

Minutes of Planning Committee

**Wednesday 28 June 2023 at 5.00pm
in the Council Chamber, Sandwell Council House, Oldbury**

Present: Councillor Millar (Chair)
Councillors Chidley (Vice-Chair), Chapman, Fenton, Fisher,
Kaur, Kordala, Loan, Pall, Preece, Tromans, Uppal and Webb

Officers: John Baker (Development Planning and Building Consultancy
Manager); Alison Bishop (Development Planning Manager);
Simon Chadwick (Highway Network Development and Road
Safety Manager); Andy Thorpe (Healthy Urban
Development Officer); Stuart Evans (Solicitor); Toby Howes
(Democratic Services Officer) and Connor Robinson
(Democratic Services Officer).

46/23 **Apologies for Absence**

Apologies for absence were received from Councillors S Gill, N Singh, and Younis.

47/23 **Declarations of Interest**

There were no declarations of interest made.

48/23 **Minutes**

Resolved that the minutes of the meeting held on 10 May 2023 are approved as a correct record.



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

Councillors Millar, Chidley, Kaur, Pall, Tromans, and Webb indicated they attended the site of the planning application on a site visit.

Further to Minute No. 36/23 (10 May 2023) the Development Planning and Building Consultancy Manager reported that the proposal was a departure from the Local Development Plan and therefore if the Committee was minded to grant planning permission the Council would be asked to grant an exception to the Local Development Plan before the application could proceed. It was also noted that the application would be subject to a Section 106 Agreement to secure affordable housing and the applicant had agreed to provide 25% affordable housing.

There was no objector present to address the Committee.

The Applicant's Agent was present and addressed the Committee with the following points:-

- the proposal related to the demolition of a derelict site;
- the current derelict property was an eyesore on a landmark site;
- the proposal was for a three-story apartment development;
- there was a previous application was for a retail space on the ground floor, however, the application now was for 100% apartments;
- there would be a total of 20 units with a mixture of one and two bed apartments;
- there would be 100% parking provision located behind the development;
- the development would provide amenity spaces for residents and much required local housing.

The Highway Network Development and Road Safety Manager addressed the Committee with the following points:-



- the development would provide one parking space per apartment plus additional visitor parking;
- use of the building as a public house which would generate more traffic than the proposed development;
- access to the junction on Turners Hill would be closed and the development would instead use the access further down Turners Hill;
- safety at the junction at Turners Hill had been considered and there was no serious safety concern;

It was noted that the development would be compliant with the Councils renewable energy policy and the conditions attached the application sought to reflect the headline rather than specific detail.

Resolved that, subject to the Council granting an exception to the Local Development Plan, 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), is approved, subject to the following conditions:-

- i) a Section 106 Agreement to secure compliance with affordable housing,
- ii) external materials;
- iii) landscaping details;
- iv) boundary treatments;
- v) ground investigation and remediation;
- vi) electric vehicle charge points;
- vii) Low NOx boilers;
- viii) parking laid out and retained;
- ix) vehicular cross over removed and footpath re-instated.
- x) noise assessment recommendations in relation to sound insulation, balconies and fixed plant;
- xi) construction management plan (to include noise, vibration and dust suppression measures etc);
- xii) construction hours limited to 08:00 – 17:30 Monday to Friday, 08:00 – 13:00 Saturday and no working on Sunday and Public Holidays.



- xiii) waste management/refuse plan;
- xiv) renewable energy details;
- xv) details of sustainable drainage system (surface water) and disposal foul;
- xvi) details of security measures to include CCTV, Lighting, access entrance points; and
- xvii) jobs and skills plan;

50/23

Planning Application - DC/22/67785 – 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, Cradley Heath

Councillors Millar, Kaur, and Webb indicated they attended the site of the planning application on a site visit.

Further to Minute No. 42/23 (10 May 2023) The Development Planning and Building Consultancy Manager reported that the application was a departure from the Local Development Plan due to the site being allocated for housing use and therefore if the Committee was minded to grant planning permission the Council would be asked to grant an exception to the Local Development Plan before the application could proceed.

