

# Report to Planning Committee

**10 January 2024**

<b>Application Reference</b>	DC/23/68497
<b>Application Received</b>	31 July 2023
<b>Application Description</b>	Retention of replacement boundary treatment, removal of external rear wall, single storey rear extension, and raising of existing roof height.
<b>Application Address</b>	10 Jowetts Lane West Bromwich B71 2RA
<b>Applicant</b>	Mr Simon Bagri
<b>Ward</b>	Hateley Heath
<b>Contact Officer</b>	Beth Astley-Serougi <a href="mailto:Beth_AstleySerougi@sandwell.gov.uk">Beth_AstleySerougi@sandwell.gov.uk</a>

## 1 Recommendations

1.1 That retrospective planning permission is granted subject to conditions relating to:

- (i) Within 3 months of permission being granted details of external materials to match existing shall be provided;
- (ii) Within 3 months of permission being granted details of colour coated and perforated shutters to be submitted and approved prior to development coming into use.



- (iii) Within 3 months of permission being granted details of refuse storage to be submitted and approved prior to development coming into use and then retained.
- (iv) The extension shall be used for storage purposes only.
- (v) Within 3 months of the permission being granted details of the windows to the rear elevation, to include obscure glazing shall be provided and retained as such.
- (vi) Construction works and all activities associated with the development of the site shall be between 0730 to 1800 hours on Monday to Friday, 0730 to 1400 hours on Saturday, with no work at any other time including Sundays and public holidays.

## 2 Reasons for Recommendations

- 2.1 The proposed development would be of satisfactory design, would not significantly impact the private amenity of neighbouring properties and would not cause any significant impact to the highway network.

## 3 How does this deliver objectives of the Corporate Plan?

	A strong and inclusive economy – the application will provide a new retail floor space.
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## 4 Context

- 4.1 At its last meeting the committee resolved to visit the site. The application has received four objections.
- 4.2 To assist members with site context, a link to Google Maps is provided below:

[10 Jowetts Lane, West Bromwich](#)



## 5 Key Considerations

5.1 The material planning considerations which are relevant to this application are:-

Government policy (NPPF)

Amenity concerns – Overlooking/loss of privacy,

Design concerns - appearance and materials, wider visual amenity and overdevelopment

Highways considerations - Traffic generation, access, highway safety, parking and servicing

## 6. The Application Site

6.1 The application site is located in a mixed-use area of West Bromwich. It is a detached property with commercial use on the ground floor and a two bedroom flat on the first floor.

## 7. Planning History

7.1 The application site was the subject of enforcement complaint (ref: ENF/23/11996) when works commenced in March 2023 to the existing boundary walls of the property. The investigations concluded that planning permission was required for the works being carried out and works have now stopped pending this planning decision.

7.2 Relevant planning applications/advert consents are as follows:

DC/08/49910	Proposed first floor extension over stairwell to accommodate stairs.	Grant Permission – September 2008
DC/08/5585A	Proposed replacement fascia signs.	Grant Advertisement Consent – September 2008



## 8. Application Details

- 8.1 The applicant is seeking retrospective planning permission for the replacement of the boundary treatment, removal of external rear wall, a single storey rear extension and raising of existing roof height (the latter is yet to be constructed).
- 8.2 The single storey rear extension measures 4.7m in width and 2.4m in depth and incorporates two rear entrance doors.
- 8.3 The creation of one flat roof would replace the current multiple roofs that cover the space. The roof height would be increase by approximately 1.4m at maximum, resulting in a total height of 3.8m.
- 8.4 The replacement of the boundary treatment includes two roller shutter which measure 4.1m in width and 1.95m in height.

## 9. Publicity

- 9.1 The application has been publicised by neighbour notification letter with four objections being received.

### 9.2 Objections

Objections have been received on the following grounds:

- i) Highways matters including access issues to garages, insufficient parking provision, increased traffic generation, displacement of parking onto the pavements. Increases in staff would negatively impact parking provision.
- ii) Inadequate waste storage; Query regarding the information provided on the application form.
- iii) Noise disturbance to neighbouring properties.
- iv) Loss of privacy for neighbouring properties opposite due to the addition of roller shutters on the side elevation.



