

Minutes of Planning Committee

**Wednesday 15 September 2021
in the Council Chamber, Sandwell Council House, Oldbury**

Present: Councillor Z Hussain (Chair)
Councillor Webb (Vice-Chair)
Councillors Allen, Chapman, Chidley, Dhallu, Fenton, O
Jones, Rouf and K Singh.

Also present: John Baker (Service Manager – Development Planning and
Building Consultancy);
Sian Webb (Solicitor);
Simon Chadwick (Principal Officer – Development, Highways
Direct – Traffic and Road Safety);
Carl Mercer (Principal Planner – Development Planning);
Alexander Goddard (Democratic Services Officer).

69/21 **Apologies for Absence**

Apologies for absence were received from Councillors Allcock, S
Gill, Kaur, and C Padda

70/21 **Declarations of Interest**

Councillor Z Hussain declared an interest in Application
DC/21/65661 (Planning Application DC/21/65661 – Proposed 1
No. 5 bedroom dwelling). Land Rear Of 49 Basons Lane, Oldbury
B68 9SJ.

Councillor K Singh declared an interest in Application
DC/19/63045 (Proposed erection of a multi-storey car park (sui
generis) and a mixed-use building of between 6 and 9 storeys to



include 201 dwellings (Use Class C3) and commercial floorspace (flexible within Use Classes A1 (shops), A2 (financial and professional), A3 (restaurants), A4 (drinking establishments), A5 (hot food takeaways), D2 (assembly and leisure) or mix thereof), office (Use Class B1) plus associated amenity space and demolition of existing buildings). PJ House, London Street, Smethwick B66 2SH.

Councillor Rouf declared an interested in Application DC/21/65896 (Proposed Variation of Condition 1 (to amend the internal ground floor layout, external alterations, car parking layout and to exclude part demolition to front elevation and single storey front/rear extensions from the proposal) and removal of Condition 12 (the archaeological desktop study as no excavations would be required) to planning permission DC/20/64748 (Proposed change of use from Pakistani Community Centre to Supermarket (use class E) including part demolition to front elevation, single storey front and rear extensions and external alternations including shop front, roller shutters and car park). Pakistani Community Centre, 1 - 7 Corbett Street, Smethwick B66 3PU.

71/21 **Additional Item of Business**

There were no additional items of business to consider.

72/21 **Planning Application DC/21/65947 – Proposed two storey side and rear extensions, front porch and canopy. 1 Stanley Road, West Bromwich B71 3JH**

The Service Manager – Development Planning and Building Consultancy reported that there was no additional information for members to consider.

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

- When the two-story building was built the side of the objector's house would be completely enclosed in.
- The size of the building would be the same as the objector's patio area and would make being outside feel enclosed.
- It will negatively impact on family members who used the patio and garden with the resulting loss of light.



- The extension would block the window into the kitchen-diner as well as the back bedroom.
- It was a large extension and there was nothing like it in the area.
- The objector had no issue with the front of the building.

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

- The application was for a two-story household application and the applicant felt that it ought to have been determined under delegated powers.
- Objectors were factually incorrect in their objections.
- There had been extensive dialogue with the Planning department and the submitted plans were fully compliant with policy and guidelines and the case officer had recommended approval.
- The extension would only increase the square footage by 39m² – less than 50% of the original size of the property.
- There were 20 examples within a mile radius of larger extensions.
- Designs had complied with the 45 degree code as set out in guidance.
- There would be no side facing windows apart from an obscurely glazed bathroom window.
- There was no 10m rear extension planned despite suggestions from objectors.
- The build would enhance the street scene.

In response to members' questions of the objector, applicants and the officers present, the Committee noted the following:-

- The trigger that brought the application before the committee was the three material objections received. It was therefore considered right and proper to bring the application before the committee.
- The separation distance at the rear of the property was 18 meters which was in excess of the 14 stated in the design guide.
- Regarding the property next door, the applicant had ensured that the extension would not cut across the 45-degree line.



- The drawings within the report indicated that the applicant had taken account of the impact of the extension on neighbouring properties.

The Committee was minded to approve the application, subject to the conditions now recommended by the Director - Regeneration and Growth.

Resolved that planning application DC/21/65947 - Proposed two storey side and rear extensions, front porch and canopy is approved subject to conditions relating to the following:

- (i) External materials; and
- (ii) The first-floor window in the northern elevation shall be obscurely glazed.

73/21

Planning Application DC/21/65661 – Proposed 1 No. 5 bedroom dwelling. Land Rear Of 49 Basons Lane, Oldbury B68 9SJ

The Chair, Councillor Z Hussain, declared an interest in the item to be considered as he was the applicant. He left the meeting for the duration of the consideration of the item and took no part in the discussion or decision making. Councillor Webb as Vice-Chair therefore proceeded to Chair the meeting for the item under consideration.

