

Agenda

Planning Committee

Wednesday 10 February 2021 at 5.00pm

The meeting will be conducted virtually via Microsoft Teams in accordance with The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020

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[Planning Committee 10th February 2021](#)

This agenda gives notice of items to be considered in private as required by Regulations 5 (4) and (5) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

- 1 Apologies for Absence**
- 2 Members to declare any interests in matters to be discussed at the meeting**
- 3 To confirm the minutes of the meeting held on 9 December 2020 as a correct record**
- 4 Planning Application DC/20/64463 - Proposed change of use from a single dwelling to a House in Multiple Occupation (14 no. bedrooms), external alterations and parking. 113 Dudley Road Tipton DY4 8DJ.**



5. **Planning Application DC/20/64598 - Proposed mixed use development, comprising of 3 No. retail units at ground floor and 6 No. residential apartments at first and second floors (previously withdrawn application DC/19/63522). Land Adj 63 Leabrook Road Wednesbury WS10 7NW.**
6. **Planning Application DC/20/64706 - Proposed demolition of bungalow and construction of a four bed dwelling. 5 Warstone Drive West Bromwich B71 4BH.**
7. **Planning Application DC/20/64964 - Proposed single storey side and rear extension, with raised platform. 71 Richmond Hill Oldbury B68 9TH.**
8. **Planning Application DC/20/64987 - Proposed two storey side extension with bay windows to front, single storey rear extension and front porch. 72 Chestnut Road Oldbury B68 0AY.**
9. **Planning Application DC/20/65023 - Proposed change of use to hot food takeaway with extraction flue to rear. 5 High Street Tipton DY4 8HH.**
10. **Planning Application DC/20/65051 - Proposed single storey rear extension to the existing crematorium, flower store to front and additional parking spaces. West Bromwich Crematorium Newton Road West Bromwich B71 3SX.**
11. **Planning Application DC/20/65053 - Proposed change of use to cemetery with parking, lighting, and associated works. Land Adjacent West Bromwich Crematorium Newton Road West Bromwich B71 3SX.**
12. **Applications Determined Under Delegated Powers.**
13. **Decisions of the Planning Inspectorate.**



D Stevens
Chief Executive
Sandwell Council House
Freeth Street
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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.

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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.](#)

Report to Planning Committee

10 February 2021

Application Reference	DC/20/64463
Application Received	9 July 2020
Application Description	Proposed change of use from a single dwelling to a House in Multiple Occupation (14no. bedrooms), external alterations and parking.
Application Address	113 Dudley Road, Tipton, DY4 8DJ
Applicant	Mr Harmohan Singh
Ward	Tipton Green
Contact Officer	Alison Bishop Alison_bishop@sandwell.gov.uk

1 Recommendations

1.1 That planning permission is granted subject to:

- (i) Details of sustainable drainage shall be provided for the parking area;
- (ii) The parking area (including drainage) shall be laid out in accordance with the approved plans and retained as such;
- (iii) A detailed landscaping scheme shall be submitted indicating the retention of trees within the rear garden;
- (iv) A method of working statement shall be provided to include hours of working, control of dust and parking of construction vehicles;
- (v) An acoustic glazing scheme shall be provided for the rooms on the front elevation;
- (vi) Details of an external lighting scheme;



- (vii) Details of the location of bin stores to the front elevation;
- (viii) Details of CCTV monitoring equipment;
- (ix) Details of an electric vehicle charging point to the front forecourt;
- (x) Secure cycling provision; and
- (xi) Detailed design specifications for the alterations of the bay window to the frontage (including materials, method of construction).

2 Reasons for Recommendations

2.1 The proposed conversion would not harm the character of this Victorian property and proposes suitable living accommodation and parking provision in accordance with the standards set out for homes in multiple occupation, included in the council’s residential design guidance.

3 How does this deliver objectives of the Corporate Plan?

	People live well and age well - This facility would assist in meeting the needs of our most vulnerable residents providing them with the most basic of needs, shelter. In so doing, this affords them the opportunity to seek employment and improve their situation in life.
	Strong resilient communities – Sandwell celebrates its diversity within our communities, therefore bringing in new residents of different ages, nationalities can build on this diversity.
	Quality homes in thriving neighbourhoods – The scheme assists with meeting a specific housing need for low income and vulnerable people which will be regulated by Private Sector Housing HMO licensing.

4 Context

- 4.1 This application is being reported to your Planning Committee because 13 material planning objections have been received.
- 4.2 To assist members with site context, a link to Google Maps is provided below:

[113 Dudley Road, Tipton](#)



5 Key Considerations

- 5.1 The site is unallocated within the Development Plan.
- 5.2 The material planning considerations which are relevant to this application are:-

Planning history (including appeal decisions);
Layout and density of building;
Design, appearance and materials;
Access, highway safety, parking and servicing;
Noise nuisance; and
Loss of trees.

6. The Application Site

- 6.1 The application site is situated within a predominantly residential area characterised by a mixture housing types and tenure.

7. Planning History

- 7.1 There is no planning history for this site.

8. Application Details

- 8.1 The application is for the conversion of the existing large residential property to a 14 bedroom, home in multiple occupation (HMO). The applicant has indicated that the development will provide housing accommodation for asylum seekers.
- 8.2 The ground floor would be converted to provide eight bedrooms, a communal lounge area, kitchen and two shared bathroom facilities. The bedroom, lounge and kitchen sizes are as follows:-

Bedroom 1 – 9.5 sqm

Bedroom 2 – 7.5 sqm

Bedroom 3 – 10 sqm



Bedroom 4 - 12 sqm
Bedroom 5 – 12.5 sqm
Bedroom 6 – 7.6 sqm
Bedroom 7 – 7.4 sqm
Bedroom 8 – 9.2 sqm
Kitchen – 15.4 sqm
Lounge – 23.5 sqm

8.3 The first floor would provide a further 6 bedrooms with a kitchen and bathroom facility and a further toilet. The bedroom sizes are as follows:

Bedroom 9 – 8.8 sqm
Bedroom 10 – 7 sqm
Bedroom 11 – 7.6 sqm
Bedroom 12 – 10.3 sqm
Bedroom 13 – 8.9 sqm
Bedroom 14 – 9.1 sqm
Kitchen – 14.7 sqm

8.4 The proposal would also include minor external alterations which are as follows:-

- A new flat roof to the side/rear ground floor element of the property;
- Replacing the garage doors for a window to the both the front and rear;
- The bay window to the frontage would be modified to accommodate the new room arrangements;
- A door to be removed on the rear and replaced with a window; and
- A door to be removed on the side elevation and replaced with a window and further smaller window blocked up.

8.5 A total of nine parking spaces are proposed which includes seven spaces to rear garden area accessed from a rear service road and a further two parking spaces to the frontage forecourt. The rear parking plan indicates that the landscaping to the rear of the garden will be retained.



9. Publicity

9.1 The application has been publicised by site notice and two neighbour notifications to 75 addresses. The second consultation notified the neighbours of the receipt of the revised parking plan and to clarify the description of development to include the external alterations and specify the number of bedrooms proposed; namely 14.

9.2 Objections

Thirteen objections were received from the first neighbour consultation with an additional three objections received from households that responded to the first consultation. In addition, the member of parliament, Shaun Bailey, also contacted the planning service seeking further information about the proposal and its occupants. A response was provided to Mr Bailey on 7th and 17 September 2020 which confirmed details of the proposal and that the occupants would be asylum seekers. The objections are summarised below:

(i) Highway concerns

Parking provision is inadequate for the number of residents;
Contradiction of parking stated on forms and those on drawings;
Additional pressures due to existing parking problems (care home, no parking provided to some existing properties on Dudley Road);
Accidents have occurred in the area;
Pedestrian safety (children, elderly visiting residents of the care home); and
Questions over the legality of using the right of way which is for single occupancy use only.

(ii) Poor standard of accommodation

Bedrooms are small, there would be insufficient communal space, namely not enough kitchens and bathrooms and only one living room, which could not accommodate 14 residents at once;
No bin storage shown, questions where they will be located; and



Is it fit for purpose? Asylum seekers would be vulnerable with complex needs.

(iii) Fire Safety/means of escape concerns

Would the conversion present a fire risk and would there be adequate means of escape to the rear of the property?

(iv) Noise pollution

Increased noise due to number of residents; and
Potential increase in noise from cars.

(v) Proposed use

Not telling residents what it would be used for; and
Concerns that this will be a drug re-habilitation centre, a bail hostel or for asylum seekers.

(vi) Affect historic character

The area has rich historical character with this property being an example of a good quality Victorian town house, and the proximity of the Grade II listed church. This proposal would destroy the original features and have a detrimental effect on the historic character of the area.

(vii) Does not meet the council's Corporate Plan 2020

The proposal does not meet the objective of providing 'high quality homes' or allow residents 'to live well', with people being crammed into a poor standard of accommodation;

The proposal would not achieve 'strong resilient communities', if the residents are transient with a high turnover they would not integrate into the community. Equally the area is already rich in diversity, social housing, private properties the introduction of this facility would reduce diversity; and

The property would largely serve younger people which is out of character with the area, the character of which is housing for families and predominantly elderly people.



(viii) Anti-social behaviour

Concerns about the behaviour of residents;
Concerns about fly tipping and litter; and
Concerns about managing the facility to ensure that the property is appropriately maintained and that of the behaviour of the residents.

(ix) Community safety

Concerns about the safety of residents of the residential care home, Matthias House;
Fear of crime; and
Concerns about safety of nearby neighbours.

(x) Insufficient information

No details regarding additional demands on the public sewers and whether this can be accommodated; and
No reports dealing with the impact of the development.

(xi) COVID 19 impacts

Implications of COVID 19 transmissions between residents due to the shared accommodation proposed; and
The community includes many elderly residents who are shielding.

9.3 Responses to objections

I respond to the objectors' comments in turn;

(i) Highway concerns

Whilst it is acknowledged that the original drawings and planning forms stated that six parking spaces would be provided, an amended parking plan was submitted to show a total of nine spaces, and the residents have been consulted to inform them of this. The revised parking plan meets the council's standards for HMO and highways have no objections (refer to 10.2 below).



Therefore, it is considered that the proposal provides sufficient parking within the curtilage of the development and hence would not place additional parking pressure on the public highway.

Turning to the rights of rear access, the applicant provided evidence which confirms that he has a right of access for parking of vehicles associated with the property.

(ii) Poor standard of accommodation

The HMO licensing officer has confirmed that the room sizes for each bedroom are all above the minimum standard (6.5 sqm). I am also advised that the shared facilities meet and exceed the standards for HMO provision. I am therefore satisfied that the scheme is fit for purpose for future residents.

It is acknowledged that bin storage details have not been provided, however I am satisfied that there is sufficient space to the frontage and the details can be conditioned accordingly.

(iii) Fire safety

Fire safety and means of escape would be addressed through building regulations and the HMO licence.

(iv) Noise Pollution

The scheme would need to incorporate appropriate noise insulation to satisfy building regulations. No objections have been received from Public Health in terms of external noise pollution and it is considered that, in context to the wider area, the number of residents would not increase noise levels to unacceptable standard.

(v) Proposed use

The applicant has confirmed that the proposed use would be for asylum seekers and the neighbours have been informed as such.



(vi) Effect on Historic Character

The Conservation Officer (refer to 10.7) does not consider that the proposal would harm the historic character of the area or the setting of the listed building (St Matthews Church).

(vii) Does not meet the council's Corporate Plan 2020

Quality homes – Whilst I appreciate that residents consider that the accommodation is poor, the scheme as proposed meets the standards set out for HMOs and addresses a need for this type of accommodation in the area.

Live well - This facility would assist in meeting the needs of our most vulnerable residents providing them with the most basic of needs, shelter. In so doing, this affords them the opportunity to seek employment and improve their situation in life.

Strong resilient communities – Sandwell celebrates its diversity within our communities, therefore bringing in new residents of differing ages and nationalities accords with this notion.

(viii) Anti-social behaviour

(i) No objections have been received from West Midlands Police. The HMO would also need to be licenced by Private Sector Housing and under the terms of the licence, standards are required to be maintained, which include management regulations regarding how the HMO is managed. These include:

- a) Allowing landlords access at reasonable times to occupied rooms;
- b) Complying with arrangements made by the landlord in respect of fire precaution and litter storage/disposal;
- c) Taking reasonable care to avoid damaging items; and
- d) Ensuring residents do not take part in anti-social behaviour that affects occupiers/residents.



(ix) Community safety

Whilst there is uncertainty about the type of residents who would reside at the proposed HMO, it is accepted by some objectors that they will be asylum seekers who themselves are vulnerable and need the support of the community. The police have no objections, and I am not presented with evidence to substantiate that the occupants would be a threat to public safety.

(x) Insufficient information - drainage

It is considered that the kitchen and bathroom facilities are not significantly greater than those that would be provided for a large family home. Furthermore, I am satisfied that any future drainage details and connections to the public sewer would be dealt with via building regulations and Severn Trent. In terms of drainage to the proposed parking area at rear, a condition is recommended to provide detail of sustainable drainage to reduce surface water run-off.

(xi) COVID 19 impacts

Government guidance has been set to prevent transmissions of COVID 19, therefore the occupants of a future HMO would have to comply with this guidance. The police have powers to enforce any breaches of these regulations.

10. Consultee responses

10.1 Planning and Transportation Policy

The proposal should be considered a housing windfall (Policy H2) which includes, use of previously developed land, no loss of employment land and being compatible with other policies. In this instance other policies would refer to design policies including standards for HMOs. In addition, appropriate cycle storage should be provided which can be conditioned.



10.2 Highways

No objections following receipt of the revised parking layout. Highways have confirmed that the off-street parking requirements for the proposed HMO are one off street parking space per two bedrooms, which equates to seven spaces. The revised parking layout provides seven spaces at the rear and further two spaces to the frontage. This provision therefore exceeds the standards for HMO parking.

10.3 Public Health (Air Quality)

The proposed should provide an electric vehicle charging point in accordance with the mitigation requirements set out with the SPD 'Air Quality'. In addition, low emission boilers (NO_x Boilers) have been requested within the development, however I consider that this is a matter that would be dealt with at the building regulations and HMO licensing stages.

10.4 Public Health (Air Pollution and Noise)

The bedrooms fronting the main Dudley Road should be protected against noise and hence it is recommended that an acoustic glazing scheme is provided. This can be conditioned accordingly.

10.5 West Midlands Police

No objections have been raised, but recommendations regarding CCTV, external lighting, secure cycle storage and appropriate bin storage have been highlighted. These recommendations are conditioned accordingly.

10.6 Private Sector Housing

No objections but re-iterated the need for building regulation compliance, including appropriate means of escape. They have also referred to the need for bin storage and that the accommodation should meet the required standards for HMOs under the Housing Act. Subsequent



clarification regarding these standards has been sought from the HMO licencing officer. They have confirmed that both the bedroom sizes and the communal facilities (kitchens, lounge and bathrooms) meet these standards.

10.7 Conservation Officer – Historic character

The property itself has a wealth of detailing that dates from the turn of the twentieth century and it stands amongst several positive buildings including St Matthews Church (Grade II listed building). The Conservation Officer has confirmed that the building is not listed and as such is afforded no statutory protection for its alteration, primarily being internal. He does however acknowledge that the principle heritage consideration is to the frontage and refers to the subdivision of the ground floor bay. The alteration to the bay is mitigated by the insertion of an additional mullion which ensures that the overall character of the frontage is retained. It is however recommended to ensure that the standard work is appropriate that this alteration is controlled by condition. He thus concludes that the proposal would not harm the setting of the listed building or the overall appearance of the application property.

10.8 Tree Preservation Officer

The trees within the vicinity of the proposed car park are of limited value being self-setting sycamore and lime trees and their retention is not considered necessary.

11. National Planning Policy

11.1 The National Planning Policy Framework promotes sustainable development but states that local circumstances should be taken into account to reflect the character, needs and opportunities for each area. The proposal seeks the conversion of an existing property, is of good design and accords with standards within HMO policy guidance.



11.2 National policy also emphasises the need to achieve healthy, inclusive and safe places which promote social interaction, the policy espouses the need to design places with a mixture of developments. This proposal contributes towards providing diversity within the community.

12. Local Planning Policy

12.1 The following policies of the council's Development Plan are relevant:-

DEL1: Infrastructure Provision

TRAN4: Creating Coherent Networks for Cycling and Walking

ENV3: Design Quality

ENV8: Air Quality

SAD H2: Housing Windfalls

SAD EOS9: Urban Design Principles

12.2 The proposal by virtue of its conversion, makes use of existing brownfield land and does not result in the loss of employment land given that the original property was an established residential use (SAD H2). In terms of compatibility with other policies these are deemed to be acceptable and are referred to below.

12.3 The proposal provides a good quality layout (Policy ENV3 and SAD EOS9) which accords with housing standards for HMO properties. Furthermore, matters relating to secure by design such as lighting, CCTV and appropriate bin and cycle storage can be conditioned. Furthermore, the external changes are proportionate to the historic features of the original building.

12.4 The provision of an electric vehicle charging point meets the mitigation measures set out within the Black Country Air Quality SPD and accords with policy ENV8 and provision of said infrastructure under DEL1. This can be conditioned accordingly.

12.5 New developments should provide cycle parking facilities (TRAN4), a condition is proposed to provide secure parking provision.



13. Material Considerations

13.1 The material considerations relating to government policy (NPPF) and proposals within the Development Plan have been referred to above in Sections 11 and 12. With regards to the other considerations these are highlighted below:

13.2 Planning history (including appeal decisions)

Whilst each planning application should be dealt with on its merit, it would be negligent to determine the application without having regard to the 2019 appeal decisions for eleven HMOs along Bearwood Road. Planning Committee refused these applications for (inter alia) over-intensification, highway safety and fear of crime. None of the reasons for refusal carried weight with the Inspector, and the appeals were allowed with heavy costs awarded against the council. The issues raised above are similar to concerns raised during the determination of the eleven appeal losses and, similarly, I see no justification for refusal of the current application on such grounds, given the principle set by these appeal decisions.

13.3 Layout and density of building

The layout of the proposal accords with the standards set out for HMOs.

13.4 Design, appearance, historic character and materials

The external alterations to the building are minimal, being new window openings that are proportionate to the existing building. The key change is to the front bay window; however, the proposed design is considered sympathetic to the historic character of the building.

13.5 Access, highway safety, parking and servicing

It is appreciated that residents are concerned about parking associated with this proposal and the potential negative effects it would have on road safety. I am satisfied that the proposed parking provision will meet



the needs of the development, according to parking standards for HMOs and this raises no objections from Highways.

13.6 Noise Nuisance

No concerns have been raised by Public Health regarding external noise nuisance owing to the scale of the proposal. In terms of internal noise, this can be controlled as part of the both building regulations and HMO licensing procedures.

13.7 Loss of trees

As indicated in 10.8 above the trees in the vicinity of proposed car parking area in the rear garden are deemed of limited value. Nonetheless the rear garden area also benefits from established trees and I consider that it is prudent to condition that a detailed landscaping scheme is provided to indicate the retention of these trees. This will ensure that the overall character of the rear garden amenity will be retained.

13.8 Other considerations – Building regulations/fire safety

Material planning considerations are determined through case law, however matters that can be dealt with through the control of other legislation are not considered to be material considerations. Furthermore paragraph 55 of the National Planning Policy Framework states that conditions should not be used which require compliance with other regulatory bodies. In this instance, the council's Building Consultancy and Private Sector Housing departments would regulate fire safety, means of escape and drainage.

14 Alternative Options

14.1 Refusal of the application is an option if there are material planning reasons for doing so. In my opinion the proposal is compliant with relevant policies and there are no material considerations that would justify refusal.



15 Implications

Resources:	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.
Legal and Governance:	This application is submitted under the Town and Country Planning Act 1990.
Risk:	None.
Equality:	There are no equality issues arising from this proposal and therefore an equality impact assessment has not been carried out.
Health and Wellbeing:	Refer to the summary of the report (2.1).
Social Value	Refer to the summary of the report (2.1).

16. Appendices

Site Plan

Context Plan

HS/DR/PP01 Rev A

HS/DR/PP02 Rev A

HS/DR/PP03 Rev A

HS/DR/PP04 Rev A

HS/DR/PP05 Rev B

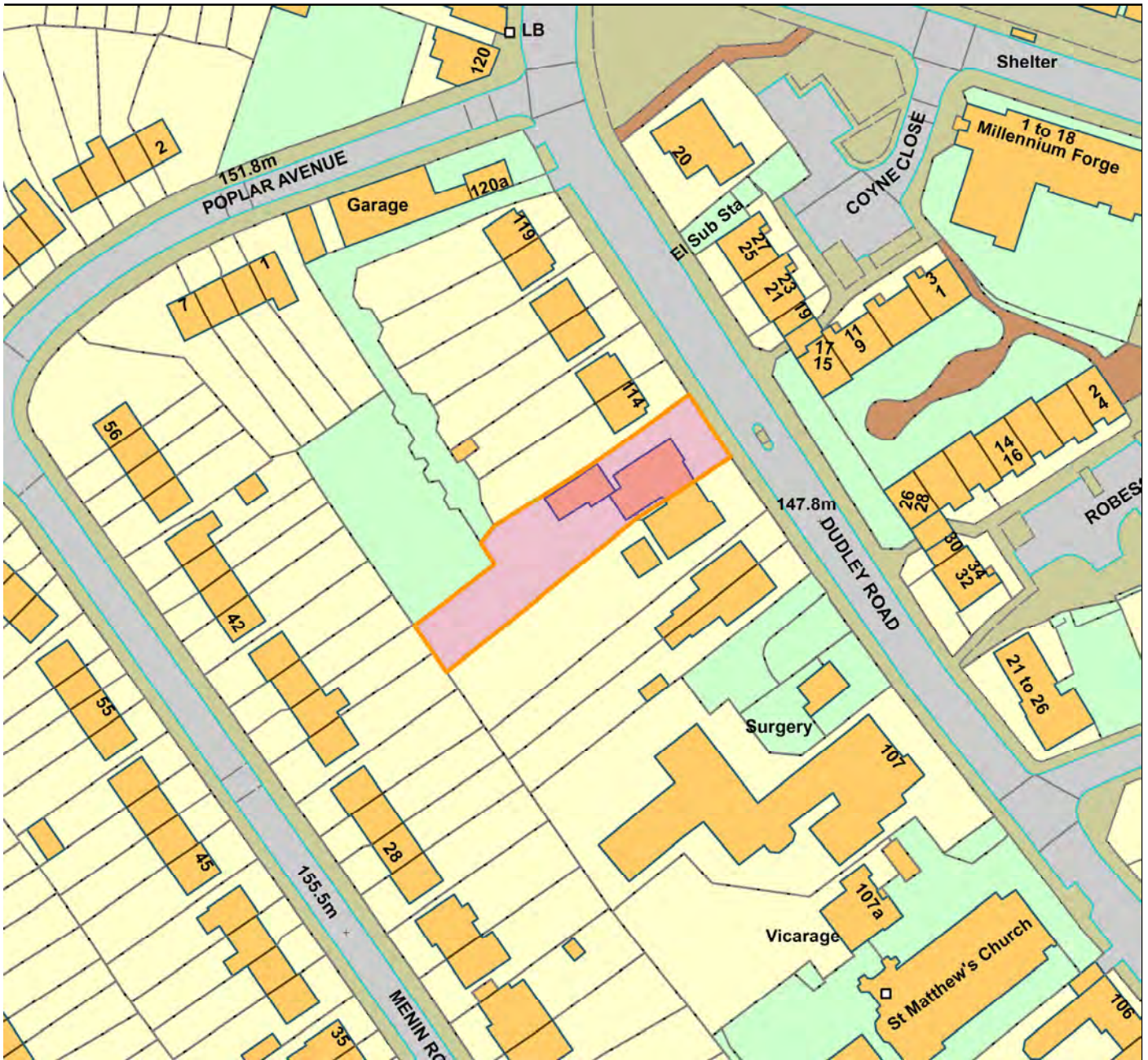
HS/DR/PP06

17. Background Papers

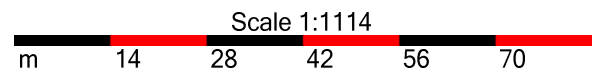
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DC/20/64463
113 Dudley Road



Legend



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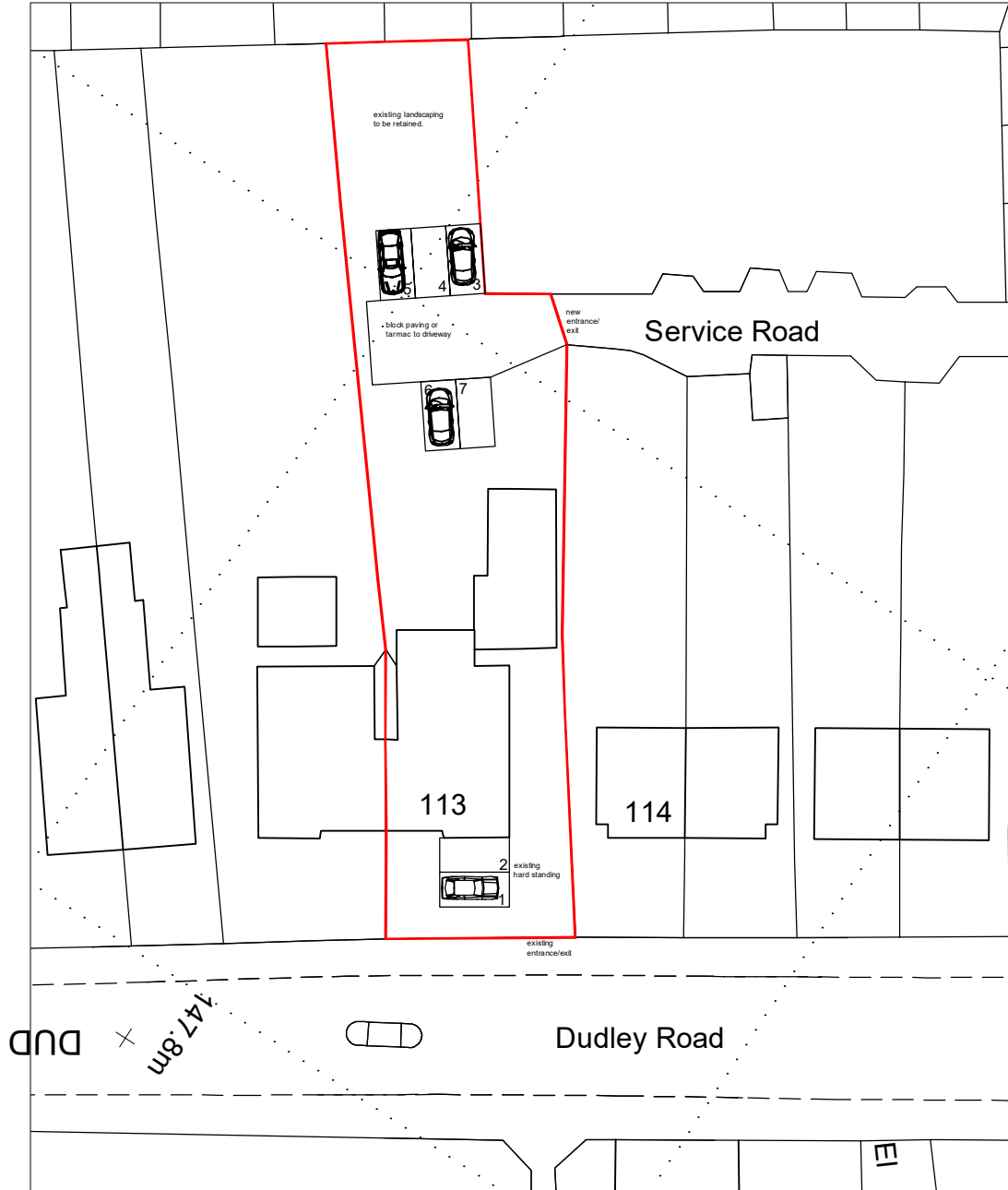
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Department	Not Set
Comments	Not Set
Date	25 January 2021
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- All our proposals are subject to confirmation following liaison with the relevant local authorities.



PROPOSED SITE PLAN

B - 27/10/20 - Parking spaces increased and reconfigured.
 A - 14/07/20 - Scale Bar and North arrow added to dwg.

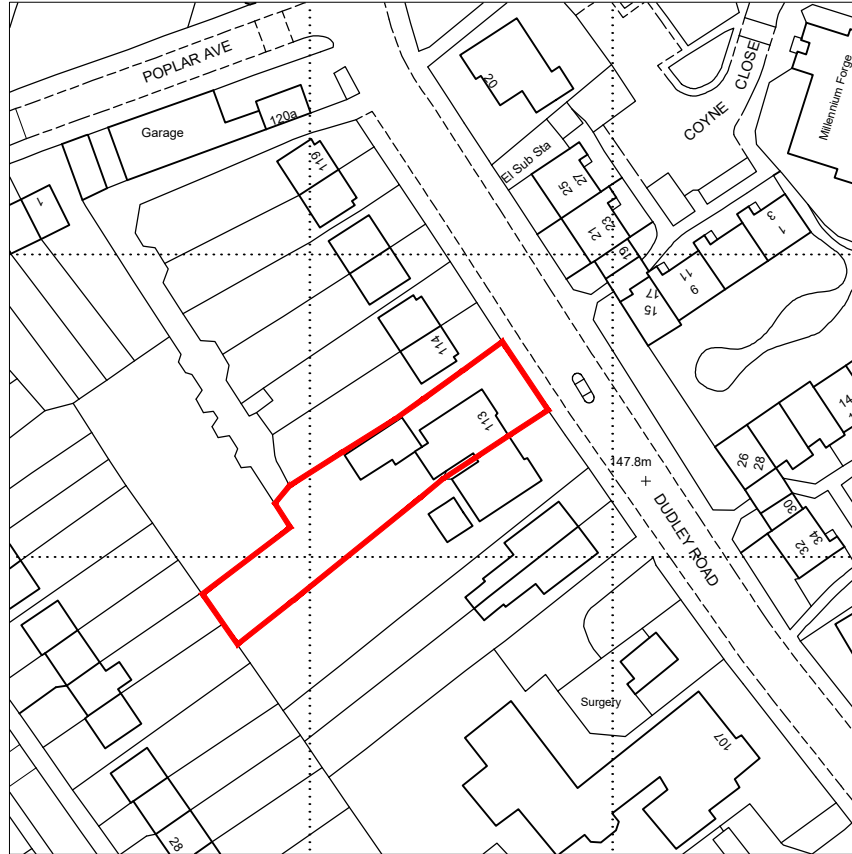
113 Dudley Road
 Tipton
 DY4 8DJ

Proposed Site Plan

Scale : 1:500 @ A4
 Date : July 2020
 Drawn : HMS
 ©

Drawing No. :
 HS/DR/PP05B

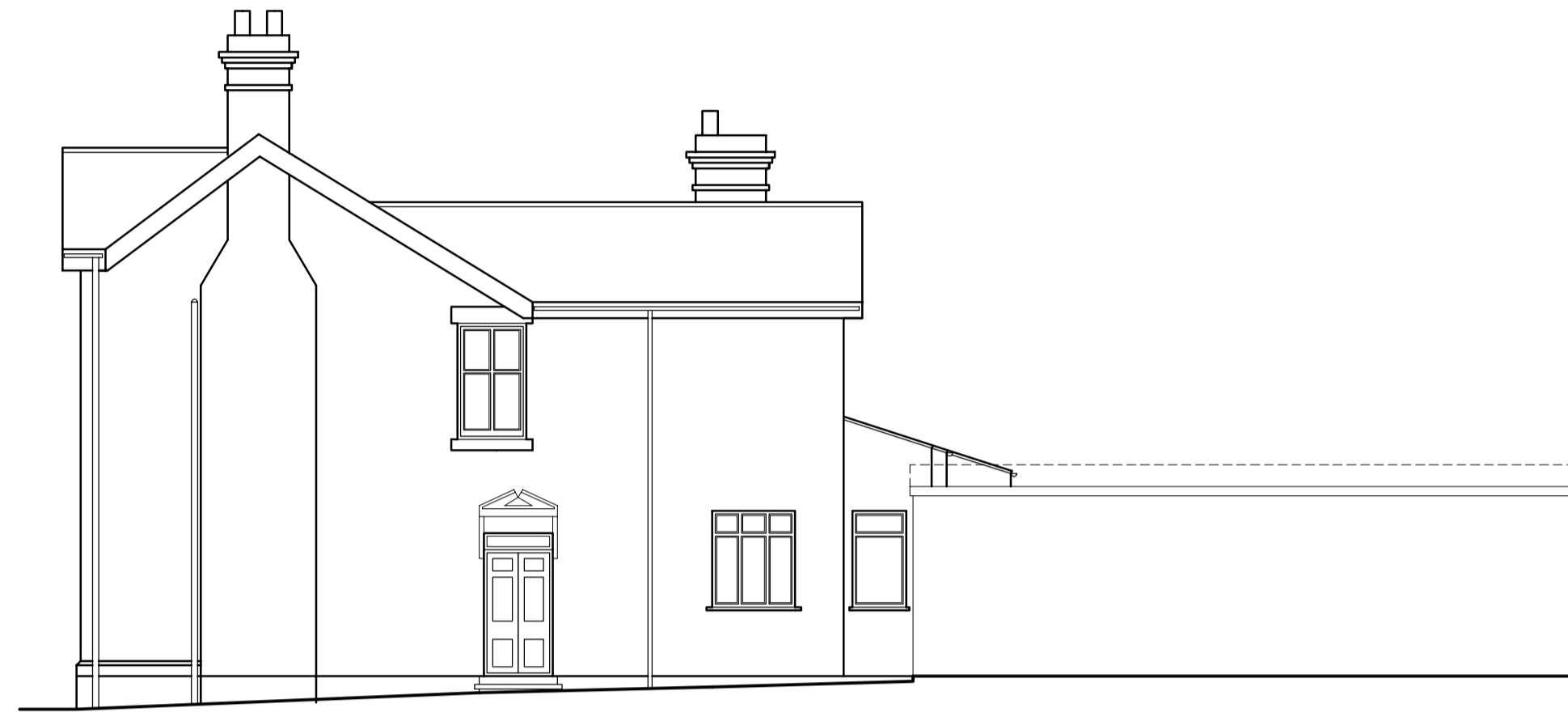
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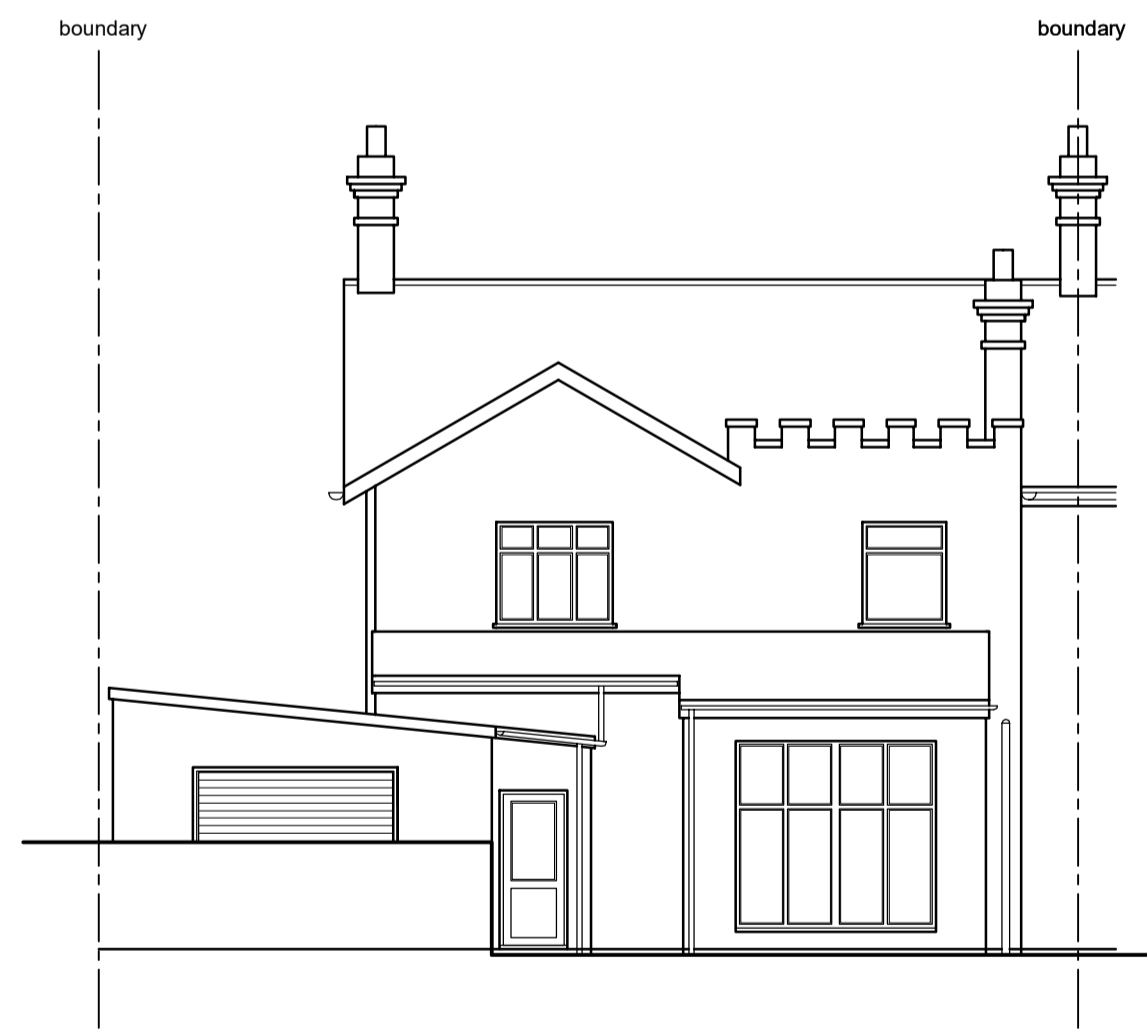
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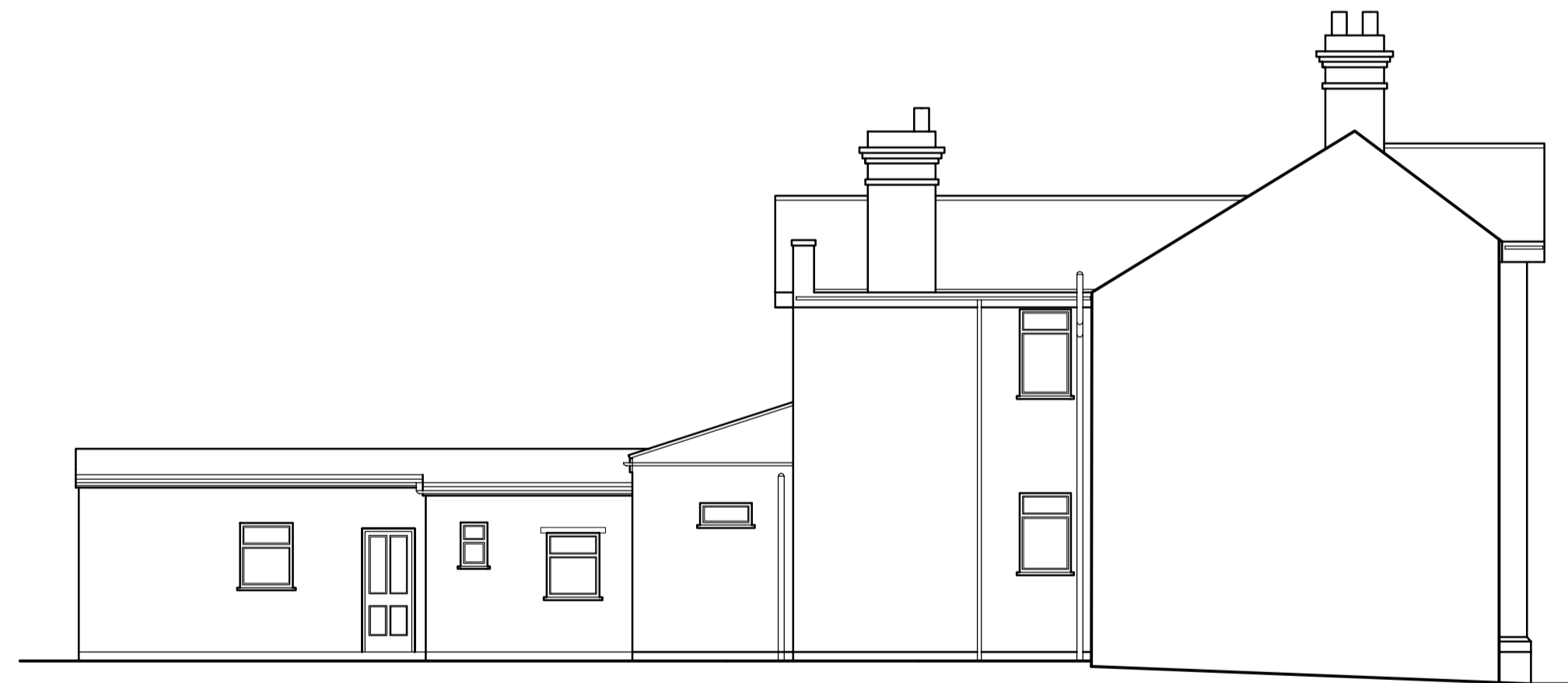
EXISTING FRONT ELEVATION



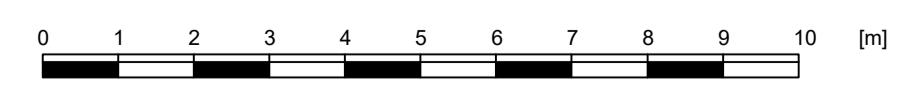
EXISTING SIDE ELEVATION



EXISTING REAR ELEVATION



EXISTING SIDE ELEVATION



Rev A - 08.01.2021 - Scale Bar added.

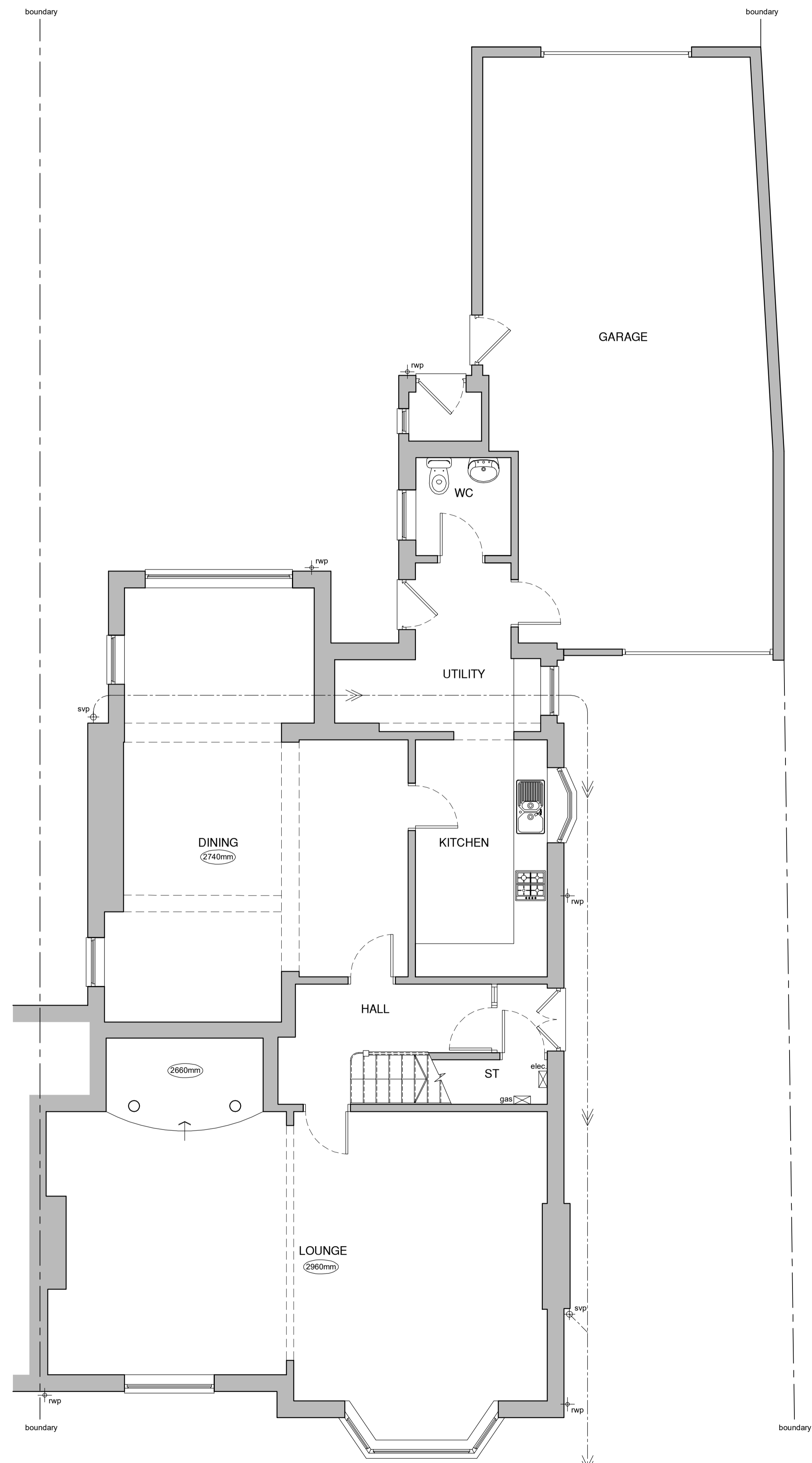
113 Dudley Road
Tipton
DY4 8DJ

Existing Elevations

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Date : July 2020
Drawn : HMS

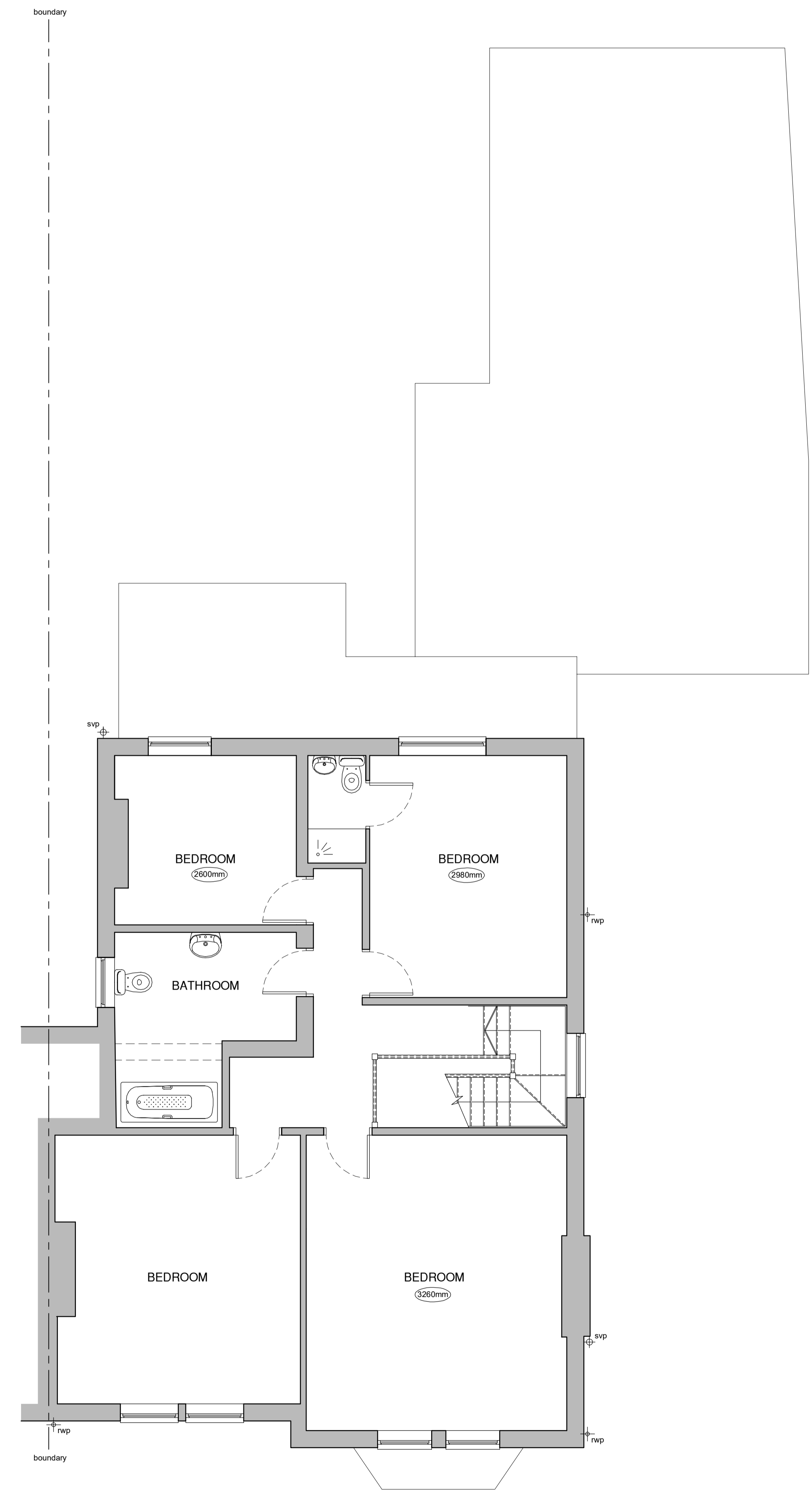
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HS/DR/PP02A

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EXISTING GROUND FLOOR PLAN

NOTE:
existing and proposed
drainage runs to be
verified on site by builder



EXISTING FIRST FLOOR PLAN



Rev A - 08.01.2021 - Scale Bar added.

113 Dudley Road
Tipton
DY4 8DJ

Existing Floor Plans

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Date : July 2020	
Drawn : HMS	

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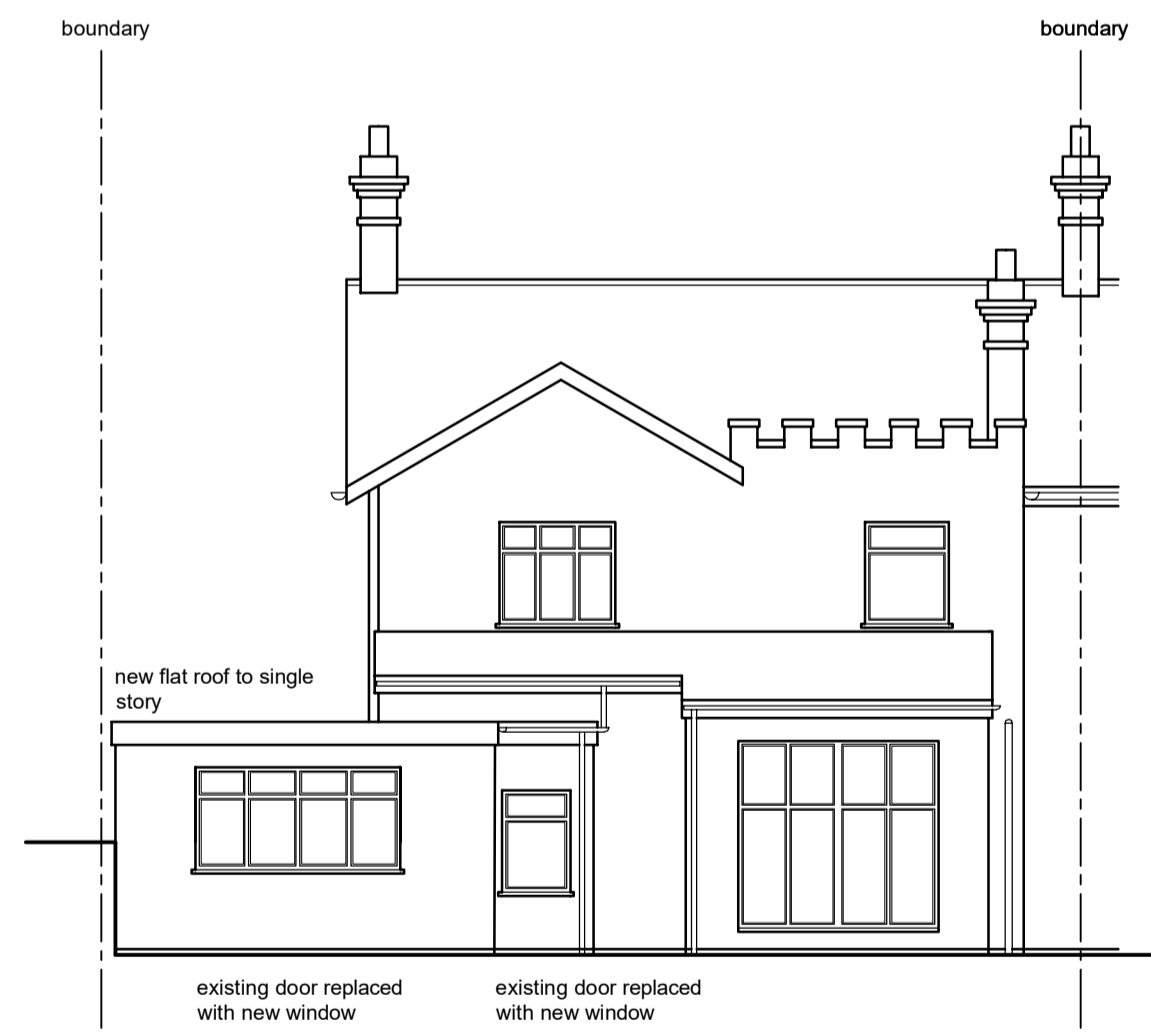
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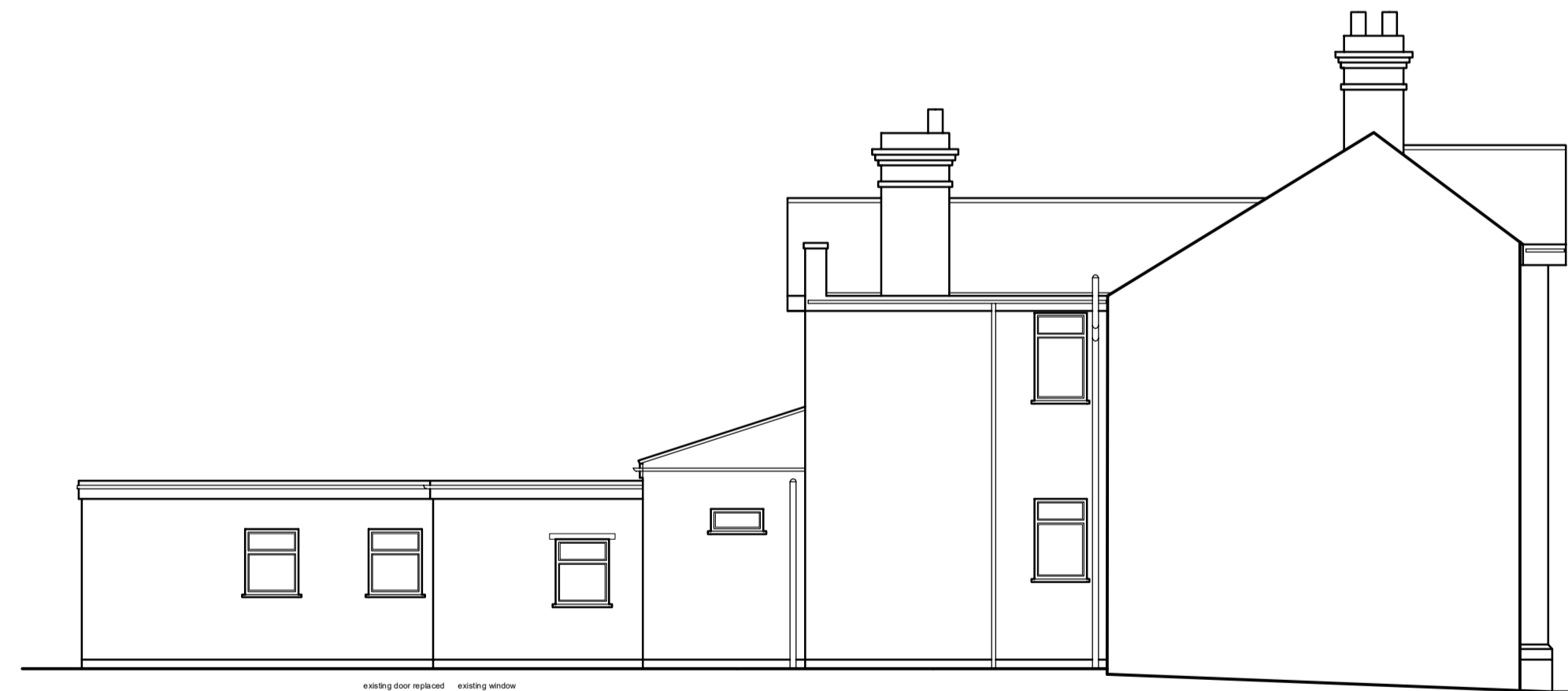
PROPOSED FRONT ELEVATION



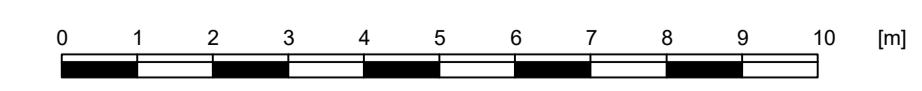
PROPOSED SIDE ELEVATION



PROPOSED REAR ELEVATION



PROPOSED SIDE ELEVATION



Rev A - 08.01.2021 - Scale Bar added.

