

# Minutes of Planning Committee

**Wednesday 23 October 2024 at 5.05pm  
in the Council Chamber, Sandwell Council House, Oldbury**

**Present:** Councillor Millar (Chair);  
Councillors E A Giles (Vice-Chair), Bhamra, Cotterill, Horton,  
Hussain, Kaur, Kordala, Loan, Preece, Singh, Tromans and  
Uppal.

**Officers:** Alison Bishop (Development Planning Manager), Simon Smith  
(Planning Solicitor), Simon Chadwick (Highways Network  
Development and Road Safety Manager), Andy Thorpe  
(Healthy Urban Development Officer), Connor Robinson  
(Democratic Services Officer) and Anthony Lloyd (Democratic  
Services Officer).

**In attendance:** Councillors Gavan, Jeffcoat and Muflihi.

**76/24 Apologies for Absence**

Apologies for absence were received from Councillors Chidley,  
Piper and Webb.

**77/24 Declarations of Interest**

There were no declarations of interest.

**78/24 Planning Application - DC/24/69198 – Richmond House 116,  
Bloomfield Road, Tipton DY4 9ES - Proposed new shop fronts,  
single storey side and rear extensions, and a loft conversion  
with rear dormer to accommodate three retail units at ground  
floor, 9 room HMO on ground, first and second floors, and  
external alterations. (Previous application DC/23/68734).**

The Development Planning Manager summarised the application for members. A further two objections, in addition to the original number of seven objections, had been received. No concerns had been raised by consultees including the Highways Department and West Midlands Police. It was highlighted that in response to concerns raised about on-going works at the site, an Officer had visited and confirmed that the works had ceased.

Objectors were present and presented the following concerns to the Committee:-

- the site would produce a large amount of noise when taking into consideration both the residential and retail usage;
- doubts were raised in relation to the usage of the units. It was speculated that the sites could potentially be used as a late-night takeaway as was the case previously;
- the additional three retail units would increase both foot and vehicle traffic to the site leading to more noise and disturbance; and
- residents believed that the introduction of a House in Multiple Occupation (HMO) could increase anti-social behaviour in the area;
- the HMO did not have the necessary car parking spaces for all the proposed occupants of the HMO;
- residents wanted to feel safe in their home and neighbourhood which would be impacted by the HMO and proposed retail outlets.

Officers from Sandwell Council's Highways department confirmed that the parking spaces provided for at the site were adequate for the intended use. Cycle storage was also available. Additionally, the Development Planning Manager confirmed that a condition on the planning application was in place to limit the opening hours of the retail units from 9.00am to 6.00pm Monday-Friday, and 9.00am to 4.00pm on Saturday, the units were also designated for retail and a change to this designation would require additional planning permission. Conditions to the application also stated that the windows on the side allocation above the ground level of the building would be secure glazed. If the retail units were within the pre-determined radius of a secondary school, the units would fail to be allowed to operate as food takeaways.

The applicant was present and highlighted the following points:-

- approval of the planning application would bring the abandoned site back into use for the local community;

- the plans were in-line with the national planning policy framework;
- the HMO would be single occupancy per room;
- the number of potential occupants of the HMO had been reduced since the previous application.

Following further discussion, it was determined that a site visit by the Committee was required to obtain additional information and better understand the development.

**Resolved** that consideration of planning application DC/24/69198 – Richmond House 116, Bloomfield Road, Tipton DY4 9ES (Proposed new shop fronts, single storey side and rear extensions, and a loft conversion with rear dormer to accommodate three retail units at ground floor, 9 room HMO on ground, first and second floors, and external alterations ((Previous application DC/23/68734)) is deferred pending a site visit by the Committee.

79/24

**Planning Application – DC/24/69346 – 16 Market Place, Wednesbury WS10 7AY – Proposed single and two storey rear extension, third storey extension to accommodate HMO use to rear of ground floor and upper floors, and new shop front.**

The Development Planning Manager summarised the application for members. Access to the building would be via the front entrance; the rear access was for waste only. West Midlands Police and several other responsible authorities had no concerns in relation to the application. An additional condition was recommended in relation to the inclusion of security measures at the site which included CCTV and controlled access.

