

Minutes of Planning Committee

**Wednesday 2 April 2025 at 5.13pm
in the Council Chamber, Sandwell Council House, Oldbury**

Present: Councillor Millar (Chair);
Councillors Bhamra, Chidley, Cotterill, Horton, Hussain, Kaur,
Loan, Piper, Preece, N Singh, Tromans, Uppal and Webb.

Officers: Alison Bishop (Development Planning Manager), Simon Smith
(Planning Solicitor), Barry Ridgway (Highway Asset and
Statutory Functions Manager), Andy Thorpe (Healthy Urban
Development Officer), Carl Mercer (Principal Planner), and
Anthony Lloyd (Democratic Services Officer).

In attendance: Councillors Jeffcoat and J Singh

23/25 **Apologies for Absence**

Apologies for absence were received from Councillors Elizabeth
Giles and Kordala.

24/25 **Declarations of Interest**

Minute No.	Subject	Member	Interest
27/25	Planning Application DC/24/69896 - 10 Sandford Avenue, Rowley Regis B65 9LT - Proposed change of use from residential dwelling to care home	Councillor N Singh	Known to residents of the area

Minute No.	Subject	Member	Interest
27/25	Planning Application DC/24/69896 - 10 Sandford Avenue, Rowley Regis B65 9LT - Proposed change of use from residential dwelling to care home for 2 No. young people aged between 8 and 18 years old.	Councillor Cotterill	Lobbied by an objector who is also a family member

25/25 **Minutes**

Resolved that the minutes of the meeting held on 19 February 2025 are approved as a correct record.

26/25 **Planning Application DC/24/69752 - Land Adjacent To 2 Barnfield Road, Tipton DY4 9DE Proposed change of use of both properties (approved planning permission DC/21/65553 for proposed 2 No. detached 3 No. bedroom dwellings) to residential care homes (Class C2), for up to 2 no. residents aged 8 to 25 years in each dwelling. (As amended)**

Neither the applicant nor the objector(s) attended the meeting.

Objections that had been raised during the consultation period included concerns around anti-social behaviour, insufficient parking, the structure being out of character with the surroundings and concerns regarding loss of light. No objections had been received by Highways or West Midlands Police.

Following questions from members, regarding the condition that stipulated the requirement of a noise assessment, the Healthy Urban Development Officer confirmed that the noise assessment was required to protect future residents from noise due to the proximity of industrial premises to the site.

Resolved that Planning Application DC/24/69752 - Land Adjacent To 2 Barnfield Road, Tipton DY4 9DE (Proposed change of use of both properties ((approved planning permission DC/21/65553 for proposed 2 No. detached 3 No. bedroom dwellings)) to residential care homes ((Class C2)), for up to 2 no. residents aged 8 to 25 years in each dwelling. ((As amended) is approved, subject to conditions relating to:-

- i) submission of a Noise Assessment & implementation thereafter
- ii) management plan
- iii) details of new boundary walls and fences
- iv) each premises shall be used only as a residential home for two people and up to five 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;
- v) implementation and retention of parking.

27/25

Planning Application DC/24/69896 - 10 Sandford Avenue, Rowley Regis B65 9LT - Proposed change of use from residential dwelling to care home for 2 No. young people aged between 8 and 18 years old

[Councillors Cotterill and N Singh withdrew from the meeting during consideration of this planning application.]

Councillors Chidley, Piper and Tromans indicated that they had been lobbied by both the applicant and objectors on a site visit, which had taken place on 2 April 2025.

The Development Planning Manager stated that one additional objection had been received which referred to poor noise insulation between existing properties and concerns about children absconding. In addition, one objector had withdrawn their objections.

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

- parking was problematic in the area and the addition of a children's home would exacerbate the issues;
- due to the layout of the road, additional traffic and cars parked in the area could prevent emergency vehicles from accessing the street;

- the introduction of a children's home could have potentially caused anti-social behaviour and unwanted noise in the street.