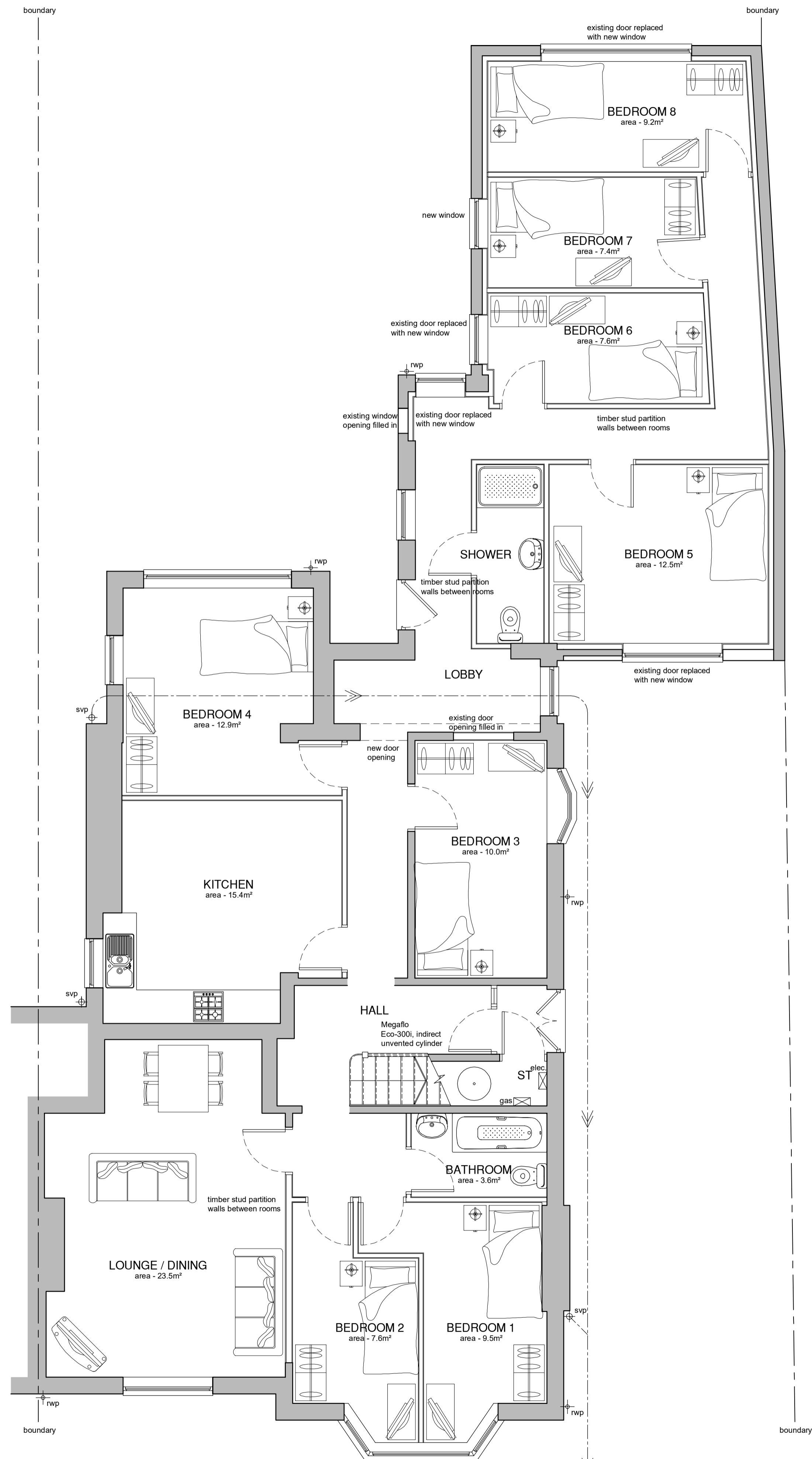
113 Dudley Road
Tipton
DY4 8DJ

Proposed Elevations

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Drawn : HMS

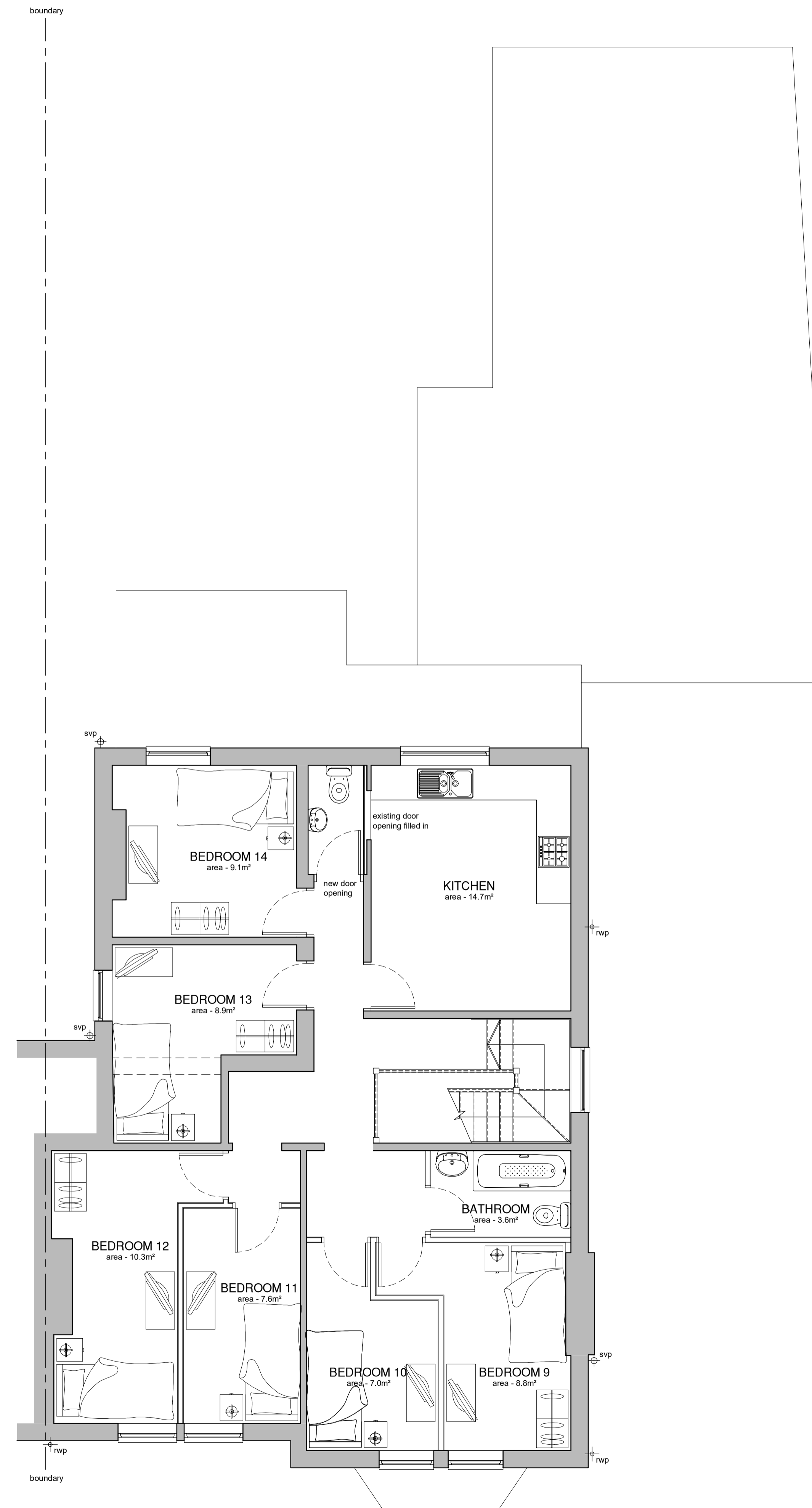
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PROPOSED GROUND FLOOR PLAN

NOTE:
existing and proposed
drainage runs to be
verified on site by builder



PROPOSED FIRST FLOOR PLAN



Rev A - 08.01.2021 - Scale Bar added.

113 Dudley Road
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DY4 8DJ

Proposed Floor Plans

Scale : 1:50 @ A1	Drawing No. :
Date : July 2020	HS/DR/PP03A
Drawn : HMS	
©	

Report to Planning Committee

10 February 2021

Application Reference	DC/20/64598
Application Received	24 th September 2020
Application Description	Proposed mixed use development, comprising of 3 No. retail units at ground floor and 6 No. residential apartments at first and second floors (previously withdrawn application DC/19/63522).
Application Address	Land Adj 63 Leabrook Road, Wednesbury, WS10 7NW
Applicant	Mr Jagpal Singh
Ward	Wednesbury South
Contact Officer	William Stevens William_stevens@sandwell.gov.uk

1 Recommendations

1.1 That planning permission is refused on grounds of: -



- (i) The proposed development is contrary to the Council's adopted Black Country Core Strategy policies CEN6 and CEN7 in that the applicant has failed to demonstrate why the retail units cannot locate within Wednesbury Town centre.
- (ii) The proposal provides poor legibility for pedestrian routes from the rear car park, therefore customers and deliveries to the retail element would cause highway safety concerns on the Leabrook Road.



2 Reasons for Recommendations

- 2.1 Whilst the residential component of the development is welcomed, the retail element is unacceptable as development plan policy has a centre's first approach, whereby there is a clear presumption in favour of focussing new retail in town centres. There are vacancies within Wednesbury town centre and as such, the proposed retail units should be in the town centre in the first instance. Despite several requests, no justification has been provided as to why the retail units cannot be located within Wednesbury town centre.
- 2.2 The proposal may lead to conflicts with other road users and deliveries to the premises given that the entrance to the retail units would face onto the frontage of Leabrook Road, whereas parking is provided at rear with poor legible pedestrian connectivity to the front entrance.

3 How does this deliver objectives of the Corporate Plan?

	Quality homes in thriving neighbourhoods – The residential component of the scheme would assist with meeting the council's housing targets and provides good quality homes.
	A strong and inclusive economy - The redevelopment is contrary to the Corporate Plan in that the proposal will remove retail opportunities within existing town centres potentially affecting the viability of these centres.

4 Context

- 4.1 This application is being reported to your Planning Committee under the request of Local Ward Councillor, Olwen Jones. She states that residents would like to see a mixed development on the application site, as residents have lost two shops in very close proximity to this location and are looking forward to the additional services it would provide.
- 4.2 To assist members with site context, a link to Google Maps is provided below:



5 Key Considerations

- 6.1 The site is allocated for housing within the development plan.
- 6.2 The material planning considerations which are relevant to this application are:-

Government policy (NPPF)
Access, highway safety, parking and servicing
Noise and disturbance from the scheme
Disturbance from smells

7. The Application Site

- 7.1 The application site is on the A4037 known locally as Leabrook Road. The A4037 is a busy link road, joining Tipton and Great Bridge with Wednesbury. The area is predominately residential.
- 7.2 The application site relates to waste ground within a residential area. Adjacent to the site is an existing shop and on the opposite side of Leabrook Road are industrial premises.

8. Planning History

- 8.1 The site has limited planning applications but has been subject to several enforcement complaints regarding untidy land.

- 8.2 Relevant planning applications are as follows: -

8.3	DC/98/34085	Proposed Car park together with boundary fencing.	Granted with Conditions 30/04/1998
	DC/19/63522	Proposed 4 No. retail units at ground floor and 8 No. apartments	Withdrawn



above with associated parking.

9. Application Details

- 9.1 The applicant proposes to erect a mix use development with three retail units on the ground floor and six one-bedroom residential apartments over two additional floors. The proposed building would be of irregular shape and measure 22.3m (W), a depth of 14.9m with a maximum height of 11.3m.
- 9.2 The agent has indicated that the retail units proposed would be covered by the new use Class E with potential uses being a kitchen/bathroom showroom, florist and hairdressers. No hours of operation have been included in the application.
- 9.3 The six one-bedroom apartments would be approximately 70sqm each.
- 9.4 Off-street parking would be available to both customers and residents, with bollards in place for residents parking spaces to protect them from retail customers using them.

10. Publicity

- 10.1 The application has been publicised by neighbour notification letters and by site notice with nine objections and one 17 signature petition in support of the proposal.

10.2 Objections

Objections have been received on the following grounds:

- (i) Residents do not need any more retail units within the residential area. The proposal would cause an increase to traffic to an already busy road, and unsafe parking,



- (ii) The retail units will increase anti-social behaviour, attract more people, litter and vermin,
- (iii) Residents would not object if the proposed development was all residential,
- (iv) The proposed retail elements would increase noise,
- (v) If food is proposed on the retail elements, residents would have concerns over the smell, litter, ASB and late opening hours,
- (vi) No details of waste storage,
- (vii) The site is not owned by the applicant,
- (viii) Possible mineshafts in the area,

10.3 Responses to objections

I respond to the objector's comments in turn;

- (i) Whilst off-street parking facilities are available, due to the poor pedestrian connecting from the rear car park to the entrance doors on Leabrook Road, it is considered that this could result in fly parking and deliveries/unloading along Leabrook Road. In so doing this could result in highway safety issues.
- (ii) Class E of the new use class order now covers a much wider range of commercial uses. If Members are minded to approve the application, it is suggested that the uses are restricted to exclude cafes and restaurants.
- (iii) These comments are noted and have been forwarded to the applicant's agent,
- (iv) It is agreed that there is a potential for residents to be disturbed by increased comings and goings by the introduction of retail units into the area,
- (v) See point ii above,
- (vi) Waste storage can be conditioned accordingly,
- (vii) The applicant's agent has provided a revised location plan showing all the site in their ownership,
- (viii) The Council is not aware of any mineshafts on site, however this is the responsibility of the applicant to check prior to commencement of the development.

10.4 Other non-material planning objections



Concerns over property values has also been raised, however property values are not a material planning consideration.

10.5 Support

A petition supports the application on the grounds it will bring employment to the area, bring in low affordable accommodation and will transform and existing eyesore and bring vacant land back into use.

11. Consultee responses

11.1 Planning and Transportation Policy

The comments from Planning Policy are broken into two elements as follows:-

Residential

The proposed site is allocated for a residential use and falls within a predominantly residential area, therefore there are no policy concerns with the residential element of the scheme.

Retail

With regards to the retail element of the scheme, Wednesbury town centre is within 1km of the site. As identified in Policy CEN7 of the Black Country Core Strategy, the Council has adopted a centre's first policy, whereby there is a clear presumption in favour of focussing development in town centres. There are vacancies within Wednesbury town centre and as such, the retail units should be in the town centre in the first instance.

Policy CEN6 of the same document, states that provision may be made for a specific day to day need, such as a convenience store, however, there is already a convenience store adjacent the site. In addition, there



are other retail/commercial uses further along the Leabrook Road. Additional retail uses in this location would only further detract from Wednesbury town centre, where there are already existing vacancies. The proposed retail units would therefore fail to meet a required need, as permitted under this policy, as the convenience day to day need has already been met in this location.

11.2 Highways

The removal of rear entrance for the retail units, removes the ability to load and unload deliveries from the rear car park and disconnects the customer parking. This could result in vehicles loading and unloading on Leabrook Road, some fly parking may also occur.

A condition could be added for the applicant to pay for a review of parking restrictions. This could include no parking, loading/unloading restrictions to prevent parking on Leabrook Road and protect the junction with Willingsworth Road, a loading bay could be considered on Willingsworth Road as there is a footpath link within the site from the retail entrance to the side of the property, however this is likely to result in neighbour objections.

Alternatively, instead of an unloading bay the applicant could produce a management plan to confirm how they will organise loading, unloading clear of the highway, a management plan could be conditioned to be approved by the Council, implemented and retained. Also, any approval should have conditions attached which demonstrate clear signage of parking has been considered, implemented and retained.

11.3 Public Health (Air Quality)

No objections subject to the inclusion of electric vehicle charging points.

11.4 Public Health (Contaminated Land)



The standard ground investigation and remediation measures condition has been recommended.

11.5 Public Health (Air Pollution and Noise)

Have raised concerns about the potential noise issues to residents given the busy nature of Leabrook Road. They have recommended that an environmental noise survey and noise risk assessment be carried out and the implementation of recommendations.

With regards to the retail units, conditions limiting the hours of operation to Monday to Saturday 08:00 to 18:00 hours, and 08:0 to 13:00 on Sundays. Furthermore, no external plant should be located outside of the building.

11.6 West Midlands Police

The applicant has amended the plans based on comments made by the police and removed the rear door that fronts the proposed car park due to concerns about poor surveillance, anti-social behaviour and public safety.

11.7 Private Sector Housing and Cadent

Comments from these two departments have been received and passed onto the applicant for information. The contents of these are not material planning considerations.

12. National Planning Policy

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



12.2 The NPPF specifically refers to ensuring the viability of town centres and impresses upon local planning authority to define their town centres for retail to maintain their viability and to have sequential approach which directs new retail to town centres in the first instance and consider that edge of centre and out of centre site should be dismissed unless it can be demonstrated that no retail space is available within the town centre. As indicated above (11.1) it is considered that retail space is available within the Wednesbury town centre and hence the proposal is not compliant with national policy.

13. Local Planning Policy

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

DEL1 – Infrastructure Provision

HOU1 – Delivering Sustainable Housing Growth

HOU2 – Housing Density, Type and Accessibility

CEN6 – Meeting Local Needs for Shopping and Services

CEN7 – Controlling Out-of-Centre Development

ENV3 – Design Quality

ENV5 – Flood Risk, Sustainable Drainage Systems and Urban Heat Island

ENV8 – Air Quality

EOS9 – Urban Design Principles

H1 – Housing Allocations

13.2 The proposal meets the requirements of policy HOU1, HOU2 and H1 in that it would be accessible by sustainable transport to residential services. The proposed residential scheme would also achieve high quality design with minimal amenity impact.

13.3 As discussed above, the proposal raises no significant concerns in respect of design and is therefore compliant with policy ENV3 and policy SAD EOS 9.



- 13.4 A condition can be applied to ensure appropriate drainage in accordance with policy ENV5.
- 13.5 In respect of air quality (ENV8), an electric vehicle charging point would be ensured by condition, in accordance with the Black Country Air Quality SPD.
- 13.6 The proposal however is contrary to policies CEN6 and CEN7 in that a town centres first policy is adopted, and the applicant (despite several requests) has failed to demonstrate why the above policies should be set aside.

14. Material Considerations

14.1 The material considerations relating to Government Policy (NPPF) and proposals within the Development Plan have been referred to above in Sections 12 and 13. With regards to other material considerations these are highlighted below:

14.2 Access, highway safety, parking and servicing

Whilst off-street parking spaces have been provided to the rear of the proposed retail units, the proposed main entrances face Leabrook Road, where passing trade and other users of the A4037 are likely to conflict.

14.3 Noise and disturbance from the scheme

Conditions regarding hours of operation from the retail elements can be attached to any approval.

14.4 Disturbance from smells

Conditions can be attached to any approval preventing the retail premises from being used as a café or restaurant.



15 Alternative Options

15.1 Approval of application is an option, if there are material planning reasons that outweigh national and local policy objection regarding the retail component of the proposal. If Members are minded to approve the application, there are several conditions that would need to be added to make the scheme appropriate in all respects.

16 Implications

Resources:	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.
Legal and Governance:	This application is submitted under the Town and Country Planning Act 1990.
Risk:	None.
Equality:	There are no equality issues arising from this proposal and therefore an equality impact assessment has not been carried out.
Health and Wellbeing:	None
Social Value	None

17. Appendices

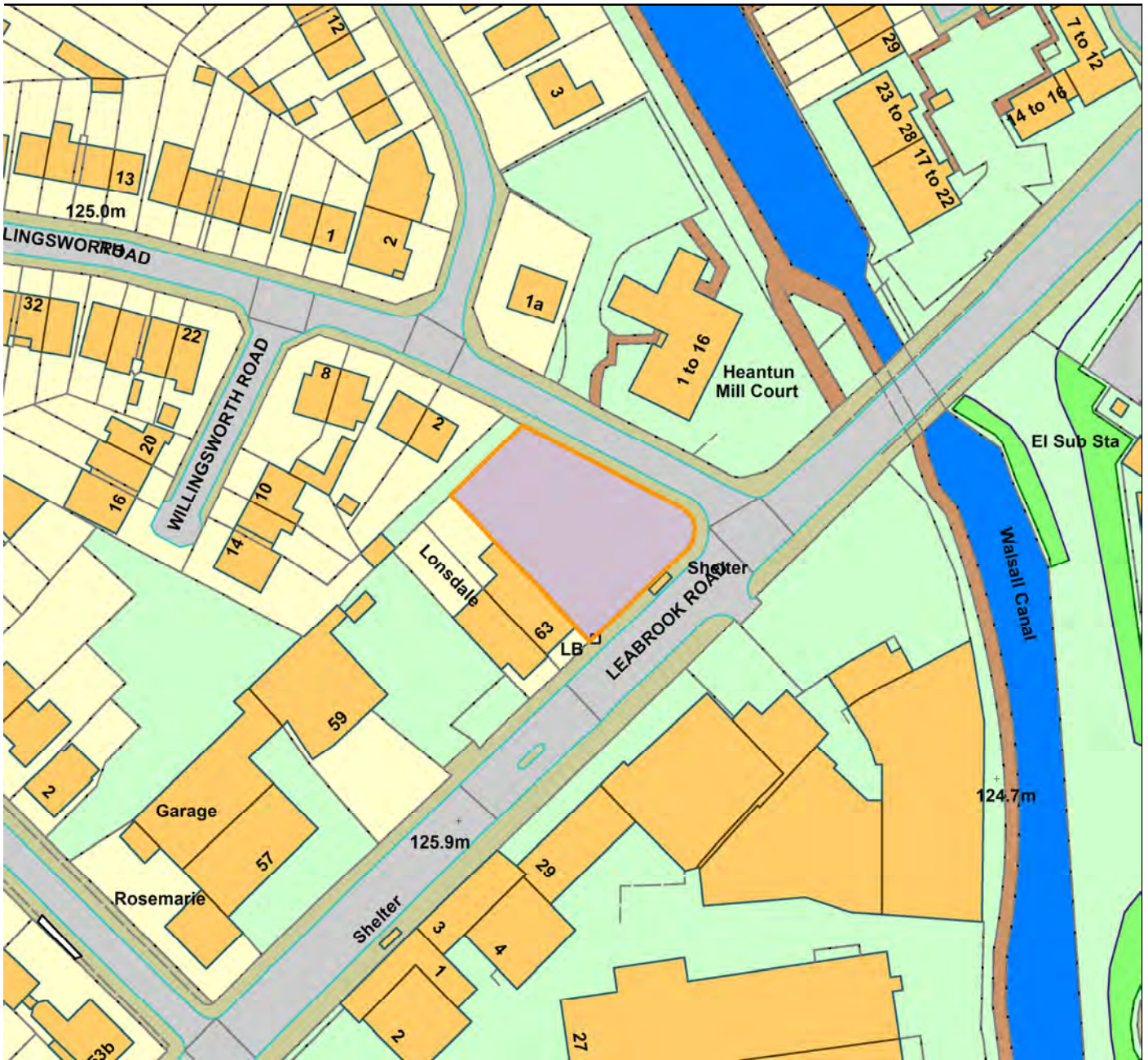
Site Plan
Context Plan
3500_10 Rev D

18. Background papers

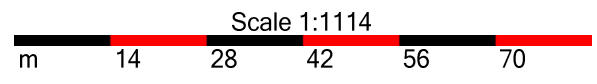
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DC/20/64598
Land Adj 63 Leabrook Road

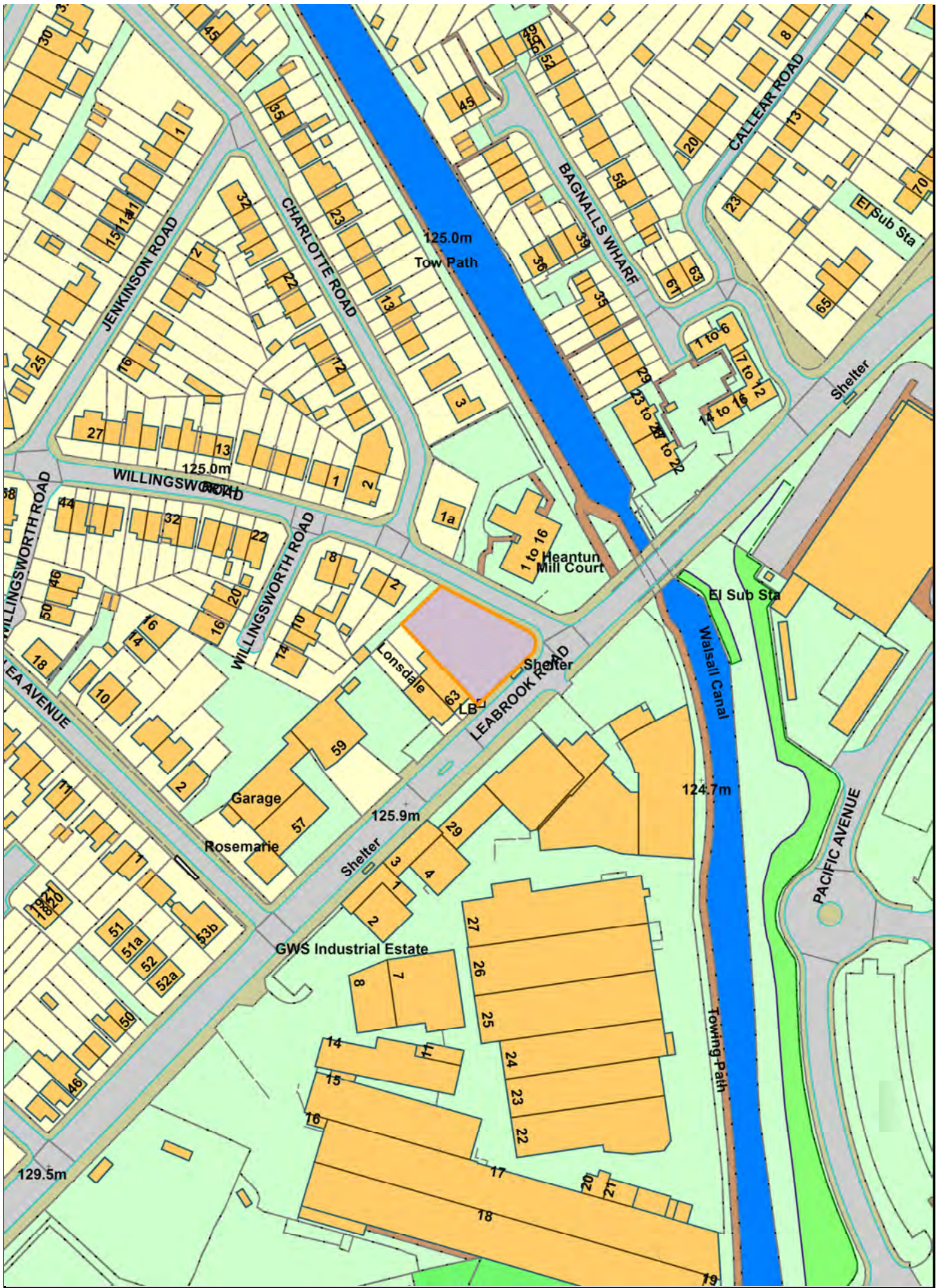


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Organisation	Not Set
Department	Not Set
Comments	Not Set
Date	25 January 2021
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ALL DIMENSIONS ARE TO BE CHECKED ON SITE PRIOR TO CONSTRUCTION. THE CONTRACTOR IS TO NOTIFY THE ARCHITECT OF ANY DISCREPANCY BETWEEN DRAWINGS, SPECIFICATION AND SITE DIMENSIONS.

THE CLIENT IS ADVISED OF THEIR DUTY UNDER THE PARTY WALL E.T.C ACT 1996 TO SERVE THE REQUIRED NOTICE UPON THEIR NEIGHBOUR(S) WITHIN THE MINIMUM PRESCRIBED TIME PERIOD

THE CONTRACTOR IS REQUIRED TO HAVE READ AND UNDERSTOOD ALL CONDITIONS AND NOTES ATTACHED TO THE PLANNING "NOTICE OF DECISION" AND SERVE ANY NOTICES REQUIRED THEREIN, BEFORE COMMENCING THE WORKS



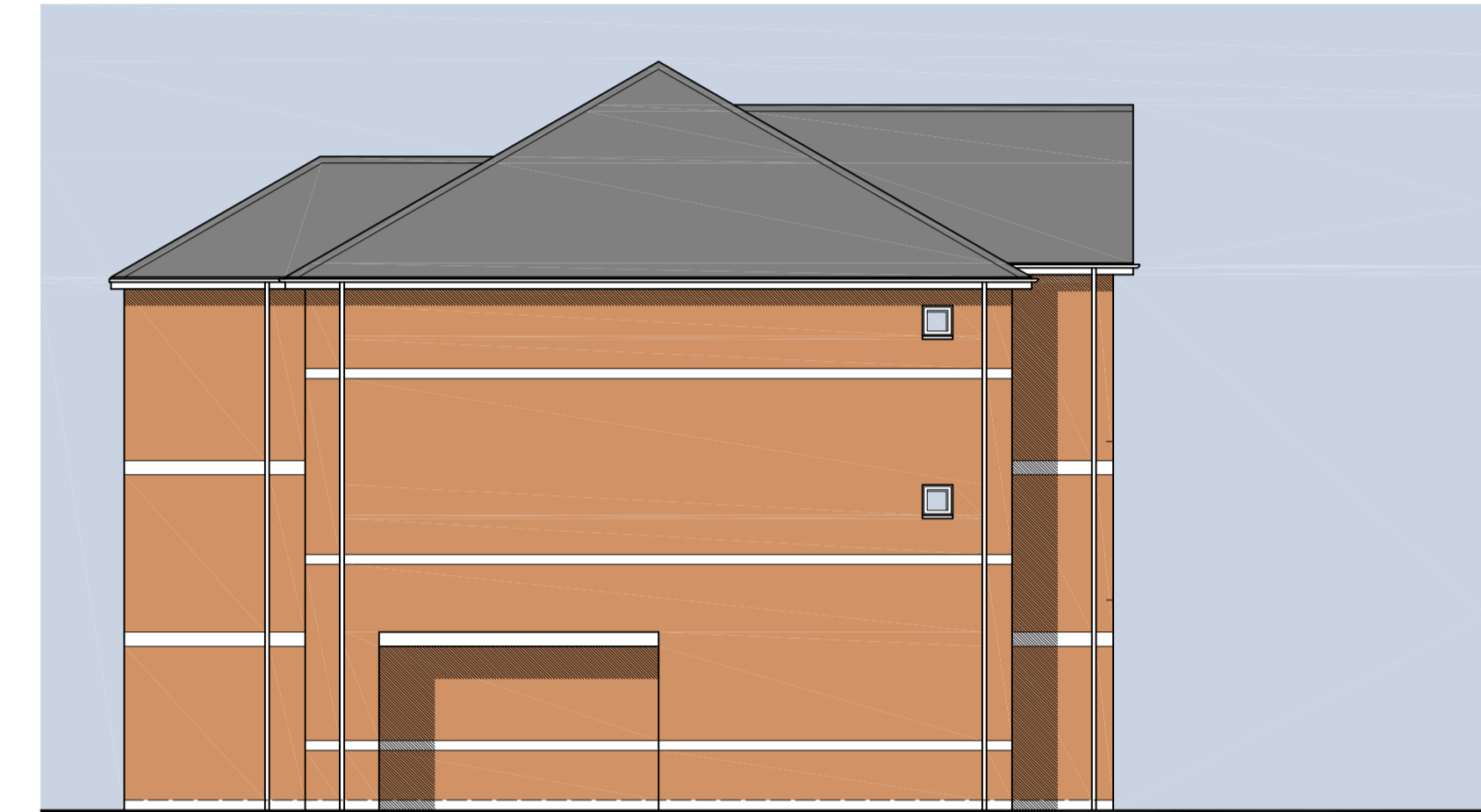
Leabrook Road Elevation (South East) Scale 1:100



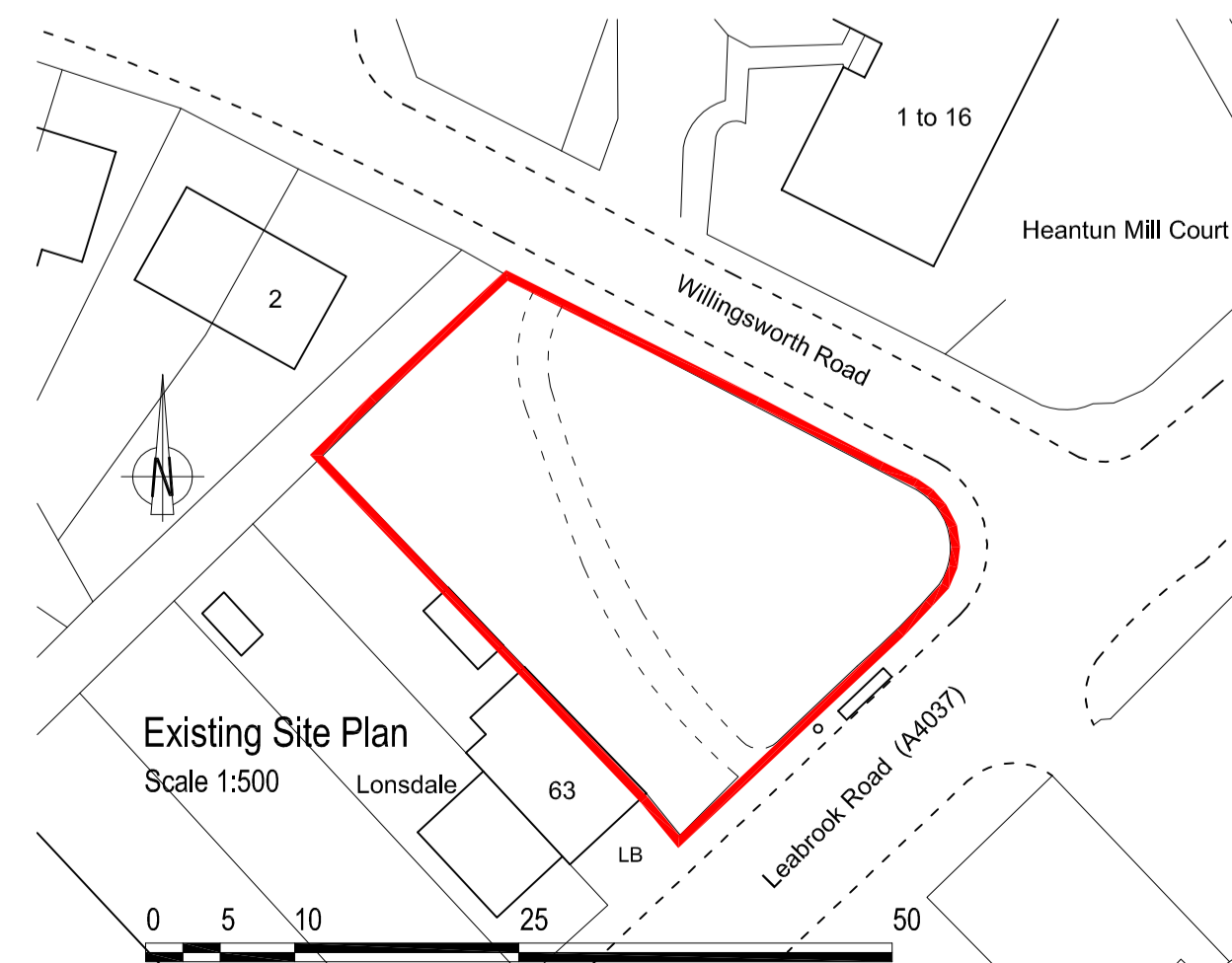
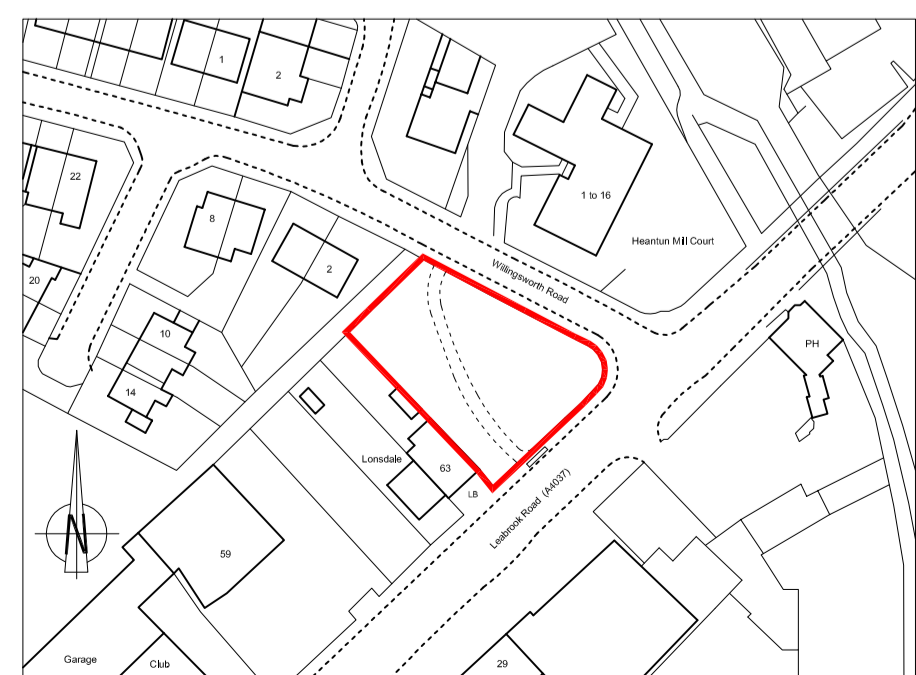
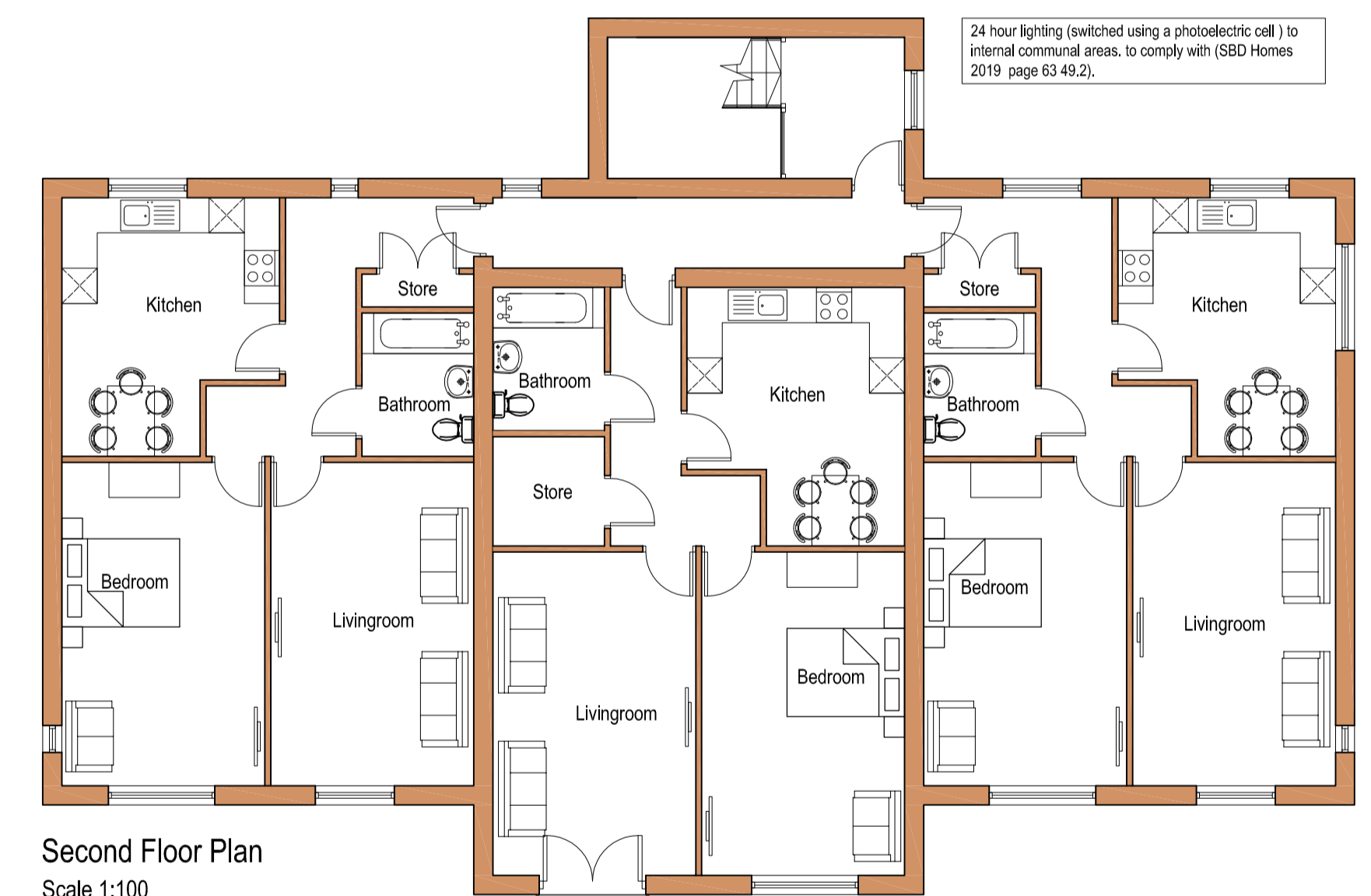
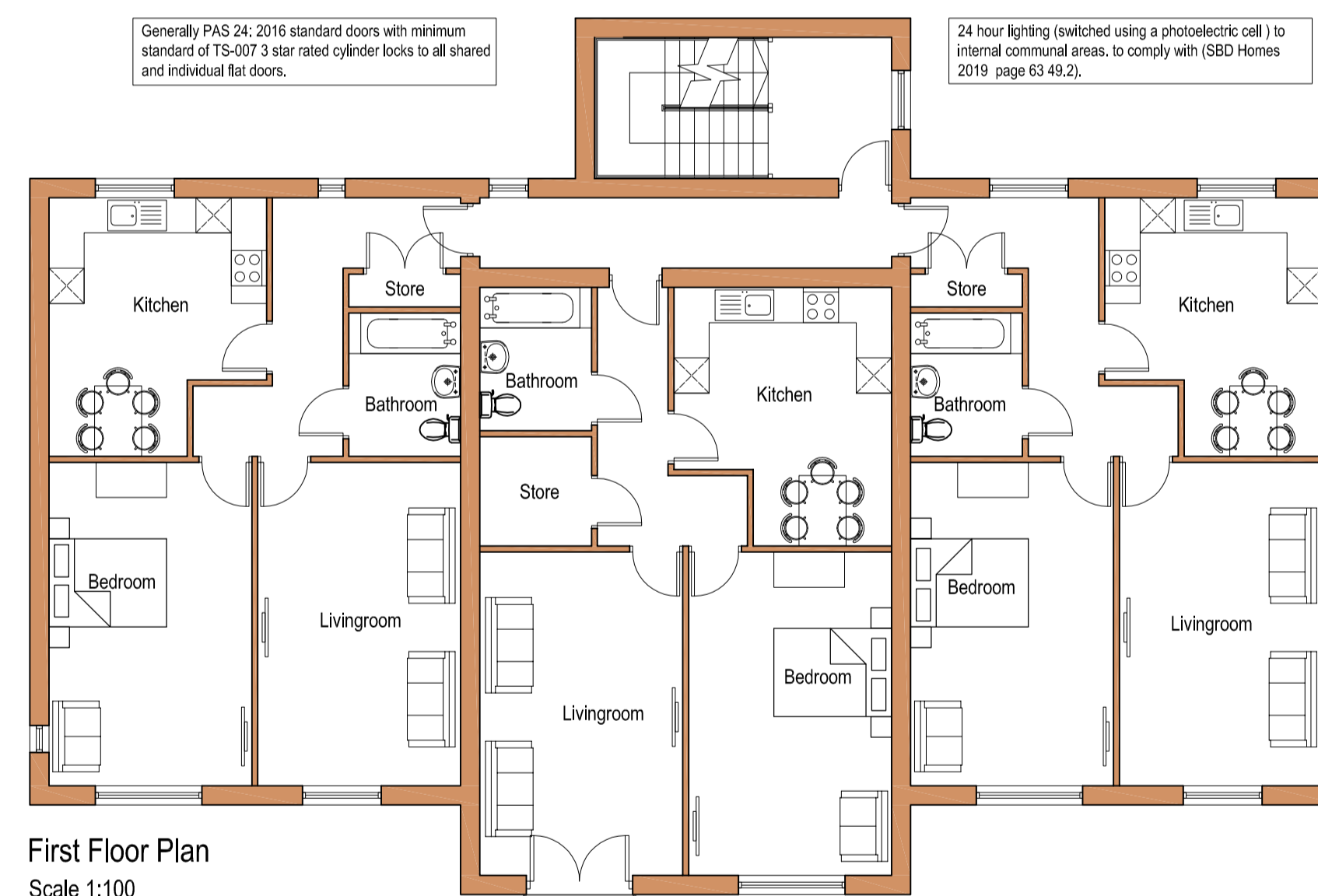
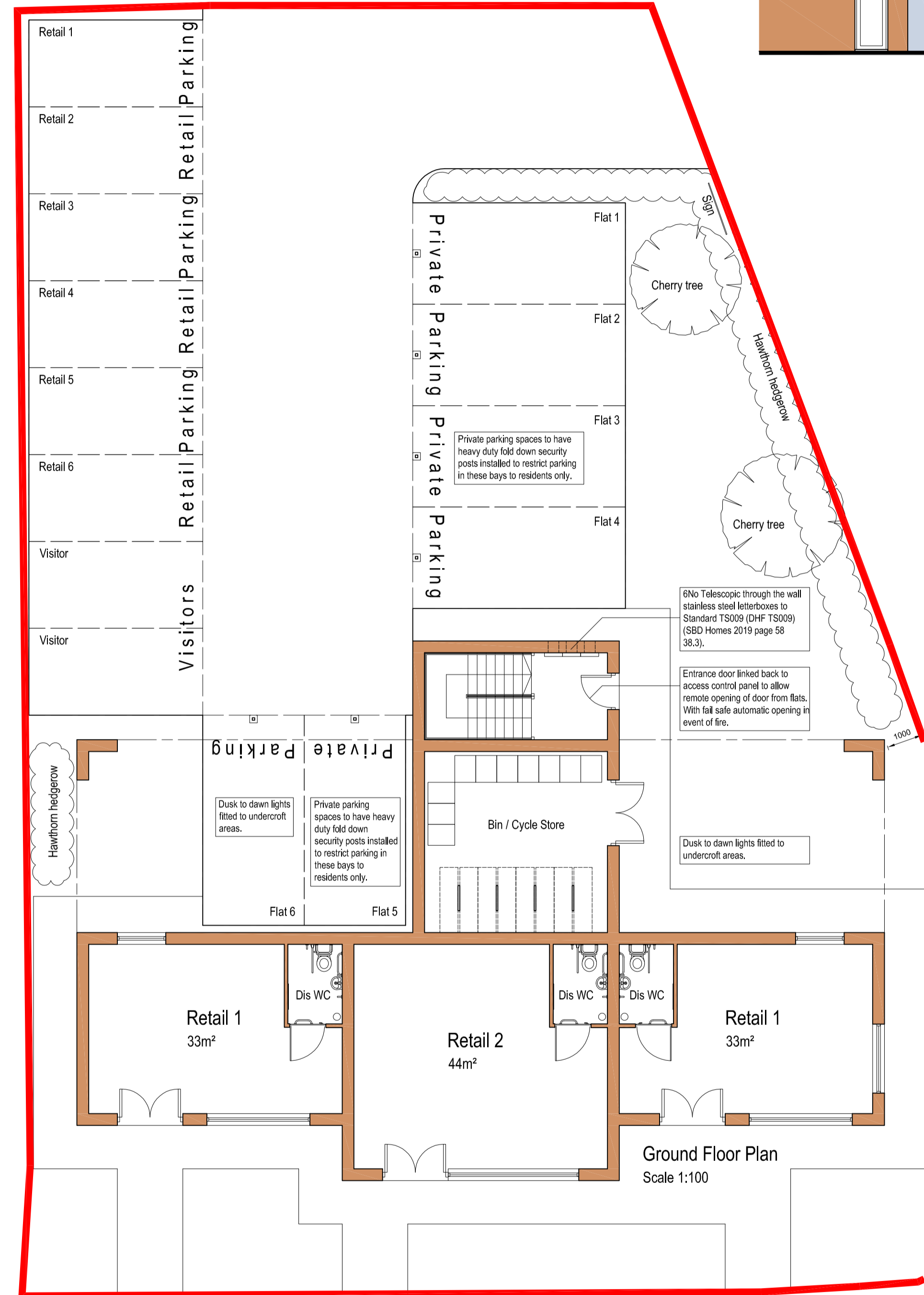
Willingsworth Road Elevation (North East) Scale 1:100



Rear Elevation (North West) Scale 1:100



Rear Elevation (South West) Scale 1:100



REVISION	DESCRIPTION	DATE	BY	CHECK
D	SBD items added	23.12.20	LCF	GP
C	Planners comments	23.11.20	LCF	GP

HIGHBURY DESIGN
Chartered Architects Project Managers CDM Co-ordinators
HIGHBURY HOUSE
11 HOLT ROAD STUDLEY
WARWICKSHIRE B80 7NX
Tel: (01527) 857092
Email: info@highburysdesign.com
www.highburysdesign.com

CLIENT
Leabrook Developments

PROJECT
New Flats & Retail Units,
Adjacent to 63 Leabrook Road,
Wednesbury, WS10 7NW

TITLE
Proposed Plans And Elevations

Date	Scale	Drawn	Drawing No	Rev
03.03.20	1:100	LCF	3500_010	D
			Verified by	GP

Report to Planning Committee

10 February 2021

Application Reference	DC/20/64706
Application Received	23 September 2020
Application Description	Proposed demolition of bungalow and construction of a four bed dwelling.
Application Address	5 Warstone Drive, West Bromwich B71 4BH
Applicant	Mr Parminder Kumar
Ward	West Bromwich Central
Contact Officer	Carl Mercer carl_mercer@sandwell.gov.uk

1 Recommendations

1.1 That planning permission is granted subject to conditions relating to:


- (i) External materials;
- (ii) Boundary treatment;
- (iii) Landscaping;
- (iv) Drainage;
- (v) Electric vehicle charging point;
- (vi) Method statement of working;
- (vii) Windows in the side elevations to be obscurely glazed;
- (viii) Provision and retention of parking; and
- (ix) Removal of PD rights for alterations and enlargements to the dwelling.



2 Reasons for Recommendations

- 2.1 The development would replace a bungalow with a larger, family sized dwelling of good quality design and appearance, with no significant impact on the amenity of the occupiers of surrounding properties, or harm to the visual amenity of the wider area.

3 How does this deliver objectives of the Corporate Plan?

	Quality homes in thriving neighbourhoods – The scheme assists with meeting the council's housing targets and would provide good quality homes.
---	--

4 Context

- 4.1 This application is being reported to your Planning Committee as three material planning objections to the proposal have been received.
- 4.2 To assist members with site context, a link to Google Maps is provided below:

[5 Warstone Drive, West Bromwich](#)

6 Key Considerations

- 6.1 The site is unallocated with the development plan and is currently occupied by a bungalow.
- 6.2 The material planning considerations which are relevant to this application are:-

Government policy (NPPF);
Overlooking/loss of privacy;
Loss of light and/or outlook;
Overshadowing/overbearing nature of proposal;
Design, appearance and materials;
Access, highway safety and parking; and
Archaeology.



7. The Application Site

- 7.1 The application site is situated on the west side of Warstone Drive, West Bromwich. The character of the surrounding area is residential.
- 7.2 Properties along Warstone Drive are individual in design and there is a mixture of one, two and three storey dwellings.

8. Planning History

- 8.1 There is no relevant planning history.

9. Application Details

- 9.1 The applicant proposes to demolish the existing bungalow and construct a two storey, four bed dwelling. The proposed dwelling would consist of a basement area; a lobby, living room, bathroom, utility and garage at ground floor; four bedrooms and two bathrooms at first floor; and a storage area in the loft space.
- 9.2 The dwelling would largely be a hipped roofed, with two front facing gables at either side of the front elevation, providing a symmetrical frontage focussed around a central front door.
- 9.3 In respect of parking provision, the dwelling would have an integral garage for one car, and existing provision to the driveway (which accommodates approximately two cars), remains unchanged.
- 9.4 Amended plans have been submitted which removed a previously proposed larger skylight section in the roof, and a rear facing dormer window.



10. Publicity

10.1 The application has been publicised by neighbour notification letter, with three objections being received.

10.2 Objections

Objections have been received on the following grounds:

- (i) The dwelling would be taller than neighbouring properties and out of character;
- (ii) Overshadowing and loss of outlook; and
- (iii) The windows in the roof space would impact on privacy.

