

# **Agenda Planning Committee**

**Wednesday 10 March 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**

**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 10 February 2021 as a correct record**
- 4 Planning Application DC/20/64781 - Proposed taproom/bar for the serving of alcohol on Fridays, Saturdays and Sundays and tours of the distillery. Unit 1,153 Powke Lane, Rowley Regis, B65 0AD.**

5. **Planning Application DC/20/65067 - Proposed two storey side, single and two storey rear and single storey front extensions to form 2 No. 2 bedroom flats. 7 Temple Meadows Road, West Bromwich, B71 4DE.**
6. **Planning Application DC/21/65124 - Proposed single and two storey side/rear extensions. 33 Regent Drive, Tividale, Oldbury, B69 1TH.**
7. **Planning Application DC/21/65126 - Proposed two storey side extension, single storey rear extension, loft conversion with dormer to rear and shed to rear. 107 Brunswick Park Road, Wednesbury, WS10 9QR.**
8. **Applications Determined Under Delegated Powers.**
9. **Decisions of the Planning Inspectorate.**
10. **Annual Report of the Planning Committee 2019 – 2020**

**D Stevens**

**Chief Executive**

Sandwell Council House  
Freeth Street  
Oldbury  
West Midlands

**Distribution**

Councillor Downing (Chair);  
Councillor Hevican (Vice-Chair)  
Councillors Ahmed, Allen, Chidley, S Davies, Dhallu, G Gill, P M Hughes,  
M Hussain, I Jones, Mabena, Millar, Piper, Rouf and Simms.

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



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## Minutes of Planning Committee

10 February 2021 at 5:00pm  
Virtual Meeting

**Present:** Councillor Hevican (Vice-Chair);  
Councillors Ahmed, Allen, Chidley, S Davies, Dhallu, P M  
Hughes, M Hussain, I Jones, Mabena, Millar and Simms.

**Also present:** Andy Thorpe [Healthy Urban Development Officer, Public  
Health]; John Baker [Service Manager – Development  
Planning and Building Consultancy]; Sian Webb [Solicitor];  
Simon Chadwick [Principal Officer – Development, Highways  
Direct – Traffic and Road Safety] and Stephnie Hancock  
[Senior Democratic Services Officer].

01/21 **Apologies for Absence**

Apologies were received from Councillors Downing, G Gill and M  
Rouf.

02/21 **Declarations of Interest**

There were no declarations of interest.

03/21 **Minutes**

**Agreed** that minutes of the meeting held on 9 December  
2020 are a correct record.

04/21

**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.**

Councillor I Jones indicated that he had been lobbied by objectors.

The Service Manager – Development Planning and Building Consultancy reported that seven off-street parking spaces would be provided as part of the scheme, two spaces at the front and five at the rear. This satisfied the Council's off-street parking requirements for this particular use.

The Committee was informed that a further letter had been received from Shaun Bailey MP reiterating his objections, which were set out in the report.

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

- The loss of a four-bedroom home in a residential area to facilitate a 14-bedroom commercial venture would significantly impact upon the character of the neighbourhood.
- The increase in noise and associated traffic would have a detrimental effect on the community and place a greater demand on local amenities, such as health and policing.
- There was an increased risk of anti-social behaviour without a landlord on site.
- The proposal was contrary to Sandwell's 2030 vision, which described creating high quality housing solutions for residents to thrive, building communities based on mutual respect and healthy lives.
- The development would severely impact on Tipton's ability to attract inward investment for regeneration.
- A large transient demographic would not help community adhesion.
- The potential increase in noise pollution and traffic would be at the expense of mature trees and garden space.

- Highways had previously introduced traffic calming measures following numerous road traffic accidents outside this property. There was a fear of further loss of life due to increased traffic.
- Concerns had been expressed regarding the domestic access rights of way to the service road, which linked the proposed seven bay rear garden car park.
- Houses in Multiple Occupation and Residential Property Licensing Reform required that all houses of multiple occupancy must provide a storage and waste disposal scheme and failure to comply was a breach of the licence and a criminal offence.
- Residents requested a site visit.
- The proposal should be delayed due to the Covid-19 pandemic.

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

- The development aimed to accommodate vulnerable asylum seekers and they were unlikely to own cars.
- Serco had a contract with the Government to maintain the property and conduct regular visits.
- Refuse would also be handled by Serco.
- The development would take three to four months to complete, by which time the covid-19 vaccine would have been rolled out further.
- Electric vehicle charging points would be provided.
- All Housing in Multiple Occupation (HMO), Serco, Council and Covid-19 related regulations would be adhered to.
- The property would house vulnerable people who needed help.

The Health Urban Development Officer – Public Health advised that a balance between providing housing and adhering the regulations to mitigate potential risks needed to be achieved. The Council had provided information for developers, landlords and residents regarding recommended behaviour, in terms of reducing Covid-19 infections. Public Sector Housing had advised that the room sizes and quantity of facilities were appropriate. It was also noted that a license would be required if planning permission was granted.

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

- Highways officers had no objections surrounding the safety of the rear car park and access road.
- The access road was a private right of way and planning permission would not supersede any restrictions in the deeds.
- The rear access was well established and appropriately sized and lit, therefore there were no safety issues.
- The Council required one parking space per two bedrooms, which had been met.
- The location of the bins would be dealt with by condition.
- Concerns around the appropriateness of proceeding with the development in light of the covid-19 pandemic was not a material planning consideration.
- The car parking provision had been amended to remove space, leave two spaces for the front car park, which allowed enough space for cars to enter and exit safely.
- This was an established residential property.
- West Midlands Police had raised no objections to the application.

Following a lengthy debate centring on the appropriateness of proceeding with the application during the covid-19 pandemic, a motion to defer consideration of the application was moved, seconded and lost upon voting.

Following further debate around the appropriateness of such a development in a residential area, along with concerns around parking arrangements, a motion to refuse planning permission was moved, seconded and carried upon voting.

**Resolved** that Planning Application DC/20/64463 (Proposed change of use from a single dwelling to a House in Multiple Occupation (14no. bedroom), external alterations and parking. 113 Dudley Road, Tipton, DY4 8DJ) is refused, on the following grounds:-

- i it is out of character with the surrounding area;

- ii the development would have an adverse impact on neighbours by means of increased noise, general disturbance and increased comings and goings.

05/21

**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.**

Councillor I Jones indicated that he had been lobbied by supporters of the application.

There was no objector present.

Councillor O Jones addressed the Committee with the following points:-

- The site was an eyesore and it was positive that plans had been submitted.
- Shops had previously been located on the site.
- The proposal would provide around 2,000 residents with neighbourhood shops.
- A previous planning application for a similar development had been withdrawn.
- The proposal would bring the site back into use for the local community.

Councillor I Jones also spoke in favour of the application and made the following points:-

- Other similar applications had not been refused on the same policy grounds.
- Town centres were dying.
- The development would bring a grot spot back into use and prevent fly tipping on the site.
- Residents wanted shops near to where they lived.
- There was no objection from Highways officers.

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

- This was a sustainable development and would meet demand in the local area, providing amenities that would complement the existing café and newsagent.
- There was a history of fly tipping and public nuisance on the site.
- There would be 24/7 surveillance on the site.
- The apartments would be affordable and high quality.
- There was a precedent set with shops being located near the site.

A motion to approve the application without limitations was moved, seconded and lost upon voting.

The Service Manager – Development Planning and Building Consultancy reported that Sandwell's Development Plan Policy CEN 7 required such developments to be focussed in town centres. In addition, Policy CEN 6 allowed for the applicant to justify the need for shops in a location outside of the centre, however, the applicant had not provided such information to support the application. There were also concerns regarding highway safety and the car park being detached from the main entrance of the shops, making it unlikely that shoppers would use the car park. Therefore, officers had recommended refusal.

A motion to defer consideration of the application to enable the applicant to provide justification for the out of centre location was moved, seconded and lost upon voting.

The Committee was minded to approve the application. The Service Manager – Development Planning and Building Consultancy advised that consideration needed to be given to appropriate and standard conditions for such a development. He requested that, should the application be approved, the determination of conditions be delegated to the Interim Director – Regeneration and Economy, in consultation with the Vice-Chair. However, members expressed concern about further delay and subsequently, the Service Manager – Development Planning and Building Consultancy suggested that conditions relating to the following would be appropriate for such a development:-



- i. cycle storage;
- ii. bin storage;
- iii. delivery hours;
- iv. plant equipment;
- v. electric charging vehicle points;
- vi. CCTV;
- vii. lighting;
- viii. site levels;
- ix. landscaping;
- x. boundary treatments;
- xi. footpath links;
- xii. parking layouts;
- xiii. external materials;
- xiv. submission of a parking, delivery, and servicing management plan;
- xv. drainage;
- xvi. extraction/filtration equipment;
- xvii. hours of opening being limited to 8am-10pm Monday to Saturday, and 8am -2pm on Sundays);
- xviii. use classes being restricted to class E.

**Resolved** that 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. Land Adj 63 Leabrook Road, Wednesbury, WS10 7NW) is approved, subject to the conditions relating to the following:-

- i. cycle storage;
- ii. bin storage;
- iii. delivery hours;
- iv. plant equipment;
- v. electric charging vehicle points;
- vi. CCTV;
- vii. lighting;
- viii. site levels;
- ix. landscaping;
- x. boundary treatments;
- xi. footpath links;
- xii. parking layouts;
- xiii. external materials;

- xiv. submission of a parking, delivery, and servicing management plan;
- xv. drainage;
- xvi. extraction/filtration equipment;
- xvii. hours of opening being limited to 8am-10pm Monday to Saturday, and 8am -2pm on Sundays);
- xviii use classes being restricted to class E.

06/21 **Planning Application DC/20/64706 - Proposed demolition of bungalow and construction of a four bed dwelling. 5 Warstone Drive West Bromwich B71 4BH.**

There was no objector present.

The applicant's agent was present but did not wish to address the Committee.

The Committee was minded to approve the application, subject to the conditions recommended by the Interim Director - Regeneration and Economy.

**Resolved** that Planning Application DC/20/64706 (Proposed demolition of bungalow and construction of a four bed dwelling. 5 Warstone Drive, West Bromwich) is approved subject 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;
- ix removal of PD rights for alterations and enlargements to the dwelling.

07/21 **Planning Application DC/20/64964 - Proposed single storey side and rear extension, with raised platform. 71 Richmond Hill Oldbury B68 9TH.**

There was no objector present.

The applicant was present but did not wish to address the Committee.

The Committee was minded to approve the application, subject to materials matching with existing property.

**Resolved** that Planning Application DC/20/64964 (Proposed single storey side and rear extension. 71 Richmond Hill, Oldbury) is approved, subject to materials matching with existing property.

08/21 **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.**

There was no objector present.

The applicant was present. The applicant asked the Committee to uphold the officer's recommendations.

The Committee was minded to approve the application subject to the external materials matching the existing property.

**Resolved** that 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) be approved, subject to materials matching with existing property.

09/21

**Planning Application DC/20/65023 - Proposed change of use to hot food takeaway with extraction flue to rear. 5 High Street Tipton DY4 8HH.**

The Service Manager – Development Planning and Building Consultancy informed the Committee that there was an error in the report and there had in fact been four applications for hot food takeaways refused previously.

The Committee was minded to approve the application subject to the conditions recommended in the officer's report.

**Resolved** that Planning Application DC/20/65023 (Proposed change of use to hot food takeaway with extraction flue to rear. 5 High Street, Tipton) is approved subject to the following conditions:-

- i details of odour control equipment, noise attenuation and future maintenance to be submitted and thereafter retained;
- ii the premises shall only be open, and shall only take deliveries during the following hours:-:

09:00-2300 Monday to Friday  
1000-23:30 Sat & Sun.

10/21

**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.**

There was no objector present.

The Service Manager – Development Planning and Building Consultancy informed the Committee that West Midlands Police had no objections, however had requested two extra conditions relating to external lighting and the installation of CCTV.

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

- There was a need to invest in the crematorium to upgrade the facilities.
- The proposed extensions to the rear of the crematoria building would offer better staff welfare facilities and storage for plants, tools and equipment.
- The proposals would make the site safer for staff and the public.
- Upgrades to parking facilities would create an additional 11 spaces.
- A florist kiosk would be created as part of the proposals.
- The extension was within the greenbelt but was an acceptable development.

The Committee was minded to approve the application, subject to the conditions recommended in the officer's report.

**Resolved** that Planning Application DC/20/65051 (Proposed single storey rear extension to the existing crematorium, flower store and additional parking spaces. West Bromwich Crematorium, Newton Road, West Bromwich. B71 3SX) is approved, subject to conditions relating to the following:-

- 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,
- v archaeological study
- vi external lighting
- vii CCTV.

11/21

**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.**

The Service Manager – Development Planning and Building Consultancy informed the Committee that West Midlands Police had no objections, however had requested two extra conditions

relating to external lighting and the installation of CCTV. He also reported that there had been no objections from the Wildlife Trust or the Lead Local Flood Authority.

The Committee was informed that the proposal was a departure from the Local Development Plan due to its substantial intrusion into the greenbelt. Therefore, should the Committee be minded to approve the application, a report would be required to full Council to seek an exception to the Plan.

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

- CCTV and lighting would be provided for both the new Crematorium site and the existing site. Existing systems would also be upgraded.
- There was a recognised need within the borough to increase Sandwell's burial provision and the closure of a cemetery in Birmingham had further increased demand in Sandwell.
- Greenbelt was an appropriate location for a new site, as it did not take up valuable brown field land which was needed for housing and employment type uses.
- The proposed site sat alongside the existing crematorium, so mourners would be able to make use of existing wake facilities at the site.
- The site was of importance for nature conservation in that it was connected to a large area of land in Sandwell Valley. The Wildlife Trust had been engaged with to construct a mitigation strategy in order to improve biodiversity and ecological richness of the site.

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

- There had been 12 months of active ground water management and monitoring across this and the adjoining site. Drill holes had been installed across the site and monitored to a depth of 2.8 meters on.
- The water table was acceptable and had leeway to allow for any excess rainfall.

**Resolved** that, subject to the Council granting an exception to the Local Development Plan (Policy SAD EOS2 Green Belt), Planning Application DC/20/65053 (Proposed change of use to cemetery with parking, lighting, and other associated works. Land Adjacent West Bromwich Crematorium, Newton Road, West Bromwich) is approved subject to conditions relating to the following:-

- 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
- x external lighting
- xi CCTV.

## 12/21 **Applications Determined Under Delegated Powers.**

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

**Decisions of the Planning Inspectorate.**

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

<b>Application Ref No.</b>	<b>Site Address</b>	<b>Inspectorate Decision</b>
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	Dismissed

Meeting ended at 7:53pm,  
following an adjournment between 7.13 and 7.23pm.

Click on the link below to watch the recording of the meeting.

<https://www.youtube.com/watch?v=d1ce1dIm5iY&t=22s>

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



## Report to Planning Committee

**10 March 2021**

<b>Application Reference</b>	DC/20/64781
<b>Application Received</b>	28th September 2020.
<b>Application Description</b>	Proposed taproom/bar for the serving of alcohol on Fridays, Saturdays and Sundays and tours of the distillery.
<b>Application Address</b>	Unit 1 153 Powke Lane Rowley Regis B65 0AD
<b>Applicant</b>	Mr Jordan Lunn
<b>Ward</b>	Blackheath
<b>Contact Officer</b>	Mr Andrew Dean andrew_dean@sandwell.gov.uk

### **1 Recommendations**

1.1 That temporary planning permission is granted subject to:


- (i) Two-year temporary permission.
- (ii) Hours of opening of the taproom/ bar to be 16.00 to 22.30 Fridays, 12.00 to 22.30 Saturdays and 15.00 to 21.00 Sundays.
- (iii) Submission and approval of a revised car parking layout to the rear.
- (iv) No drinking permitted in external areas.

- (v) No amplified live or recorded music shall be played at the premises.
- (vi) Personal permission.
- (vii) No customer access from Alwin Road.
- (viii) The rear car parking area is to be used by staff only.

## 2 Reasons for Recommendations

- 2.1 Given the number of objections received regarding vehicle parking and noise and disturbance as well as recommendations made by the Head of Highways and the Pollution Control Team (Noise). A temporary approval is recommended to allow highways and the pollution control team to monitor the taproom/ bar use for a two-year period to assess the impact on the amenity of adjacent residential properties and parking/ highways safety.

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

	<p>A strong and inclusive economy - The redevelopment would provide opportunities for local employment.</p>
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## 4 Context

- 4.1 This application is being reported to your Planning Committee because the applicant is related to Councillor Downing and 15 individual objections as well as a 46-signature petition against the proposal has been received.
- 4.2 To assist members with site context, a link to Google Maps is provided below:

[Unit 1, 153 Powke Lane, Rowley Regis](#)

## 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:-

Access, highway safety, parking and servicing  
Traffic generation  
Noise and disturbance from the scheme

## 6. The Application Site

6.1 The application relates to an industrial unit located on the northern side of Powke Lane, Rowley Regis. The unit is an established historic industrial use and is one of two units on the site. The units are set back into the site by approximately 21 metres from Powke Lane with a tarmacked vehicle parking area being located to the front. The rear of the units are accessed via a small access drive off Alwin Road located between two residential properties. This access leads to a manoeuvring and parking area. The character of the surrounding area is residential in nature with residential properties surrounding the site as well as facing directly onto the front car parking area. The Old Bush Revived public house is located on the opposite side of Powke Lane within proximity of the site.

## 7. Planning History

7.1 There is no relevant planning history.

## 8. Application Details

8.1 The applicant is proposing to open a taproom/ bar associated to a distillery. The distillery is a lawful use within the B2 (General Industrial) use class of the property and therefore does not form part of this planning application. The applicant is proposing to open a taproom/ bar on Friday, Saturdays and Sundays only. The application form states the proposed opening times are Friday – 16.00 to 23.00, Saturday 12.00 to 23.00 and Sunday's 12.00 to 22.00. There is a slight discrepancy

between the hours stated in the application form and the supporting information which states the hours would be Friday - 17.00 to 22.30, Saturday 13.00 to 22.30 and Sunday's 15-00 to 21.00. The proposed uses would have 5 full time employees and 3 part time. Included within the opening hours of the taproom/ bar would be distillery tastings, experiences and tours.

8.2 The applicant has provided additional information in the form of a planning statement and proposed trip rates. The statement confirms staff parking, refuse collection and pick up of goods will take place at the rear via Alwin Road while customer parking and the entrance to the taproom/ bar would be from Powke Lane. The bar use would have seating for 25 people with a maximum capacity of 50 people including staff. The applicant has stated the maximum capacity of 50 people including staff has been agreed with West Midlands Fire Service as part of the premises licence. The applicant estimates that they are expecting a maximum customer footfall of up to 30 people.

## **9. Publicity**

9.1 The application has been publicised by neighbour notification letter and site notice with 15 individual objections and a 46-signature petition against the proposal has been received. Councillor Carmichael has also raised an objection to the application.

## **9.2 Objections**

Objections have been received on the following grounds:

- (i) Highways concerns. Car parking on the site is limited and visitors may park vehicles on adjacent roads resulting in congestion, noise and nuisance. A traffic problem already exists on Powke Lane and the proposal would add to this issue.
- (ii) Do highways have any plans to improve visibility from the existing entrance/ exit of the site?
- (iii) Noise concerns from deliveries to and people using the premises.

- (iv) Concerns regarding drunk people causing a nuisance in terms of loitering and swearing as well potential for drugs to be taken and anti-social behaviour.
- (v) If a beer garden is proposed, it will cause noise nuisance to adjacent residential dwellings.
- (vi) The hours of operation proposed (7am to 10pm), 7 days a week is unacceptable due to noise pollution.
- (vii) The car parking plan says, “possible removal of garage”, this means anything could go in its place.
- (viii) Concerns regarding the access to unit not being ramped. If a ramp was added it would affect the layout of the front.
- (ix) Gin spikes are not sustainable businesses and won't create jobs.
- (x) Has the police licencing department been notified?
- (xi) Concerns with regards to the publicity of the application.
- (xii) Concerns regarding the storage of flammable liquids in close proximity to residential dwellings.
- (xiii) Concerns regarding polluted water discharge, carbon dioxide from the distilling process as well hazardous materials.
- (xiv) Why is distilling equipment being installed when planning approval has not been granted?

Immaterial objections have been raised regarding loss of value to resident's properties, competition and impact on licences to other public house establishments and the existing building having an asbestos roof and the structural safety of the building. The applicant has advised verbally the property owner is in the process of undertaking improvements to the property including repairs to the wall.

### 9.3 Responses to objections

I respond to the objector's comments in turn:

- (i) The Head of Highways has reviewed the submitted information and recommended a temporary permission be granted. This will allow Highways to monitor the site and any parking complaints

- received by surrounding residents during the temporary period to review the impacts on car parking and highway safety.
- (ii) Highways have not requested improvements to visibility.
  - (iii) The Pollution Control Team (Noise) have recommended a temporary approval to allow the use to be monitored in terms of noise and disturbance to adjacent residential dwellings. Further recommendations include no live music events and amplified sound and the restriction of drinking of alcohol outside. A condition to restrict hours of use of the bar/ taproom has also been recommended.
  - (iv) I appreciate the concerns raised by objectors in terms of anti-social behaviour, however, there is no evidence to suggest this would take place. Furthermore, West Midlands Police have raised no objections to the application.
  - (v) No beer garden is proposed. A condition to prevent the drinking of alcohol outside of the premises has been included within the recommendation.
  - (vi) The applicant has provided additional information confirming the distillery use would operate between 8.00 to 18.00 (although this element does not form part of the application and could not be conditioned). The Pollution Control Team (Noise) have reviewed the proposal for the tap room/bar and recommended opening hours of 16.00 to 22.30 Fridays, 12.00 to 22.30 Saturdays and 15.00 to 21.00 Sundays. These can be conditioned.
  - (vii) Should a structure be constructed in this location, further planning approval would be required.
  - (viii) Should a ramped access be installed, a further planning approval would be required.
  - (ix) The applicant has stated 5 full time and 3 part time jobs would be created.
  - (x) The premises would require a licence to sell alcohol. Alcohol licences are dealt with by Sandwell MBC Licensing department. West Midlands Police have been consulted on this application and raised no objections.
  - (xi) With reference to the application publicity. The application has been publicised by both neighbour notification letter and site

notice. Neighbour letters were sent to 20 properties within proximity to the site. The local authority is required to advertise the application by either site notice or neighbour notification letter. In this instance both methods have been used and the application has therefore been publicised correctly.

- (xii) The distillery use does not form part of this application.
- (xiii) The distillery use does not form part of this application.
- (xiv) The distillery use does not form part of this application.

## **10. Consultee responses**

### **10.1 Planning Policy – No objections.**

### **10.2 Highways**

The Head of Highways has recommended a temporary permission. This will allow the applicant an opportunity to operate the business as they have detailed in the further information submitted. Highways can monitor the site and any parking complaints received by surrounding residents during the temporary period. A condition for a revised car parking layout to the rear has also been recommended.

### **10.3 Public Health (Air Pollution and Noise)**

There is potential for the proposed bar to cause disturbance to residents situated nearby. The proposed bar shares a boundary with 146 Powke Lane and the front car park area with 153 Powke Lane. There are also properties to the rear in Alwin Road which may be affected.

The premises can hold up to 50 persons, including approximately 5 staff members. There will be 25 seats inside and it is assumed that at any one time up to 35 customers could be standing, a proportion of customers will probably wish to migrate outside. As well as the above, there is potential for disturbance associated with any outside smoking area. The car park spaces are immediately outside residential

accommodation and there is potential for residents to be disturbed by customers leaving the bar in the evening/night time hours.

In view of the above committee may want to consider granting temporary permission for a period of no more than 2 years to assess the impact on the local area. Any approval should be restricted to the applicant.

The following conditions are also recommended.

- The applicant has recommended the following opening hours:  
  
17.00 hours to 22.30 hours Monday to Friday  
13.00 hours to 22.30 hours Saturday  
15.00 hours to 21.00 hours Sunday
- Prohibition of live music events and amplified sound.
- Prohibition on drinking alcohol outside.
- The smoking area is located where disturbance to residents is minimised and where it can be monitored.
- There are two deliveries programmed each month, it is recommended these are undertaken during normal working hours.

There appears to be artificial lighting situated on the front of the building, adjacent to residential property. Any artificial lighting associated with the proposed bar should be installed and maintained in accordance with current guidance issued by the Institute of Lighting Engineers.

#### 10.4 **West Midlands Police**

No objections. Recommendations for site security including CCTV, alarm system and LED lights with daylight sensors to the external wall of buildings in particular at entry and exits have been made. In response to these comments, as the recommendation to the committee is for a



temporary approval, I am of the opinion it would be onerous on the applicant to provide CCTV and alarm systems via a condition. Lighting is already provided to the frontage. The applicant has been made aware of these comments.

## **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 None relevant.

## **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 Highways**

It is appreciated that residents are concerned about parking associated with this proposal and the increase traffic generation associated with the use. The Head of Highways has reviewed the proposal and recommend a temporary permission be granted to allow Highways to monitor the site and any parking complaints received by surrounding residents during the temporary period. At the expiration of the temporary consent the applicant would be required to submit a further planning application for the bar/ taproom at which time, any concerns regarding parking and traffic generation would be reviewed.

### 13.3 Noise Nuisance

The Pollution Control Team (Noise) has reviewed the proposal and recommended a two year temporary approval be granted to allow them to assess the impact of the proposal on the local area. The proposed noise mitigation measures recommended to protect the residential amenity of neighbouring residential properties has been included within the recommendation. This includes hours of use, no amplified or live music and no drinking outside of the premises. The recommendation regarding delivery times is noted, however, this would be unenforceable given the unrestricted established commercial nature of the existing unit. Given the sensitive nature of the site and the specific details provided by the applicant regarding how the business operates. It is recommended the permission should be for the benefit of the applicant only. As the unit has an unrestricted established industrial use, in my opinion it would be unreasonable to refuse the application on noise grounds without first granting a temporary approval to assess the impact on residential amenity given the types of uses which could operate from the building without requiring planning approval. Furthermore, drinking establishments are not uncommon occurrences within residential areas.

## 14 Alternative Options

14.1 Refusal of the application is an option given the concerns of residents, however, in my opinion a temporary consent would allow the local planning authority to assess any harm to residential amenity and highways safety. A further option would be to grant full permission with conditions.

## 15 Implications

<b>Resources</b>	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.
<b>Legal and Governance</b>	This application is submitted under the Town and Country Planning Act 1990.

<b>Risk</b>	None.
<b>Equality</b>	There are no equality issues arising from this proposal and therefore an equality impact assessment has not been carried out.
<b>Health and Wellbeing</b>	None.
<b>Social Value</b>	None.

## 16. Appendices

Site Plan

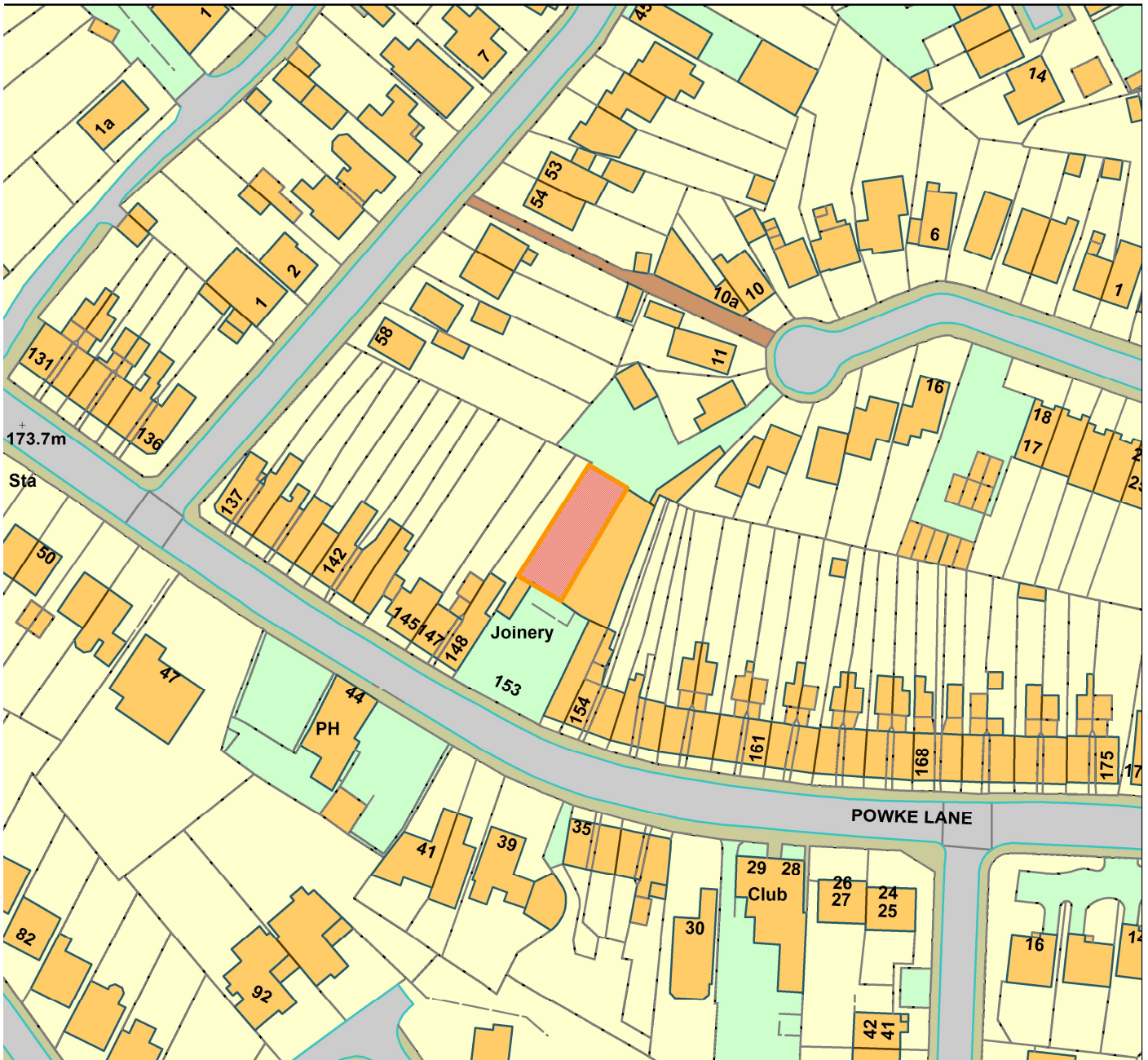
Context Plan

02 – Proposed floor plan.

