

Minutes of Planning Committee

**Wednesday 8 January 2025 at 5.03pm
in the Council Chamber, Sandwell Council House, Oldbury**

- Present:** Councillor Millar (Chair);
Councillors E A Giles (Vice-Chair), Chidley, Cotterill, Horton,
Hussain, Kordala, Loan, Piper, Preece, Tromans and Webb.
- Officers:** Alison Bishop (Development Planning Manager), Simon Smith
(Planning Solicitor), Simon Chadwick (Highways Network
Development and Road Safety Manager), William Stevens
(Principal Planner), Carl Mercer (Principal Planner), Andy
Thorpe (Healthy Urban Development Officer) and Anthony
Lloyd (Democratic Services Officer).
- In attendance:** Councillor Jeffcoat.

1/25 **Apologies for Absence**

Apologies for absence were received from Councillors Kaur and N Singh.

2/25 **Declarations of Interest**

There were no declarations of interest.

3/25 **Minutes**

Resolved that the minutes of the meeting held on 27 November 2024 are approved as a correct record.

Planning Application DC/24/69585 - 52 Stella Road Tipton DY4 9BN - Proposed change of use from dwellinghouse to residential home for up to three children.

No members had been lobbied in relation to this application.

Objectors were present and addressed the Committee with the following concerns:-

- allegedly, the application for a previous extension at 52 Stella Road had been rejected but was still built;
- parking issues already persisted at the property; and
- if vulnerable people were placed in the residential home, they could have been targeted by local gangs.

It was confirmed that no previous planning applications in relation to a rear extension had been rejected at 52 Stella Road.

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

- the applicant did not yet operate at the home;
- parking issues were caused by the family that currently inhabited the home;
- sufficient parking would be in place once the home was in operation;
- plans would be in place, including staggered shifts, to help prevent concerns from residents in relation to parking;
- the home would provide care for low-risk children and not youth offenders;
- three staff would be on site at any given time and visits from other staff would be as and when required;
- the applicant held previous experience in working with children and a consultant was in place to assist the applicant;
- the property was leased to the applicant on a 10-year basis which met Ofsted's requirement of at least a five-year lease;
- the service provided would be regulated by Ofsted.

Following further questions from members, Officers confirmed that the property's planning and building regulation requirements were in order, sufficient parking space was available to serve the property adequately and that the layout provided appropriate provision for the children and caring staff from a planning perspective.

Resolved that Planning Application DC/24/69585 - 52 Stella Road Tipton DY4 9BN (Proposed change of use from

dwellinghouse to residential home for up to three children) is approved, subject to conditions relating to:-

- i) Management Plan;
- ii) the premises shall be used only as a residential home for three children and three staff 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 use;
- iii) provision/retention of parking; and
- iv) provision/retention of cycle parking.

5/25

Planning Application DC/24/69615 - 34 Poole House Road Great Barr Birmingham B43 7SJ - Proposed change of use from dwellinghouse to residential home for up to two children.

Councillor Horton indicated that he had been lobbied by-objectors.

Objectors were present and circulated photographs to the Committee, which highlighted the size of the shared driveway that served the property. Objectors addressed members with the following concerns:-

- The full width of the driveway would not be suitable to accommodate three different vehicles at one time;
- If three vehicles were to fit onto the driveway, there would be a potential encroachment onto the neighbouring properties driveway which would partially block access to the neighbours garage; and
- Allegedly, many other similar care homes experienced frequent visits from emergency services due to ASB.

The applicant was present and highlighted the following points to members:-

- the applicant had lived in the property for seven years and wanted to provide a loving home to children in care;
- the applicant had lived experience of being involved in care;
- children with educational difficulties required homes and children with the most difficult and high-risk behaviours would not be placed in the property;
- all relevant legislation, guidelines and regulations would be followed;
- the applicant was consulting with an experienced provider who already operated ten care homes;

- feedback was welcome and the applicant wanted to ensure that an open dialogue was maintained so that residents could express their concerns;
- in response to concerns around the housing of vulnerable children in close proximity to a motorway, it was confirmed that the property was outside of the pre-determined “risk zone” and therefore, would not be an issue;
- Officers from Highways confirmed that there was sufficient space for parking and that the development, if approved, would not have an impact on the traffic network when compared to its existing use. Members were also reminded that concerns around encroachment by vehicles onto the shared driveway with the neighbouring property was not a material planning consideration.

Resolved that Planning Application DC/24/69615 - 34 Poole House Road Great Barr Birmingham B43 7SJ (Proposed change of use from dwellinghouse to residential home for up to two children) is deferred pending a site visit from the Committee to better determine the layout of the site.

6/25

Planning Application DC/24/69626 - Land at Junction of Lombard Street West/High Street West Bromwich - Proposed 26 apartments, car parking, landscaping and external works

The Development Planning Manager highlighted a mistake in the report; and clarified that the proposal did not harm the setting of the conservation area and nearby historic buildings. Additionally, it was reported that the recommendation in the report had been amended to read “subject to signing of s106 agreement”.

Councillor Horton left the meeting during consideration of this application and, as a result, could not vote on the application

No objectors were present at the meeting, however, objections received highlighted that whilst the proposal for residential development on the site was acceptable in principle, they considered the proposed design of the building to be poor and too intrusive on the streetscape.

Following consultation, no objections had been received from Highways, Urban Design or Pollution Control.

The applicant was present and addressed the Committee. It was highlighted that the proposal would provide not just an improved visual appearance for the area, but also much needed homes for Sandwell. The site was in a sustainable location adjacent to amenities and the transport network.

