

Minutes of Planning Committee

**Wednesday 05 October 2022 at 5.00pm
in the Council Chamber, Sandwell Council House, Oldbury**

Present: Councillor Millar (Chair);
Councillors Allen, Dhallu, Fenton, Mabena, Preece, N
Singh, S Singh and Webb.

Also present: John Baker (Service Manager - Development Planning
and Building Consultancy), Andy Thorpe (Healthy
Urban Development Officer), Siân Webb (Legal
Services) Alex Goddard (Democratic Services Officer)
Connor Robinson (Democratic Services Officer) and
Anthony Lloyd (Democratic Services Officer).

109/22 **Apologies for Absence**

Apologies were received from Councillors Akhtar, Allcock,
Chapman, A Hussain and Williams.

110/22 **Declarations of Interest**

There were no declarations of interest made.

111/22 **Minutes**

Resolved that the minutes of the meeting held on 07
September 2022 are approved as a correct record.

112/22

Planning Application DC/21/66353 – Retention of use of garden area at 602 Hagley Road West as drying area with canopy, jet wash canopy, staff welfare & office building and 4m high boundary wall/fencing and proposed use of rear garden area at 608 & 610 Hagley Road West for car sales. – 602 Hagley Road West, Oldbury B68 0BS.

Members of the Committee had been lobbied by both the Objectors and the Applicant(s) on a recent site visit.

The Service Manager for Development Planning and Building Consultancy was invited to address and update the Committee. The following additional conditions had been added to the planning application:-

- (ix) The rating level of all activities associated with the washing and drying of commercial and private vehicles, when measured as a 60-minute LAeq between the hours of 07:00 and 23:00, shall not exceed the background 60-minute LA90 on any day.
- (x) The car wash canopy to be fully enclosed to the side elevation.

An Objector was present and addressed the Committee with the following concerns:

- Although noise measurements had been carried out, it did not reflect the intermittent nature of the noise complaint when compared to steady background noise.
- No reduction in noise had been witnessed since the last meeting of the Planning Committee.
- If the washing was to take place in an enclosed area, noise and spray could be greatly reduced.
- Issues with sleep disruption was still an issue.
- Residents could no longer enjoy their gardens.

The Applicant was invited to address the Committee.

It was stated that the wishes of the Council would be fully adhered to and that full cooperation would take place.

Members sought clarification on how residents could make official noise complaints going forward, if the issues persisted.

The Service Manager for Development Planning and Building Consultancy highlighted that the conditions of the planning application should alleviate any real concerns, especially the condition requiring any car washing to be contained to the building. Any car washing reported outside of the building will be a breach of conditions and, therefore, enforcement could take place. It was also confirmed that noise recording equipment could be used to address any further concerns.

The Committee thanked the objectors and applicants for their time and noted the points made.

Resolved that Planning Application DC/21/66353 (Retention of use of garden area at 602 Hagley Road West as drying area with canopy, jet wash canopy, staff welfare & office building and 4m high boundary wall/fencing and proposed use of rear garden area at 608 & 610 Hagley Road West for car sales. – 602 Hagley Road West, Oldbury B68 0BS.) is approved, subject to conditions relating to the following:-

- (i) The revised car wash canopy shall be installed within 3 months from the approval date.
- (ii) The amended car wash canopy shall be retained as such.
- (iii) All car washing, and associated activities are to take place only within the buildings designated for such purposes.
- (iv) Noise management plan.
- (v) Car Parking and manoeuvring area be provided and retained.
- (vi) Hours of use to be 9am-7pm on Monday-Friday, Saturday's 9am-6pm, and 10am-4pm on Sunday's and Bank Holidays.
- (vii) All jet washing equipment associated with the car wash to be used and stored within the car wash canopy.
- (viii) External materials.
- (ix) The rating level of all activities associated with the washing and drying of commercial and private vehicles, when measured as a 60-minute LAeq

between the hours of 07:00 and 23:00, shall not exceed the background 60-minute LA90 on any day.

- (x) The car wash canopy to be fully enclosed to the side elevation.