3 – Location Plan.

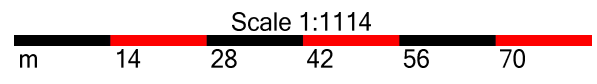
4 – Car parking plan.

DC/20/64781  
Unit 1, 153 Powke Lane



**Legend**

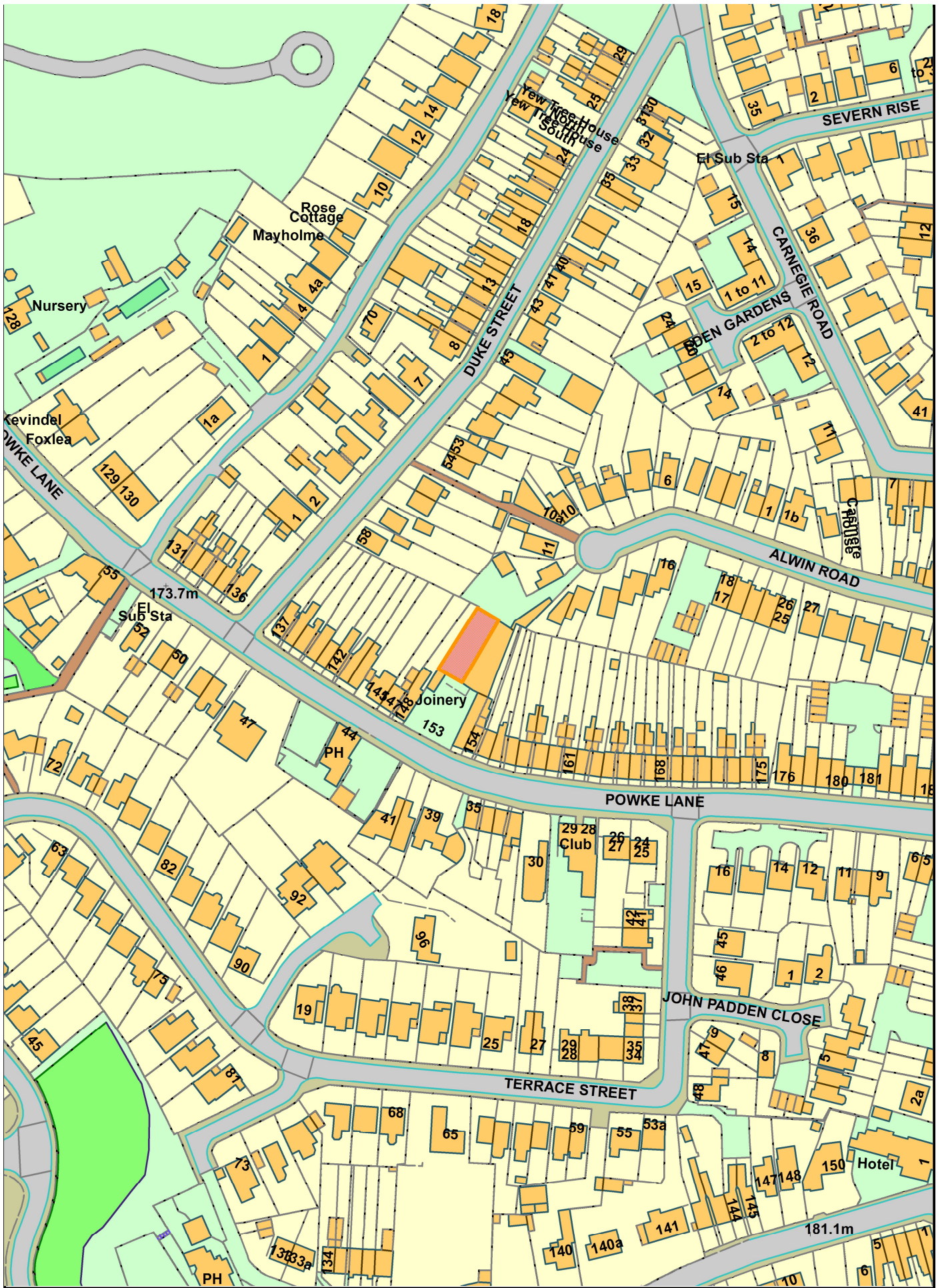
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30



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<b>Organisation</b>	Not Set
<b>Department</b>	Not Set
<b>Comments</b>	Not Set
<b>Date</b>	27 January 2021
<b>OS Licence No</b>	



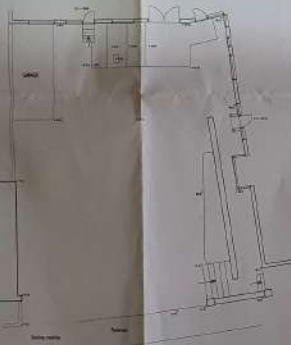




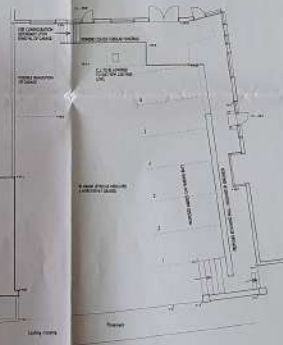
FRONT ELEVATION EXISTING



FRONT ELEVATION PROPOSED



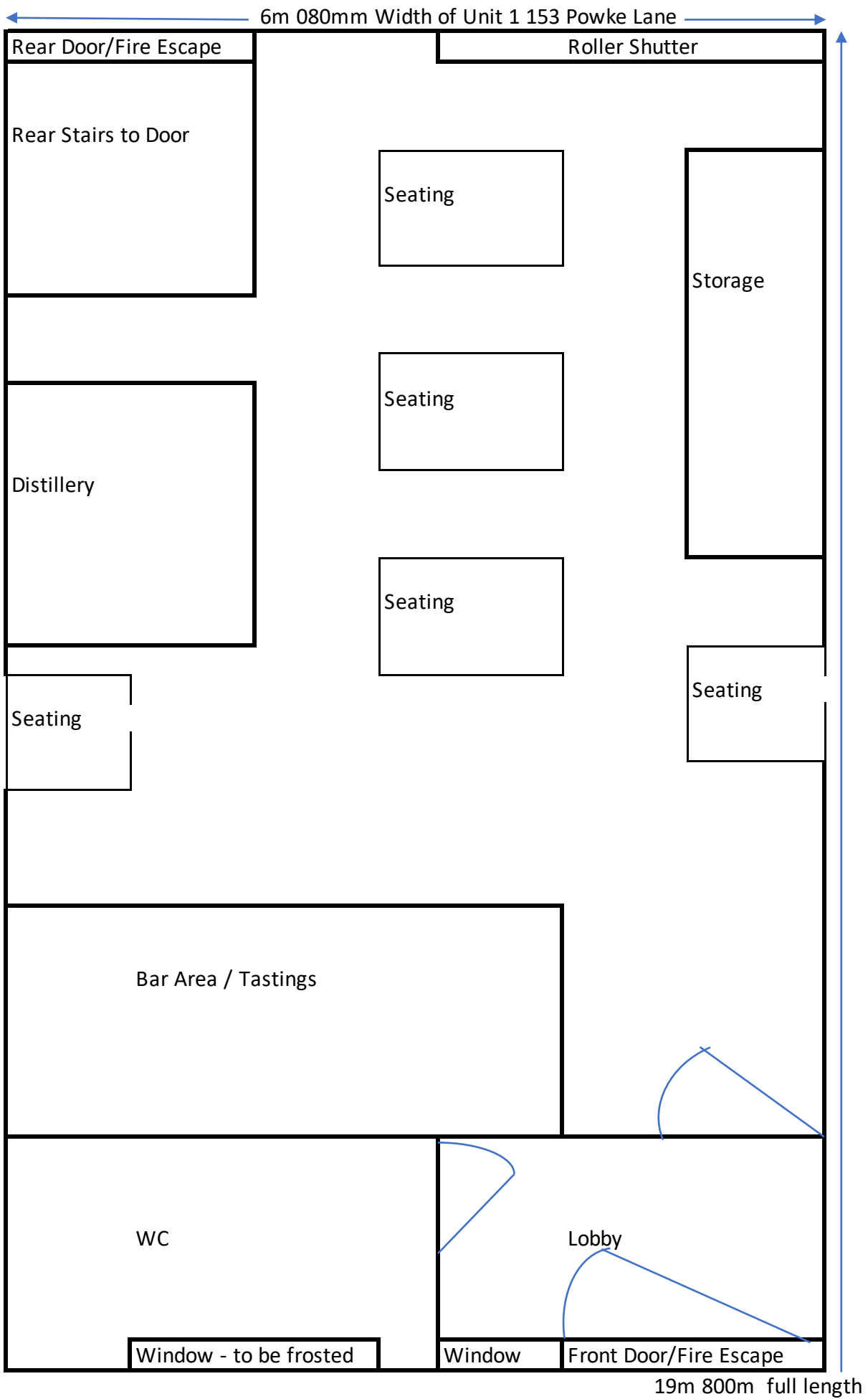
SITE PLAN EXISTING



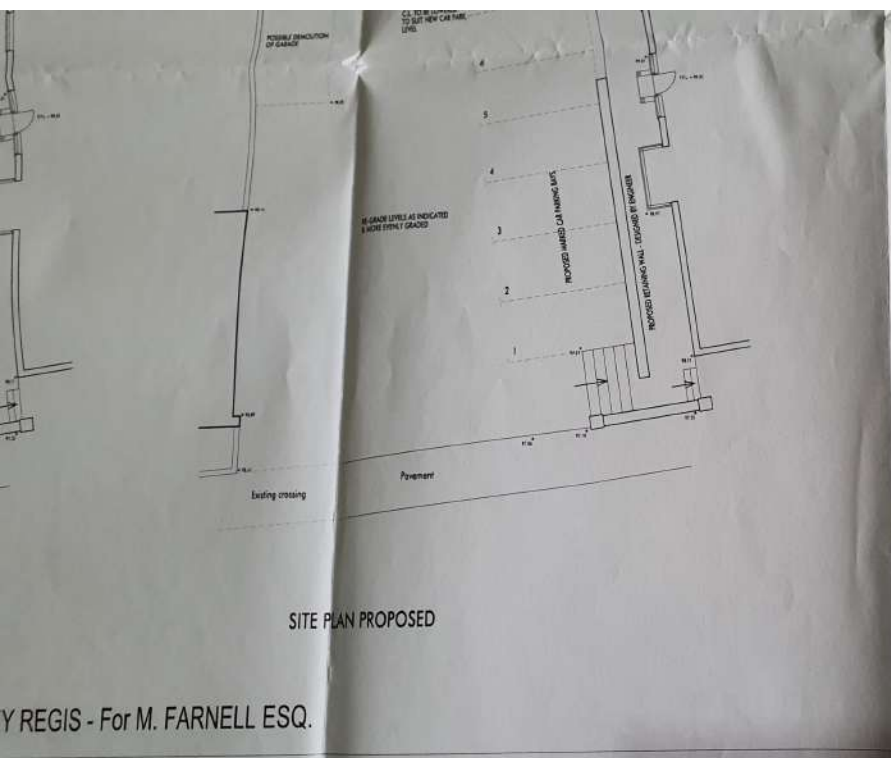
SITE PLAN PROPOSED

PROPOSED REFURBISHMENT OF UNIT 4 - 153 POWKE LANE - ROWLEY REGIS - For M. FARNELL ESQ.









SITE PLAN PROPOSED

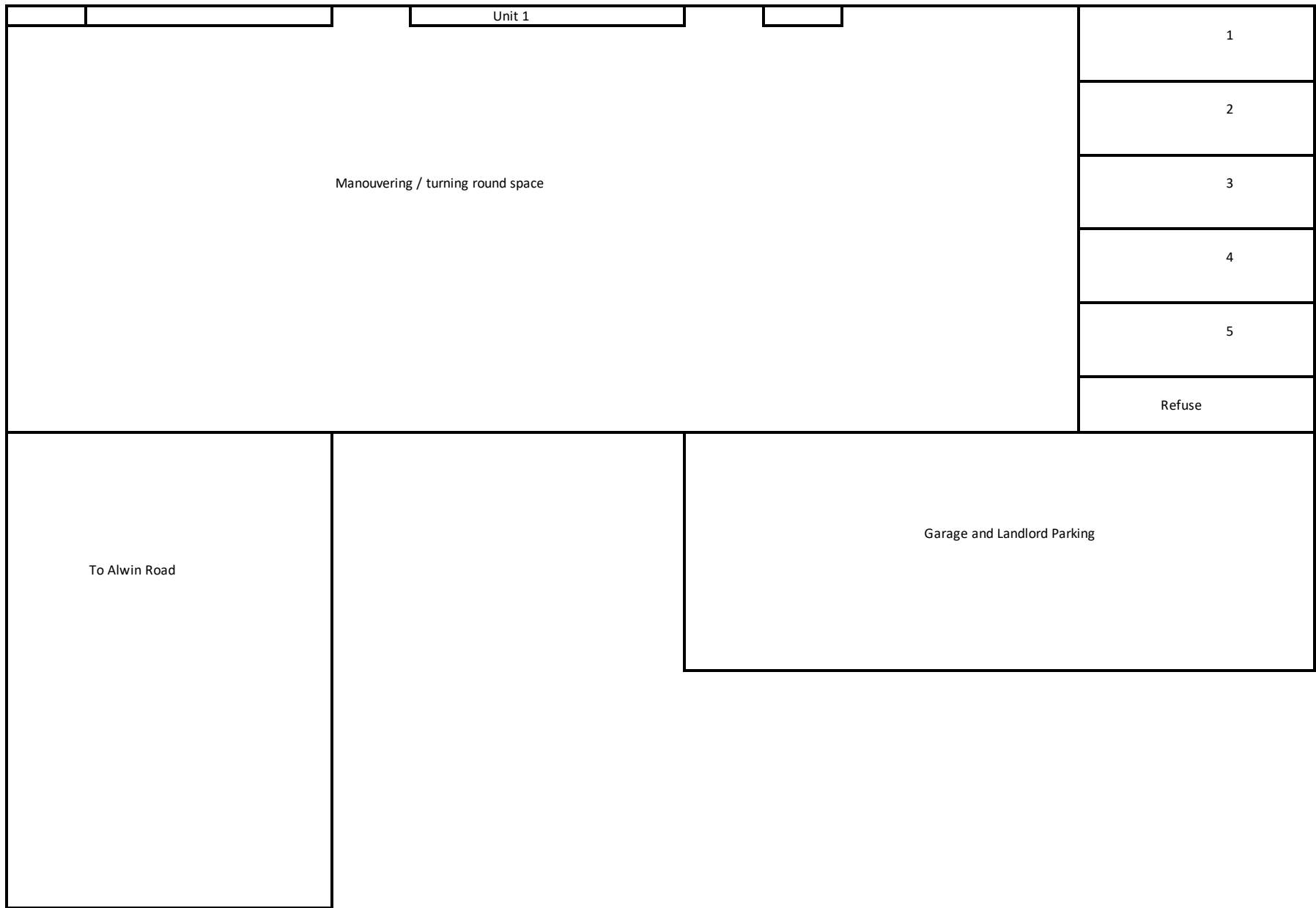
Y REGIS - For M. FARNELL ESQ.

**CAPITAL DESIGN PARTNERSHIP**  
 Architectural Technicians  
 Planning and Building Design Consultants

117 Budgeonn Road,  
 Wollongong,  
 New South Wales,  
 2522  
 Fax No. (01154) 447014  
 Telephone (01154) 442044

Use figured dimensions only and when necessary check on site	Date 26.04.2006	Scale 1 : 100	0065179011
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## Report to Planning Committee

**10<sup>th</sup> March 2021**

<b>Application Reference</b>	DC/20/65067
<b>Application Received</b>	14 <sup>th</sup> December 2020
<b>Application Description</b>	Proposed two storey side, single and two storey rear and single storey front extensions to form 2 No. 2 bedroom flats.
<b>Application Address</b>	7 Temple Meadows Road, West Bromwich.
<b>Applicant</b>	Mr Sarbjit Dhillon, Peak House, Farm House Way, Great Barr, Birmingham, B43 7SE.
<b>Ward</b>	West Bromwich Central.
<b>Contact Officer</b>	Name: Mr Anjan Dey Email: <a href="mailto:anjan_dey@sandwell.gov.uk">anjan_dey@sandwell.gov.uk</a>

### **1 Recommendations**

1.1 That planning permission is granted subject to

- (i) External materials shall match those of the existing property unless otherwise agreed by the local planning authority;
- (ii) Retention of approved parking spaces.

### **2 Reasons for Recommendations**

2.1 The proposed extensions are appropriate in scale and design and would not cause harm to the amenities of neighbouring property by virtue of

privacy, outlook or light. The proposed conversion to 2 flats would not be detrimental to highway safety or cause an increase noise and nuisance given that the number of occupants would not differ from that of one large family dwelling.

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



Quality homes in thriving neighbourhoods – The scheme assists with meeting the council housing targets and provides good quality homes

### 4 Context

- 4.1 This application is being reported to your Planning Committee because it has generated 7 neighbour objections.
- 4.2 To assist members with site context, a link to Google Maps is provided below:

[7 Temple Meadows Rd, West Bromwich](#)

### 5 Key Considerations

- 5.1 The site is not allocated in the development plan.
- 5.2 The material planning considerations which are relevant to this application are:-

Government policy (NPPF)  
Planning history (including appeal decisions)  
Loss of light and/or outlook  
Overlooking/loss of privacy  
Access, highway safety, parking and servicing

## 6. The Application Site

- 6.1 The application relates to semi-detached property located on the eastern side of Temple Meadows Road which is a residential area in character. The property is bounded by Sandwell Valley to the east with Eaton Valley Primary school located to the south east.

## 7. Planning History

- 7.1 Planning approval was granted in December 2018 for a single and two storey side, rear and front extensions, this permission remains extant and works have started. A planning application was submitted in 2020 for extensions to the property to form 4 no. 1 bedroom flats. This application was withdrawn following consultation with the planning officer.

- 7.2 Relevant planning applications are as follows:-

DC/18/62355	Proposed single and two storey side, rear and front extensions.	Grant Permission subject to conditions. 17.12.2018
DC/20/64602	Proposed single and two storey side extensions, and single storey front extension to create 4 No. 1 bed flats.	Application rear and withdrawn 26.0.2020

## 8. Application Details

- 8.1 This revised application is for the same two storey rear and side, single storey rear and front extensions, as per the original permission, but now includes conversion to 2 no. 2 bedroom flats. Submitted plans show 2 flats – one at ground floor level and the other at first floor. Each of the flats would have separate kitchen and w/c facilities, as well as ‘open-plan’ lounge/diners. Flat 1 at ground floor level has an internal living

space of 80 square metres and flat 2 at first floor level having 73 square metres internal living space.

The agent has stated that the works which have commenced under the previous permission are piling works due to subsidence and that the ground beams for the approved extensions are in place.

8.2 Submitted plans also show that 2 off road parking spaces would be provided at the front of the property on the existing driveway. Private amenity space would be at the rear of the property.

8.3 Proposed dimensions are:

- i. 3m deep by 8.8m wide by 7.3m to the height of the dual pitched roof. (Two storey rear extension)
- ii. 7.8m deep by 3.2m wide by 7.8m high to the maximum height of the dual-pitched roof. (Two storey side extension)
- iii. 5.4m wide by 1m deep by 3.6m high to the height of the sloping roof. (Single storey front extension)

## **9. Publicity**

9.1 The application has been publicised by neighbour notification letters with 10 neighbours being notified. Seven neighbour objections from properties along Temple Meadows Road have been submitted.

## **9.2 Objections**

Objections have been received on the following grounds:

- (i) Loss of privacy;
- (ii) There is insufficient parking provision for the proposed flats;
- (iii) The conversion to flats would result in anti-social behaviour;
- (iv) Flats would be out of character and set an unwelcomed precedent;

Immaterial objections have been received referring to devaluing neighbouring property and drainage and structural issues. The latter can be dealt with under Building Regulations.

### 9.3 Responses to objections

I respond to the objector's comments in turn;

- (i) It is my view that the proposed extensions and conversion to 2 flats would not result in any appreciable loss of privacy to neighbouring properties. The proposed dimensions for the extension and additional window positions are the same as those approved under DC/18/62355. Additional first floor windows at the rear of the property would overlook neighbouring rear gardens but this is a characteristic of this type of residential area, where gardens are naturally overlooked.
- (ii) Parking standards are 1 space per flat and these are shown on the existing driveway. Highways has not objected to the proposed arrangement.
- (iii) There is no evidence to suggest that the proposed conversion to flats would result in anti-social behaviour. It is not clear whether the flats would be for private ownership or the rental market, however the proposals cannot be refused on grounds of tenure.
- (iv) Temple Meadows Road is characterised by family housing; the proposal would not set an unwanted precedent as it has been assessed on its individual merits and in accordance with adopted policies. The proposal extensions are those of standard domestic property, albeit internal arrangements now provide two flats, but both comply with internal living standards, therefore its external appearance would complement the established character and appearance of the surrounding area.

## **10. Consultee responses**

### **10.1 Planning and Transportation Policy**

Planning policy has confirmed that the proposal raises no issues and that the conversion to flats would contribute towards housing targets set out in Core Strategy policy HOU1: Delivering Sustainable growth. Furthermore, the flats comply with standards set out in the adopted Residential Design SPD.

### **10.2 Highways**

Highways has no objections to the proposed parking arrangement.

## **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 61 of the NPPF states that the size, type and tenure of housing needed for different groups in society should be assessed and reflected in planning policies. Such groups include those who require affordable housing, families with children and those people who rent their homes.

## **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 ENV3: Design Quality refers to each place in the Black Country being distinct and successful place making will depend on understanding and

responding to the identity of each place with high quality design proposals.

- 12.3 SAD EOS9: Urban Design Principles states that the Council will reject poor quality designs, particularly those that are inappropriate with their locality or out of scale with their surroundings.

The proposed extensions and conversion to flats are considered to adhere to both of these policies (see section 12.1). Design and rear amenity space is considered satisfactory and adheres to the Council's Residential Design SPD.

### **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 outlook**

The extensions benefit from permission under the 2018 application where it was considered that they would not result in any appreciable loss of light or outlook to neighbouring dwellings.

#### **13.3 Loss of privacy/overlooking**

It is also considered that the proposed subdivision of the flats would not result in any significant overlooking of neighbouring properties, and there would not be any direct overlooking of primary windows at the rear of neighbouring dwellings. To reiterate, windows positions in the new extensions are as per those approved previously, and due the residential nature of the locality some overlooking would occur irrespective of this proposal.



### 13.4 Access, highway safety, parking and servicing.

Highway Engineers raises no concerns with the proposed parking arrangement which would use the existing driveway for off-road provision. The adopted parking standard is 1 space per flat and could be accommodated at the front of the property (see section 11.2). Bin storage is proposed at the front of the property.

## 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 does not significantly harm residential amenity and accords with relevant adopted policy.

## 15 Implications

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

## 16 Appendices

Location Plan

Context Plan

Proposed ground floor plan 103 A

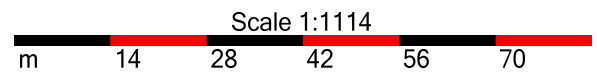
Existing and proposed elevation plans 104 A

Sectional detail plan 105 A

DC/20/65067  
7 Temple Meadows Road

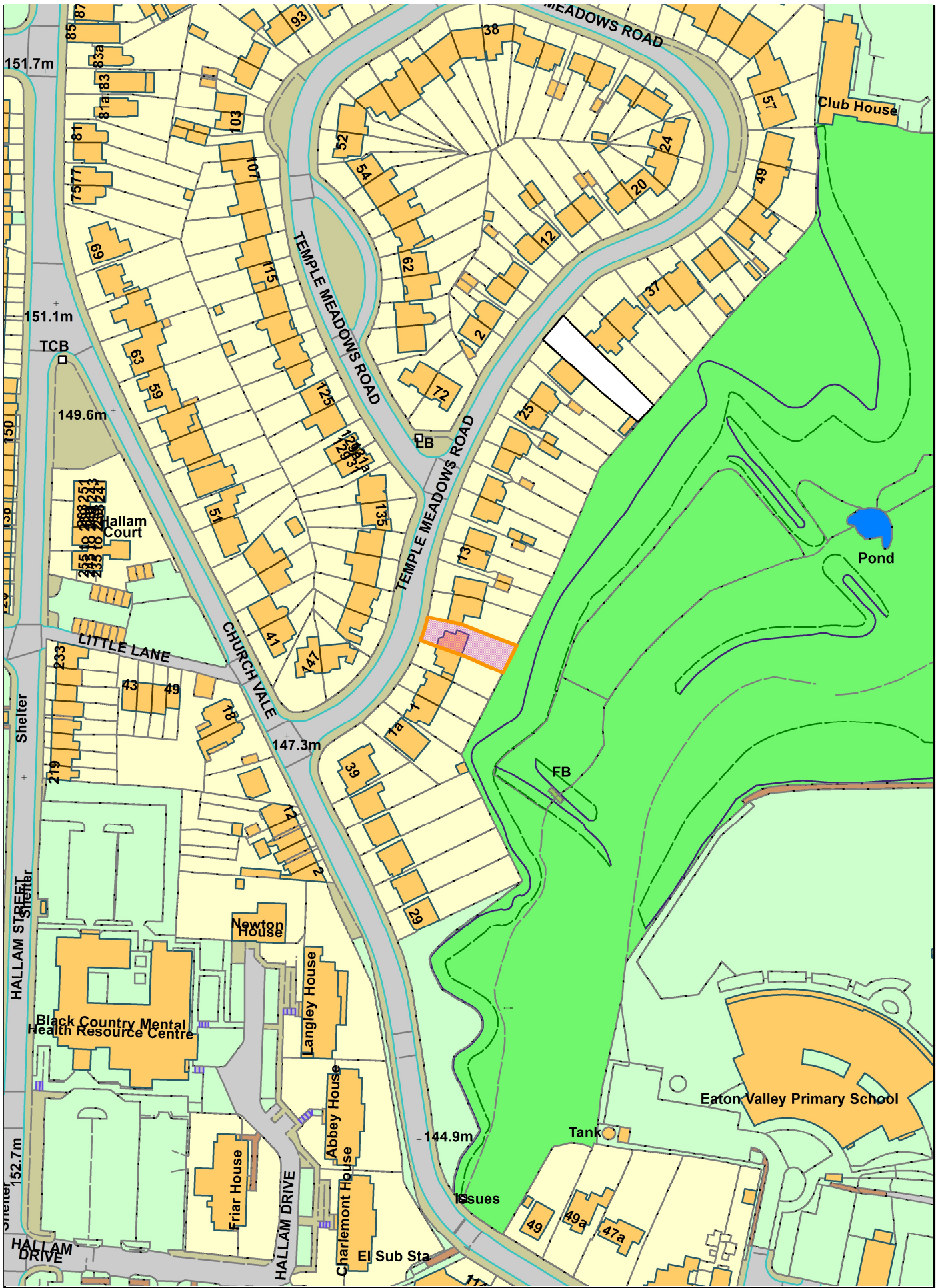


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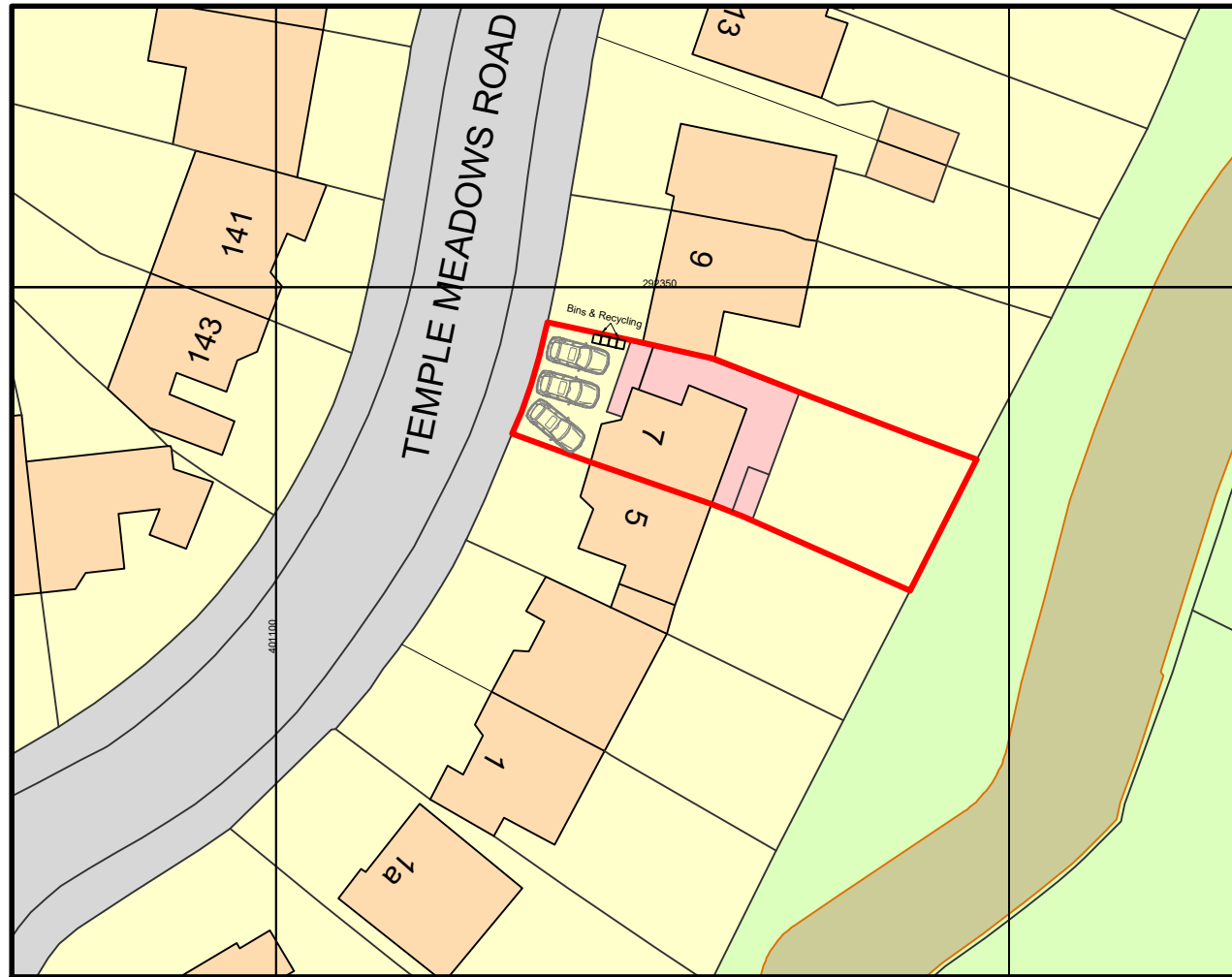


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<b>Organisation</b>	Not Set
<b>Department</b>	Not Set
<b>Comments</b>	Not Set
<b>Date</b>	23 February 2021
<b>OS Licence No</b>	







**Site Plan**

Scale 1:500

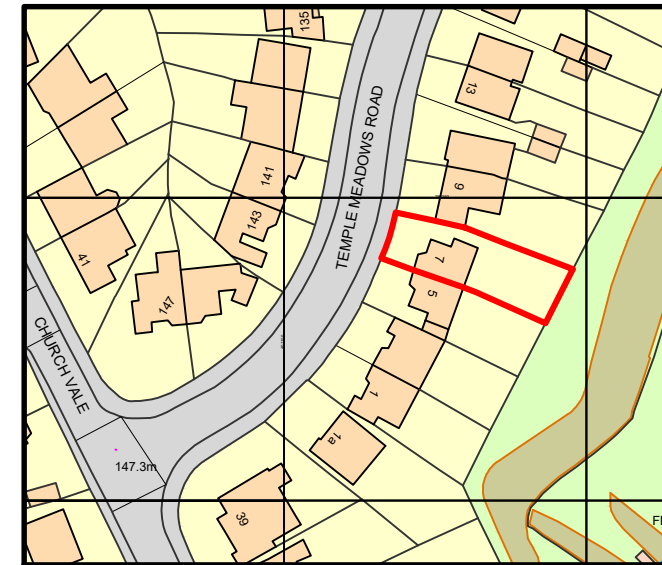
**SITE LOCATION & SITE PLAN**

1 This plan has been prepared from information obtained from Ordnance Survey 1:1000 map that is not necessarily up to date

2 Notional boundaries have been shown given the information available at the time of its preparation. Responsibility rests with the Client to ensure that the boundaries shown are accurate.