- v) Hours of opening and the resulting negative impact upon residential properties.

These objections will be addressed in section 13 (Material considerations).

## 10. Consultee responses

### 10.1 Highways

No objections, however, concerns were raised about refuse and doors opening onto the highway. Details have subsequently been provided for the proposed refuse area and doors shown opening inwards. Final details can be conditioned accordingly.

### 10.2 Environmental and Public Health

No objections, however, recommended a condition to ensure reasonable working hours for any further construction to limit any possible noise impact upon neighbouring residential properties.

## 11. National Planning Policy

11.1 National Planning Policy Framework promotes sustainable development but states that local circumstances should be taken into account to reflect the character, needs and opportunities for each area.

11.2 The same guidance refers to development adding to the overall quality of the area by achieving high quality design, achieving good architecture and layouts.

11.3 The same guidance also promotes sustainable transport options for development proposals and paragraph 111 states that developments should be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.



## 12. Local Planning Policy

12.1 The following policies of the council's Development Plan are relevant:

ENV3: Design Quality

SAD EOS9: Urban Design Principles

SAD DM8: Design and Installation of Shop Fronts Roller Shutters

12.3 ENV3 and SAD EOS9 refers to well-designed schemes that provide quality living environments. The proposed layout and design are considered to be acceptable and improves the overall visual appearance of the development.

12.4 SAD DM8 refers to the installation and design of Shop Front Roller Shutters ensuring they do not detract from the visual amenity of the surrounding area and are colour coated and semi-perforated. A condition has been recommended as such.

## 13. Material Considerations

13.1 National and local planning policy considerations have been referred to above in Sections 11 and 12. With regards to the other material considerations, these are highlighted below:

### 13.2 Amenity concerns – Loss of Privacy, Waste Storage, Noise Disturbance and Opening Hours

With regard to concerns about loss of privacy, the two roller shutters that are located on the side elevation on Jowetts Lane are at ground level, furthermore given the distance of the flats above the businesses opposite, it is considered that they will not have a significant impact upon their privacy.

Turning to the windows proposed on the rear elevation, these would not result in any direct overlooking, however a condition has been



recommended to incorporate obscure glazing to ensure surrounding amenity is protected.

In relation to waste storage at the site, details are provided and can be conditioned as such.

The application does not concern the use of the property, as the proposal relates to storage serving the existing retail store. Therefore, opening hours and noise disturbance resulting from this are not relevant to the assessment of this application, and Environmental Health have not been consulted.

### 13.3 Design concerns

The wall as built is considered to be in keeping in terms of materials and height to the surrounding area. The openings which will serve the roller shutters are proportionate in size to the development and are in keeping with the surrounding commercial properties too. The raising of the roof height would consolidate the existing 'patchwork' roofs that are present and so would visually improve the appearance of the buildings to the rear of the existing shop. The addition of two windows on the side elevation breaks up the brickwork and adds interests within the street scene.

### 13.4 Highways concerns

Highways have no objections in relation to parking and road safety. The development does not impact upon the existing vehicular access to the rear of the site. Parking provision would not increase as a consequence of the storage area as the retail floor area is not increasing.

Concerns were raised regarding the space allocated for refuse and ensuring this would be retained. Details have been provided and a condition is recommended to seek final detail and retention.



## 14. Conclusion

On balance the proposal accords with the provisions of relevant development plan policies and there are no significant material considerations which warrant refusal that could not be controlled by conditions.

## 15 Alternative Options

15.1 Refusal of the application is an option if there are material planning reasons for doing so. In my opinion the proposal is compliant with relevant policies and there are no material considerations that would justify refusal.