The applicant's agent was present and addressed members with the following points:-

- highways had stated that ample space was available for vehicles to access the site and that no significant impact would be had on the traffic network if the application was approved;
- the applicant already operated several care homes that had been rated "good" by Ofsted;
- carers would operate on a 24/7 basis with a carer to child ratio of 1-1;
- staff change-overs would occur at 7.30pm every day and staff would not be sleeping at the site;
- all of the conditions would be adhered to and the garden to the rear of the property was a significant size;

Members acknowledged residents' concerns around parking, however, no material difference to traffic movements as a result of a change of use from a residential dwelling to a care home could be highlighted. Additionally, the Development Planning Officer confirmed that the driveway would accommodate up to three vehicles with an extra fourth vehicle being able to park across the driveway during change-overs.

Resolved that Planning Application DC/24/69896 - 10 Sandford Avenue, Rowley Regis B65 9LT (Proposed change of use from residential dwelling to care home for 2 No. young people aged between 8 and 18 years old) is approved, subject to, conditions relating to:-

- i) management plan;
- ii) the premises shall be used only as a residential home for two 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 C2 use;
- iii) new dropped kerb to be provided; and
- iv) fencing to side to secure the rear garden.

28/25

Planning Application DC/24/69924 - 28 Holly Lane, Smethwick B66 1QN - Proposed single and two storey rear extension

No objectors were present at the meeting.

Members were minded to approve the application, subject to the conditions recommended by the Exec director-place.

Resolved that Planning Application DC/24/69924 - 28 Holly Lane, Smethwick B66 1QN (Proposed single and two storey rear extension) is approved, subject to, conditions relating to:-

- i) External materials to match existing, and
- ii) Restriction of construction working hours.

[Councillor Uppal withdrew from the meeting and did not return.]

29/25

Planning Application DC/24/69954 - The Forge, 144 Franchise Street, Wednesbury WS10 9RG - Proposed loft conversion, and change of use of first floor from drinking establishment (Sui Generis) to 8 Bed HMO (Sui Generis) (previous planning permission DC/17/61152)

The Development Planning Manager advised that the application only related to alterations to the first floor and roof space for the use as a HMO. The ground floor was indicated for future commercial use which would be subject to future planning permission, however the public house could be brought back in to use on the ground floor without further permission and hence an additional condition was recommended in relation to noise mitigation to protect residents from noise nuisance should this occur.

Although no objectors were present at the meeting, it was highlighted that objections had been received in relation to concerns around parking, the potential for anti-social behaviour and loss of a drinking establishment. No objections had been received from Pollution Control, Highways or West Midlands Police.

Resolved that Planning Application DC/24/69954 - The Forge, 144 Franchise Street, Wednesbury WS10 9RG (Proposed loft conversion, and change of use of first floor from drinking establishment ((Sui Generis)) to 8 Bed HMO ((Sui Generis)) ((previous planning permission DC/17/61152)) is approved subject to conditions relating to:-

- i) construction environmental management plan (CEMP);
- ii) provision and retention of parking;
- iii) provision and retention of waste storage;
- iv) provision and retention of cycle storage;
- v) external lighting scheme;
- vi) security measures to the entrances and rooms;
- vii) retention of communal areas;
- viii) to be used as an HMO only – not self-contained accommodation;
- ix) single occupancy only; and
- x) noise mitigation measures.

30/25

Planning Application DC/24/70051 - Units G And H, Corner Of Hobart Road And Batmans Hill Road, Bilston, DY4 9LZ - Proposed storage unit (Class B8)

Neither the applicant nor the objector(s) were in attendance.

Members were advised that the proposal; would be a departure from the Council's Development Plan and, as such, Full Council would be requested to make an exception to the Plan to enable the application to proceed. No objections had been received from Air Pollution Control however, a recommendation was suggested to include the requirement for a dust management plan, during construction. The Development Planning Manager confirmed that this could be incorporated into the construction method statement condition already proposed.

Members were minded to approve the application, subject to the conditions now recommended and an additional condition requiring details of lighting at the site.