10.3 Responses to objections

I respond to the objector's comments in turn:

- (i) The applicant has submitted a street scene plan which demonstrates that, whilst the proposed dwelling would clearly be higher than the bungalow to the north, the total height would not exceed the height of the neighbouring, two storey dwelling to the south. Given that many of the house styles along Warstone Drive are mixed, each with differing architectural styles, including an example of a three storey dwelling, I cannot afford great weight to an argument that the dwelling would be out of character with the surrounding area.
- (ii) The distances between the rear of the proposed dwelling and the rears of the dwellings along Dagger Lane would far exceed the separation distance required under the council's design guidance. The guidance stipulates a separation distance of 21 metres, whilst the separation distances in this instance would be some 35 to 40 metres. This distance is considered to be sufficient to allay any concerns in respect of overshadowing or loss of outlook.



- (iii) In respect of loss of privacy, an amended plan has been submitted and the dormer window and much of the skylight, which could be perceived to impact on privacy, has been omitted from the proposal.

11. Consultee responses

11.1 Planning Policy

No objection. Policy implications will be discussed further in the report under paragraphs 12 and 13.

11.2 Highways

No objection. Three off-street spaces can be provided which would be acceptable for a five/six bed property. This would also provide for the loft space to be converted into additional bedrooms in the future.

12. National Planning Policy

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

13. Local Planning Policy

- 13.1 The following policies of the council's Development Plan are relevant:-

DEL1: Infrastructure Provision

HOU2: Housing Density, Type and Accessibility

TRAN4: Creating Coherent Networks for Cycling and Walking

ENV2: Historic Character and Local Distinctiveness

ENV3: Design Quality

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



ENV8: Air Quality
SAD H2: Housing Windfalls
SAD HE 5: Archaeology & Development Proposals
SAD EOS 9: Urban Design Principles

West Bromwich Area Action Plan (WBAAP) - WBP5: Housing

Black Country Air Quality SPD

- 13.2 In regard to DEL1, electric vehicle charging points are required for new development. This would be ensured by condition.
- 13.3 The proposal meets the requirements of policy HOU2 in that it proposes a larger property type which would be accessible by sustainable transport to residential services. The proposal would also achieve high quality design with minimal amenity impact.
- 13.4 As the property would have a garage, separate secure cycle storage would not be required in accordance with policy TRAN4.
- 13.5 The site is situated in a wider area that is designated as an Area of Potential Archaeological Importance on the SADD Policy Map. Therefore, policy ENV2 and policy SAD HE 5 are applicable. The policy officer has advised in his comments that as the site has already been developed, there would be no requirement for an archaeological assessment prior to development.
- 13.6 As discussed above, the proposal raises no significant concerns in respect of design and is therefore compliant with policy ENV3 and policy SAD EOS 9.
- 13.7 A condition can be applied to ensure appropriate drainage in accordance with policy ENV5.



- 13.8 In respect of air quality (ENV8), an electric vehicle charging point would be ensured by condition, in accordance with the Black Country Air Quality SPD.
- 13.9 The development site is not allocated for residential development in the SADD Policies Map and is therefore classed as a housing windfall site. Whilst policy SAD H2 would be applicable, the policy officer has confirmed that the proposal meets the guidance set out in the policy, as the site is previously developed land that is suitable for residential development.
- 13.10 Policy WBP5 of the WBAAP states that to increase the population living within and on the edge of the town centre in order to support the economy and contribute to the vitality of the town, a range of housing will be required in order to meet local need. The development would meet said need.

14. Material Considerations

14.1 The material considerations relating to government policy (NPPF) and proposals within the Development Plan have been referred to above in Sections 12 and 13. With regards to the other considerations these are highlighted below:

14.2 Overlooking/loss of privacy

These matters have been addressed in response to the objectors' comments in paragraph 10.3.

14.3 Loss of light and/or outlook

The dwelling would be of a sufficient distance from properties at the rear to not cause a loss of light. Furthermore, the dwelling would not impact on the rears of the two properties to the north and south on Warstone Lane, as the projection of massing into the plot would be limited, and would not project past the rears of these properties in a manner which



would have a significant impact. Additionally, minor windows to the side elevations of these properties would mean that the impact on loss of light would be negligible. Outlook has been discussed in paragraph 10.3.

14.4 **Overshadowing/overbearing nature of proposal**

As 14.2.

14.5 **Design, appearance and materials**

The design of the proposal is unique in its surroundings, which is in keeping with the mixture of property styles along Warstone Drive. Despite its individuality, the massing and scale of the proposal would cause no undue harm to the visual amenity of the area. Materials shown on plan appear to be acceptable, considering those used in the surrounding area, but the specifics of material type would be ensured by condition. Furthermore, sufficient external amenity space would be provided for future occupants.

14.6 **Access, highway safety and parking**

As the highway officer has no objections, sufficient parking would be provided, and an existing access utilised, I have no appreciable concerns in respect of these matters. Parking would be ensured and retained by condition.

14.7 **Other matters**

Whilst no concerns are raised in respect of massing, I consider it prudent that permitted development rights are removed in order to safeguard occupiers of neighbouring properties from development which may cause harm to residential amenity. As well as standard conditions relating to landscaping, drainage and boundary treatments, I suggest that a method of working statement is submitted (to include hours of working, site operation etc) due to the proximity of surrounding dwellings



and the disruption which may be caused to residents during construction.

15 Alternative Options

15.1 Refusal of the application is an option when there are material planning reasons for doing so, in my opinion relevant material considerations would not cause harm to residential amenity.

16 Implications

Resources	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.
Legal and Governance	This application is submitted under the Town and Country Planning Act 1990.
Risk	None.
Equality	There are no equality issues arising from this proposal and therefore an equality impact assessment has not been carried out.
Health and Wellbeing	None.
Social Value	None.

17. Appendices

Site Plan

Context Plan

Proposed Site Plan - BV/321/1 REV A

Proposed Streetscene - BV/321/2B

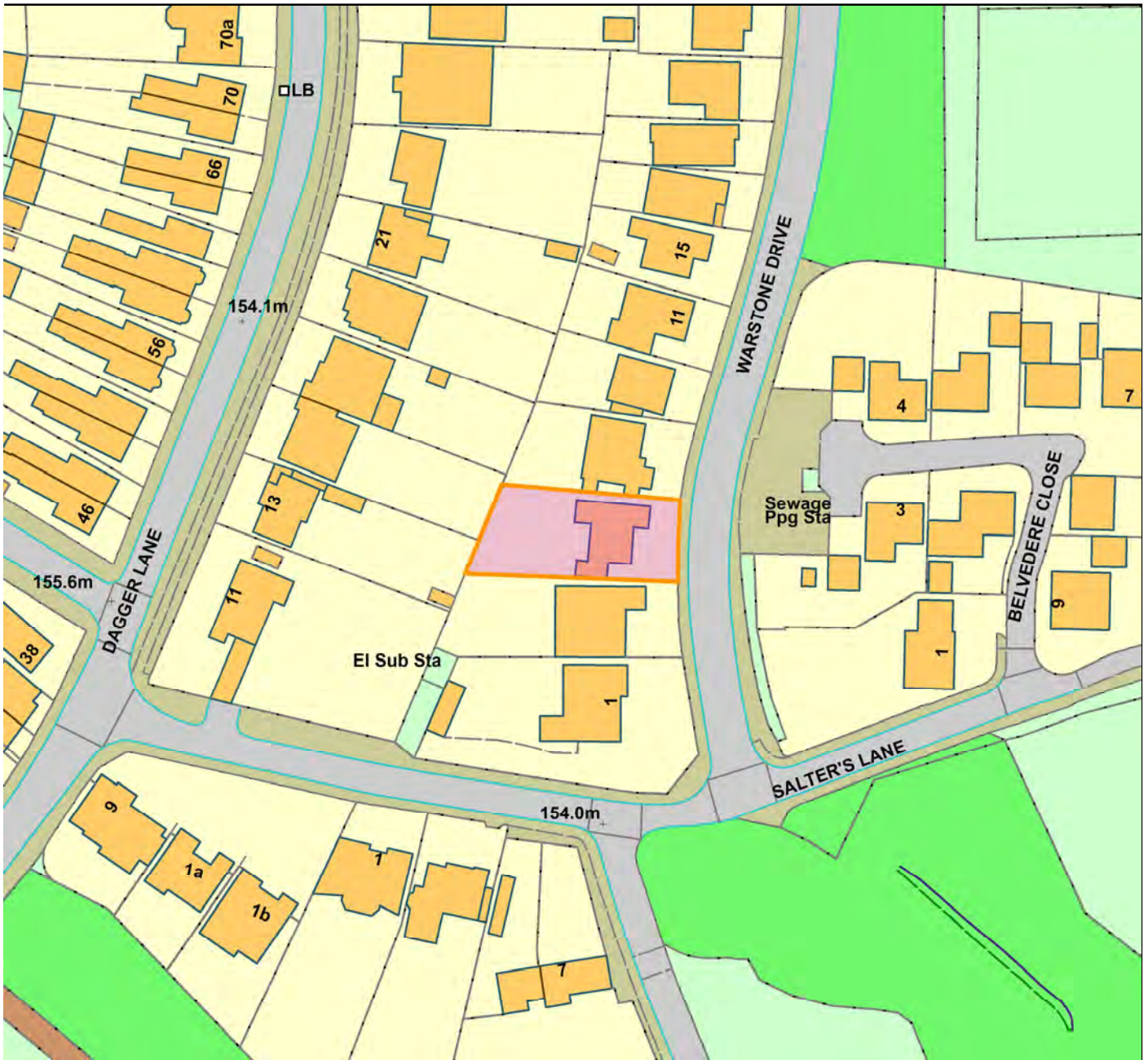
Proposed General Layout/Elevation Plan - BV/321/0I

18. Background Papers

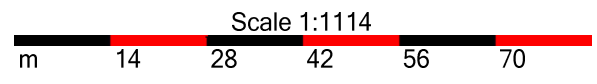
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DC/20/64706
5 Warstone Drive

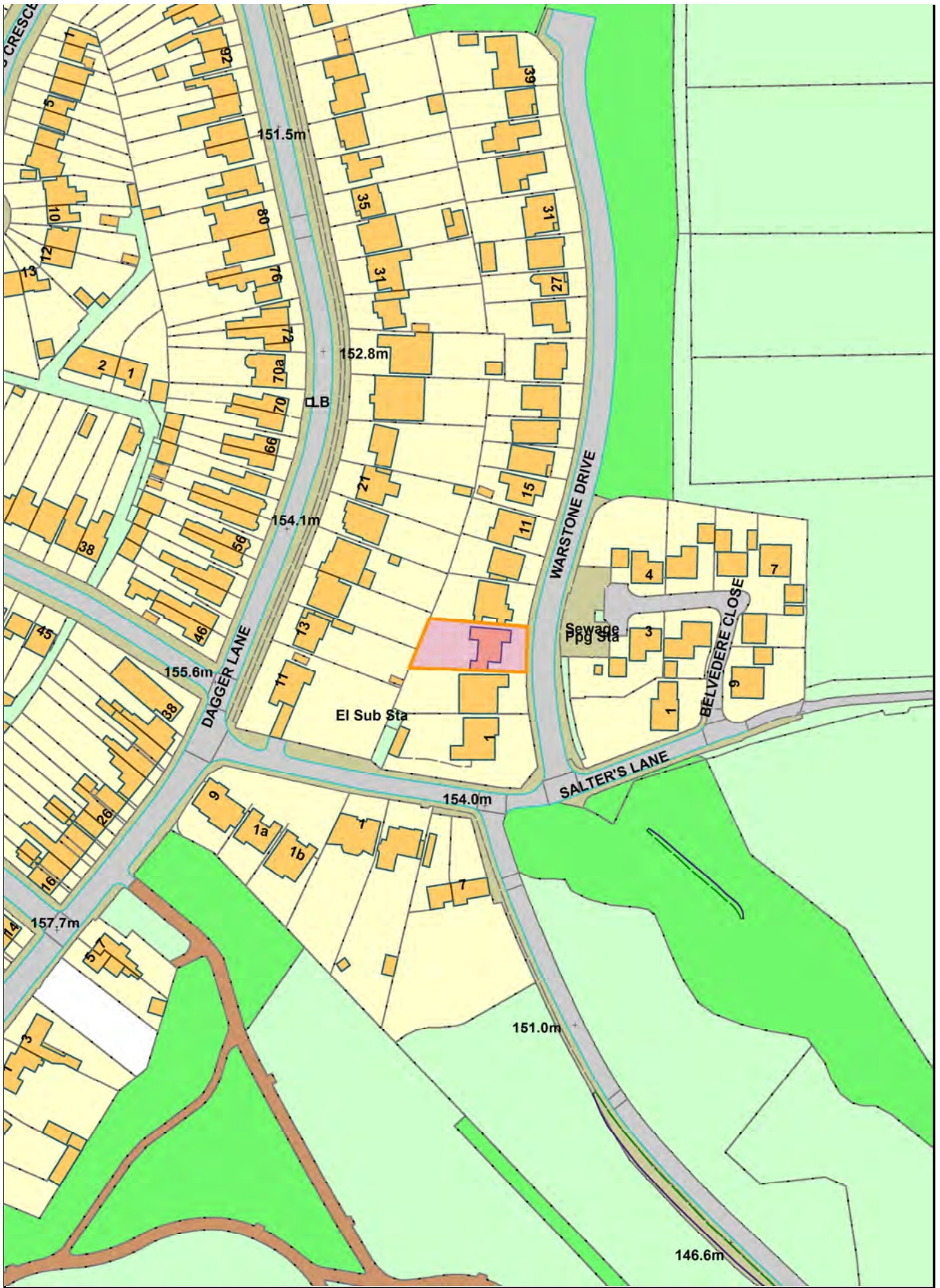


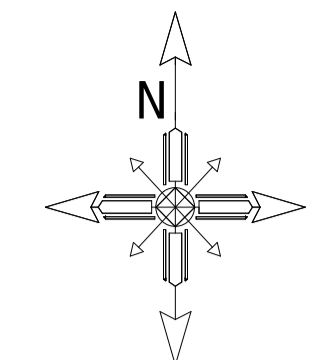
Legend



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Organisation	Not Set
Department	Not Set
Comments	Not Set
Date	27 January 2021
OS Licence No	





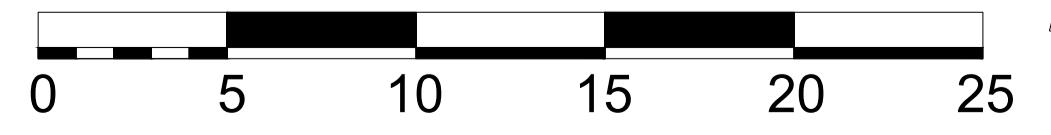
E1 Sub Sta

Sewage Ppg Sta

WARSTONE DRIVE

SALTER'S LANE

154.0m



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It is the clients responsibility to take all necessary steps to fully comply with the CDM Regulations 1994. The Designer has taken necessary action to avoid injury / incident within the specification, and reasonable and practicable steps in the design of the building.

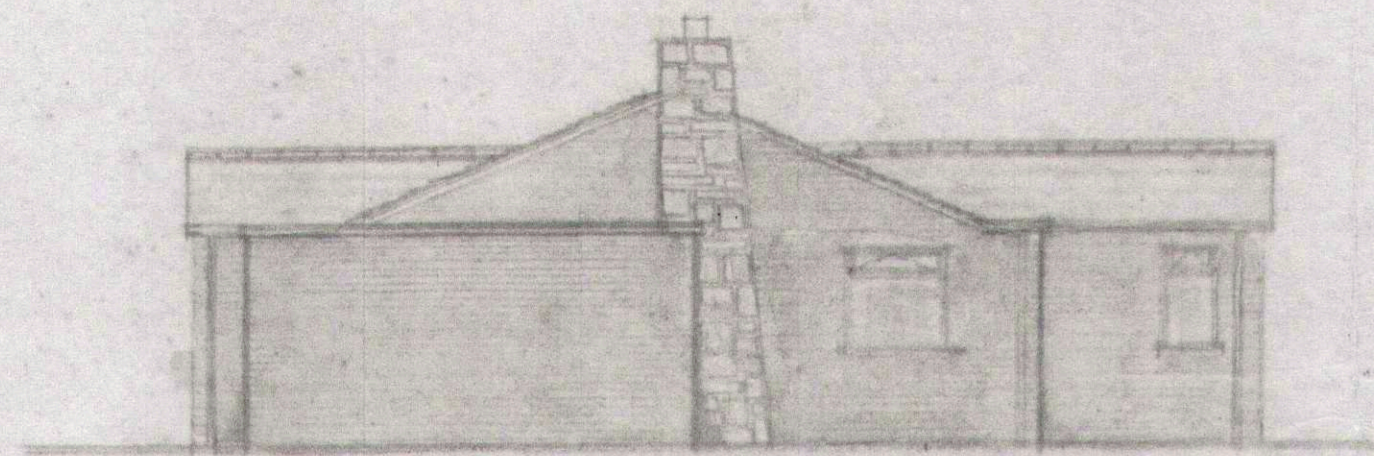
Party Wall 1996
The client is the Building owner and as such should take the necessary steps to comply with the Act where applicable.

rev	description	date	initial
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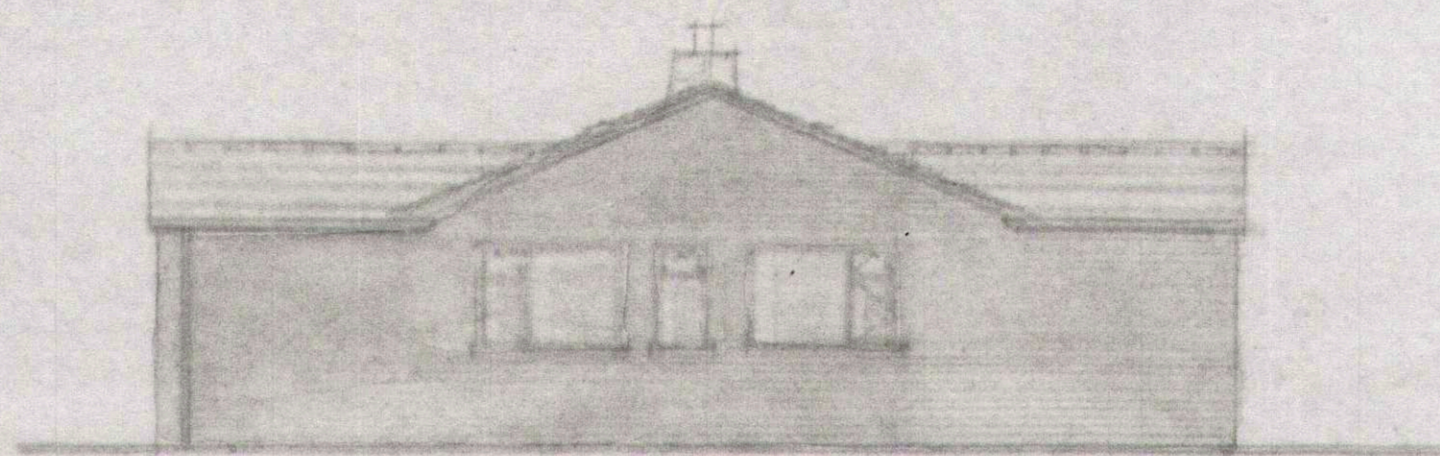


38 Old Walsall Road,
Great Barr,
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Tel: 0121 358 2233
Fax: 0121 357 7492
Email: contact@integratedesigns.co.uk

Title	New House
Project	5 Warstone Drive West Bromwich West Midlands B71 4BH
Client	
Scale	1:200 @ A1
Drawing No.	05/12/11
Checked	
	PRELIMINARY PLAN

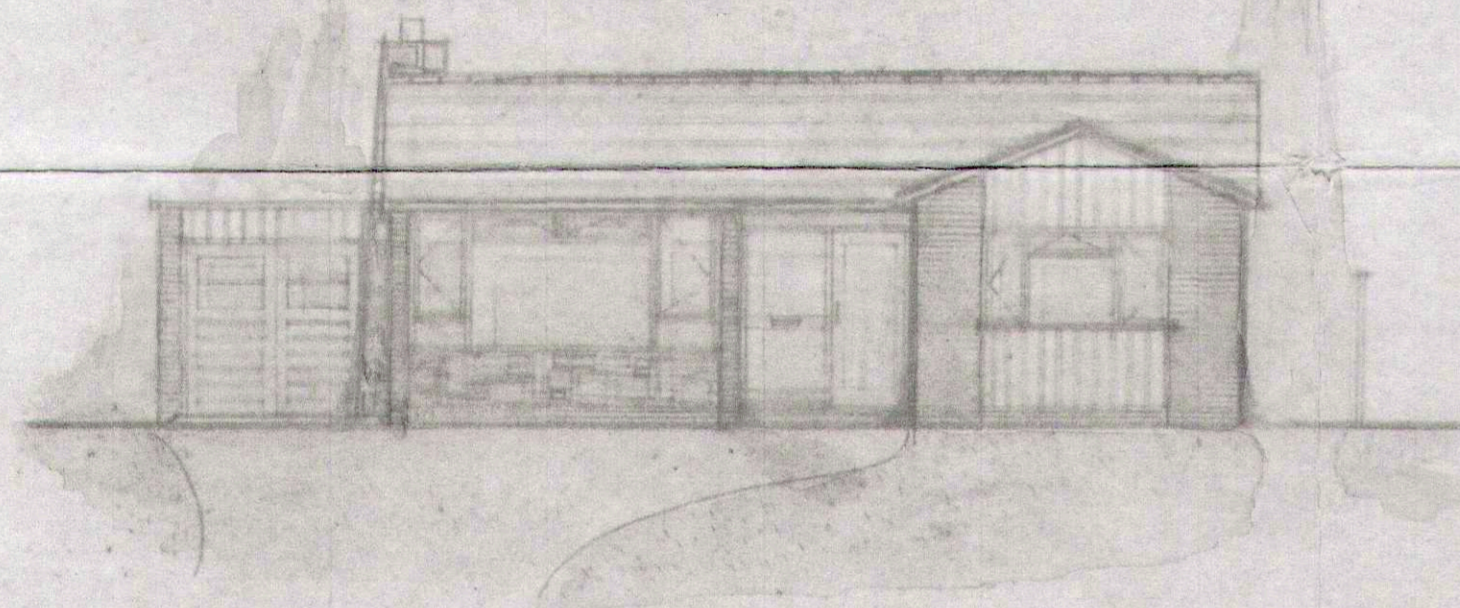


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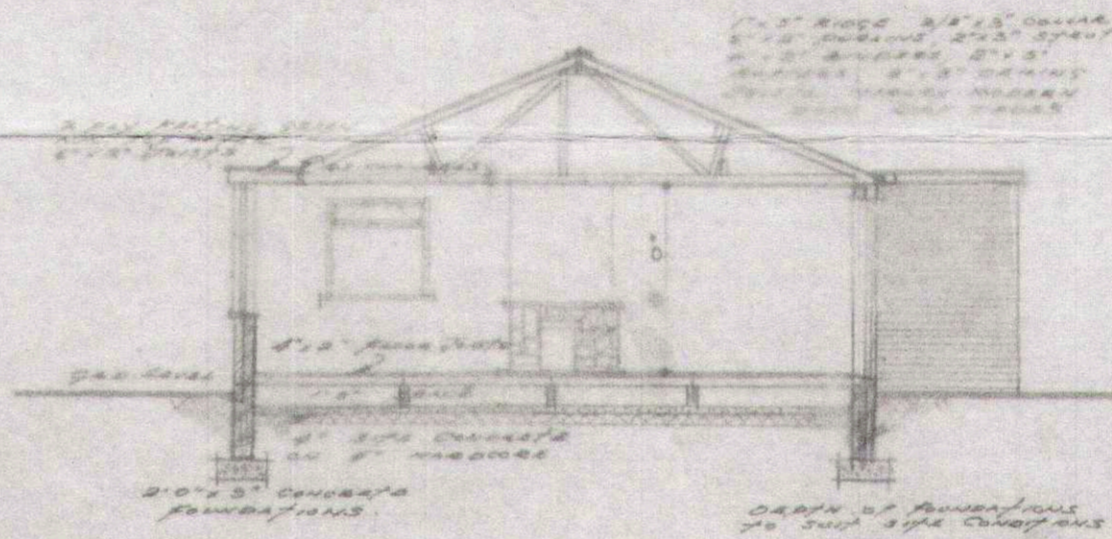


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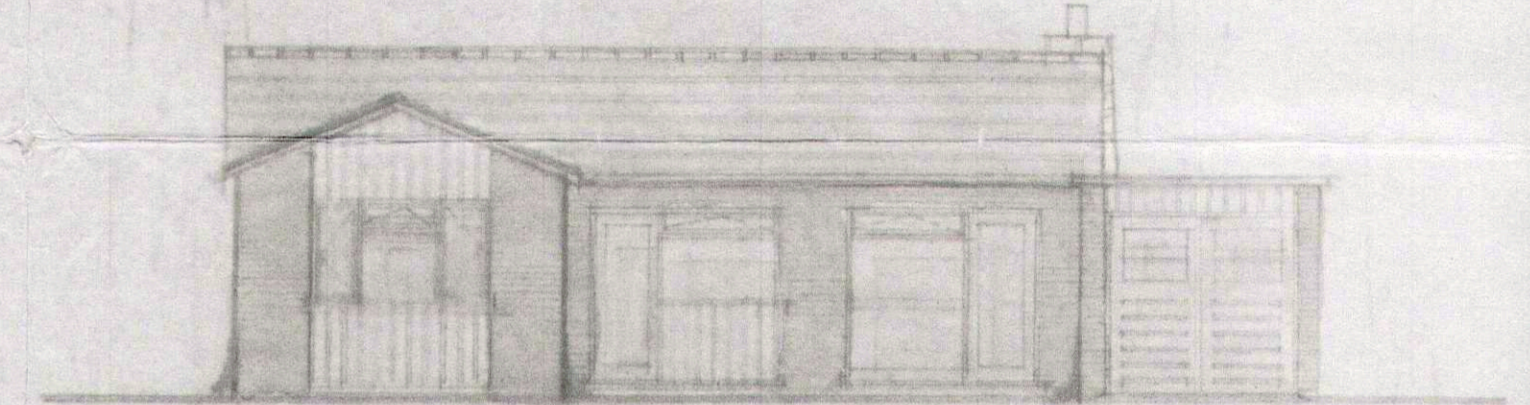
GENERAL NOTES -
 1. ALL WORK TO BE DONE IN ACCORDANCE WITH THE BUILDING REGULATIONS 1985 AND THE LOCAL AUTHORITY'S REQUIREMENTS.
 2. THE CLIENT HAS ADVISED THAT THE HOUSE IS TO BE USED AS A RESIDENCE.
 3. THE CLIENT HAS ADVISED THAT THE HOUSE IS TO BE BUILT ON A PLAIN SITE.
 4. THE CLIENT HAS ADVISED THAT THE HOUSE IS TO BE BUILT ON A 20' x 40' SITE.
 5. THE CLIENT HAS ADVISED THAT THE HOUSE IS TO BE BUILT ON A 20' x 40' SITE.
 6. THE CLIENT HAS ADVISED THAT THE HOUSE IS TO BE BUILT ON A 20' x 40' SITE.
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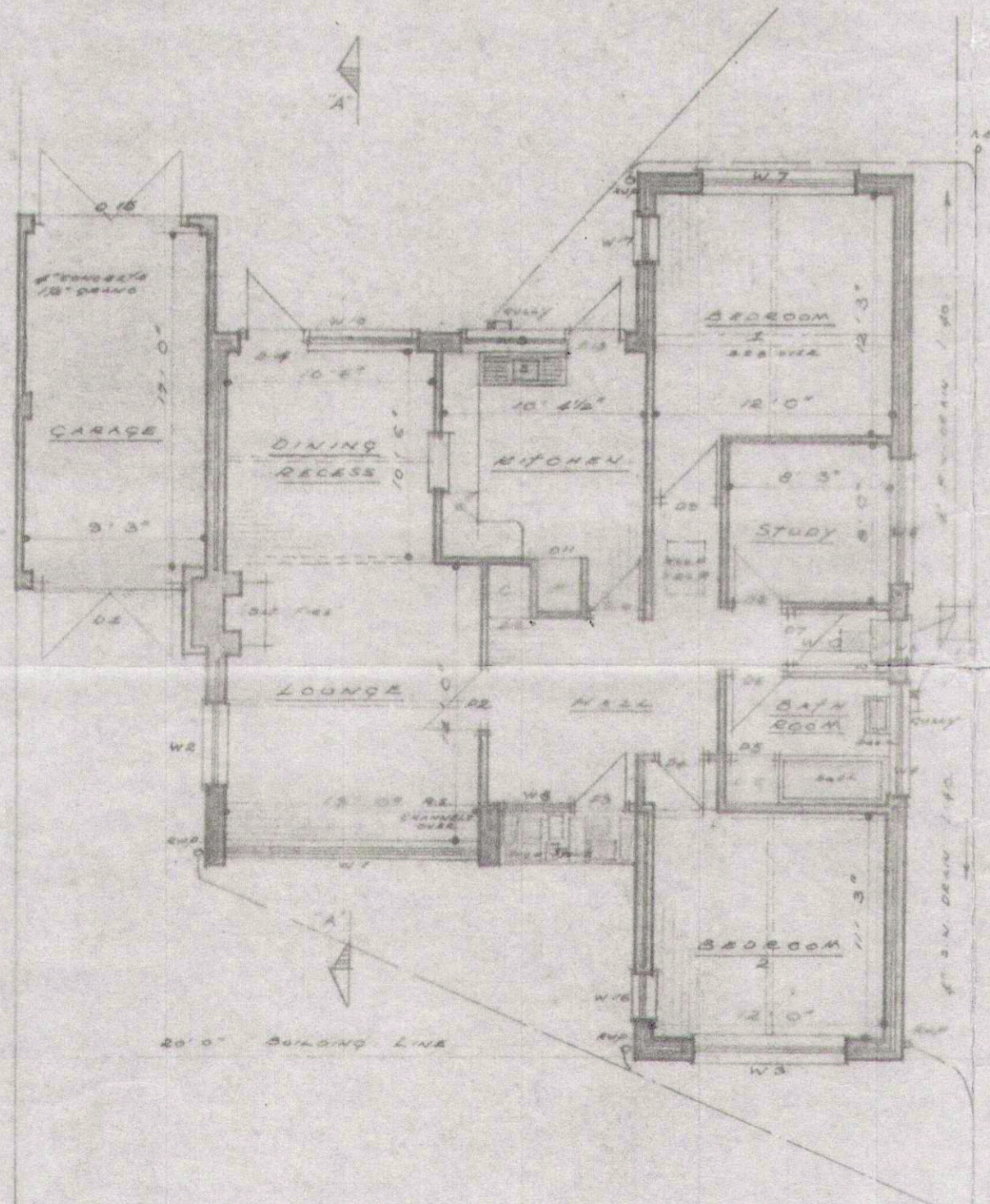
• Front elevation



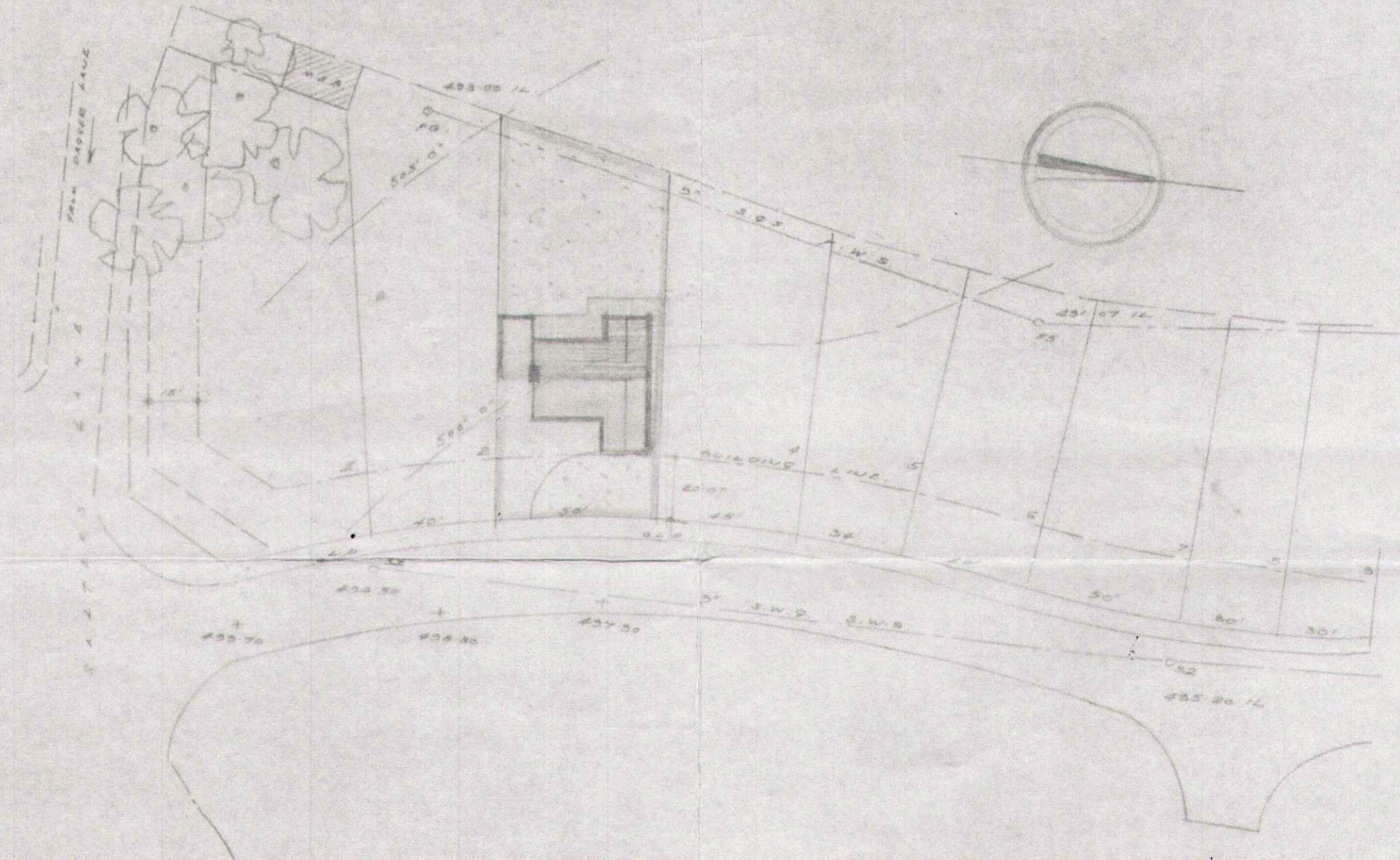
• Section A-A



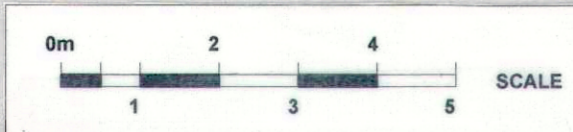
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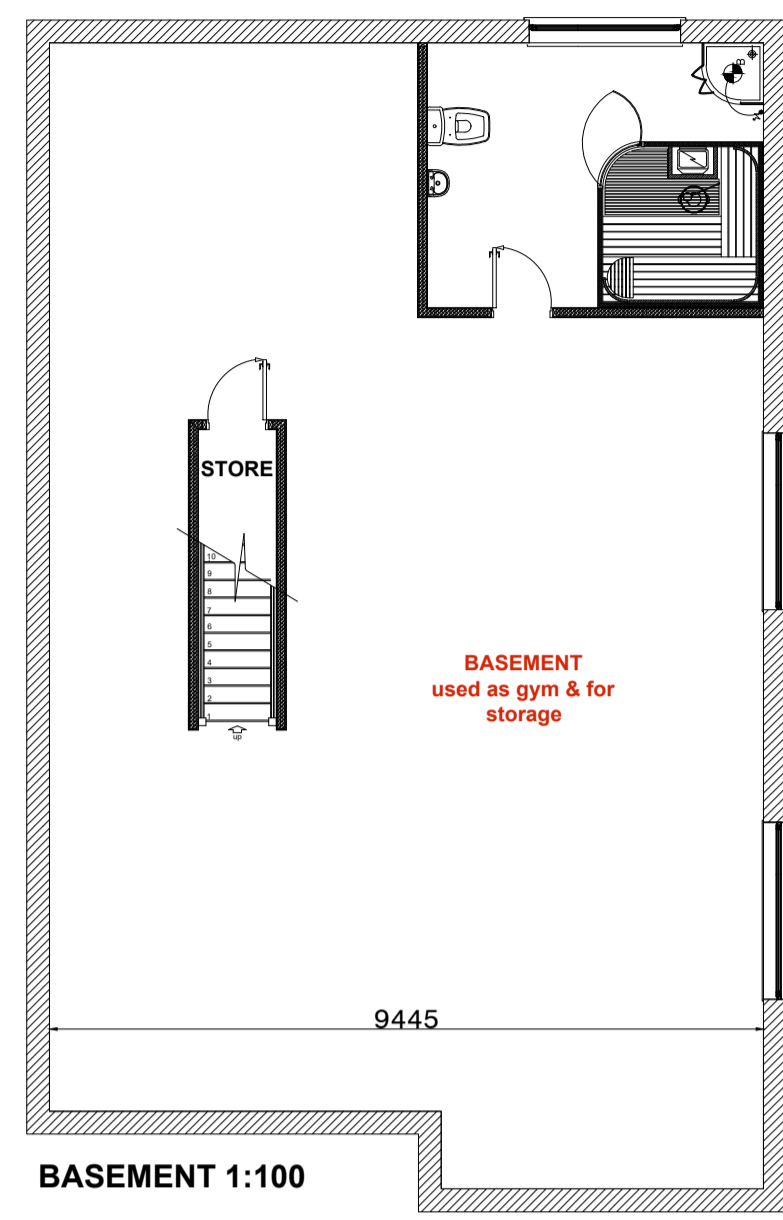
• Ground floor plan



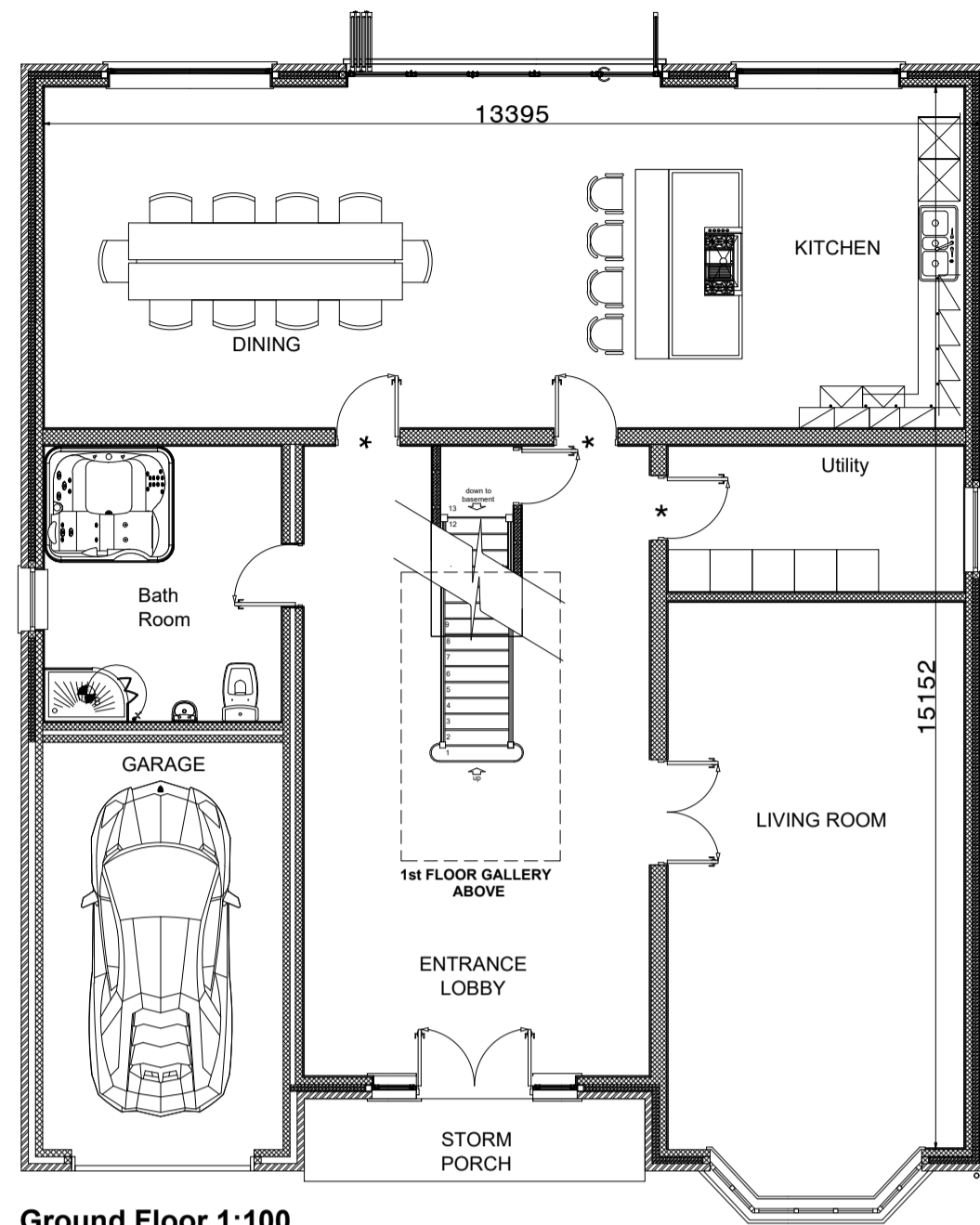
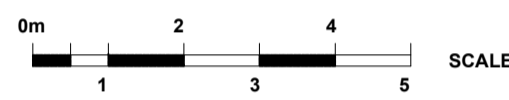
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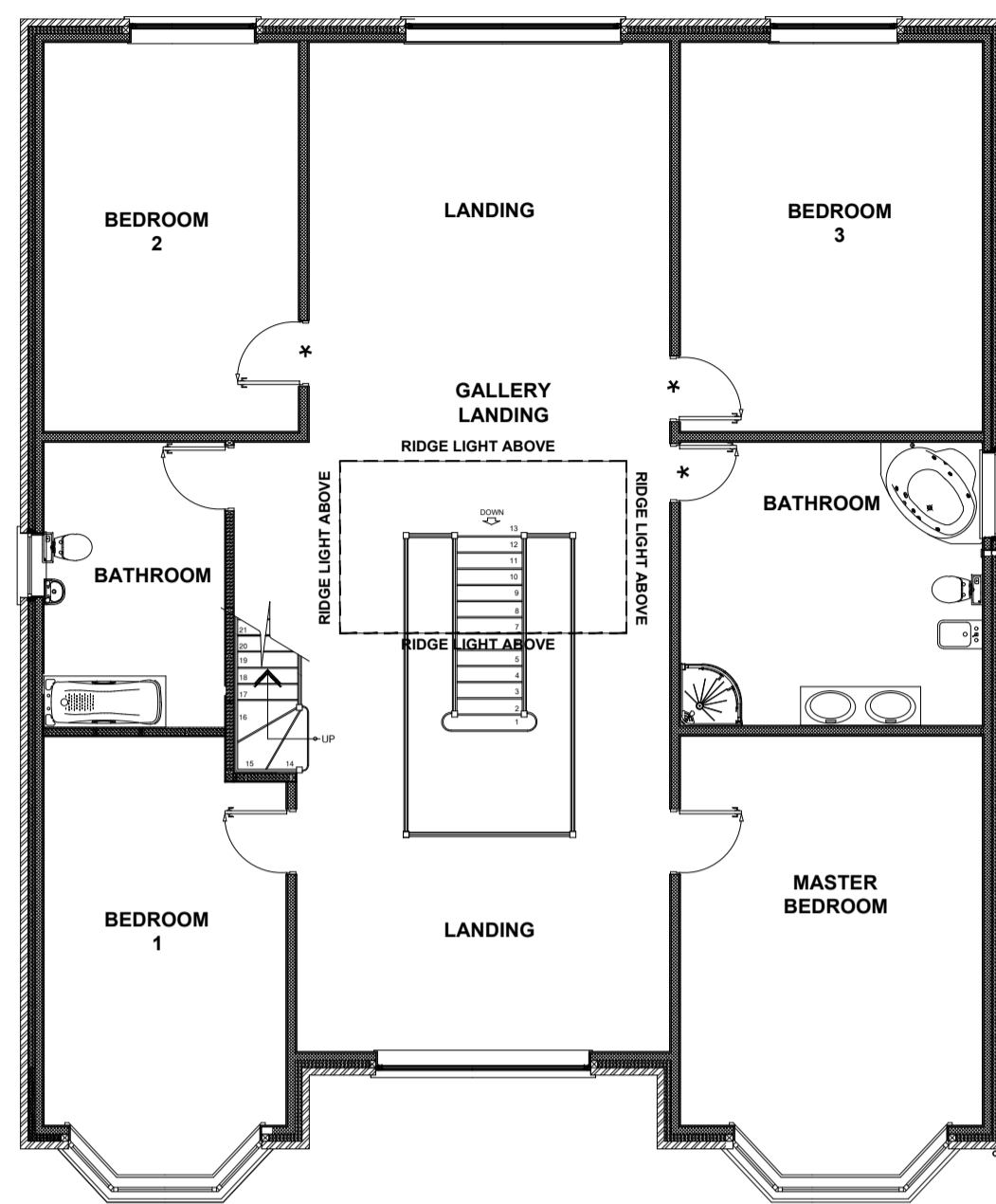
REV	DESCRIPTION	DATE	INITIAL
38 Old Walsall Road, Great Barr, Birmingham, B42 1NP Tel: 0121 358 2233 Fax: 0121 357 7492 Email: contact@integratedesigns.co.uk			
Title	New House		
Project	5 Warstone Drive West Bromwich West Midlands B71 4BH		
Client			
Scale			
Drawing No.	Checked		
BV/3214	PRELIMINARY PLAN		



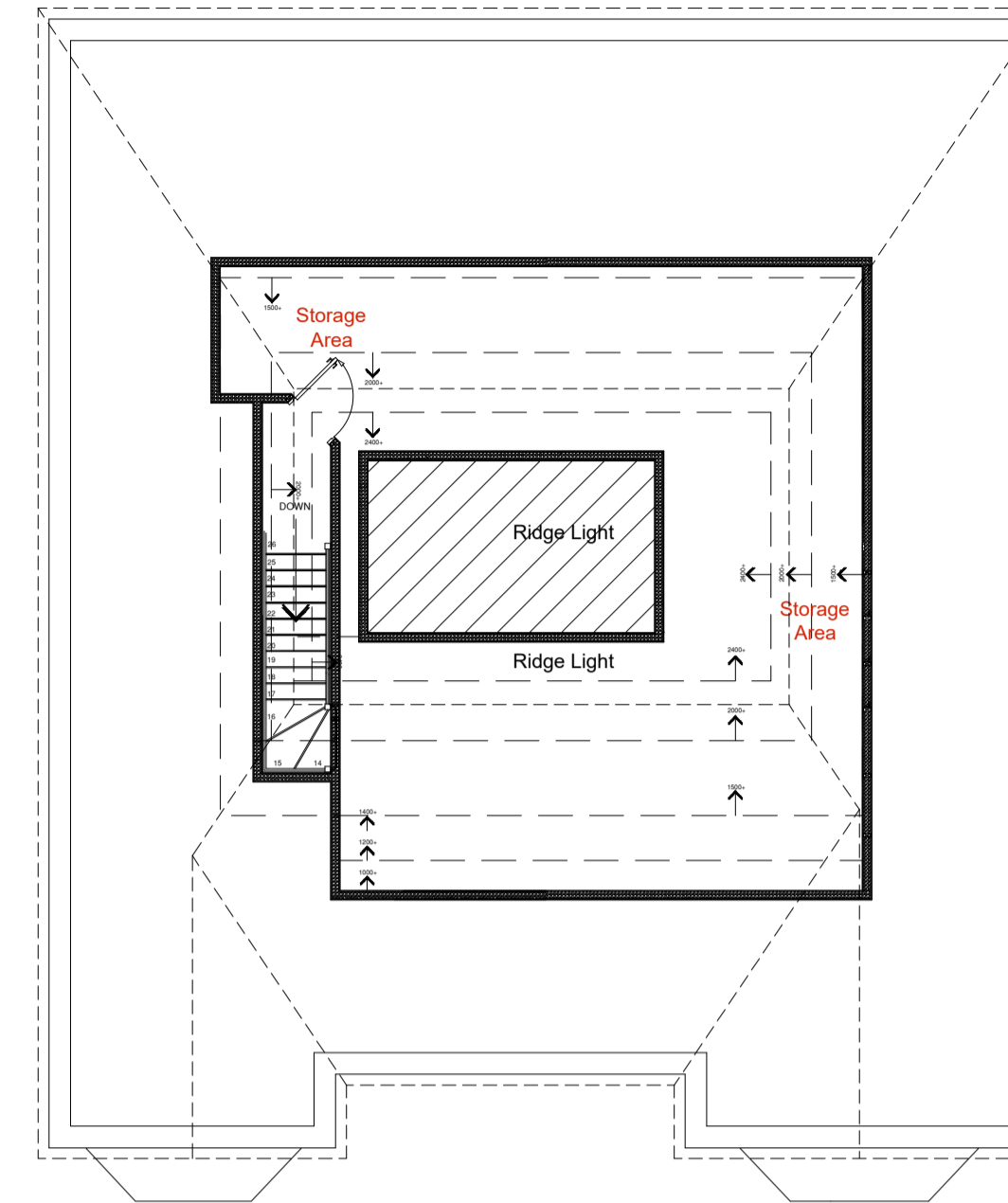
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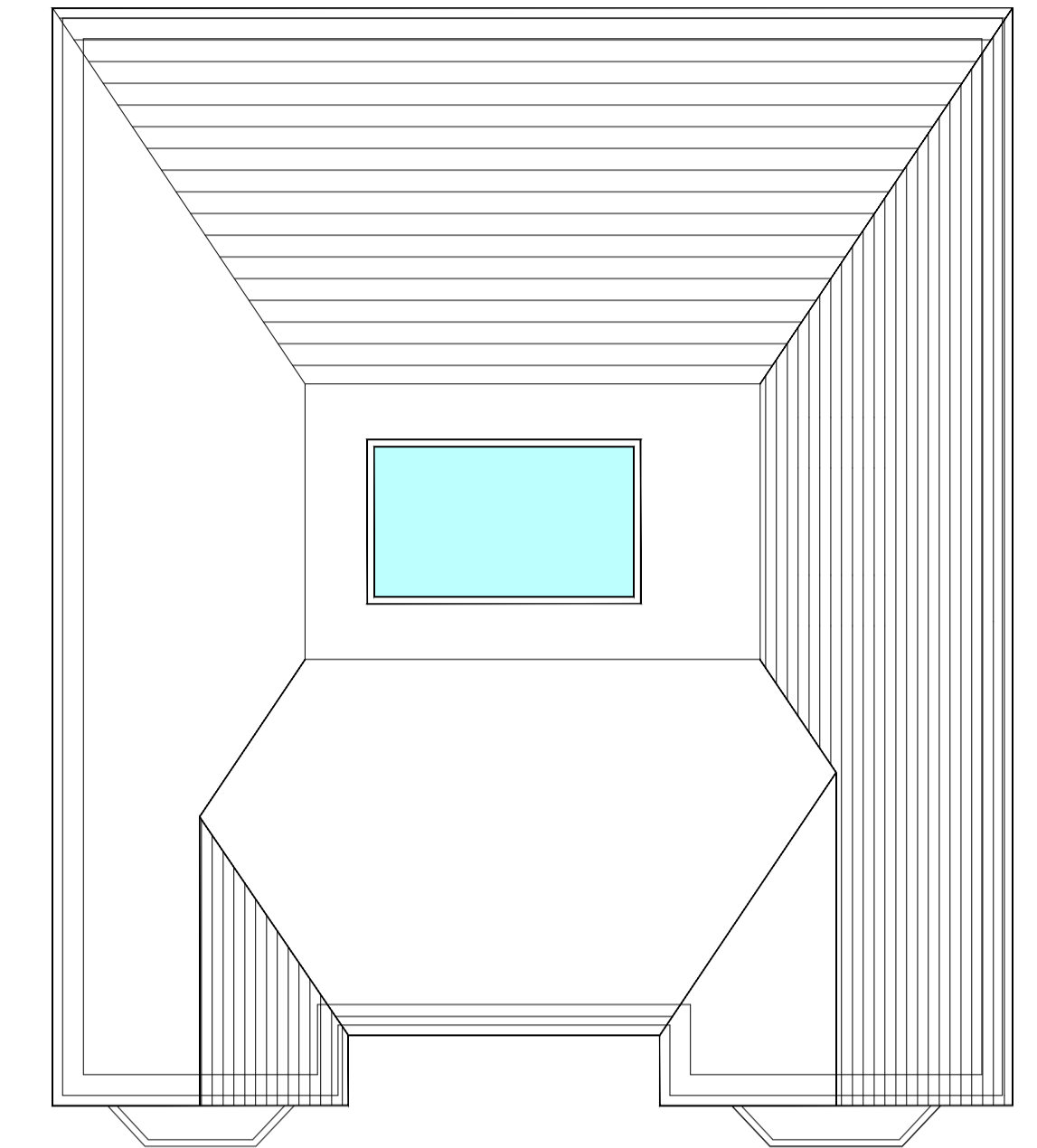
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First Floor 1:100



