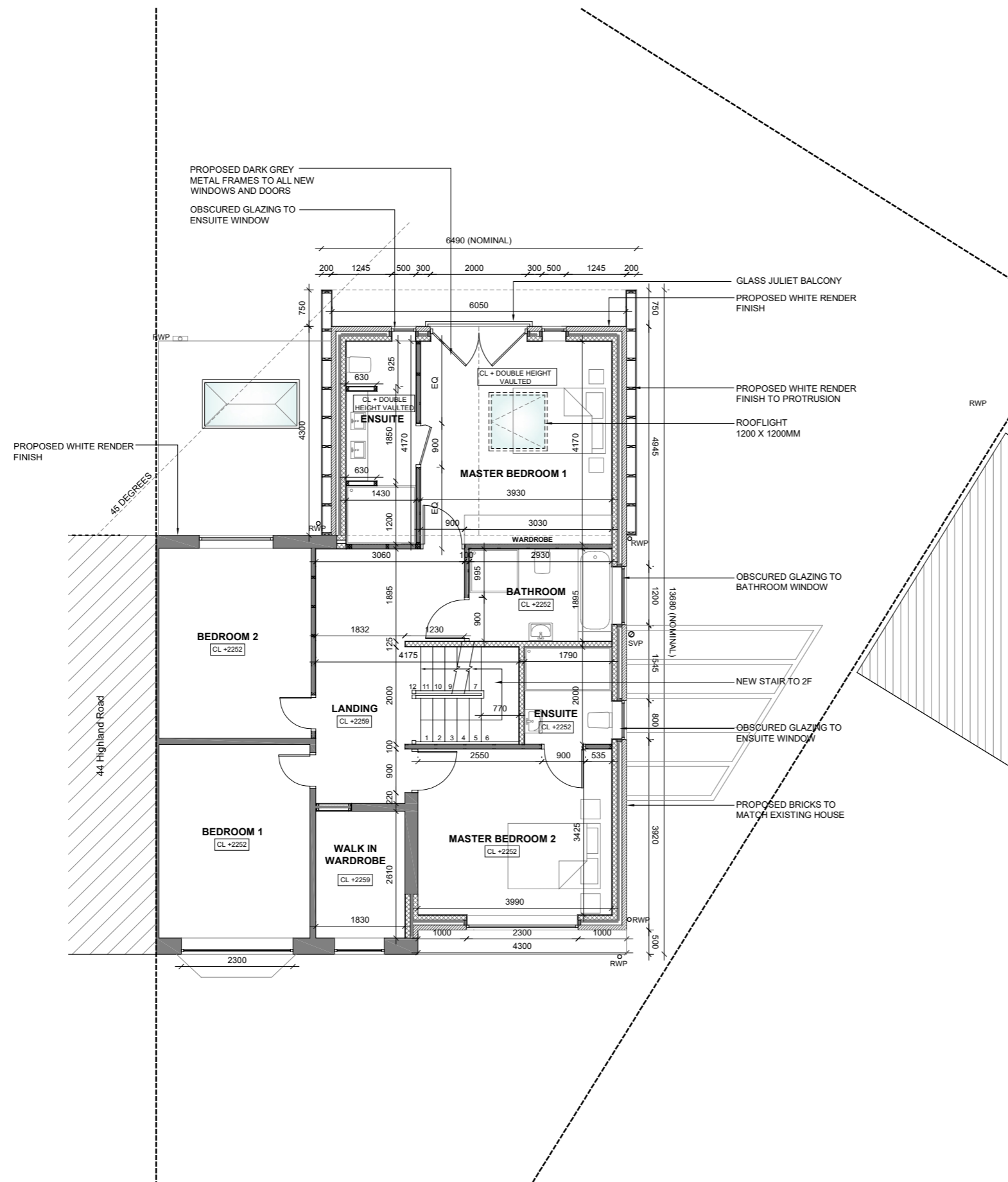
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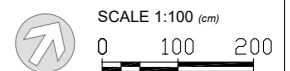
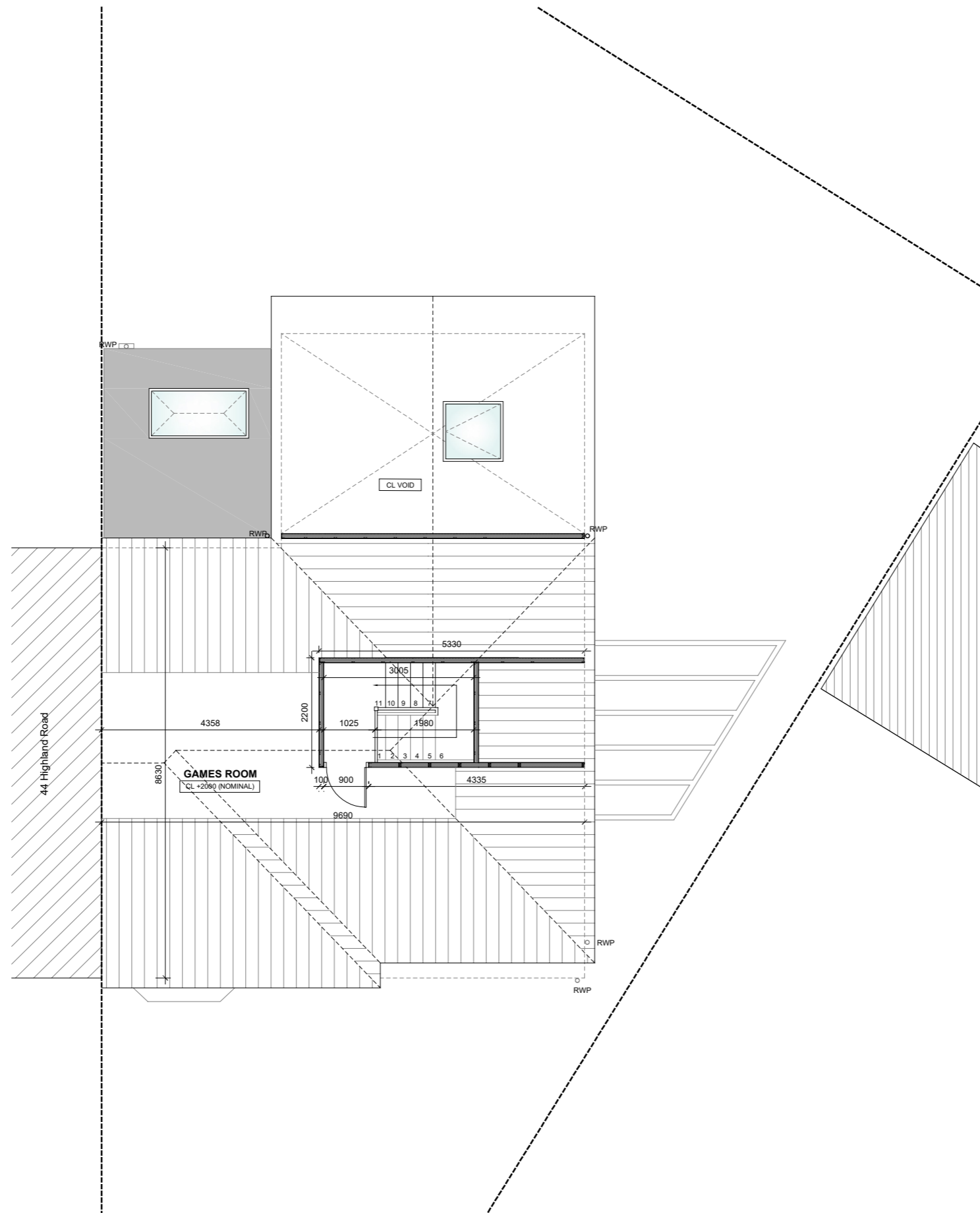
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CLIENT <b>Mr Bal Bains</b>			
PROJECT <b>46 Highland Road, B43 7SQ</b>			
DRAWING TITLE <b>Proposed First Floor Plan</b>			
ISSUE STATUS <b>PLANNING PERMISSION</b>			
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JOB NO. 224	DRG. NO. 224-00-105	REVISION <b>B</b>	

NOTES:



01 Proposed Second Floor Plan  
00-106 1:100@A3

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CLIENT  
**Mr Bal Bains**

PROJECT  
**46 Highland Road, B43 7SQ**

DRAWING TITLE  
**Proposed Second Floor Plan**

ISSUE STATUS  
**PLANNING PERMISSION**

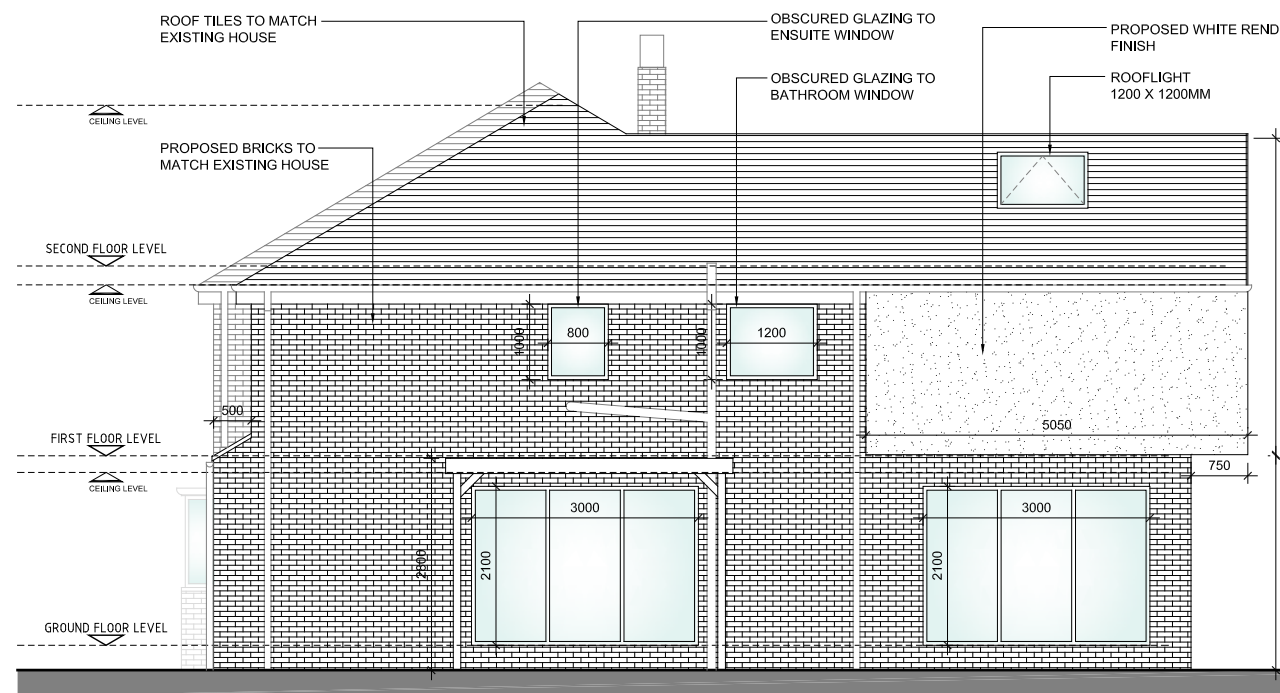
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JOB NO. 224	DRG. NO. 224-00-106	REVISION B
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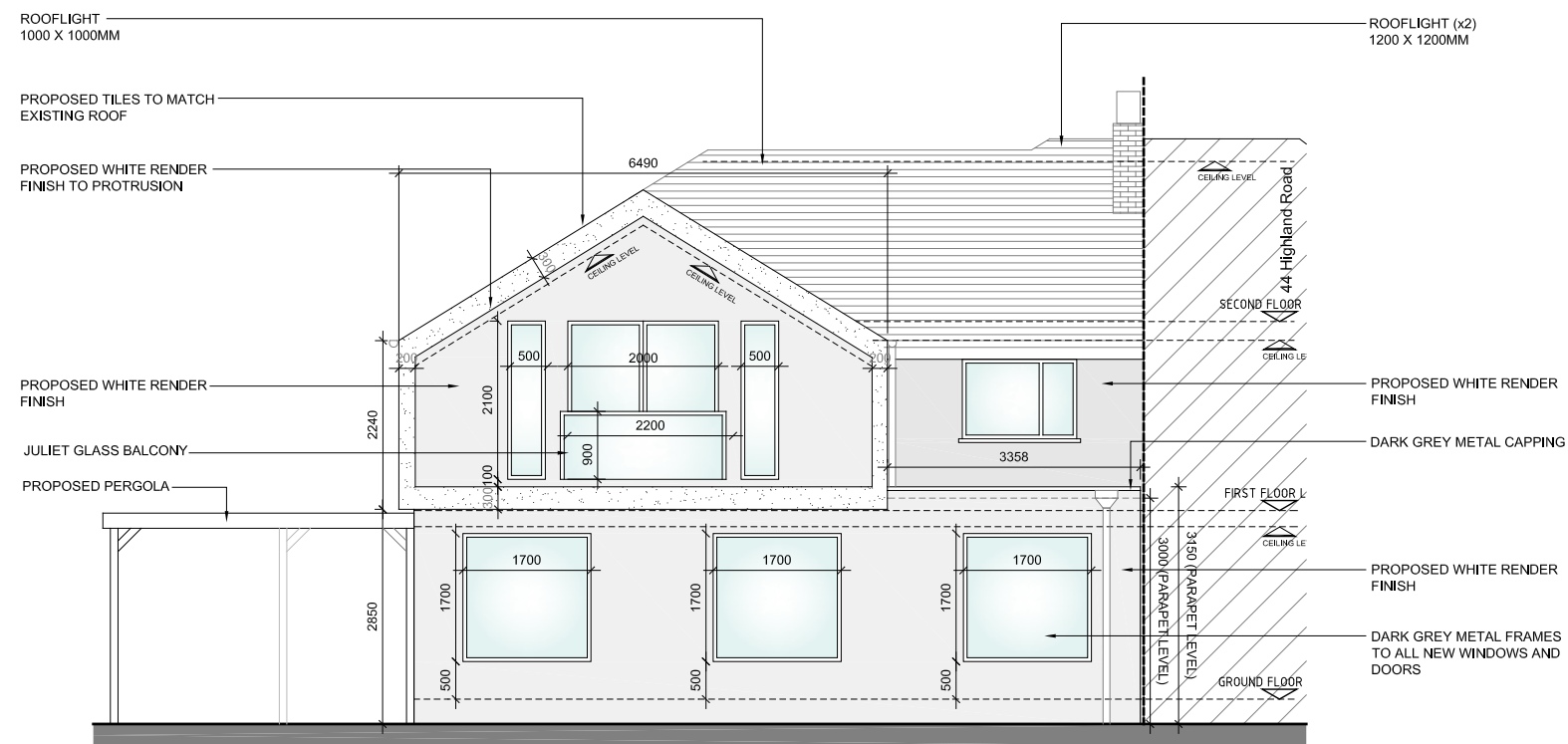
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03 Proposed East Elevation  
00-107 1:100@A3



02 Proposed North Elevation  
00-107 1:100@A3

SCALE 1:100 (cm)  
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CLIENT <b>Mr Bal Bains</b>			
PROJECT <b>46 Highland Road, B43 7SQ</b>			
DRAWING TITLE <b>Proposed Elevations</b>			
ISSUE STATUS <b>PLANNING PERMISSION</b>			
SCALE 1:100 @A3	DRAWN MJK	CHECKED PC	DATE 19.08.20
JOB NO. 224	DRG. NO. 224-00-107	REVISION C	

## REPORT TO PLANNING COMMITTEE

**9 September 2020**

<b>Application Reference</b>	DC/20/64405
<b>Application Received</b>	25 <sup>th</sup> June 2020
<b>Application Description</b>	Proposed single/two storey side extension.
<b>Application Address</b>	59 Hembs Crescent Great Barr Birmingham B43 5DG
<b>Applicant</b>	Mr Preece & Ms Sprung
<b>Ward</b>	Newton
<b>Contribution towards Vision 2030:</b>	
<b>Contact Officer(s)</b>	Douglas Eardley 0121 569 4892 douglas_eardley@sandwell.gov.uk

### **RECOMMENDATION**

That planning permission is granted subject to: -

- (i) External materials matching the existing property.

## **1. BACKGROUND**

- 1.1 This application is being reported to your Planning Committee because the applicants are a Councillor and a Sandwell Metropolitan Borough Council employee.
- 1.2 To assist members with site context, a link to Google Maps is provided below:

[59 Hembs Crescent, Great Barr](#)

## **2. SUMMARY OF KEY CONSIDERATIONS**

- 2.1 The site is unallocated in the adopted development plans.

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

Government policy (NPPF)  
Proposals in the Development Plan  
Overlooking/loss of privacy/light

### **3. THE APPLICATION SITE**

- 3.1 The application relates to a semi-detached property located on the eastern side of Hembs Crescent, Great Barr; the immediate surrounding area is residential.

### **4. PLANNING HISTORY**

- 4.1 There is no relevant planning history.

### **5. APPLICATION DETAILS**

- 5.1 The applicant proposes a single/two storey side extension, which would consist of garage, study and kitchen at ground floor level and bedroom, wardrobe and en-suite at first floor level. The dimensions of the single/two storey side extension would measure 8.4 metres deep at ground floor level, reducing to 7.6 metres deep at first floor level by 3.2 metres wide by 7.5 metres high from ground floor level to the height of the hipped roof.

### **6. PUBLICITY**

- 6.1 The application has been publicised by neighbour notification 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 policies of the Council's Development Plan are relevant: -

ENV3: Design Quality

- 9.2 Policies ENV3 and SAD EOS9 refer to well-designed schemes that provide quality living environments. The design and layout is in scale with the existing street and the proposal includes a setback to the front elevation at first floor which accords with the authority's Residential Design SPD.

## **10. MATERIAL CONSIDERATIONS**

- 10.1 The material considerations relating to Government Policy (NPPF) and proposals within the Development Plan have been referred to above in Sections 8 and 9. With regards to the other considerations these are highlighted below:

### **10.2 Overlooking/loss of privacy/light**

Whilst it is noted that the neighbouring property (61 Hembs Crescent) presently has a landing window and bathroom window at first floor level on the side elevation of their property next to the proposal, it is considered that the layout of the proposal would cause any significant overlooking, loss of privacy or light issues.

## **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 broadly compliant with relevant design policies and would not result in any loss of light, outlook or privacy to neighbouring properties.

## **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 the Town and Country Planning Act 1990.

## **15. EQUALITY IMPACT ASSESSMENT**

15.1 There are no equality 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 Policy Framework (8), Development 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 would be no impact.

