

# Report to Planning Committee

**23 October 2024**

<b>Application reference</b>	DC/24/69432
<b>Application address</b>	63-65 Rood End Road Oldbury B68 8SJ
<b>Application description</b>	Proposed change of use from existing 8 No. self-contained flats to 17 No. bedroom care home for elderly with fenestration alterations and parking to rear.
<b>Application received</b>	28 May 2024
<b>Ward</b>	St Pauls
<b>Contact officer</b>	Mr Andrew Dean <a href="mailto:andrew_dean@sandwell.gov.uk">andrew_dean@sandwell.gov.uk</a>

## 1 Recommendations

That planning permission is granted subject to the following conditions:

- i) External materials;
- ii) Car parking to be provided and retained;
- iii) Hard and soft landscaping scheme;
- iv) Waste storage;
- v) Cycle storage;
- vi) External lighting scheme;
- vii) Construction environmental management plan (CEMP); and

- viii) Use restriction (for purposes stated in the description of development and for no other purposes within the C2 Use Class).
- ix) Boundary treatment to rear of the application site.

## 2 Reasons for Recommendations

2.1 The proposed change of use complies with relevant development plan policies and would provide suitable living accommodation for residents with specific needs. The Head of Highways has raised no objections to the application on highway safety or vehicle parking grounds.

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

Living in Sandwell	<p>Improving the local environment with a focus on cleanliness, ensuring that the community takes pride in its surroundings.</p> <p>Safe and affordable homes.</p>
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## 4 Context

4.1 The application is being reported to Planning Committee as fifteen material planning objections have been received against the proposal. At its last meeting, committee resolved to visit the site.

4.2 To assist members with site context, a link to Google Maps is provided below:

[63 - 65 Rood End Road, Oldbury.](#)

## 5 Key Considerations

5.1 The site is not allocated in the development plan.

5.2 Material planning considerations (MPCs) are matters that can and should be taken into account when making planning decisions. By law,

planning decisions should be made in accordance with the development plan unless MPCs indicate otherwise. This means that if enough MPCs weigh in favour of a development, it should be approved even if it conflicts with a local planning policy.

5.3 The material planning considerations which are relevant to this application are:

- Government policy (NPPF);
- Design concerns - appearance and materials, layout and density of building, wider visual amenity and overdevelopment;
- Highways considerations - traffic generation, access, highway safety, parking, and servicing; and
- Environmental concerns – noise, air quality, pollution, and general disturbance.

## **6. The Application Site**

6.1 The application site is situated on the east side of Rood End Road, Oldbury. The character of the surrounding area is predominantly residential; however, Rood End Primary school is directly opposite the property and Rood End local centre is located 76 metres to the south. Rood End local centre is served by a short stay pay and display car park.

6.2 The application property consists of an infill apartment development positioned between Victorian terraced properties. The property consists of eight apartments with an under-croft access to a rear car park for 10 vehicles. A strip of grass amenity space can be found adjacent to the car park.

## **7. Planning History**

7.1 The redevelopment of the site to create eight, one-bedroom apartments with rear car parking was approved under application reference DC/06/46628.

7.2 Relevant planning applications are as follows:

DC/06/46628	Proposed 8no. 1 bed apartments with associated rear parking.	Grant Conditional Approval. 18.10.2006
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## 8. Application Details

8.1 The applicant is proposing to convert the existing eight self-contained flats to a 17-bedroom care home for the elderly with fenestration alterations and parking to rear.

8.2 The revised scheme provides a ground floor which would consist of four bedrooms, a shared living/ dining room, a kitchen, a laundry room, staff room and staff office. The first floor would consist of 13 bedrooms.

8.3 Proposed staffing details:

- There would be four permanent staff working at all times (seven days a week). Two staff members would work in the office from 8am - 4:30pm. The other two members of staff would manage the care home, one of them will have nurse and medical training and both will work from 7am - 3pm. The next staff would take over from 3pm - 10pm and then the last of the shift would take over from 10pm - 7am and so forth.
- Two cleaners would work each evening between 6pm - 7:30pm.
- A chef and assistant would work each day from 7am - 4pm.
- Staff meetings would only happen as and when needed but it is likely that a meeting would be held each month during the afternoon and there would likely to be around six to eight people present.
- Car park spaces would be available to all staff, visitors, and residents. Only the two office staff on shift would have designated spaces, although, the applicant has stated the residents would not be expected to have their own vehicles given the end users.