## 16 Implications

<b>Resources:</b>	When a planning application is refused the applicant has a right of appeal to the Planning Inspectorate, and they can make a claim for costs against the Council.
<b>Legal and Governance:</b>	This application is submitted under the Town and Country Planning Act 1990.
<b>Risk:</b>	None.
<b>Equality:</b>	There are no equality issues arising from this proposal and therefore an equality impact assessment has not been carried out.
<b>Health and Wellbeing:</b>	None.
<b>Social Value</b>	None.
<b>Climate Change</b>	Sandwell Council supports the transition to a low carbon future, in a way that takes full account of the need to adapt to and mitigate climate change. Proposals that help to shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure, will be welcomed.



## 17. Appendices

Location and Block Plans - 70012-04-01

Existing Ground Floor Plan - 70012-04-02

Existing First Floor Plan - 70012-04-03

Existing Elevations Plan - 70012-04-04

Proposed Ground Floor Plan – 70012-04-05 REV A

Proposed First Floor Plan – 70012-04-06

Proposed Elevations Plan - 70012-04-08





**LOCATION PLAN 1.1250**

1 : 1250



**BLOCK PLAN 1.1250**

1 : 1250



**LOCATION PLAN 1.500**

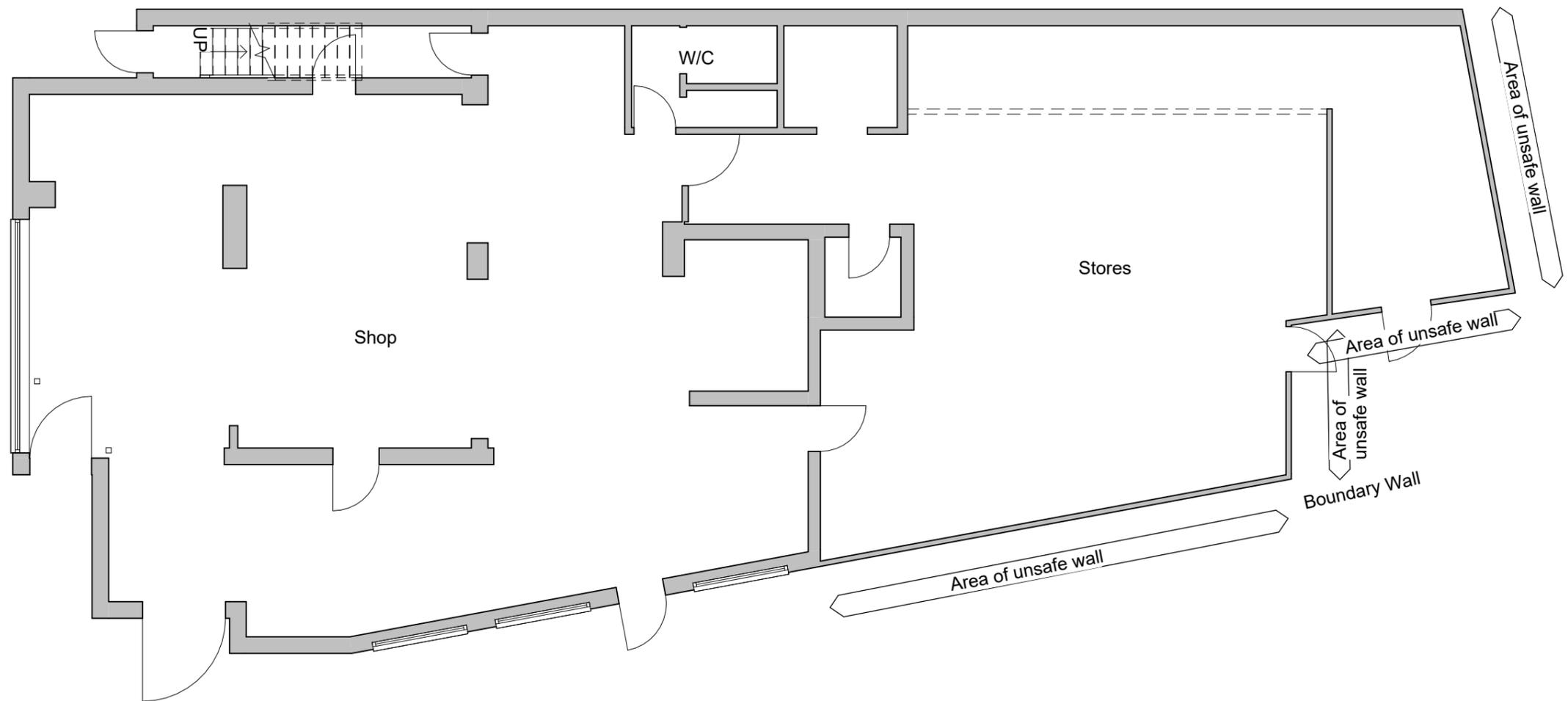
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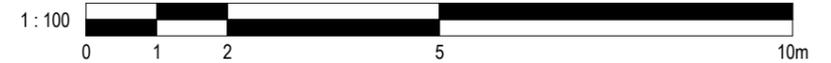
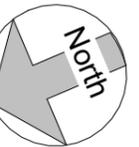
No.	Description	Date



