

Minutes of Planning Committee

**Wednesday 27 March 2024 at 5.00pm
in the Council Chamber, Sandwell Council House, Oldbury**

Present: Councillor Millar (Chair);
Councillors Chidley (Vice-Chair), Fenton, S Gill, Preece, N
Singh, Tromans, Uppal and Webb.

Officers: John Baker (Development Planning and Building Consultancy
Manager); Alison Bishop (Development Planning Manager);
Simon Chadwick (Development and Road Safety Manager);
Simon Smith (Planning Solicitor); Elizabeth Stephens (Senior
Environmental Health Officer (Air Quality)); and Alex Goddard
(Scrutiny Lead Officer).

21/24 **Apologies for Absence**

Apologies of absence were received from Councillors Chapman,
Kaur, Kordala and Pall.

22/24 **Declarations of Interest**

There were no declarations of interest.

23/24 **Minutes**

Resolved that the minutes of the meeting held on 21
February 2024 are approved as a correct record.



Planning Application - DC/23/68498 – 2A Franchise Street, Wednesbury, WS10 9RE

Councillors Chidley, Millar, Tromans and Webb declared that they had been lobbied by the applicant and objectors on the original site visit.

The Development Planning and Building Consultancy Manager summarised the application for the Committee. The application had been deferred from the meeting of the Planning Committee on 21 February 2024. Since that meeting an amendment had been made to the application to remove a bay window from the rear of the proposed block of apartments.

The objectors were present and addressed the Committee with the following points:

- the design of the building was felt to be out of character with the existing Victorian building;
- planning was an issue in the local area and there were concerns that the proposed car park was insufficient;
- there were concerns about unauthorised access to the rear of neighbouring properties due to the proposed car park providing access;
- it was felt that although the bay window had been removed there was still a window proposed that would overlook neighbouring gardens.

The objectors also raised that there was a covenant on the land, but it was confirmed that this was not something that the Planning Committee could not consider when making a decision on the application before it.

The applicants were present and addressed the committee with the following points:

- the revised window design complied with all relevant distances and angles from other properties;
- the proposals had been assessed and found to be compliant with all relevant policies.



In response to comments and questions by members the following points were made:

- the design of the new building, and the materials used, would be sympathetic to the existing building;
- the apartments would be for rental purposes and there would be a management scheme in place to vet and monitor tenants;
- the chickens currently in the garden would be safely removed;
- the proposals met the Council's parking standards;
- the existing building was not listed and was not in a conservation area;
- the area had a mixture of building designs, sizes and types.

Resolved that Planning Application - DC/23/68498 Proposed change of use from existing residential dwelling to 2 apartments 1 no – 1 bed and 1 no – 2 bed, demolition of existing adjacent ancillary building and replace with 6 no – 2 bed apartments with associated care parking and amenity areas is granted subject to conditions relating to:

- (i) External materials;
- (ii) Finished floor levels;
- (iii) Ground Contamination;
- (iv) Drainage (surface and foul);
- (iv) Lighting;
- (v) Boundary treatments;
- (vi) Landscaping;
- (vii) Cycle storage;
- (ix) Low NOx boilers;
- (x) Electric vehicle charging;
- (xi) Management plan for control of dust;
- (xii) Construction Management Plan;
- (xiii) Coal Authority Investigation;
- (xiv) Restriction on hours of construction;
- (xv) Windows in first floor side elevation to be obscurely glazed and retained as such; and
- (xvi) Parking laid out and retained as such.



Planning Application - DC/23/68446 – 10 Barnfordhill Close, Oldbury, B68 8ES

Councillors Chidley, Fenton, Millar, N Singh, Tromans and Webb declared that they had been lobbied by the objectors on the site visit. Councillor Fenton also confirmed that prior to the application being scheduled for consideration by the Planning Committee she had raised factual questions about the site in her capacity as a ward councillor.

The Development Planning and Building Consultancy Manager summarised the application for the Committee.

The objector was present and addressed the committee with the following points;

- the design was out of character for the area;
- there were concerns about overlook from the proposed extensions and the associated impact on privacy, amenity and light.

The applicants were present and addressed the committee with the following points:

- the extension was to expand the family home, allowing the applicant's father and mother to move into the home;
- one wall had been retained from the original building, with a new outer wall built.

The Committee received advice from the Planning Solicitor who indicated that there was sufficient doubt relating to works already carried out at the site and immediate deferral was suggested as current descriptions in the application might not reflect the situation on site.

Resolved that Planning Application - DC/23/68946 – First floor side extension, single storey rear extensions, increase in roof height, two rear dormer windows, front porch, reinstatement of verge, new boundary fence and frontage parking, is deferred to allow the applicant to provide an accurate description of the site based on activity undertaken on the site to date.



Planning Application - DC/23/68948 – Victoria Park, Victoria Road, Tipton

The Development Planning and Building Consultancy Manager summarised the application for the Committee. It was confirmed that the Amenity Societies had responded and raised no concerns in relation to the proposals.