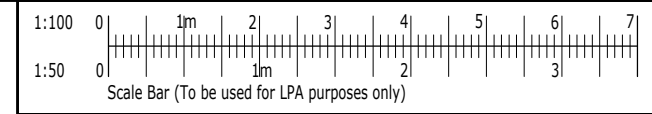
- Indicates site boundary
- Indicates boundaries of adjacent land in Applicant ownership
- Indicates existing buildings
- Indicates proposed extension(s)

**Key**



**Site Location Plan**

Scale 1:1250



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This drawing is to be read in conjunction with all relevant (including other consultants) drawings & specifications as applicable

**Except for local planning authority use this drawing should not be scaled.** If in doubt, ask. Check all dimensions & details before starting work or ordering materials.

Rev	Date	Description	By
B	28.12.20	Red line boundary added to site location plan	AB
A	12.12.20	Scheme amended, title block amended to suit	AB

**boora consultants...**  
Architecture & Structure

---

1 Grey Mill Close  
Monkspath,  
Solihull  
B90 4TE

M 07904 811 456  
E a.boora@outlook.com

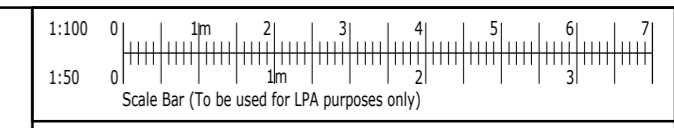
**Client**  
PRP Maintenance (UK) Ltd

**Site Address**  
7 Temple Meadows Road  
West Bromwich, B71 4DE

**Project**  
Proposed Two Storey Side & Rear & Single Storey Front & Rear Extensions To Form 2no. 2 Bedroom Flats

**Drawing**  
Site Location & Site Plan

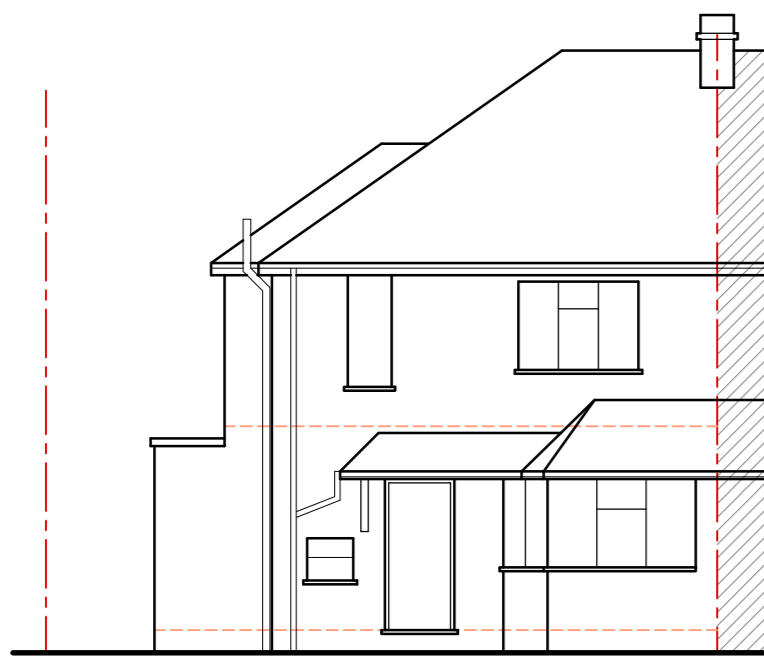
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Job no. <b>18024</b>	Drawing no. <b>101</b>	Rev. <b>B</b>



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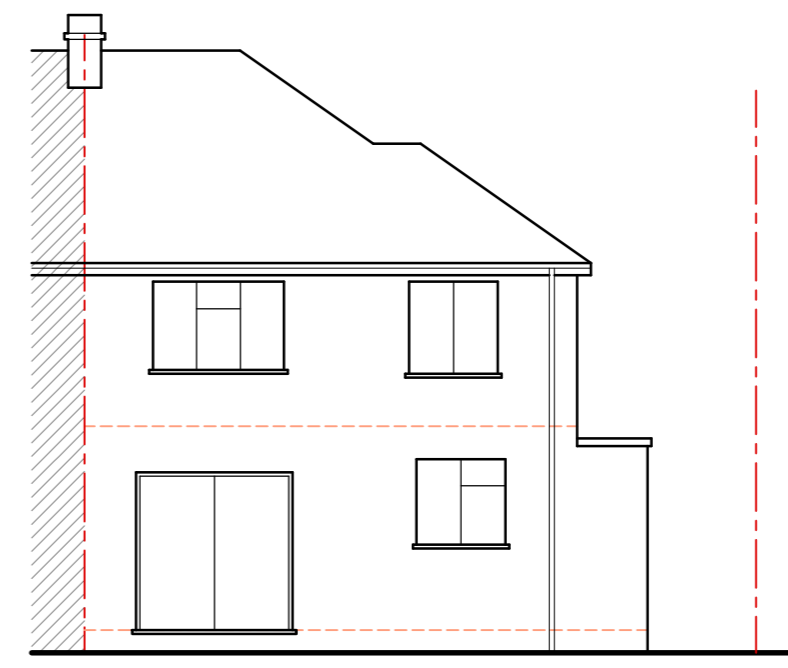
**Except for local planning authority use this drawing should not be scaled.** If in doubt, ask. Check all dimensions & details before starting work or ordering materials.



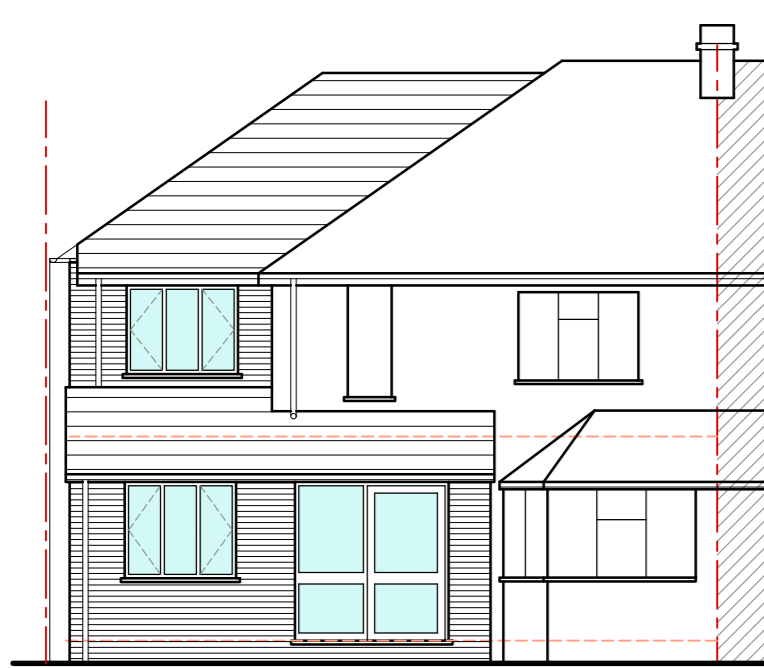
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Scale 1:100



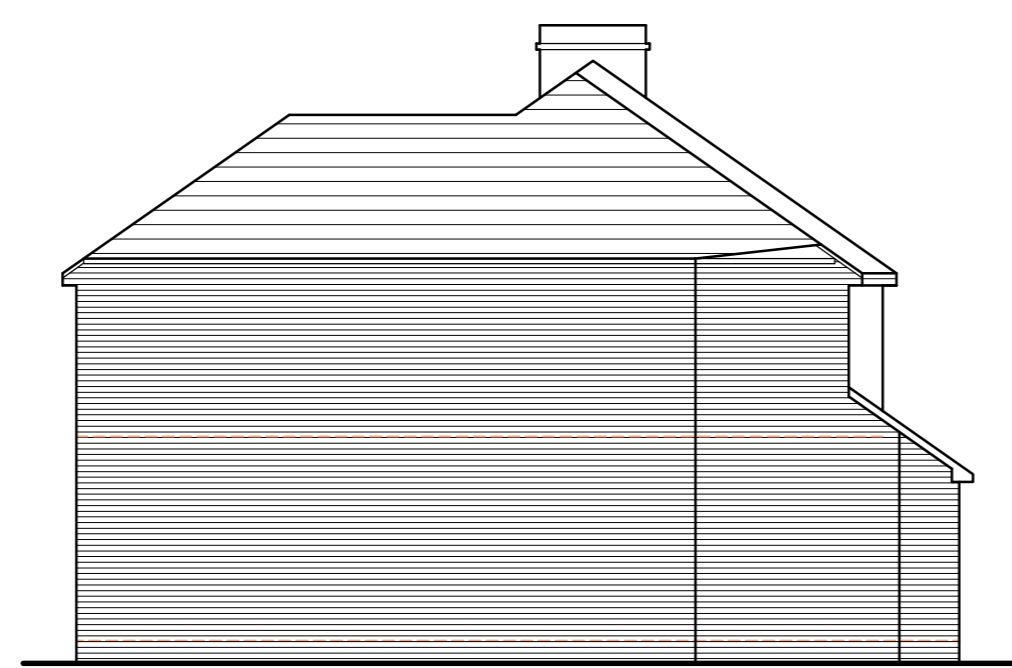
**Existing LH Side Elevation**  
Scale 1:100



**Existing Rear Elevation**  
Scale 1:100



**Proposed Front Elevation**  
Scale 1:100



**Proposed LH Side Elevation**  
Scale 1:100



**Proposed Rear Elevation**  
Scale 1:100

**External Materials Schedule**

Existing	Proposed
<b>Walls</b> ~ Red facing brickwork	<b>Walls</b> ~ Red facing brickwork to match existing
<b>Roof</b> ~ Plain concrete tile (red/brown)	<b>Roof</b> ~ <b>Main Roof</b> ~ Plain concrete roof tiles, 35° (pitch tbc on site), colour to match existing <b>Rear lean to</b> ~ Marley Modern conc roof tiles, 25° (pitch tbc on site), colour to match exg Single ply flat roof to Bedroom 2 extension
<b>Windows</b> ~ Timber painted	<b>Windows</b> ~ White double glazed UPVC
<b>Doors</b> ~ Timber & aluminium	<b>Doors</b> ~ White double glazed UPVC
<b>Gutters &amp; RWP`s</b> ~ Grey UPVC	<b>Gutters &amp; RWP`s</b> ~ White/black UPVC
<b>Fascia's</b> ~ White UPVC	<b>Fascia's</b> ~ White/black UPVC
<b>Boundary</b> ~ Timber fencing & brickwalls	<b>Boundary</b> ~ No change

Rev	Date	Description	By
A	12.12.20	Scheme amended, title block amended to suit	AB

**boora consultants...**  
Architecture & Structure

1 Grey Mill Close  
Monkspath,  
Solihull  
B90 4TE

M 07904 811 456  
E a.boora@outlook.com

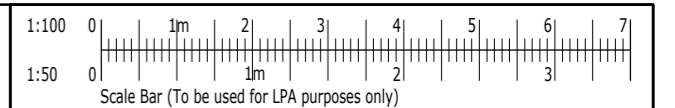
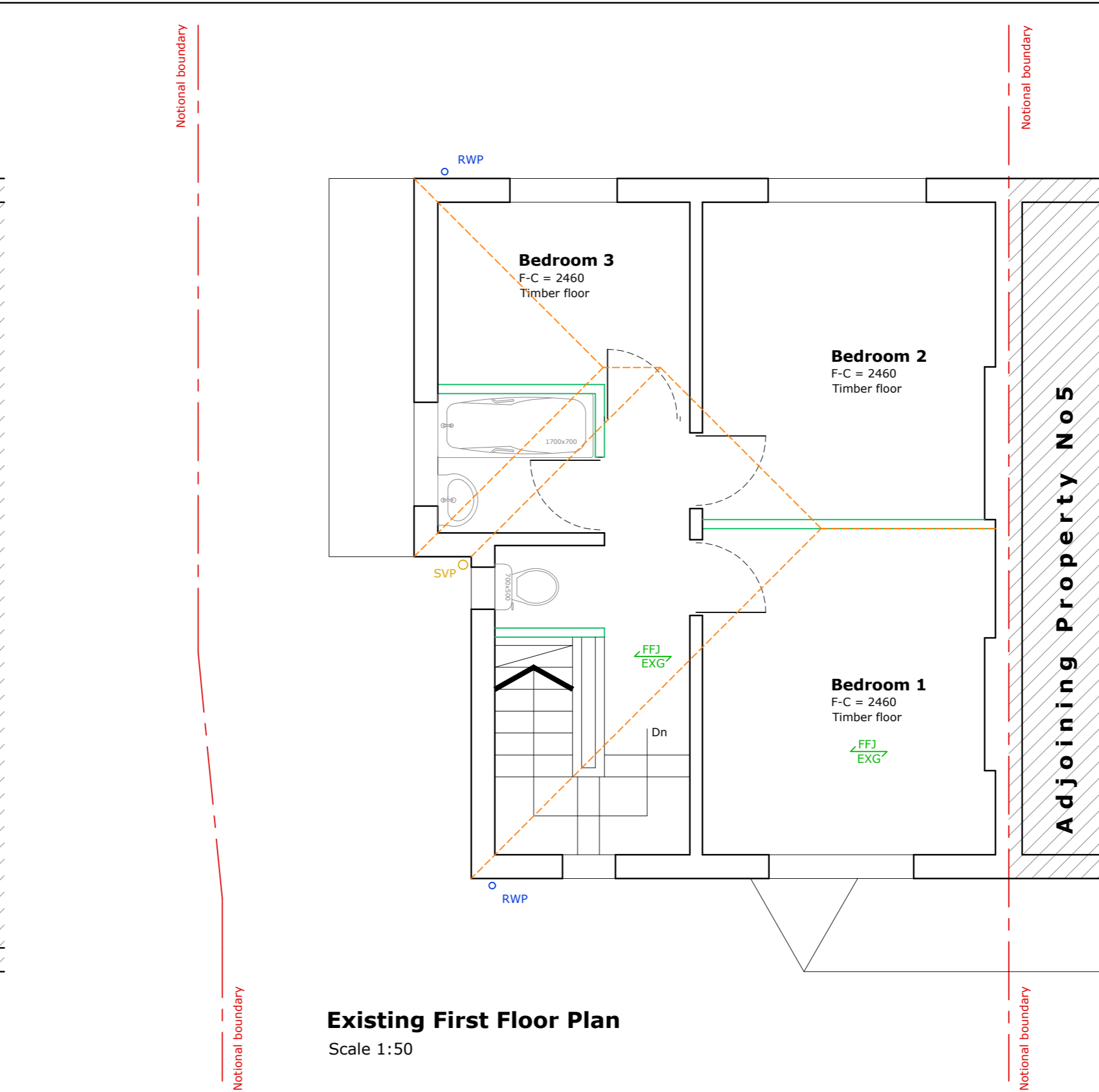
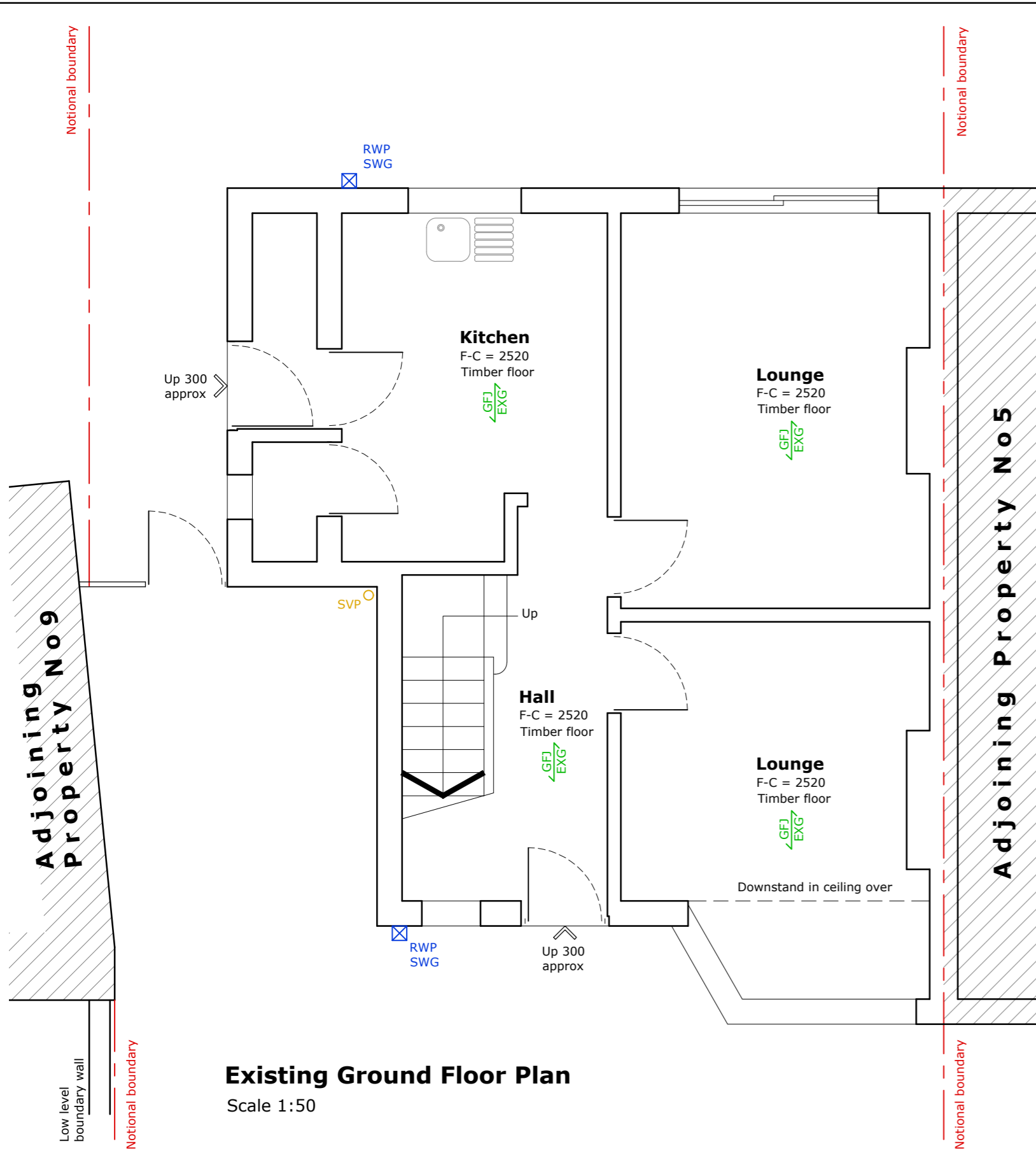
**Client**  
PRP Maintenance (UK) Ltd

**Site Address**  
7 Temple Meadows Road  
West Bromwich, B71 4DE

**Project**  
Proposed Two Storey Side & Rear & Single Storey Front & Rear Extensions To Form 2no. 2 Bedroom Flats

**Drawing**  
Existing & Proposed Elevations

Scale at A2 1:100	Drawn AB Checked AB	Date 12.08.20 Date 12.08.20
Job no. <b>18024</b>	Drawing no. <b>104</b>	Rev. <b>A</b>



**LEGEND**

	Span of main support members
	Notional span of main support members
	Existing Levels
	Proposed Levels
	Electric Meter
	Gas Meter
	Distribution Board MCB RCD
	Burglar Alarm Panel
	Notional Boundary
	Presumed steel beams
	Existing steel beams
	New steel beams
	Existing timber beams
	New timber beams
	New Lintels
	Finished Floor Level
	New plumbing pipe routes
	Existing foul sewer
	New foul sewer
	New storm sewer
	Sewer to be grubbed up
	New MDPE water service pipe
	Gas Main
	Electrical underground cable
	High Voltage Overhead power lines
	Unidentified service
	Fence
	New brick walls
	New internal block walls
	New timber partitions non loadbearing
	New timber partitions loadbearing
	Existing timber stud partitions
	Existing masonry walls
	Exg Foul Rod Eye
	New Foul Rodding Eye
	Existing FWG
	New FWG RBIG
	Exg Storm Rod Eye
	New Storm Rodding Eye
	Existing SWG
	New SWG RBIG
	New Foul Manhole types
	New Storm Manhole types
	Existing Foul Manhole
	Existing Storm Manhole
	TH-A 450 wide max Trial Hole Location

**GENERAL** - This drawing has been specifically prepared for Planning & Building Regulation approval only. It is not a comprehensive design & specification for works shown.

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**Except for local planning authority use this drawing should not be scaled.** Check all dimensions & details before starting work or ordering materials.

Rev	Date	Description	By
A	12.12.20	Scheme amended, title block amended to suit	AB

**boora consultants...**  
Architecture & Structure

1 Grey Mill Close  
Monkspath,  
Solithull  
B90 4TE

M 07904 811 456  
E a.boora@outlook.com

**Client**  
PRP Maintenance (UK) Ltd

**Site Address**  
7 Temple Meadows Road  
West Bromwich, B71 4DE

**Project**  
Proposed Two Storey Side & Rear & Single Storey Front & Rear Extensions To Form 2no. 2 Bedroom Flats

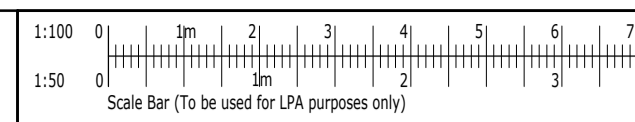
**Drawing**  
Existing Plans

Scale at A2	1:50	Drawn	AB	Date	12.08.20
Checked	AB	Date	12.08.20	Job no.	18024
Drawing no.	102	Rev.	A		

**ABBREVIATIONS USED**

AB - Air Brick	CLF - Chain Link Fence	F-SC - Floor to suspended ceiling FD30SC - 30minute fire door with self closing device	FMH - Foul Manhole	IL - Invert Level	RBIG - Roddable Back Inlet	RRG - Roddable Road Gully	SO - Structural Opening	TH - Trial Hole
CBF - Close Boarded Fence	dpc - Damp Proof Course	F-USJ - Floor to underside of joists	FWG - Foul Water Gully	LP - Lamp post	RWP - Rain Water Pipe	SOP - Setting Out Point	TBC - To Be Confirmed	
CD - Check Dimension	DTI - Depth to Invert	FE - Fire Exit door with push bar	FWP - Foul Water Pipe	MH - Manhole	SD - Smoke Detector	SSVP - Stub Soil & Vent Pipe	TOF - Top Of Foundation	
CL - Cover Level	EGL - Existing Ground Level	F-Cill - Floor to Cill	GPF - Galvanised Palisade Fence	PD-A - Padstone Type-A etc.	RG - Road Gully	SFL - Structural Floor Level	YG - Yard Gully	
	F-C - Floor to Ceiling	FD30 - 30minute fire door	HD - Heat Detector	PGL - Proposed Ground Level	ROD - Run out dimension	SMH - Storm Manhole		

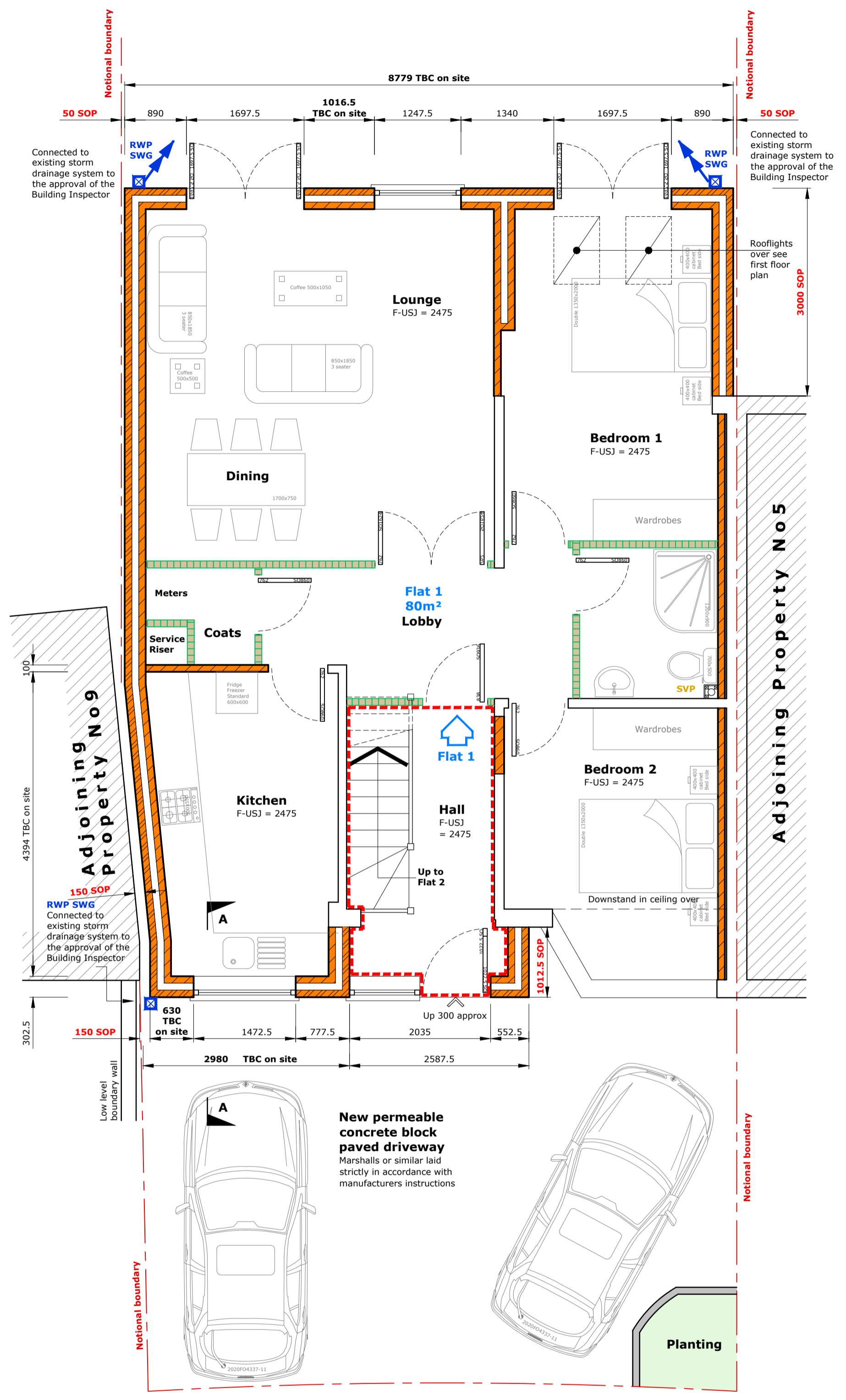




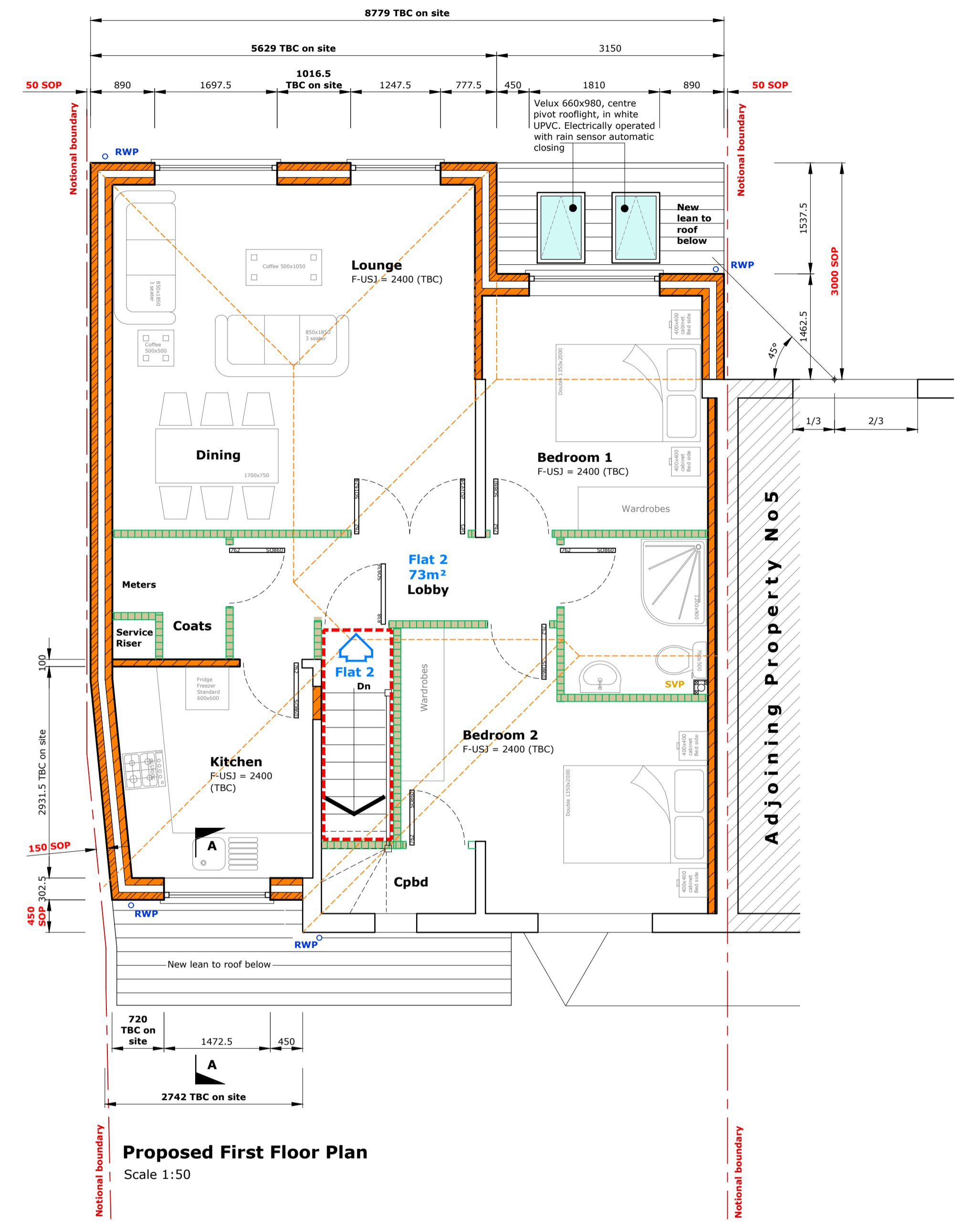
**GENERAL** - This drawing has been specifically prepared for Planning & Building Regulation approval only. It is not a comprehensive design & specification for the works shown.