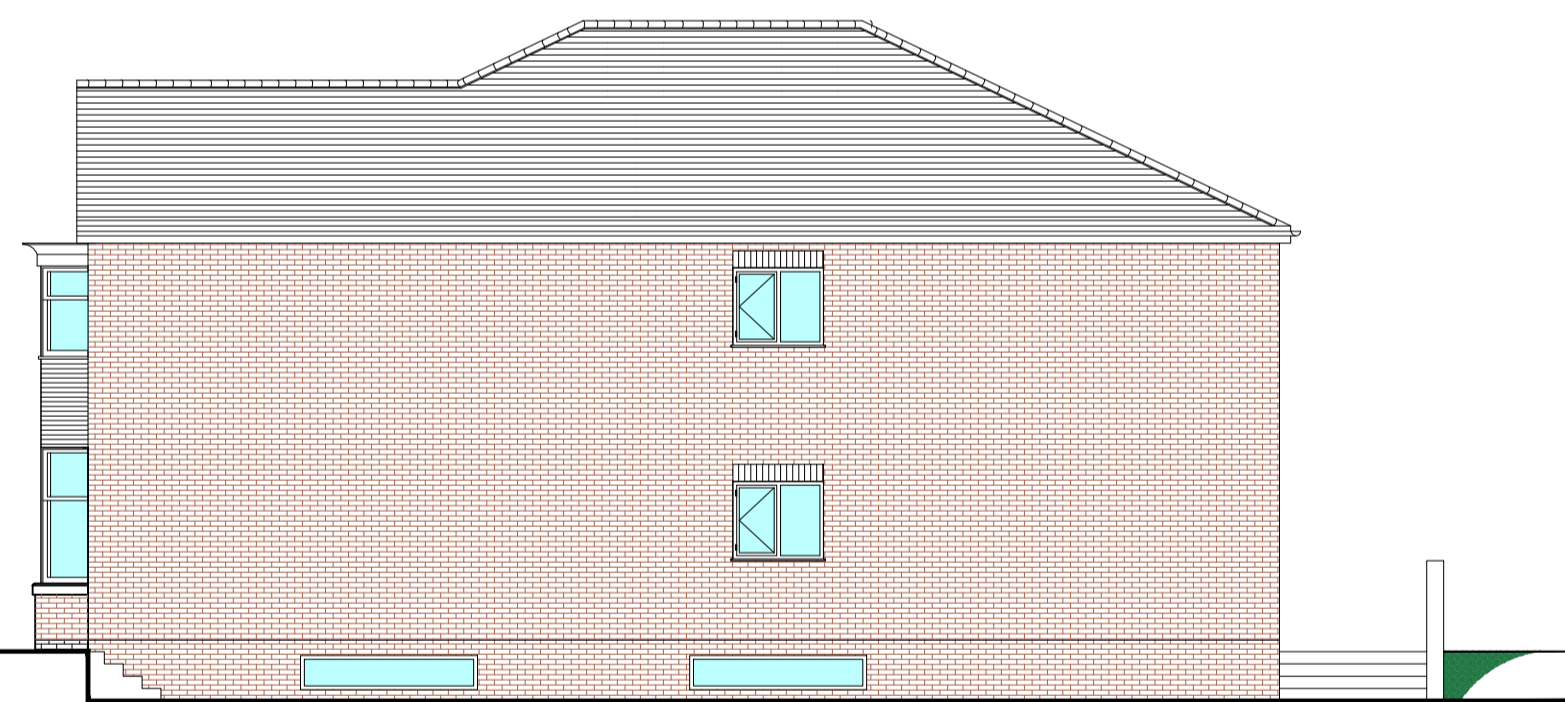
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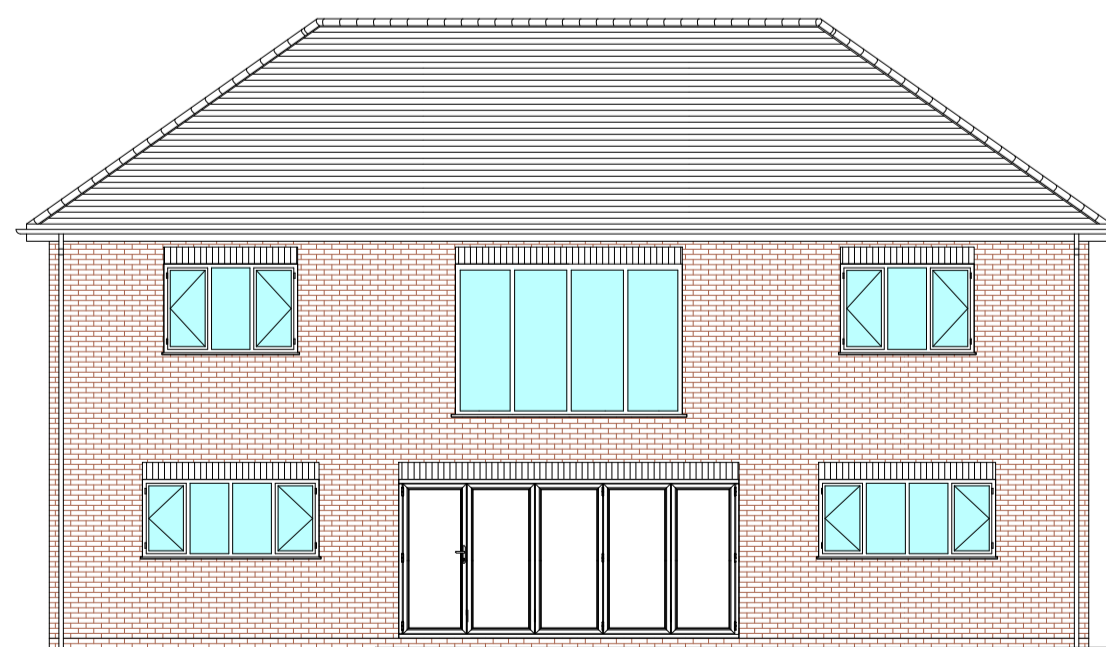
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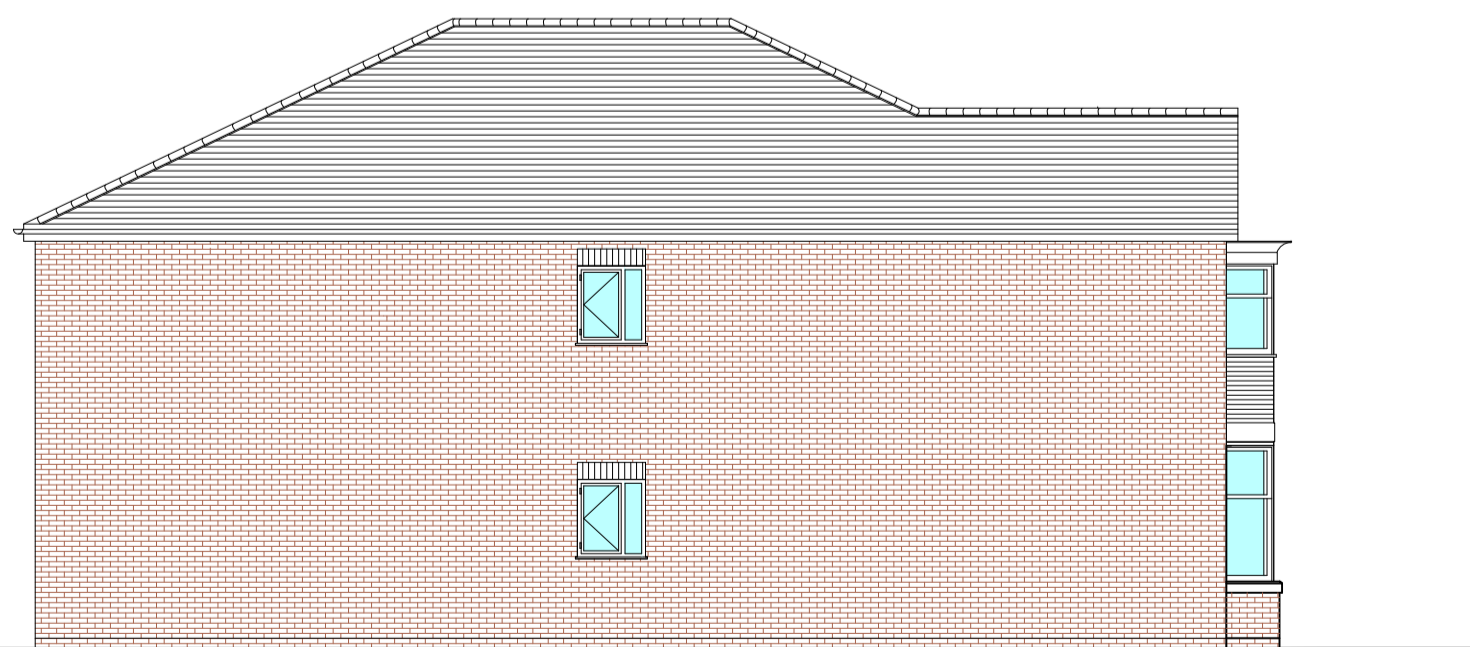
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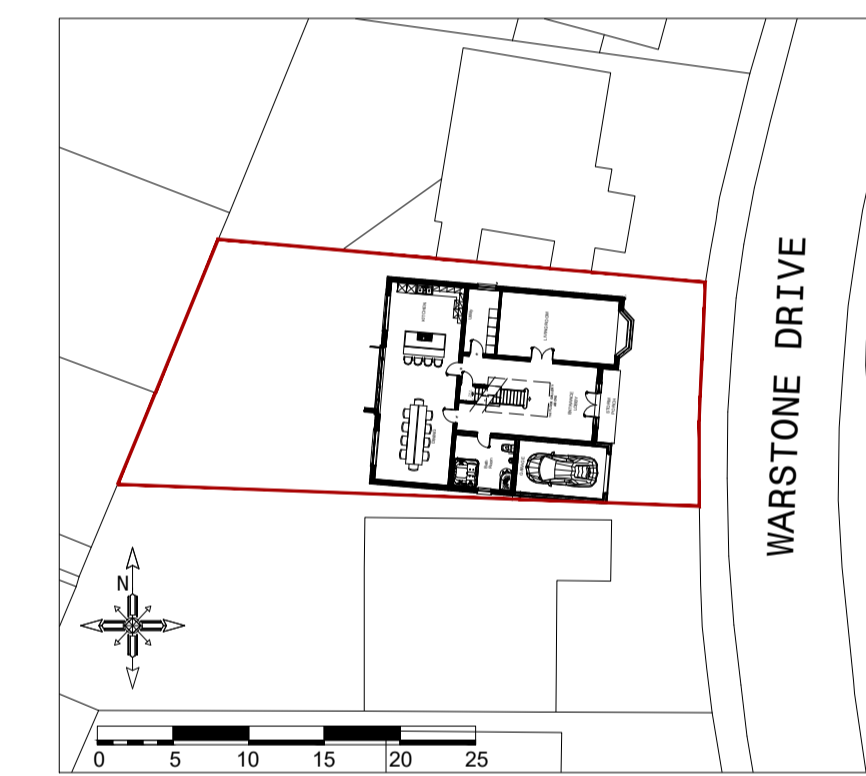
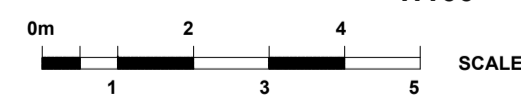
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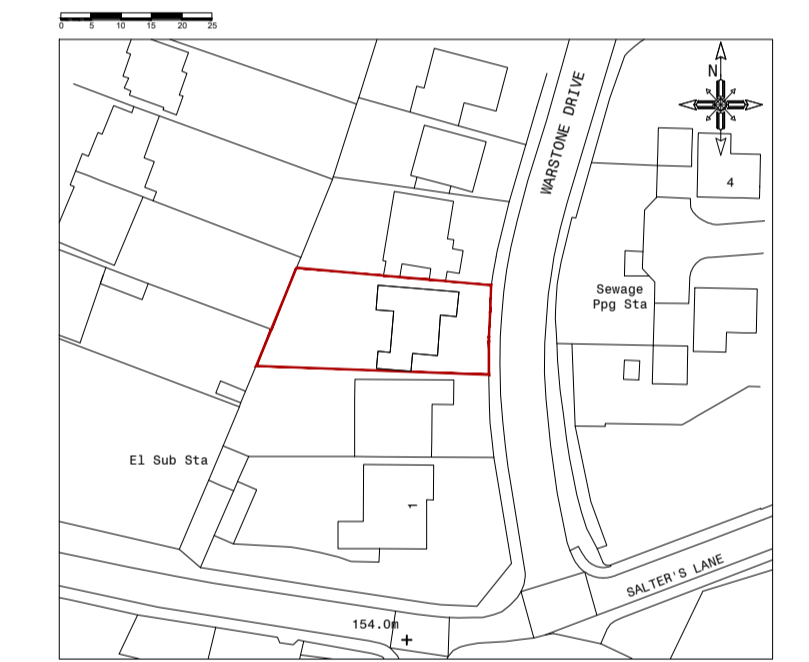
Rear Elevation 1:100



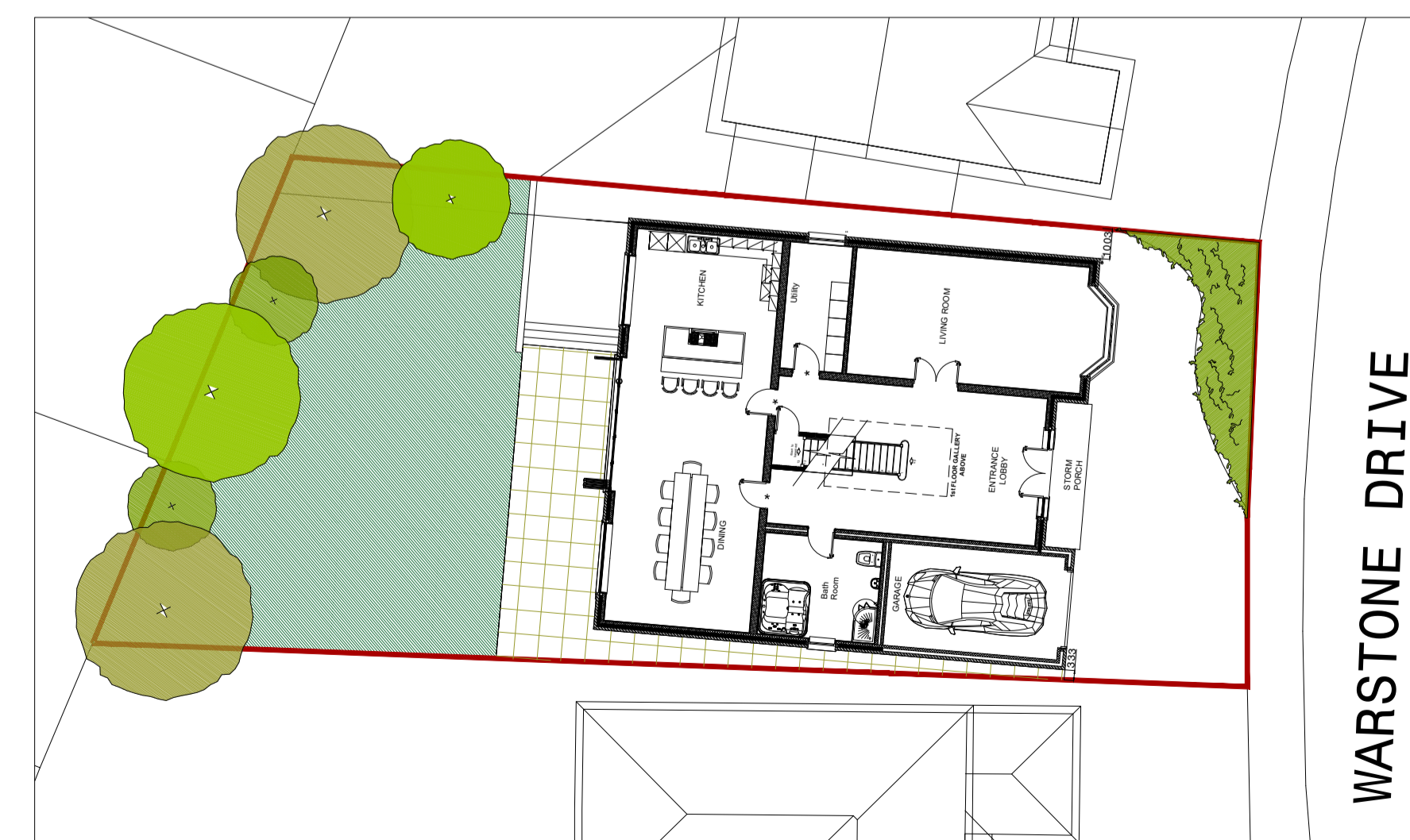
Side Elevation 1:100



1:500



1:1250



1:200

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Part 1996 The client is the Building owner and as such should take the necessary steps to comply with the Act where applicable.

rev	description	date	issue
A	Plans amended	10/09/09	issue
B	Plans amended	18/09/09	issue
C	Plans amended	28/07/09	issue
D	Plans amended	11/09/09	issue
E	Plans amended	11/09/09	issue
F	Plans amended	07/09/09	issue
G	Plans amended following comments Salford L.A.	30/11/09	issue
H	Plans amended following comments Salford L.A.	16/12/09	issue
I	Plans amended following comments Salford L.A.	13/01/10	issue



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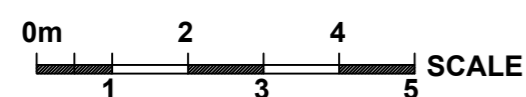
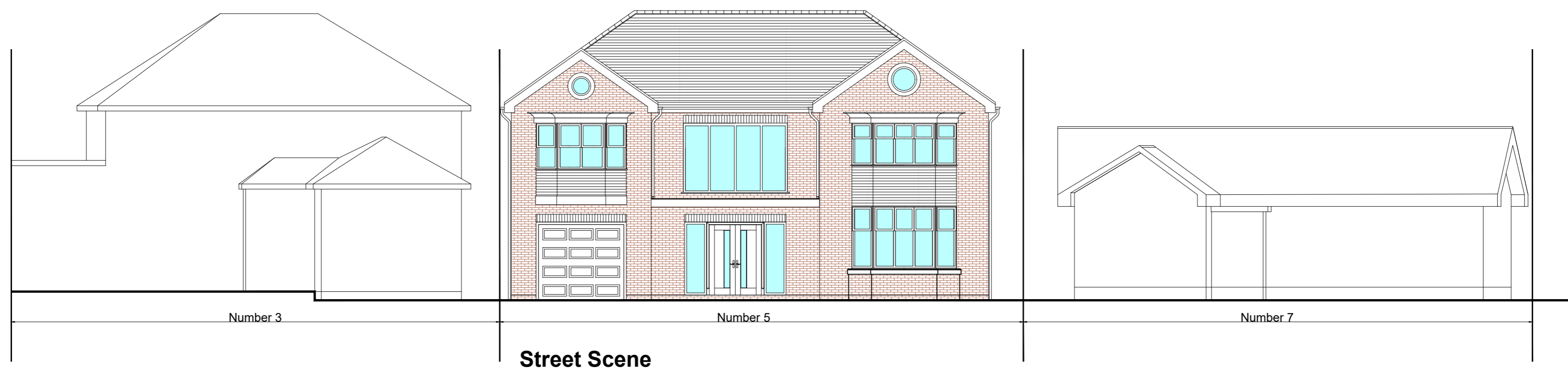
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Project	5 Warstone Drive West Bromwich West Midlands B71 4BH
Client	
Scale	1:100/1:200/1:500/1:1250
Drawing No	BV/321/01
Checked	PRELIMINARY PLAN

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Party Wall 1996
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A		16/12/20	bdy
B		13/01/21	bdy
rev.	description	date	initial



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Title	New House
Project	5 Warstone Drive West Bromwich West Midlands B71 4BH
Client	
Scale	1:200
Drawing No.	Checked
BV/321/2B	PRELIMINARY PLAN

Report to Planning Committee

10 February 2021

Application Reference	DC/20/64964
Application Received	18 th November 2020
Application Description	Proposed single storey side and rear extension
Application Address	71 Richmond Hill, Oldbury B68 9TH
Applicant	Tabassum Zoya Khan
Ward	St Pauls
Contact Officer	Name: Dave Paine Email: david_paine@sandwell.gov.uk

1 Recommendations

- 1.1 That planning permission is granted subject the materials match with the existing property.

2 Reasons for Recommendations

- 2.1 The application is compliant with both national and local planning policies. It would have a minimal impact on neighbouring properties.

- 3 How does this deliver objectives of the Corporate Plan?



Quality homes in thriving neighbourhoods – The design of the proposal is acceptable in respect of national and local planning policy.



4 Context

- 4.1 This application is being reported to your Planning Committee because the agent is an employee of Sandwell MBC.
- 4.2 To assist members with site context, a link to Google Maps is provided below:

[71 Richmond Hill](#)

5 Key Considerations

- 5.1 The site is unallocated in the adopted development plans.
- 5.2 The material planning considerations which are relevant to this application are:-

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

6. The Application Site

- 6.1 This application relates to an end of terrace property situated on the south-west side of Richmond Hill. This is a residential area, characterised by a mix of terraced, semi-detached and detached dwellings, with no specific design code.

7. Planning History

- 7.1 This dwelling has been previously extended and altered. In 2016, approval was granted for a first-floor rear extension. In 2017, two approvals were granted for alternative porch designs.
- 7.2 Relevant planning applications are as follows:-



DC/16/59904	Proposed first floor rear extension.	Granted 4/11/16
DC/17/60789	Proposed front porch.	Granted 18/08/17
DC/17/61117	Proposed front porch (Revised application).	Granted 17/11/17

8. Application Details

8.1 The applicant proposes to construct a single storey rear and side extension. This would measure 12.5 metres deep by 5.6 metres wide by 3.0 metres high. This would create a large, open plan lounge and kitchen. The applicant also proposes to provide a raised platform to the rear of extension, with a railing and steps down to the lower garden level.

9. Publicity

9.1 The application has been publicised by neighbour notification letter with no responses.

10. Consultee responses

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

11. National Planning Policy

11.1 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.

12. Local Planning Policy

12.1 The following polices of the Council's Development Plan are relevant:-



12.2 These policies emphasise the need for good design and proposals should be of an acceptable scale. This proposal accords with these policies.

13. Material Considerations

13.1 The material considerations relating to Government Policy (NPPF) and proposals within the Development Plan have been referred to above in Sections 11 and 12. With regards to the other considerations these are highlighted below:

13.2 Overlooking/loss of privacy

The raised platform would create the potential for a loss of privacy to neighbours. However, having considered this detail of the proposal, I conclude that no overlooking to neighbour's windows serving habitable room would occur. Therefore, the proposal is acceptable in this regard.

13.3 Loss of light or outlook

The neighbouring bungalow has an existing side extension with a large window facing directly onto the development site, which would be substantially impacted by this proposal. However, this window is obscure glazed and is therefore deemed not to serve a habitable room. There is further obscure glazed window to the side of the original property, again not serving a habitable room (see photo below).





To conclude, no habitable rooms of neighbouring dwellings would be significantly impacted by this proposal. Therefore, this proposal is acceptable in terms of loss of light or outlook.

14.4 Design, appearance and materials

The extension has been designed with a flat roof, incorporating roof-lights, to ensure the existing ground floor of the rear wing would not be left unreasonably dark by this proposal, and as such the design is acceptable. The roof design does not reflect the design of the existing house, but it would not be visible from the public realm and its relatively low roof height would ensure it would remain unobtrusive. It would therefore comply with design policies BCCS ENV3 and SADD EOS9.

15 Alternative Options

15.1 Refusal of the application is an option if there are material planning reasons for doing so. In this instance it is considered that the scheme is policy compliant and there are no material considerations to warrant refusal.



16 Implications

Resources:	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.
Legal and Governance:	This application is submitted under the Town and Country Planning Act 1990.
Risk:	None.
Equality:	There are no equality issues arising from this proposal and therefore an equality impact assessment has not been carried out.
Health and Wellbeing:	None
Social Value	None

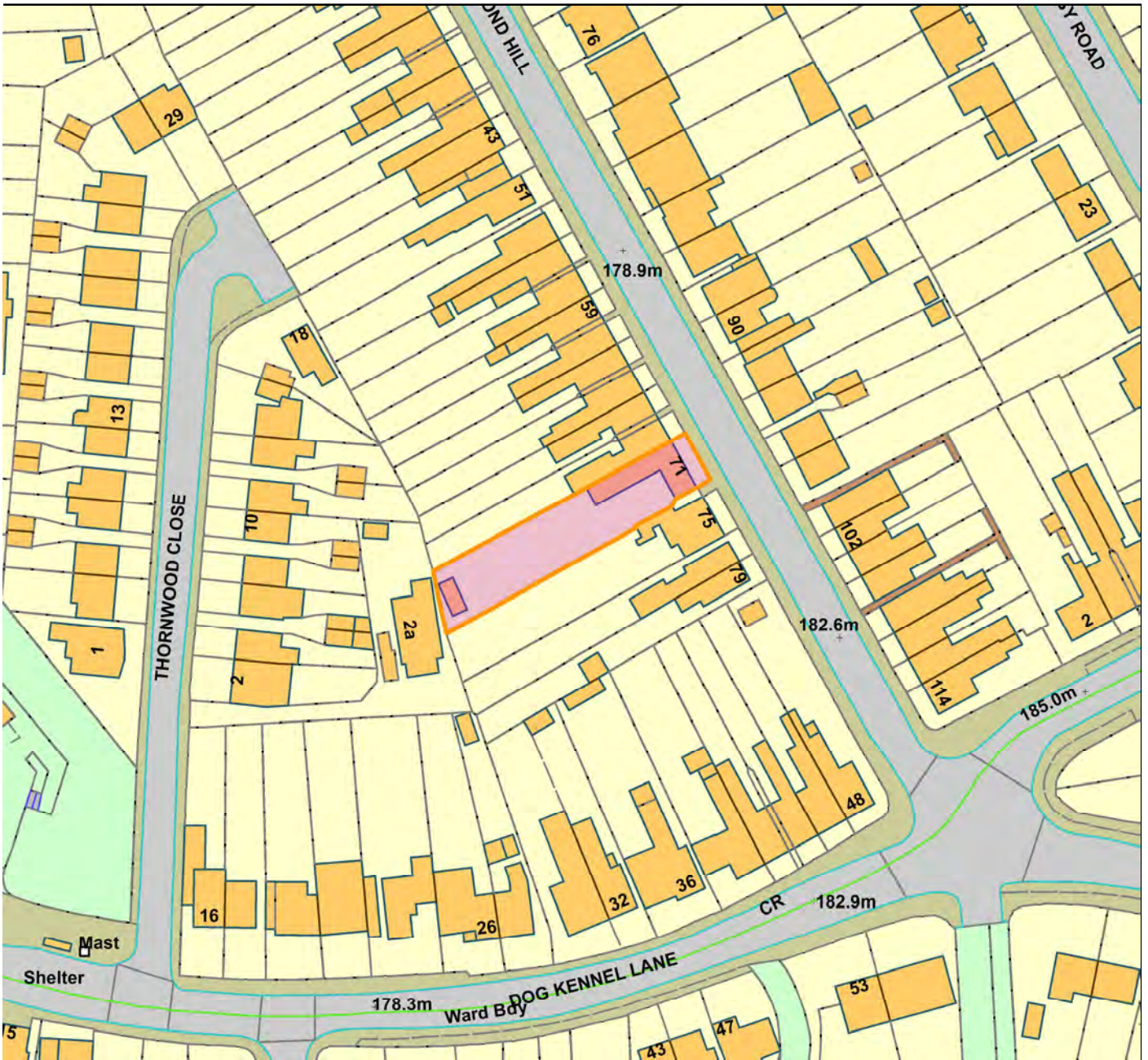
17. Appendices

Site Plan
Context Plan
01
02
03

18. Background Papers – site photo below

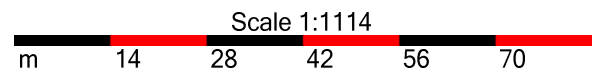


DC/20/64964
71 Richmond Hill



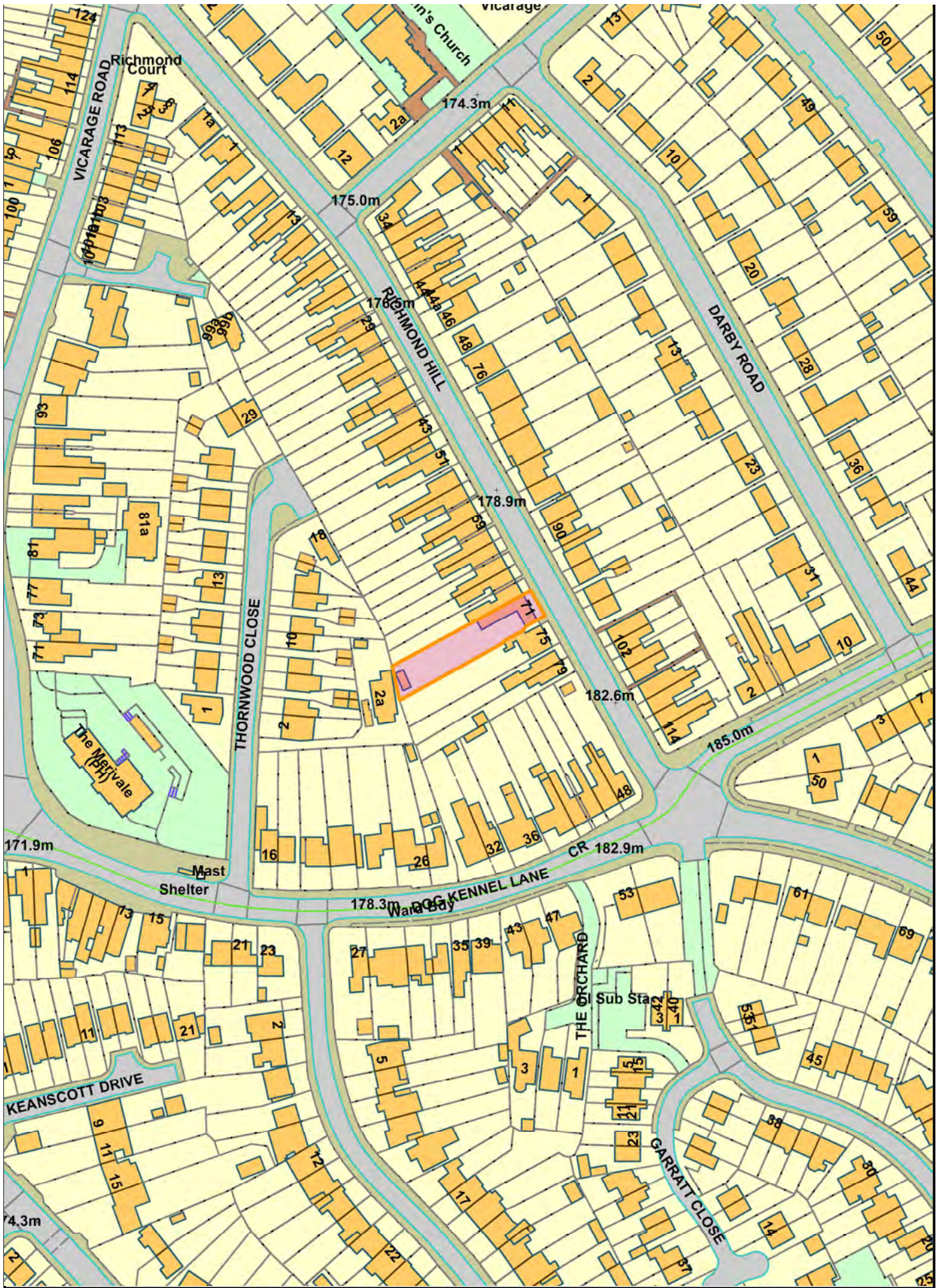
Legend

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75



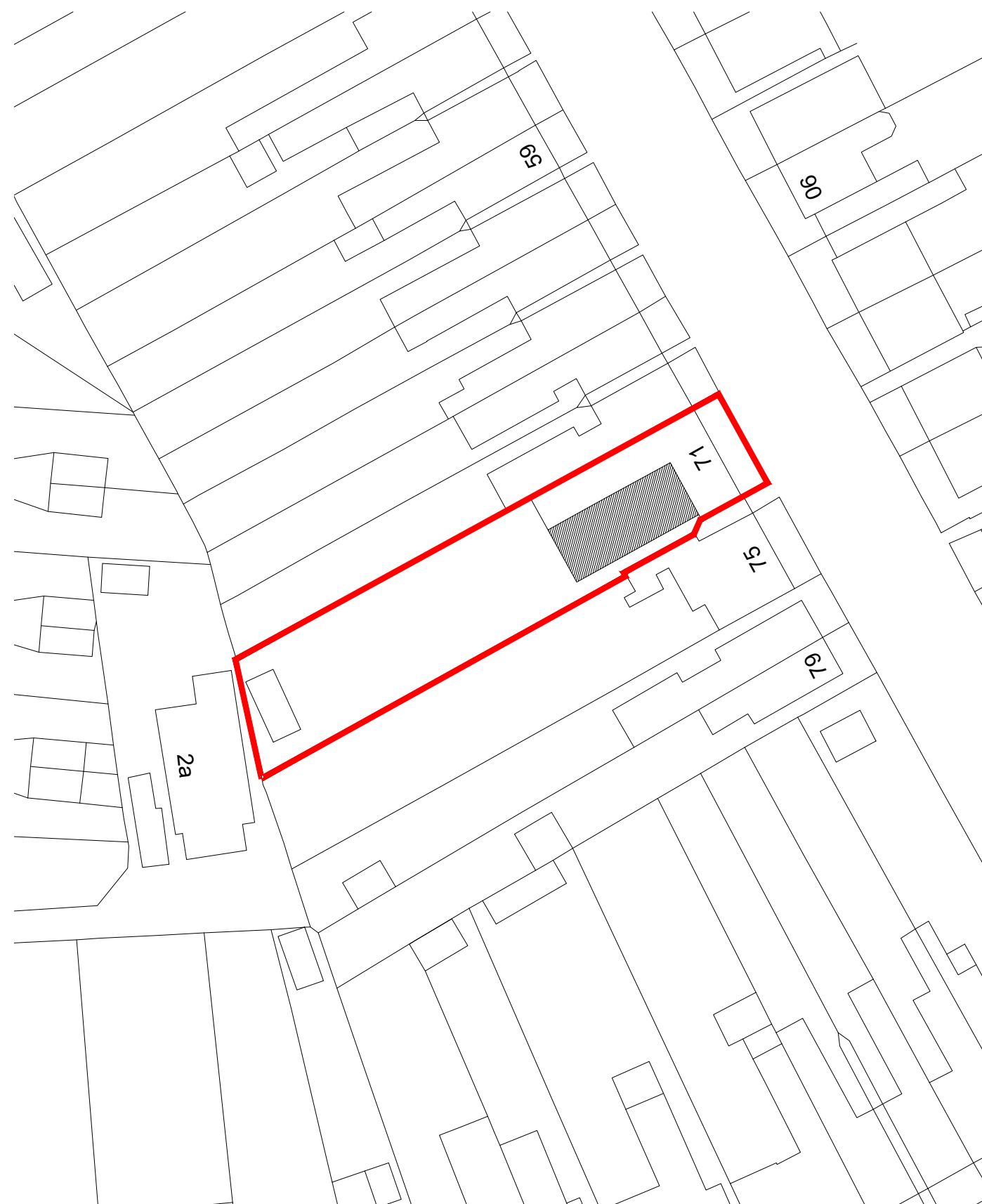
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Department	Not Set
Comments	Not Set
Date	27 January 2021
OS Licence No	



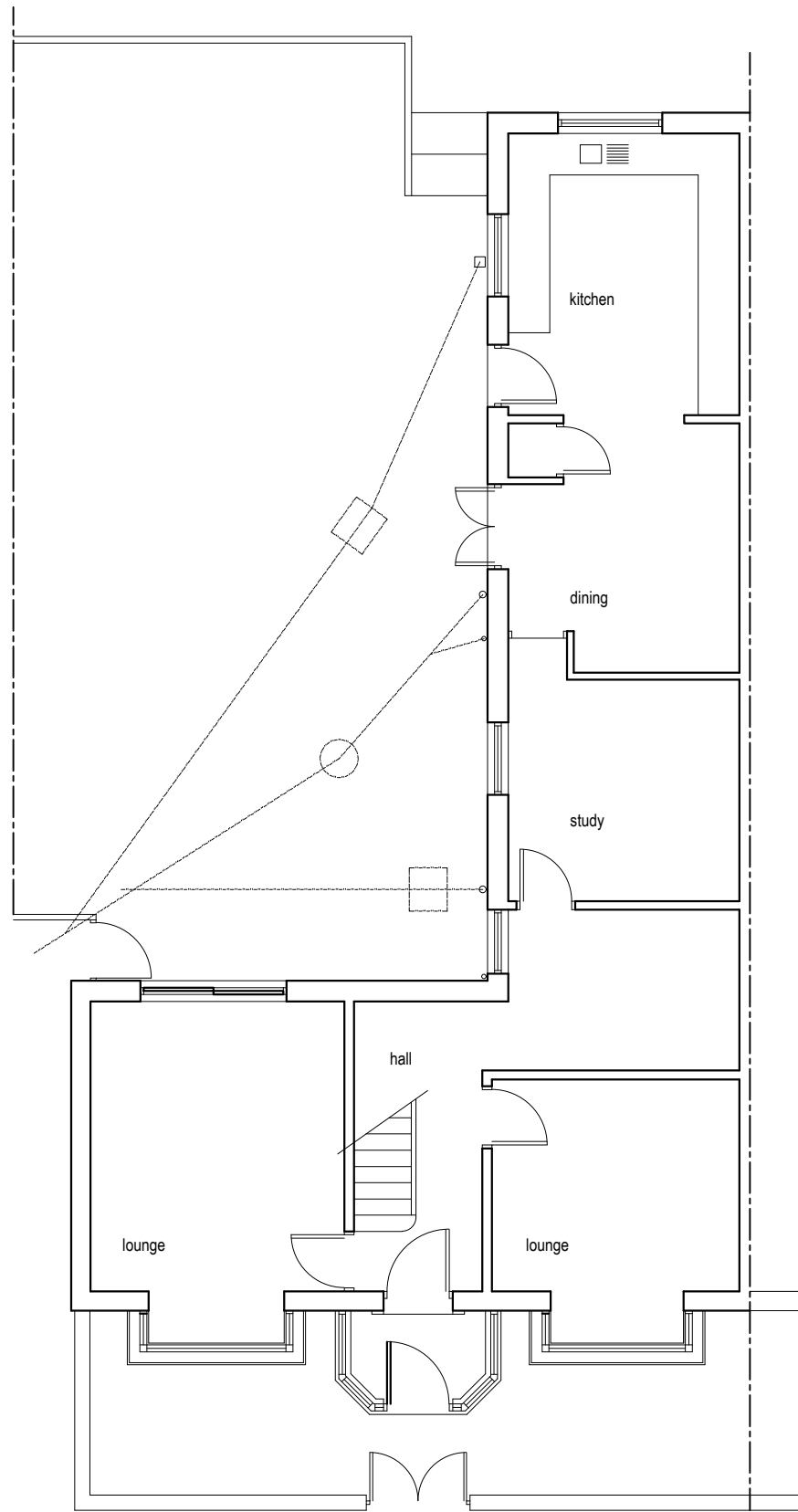


Site Location Plan - 1:1250

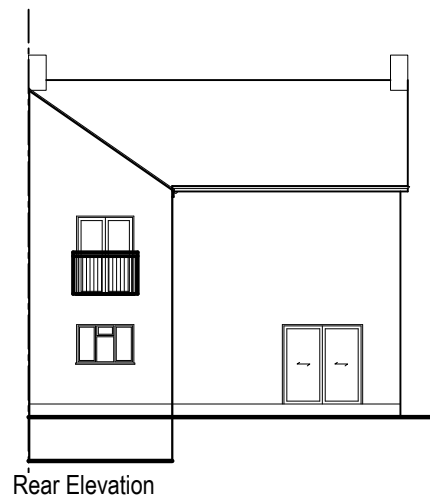


Block Plan - 1:500





Existing Ground Floor Plan - 1:100



Rear Elevation



Side Elevation
Existing Elevations - 1:200

PLANNING DRAWINGS ONLY

1:100

Do Not Scale From Drawings

Local Authority Drawings Only

Note
The proposals may be subject to the Party Wall Act 1996 which requires the owners to serve the adjoining owner with a notice at least 2 months prior to the intended commencement date of the works.

Rev	Item	Date
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Removal of Waste
Builder to dispose of all waste and cart away from site with the use of skips which are to be located in a suitable location in agreement with the client.

Any Asbestos based material found is to be removed carefully with the necessary Safety steps taken and an authorized Asbestos Removal Company if so required.

Supporting Structure
The builder is to take all the necessary measures in supporting the existing structure when removing the existing walls and windows etc. All necessary props and supports are to be used.

Existing Drainage
The exact depth and position is to be determined on site by the builder. Confirmation of the drainage details are to be determined at an early stage of the proposed project including the junction where the drainage meets from the adjacent property.

ACTUAL POSITION NOT KNOWN. THE BUILDER AND THE BUILDING CONTROL OFFICER ARE TO AGREE THE POSITION WHEN STARTING ON SITE.

Domestic Clients - Health and Safety
If you are having work done on your own home, and it is not in connection with a business, you will be a domestic client. The only responsibility a domestic client has under CDM 2015 is to appoint a principal designer and a principal contractor when there is more than one contractor working on the scheme. However, if you do not do this, (as is common practice) your duties as a domestic client are automatically transferred to the contractor or principal contractor.

It is your responsibility, as the domestic client, to appoint a suitably Qualified Principal Designer.

Location
71 Richmond Hill,
Oldbury,
B68 9TH.

Drawing Title
Existing Details

Rev	Date
	Nov 2020

Scale	Size	Drg No
1:100	A3	01

Do Not Scale From Drawings

Local Authority Drawings Only

Note

The proposals may be subject to the Party Wall Act 1996 which requires the owners to serve the adjoining owner with a notice at least 2 months prior to the intended commencement date of the works.

Rev	Item	Date

Removal of Waste



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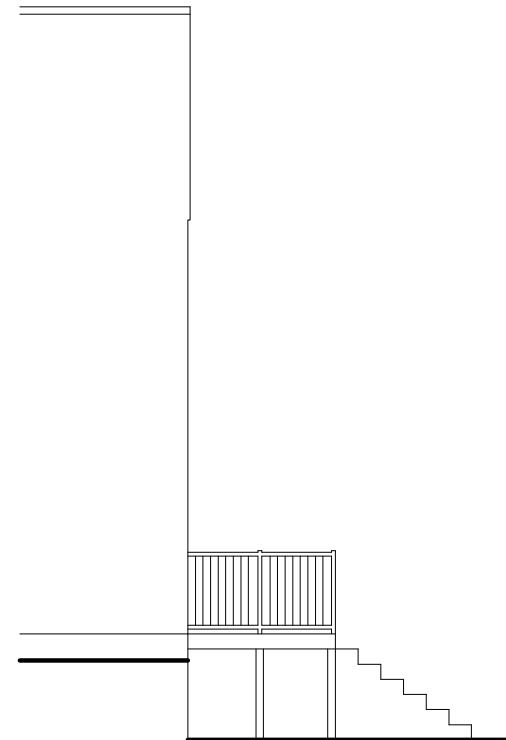
Domestic Clients - Health and Safety

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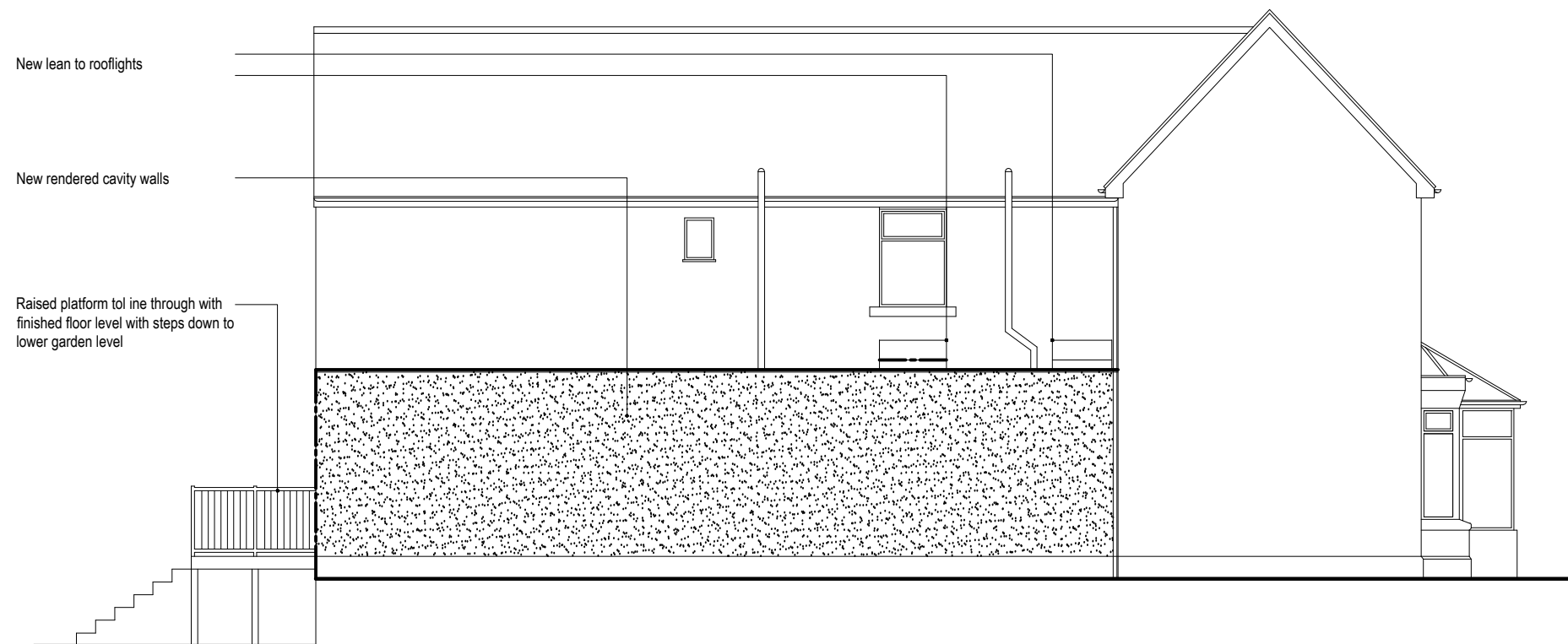
It is your responsibility, as the domestic client, to appoint a suitably Qualified Principal Designer.



Rear Elevation



Side Elevation



Side Elevation

Proposed Elevations - 1:100

PLANNING DRAWINGS ONLY

1:100

Location

71 Richmond Hill,
Oldbury,
B68 9TH.

Drawing Title

Proposed Elevations

Rev	Date

Nov 2020

Scale	Size	Drg No
1:100	A3	03

Do Not Scale From Drawings

Local Authority Drawings Only

Note

The proposals may be subject to the Party Wall Act 1996 which requires the owners to serve the adjoining owner with a notice at least 2 months prior to the intended commencement date of the works.

Rev	Item	Date
Rev A	Porch extended to 1500mm instead of 1150mm	03.10.17

Removal of Waste



Builder to dispose of all waste and cart away from site with the use of skips which are to be located in a suitable location in agreement with the client.

Any Asbestos based material found is to be removed carefully with the necessary Safety steps taken and an authorized Asbestos Removal Company if so required.

Supporting Structure



The builder is to take all the necessary measures in supporting the existing structure when removing the existing walls and windows etc. All necessary props and supports are to be used.

Existing Drainage

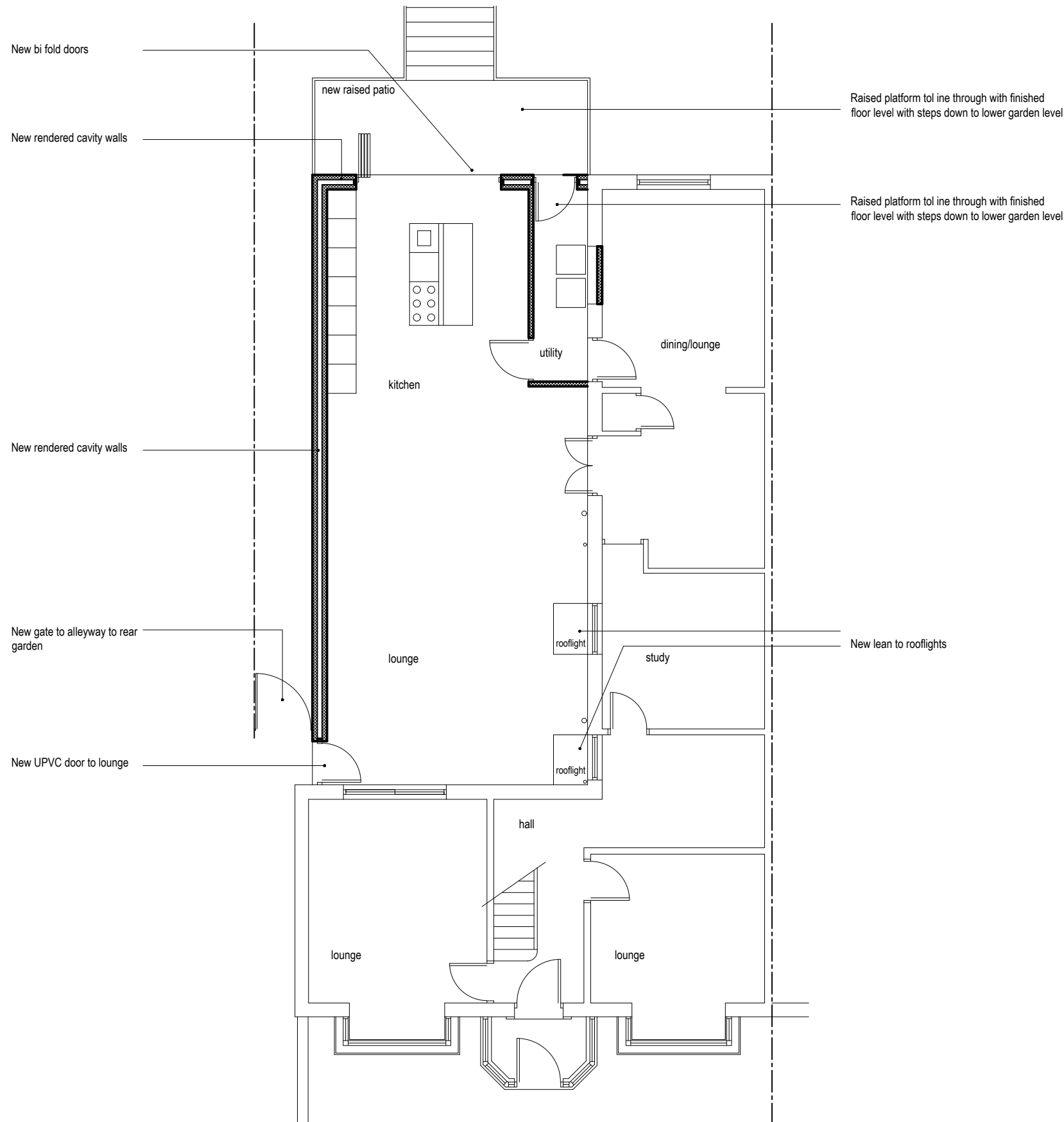
The exact depth and position is to be determined on site by the builder. Confirmation of the drainage details are to be determined at an early stage of the proposed project including the junction where the drainage meets from the adjacent property.

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Domestic Clients - Health and Safety

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It is your responsibility, as the domestic client, to appoint a suitably Qualified Principal Designer.



Proposed Ground Floor Plan - 1:100

PLANNING DRAWINGS ONLY

1:100

Location		
71 Richmond Hill, Oldbury, B68 9TH.		
Drawing Title		
Proposed Plan		
Rev		Date
		Nov 2020
Scale	Size	Drg No
1:100	A3	02

Report to Planning Committee

10 February 2021

Application Reference	DC/20/64987
Application Received	2 December 2020
Application Description	Proposed two storey side extension with bay windows to front, single storey rear extension and front porch.
Application Address	72 Chestnut Road, Oldbury B68 0AY
Applicant	Aysha Martin
Ward	Old Warley
Contact Officer	Carl Mercer carl_mercer@sandwell.gov.uk


1. Recommendations

- 1.1 That planning permission is granted subject to external materials matching the existing property.

2 Reasons for Recommendations

- 2.1 The proposal would cause no significant harm to the amenity of the occupiers of adjacent properties and have no appreciable impact on the visual amenity of the surrounding area.

3. How does this deliver objectives of the Corporate Plan?

	Quality homes in thriving neighbourhoods – The design of the proposal is acceptable in respect of national and local planning policy.
---	---



4 Context

- 4.1 This application is being reported to your Planning Committee because the agent is a council employee.
- 4.2 To assist members with site context, a link to Google Maps is provided below:

[72 Chestnut Road, Oldbury](#)

5 Key Considerations

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

Government policy (NPPF);
Loss of light and/or outlook;
Design, appearance and materials; and
Parking.

6. The Application Site

- 6.1 The application relates to a detached property situated on the east side of Chestnut Road, Oldbury. The character of the surrounding area is residential.

7. Planning History

- 7.1 There is no relevant planning history.

8. Application Details

- 8.1 The applicant proposes a two storey side extension with bay windows to front, single storey rear extension and front porch. The proposal would provide an enlarged kitchen/diner and new utility and lounge at ground floor, and a fourth bedroom at first floor.



8.2 The application has been amended to incorporate a set back of the two storey extension from the front elevation and a reduced roof height to comply with the council's residential design guidance.

9. Publicity

9.1 The application was publicised by neighbour notification letter, without response.

10. Consultee responses

There are no consultation responses to report for this application.

11. National Planning Policy

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

12. Local Planning Policy

12.1 The following policies of the council's Development Plan are relevant:

ENV3: Design Quality

SAD EOS9: Urban Design Principles

12.2 As there are no concerns raised over the impact of the proposal on residential amenity, or in respect its design and appearance, the development is considered to be compliant with policies ENV3 and SAD EOS 9.

13. Material Considerations

13.1 The material considerations relating to government policy (NPPF) and proposals within the Development Plan have been referred to above in



Sections 11 and 12. With regards to the other considerations these are highlighted below:

13.2 Loss of light and/or outlook

No element of the scheme would significantly impact on the amenity of the occupiers of adjacent properties. The massing of the two storey element would be to the side of the application property and would not appreciably impact on the dwelling to the south. With regards to the proposed single storey rear element (measuring 2.6m from the existing rear wall), existing extensions to the property to the north negate any impact of the single storey extension on this property; no direct sunlight would be affected to the property to the south.

13.3 Design, appearance and materials

The scale of the extensions would be proportionate to the existing dwelling and would cause no undue harm to the visual amenity of the area.

13.4 Parking

The existing driveway has space for at least two vehicles. I have no concerns regarding this provision.

14 Alternative Options

14.1 Refusal of the application is an option if there are material planning reasons for doing so. In this instance it is considered that the scheme is policy compliant and there are no material considerations to warrant refusal.



15 Implications

Resources	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.
Legal and Governance	This application is submitted under the Town and Country Planning Act 1990.
Risk	None.
Equality	There are no equality issues arising from this proposal and therefore an equality impact assessment has not been carried out.
Health and Wellbeing	None.
Social Value	None.