The Service Manager – Development Planning and Building Consultancy reported that there was no additional information for members to consider.

There were no objections received for the application.

The Committee was minded to approve the application, subject to the conditions now recommended by the Director - Regeneration and Growth.

Resolved that planning application DC/21/65661- Proposed 1 No. 5 bedroom dwelling is approved subject to conditions relating to the following:-



- (i) External materials
- (ii) Boundary treatments
- (iii) Landscaping
- (iv) Drainage
- (v) Electric vehicle parking
- (vi) Method statement for construction
- (vii) Contaminated land
- (viii) Provision and retention of parking
- (ix) Removal of permitted development rights

74/21

Planning Application DC/21/65731 – Proposed change of use of existing dwelling with two storey side extension to create 2 No. assisted living apartments and construction of new building to land adjacent to create a further 2 No. assisted living apartments (4 No. in total) with associated parking and amenity space. 25 Brandhall Road, Oldbury B68 8DP

The Service Manager – Development Planning and Building Consultancy reported that there was no additional information for members to consider. However members were made aware of further objections that had been received from objectors who had already submitted an objection, in this instance however concerns had been expressed specifically around highways.

The applicant and objectors were not present at the meeting.

In response to members' questions of the officers present, the Committee noted the following:-

- A single large dwelling application in 2006 had been refused permission on the same site for lack of amenity space. However, every application was looked at and judged on its own merits.
- Highways had assessed the proposal; there was deemed to be sufficient off-street parking and the addition of one extra bedroom was not sufficient to warrant refusal.
- Highways had not determined any severe impact on both the safety and use of the highway. The four properties had four parking spaces with an established dropped crossing. The generation of traffic was not an issue and vehicles would be able to leave and enter the spaces in forward gear. The plans



demonstrated that the boundary wall would be lower and therefore increase visibility

- The space within the properties would exceed the minimum space as set out in the residential design guide and meet the Council's policy guidelines.

The Committee was minded to approve the application, subject to the conditions now recommended by the Director - Regeneration and Growth.

Resolved that planning application DC/21/65731 – Proposed change of use of existing dwelling with two storey side extension to create 2 No. assisted living apartments and construction of new building to land adjacent to create a further 2 No. assisted living apartments (4 No. in total) with associated parking and amenity space is approved subject to conditions relating to the following:-

- (i) External materials;
- (ii) Car parking;
- (iii) Drainage to include SUDS;
- (iv) Ground conditions;
- (v) The submission and approval of a 24-hour environmental noise survey and noise risk assessment and noise mitigation measures;
- (vi) Site levels plan;
- (vii) Boundary Treatments;
- (viii) Hard and soft landscaping scheme;
- (ix) Specification of cycle and refuse stores;
- (x) Electric vehicle charging points; and
- (xi) Construction method statement.

75/21

Planning Application DC/19/63045 – Proposed erection of a multi-storey car park (sui generis) and a mixed-use building of between 6 and 9 storeys to include 201 dwellings (Use Class C3) and commercial floorspace (flexible within Use Classes A1 (shops), A2 (financial and professional), A3 (restaurants), A4 (drinking establishments), A5 (hot food takeaways), D2 (assembly and leisure) or mix thereof), office (Use Class B1) plus associated amenity space and demolition of existing buildings. PJ House, London Street, Smethwick B66 2SH



Councillors Allen, Chapman, Fenton, K Singh and Rouf indicated that they had been lobbied on the application.

Councillor K Singh declared an interest in the application as he lived in the vicinity of the proposed development.

The Service Manager – Development Planning and Building Consultancy reported that there was no additional information for members to consider. However, following member questions on why the decision was not taken when the application first came before the Committee in May 2021 it was indicated that strong representations from the applicant and agent and concerns of officers with regards to the planned multi-storey car park meant members requested deferral so both sides could have further discussions.

Members queried why a site visit had not taken place earlier, the Committee was advised that the pandemic restrictions at that time had meant no site visits were possible.

It was noted that the information sent to Committee members as part of the lobbying by the application had not yet been seen by officers

The Committee was minded to defer determination of the application to undertake a site visit.

Resolved that determination of planning application DC/19/63045 – Proposed erection of a multi-storey car park (sui generis) and a mixed-use building of between 6 and 9 storeys to include 201 dwellings (Use Class C3) and commercial floorspace (flexible within Use Classes A1 (shops), A2 (financial and professional), A3 (restaurants), A4 (drinking establishments), A5 (hot food takeaways), D2 (assembly and leisure) or mix thereof), office (Use Class B1) plus associated amenity space and demolition of existing buildings be deferred, until a site visit has been undertaken by the Committee.

[Councillor Chidley left the meeting.]



76/21

Planning Application DC/21/65851 – Proposed two storey front/rear, single storey front/side/rear extensions, raising height of eaves line, loft conversion, rear dormer window, front gates, boundary walls and fence infill to front and side of property. 5 Roway Lane, Oldbury B69 3EG

The Service Manager – Development Planning and Building Consultancy reported that there was no additional information for members to consider. However, the Committee noted the addition of a new objection on highway safety grounds.