This drawing is to be read in conjunction with all relevant (including other consultants) drawings & specifications as applicable

**Except for local planning authority use this drawing should not be scaled.** If in doubt, ask. Check all dimensions & details before starting work or ordering materials.



**Proposed Ground Floor Plan**  
Scale 1:50



**Proposed First Floor Plan**  
Scale 1:50

Rev	Date	Description	By
A	12.12.20	Scheme amended, flats 3 & 4 removed	AB

**boora consultants...**  
Architecture & Structure

1 Grey Mill Close  
Monkspath,  
Sollihull  
B90 4TE

M 07904 811456  
E a.boora@outlook.com

**Client**  
PRP Maintenance (UK) Ltd

**Site Address**  
7 Temple Meadows Road  
West Bromwich, B71 4DE

**Project**  
Proposed Two Storey Side & Rear & Single Storey Front & Rear Extensions To Form 2no. 2 Bedroom Flats

**Drawing**  
Proposed Plans

Scale at A1	Drawn	AB	Date	12.08.20	
1:50	Checked	AB	Date	12.08.20	
Job no.	18024	Drawing no.	103	Rev.	A

# Report to Planning Committee

**10 March 2021**

<b>Application Reference</b>	DC/21/65124
<b>Application Received</b>	06 January 2021
<b>Application Description</b>	Proposed single and two storey side/rear extensions.
<b>Application Address</b>	33 Regent Drive, Tividale, Oldbury, B69 1TH
<b>Applicant</b>	Mr Javed Iqbal
<b>Ward</b>	Tividale
<b>Contact Officer</b>	Andrew Dean andrew_dean@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 or to the safety and convenience of users of the highway.

## **3 How does this deliver objectives of the Corporate Plan?**



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 as three material planning objections to the proposal have been received.

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

[33 Regent Drive, Tividale](#)

## **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

Overshadowing

Design, appearance and materials; and

Parking

## **6. The Application Site**

6.1 The application relates to a semi-detached residential property situated on the southern side of Regent Drive, Oldbury. Regent Drive is a cul-de-sac with the application property being located on the turning head. The character of the surrounding area is residential in nature.

## **7. Planning History**

7.1 The site has been subject to a recent planning application to convert the dwelling house into two self-contained flats with a single and two storey side/rear extensions. This application was withdrawn by the applicant as two independent car parking spaces could not be provided within the site.

7.2 Relevant planning applications are as follows:

DC/20/64774	Proposed conversion of dwelling into 2 No. self-contained flats with erection of two and single storey side/rear extensions.	Withdrawn
-------------	--	-----------

## **8. Application Details**

8.1 The applicant proposes a single and two storey side/rear extensions. The proposal would provide an enlarged kitchen with utility room and bathroom on the ground floor and two bedrooms (one with an en-suite) on the first floor. The small bedroom to the front of the existing dwelling would be converted into a bathroom resulting in the property having a total of 4 bedrooms.

8.2 The application has been amended to include a window to the front elevation of the ground floor bathroom and to show two off street spaces on the frontage.

## **9. Publicity**

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

### **9.2 Objections**

Objections have been received on the following grounds:

- i) The proposal is out of character with the surrounding area and is over development of the site.
- ii) The proposal would set a precedent.
- iii) Car Parking. Increasing the number of bedrooms at the property would increase the number of cars at the property. Only one off

street space has been shown on the submitted plans, this would mean vehicles would park on the turning head causing issues for highways safety.

### **9.3 Responses to objections**

I respond to the objector's comments in turn:

- (i) 33 Regent Drive sits within a substantial plot with a large rear garden area. The proposed extension would not be out of scale with the existing dwelling and would not have a significant impact on the residential amenity of adjacent properties. The two-storey side extension is significantly setback from the front of the dwelling reducing its impact and dominance in the street scene. I therefore do not consider the proposed extensions to be over development of the site or out of character with the surrounding area.
- (ii) I do not consider an extension to a residential property would set an unwanted precedent. Each application is assessed on their own individual merits and against relevant design policy.
- (iii) An amended plan has been received to show two off street spaces can be accommodated on the property frontage. Due to the angle of the property boundaries which taper to the front, the spaces cannot be used independently. However, as the property would remain as one household, this can be managed between resident/family members. In accordance with adopted car parking standards, a three/ four-bedroom property requires two off street car parking spaces. Parking requirements at the property therefore remain unchanged by this application.

## **10. Consultee responses**

10.1 Canal and River Trust – No objections.

## **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.

## **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 8 and 9. With regards to the other considerations these are highlighted below.

### **13.2 Loss of light/ or outlook**

No element of the scheme would significantly impact on the amenity of the occupiers of adjacent properties. The applicant has demonstrated on plan the two-storey rear extension would not breach the 45-degree code line from the attached neighbours rear facing bedroom window. With regards to the proposed single storey rear element (measuring 4m from the existing rear wall), the attached neighbours existing single storey rear extension negates any impact of the single storey rear extension. The adjacent property to the north west is orientated away from the

application property and therefore raised no concerns with regards residential amenity.

### 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. In design terms, the two-storey side/ rear extension would be subordinate to the existing dwelling as the proposal is significantly set back from the front of the dwelling. The extension is therefore compliant with the Councils supplementary design guidance.

### 13.4 Parking

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

## 14 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.

## 15 Implications

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

<b>Health and Wellbeing:</b>	None.
<b>Social Value</b>	None.

## 16. Appendices

Site Plan

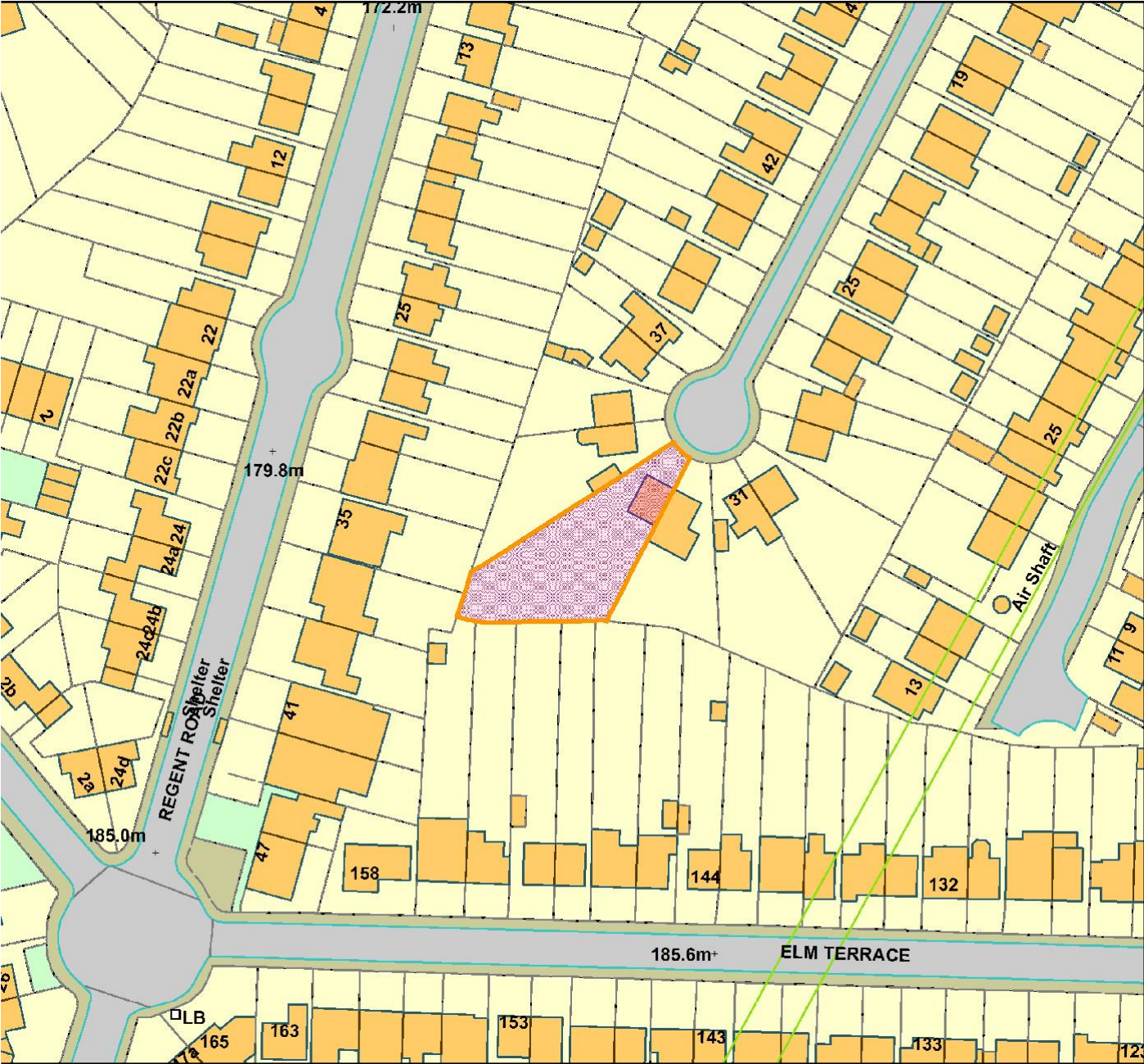
Context Plan

Location/ Block Plan - 20/026/P01 REV C

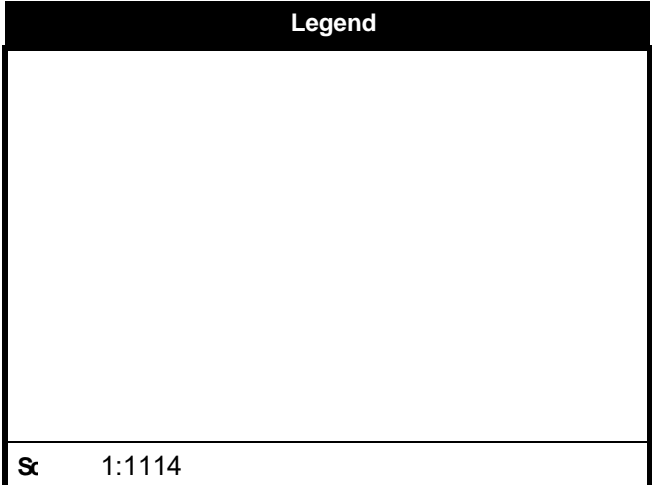
Amended proposed ground/ first floor plan - 20/026/P03 REV C

Amended proposed elevations plan - 20/026/P04 REV C

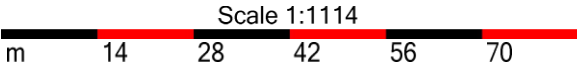
DC/21/65124  
33 Regent Drive



**Legend**



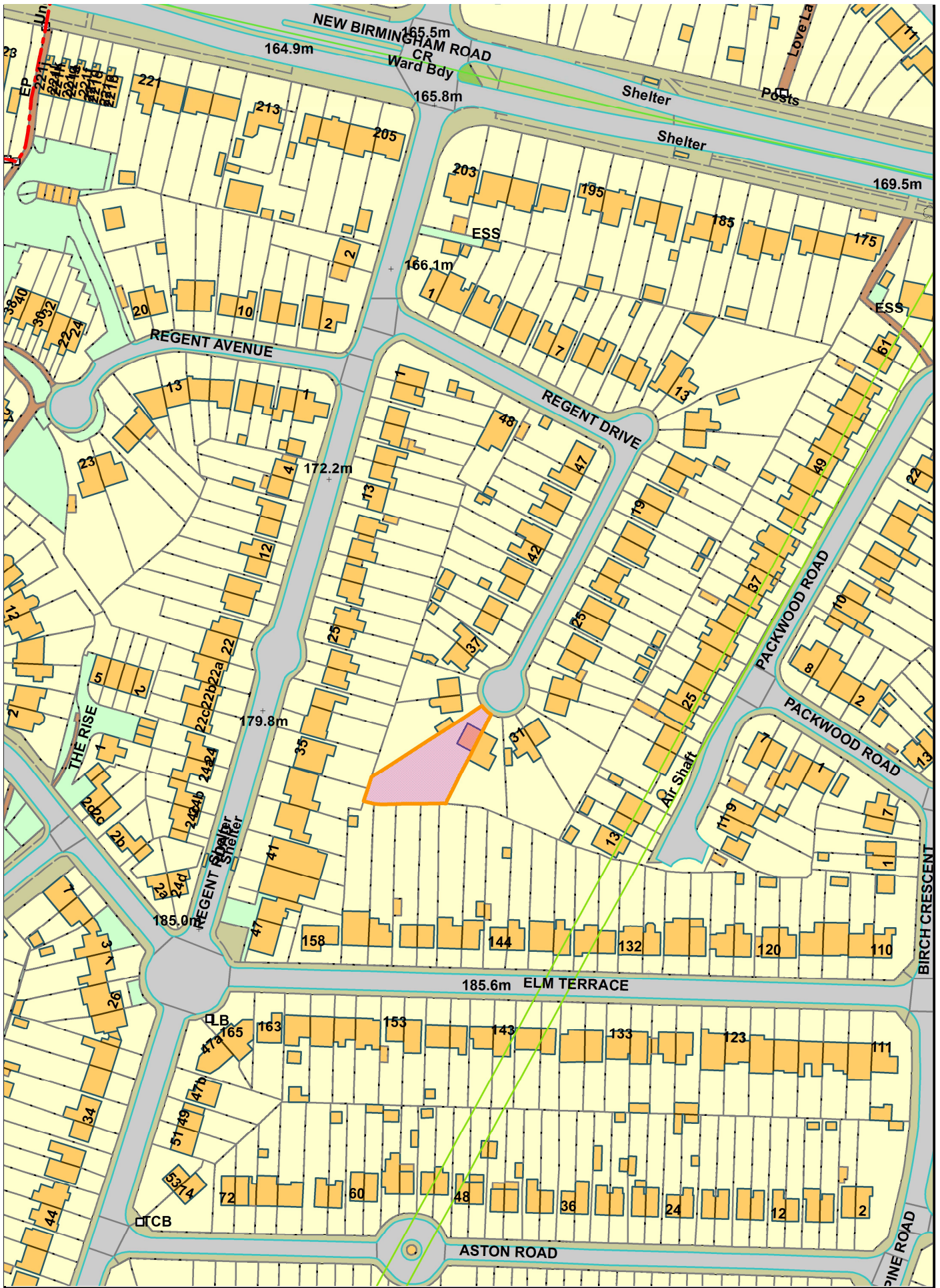
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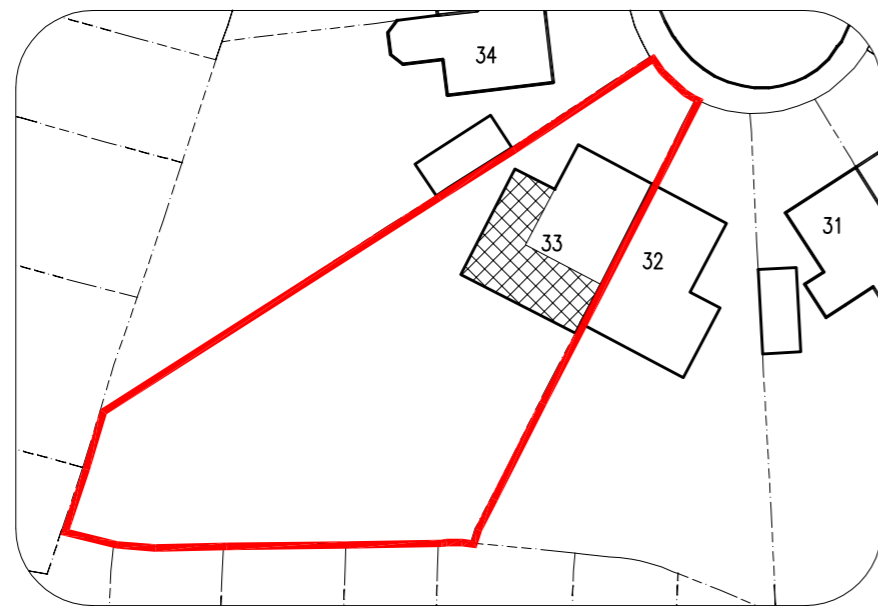
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<b>Organisation</b>	Not Set
<b>Department</b>	Not Set
<b>Comments</b>	Not Set
<b>Date</b>	23 February 2021
<b>OS Licence No</b>	





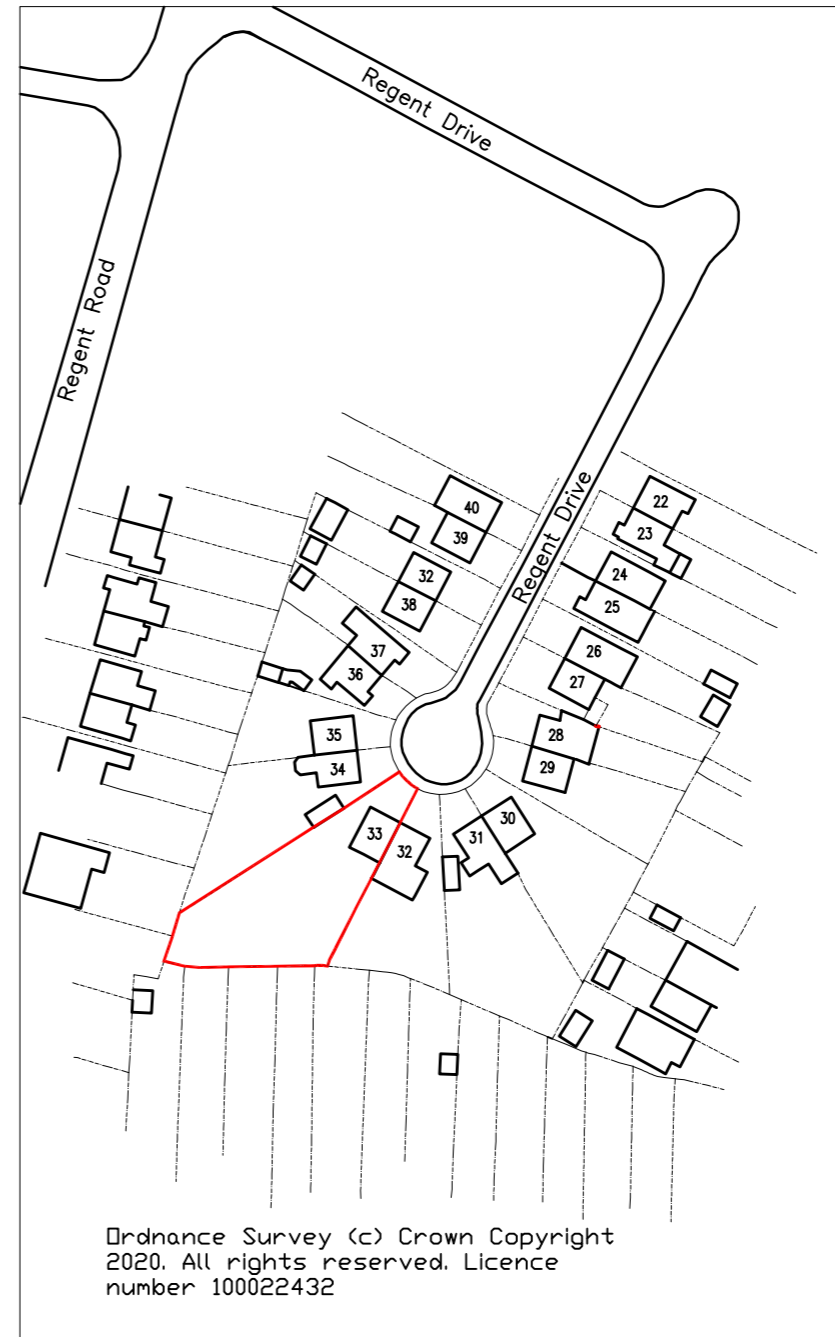




**PROPOSED SITE LOCATION**

(SCALE 1:500)

(PROPOSAL SHOWN HATCHED)



**EXISTING AREA LOCATION**

(SCALE 1:1250)

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number 100022432

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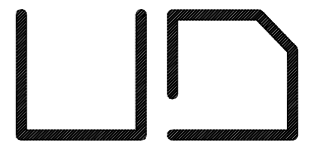
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Iss	Revision	Date
C	Mods as per LA comment	16/02/21
B	NEW APPLICATION	06/01/21
A	Proposal Changed	16/12/20



**UDDIN DESIGN**  
BESPOKE BUILDING PLANNING  
3 Monway Building, Holyhead Road  
Wednesbury, West Midlands WS10 7PY  
Tel: 07958 773443  
Email: info@uddin.design.co.uk

**Client**  
Mr Javed Iqbal  
33 Regent Drive  
Tivdale  
B69 1TH

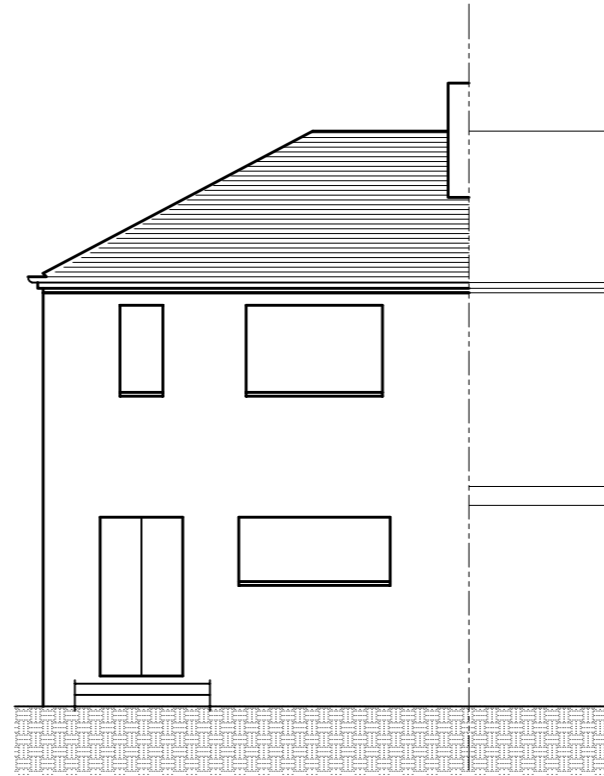
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rear Extension to Dwelling

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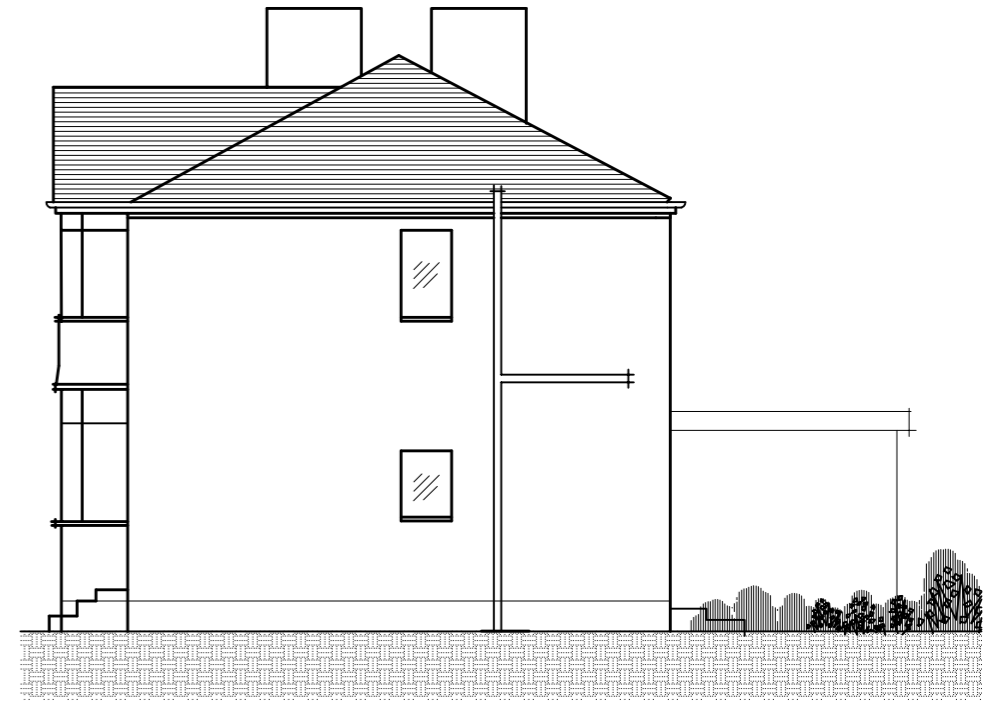
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20/026/P01	C