16. Appendices

Site Plan

Context Plan

Block Plan – 4

Proposed Floor Plans – 2 REV A

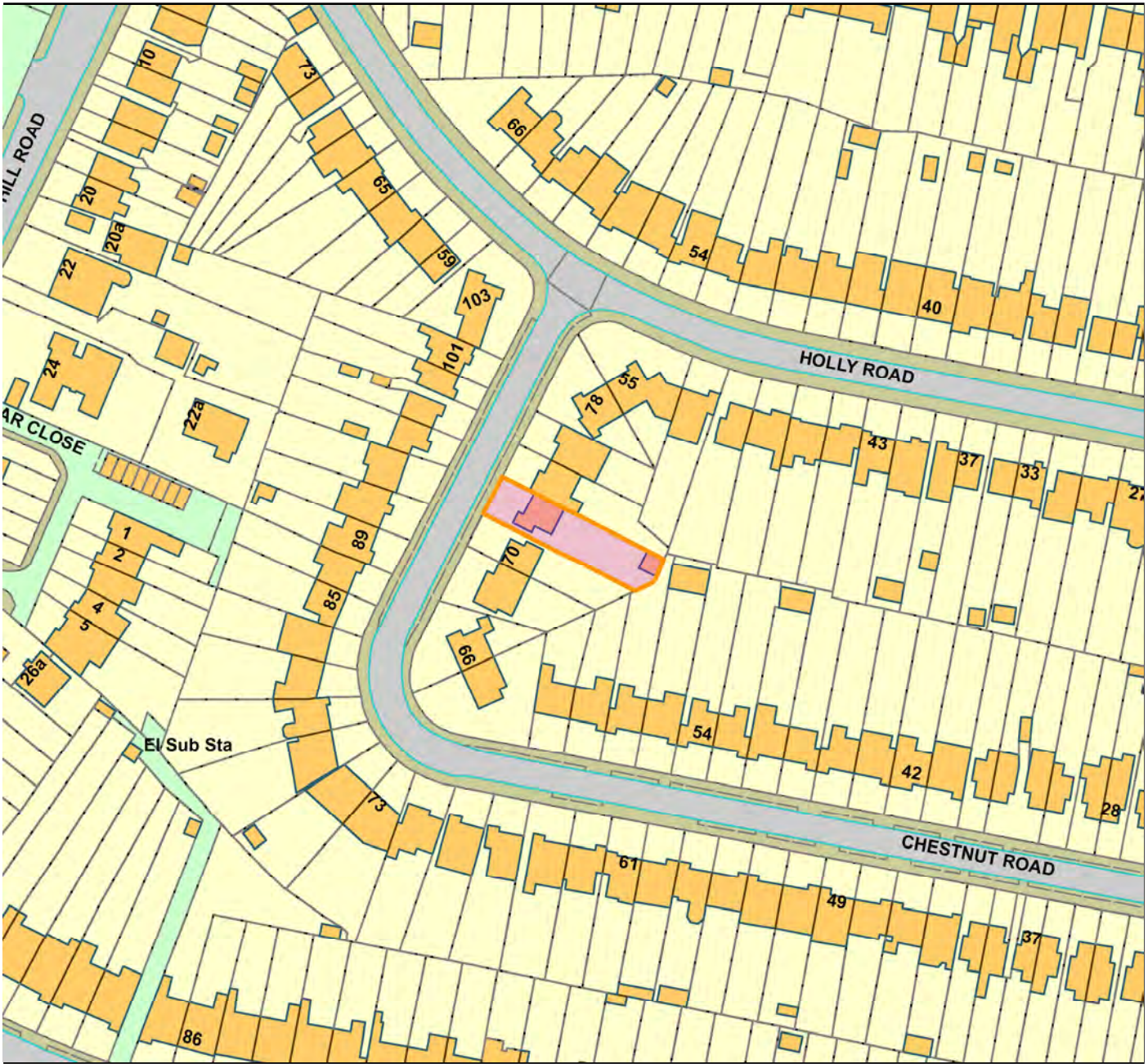
Proposed Elevation Plans – 3 REV A

17. Background Papers

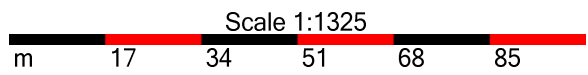
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DC/20/64987
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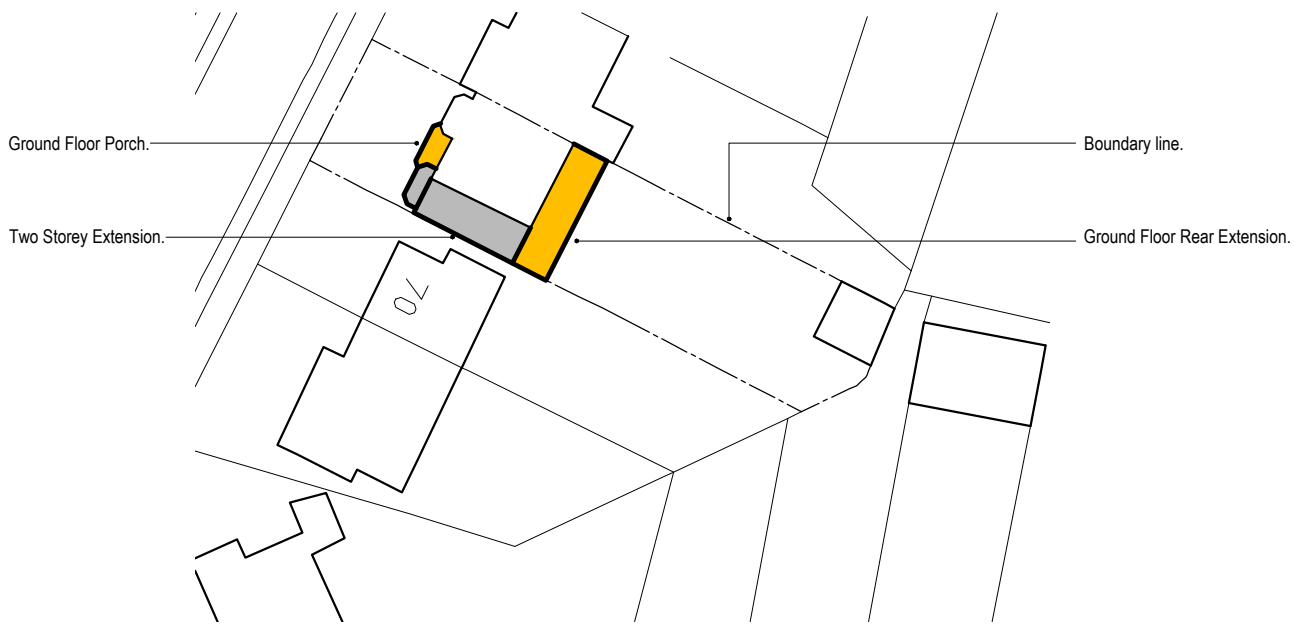


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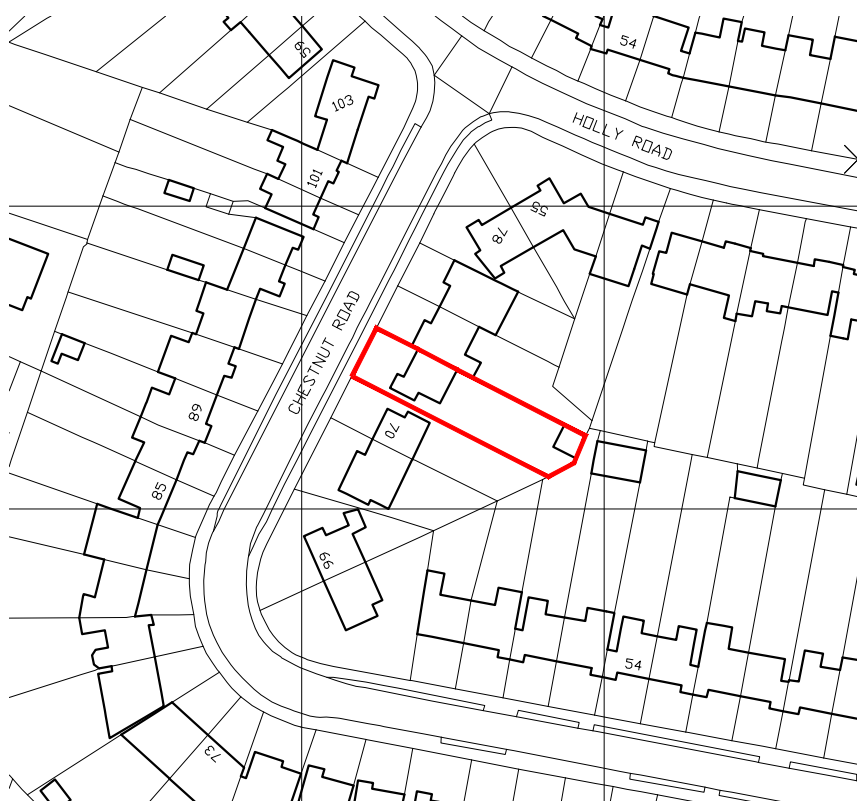


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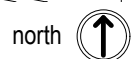
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Department	Not Set
Comments	Not Set
Date	29 January 2021



site plan - 1:500



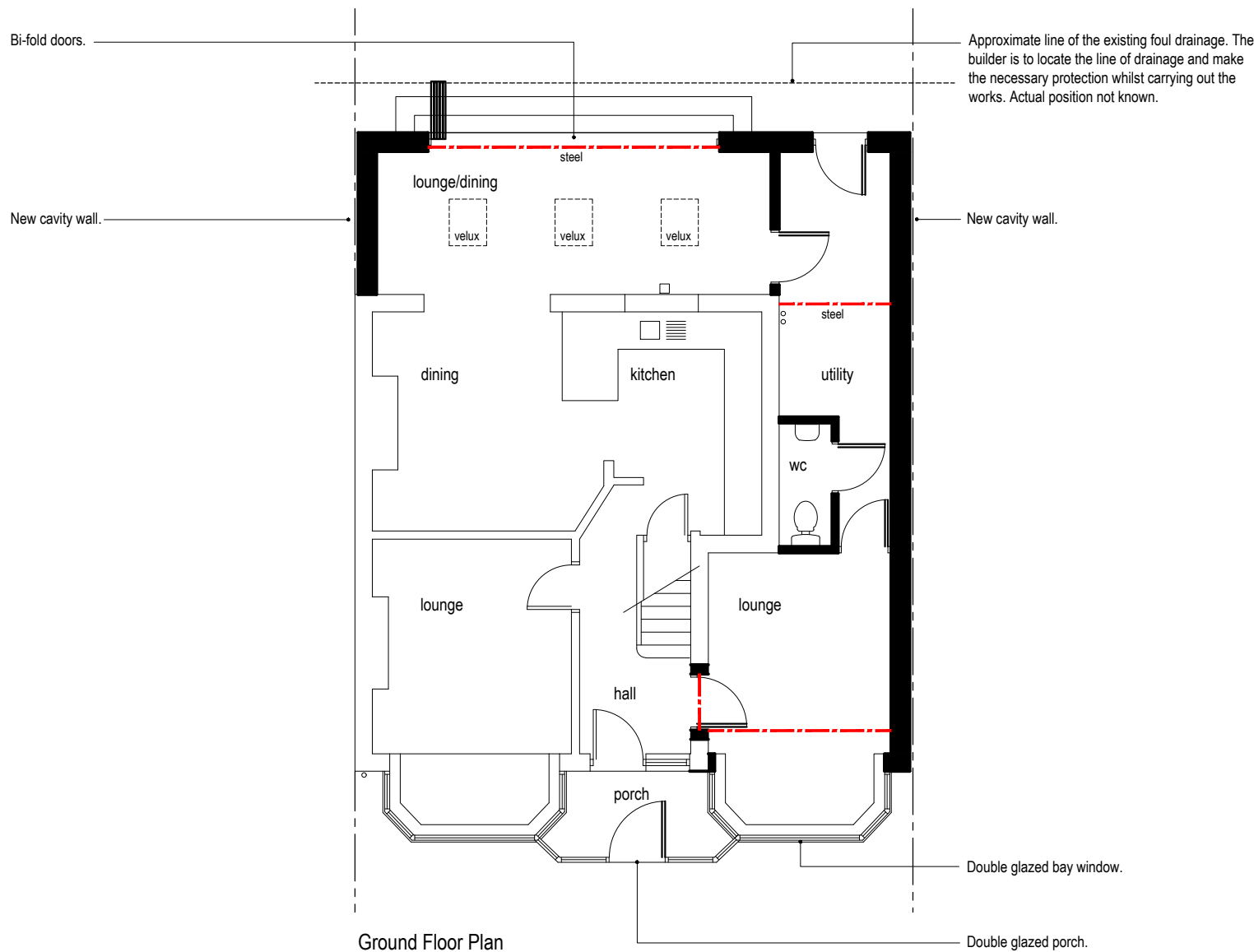
location plan - 1:1250



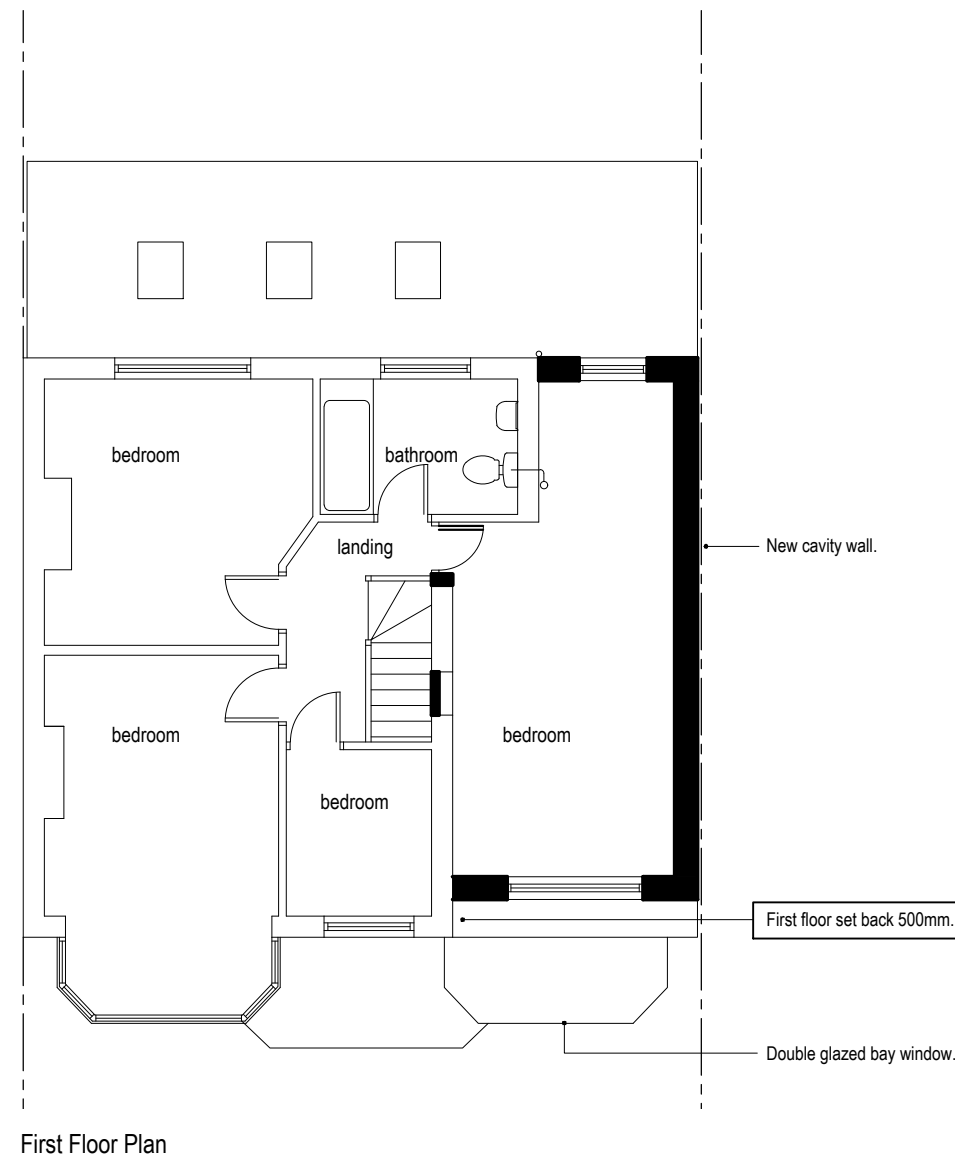
Produced on 23 November 2020 from the Ordnance Survey National Geographic Database and incorporating surveyed revision available at this date.
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Note
The proposals may be subject to the Party Wall Act 1996 which requires the owners to serve the adjoining owner with a notice at least 2 months prior to the intended commencement date of the works.


Rev	Item	Date
A	Revised Planning - First floor set back 500mm	22-1-21




Ground Floor Plan
Proposed Plans - 1:100



First Floor Plan

Removal of Waste 
Builder to dispose of all waste and cart away from site with the use of skips which are to be located in a suitable location in agreement with the client.

Any Asbestos based material found is to be removed carefully with the necessary Safety steps taken and an authorized Asbestos Removal Company if so required.

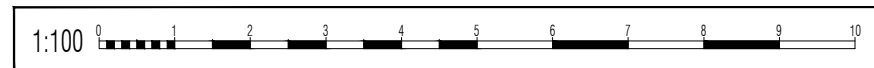
Supporting Structure 
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ACTUAL POSITION NOT KNOWN. THE BUILDER AND THE BUILDING CONTROL OFFICER ARE TO AGREE THE POSITION WHEN STARTING ON SITE.

Domestic Clients - Health and Safety
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Location
72 Chestnut Road,
Oldbury,
B68 0AY.

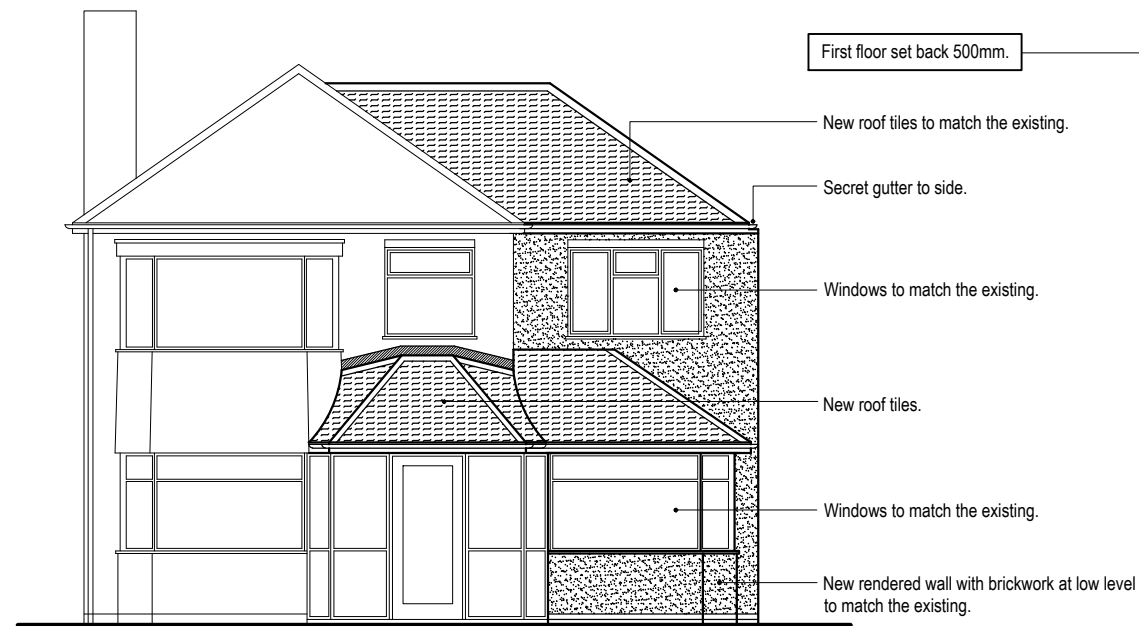
Drawing Title
Proposed Plan

Job No	Rev	Date
2020-025	A	Nov 2020

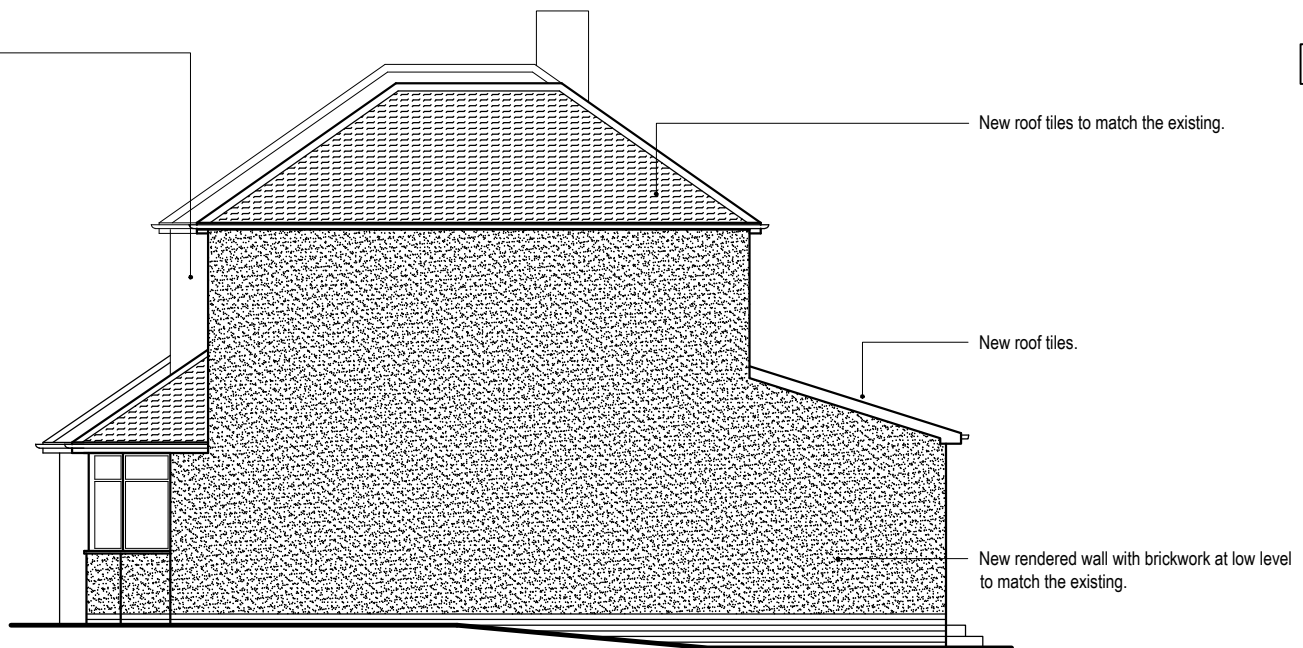
Scale	Size	Drg No
1:100	A3	2

Note
The proposals may be subject to the Party Wall Act 1996 which requires the owners to serve the adjoining owner with a notice at least 2 months prior to the intended commencement date of the works.

Rev	Item	Date
A	Revised Planning - First floor set back 500mm	22-1-21



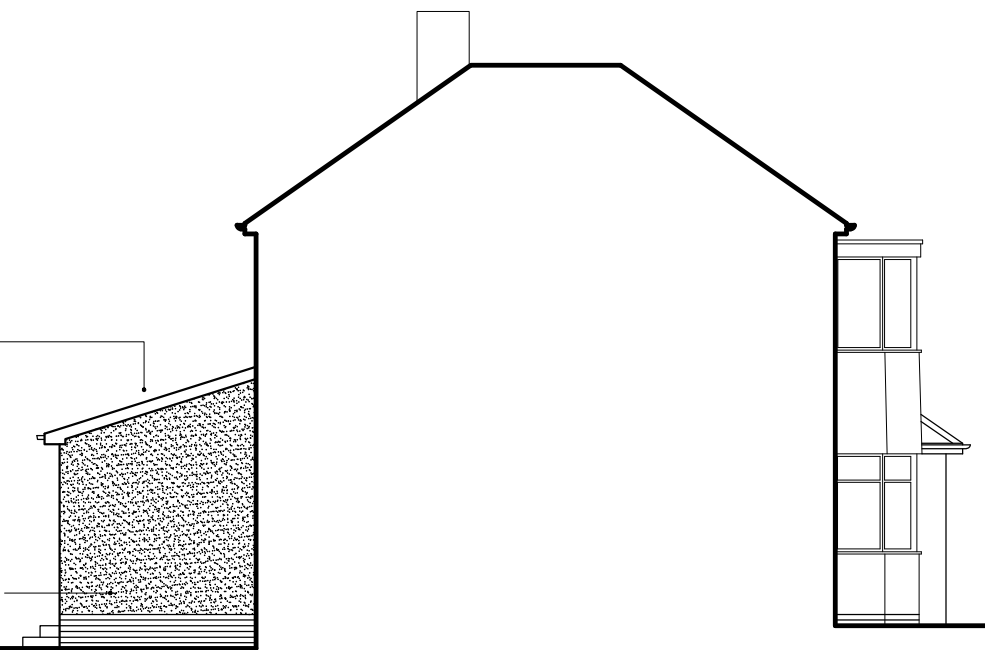
Front Elevation



Side Elevation



Rear Elevation




Side Elevation

Proposed Elevations - 1:100

Removal of Waste 
Builder to dispose of all waste and cart away from site with the use of skips which are to be located in a suitable location in agreement with the client.

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Domestic Clients - Health and Safety

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It is your responsibility, as the domestic client, to appoint a suitably Qualified Principal Designer.



Location
72 Chestnut Road,
Oldbury,
B68 0AY.

Drawing Title
Proposed Elevations

Job No	Rev	Date
2020-025	A	Nov 2020

Scale	Size	Drg No
1:100	A3	3



Report to Planning Committee

10 February 2021

Application Reference	DC/20/65023
Application Received	3.12.2020
Application Description	Proposed change of use to hot food takeaway with extraction flue to rear.
Application Address	5 High Street, Tipton, DY4 8HH.
Applicant	Mr Iulian Dobre
Ward	Tipton Green
Contact Officer	Name: Anjan Dey Email: anjan_dey@sandwell.gov.uk

1 Recommendations

1.1 That planning permission is granted subject to:

- (i) Details of odour control equipment, noise attenuation and future maintenance to be submitted and thereafter retained.
- (ii) The premises shall only be open during the following hours, this also applies to deliveries:


09:00-2300 Mon to Fri
1000-23:30 Sat & Sun



2 Reasons for Recommendations

2.1 The proposals have been recommended for approval as the proposed use is supported by consultation comments and it is considered that any adverse impact on neighbouring residential properties can be mitigated by way of relevant planning conditions. The previous planning history has been considered along with the existing retail use.

3 How does this deliver objectives of the Corporate Plan?

	A strong and inclusive economy – The proposal would bring a vacant commercial property into use and would provide a small number of employment opportunities.
---	---

4 Context

4.3 This application is being reported to your Planning Committee because it has had several representations from the public; specifically, a petition containing 10 signatures.

4.4 To assist members with site context, a link to Google Maps is provided below:

[5 High Street, Tipton](#)

5 Key Considerations

5.1 The site is allocated for housing within the development plan, but this forms part of a wider area and is therefore not relevant to this proposal. Other development plan policies are referred to in section 12 below.

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

Planning history (including appeal decisions)
Access, highway safety, parking and servicing
Traffic generation
Noise and disturbance from the scheme
Disturbance from smells



6. The Application Site

- 6.1 The application relates to a vacant retail unit, with residential accommodation above, located on the southern side High Street, Tipton, close to a roundabout junction. The property is bounded by a depot to the west and a convenience store to the east. The opposite side of the High Street is characterised by residential properties with a small Industrial Estate to the south-west.

7. Planning History

- 7.1 There is no recent planning history for the unit but in 2001 planning consent was granted for change of use to a sandwich shop including the sale of hot food. It is unclear whether that consent was implemented. The agent has only indicated that the property was last used for retail purposes.

Between 1991 and 1994 there were four planning applications submitted for hot food takeaway uses, and all of these were refused on grounds of detrimental impact on residential amenity.

There is no appeal history for the site.

- 7.2 Relevant planning applications are as follows:-

DC/27938	Change of use to a fish and chip shop.	Refuse Permission 14.02.1992
DC/28003	Change of use to hot food take-away.	Refuse Permission 16.03.1992
DC/30725	Change of use to pizza and burger restaurant.	Refuse Permission 09.09.1994.



8. Application Details

- 8.1 The applicant proposes a change the use of the shop from retail (new use - class E) to a Hot Food Takeaway (now Sui Generis – no use class). Internal floorspace for the unit equates to 103.5 square metres. The application includes a ground floor layout that shows a front serving counter and a kitchen/preparation area at the rear of the unit. The proposal does not include any changes to the existing shop front.
- 8.2 Proposed hours of opening are 0900 to 2300 (Monday to Friday) and 1000 to 2300 (Saturday & Sundays).
- 8.3 As indicated, the proposed extraction flue would be at the rear of the property and would be 1 metre above the top of the highest window

9. Publicity

- 9.1 The application was publicised by neighbour notification letter and site notice.

One letter of objection has been submitted along with one petition against the proposal containing 10 signatures.

The owner/occupier of the adjacent retail unit has not objected to the proposal but has commented on the height of the discharge flue at the rear.

9.2 Objections

Objections have been received on the following grounds:

- (i) Impacts caused by odours and other emissions;



- (ii) Anti-social behaviour (littering, loitering etc.);
- (iii) Increased crime and fear of crime;
- (iv) Increased traffic and parking congestion; and
- (v) Public health impacts & increased pollution from vehicles.

9.3 Responses to objections

I respond to the objector's comments in turn;

- (i) This is a valid concern, commonly associated with hot food takeaways, following receipt of comments from Public Health (section 10.4 below), a condition is recommended regarding controlling the extraction and ventilation systems to be installed and maintained thereafter. Details of related noise attenuation have also been requested. In my opinion with these mitigation measures in place, odour and noise nuisance will be controlled.
- (ii) Comments received from the police did not raise any concerns regarding anti-social behaviour (section 10.6 below).
- (iii) With regards to crime, the only issues highlighted in the police comments related to the risk of crime to the occupiers of the proposed takeaway and hence security measures have been recommended and forwarded to the applicant (section 10.6 below).
- (iv) Highways (section 10.2 below) raises no objections to the proposal in terms of parking or highway safety.
- (v) The hot food takeaway SPD also considers impacts on public health. It limits the numbers in a specific area and prohibits hot food takeaways within 400m of a secondary school or college. This proposal does not conflict with the requirements of the SPD (section 10.1 below). Furthermore, Public Health (Air Quality) has not commented on the proposal.

10. Consultee responses



10.1 Planning and Transportation Policy

They did not object to the principle of the proposal, noting that it accords with the requirements of the Hot Food Takeaway SPD.

10.2 Highways

The unit does not benefit from any off-road parking provision but highways has not objected to the proposal.

10.3 Public Health (Air Quality)

No comments have been made.

10.4 Public Health (Air Pollution and Noise)

No objection subject to conditions regarding ventilation & extraction, noise attenuation and restrictions on opening hours. Their comments in relation to possible noise and odour nuisance only refer to the flat above.

10.6 West Midlands Police

No overall objection, however suggestions were made regarding the security of the applicant's premises. These have been forwarded to the agent.

11. National Planning Policy

11.1 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.



12. Local Planning Policy

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

SADDM9 : Hot Food Takeaways
Hot Food Takeaways Supplementary Planning Document

12.2 SADDM9 refers to the following criteria for assessing hot food takeaways outside of town centre locations.

- a) Proposed opening hours – this can be controlled by condition.
- b) Impact of noise, disturbance, smell and litter – this can be partially controlled by condition. Issues regarding litter are more difficult to control, however, this proposal falls within an area of existing retail shops and litter bins could be provided within the counter area.
- c) & d) Traffic generation; parking problems and highway safety – as discussed in sections 10.2, and there is no evidence that this proposal would have any significant impact on traffic generation, and consequent parking and safety issues. Highways does not object to the proposal. The NPPF states; *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”* In the case of this application, there would not be an unacceptable impact on highway safety and there would be no severe cumulative impact.

The Hot Food Takeaway SPD seeks to control the numbers and location of takeaways in Sandwell, to ensure active, varied and vibrant high streets and to protect public health. As indicated above the application site is compliant with this.

13. Material Considerations

13.1 The material considerations relating to Government Policy (NPPF) and proposals within the Development Plan have been referred to above in



Sections 11 and 12. With regards to the other considerations these are highlighted below:

13.2 Noise Nuisance and Odours

The proposed noise and odour mitigation conditions should adequately address the amenity concerns of this application.

13.3 Highway Safety, Parking and Servicing

There is no evidence that highway safety or parking would be significantly affected by this proposal.

13.4 Traffic Generation

There is no evidence that this proposal would have a significant impact on traffic accumulation. The NPPF states; *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”*

14 Alternative Options

14.1 Approval of application is an option if there are material planning reasons for doing so. In my opinion the proposal accords with relevant development plan policy and those material considerations such as noise/odour can be controlled by condition.

15 Implications

Resources:	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.
Legal and Governance:	This application is submitted under the Town and Country Planning Act 1990.
Risk:	None.



Equality:	There are no equality issues arising from this proposal and therefore an equality impact assessment has not been carried out.
Health and Wellbeing:	Refer to the summary of the report (2.1).
Social Value	None

16. Appendices

Location Plan

Existing & Proposed Floor Plans No. 2037.101.B

Existing & Proposed Side/Rear Elevation Plans No. 2037.103.A

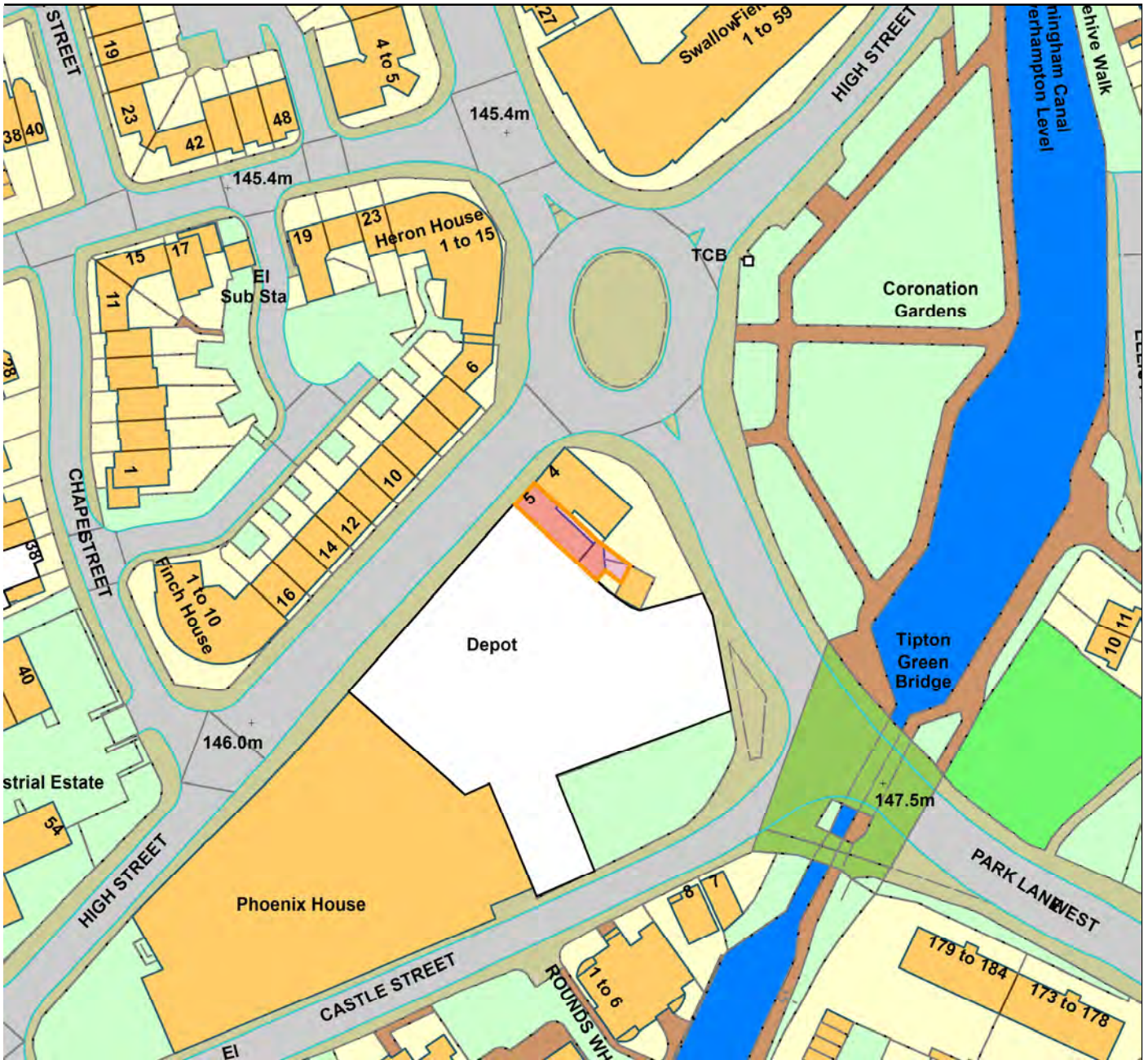
Sectional Detail Plan. 2037.102.B

17. Background Papers

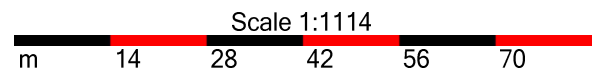
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DC/20/65023
5 High Street

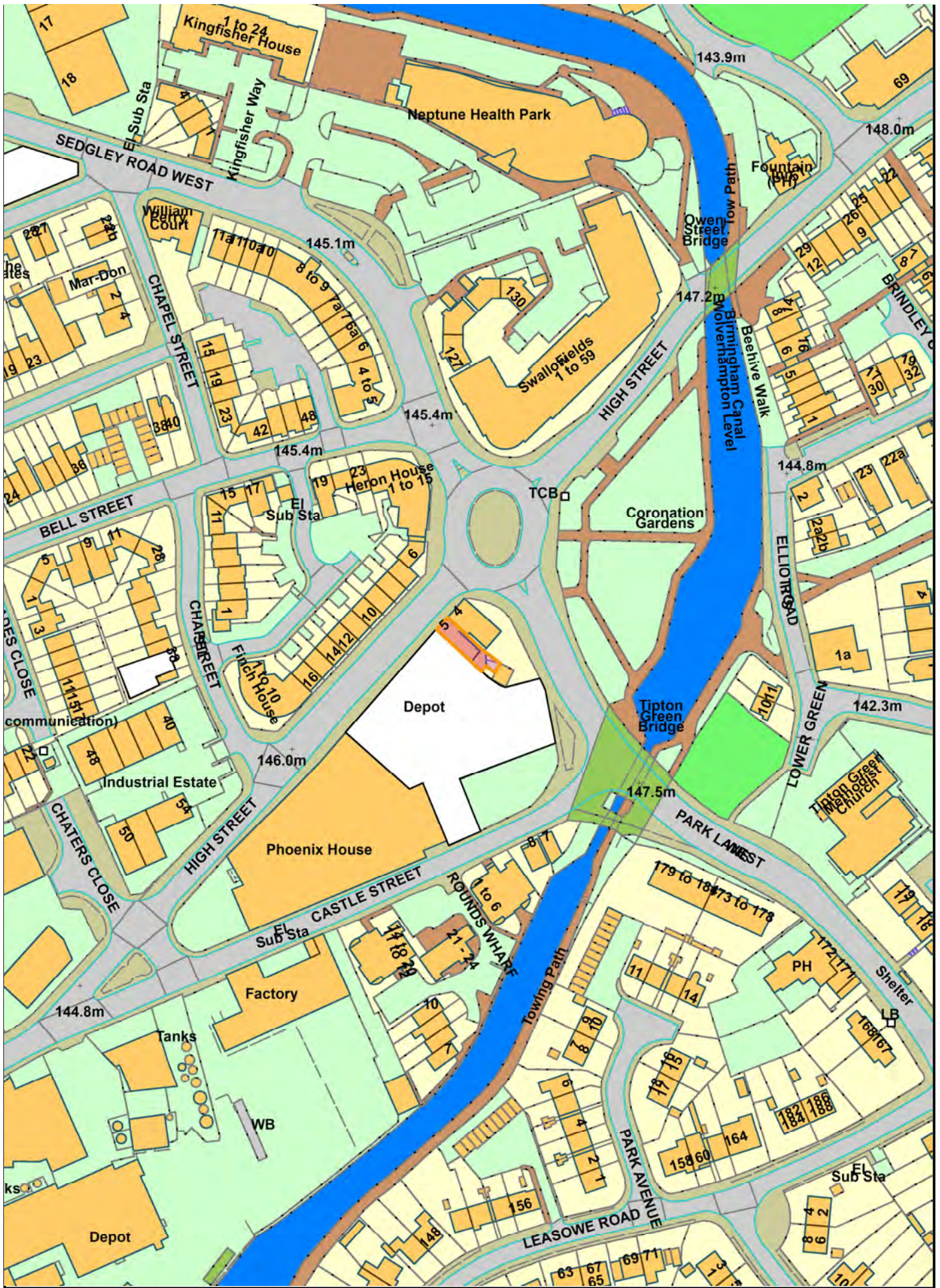


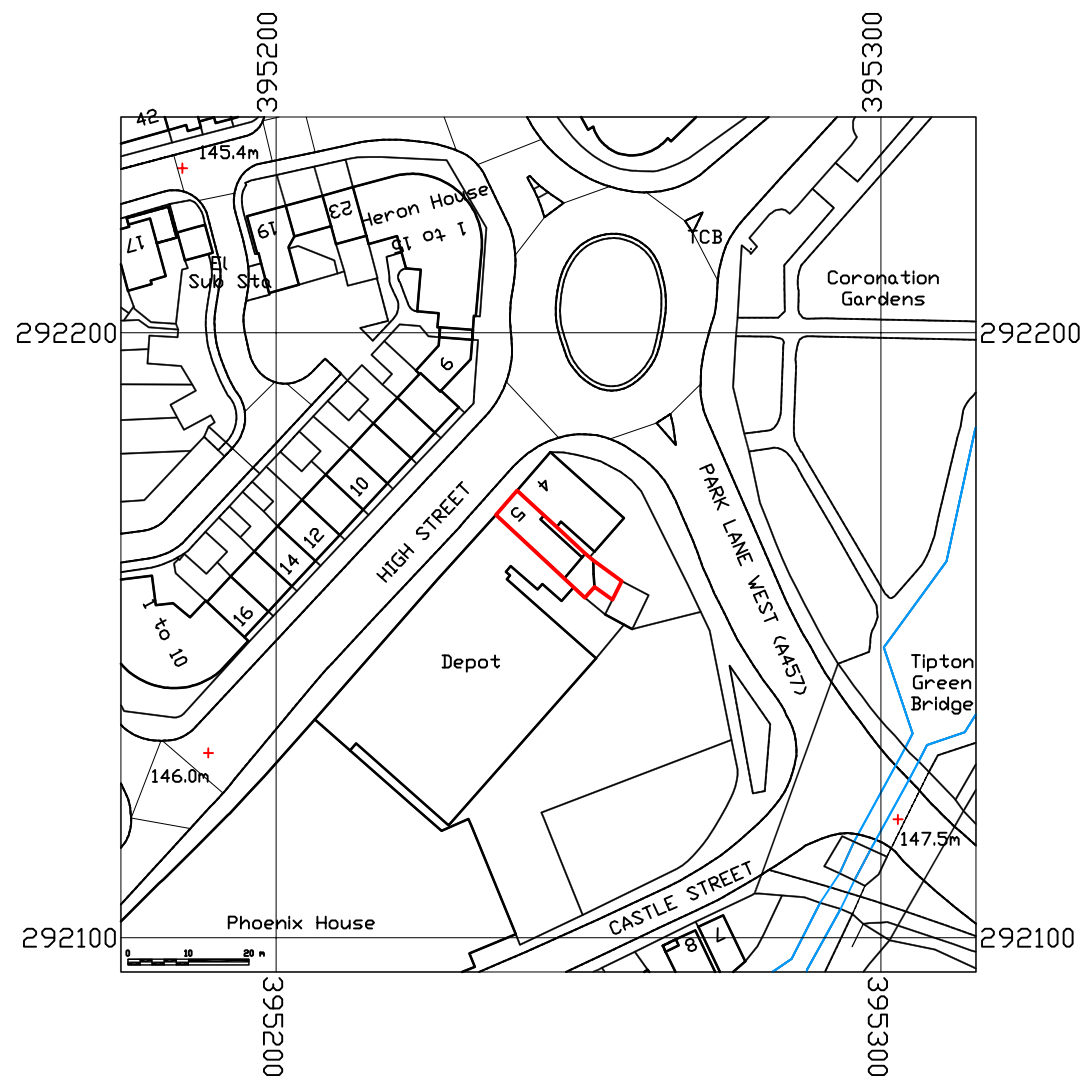
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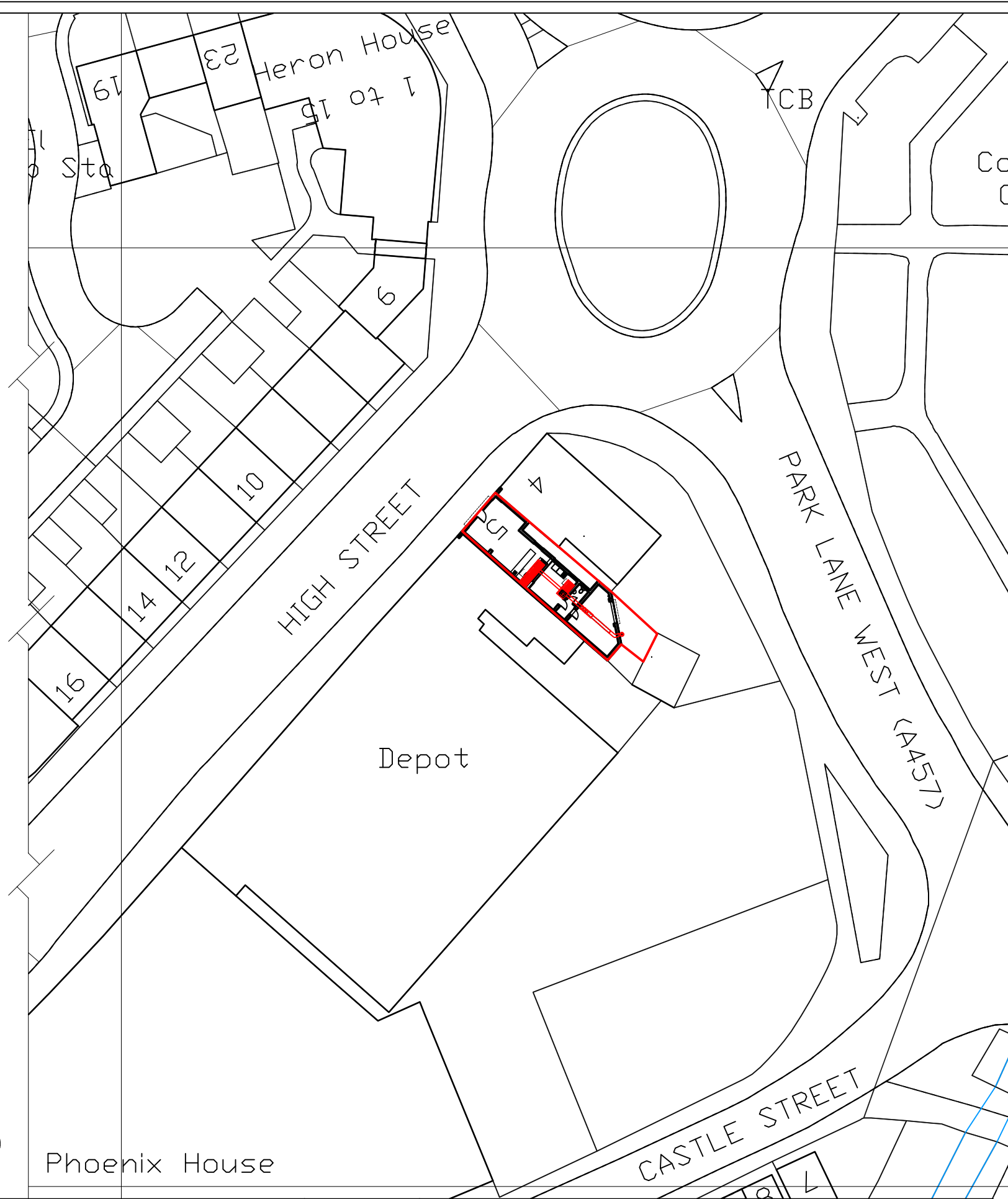
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Organisation	Not Set
Department	Not Set
Comments	Not Set
Date	25 January 2021
OS Licence No	

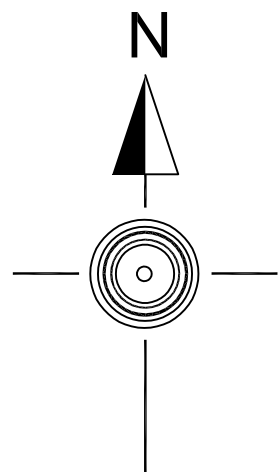




LOCATION PLAN
Scale 1:1250



SITE PLAN
Scale 1: 500



Rev A: Site boundary revised

Change of Use From Retail to Hot Food Takeaway
5 High Street, Tipton, West Midlands DY4 8HH

PARTY WALL ACT 1996 (NOTE FOR CLIENT/OWNER):
ALL BOUNDARY POSITIONS ARE ASSUMED AS PER CLIENT'S INSTRUCTIONS AND CONTRACTOR TO AGREE EXACT BOUNDARY POSITIONS WITH CLIENT/OWNER, PRIOR TO COMMENCEMENT OF WORKS. THE ORKS MAY FALL WITHING THE PARTY WALL ACT AND CLIENT IS REQUIRED TO WRITE THE NEIGHBOURS AFFECTED BY THESE WORKS AND SEEK WRITTEN CONSENT PRIOR TO COMMENCEMENT OF WORKS. IN CASE OF ANY OBJECTION FROM THE ADJOINING PROPERTY OWNERS, CLIENT IS ADVISED TO CONTACT SPECIALIST PARTY WALL SURVEYORS.
LOCAL AUTHORITY NOTES:
CONTRACTOR, WHERE APPLICABLE, TO ENSURE HE COMPLIES WITH ALL CONDITIONS OUTLINED THE PLANNING APPROVAL NOTICE. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO OBTAIN WRITTEN APPROVALS FOR ALL FACING MATERIAS FROM THE PLANNING DEPARTMENT.
ALL WORK TO COMPLY WITH BUILDING REGULATIONS AND ALL STATUTORY AUTHORITIES REQUIREMENTS.
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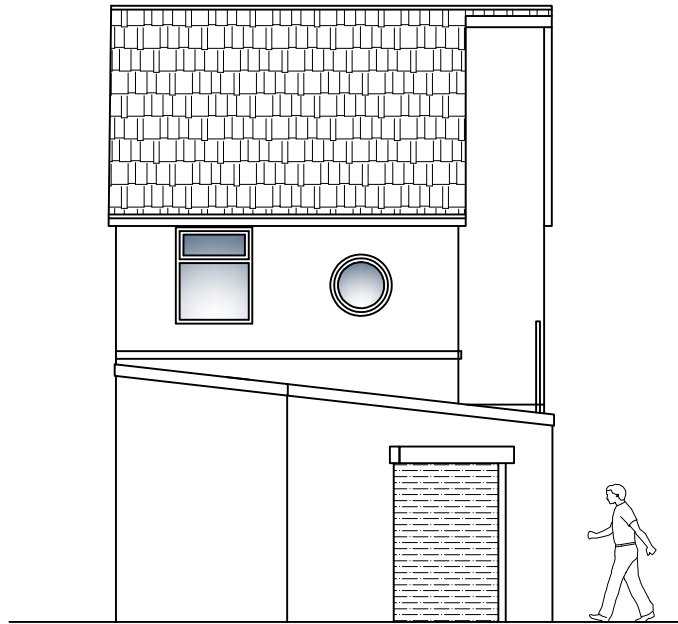
Drwg Number
2037.100 Rev A

Location & Site
Plans
Scale 1:1250, 500

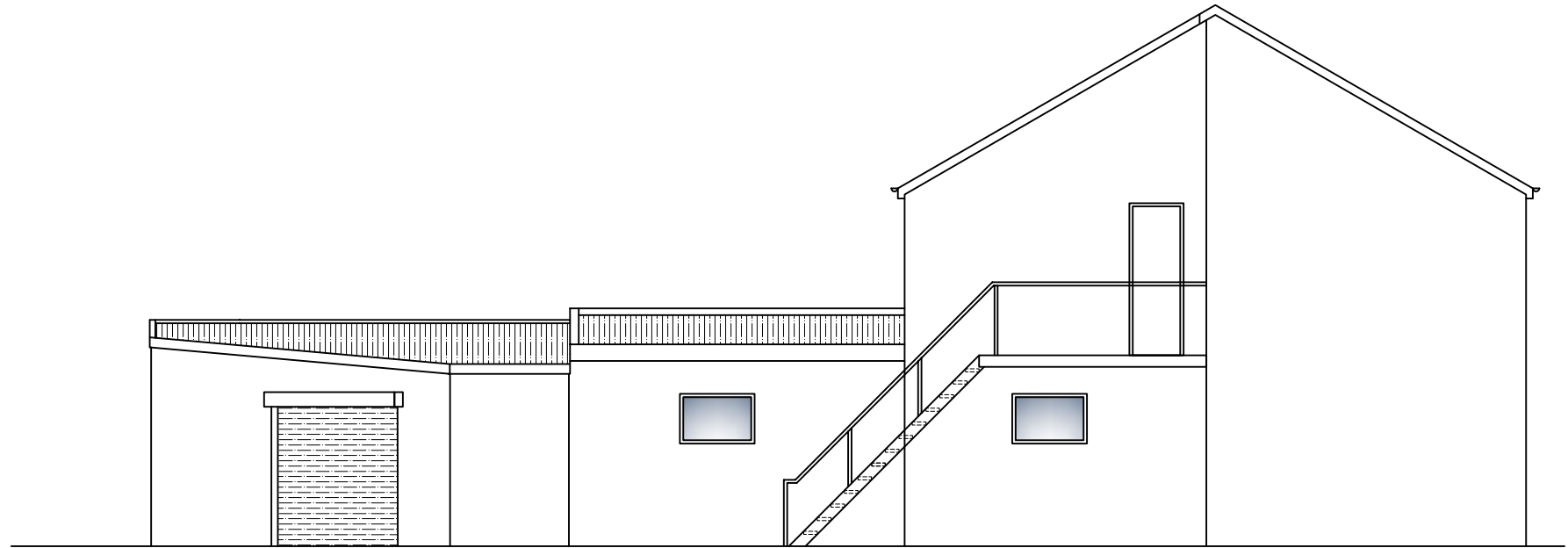
SPECTRUM

SPECTRUM MANAGEMENT
& SERVICES LTD
84 PALACE ROAD
BIRMINGHAM B5 9ER
TEL: 0121 659 1510

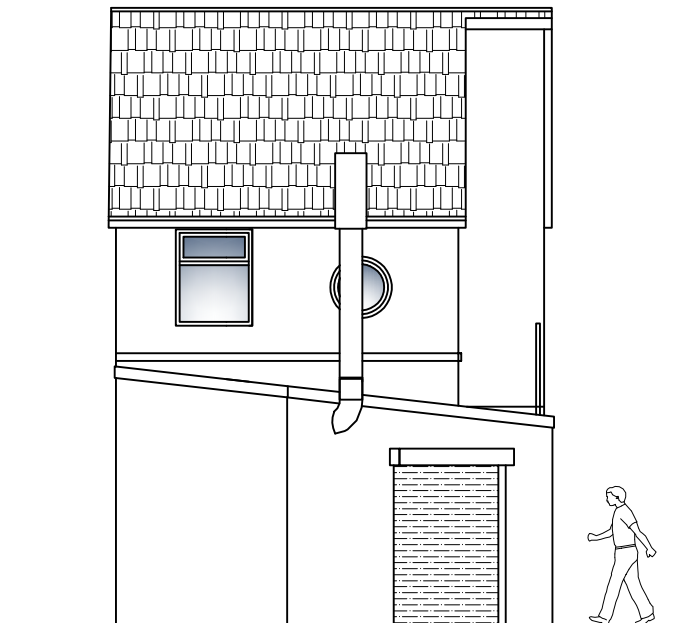




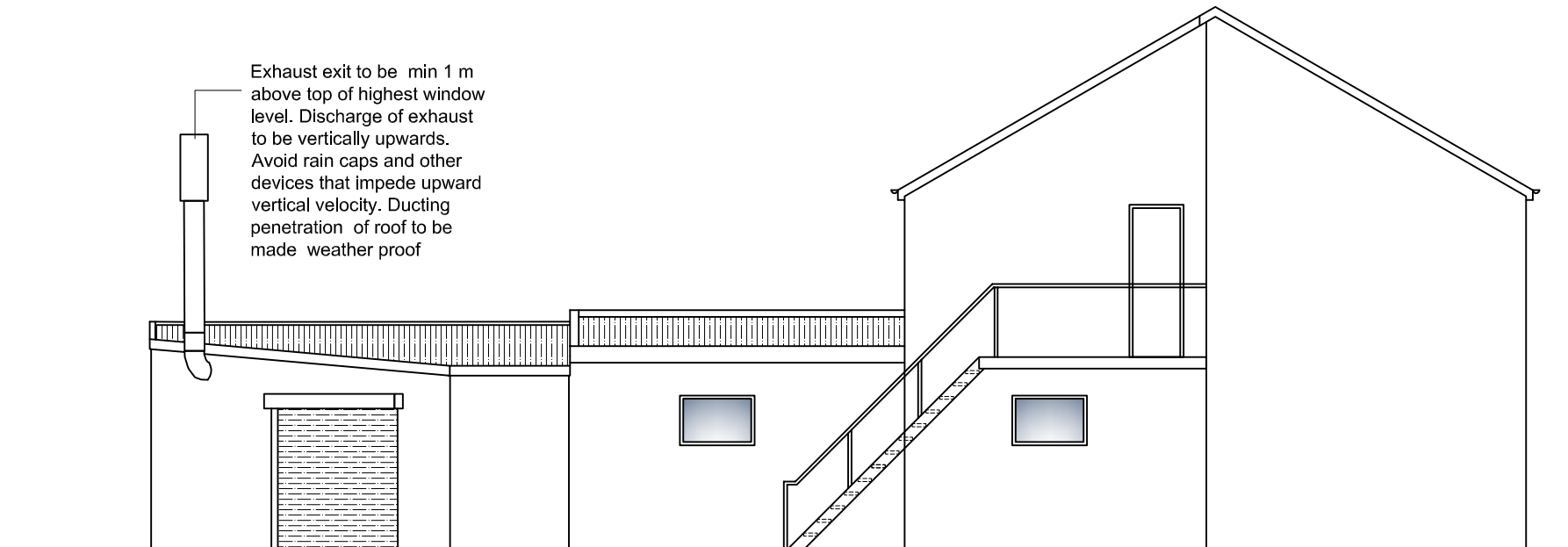
EXISTING REAR ELEVATION
Scale 1:100



EXISTING SIDE ELEVATION
Scale 1:100



PROPOSED REAR ELEVATION
Scale 1:100



PROPOSED SIDE ELEVATION
Scale 1:100

Exhaust exit to be min 1 m above top of highest window level. Discharge of exhaust to be vertically upwards. Avoid rain caps and other devices that impede upward vertical velocity. Ducting penetration of roof to be made weather proof