8.5 Following the last committee meeting, the applicant has submitted amended plans. The following changes have been made:

- i) 17 bedrooms which all have end-suite facilities.
- ii) Ground floor communal area increased in size to provide seating for 22 people and a dining space for 28 people.
- iii) The smaller first floor seating area has been removed.

8.6 The applicant has also provided the below statement with regards to the use:

*“The proposal is for a ‘residential care home’ for the elderly. The home will be for those elderly that need help with daily tasks and personal care. They will be provided with accommodation, meals, and activities. The use should not be confused with Nursing Homes, Respite Care Homes, Assisted Living, Adult day-care centres’ or ‘Senior Living.’ These communities have their own specific regulations and requirements, and the proposed use will be of a lot less intensity from a care and nursing point of view.”*

## **9. Publicity**

9.1 The application has been publicised by fifteen neighbour notification letters. Fifteen objections have been received.

9.2 Contributors have been re-consulted on the amendments received. Any further correspondence received shall be reported verbally at the committee meeting.

9.3 Objections have been received on the following grounds:

- i) The proposal is overdevelopment of the site.
- ii) Highways matters. Objectors feel the proposed number of spaces is insufficient and would cause further congestion on Rood End Road, which already suffers from high levels of on-street car parking.

- iii) The proposal would have a lack of external amenity space for residents.
- iv) The communal areas, kitchen and laundry room are insufficient for the proposed number of residents.
- v) Concerns the increased number of bathrooms would impact the local drainage network.
- vi) The existing first floor plan is not a true reflection of the first floor with one apartment containing two bedrooms instead of one.

Non-material objections have been raised regarding eviction of existing tenants.

Residents to the rear of the site have also recently notified the planning service that the rear boundary has collapsed. The applicant has been made aware and has visited the site. Whilst this matter is a civil matter, a condition has been included as part of this planning proposal to provide details of a revised boundary treatment to the rear of the site.

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

## **10. Consultee responses**

### **10.1 Highways**

Following receipt of amended plans to reduce the number of car parking spaces from 11 to 12 to allow spaces to meet highways size standards (2.4m x 4.8m and to include 0.5m setbacks from each boundary), the Head of Highways raises no objections to the application.

### **10.2 Pollution Control (Noise)**

No objection.

### 10.3 **Pollution Control (Air)**

No objection subject to submission of a construction environmental management plan.

### 10.4 **West Midlands Police**

No objection.

## 11. **National Planning Policy Framework (NPPF)**

11.1 The NPPF sets out government's planning policies for England and how these are expected to be applied.

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

11.3 The framework promotes sustainable transport options for development proposal and states that developments should only 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. **Development Plan Policy**

12.1 The following policies of the council's development plan are relevant:

### **Black Country Core Strategy (BCCS)**

ENV3 – Design Quality

### **Site Allocations and Delivery Development Plan Document – (SADD)**

SAD EOS 9 - Urban Design Principles

## SAD H4 – Housing for People with Specific Needs

- 12.2 ENV3 and SAD EOS9 refers to well-designed schemes that provide quality living environments. The proposed layout and design are considered to be acceptable with no concerns being raised from the urban design team.
- 12.3 SAD H4 encourages the provision of housing to cater for the special needs of people which includes the elderly. The proposal complies with this policy by being compatible with surrounding residential uses. Furthermore, the building is currently a residential use, would provide a suitable living environment for residents and is 76 metres from Rood End local centre with access to local facilities and transport links.

### **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 **Design concerns - appearance and materials, layout and density of building, wider visual amenity, and overdevelopment**

The most recent amended plans now provide a larger communal lounge area for residents to accommodate seating for 22 people and a dining space for 28 people. Furthermore, all bedrooms would now have en-suite bathrooms. The car parking plan has been revised and one space has been removed from the scheme to provide an area of external amenity space for residents outside the communal lounge area. Outlook to the rear would be improved by soft landscaping to the boundaries with two further areas of amenity space being provided in the far corners of the car park. Access/use of these spaces would be across the car park so would need to be managed by staff. Following receipt of the amended plans, I am satisfied the proposed layout of the property would be acceptable and provide suitable living accommodation for residents with specific needs. Taking into consideration the existing use of the property



for eight apartments and that the application is for change of use only with no additional extensions, I do not consider the proposal would be over-development of the site. I see no reason why the proposed kitchen and laundry would be inadequate in size to serve the needs of residents.