EXISTING FRONT ELEVATION



EXISTING REAR ELEVATION

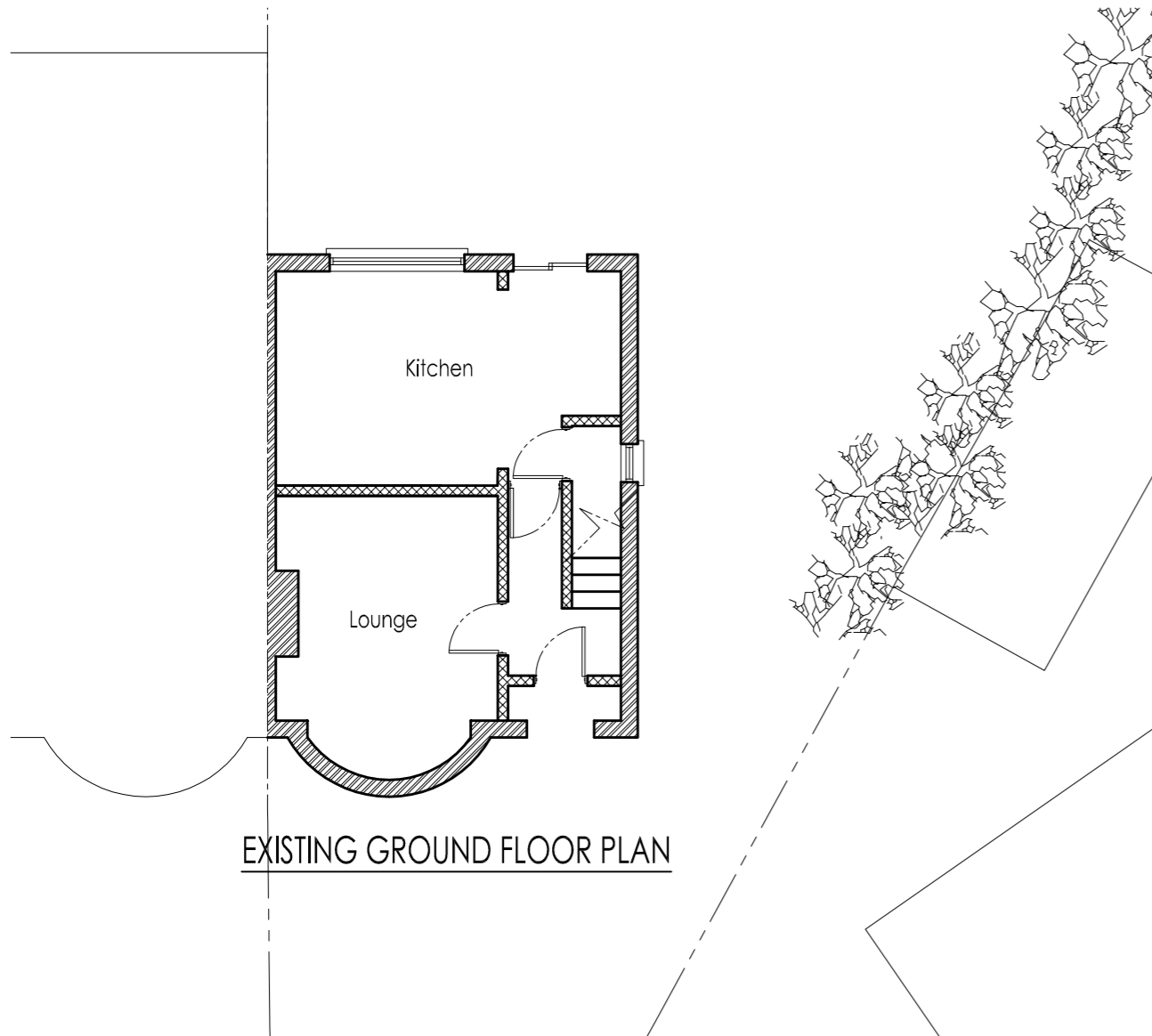


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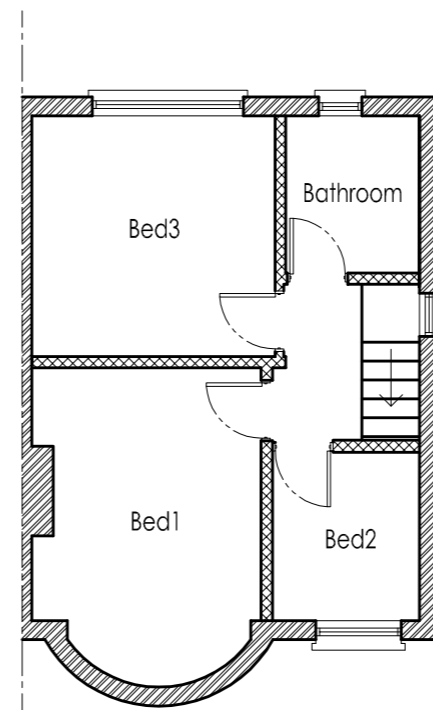
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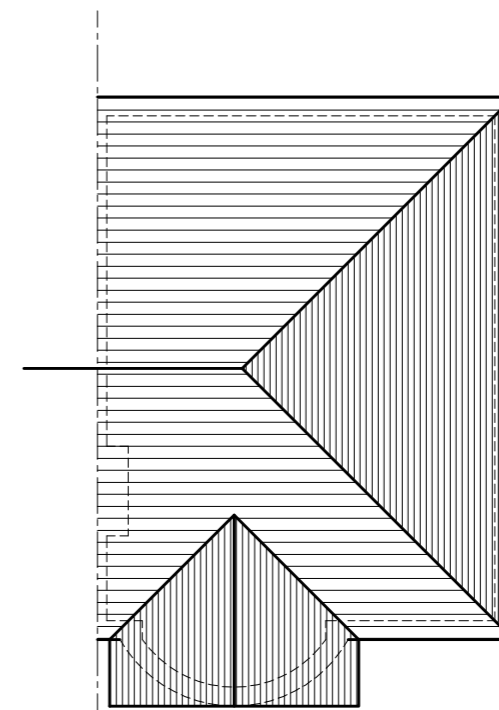
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EXISTING GROUND FLOOR PLAN



EXISTING FIRST FLOOR PLAN



EXISTING ROOF PLAN

B	NEW APPLICATION	06/01/21
A	Proposal Changed	16/12/20
Iss	Revision	Date
 <b>UDDIN DESIGN</b> BESPOKE BUILDING PLANNING 3 Monway Building, Holyhead Road Wednesbury, West Midlands WS10 7PY Tel: 07958 773443 Email: info@uddin.design.co.uk		
Client		
Mr Javed Iqbal 33 Regent Drive Tivdale B69 1TH		
Project		
Proposed Two Storey side and rear Extension to Dwelling		
Scale: 1:100(UNO)@A3 Date: 25/09/20		
Drawn: SU Paper Size: A3		
Drawing Number:		Revision
20/026/P02		B



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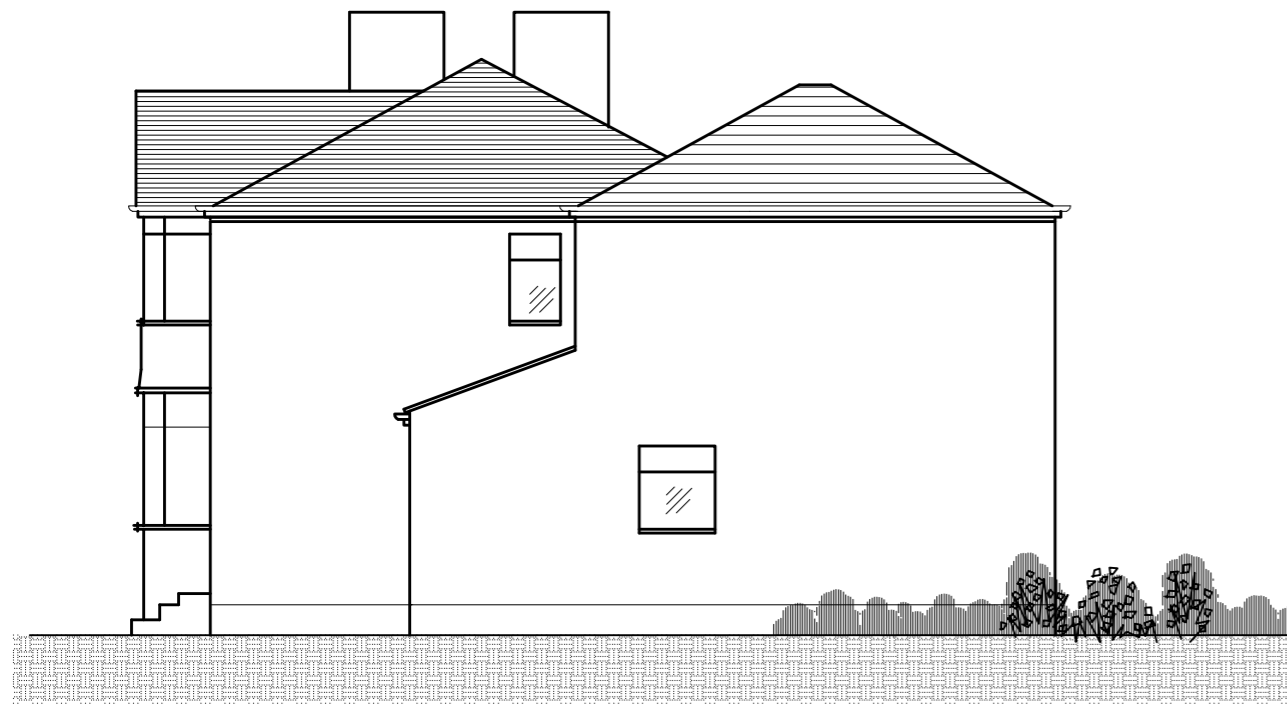


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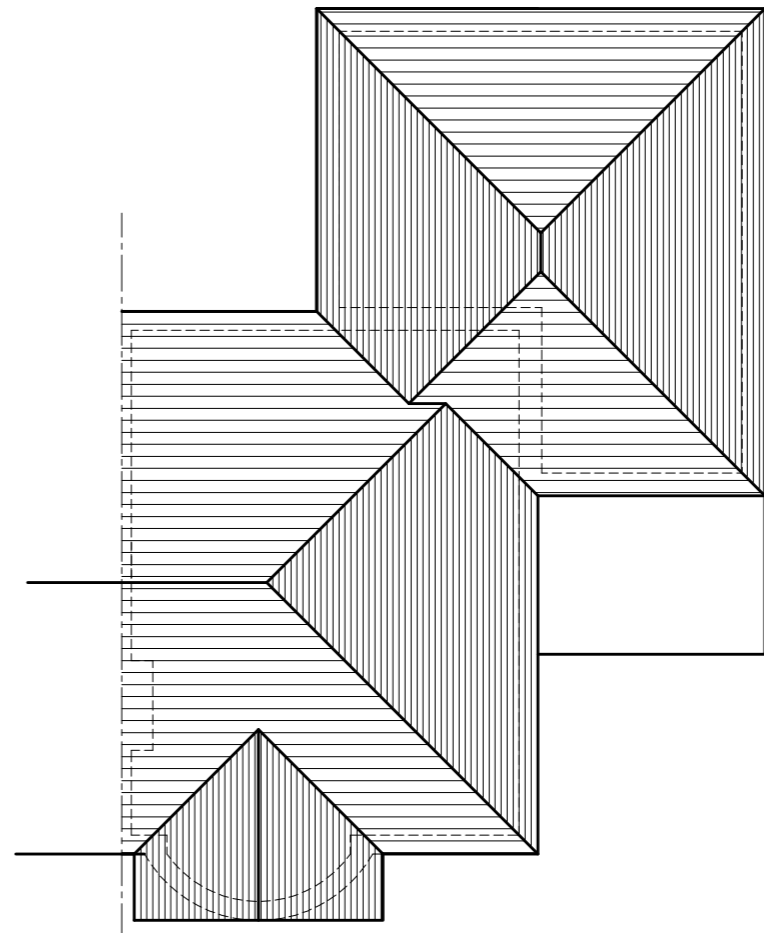
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PROPOSED SIDE ELEVATION



PROPOSED ROOF PLAN

Iss	Revision	Date
C	Mods as per LA comment	16/02/21
B	NEW APPLICATION	06/01/21
A	Proposal Changed	16/12/20

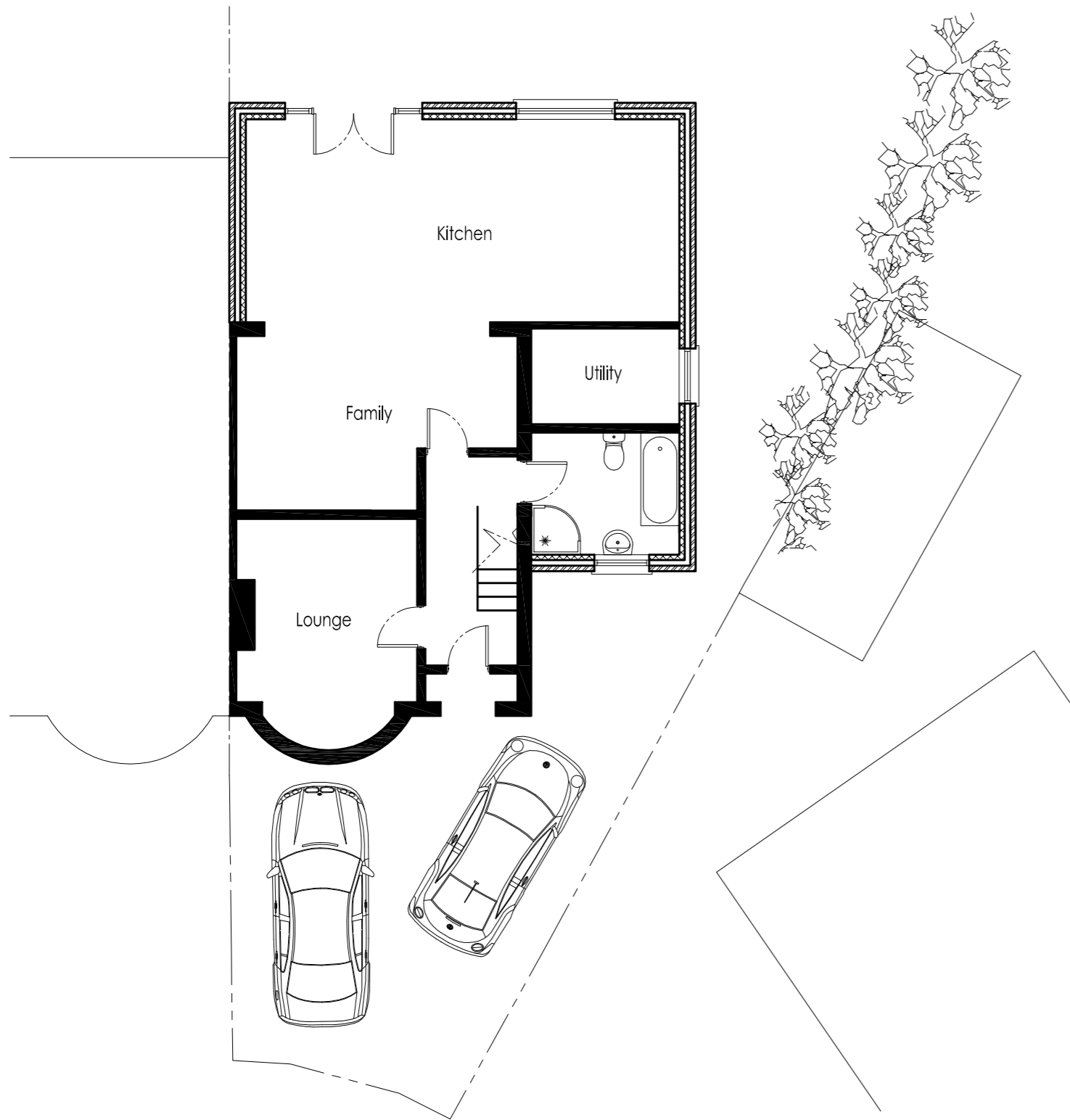
**UDDIN DESIGN**  
 BESPOKE BUILDING PLANNING  
 3 Monway Building, Holyhead Road  
 Wednesbury, West Midlands WS10 7PY  
 Tel: 07958 773443  
 Email: info@uddin.design.co.uk

**Client**  
 Mr Javed Iqbal  
 33 Regent Drive  
 Tividale  
 B69 1TH

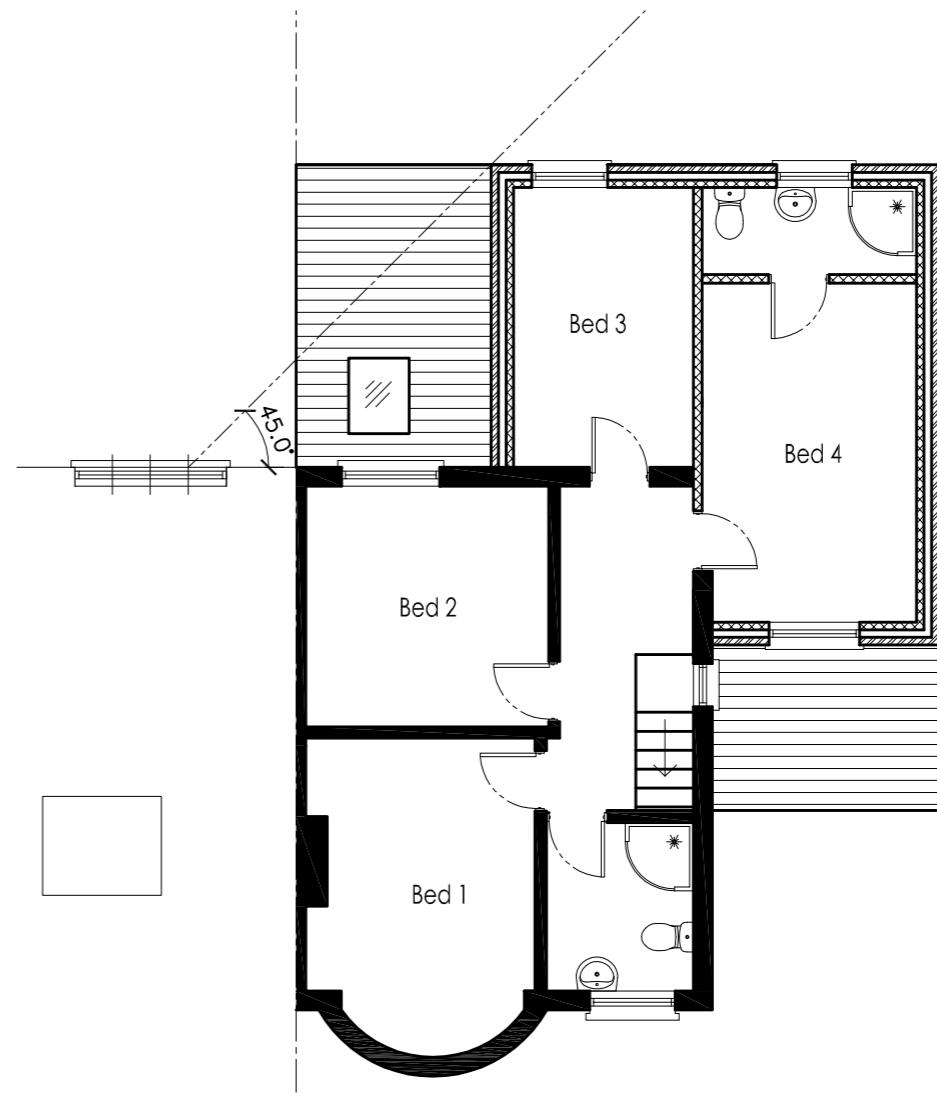
**Project**  
 Proposed Two Storey side and rear Extension to Dwelling

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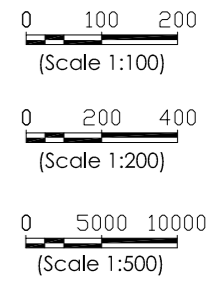
Drawing Number: 20/026/P04 Revision: C



**PROPOSED GROUND FLOOR PLAN**



**PROPOSED FIRST FLOOR PLAN**



C	Mods as per LA comment	16/02/21
B	NEW APPLICATION	06/01/21
A	Proposal Changed	16/12/20
Iss	Revision	Date

**UDDIN DESIGN**  
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**Client**  
 Mr Javed Iqbal  
 33 Regent Drive  
 Tivdale  
 B69 1TH

**Project**  
 Proposed Two Storey side and rear Extension to Dwelling

Scale: 1:100(UNO)@A3 Date: 25/09/20  
 Drawn: SU Paper Size: A3

Drawing Number:	Revision
20/026/P03	C

## Report to Planning Committee

**10<sup>th</sup> March 2021**

<b>Application Reference</b>	DC/21/65126
<b>Application Received</b>	8 <sup>th</sup> January 2021
<b>Application Description</b>	Proposed two storey side extension, single storey rear extension, loft conversion with dormer to rear and shed to rear.
<b>Application Address</b>	107 Brunswick Park Road, Wednesbury, WS10 9QR.
<b>Applicant</b>	Mr Archie Balkevicius
<b>Ward</b>	Wednesbury North
<b>Contact Officer</b>	Mr Anjan Dey <a href="mailto:anjan_dey@sandwell.gov.uk">anjan_dey@sandwell.gov.uk</a>

### 1 Recommendations

1.1 That planning permission is granted subject to:-

- (i) External materials shall match those of the existing property unless otherwise agreed in writing by the local planning authority (LPA);
- (ii) Details of a new vehicle crossing to be submitted to local planning authority (LPA) for approval and agreed details implemented and retained thereafter;
- (iii) The approved outbuilding shall be used for purposes that remain ancillary to the dwelling house known as 107 Brunswick Park Road.

## 2 Reasons for Recommendations

It is considered that the proposals would not have significant impact on neighbouring residential property and proposed design is also considered to be acceptable. Furthermore, there would be no detrimental impact on highway safety.

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



Quality homes in thriving neighbourhoods – The domestic extensions are of good design and would improve the appearance of the property.

## 4 Context

- 4.1 This application is being reported to your Planning Committee because it generated 3 material planning objections from neighbouring properties.
- 4.2 To assist members with site context, a link to Google Maps is provided below:

[107 Brunswick Park Road, Wednesbury](#)

## 5 Key Considerations

- 5.1 The site is allocated for not allocated in the development plan.
- 5.2 The material planning considerations which are relevant to this application are:-

Loss of light and/or outlook  
Overlooking/loss of privacy

Overshadowing

Access, highway safety, parking and servicing

## **6. The Application Site**

6.1 The applicant's property is a two bedroom detached house located on the western side of Brunswick Park Road, which is mainly a residential area in character. Brunswick Park Road is characterised by a variety of house types; from terraced to detached properties – some houses have off road parking whilst others, by their nature (terraced), have on street parking.

## **7. Planning History**

7.1 There is no relevant planning history.

## **8. Application Details**

8.1 Various extensions are proposed; a two-storey side extension, single storey rear extension, loft conversion including a rear dormer, and a shed at the rear of the garden.

9.2 The proposed extensions would form a new kitchen/diner at ground floor level and utility space, with a bedroom proposed in the roof space. The shed would be used for domestic storage.

9.3 Proposed dimensions are;

- i. 6.3m wide by 4m deep by 3.9m high to the height of the mono-pitched roof. (Single storey rear extension)
- ii. 2.1m wide by 6.1m deep by 9.2m high to the height of the dual pitched roof. (Two storey side extension, as amended)
- iii. 3.6m wide by 2.7m high (Rear dormer)
- iv. 4.7m wide by 5m deep by 3.1m high to the height of dual sloping roof. (as amended) (Shed)

## **10. Publicity**

10.1 The application has been publicised by neighbour notification letter with 4 objections received – 3 from properties on Brunswick Park Road and another on Rooth Street.

### **10.2 Objections**

Objections have been received on the following grounds:

- (i) The proposal would result in loss of light to their property (Brunswick Park Road);
- (ii) The proposed loft conversion and rear dormer would overlook their property and result in loss of privacy (properties on Brunswick Park Road and Rooth Street);
- (iii) Possible overhang or encroachment onto neighbouring property;
- (iv) There is insufficient parking for the property and the proposal would exacerbate parking problems along the road.

### **10.3 Responses to objections**

I respond to the objector's comments in turn;

- (i) It is my view that the single storey rear extension would not result in any appreciable loss of light to the neighbouring property to the north. It is proposed to demolish an existing single storey element at the rear of the house and replace it with a new extension with a reduced depth. The single storey extension would not extend significantly beyond the rear elevation of the objector's property.
- (ii) It is my view that the proposed dormer would not result in any significant additional loss of privacy to the neighbouring properties than that which already exists. The property to rear along Rooth Street are side onto the applicant's property. In addition, using the prescribed separation distances within the residential design guide, the proposal would be compliant. The distance is 23 metres between the applicant's rear and the side of the neighbour's



property, whereas the guidance stipulates 15.5 metres.

Furthermore the rear gardens of the neighbour on Rooth Street and Brunswick Park Road are already overlooked by properties and the proposed dormers are no closer than the existing rear elevation.

- (iii) The agent has completed Certificate A of the application form to indicate that the proposed extensions would be on land within the applicant's ownership. Notwithstanding this the neighbour's concerns have been discussed with the agent who has advised that his client had carried out repairs to an existing part of the roof that overhangs by 50mm. Furthermore, the neighbour has been advised to seek the advice of Party Wall Surveyor regarding any works that may affect shared walls etc.
- (iv) The application site currently has no off-road parking. Following discussions with the Highways, the agent has now submitted amended plans to show the provision of 1 off road parking space at the front/side of the property. Highways has confirmed that subject to the provision of a dropped-kerb (details to be agreed) for access they would have no objections. This matter could be dealt with through an appropriate condition. Therefore, this is a betterment on the existing provision provided at the property.

## **11. Consultee responses**

### **11.1 Highways**

Highways has acknowledged that there is currently no off-road parking provision at the property. Amended plans have been submitted that show 1 off road parking space at the front/side of the property. A new vehicle crossing would have to be provided to allow access to this space and Highways has requested that details shall be submitted for approval. However, on the basis that one off road parking space has been shown on plans they have no objections to the proposal.

## **12. National Planning Policy**

- 12.1 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.
- 12.2 Paragraph 109 of the National Planning Policy Framework advises that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or if the residual cumulative impacts on the road network would be severe. In this instance as indicated above there will be a betterment of parking provision for the property.

### **13. Local Planning Policy**

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

ENV3: Design Quality

SAD EOS9: Urban Design Principles

- 13.2 ENV3: Design Quality refers to each place in the Black Country being distinct and successful place making will depend on understanding and responding to the identity of each place with high quality design proposals.
- 13.3 SAD EOS9: Urban Design Principles states that the Council will reject poor quality designs, particularly those that are inappropriate with their locality or out of scale with their surroundings.

The proposed extensions considered to adhere to both of these policies. Proposed design including the rear dormer, is typical of these type of domestic extensions and are considered satisfactory and adheres to the Council's Residential Design SPD. Satisfactory external appearance of the extensions can be ensured by way of a related external materials condition.

### **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 **Loss of light and outlook**

It is considered that the proposals would result in any significant loss of light or outlook to/from neighbouring properties (Section 10.3). The single storey rear extension would not extend significantly beyond the rear elevation of 105 Brunswick Park Road. The height of the proposed shed has been reduced from 4.9 to 3.1 metres, which in my view is appropriate for an outbuilding that is to be used for domestic storage.

#### 14.3 **Loss of privacy/overlooking**

It is also considered that extensions would not result in any significant loss of privacy to neighbouring properties. It is my view that any overlooking of neighbouring properties would not be any worse than already exists due to the residential nature of the location (Section 10.3).

#### 14.4 **Overshadowing**

It is my view that the proposed extensions to the main house would not overshadow neighbouring properties. The rear garden shed may result in some overshadowing of side windows in the rear wing of 28 Rooth Street but it has been considered that there are also windows at the rear that would be unaffected. In view of this and that the height of the outbuilding has been reduced, refusal is not warranted.

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

Amended plans have been submitted that show the provision of 1 off road parking space and Highways has confirmed that they have no objections subject to the provision of a new vehicle crossing – details to be agreed in conjunction with Highways. The provision of a parking

space to the side of the house has also resulted in the depth of the two storey side extension being reduced to 6.1 metres.

## 15 Alternative Options

15.1 Refusal of the application is an option if there are material planning reasons for doing so. In my opinion I consider that the harm is not substantial to neighbouring amenity and the proposal accords with relevant design policies.