113/22

Planning Application DC/22/66716 - Retrospective change of use from police station to non-residential education centre (Use Class F1) with new boundary fencing to rear - 240 Halesowen Road, Cradley Heath, B64 6JA.

The Service Manager for Development Planning and Building Consultancy had no updates for the Committee.

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

- The site had opened in November of last year and not April of this year as stated in the application.
- A multitude of anti-social behaviour concerns had been raised as a result of the school including the tampering of cars, theft and damage to property from footballs.
- Children had been allowed to freely roam the streets without the presence of staff.
- Excessive parking by staff meant that residents had to park several roads away from their homes.

Comments made by the Objector were noted by the Committee.

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

- The School had made vast improvements over the last several months;
- The School ensured that all anti-social behaviour was stopped as soon as they were made aware;
- Children were no longer allowed to take food out of the school;
- Netting had been erected to prevent footballs damaging local property; further extensions were currently being made.

- Some of the pupils were local and any anti-social behaviour issues were addressed;
- Staff were no longer allowed to park outside of residents' properties.

In response to questions from members, the Applicant stated that contact had not been made with the Planning Authority in the first instance due to an unawareness of the correct procedures. It was also confirmed that the pupils are commissioned from local areas; the small classroom sizes helped assist those children with higher educational demands.

The Committee highlighted that many of the concerns raised by Objectors were not material planning concerns and, therefore, a site visit would be beneficial to allow the Committee to make a decision.

Resolved that consideration of Planning Application DC/22/66716 (Retrospective change of use from police station to non-residential education centre (Use Class F1) with new boundary fencing to rear - 240 Halesowen Road, Cradley Heath, B64 6JA) is deferred to allow a site visit.

114/22 **Planning Application DC/22/66996 - Proposed outbuilding to rear for storage - 75 Brandhall Road, Oldbury, B68 8DT**

This Application had been withdrawn by the Applicant.

115/22 **Planning Application DC/22/67118 - Proposed installation of metal mesh fencing with 1 No. automated sliding gate and 3 No. fob controlled pedestrian access gates - RSA Academy, Bilston Road, Tipton, DY4 0BZ**

There were no updates to be provided to the Committee.

The applicant was present and addressed the Committee. It was stated that fencing was required due to recent intrusions onto the site. Classrooms positioned on the ground floor were not protected and proceeded straight onto the access area. A distance of 30m would be in place between the

fencing and the boundary line and no trees would be removed in the process.

Resolved that Planning Application DC/22/67118 (Proposed installation of metal mesh fencing with 1 No. automated sliding gate and 3 No. fob controlled pedestrian access gates - RSA Academy, Bilston Road, Tipton, DY4 0BZ) is approved.

116/22 **Planning Application DC/22/67139 - Proposed single and two storey side extension, single storey rear extension and loft conversion with rear dormer. 104 Pear Tree Road, Great Barr, Birmingham, B43 6JA**

Members had been lobbied during a site visit.

There were no updates to be provided to the Committee.

There were no objectors or applicants present.

Following a site visit, members agreed that the planning application was not out of character for the area.

Resolved that Planning Application DC/22/67139 (Proposed single and two storey side extension, single storey rear extension and loft conversion with rear dormer. 104 Pear Tree Road, Great Barr, Birmingham, B43 6JA) is approved, subject to conditions relating to the following:-

- (i) The external materials matching the existing property,
- (ii) Details and provision of three off-street parking spaces and retention off, and
- (iii) The first-floor side window (facing the side of 106, Pear Tree Road, Great Barr) is obscurely glazed and remains as such.

117/22

Planning Application DC/22/67155 - Proposed two 4 bedroom detached dwellings. 134 Newton Road, Great Barr, Birmingham, B43 6BT

There were no updates to be provided to the Committee.

There were no objectors present.

The applicant's agent was present and offered to answer any questions asked by the committee.