No objectors were present at the meeting.

The applicant was present and stated the following:-

- the applicant had operated businesses in the area for 25 years;
- the applicant was an experienced HMO landlord; and
- only working professionals would be considered when letting the property.

It was noted that no objections had been received from West Midlands Police and the elevation of the proposed application would not impede on any loss of light. Parking and public transport were

adequate in the area and, due to the HMO being within the town centre, no parking provision needed to be provided.

**Resolved** that Planning Application - DC/24/69346 – 16 Market Place, Wednesbury WS10 7AY – (Proposed single and two storey rear extension, third storey extension to accommodate HMO use to rear of ground floor and upper floors, and new shop front) is granted subject to conditions relating to:

- i) External materials;
- ii) Contamination;
- iii) Construction Management Plan;
- iv) Details of external lighting;
- v) Details of cycle storage & implementation thereafter;
- vi) Details of separate commercial and residential waste storage & implementation thereafter;
- vii) Single occupancy only; and
- viii) Security measures (to include CCTV and controlled access).

80/24

**Planning Application - DC/24/69385 – 32 Addington Way, Oldbury B59 3LZ – Proposed change of use from residential dwelling to care home for up to 3 No. young people aged between 8-17 years old and garage conversion into habitable room.**

Councillors Millar, E A Giles, Bhamra, Cotterill, Horton, Loan , N Singh and Tromans had been lobbied by both the objectors and the applicant during a site visit.

The Development Planning Manager summarised the application for members. There had been 29 objections received which included concerns around anti-social behaviour, highways, setting a precedent for similar applications in the area and noise. West Midlands Police, the Council's Highways department and Public Health had raised no objections to the application subject to conditions. Following deferral of the application at the meeting of the Planning Committee on 4 September 2024 (minute No. 66/24 refers), a management plan had now been provided which detailed how the premises would operate.

Objectors were present and presented the following concerns to the Committee:-

- residents did not believe that a care home would be suitable for a residential area;
- the proposed development would not be a safe or nurturing environment;
- the nature of the road meant that additional traffic and parking would cause disruptions when staff at the site changed over;
- the stated 15-minute handover target was not realistic.

The applicant was present and provided the following points to the Committee:-

- children in care deserved the best possible start in life and a residential area was the most natural and loving environment to raise children;
- a staff-child ratio of 1-1 would be implemented and maintained;
- the low number of staff would mean that the impact on traffic and parking issues would be negligible and no different to a normal household;
- care home specialists were being consulted throughout the process;
- each child would have a risk assessment and care plan and the applicant would work with Ofsted to uphold the highest standard; and
- the applicants had over 20 years of experience in project manager with 15 years of experience working with children.

Officers from the Council's highways department confirmed that sufficient parking provision had been included within the application and that external visitors would be minimal with a relatively short dwelling time.

A number of statements were made by objectors about the children and young people who would potentially occupy the proposed care home, together with the impact the objectors felt the occupants would have on the local area. The objectors also reiterated concerns about the ability of the proposed care home to provide adequate care. The applicant confirmed that the development would be working closely with Ofsted to ensure the proposed care home met the required standards of care and that there would be provision in place to ensure the safe and effective care for any future child or young person placed there. Committee members emphasised that presumptions should not be made against any child or young person who was placed in a care home.

**Resolved** that Planning Application - DC/24/69385 – 32 Addington Way, Oldbury B59 3LZ (Proposed change of use from residential dwelling to care home for up to 3 No. young people aged between 8-17 years old and garage conversion into habitable room) is granted subject to conditions relating to:-

- i) External materials;
- ii) Car parking to be provided and retained;
- iii) New dropped kerb to be provided on MacDonald Close;
- iv) Management plan;
- v) The premises shall be used only as a residential home for three children and for no other purpose (including any other use falling within Class C2 of the Order), but may revert back to C3 (dwellinghouses) on cessation of the C2 use; and
- vi) Surface water drainage scheme for rear car parking area.