The objector was present and addressed the committee with the following points;

- the nearby Boscobel estate was for over 60s and concerns were raised about the impact of increased evening usage of the park on the residents of the estate;
- it was felt that the proposals were attempting to turn the existing park into a sports facility;
- increased use would create parking difficulties on the Boscobel estate which could impact on emergency vehicles attending residents there;
- the park had existing issues with off-road motorcycles and quad bikes;
- there were concerns around anti-social behaviour, light pollution and noise.

In response to comments and questions by members the following points were made:

- the park was for the use of all ages and communities;
- the issues raised by objectors related to general park management rather than the proposals within the application;
- access to the floodlit area would be through a booking system and associated keypad activated lock which it was anticipated would discourage misuse.

Resolved that Planning Application - DC/23/68948 – Victoria Park, Victoria Road, Tipton - Proposed refurbishment of existing MUGA (Multi Use Games Area), installation of floodlights with 4 No. floodlight columns, storage container and new 3m and 4m fencing, is approved subject to the following condition:



- (i) The floodlights shall not be used between the house of 22:00 to 08:00 on any day.

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Planning Application - DC/23/68559 – Gateway Service Station, 76 Birmingham Road, Great Barr, Birmingham B43 6NT

The Development Planning and Building Consultancy Manager summarised the application for the Committee. The proposed conditions addressed issues raised by Pollution Control on the application. There had been no concerns raised by Police or Highways.

In response to comments and questions by members the following points were made:

- the recommended conditions imposed a temporary 2 year period, however this could be amended depending on what the Committee agreed was acceptable;
- there was already an alcohol license for the premises;
- it was not considered that there would be increased journeys by car to the site during the night, with visitors being existing passing vehicles.

Resolved that Planning Application - DC/23/68559 - Proposed variation of condition 12 of DC/13/56229 (Proposed variation of condition 12 of DC/31470 to extend opening hours from 07:00 to 23:00 on any day to 05:00 to midnight Monday to Saturday and 7.00 to 23.00 on Sundays and Bank Holidays) to extend opening hours to 24 hours any day - Gateway Service Station, 76 Birmingham Road, Great Barr, Birmingham, B43 6NT, is granted subject to:-

- (1) Condition 12 of planning permission DC/13/56229 being varied to read “The application premises may be open for custom 24 hours any day for a period of 1 year from the date of this permission”.
- (2) conditional temporary permission is approved on a 1-



year temporary basis, subject to the same conditions as imposed on DC/13/56229 [i) – iv)] and additional conditions [v) to x)] as follows:

- i) The development shall be constructed in accordance with the approved schedule of materials;
- ii) The space for the parking of vehicles as previously approved shall be retained as such;
- iii) The demarcation of the right of way as previously approved shall be retained as such;
- iv) The right of way shall be protected at all times during construction works in accordance with details to be submitted to and approved by the Local Planning Authority;
- v) Between the hours of 23:00 and 06:00 on any day all retail sales shall be through the night pay window;
- vi) Between the hours of 23:00 and 06:00 on any day there shall be no deliveries of fuel or other supplies;
- vii) Between the hours of 23:00 and 06:00 on any day there shall be no use of pumps 3, 4, 7 or 8.
- viii) Between the hours of 23:00 and 06:00 on any day there shall be no use of jet wash, air or water facilities, Amazon lockers or Electric Vehicle chargers;
- ix) All amplified or electronic PA systems used to amplify sound external to the premises shall only be operated between the hours of 07.00 hours and 20.00 hours on any day;
- x) The 'Polite Notice' signage as indicated on the submitted plan (PA02a) shall be implemented on site within 1 month of DC/23/68559 being approved; once provided, the signage shall be retained as such.



28/24 Proposed Site Visits

The committee noted that site visits would be carried out in relation to the following applications, prior to their being presented to the committee:-

Application No. and Description.	Date received	Reason
DC/24/69054 Proposed change of use from residential dwelling (Use Class C3) to residential care accommodation (Use Class C2) for up to five residents aged between 16 to 24 at 2A Hill Lane, Great Barr, Birmingham, B43 6NA	25.01.2024	To review the site in relation to parking and the surrounding residential properties.
DC/24/68966 Demolition of existing building, and proposed mosque and community centre with associated parking and boundary treatment at 57 & 59 Dartmouth Street, West Bromwich, B70 8BY	02.01.2024	To review the proposal in relation to the highway network and parking.

29/24 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/23/68077	The Forge 144 Franchinse Street Wednesbury WS10 9RG	Dismissed

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Applications Determined Under Delegated Powers

The committee noted the applications determined under delegated powers by the Director – Regeneration and Growth, under powers delegated to them, as set out in the Council’s Constitution.

Meeting ended at 6.48pm

Contact: democratic_services@sandwell.gov.uk