## **21. APPENDICES:**

Site Plan

Context Plan

Plan No. 59HC/0127/000

Plan No. 59HC/0127/001

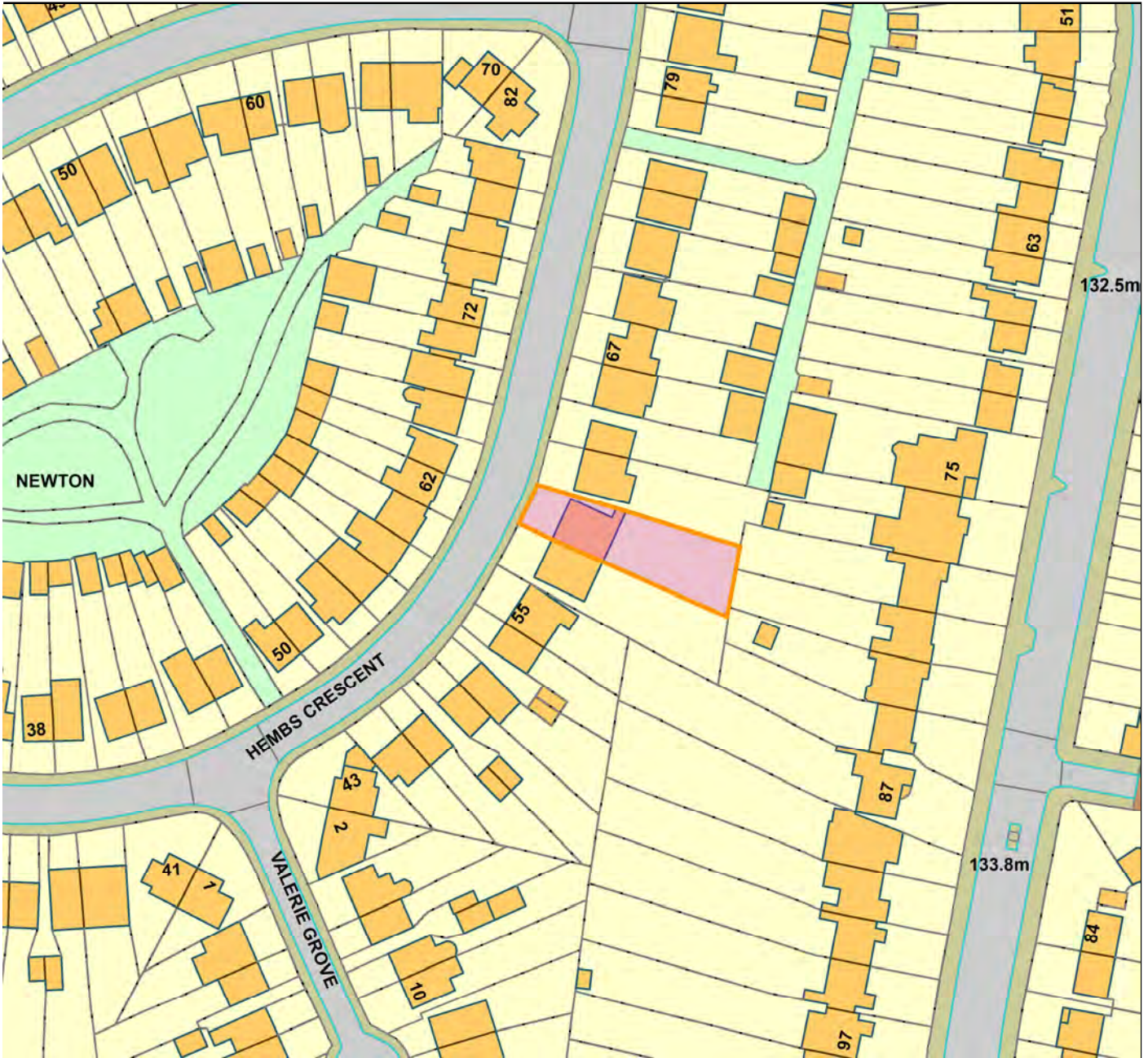
Plan No. 59HC/0127/002

Plan No. 59HC/0127/003 REV A

Plan No. 59HC/0127/004 REV A

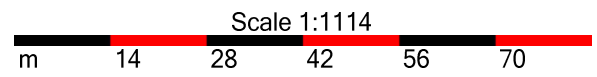


DC/20/64405  
59 Hembs Crescent



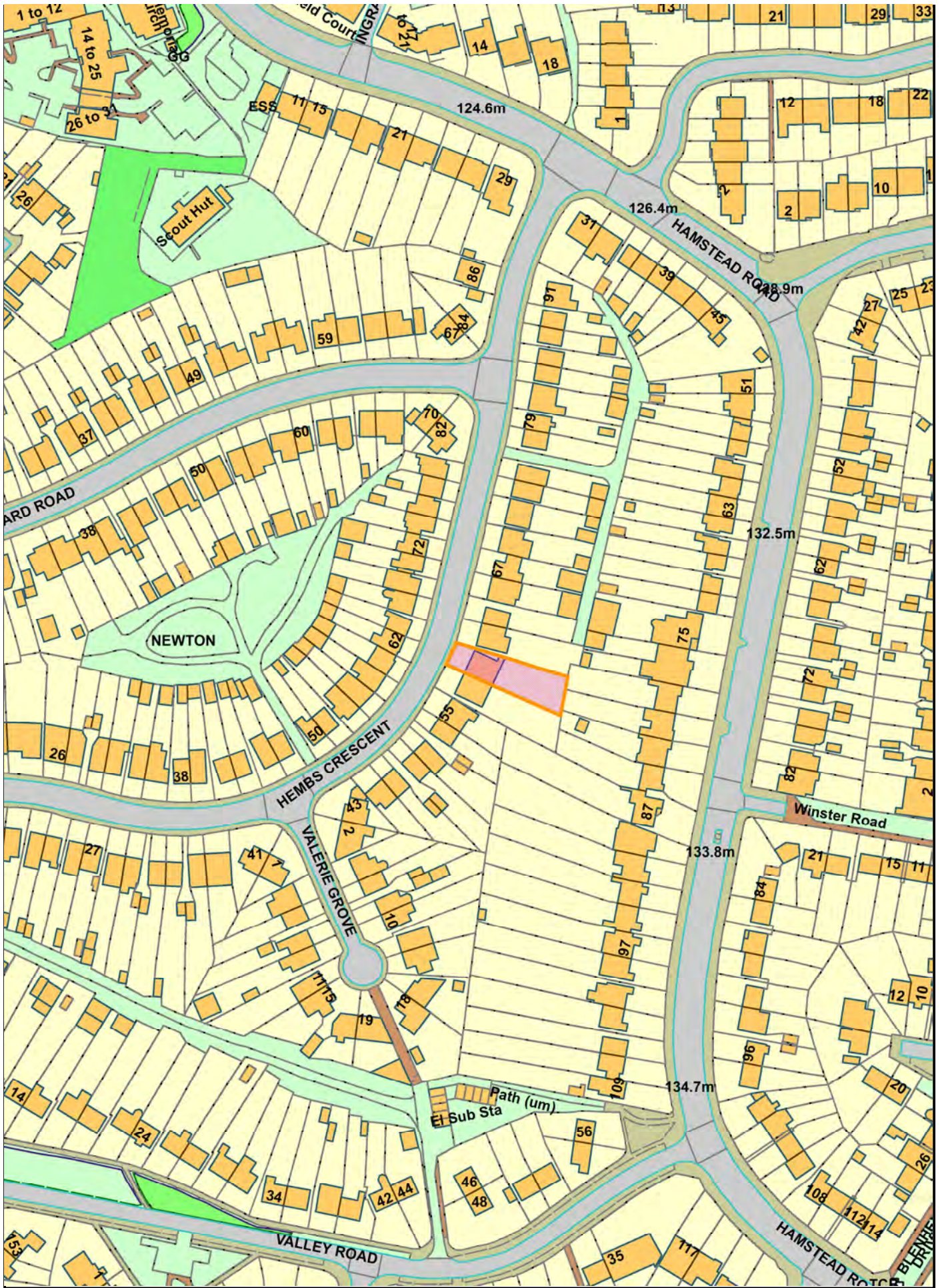
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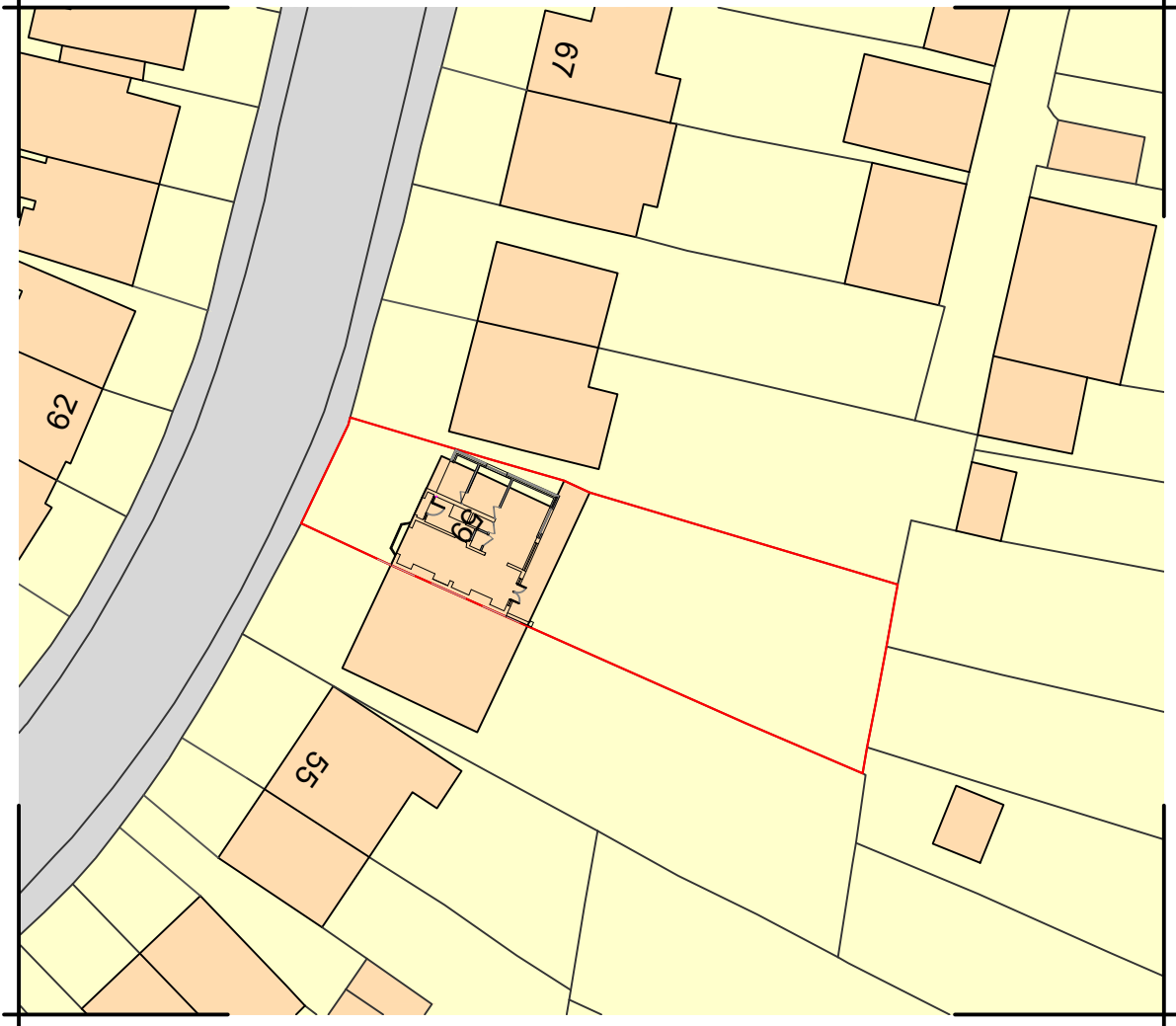


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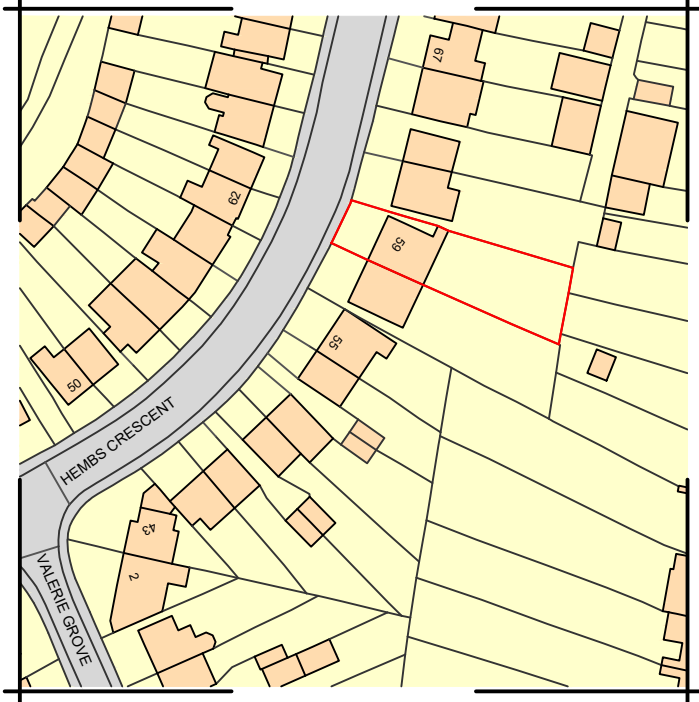
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<b>Department</b>	Not Set
<b>Comments</b>	Not Set
<b>Date</b>	26 August 2020
<b>OS Licence No</b>	



1:500



1:1250



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PROJECT  
**TWO STOREY  
 SIDE EXTENSION**

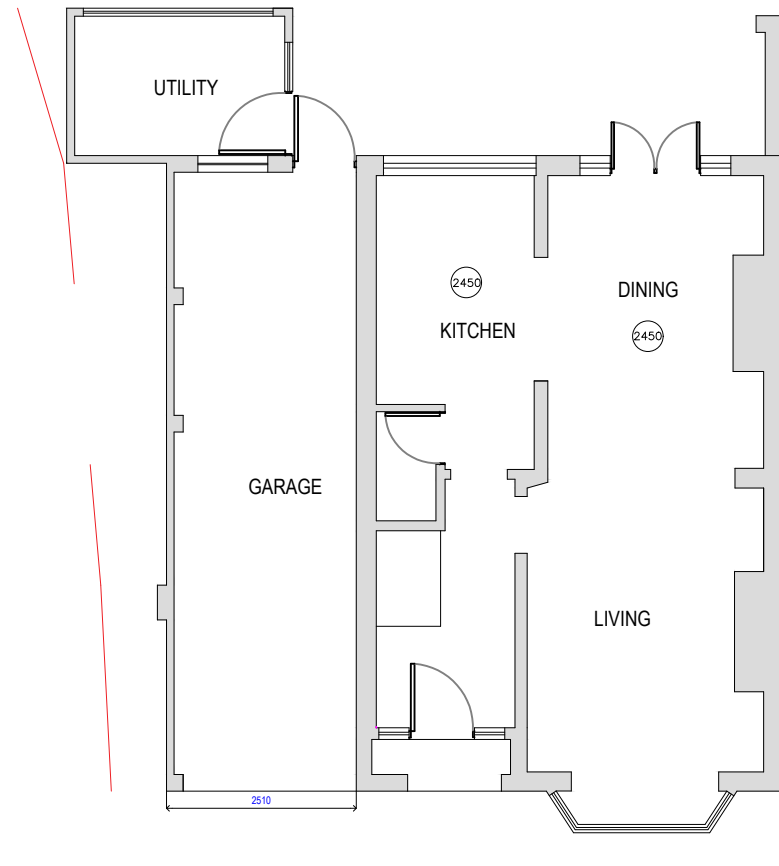
ADDRESS  
**59 Hembs Cres  
 Birmingham  
 B43 5DG**

REF  
**59HC/  
 0127/000**

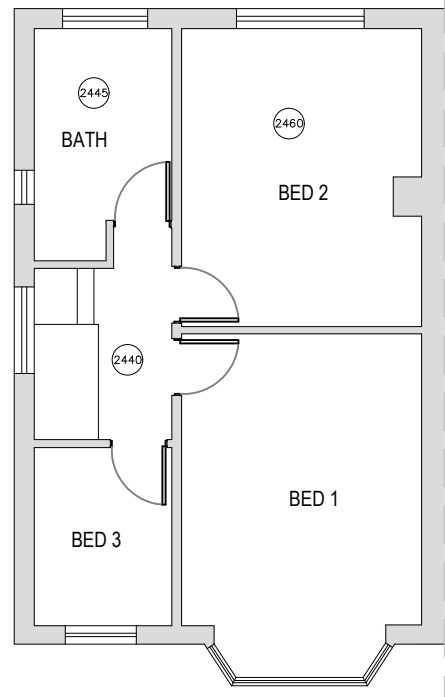
NAME  
**EXISTING FLOOR PLAN  
 BLOCK & LOCATION PLAN**

DATE FEB20 DRAWN SRB SCALE 1:1250 1:500

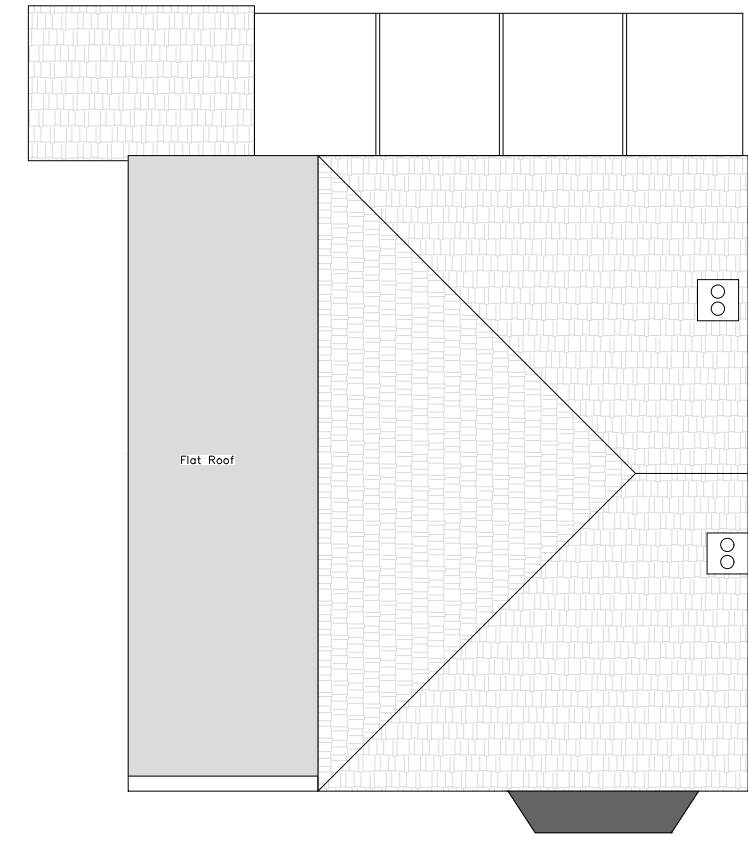
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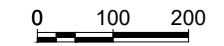
EXISTING GROUND FLOOR PLAN



EXISTING FIRST FLOOR PLAN



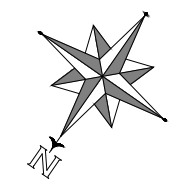
EXISTING ROOF PLAN



REVISION	
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PROJECT	TWO STOREY SIDE EXTENSION	
ADDRESS	59 Hembs Cres Birmingham B43 5DG	
REF	59HC/ 0127/001	REVISION
NAME	EXISTING FLOOR PLAN	
DATE	FEB 20	DRAWN
	SRB	SCALE
		1:100



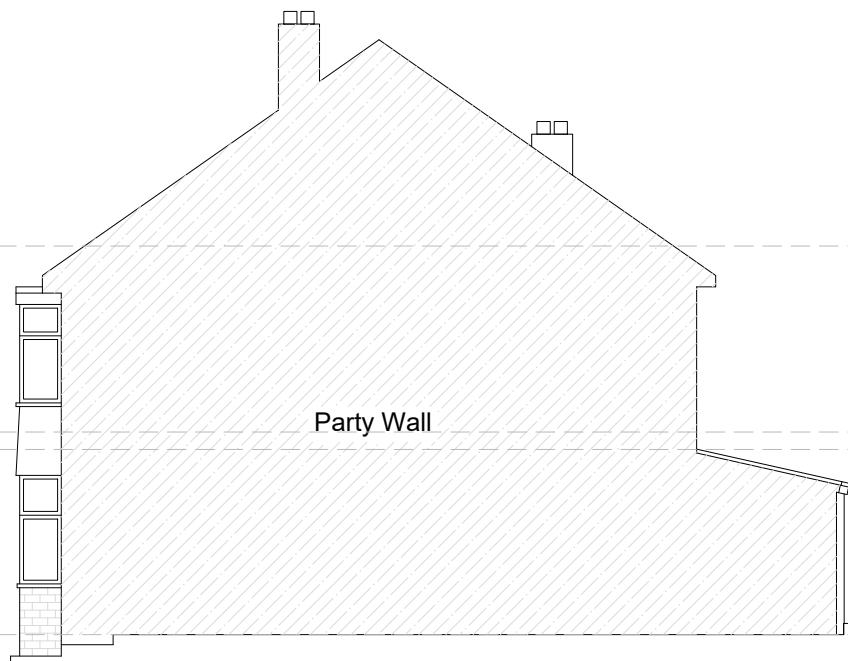
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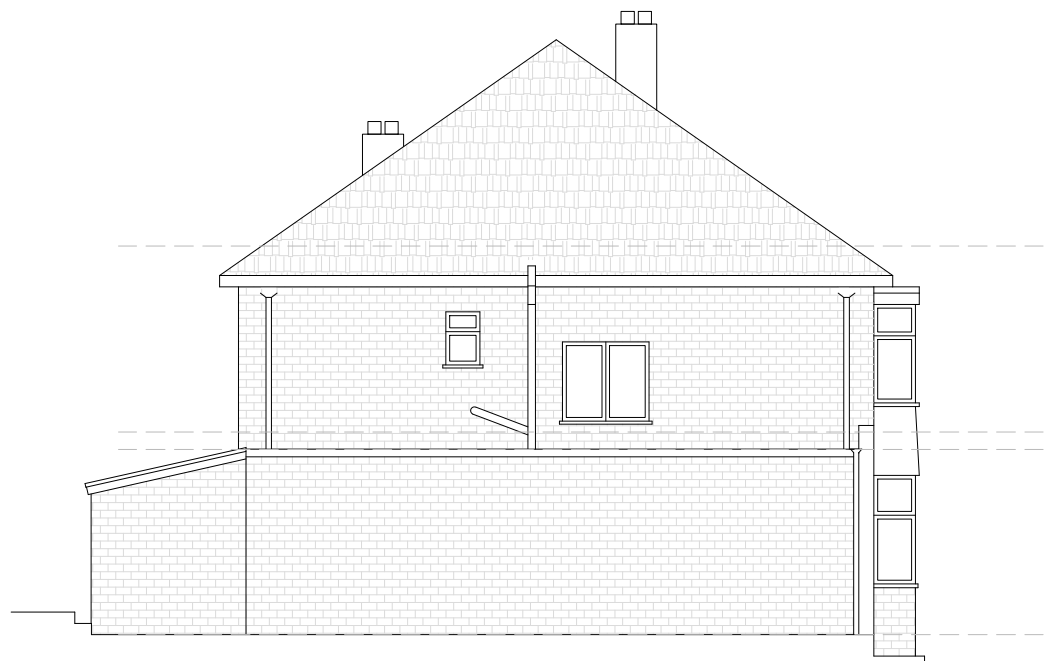
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EXISTING FRONT ELEVATION