81/24

**Planning Application – DC/24/69432 – 63-65 Rood End Road, Oldbury, B68 8SJ - 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.**

(Councillor Preece withdrew from the meeting)

Councillors Millar, E A Giles, Bhamra, Cotterill, Horton, Loan , N Singh and Tromans had been lobbied by both the objectors and the applicant during a site visit.

The Development Planning Manager summarised the application for and reminded members that they had resolved to defer this application at the previous meeting of the Planning Committee (Minute No. 68/24 refers). Subsequent to the previous meeting, an updated and amended plan had been received which reflected the implementation of en suites for all of the rooms. The Communal space had also been extended that contained a table that could accommodate up to 28 people with a further seating area for 22 people. A total of 19 objections had been received with concerns around loss of privacy and resident wellbeing and safety. The parking provisions within the application was deemed adequate and no objections had been received from West Midlands Police in relation to the application.

Objectors were present and presented the following points to the Committee:-

- on-going concerns around the current condition of a rear boundary line wall were raised;
- residents felt that the car parking provided would not be sufficient, especially when considering potential use by non-residents of the home; and
- a natural spring was near to the planned car park of the site.

The applicants were present and provided the following statements:-

- revisions had been made following the Committee's previous meeting on 4 September 2024;
- highways had confirmed that the parking provision was adequate and suitable;
- the Care Quality Commission had been consulted and would continue to be so;
- the dining room could facilitate 50 adults;
- the applicant held many years of nursing experience;
- on average, 25 people would be on the site at any given time;
- the home would be a residential care home – once more severe illnesses occurred the residents would then be moved into a nursing home; and
- the laundry room, wash room and staff room were all incorporated and a more detailed plan could be provided.

Concerns were raised by members in relation to the size of the rooms within the application as well as how the applicant would approach potential infection control issues as water supply taps were on the outside of residents' bathrooms. In response, the applicant suggested a change to the design to address the issue.

The Committee was made aware that the Care Quality Commission had highlighted that single rooms should be at least 12.5m square metres. Although no outdoor space size was not standardised, it was stressed that outdoor space was extremely important in improving quality of life.

**Resolved** that Planning Application - DC/24/69432 – 63-65 Rood End Road, Oldbury, B68 8SJ (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) is rejected.

**Planning Application – DC/24/69509 – Land and Buildings 6 to 25 and 70 to 75 Corner of Union Street and Albion Street, Tipton - Proposed 2 No. detached 3 and 4 storey apartment blocks comprising of 55 No. self-contained apartments with parking, car charging, 1 No. sub-station, landscaping, retaining walls/railings to boundary, bin store/bike shelters and Union Street re-alignment with parking bays and pavement bollards.**

The Development Planning Manager summarised the application. The application had been brought before the Committee as the application was a Council Scheme. No objections had been received.

Committee members highlighted the Council's need for housing and how the development could address this issue.

**Resolved** that Planning Application - DC/24/69509 – Land and Buildings 6 to 25 and 70 to 75 Corner of Union Street and Albion Street, Tipton (Proposed 2 No. detached 3 and 4 storey apartment blocks comprising of 55 No. self-contained apartments with parking, car charging, 1 No. sub-station, landscaping, retaining walls/railings to boundary, bin store/bike shelters and Union Street re-alignment with parking bays and pavement bollards) is granted subject to conditions relating to;-

- i) Implementation of external materials;
- ii) Details of swift nest boxes and implementation thereafter;
- iii) Contamination;
- iv) Glazing & ventilation scheme to be submitted and implementation thereafter;
- v) Finished floor levels;
- vi) Drainage;
- vii) Construction Surface Water Management Plan;
- viii) Submission of renewable energy statement;
- ix) External lighting;
- x) Implementation of waste storage;
- xi) Implementation of cycle storage;
- xii) Construction Management Plan;
- xiii) Submission of employment & skills plan;
- xiv) Boundary treatments;
- xv) Implementation of landscaping;
- xvi) Implementation and retention of approved parking spaces;
- xvii) Bio-diversity Gain Plan;
- xviii) Habitat Management and Monitoring Management Plan;



- xix) Notice to the Council when the Habitat Management and Monitoring Plan is implemented and completed;
- xx) The created and/or enhanced habitat specified in the approved Habitat and monitoring Management Plan shall be managed and maintained in accordance with the approved plan; and
- xxi) Monitoring reports to be submitted to the local planning authority in accordance with the approved Habitat Management and Monitoring Plan.

