

Minutes of Planning Committee

22 October 2025 at 5.05pm at Sandwell Council House, Oldbury

Present:

Councillors: Millar (Chair) Chidley W Gill Horton	Councillors: Kaur Loan Tromans Webb
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Apologies: Councillors Cotterill, Piper and Weston.

Also present: Alison Bishop (Development Planning Manager), Simon Smith (Planning Solicitor), Simon Chadwick (Highway Network Development and Road Safety Manager), Andy Thorpe (Healthy Urban Development Officer), William Stevens (Principal Planner), Carl Mercer (Principal Planner) and Anthony Lloyd (Democratic Services Officer).

In attendance: Councillors Luke Giles and Richard Jeffcoat

Meeting ended at 6.24pm

71/25

Declarations of Interest

Minute No.	Subject	Member	Interest
75/25	Planning Application DC/25/70450 - Former Nags Head, 34 Market Place, Tipton DY4 7EJ	Councillor William Gill	Representing objectors.

72/25

Minutes

Resolved that the minutes of the meeting held on 3 September 2025 are approved as a correct record.

Extension to duration of the meeting

Resolved that, in accordance with paragraph 8.3.2 of Part 2.7 of the Council's Constitution, the duration of the meeting is extended to allow sufficient time for matters that are required by law to be determined at the meeting to be considered in full.

Planning Application DC/23/68819 – Demolition of former public house and construction of two storey mixed-use building comprising of one retail unit, six apartments, new access to residential parking area on Thornwood Close and associated works at The Merrivale, Vicarage Road, Oldbury B68 8HT

Councillors Millar, Kaur and Webb indicated that they had been lobbied by the applicant and objectors during a site visit.

The Development Planning Manager highlighted to members that an additional condition had been recommended to restrict the retail use of the retail unit to Class E(a).

The applicant was present and addressed the members with the following:-

- the site had been vacant for over ten years and was in a significant state of disrepair;
- the dilapidated state of the site had allegedly attracted anti-social behaviour to the site;
- the site was an eyesore on the landscape; and
- the site was hazardous to the surrounding area and its residents.

No objectors were present at the meeting.

It was confirmed that any trees removed from the site during demolition and construction would be replaced.

Members were satisfied with the proposal and were minded to approve the application, subject to the conditions now recommended by the Executive Director-Place.

Resolved that Planning Application DC/23/68819 – The Merrivale, Vicarage Road, Oldbury B68 8HT (Demolition of former public house and construction of two storey mixed-use building comprising of one retail unit, six apartments, new access to residential parking area on Thornwood Close and associated works) is approved, subject to conditions relating to:-

- i) external materials;
- ii) contamination;
- iii) landscaping
- iv) boundary treatments;
- v) cycle parking;
- vi) waste storage;
- vii) lighting;

- viii) drainage;
- ix) construction environmental management plan (CEMP);
- x) restricted demolition/construction delivery hours;
- xi) noise mitigation (glazing);
- xii) restriction of opening/delivery hours for retail unit;
- xiii) retail floor space limited to 256 sqm;
- xiv) no amalgamation, subdivision or mezzanine floor;
- xv) installation of directional signage and traffic flow plates to access and exit;
- xvi) parking to be laid out and retained; and
- xvii) restriction of retail use to Class E(a)

75/25

Planning Application DC/25/70450 – Proposed change of use to 2 no. ground floor retail units and 2 no. HMO's at ground floor, 2 no. apartments and 3 no. HMO's at first floor, with single storey rear extensions, extension to the front, and external alterations at Former Nags Head PH 34 Market Place Tipton DY4 7EJ

In relation to minute no. 71/25, Councillor William Gill, in his capacity as Ward Councillor, withdrew from the meeting to represent objectors and did not vote on this application.

The Development Planning Manager highlighted to members that an additional condition had been recommended to restrict the retail use of the retail unit to Class E(a). Additionally, it was noted that the Council's conservation officer had been consulted on the application who had ensured that features of the site that were deemed of local importance remained. No objections had been received by statutory consultees subject to a noise risk assessment and air quality recommendations during construction.

The applicant was not present at the meeting.

Objectors were present and highlighted that the proposals were welcomed and that the proposed use of the site was a sensible one to bring the building back into use. However, concerns were raised in relation to the architectural treatment of the building, particularly when considering the original bay windows of the property. It was further noted that the building was locally listed and that objectors wished for the building to retain its architectural character and design.

In response, the Development Planning Manager confirmed that the bay windows that featured on the main building would be retained and that the Council's Conservation Officer had worked carefully with the applicant to ensure that any concerns were addressed. Additionally, officers from Highways confirmed that there was sufficient parking in the local area to accommodate the site.

Councillor William Gill addressed the Committee on behalf of objectors and reiterated the points made by objectors. It was stated that the regeneration of the site was important for the local area and that the development would hopefully lessen anti-social behaviour in the area.