## 16 Implications

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

## 17. Appendices

Location/Site Plan & Block Plan no. 2016 Archie-04 Rev B

Proposed elevations no.2016 Archie-02 Rev B

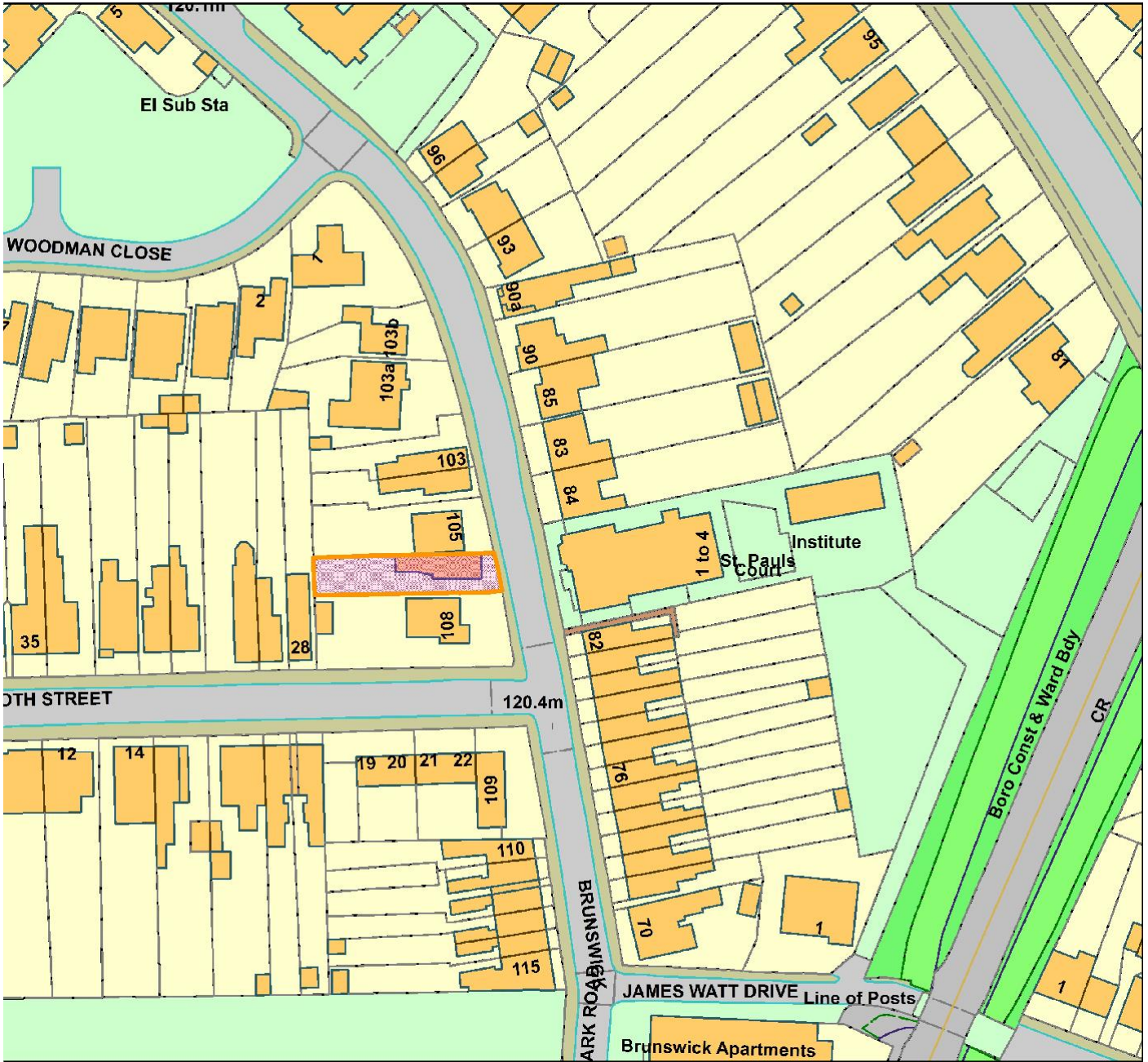
Proposed layout plans no.2016 Archie 03 Rev B

Proposed parking plan no. 2016 Archie-06



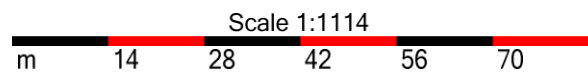
DC/21/65126

107 Brunswick Park Road



**Legend**

Scale 1:1114



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Ordnance Survey Licence No 100023119

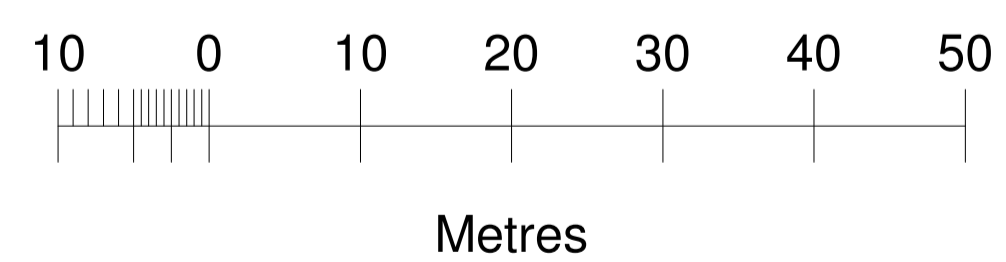
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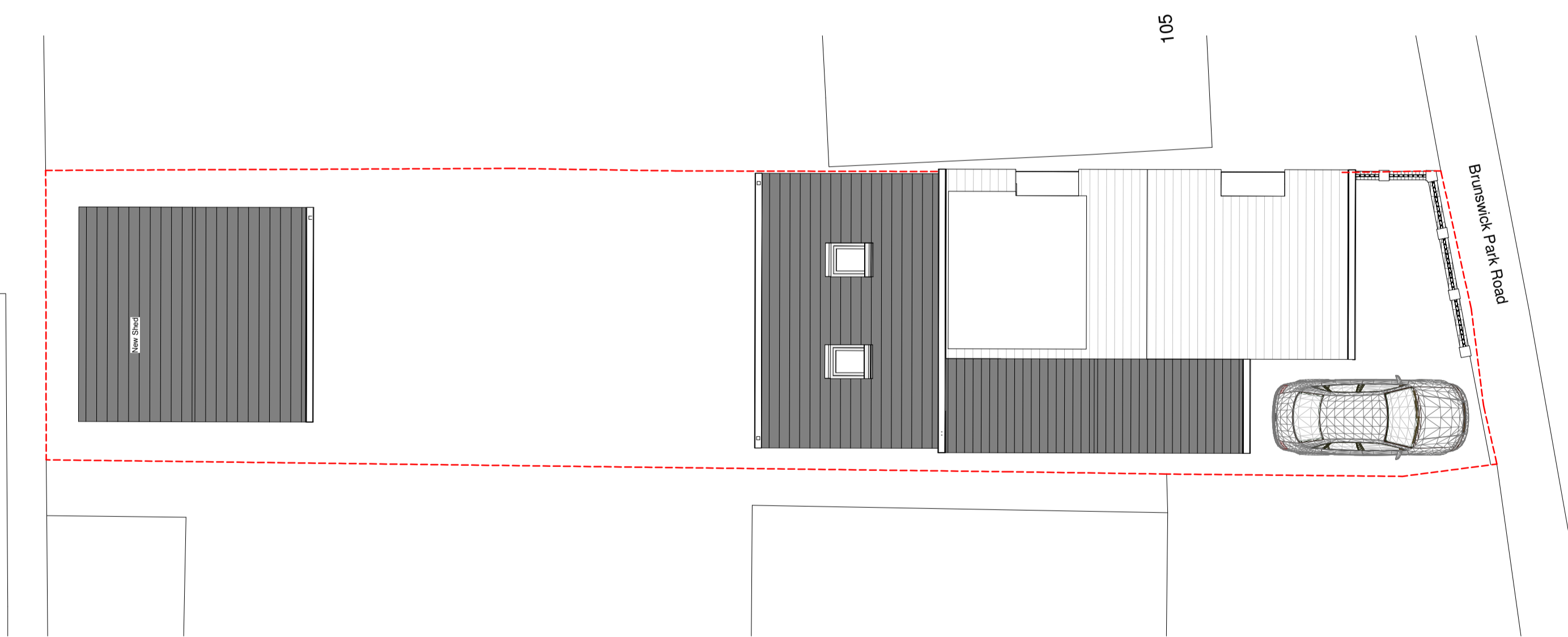
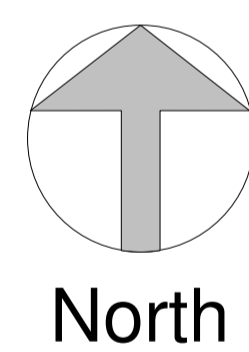
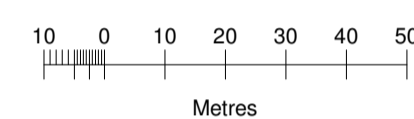




**Proposed Block Plan**  
1 : 500



**Location Plan.**  
1 : 1250



**Site Layout Plan.**  
1 : 100

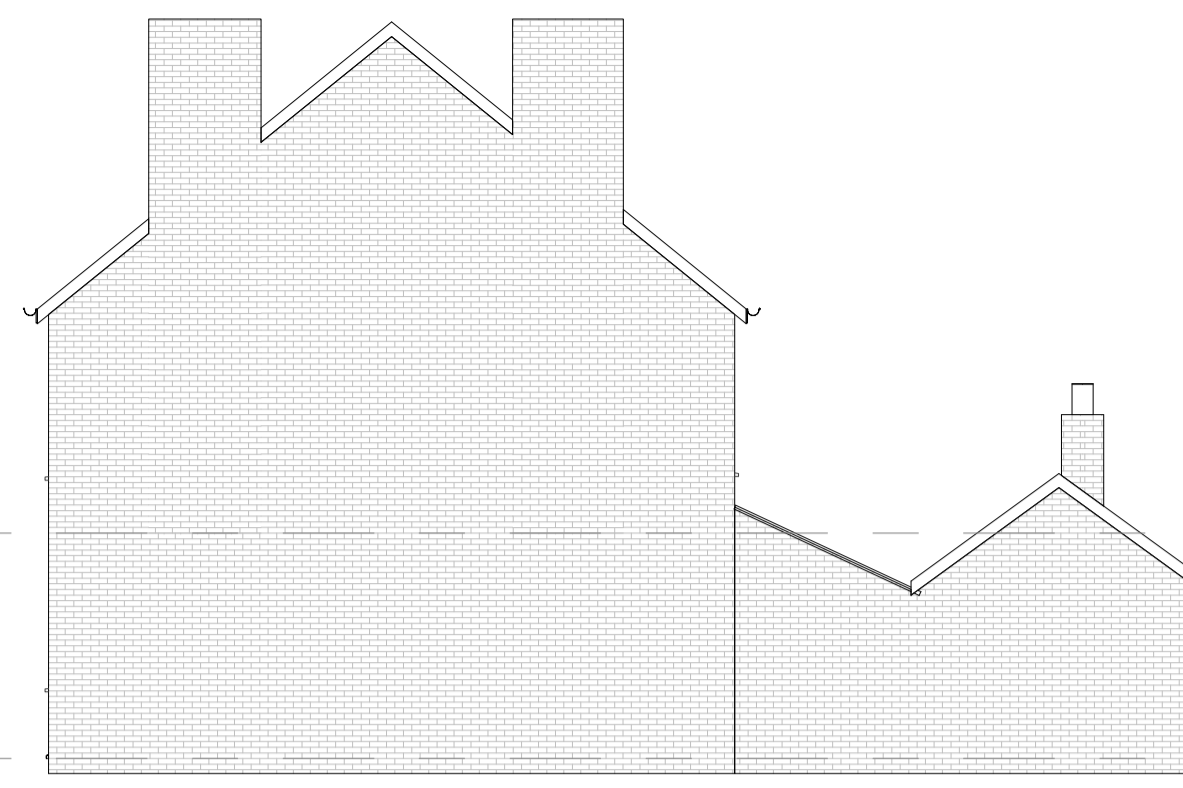




1 Existing Front Elevation  
1 : 100



2 Existing Rear Elevation  
1 : 100



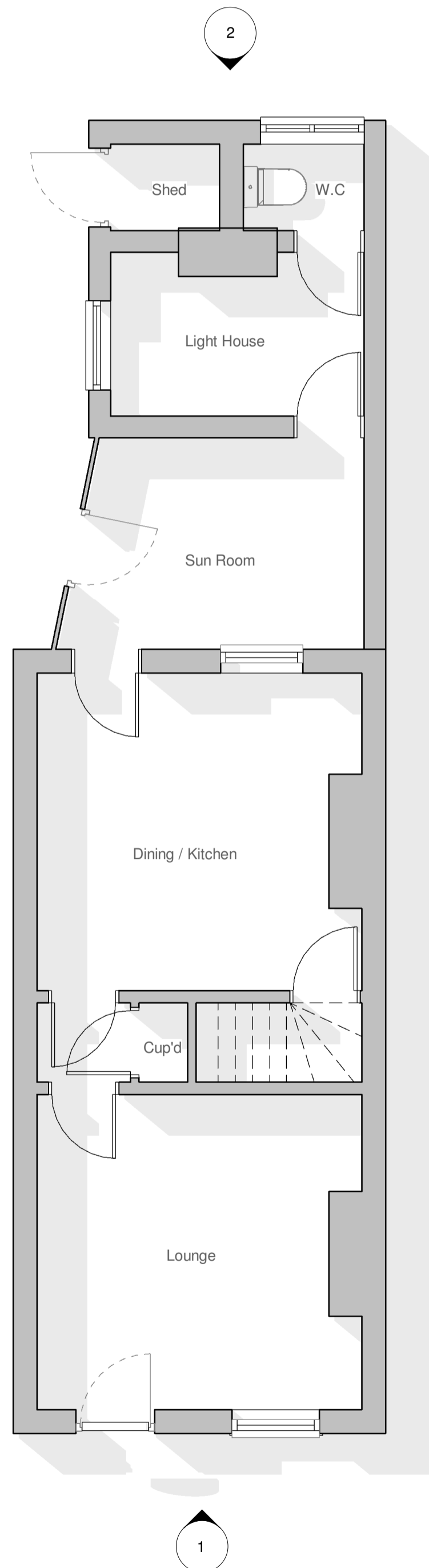
3 Existing Right Side Elevation  
1 : 100



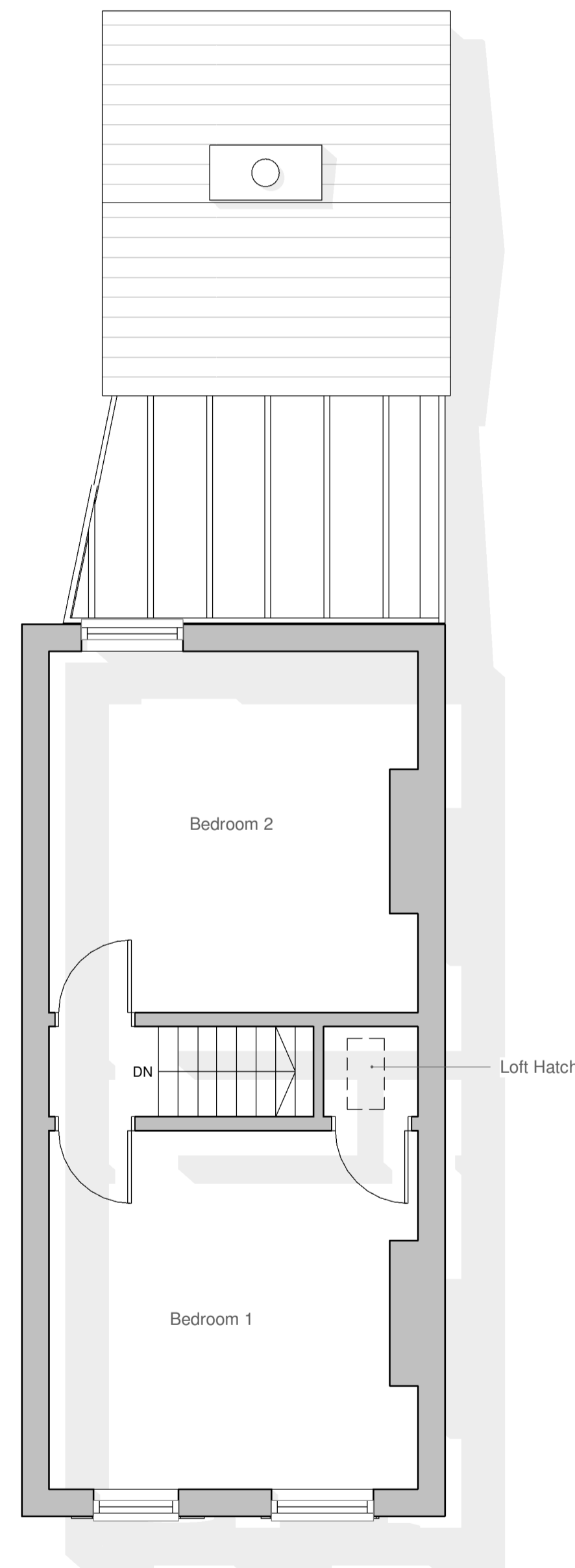
4 Existing Left Side Elevation  
1 : 100

First Floor Level  
2980

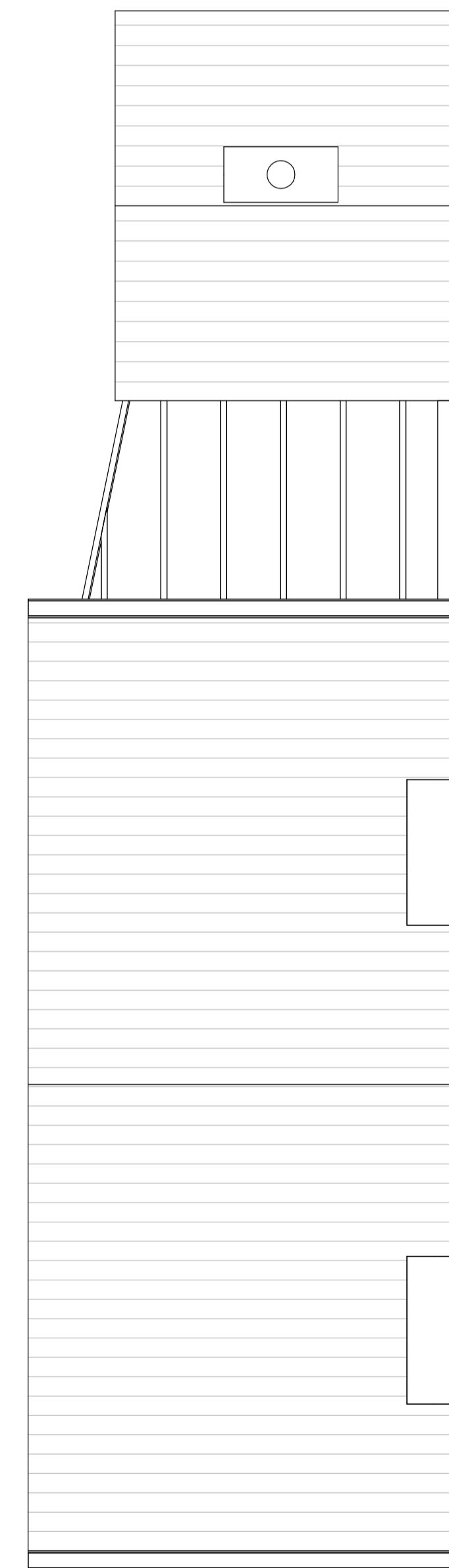
Ground Floor Level  
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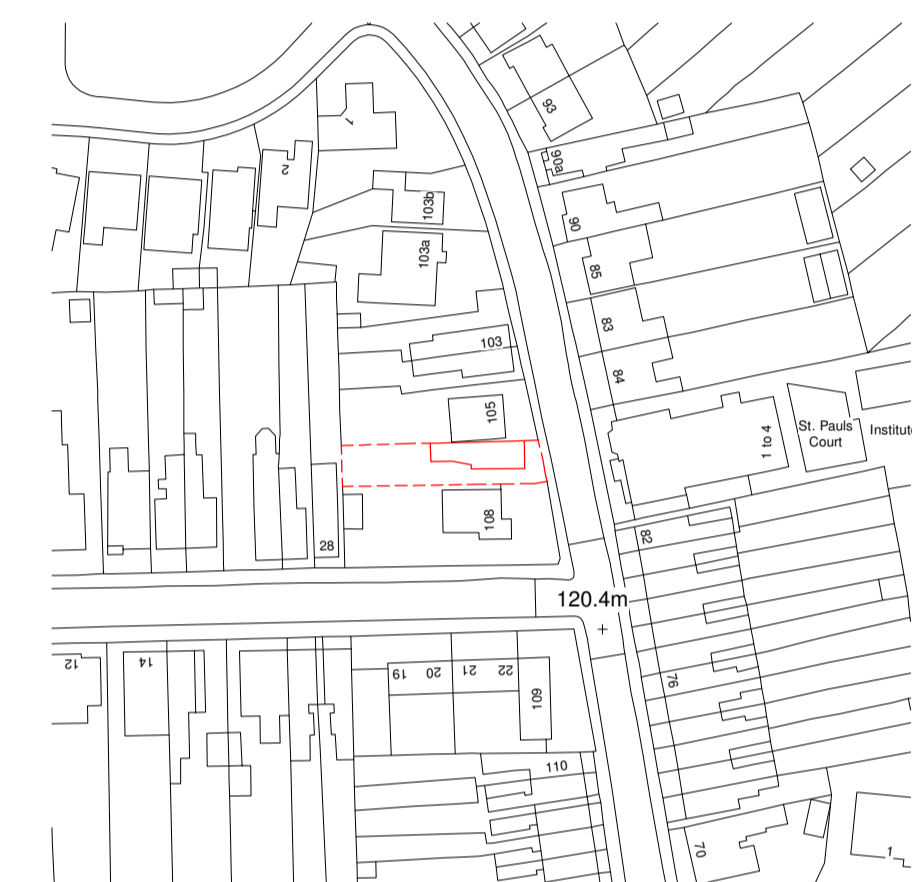
Existing Ground Floor Plan  
1 : 50



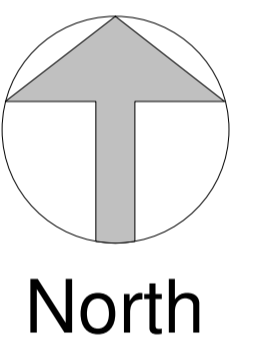
Existing First Floor Plan  
1 : 50



Existing Roof Plan  
1 : 50



10 0 10 20 30 40 50  
Metres



North

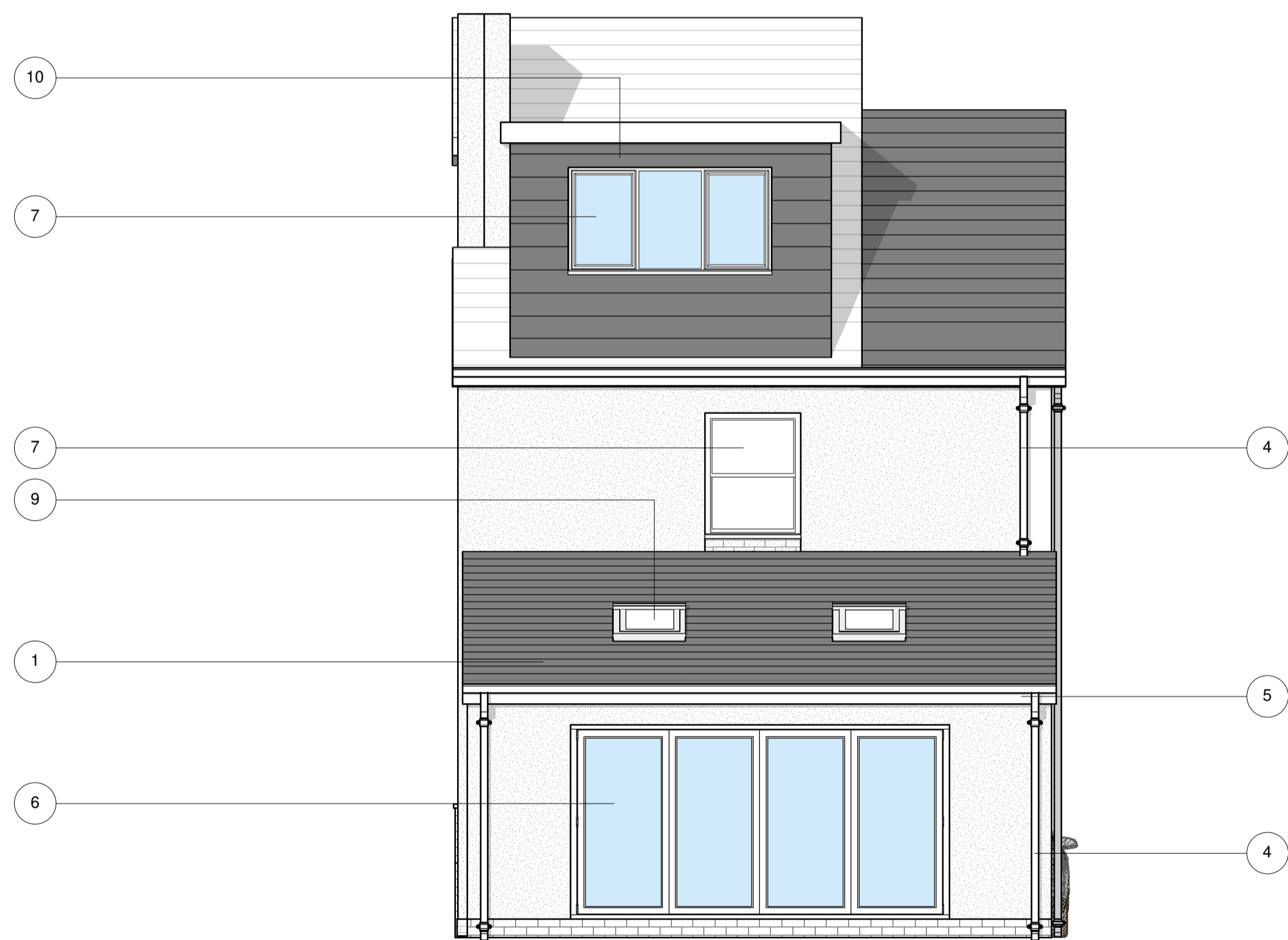




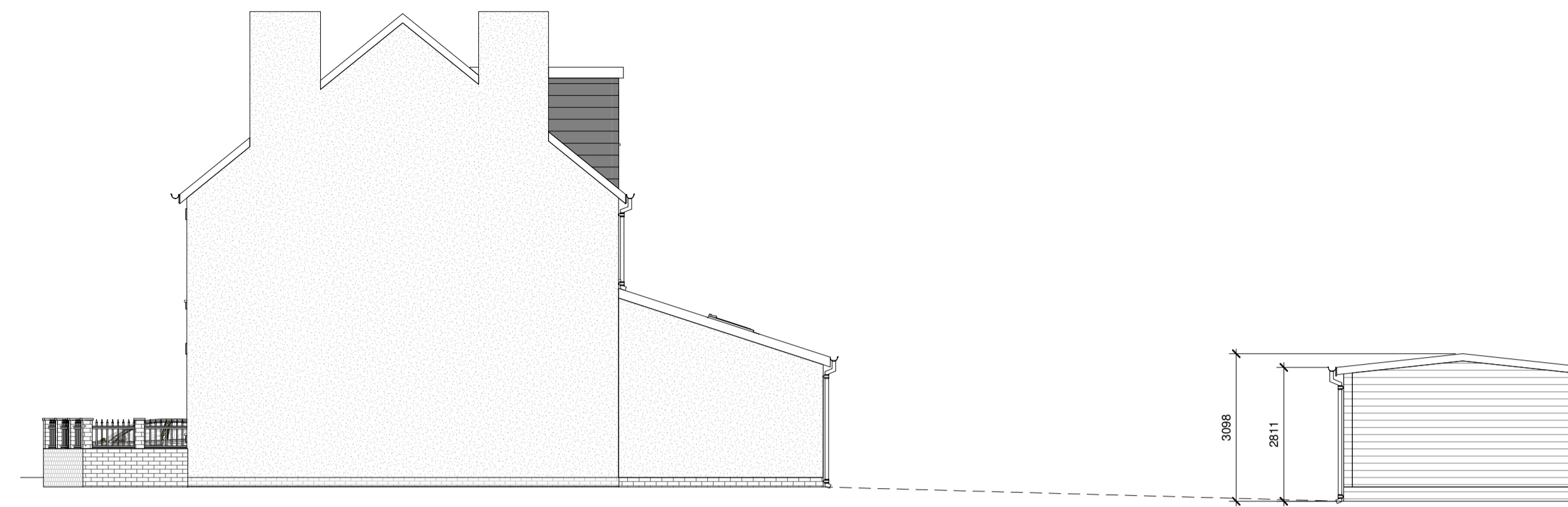
Materials Key - Planning	
1	Proposed roof covering to match existing dwelling roof covering.
2	Proposed render finish to be pigmented smooth faced white K - Rend silicone render.
3	Blue engineering brickwork to be formed below DPC
4	uPVC guttering and downpipes to match existing.
5	White coloured uPVC fascia and soffit boards.
6	Anthracite PPC Aluminum framed double glazed Bi-Fold doors.
7	White uPVC framed double glazed windows.
8	Front boundary wall made up of red brick
9	Velux window within lean to roof
10	Loft conversion outer material same roof tiles as existing, with a flat felt roof
11	Anthracite PPC aluminium framed composite door.