The applicant and objectors were not present at the meeting.

The Committee was minded to approve the application, subject to the conditions now recommended by the Director - Regeneration and Growth.

Resolved that planning application DC/21/65851 – Proposed two storey front/rear, single storey front/side/rear extensions, raising height of eaves line, loft conversion, rear dormer window, front gates, boundary walls and fence infill to front and side of property, be approved subject to external materials matching the existing property.

77/21

Planning Application DC/21/65896 – Proposed Variation of Condition 1 (to amend the internal ground floor layout, external alterations, car parking layout and to exclude part demolition to front elevation and single storey front/rear extensions from the proposal) and removal of Condition 12 (the archaeological desktop study as no excavations would be required) to planning permission DC/20/64748 (Proposed change of use from Pakistani Community Centre to Supermarket (use class E) including part demolition to front elevation, single storey front and rear extensions and external alternations including shop front, roller shutters and car park). Pakistani Community Centre, 1 - 7 Corbett Street, Smethwick B66 3PU



Councillor Rouf declared an interest in the application and left the meeting for the duration of the item, taking no part in the discussion or decision making.

The Service Manager – Development Planning and Building Consultancy reported that there was no additional information for members to consider.

The applicant and objectors were not present at the meeting.

In response to members' questions of the officers present, the Committee noted the following:-

- Objections had been received in respect to a lack of off street parking. The planning permission for the supermarket was already approved in principal; the scheme before the Committee presented an improved scheme as it created extra car parking spaces off-street and reduced the size of the supermarket.
- Highways had no objection to the scheme, the one-way aspect of the road had been in place for a number of years and had been installed after consultation with local residents. The one-way street would not be impacted on by the supermarket.

The Committee was minded to approve the application, subject to the conditions now recommended by the Director - Regeneration and Growth.

Resolved that planning application DC/21/65896 – Proposed Variation of Condition 1 (to amend the internal ground floor layout, external alterations, car parking layout and to exclude part demolition to front elevation and single storey front/rear extensions from the proposal) and removal of Condition 12 (the archaeological desktop study as no excavations would be required) to planning permission DC/20/64748 (Proposed change of use from Pakistani Community Centre to Supermarket (use class E) including part demolition to front elevation, single storey front and rear extensions and external alternations including shop front, roller shutters and car park) is approved subject to conditions relating to the following:



- (i) The use shall be restricted to that in the description of development and for no other purpose within the Class E Use Class;
- (ii) External Materials;
- (iii) Car parking to be implemented, retained and not used for storage of goods;
- (iv) Review of parking restrictions and provision of a loading bay on Corbett Street;
- (v) Hours of opening and deliveries to the premises shall be restricted to 08.00 to 20.00 on any day;
- (vi) Specification of roller shutters to be submitted and approved.
- (vii) External plant noise condition;
- (viii) Front boundary treatment to be submitted and approved; and
- (ix) Removal of the temporary building.

78/21

Planning Application PD/21/01846 – Proposed 15-metre-high monopole and 4 no. equipment cabinets and ancillary works. Telecommunication Mast SWL 13229, Land Fronting 202 Newton Road. Great Barr, Birmingham

The Service Manager – Development Planning and Building Consultancy reported that the officers report had originally 8 objections, and that number was now 27, the additional tabled plan to members demonstrated a map that showed the consulted properties and those properties who an objection had been received.

The applicant and objectors were not present at the meeting.

In response to members' questions of the officers present, the Committee noted the following:-

- The planning aspects of the application were very narrow, and members could only consider sighting and appearance of the proposed mast as material concerns. Any objections on health grounds was not considered to be a material concern.
- A previous decision by officers using delegated powers to refuse permission for a telecom mast had been overturned by



the Planning Inspectorate after accepting the reasons of the committee but arguing the material socio-economic benefits of the mast outweighed objections on sighting and appearance.

- While a previous application had been refused on this site, each application was reviewed on its own merits.
- Highways had raised no objections.
- There were no tree-preservation orders and there were no intentions of removing the adjacent trees.

The Committee was minded to approve the application now recommended by the Director - Regeneration and Growth.

Resolved that prior approval in respect of position and appearance be granted in relation to application PD/21/01846 – Proposed 15-metre-high monopole and 4 no. equipment cabinets and ancillary works.

79/21 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.

80/21 Decisions of the Planning Inspectorate

The Committee noted that the Planning Inspectorate had made the following decisions in relation to appeals against refusal of planning permission:-

Application Ref No.	Site Address	Inspectorate Decision
PD/20/01624	Land At Hurst Road Smethwick B67 6ND	Allowed

Meeting ended at 6.10pm

Contact: democratic_services@sandwell.gov.uk