Rev A: Revised to Client's comments

Change of Use From Retail to Hot Food Takeaway
5 High Street, Tipton, West Midlands DY4 8HH

PARTY WALL ACT 1996 (NOTE FOR CLIENT/OWNER): ALL BOUNDARY POSITIONS ARE ASSUMED AS PER CLIENT'S INSTRUCTIONS AND CONTRACTOR TO AGREE EXACT BOUNDARY POSITIONS WITH CLIENT/OWNER, PRIOR TO COMMENCEMENT OF WORKS. THE ORKS MAY FALL WITHIN THE PARTY WALL ACT AND CLIENT IS REQUIRED TO WRITE THE NEIGHBOURS AFFECTED BY THESE WORKS AND SEEK WRITTEN CONSENT PRIOR TO COMMENCEMENT OF WORKS. IN CASE OF ANY OBJECTION FROM THE ADJOINING PROPERTY OWNERS, CLIENT IS ADVISED TO CONTACT SPECIALIST PARTY WALL SURVEYORS.
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Drwg Number
2037.103 Rev A

Elevations
Scale 1:100

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TEL: 0121 659 1510

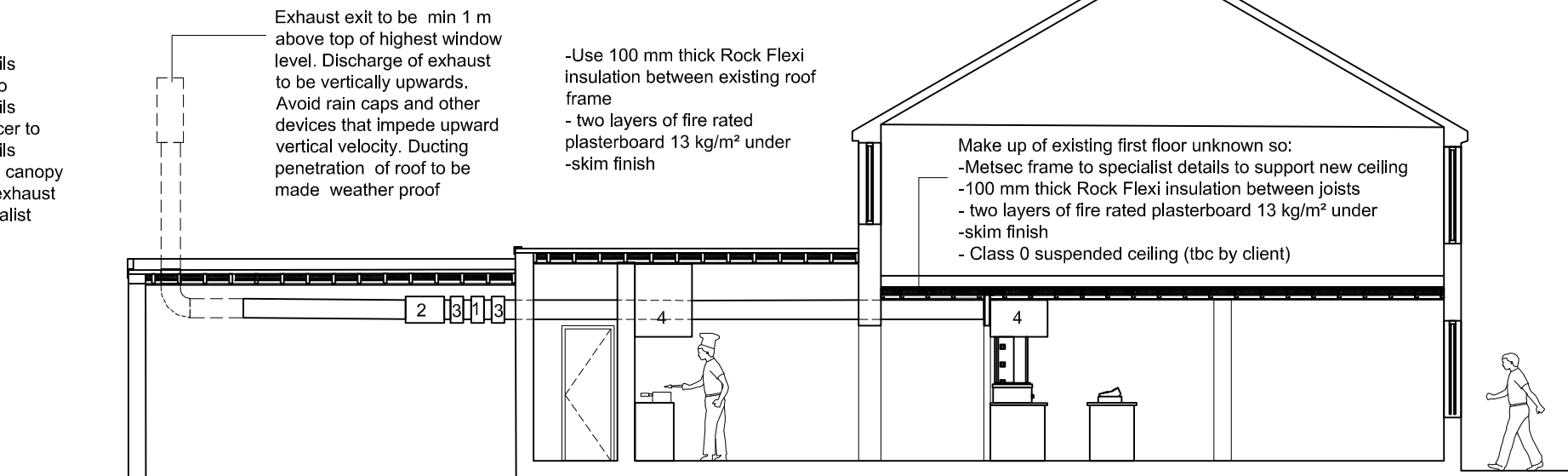


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All dimensions to be verified & checked on site and not scaled from this drawing

www.spectrumprojectmanagement.co.uk

1. Fan motor to specialist details
2. Carbon filter, to specialist details
3. Acoustic silencer to specialist details
4. Stainless steel canopy & associated exhaust pipes, to specialist details



Exhaust exit to be min 1 m above top of highest window level. Discharge of exhaust to be vertically upwards. Avoid rain caps and other devices that impede upward vertical velocity. Ducting penetration of roof to be made weather proof

-Use 100 mm thick Rock Flexi insulation between existing roof frame
- two layers of fire rated plasterboard 13 kg/m² under
-skim finish

Make up of existing first floor unknown so:
-Metsec frame to specialist details to support new ceiling
-100 mm thick Rock Flexi insulation between joists
- two layers of fire rated plasterboard 13 kg/m² under
-skim finish
- Class 0 suspended ceiling (tbc by client)

SECTION
Scale 1: 100

Extractor canopy manufactured from 430 grade stainless steel dull polished both sides, complete with 8 no. grease fileters. Canopy size 200 x 380 x 400 x 1200 L shaped. Fan motor will be from Falkwoods size 560 mm long case. 2 no silencers size 560 mm x 600 long each Fan will also be connected to
- Gas Interlock system
- Carbon filter to reduce smoke and fumes
- Anti- vibration system
The part of the exhaust ducting one the exterior of the premises will be constructed from galvanised , rust- proof steel 240 volt- 1420 rpm
Sound level 56 dba when monitored at 3 meters
The attnuator we use, before and after fan. This would reduce the dba level by 10 dba to the canopy side and 19 dba to extraction side, thus producing 33 dba when mounted at 3 m form the fan

Maintenance of the ventilation system:
Good maintenance is required by the food hygiene regulations and will also minimise the risk of fire. The recommended cleaning period for extract ductwork is:
o Heavy Use 12-16 Hours Per Day: 3 Monthly
o Moderate Use 6-12 Hours Per Day 6 Monthly
o Light Use 2-6 Hours Per Day
Annually Recommendations for maintenance of odour control system include: System employing fine filtration and carbon filtration.
o Change fine filters every two weeks.
o Change carbon filters every 4 to 6 months.
o Use a system employing ESP and other in line abatement. Clean every 2-6 months

Rev B: Revised to Client's comments
Rev A: Revised to Client's comments

Change of Use From Retail to Hot Food Takeaway
5 High Street, Tipton, West Midlands DY4 8HH

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Drwg Number
2037.102 Rev B

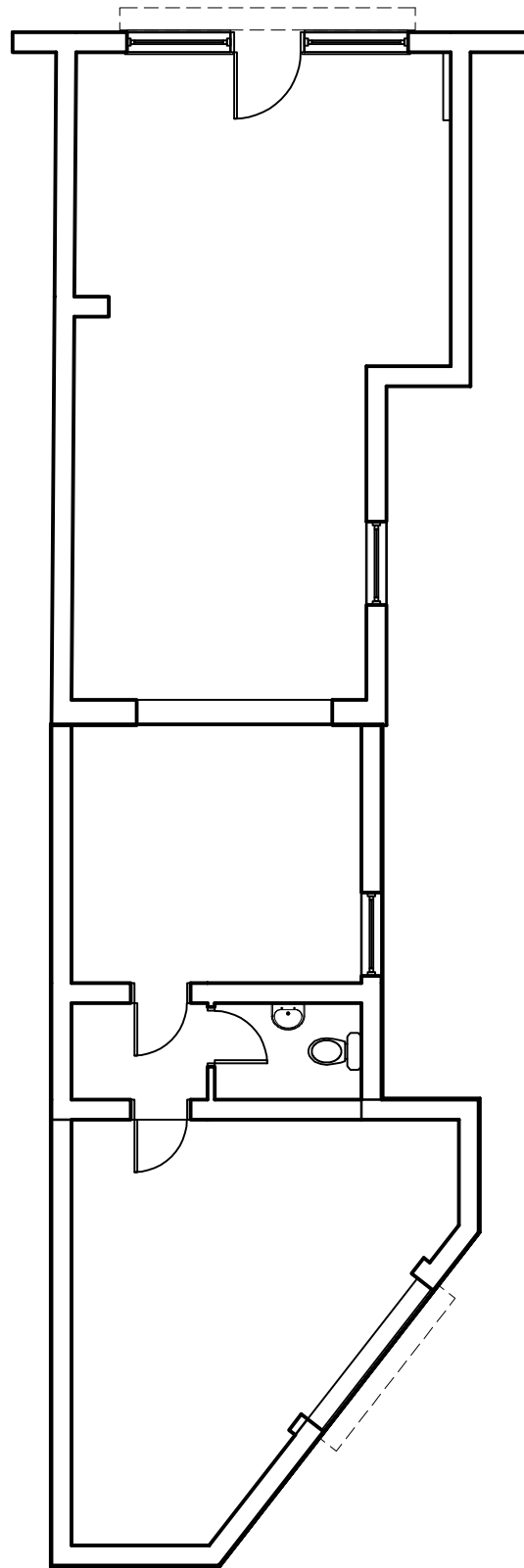
Elevations
Scale 1:100

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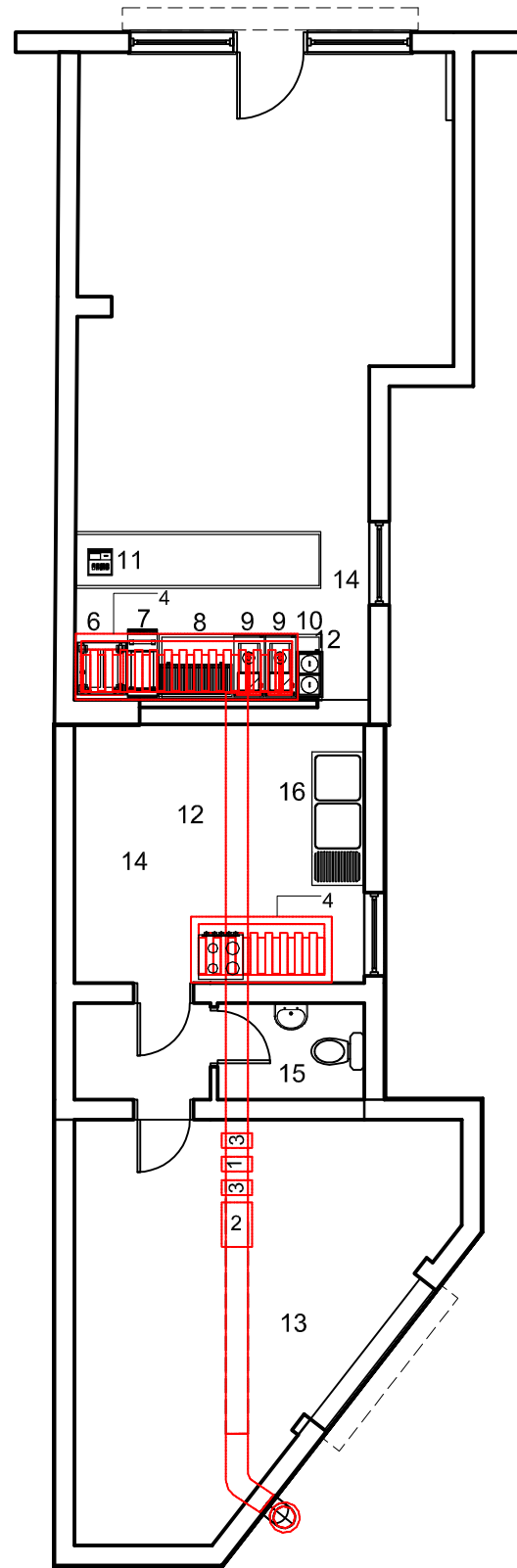
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TEL: 0121 659 1510



1. Fan motor to specialist details
2. Carbon filter, to specialist details
3. Acoustic silencer to specialist details
4. Stainless steel canopy & associated exhaust pipes, to specialist details



EXISTING GROUND FLOOR PLAN
Scale 1:100



PROPOSED GROUND FLOOR PLAN
Scale 1:100

- 6 Fries scuttle
- 7 Fryer
- 8 Charcoal grill
- 9 Kebab machine
- 10 Bain marie
- 11 Till
- 12 Staff only Prep Area
- 13 Staff only Store and Deliveries
- 14 Altro Safety Flooring in (staff only) areas
- 15 Staff toilet
- 16 Commercial ss sink connected existing drains

Rev B: Revised to Client's comments
Rev A: Revised to Client's comments

Change of Use From Retail to Hot Food Takeaway
5 High Street, Tipton, West Midlands DY4 8HH

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Drwg Number
2037.101 Rev B

Plans
Scale 1:100

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Report to Planning Committee

10th February 2021

Application Reference	DC/20/65051
Application Received	21 st December 2020
Application Description	Proposed single storey rear extension to the existing crematorium, flower store and additional parking spaces.
Application Address	West Bromwich Crematorium, Newton Road, West Bromwich. B71 3SX
Applicant	Mr Mark Satchwell Sandwell MBC - Bereavement Services
Ward	Newton
Contact Officer	William Stevens William_stevens@sandwell.gov.uk

1 Recommendations

1.1 That planning permission is granted subject to:


- (i) Details of external materials and implementation,
- (ii) Details of drainage,
- (iii) Electric Vehicle charging point details and implementation,
- (iv) Hard and soft landscaping scheme and implementation, and
- (v) Archaeological study



2 Reasons for Recommendations

- 2.1 The proposed development would enhance existing staff facilities and provide an onsite flower store to serve visitors, without compromising the footprint of the existing development. An additional 11 parking spaces are proposed (totalling 33 with two disabled bays and two electrical vehicle charging points).

3 How does this deliver objectives of the Corporate Plan?

	Strong resilient communities - The changes to this site would offer an extension to the existing crematorium facilities which will provide improved public parking and staff facilities.
---	--

4 Context

- 4.1 This application is being reported to your Planning Committee because the application has been submitted on behalf of the Council.
- 4.2 To assist members with site context, a link to Google Maps is provided below:

[Aerial Photograph](#)

[Sandwell Valley Crematorium street view](#)

5 Key Considerations

- 5.1 The site is currently a crematorium within the green belt.
- 5.2 The material planning considerations which are relevant to this application are: -

Government policy (NPPF)



6. The Application Site

6.1 The application site is situated on the corner of Newton Road and Forge Lane, West Bromwich. The application site relates to Sandwell Valley Crematorium.

7. Planning History

7.1 There are several historic planning applications associated with this site. In addition, an application for a new burial ground area adjacent to this site is also on your agenda (DC/20/65053 refers).

7.2 The relevant planning applications are as follows: -

7.3	DD/19807	Extension of crematorium grounds. New roadway. New chapel.	Deemed approved 30/03/1987
	DC/08/50422	Proposed part demolition and alteration to existing crematorium to provide memorial sales, florist and cafe and construction of a replacement crematorium.	Granted with conditions 01/04/2009
	DC/13/56659	Proposed wake facility to include wc, bar and kitchen facilities and replacement of existing coach park with 22 car parking spaces.	Granted with conditions 23/05/2014
	DC/14/56826	Proposed change of use from offices to forensic digital autopsy facility, with adjacent covered delivery area.	Granted with conditions 04/04/2014
	DC/14/57446	Proposed change of use from unused field to pet memorial garden.	Granted with Conditions 21/11/2014



8. Application Details

- 8.1 The applicant proposes to erect a single storey rear extension to the existing crematorium to increase the staff facilities and a flower store. The existing car park will also be extended by 11 spaces.
- 8.2 The proposed staff facilities would include providing a staff room, a garage and an external store. The existing service yard will also be extended.
- 8.3 The staff facilities would be of irregular shape and measure a maximum width of 16.0m, a maximum width of 9.5, and due to level changes a maximum height of 7.0m.
- 8.4 The new flower store will be allocated opposite the entrance to the existing chapel and would measure 6.0m wide, a depth of 4.7m and a maximum height of 4.4m.

9. Publicity

- 9.1 The application has been publicised by site notice without response.

10. Consultee responses

10.1 Highways

The Council's Highways Department have raised no objections to the proposal.

10.2 Planning Policy

No objection as the development accords with the provisions of the NPPF (see point 11 below).



11. National Planning Policy

- 11.1 National Planning Policy Framework promotes sustainable development but states that local circumstances should be taken into account to reflect the character, needs and opportunities for each area.
- 11.2 Paragraph 145 of the adopted National Planning Policy Framework states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt except for the provision of appropriate facilities such as cemeteries and burial grounds.

12. Local Planning Policy

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

CSP4: Place Making

ENV3: Design Quality

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

SAD EOS2: Green Belt

SAD EOS9: Urban Design Principles

SAD DM6: Community Facilities

SAD HE 5: Archaeology and Development Proposals

- 12.2 CSP4 promotes good design, requiring a bespoke approach to place-making and a high quality of design of the built and natural environment. It is considered that the proposal meets the requirements of this policy.
- 12.3 ENV3 and SAD EOS9 refers to well-designed schemes that provide quality environments. The scheme is acceptable in appearance and is modest when compared to the existing facility.
- 12.4 ENV5 seeks the incorporation of sustainable drainage systems to assist with reducing the impact of flooding and surface run-off. Conditions regarding this can be attached to any approval.



- 12.5 With regards to DM6, the proposal seeks to enhance an existing community facility.
- 12.6 HE5 states that conditions should be attached to planning permissions for an appropriate level of archaeological evaluation and recording (preservation by record).
- 12.7 Policy SAD EOS2 Greenbelt which states new buildings are inappropriate development unless for specific use, Cemeteries are listed as an exception.

13. Material Considerations

13.1 The material considerations relating to Government Policy (NPPF) and proposals within the Development Plan have been referred to above in Sections 11 and 12. With regards to the other considerations these are highlighted below.

13.2 Government policy (NPPF)

It is considered that the proposal is of satisfactory design that would not cause any significant highway safety or amenity issues and complies with the provisions of the National Planning Policy Framework (see point 11 above).

14 Alternative Options

14.1 Refusal of this application is an option if there are material planning reasons for doing so. As indicated above the proposal is deemed policy compliant and there are no other relevant material considerations.

15 Implications

Resources:	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.
-------------------	---



Legal and Governance:	This application is submitted under the Town and Country Planning Act 1990.
Risk:	None.
Equality:	There are no equality issues arising from this proposal and therefore an equality impact assessment has not been carried out.
Health and Wellbeing:	None
Social Value	None

16. Appendices

Location plan

AG(0-) 02 Existing and proposed site plan

AG(0-) 03 REV B – Proposed flower shop floor and elevation plans

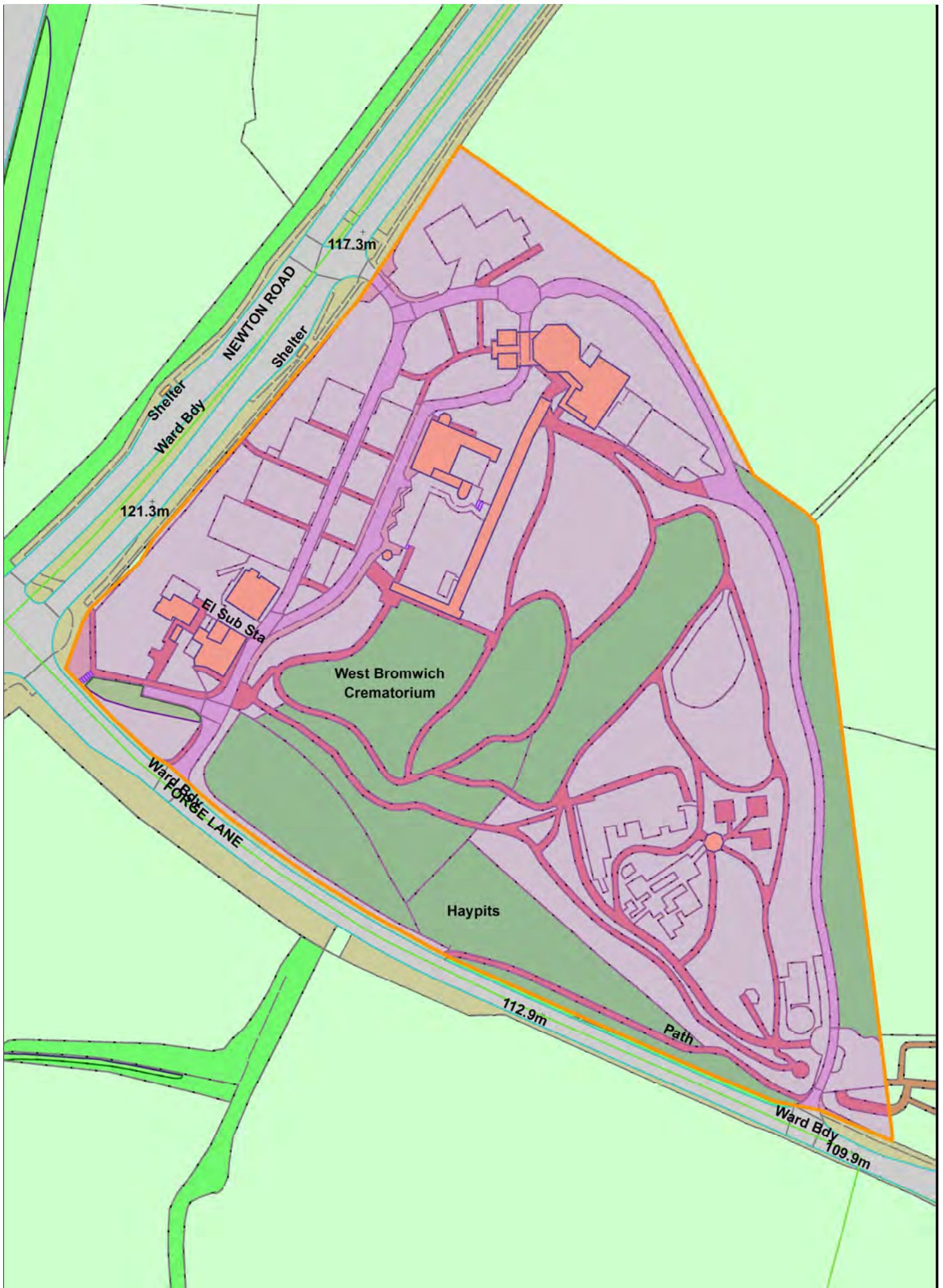
AG(0-) 04 REV B – Proposed rear store floor and elevation plans

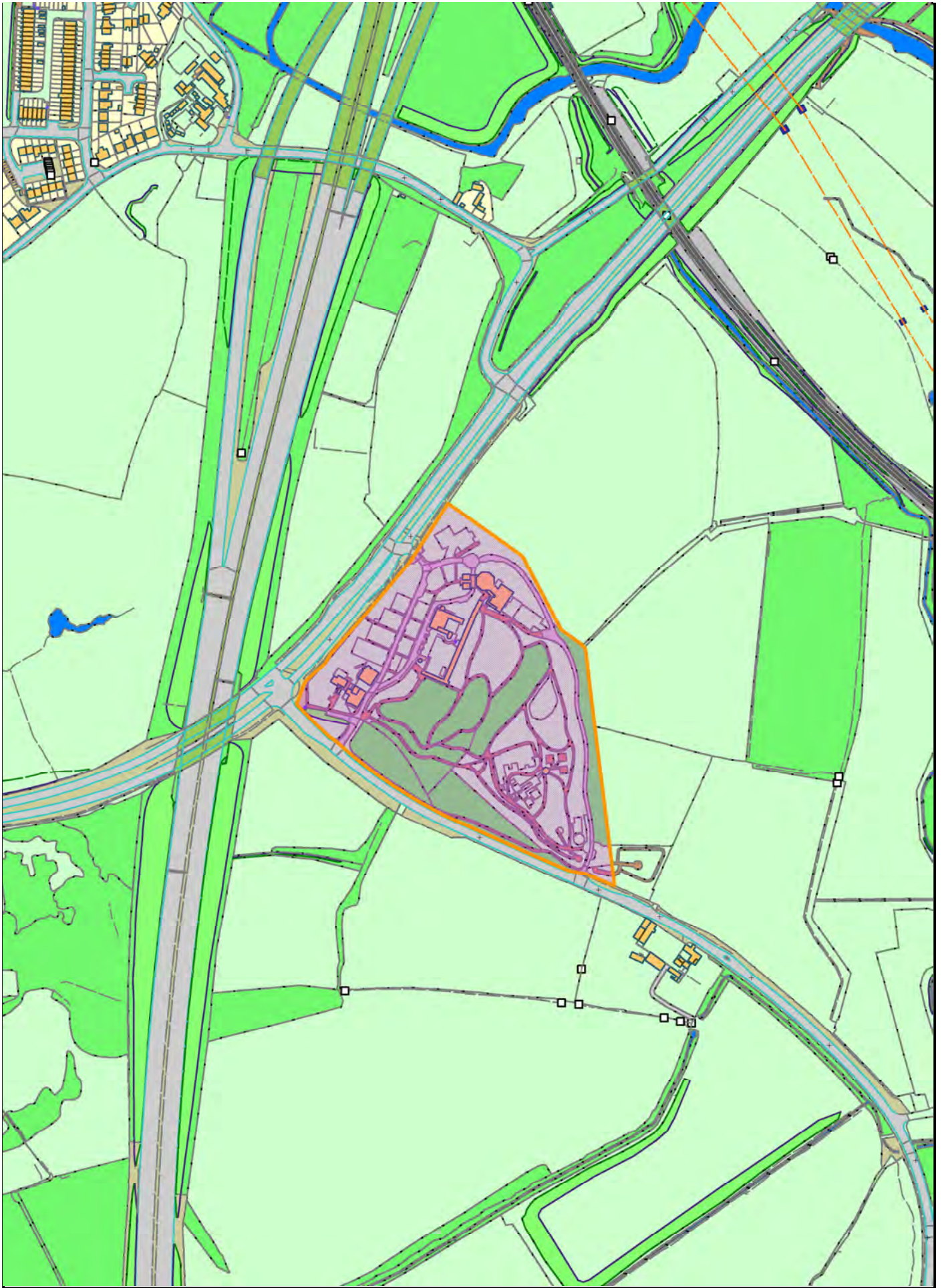
L-G(9-) 01. S2 Proposed crematorium alterations master plan including landscaping.


17. Background Papers

None.







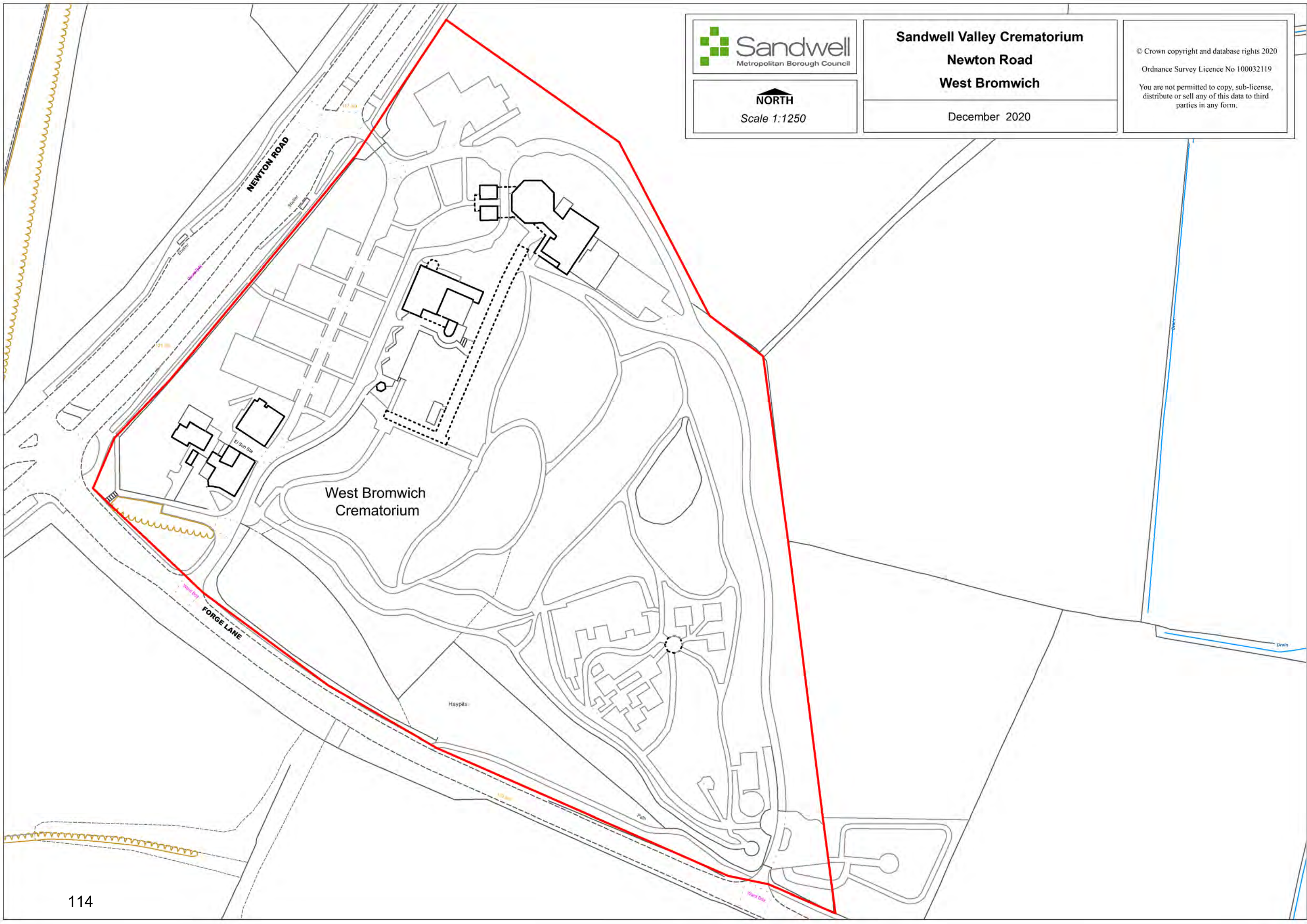
 **Sandwell**
Metropolitan Borough Council

NORTH
Scale 1:1250

Sandwell Valley Crematorium
Newton Road
West Bromwich

December 2020

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Notes
 The Contractor will be responsible for setting out the work.
 All dimensions must be obtained or checked on the site.
 Figured dimensions to be used in preference to scale.

North Point

Key Plan

Rev	Date	Revision Note	By	Check



Project
 Sandwell Valley Crematorium
 Location
 Newton Road,
 West Bromwich
 Sheet title
 Crematorium Alteration - Existing and Proposed Site Plans
 Status

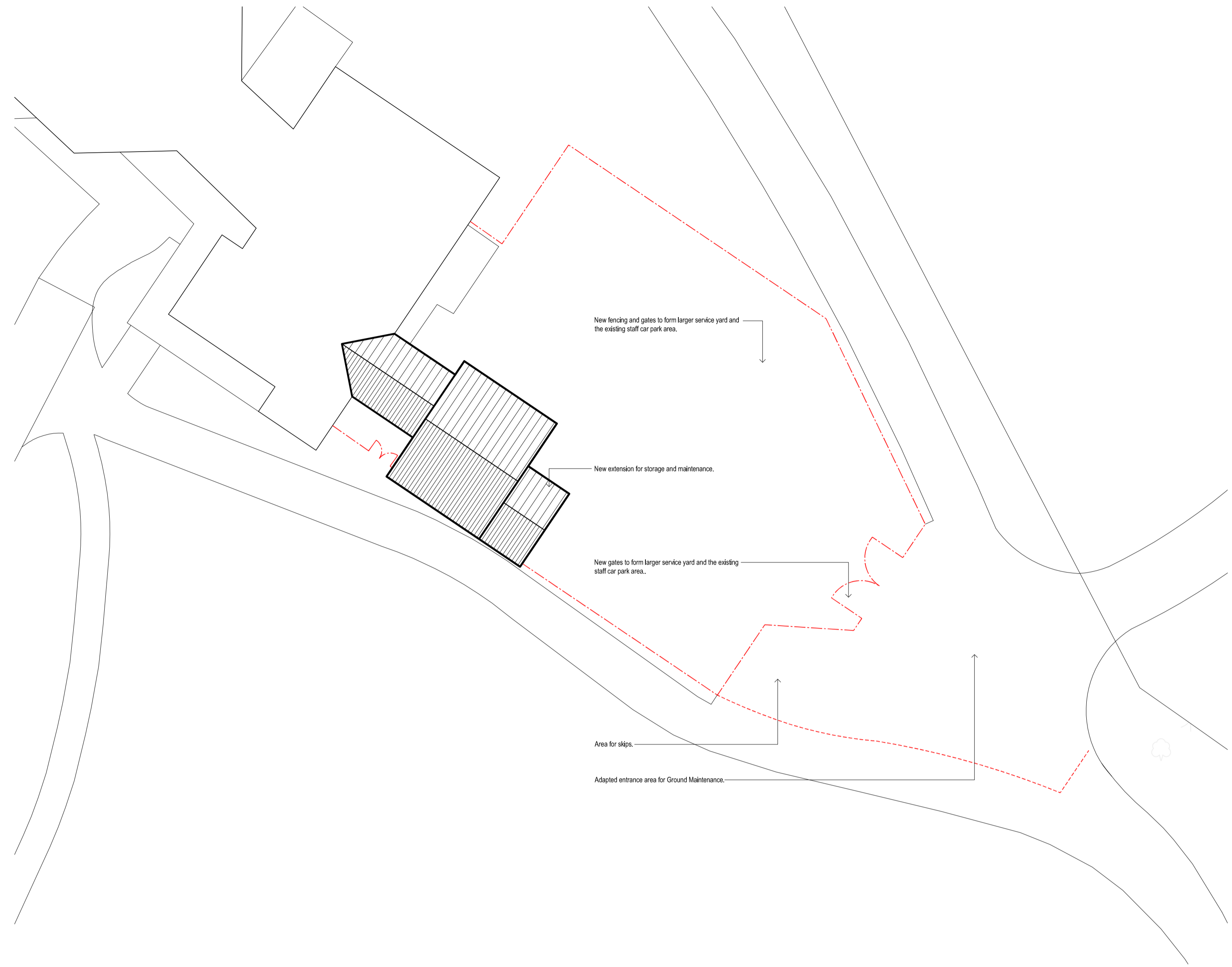
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P. Elwell	May 2020	

Scale at A1 1:100 Scale at A3

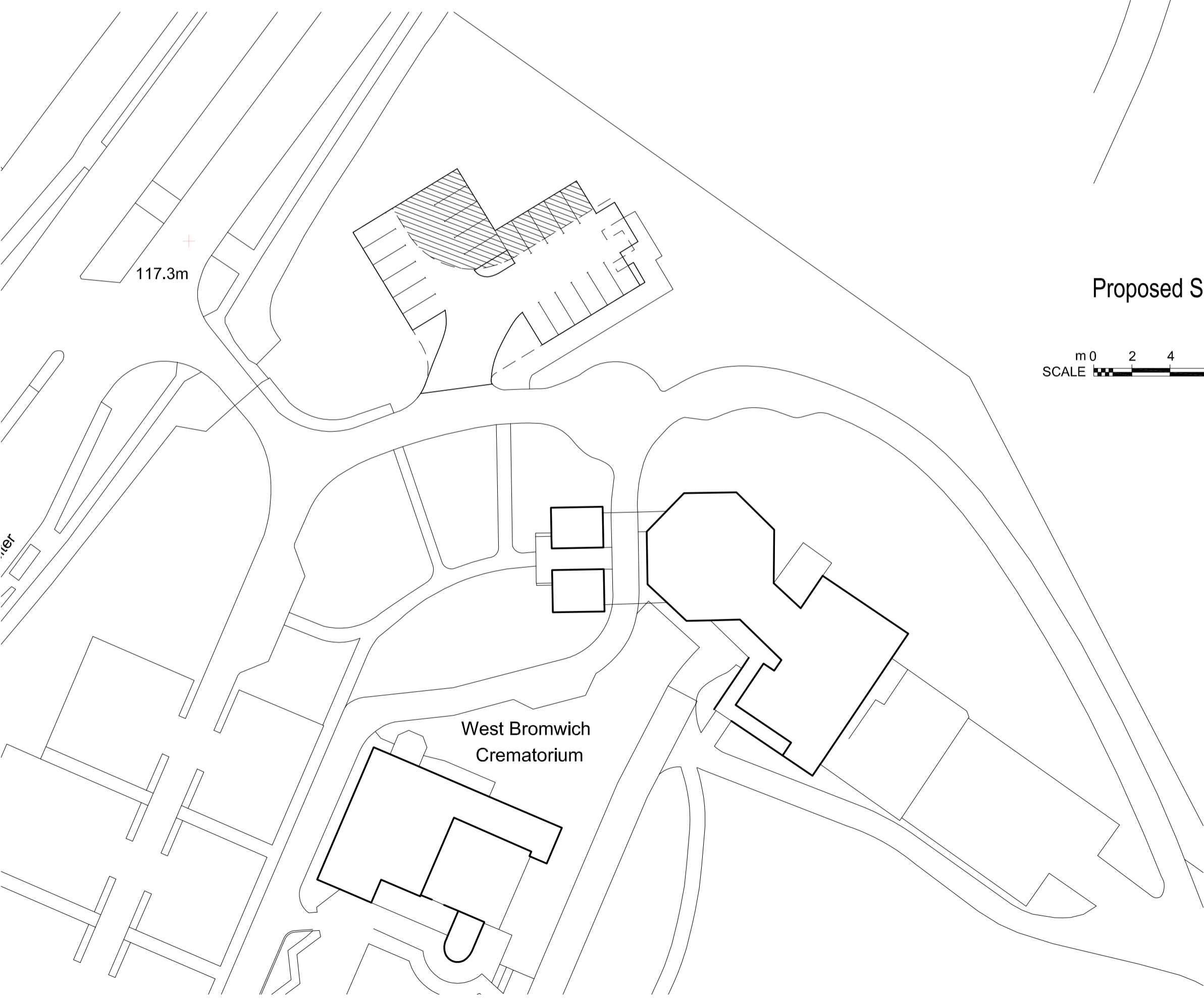
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00	XX	AG(0-)	02		

Job No. Contractors Drawing No. (if required)

Urban Design & Building Services
 Sandwell Council House
 Fresh Street, Oldbury,
 B69 3DE
 Tel: 0121 569 4541

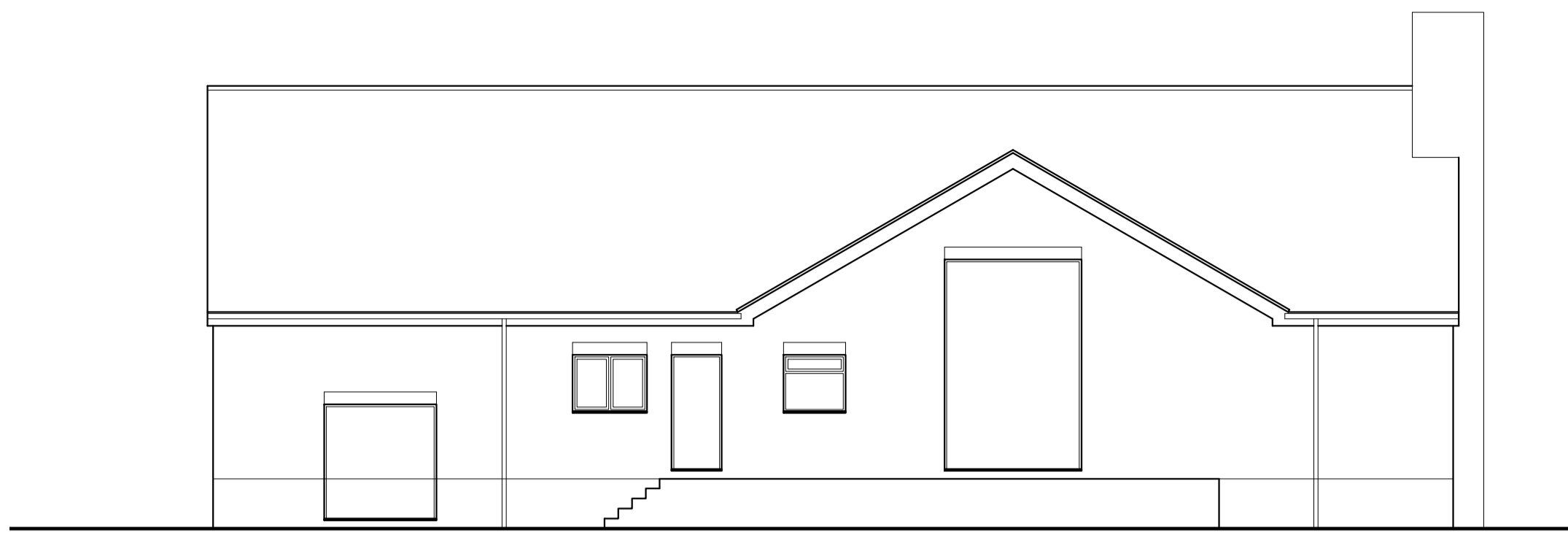


Proposed Site Plan - 1:200
 SCALE 0 2 4 6 8 10 12 14 16 18 20
 1:200

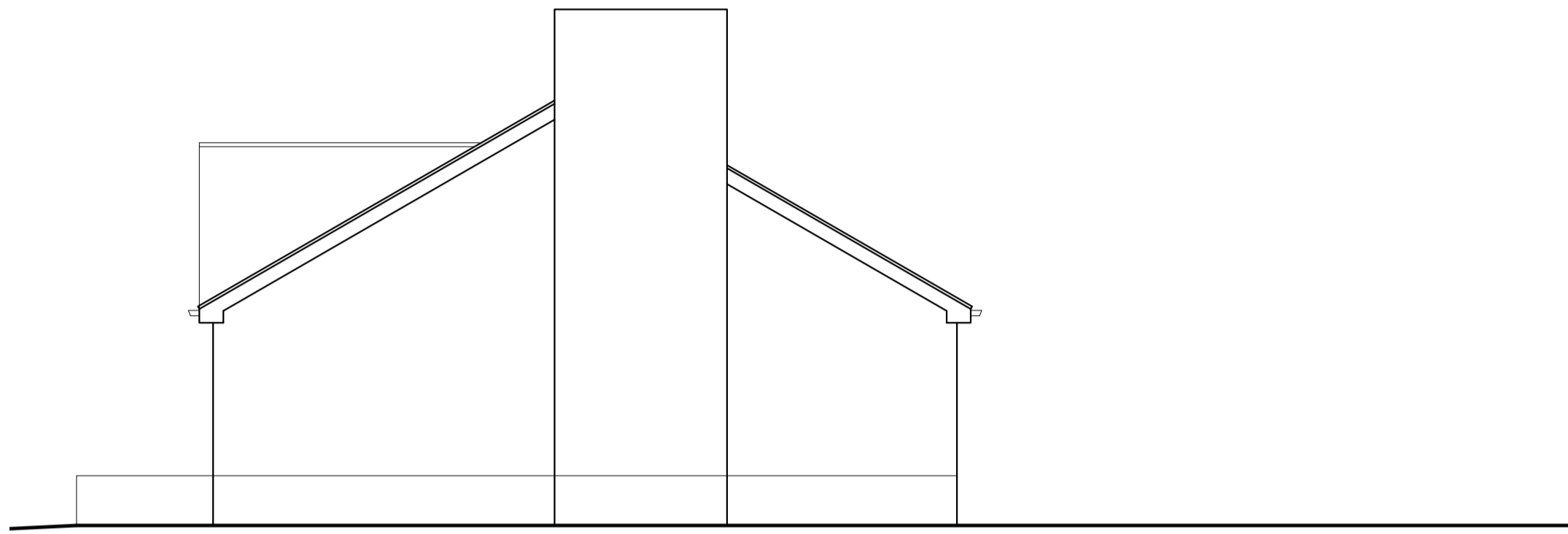


Existing Site Plan

Sandwell Valley Crematorium - Proposed Extension - Existing & Proposed Site Plans

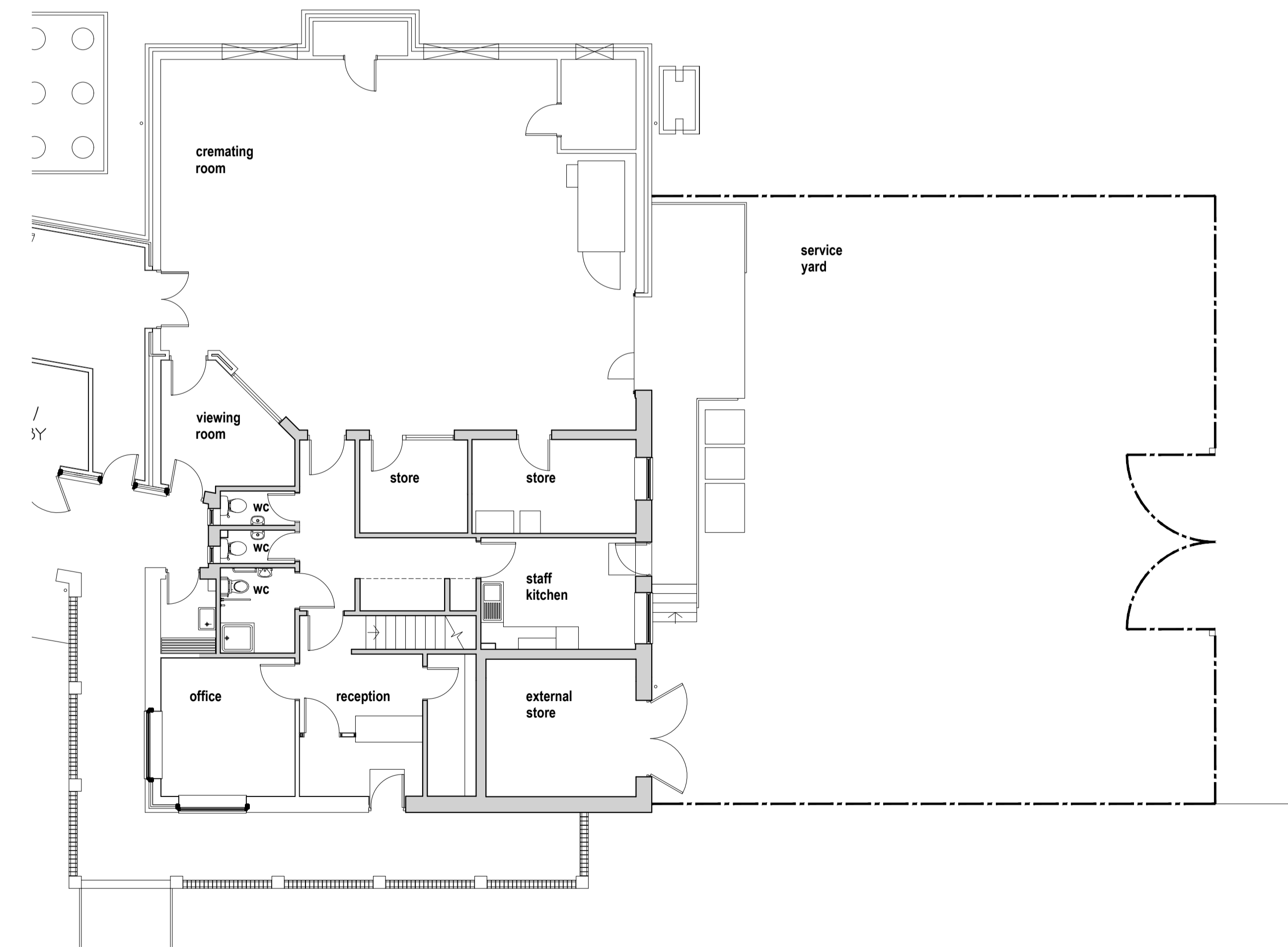


Rear Elevation



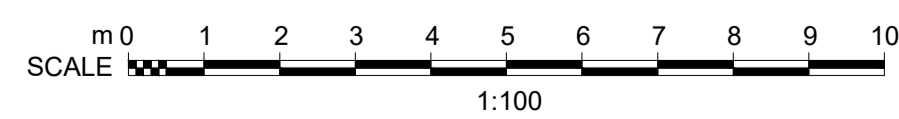
Side Elevation

Existing Elevations



Ground Floor Plan

Existing Plan



Notes
The Contractor will be responsible for setting out the work.
All dimensions must be obtained or checked on the site.
Figured dimensions to be used in preference to scale.

North Point

Key Plan

B	17-12-2020	Now Existing Only.	PE
A	15-12-2020	Scale Bars Added.	PE

Rev	Date	Revision Note	By	Check



Project
Sandwell Valley Crematorium
Location
Newton Road,
West Bromwich
Sheet title
Crematorium Alteration - Existing Details
Status

Drawn by	Date	Checked
P. Elwell	Dec 2020	
Scale at A1	Scale at A3	
1:100		

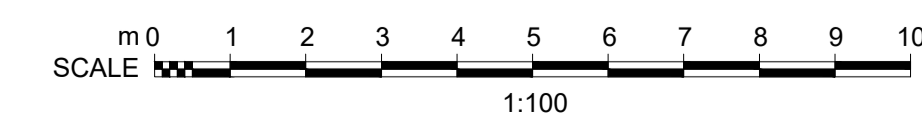
Drawn	Level	Classification	Sheet No.	Subsidiary	Version
00	XX	AG(0-)	01		B

Job No. Contractors Drawing No. (if required)

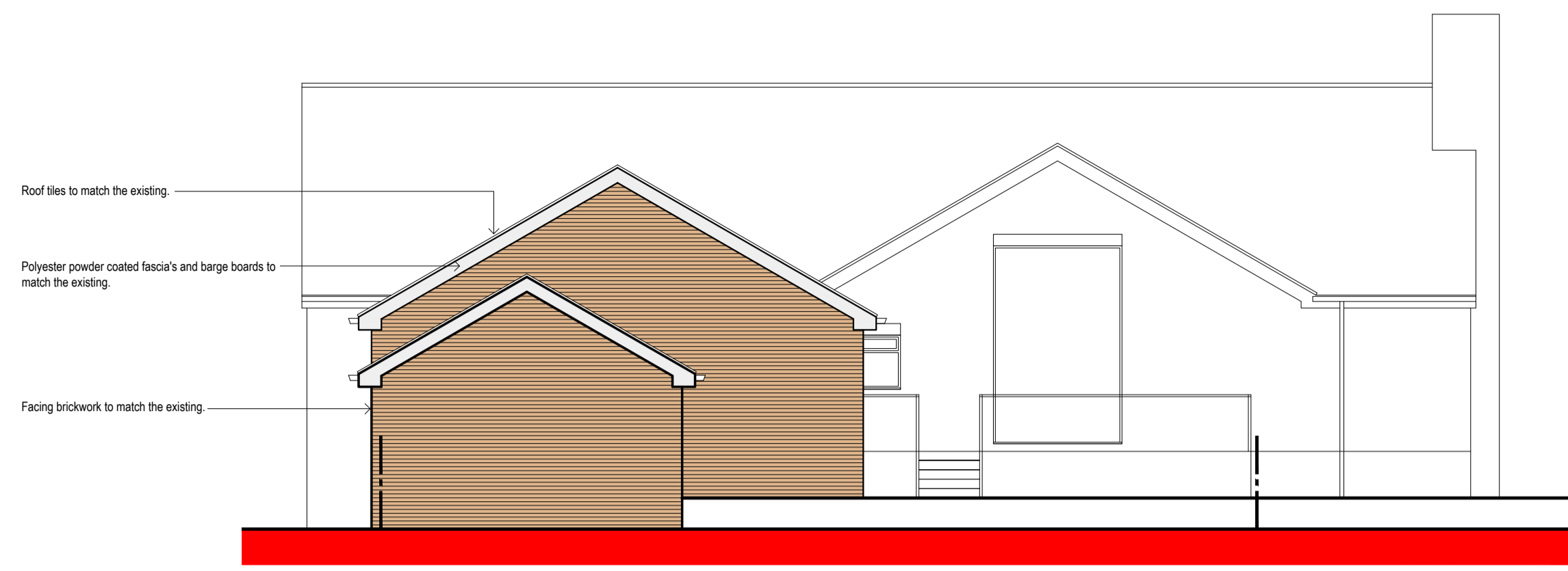
Urban Design & Building Services
Sandwell Council House
Freeth Street, Oldbury,
B69 3DE
Tel: 0121 569 4541



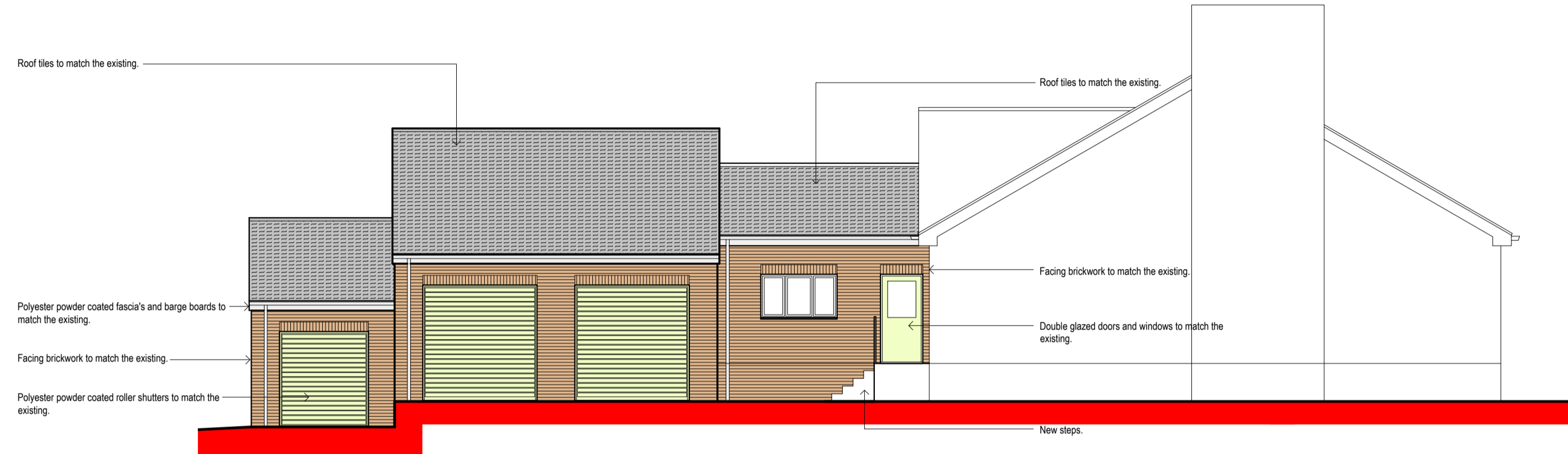
Sandwell Valley Crematorium - Proposed Extension - Existing Details



Notes
 The Contractor will be responsible for setting out the work.
 All dimensions must be obtained or checked on the site.
 Figured dimensions to be used in preference to scale.