Objectors were present and addressed the Committee with the following points:-

- parking and the development’s impact locally was a major concern;
- a petition containing over 100 signatures had been submitted objecting to the proposed development citing concerns over parking;
- residents felt unsafe and vulnerable;
- the proposed development had made almost no provision for car parking given the number of staff and students expected;



- streets were already congested with continued issues involving blocked pavements and restricted access from the number of vehicles;
- there had been no transparency from the developers;
- local car parking spaces around the vicinity of the proposed development which had been cited by the developers were not accessible;
- there was concern over privacy for local properties owing to potential overlooking.

The Applicants and Applicant's Agent were present and addressed the Committee with the following points:-

- Sandwell College wanted to reach out and provide for local communities, the proposed education hub would work to serve the people of Cradley Heath and provide local education opportunities;
- the development would not be like school and maintain a 9am to 3.30pm culture, rather it was proposed as a modest satellite education hub, not to displace existing learning but encourage new learning opportunities;
- it was anticipated that the education hub would be working with up to 100 16-19-year olds per year who would be drawn from the locality, the students would be attending the hub for around 2.5 days per week;
- students attending the college would have access to a subsidised bus pass;
- the education hub would also be working with up to 75 apprentices annually, whose attendance would be 1-day per week;
- the education hub would also be working with up to 50 young people with SEND aged 16-24, who would be in attendance 17 hours per week;
- the education hub would be supporting up to 100 unemployed students per year and a similar number who were looking to secure better paid jobs, these courses would be part time and aimed at those over the age of 19;
- applicants would be happy to work with neighbouring properties to address concerns around boundaries and fencing;



- since the previous Committee meeting the application had been amended to include staff parking;
- providing car parking for students was not a sustainable option for the site, and there was good rail connectivity to nearby towns;
- the expected car park demand could be addressed by using locally available parking spaces;
- the daylight and sunlight model which had been requested at the previous meeting and had since been undertaken and presented to the Committee, demonstrated that the proposed development would not overshadow neighbouring properties;
- there would be significant distances between the proposed development and neighbouring properties.

Expanding on the economic impact of the proposed development, it was hoped that the provision would support local people in increasing their skills, enabling them to progress in their careers. There remained room to grow the facility in the future if there was demand.

The Highway Network Development and Road Safety Manager addressed the Committee with the following points:-

- provision of 8 spaces of staff should be sufficient;
- travel behaviour studies had been undertaken;
- there were six public/council controlled car parks within the vicinity of the proposed development;
- the location was served by local bus routes and rail network;
- the College would be providing a travel plan to communicate the expectations and travel options available;
- the applicant had been asked to enter into a Section 106 Agreement to undertake parking surveys before any work started and monitoring would continue once the College was opened.

Resolved that: subject to the Council granting an exception to the Local Development Plan, Planning Application – DC/22/67785 – 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, Cradley Heath is approved, subject to the following conditions:-

- i) a Section 106 Agreement to undertake parking surveys;
- ii) external materials (to include detailed design of the chain motif to the window reveals);
- iii) landscaping scheme;
- iv) boundary treatments;
- v) ground investigation and remediation;
- vi) electric vehicle charge points;
- vii) low NOx boilers
- viii) noise assessment relating to fixed plant and mitigation;
- ix) construction management plan (to include logistics plan, dust suppression measures etc);
- x) cycle storage;
- xi) bin storage;
- xii) waste management/refuse plan;
- xiii) parking/drop and access to be laid out and retained;
- xiv) travel plan;
- xv) details of sustainable drainage system (surface water) and disposal foul;
- xvi) details of security measures to include CCTV, Lighting, access entrance points;
- xvii) jobs and skills plan;
- xviii) no vinyl to windows serving the frontage of the development.
- xix) parking servicing and management plan; and
- xx) parking surveys before and post development and any subsequent mitigation.



51/23

Planning Application - DC/23/67869 - Proposed 5 No. 2 bedroom dwellings and associated car parking. Land To The Rear Of 120 Dudley Road, Poplar Avenue, Tipton

No objectors or applicant had registered to speak.

Resolved that Planning Application DC/23/67869 - Proposed 5 No. 2 bedroom dwellings and associated car parking. Land To The Rear Of 120 Dudley Road, Poplar Avenue, Tipton is approved, subject to conditions relating to:-

- (i) external materials;
- (ii) parking areas laid out and retained;
- (iii) coal authority;
- (iv) contaminated land (if required);
- (v) drainage;
- (vi) boundary treatments (not exceeding 900mm at the front of the property);
- (vii) bin storage details;
- (viii) landscaping;
- (ix) electric vehicle charging provision;
- (x) low NOx boilers;
- (xi) construction management plan; and
- (xii) removal of Permitted Development Rights to remove any extensions including the roof alterations and garden buildings without applying for planning permission.