### **13.3 Highways considerations - traffic generation, access, highway safety, parking, and servicing**

The Head of Highways has reviewed the proposal and raised no objections to the application on highway safety grounds or parking provision. The proposal would increase off-street car parking provision at the property creating 11 spaces to the rear. Furthermore, the property is within proximity of Rood End local centre which is served by the local bus network and contains a short stay car park. A condition for cycle parking to be provided has also been included within the recommendation offering further alternatives to car travel for staff and visitors.

### **13.4 Environmental concerns – noise, air quality, pollution, and general disturbance**

Pollution Control have reviewed the proposal and raised no objections to the application on noise grounds. A condition for a CEMP has been included in the recommendation.

## **14. Conclusion and planning balance**

14.1 All decisions on planning applications should be based on an objective balancing exercise. This is known as applying the “planning balance”. It is established by law that planning applications should be refused if they conflict with the development plan unless material considerations indicate otherwise. This essentially means that the positive impacts of a development should be balanced against its negative impacts.

14.2 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**

### **17.1 Plans for consideration**

1004-05 REV C - AMENDED PROPOSED FIRST FLOOR PLAN

1002-07 REV A - AMENDED PROPOSED ELEVATIONS PLAN

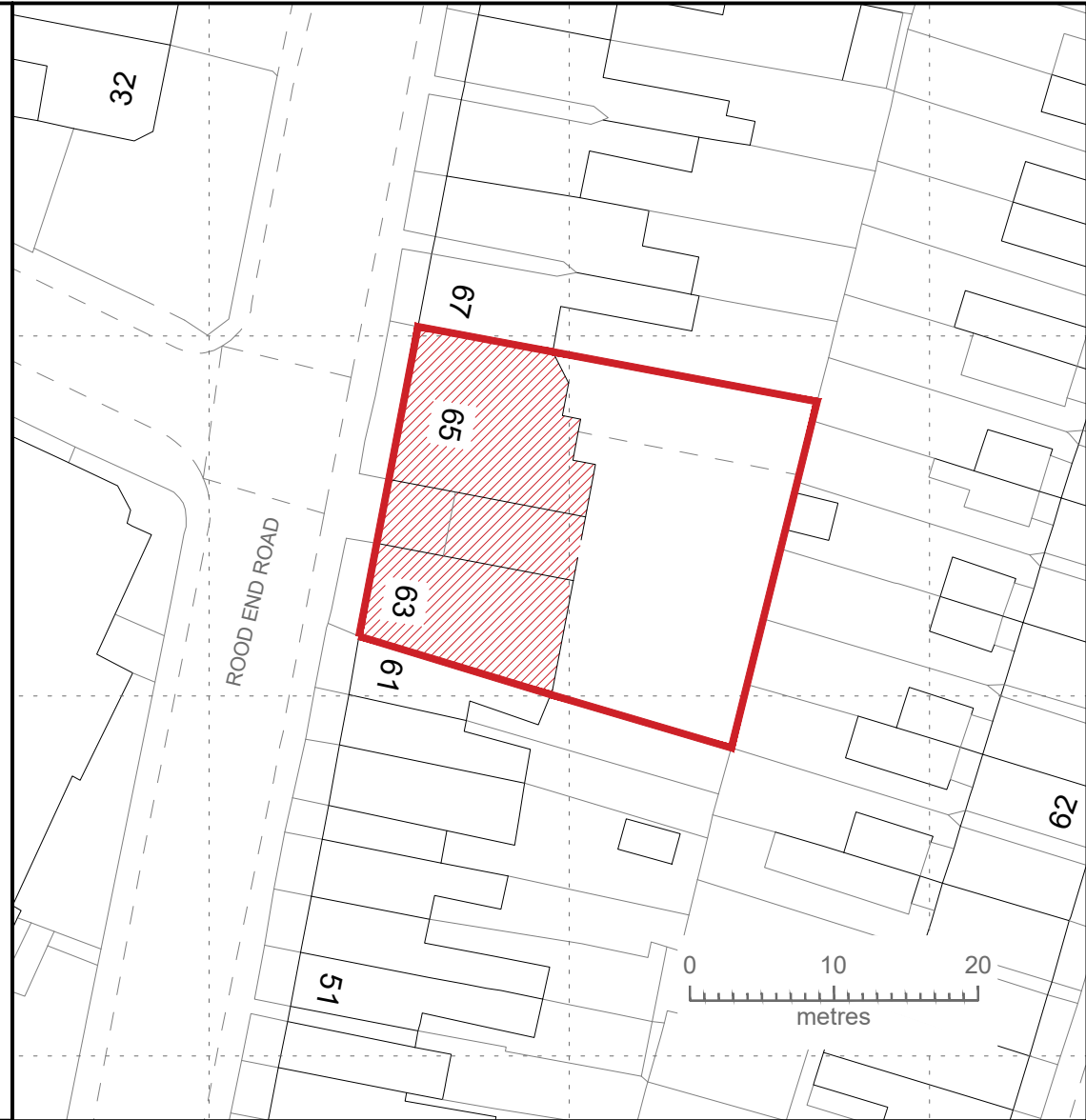
1004-04 REV C - AMENDED PROPOSED GROUND FLOOR PLAN