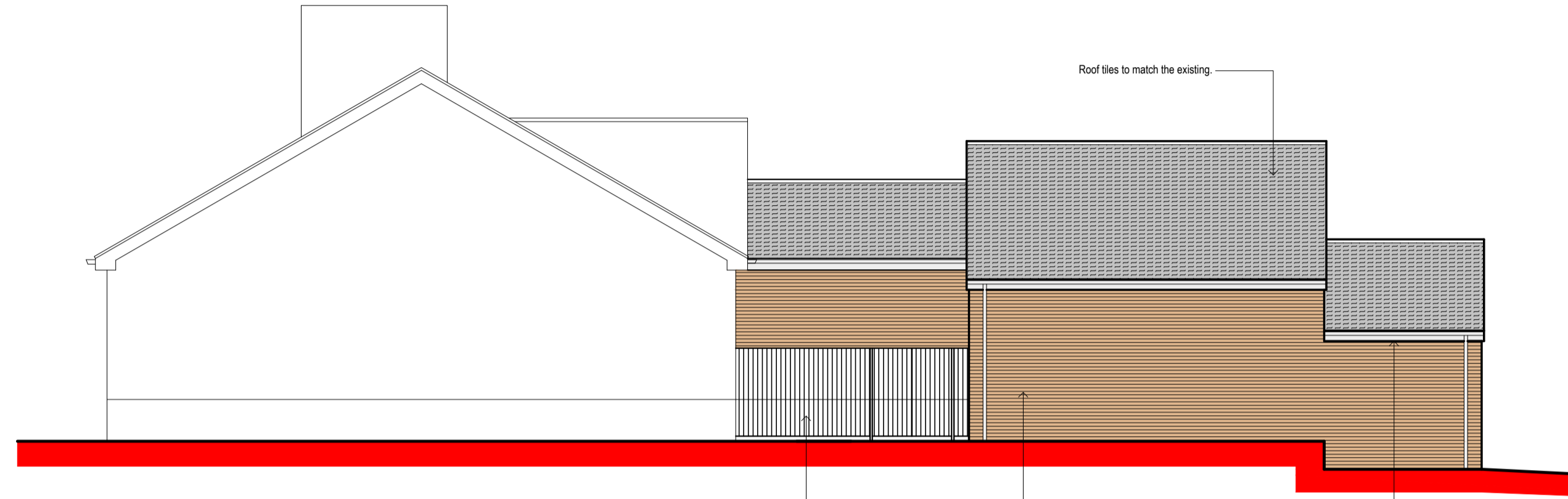


Rear Elevation

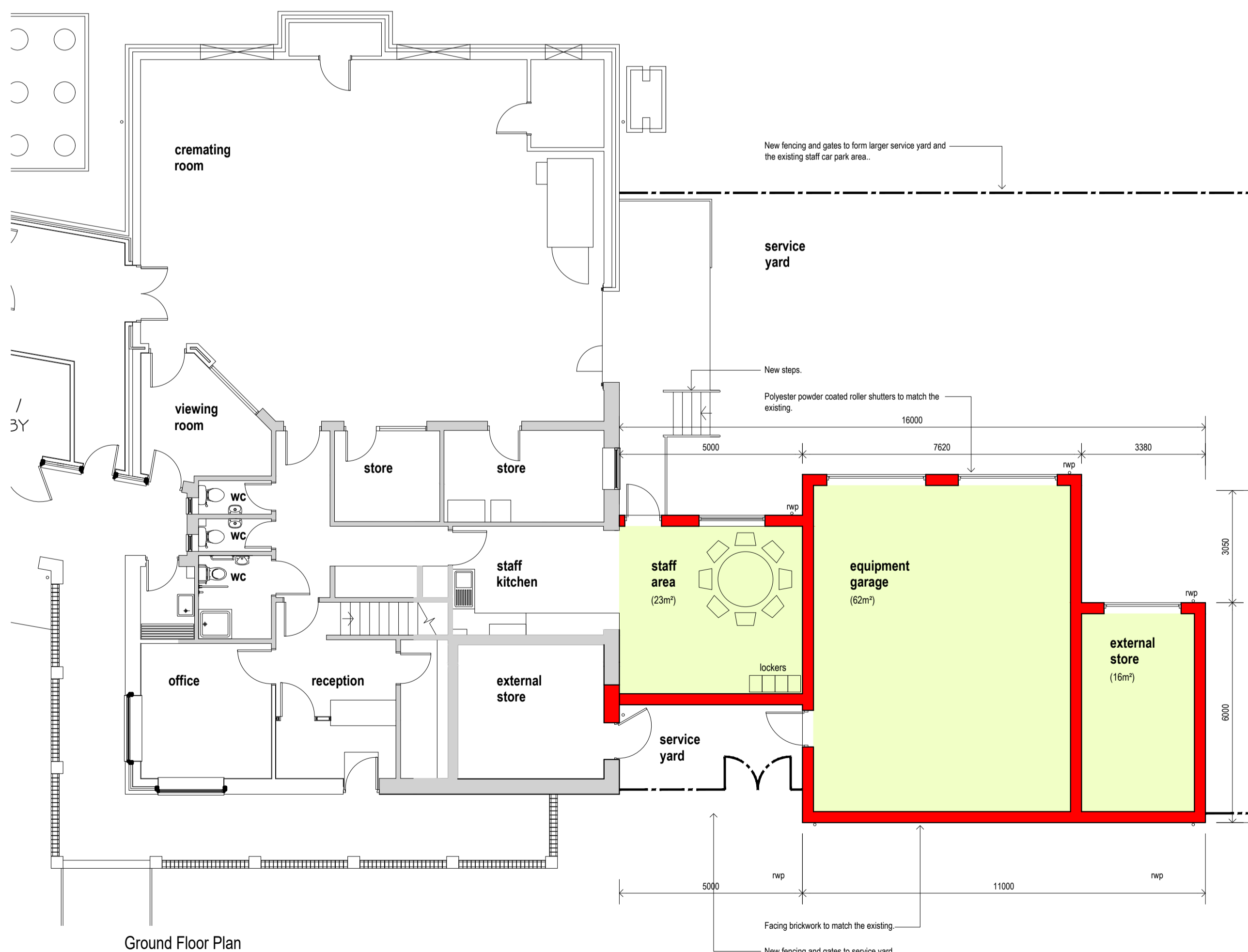
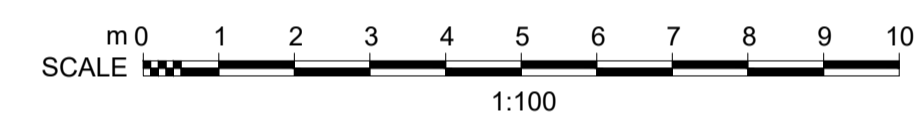


Side Elevation

Proposed Elevations

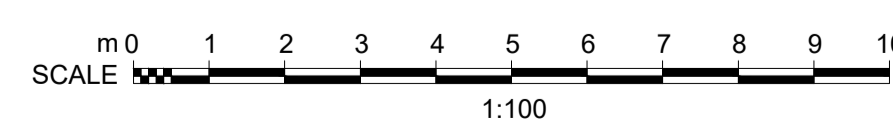


Side Elevation



Ground Floor Plan

Proposed Plan



Proposed Extension - 105m²

Sandwell Valley Crematorium - Proposed Extension - Proposed Details

North Point.

Key Plan.

B	17-12-2020	Now Proposed Only.	PE
A	15-12-2020	Scale Bars Added.	PE
Rev	Date	Revision Note	By Check



Project
 Sandwell Valley Crematorium
 Location
 Newton Road,
 West Bromwich
 Sheet title
 Crematorium Alteration - Proposed Details
 Status

Drawn by	Date	Checked
P.Elwell	Dec 2020	
Scale at A1	Scale at A3	
1:100		

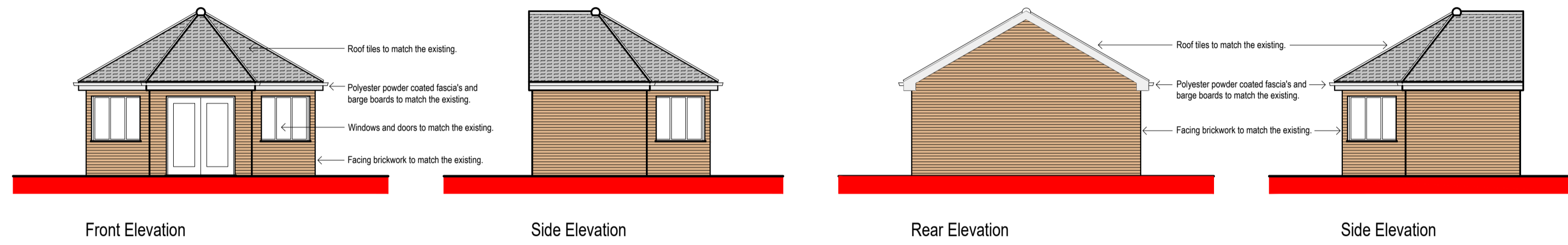
Drawn	Level	Classification	Sheet No.	Subsidiary	Version
00	XX	AG(0-)	04		B

Job No. Contractors Drawing No. (if required)

Urban Design & Building Services
 Sandwell Council House
 Fresh Street, Oldbury,
 B69 3DE
 Tel: 0121 569 4541



Existing View of Crematorium and Offices from where the Flower Shop is to be located - NTS



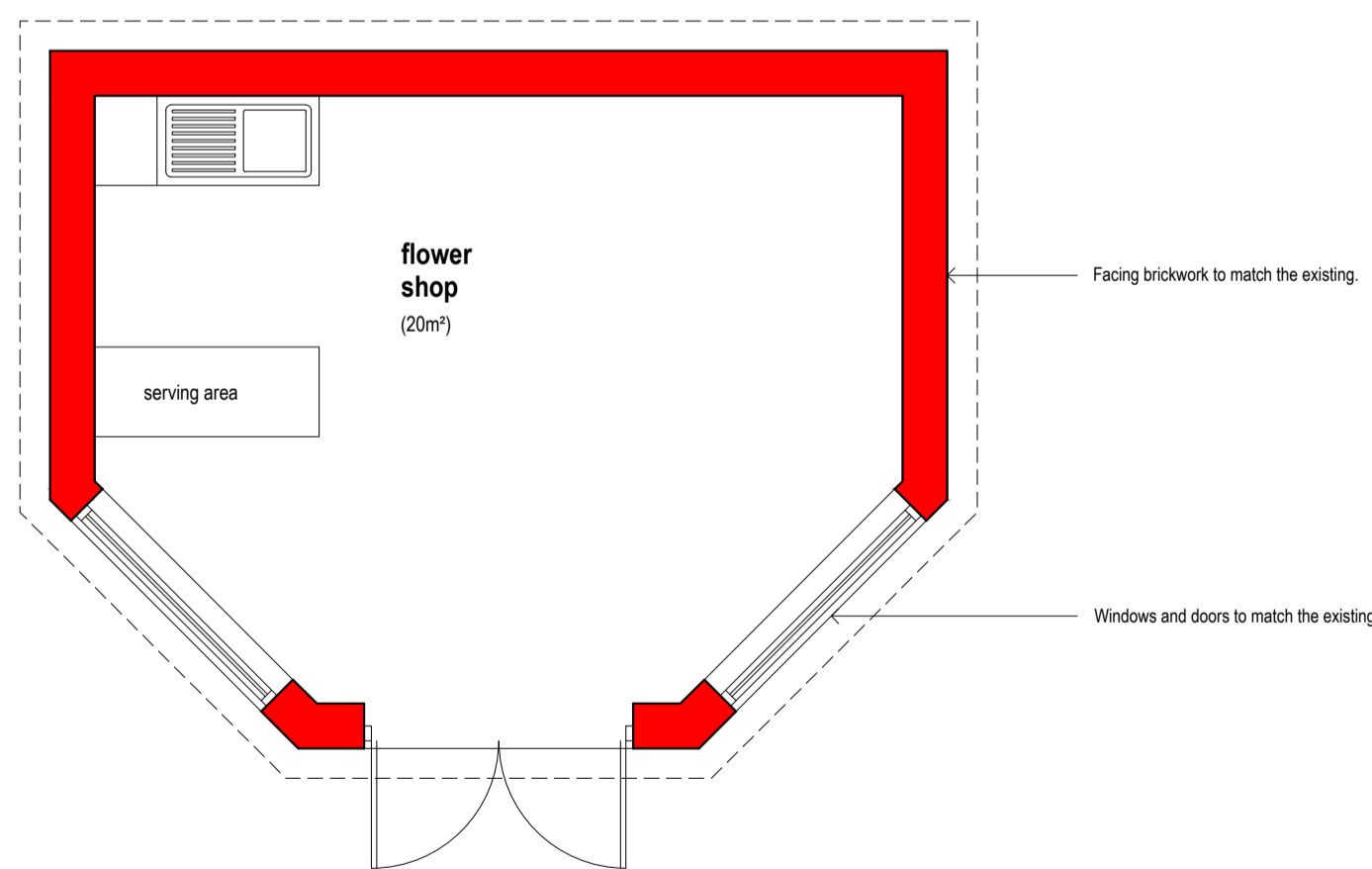
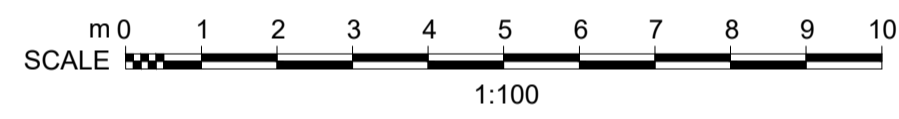
Front Elevation

Side Elevation

Rear Elevation

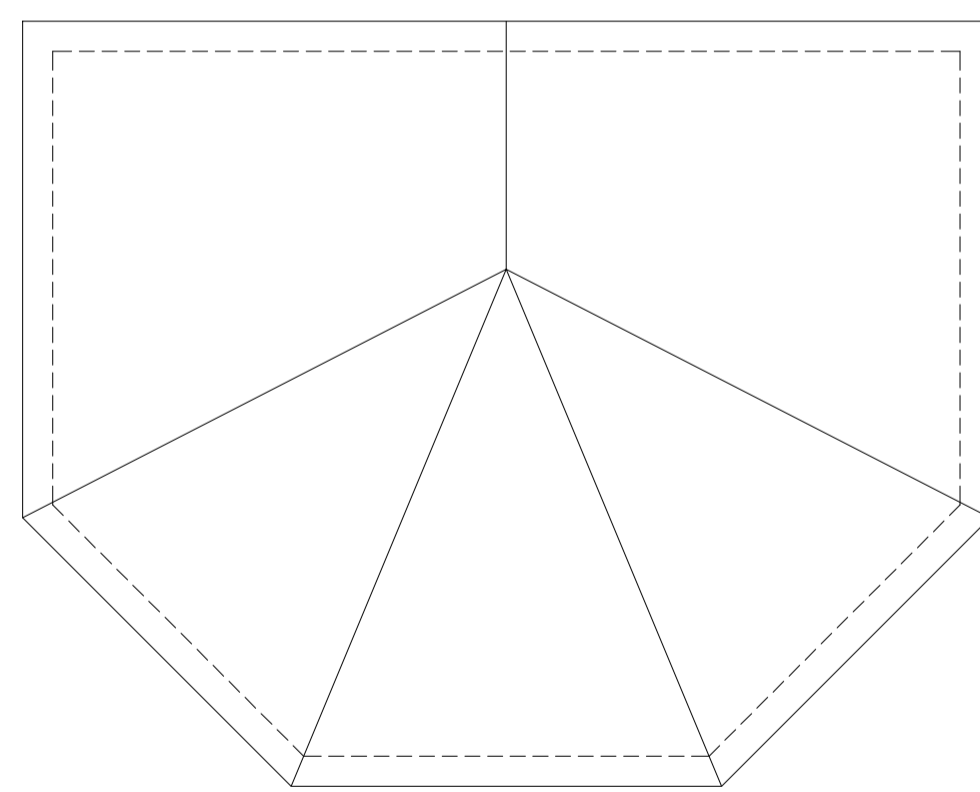
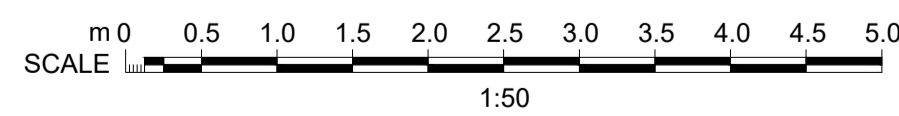
Side Elevation

Proposed Elevations - 1:100

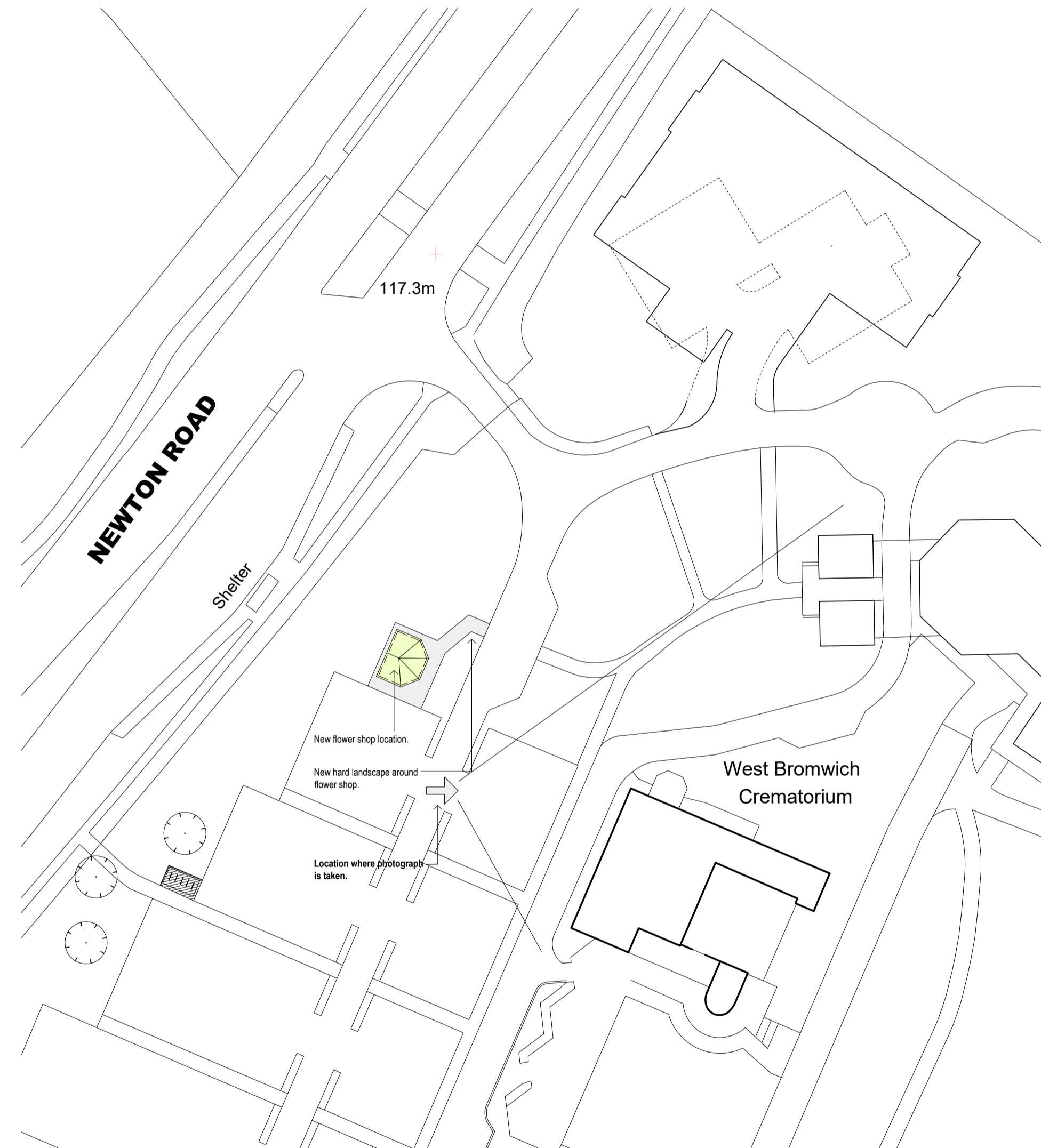


Floor Plan

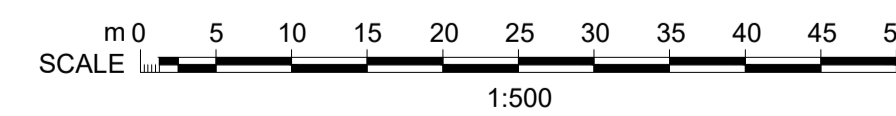
Proposed Plans - 1:50



Roof Plan



Proposed Site Plan - 1:500



Notes
The Contractor will be responsible for setting out the work.
All dimensions must be obtained or checked on the site.
Figured dimensions to be used in preference to scale.

North Point.

Key Plan.

Rev	Date	Revision Note	By	Check
B	17-12-2020	Side Elevation added.	PE	
A	15-12-2020	Scale Bars Added + Photo of existing added.	PE	



Project
Sandwell Valley Crematorium
Location
Newton Road,
West Bromwich
Sheet title
Crematorium Alteration - Proposed Flower Shop Details
Status

Drawn by	Date	Checked
P. Elwell	May 2020	
Scale at A1	Scale at A3	
1:100		

Drawn	Level	Classification	Sheet No.	Subsidiary	Version
00	XX	AG(0-)	03		B

Job No. Contractors Drawing No. (if required)

Urban Design & Building Services
Sandwell Council House
Froeth Street, Oldbury,
B69 3DE
Tel: 0121 569 4541



Sandwell Valley Crematorium - Proposed Flower Shop - Proposed Details

Report to Planning Committee

10 February 2021

Application Reference	DC/20/65053
Application Received	21 st December 2020
Application Description	Proposed change of use to cemetery with parking, lighting, and other associated works.
Application Address	Land Adjacent West Bromwich Crematorium Newton Road, West Bromwich, B71 3SX
Applicant	Mr Mark Satchwell, Sandwell MBC
Ward	Newton
Contact Officer	William Stevens William_stevens@sandwell.gov.uk

1 Recommendations

1.1 Subject to no adverse comments from the Birmingham & Black Country Wildlife Trust, and the Lead Local Flood Authority that planning permission is granted subject to:

- (i) Details of external materials and the implementation
- (ii) Details of drainage and implementation
- (iii) Electric vehicle charging point details and implementation
- (iv) Hard and soft landscaping scheme and implementation
- (v) Archaeological study
- (vi) Dust mitigation plan
- (vii) Local employment and skills plan, implementation
- (viii) All burials in the cemetery shall be a minimum of 50 metres from a potable groundwater supply source, a minimum of 30 metres from




a water course or spring, a minimum of 10 metres distance from field drains, and not in standing water and the base of the grave must have at least one metre of unsaturated zone (the depth to the water table) below the base of any grave. Allowance should also be made to any potential rise in the water table (at least one metre should be maintained).

- (ix) Ground investigation and remediation works

2 Reasons for Recommendations

- 2.1 The proposed cemetery would enhance the existing adjoining crematorium by providing residents of Sandwell further facilities for deceased relatives.
- 2.2 The proposal is a departure as it is contrary to one or more provisions of the Development Plan, however, there is an overriding need for more burial spaces in the Borough, the site proposed is the only viable option, following the assessment of other options/sites. The proposal is acceptable in Greenbelt terms, and nature conservation designations have been addressed with the most valuable ecological features retained, and additional habitats provided raising the overall ecological value of the site.

3 How does this deliver objectives of the Corporate Plan?

	Strong resilient communities - The redevelopment of this site would offer a new cemetery facility.
---	--

4 Context

- 4.1 This application is being reported to your Planning Committee because it has been submitted on behalf of the Council and the proposed development would be a departure from the local plan. The site is within a Green Belt allocation, a Site of Importance for Nature Conservation (SINC) and Local Nature Reserve (LNR) designation
- 4.2 To assist members with site context, a link to Google Maps is provided below:



[Arial View](#)

[Newton Road, West Bromwich](#)

5 Key Considerations

- 5.1 The site is within a Greenbelt adjacent to an existing crematorium facility, accessed from the Newton Road. Highway improvements are required as part of the proposal but fall outside the remit of this application.
- 5.2 The material planning considerations which are relevant to this application are: -

Government policy (NPPF)
Proposals in the Development Plan
Ecology
Archaeology

6. The Application Site

- 6.1 The application site is accessed from the Newton Road and relates to land within the existing Green Belt. The site is adjacent to Sandwell Valley Crematorium.

7. Planning History

- 7.1 There is no relevant planning history associated with this site. However, there is an existing crematorium adjacent and this is subject an application which is also before this Committee (DC/20/65051 refers).

8. Application Details

- 8.1 The applicant proposes to change of use to a cemetery to include burial plots, footpaths, parking, lighting, and other associated works.



- 8.2 There will be no buildings or structures as part of this new cemetery. Mourners and visitors will be able to use the facilities currently at the adjacent Sandwell Valley Crematorium.
- 8.3 The site would benefit from 70 off-street parking spaces, including four disabled spaces and four spaces dedicated for electric vehicle charging. As well as those spaces; the road layout has been designed to allow vehicles to park on the access roads near to the burial areas so that families can maintain their individual plots without having to walk a great distance, and still allow vehicles to pass safely.

9. Publicity

- 9.1 The application has been publicised by a neighbour notification letter, and by press and by site notices, all advertising the application as a departure from the local plan. No objections to the proposal have been received.

10. Consultee responses

10.1 Planning and Transportation Policy,

This application is on land that is designated as Greenbelt and as a Site of Importance for Nature Conservation (SINC) in the adopted SAD DPD, It is also a Local Nature Reserve (LNR). The proposal is therefore a departure from the Development Plan.

With regard to the Greenbelt designation, extensions to Cemeteries are not classed as 'inappropriate development' in the Greenbelt under national policy and local policy SAD EOS 2 Greenbelt.

The key issue is the development of the cemetery within a SINC and LNR designation. This would normally be unacceptable, but an extensive site search and series of technical investigations has ruled out other sites in the surrounding area, on grounds of i) high water table levels breaching Environment Agency depth requirements, ii) availability,



remoteness and iii) unacceptable delivery timescales to achieve the need for additional provision.

The search for new cemetery expansion space has largely centred on Sandwell's Greenbelt and this site is among the few acceptable in the Greenbelt under the NPPF. Outside the Greenbelt, a cemetery would inevitably compete for, and exacerbate other land use shortages, such as education, housing and employment land in the Borough.

To mitigate the development, the main ecologically valuable areas from the SINC/LNR- the hedgerows have been retained. The foremost impact of the cemetery will be on former arable grassland, which is of low ecological value.

Planting and landscaping species selected for the proposal follows Birmingham & Black Country Wildlife Trust advice to maximise the nature conservation value of new planting.

Other ecological mitigation measures include construction of a reed bed which would also assist with surface water drainage complying with BCCS ENV5 (SUDS).

Other mitigation would include the control over floodlighting to minimise any adverse effects from lighting and electric vehicle car charging points to assist with air quality targets under BCCS ENV 8 & the Air Quality SPD

10.2 Highways

No objections. The highways team have been consulted as part of the design process and they concur with the conclusions of the submitted Travel Assessment.



10.3 **Public Health (Air Quality, Air Pollution and Noise, and Contaminated Land teams)**

No objections have been raised subject to the applicant providing Electric Vehicle Charging points and a mitigation plan for the controlling of dust and emissions during the construction period. Details of ground investigation and mitigation measures have also been requested which can be dealt with by way of condition.

10.4 **Severn Trent**

Severn Trent have requested details of the proposed drainage which can be dealt with by way of condition.

10.5 **Employment Skills**

The proposed development may create local employment and offer training skills. This can be conditioned accordingly.

10.6 **Tree Preservation Officer**

The Tree Preservation Officer raises no objections as no trees are to be removed, only remedial pruning. The officer has stated that this will improve the hedge along Newton Road by reducing the canopies of the trees above the hedge.

10.7 **Canal and Rivers Trust**

The Canal and Rivers Trust has not formally commented on the application as they have stated it falls outside the notified area for its application scale.

10.8 **The Environment Agency**

No objection subject to the development being in line with their Groundwater Protection policy, any new or extension to a burial ground



should ensure that there should be no burial in standing water / water-logged ground, with at least a meter of unsaturated zone beneath the base of any grave. In the case of this site, it is proposed that approximately half of the site, towards the southern half of the site, will be able to meet these groundwater protection requirements and will be utilised as a burial ground. The Environment Agency recommend the following condition:

All burials in the cemetery shall be:

- a minimum of 50 metres from a potable groundwater supply source
- a minimum of 30 metres from a water course or spring
- a minimum of 10 metres distance from field drains
- not in standing water and the base of the grave must have at least one metre of unsaturated zone (the depth to the water table) below the base of any grave. Allowance should also be made to any potential rise in the water table (at least one metre should be maintained).

10.9 Lead Local Flood Authority

Further details have been requested by the Lead Local Flood Authority, and Members will be updated.

10.10 Birmingham & Black Country Wildlife Trust

The ecological mitigation proposals have been discussed with the Wildlife Trust prior to the submission of this application, however formal comments have not been received following the submission of the planning application. Members will be verbally updated.

11. National Planning Policy

- 11.1 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.



- 11.2 Paragraph 145 of the adopted National Planning Policy Framework states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt except for the provision of appropriate facilities such as cemeteries and burial grounds.
- 11.3 Paragraph 175 of the same document, states that planning permission should be refused where the harm would be substantial to biodiversity and nature conservation, unless appropriate mitigation is provided. In this instance, the location of the development is an area of low ecological value and mitigation measures are proposed to surrounding areas which will improve biodiversity.

12. Local Planning Policy

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

ENV1: Nature Conservation

ENV3: Design Quality

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

ENV8: Air Quality

EMP5: Improving Access to the Labour Market

SAD EMP2: Training and Recruitment

SAD EOS2: Green Belt

SAD EOS9: Urban Design Principles

SAD DM6: Community Facilities

- 12.2 ENV1 reinforces national policy referred to in 11.3 above, requiring planning submissions to include adequate information which demonstrates that the proposal will not affect a designated site, in this instance the SLINC and LNR. It is considered that the proposed siting of the burial ground and the introduction of additional ecological features (i.e. reed beds and wildflower meadow) demonstrates that the proposal would not harm the important ecological features of this site.



- 12.2 CSP4 promotes good design, requiring a bespoke approach to place-making and a high quality of design of the built and natural environment. I consider that the proposal meets the requirements of this policy.
- 12.3 ENV3 and SAD EOS9 refers to well-designed schemes that provide quality environments. The scheme considered to be acceptable in these respects.
- 12.4 ENV5 seeks the incorporation of sustainable drainage systems to assist with reducing the impact of flooding and surface run-off. The introduction of reed beds is proposed as indicated above and can be conditioned according.
- 12.5 ENV8 requires the mitigation of air quality issues associated with new developments. The proposed development would provide electric vehicle charging points.
- 12.6 The proposal provides an opportunity for local employment and apprenticeship opportunities as part of the construction and subsequent completion (EMP5 and SAD EMP2). A condition is recommended to provide these opportunities.
- 12.7 Policy SAD EOS2 Greenbelt which states new buildings are inappropriate development unless for specific use, Cemeteries are listed as an exception.
- 12.8 With regards to DM6, the proposal seeks to provide a new community facility.
- 12.9 HE5 states that conditions should be attached to planning permissions for an appropriate level of archaeological evaluation and recording (preservation by record). This can be conditioned accordingly.



13. Material Considerations

13.1 The material considerations relating to Government Policy (NPPF) and proposals within the Development Plan have been referred to above in Sections 11 and 12. With regards to the other considerations these are highlighted below:

13.2 Ecology

As already indicated the site is afforded statutory protection due to its designations as a SLINC and LNR, however the design and mitigation proposed ensure that the important ecological features are retained and enhanced.

13.3 Archaeology

The site has the potential for archaeological remains. It is important that any ground works are sympathetic to the potential findings and as such, conditions controlling the ground excavation and mitigation measures are proposed, not only for the construction of the site but also when new burial plots are required.

14 Alternative Options

14.1 Refusal of application is an option if there are material planning reasons for doing so. In my opinion the proposal is compliant material consideration due to the mitigation measures proposed. The key issue with this site therefore rests with the departure from the development plan, namely being greenbelt land and whether the justification to set aside this policy is acceptable.

15 Implications

Resources:	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.
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Legal and Governance:	This application is submitted under the Town and Country Planning Act 1990.
Risk:	None.
Equality:	There are no equality issues arising from this proposal and therefore an equality impact assessment has not been carried out.
Health and Wellbeing:	None
Social Value	None

16. Appendices

Site Plan

2998/EX1 – External lighting Plan

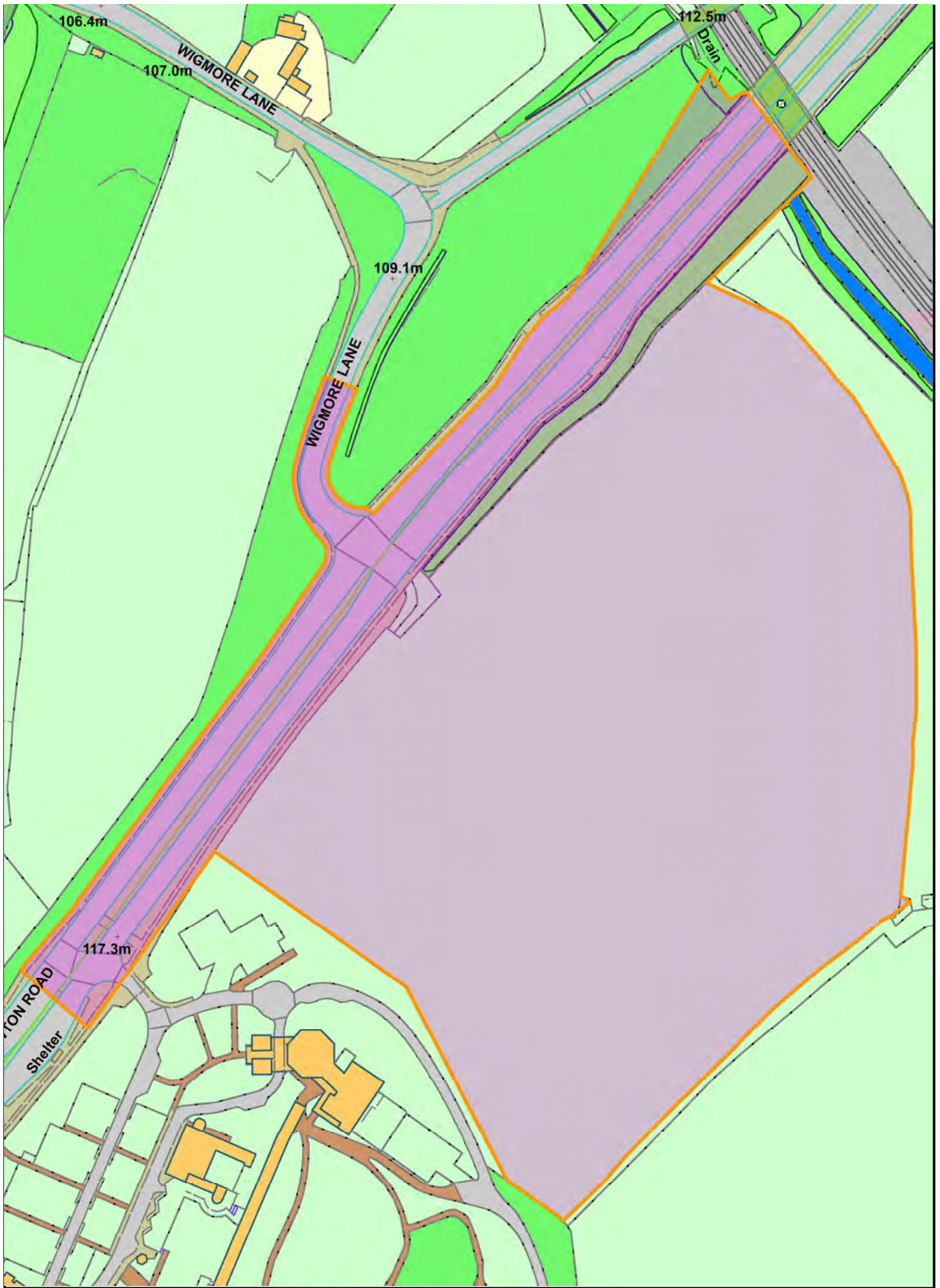
2998/EX2 – External Lighting Plan Levels

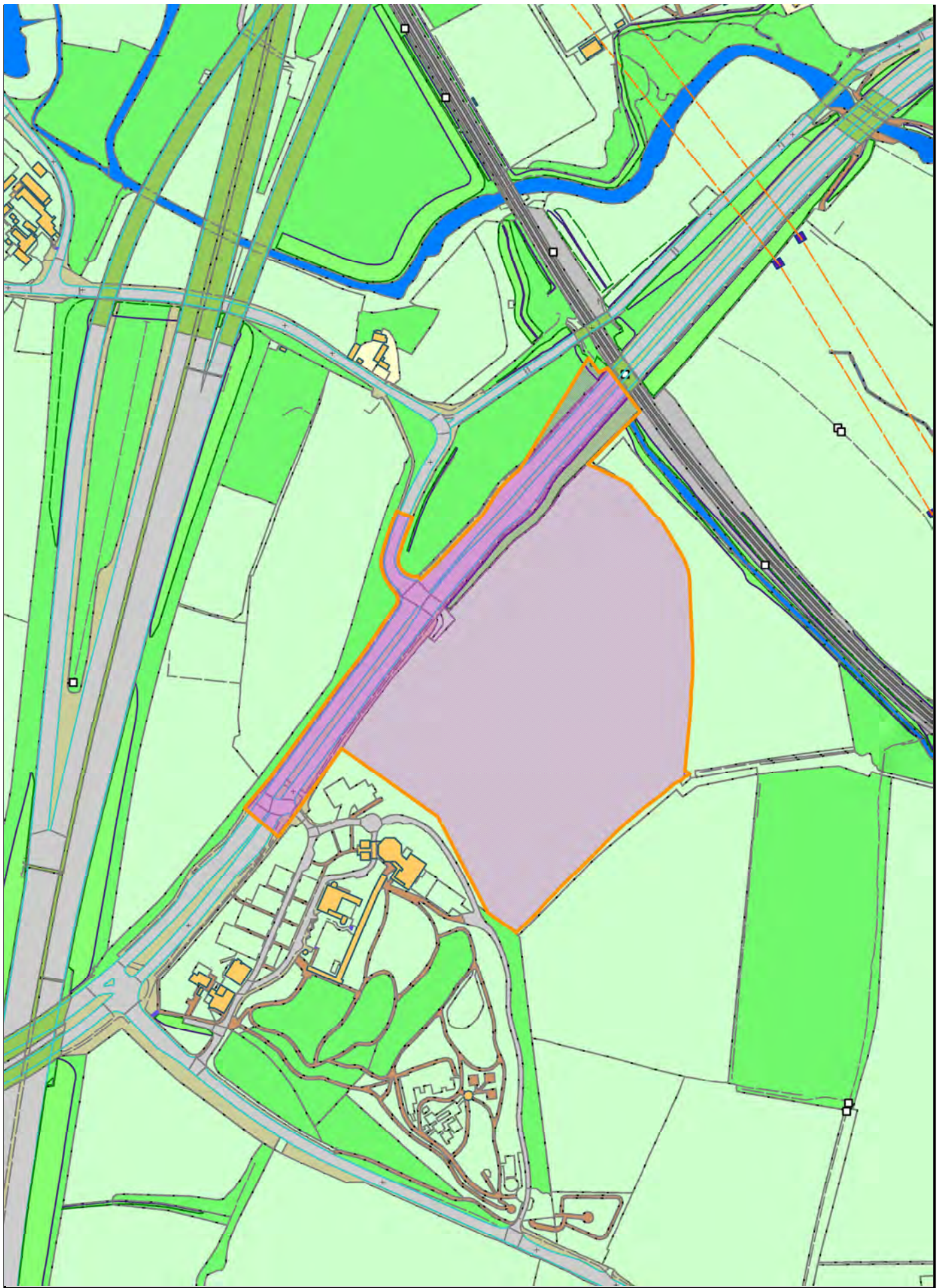
L-G(9-) 01 S2 – General Layout

17. Background papers

None.







Rev.	Description	Eng	Date



Symbol	Label	QTY	Manufacturer	Catalog Number	Description	Wattage
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⊠	B	6	HOLOPHANE EUROPE LIMITED	DSX1.2.LA054.FW	D-Series 1 Luminaire	34

Description	Symbol	Avg	Min	Min/Avg
Car Parking	+	9.5 lux	2.4 lux	0.25
Roadway	+	7.1 lux	0.0 lux	0.00
Spill Light	+	0.3 lux	0.0 lux	0.00




- LEGEND**
- A ⊠ HOLOPHANE D-SERIES LUMINAIRE WITH ASYMETRIC OPTICS.
 - B ⊠ HOLOPHANE D-SERIES LUMINAIRE WITH FORWARD THROWN OPTICS.

Client			
Project	WEST BROMWICH CEMETERY		
Architect			
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Scale	1:500 @ A1	Drawn By.	G.C.
Date	NOV 20	Checked.	C.W.
Purpose of Issue	PLANNING		
Drawing No.	2998/EX1	Rev.	

Faarup Associates
 Building Services Consultants
 The Old Stables, Friars Alley, Lichfield, Staffs WS13 6PW
 Telephone Lichfield (01543) 411420
 Email lichfield@faarup.co.uk

Planning Committee

10 February 2021

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

DECISION RECOMMENDATIONS

That Planning Committee:

Notes the applications determined under delegated powers by the 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/20/63855 Greets Green & Lyng	121 Spon Lane West Bromwich	Retention of car wash/valeting area and food trailer on car park.	Grant Temporary Retrospective Consent 23rd December 2020
DC/20/64040 Great Bridge	Land Rear Of 69-71A Great Bridge Tipton DY4 7HF	Retention of change of use from light industrial workshop (Class Use Sui Generis and B1) to indoor cricket practice rooms and construction of a new indoor cricket practice shed (Class Use D2 Assembly and Leisure) with demolition of existing sheds.	Grant Permission Subject to Conditions 17th December 2020
DC/20/64273 Cradley Heath & Old Hill	117 Station Road Cradley Heath B64 6PL	Proposed partial rear demolition and change of use of existing warehouse premises into 9 No. self-contained flats.	Grant Permission Subject to Conditions 3rd December 2020

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/20/64402 Oldbury	Land Adjacent 38 Salop Street Oldbury	Proposed 2 No. 4 bed dwellings.	Grant Permission Subject to Conditions 21st December 2020
DC/20/64466 Wednesbury South	Land At The Cottage Spring 10 Crookhay Lane West Bromwich B71 2NG	Proposed two semi- detached dwellings.	Grant Permission Subject to Conditions 27th November 2020
DC/20/64513 Rowley	47 Portway Hill Rowley Regis B65 9DJ	Pursuant to planning application DC/17/60672 for the retention of single storey side/rear extensions and two front bay windows.	Grant Retrospective Permission 11th December 2020
DC/20/64531 Wednesbury North	The Beeches Residential Home 6 Brunswick Terrace Wednesbury WS10 9DA	Pursuant to planning application DC/19/63412, proposed internal alterations, removal of existing balcony, external alterations, new access ramp, automatic gates and fencing.	Grant Permission 27th November 2020
DC/20/64557 Soho & Victoria	36 Waterloo Road Smethwick B66 4JW	Proposed two storey and single storey rear extensions and rear loft dormer window to create 2 No. self-contained apartments.	Grant Permission Subject to Conditions 4th December 2020

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/20/64607 St Pauls	The Ivy Bush 218 St Pauls Road Smethwick B66 1QR	Proposed demolition of rear external toilet block and erection of a single storey rear extension with new external staircase to first floor.	Grant Permission with external materials 22nd December 2020
DC/20/64648 West Bromwich Central	9 - 17 Victoria Street West Bromwich B70 8ET	Proposed new fourth floor providing 7 No. residential units with roof top garden, raised decking, metal balustrades and external cladding works.	Grant Permission Subject to Conditions 27th November 2020
DC/20/64670 Oldbury	14 Reeves Close Tipton DY4 7SQ	Proposed two storey/single storey front and side extensions, single storey rear extension and front boundary wall with electric gates.	Grant Permission with external materials 21st December 2020
DC/20/64688 Blackheath	101 Buckingham Road Rowley Regis B65 9LE	Proposed two storey side extension.	Grant Permission with external materials 27th November 2020
DC/20/64693 Friar Park	83 Addison Road Wednesbury WS10 0LW	Proposed single and two storey side extension, and single storey rear extension.	Grant Permission with external materials 21st December 2020

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/20/64666 Newton	21 Holland Road Great Barr Birmingham B43 5EX	Proposed hip-to-gable loft extension with dormer to rear.	Grant Permission with external materials 4th December 2020
DC/20/64700 Bristnall	71 Dog Kennel Lane Oldbury B68 9LZ	Proposed single storey rear extensions and single storey side extension.	Grant Permission with external materials 15th December 2020
DC/20/64708 Hateley Heath	Rear Of 297 & 299 Hydes Road West Bromwich B71 2EE	Proposed 3 bedroom detached dwelling.	Grant Permission Subject to Conditions 27th November 2020
DC/20/64719 West Bromwich Central	154 Hallam Street West Bromwich B71 4HS	Proposed change of use of ground floor from coach travel, private hire & wedding cars to 2 No. flats with single storey rear extension and external alterations.	Grant Permission Subject to Conditions 11th December 2020
DC/20/64723 Old Warley	20 Edward Road Oldbury B68 0LY	Proposed two storey side and single storey front and rear extensions.	Grant Permission with external materials 4th December 2020

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/20/64716 St Pauls	22 West Park Road Smethwick B67 7JJ	Proposed single storey rear extension with external render.	Grant Permission with external materials 16th December 2020
DC/20/64729 Wednesbury South	7 Seymour Road Tipton DY4 0EW	Proposed first floor side/rear extension and rear dormer.	Grant Permission with external materials 22nd December 2020
DC/20/64709 Smethwick	3 Jackson Drive Smethwick B67 7RG	Proposed first floor side/rear extension.	Grant Permission Subject to Conditions 14th December 2020
DC/20/64739 Oldbury	Signature House 51 Hainge Road Tividale Oldbury B69 2NY	Proposed change of use from traffic sign manufacturing to manufacturing of Personal Protection Equipment (PPE).	Grant Permission Subject to Conditions 21st December 2020
DC/20/64710 Oldbury	Land Adjacent 63 Florence Road Oldbury B69 2DW	Proposed 1 No. 3 bedroom detached house with front boundary wall and railings.	Grant Permission Subject to Conditions 11th December 2020

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/20/64744 Great Bridge	83 Great Bridge Tipton DY4 7AY	Proposed creation of first floor over solicitor's office to provide 1 No. flat and 2 No. studio flats, side extension to ground floor to create an enclosed stairwell, bin store and cycle store, and external fire escape at the rear (previous application DC/16/59771).	Grant Permission Subject to Conditions 3rd December 2020
DC/20/64745 Abbey	32 Galton Road Smethwick B67 5JU	Proposed demolition of conservatory and new single storey rear/side extension.	Grant Permission with external materials 27th November 2020
DC/20/64755 Tividale	68 Trafalgar Road Tividale Oldbury B69 1RE	Proposed garage conversion into habitable room and relocation of brick boundary wall.	Grant Permission with external materials 4th December 2020
DC/20/64747 Oldbury	15 Birmingham Street Oldbury B69 4DT	Proposed two/single storey rear extensions and external alterations to create 4 No. flats with existing retail space.	Grant Permission Subject to Conditions 23rd December 2020

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/20/64714 West Bromwich Central	5 Offini Close West Bromwich B70 6TA	Proposed single/two storey side extension, single storey rear/side extension and porch to side.	Grant Permission with external materials 7th December 2020
DC/20/64752 Smethwick	32 Davison Road Smethwick B67 6JL	Proposed two storey side/rear and single storey side extensions with front porch and canopy.	Grant Permission Subject to Conditions 9th December 2020
DC/20/64761 Great Barr With Yew Tree	16 St Margarets Road Great Barr Birmingham B43 6LD	Proposed two storey side extension, single storey rear and front extensions, with front porch.	Grant Permission Subject to Conditions 4th December 2020
DC/20/64762 Great Barr With Yew Tree	79 Abbotsford Avenue Great Barr Birmingham B43 6HE	Proposed two storey side extension.	Grant Permission with external materials 2nd December 2020
DC/20/64766 Blackheath	74 Queens Drive Rowley Regis B65 9JJ	Proposed two storey side, single storey rear extensions and rear loft dormer window.	Grant Permission with external materials 4th December 2020

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/20/64770 Charlemont With Grove Vale	79 Smithmoor Crescent West Bromwich B71 3ES	Retention of garage conversion.	Grant Retrospective Permission 2nd December 2020
DC/20/64777 Newton	62 Gorse Farm Road Great Barr Birmingham B43 5LR	Proposed two storey rear extension, raising of roof height and loft conversion.	Grant Permission with external materials 16th December 2020
DC/20/64778 Old Warley	61 Stanley Road Oldbury B68 0EH	Proposed single storey front, side and rear extension.	Grant Permission with external materials 7th December 2020
DC/20/64779 Blackheath	4 Ross Rowley Regis B65 8BW	Retention of parking area at rear.	Grant Permission 10th December 2020
DC/20/64787 Greets Green & Lyng	13 Bailey Street West Bromwich B70 9UE	Proposed first floor rear extension.	Grant Permission with external materials 11th December 2020

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/20/64788 Oldbury	8 George Wood Avenue Oldbury B69 2GG	Proposed single storey rear extension and single storey rear detached store room extension.	Grant Permission with external materials 4th December 2020
DC/20/64795 Charlemont With Grove Vale	7 Navigation Lane West Bromwich B71 3NP	Proposed part garage conversion, single and two storey side extension, and loft conversion with dormer to rear.	Grant Permission with external materials 21st December 2020
DC/20/64790 Newton	10 Gorse Farm Road Great Barr Birmingham B43 5LT	Proposed single storey outbuilding with dual pitched roof to rear.	Grant Permission with external materials 4th December 2020
DC/20/64791 Great Bridge	Unit 5 102 Horseley Heath Tipton DY4 7AH	Retention of use as MOT garage, and proposed single storey side/rear extension to include an MOT Bay.	Grant Permission Subject to Conditions 11th December 2020
DC/20/64792 Old Warley	9 Hadzor Road Oldbury B68 9LA	Proposed single storey front and rear extensions.	Grant Permission Subject to Conditions 9th December 2020

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/20/64802 Bristnall	51 Moat Road Oldbury B68 8EB	Proposed front porch and canopy and retention of single storey rear extension with canopy.	Grant Permission Subject to Conditions 9th December 2020
DC/20/64804 St Pauls	14 Silverton Road Smethwick B67 7PH	Proposed single storey side and rear extension.	Grant Permission with external materials 2nd December 2020
DC/20/64796 Oldbury	Shri Venkateswara Balaji Temple UK 101 Dudley Road East Tividale Oldbury B69 3DU	Proposed detached chariot housing.	Grant Permission Subject to Conditions 11th December 2020
DC/20/64798 St Pauls	6 Lodge Road Smethwick B67 7LU	Proposed single storey rear extension.	Grant Permission with external materials 17th December 2020
DC/20/64799 Rowley	11 Wadham Close Rowley Regis B65 9SH	Proposed single storey front and side extension with new pitched roof to existing garage.	Grant Permission with external materials 27th November 2020

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/20/64800 Old Warley	8 Elisma Road Oldbury B68 0LX	Proposed first floor side extension with external render to front of property.	Grant Permission with external materials 17th December 2020
DC/20/64818 Friar Park	St Francis Of Assisi Church Freeman Road Wednesbury WS10 0HJ	Proposed formation of a car parking area, new wall and installation of gates to south west part of the church land.	Grant Permission Subject to Conditions 4th December 2020
DC/20/64805 Old Warley	88 Harborne Road Oldbury B68 9JH	Proposed rear loft dormer window with balcony.	Grant Permission with external materials 2nd December 2020
DC/20/64807 Old Warley	78 Forest Road Oldbury B68 0EF	Proposed single storey rear extension, front porch and pitched roof to garage.	Grant Permission with external materials 2nd December 2020
DC/20/64808 Rowley	3 Lawton Close Rowley Regis B65 9SW	Proposed two storey side/rear and single storey front/rear extensions with front canopy.	Grant Permission with external materials 17th December 2020

