

Minutes of Planning Committee

**10 March 2021 at 5:00pm
Virtual Meeting**

Present: Councillors Allen, Ahmed, S Davies, Dhallu, G Gill, M Hussain, I Jones, Millar, Piper and Rouf.

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].

14/21 **Election of Chair**

Resolved that Councillor Allen is elected Chair for the meeting.

15/21 **Apologies for Absence**

Apologies were received from Councillors Downing, Hevican, P M Hughes and Simms.

16/21 **Declarations of Interest**

There were no declarations of interest.

17/21 **Minutes**

Agreed that minutes of the meeting held on 10 February 2021 are a correct record.

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.

The Service Manager – Development Planning and Building Consultancy reported that photographs of the application site, had been received from Councillor Carmichael, illustrating issues regarding delivery vehicles and drainage.

Councillor Carmichael addressed the Committee, on behalf of objectors, with the following points:-

- There were 15 individual objections and a 46-person petition.
- Concerns were expressed regarding the impact on residents' quality of life.
- The car parking provision was unsuitable and would result in an increase in on-street car parking on both sides of the road, adding to congestion and visibility and safety risks associated with the road.
- It was unlikely that people would travel on foot, due to the site being on a steep incline.
- Deliveries from Heavy Goods Vehicles (HGV) at the site would enhance traffic concerns.
- The site was located on a busy road, which served as a main route to the M5.
- With a capacity of 50 people, residents would be disturbed by "merry people" and taxis.
- The staff car park at the rear of the site would disturb nearby residents.
- There was no disabled access.

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

- The addition of a taproom in direct proximity with residents would have an adverse effect on quality of life and would increase anti-social behaviour.
- Neighbouring properties would share a boundary with the proposed bar and the car park would front onto the resident's drive.

- There would be an increase in traffic and noise disturbance from customers loitering, cars and taxis and customers would sit on their wall whilst waiting for taxis.
- Whilst the applicant was looking to attract a certain clientele, this clientele could also cause anti-social behaviour.
- The pub would be close to their daughter's bedroom, so they would not be able to have her bedroom window open, due to fear of abduction.
- Scaffolding and building work had already caused them disruption.
- Their garden would be accessible from the rear of the site.
- The proposal and its impact would affect their mental health.

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

- The development aimed to expand operation in distilling spirits to meet demand, promote products and work alongside Black Country craft drink producers.
- The HGV pictured in the photographs was delivering to a neighbouring unit.
- The front car park was sufficient, and the rear car park would be used only by staff.
- The site had great public transport links.
- It was not protocol for taxis to beep for their customers now and this would be reported if it became an issue.
- Building work was being carried out by the landlord of the site and was not part of the application.
- Distillery activity would produce little noise and waste.
- The distillery was the main focus of the business and the bar would provide tours and promote the products.
- The expansion of operation would increase employment opportunities within the area.
- Deliveries to the site would only be twice a month and would increase in volume rather than in frequency if required. In addition they would come from Alwin Road, and not from the direction shown in the photos submitted by objectors.
- Environmental Health were in contact with the Landlord to advise on the drainage issues.
- A Premise Licence had been approved for the taproom with opening hours up to 11pm. The recommended closing

time of 22.30 would provide an unfair advantage over competitors and exacerbate concerns that the site's clientele would migrate to a nearby pub.

- There had been no issues with anti-social behaviour at the applicant's bar in Brierly Hill.
- The site aimed to be a specialist drinking establishment for clientele to receive a specific drinking experience, therefore would be unlikely to attract disruptive customers.

The Service Manager – Development Planning and Building Consultancy highlighted that the unit had existing permission for unrestricted industrial use so permission had not been required to move the distillery there. The application before the Committee was for the bar only.

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

- The Premise License had been approved in September 2020, and no objections had been received.
- No objections had been raised by Public Health, Highways or the police.
- Highways officers were satisfied that there was adequate parking provision and that the peak of activity at the premises would happen outside of the traffic network peak flow.
- The landlord had confirmed that the parking provision would be available for the sole use of the bar at evenings and weekends.
- As the rear aspect of the site was close to residential properties, Environmental Health had recommended earlier closing times.
- The issue of repairs to the boundary wall was not a matter for the Committee.
- If granted, the planning permission would be personal to the applicant, therefore a further planning and license application would be required from a new owner.
- Temporary permission had been recommended to allow for monitoring to take place.