1004-06 REV C - AMENDED PROPOSED CAR PARK PLAN

OS/1002 - LOCATION AND BLOCK PLAN



Location Plan 1:1250



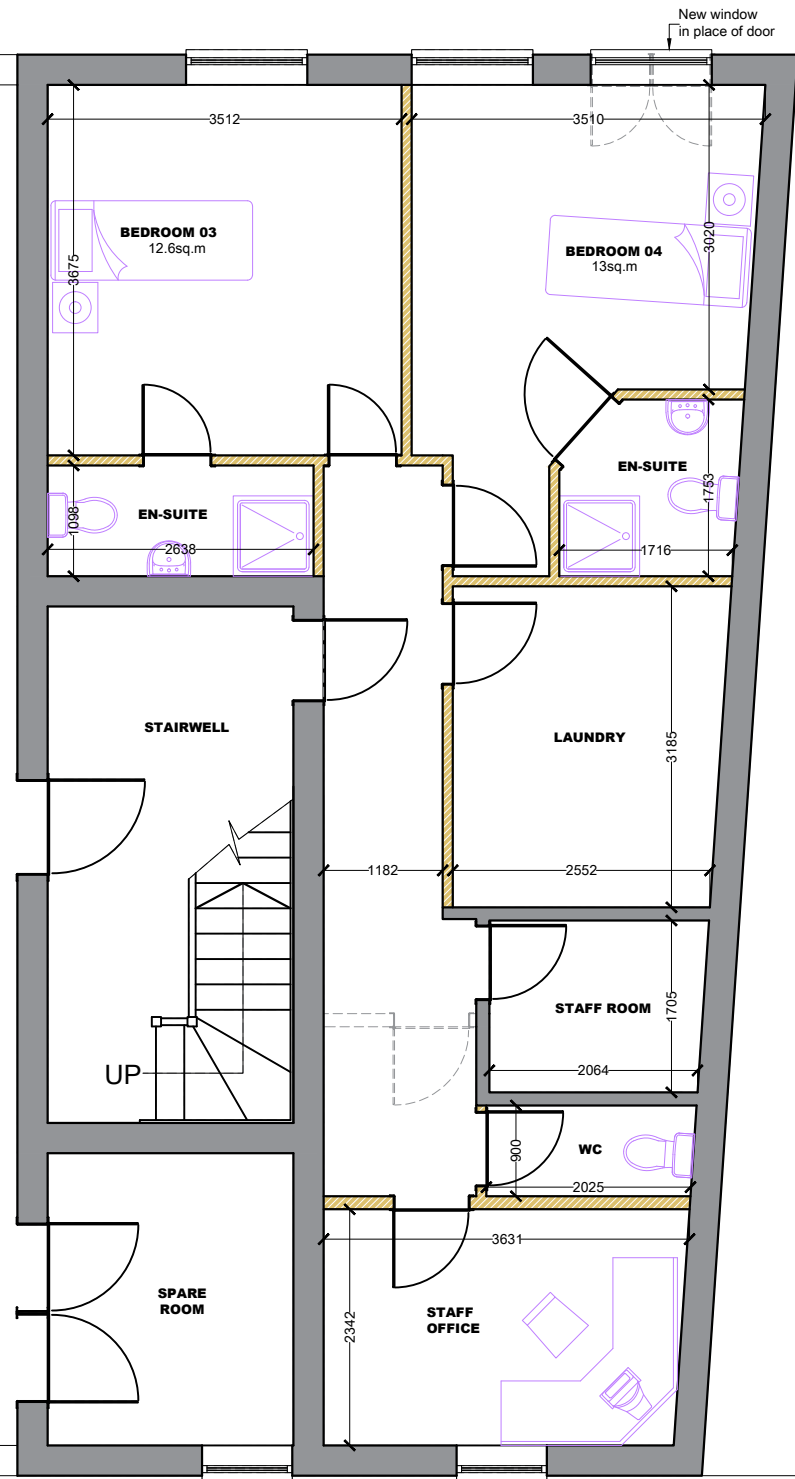
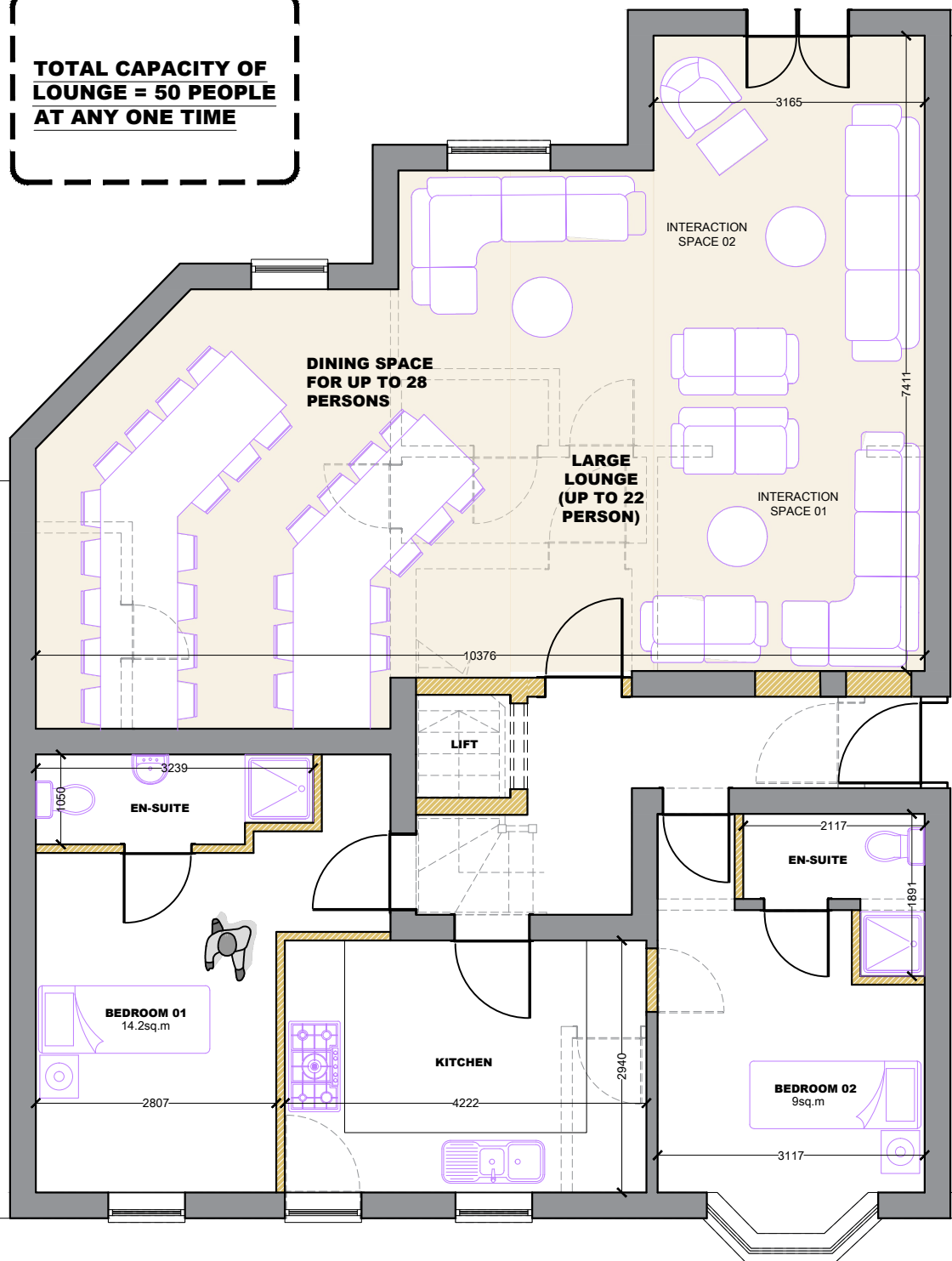
Block Plan 1:500

**63-65 ROOD END ROAD, B68 8SJ**

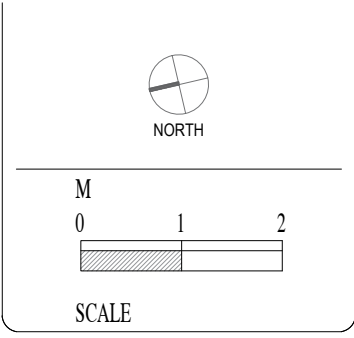
DRAWING TITLE: LOCATION & BLOCK PLAN • JOB NO: 1392 • DRAWING NO: OS/1002 • DATE: 09/06/2024