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/20/64809 Abbey	49 Park Road Smethwick B67 5HP	Proposed loft conversion and rear dormer window (Lawful Development Certificate).	Grant Lawful Use Certificate 11th December 2020
DC/20/64810 Blackheath	62 Oldbury Road Rowley Regis B65 0JS	Proposed change of use from retail shop to a hot food takeaway.	Grant Permission Subject to Conditions 11th December 2020
DC/20/64819 Newton	14 Highfield Road Great Barr Birmingham B43 5AN	Proposed single storey rear extension.	Grant Permission with external materials 16th December 2020
DC/20/64815 Tividale	147 Darbys Hill Road Oldbury B69 1SG	Proposed two storey side extension.	Grant Permission with external materials 27th November 2020
DC/20/64824 Hateley Heath	51 Sandfield Road West Bromwich B71 3NE	Proposed single storey front, two storey side and rear and first floor rear extensions.	Grant Permission Subject to Conditions 9th December 2020

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/20/64830 Charlemont With Grove Vale	321 Walsall Road West Bromwich B71 3LW	Proposed single storey front, single storey rear and two storey side and rear extensions.	Grant Permission Subject to Conditions 2nd December 2020
DC/20/64823 Charlemont With Grove Vale	155 Newton Road Great Barr Birmingham B43 6HN	Proposed single storey rear and side extensions and amendments to side dormer. (previous application DC/20/64434).	Grant Permission with external materials 22nd December 2020
DC/20/64825	390 Bearwood Road Smethwick B66 4EX	Proposed variation of condition 3 of planning permission DC/13/56059 (Proposed change of use from retail shop to hot food take away at ground floor only and installation of extraction flue at rear (resubmission DC/09/50695)) to permanently allow additional operating hours between 20:00 and 23:00 Monday to Sunday.	Grant Conditional Temporary Permission 2nd December 2020
DC/20/64827 Cradley Heath & Old Hill	82 Chatsworth Road Halesowen B62 8TD	Proposed conservatory to the rear.	Grant Permission with external materials 15th December 2020

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/20/64828 Old Warley	138 Harborne Road Oldbury B68 9JG	Proposed single storey rear extension with basement storage area.	Grant Permission with external materials 4th December 2020
DC/20/64829 Langley	961 Wolverhampton Road Oldbury B69 4RR	Proposed single storey rear extension, loft conversion, hip to gable roof extension, rear dormer window and front roof light (Lawful Development Certificate).	Grant Lawful Use Certificate 4th December 2020
DC/20/64841 Cradley Heath & Old Hill	Unit 5 Portersfield Road Cradley Heath B64 7BN	Retention of storage unit at rear.	Grant Retrospective Permission 16th December 2020
DC/20/64843 St Pauls	54 West Park Road Smethwick B67 7JH	Proposed two storey side and single storey front and rear extensions with front dormer window.	Grant Permission with external materials 9th December 2020
PD/20/01582 Greets Green & Lyng	Telecommunications Mast SWL 13354 Junction Of Oak Lane/Dartmouth Street West Bromwich	Proposed 15m high phase 8 monopole c/w wraparound cabinet at base and associated ancillary works.	Prior Approval is Required and Granted 2nd December 2020

Application No. Ward	Site Address	Description of Development	Decision and Date
PD/20/01581 Bristnall	60 Hurst Road Smethwick B67 6ND	Proposed single storey rear extension measuring: 5.0m L x 3.8m H (2.7m to eaves).	P D Householder not required 10th December 2020
DC/20/64836 Charlemont With Grove Vale	42 Stanhurst Way West Bromwich B71 3QT	Retention of single storey rear extension.	Grant Permission with external materials 21st December 2020
DC/20/64838 Oldbury	30 Waterways Drive Oldbury B69 2EX	Proposed single storey rear extension and relocation of side boundary fence.	Grant Permission with external materials 21st December 2020
DC/20/64840 Cradley Heath & Old Hill	66 Trejon Road Cradley Heath B64 7HJ	Proposed single storey rear extension.	Grant Permission with external materials 9th December 2020
DC/20/64844 Newton	83 Highfield Road Great Barr Birmingham B43 5AH	Proposed two storey front/side/rear extension and front porch	Grant Permission with external materials 11th December 2020

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/20/64846 Cradley Heath & Old Hill	27 Clivedon Way Halesowen B62 8TB	Proposed two/single storey side and first floor side/rear extensions.	Grant Permission with external materials 9th December 2020
DC/20/64857 Princes End	2 Catherton Close Tipton DY4 0DQ	Proposed new pitched roof to existing single storey side extension.	Grant Permission with external materials 2nd December 2020
PD/20/01584 Rowley	33 Stuart Road Rowley Regis B65 9JB	Proposed single storey rear extension measuring: 4.0m L x 3.6m H (2.4m to eaves)	P D Householder not required 7th December 2020
DC/20/64850 St Pauls	15 Ferguson Road Oldbury B68 9SB	Proposed single storey ground and first floor rear extensions.	Grant Permission with external materials 11th December 2020
DC/20/64851 Oldbury	3 Portland Drive Tividale Oldbury B69 3LJ	Proposed two storey side/rear and single storey rear extensions.	Grant Permission with external materials 9th December 2020

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/20/64863 Charlemont With Grove Vale	21 Far Hill Close West Bromwich B71 3HA	Proposed single storey side and rear extensions.	Grant Permission with external materials 27th November 2020
DC/20/64853 Bristnall	73 Brandhall Road Oldbury B68 8DT	Proposed single storey extension to rear, two storey extension to side and single storey extension to front with canopy.	Grant Permission with external materials 17th December 2020
DC/20/64856 St Pauls	Land Adjacent ATC Vicarage Road Oldbury	Proposed variation of condition 1 of planning permission DC/18/61426 (Demolition of existing building and proposed 4 No. new dwellings and associated site work) to amend internal layouts and external alterations of plots 2, 3 and 4.	Grant Permission Subject to Conditions 14th December 2020
DC/20/64858 Rowley	11 Viking Rise Rowley Regis B65 9RF	Proposed single storey side extension (lawful development certificate).	Grant Lawful Use Certificate 14th December 2020
DC/20/64862 Hateley Heath	1 Monkgate Drive West Bromwich B71 1NL	Proposed two storey side and single storey rear extension.	Refuse permission 11th December 2020

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/20/64874 Hateley Heath	77 Hill Top West Bromwich B70 0PX	Proposed garage in rear garden (Revision of Planning Permission DC/19/63520).	Grant Permission Subject to Conditions 15th December 2020
DOC/20/00240 Tipton Green	Land For Proposed Midland Metro Line Brierley Hill Extension / DPJ07 (Birmingham Canal) Great Western Street Wednesbury	Proposed discharge of conditions 3, 4 and 5 of planning permission DC/05/44201. (DPJ07).	Discharged 14th December 2020
PD/20/01590 Old Warley	158 Castle Road West Oldbury B68 0EJ	Proposed single storey rear extension measuring: 3.80m L x 3.50m H (3.0m to eaves)	P D Householder not required 15th December 2020
DC/20/64867 Old Warley	24 Chestnut Road Oldbury B68 0AX	Proposed single storey and two storey rear extension.	Grant Permission with external materials 17th December 2020
DC/20/64869 Wednesbury North	20 Dale Street Wednesbury WS10 7PJ	Proposed ramped access to front and rear of property with handrails.	Grant Permission 21st December 2020

Application No. Ward	Site Address	Description of Development	Decision and Date
PD/20/01588 Oldbury	26 New Meeting Street Oldbury B69 4DG	Proposed single storey rear extension measuring: 4.2m L x 2.5m H (2.5m to eaves)	P D Householder not required 15th December 2020
PD/20/01592 Newton	74 Hembs Crescent Great Barr Birmingham B43 5DG	Proposed single storey rear extension measuring: 5.86m L x 3.62m H (2.59m to eaves)	P D Householder not required 2nd December 2020
DC/20/64883 Greets Green & Lyng	68 Dawes Avenue West Bromwich B70 7LS	Retention of single storey rear extension and rear outbuilding.	Grant Conditional Retrospective Consent 21st December 2020
DC/20/64877 Langley	38 Titford Road Oldbury B69 4QA	Retention of single storey rear extension.	Grant Retrospective Permission 21st December 2020
DC/20/64881 St Pauls	24 Fowler Close Smethwick B66 2HU	Proposed two storey side extension.	Grant Permission with external materials 17th December 2020
PD/20/01596 Friar Park	3 Parkside Close Wednesbury WS10 0RD	Proposed single storey rear extension measuring: 4.9m L x 3.8m H (2.8m to eaves)	P D Householder not required 7th December 2020

Application No. Ward	Site Address	Description of Development	Decision and Date
PD/20/01601 Newton	65 Greenfield Road Great Barr Birmingham B43 5AR	Proposed single storey rear extension measuring: 6.0m L x 4.0m H (2.5m to eaves)	P D Householder not required 16th December 2020
DC/20/64887 Friar Park	36 St Lukes Road Wednesbury WS10 0RA	Proposed first floor side extension.	Grant Permission with external materials 17th December 2020
DC/20/64888 Friar Park	321 Friar Park Road Wednesbury WS10 0LQ	Proposed two storey side extension.	Grant Permission with external materials 17th December 2020
DC/20/6702A Great Bridge	Asda Brickhouse Lane South Tipton DY4 7HW	Proposed replacement of totem sign.	Grant Advertisement Consent 21st December 2020
DC/20/6703A Oldbury	Unit 24 Crystal Drive Smethwick B66 1QG	Proposed 1 No. internally illuminated fascia sign.	Grant Conditional Advertisement Consent 3rd December 2020

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/20/64893 Old Warley	48 Bodenham Road Oldbury B68 0SG	Proposed two/single storey side extension.	Grant Permission with external materials 21st December 2020
DC/20/64896 Old Warley	139 Apsley Road Oldbury B68 0QT	Proposed single storey side and rear extension, roof enlargement with rear dormer window.	Grant Permission with external materials 21st December 2020
PD/20/01598 Great Bridge	18 Moors Mill Lane Tipton DY4 0HL	Proposed single storey rear extension measuring: 6.0m L x 3.6m H (2.7m to eaves)	P D Householder not required 9th December 2020
PD/20/01600 Friar Park	6 Stonehouse Crescent Wednesbury WS10 0DQ	Proposed single storey rear extension measuring: 6.0m L x 3.8m H (2.4m to eaves)	P D Householder required and refused 16th December 2020
DC/20/64897 Charlemont With Grove Vale	30 Bustleholme Lane West Bromwich B71 3AP	Proposed single storey rear extension.	Grant Permission with external materials 30th November 2020

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/20/64902 Bristnall	58 Harvest Road Smethwick B67 6NH	Proposed two storey side/rear and single storey front/rear extensions	Grant Permission with external materials 22nd December 2020
DC/20/64907 Newton	31 Heather Road Great Barr Birmingham B43 5BX	Proposed single storey front extension.	Grant Permission with external materials 21st December 2020
PD/20/01602 St Pauls	80 Barker Street Oldbury B68 9UQ	Proposed single storey rear extension measuring: 6.0m L x 3.80m H (2.80m to eaves)	P D Householder not required 11th December 2020
DC/20/64909 St Pauls	8 St George Drive Smethwick B66 1DN	Proposed two storey side/rear and single storey rear extensions.	Grant Permission with external materials 21st December 2020
PD/20/01605 Wednesbury North	63 Hobs Road Wednesbury WS10 9BW	Proposed single storey rear extension measuring: 6.0m L x 4.0m H (3.0m to eaves)	P D Householder required and refused 14th December 2020

Application No. Ward	Site Address	Description of Development	Decision and Date
PD/20/01606 Great Bridge	Hutchinson 3G UK Telecommunications Mast SWL13222 Opposite 134 Toll End Road Tipton	Proposed installation of a 15 metre high monopole supporting 6 no. antennas and 2 no. transmission dishes, 4 no. equipment cabinets and ancillary works.	Prior Approval is Required and Granted 16th December 2020
PD/20/01607 Hateley Heath	58 Glastonbury Road West Bromwich B71 2LL	Proposed single storey rear extension measuring: 6.0m L x 4.0m H (3.0m to eaves)	P D Householder not required 9th December 2020
PD/20/01608 Bristnall	28 Albright Road Oldbury B68 9NQ	Proposed single storey rear extension measuring: 6.0m L x 4.0m H (3.0m to eaves)	P D Householder not required 14th December 2020
PD/20/01609 Hateley Heath	124 Huntingdon Road West Bromwich B71 2RW	Proposed single storey rear extension measuring: 6.0m L x 3.2m H (2.5m to eaves)	P D Householder not required 11th December 2020
DC/20/64914 Old Warley	195 Wolverhampton Road Oldbury B68 0TG	Proposed single storey front, side and rear extensions.	Grant Permission with external materials 21st December 2020
DC/20/64915 Princes End	13 Leslie Drive Tipton DY4 0BA	Lawful Development Certificate for proposed single storey side and rear extensions.	Grant Lawful Use Certificate 21st December 2020

Application No. Ward	Site Address	Description of Development	Decision and Date
PD/20/01610 Wednesbury South	42 Pleasant Street West Bromwich B70 0RE	Proposed single storey rear extension measuring: 3.7m L x 4.0m H (3.0m to eaves)	P D Householder required and granted 22nd December 2020
PD/20/01612 Langley	15 St Michaels Crescent Oldbury B69 4RT	Proposed single storey rear extension measuring: 6.0m L x 4.0m H (3.0m to eaves)	P D Householder not required 21st December 2020
PD/20/01613 Charlemont With Grove Vale	6 Wymanton Close Great Barr Birmingham B43 6DD	Proposed single storey rear extension measuring: 6.0m L x 4.0m H (3.0m to eaves)	P D Householder required and refused 9th December 2020
DC/20/6704A Wednesbury North	Casa Mia 74 Wood Green Road Wednesbury WS10 9QW	Proposed 2 No. gable mounted digital screens.	Refuse permission 22nd December 2020
DC/20/64920 Princes End	18 Catherton Close Tipton DY4 0DQ	Proposed two storey side/rear extension.	Grant Permission with external materials 17th December 2020

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/20/64921 Langley	38A Parkfield Road Oldbury B68 8PS	Proposed single storey side/rear extension.	Grant Permission with external materials 21st December 2020
PD/20/01614 Wednesbury North	57 Ridding Lane Wednesbury WS10 9AN	Proposed single storey rear extension measuring: 4.6m L x 4.0m H (2.44m to eaves)	P D Householder not required 17th December 2020
PD/20/01615 Smethwick	49 Basons Lane Oldbury B68 9SJ	Proposed single storey rear extension measuring: 5.0m L x 4.0m H (2.6m to eaves)	P D Householder not required 17th December 2020
PD/20/01616 St Pauls	23 Fenton Street Smethwick B66 1HR	Proposed single storey rear extension measuring: 5.97m L x 3.70m H (2.60m to eaves)	P D Householder not required 21st December 2020
PD/20/01617 Hateley Heath	107 Beaconsfield Street West Bromwich B71 1QJ	Proposed single storey rear extension measuring: 5.0m L x 4.0m H (2.5m to eaves)	P D Householder not required 16th December 2020
DC/20/64936 Friar Park	28 Carrington Road Wednesbury WS10 0HU	Proposed disabled ramp access at front.	Grant Permission 30th December 2020

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/20/64937 Wednesbury North	27 Barlow Road Wednesbury WS10 9QA	Proposed single storey rear extension and disabled ramp to side.	Grant Permission with external materials 30th December 2020
PD/20/01618 Wednesbury North	29 Crew Road Wednesbury WS10 9QG	Proposed single storey rear extension measuring: 6.00m L x 3.77m H (2.58m to eaves)	P D Householder not required 22nd December 2020
PD/20/01620 Blackheath	28 Buckingham Road Rowley Regis B65 9JN	Proposed single storey rear extension measuring: 4.72m L x 3.70m H (2.70m to eaves).	P D Householder not required 22nd December 2020
PD/20/01622 Charlemont With Grove Vale	339 Beaconview Road West Bromwich B71 3PU	Proposed single storey rear extension measuring: 4.5m L x 3.4m H (2.4m to eaves)	P D Householder not required 21st December 2020
PD/20/01625 Smethwick	17 Shakespeare Road Smethwick B67 7HR	Proposed single storey rear extension measuring: 4.5m L x 4.0m H (3.0m to eaves)	P D Householder not required 30th December 2020

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/20/64926 Great Bridge	Apex 1 Black Country New Road Tipton DY4 0PT	Proposed over clad of existing roof with metal sheeting and raising of roof height.	Grant Permission with external materials 4th January 2021
PD/20/01619 Rowley	58 Midhill Drive Rowley Regis B65 9SE	Proposed single storey rear extension measuring: 6.0m L x 2.95m H (2.79m to eaves)	P D Householder required and granted 4th January 2021
PD/20/01621 Great Bridge	9 Mansion Drive Tipton DY4 7LW	Proposed single storey rear extension measuring: 5.30m L x 3.47m H (2.79m to eaves)	P D Householder not required 4th January 2021
PD/20/01627 Tipton Green	2 Bush Road Tipton DY4 8LB	Proposed single storey rear extension measuring: 6.0m L x 3.8m H (2.4m to eaves)	P D Householder not required 4th January 2021
PD/20/01628 Smethwick	12 Green Street Smethwick B67 7EB	Proposed rear conservatory measuring: 6.00m L x 3.75m H (2.30m to eaves)	P D Householder not required

			4th January 2021
DC/20/64872 Cradley Heath & Old Hill	57 Cradley Road And 1 Portersfield Road Cradley Heath B64 6AG	Proposed demolition and rebuilding of new factory unit.	Grant Permission Subject to Conditions 6th January 2021
DC/20/64859 Oldbury	83 Theodore Close Oldbury B69 3EF	Proposed two storey side/rear, first floor side and single storey rear extensions.	Grant Permission with external materials 6th January 2021
DC/20/64868 Smethwick	82 Vicarage Road Smethwick B67 7AL	Proposed two storey/first floor side and rear and single storey rear extensions, rear dormer window, new patio and steps to rear.	Grant Permission with external materials 6th January 2021
DC/20/64948 Rowley	10 Mildred Way Rowley Regis B65 9SQ	Proposed front dormer window.	Grant Permission with external materials 6th January 2021
DC/20/64954 St Pauls	111 Holly Lane Smethwick B67 7LA	Proposed single storey rear extension.	Grant Permission with external materials 6th January 2021
DC/20/64963	86 Brook Road Oldbury	Retention of outbuilding in rear garden.	Grant Conditional

Langley	B68 8AD		Retrospective Consent 6th January 2021
PD/20/01629 Newton	51 Langdale Road Great Barr Birmingham B43 5RB	Proposed single storey rear extension measuring: 4.60m L x 2.65m H (2.50m to eaves)	P D Householder not required 6th January 2021
DC/20/64756 Smethwick	129 Londonderry Lane Smethwick B67 7EQ	Proposed single storey front and first floor side extensions.	Grant Permission with external materials 8th January 2021
DC/20/64793 Tividale	Warrens Hall Riding Stables Warrens Hall Farm Oakham Road Tividale Oldbury B69 1PY	Proposed change of use from a residential unit to office for security provider.	Grant Permission Subject to Conditions 8th January 2021
DC/20/64845 Great Barr With Yew Tree	25 Peak House Road Great Barr Birmingham B43 7RY	Proposed two storey side/rear and single storey rear extensions.	Grant Permission with external materials 8th January 2021
DC/20/64866 Wednesbury South	123A Hill Top West Bromwich B70 0RU	Retention of first floor extension and rear dormer window.	Refuse permission 8th January 2021
DC/20/64860	113 Park Road	Retention of single storey	Grant

Abbey	Smethwick B67 5HR	rear extension.	Retrospective Permission 8th January 2021
DC/20/64886 Abbey	242 Park Road Smethwick B67 5HX	Proposed single storey rear extension.	Grant Permission with external materials 8th January 2021
PD/20/01599 Cradley Heath & Old Hill	5 Lower High Street Cradley Heath B64 5AB	Proposed part change of use to ground floor to create 1 No. self contained flat with alterations to the rear and shopfront.	P D Change of Use required and granted 8th January 2021
DC/20/64922 Greets Green & Lyng	Ferdotti Motors Pleasant Street Lyng West Bromwich B70 7DP	Proposed three storey front and single storey side extension to existing office/reception area with external alterations (amendment to previously approved application DC/19/63654).	Grant Permission Subject to Conditions 8th January 2021
DC/20/64953 Bristnall	75 Brandhall Road Oldbury B68 8DT	Proposed two storey/first floor side extension, single storey rear extension, front canopy and render to side/rear.	Grant Permission with external materials 8th January 2021
DC/20/64956 Charlemont With Grove Vale	339 Beaconview Road West Bromwich B71 3PU	Proposed two storey side and single storey rear extensions, single storey extension and tiled canopy to front.	Grant Permission with external materials 8th January

			2021
DC/20/64960	61 Merrions Close Great Barr Birmingham B43 7AS	Lawful Development Certificate for proposed loft conversion with rear dormer including hip-to-gable roof enlargement.	Grant Lawful Use Certificate 8th January 2021
DC/20/64962	31 Hayes Street West Bromwich B70 9NF	Lawful Development Certificate for proposed loft conversion with rear dormers.	Grant Lawful Use Certificate 8th January 2021
PD/20/01626	108 Pool Lane Oldbury B69 4QS	Proposed single storey rear extension measuring: 4.0m L x 4.0m H (3.0m to eaves)	P D Householder not required 8th January 2021
DC/20/64971	9 Lynton Avenue West Bromwich B71 2QZ	Proposed replacement of boundary wall with 2.1m high brick wall.	Grant Permission 8th January 2021
PD/20/01631	116 Cheshire Road Smethwick B67 6DW	Proposed single storey rear extension measuring: 6.0m L x 4.0m H (2.90m to eaves)	P D Householder not required 8th January 2021
PD/20/01632	86 Clifford Road West Bromwich B70 8JS	Proposed single storey rear extension measuring: 6.0m L x 4.0m H (3.0m to eaves)	P D Householder not required 8th January 2021
DC/20/64895	47 Birch Road Oldbury B68 0NY	Proposed single storey rear extension with extended raised patio, steps and retaining wall.	Grant Permission with external materials

			11th January 2021
PD/20/01624 Bristnall	Land At Hurst Road Smethwick B67 6ND	Proposed installation of a 17.5m telecommunication monopole together with the installation of ground-based equipment cabinet and ancillary development.	Prior Approval is Required and Refused 11th January 2021
DC/20/64946 Soho & Victoria	Land Adjacent To Unit 1 James Watt Industrial Park Steel Bright Road Smethwick	Proposed construction of B8 (storage and distribution) unit with associated parking and access.	Grant Permission Subject to Conditions 12th January 2021
DC/20/64498 Charlemont With Grove Vale	28 Hollyhedge Road West Bromwich B71 3AA	Proposed single storey rear extension	Grant Permission with external materials 13th January 2021
DC/20/64839 Greets Green & Lyng	61 Clifford Road West Bromwich B70 8JY	Proposed two storey side/rear and single storey front extensions.	Grant Permission with external materials 13th January 2021
DC/20/64854 St Pauls	15 Tollhouse Way Smethwick B66 1HJ	Proposed demolition of derelict garage and erection of 3 storey building to create 3 No. commercial ground floor units and 6 No. apartments above with	Grant Permission Subject to Conditions 13th January 2021

		associated parking, boundary fence, amenity and landscaping.	
PD/20/01595 West Bromwich Central	164 Birmingham Road West Bromwich B70 6QG	Proposed conversion of existing office space into residential use.	PD Office to Resi Granted with condition 13th January 2021
PD/20/01597 Wednesbury North	40 Delville Road Wednesbury WS10 9EA	Proposed single storey rear extension measuring: 4.3m L x 4.0m H (2.7m to eaves)	P D Householder not required 13th January 2021
DC/20/64892 Cradley Heath & Old Hill	5 Lower High Street Cradley Heath B64 5AB	Proposed conversion of first floor into 1 No. 1 bedroom and 1 No. 2 bedroom self contained flats (Lawful Development Certificate).	Grant Lawful Use Certificate 13th January 2021
DC/20/64900 Smethwick	161 Londonderry Lane Smethwick B67 7EL	Proposed single and two storey side and single storey rear extensions, front porch and canopy and raising roof height.	Grant Permission with external materials 13th January 2021
DC/20/64911 Newton	132 Newton Road Great Barr Birmingham B43 6BL	Proposed two storey front and side extensions, dormer windows to front and rear, canopy to front and replacement garage.	Grant Permission Subject to Conditions 13th January 2021
DC/20/64912 Bristnall	145 Salop Road Oldbury B68 9PT	Proposed change of use of from retail to restaurant/hot food take-away with external flue to	Grant Permission Subject to Conditions

		rear.	13th January 2021
DC/20/64930 West Bromwich Central	8 St Martins Close West Bromwich B70 6TE	Proposed first floor side extension.	Grant Permission with external materials 13th January 2021
DC/20/64951 Tividale	Land To The Rear Of 20 Miles Grove Dudley	Retention of 18 No. ground mounted solar panels.	Refuse permission 13th January 2021
DC/20/64957 Bristnall	42 Defford Drive Oldbury B68 9RH	Proposed single storey rear and side extension.	Grant Permission with external materials 13th January 2021
DC/20/64961 Abbey	23 Rathbone Road Smethwick B67 5JG	Proposed single storey rear/side extension.	Grant Permission with external materials 13th January 2021
DC/20/64973 Rowley	4 Mildred Way Rowley Regis B65 9SQ	Proposed single/two storey extension to side.	Grant Permission with external materials 13th January 2021
DC/20/64983 Great Barr With	111 Wilderness Lane Great Barr	Proposed two storey side extension, single storey extension and porch to	Grant Permission with external

Yew Tree	Birmingham B43 7TA	front, and outbuilding to rear.	materials 13th January 2021
DC/20/64991 Wednesbury South	23 Barncroft Street West Bromwich B70 0QJ	Proposed single storey side extension to accommodate additional bedrooms to existing care facility.	Grant Permission with external materials 13th January 2021
DC/20/65011 Wednesbury South	Pilgrim's Pride George Henry Road Tipton DY4 7BZ	Retention of meat processing plant (Lawful Development Certificate).	Grant Lawful Use Certificate 13th January 2021
PD/20/01630 Tipton Green	18 Robert Road Tipton DY4 9BJ	Proposed single storey rear extension measuring: 3.5m L x 3.5m H (2.6m to eaves)	P D Householder not required 13th January 2021
PD/20/01633 Newton	24 Broomhill Close Great Barr Birmingham B43 5BT	Proposed single storey rear extension measuring: 4.00m L x 3.25m H (3.25m to eaves)	P D Householder not required 13th January 2021
PD/20/01634 Cradley Heath & Old Hill	13 Norwood Avenue Cradley Heath B64 7NE	Proposed single storey rear extension measuring: 4.0m L x 4.0m H (2.54m to eaves)	P D Householder not required 13th January 2021
PD/20/01635 Hateley Heath	49 Sandfield Road West Bromwich B71 3NE	Proposed single storey rear extension measuring: 4.0m L x 4.0m H (3.0m to eaves)	P D Householder not required 13th January

			2021
DC/20/64910 Abbey	Financial House 352 Bearwood Road Smethwick B66 4ET	Proposed demolition of existing single storey rear extension/outhouses and construction of a two storey detached building at the rear to accommodate 5 No. 1 bedroom apartments with associated amenity space.	Refuse permission 14th January 2021
DC/20/64461 Abbey	595 Bearwood Road Smethwick B66 4BJ	Proposed single storey rear extension and external staircase/walkway to provide access to first floor.	Grant Permission Subject to Conditions 15th January 2021
DC/20/64711 Wednesbury North	MFG Wednesbury Service Station Walsall Street, Wednesbury WS10 9HA	Proposed installation of vehicle charging points, associated electrical infrastructure and 2.4m high fencing.	Grant Permission 15th January 2021
DC/20/64713 Great Barr With Yew Tree	32 Scott Road Great Barr Birmingham B43 6JT	Proposed first floor side and rear extension.	Grant Permission with external materials 15th January 2021
DC/20/64822 Langley	6 Bond Street Rowley Regis B65 0QQ	Proposed 1 No. new dwelling.	Refuse permission 15th January 2021
DC/20/64873 Smethwick	60 Stanhope Road Smethwick B67 6JJ	Proposed single storey side and rear extension.	Grant Permission with external materials

			15th January 2021
DC/20/64943 Charlemont With Grove Vale	72 Grove Vale Avenue Great Barr Birmingham B43 6BZ	Proposed first floor extension and orangery to rear.	Grant Permission Subject to Conditions 15th January 2021
DC/20/64945 Tividale	99 Tower Road Tividale Oldbury B69 1NA	Proposed single and two storey side and single storey rear extensions, and tiled canopy to front.	Grant Permission with external materials 15th January 2021
DC/20/64950 Princes End	West Mercia Sections Limited Nicholls Road Tipton DY4 9LG	Partial demolition of existing building and proposed storage building.	Grant Permission Subject to Conditions 15th January 2021
DC/20/64975 Soho & Victoria	1 Sketchley Close Smethwick	Continued use as a care facility for young people (Lawful Development Certificate)	Grant Lawful Use Certificate 15th January 2021
DC/20/64982 Charlemont With Grove Vale	26 Hollyhedge Road West Bromwich B71 3AA	Proposed two storey side extension, single and two storey rear extension and loft conversion with dormer windows to rear.	Grant Permission with external materials 15th January 2021
DC/20/64985 Newton	4 Claverdon Drive Great Barr Birmingham	Proposed replacement of lean-to structure with a single storey side	Grant Permission with external

	B43 5HP	extension.	materials 15th January 2021
DC/20/64989 Princes End	8 Hyett Way Bilston WV14 8NR	Proposed single storey side extension.	Grant Permission with external materials 15th January 2021
DC/20/64842 Charlemont With Grove Vale	Side Garden Of 17 Wilford Road West Bromwich B71 1QY	Proposed 3 bed dwelling with associated car parking and boundary treatment (previously withdrawn application DC/20/64115).	Grant Permission Subject to Conditions 18th January 2021
DC/20/64834 Langley	961 Wolverhampton Road Oldbury B69 4RR	Proposed two storey side and single storey front/side/rear extensions, front canopy, new external render, rear loft dormer window and extended raised patio with retaining wall.	Grant Permission with external materials 20th January 2021
DC/20/64903 Great Barr With Yew Tree	Yew Tree And Tamebridge Community Centre Redwood Road Walsall WS5 4LB	Proposed 2 No. conservatories at rear.	Grant Permission 20th January 2021
DC/20/64931 Wednesbury South	4 Tame Street West Bromwich B70 0QP	Proposed single and two storey side and single storey rear extensions, and tiled canopy to front.	Grant Permission with external materials 20th January 2021

DC/20/64942 Hateley Heath	1 Jowetts Lane West Bromwich B71 2RB	Proposed two storey side, two storey rear/side, single storey rear and single storey front/side extension	Grant Permission with external materials 20th January 2021
DC/20/64949 Hateley Heath	26 Rydding Lane West Bromwich B71 2HA	Lawful Development Certificate for proposed hip-to-gable loft conversion with dormer window to rear.	Grant Lawful Use Certificate 20th January 2021
DC/20/64955 Langley	828 Wolverhampton Road Oldbury B69 4RY	Proposed single storey rear extension.	Grant Permission with external materials 20th January 2021
DC/20/64988 Smethwick	12 Smith Close Smethwick B67 6LU	Retention of loft conversion with dormer window to rear.	Grant Retrospective Permission 20th January 2021
DC/20/6705A Abbey	Hagley Road Car Wash 457 Hagley Road Smethwick B66 4AU	Proposed 1 No. internally illuminated free standing advertising screen.	Grant Conditional Advertisement Consent 20th January 2021
DC/20/64993 West Bromwich Central	2 Glover Street West Bromwich B70 6EB	Retention of ATM.	Grant Conditional Retrospective Consent 20th January 2021

DC/20/64999 Oldbury	Unit 24 Crystal Drive Smethwick B66 1QG	Proposed re-cladding to external elevations.	Grant Permission 20th January 2021
DC/20/6706A West Bromwich Central	2 Glover Street West Bromwich B70 6EB	Retention of internally- illuminated ATM sign.	Grant Advertisement Consent 20th January 2021
DC/20/65009 Rowley	Sandwell MBC Harvest Road Day Centre Harvest Road Rowley Regis B65 8EL	Erection of up to 8no. dwellings (permission in principle).	Grant Permission in Principle 20th January 2021
DC/20/65003 Wednesbury North	24 Woden Road North Wednesbury WS10 9NU	Proposed single storey side extension.	Grant Permission with external materials 20th January 2021
DC/20/65007 Wednesbury North	63 Hobs Road Wednesbury WS10 9BW	Retention of outbuilding.	Grant Retrospective Permission 20th January 2021
DC/20/65016 Smethwick	215 Thimblemill Road Smethwick B67 6QB	Proposed single storey rear and single/two storey side/rear extension (amendment to previously approved application - DC/20/64551).	Grant Conditional Retrospective Consent 20th January 2021
DC/20/65010	7 Coxs Lane	Proposed single storey	Grant

Rowley	Cradley Heath B64 5NS	rear/side extension.	Permission with external materials 20th January 2021
DC/20/65012 Rowley	6 Forest Drive Cradley Heath B64 5LW	Proposed removal of existing conservatory and erection of a single storey rear extension with new door and windows to ground floor side.	Grant Permission with external materials 20th January 2021
DC/20/65019 West Bromwich Central	37 Kiniths Way West Bromwich B71 4BP	Proposed store/gym at rear (previous application DC/20/64581).	Grant Permission Subject to Conditions 20th January 2021
DC/20/65022 Smethwick	3 The Uplands Smethwick B67 6EG	Proposed two storey side extension.	Grant Permission with external materials 20th January 2021
PD/20/01636 Oldbury	14 Princes Road Tividale Oldbury B69 2LS	Proposed single storey rear extension measuring: 6.0m L x 4.0m H (2.7m to eaves)	P D Householder not required 20th January 2021
DC/20/64407 St Pauls	25 St Pauls Road Smethwick B66 1EG	Proposed single storey front extension to shop creating new level access and ramp, single and two storey rear extension, loft conversion with front and rear	Grant Permission Subject to Conditions 22nd January 2021

		dormer windows. Demolish and rebuild outbuildings to create 2 No. apartments, with associated parking and access.	
DC/20/64772 Charlemont With Grove Vale	52 Pear Tree Road Great Barr Birmingham B43 6JA	Proposed single and two storey rear and side extension with porch to front.	Grant Permission with external materials 22nd January 2021
DC/20/64837 St Pauls	Land Adjacent Elim Pentecostal Church Woodland Drive Smethwick	Proposed 14 bed nursing home and associated parking (Renewal of expired Planning Permission DC/16/59574).	Grant Permission Subject to Conditions 22nd January 2021
DC/20/64904 Wednesbury South	3 Pembroke Road West Bromwich B71 2NH	Retention of storage shed at rear.	Grant Conditional Retrospective Consent 22nd January 2021
DC/20/64884 Greets Green & Lyng	24 Pleasant Street Lyng West Bromwich B70 7DP	Proposed single and two storey vehicle servicing centre.	Grant Permission Subject to Conditions 22nd January 2021
DC/20/64890 Tividale	Site Of Sub Station Adj 156 City Road Oldbury B69 1QP	Proposed 2 No. dwellings (Resubmission of Planning Permission DC/14/57212).	Grant Permission Subject to Conditions 22nd January


			2021
PD/20/01603 Great Bridge	First Floor 75 - 77 Great Bridge Tipton DY4 7HF	Proposed change of use from first floor offices to 2 No. 2 bedroom flats.	PD Office to Resi Granted with condition 22nd January 2021
DC/20/64913 Wednesbury South	145 Wolseley Road West Bromwich B70 0LS	Proposed single and two storey side extension.	Grant Permission with external materials 22nd January 2021
DC/20/64923 Charlemont With Grove Vale	129 Charlemont Road West Bromwich B71 3EH	Single storey side and rear extensions, loft conversion with rear dormer including hip-to-gable roof enlargement and outbuilding (lawful development certificate).	Grant Lawful Use Certificate 22nd January 2021
DC/20/64929 Hateley Heath	32 Marsh Lane West Bromwich B71 2DP	Proposed change of use of garage and store to 1 No. two bed flat, with external alterations and associated car parking.	Refuse permission 22nd January 2021
DC/20/64980 Oldbury	30 Theodore Close Oldbury B69 3EF	Proposed first floor side extension.	Grant Permission with external materials 22nd January 2021
DC/20/64986 Tipton Green	6 Menin Road Tipton DY4 8DW	Proposed detached garage/utility room to side (Lawful Development Certificate).	Refuse Lawful Use Certificate 22nd January 2021

DC/20/64997 Oldbury	29 Redwood Drive Tividale Oldbury B69 2HY	Proposed two/single storey rear and first floor side extensions.	Grant Permission with external materials 22nd January 2021
DC/20/65004 St Pauls	5 Darby Road Oldbury B68 9SG	Proposed two/single storey rear extensions.	Grant Permission with external materials 22nd January 2021
DC/20/65020 Wednesbury South	Tulip Foods Limited George Henry Road Tipton DY4 7BZ	Proposed meat processing plant, abattoir and lairage (Lawful Development Certificate)	Grant Lawful Use Certificate 22nd January 2021
DC/20/65029 Greets Green & Lyng	245 Bromford Lane West Bromwich B70 7HT	Proposed storage outbuilding to rear (Lawful Development Certificate).	Grant Lawful Use Certificate 22nd January 2021
DC/20/65034 Wednesbury South	67 Windsor Road West Bromwich B71 2NL	Proposed disable ramped access to side and front.	Grant Permission 22nd January 2021
DC/20/65035 Wednesbury South	3 Heronville Road Black Lake West Bromwich B70 0JQ	Proposed disable ramped access to rear and front.	Grant Permission 22nd January 2021
DC/20/65066 West Bromwich Central	363 High Street West Bromwich B70 9QL	Proposed first floor rear extension to extend function room and provide toilets.	Grant Permission Subject to Conditions

			22nd January 2021
DC/21/65173 Hateley Heath	Land At Hall Green Road Hall Green Road West Bromwich	Screening opinion for proposed residential development comprising of 223 dwellings with associated car parking, boundary treatment, landscaping, improvement of the existing access and play area (DC/20/65059).	Screening opinion - EIA not required 22nd January 2021
DC/20/64970 Friar Park	Vacant Land Off Friardale Close/School Road/Carrington Road Wednesbury	Proposed open air compound to house the air source heat pumps for the heating and hot water for the new housing development at Carrington Road/Friardale Close (Previously approved application DC/19/63723).	Grant Permission 26th January 2021
DC/20/65014 Charlemont With Grove Vale	28 Horsecroft Drive West Bromwich B71 3TE	Proposed rear garden annexe.	Grant Permission Subject to Conditions 26th January 2021
PD/20/01637 Charlemont With Grove Vale	6 Wyemanton Close Great Barr Birmingham B43 6DD	Proposed single storey rear extension measuring: 4.0m L x 4.0m H (3.0m to eaves)	P D Householder required and granted 26th January 2021

Planning Committee

10th February 2021

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

DECISION RECOMMENDATIONS

That Planning Committee:

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

1 PURPOSE OF THE REPORT

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

2 IMPLICATIONS FOR SANDWELL'S VISION 2030

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

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

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

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

3 BACKGROUND AND MAIN CONSIDERATIONS

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

Application Ref No.	Site Address	Inspectorate Decision
DC/20/64234	21 Pleasant Street Lyng West Bromwich	Allowed with conditions
DC/20/63929	16 Grove Vale Avenue Great Barr Birmingham	Dismissed

DC/20/64330	26 Waterfall Lane Cradley Heath B64 6RQ	Dismissed
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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



Appeal Decision

Site visit made on 6 October 2020

by C Coyne BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th December 2020

Appeal Ref: APP/G4620/W/20/3256821

21 Pleasant Street, West Bromwich B70 7DB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr S Ali against the decision of Sandwell Metropolitan Borough Council.
 - The application Ref DC/20/64234, dated 30 April 2020, was refused by notice dated 25 June 2020.
 - The application sought planning permission for the change of use of an industrial unit to a snooker hall without complying with a condition attached to planning permission Ref DC/18/62395, dated 13 August 2019.
 - The condition in dispute is No 6 which states that: The use hereby approved shall be open only between 09.00 - 21.00 hours Mondays to Saturdays, 10.00 - 16.00 hours on Sundays and there shall be no opening on Bank Holidays.
 - The reason given for the condition is: in the interests of residential living conditions, with some residences being located nearby which could be affected by noise.
-

Decision

1. The appeal is allowed and the planning permission Ref DC/18/62395 for the change of use of an industrial unit to a snooker hall at 21 Pleasant Street, West Bromwich B70 7DB granted on 13 August 2019 by The Planning Inspectorate, is varied by deleting condition 6 and substituting for it the following condition:
 - 1) The use hereby permitted shall take place only between 1200 - 0300 on Mondays to Saturdays, 1000 - 1600 on Sundays, and shall not take place on Bank Holidays.

Main Issue

2. The main issue is the effect of the proposed development on the living conditions of neighbouring occupiers, having particular regard to noise and disturbance.

Reasons

3. The snooker hall is located within a portion of an industrial estate close to residential properties which front onto Newhall Street and back onto Mount Pleasant Street. The other commercial properties nearby predominantly comprise car repair and motor services businesses. There is also a steel fabrications and welding business located further along Pleasant Street which is also close to the nearby residential properties.

4. At the time of my visit, in the early afternoon, there were no people gathered outside the snooker hall and the level of traffic on Pleasant Street, Mount Pleasant Street and Newhall Street during this snapshot in time was also not significant. I also did not hear any significant noise levels coming from the snooker hall. Consequently, and given the fact that the area is both light industrial and residential, I consider the area to be relatively quiet when the snooker hall is open and no deliveries are being made to the nearby commercial premises.
5. I acknowledge that given the lack of public transport linkages nearby that patrons of the snooker club are more likely to travel there by car. However, the hall has capacity for up to 30 car parking spaces in and around it which I consider sufficient to meet the needs of its potential patrons. It would also be unlikely that this car park would be always full or that the club would be at full capacity every hour that it would be open or that all the patrons would arrive or leave at exactly the same time thereby causing significant noise or disturbance.
6. Furthermore, while I acknowledge the objection made by the **Council's** environmental health officer and interested parties, no substantive evidence, such as a formal notice, has been submitted to support this which suggests that noise disturbance has not been an issue at the appeal property in the past nor that any noise or disturbance was directly related to or caused by the business.
7. As a result and given the existing levels of background noise and the fact that the business has been in operation for a period of time, it would be reasonable to think that the development has not caused any unacceptable noise or disturbance to its neighbours. Moreover, I consider that this is likely to be as a result of the way the business has been run, and the measures taken to ensure that any noise disturbance is kept to a minimum.
8. Consequently, based on the evidence before me, I consider that the proposal would not unacceptably harm the living conditions of neighbouring occupiers having particular regard to noise and disturbance. I therefore conclude that it would accord with paragraphs 91 and 127 f) of the National Planning Policy Framework which amongst other things aim to create places that are safe and have a high standard of amenity for existing and future users.

Other Matters

Anti-social behaviour and fear of crime

9. Interested parties have raised concerns that the proposal would lead to an increase in anti-social behaviour and a fear of crime in the area. However, while I note that the statistics show that the area is not crime-free, I have no convincing evidence before me to show that any reported crime in the area is directly linked to the snooker hall or its operation as a business. Indeed, the snooker hall operates a strict no alcohol and no drugs policy and has 24-hour CCTV security cameras installed. Furthermore, the police have not objected to the proposal and based on the evidence before me I see no reason to disagree.

Highway safety and free flow of traffic in the area

10. Concerns have also been raised in relation to the effect the proposal would have on highway safety and the free flow of traffic in the area. However, the highway authority has not objected to the proposal and based on the evidence before me I see no reason to disagree.

Conclusion

11. For the reasons set out above I conclude that the appeal should be allowed and will vary the planning permission by deleting the disputed condition and substituting it with one permitting longer opening hours Mondays to Saturdays.

C Coyne

INSPECTOR



Appeal Decision

Site Visit made on 16 December 2020

by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 December 2020

Appeal Ref: APP/G4620/D/20/3258508

16 Grove Vale Avenue, Great Barr, Birmingham B43 6BZ

- 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 B Dail against the decision of Sandwell Metropolitan Borough Council.
 - The application Ref DC/20/64330, dated 4 June 2020, was refused by notice dated 3 August 2020.
 - The development proposed is extensions and alterations.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description on the **Council's decision notice provides** additional detail on the proposals confirming that they include 'single and two storey rear extension, first floor side extension (amendment to previously approved of DC/20/63927)'. **The Council's reason** for refusal relates specifically to the proposed first-floor side extension and I have assessed the appeal on that basis.

Main Issue

3. The main issue is the effect of the proposed first floor side extension on the living conditions of the occupants of No 14 Grove Vale Avenue with particular regard to outlook.

Reasons

4. No 14 has a ground floor clear glazed window facing, and in close proximity to, the boundary with the appeal site. The evidence before me indicates this window currently serves a study. Means of outlook from this window is not unimpeded given the relative proximity of the window to the boundary fence and the appeal dwelling. Even so, due to the relative levels, the top of the window sits just above the top of the boundary fence. The appeal dwelling incorporates a sloped roof with side dormer window and then a set back to the section of first floor vertical brickwork which sits parallel with the neighbouring study window. These site-specific factors ensure that an adequate means of outlook is provided to this neighbouring window.

5. As a result of the proposed first floor extension, there would be an expanse of brickwork at first floor level aligned with and extending forward of the neighbouring study window. The close proximity and span of the first-floor extension would significantly reduce the appreciation of space for occupiers of No 14 when utilising the study. This would be overbearing and harmful to the means of outlook for the occupiers of this neighbouring property.
6. My attention has been drawn to an extant planning permission for extensions to the dwelling at No 16. However, the previously approved extensions retain the sloped roof and an inset to the first-floor vertical brickwork that is aligned with the neighbouring study window. This arrangement retains a similar degree of space and levels of outlook from the neighbouring study to that which presently exists. I therefore do not find the fallback position of the previously approved extensions persuasive in respect of the appeal proposals.
7. I conclude that the first-floor side extension would have a harmful effect on means of outlook for occupiers of the neighbouring dwelling at No 14. In that regard the development would conflict with Policy SAD EOS 9 (Urban Design Principles) of the Sandwell Metropolitan Borough Council Site Allocations and Delivery Development Plan Document (2012) (DPD) which amongst other things seeks to ensure that development which is incompatible with its surroundings is rejected. The proposals would also be contrary to Paragraph 127 of the National Planning Policy Framework with amongst other things states that decisions should ensure that developments create places with a high standard of amenity for existing and future users.
8. The Council has also referred to Policy ENV3 (Design Quality) of the Black Country Core Strategy (2011). This particular policy does not specifically refer to compatibility with surroundings or more specifically to the protection of living conditions for neighbouring occupiers. Whilst I have therefore not identified specific conflict with this particular policy, this does not override the conflict with the DPD and the Framework.

Conclusion

9. For the reasons given above I conclude that the appeal should be dismissed.

M Russell

INSPECTOR



Appeal Decision

Site visit made on 1 December 2020

by S A Hanson BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 January 2021

Appeal Ref: APP/G4620/X/20/3258044

26 Waterfall Lane, Cradley Heath, West Midlands B64 6RQ

- The appeal is made under section 195 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991 against a refusal to grant a certificate of lawful use or development (LDC).
 - The appeal is made by Miss Lesley Pearson against the decision of Sandwell Metropolitan Borough Council.
 - The application Ref DC/20/63929, dated 28 October 2019, was refused by notice dated 3 April 2020.
 - The application was made under section 191(1)(a) of the Town and Country Planning Act 1990 as amended (the 1990 Act).
 - The use for which a certificate of lawful use or development is sought is described as **"No machinery, retailing and storage of household goods. Daily 8am to 7pm. 7 days week."**
-

Decision

1. The appeal is dismissed.

Preliminary matters

2. The description of development in the banner heading above is taken from the application form. However, for clarity **the Council's decision notice describes the particulars of development as "existing use as retail and warehouse¹".** From the evidence before me, I take this to be a correct description of the use which the appellant seeks to claim is lawful.
3. Under S191(1)(a) of the 1990 Act, any person who wishes to establish whether any existing use of buildings or other land is lawful, they make an application for the purpose to the local planning authority specifying the land and describing the use. S191(2) of the 1990 Act specifies that uses and operations are lawful if (a) no enforcement action may then be taken in respect of them because they did not involve development or require planning permission or (b) because the time for enforcement action has expired.
4. Planning merits form no part of the assessment of an application for an LDC which must be considered in the light of the facts and the law. The decision will be based strictly on factual evidence, the history and planning status of the site in question and the application of relevant law or judicial authority to the circumstances of the case. The burden of proof lies with the appellant and the **relevant test is 'the balance of probabilities'**. However, the Courts have held the

¹ At the date of application retail warehouses are classed as falling within Class A1 of the Town and Country Planning (Use Classes) Order 1987 as amended (the UCO).

evidence of the appellant should not be rejected simply because it is not corroborated. If there is no **evidence to contradict or make the appellant's** version of events less than probable and the evidence alone is sufficiently precise and unambiguous that is enough.

5. The property is currently occupied by Steve Davies and at the time of my site visit, the building at ground level contained many items of reclaimed household items/antiques. I note from the evidence supplied by the appellant that it is **Mr Davies' intention to "use the building as registered offices for my business, secure storage of hand tools and portable equipment, a workshop where I can service and repair my small equipment and portable scaffold towers, a showroom for antiques, architectural antiques, oak beams and reclaimed flooring that I salvage.... The showroom will not be open to the general public, unless by appointment, and goods will be advertised and sold online. I also intend to store my company vehicles there... and have a nice office to entertain developers who invite me to tender for new contracts. Between demolition contracts I will be able to relax there, restore antiques, service my vehicles and photograph architectural antiques and floorboards for selling on the internet (including items that I may have stored elsewhere). I will also be able to work on my website from these premises, including adding an items for sale page, and advertise for more work"**.
6. What is proposed by the current occupier and what is sought to ascertain whether the existing use of the building is lawful, as applied for, differ considerably. The purpose of an application for a certificate of lawfulness of existing use or development under s191 of the 1990 Act is to ascertain whether the existing use of the building is lawful. Consequently, in determining the appeal I will have regard to the evidence before me concerning its previous uses, and not those proposed by the current occupier, to establish whether the building has a lawful use for retailing and warehouse (storage) use (Class A1 of the UCO).

Main Issue

7. This **is whether the Council's decision to refuse to issue** an LDC was well-founded. The time limit relevant for taking enforcement action under s171B(3) of the 1990 Act regarding the use of buildings or other land is the end of ten years beginning with the date of the breach. The appellant therefore needs to show on the balance of probability, that by the date of the application for the LDC the use of the site for retail and warehouse had existed on a substantially uninterrupted basis for at least ten years, and had not subsequently been abandoned or supplanted by another use. The burden of proof rests with the appellant.

Reasons

8. The property comprises a former Methodist Chapel which, from the evidence that has been supplied by the appellant, has been used since 1960 for the following purposes.
9. From 1960 to 1991 the site was owned and occupied by Mr Jack Pearson and provided space for his business trading as "Wholesale Warehouse Supplies" which sold white goods, furniture and electrical appliances. On 25 March 1992

the property was leased from Mr Jack Pearson to Mr Donald Pritchard for 15 years (to 2007). An incomplete copy of the lease agreement has been provided by the appellant which does not include the full agreement or any signatures. The appellant provides that Mr Donald Pritchard **traded as "Sweet Dreams"** selling bedding furniture and carpets.

10. Also included with the appellants evidence is an incomplete copy of a Notice of Assignment of Leasehold Property, dated 17 December 2004, to Mr Jack Pearson showing the lease had been assigned from Donald Geoffrey Pritchard to Mark Barry Jones. From the evidence supplied, Mark Barry Jones continued **trading as "Sweet Dreams" selling similar items**. Sweet Dreams is listed by an **online business listing service as 'Furniture – Retail'**.
11. **The Council's evidence notes that to support the application submission, the applicant has submitted three legal agreements (Notice of Assignment of Leasehold Property, Lease Agreement and Counterpart Lease). The submitted lease refers to the address of the premises as "The Warehouse" with no mention of retail found in the paperwork. Moreover, a lease would not provide sufficient evidence to confirm the use of the site for a continuous ten-year period. Furthermore, the council's Revenues and Benefits department has confirmed that from their records the premise has not been used for retail purposes and is listed as a warehouse. However, it is not provided to what period this refers.**
12. From January 2010 to June 2015 a charity, Loaves n Fishes, occupied the property. An incomplete copy of a lease made on 22 July 2010 shows that the property was leased by Jack Pearson to Marcus Penberthy, Steven Hartland and Anna Hartland for 5 years starting on 4 January 2010. From the few pages which have been provided by the appellant, the lease stipulates that the property is not to be used except for the storage of furniture, nor to hold an auction sale. From the information provided, the charity operated from the site distributing furniture and a large variety of donated household goods.
13. **The Council's statement provides that 'the use at the time was charity/storage' as stated on the application form for a storage shed². A letter provided by the appellant from an interested party states that he supplied the charity with excess bedding, blankets, sheets, curtains and towels for the needy. There is no further information provided to demonstrate that the activities undertaken during this tenure included a retailing element. It seems to me that the primary use was not one where the sale, display or service was to visiting members of the public. The use fell outside Class A1 of the UCO, being more akin to one falling within Class B8 (storage and distribution) of the UCO.**
14. Following the occupation of the property by the charity, the unit was leased from June 2015 to 18 November 2018 to Mrs Christine Moore. From the limited evidence supplied in the form of photographs of 'A' board signage and a copy of rent receipts³, the building was occupied by HALO (Help and Love Others). The 'A' boards **advertise "Gods (sic) Store Cupboard open today 1pm – 3.30pm (with Christian books and tapes for loan)" and "tearoom open today 1.00pm**

² Planning application reference DC/12/54849

³ Receipt from HALO for rent paid to L Pearson from 22 June 2015 to 31 March 2016 paid by Christine Moore

until 3.30pm". **The use of the property is described as a tea shop/gift shop in a letter from an interested party, supplied by the appellant.**

15. The evidence supplied by the appellant is limited and ambiguous concerning the use of the site, particularly in the interim period since the property was vacated by the business trading as Sweet Dreams. From the evidence before me and on the balance of probabilities, I consider that although it is likely that there had been a lawful retail element of the site up to 2009, it is likely to have been supplanted during the years when it was occupied by the charity Loaves n Fishes from 2010 to 2015. As detailed above, and without any further evidence to the contrary, I consider that the use by Loaves n Fishes as a storage and distribution depot (Class B8 of the UCO) would likely have been materially different in character to a retail use. Moreover, it seems to me that a further material change of use occurred when the site was occupied by HALO. The sequence of events leaves no specific identifiable lawful use.

Conclusion

16. For the reasons given above I conclude that, on the evidence now available, **the Council's refusal to grant a certificate of lawful use or development in** respect of the use of the site for retail and warehouse was well-founded and that the appeal should fail. I will exercise accordingly the powers transferred to me in section 195(3) of the 1990 Act as amended.

S A Hanson

INSPECTOR