EXISTING RIGHT ELEVATION



EXISTING LEFT ELEVATION

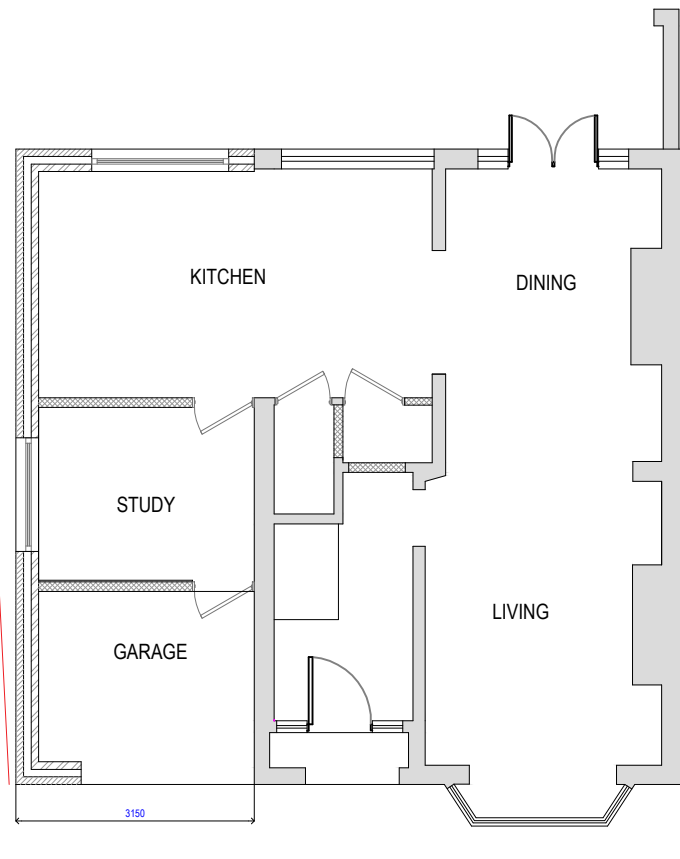
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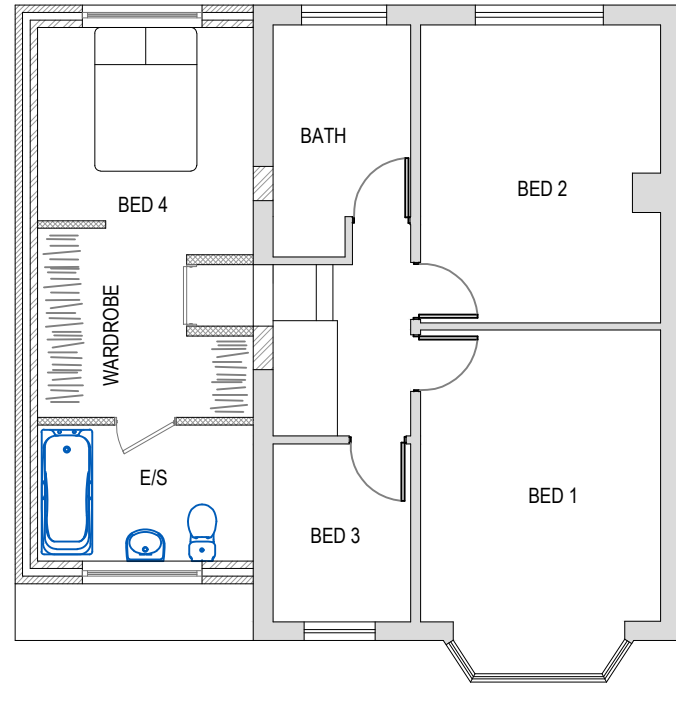
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PROJECT	TWO STOREY SIDE EXTENSION		
ADDRESS	59 Hems Cres Birmingham B43 5DG		
REF	59HC/ 0127/002	REVISION	
NAME	EXISTING ELEVATIONS		
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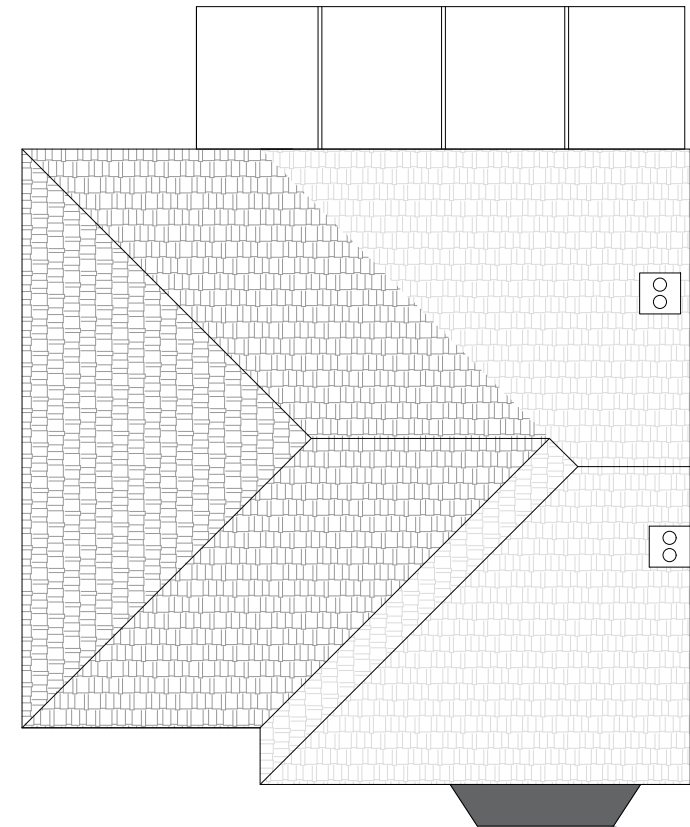
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PROPOSED GROUND FLOOR PLAN



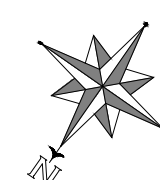
PROPOSED FIRST FLOOR PLAN



PROPOSED ROOF PLAN

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PROJECT	TWO STOREY SIDE EXTENSION		
ADDRESS	59 HEMBS CRES BIRMINGHAM B43 5DG		
REF	59HC/ 0127/003	REVISION	A
NAME	PROPOSED FLOOR PLAN		
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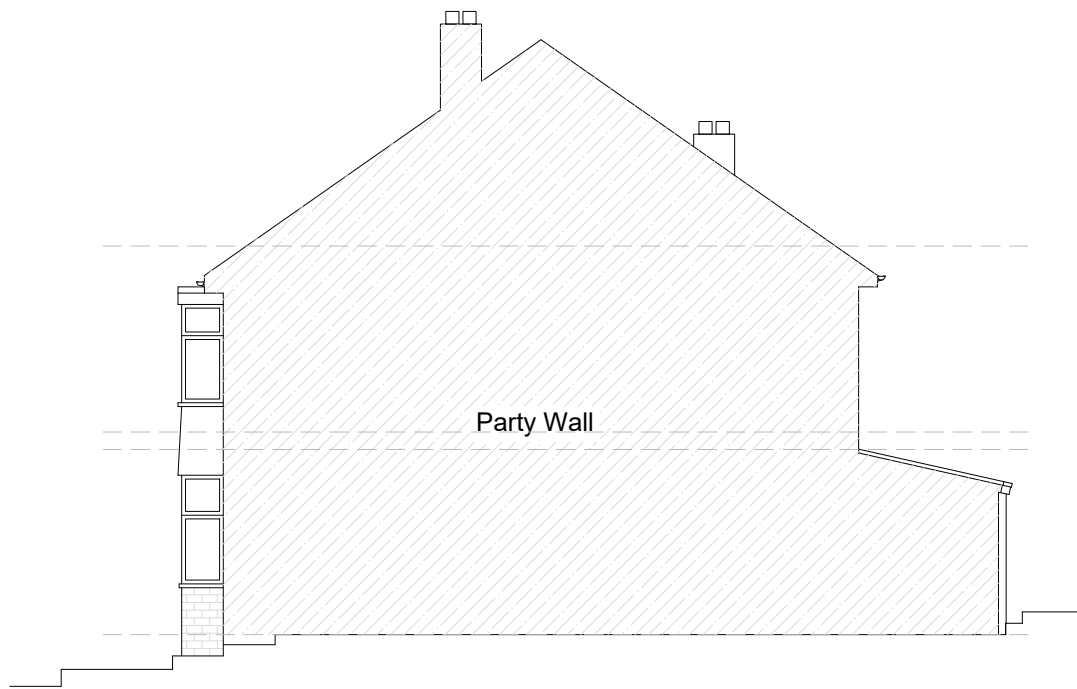




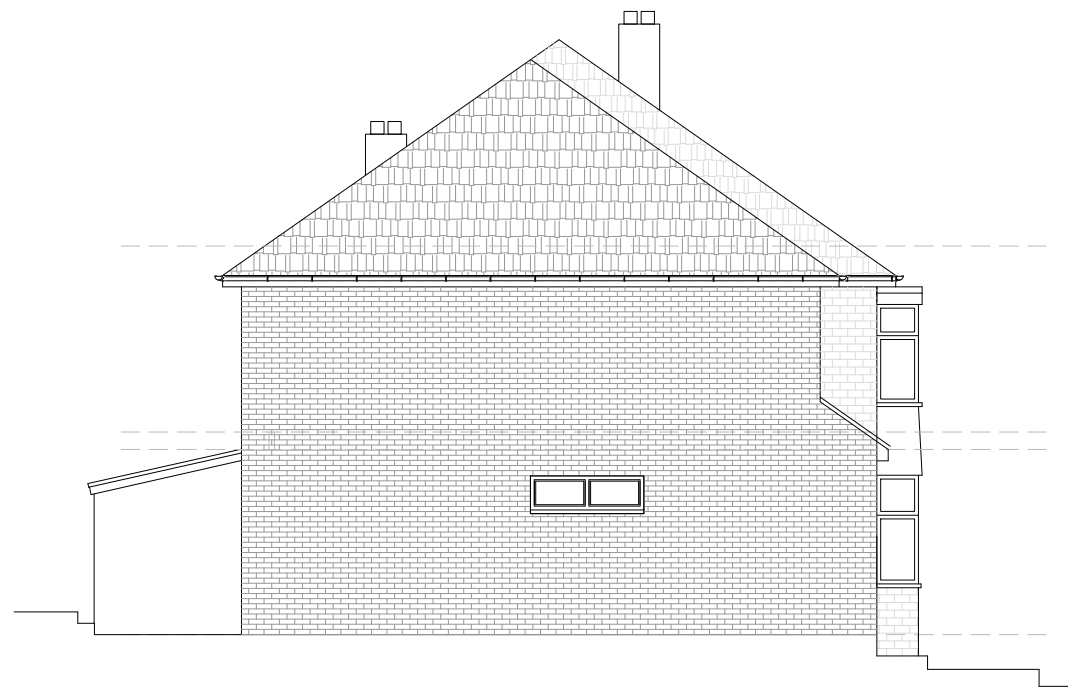
PROPOSED REAR ELEVATION



PROPOSED FRONT ELEVATION



PROPOSED RIGHT ELEVATION




PROPOSED LEFT ELEVATION

0 100 200

REVISION	A	DC COM	20/08/20
<b>BETAPLAN</b> LTD 21 MILESTONE DRIVE, HAGELY, DY9 0LP 01562 911020 / 07711 527239 www.betaplan.co.uk info@betaplan.co.uk			
PROJECT	TWO STOREY SIDE EXTENSION		
ADDRESS	59 Hems Cres Birmingham B43 5DG		
REF	59HC/ 0127/004	REVISION	A
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DATE	FEB20	DRAWN	SRB
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## REPORT TO PLANNING COMMITTEE

**9 September 2020**

<b>Application Reference</b>	DC/20/64505
<b>Application Received</b>	15 July 2020
<b>Application Description</b>	Proposed development of 13 dwellings.
<b>Application Address</b>	Brook Road Open Space, Wolverhampton Road Oldbury
<b>Applicant</b>	Mr Rajesh Kumar Sood
<b>Ward</b>	Langley
<b>Contribution towards Vision 2030:</b>	
<b>Contact Officer(s)</b>	Carl Mercer 0121 569 4048 <a href="mailto:carl_mercer@sandwell.gov.uk">carl_mercer@sandwell.gov.uk</a>

### **RECOMMENDATION**

That planning permission is granted subject to the approval of Full Council and conditions concerning:

- (i) External materials;
- (ii) Finished floor levels;
- (iii) Site investigation in respect of contaminated land;
- (iv) Noise assessment to identify issues and mitigation;
- (v) Drainage;
- (vi) Retaining wall detail to Wolverhampton Road;
- (vii) Technical detail of access road and traffic calming measures;
- (viii) Boundary treatments;
- (ix) Landscaping;
- (x) Electric vehicle charging provision;
- (xi) Employment and skills plan;
- (xii) An external lighting scheme;
- (xiii) Removal of permitted development rights; and,
- (xiv) Construction work and deliveries to the site limited to between 8am and 6pm Monday to Friday and 8.30am and 4pm Saturdays, with no activity on Sundays or national holidays.



## **1. BACKGROUND**

- 1.1 This application is being reported to your Planning Committee because the proposal is a departure from the Development Plan.
- 1.2 The application is a resubmission of a residential scheme previously refused by Planning Committee in March 2020.
- 1.3 Planning Committee refused the previous application on grounds of insufficient parking provision, flood risk and loss of open space.

## **2. SUMMARY OF KEY CONSIDERATIONS**

- 2.1 The site is allocated as Community Open Space in the Development Plan.
- 2.2 The material planning considerations which are relevant to this application are:

Government policy (NPPF);  
Proposals in the Development Plan;  
Loss of light, outlook or privacy;  
Layout and density;  
Design, appearance and materials;  
Access, highway safety, parking and servicing;  
Flood risk; and  
Planning history.

## **3. THE APPLICATION SITE**

- 3.1 The site is a grassed open space and rectangular in shape. Wolverhampton Road lies to the northeast, the site being set at a lower land level than this major A road. The site is bounded from southeast to southwest by terrace housing, and to the north by a veterinary hospital. The frontages of the houses which face on to the open space are not served by vehicular access; the layout being typical of Radburn style housing.

## **4. PLANNING HISTORY**

- 4.1 There is some relevant planning history:
- 4.2 DC/18/62409      Proposed development of 13 dwellings.      Refused  
17 March 2020

- 4.3 DC/14/56813 Proposed new single storey veterinary surgery with associated car parking, landscaping and fencing. Approved 12 June 2014

## 5. APPLICATION DETAILS

- 5.1 The applicant proposes to erect 13 detached dwellings, comprising of two house types (Type A and Type B). The Type A house type would have five bedrooms and a detached garage. The Type B house type would have four bedrooms and an integral garage.
- 5.2 The dwellings would be accessed from a new circular road which would be constructed around the perimeter of the site, thereby introducing a street frontage to the existing housing.

## 6. PUBLICITY

- 6.1 The application has been publicised by neighbour notification letter and by site and press notice, without response.

## 7. STATUTORY CONSULTATION

- 7.1 **Planning Policy** – No objection. A change of use from open space can be considered if the quality of the site cannot be ensured. Planning policy will be elaborated upon further in the report.

### 7.2 Highways

No objection subject to conditions relating to a supporting wall along the site boundary with the Wolverhampton Road (pertinent, as this is an embankment which supports the footpath), and the technical detail of the access road (also pertinent, given that the new road would need to assimilate into the existing housing development).

With regard to parking considerations, Highways have confirmed that ***'The applicant has provided three off-street spaces for the four bed properties and four off-street spaces for the five bed properties, therefore, each plot has an additional space above our recommendations', and 'All of the off-street spaces meet the required dimensions/sizes.'*** Additionally, the proposed carriageway width would be 5.5m, allowing for some visitor parking to be on-street and for two-way traffic to be safely maintained.

### 7.3 Urban Design

No objection.

- 7.4 **Environmental Health (Air Quality)** - Conditions to ensure electric vehicle charging bays are recommended.
- 7.5 **Environmental Health (Contaminated Land)** – Relevant conditions recommended.

7.6 **Environmental Health (Noise)**

Recommend that a comprehensive noise assessment be carried out to identify all likely noise sources and the impact on the proposed development, along with noise mitigation measures. This is due to the proximity of the adjacent dual carriageway and veterinary hospital and can be conditioned accordingly. Furthermore a condition in respect of construction times is recommended, due to the proximity of existing housing.

7.7 **West Midlands Police**


Whilst no comment was received regarding the previous scheme, the Police have commented on the current proposal. Comment has been made in respect of the circular road and the potential for vehicles to speed around it; however, Highways have raised no such concerns, and traffic calming measures should ease any significant issues. Security, lighting and layout have also been referred to, but as the properties would all back on to one another, the opportunity for movement through the site is significantly limited, and as such, is the opportunity for crime and anti-social behaviour. External lighting can be imposed by condition. Overall, the Police raise no objection to the proposal.

- 7.8 **Lead Local Flood Authority** – No objection subject to condition.

- 7.9 **Severn Trent** - No objection subject to condition.

- 7.10 **Environment Agency** – The EA has been consulted in respect of flood risk, but they have not commented on the application. The application falls within a ‘flood zone 1’, as shown on the map below:

## Likelihood of flooding in this area

You can move the marker  on the map to identify a specific location. Alternatively draw a shape to identify an approximate site boundary.

[▶ How to draw a shape](#)

[Download printable map \(PDF\)](#)



Consequently, the EA will only comment on flood risk in such a zone when the application site is within 20 metres of a main river (the site is some 40 metres away from a main river) or is within an area identified as a 'critical drainage area'. Flood risk is therefore considered to be low at this site, and the Council should follow the advice of the Lead Local Flood Authority in an instance such as this. Refer to 7.8 above.

7.11 **Tree Preservation Officer** – No objection subject to a landscaping condition to ensure new tree planting to enhance the appearance of the development.

## 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 policies of the Council's Local Plan are relevant:-

CSP4: Place-Making

HOU2: Housing Density, Type and Accessibility

EMP5: Improving Access to the Labour Market

TRAN4: Creating Coherent Networks for Cycling and Walk

ENV3: Design Quality

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

ENV6: Open Space, Sport and Recreation

ENV7: Renewable Energy

ENV8: Air Quality

SAD H2: Housing Windfalls  
SAD EMP2: Training and Recruitment  
SAD EOS 4 - Community Open Space  
SAD EOS 9: Urban Design Principles

- 9.2 With regard to housing policy HOU2, the development would bring forward a larger house type into the area and add to the range of property types available in the Borough. In respect of policy SAD H2, the development site is not allocated for residential development in the Development Plan and therefore it is classed as a housing windfall site. The proposed residential development meets the guidance set out in the policy, in that it is considered that the open space is surplus to the Council's requirements and would bring an under-used piece of land back into beneficial use.
- 9.3 I have considered affordable housing policy; however, the previous application was submitted at a time when the Council trigger for affordable housing provision was 15 units (the trigger is now 10). Given that this development would provide 13 units, and taking into account that affordable housing compliance was not a reason for refusal of the previous application, I consider it unreasonable and unnecessarily onerous on the applicant to require compliance with affordable housing policy in this instance, under these exceptional circumstances.
- 9.4 With regards to the site being Community Open Space, the site was assessed as part of 2013 Green Space Audit and identified as 'high quality/low value'. Under these criteria, the change to a different use should be considered if the value could not be uplifted through change of the primary purpose. The Audit shows that Oldbury has over 60 hectares of amenity open space - the second highest in the Borough after West Bromwich. Oldbury and West Bromwich account for over 73% of outdoor sports provision in the Borough. The loss of the Brook Road, would have little impact on the overall provision of amenity space in the local area, as there are other amenity open spaces (Cakemore Playing Fields and Barnford Hill Park) within proximity. Consequently, the site was not assessed as part of the 2018 Green Space Audit as, following the land sale, the Council did not consider the site as part of its greenspace portfolio. Therefore, I am of the opinion, that the site should come forward for development based on the premise that, as the site was deemed 'high quality/low value' whilst in Council ownership, it is highly unlikely that the quality of the site as open space would be maintained or improved following the Council's disposal of the land. On balance, taking these factors into account, residential development would appear to me to be the most viable option for the site.

