

DEVELOPMENT CONTROL COMMITTEE

Tuesday 30th October, 2007 at 5.30 p.m.

In the Council Chamber at the Council House Walsall

Present

Councillor Mike Bird (Chairman)
Councillor Leslie Beeley (Vice – Chairman)
Councillor Dennis Anson
Councillor Clive Ault
Councillor Paul Bott
Councillor Brian Douglas-Maul (arrived at 6.00 p.m.)
Councillor Peter Hughes
Councillor Bill Madeley
Councillor Cath Micklewright
Councillor Jon Phillips (arrived at 6.00 p.m.)
Councillor John Rochelle (arrived at 6.00 p.m.)
Councillor Doreen Shires (arrived at 6.00 p.m.)
Councillor Angela Underhill
Councillor Mohammad Yasin

1565/07 Apologies

Apologies for non-attendance were submitted on behalf of Councillors Michael Flower, Barry Sanders, David Turner and Patricia Young.

1566/07 Minutes

Resolved

That the minutes of the meeting held on 9th October, 2007 a copy having previously being circulated to each member of the Committee, be approved and signed by the Chairman as a correct record.

1567/07 Declaration of Interest

Councillor Bird stated that he did not have an interest to declare with regards to application 07/1697/RM/E9 12-14 Little Aston Road, Walsall as the site had been sold on.

1568/07 Deputations and Petitions

None received.

1569/07 **Confirmation of Tree Preservation Order 13 of 2007 – Land at 193 Foley Road West, Streetly, B74 3NX**

Resolved

- (1) That the Walsall Tree Preservation Order No. 13 of 2007 be confirmed in an un-modified form;
- (2) That the reason for making the Tree Preservation Order, as set out in the report now submitted, be supported;
- (3) That it be noted that no representations have been received in respect of this Tree Preservation Order.

1570/07 **Authority to Instigate a Prosecution Case at 231 Walsall Road, Aldridge, WS9 0QA**

The report of the Head of Regeneration – Delivery and Development was submitted.

Resolved

- (1) That authority be delegated to the Assistant Director of Legal and Constitutional Services to institute legal proceedings in respect of the felling of an Oak Tree at 231 Walsall Road, Aldridge, WS9 0QA;
- (2) That the reasons for taking enforcement action and details of the prosecution case as detailed in the report now submitted be supported.

1571/07 **Item No. 1 – 07/1723/FL/E9 – Change of use from private dwelling house to C2 Care Home for transition care. Construction of two-storey side extension at 115 Wolverhampton Road, Pelsall, Walsall, WS3 4AD**

The Planning Officer advised the Committee of the background to the report and drew Members attention to further comments as contained within the supplementary paper circulated at the meeting.

The Committee then welcomed the first speaker on this item, Gemma Park who wished to speak in objection to the application. Gemma stated that she had lived in the neighbouring property for six weeks before the proposed change of use was applied for. Concerns were expressed with regards to the level of parking, the safety of residents due to the property being close to a busy road and T-Junction and the level of consultation undertaken. In closing Gemma stated that the building could be used for alternate purposes and that she had concerns of the garden would be developed in the future.

The Committee then welcomed the second speaker on this item, Sonia Perry Johnson who wished to speak in objection to the application. Sonia stated that the proposed change of use to a business was of concern and indicated that CT was a wide category. Consultation had been insufficient and the house was unsuitable for the proposed business. Concern was expressed as to the future development of the site should the application be approved.

The Committee then welcomed the third speaker on this item, Mrs. Helm who wished to speak in support of the application. Mrs. Helm stated that the house was in a prime location for the proposed change of use. There were no issues with highway safety as the property had separate access and egress points. A pedestrian crossing was also near by. The proposed extension would be in-keeping with the existing property and noise levels would be no different to a normal family household.

The Committee then welcomed the forth speaker on this item, Mr. Harrison who wished to speak in support of the application. Mr. Harrison provided detail as to the type of facility that would be provided should the application be approved. It was explained that the house was chosen as it provided adequate parking arrangements and a suitable environment for residents. In closing it was stressed there were no plans to develop the property any more than the proposed extension.