PROJECT 10 Jowetts Ln, La, West Bromwich B71 2QX	Owner	
SHEET LOCATION, SITE AND BLOCK PLAN	Date 23.02.23	Scale (@ A3) - As indicated
	Drawn by RC	DRAWING NUMBER
	Checked by JG	70012 - 04 - 01
		REV



Existing Ground Floor Plan. 1:100



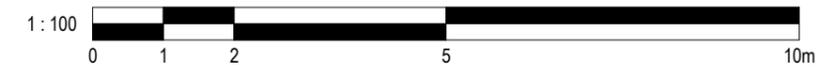
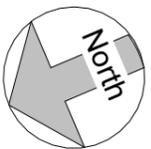
No.	Description	Date



PROJECT	10 Jowetts Ln, La, West Bromwich B71 2QX		
SHEET	EXISTING GROUND FLOOR PLAN		
Date	23.02.23	Owner	
Drawn by	RC	Scale (@ A3) - 1 : 100	
Checked by	JG	DRAWING NUMBER	REV
		70012 - 04 - 02	



Existing First Floor Plan. 1:100



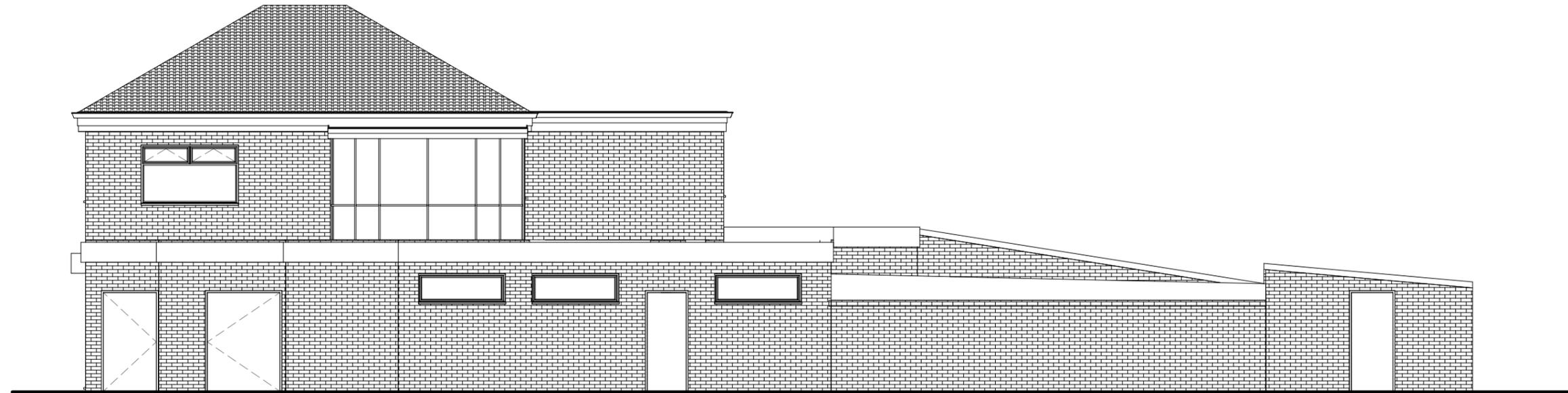
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PROJECT  
10 Jowetts Ln, La, West Bromwich B71 2QX