- 9.5 TRAN4 requires schemes to be well connected to aid cycling and walking which the layout of this development seeks to provide. The proposed garages would be sufficient to serve as secure cycle storage.
- 9.6 ENV3 and SAD EOS9 refers to well-designed schemes that provide quality living environments. In the main, the layout is considered to be acceptable subject to conditions relating to boundary and landscaping details.
- 9.7 ENV5 seeks the incorporation of sustainable drainage systems to assist with reducing the impact of flooding and surface run-off. The Lead Local Flood Authority has raised no objection subject to condition.
- 9.8 ENV7 concerns the generation of energy from renewable sources sufficient to off-set at least 10% of the estimated residual energy demand. With regards to a development of this size, this can be off-set by the building fabric.
- 9.9 ENV8 refers to mitigation measures to offset air quality issues, in this instance, electric vehicle charging infrastructure has been proposed.
- 9.10 EMP5 Improving Access to the Labour Market Training and Recruitment and SAD EMP2 – Training and Recruitment requires large employment generating schemes to provide opportunities for training and recruitment. This could be conditioned to secure these opportunities.

## **10. MATERIAL CONSIDERATIONS**

- 10.1 The material considerations relating to Government policy (NPPF) and proposals with the Development Plan have been referred to above in Sections 8 and 9. With regard to the other considerations these are highlighted below:

### **10.2 Loss of light, outlook or privacy**

With regards to residential amenity, I am of the opinion that the dwellings would be of a sufficient distance from existing dwellings as to cause no harm to the residential amenity of surrounding residents by way of a loss of light, outlook or privacy.

### **10.3 Layout and density / Design, appearance and materials**

The appearance and layout of the scheme is broadly satisfactory and the scheme meets the aspirations of design policy. The Urban Design team has been integral in ensuring that design quality was ingrained in the previous proposal and as a consequence of their previous involvement, it

is my opinion that the layout and design achieve the aspirations of national and local design policy.

#### **10.6 Access, highway safety, parking and servicing**

No objection has been received from Highways, subject to a condition relating to the retaining wall and highway technical detail.

#### **10.7 Flood risk**

The agent has provided a suitable drainage strategy to address surface water flooding. This has been approved by the Lead Local Flood Authority and can be ensured by condition. In terms of river flooding, the Environmental Agency maps show that the site falls within a low risk area (namely Flood Zone 1), where no mitigation is required in relation to river flooding.

#### **10.8 Planning history**

Given the refusal of the previous residential proposal on the grounds of highway matters, flood risk and loss open space, comments from the relevant professionals above highlight that there are no grounds on which to refuse the current application. Highways have stated that parking provision is plentiful and have raised no concerns in regards to highway safety; the Lead Local Flood Authority has raised no objection in respect of flood risk (furthermore, the site does not meet the criteria for comment by the Environment Agency); and the loss of open space cannot be credibly upheld as a reason for refusal, due to the site being long identified as surplus to the Council's open space requirements.

### **11. IMPLICATIONS FOR SANDWELL'S VISION**

11.1 The proposal supports Ambitions 3, 7, 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 7 – We now have many new homes to meet a full range of housing needs in attractive neighbourhoods and close to key transport routes.

11.4 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.

11.5 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 offers a housing scheme within the context of an established residential area which will assist in contributing toward the shortfall of housing identified within Sandwell.

12.2 Considering the comments of consultees, there are no robust planning grounds to withhold planning permission. The proposal is acceptable from a planning perspective and is recommended for approval subject to conditions.

## **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 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 Conditions would ensure local jobs and apprenticeships would be available during construction phase.

**20. IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND**

20.1 None.

**21. APPENDICES:**

Location Plan

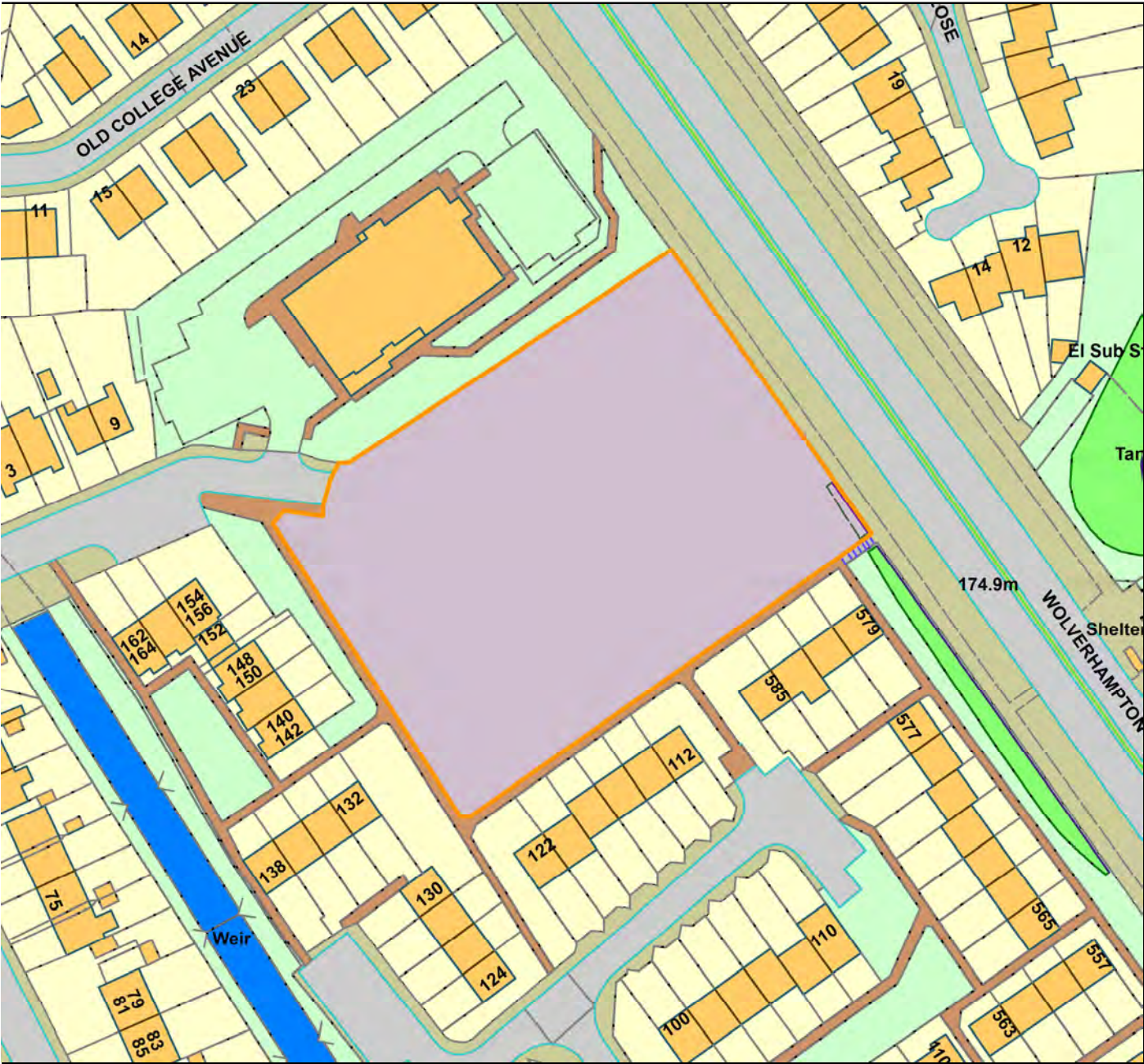
Context Plan

Plan No. Location Plan 1

Plan No. PL/BROOK/2019/001 D

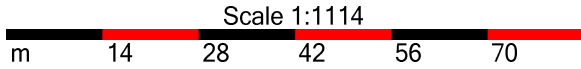
Plan No. PL/BROOK/2019/002 D

DC/20/64505  
 Brook Road Open Space, Wolverhampton Road



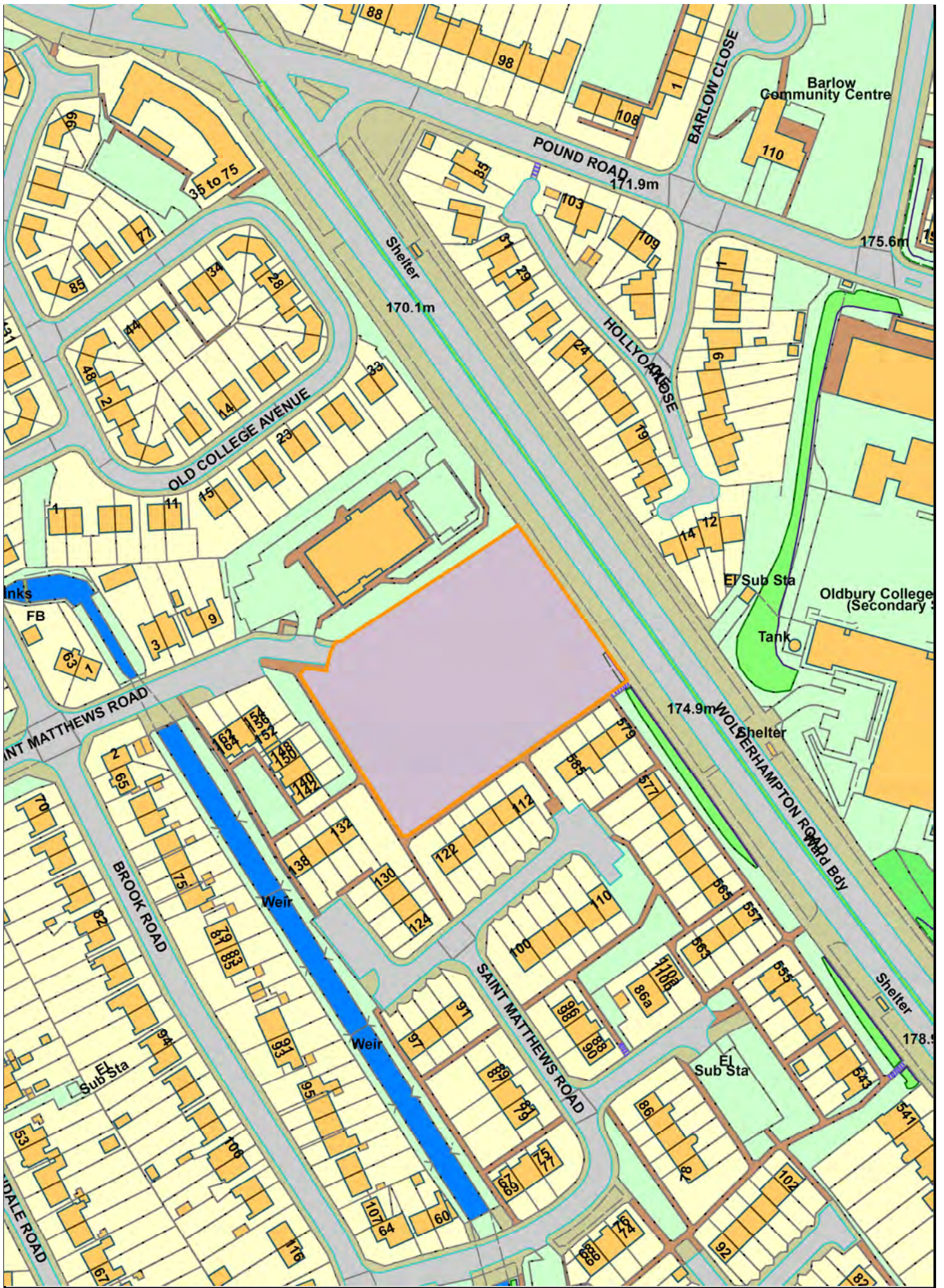
**Legend**

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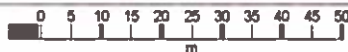
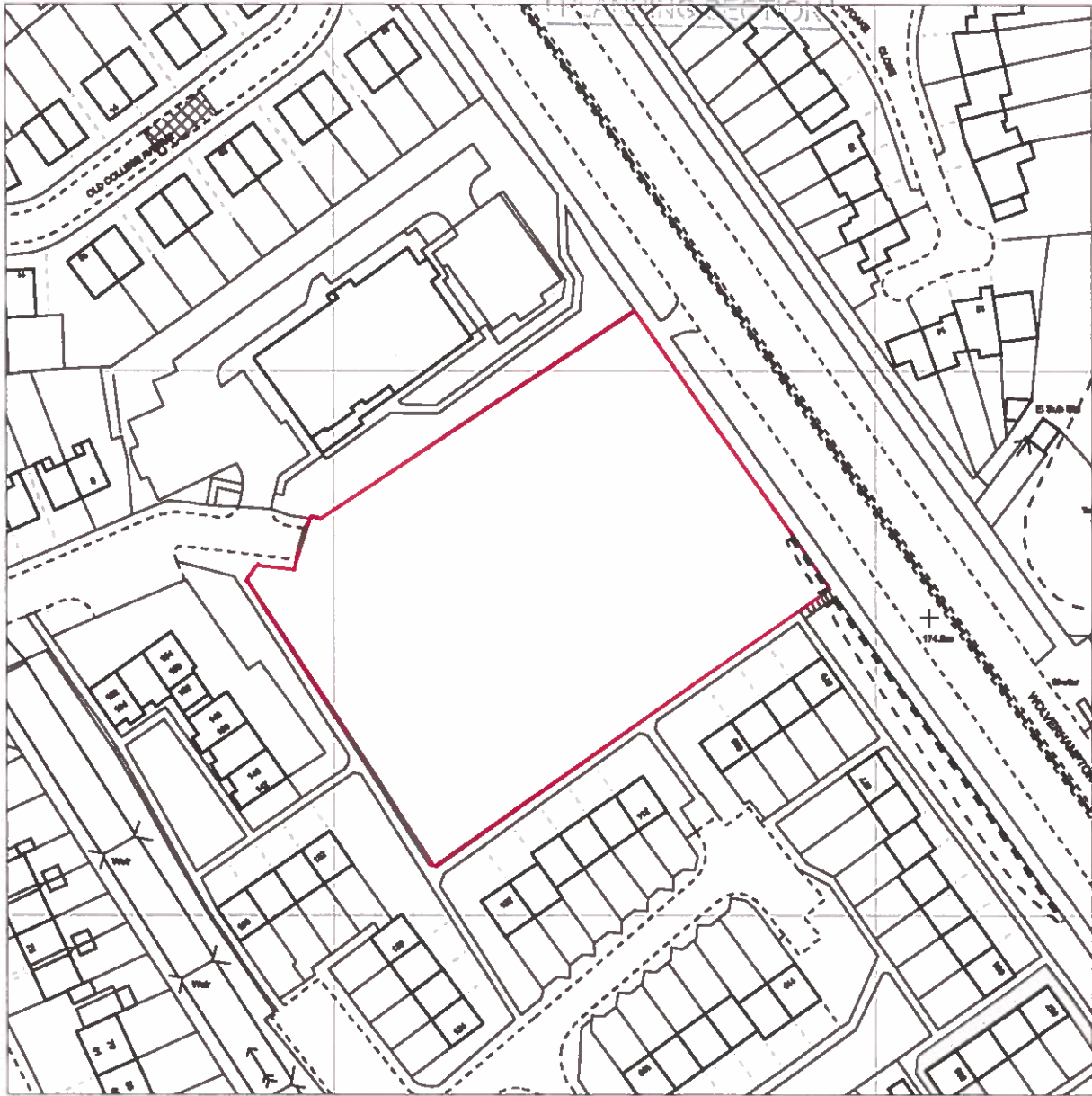


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 Ordnance Survey Licence No 100023119

<b>Organisation</b>	Not Set
<b>Department</b>	Not Set
<b>Comments</b>	Not Set
<b>Date</b>	26 August 2020
<b>OS Licence No</b>	



RECEIVED  
12.11.18  
PLANNING SECTION



BROOK  
ROAD/WOLVERHAMPTON  
ROAD

OS MasterMap 1250/2500/10000 scale  
30 January 2017, ID: BW1-00595019  
[www.blackwellmapping.co.uk](http://www.blackwellmapping.co.uk)

