

Planning Committee

**9 December 2020 at 5pm
Virtual Meeting**

Present: Councillor Downing (Chair);
Councillors Ahmed, Allen, Chidley, S Davies, Dhallu,
G Gill, I Jones, Mabena, Millar and Rouf.

Officers: John Baker [Service Manager – Development Planning and Building Consultancy], Simon Chadwick [Highways Network Development and Road Safety Manager], Sian Webb [Solicitor] and Stephnie Hancock [Senior Democratic Services Officer].

90/20 **Apologies for Absence**

Apologies were received from Councillors Hevican (Vice-Chair), P M Hughes, M Hussain and Simms

91/20 **Declarations of Interest**

No declarations of interest were made.

92/20 **Minutes**

Agreed that minutes of the meeting held on 4 November 2020 are agreed as a correct record.



93/20 **Planning Application DC/20/64469 – Retention of use as Storage or Distribution (Class B8) and small scale car repairs and servicing (Class B2). Old Water Works Unit 12, Block B Brunswick Park, Trading Estate Brunswick, Park Road, Wednesbury.**

It was reported that the application had been withdrawn from the agenda.

94/20 **Planning Application DC/20/63920 – Proposed new two storey mosque with minaret and dome and community centre, with wall and railings to the perimeter. Phase 1 would be built on land owned by applicant, adjacent to the existing building. Phase 2 would be built on the site of the existing building, following demolition. Phase 3 would link Phases 1 and 2 together. Jami Masjid and Bangladeshi Islamic Centre, 10-13 Lewisham Road, Smethwick.**

Councillor Ahmed indicated that he had been lobbied by the applicant.

The Service Manager – Development Planning and Building Consultancy reported that three further objections had been received from residents that reiterated concerns about over-development, increased traffic and parking problems in the area.

There was no objector present.

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

- The scheme approved in 2014 had subsequently been found to be undeliverable.
- The new scheme had an improved layout and the height of the building had been reduced from three storeys to two, and was more in keeping with the surrounding area, whilst also providing a landmark building.
- The facility had flourished at the heart of the community for 35 years.
- The scheme would support Sandwell's Vision 2030 and would provide employment opportunities.
- The new scheme was more sustainable and had greater consideration for adjoining sites.

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

- Highways had raised no concerns, as there was sufficient on-street parking within walking distance.
- Mitigations measures were in place at the junction and the Traffic Regulation Order would be reviewed within 12 months of opening.
- The Mosque would mostly be used by local residents, who would walk to the site.
- A Travel Plan would need to be in place prior to the Mosque opening.
- The scheme was projected to take between 15 and 18 months to complete and would be delivered in a phased approach.
- Friday prayers would be managed as best as they could to minimise impact on the local residents.

Resolved that, subject to the Council granting an exception to the Local Plan to enable the application to proceed, planning application DC/20/63920 (Proposed new two storey mosque with minaret and dome and community centre, with wall and railings to the perimeter. Phase 1 would be built on land owned by applicant, adjacent to the existing building. Phase 2 would be built on the site of the existing building, following demolition. Phase 3 would link Phases 1 and 2 together. Jami Masjid and Bangladeshi Islamic Centre, 10-13 Lewisham Road, Smethwick) is approved subject to conditions relating to:-

- (i) External materials;
- (ii) Finished floor levels;
- (iii) Parking details;
- (iv) Limiting the Prayer halls for prayer within the development;
- (v) Traffic management plan;
- (vi) Travel Plan;
- (vii) Updated Transport Assessment;
- (viii) Review of parking restrictions following 12 months of the completion of Phase 2;
- (ix) Boundary treatments;
- (x) Cycle parking;
- (xi) Electric vehicle charging;

- (xii) External lighting;
- (xiii) Method statement for site working;
- (xiv) Employment and skills plan;
- (xv) Ground investigation and remediation;
- (xvi) Noise mitigation to prevent noise breakout and from plant/extraction equipment;
- (xvii) No amplified sound;
- (xviii) No boarding of sound of sounds for the call to prayer.

95/20

Planning Application DC/20/64315 – Proposed dormer bungalow. Land at 43 Longleat, Great Barr, Birmingham.

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

Resolved that planning application DC/20/64315 (Proposed dormer bungalow. Land at 43 Longleat, Great Barr, Birmingham) is approved, subject to conditions relating to:-

- (i) External materials;
- (ii) Drainage details;
- (iii) Provision and retention of parking;
- (iv) Provision and retention of an electric vehicle charging point;
- (v) Hard and soft landscaping;
- (vi) Boundary treatments;
- (vii) Site investigation and remediation;
- (viii) Construction method statement;
- (ix) Levels;
- (x) Provision of drop kerb;
- (xi) Removal of permitted development rights.