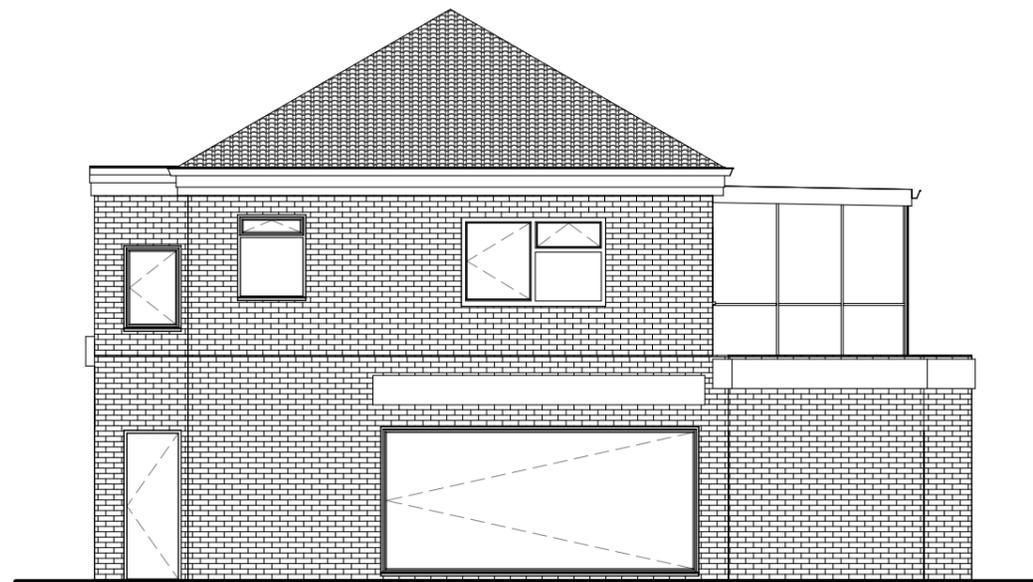
SHEET  
EXISTING FIRST FLOOR

Owner		
Date 23.02.23	Scale (@ A3) - 1 : 100	
Drawn by RC	DRAWING NUMBER	REV
Checked by JG	70012 - 04 - 03	