1:1250 scale print at A4, Centre: 399240 E, 286867 N

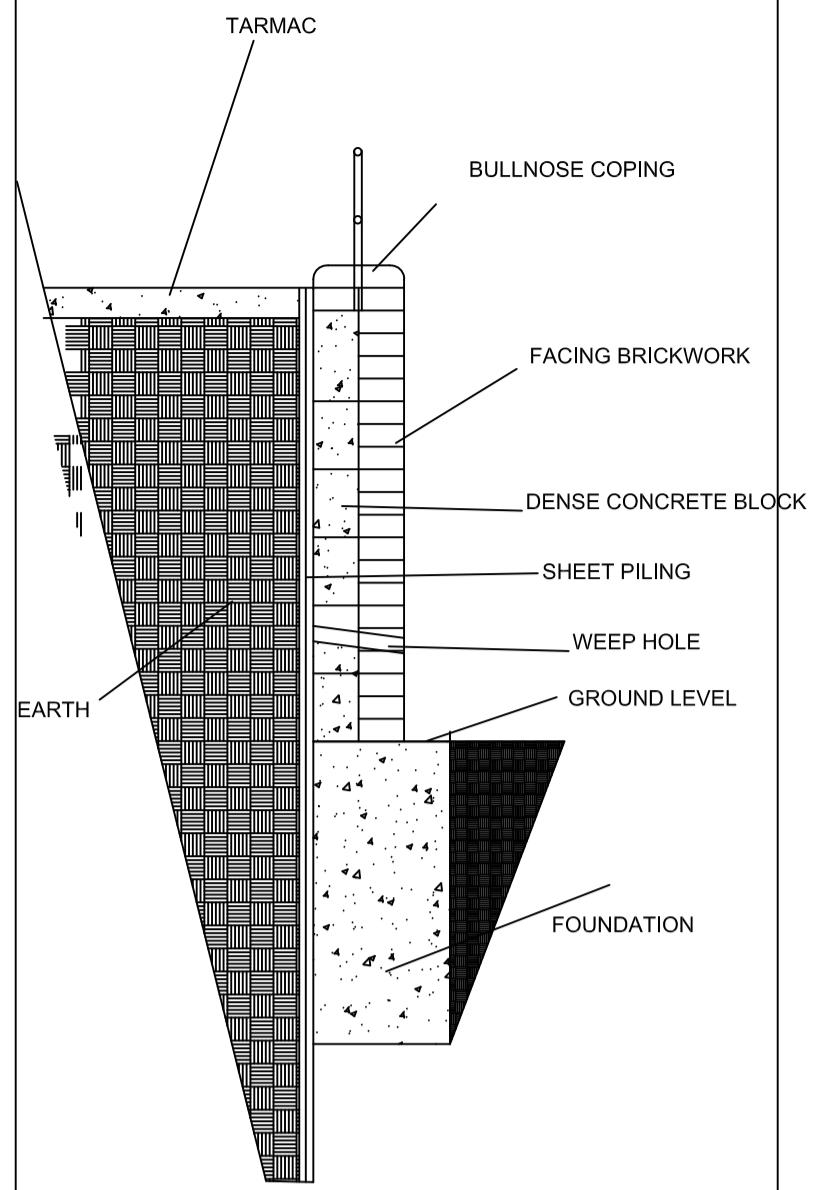
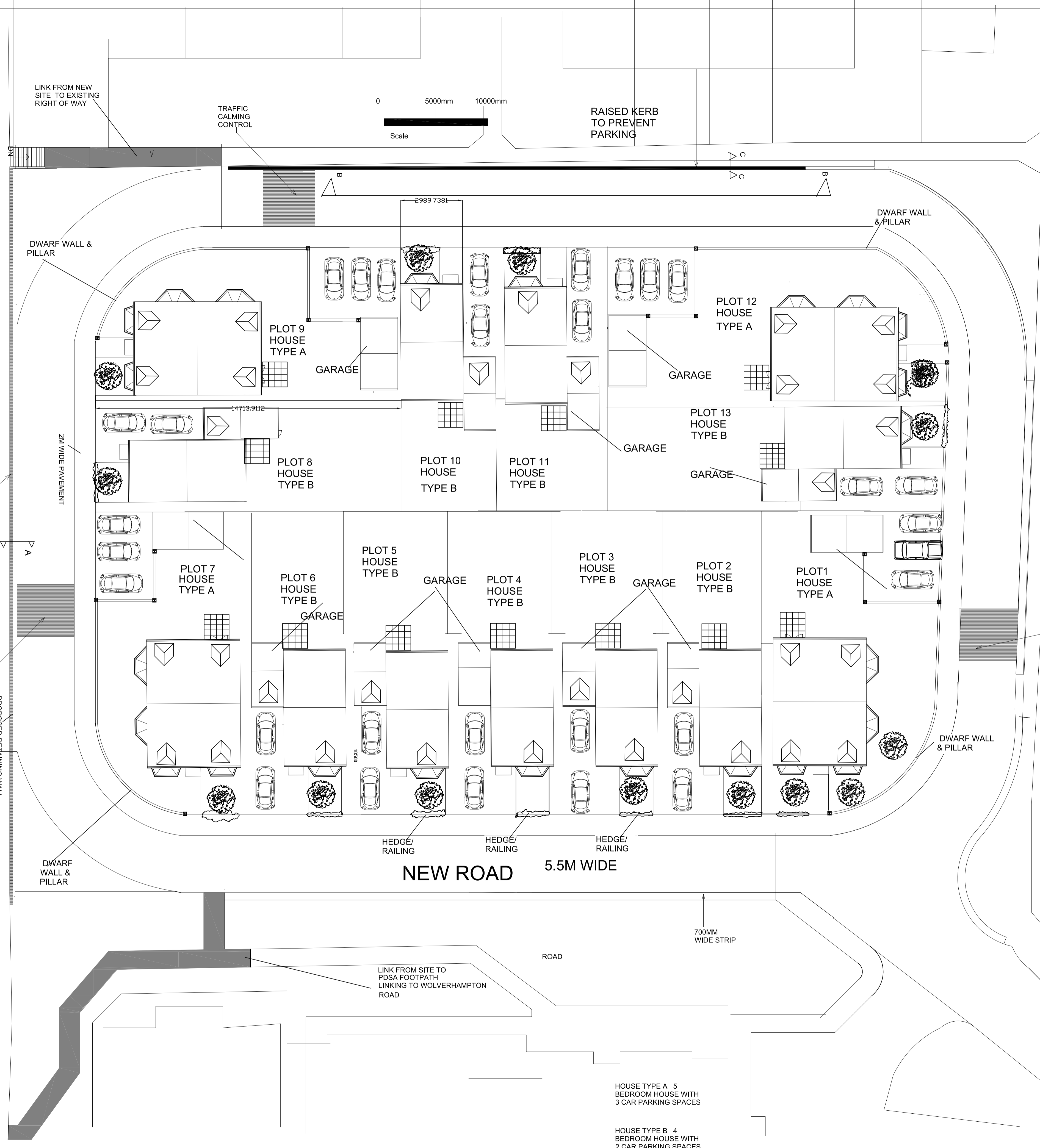
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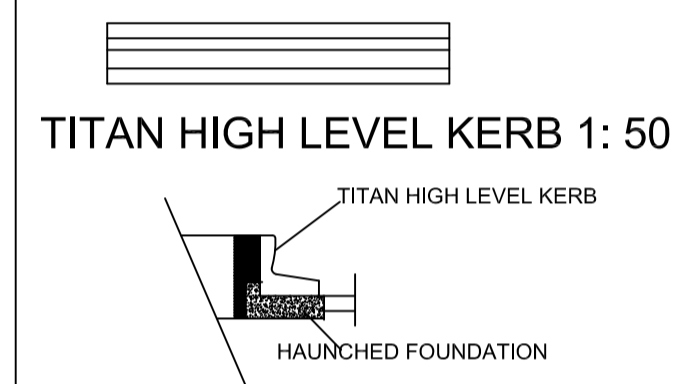
**BLACKWELL'S**  
[www.blackwellmapping.co.uk](http://www.blackwellmapping.co.uk)

TEL: 0114 288 7658  
[maps.sheffield@blackwell.co.uk](mailto:maps.sheffield@blackwell.co.uk)

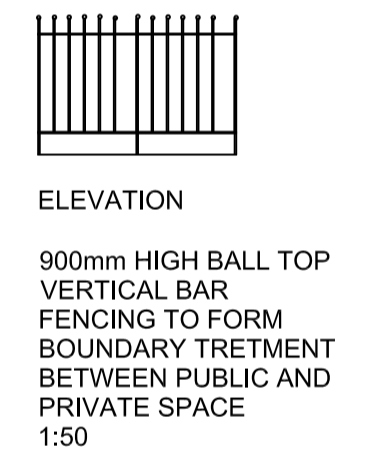
WOLVERHAMPTON ROAD



SECTION A-A  
1:50



SECTION C-C  
1:50



STATUS PURPOSE OF ISSUE  
PLANNING

AMARTEY S A DESIGN BUILD LTD

PROJECT  
BROOK OPEN SPACE PROPOSED HOUSING SCHEME

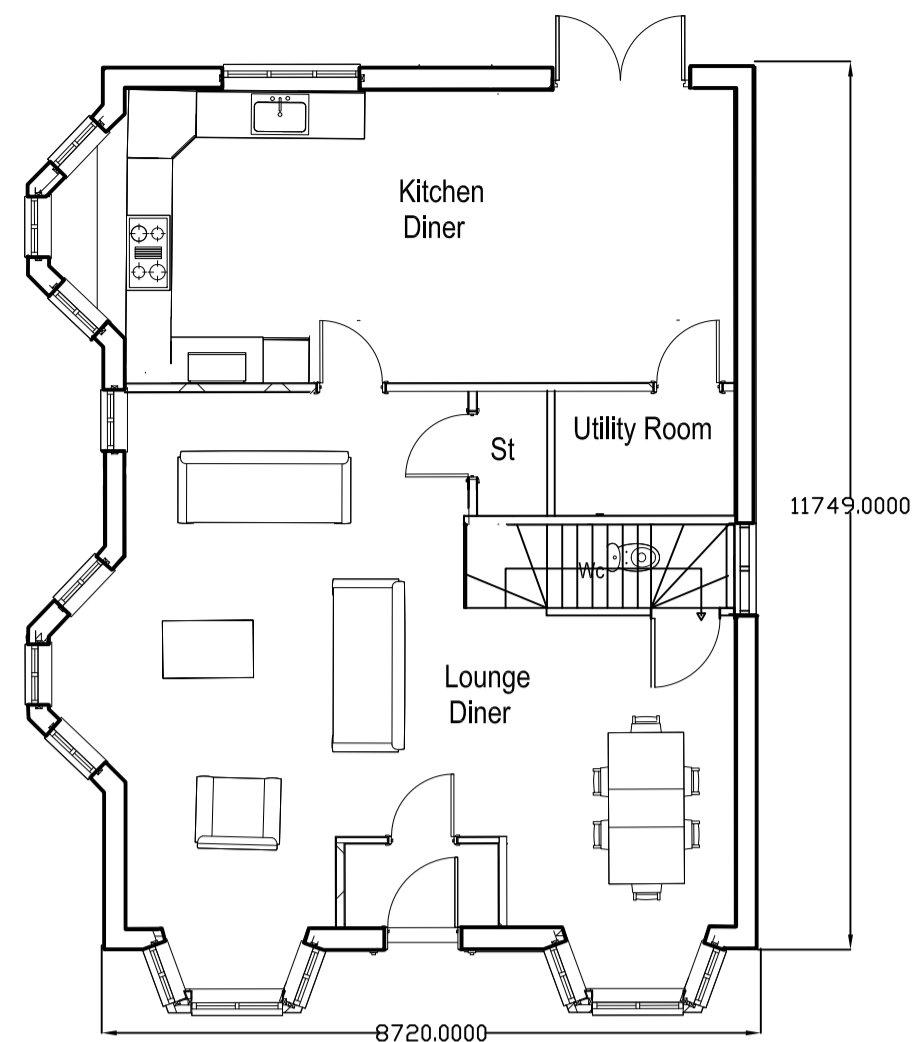
TITLE  
PROPOSED SITE PLAN & DETAIL SECTIONS

CLIENT  
MR RAJESH SOOD

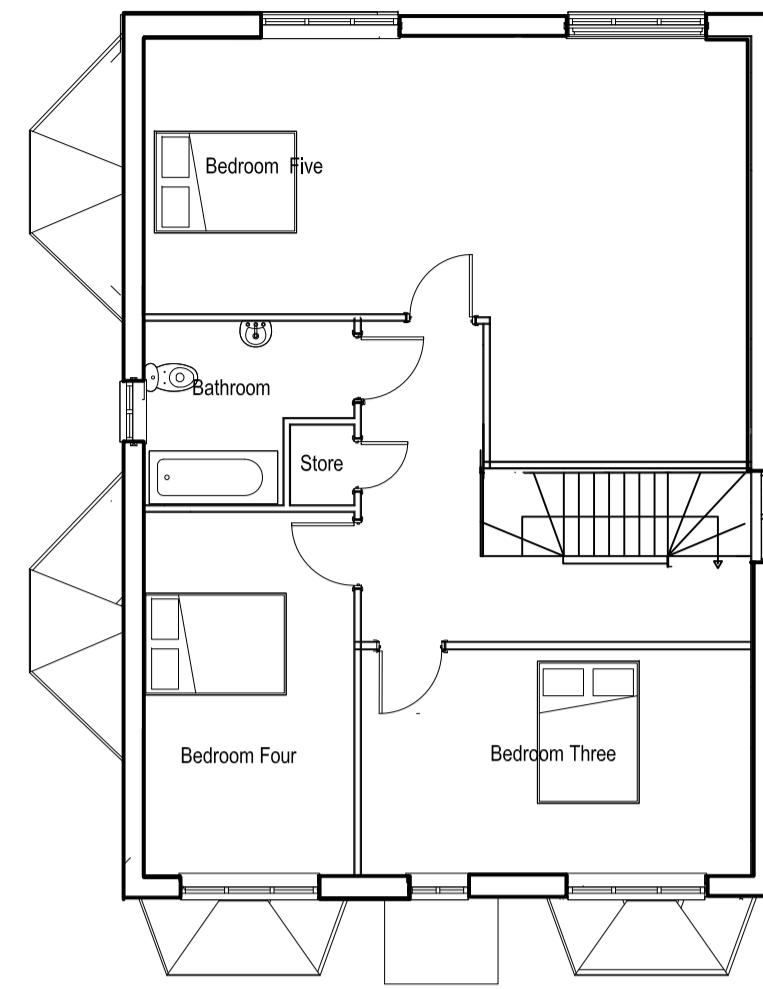
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APRIL 2019

SCALE 1:200 1:50 PROJECT NUMBER

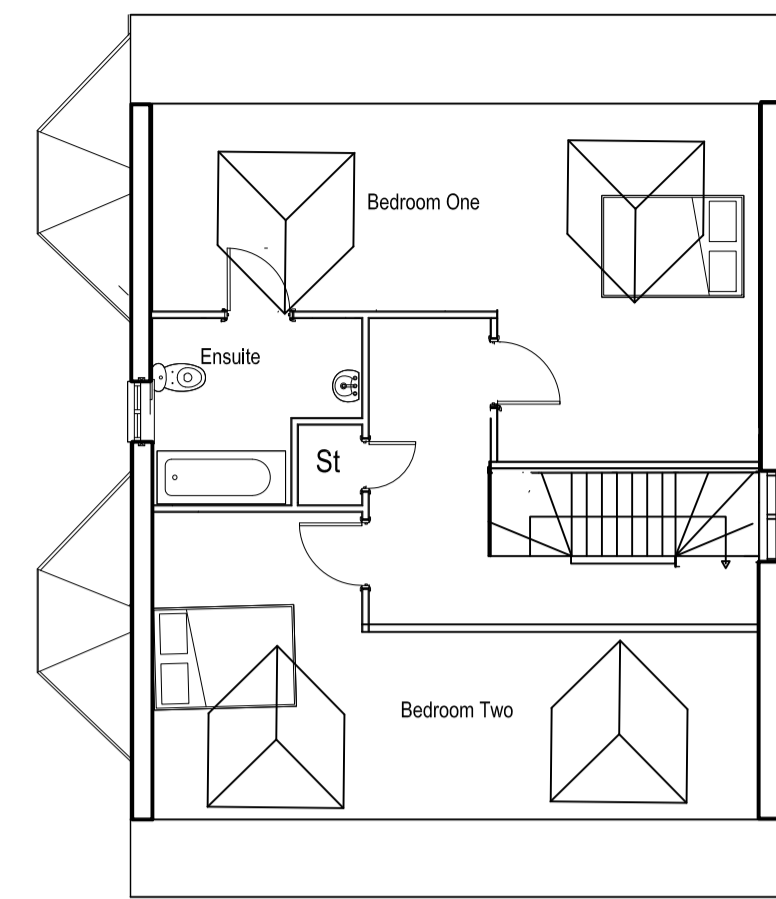
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PL/BROOK/2019/001 D



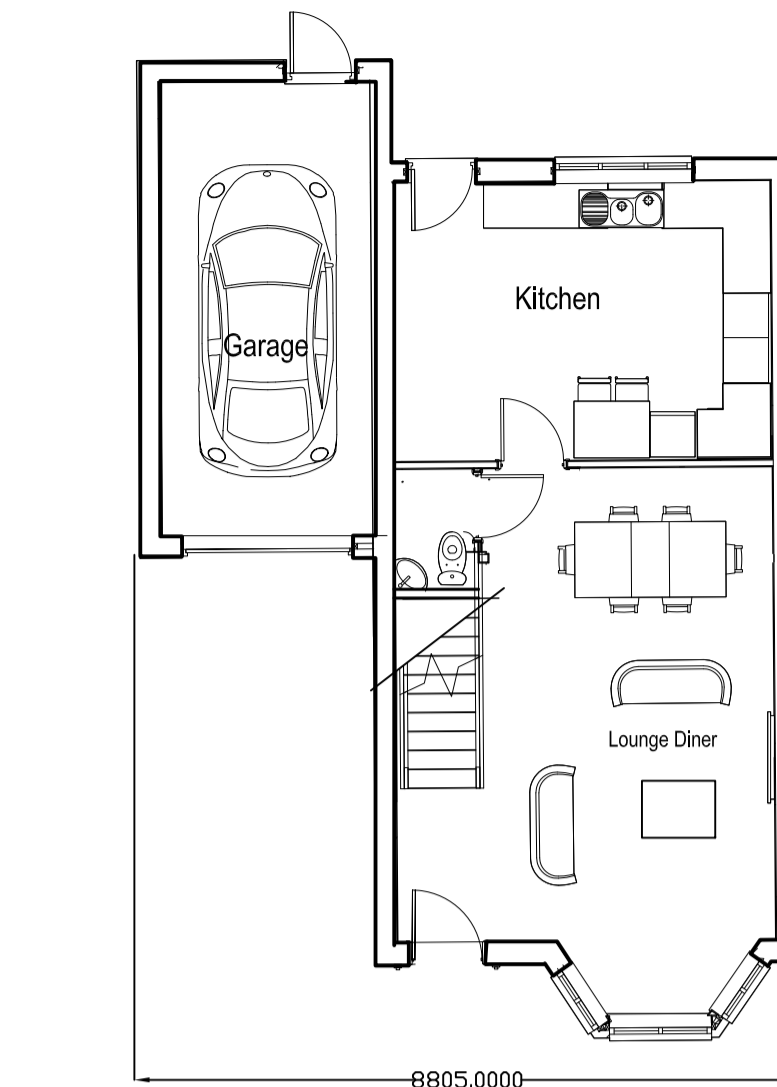
PROPOSED GROUND FLOOR  
PLAN HOUSE TYPE A 1:100



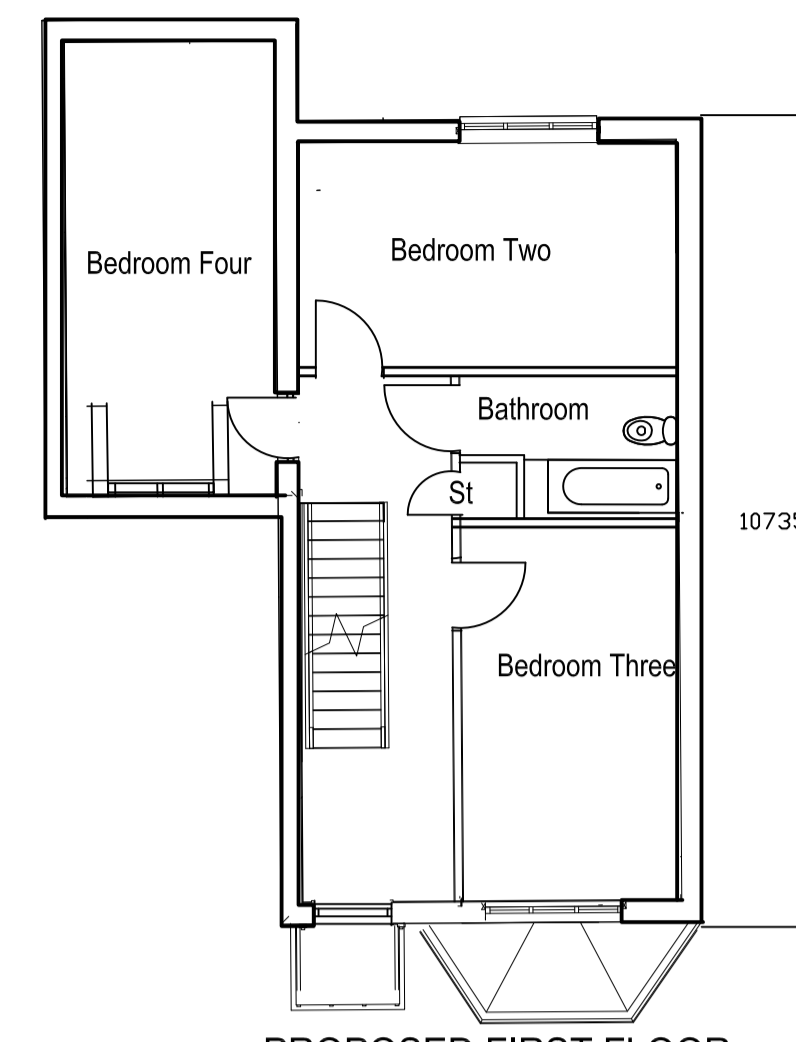
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PLAN HOUSE TYPE A 1:100