52/23

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



Councillors Millar, Chidley, Kaur, Pall, Tromans, and Webb attended the site of the planning application on a site visit.

Further to Minute No. 35/23 (10 May 2023); the Committee had undertaken a site visit.

Objectors were present and addressed the Committee with the following points:-

- a petition of over 500 signatures had been submitted in objection to the application;
- there was concern from local residents over the safety implications of the proposed scheme;
- there were noise concerns regarding the proposed use of the facility and its potential impact on residents;
- the proposed 24hr services would negatively impact local residents;
- the proposed therapy cabin would be located in close proximity to neighbouring residents boundaries;
- work already underway at the site was already having an adverse impact on local residents;
- the limited parking on the site had the potential to impact nearby residents;

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

- the property was a vacant care home and the application sought to bring the property back into active use;
- the proposal would provide active care and accommodate up to 30 women;
- the facility was not a 'step down' service but a facility to support vulnerable women;
- the re-use of the building was in-line with local and national policy, the property was an established care home facility;
- the therapy cabin would replace existing buildings in the rear courtyard, the development of the cabin would not be in such close proximity to the site as current development;
- the proposed cabin would be fully insulated with a timber frame and would be soundproofed;



- the cabin would be a multi-use space and used as required, activities would include arts and crafts and group sessions aimed to build and develop good mental health, all activities would be within day time hours;
- a community drop in session had been hosted at the site;
- residents would be assessed on a regular basis to ensure their suitability at the site;
- all staff would be trained as appropriate;
- the site would not accept referrals from patients who posed a significant risk to the wider community;
- community engagement would continue if local residents wished;
- the proposal had been signed off by statutory consultees and complied with policy.

The Development Planning and Building Consultancy Manager advised that the current use classification encompassed a range of possible uses ranging from the previous use as a care home to the planned use as a medical facility. The application therefore was solely the planned built development.

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 approved-subject to conditions relating to:-

- i) external materials.
- ii) electric Vehicle Charging points.
- iii) low NOx boilers.
- iv) construction management plan compliance.
- v) external lighting scheme.



- vi) contaminated Land.
- vii) privacy scheme for room windows FF31 and FF25.

(Councillor Fenton was not present during the determination of this application.)

53/23 Planning Application - DC/23/68037 - Proposed single and two storey rear extension and first floor side extension. 47 Sussex Avenue, West Bromwich, B71 1AY

There were no applicants or objectors present.

Resolved that planning application DC/23/68037 - Proposed single and two storey rear extension and first floor side extension. 47 Sussex Avenue, West Bromwich, B71 1AY is approved, subject to external materials match those of the existing property.

54/23 Planning Application - DC/23/68109 Retrospective change of use from bank to restaurant/takeaway, new shop front, external extraction ducts and flue to rear (ENF/22/11916). - 774 - 776 Hagley Road West Oldbury, B68 0PJ

Councillors Millar, Chidley, Chapman, Fenton, Fisher, Kaur, Kordala, Loan, Pall, Preece, Tromans, Uppal and Webb indicated they had been lobbied by objectors.

Objectors were present and addressed the Committee with the following points:-

- the development would lead to an increase in both waste and light pollution;
- there was a nearby primary school, bus stop and pedestrian crossing;
- the development would have a negative impact on traffic congestion;
- it was a retrospective application.

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



- the business had outgrown its current premises;
- the application would provide better facilities for both staff and customers;
- the development would provide six new jobs;
- the application would move the business away from a takeaway model to a sit-down model;
- the new business model would mean a less likelihood for litter being disposed outside the premises;
- the development would allow for an expansion of food provided;
- there was no pest activity on the site and the premises were inspected regularly as was a requirement, the store also possessed a 5-star food hygiene rating;
- there was a car park at the rear for customers.

The Committee discussed parking arrangements both in front and behind the premises. Whilst there was a loading bay on the highway for delivery's and service vehicles, concern was expressed over the possible impact of vehicles parking at the front of the premises.

The Committee was minded to defer consideration of the application to allow the applicant to provide further clarity on the parking arrangements.