**Existing East Elevation**

1 : 100



**Existing South Elevation**

1 : 100



**Existing North Elevation**

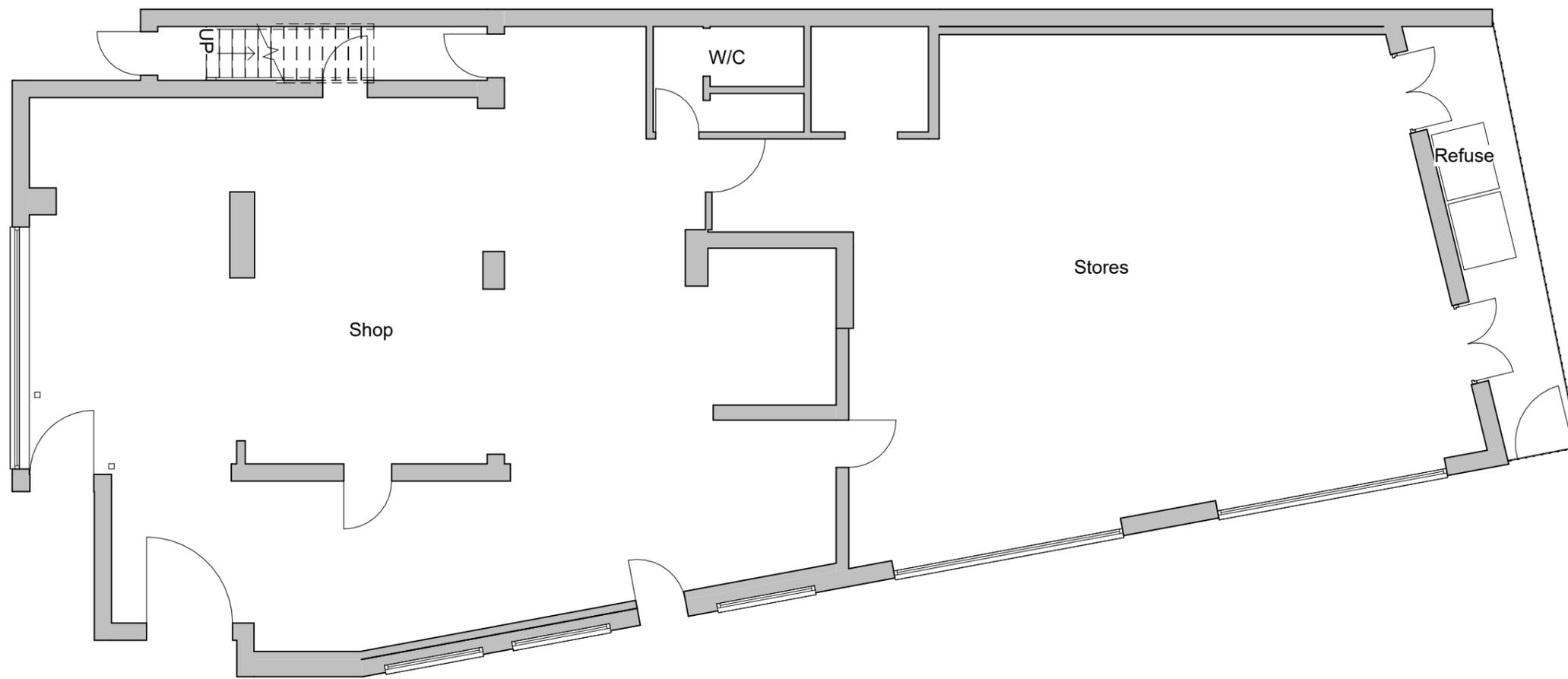
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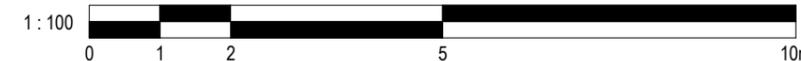
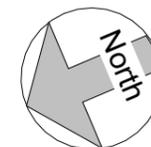
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PROJECT	10 Jowetts Ln, La, West Bromwich B71 2QX		
SHEET	EXISTING ELEVATIONS		
Owner		Date	Scale (@ A3) - 1 : 100
		23.02.23	DRAWING NUMBER
		Drawn by	REV
		RC	
		Checked by	70012 - 04 - 04
		JG	