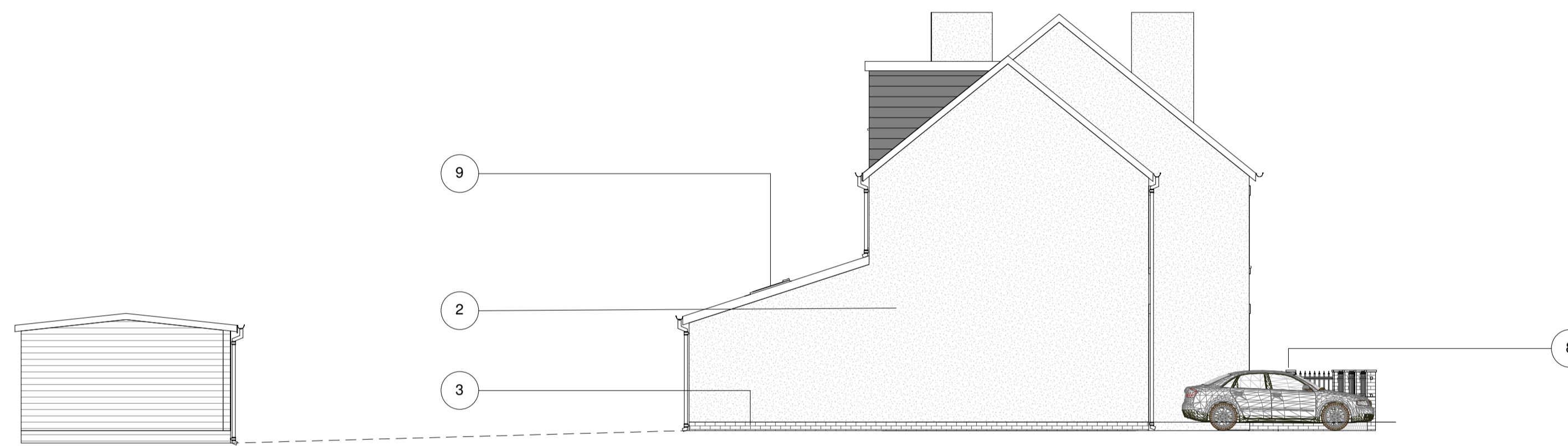
**1 Proposed Front Elevation**  
1 : 50



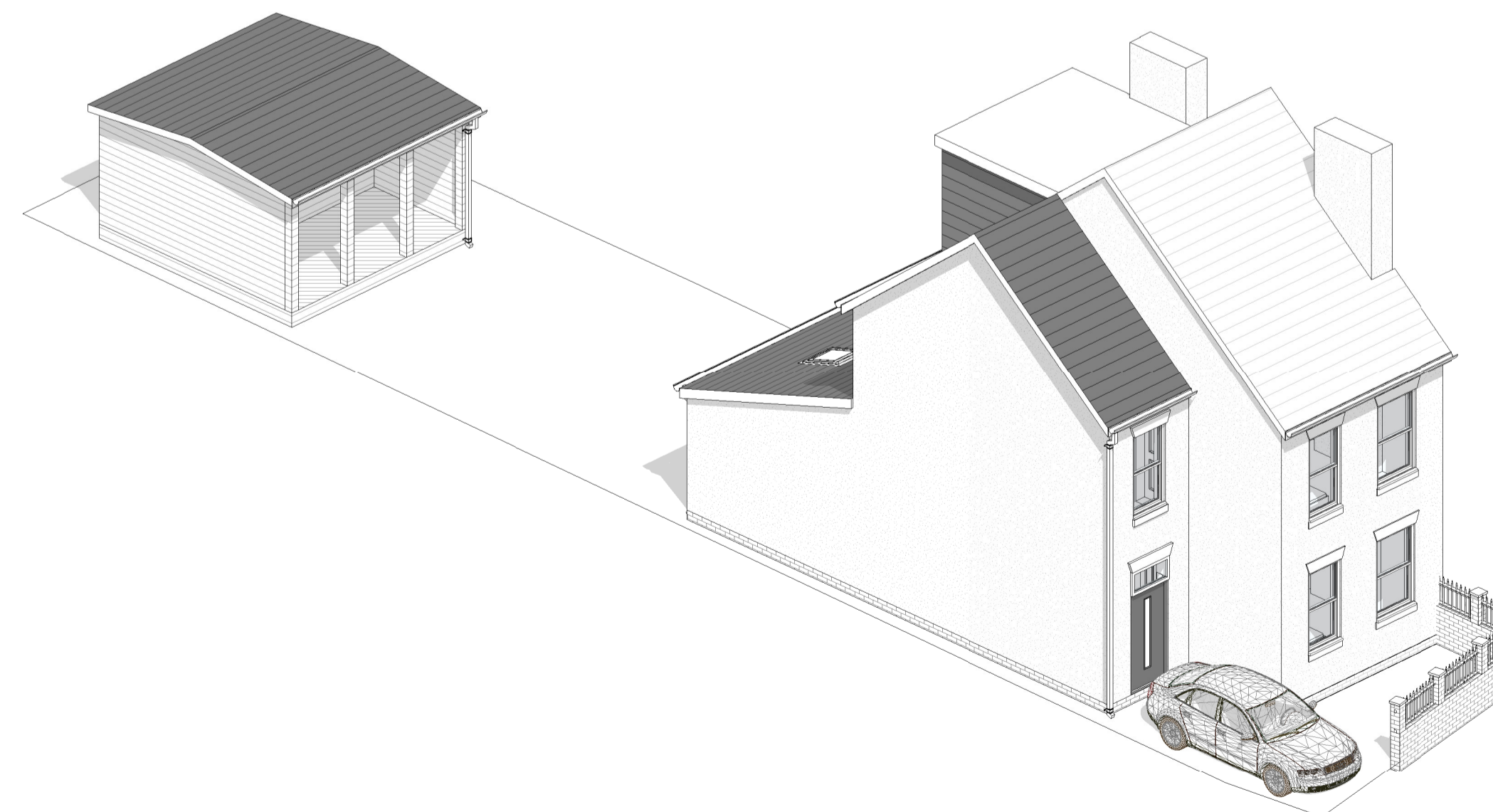
**2 Proposed Rear Elevation**  
1 : 50



**3 Proposed Right Side Elevation**  
1 : 100







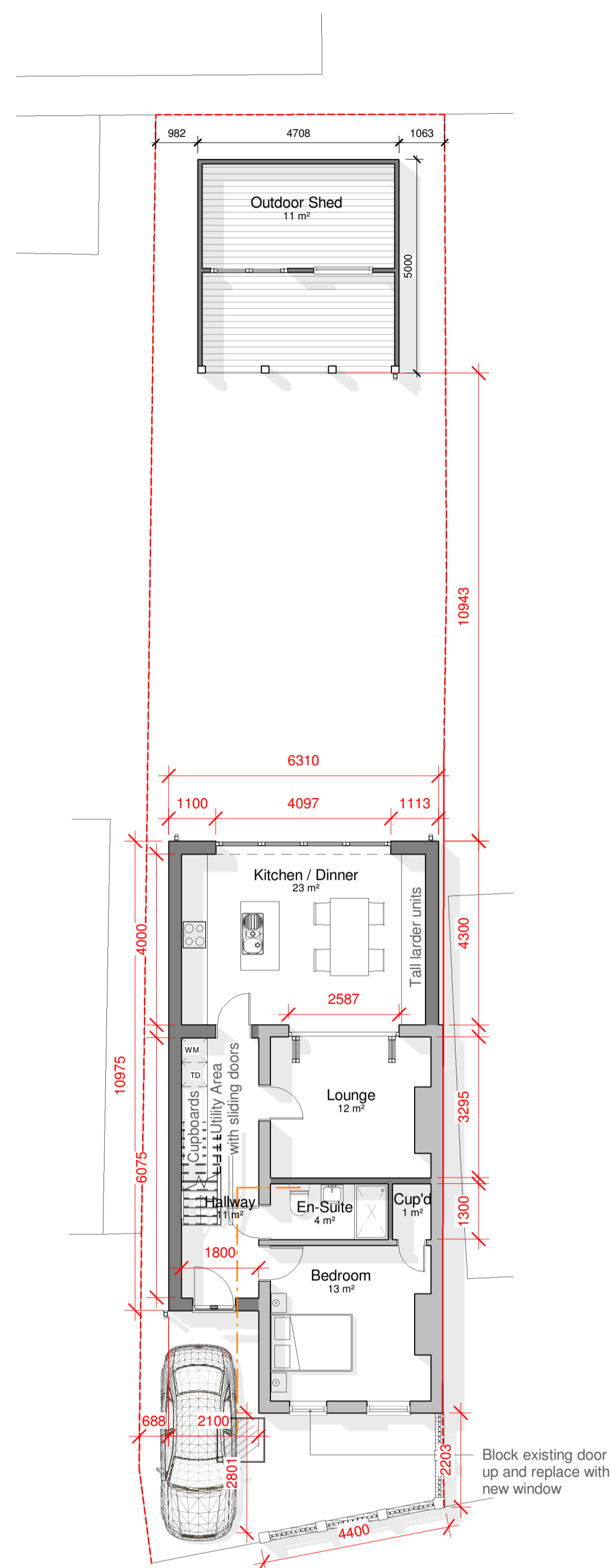
**4 Proposed Left Side Elevation..**  
1 : 100





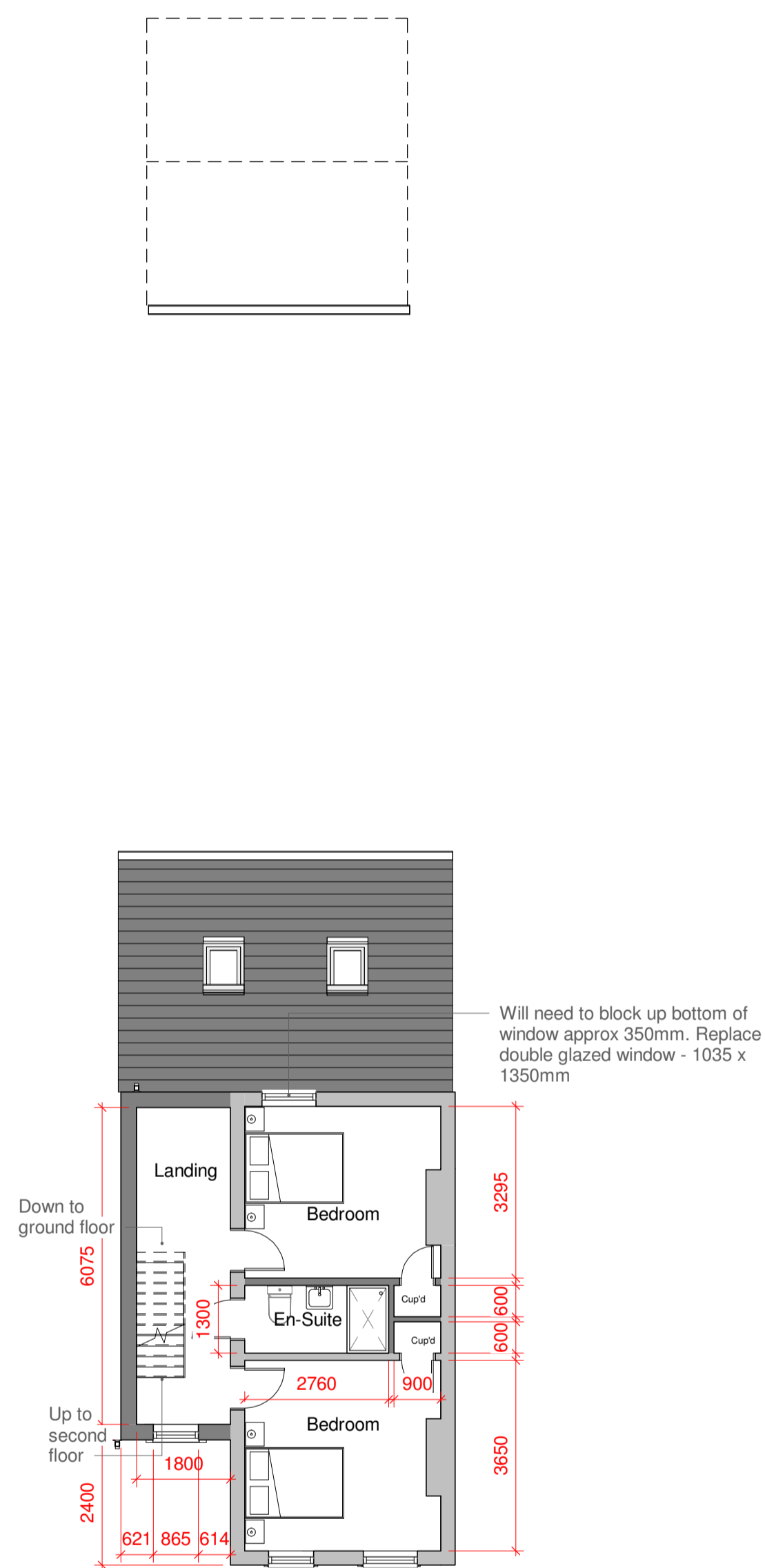
**Plan Key - Planning**

-  Proposed Structure.
-  Existing Structure.
-  Denotes existing structure to be removed where dashed red line is shown.
-  Proposed steel beam. Refer to S.E details



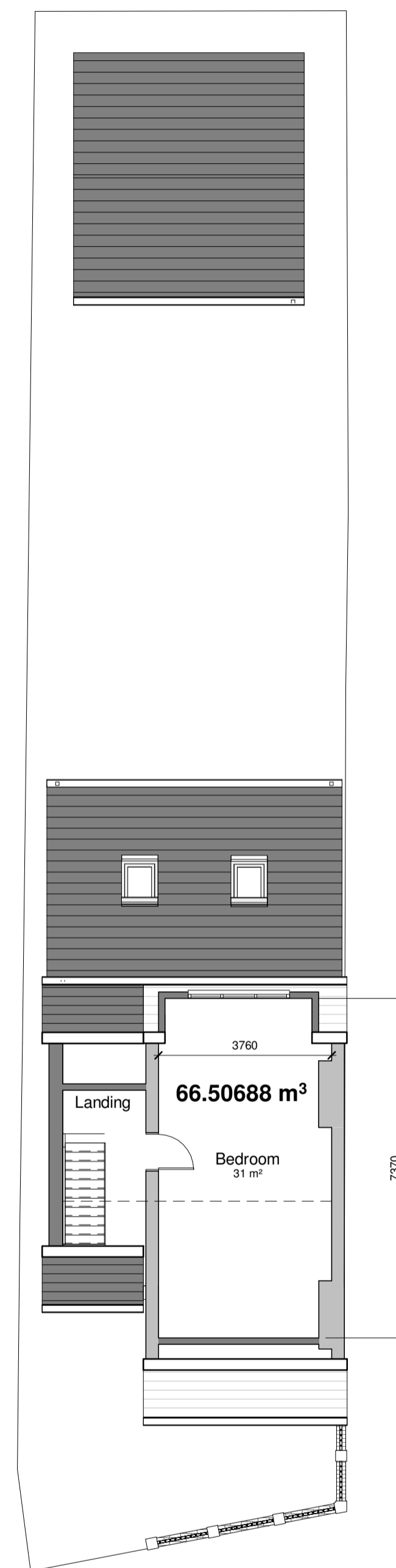
**Proposed Ground Floor Plan**

1 : 100



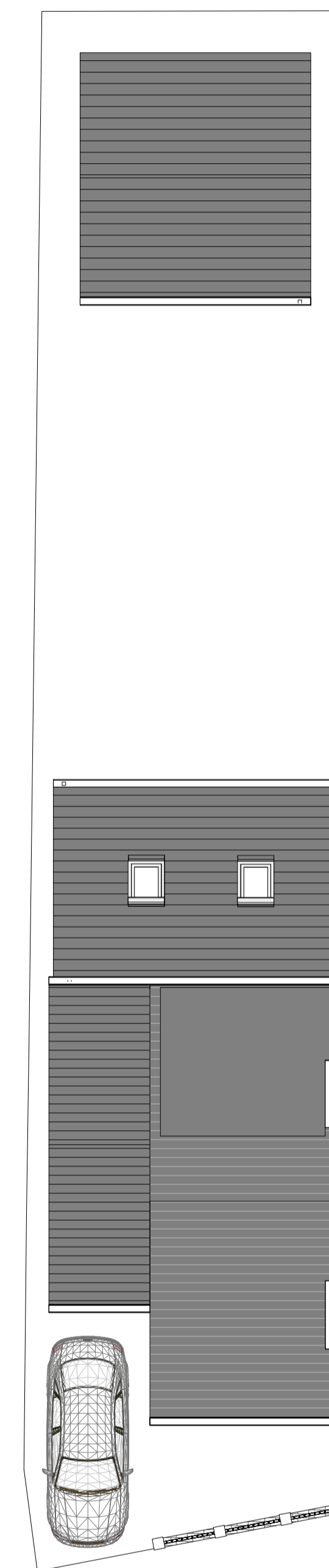
**Proposed First Floor Plan**

1 : 100



**Proposed Second Floor Plan**

1 : 100



**Roof Plan**

1 : 100

**D**  
**Architectural**  
**N**  
**Services**

Email - [dansarchitecture.com](mailto:dansarchitecture.com)

All Dimensions are in millimeters and are to be checked on site.

**Important Notes to Builder and Client Please Read.**

Work must not to commence until planning permission (where applicable) and full building regulations approval is confirmed. Any works carried out before the receipt of the relevant permissions is entirely at the clients own risk.

The client must inform the Dans Architectural Services at least two weeks before starting the building work to check that a building control application has been Approved. It is the builder's responsibility to arrange for the inspection visits at key stages of the work so that a completion certificate can be issued to the client. All work must comply with part 7 of the building regulations, materials and workmanship.

Rev Details:  
Notes:

Dans Architecture Service - Nottingham, NG5 5AG

Tel: 07886986196  
email: [dansarchitecture@hotmail.com](mailto:dansarchitecture@hotmail.com)

Client  
Mr Archie

Project Address  
107 Brunswick Park Road,  
Wednesbury, WS10 9QR

Drawing No.  
2016 Archie - 03

Drawing Title:  
Proposed Floor Plans

Project Title:  
Side & Rear Extension

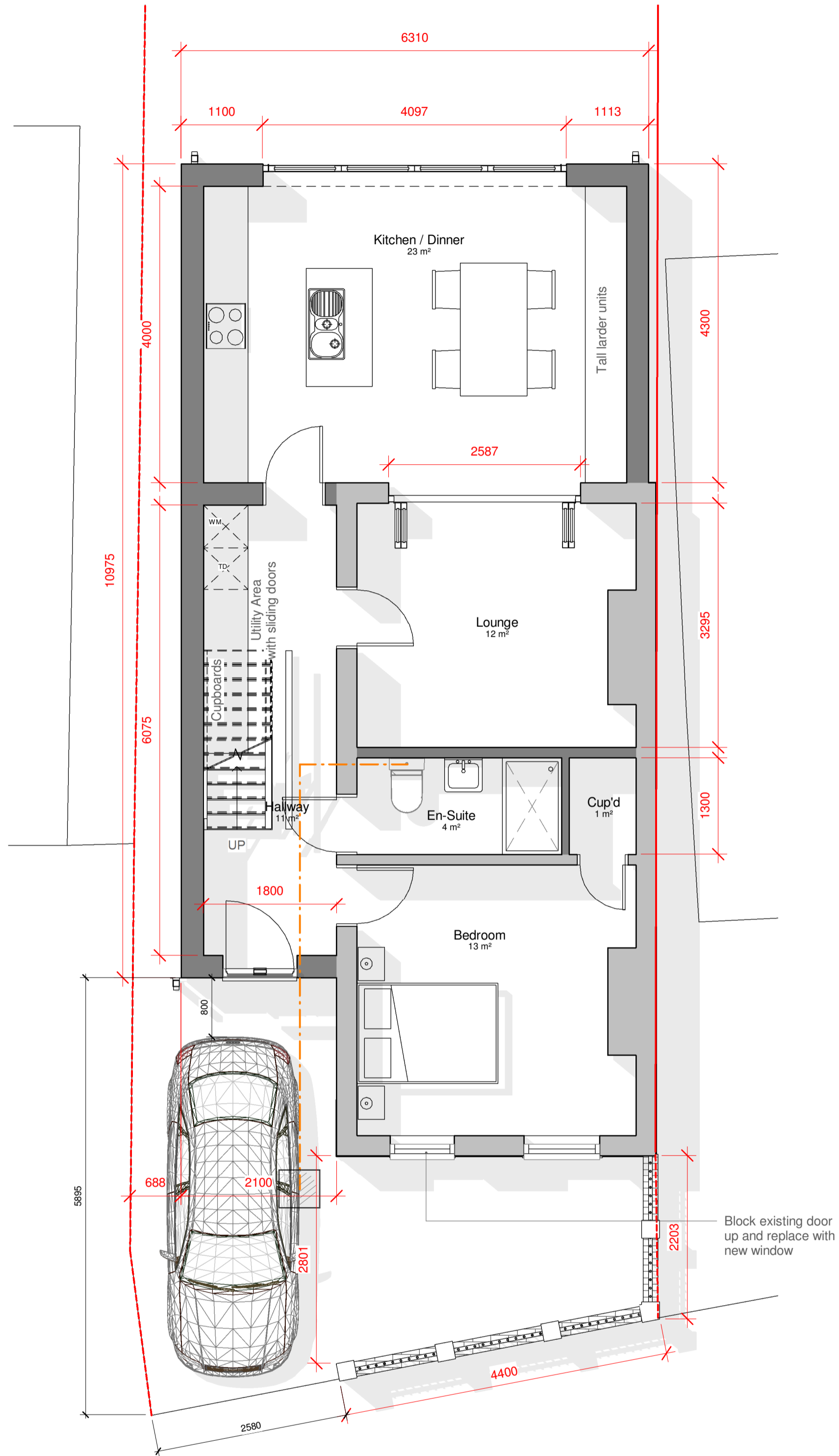
DRAWING FOR PLANNING ONLY

Scale at A1  
As Shown

Date:  
11.02.21

Drawn By  
DB

Revision  
Rev B



**Proposed Ground Parking Plan**

1 : 50

# Report to Planning Committee

**10<sup>th</sup> March 2021**

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







## **1 Recommendations**

- 1.1 That the Planning Committee notes the applications determined under delegated powers by the Interim Director – Regeneration and Growth set out in the attached Appendix.

## **2 Reasons for Recommendations**

- 2.1 This report is submitted to inform the Committee of the decisions on applications determined under delegated powers by the Interim Director – Regeneration and Growth.

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

		We now have many new homes to meet a full range of housing needs in attractive neighbourhoods and close to key transport routes.
		Our distinctive towns and neighbourhoods are successful centres of community life, leisure and entertainment where people increasingly choose to bring up their families.
		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.

### 4 Context and Key Issues

4.1 The applications determined under delegated powers are set out in the Appendix.

### 5 Alternative Options

5.1 There are no alternative options.

### 6 Implications

<b>Resources:</b>	There are no implications in terms of the Council's strategic resources.
<b>Legal and Governance:</b>	The Director – Regeneration and Growth has taken decisions in accordance with powers delegated under Part 3 (Appendix 5) of the Council's Constitution.
<b>Risk:</b>	There are no risk implications associated with this report.
<b>Equality:</b>	There are no equality implications associated with this report.
<b>Health and Wellbeing:</b>	There are no direct health and wellbeing implications from this report.

<b>Social Value</b>	There are no direct social value implications from this report.
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## **7. Appendices**

Appendix 1 - Applications determined under delegated powers by the 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/20/64814 Rowley	Land Adj Harvest Road/Dudhill Road Rowley Regis	Proposed variation of condition 1 of planning permission DC/19/62969 (Proposed 80 bedroom care home with associated parking, boundary treatment and associated works) to enlarge the footprint of the main building and external store with elevational and internal layout alterations and new vehicle charging points and gates to car park.	Grant Permission Subject to Conditions  27th January 2021
DC/20/64847 Abbey	447-449 Bearwood Road Smethwick B66 4DH	Retention of raised roof height, front and rear single storey extensions, rear dormer window and creation of 3 No. self contained flats.	Grant Permission Subject to Conditions  27th January 2021
DC/20/64871 Langley	26 Hackett Road Rowley Regis B65 0RP	Proposed two storey side/rear and single storey front/rear extensions and detached outbuilding in rear garden.	Grant Permission with external materials  27th January 2021

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/20/64878 Blackheath	15 - 16 High Street Rowley Regis B65 0DR	Proposed change of use from a shop/restaurant (Class E) to a hot food takeaway (sui generis) with external alteration to the rear (extraction equipment).	Grant Permission Subject to Conditions  27th January 2021
DC/20/64947 Greets Green & Lyng	112 Phoenix Street West Bromwich B70 0AE	Proposed first floor rear extension.	Grant Permission with external materials  27th January 2021
DC/20/64967 Bristnall	3 Pryor Road Oldbury B68 9QH	Proposed single storey side and rear extensions (Lawful Development Certificate)	Grant Lawful Use Certificate  27th January 2021
DC/20/64969 Soho & Victoria	Sandwell PCT Victoria Health Centre 5 Suffrage Street Smethwick B66 3PZ	Proposed bin store on car park.	Grant Permission  27th January 2021
DC/20/64977 West Bromwich Central	7 St James Close West Bromwich B70 6TX	Proposed single storey extension to rear to form lounge, kitchen and utility room with side garage extension and porch.	Grant Permission with external materials  27th January 2021



Application No. Ward	Site Address	Description of Development	Decision and Date
DC/20/65015 Newton	103 Green Lane Great Barr Birmingham B43 5LG	Proposed two storey side and two storey/single storey rear extension.	Grant Permission with external materials  27th January 2021
DC/20/65013 Tividale	75 New Birmingham Road Tividale Oldbury B69 2JF	Proposed two storey and single storey side extension and metal railing and piers to front boundary wall.	Grant Permission with external materials  27th January 2021
DC/21/65142 Charlemont With Grove Vale	16 Grove Vale Avenue Great Barr Birmingham B43 6BZ	Proposed dormer to side (Lawful Development Certificate).	Grant Lawful Use Certificate  27th January 2021
DC/20/64990 Abbey	3 Talbot Road Smethwick B66 4DX	Proposed pitched roof and single storey extension to rear, loft conversion with dormer to rear, and conversion of existing dwelling into 2 No. apartments - 1 bed apartment on ground floor and a 2 bed apartment on first and second floors with external alterations.	Grant Permission Subject to Conditions  28th January 2021

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/20/64917  Oldbury	Land At The Junction Of Lower City Road And Dudley Road East Tividale Oldbury	Proposed variation to condition 1 of planning application DC/19/63686 Condition 1 (Proposed 14 new residential dwellings with associated parking and access.) to amend house types.	Grant Permission Subject to Conditions  29th January 2021
DC/20/64924  Charlemont With Grove Vale	56 Pear Tree Drive Great Barr Birmingham B43 6HU	Proposed two storey side, single storey rear and first floor side extensions, porch extension and bow window with canopy to front.	Grant Permission with external materials  29th January 2021
DC/20/64958  Greets Green & Lyng	41 Pleasant Street Lyng West Bromwich B70 7DB	Proposed first floor side extension.	Grant Permission with external materials  29th January 2021
DC/20/64994  Wednesbury South	22 Black Lake West Bromwich B70 0PP	Proposed single storey rear extension and change of use from dwellinghouse to 7 bed HMO.	Refuse permission  29th January 2021
DC/20/65025  Bristnall	22A Merton Close Oldbury B68 8NG	Proposed first floor side extension, front dormer window extension with the addition of new front and rear dormer windows.	Grant Permission Subject to Conditions  29th January 2021

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/20/65072  Charlemont With Grove Vale	96 Hollyhedge Road West Bromwich B71 3AF	Proposed single storey front/side/rear extension with porch and canopy to front.	Grant Permission with external materials  29th January 2021
DC/20/64906  Wednesbury South	38 Francis Ward Close West Bromwich B71 2PZ	Proposed garage conversion with new roof.	Grant Permission Subject to Conditions  1st February 2021
DC/20/64984  Soho & Victoria	170 Cape Hill Smethwick B66 4SJ	Proposed single and two storey rear/side extension, shop front with roller shutters, and external staircase to rear.	Grant Permission with external materials  1st February 2021
DC/20/65002  Tividale	35 Weston Avenue Tividale Oldbury B69 1UB	Proposed single storey side/rear extension, raised patio and retaining wall to rear.	Grant Permission with external materials  1st February 2021
DC/20/65030  Wednesbury North	21 Terrace Street Wednesbury WS10 9ET	Proposed single storey front, two storey side, first floor rear and single storey rear extensions.	Grant Permission with external materials  1st February 2021

Application No. Ward	Site Address	Description of Development	Decision and Date
PD/20/01638  Charlemont With Grove Vale	170 All Saints Way West Bromwich B71 1RH	Proposed single storey rear extension measuring: 6.0m L x 4.0m H (2.7m to eaves)	P D Householder not required  1st February 2021
PD/20/01639  Soho & Victoria	Former Abberley Industrial Centre Abberley Street Smethwick	Proposed demolition of former warehouses/workshops/a ncillary office buildings.	Grant Demolition Consent  1st February 2021
DC/20/64727  Smethwick	1 Pear Tree Road Smethwick B67 6RB	Proposed two storey side, single storey front and rear extensions with outbuilding in rear garden.	Grant Permission Subject to Conditions  3rd February 2021
DC/20/65041  Charlemont With Grove Vale	23 Jill Avenue Great Barr Birmingham B43 6DH	Proposed single storey side extension and increase to roof height to include dormer windows to front rear and side, and detached garage to rear (previously refused application DC/20/64523).	Refuse permission  3rd February 2021
DC/20/64905  Oldbury	Pure Offices 64 - 65 Broadwell Road Oldbury B69 4BY	Proposed private hire operating centre for administrative digital records, bookings, lost property and complaints (Lawful Development Certificate).	Grant Lawful Use Certificate  4th February 2021

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/20/65017 Bristnall	41 Bernard Road Oldbury B68 9AP	Proposed two storey side extension to include change of use to 1 No. 2 bed house.	Refuse permission  4th February 2021
DC/20/64855 St Pauls	Land At Chatwin Street St Pauls Road Smethwick	Proposed new medical centre and pharmacy with associated car parking and landscaping.	Grant Permission Subject to Conditions  5th February 2021
DC/20/64861 Friar Park	50 Hackwood Road Wednesbury WS10 0DG	Proposed two storey side/rear, single storey front/rear extensions with front ramp and handrails, hip to gable loft extension with rear dormer window, detached double garage at rear of garden.	Grant Permission with external materials  5th February 2021
DC/20/65027 St Pauls	77 Vicarage Street Oldbury B68 8HE	Proposed two/single storey side and single storey rear extensions.	Grant Permission with external materials  5th February 2021
DC/20/65028 St Pauls	77 Vicarage Street Oldbury B68 8HE	Proposed rear dormer window (Lawful Development Certificate)	Grant Lawful Use Certificate  5th February 2021

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/20/65033 West Bromwich Central	Unit 3 Park Lane Birmingham B21 8LF	Proposed change of use of storage (Class B8) on the ground floor and offices (Class E) on the first floor to part storage (Class B8) and part general industrial (Class B2) with external alterations to front.	Grant Permission Subject to Conditions  5th February 2021
DC/20/65045 Great Bridge	Asda Brickhouse Lane South Tipton DY4 7HW	Proposed replacement of 2 No. Bay Click and Collect point with new 3 No. Bay Click and Collect point with new roadway and associated access and egress.	Grant Permission  5th February 2021
DC/20/65057 Bristnall	10 Primrose Bank Oldbury B68 8QN	Retrospective planning application to retain rear outbuilding with amendments to the appearance of external materials (Revision to Planning Permission DC/20/64541).	Grant Conditional Retrospective Consent  5th February 2021
DC/20/65086 Wednesbury South	17 The Bantocks West Bromwich B70 0PA	Proposed single and two storey rear and first floor side extensions.	Grant Permission with external materials  5th February 2021
PD/20/01641 Oldbury	60 Princes Road Tividale Oldbury B69 2LS	Proposed single storey rear extension measuring: 6.0M L x 3.35m H (2.85m to eaves)	P D Householder not required  5th February 2021

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/20/65062  Langley	Asda Wolverhampton Road Oldbury B69 4PU	Proposed removal and relocation of click and collect facility with the erection of new 2 No. collection bays with illuminated canopy and alterations to car park layout including new bollards.	Grant Permission  9th February 2021
DC/20/65065  Soho & Victoria	12 Barrett Street Smethwick B66 4SE	Proposed single storey rear extension with new boundary walls to side/rear with sliding metal gates.	Grant Permission with external materials  9th February 2021
DC/20/65005  St Pauls	35 Marshall Street Smethwick B67 7NA	Proposed two/single storey rear extension.	Grant Permission with external materials  10th February 2021
DC/20/65024  Smethwick	150 - 152 High Street Smethwick B66 3AJ	Proposed single storey unit to rear of property.	Grant Permission Subject to Conditions  10th February 2021
DC/20/65044  Bristnall	26 Siskin Close Oldbury B68 9LT	Proposed first floor side extension.	Grant Permission with external materials  10th February 2021

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/20/65050 West Bromwich Central	34 Bridge Street West Bromwich B70 9HN	Proposed single storey rear extension and change of use from house in multiple occupation to 2 No. dwellings with external alterations.	Grant Permission Subject to Conditions  10th February 2021
DC/20/65069 Tipton Green	Units 1 & 2 Shankar House Fisher Street Dudley Port Tipton DY4 8XE	Proposed change of use from Light Industrial to Training centre (Class F1) and new cycle store.	Grant Permission Subject to Conditions  10th February 2021
DC/20/65070 West Bromwich Central	British Heart Foundation 3 The Farley Centre High Street West Bromwich B70 7QU	Proposed roller shutters to front.	Grant Permission  10th February 2021
DC/20/65075 Greets Green & Lyng	27 Whyley Street West Bromwich B70 9LX	Proposed garage conversion, single storey front extensions with canopy to front elevation and new pitched roof to garage and existing rear extension.	Grant Permission with external materials  10th February 2021
DC/20/65078 Blackheath	Regis House 29 Causeway Rowley Regis B65 8AA	Proposed single storey rear extension.	Grant Permission with external materials  10th February 2021