In response to questions from members, it was confirmed that an elevator was not required for buildings below five storeys in height and that the site would cater to single people and couples. Following concerns in relation to loss of light for neighbouring buildings, it was highlighted that the courtyard to the rear of the building provided a suitable clearance that would not intrude on the light received to neighbouring properties.

Resolved that Planning Application DC/24/69626 - Land At Junction Lombard Street West/High Street West Bromwich (Proposed 26 apartments, car parking, landscaping and external works) is approved, subject to the applicant entering into a s106 agreement and to conditions relating to:-

- i) external materials,
- ii) site investigation and remediation;
- iii) hard and soft landscaping,
- iv) provision and retention of parking;
- v) provision and retention of waste storage;
- vi) provision and retention of cycle storage;
- vii) noise remediation;
- viii) retention of communal areas;
- ix) social value;
- x) renewable energy compliance;
- xi) drainage/SuDs;
- xii) communal area maintenance; and
- xiii) construction environmental management plan (CEMP).

7/25

Planning Application DC/24/69756 - Units 2 and 3, Wattville Road Industrial Estate, Wattville Road, Smethwick B66 2NT - Proposed detached building to rear for use as garage for car storage, repairs and MOTs

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

- the foundations of the structure had been constructed, along with an extra building to house toilets;
- the structure encroached onto a right of way and had caused issues with access onto and off the site;

- an electrical meter had been installed onto the objectors property without consent.

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

- the applicant was the legal owner of the land which included the right of way;
- the applicant had traded for a number of years at the site without any concerns;
- the portacabins were installed to prevent the space being used as a fly-tipping site;
- the original steel structure in place was to help prevent vans from getting stolen and the new shelter would be used to house vehicles overnight.

Members were reminded that disagreements in relation to a right of way was a civil matter and was not a matter for the Planning Committee.

Resolved that Planning Application DC/24/69756 - Units 2 and 3, Wattville Road Industrial Estate, Wattville Road, Smethwick B66 2NT (Proposed detached building to rear for use as garage for car storage, repairs and MOT's) is approved, subject to conditions relating to:-

- i) external materials;
- ii) contamination;
- iii) drainage;
- iv) building to remain ancillary to Unit 2 and 3, Wattville Road Industrial Estate, Wattville Road.

8/25

Planning Application DC/24/69792 - Trinity House Nursing Home, Mace Street, Cradley Heath B64 6HP - Proposed change of use from 33 No. bedroom care home into 14 No. supported living self-contained flats with communal rooms and staff office

No objectors were present.

In response to questions from members, it was confirmed by the Highways department that no concerns had been identified in relation to the impact on the traffic network if the proposal was to be approved. A sufficient amount of car parking spaces were available if the site operated as intended.

Resolved that Planning Application DC/24/69792 - Trinity House Nursing Home, Mace Street, Cradley Heath B64 6HP (Proposed change of use from 33 No. bedroom care home into 14 No. supported living self-contained flats with communal rooms and staff office) is approved, subject to conditions relating to:-

- i) external construction environmental management plan (CEMP);
- ii) management plan;
- iii) energy statement;
- iv) waste storage;
- v) cycle storage; and
- vi) lighting and CCTV;

9/25

Planning Application DC/24/69808 - 168 Merrivale Road Smethwick B66 4EA - Proposed change of use from residential dwelling to children's care home for up to 2 No. young people aged between 7 to 17 years old

Councillor Preece withdrew from the meeting. Councillor Elizabeth Giles left the meeting during consideration of this application and, as a result, she could not vote on the application

Objectors were present and addressed the Committee:-

- the property was not a suitable home for children and no evidence was in place that the home would be used to house children from Sandwell exclusively;
- the shared garden access raised safeguarding concerns, especially for high-risk children;
- a watercourse spanned the rear of the property yet no risk assessment had been completed to address the dangers that it could pose;
- a precedent would be set for more residential homes to be established in the borough;
- there was not sufficient off-street street parking to serve the property.

The applicant was present and confirmed consultation would be carried out with the relevant bodies and that, if any concerns were raised, the applicant would withdraw his application.

Officers had recommended that the application be approved, subject to conditions. However, members felt that the accommodation was too small to provide adequate provision for two

children and expressed concerns about the potential for noise and disturbance in the area. Members also felt that the watercourse to the rear of the property posed a potential danger. The Committee was therefore minded to refuse planning permission.

Resolved that Planning Application - DC/24/69808 - 168 Merrivale Road Smethwick B66 4EA (Proposed change of use from residential dwelling to children's care home for up to 2 No. young people aged between 7 to 17 years old) is refused, on the grounds that:-

- (i) the accommodation is too small to provide adequate provision for two children;
- (ii) the proposal would increase noise and disturbance;
- (iii) the watercourse at the rear of the property poses a potential danger; and
- (iv) Highway safety due to the nature of the street and parking associated with the development.

10/25

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/23/68650	7 Standbridge Way Tipton DY4 8TS	Dismissed
DC/24/69327	18 Hickman's Avenue Cradley Heath B64 5ND	Dismissed
DC/24/69408	110 Princess Road Oldbury B68 9PW	Allowed
DC/24/69590	2 Kinsey Road Smethwick B66 4SN	Dismissed

DC/24/69386	41 Moore Crescent Oldbury B68 9QP	Allowed
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11/25

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 7.40pm

Contact: democratic_services@sandwell.gov.uk