The Development Planning Manager referred members to the description of development and clarified that the description should read as follows:

Proposed change of use of ground floor to two retail units, five bed HMO across ground and first floor, two flats at first floor and external alterations.

Members were minded to approve the application, subject to the conditions recommended by the Executive Director-Place and additional condition restricting use of the retail unit to Class E(a) and the introduction of internal shutters only.

Resolved that Planning Application DC/25/70450 - Former Nags Head PH, 34 Market Place, Tipton DY4 7EJ (Proposed change of use of ground floor to two retail units, five bed HMO across ground and first floor, two flats at first floor and external alterations) is approved subject to conditions relating to:-

- i) external materials;
- ii) submission of a noise risk assessment;
- iii) submission of a construction management plan including control of dust;
- iv) details of internal roller shutter doors;
- v) details, provision & retention of waste storage;
- vi) details, provision & retention of internal cycle storage;
- vii) external lighting scheme;
- viii) if required, details of odour abatement equipment to be submitted for approval;
- ix) restriction on hours of construction and associated activities;
- x) security measures to the entrances & rooms;
- xi) retention of shared/communal facilities when provided (HMO); The HMO rooms hereby approved shall be occupied as bedsit accommodation only;
- xii) single occupancy only (HMO rooms); and
- xiii) restriction of retail use to Class E(a).

76/25

Planning Application DC/25/70518 – Proposed change of use of 4 bedroom house (Class C3) into residential home (Class C2) for up to three children at 4 Wharfdale Street, Wednesbury WS10 9AG

Further to Minute No. 66/25 of 3 September 2025, members of the Committee had visited the site. At the site visit it had become apparent that a double garage was present at the rear of the property, which had not been detailed on the application plans. As such, members were minded to defer consideration of the application to a future meeting of the Committee to allow officers to obtain up-to-date plans and further assess the proposal.

Resolved that consideration of Planning Application DC/25/70518 - 4A Wharfdale Street, Wednesbury WS10 9AG (Proposed change of use of 4 bedroom house (Class C3) into residential home (Class C2) for up to three children) is deferred to allow officers to obtain up to date plans and further assess the proposal .

77/25

Planning Application DC/25/70519 – Proposed change of use of 4 bedroom house (Class C3) into residential home (Class C2) for up to three children at 4A Wharfdale Street, Wednesbury WS10 9AG

In connection with Minute No. 76/25 (above), members were minded to defer consideration of the application to a future meeting of the Committee to allow officers to obtain up-to-date plans and further assess the proposal.

Resolved that consideration of Planning Application DC/25/70519 - 4A Wharfdale Street, Wednesbury WS10 9AG (Proposed change of use of 4 bedroom house (Class C3) into residential home (Class C2) for up to three children) to allow officers to obtain up to date plans and further assess the proposal.

78/25

Planning Application DC/25/70663 – Proposed single storey rear extension and raising the height of the existing garage flat roof at 71 Birch Road, Oldbury B68 0EP

The applicant was present and addressed the Committee. It was noted that the purpose of the extension was to make the home more functional to the applicant's needs. The applicant explained that the proposed plans followed similar extensions on Birch Road, the privacy of any of the applicant's neighbours would not be impacted and that building noise and disruption would be kept to a minimum.

The objector was present and presented their concerns to the Committee. The objector believed that the development would cause privacy and overlooking issues for both the applicant and objectors alike. Additionally,

it was alleged that works had already taken place at the site and that any future works would cause a disruption to neighbours.

In response to questions from members, it was confirmed that a construction management plan would be required, should planning permission be granted, and that the planning department would ensure that the working hours were appropriate.

Members were sympathetic to the concerns of the objectors, however, they were of the belief that the proposed plans were consistent with other properties in the vicinity and that appropriate conditions were in place to ensure that any works undertaken would be appropriate.

Members were minded to approve the application, subject to the conditions recommended by the Executive Director-Place.

Resolved that Planning Application DC/25/70663 – 71 Birch Road, Oldbury B68 0EP (Proposed single storey rear extension and raising the height of the existing garage flat roof) is approved subject to conditions relating to:-

- (i) external materials; and
- (ii) pre-commencement Construction Management Plan (to include deliveries).

79/25

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 Decision
DC/24/70131	35 Perry Park Road, Rowley Regis B65 0BS	Allowed
DC/25/70360	71 Victoria Road Oldbury B69 8UJ	Dismissed
DC/25/70160	4 Oak Road Oldbury B68 0BE	Dismissed

DC/24/69963	113 City Road Tivdale Oldbury B69 1QS	Allowed with conditions
DC/24/70109	180 Ashes Road Oldbury B69 4RB	Dismissed
DC/25/70266	17 Willow Court Crystal Drive Smethwick B66 1RD	Dismissed

80/25

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.