**TOTAL CAPACITY OF LOUNGE = 50 PEOPLE AT ANY ONE TIME**



**PROPOSED GROUND FLOOR PLAN**



**ARCTEK**

ARCTEK LTD  
GROSVENOR HOUSE  
11 ST PAULS SQUARE BIRMINGHAM B3 1RB

TEL: 0121 389 8001 M: 0744711042 E: INFO@ARCTEK.CO.UK WWW.ARCTEK.CO.UK

CLIENT **MR RANJIT SINGH**

SITE ADDRESS **63-65 ROOD END ROAD  
OLDBURY  
B68 8SJ**

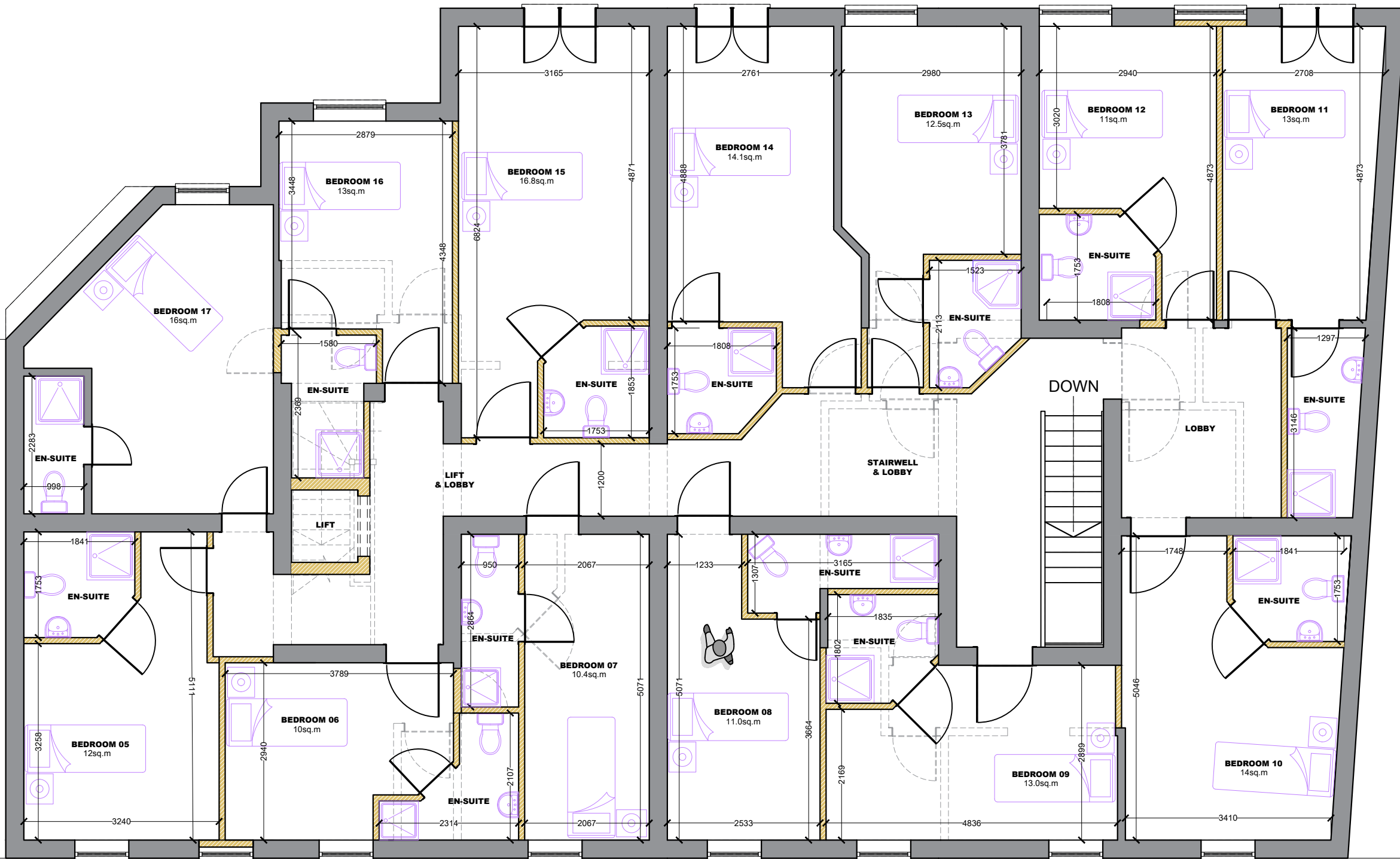
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DATE **10-10-2024**