Proposed Ground Floor Plan. 1:100



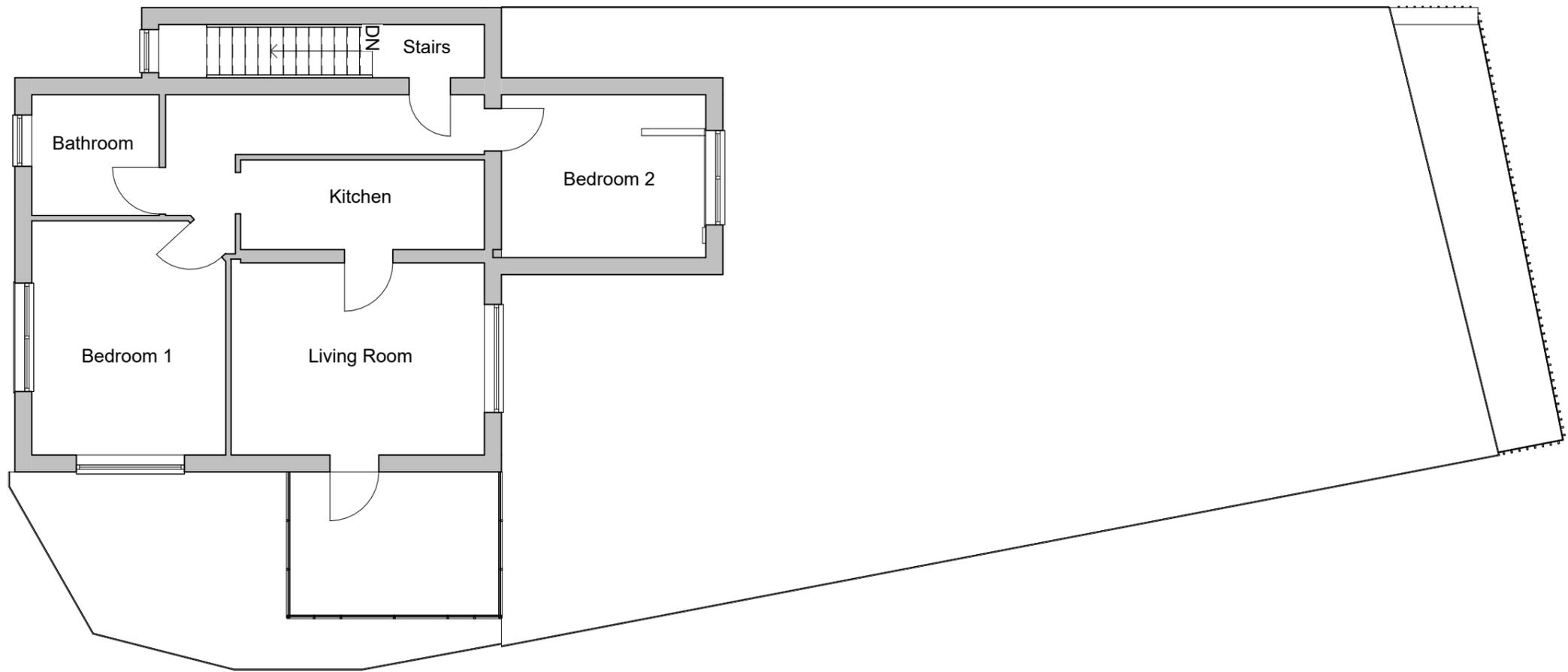
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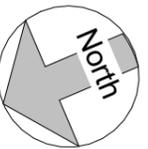
PROJECT  
10 Jowetts Ln, La, West Bromwich B71 2QX

SHEET  
PROPOSED GROUND FLOOR PLAN

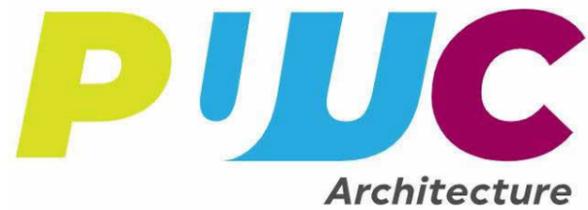
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Date 26.07.23	Scale (@ A3) - 1 : 100	
Drawn by RC	DRAWING NUMBER	REV
Checked by JG	70012 - 04 - 05	