Resolved that Planning Application DC/24/69954 - The Forge, 144 Franchise Street, Wednesbury WS10 9RG (Proposed loft conversion, and change of use of first floor from drinking establishment ((Sui Generis)) to 8 Bed HMO ((Sui Generis)) ((previous planning permission DC/17/61152)) is approved, subject to conditions relating to:-

- i) external materials to match;
- ii) contamination;
- iii) submission of a construction method statement to include a dust management plan;
- iv) restriction on hours of construction;

- v) rating level of noise from any associated plant or machinery shall not exceed the measured background value;
- vi) no burning of waste materials during site clearance and construction;
- vii) implementation & retention of approved waste storage area;
- viii) implementation & retention of approved parking spaces;
- ix) restriction on hours of operation to 08:00 – 18:00 Monday to Friday, 08:00 – 15:00 Saturday and closed on Sundays and all Bank Holidays; and
- x) lighting details.

31/25

Planning Application DC/25/70200 - 32 Doulton Drive, Smethwick B66 1RA - Proposed change of use from residential dwelling to residential care home for 3 No. young people aged between 13 and 16 years old (resubmission of approved planning permission DC/19/63550)

The Development Planning Manager reported that comments had been received by WM Police stating that they did not support the application on the basis of a potential increase in parking issues, lack of security and management plans and community tension.

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

- The care home was out of character for the area as the majority of properties in the area were for residential living;
- a canal to the rear of the property could be a potential hazard for vulnerable children living at the care home;
- unwanted noise may increase if a care home was in operation; and
- parking issues were already prevalent in the area;

The applicant was not present at the meeting.

Following further discussion from members, the following points were highlighted:-

- a Management Plan had been included as one of the conditions for this planning application;

- a previous planning application for a care home for two children had already been approved;
- in relation to the WM Police's concerns, it was clarified this was a cautious response based on the impact that this proposal could have on police resources rather than a material planning consideration, as the Police had not evidenced why they considered the home would result in increased anti-social behaviour;
- any concerns in relation to room sizes and the day-to-day operation of the care home would be addressed by Ofsted
- consultation had been carried out in-line with the statutory requirements.

Resolved that Planning Application DC/25/70200 - 32 Doulton Drive, Smethwick B66 1RA - Proposed change of use from residential dwelling to residential care home for 3 No. young people aged between 13 and 16 years old (resubmission of approved planning permission DC/19/63550) is approved, subject to conditions relating to:-

- i) a management Plan;
- ii) only three children to reside at the premises at any time;
- iii) implement and retain parking spaces; and
- iv) 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.

32/25

Planning Application DC/25/70251 - 35 Harold Road, Smethwick B67 6LJ - Proposed change of use from residential dwelling to residential care home for 2 No. young people aged between 8 and 18 years old.

No objectors were present at the meeting however, the Development Planning Manager highlighted that five objections had been received relating to insufficient parking, noise, potential anti-social behaviour and concerns that the application was out of character for the area. No objection had been received from Highways or Pollution Control.

Comments had been received by West Midlands Police which stated that the application had the potential to increase community tension. Members re-iterated the need for Planning Officers to

interact with West Midlands Police to ensure that representations made in the future were constructive and precise and not vague in nature.

Resolved that Planning Application DC/25/70251 - 35 Harold Road, Smethwick B67 6LJ (Proposed change of use from residential dwelling to residential care home for 2 No. young people aged between 8 and 18 years old) is approved, subject to conditions relating to:-

- i) a Management Plan;
- ii) only two children to reside at the premises at any time;
- iii) implement and retain parking spaces; and
- v) the premises shall be used only as a residential home for two 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) extension to existing dropped kerb.

33/25

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/24/69520	42 Pool Lane Oldbury B69 4QX	Appeal allowed with conditions
DC/24/69701	42 Jonah Drive Tipton DY4 7AP	Dismissed

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 7.13pm with an adjournment between 6.17pm and 6.22pm.

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