83/24

**Planning Application – DC/24/69520 – 42 Pool Lane, Oldbury B69 4QX - Proposed change of use to a residential home for a maximum of 3 No. young people aged 7 to 18 years old (revision to refused planning permission DC/23/67975).**

Councillors Kordala and Bhamra withdrew and re-entered the meeting during this application and, as such, could not vote on the application.

At its meeting on 4 September 2024 (minute No. 61/24 refers), the Committee resolved to defer planning application to allow a site visit. Committee members had carried out a site visit; and it was noted that neither the objectors nor the applicant were present during the site visit.

The Development Planning Manager summarised the application and highlighted that the site could operate legitimately as an HMO without planning permission.

Objectors were present and supported by Councillor Gavan and presented the following concerns to the Committee:-

- the applicants were not against the implementation of children's homes, however, they did not believe that the site was suitable;
- the street was narrow with many cars blocking the pavement; and
- utility and emergency services had had issues in the past with accessing the street.

The applicant was not present at the meeting.

Images displaying the car parking issues were circulated to the Committee for consideration.

An Officer from the Council's Highways department highlighted to members that the provided car parking was adequate and large enough to contain the car in a longitudinal fashion. It was also expected that the day-to-day activity and traffic to and from the site would be no different than a normal three-child family.

**Resolved** that planning application DC/24/69520 – 42 Pool Lane, Oldbury B69 4QX (Proposed change of use to a residential home for a maximum of 3 No. young people aged 7 to 18 years old ((revision to refused planning permission DC/23/67975)) is rejected on highway concerns.

84/24 **Planning Application – DC/24/69562 – 114 Scott Road, Great Barr, Birmingham B43 6JU - Proposed single storey front extension, single and two storey rear and side extension, and loft conversion with rear dormer.**

(Councillor Uppal and Loan withdrew from the meeting)

Councillor Horton informed the Committee that he had been lobbied by the Objector.

The Development Planning Manager summarised the report for the Committee. One additional condition had been suggested in relation to the extension of the dropped Kerb.

**Resolved** that Planning Application - DC/24/69562 – 114 Scott Road, Great Barr, Birmingham B43 6JU (Proposed single storey front extension, single and two storey rear and side extension, and loft conversion with rear dormer) is granted subject to conditions relating to:-

- i) External materials shall match those of the existing property;
- ii) Implementation of approved parking spaces and retention thereafter; and
- iii) Extended drop kerb to be provided.

85/24 **Planning Application – DC/24/69604 – 4 Walnut Drive, Smethwick B66 3RS - Proposed first floor side and single storey front/side/rear extensions, garage conversion into habitable room, loft conversion and rear dormer window (Revision to refused planning application DC/24/69325).**

**Resolved** that planning application DC/24/69604 – 4 Walnut Drive, Smethwick B66 3RS (Proposed first floor side and single storey front/side/rear extensions, garage conversion into habitable room, loft conversion and rear dormer window ((Revision to refused planning application DC/24/69325)) is granted subject to conditions relating to:-

- i) External materials; and
- ii) No glazing to be inserted into the south-west facing side elevation.

## 86/24 **Proposed Site Visits**

(Councillor Loan re-entered the meeting).

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/24/69621 Proposed demolition of former public house (approved under application No DC/22/67474), and proposed retail convenience store (Use Class Ea) and 12 No. 1 and 2 bedroom apartments above (Use ClassC3), with car parking, amenity areas and associated development. At Friar Park Inn 103 Crankhall Lane Wednesbury WS10 0EF	2 July 2024	To view the surrounding area in relation to the proposed development and the likely affect the scheme would have in terms of noise and highway matters.

87/24

### **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: -

<b>Application Ref</b>	<b>Site Address</b>	<b>Inspectorate</b>
DC/24/69116	47 Edgbaston Road, Smethwick B66 4LG	Dismissed

88/24

### **Applications Determined Under Delegated Powers**

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

Meeting ended at 8.12pm

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