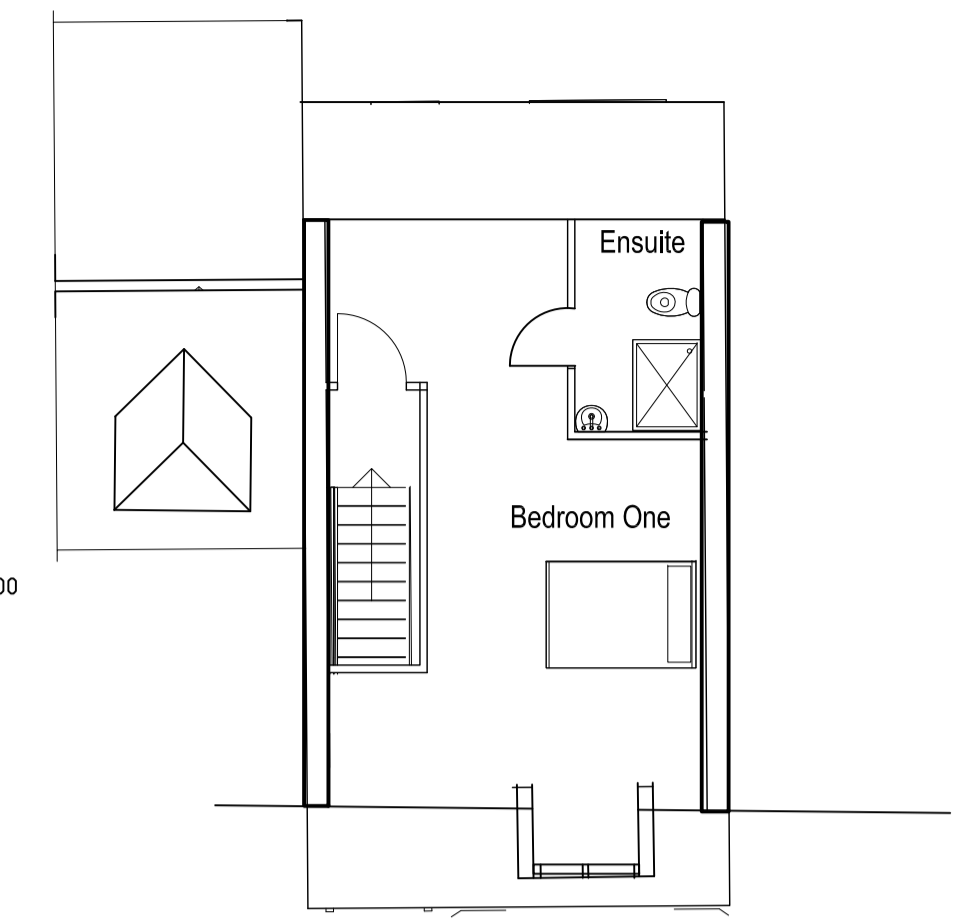
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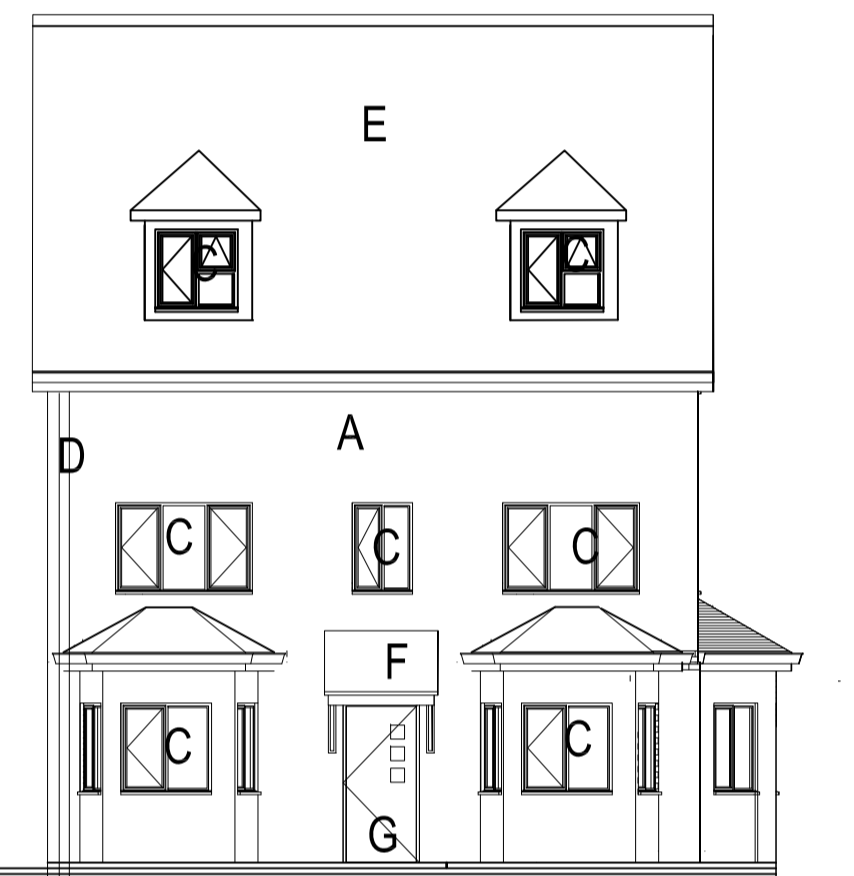
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PLAN HOUSE TYPE B 1:100



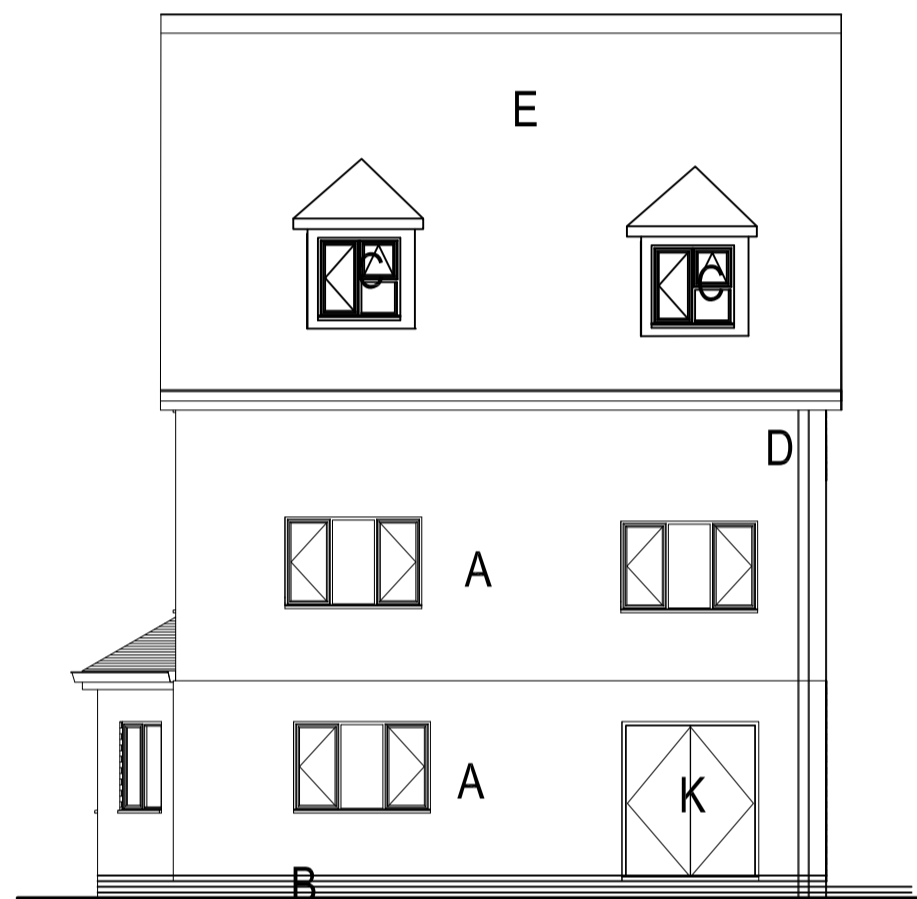
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PLAN HOUSE TYPE B 1:100



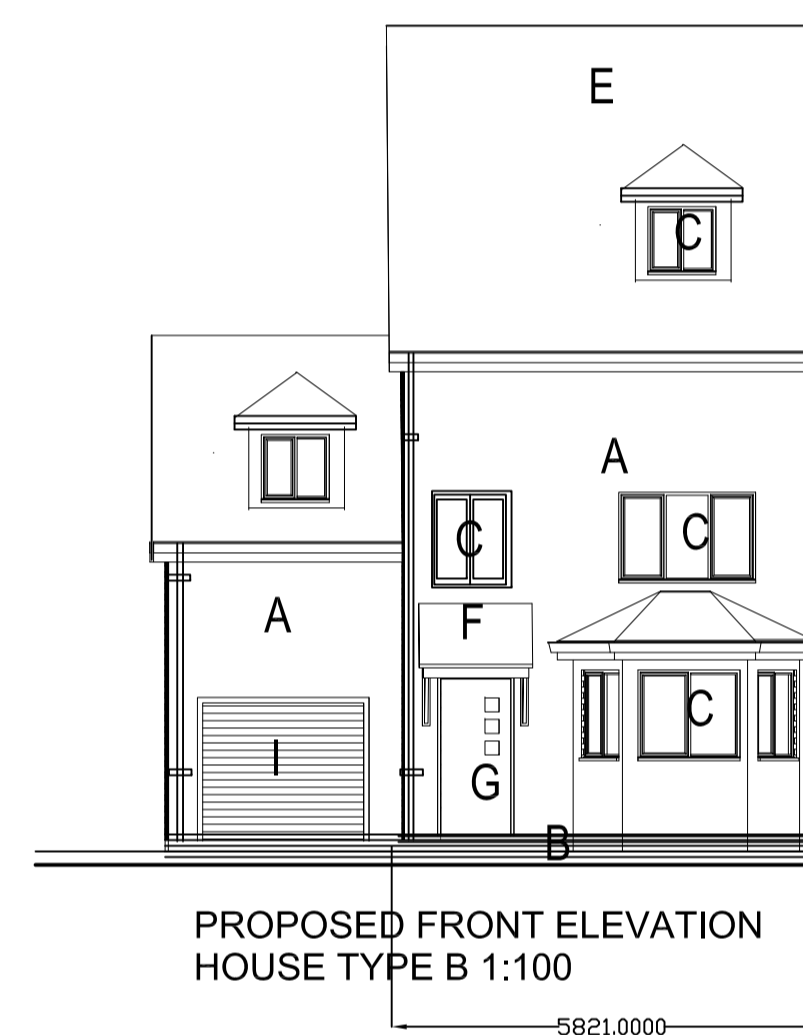
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PLAN HOUSE TYPE B 1:100



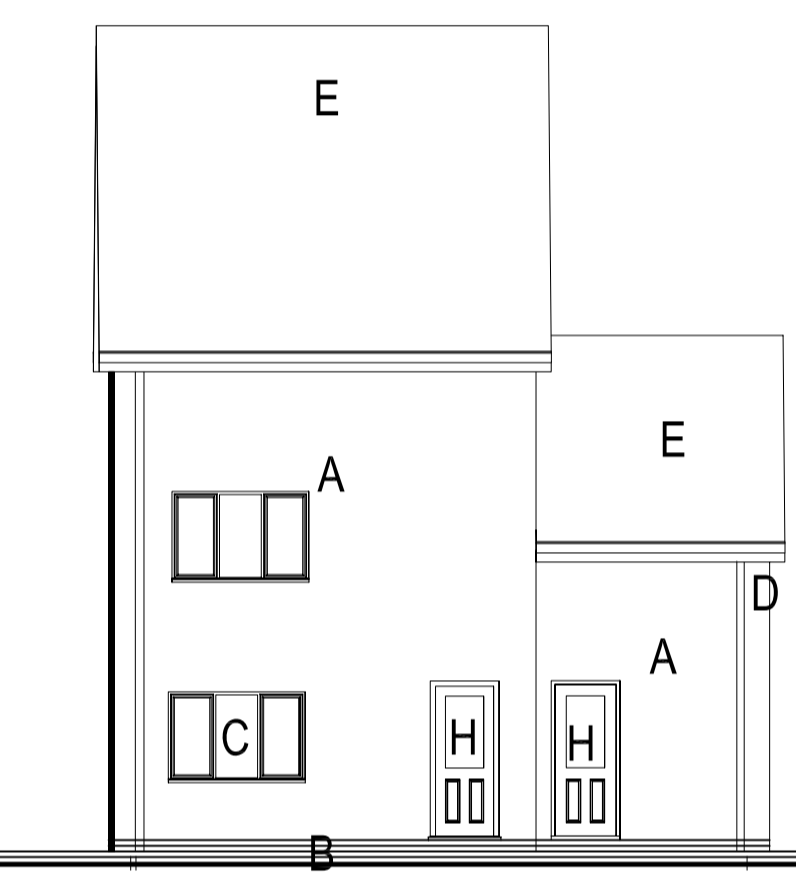
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ELEVATION HOUSE TYPE A  
1:100



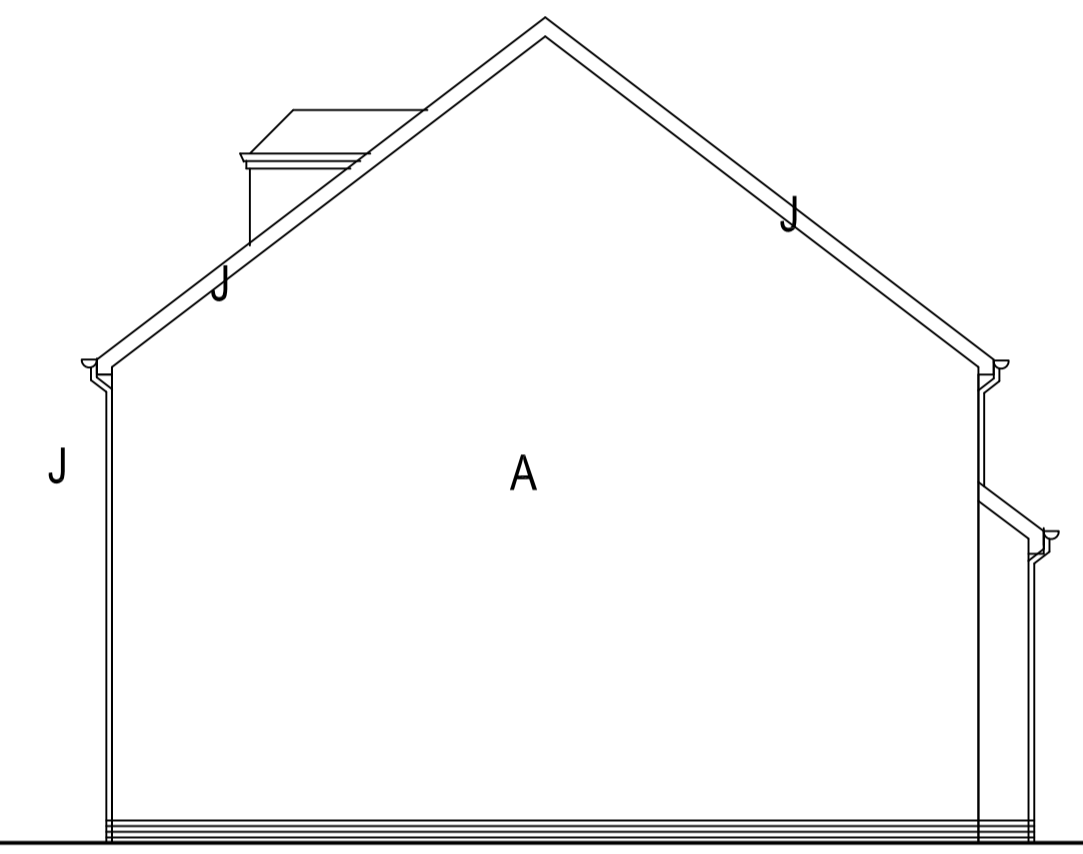
PROPOSED REAR ELEVATION  
HOUSE TYPE A 1:100



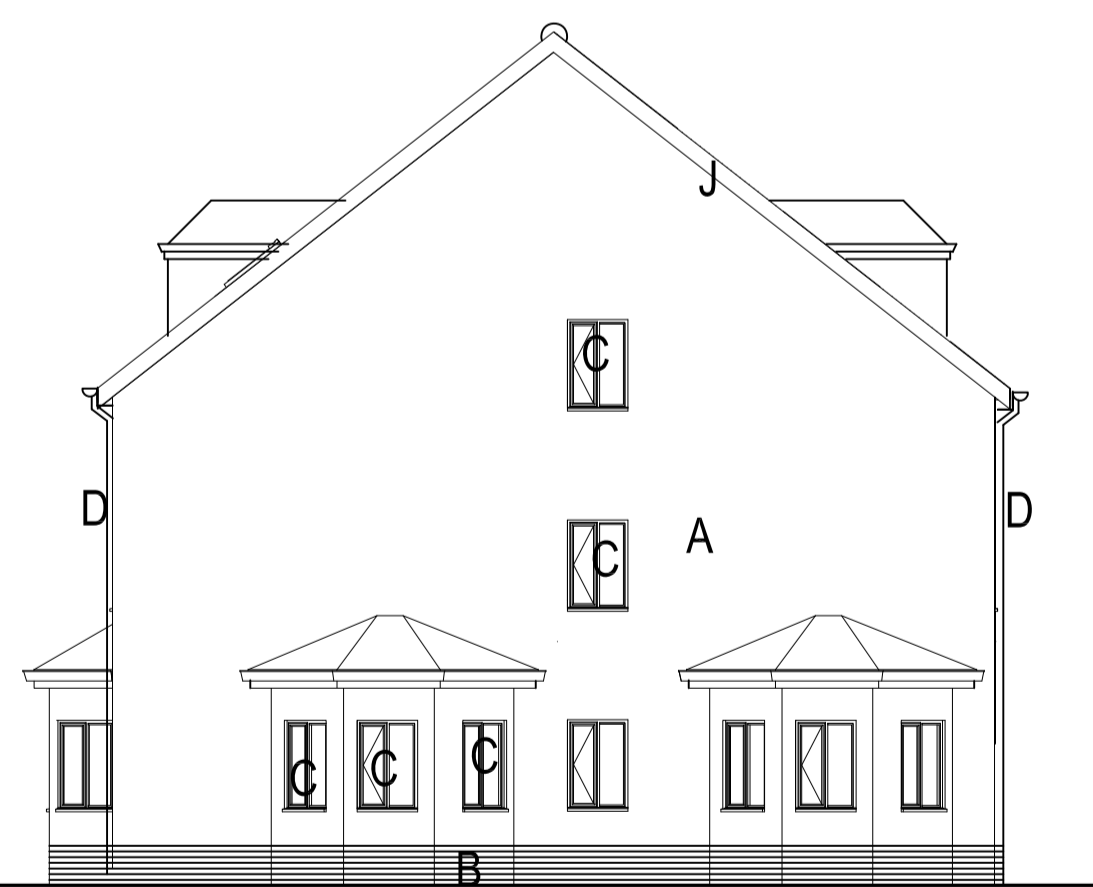
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HOUSE TYPE B 1:100



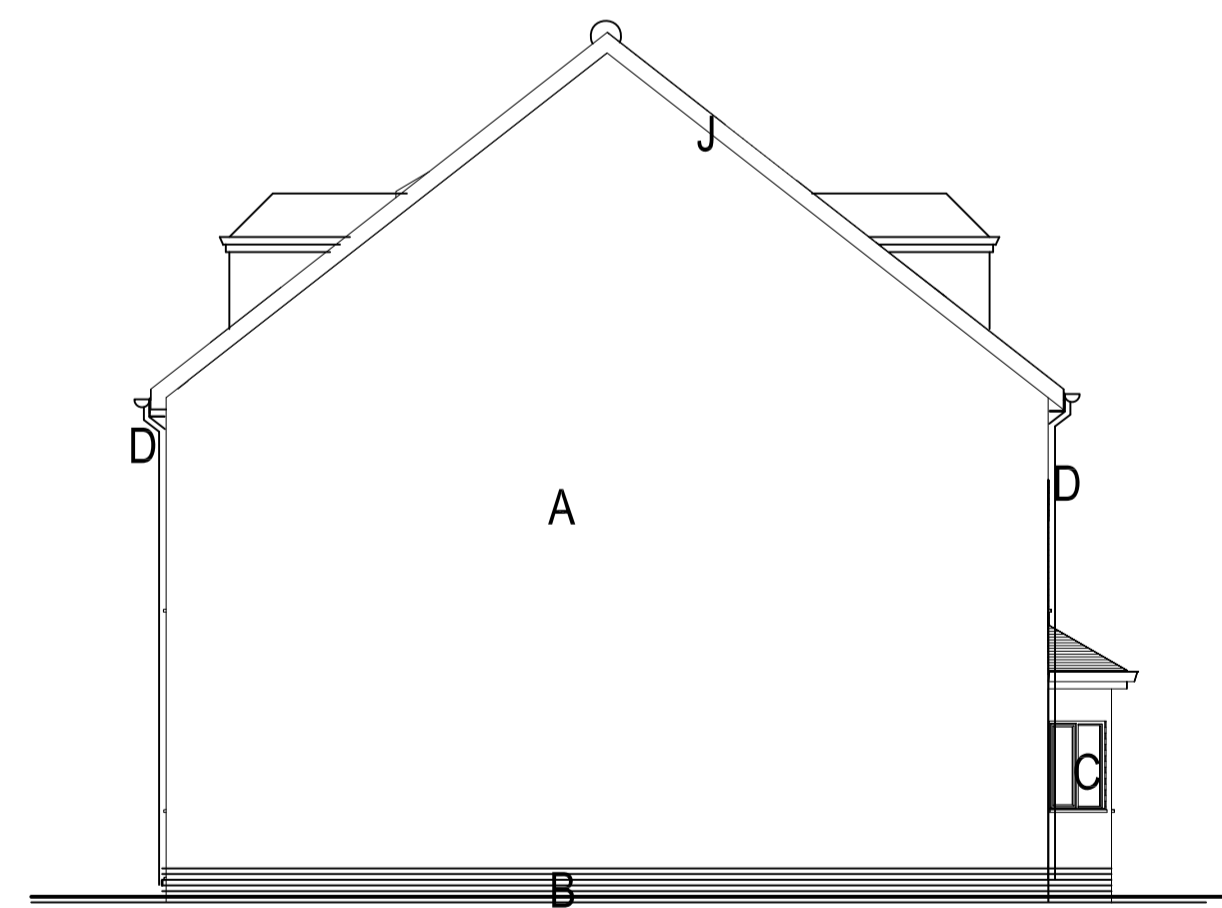
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HOUSE TYPE B 1:100