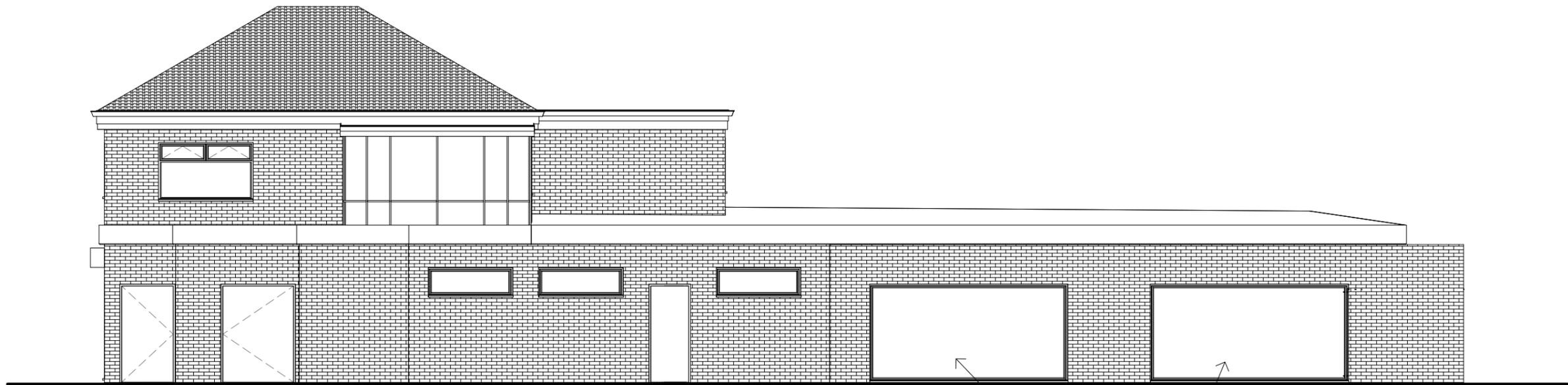
Proposed First Floor Plan. 1:100



No.	Description	Date

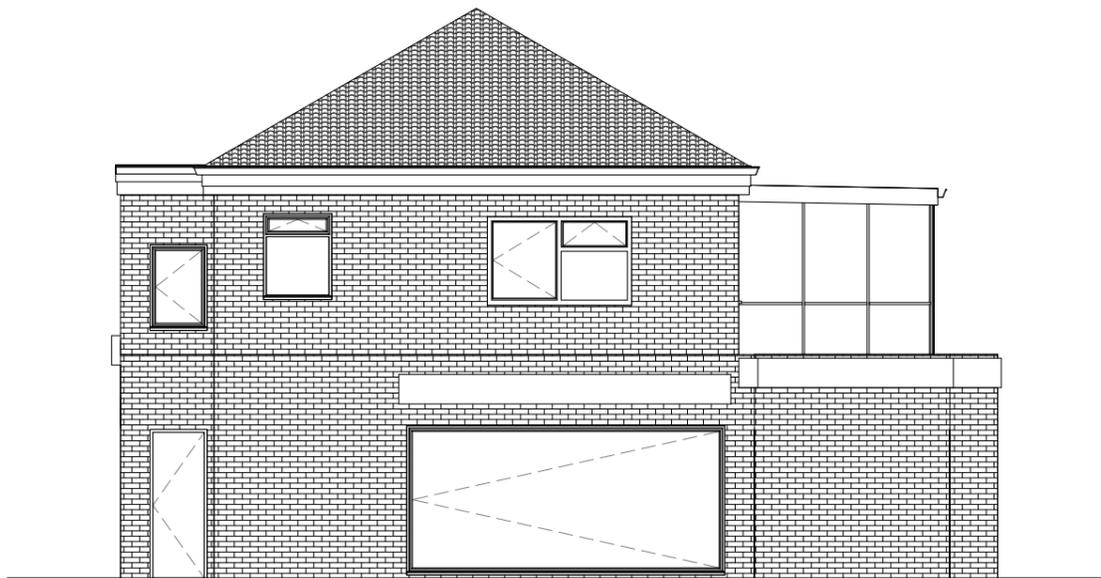


PROJECT	10 Jowetts Ln, La, West Bromwich B71 2QX		
SHEET	Proposed First Floor Plan		
Owner		Date	Scale (@ A3) - 1 : 100
		23.02.23	
		Drawn by	DRAWING NUMBER
		RC	70012 - 04 - 06
		Checked by	REV
		JG	



**Proposed East Elevation**  
1 : 100

Proposed windows to incorporate shutters internally.



**Proposed South Elevation**  
1 : 100



**Proposed North Elevation**  
1 : 100



No.	Description	Date



PROJECT	10 Jowetts Ln, La, West Bromwich B71 2QX		
SHEET	Proposed Elevations		
Date	26.07.23	Owner	
Drawn by	RC	Scale (@ A3) - 1 : 100	
Checked by	JG	DRAWING NUMBER	REV
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