96/20

Planning Application DC/20/64426 – Proposed demolition of existing bungalow and proposed four bed detached house with associated car parking. 2 St Edmunds Close, West Bromwich.

Councillor Dhallu indicated that he had been lobbied by the applicant.

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

Resolved that planning application DC/20/64426 (Proposed demolition of existing bungalow and proposed four bed detached house with associated car parking. 2 St Edmunds Close, West Bromwich) is approved, subject to conditions relating to:-

- (i) External materials;
- (ii) Construction method statement;
- (iii) Provision and retention of parking spaces;
- (iv) Landscaping and boundary treatments implemented in accordance with submitted details;
- (v) Removal of permitted development rights;
- (vi) Provision and retention of an electric vehicle charging point;
- (vii) All windows in the side elevation of the proposal facing St Edmunds Close shall be obscurely glazed and non-opening; once provided, the windows shall be retained as such.

97/20

Planning Application DC/20/64437 – Proposed construction and operation of a 49.9 MW battery storage facility, fencing and site access road. Land Off Painswick Close, Woodruff Way, Walsall.

There was no objector or applicant present.

Members noted that the batteries would be used to store electricity as part of the National Grid. It was also noted that the site adjoined an existing electricity sub-station and already had an existing access road.

Members raised concerns over the loss of trees and requested an additional condition be added relating to the landscaping of the area.

Resolved that, subject to Council granting an exception to the Local Plan to enable the application to proceed, planning application DC/20/64437 (Proposed construction and operation of a 49.9 MW battery storage facility, fencing and site access road. Land Off Painswick Close, Woodruff Way, Walsall) is approved, subject to conditions relating to:-

- (i) Ground conditions investigation/mitigation;
- (ii) Landscaping scheme.

98/20

Planning Application DC/20/64453 – Retention of use from dwelling housing (Class C3) to Residential Institution (Class C2). 1-9 The Old Fire Station, Mace Street, Cradley Heath.

The Service Manager – Development Planning and Building Consultancy reported that two requests for deferral had been received from objectors and the applicant had submitted additional information, on the resident profile and exclusions criteria for the Supported Living Service.

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

- Residents of Church Road were misled about the intended use of the premises.
- The applicant feels they have more leverage now that residents are living in the premises as they do not wish to make them homeless.
- Residents do not feel safe or protected by the law.
- Residents have safeguarding concerns for local children who have to walk past the property to get to school, and some have witnessed unpleasant incidents.
- Concerns have been expressed by governors of nearby Reddal Hill Primary School.
- There is a long list of previous anti-social behaviour incidents involving previous and existing residents.
- How could residents be assured that unsuitable residents would not be housed there in future.

- The facility is out of keeping with the demographics of the area and places a strain on local emergency services.
- Police have said they will no longer attend incidents unless an occupier harms a member of the public.
- The staff of the support living service have been abused by the occupiers.
- The premises' occupiers display anti-social behaviour, such as drug usage and playing loud music, outside the premises.
- The premises seem to be shrouded in secrecy, surrounded by a high fence to prevent outside knowledge of the activity taking place within.
- The staff of the support living service parked on Mace Street and Church Street, not on the site's provided carpark.
- There had been a breakdown in the relationship between residents and the management of the support living service.
- Residents had difficulty finding contact information of the service, as it was not made easily available.

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

- Reability UK had approached him to let all nine flats from 2018 and he had been unaware that a different planning permission was required for such a use.
- Supported living services were in demand from the Government.

Representatives from Reability UK were also present and addressed the Committee with the following points:-

- There were two tenants that were violent and had high needs, and the managers understood local residents' concerns, however, they could not be evicted previously due to the Covid-19 pandemic. They had now been rehoused though.
- Many of the service users could contribute to the local community.
- Since the incidents with previous tenants, the resident profile requirements had changed to exclude history of self-harm and alcohol/substance misuse.
- The management team were open and willing to work with residents on Church Road and Mace Street.