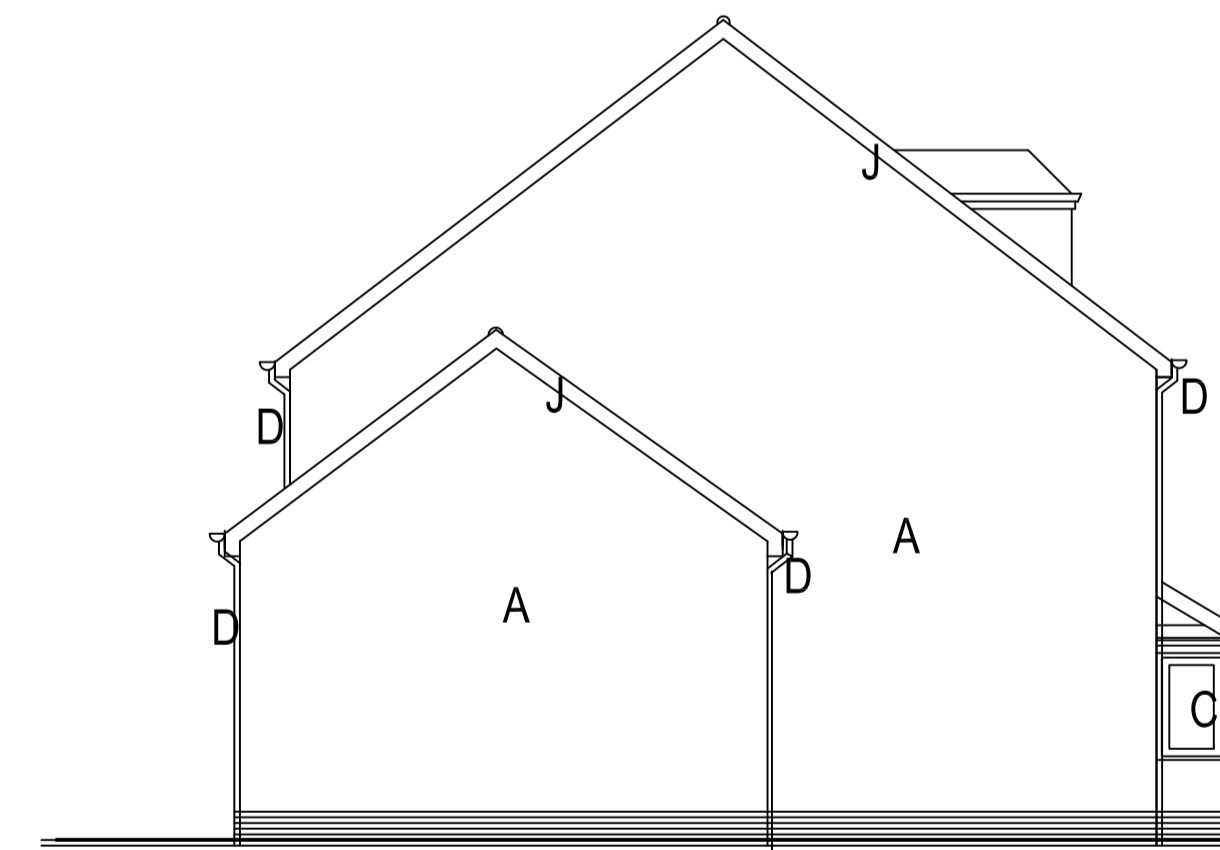
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TYPE B 1:100



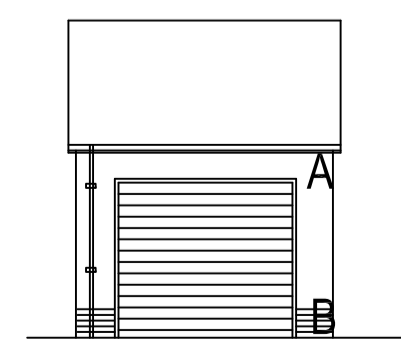
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HOUSE TYPE A 1:100



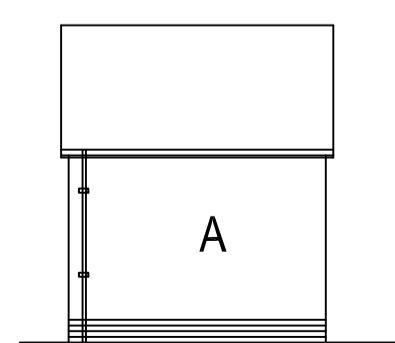
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SIDE ELEVATION HOUSE  
TYPE A 1:100



PROPOSED SIDE ELEVATION  
HOUSE TYPE B 1:100

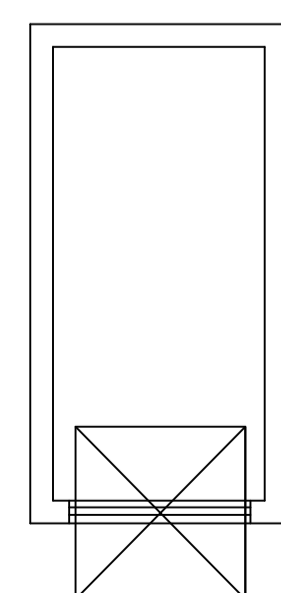


PROPOSED FRONT  
ELEVATION DETACHED  
GARAGE 1:100



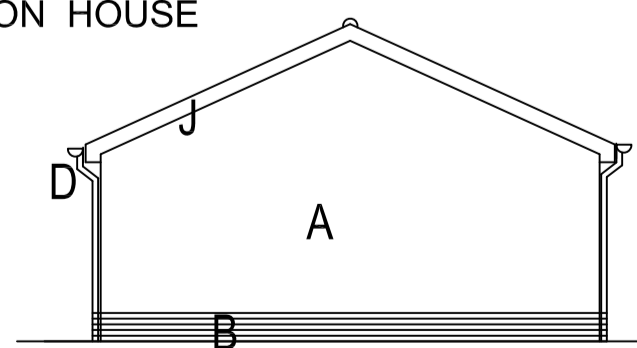
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ELEVATION DETACHED  
GARAGE 1:100

B

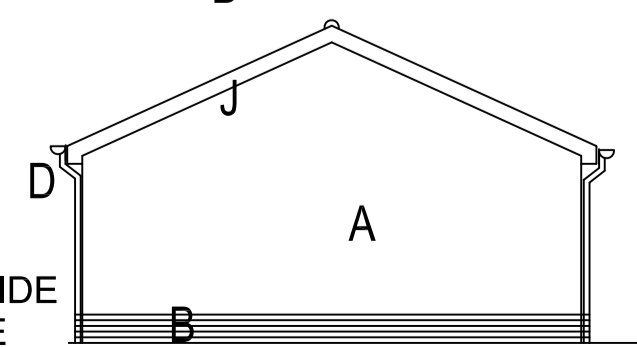


PROPOSED PLAN  
DETACHED GARAGE 1:100

PROPOSED SIDE  
ELEVATION 1:100



PROPOSED SIDE  
ALTERNATIVE  
ELEVATION 1:100




MATERIALS SCHEDULE

- A IBSTOCK BRICK
- B BLUE ENGINEERING BRICKS
- C GREY PVC -U WINDOWS / DOUBLE DOOR
- D BLACK GUTTER & DOWNPIPES
- E GREY CEMBRIT SLATE TILES
- F CANOPY
- G FRONT DOOR
- H 2 X G REAR DOOR
- I UP & OVER GARAGE DOOR
- J GREY PLASTIC SOFFIT & FACIA
- K GREY FRENCH DOORS

STATUS	PURPOSE OF ISSUE PLANNING	
AMARTEY S A DESIGN BUILD LTD		
PROJECT BROOK OPEN SPACE PROPOSED HOUSING SCHEME		
TITLE PROPOSED SITE PLANS & ELEVATIONS		
CLIENT MR RAJESH SOOD		
DRAWN BY	CHECKED BY	DATE APRIL 2019
SCALE 1:200 1:50		PROJECT NUMBER
DRAWING NUMBER PL/BROOK/2019/002		REV D

## Planning Committee

**9 September 2020**

<b>Subject:</b>	Applications Determined Under Delegated Powers
<b>Director:</b>	Interim Director – Regeneration and Growth Tammy Stokes
<b>Contribution towards Vision 2030:</b>	
<b>Contact Officer(s):</b>	<p>John Baker Service Manager - Development Planning and Building Consultancy <a href="mailto:John_baker@sandwell.gov.uk">John_baker@sandwell.gov.uk</a></p> <p>Alison Bishop Development Planning Manager <a href="mailto:Alison_bishop@sandwell.gov.uk">Alison_bishop@sandwell.gov.uk</a></p>

### DECISION RECOMMENDATIONS

#### That Planning Committee:

Notes the applications determined under delegated powers by the Interim 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 Interim 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.

**Tammy Stokes**  
**Interim 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/19/63765 Hateley Heath	JH Lavender And Co Limited Crankhall Lane West Bromwich B71 3JZ	Proposed demolition of Hall Green House and Stables.	Grant Conditional Listed Building Consent  7th August 2020
DC/20/64058 West Bromwich Central	2 Victoria Street West Bromwich B70 8ET	Proposed 8 No. self-contained apartments.	Grant Permission Subject to Conditions  31st July 2020
DC/20/64112 St Pauls	1 - 7 Crystal Drive Smethwick B66 1QG	Demolition of existing building and proposed construction of a building for storage and distribution with ancillary offices including external alterations, altered vehicle and pedestrian access, new service yard with car parking and cycle provisions.	Grant Permission Subject to Conditions  18th August 2020
DC/20/64155 Blackheath	The Hawthorns 162 Ross Rowley Regis B65 8BW	Proposed single/double storey side extension and ground floor front extension to pub with the conversion of living accommodation into 2 No. self contained	Grant Permission with external materials  28th July 2020

		apartments.	
DC/20/64209 Tipton Green	Tipton Swimming Centre Alexandra Road Tipton DY4 8TA	Proposed installation of air intake grills to plant room.	Grant Permission  28th July 2020
DC/20/64221 Cradley Heath & Old Hill	Grab Away Corngreaves Trading Estate Overend Road Cradley Heath B64 7DD	Retention of change of use to an aggregate recycling facility.	Grant Conditional Temporary Permission  20th August 2020
DC/20/64256 Great Barr With Yew Tree	2 Mallow Close Walsall WS5 4RF	Proposed two storey side and single storey side/rear extension.	Grant Permission with external materials  7th August 2020
DC/20/64260 Hateley Heath	Land At JH Lavender And Co Limited Crankhall Lane West Bromwich B71 3JZ	Proposed storage facility.	Grant Permission Subject to Conditions  7th August 2020
DC/20/64263 Great Bridge	Wren Kitchens Whitehall Road Tipton DY4 7JR	Retention of portacabin.	Grant Retrospective Permission  7th August 2020
DC/20/64272 West Bromwich Central	94 Tildasley Street West Bromwich B70 9SJ	Proposed three storey building to provide 9 No. dwelling units.	Grant Permission Subject to Conditions  21st August 2020
DC/20/64280	53 Thursfield Road	Proposed two storey side	Grant

Charlemont With Grove Vale	West Bromwich B71 3DP	and rear extension.	Permission Subject to Conditions  31st July 2020
DC/20/64282  West Bromwich Central	Central Sixth New Street West Bromwich Ringway West Bromwich B70 7PG	Proposed 1.8m Phil Lynott memorial statue.	Grant Permission  28th July 2020
DC/20/64293  Abbey	131 Abbey Road Smethwick B67 5LS	Proposed porch with canopy to front and single storey rear extension and raised platform with steps to rear.	Grant Permission with external materials  24th July 2020
DC/20/64297  Greets Green & Lyng	99 Dawes Avenue West Bromwich B70 7LR	Retention of ground floor extension and outbuilding at rear	Grant Conditional Retrospective Consent  30th July 2020
DC/20/64298  Great Bridge	Land Corner Charles Street Great Bridge Street West Bromwich	Proposed change of use to car wash.	Grant Permission Subject to Conditions  7th August 2020
DC/20/64308  Great Barr With Yew Tree	122 Birmingham Road Great Barr Birmingham B43 7AE	Proposed single and two storey side and front extensions and single/two storey rear extensions.	Refuse permission  21st August 2020
DC/20/64309  Oldbury	73 Macdonald Close Tividale Oldbury B69 3LD	Proposed extension of 1.82m boundary fence to back of pavement.	Grant Permission  14th August 2020

DC/20/64355 Charlemont With Grove Vale	4 Ray Hall Lane Great Barr Birmingham B43 6JE	Retention of single storey rear extension.	Grant Retrospective Permission  19th August 2020
DC/20/64317 Charlemont With Grove Vale	24 Hollyhedge Road West Bromwich B71 3AA	Proposed single storey side extension to replace garage.	Grant Permission with external materials  24th July 2020
DC/20/64324 Great Bridge	153 Whitehall Road West Bromwich B70 0HQ	Proposed single storey rear/side extension.	Grant Permission with external materials  24th July 2020
DC/20/64328 Langley	Land At Junction 2 M5 Motorway Birchley Island Wolverhampton Road Oldbury	Proposed installation of a synchronous gas- powered standby generation facility, ancillary infrastructure, equipment, access and palisade fencing.	Grant Permission Subject to Conditions  5th August 2020
DC/20/64329 Hateley Heath	Salisbury House Lily Street West Bromwich B71 1QD	Proposed first floor store extension.	Grant Permission  7th August 2020
DC/20/64330 Charlemont With Grove Vale	16 Grove Vale Avenue Great Barr Birmingham B43 6BZ	Proposed single and two storey rear extension, first floor side extension (amendment to previously approved of DC/20/63927).	Refuse permission  3rd August 2020
DC/20/64331	21 Columbine Close Walsall	Proposed single storey side and rear extension.	Grant Permission with

Great Barr With Yew Tree	WS5 4RQ		external materials  5th August 2020
DC/20/64333 Friar Park	37 Park Hill Wednesbury WS10 0RH	Proposed single storey side and rear extension.	Grant Permission with external materials  31st July 2020
DC/20/64334 Great Bridge	6 Oakley Avenue Tipton DY4 0PR	Proposed single storey rear extension.	Grant Permission with external materials  3rd August 2020
DC/20/64336 Old Warley	24 Maypole Road Oldbury B68 0HL	Proposed porch to front, two storey side and first floor side/rear extension with roof alterations.	Grant Permission with external materials  19th August 2020
DC/20/64338 Tividale	14 Regent Avenue Tividale Oldbury B69 1TJ	Proposed loft conversion including hip to gable roof extension, front velux roof light and rear dormer window (Lawful Development Certificate).	Grant Lawful Use Certificate  30th July 2020
DC/20/64345 St Pauls	Warley Supermarket 30 Fenton Street Smethwick B66 1HR	Retention of external security office including fruit and veg store, canopy and attached roller shuttered/enclosed area adjoining to Warley Supermarket.	Refuse permission  31st July 2020
PD/20/01459 Greets Green &	81 Kelvin Way West Bromwich B70 7LE	Proposed single storey rear extension measuring: 6m L x 4m H	P D Householder not required

Lyng		(3m to eaves)	27th July 2020
DC/20/64343 Wednesbury South	23 Waterside Avenue Wednesbury WS10 0DS	Proposed single storey side and rear extension to join onto existing conservatory.	Grant Permission with external materials  5th August 2020
PD/20/01458 West Bromwich Central	Terry Duffy House 1 Thomas Street West Bromwich B70 6NT	Proposed change of use from business/office to education centre use for Sandwell College.	P D Com to Education Required & Granted  5th August 2020
DC/20/64349 Tipton Green	42 Standbridge Way Tipton DY4 8TS	Proposed garage conversion to a living room.	Grant Permission with external materials  5th August 2020
DC/20/64354 Wednesbury South	36 The Bantocks West Bromwich B70 0PA	Proposed single and two storey rear extension.	Grant Permission with external materials  7th August 2020
DC/20/64357 Great Barr With Yew Tree	18 Poppy Drive Walsall WS5 4RB	Proposed single storey side extension and front porch.	Grant Permission with external materials  12th August 2020
DC/20/64362 Tipton Green	6 William Barrows Way Tipton DY4 9EA	Proposed garden canopy at rear.	Grant Permission  14th August 2020

DC/20/64364 Blackheath	33 Central Avenue Rowley Regis B65 8BA	Proposed front porch.	Grant Permission with external materials
PD/20/01460 Great Bridge	120 Highfield Road Ocker Hill Tipton DY4 0QR	Proposed single storey rear extension measuring 6.0m L x 3.6m H (2.50m to the eaves)	P D Householder not required  24th July 2020
DC/20/64365 Old Warley	23 Hadzor Road Oldbury B68 9LA	Proposed pitch roof to flat roof on main house.	Grant Permission with external materials  12th August 2020
DC/20/64363 Abbey	106 Gladys Road Smethwick B67 5AN	Proposed change of use from dog grooming parlour to residential dwelling.	Grant Permission  21st August 2020
DC/20/64368 Blackheath	23 Uplands Avenue Rowley Regis B65 9PS	Proposed single and two storey extensions to side and rear, and single storey front extension (previously approved application DC/14/56762).	Grant Permission with external materials  12th August 2020
DC/20/64374 Great Barr With Yew Tree	Nairncroft 58 Hill Lane Great Barr Birmingham B43 6NA	Retention of outbuilding to rear of property with air conditioning unit on rear wall.	Grant Conditional Retrospective Consent  12th August 2020
PD/20/01462	397 City Road Oldbury	Proposed single storey rear extension	P D Householder not

Tividale	B69 1QZ	measuring: 6.00m H x 3.60 L (2.50m to eaves)	required  24th July 2020
DC/20/64372  Charlemont With Grove Vale	60 Bustleholme Lane West Bromwich B71 3AN	Proposed garage conversion to bathroom and utility room and single storey rear extension.	Grant Permission with external materials  5th August 2020
DC/20/64373  Greets Green & Lyng	8 Dora Road West Bromwich B70 7SR	Retention of outbuilding to rear of property.	Grant Conditional Retrospective Consent  12th August 2020
DC/20/64376  Abbey	Kashmir Cottage 422 Bearwood Road Smethwick B66 4EY	Proposed single storey rear extension and change of use of 1st floor to a 1 No. bedroom flat.	Grant Permission Subject to Conditions  14th August 2020
DC/20/64379  Soho & Victoria	Land High Street Smethwick B66 3NJ	Proposed 20m Phase 8 Telecommunications Monopole C/W wraparound cabinet at base and associated ancillary works.	Prior Approval is Required and Granted  12th August 2020
DC/20/64380  Abbey	Land Abbey Road Smethwick B67 5RA	Proposed 20m Phase 8 Telecommunications Monopole C/W wraparound cabinet at base and associated ancillary works.	Prior Approval is Required and Refused  14th August 2020
DC/20/64381  Bristnall	Land On The Corner Of Bleakhouse Road And George Road	Proposed 20m telecommunications monopole, cabinet at base and associated	Prior Approval is Required and Granted



	Oldbury B68 9LN	ancillary works.	12th August 2020
DC/20/64382 Tividale	170 Oakham Road Tividale Oldbury B69 1QQ	Proposed single storey rear extension.	Grant Permission with external materials  14th August 2020
DC/20/64384 Cradley Heath & Old Hill	48 Church Street Cradley Heath B64 6DS	Proposed single storey rear extension.	Grant Permission with external materials  21st August 2020
PD/20/01464 Old Warley	84 Lewis Road Oldbury B68 0PX	Proposed single storey rear extension measuring 4.6m L x 2.8m H (2.8m to the eaves)	P D Householder not required  24th July 2020
DC/20/64386 Oldbury	80 - 82 Birchfield Lane Oldbury B69 2AY	Proposed extension to the existing industrial/warehouse unit - (revised application - DC/15/57980).	Grant Permission Subject to Conditions  19th August 2020
DC/20/64387 Bristnall	91 Warley Road Oldbury B68 9SY	Retention of rear outbuilding.	Grant Permission Subject to Conditions  17th August 2020
DC/20/64390 Charlemont	110 Bustleholme Lane West Bromwich	Proposed two storey side and single storey front and rear extensions, new	Grant Permission Subject to