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DRAWING NO. **REV C- 1004-04** JOB NO. **1392**

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DRAWING TITLE **PROPOSED FIRST FLOOR PLAN**

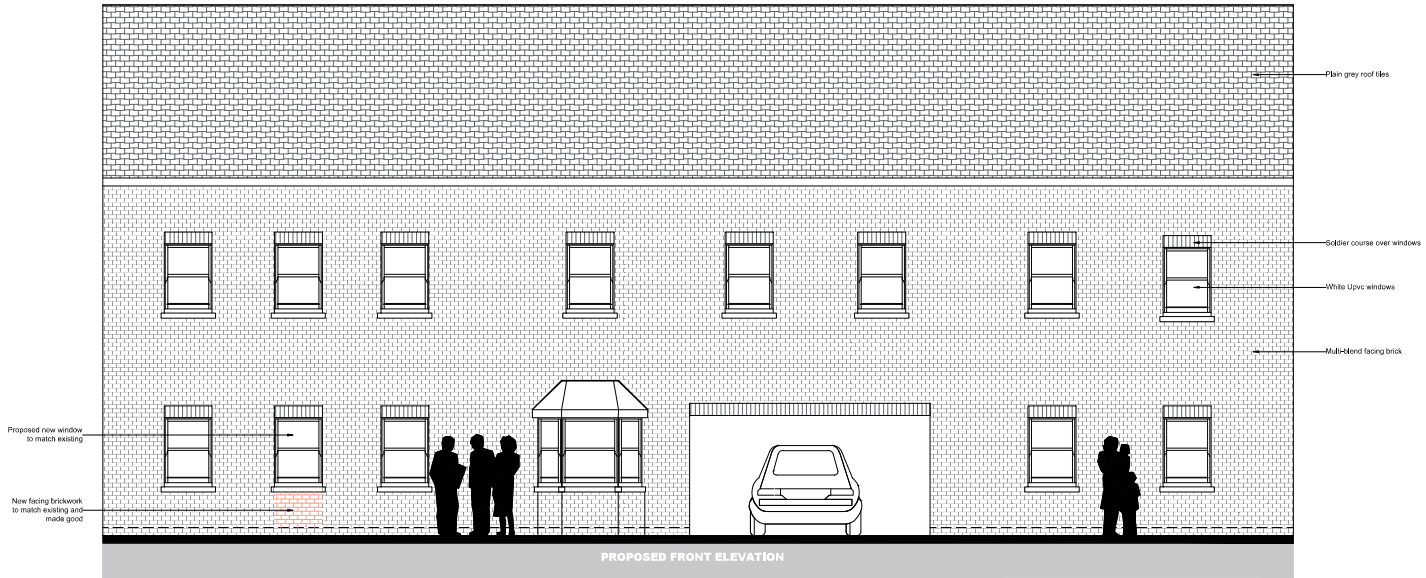
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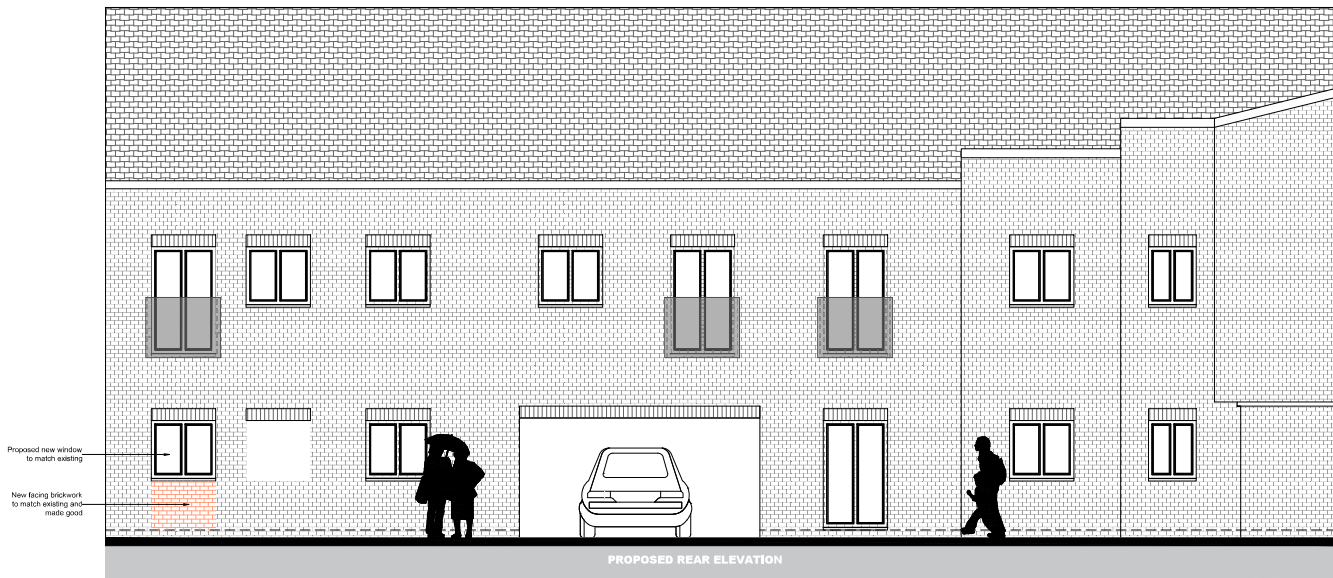
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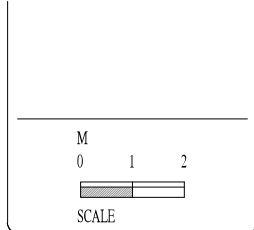
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PROPOSED FRONT ELEVATION