Resolved that consideration of planning application DC/23/68109 Retrospective change of use from bank to restaurant/takeaway, new shop front, external extraction ducts and flue to rear (ENF/22/11916). - 774 - 776 Hagley Road West Oldbury, B68 0PJ is deferred to allow for the applicant to provide additional detail as it relates to parking.



55/23

Planning Application - DC/23/68186 Proposed two bedroom detached bungalow with associated parking and boundary treatment – Land To The Rear Of 16 Church Road, Rowley Regis

The Development Planning and Building Consultancy Manager advised the Committee advised that officers were recommending two additional conditions related to a new dropped kerb and the removal of permitted development rights.

There was no objector present to address the Committee.

The applicant was present and declined to address the Committee.

Resolved that planning application DC/23/68186 Proposed two bedroom detached bungalow with associated parking and boundary treatment.- Land To The Rear Of 16 Church Road, Rowley Regis is approved, subject to conditions relating to:

- (i) external materials;
- (ii) contaminated land;
- (iii) archaeological investigation;
- (iv) finished floor levels,
- (v) boundary Treatments;
- (vi) landscaping;
- (vii) drainage (including SuDS);
- (viii) refuse storage;
- (ix) electric Vehicle Charging,
- (x) low NOx Boiler,
- (xi) external Lighting,
- (xii) construction Hours
- (xiii) parking laid out and retained,
- (xiv) new drop kerb to provide access onto the site, and
- (xv) removal of permitted development rights in terms of the building of any outbuildings.



Planning Application - DC/23/68200 - Proposed 2 No. four bedroom dwellings with parking and landscaping. Land Adjacent 144 Hargate Lane, West Bromwich

The Development Planning and Building Consultancy Manager advised the Committee advised that officers were recommending an additional condition of noise assessment and mitigation methods.

There was no objector present to address the Committee.

The Applicants Agent was present and addressed the Committee advising that he had worked to address the concerns that the Council had raised.

Resolved that subject to no adverse comments from Public Health (noise), planning application DC/23/68200 - Proposed 2 No. four bedroom dwellings with parking and landscaping. Land Adjacent 144 Hargate Lane, West Bromwich is approved, subject to conditions relating to:

- (i) external materials;
- (ii) parking areas laid out and retained;
- (iii) contaminated land;
- (iv) drainage (including SuDS);
- (v) boundary treatments
- (vi) landscaping;
- (vii) finished floor levels;
- (viii) electric vehicle charging provision;
- (ix) low NOx boilers;
- (x) construction management plan;
- (xi) removal of Permitted Development Rights to remove any extensions including the roof alterations and garden buildings without applying for planning permission;
- (xii) noise assessment and mitigation methods, and
- (xiii) revised parking layout.



57/23 Proposed Committee Site Visits

The Committee noted that the following sites would be visited prior to the application being submitted to a future meeting for determination:-

| Application Details | Reason for Site Visit |
|---|---|
| DC/23/68117 Proposed pergola system to frontage for customer seating area provision (Resubmission of refused planning permission DC/22/66636). 204 Lightwoods Road Smethwick B67 5AZ | A number of objections had been received. |

58/23 Annual Report of the Planning Committee 2022/23

The Committee considered its 2022/23 Annual Report.

Resolved that the 2022/23 Annual Report of the Planning Committee is approved and submitted to the next meeting of the Full Council.

59/23 Decisions of the Planning Inspectorate

The Committee noted the Decisions of the Planning Inspectorate in relation to appeals against refusal of planning permission as follows:-

| Application Ref | Site Address | Inspectorate |
|-----------------|--|--------------|
| DC/22/67072 | 91 Lewisham Road Smethwick B66 2DD | Dismissed |



| | | |
|-------------|---|-----------|
| DC/22/6810A | Advertisement Hoarding 174801 96-98 High Street Smethwick B66 1AQ | Dismissed |
| DC/22/67357 | 15 Devon Crescent West Bromwich B71 1BQ | Dismissed |

60/23

Applications Determined Under Delegated Powers

The Committee noted the Applications Determined Under Delegated Powers by the Director – Regeneration and Growth, under powers delegated to him, as set out in the Council’s Constitution.

Meeting ended at 7.19pm

Contact: democratic_services@sandwell.gov.uk

