

Minutes of Planning Committee

**Wednesday 11 January 2023 at 5.00pm
in the Council Chamber, Sandwell Council House, Oldbury**

Present: Councillor Millar (Chair);
Councillors Allcock, Allen, Fenton, A Hussain, Kaur,
Mabena, Preece, Singh, and Webb

Officers: John Baker (Service Manager - Development Planning
and Building Consultancy); Alison Bishop
(Development Planning Manager); Simon Chadwick
(Highway Network Development and Road Safety
Manager); Rory Stracey (Solicitor); Alex Goddard
(Democratic Services Officer); Connor Robinson
(Democratic Services Officer) and Anthony Lloyd
(Democratic Services Officer).

01/23 **Apologies for Absence**

Apologies were received from Councillors S S Gill, Chapman
and Dhallu.

02/23 **Declarations of Interest**

There were no declarations of interest made.

03/23 **Minutes**

Resolved that the minutes of the meeting held on 23
November 2022 are approved as a correct record.

04/23

Planning Application DC/20/64505 - Proposed development of 13 dwellings - Brook Road Open Space Wolverhampton Road, Oldbury.

The Service Manager for Development Planning and Building Consultancy updated the Committee on a further objection which had been received from a resident.

The site in question was originally designated as community space in the Black Country Development Plan; it had been sold by the Council and was now privately owned. The current allocation of the land was a legacy allocation and would be removed when the new Sandwell Development Plan was progressed. If approved, the application would need to be further approved by Council.

Objectors were present and addressed the Committee. It was highlighted that the site in question was used by residents for recreational activities. The objectors also questioned the plans with respect to affordable housing and the impact of the local environment with respect of the housing being sustainable.

The Service Manager for Development Planning and Building Consultancy reminded members that the land was privately owned, and it was within the right of the owner to prevent trespassing if they wished. It was also noted that Planning was guided by policy and the service worked within sustainable guidelines.

Following discussions by Members, it was agreed that conditions relating to renewable energy, landscaping and cycle storage would be added.

Resolved that Planning Application DC/20/64505 (Proposed development of 13 dwellings - Brook Road Open Space Wolverhampton Road, Oldbury) is approved, subject to conditions relating to the following:-

- (i) External materials;
- (ii) Finished floor levels;
- (iii) Site investigation in respect of contaminated land;

- (iv) Noise assessment to identify issues and mitigation;
- (v) Drainage;
- (vi) Retaining wall detail to Wolverhampton Road;
- (vii) Technical detail of access road;
- (viii) Boundary treatments;
- (ix) Landscaping, to include tree planting;
- (x) Electric vehicle charging provision;
- (xi) Low NOx boilers;
- (xii) Employment and skills plan;
- (xiii) An external lighting scheme;
- (xiv) Removal of permitted development rights to remove extensions;
- (xv) Construction work and deliveries to the site limited to between 7am and 6pm Monday to Friday and 8am and 4pm Saturdays, with no activity on Sundays or National Holidays;
- (xvi) 10% renewable energy
- (xvii) Adequate cycle storage.

05/23

Planning Application DC/22/67124 - Proposed change of use and alteration of public house to create 21no. bedroom house in multiple occupation (HMO), erection of 2no. dwellings, car parking, access, cycle and refuse store and associated works - Holly Bush, The Uplands, Smethwick, B67 6BL.

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 highlighted to the Committee a Correction to paragraph 10.2 of the report. Parking standards were stated at 1 parking spot per 3 rooms whereas the correct stands were 1 space per 2 rooms. In total, a minimum number of 11 parking spaces were required for the HMO, 15 were proposed.

Objectors were presented and addressed the committee with the following concerns:-

- Occupants of a previous HMO had caused a number of anti-social-behaviour issues.

- Previous HMO occupants had continuously attempted to gain entrance to neighbouring properties.
- The HMO application had been previously rejected.
- The HMO has caused a significant increase in road traffic to and from the area.
- Anti-social-behaviour had increased in the area and residents were afraid to leave their homes.
- Harassment was frequently experienced by those living in the area.
- Postage and parcels had been stolen and local business had suffered from theft.

The Applicants agent was present and addressed the Committee:-

- The vacant state of the site was attracting Anti-Social-Behaviour to the area.
- Although the building was not listed, it was a heritage asset to the area and should therefore be safeguarded.
- Detailed reports had been provided to Councillors to discuss the proposal and how the HMO would be managed.
- The applicant had agreed to the amendments requesting changes to the number of rooms and parking allocation.
- Each room was to a high standard and in-line with the Council's requirement.
- None of the rooms of occupation would be provided to individuals in rehabilitation or recovery.
- Occupants of the building would mainly be single mothers or working adults currently on the Council's waiting list.

Members noted points from both the Objector and the Applicant's agent. Clarification was sought on the licensing procedure for an HMO and if the community could possibly contribute towards discussions and express their concerns during this process. It was highlighted that Planning permission only provides a principal "go-ahead" for use of the site and that the licensing team, through their own processes, would be responsible for granting a licence.

Comments from the West Midlands Police were shared with the Committee. Although no formal objections were made by the Police, it was stated that HMOs can cause conflicts between residents.

Members were minded that assumptions could not be made on any potential residents and that those occupying the HMO would be vetted by the Council.

Following a lengthy discussion by members, it was agreed that the application would be refused on the grounds of “fear of crime and undermining quality of life and community cohesion”.

Resolved that consideration of Planning Application DC/22/67124 (Proposed change of use and alteration of public house to create 21no. bedroom house in multiple occupation ((HMO)), erection of 2no. dwellings, car parking, access, cycle and refuse store and associated works - Holly Bush, The Uplands, Smethwick, B67 6BL) is rejected.

06/23

Planning Application DC/22/67165 - Proposed erection of a residential led, mixed use building of between 7 and 14 storeys to include 392 dwellings (Use Class C3) and 555sqm (GIA) commercial floorspace (flexible within Use Class E), drinking establishments (sui generis) and hot food takeaway (sui generis), plus associated amenity space, access, parking and demolition of existing buildings - PJ House London Street, Smethwick B66 2SH.

Members of the Committee had been lobbied by Applicants.

The Service Manager for Development Planning and Building Consultancy informed the Committee that the Highways Department had no objection to the application subject to the review of tracking of parking areas, clarification of boundary treatments and conditions related to refuse strategy. In the event that the application be approved, members were minded that an additional condition could be imposed to

ensure that the outstanding matters could be resolved by the Chair of the Planning Committee and any relevant officer.

An amended plan had been table which showed that materials would now be a red brick to reflect the industrial characteristics of the area. Additional conditions were also tabled regarding a revised cycle layout and details of controlled ventilation intakes. Solar panels were also included within the plans.

A parking provision of 87% in respect of the 392 units available was also highlighted. Parking surveys before and after the development would take place to identify any mitigations that may be needed.

Members welcomed the application and underlined the much-needed regeneration to the area.

Resolved that subject to no objections from highways to final tracking details for the car park, subsequent approval with the Chair and Vice Chair and completion of a s106 agreement, that planning application DC/22/67165 – (Proposed erection of a residential led, mixed usebuilding of between 7 and 14 storeys to include 392 dwellings ((Use Class C3)) and 555sqm ((GIA)) commercial floorspace ((flexible within Use Class E)), drinking establishments ((sui generis)) and hot food takeaway ((sui generis)), plus associated amenity space, access, parking and demolition of existing buildings) - PJ House London Street, Smethwick B66 2SH.) is approved, subject to conditions relating to the following

- (i) External materials;
- (ii) Drainage details (LLFA and Severn Trent);
- (iii) Implementation of Air quality measures:
 - a. Travel plan
 - b. Electric charge points
 - c. Dust management plan
 - d. Low NOx boilers
- (iv) Noise mitigation (glazing and mechanical ventilation);
- (v) Ground contamination and remediation;
- (vi) Parking layout and retained;
- (vii) Details of refuse management strategy;

- (viii) Use class order – limiting retail element;
- (ix) Secure by design package of measures:
 - a. Lighting
 - b. CCTV
 - c. Security – access control
- (x) Hard and soft landscaping details;
- (xi) Employment and skills plan;
- (xii) Implementation of renewable energy solutions
- (xiii) Cycle Layout Revised;
- (xiv) Details of controlled ventilation intakes;

07/23 **Planning Application DC/22/67234 - Proposed 4 No. storey detached building comprising of 28 No. 2 bedroom flats and 2 No. 1 bedroom flats (30 flats in total) with basement parking (Outline application all matters reserved) - Land Adjacent 83 Dudley Port Tipton.**

The Service Manager – Development Planning and Building Consultancy clarified that this application was an outline application and that a further application would be required in the future.

Members reflected concerns regarding overdevelopment to the area and proposed a site visit.

Resolved that planning application (Proposed 4 No. storey detached building comprising of 28 No. 2 bedroom flats and 2 No. 1 bedroom flats ((30 flats in total)) with basement parking ((Outline application all matters reserved)), Land Adjacent 83 Dudley Port Tipton) be deferred to allow a site visit.

08/23 **Planning Application DC/22/67250 - Proposed single storey side, rear and first floor rear extensions - 31 Lindsey Road West Bromwich B71 1JZ.**

The Service Manager for Development Planning and Building Consultancy highlighted to Members that the application in question had been presented to the Committee for transparency. The Applicant was an officer of Sandwell Council.

Resolved that Planning Application DC/22/67250 – (Proposed single storey side, rear and first floor rear extensions - 31 Lindsey Road West Bromwich B71 1JZ) is approved.

09/23 **Planning Application DC/22/67532 - Proposed single storey side extension, 23 Dilliards Walk, West Bromwich B70 0BJ**

The application was brought to the Committee for transparency; this was due to the Applicant being an officer of Sandwell Council.

Resolved that Planning Application DC/22/67532 (Proposed single storey side extension - 23 Dilliards Walk, West Bromwich B70 0BJ) is approved.

10/23 **Planning Application - DC/22/67610 - 19 Beechwood Road, Great Barr, Birmingham, B43 6JN.**

The Service Manager for Development Planning and Building Consultancy highlighted to the Committee that the application had been withdrawn following the withdrawal of objections from neighbours.

11/23 **Decisions of the Planning Inspectorate**

The Committee noted the Decisions of the Planning Inspectorate.

132/22 **Applications Determined Under Delegated Powers**

The Committee noted the application determined under delegated powers by the Director – Regeneration and Growth.

Meeting ended at 6.43pm

Contact: democratic_services@sandwell.gov.uk