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

Resolved that 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) is approved, for a temporary period of two years, subject to conditions relating to the following:-

- (i) hours of opening of the taproom/bar being limited to 16.00 to 22.30 Fridays; 12.00 to 22.30 Saturdays and 15.00 to 21.00 Sundays;
- (ii) submission and approval of a revised car parking layout to the rear;
- (iii) no drinking permitted in external areas;
- (iv) No amplified live or recorded music shall be played at the premises;
- (v) Permission being personal to the applicant;
- (vi) no customer access from Alwin Road;
- (vii) the rear car parking area is to be used by staff only.

19/21

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.

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

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

- The loss of a four-bedroom house in a residential area to facilitate the commercial conversion to two two-bedroom flats would significantly impact upon the character of the neighbourhood and affect the quality of life for residents and future occupants.
- Due to the size of the house, conversion into flats would not be feasible without significantly compromising the internal and external design of the building.
- There would be the potential for overcrowding as there would not be enough space to accommodate 8 people in the property.

- The design of the building was not in accordance with the Residential Design Supplementary Planning Document.
- This development sought to join two households into one building, therefore, there was an increased risk of noise and disturbance.
- Properties to the side of the proposed flats would be overlooked.
- There would be 8 bins from the dwellings across the front of the house which would impact the visual aspect of the house and neighbourhood.
- There was insufficient parking, which would exacerbate existing problems.
- The proposal would increase strain on the community drain and sewage system.

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

- The property had suffered from severe subsidence and had been vacant for several years and he was investing a lot to bring it up to modern day standards, benefitting the local area.
- The original application had been amended to seek approval for two flats, instead of four, following discussions with planning officers.
- The proposal would not change the street scene.
- A previously application to create a four-bedroom house had been approved, therefore the number of people living at the property had not increased.
- The proposed car parking provision had been approved by Highways.
- The flats aimed to attract a demographic reflective of the local area, therefore the street character would not be affected.
- The Residential Design Supplementary Planning Document and the National Planning Policy Framework had been adhered to.

The Service Manager – Development Planning and Building Consultancy reported the sizes of the proposed flats was in excess of the minimum standards. Issues relating to fire risk and drainage would be addressed under Building Regulations

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

Resolved that 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) is approved, subject to conditions relating to the following:-

- (i) external materials matching those of the existing property, unless otherwise agreed;
- (ii) retention of approved parking spaces.

20/21 **Planning Application DC/21/65124 - Proposed single and two storey side/rear extensions. 33 Regent Drive, Tividale, Oldbury, B69 1TH.**

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 now recommended by the Interim Director - Regeneration and Economy.

Resolved that Planning Application DC/21/65124 (Proposed single and two storey side/rear extensions. 33 Regent Drive, Tividale, Oldbury, B69 1TH) is approved, subject to materials matching with existing property.

21/21 **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.**

There was no objector or applicant present.

The Service Manager – Development Planning and Building Consultancy reported that there was no off street parking, however, highways officer had raised no objections. The majority of the extension was to the rear of the property, which had a long back garden and therefore separation distances were adequate.

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

Resolved that 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) is approved, subject to conditions relating to the following:-

- (i) external materials matching 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.

22/21 **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.

23/21 **Decisions of the Planning Inspectorate.**

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

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

24/21 **Annual Report of the Planning Committee 2019 – 2020**

The Committee received its annual report for 2019 – 2020 for consideration. The report spanned across two municipal years, due to the covid-19 pandemic.

Members congratulated planning officers for the excellent performance.

Resolved that the Annual Report of the Planning Committee 2019 - 2020 is approved for submission to the Council at its meeting on 23rd March 2021.

Meeting ended at 6:42pm.

Contact: democratic_services@sandwell.gov.uk