With Grove Vale	B71 3AW	hipped/pitched roof over existing first floor rear extension and covered barbeque area to rear. (Amendment to previously approved DC/19/63352).	Conditions  18th August 2020
DC/20/64396  Great Barr With Yew Tree	37 Sundial Lane Great Barr Birmingham B43 6PB	Proposed single storey front extension.	Grant Permission with external materials  5th August 2020
DC/20/64393  Tividale	Telecommunications Mast SWL10533 Adjacent 173A New Birmingham Road Tividale Oldbury	Proposed 20m Phase 8 Telecommunications Monopole C/W wrapround cabinet at base and associated ancillary works.	Prior Approval is Required and Granted  17th August 2020
PD/20/01467  Abbey	95 Rathbone Road Smethwick B67 5JE	Proposed single storey rear extension measuring: 4.00m L x 2.70m H (2.70m to eaves)	P D Householder not required  7th August 2020
PD/20/01468  St Pauls	125 Bowden Road Smethwick B67 7NX	Proposed single storey rear extension measuring: 5.0m L x 4.0m H (2.0m to eaves)	P D Householder not required  30th July 2020
DC/20/64400  Tipton Green	19 Peel Street Tipton DY4 8RG	Proposed creation of garage within existing car port structure with roller shutter to front	Grant Permission  26th August 2020
DC/20/64401	18 Peel Street Tipton	Proposed creation of garage within existing car	Grant Permission

Tipton Green	DY4 8RG	port structure with roller shutter to front.	26th August 2020
DC/20/64406 Great Bridge	60 Sannders Crescent Tipton DY4 7NU	Proposed single storey side and rear extension.	Grant Permission with external materials  14th August 2020
DC/20/64408 Greets Green & Lyng	41 Kelvin Way West Bromwich B70 7LJ	Proposed single storey side and rear extensions.	Grant Permission with external materials  24th August 2020
DC/20/64409 Great Bridge	35 Daisy Meadow Tipton DY4 7BG	Proposed single storey side and rear extension.	Grant Permission with external materials  5th August 2020
DC/20/64410 Soho & Victoria	Unit 8 Windmills Shopping Centre Cape Hill Smethwick B66 3PR	Proposed change of use from vacant Carphone Warehouse (A1 use) to a mixed class coffee shop (A1/A3 use).	Grant Permission  21st August 2020
DC/20/6692A Soho & Victoria	Unit 8 Windmills Shopping Centre Cape Hill Smethwick B66 3PR	Proposed 2 No. internally illuminated fascia signs, 1 No. internally illuminated projecting sign and vinyl window signage to front and rear elevations.	Grant Advertisement Consent  21st August 2020
DC/20/6693A	Highfields	Proposed 14 No. non-	Grant

West Bromwich Central	High Street West Bromwich B70 8RJ	illuminated direction and information signs.	Advertisement Consent  21st August 2020
DC/20/64413 Bristnall	5 Reservoir Road Oldbury B68 9QQ	Retention of front canopy and boundary wall.	Grant Permission with external materials  26th August 2020
DC/20/64417 Wednesbury North	83 Goldby Drive Wednesbury WS10 9LN	Proposed raising of roof height of existing extension to include loft conversion with dormers to front and rear.	Grant Permission with external materials  12th August 2020
PD/20/01470 Charlemont With Grove Vale	25 Alexandra Crescent West Bromwich B71 3AG	Proposed single storey rear extension measuring: 6.00m L x 3.90m H (2.90m to eaves)	P D Householder not required  28th July 2020
PD/20/01472 West Bromwich Central	67 Grafton Road West Bromwich B71 4EB	Proposed single storey rear extension measuring: 4.5m L x 4.0m H (3.0m to eaves)	P D Householder not required  5th August 2020
DC/20/64427 Soho & Victoria	17 Barrett Street Smethwick B66 4SE	Proposed loft conversion with dormer window at rear (Lawful Development Certificate).	Grant Lawful Use Certificate  30th July 2020
DC/20/64435 Charlemont With Grove Vale	3 Himley Close Great Barr Birmingham B43 6PX	Retention of single storey front extension to include bay window, side extension and gazebo and outbuilding in the rear garden.	Grant Conditional Retrospective Consent  24th August


			2020
DC/20/6694A Greets Green & Lyng	84 Bromford Lane West Bromwich B70 7HW	Proposed 1 No. non-illuminated fascia sign.	Grant Advertisement Consent  5th August 2020
PD/20/01474 St Pauls	23A Victoria Road Oldbury B68 9UJ	Proposed single storey rear extension measuring 3m L x 4m H (3m to the eaves)	P D Householder required and granted  14th August 2020
PD/20/01473 Rowley	2 Ash Street Cradley Heath B64 5PW	Proposed single storey rear extension measuring 4.5m L 3.6m H (2.33m to the eaves)	P D Householder required and granted  12th August 2020
DC/20/64433 West Bromwich Central	382 High Street West Bromwich B70 9LB	Proposed change of use from business and financial/professional services (Use Class A2 and B1) to Children's Nursery (Use Class D1).	Grant Permission  12th August 2020
DC/20/64434 Charlemont With Grove Vale	155 Newton Road Great Barr Birmingham B43 6HN	Proposed single storey side and rear extensions with side loft dormer window, and new basement.	Grant Permission with external materials  26th August 2020
PD/20/01475 St Pauls	40 Mushroom Hall Road Oldbury B68 8JL	Proposed single storey rear extension measuring: 4.00m L x 3.00m H (3.00m to eaves)	P D Householder not required  10th August 2020

DOC/20/00207 Great Barr With Yew Tree	Yew Tree Primary School Birchfield Way Walsall WS5 4DX	Proposed discharge of condition 7a of planning permission DC/18/62026.	Discharged  7th August 2020
PD/20/01476 Smethwick	81 Francis Road Smethwick B67 7HJ	Proposed single storey rear extension measuring 6m L x 4m H (3m to the eaves)	P D Householder not required  21st August 2020
DC/20/64460 Soho & Victoria	Puffing Billy Raglan Road Smethwick B66 3SU	Proposed demolition of public house.	Grant Demolition Consent  30th July 2020
PD/20/01480 Princes End	7 Brunel Drive Tipton DY4 9LY	Proposed single storey rear extension (with wooden structure) measuring 5.9m L x 3.0m H (2.5m to the eaves)	P D Householder required and granted  19th August 2020
PD/20/01481 Old Warley	32 Harvington Road Oldbury B68 0JF	Proposed single storey rear extension measuring: 3.825m L x 3.6m H (2.4m to eaves)	P D Householder not required  24th August 2020
DC/20/64480 Great Barr With Yew Tree	17 Beacon Close Great Barr Birmingham B43 6PG	Proposed outbuilding at rear.	Grant Permission Subject to Conditions
PD/20/01483 St Pauls	121 Great Arthur Street Smethwick B66 1DE	Proposed single storey rear extension measuring: 6.0m L x 4.0m H (3.0m to eaves)	P D Householder not required

			24th August 2020
PD/20/01484 Wednesbury North	18 Beech Road Wednesbury WS10 9NS	Proposed single storey rear extension measuring 6m L x 2.8m H (2.7m to the eaves)	P D Householder not required  24th August 2020
PD/20/01486 St Pauls	31 Beacon Close Smethwick B66 1BQ	Proposed single storey rear extension measuring: 6.0m L x 3.7m H (2.5m to eaves)	P D Householder not required  24th August 2020
PD/20/01487 Great Barr With Yew Tree	124A Birmingham Road Great Barr Birmingham B43 7AE	Proposed single storey rear extension measuring: 8.0m L x 3.65 H (3.0m to eaves) (resubmission of PD/20/01451).	P D Householder not required  24th August 2020
PD/20/01499 Old Warley	68 Cornwall Avenue Oldbury B68 0SW	Proposed single storey rear conservatory measuring 4.1m L x 3.4m H (2.2m to the eaves)	P D Householder not required  24th August 2020

## Planning Committee

**9 September, 2020**

<b>Subject:</b>	Decisions of the Planning Inspectorate
<b>Director:</b>	Interim Director – Regeneration and Growth Tammy Stokes
<b>Contribution towards Vision 2030:</b>	
<b>Contact Officer(s):</b>	<p>John Baker Service Manager - Development Planning and Building Consultancy <a href="mailto:John_baker@sandwell.gov.uk">John_baker@sandwell.gov.uk</a></p> <p>Alison Bishop Development Planning Manager <a href="mailto:Alison_bishop@sandwell.gov.uk">Alison_bishop@sandwell.gov.uk</a></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:-

<b>Application Ref No.</b>	<b>Site Address</b>	<b>Inspectorate Decision</b>
DC/19/63418	57 Broadway Oldbury B68 9DP	Allowed
DC/20/63962	47 The Crescent Cradley Heath B64 7JS	Dismissed
DC/20/64002	24 Kendal Rise Oldbury B68 8ER	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.

**Tammy Stokes**

**Interim Director – Regeneration and Growth**



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## Appeal Decision

Site visit made on 7 July 2020 by S Watson BA(Hons) MSc

Decision by Kenneth Stone BSc(Hons) DipTP MRTPI

An Inspector appointed by the Secretary of State

Decision date: 4<sup>th</sup> August 2020

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Appeal Ref: APP/G4620/D/20/3244652

57 Broadway, Oldbury B68 9DP

- 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 R Wade against the decision of Sandwell Metropolitan Borough Council.
  - The application Ref DC/19/63418, dated 12 August 2019, was refused by notice dated 28 October 2019.
  - The development is described as proposed single storey rear extension and 2 storey side extension.
- 

### Decision

1. The appeal is allowed, and planning permission is granted for proposed single storey rear extension and 2 storey side extension at 57 Broadway, Oldbury B68 9DP in accordance with the terms of the application, Ref DC/19/63418, dated 12 August 2019 subject to the following conditions:
  - 1) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
  - 2) The development hereby permitted shall be carried out in accordance with the approved plans listed: 1:1250 Location Plan & Drawing No CA-224-02.

### Appeal Procedure

2. The site visit was carried out by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

### Preliminary Matter

3. Works relating to the two-storey side extension and rear extension have started and therefore I am considering the appeal on this basis.

### Main Issues

4. The main issues in this case are the effect of the development on:
  - The character and appearance of the street scene including No 55 Broadway, the adjoining semi-detached dwelling, and
  - The living conditions of the neighbouring occupiers, with regard to outlook.

## Reasons for the Recommendation

### *Character and Appearance*

5. The appeal site is on the north side of Broadway, set back from the highway by a grass verge and residential access road serving the dwellings on this side of the road. While it appears that the row was originally formed of uniform semi-detached dwellings, many have subsequently been extended and altered, including two-storey side extensions. Nevertheless, there are still some properties, such as on the appeal site, which do not have two-storey side extensions.
6. The two-storey side extension projects forward of the front elevation of the host dwelling. In this way it is very similar to those side extensions elsewhere on the street. While the Council may usually expect a set back from the front elevation and set down from the roof, I find such a requirement would not be appropriate in this location given the surrounding street scene. Conversely, the development before me replicates the style used elsewhere in the street and is therefore sympathetic to its character and appearance.
7. No 55 Broadway is the other half of the pair to the appeal property. It is the last dwelling in the row of properties on this stretch of the road and does not have a two-storey side extension. Given its position at the end of the row I find that some variation in its appearance is not out of place with the street scene. In light of this I find that the development before me does not unacceptably harm the symmetry of the pair of dwellings as a result of their differences.
8. In conclusion the two-storey side extension does not harm the character and appearance of the street scene and the pair of semi-detached dwellings of which it forms part. As such the development complies with Policy ENV3 of the Black Country Core Strategy, and Policy EOS9 of the Site Allocations and Delivery Plan Document which collectively require development to be of a high quality and respond to the identity of their surroundings. It also complies with the purpose of the Revised Residential Design Guide Supplementary Planning Document (SPD), which amongst other matters requires extensions to be in proportion to the scale of the existing dwelling and street scene.

### *Living Conditions*

9. None of the policies that the Council has put before me and drawn to my attention relate directly to the living conditions of neighbouring occupiers, nor do they refer to the 45° code line. Neither does the extract from the SPD with which I have been provided refer to the 45° code line. Although I note there is reference in the SPD to proposals which might impact unduly on neighbouring properties. As such I have reverted to the National Planning Policy Framework (the Framework) and based my assessment on its policies. Relevant to this appeal, Paragraph 127(f) **requires that developments "create places... with a high standard of amenity for existing and future users"**.
10. The outlook from the rear facing patio doors serving No 55 would, prior to development starting, have had a largely open outlook. The only restriction to this being the tall boundary fence, to the west of the doors, between them and the appeal site. The single storey rear extension extends above the height of this fence, but by only a relatively limited amount in comparison to the height of the fence. Given this I find that although there would be some further

impact on the outlook towards the west, this would not be so significant as to result in harm to the living conditions enjoyed by occupants of that property in the use of the room that the patio doors serve. The quality of the outlook is further maintained by the openness towards the north and east which would still provide a pleasant outlook.

11. In light of the above I find that the outlook of the neighbouring occupiers at No 55 Broadway are not unacceptably affected by the single storey rear extension. In this way the development does not harm the living conditions of the neighbouring occupiers and complies with the amenity requirements of Paragraph 127(f) of the Framework. Moreover, there would be no conflict with the SPD which sets out that the over intensification of individual dwellings will be resisted where they unduly impact on neighbouring properties.

#### Conditions

12. The Council has suggested conditions it would wish to see imposed in the event that the appeal was allowed. I have considered the suggested conditions against the advice on conditions set out in the Framework and the Planning Policy Guidance.
13. I find that to ensure clarity a condition is necessary requiring that the development is carried out in accordance with the approved plans. Moreover, in the interests of the character and appearance of the building, a condition is required to ensure that the external materials match those existing on the host dwelling.

#### Recommendation

14. The development complies with the development plan and there are no other material considerations that indicate a decision otherwise would be appropriate. For the reasons given above, and having regard to all other matters raised, I recommend that the appeal should be allowed.

*S Watson*

APPEAL PLANNING OFFICER

#### **Inspector's Decision**

15. I have considered all the submitted evidence and the Appeal Planning Officer's report and concur that the appeal should be allowed with the suggested conditions.

*Kenneth Stone*

INSPECTOR



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## Appeal Decision

Site visit made on 30 June 2020

by M Shrigley BSc (Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 August 2020

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Appeal Ref: APP/G4620/D/20/3252078

47 The Crescent, Cradley Heath B64 7JS

- 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 Christian Ditchfield against the decision of Sandwell Metropolitan Borough Council.
  - The application Ref DC/20/63962, dated 6 February 2020, was refused by notice dated 3 April 2020.
  - The development proposed is for a single storey rear and first floor extension. Replacement roof.
- 

### Decision

1. The appeal is dismissed.

### Procedural Matter

2. The Council's reason for refusal makes clear that their objection to the scheme is limited to the roof alterations including a proposed rear dormer, therefore my decision focuses on those aspects.

### Main Issue

3. The effect of the development on the character and appearance of the area.

### Reasons

4. The application property is detached and shares a noticeable high degree of symmetry with No 48. Whilst both properties display some differences owing to alterations, they retain considerable similarity in terms of their corresponding roof profile when viewed as a pair within the street scene. They form a positive aspect of the areas character and appearance. Properties in the street have a mixture of gable and hipped roofs. There are a variety of housing designs present within the street-scene linked with consistent architectural cues such as use of similar external facing materials and fenestration proportions.
5. The development would significantly increase the height of the main dwelling and change its main roof profile from a hip to a gable design. It would also add a steeper roof pitch. As a result, the existing building symmetry and distinctive building proportions shared with No 48 would be lost. I appreciate that there is design variety evident within the street, but the two properties share an attractive matching appearance from the front. The visual effect of the height and roof form change would not be respectful to that. The change would erode the attractiveness of the street-scene.

6. Viewed from the rear the roof alterations inclusive of dormer would also appear overly dominant and out of keeping with neighbouring dwellings either side which have uncluttered roof designs. The excessive bulk and mass of the roof enlargement would be inconsistent with its surroundings and detrimental to the immediate character and appearance of the locality.
7. Whilst the use of a planning condition securing finishing materials matching the host dwelling would go some way to integrate the development with its surroundings it would not overcome my concerns. The height and mass of the proposal as well as the subsequent changes in building symmetry would still result in harm.
8. I therefore conclude the development would be harmful to the character and appearance of the area. The proposal would conflict with Policy ENV3 of the Black Country Core Strategy (2011) which seeks high quality design which reflects local identity, Policy SAD EOS9 of the Council's Site Allocations and Delivery Plan Document (2012), which supports the rejection of poor design that is out of scale or incompatible with a locality, as well as the aims of the Revised Sandwell Residential Design Guide Supplementary Planning Document (2014) requiring the appearance and size of roof designs to respect the character of an area.

#### Other Matters

9. I acknowledge that the appellant has referred to the potential use of permitted development rights for a 'hip to gable' roof enlargement as having a similar effect to that of the proposed development. But the appeal proposal also involves raising the roof ridge height as well as the incorporation of a dormer. All the proposed changes would be physically linked, and I have found what is proposed would be harmful. Moreover, the height and pitch of the roof would be noticeably different. Therefore, I attribute little weight to what may or may not be theoretically possible using such rights. As a result, the potential notional use of permitted development rights does not outweigh the visual harm I have identified.

#### Conclusion

10. For the above reasons I dismiss the appeal.

*M Shrigley*

INSPECTOR



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## Appeal Decision

Site visit made on 30 June 2020

by M Shrigley BSc (Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 August 2020

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Appeal Ref: APP/G4620/D/20/3252256

24 Kendal Rise, Oldbury, West Midlands B68 8ER

- 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 Sukhbir Samra against the decision of Sandwell Metropolitan Borough Council.
  - The application Ref DC/20/64002, dated 3 February 2020, was refused by notice dated 15 April 2020.
  - The development proposed is a "first-floor side/rear and single storey extension and rear conservatory".
- 

### Decision

1. The appeal is dismissed.

### Main Issue

2. The effect of the development on neighbouring living conditions with respect to the outlook of nos 26 and 28 Kendall Rise.

### Reasons

3. The side gable elevation of the host dwelling faces the front elevations of neighbouring semi-detached properties 26 and 28 Kendall Rise, containing habitable windows.
4. I note the Council's objections to the proposal relate to the first-floor side extension part of the proposal therefore I have focused on that aspect. The Council's Revised Residential Design Guide, Supplementary Planning Document (SPD) does not specify what the separation distance should be for windowed front elevations facing toward a side gable. I appreciate point (iii) of the SPD recommends a minimum separation distance of 14 metres between opposing one and two storey gables and rear facing windowed elevations but it is the site-specific effects of the development that are central to my decision rather than the distance mentioned in the SPD relied on by the Council.
5. The first-floor side extension would be erected on the top of an existing attached garage, situated approximately 11.5 metres away from the front elevations of 26 and 28. In doing so it would add considerable built mass and bulk to the side gable elevation of the host property, reducing the amount of separation space at first floor level. Whilst I acknowledge the host property is around 1 metre lower than 26 and 28, owing to differences in levels, the change would be intrusive. The proximity of the development would lead to



neighbouring primary outlook being dominated by a tall brick elevation which would be overbearing and oppressive.

6. I acknowledge that there are existing intervening boundary trees and other plantings which would partially obscure direct views of the side extensions, particularly the single storey components. Nevertheless, the first-floor component would be prominent and the continued presence of the natural plantings along the boundary is also open to potential change, including removal. Therefore, the existence of those boundary features does not overcome my concerns.
7. I therefore conclude the development would have a harmful effect on neighbouring living conditions. It would conflict with policy ENV3 of the Black Country Core Strategy (2011) which seeks high design standards and sustainable development, given local circumstances, policy SAD EOS9 of the Council's Site Allocations and Delivery Plan Document (2012), which discourages development which is incompatible with its surroundings, as well as the spirit of the Revised Sandwell Residential Design Guide SPG (2014) which sets out minimum external space standards to protect living conditions.

#### Other Matters

8. The absence of public objections to the extension does not outweigh the long-term harm I have identified. In addition, the appellant also refers me to more generous separation distance advice issued by another Council on another site. However, I do not have the full details of the circumstances referred to. In any event, I have judged the appeal development before me on its own merits.

#### Conclusion

9. For the above reasons I dismiss the appeal.

*M Shrigley*

INSPECTOR