Application No. Ward	Site Address	Description of Development	Decision and Date
DC/20/6710A  Oldbury	1 Vaughan Park Sedgley Road East Tipton DY4 7UU	Proposed 2 No. externally illuminated 3D signs.	Grant Advertisement Consent  10th February 2021
PD/20/01643  Hateley Heath	132 Hall Green Road West Bromwich B71 2EA	Proposed single storey rear extension measuring: 6.0m L x 4.0m H (2.7m to eaves)	P D Householder not required  10th February 2021
DC/20/64933  Oldbury	1 Palmerston Drive Tividale Oldbury B69 3NA	Proposed use of dwelling house (Use Class C3a) as a residential children's home for up to four children with up to three non-resident staff (Lawful Development Certificate).	Grant Lawful Use Certificate  11th February 2021
DC/20/65102  Wednesbury South	71 The Broadway West Bromwich B71 2QQ	Proposed single storey side and rear extension.	Grant Permission Subject to Conditions  11th February 2021
DC/21/65110  Wednesbury South	41 Pembroke Road West Bromwich B71 2NU	Proposed ramp to front of property with handrails.	Grant Permission  11th February 2021
DC/21/65113  Charlemont With Grove Vale	26 Harrington Croft West Bromwich B71 3RJ	Proposed single storey rear extension and front porch.	Grant Permission with external materials  11th February 2021

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/21/65121 Princes End	10 Violet Croft Tipton DY4 0DB	Proposed single storey rear extension.	Grant Permission with external materials  11th February 2021
DC/21/65206 Tipton Green	6 Menin Road Tipton DY4 8DW	Proposed detached garage/utility room to side (Lawful Development Certificate) (previous application DC/20/64986).	Grant Lawful Use Certificate  11th February 2021
DC/20/64938 Wednesbury South	6 Tame Street West Bromwich B70 0QP	Retention of garage to a beauty salon.	Grant Conditional Retrospective Consent  12th February 2021
DC/20/64932 Charlemont With Grove Vale	18 Alexandra Crescent West Bromwich B71 3AQ	Proposed single and two storey rear extension with hip to gable roof extension and 5 rooflights.	Grant Permission Subject to Conditions  12th February 2021
DC/20/64965 Abbey	47 Harborne Road Oldbury B68 9JE	Garage conversion into habitable room.	Grant Permission with external materials  12th February 2021

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/20/65068 Langley	1 Harrold Avenue Rowley Regis B65 0RQ	Proposed two storey side/rear and single storey front/rear extensions.	Grant Permission with external materials  12th February 2021
DC/20/6708A West Bromwich Central	JCDecaux Advertisement Hoardings Trinity Way West Bromwich	Proposed removal of 2 No. existing 48 sheet advertisement displays and upgrade 1 No. existing display to support a digital poster.	Grant Conditional Advertisement Consent  12th February 2021
DC/20/6709A West Bromwich Central	Advertisement Hoarding 36 Dudley Street West Bromwich	Proposed upgrade of existing 48 sheet advert to support digital poster.	Grant Conditional Advertisement Consent  12th February 2021
DC/20/65061 Wednesbury North	39 And 40 Union Street Wednesbury WS10 7HB	Proposed loft conversion with dormer windows to front and rear to create a residential flat.	Grant Permission Subject to Conditions  12th February 2021
DC/20/65079 Princes End	1 Parkes Lane Tipton DY4 9JG	Proposed two storey/single storey rear extension.	Grant Permission with external materials  12th February 2021

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/20/65081 Langley	31 Boundary Avenue Rowley Regis B65 0NY	Proposed single and two storey rear extension and first floor side extension.	Grant Permission with external materials  12th February 2021
DC/20/6711A Newton	Scott Arms Dental Practice 912 - 916 Walsall Road Great Barr Birmingham B42 1TQ	Proposed digital LED display fascia sign.	Grant Conditional Advertisement Consent  12th February 2021
DC/20/65095 Newton	76 Spouthouse Lane Great Barr Birmingham B43 5PX	Proposed first floor side extension.	Grant Permission with external materials  12th February 2021
PD/21/01645 Smethwick	21 Shakespeare Road Smethwick B67 7HS	Proposed single storey rear extension measuring: 6.0m L x 4.0m H (2.5m to eaves)	P D Householder not required  12th February 2021
DC/20/64901 Wednesbury North	38 Dingley Road Wednesbury WS10 9PU	Proposed two storey side/rear extension with dormer and single storey rear extension.	Grant Permission with external materials  15th February 2021

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/20/65018  Charlemont With Grove Vale	35 Charlemont Avenue West Bromwich B71 3BY	Proposed single storey rear/side extension.	Grant Permission Subject to Conditions  15th February 2021
DC/20/6707A  Oldbury	J And P Metals Ltd Blakeley Hall Road/Birmingham Road Oldbury	Proposed 1 No. externally illuminated matrix digital screen.	Refuse Advertisement Consent  16th February 2021
DC/20/65090  Great Barr With Yew Tree	1 Peveril Way Great Barr Birmingham B43 6ER	Proposed single storey side extension.	Refuse permission  16th February 2021
DC/20/65092  Smethwick	85 Brisbane Road Smethwick B67 7AR	Proposed change of use of existing dwelling (Use Class C3) into 12 No. bedroom HMO (Use Class Sui Generis).	Refuse permission  16th February 2021
DC/20/64622  Bristnall	41 Brandhall Road Oldbury B68 8DP	Proposed single storey side extension to create garage.	Grant Permission Subject to Conditions  17th February 2021
DC/20/64968  Cradley Heath & Old Hill	70 Reddal Hill Road Cradley Heath B64 5JT	Proposed two storey rear extension and change of use from laundry to 2 No. flats with external alterations.	Grant Permission Subject to Conditions  17th February 2021

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/20/64972 Blackheath	The Beech Tree 158 - 159 Halesowen Street Rowley Regis B65 0ES	Retention of external bar, pergola and sheltered seating area to rear.	Grant Conditional Retrospective Consent  17th February 2021
PD/20/01640 Abbey	63 Devon Road Smethwick B67 5EL	Proposed single storey rear extension measuring: 4.60m L x 3.70m H (2.50m to eaves)	P D Householder not required  17th February 2021
DC/20/65101 Great Barr With Yew Tree	10 Red House Park Road Great Barr Birmingham B43 6ND	Proposed single storey rear/side extension.	Grant Permission with external materials  17th February 2021
DC/21/65109 Bristnall	6 Bernard Road Oldbury B68 9AP	Retention of front porch and canopy.	Grant Retrospective Permission  17th February 2021
PD/21/01644 Wednesbury South	23 Brindley Road West Bromwich B71 2NA	Proposed single storey rear extension measuring: 4.45m L x 3.90m H (2.60m to eaves)	P D Householder not required  17th February 2021

Application No. Ward	Site Address	Description of Development	Decision and Date
PD/21/01647  Newton	161 Jayshaw Avenue Great Barr Birmingham B43 5RX	Proposed single storey rear extension measuring: 6.00m L x 3.70m H (2.65m to eaves)	P D Householder not required  17th February 2021
DC/21/65132  Hateley Heath	58 Glastonbury Road West Bromwich B71 2LL	Proposed single storey side and rear extension.	Grant Permission with external materials  17th February 2021
PD/21/01652  Great Barr With Yew Tree	20 Poppy Drive Walsall WS5 4RB	Proposed single storey rear extension measuring: 3.8m L x 3.5m H (2.6m to eaves)	P D Householder not required  17th February 2021
PD/21/01653  Tividale	46 Regent Road Oldbury B69 1TR	Proposed single storey rear extension measuring 6.0m L x 4.0m H (3.0m to eaves)	P D Householder not required  17th February 2021
DC/20/64246  Smethwick	Mobile Internet Cafe 6 High Street Smethwick B66 1DX	Retention for change of use of rear of shop to create 1 No. self contained flat.	Grant Conditional Retrospective Consent  19th February 2021
DC/20/64724  Oldbury	Land Adjacent 83 Dudley Port Tipton	Proposed residential development of up to 8 no. dwellings (outline application for access only).	Grant Outline Permission with Conditions  19th February 2021



Application No. Ward	Site Address	Description of Development	Decision and Date
DC/20/64782 St Pauls	58 Lewisham Road Smethwick B66 2BU	Proposed single storey rear extension to shop to create a residential flat.	Grant Permission Subject to Conditions  19th February 2021
DC/20/64876 Oldbury	1 Lower City Road Tividale Oldbury B69 2HA	Proposed two storey/first floor side and rear, single storey front/rear extensions, front canopy and rear dormer window.	Refuse permission  19th February 2021
DC/20/65052 Rowley	56 Midhill Drive Rowley Regis B65 9SE	Proposed first floor front and side extension.	Refuse permission  19th February 2021
DC/20/65089 Tividale	21 Weston Avenue Tividale Oldbury B69 1UB	Proposed hip to gable loft extension with rear dormer window (Lawful Development Certificate).	Grant Lawful Use Certificate  19th February 2021
DC/21/65130 Hateley Heath	9 Cromwell Street West Bromwich B71 1LL	Proposed single and two storey side extension, single storey front and rear extensions and detached home gym to rear.	Grant Permission Subject to Conditions  19th February 2021
DC/17/60794 Oldbury	Langley Maltings Western Road Oldbury B69 4LY	Proposed temporary structure to be used for storage (Use class B8).	Refuse permission  24th February 2021

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/20/64995  Greets Green & Lyng	60 Wheatley Street West Bromwich B70 9TL	Proposed single storey front, two storey side, and single and two storey rear extensions.	Grant Permission with external materials  24th February 2021
DC/20/65096  Bristnall	79 Hurst Road Smethwick B67 6LY	Proposed single storey rear extension.	Grant Permission with external materials  24th February 2021
DC/20/65098  Hateley Heath	49 Sandfield Road West Bromwich B71 3NE	Proposed single storey front and two storey rear extension and increase of roof height.	Grant Permission with external materials  24th February 2021
DC/20/65099  Hateley Heath	51 Sandfield Road West Bromwich B71 3NE	Proposed single storey front, two storey side and rear extension and increase of roof height.	Grant Permission Subject to Conditions  24th February 2021
DC/20/65104  Old Warley	118 Harborne Road Oldbury B68 9JG	Proposed single storey rear extension with render to existing side/rear of property.	Grant Permission with external materials  24th February 2021

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/20/65108 Soho & Victoria	6 Rabone Lane Smethwick B66 3JH	Proposed change of use from builders yard and offices to auto electrical/car repairs.	Grant Permission Subject to Conditions  24th February 2021
PD/21/01650 Oldbury	17 Albion Street Oldbury B69 3EZ	Proposed single storey rear extension measuring: 6.0m L x 3.8m H (2.5m to eaves)	P D Householder not required  24th February 2021
DC/21/65138 Tividale	20 Hodges Drive Tividale Oldbury B69 1LY	Proposed single storey rear extension, single storey front extension and garage conversion.	Grant Permission with external materials  24th February 2021
PD/21/01655 Friar Park	172 Bassett Road Wednesbury WS10 0LY	Proposed single storey rear extension measuring: 5.91m L x 2.6m H (3.63m to eaves)	P D Householder not required  24th February 2021
DC/21/65154 West Bromwich Central	113 Temple Meadows Road West Bromwich B71 4DG	Proposed two storey side extension and single storey front and rear extensions.	Grant Permission with external materials  24th February 2021

Application No. Ward	Site Address	Description of Development	Decision and Date
DC/21/65157  Wednesbury South	31 Waterside Avenue Wednesbury WS10 0DS	Proposed garage conversion into kitchen.	Grant Permission with external materials  24th February 2021
PD/21/01659  Oldbury	137 Mckean Road Oldbury B69 4AQ	Proposed single storey rear extension measuring: 6.0m L x 2.90m H (2.90m to eaves)	P D Householder not required  24th February 2021
PD/21/01660  Blackheath	Britannia Park Rowley Village Rowley Regis	Proposed demolition of changing rooms and pavilion.	Grant Demolition Consent  24th February 2021

# Report to the Planning Committee

**10<sup>th</sup> March 2021**

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







## **1 Recommendations**

- 1.1 That Planning Committee notes the decisions of the Planning Inspectorate as detailed in the attached appendices.

## **2 Reasons for Recommendations**

- 2.1 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.

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

		<p>We now have many new homes to meet a full range of housing needs in attractive neighbourhoods and close to key transport routes.</p> <p>Our distinctive towns and neighbourhoods are successful centres of community life, leisure and entertainment where people increasingly choose to bring up their families.</p> <p>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..</p>
		
		

### 4 Context and Key Issues

- 4.1 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.
- 4.2 Appeals must be submitted within six months of the date of the local authority's decision notice.
- 4.3 Decisions on the following appeals are reported, with further detailed set out in the attached decision notice:-

<b>Application Ref No.</b>	<b>Site Address</b>	<b>Inspectorate Decision</b>
DC/20/64862	1 Monksgate Drive, West Bromwich B71 1NL	Dismissed

## 5 Alternative Options

5.1 There are no alternative options.

## 6 Implications

<b>Resources:</b>	There are no direct implications in terms of the Council's strategic resources. 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.
<b>Legal and Governance:</b>	The Planning Committee has delegated powers to determine planning applications within current Council policy. 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
<b>Risk:</b>	There are no risks associated with this report.
<b>Equality:</b>	There are no equality implications associated with this report.
<b>Health and Wellbeing:</b>	There are no health and wellbeing implications associated with this report.
<b>Social Value</b>	There are no implications linked to social value with this report.

## 7. Appendices

Appendix 1 – Decisions of the Planning Inspectorate.





## Appeal Decision

Site Visit made on 9 February 2021

**by Bhupinder Thandi BA (Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 23 February 2021**

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### **Appeal Ref: APP/G4620/D/21/3266698**

#### **1 Monkgate Drive, West Bromwich B71 1NL**

- 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 Janet Alexander-Hall against the decision of Sandwell Metropolitan Borough Council.
  - The application Ref DC/20/64862, dated 18 October 2020, was refused by notice dated 11 December 2020.
  - The development proposed is a two storey side extension and single storey rear extension.
- 

#### **Decision**

1. The appeal is dismissed.

#### **Procedural Matter**

2. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.

#### **Main Issues**

3. The main issues are:
  - The effect of the proposed development upon the character and appearance of the area; and
  - The effect of the proposed development upon the living conditions of neighbouring occupiers, with particular regard to light and outlook.

#### **Reasons**

##### *Character and appearance*

4. The appeal site is a two storey link detached dwelling located within a modern residential estate. The property has a side garage set back from the frontage and a conservatory to the rear. Neighbouring property 11 Small Street is dual aspect and backs on to the appeal site and has windows facing the site. This side of Monkgate Drive and this section of Small Street is characterised by modern properties with a close spatial relationship and limited separation between them.

5. I acknowledge that the proposed development would be subservient to the host property being both set back from the front wall and set down from the ridge of the roof. However, its two storey height and overall length, projecting beyond the rear wall of the host property, would be viewed as disproportionately and uncharacteristically large when considering the size of the existing dwelling unduly dominating its appearance. Due to the property's position close to the road junction and the area's close spatial relationship its scale and mass would be clearly noticeable appearing as a visually intrusive feature from within the surrounding area.
6. Whilst the proposed development would replace an existing garage and use sympathetic materials these factors do not justify a scheme that I have found to be harmful.
7. I conclude that the proposed development would adversely affect the character and appearance of the area contrary to Policy ENV3 of the Black Country Core Strategy (2011) and Policy EOS9 of the Site Allocations and Delivery Development Plan Document (2012) which, amongst other things, seek high quality design and which do not support poor designs that are out of scale with or incompatible with their surroundings.
8. It would also be contrary to guidance in part y. of the Revised Residential Design Guide Supplementary Planning Document (2014) which, amongst other things, sets out that extensions must be proportionate to the scale of the existing dwelling and street scene.

#### *Living conditions of existing occupiers*

9. I acknowledge that the proposed side extension would be subservient to the host property and No 11 is dual aspect. However, it has habitable room windows facing the appeal site. There is limited separation between the properties, and this combined with the proposed development's proximity positioned along the boundary and its length and height would form an overbearing feature. This would result in a sense of enclosure that would have a significant adverse impact on the living conditions of the occupiers of No 11 by virtue of loss of light and outlook.
10. I conclude that the proposed development would cause significant harm to the living conditions of the occupiers of No 11 with particular regard to light and outlook.

#### **Other Matters**

11. Whilst I have given the appellant's personal circumstances careful consideration, I am mindful of the advice contained in the Planning Practice Guidance that in general, planning is concerned with land use in the public interest. It is probable that the proposal would remain long after the current personal circumstances cease to be material. For these reasons, I find that this factor is not sufficient to outweigh the harm that I have identified.

**Conclusion**

12. For the reasons set out above the appeal does not succeed.

*B Thandi*

INSPECTOR

# Report to the Planning Committee

**10<sup>th</sup> March 2021**

<b>Subject:</b>	Annual Report of the Planning Committee 2019 and 2020
<b>Director:</b>	Tammy Stokes; Interim Director - Regeneration and Growth
<b>Contact Officer:</b>	John Baker Service Manager; Development Planning and Building Consultancy <a href="mailto:John_baker@sandwell.gov.uk">John_baker@sandwell.gov.uk</a> 0121 569 4037







## **1 Recommendations**

- 1.1 That Council receive the Planning Committee Annual Report for 2019 and 2020.

## **2 Reasons for Recommendations**

- 2.1 The Council establishes the Planning Committee each year to deal with matters relating to the Town and Country Planning Acts and related legislation, which mainly concerns the determination of planning applications.
- 2.2 The Committee is required to submit an Annual Report to Council each year detailing the work undertaken throughout the year. Due to the disruption caused by the outbreak of Coronavirus, the annual report for 2019 was not presented as proposed. This report now combines an overview of the work of Planning Committee for both 2019 and 2020.

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

		The planning decision-making process contributes significantly to a number of elements of the Sandwell Vision. These include the regeneration of Sandwell; helping create homes that meet people’s current and future needs; helping provide the right number of school places; establishing training facilities; and investing in businesses, people and jobs.
		
		

### 4 Alternative Options

4.1 There are no alternative options.

### 5 Implications

<b>Resources:</b>	Officer time and legal costs for dealing with planning applications are resourced from application fees and existing budgets.
<b>Legal and Governance:</b>	The Council, as local planning authority, has a statutory duty to provide a Development Management service as required by the Planning Acts and associated legislation.
<b>Risk:</b>	There are no risks associated with this report.
<b>Equality:</b>	There are no equality implications associated with this report.
<b>Health and Wellbeing:</b>	There are no health and wellbeing implications associated with this report.
<b>Social Value</b>	There are no implications linked to social value.

### 6. Appendices

Appendix 1 – Annual Report of Planning Committee 2019-2020

As Chair of the Planning Committee it gives me great pleasure to provide the foreword for this annual report.

My role is to chair, lead and co-ordinate the activities of the Planning Committee and with the continued hard work and dedication of our planning officers, ably supported by the Members of the Committee, we have achieved continued success in 2019 and throughout the challenging times faced in 2020.

We have been able to build on changes to working practices that have improved the swiftness of dealing with applications to respond to customer needs as well as giving officers the freedom to engage, provide guidance and give every assistance to encourage new development within Sandwell.

This progress is largely down to increased delegated powers to officers and the setting of performance targets above and beyond those required (and closely monitored) by Central Government, coupled with a rolling programme of Member training regarding new planning regulations and related matters.

2019 saw Planning Committee dealing with several major planning applications, in particular at Friar Park, Wednesbury and Tifford Road, Oldbury, that attracted unprecedented levels of public interest and involvement. I was extremely pleased with the way Members and officers alike rose to the challenges and dealt with each application in such a professional manner. During 2020 we all unfortunately became too well aware of the challenges brought about by the pandemic. However, I am extremely pleased with how well working practices have been adapted which has enabled us to carry on. These changes, for example, included the use of 'virtual' planning committee meetings and coupled with the flexibility shown by colleagues to take account of the necessary restrictions placed upon us, has meant that the planning process has continued to perform well.

In 2021 the Planning Committee will continue to seek to add value to new development in Sandwell by ensuring the effective and efficient determination of planning applications in a fair, open and transparent manner.



Councillor Susan Downing - Chair of Planning Committee

The Council establishes the Planning Committee each year to deal with matters relating to the Town and Country Planning Acts and related legislation, which mainly concerns the determination of planning applications.

### **How Planning Committee Works (At the Meeting)**

The aim has always been to ensure that Planning Committee is as open and inclusive as possible. In this respect, both applicant and objectors are invited to the meeting at which the application they have an interest in is to be determined.

One representative from each side is then given a maximum of five minutes each to make their particular case. Members may also ask supplementary questions of each side. Senior officers from Planning as well as Democratic Services, Highways, Legal Services and Public Health are present to field questions that Members may have. Plans and photographs are displayed on large screens for all present to see. The public gallery is also managed by planning officers who are at hand to answer any further questions from the public. The public are given a real opportunity to take part in the meeting, see the democratic process in action and have their voice heard.

### **Membership**

From January 2019 to May 2019 the following Members were appointed to the Planning Committee:-

Councillor Sandars (Chair);  
Councillor Webb (Vice-Chair);  
Councillors Costigan, Chidley, K Davies, Downing, Eaves, Edis, EA Giles, L Giles, R Horton, P M Hughes, Piper, Singh, Taylor and Tranter.

At its annual meeting in May 2019 the Council appointed the following Members to the Planning Committee:-

Councillor Downing (Chair);  
Councillor Hevican (Vice-Chair);  
Councillors Ahmed, Allen, Chidley, Dhallu, S. Davies, Gill, P.M. Hughes, M. Hussain, Mabena, Millar, Rouf, Simms and Trow.

Changes to membership during 2020 saw Councillor Trow leave the Committee to be replaced by Councillor I. Jones.



## 2. Business of the Committee

During 2019 and 2020, Planning Committee met on a monthly basis. (Due to Coronavirus and the need for emergency measures, meetings in April and May 2020 were chaired by the Interim Director of Regeneration & Growth). Below is a breakdown of each Committee meeting in terms of numbers of applications determined and whether the decision at the particular Committee was in accordance with the officer's recommendation or not. It should be noted that Members, after considering the facts of a case, can decide to visit to see the application site for themselves or defer in order to seek further information. There was a slight reduction in the number of applications determined by Planning Committee in 2020 which reflected the fall in the larger projects coming forward due to the economic downturn brought about by the pandemic.

### 2019 Planning Committee Breakdown

Date of Committee	No of Applications on Agenda	Decision With Officer Recommendation	Decision Against Officer Recommendation	Application Withdrawn	Visit	Deferred
Jan	13	7	0	0	6	0
Feb	12	5	1	0	5	1
March	9	5	0	0	3	1
April	8	6	0	0	2	0
May	6	3	0	0	3	0
June	8	4	0	0	2	2
July	5	3	0	0	1	1
Aug	5	2	2	0	1	0
Sept	3	1	0	0	1	1
Oct	3	1	0	0	0	2
Nov	8	4	0	0	3	1
Dec 4th	9	6	1	0	1	1
Dec 17th	1	1	0	0	0	0
<b>Total</b>	<b>90</b>	<b>48</b>	<b>4</b>	<b>0</b>	<b>28</b>	<b>10</b>

## 2020 Planning Committee Breakdown

Date of Committee	No of Applications on Agenda	Decision With Officer Recommendation	Decision Against Officer Recommendation	Application Withdrawn	Visit	Deferred
Jan	6	2	0	0	2	2
Feb	8	6	0	0	2	0
March	11	4	1	0	4	2
April	5	5	0	0	0	0
May	6	4	0	0	0	2
June	6	4	2	0	0	0
July	9	8	0	0	0	1
Aug	6	6	0	0	0	0
Sept	4	3	0	0	0	1
Oct	3	3	0	0	0	0
Nov	3	2	0	0	0	1
Dec	8	7	0	1	0	0
<b>Total</b>	<b>75</b>	<b>54</b>	<b>3</b>	<b>1</b>	<b>8</b>	<b>9</b>

### 3. Commentary on the work of Planning Committee and the Development Planning team.

#### **Numbers of applications received and determined in 2019;**

1211 planning applications received of which 1126 applications were determined.

Of the 1126 applications determined, 1073 (95%) were dealt with by officers using delegated powers.

Of those applications determined:-

1051 were approved (93%)

75 were refused permission (7%)

#### **Numbers of applications received and determined in 2020;**

1067 planning applications received of which 953 applications were determined.

Of the 953 applications determined, 905 (95%) were dealt with by officers using delegated powers.

Of those applications determined:-

898 were approved (94%)

55 were refused permission (6%)

The figures above indicate that the overall number of planning applications received during 2020 fell slightly compared to those submitted in 2019. Notwithstanding this, these numbers are also affected by the fact that in 2013, the Government introduced a new 'Prior Approval' system which is intended to primarily allow householders greater scope above and beyond existing regulations to extend their properties. Before this date such extensions would have required a formal planning application to be submitted. These Prior Approvals do not appear in the formal figures for the numbers of applications dealt with but in essence, the process and the work required is the same as dealing with a full planning application. The Council received **237** such applications in 2019, compared to **219** in 2020.

The large percentage of applications approved in part reflects the openness of the service in encouraging developers and prospective applicants to engage in pre-application discussions. A charge for such discussions was introduced at Sandwell from September 2019 to offer a complete service to potential applicants and bring the Council in line with neighbouring authorities. This approach sends the message that the Council, despite the existing economic difficulties, is very much open for business and ready to facilitate development opportunities.

The positive outcome of the vast majority of planning applications submitted at Sandwell is also in part a reflection of where there are problems with a proposed scheme, officers will endeavour to negotiate workable solutions within the prescribed time scales.

In addition to the above planning applications, the Development Management section in 2019 also dealt with around 300 complaints regarding alleged breaches of planning control. A similar number of investigations were carried out in 2020. Officers remain acutely aware of the fact that the credibility of the planning system as a whole rests on the ability to take timely and appropriate enforcement action.

A further 150 sites in 2019 were also investigated by officers as potentially requiring tidy up work using in the main powers available under Section 215 of the Town and County Planning Act 1990. (This power allows the local planning authority to deal with privately owned land or buildings, the condition of which is adversely affecting the amenity of a particular area). Again, during 2020 this number of cases remained similar. This area of work has grown in recent years on the back of the Council's own 'Grot Spots' programme. Officers continue to strive to build on the good work to date and the partnerships already created both within the Council and with outside bodies such as the Police and Fire Service.

## **Performance**

The local planning authority is monitored closely by the Government regarding the time taken to determine planning applications. (Applicants have a right to appeal to the Planning Inspectorate if their application is not dealt within the prescribed time).

The Government targets are as follows:-

60% of major applications to be determined in 13 weeks

70% of minor applications to be determined in 8 weeks

80% of other applications to be determined in 8 weeks

*“Major” developments are defined as applications for 10 or more dwellings; where the floor space of the proposal exceeds 1000 square metres or if the application site area exceeds 1 hectare.*

*“Minor” developments include schemes for less than 10 dwellings and where floor area is less than 1000 square metres.*

*“Others” includes changes of use and householder extensions).*

The Planning service has consistently continued to exceed these performance targets throughout 2019 and 2020. The on-going commitment of all staff, coupled with the assistance of Planning Committee, has very much helped to achieve this;

## **2019**

Major applications: 43; No. determined in 13 weeks: 40

**Performance** - 93.0%

Minor applications: 269; No. determined in 8 weeks: 245

**Performance** - 91.7%

Other applications: 814; No. determined in 8 weeks: 770

**Performance** - 94.6%

## **2020**

Major applications: 29; No. determined in 13 weeks: 28

**Performance** - 96.6%

Minor applications: 222; No. determined in 8 weeks: 196

**Performance** - 88.3%

Other applications: 702; No. determined in 8 weeks: 624

**Performance** - 88.9%

## **Customer Satisfaction**

Speed of decision making is important but is just one aspect of the service provided. With each decision notice sent out, a customer satisfaction survey is attached. For 2019, 92% of applicants and/ or agents who responded were Very Satisfied or Fairly Satisfied with the overall service.

## 4. The Committee's Main Achievements

Planning Committee is integral to the Council achieving the Government's performance targets with regards to the time taken to determine planning applications. Throughout the year, Members and officers have strived to work together to not just achieve these targets but also consistently exceed them.

These performance figures also bear testament to the collective efforts to attract new development to the Borough in these continuing difficult economic times. The Planning system can be a positive catalyst for economic regeneration and growth in Sandwell.

Building on this progress, in June 2014 Sandwell achieved the national award from the Royal Town Planning Institute of "Local Authority Planning Team" of the Year for 2014/ 15.

As part of the judge's comments, it was noted that;

**"Sandwell has an exemplary track record with the Planning Service consistently exceeding national targets...."**

In 2018 the Planning Service also took part in a Corporate Peer Review and the feedback provided was of a service that contributes positively to the wider aspirations of the Council.

## 5. Contribution to Sandwell Vision

The planning decision-making process contributes significantly to a number of elements of the Sandwell Vision. These include the regeneration of Sandwell; helping create homes that meet people's current and future needs; helping provide the right number of school places; establishing training facilities; and investing in businesses, people and jobs.

## 6. Training and Development

The pandemic has unfortunately disrupted proposed training for Members but the following sessions during 2019 and 2020 have been run on the topics below;

April 2019	Houses in Multiple Occupation
June	Introduction to Planning for new Members
July	Householder permitted development rights
August	Building Regulations process
September	Material Considerations – part 1
October	Material Considerations – part 2
November	The Development Plan
February 2020	Council Housing Development and Delivery

## 7. Conclusion

The Council will continue to strive to deal with planning applications in an effective and efficient manner. The continued support and pragmatism shown by Committee Members is invaluable in order for planning officers to continue to achieve the high performance and customer satisfaction levels that they have to date.