There then followed a period of questioning by Members in relation to the parking provision, the exact nature of C2 provision, the level of consultation and the time construction could be undertaken should the application be approved.

Members considered the application and Councillor Madeley **moved** and it was duly **seconded** by Councillor Bird:-

That planning application 07/1723/FL/E9 be approved subject to the conditions as set out in the report now submitted, condition four being amended to read:-

4. The home hereby approved shall be used to provide 24 hour transition care for adults with learning disabilities and autism only and for no other purpose.

And the following additional condition:

8. That no demolition, construction or engineering works, (including land reclamation) shall take place on any Sunday, Bank Holiday or Public Holiday, and such works shall otherwise only take place between the hours of 07:00 to 18:00 Weekdays and 08:00 to 16:00 Saturdays unless otherwise permitted in writing by the Local Planning Authority. No plant, machinery or equipment associated with such works shall be started up or operational on the development site outside these permitted hours.

The motion, having being put to the vote, was declared **carried**; with twelve Members voting in favour of granting planning permission.

Resolved

That planning application 07/1723/FL/E9 be approved subject to the conditions as set out in the report now submitted, condition four being amended to read:-

4. The home hereby approved shall be used to provide 24 hour transition care for adults with learning disabilities and autism only and for no other purpose.

And the following additional condition:

8. That no demolition, construction or engineering works, (including land reclamation) shall take place on any Sunday, Bank Holiday or Public Holiday, and such works shall otherwise only take place between the hours of 07:00 to 18:00 Weekdays and 08:00 to 16:00 Saturdays unless otherwise permitted in writing by the Local Planning Authority. No plant, machinery or equipment associated with such works shall be started up or operational on the development site outside these permitted hours.

1572/07 **Item No. 2 – 07/1697/RM/E9 – Reserved matters application with only landscaping to be assessed at 12-14 Little Aston Road, Walsall, WS9 0NN**

Resolved (Unanimously)

That planning application 07/1697/RM/E9 be approved subject to the conditions as contained within the report now submitted.

1573/07 **Item No. 3 – 07/1795/FL/W5– 4 storey development to provide twenty flats with associated undercroft parking at 37-38 Bradford Street, Walsall**

Resolved (Unanimously)

That planning application 07/1795/FL/W5 be approved subject to the conditions as contained in the report and supplementary paper now submitted and a Planning Obligation.

1574/07 **Item No. 4 – 07/1798/FL/W5 – Proposed warehouse/distribution unit with two-storey office accommodation at Central Point, Willenhall Road, Darlaston, Walsall**

Resolved (Unanimously)

That planning application 07/1798/FL/W5 be approved subject to the conditions as contained in the report now submitted and a Grampian condition to provide a sign either side of the bridge carrying the Black Country Route over the Willenhall Road, warning of oncoming traffic.

1575/07 Item No. 5 – 07/0405/FL/E11 – Two Storey extension at 29 Hednesford Road, Brownhills Nursing Home, Walsall, West Midlands

Resolved (Unanimously)

That planning application 07/0405/FL/E11 be approved subject to the conditions as contained in the report and supplementary paper now submitted.

1576/07 Item No. 6 – 07/1401/FL/E6 – Resubmission of 07/0192/FL/E6 for replacement dwelling at 116 Thornhill Park, Walsall, B74 2LW

Resolved (Unanimously)

That planning application number 07/1401/FL/E6 be approved subject to the conditions as contained within the report now submitted.

1577/07 Item No. 7 – 07/1808/FL/E12 – A3 restaurant with ancillary A5 takeaway at Unit 2, Neighbourhood Shopping Centre, 6 Salters Road, Walsall, WS9 9JD

Resolved (Unanimously)

That planning application number 07/1808/FL/E12 be approved subject to the conditions as contained within the report and supplementary paper now submitted.

Termination of Meeting

There being no further business, the meeting terminated at 7.20pm

Signed:

Date: