Minutes of Planning Committee

Wednesday 10 May 2023 at 5.00pm
in the Council Chamber, Sandwell Council House, Oldbury

Present: Councillor Millar (Chair);
Councillors Chapman, Fenton, Fisher, S S Gill, Kaur, Preece and Webb.

Officers: Alison Bishop (Development Planning Manager); Simon Chadwick (Highway Network Development and Road Safety Manager); Andy Thorpe (Urban Development Officer) Rory Stracey (Solicitor); Alex Goddard (Democratic Services Officer); Connor Robinson (Democratic Services Officer) and Anthony Lloyd (Democratic Services Officer).

31/23 **Apologies for Absence**

Apologies were received from Councillor A Hussain.

32/23 **Declarations of Interest**

There were no declarations of interest made.

33/23 **Minutes**

Resolved that the minutes of the meeting held on 22 March 2023 are approved as a correct record.

34/23 **Planning Application DC/23/67858 - Proposed single and two storey side and rear extension - 7 Lochranza Croft, Great Barr, Birmingham, B43 7AA**

In relation to the planning application, members had been lobbied.

Further objections had been received since this report had been written and details had been shared with the applicants and the Committee. The objections re-iterated concerns regarding issues around loss of light, outlook and difference in levels with adjacent properties.

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

- Although several residents on the street had objected, objectors had asked the applicant to compromise regarding the size requirements and layout by looking at the neighbouring extensions for comparison;
- The width of the garage was too large and would need to be reduced to enable efficient maintenance and movement.

Members were minded that matters regarding construction was not under the remit of the planning committee and was, instead, the concern of the building regulations team.

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

- Many of the concerns raised by objectors were not material planning concerns
- Conversations regarding party walls and building regulations were taking place and would be investigated further if the application was approved.
- When looking at national standards of bedroom sizes, the applicant felt that this was not an overdevelopment or disproportionate.

The applicant wished to retain the size of the upstairs as portrayed in the planning application and therefore would not welcome the idea of reducing it. The applicant agreed to

an additional condition of providing a suitable drainage system to avoid build-up of water on the public highway.

Members approved the application with additional recommendations around the parking layout, sustainable drainage systems and a external levels plans.

Resolved that Planning Application DC/23/67858 (Proposed single and two storey side and rear Extension - 7 Lochranza Croft, Great Barr, Birmingham, B43 7AA) is approved, subject to conditions relating to the following:

1) External materials matching the existing property;
2) Sustainable Drainage;
3) Parking Layout and;
4) External Level plans.

35/23 **Planning Application DC/23/67957 - Proposed replacement sections, refurbishment and associated works in connection with the existing care home (Use Class C2) to include: external alterations, two storey front/side extension with photovoltaic solar panels on roof and glazed canopy over main entrance, single storey extension overlooking courtyard garden area, two storey enclosed staircase to rear, outbuildings to include Occupational Therapy cabin, maintenance shed and bin store, installation of EV charging points to car park, boundary wall/fencing and landscaping - Beech Croft Residential Home, Salop Drive, Oldbury, B68 9AG.**

Following the submission of the planning application, West Midlands Police had been contacted for comments. West Midlands Police had stated that the intended use of the facility was for vulnerable women who suffer from mental health difficulties. The building security would contain proper access controls, lighting and CCTV. The Police also re-iterated that the facility would be professionally staffed and managed as an institution and no immediate concerns had been raised. Since the proposed use of the building would still fall under residential care, no material change of use was required.

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

- A lack of recognition had been provided around risk management;
- The area was a residential area with vulnerable children and adults;
- privacy concerns had been raised due to the proximity of the buildings with neighbouring properties.

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

- The application would bring a vacant unit back into active use;
- the purpose of the building would not constitute a change of use;
- the service would help women with mental health issues and provide a primary service and a safe space for women to recover;
- prisons transfers and patients who were deemed at risk to the public would not be accepted;
- some of the patients referred may have been detained under the mental health act but they were not a danger to the public;
- the service would also support informal patients who had been submitted voluntarily;
- The care element was the primary function with some security features in place to ensure safety.

Members agreed that a site visit would be beneficial in order to have a better understanding of the concerns raised.

Resolved that Planning Application DC/23/67957 (Proposed replacement sections, refurbishment and associated works in connection with the existing care home ((Use Class C2)) to include: external alterations, two storey front/side extension with photovoltaic solar panels on roof and glazed canopy over main entrance, single storey extension overlooking courtyard garden area, two storey enclosed staircase to rear, outbuildings to include Occupational Therapy cabin, maintenance shed and bin store, installation of EV charging points to car park, boundary wall/fencing and

landscaping - Beech Croft Residential Home, Salop Drive, Oldbury, B68 9AG) be deferred to allow a site visit.

36/23 **Planning Application DC/22/66968 - Proposed demolition of existing pub and construction of 3 storey detached building consisting 20 No. self contained apartments with parking to rear - The Wheatsheaf, 1 Turners Hill, Rowley Regis, B65 9DP.**

Members of the Committee were minded that this application would be a departure from the development plan and therefore, further approval would be required by Council. A section 106 agreement needed to be secured to provide the goal of 25% affordable housing on the site.

The applicant was present and highlighted that the scheme had been amended and work had been undertaken with the planning department to address most of the concerns raised by objectors.

Members requested a site visit to better understand concerns around highway safety at the application site.

Resolved that planning application DC/23/66968 (Proposed demolition of existing pub and construction of 3 storey detached building consisting 20 No. self contained apartments with parking to rear - The Wheatsheaf, 1 Turners Hill, Rowley Regis, B65 9DP) be deferred to allow a site visit.

37/23 **Planning Application DC/23/67838 - Proposed Phase 1 - Conversion and change of use of existing barn 1 into cafeteria and natural play area, proposed single storey building containing support facilities (toilets, kitchen, lobby and draft lobby, classroom, stores and plantroom). Phase 2 - Proposed single storey education block containing 2 no. (30/40 students) classrooms and cloakroom area - Forge Mill Farm, Forge Lane, West Bromwich, B71 3SZ.**

No concerns in relation to the planning application were relayed to the Committee. If approved, further ratification would be required by Council due to departure of land use.

Resolved that planning application DC/23/67838 (Proposed Phase 1 - Conversion and change of use of existing barn 1 into cafeteria and natural play area, proposed single storey building containing support facilities ((toilets, kitchen, lobby and draft lobby, classroom, stores and plantroom)). Phase 2 - Proposed single storey education block containing 2 no. ((30/40 students)) classrooms and cloakroom area - Forge Mill Farm, Forge Lane, West Bromwich, B71 3SZ) is approved.

38/22 **Planning Application DC/23/67863 - Proposed change of use from general industrial to treatment, remediation and recovery facility for contaminated soils, construction, demolition and excavation of waste with 1 No. soil treatment shed and 4 No. office/meeting rooms, 1 No. mess drying room, toilet block, store, weighbridge unit, picking station, decontamination unit, clean material area and 2 No. holding tanks and covered post treatment areas, oversized processing area, parking and the creation of a new vehicular access - Temporary planning permission for 5 years - Land West Of Bridge Street, North Smethwick, B66 2BJ.**

The Committee were reminded that the site in question was allocated to host future housing. The wider area would also need redevelopment. Since this application was a departure from the development plan, further approval would be required from Council.

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

- The Council's planning officers were in support of the application;
- A maximum of 200 tonnes per annum would be processed on the site;
- The west end of the site would be used for the storage of large materials before being crushed for aggregate;

- The site had been used for industrial services for a long time;
- No objections from either north or south had been received;
- No conservation concerns had been raised.
- The application would bring back a use to a derelict and underused site.

After members showed concerns around dust, air pollution and noise pollution at the site, clarification was sought on how the applicant planned to deal with asbestos and contaminated soil that would be processed in the area.

The applicant confirmed that all operations were to take place within enclosed and undercover areas to minimise particles entering the atmosphere. Asbestos was hand-picked and the resulting remediated soil was stored and transported off the site. Contaminated elements were to be kept in secure containers and taken off-site for disposal. It was also highlighted that, as mentioned in the officer report, an air quality assessment and a noise mitigate scheme would be required. A wheel washing facility would remove dust from vehicles using the site and dust management plans would need to be approved.

Members requested a site visit to better understand the application.

Resolved that planning application DC/23/67863 (Proposed change of use from general industrial to treatment, remediation and recovery facility for contaminated soils, construction, demolition and excavation of waste with 1 No. soil treatment shed and 4 No. office/meeting rooms, 1 No. mess drying room, toilet block, store, weighbridge unit, picking station, decontamination unit, clean material area and 2 No. holding tanks and covered post treatment areas, oversized processing area, parking and the creation of a new vehicular access - Temporary planning permission for 5 years - Land West Of Bridge Street, North Smethwick, B66 2BJ) is deferred to allow a site visit.

39/22 **Planning Application DC/23/67982 - Amendment to the rear elevations of previously approved application DC/20/64342 and first floor juliet balcony - 30 Horseley Heath, Tipton, DY4 7PA.**

Members had been lobbied on a recent site visit.

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

- The applicant had previously ignored advice from the Council;
- the objector requested that the Council give the applicant a small time-frame to make the required changes detailed in the retrospective planning application before approval;
- the objector requested that the Council removal permitted development rights due to crowding in the garden.

Clarification was provided to the Committee that if the application were to be refused, the applicant must restore the property to the previous agreed position; a substantial planning reason must have been provided to refuse the application.

Further information was received by members including details around the applicant's failure to comply with the original conditions of the application. Windows, that were initially required to be frosted, were actually clear and an increase of the parapet walls had increased the height on both boundaries which impacted the adjoining property.

Resolved that planning application DC/23/67982(Amendment to the rear elevations of previously approved application DC/20/64342 and first floor juliet balcony - 30 Horseley Heath, Tipton, DY4 7PA) is granted conditional retrospective planning permission subject to conditions relating to the following:-

i) Within 28 days from the date of this decision the juliet balcony shall be

implemented; and once provided it shall be retained as such.

40/22 **Planning Application DC/23/67996 - Proposed single and two storey side and rear extension - 48 Parsons Hill, Oldbury, B68 9BS**

Members were notified that this application had brought to the planning committee for transparency as the planning agent worked for Sandwell Council. Subsequent to the report, highways officers had highlighted that due to the increase of the number of bedrooms, an additional parking space would be required. The parking layout, alongside drainage details had been requested.

Resolved that planning application DC/23/67996 (Proposed single and two storey side and rear extension - 48 Parsons Hill, Oldbury, B68 9BS) is approved, subject to conditions relating to the following:-

(i) External materials to match the existing property;
(ii) Parking layout plan and SUDS

41/22 **Planning Application DC/23/68006 - Proposed single storey front and rear extensions, first floor extension, external alterations, change of use to recreational use (Class F2(c) and associated parking - The GAP Centre, Hargate Lane, West Bromwich, B71 1PH.**

Subsequently to the planning application and its recommendations being submitted, further information had been received from the applicant detailing the opening and closing times of the facility. Children would be dropped off between 8-10am and picked with between 5-6pm; pick up times would be staggered to help prevent traffic issues. Community lunches and afternoon tea would also be hosted by the centre. In total, a maximum of 30 children would be within the facility at any given time. The additional extension to the building would mean that both the children's facility and the community usage could be operated at the same time. The majority of the users would be local residents and pick-up times would take no more than 5 minutes. The Council's highways department had visited the site and

objected to the proposals due to concerns around increased traffic and the impact this would have on highway safety.

The applicant was present and addressed the Committee:-

- The Gap Centre had been a long symbol of progress and empowerment within the town;
- The centre provided essential services and opportunities to residents;
- Demand had increased exponentially which required more space to accommodate needs of the community;
- Expansion of the building represented investment to the future of West Bromwich;
- The expansion would promote social well-being and its potential to provide services to the local community including adult's and children's services;
- Employment support would also be provided at the centre.

Officers from the Council's highways department were present. Concerns around highway safety for the surrounding residents were raised. Hargate Lane was a narrow road and parking space was at a premium. A fire station and ambulance hub were both situated in the area and previous visits to the site had seen fire engines struggle to get around parked cars in the street. On a previous visit, all the vehicles attending the site had not been parked appropriately with some cars blocking the highway. There was no supporting evidence that stated that attendees of the centre used public transport to reach the site.

Resolved that planning application DC/23/68006 (Proposed single storey front and rear extensions, first floor extension, external alterations, change of use to recreational use ((Class F2(c)) and associated parking - The GAP Centre, Hargate Lane, West Bromwich, B71 1PH) is refused on insuffient parking and highway safety.

41/22 **Planning Application DC/23/68061 - Proposed access ramp and new entrance to side - Christian Youth And Community Service, The GAP Centre, Hargate Lane, West Bromwich, B71 1PH.**

Resolved that planning application DC/23/68061 (Proposed access ramp and new entrance to side - Christian Youth And Community Service, The GAP Centre, Hargate Lane, West Bromwich, B71 1PH) is approved.

42/22 **Planning Application DC/23/67785 - Proposed 3 storey community skills hub building with 2 No. detached outbuildings for storage, substation, plant room, new vehicular access and gates to front, car parking, cycle storage, enclosed skip/refuse bays, boundary fencing, landscaping and associated works - Sandwell MBC Public Car Park, Lower High Street.**

Members were minded that in the event of this application being approved, further ratification would be required by Full Council due to a departure from the development plan.

An objectors were present and addressed the Committee with concerns around the removal of the public car park and the impact the development would have on resident's privacy in the area. Concerns were also raised around possible anti-social behaviour.

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

- It was a great opportunity for the Council to use the vacant site to target low qualifications attainment and unemployment in the area;
- Skills would be delivered through the towns fund which was providing investment to support the development;
- The site was target 16-18, 18-24 and 25 year olds who were unemployed. 90% of students who complete the training would be considered "job ready";
- Sufficient parking was available to staff;
- Section106 mitigations would be in place if there were offsite parking issues which would include a survey of existing offsite parking conditions prior to and after development
- Section 106 monies could be used to extend existing traffic regulation order and resident parking if required;
- Highways officers had seen the plans and had no objections;

- The privacy of nearby residents had been considered and the scheme was designed to prevent these issues;
- The plot for the site had also been moved further westwards away from properties.

Members discussed the viability of site which was deemed inappropriate due to many other options being available in the borough. Questions were also raised regarding whether the parking provision was sufficient given that many of the students were young adults who were more likely have access to a vehicle.

Officers from the Council's Highways team confirmed that the original car park was under-utilised and that the site would not see a significant increase in traffic. Adequate crossing was present in the area and roads were protected by double yellow lines. Greater emphasis should instead be towards sustainable transport. The applicant would provide a travel plan and further incentives to use public transport would be offered.

Officers confirmed that there was a time limit in which the funds from the towns fund to secured and spent for the delivery of the scheme. Failure to do so would see the funding lost.

Members agreed that further information was required to make an informed decision. It was suggested that the application be deferred pending sunlight paths, further evidence of the make-up of the travel patterns taken by students and clarification regarding the site selection process.

42/22 **Decisions of the Planning Inspectorate**

The Committee noted the Decisions of the Planning Inspectorate.

30/22 **Applications Determined Under Delegated Powers**

The Committee noted the Applications Determined Under Delegated Powers.

Meeting ended at 8.40pm

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