Resolved that Planning Application DC/22/67155 (Proposed two 4 bedroom detached dwellings. 134 Newton Road, Great Barr, Birmingham, B43 6BT) is approved, subject to conditions relating to the following:-

- (i) External materials;
- (ii) Drainage and SuDS;
- (iii) Landscaping;
- (iv) Boundary treatment (including any retaining walls and the boundary treatment adjacent to Newton Road not exceeding 900mm);
- (v) Electric vehicle charging point;
- (vi) Low NOx boiler;
- (vii) Construction method statement (to include working hours); and
- (viii) Permitted development rights removed for extensions including dormers and outbuildings.

118/22

Planning Application DC/22/67177 - Retention of single storey front extension with porch, and single storey rear extension. 66 Longleat, Great Barr, Birmingham, B43 6QD

The Service Manager for Development Planning and Building Consultancy reminded the Committee that this application was not in consideration of concerns regarding the boundary wall; this application was for the single storey extensions only.

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

- A covenant was in place which was not adhered to by the applicant;
- The wall on the front of the property was far too high and was obstructing vision for traffic; it was stated that this had caused several accidents;
- The bricks used to repair the wall were unsightly and not keeping in character of the surroundings
- Works had taken place without consultation with the Council.

The applicant was present and stated that the wall had been raised to prevent foxes from entering property.

The Service Manager for Development Planning and Building Consultancy confirmed that an officer had been in consultation with the applicant. Although it was not for consideration by the Committee, an officer had measured the wall at the site and, although within the measurements, some places would require lowering. The applicant had agreed to adhere to the requests.

In response to questions from members, it was confirmed that the Committee could not override other legal obligations such as the covenant in place. The covenant was a private legal matter to be resolved between the relevant parties.

A suggestion was made by members to ask if a condition could be added so that the house be re-rendered within 6 months. The applicant confirmed that they were currently in the process of securing a quote for house rendering works.

Resolved that Planning Application DC/22/67155 (Proposed two 4 bedroom detached dwellings. 134 Newton Road, Great Barr, Birmingham, B43 6BT) is granted retrospective planning permission.

119/22

Planning Application DC/22/67364 - Proposed change of use from church to pre-school nursery - temporary permission for three years. Macefields Mission Hall, Claremont Street, Cradley Heath, B64 6HR

The Service Manager for Development Planning and Building Consultancy highlighted paragraph 8.1 to the Committee. Important details relevant to the application such as the number of Children and Staff as well as the opening hours of the school were listed in this section.

An objector was present and addressed the Committee with concerns around parking issues on the road. The objector was also unsure on how conditions of the application, such as the requirement for staff to use public transport, could be legally enforced.

The Committee noted the comments and thanked the objector for their attendance.

Members agreed to visit the site before considering the application any further.

Resolved that consideration of Planning Application DC/22/67364 (Proposed change of use from church to pre-school nursery - temporary permission for three years. Macefields Mission Hall, Claremont Street, Cradley Heath, B64 6HR) be deferred to allow a site visit.

120/22

Planning Application DC/22/67373 - Proposed two storey side/rear and single storey rear extensions, new front porch, roof alterations, loft conversion and rear dormer window. 10 Grove Road, Oldbury, B68 9JL

The Service Manager for Development Planning and Building Consultancy noted that a further condition had been added to the proposed application. The bathroom windows on the first floor would now require obscure glazing and be retained as such.

An objector was present and highlighted loss of light and overshadowing as the main concerns in relation to the proposed planning application. The objector would be open to discussion in order to resolve any outstanding issues.

The applicant was present and made the following points:-

- Consideration had been given to the neighbours throughout;
- The plans for the property were in line with the area;
- Steps had been taken to prevent a loss of privacy to the objectors;
- Steps had been taken to prevent any overshadowing;
- Similar developments had already been approved on the street.

Members were reminded that a bathroom was not a habitable room and therefore loss of light would not be a planning concern in this instance.

After a lengthy discussion regarding loss of light, it was proposed that a site visit take place to better understand the proposals.

Resolved that consideration of Planning Application DC/22/67373 (Proposed two storey side/rear and single storey rear extensions, new front porch, roof alterations, loft conversion and rear dormer window. 10 Grove Road, Oldbury, B68 9JL) be deferred to allow a site visit.

121/22 **Applications Determined Under Delegated Powers**

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

Meeting ended at 6.36pm

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