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

- Occupiers of the flats were referred by social services and the NHS.
- The property was not registered or monitored by the Care Quality Commission, but the services provided by Reability UK were.
- Managers had liaised with police frequently about two particular service users and plans had been put in place to manage them whilst it was not possible to evict them. It was also reported that the local authorities were made aware of the tenants' needs;
- Residents of the flats held their own tenancies but received care and support from Reability UK.
- The staff of the supported living service had been trained to handle the tenants' needs and aggressive incidents.
- Residents of Church Street were worried that incidents of anti-social behaviour could escalate during the summer months when the outdoor space was used more.
- Tenancy criteria had now been changed and it was not anticipated that there would be issues in the future.
- There were currently no concerns about any of the tenants.
- None of the tenants were paedophiles and the tenancy criteria excluded this.
- The applicant was keen to hold a meeting with local residents to build a relationship with the community.
- Staff of the supported living service currently use the carpark on the site and the two vehicles regularly parked on the road did not belong to staff.
- Reability UK did not want a sign outside identifying it so as to protect the tenants, however, local residents would be provided with contact details for managers.
- Bins were located near to the building, and not by fences.

The Service Manager – Development Planning and Building Consultancy advised that the planning system could not control all of the issues raised, however, the conditions recommended reflected the nature of the complaints. The Committee was minded to grant permission, subject to the conditions recommended, but for a temporary period of one year to allow the situation to be reviewed again.

Resolved that the retrospective-planning application DC/20/64453 (Retention of use from dwelling housing (Class C3) to Residential Institution (Class C2). 1-9 The Old Fire Station, Mace Street, Cradley Heath) is approved, for the period of 12 months, subject to compliance with the following conditions within an appropriate time period:-

- (i) External lighting scheme;
- (ii) Revised boundary treatment to the front elevation;
- (iii) Site management plan;
- (iv) Car parking to be laid out in accordance with the approved plan;
- (v) Confirmation of how gates are operated/managed;
- (vi) Hard and soft landscaping scheme;
- (vii) Bin and cycle storage details to be submitted, approved and implemented;
- (viii) First floor south elevation glazing scheme and implementation.

99/20

Planning Application DC/20/64611 – Proposed erection of 24 No. dwellings together with associated parking and landscaping. Site of Former Thimblemill Public House, 174 Thimblemill Road, Smethwick.

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

- The library and church surrounding the site would be impacted, as many residents used the services and events took place seven days a week.
- There was insufficient parking, in particular, on Pargeter Road.
- The planning application had been rushed.
- There was limited access to the site.
- The proposed design did not match the surrounding area.

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

- A previous proposal for a care home had established the principle of the height of the development.

- The proposed scheme would deliver 24 new affordable homes.
- Access to the site had been improved, compared to the previous scheme proposed for a care home.
- There was parking available on site.
- Site levels were complex, however, the proposal would improve the street scene.
- The library was a sufficient distance away so as not to be impacted.

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

- Whilst it was a high density scheme, it fitted well with the mixed development in the area and did not detract from the library building.
- The proposal met design standards and provided off road parking.
- There were no highway concerns, both adjoining roads had double yellow lines to prevent parking.

Resolved that planning application DC/20/64611 (Proposed erection of 24 No. dwellings together with associated parking and landscaping. Site of Former Thimblemill Public House, 174 Thimblemill Road, Smethwick) is approved, subject to the signing of a section of s106 agreement to ensure affordable housing, and to conditions relating to:-

- (i) External materials;
- (ii) Desk-based archaeological assessment;
- (iii) Finished floor levels;
- (iv) Contamination;
- (v) Noise survey and risk assessment;
- (vi) Drainage;
- (vii) Boundary treatments;
- (viii) Landscaping;
- (ix) Cycle storage;
- (x) Electric vehicle charging;
- (xi) External lighting;
- (xii) Method statement for site working;
- (xiii) Restriction on construction hours (8am-6pm weekdays, 8am-2pm Saturday, no working on Sunday or bank holidays);

- (xiv) Employment and skills plan;
- (xv) Management/appearance details in respect of easement;
- (xvi) Removal of permitted development rights;
- (xvii) Retention of parking.

100/20 **Planning Application DC/20/64812 – Proposed two storey rear extension. 29 Catherton Close, Tipton.**

There was no objector or applicant present.

Resolved that planning application DC/20/64812 (Proposed two storey rear extension. 29 Catherton Close, Tipton) is approved, subject to the external materials matching the existing property.

101/20 **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.

102/20 **Decisions of the Planning Inspectorate**

The Committee noted that, following its decision not to grant planning permission, the Planning Inspectorate had made the following decision on the applicant’s appeal:-

Application Ref No.	Site Address	Inspectorate Decision
DC/20/64113	14 Stonehouse Crescent, Wednesbury, WS10 0DQ	Dismissed.

(The meeting ended at 7pm)

[Watch the recording of the meeting.](#)