PROPOSED REAR ELEVATION



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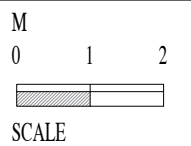
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DATE **08-08-2024**

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DRAWING NO. **REV A-1002-07** JOB NO. **1392**

**PROPOSED CAR PARK LAYOUT**



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OLDBURY  
B68 8SJ**

DRAWING TITLE  
**PROPOSED CAR PARK PLAN**

DATE  
**10-10-2024**

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## **DC/24/69432**

### List of conditions

- i) The development must conform with the terms of and the plans accompanying the application for permission and must remain in conformity with such terms and plans, save as may be otherwise required by (any of) the following condition(s), or approved amendment(s).
- ii) The development must be begun not later than the expiration of 3 years from the date of this permission.
- iii) The external materials used in the development hereby permitted shall match in colour, form and texture those of the existing building unless otherwise agreed in writing by the local planning authority.
- iv) The development shall not be occupied or brought into use until the space shown on the submitted plan for the parking and manoeuvring of vehicles has been provided. When provided the space for the parking and manoeuvring of vehicles shall be thereafter retained.
- v) Before the development is brought into use a detailed hard and soft landscaping and planting scheme shall be submitted to and approved in writing by the local planning authority. The approved hard and soft landscaping and planting scheme shall be implemented within eight months of the development being occupied. Any tree, hedge or shrub planted as part of a soft landscaping scheme (or replacement tree/hedge) on the site, and which dies or is lost through any cause during a period of 3 years from the date of first planting shall be replaced in the next planting season.
- vi) Before the development is brought into use details of waste storage to serve the development shall be submitted to and approved in writing by the local planning authority. The approved waste storage shall be implemented before the development is first occupied or brought into use and thereafter retained.

- vii) Before the development is brought into use details of secure cycle parking within the development shall be submitted to and approved in writing by the local planning authority. The approved secure cycle parking shall be implemented before the development is first occupied or brought into use and thereafter retained.
- viii) Before the development is occupied or brought into use an external lighting scheme shall be submitted to and approved in writing by the local planning authority. The approved lighting scheme shall be implemented before the development is first occupied or brought into use and shall be thereafter retained.
- ix) Before the development is commenced, including any works of demolition or site preparation, a construction environmental management plan shall be submitted to and approved in writing by the local planning authority. The statement shall provide for: the parking of vehicles of site operatives and visitors; loading and unloading of plant and materials; storage of plant and materials used in constructing the development; and construction works; delivery, demolition and construction working hours. The approved construction method statement shall be adhered to throughout the construction period for the development.
- x) Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that order with or without modification) the premises shall be used only as stated in the description of development (care home for elderly) and for no other purpose, including any other use falling within Class C2 of the Use Classes Order.
- xi) Before the development is brought into use a scheme showing details of the height, type and position of the boundary wall or fence to be erected at the rear of the site shall be submitted in writing to and approved by the local planning authority. The approved boundary wall or fence shall be erected before the development is first occupied or brought into use.