

PLANNING COMMITTEE

Thursday 7th January, 2016 at 5.30 pm

In the Council Chamber at the Council House, Walsall

Present:

Councillor Perry (Chairman)
Councillor Bird (Vice-Chair)
Councillor P. Bott
Councillor Chambers
Councillor Craddock
Councillor Douglas-Maul
Councillor D. Hazell
Councillor J. Fitzpatrick
Councillor Follows
Councillor Harris
Councillor Jeavons
Councillor Nawaz (arrived at 5.35pm)
Councillor Robertson
Councillor Rochelle
Councillor Sarohi
Councillor I. Shires
Councillor Sohal
Councillor Worrall

4099/16

Apologies:

An apology for non-attendance was submitted on behalf of Councillor Ditta.

4100/16

Minutes

Resolved

That the Minutes of the meeting held on Thursday 3rd December, 2015, a copy having been previously circulated to each Member of the Committee, be approved and signed by the Chairman as a correct record.

4101/16

Declarations of Interest

There were no declarations of interest.

4102/15

Deputations and Petitions

There were no deputations introduced or petitions submitted.

4103/15 **Local Government (Access to Information) Act 1985 (as amended)**

Resolved

There were no items to be considered in private session.

4104/15 **Confirmation of Tree Preservation Order 8 of 2015 at 38 Calstock Road Willenhall**

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

(see annexed)

Resolved (Unanimously)

That: -

- (1) Walsall Tress Preservation Order (TPO) 8 of 2015 be confirmed in an unmodified form;
- (2) the reasons for the making of the TPO, as set out in the report, be supported;
- (3) it be noted that one representation had been received in response to the making of this TPO.

4105/15 **Government Consultation on Community Infrastructure Levy**

The report of the Head of Planning, Engineering and Transportation was submitted.

(see annexed)

The Regeneration Manager – Planning Policy presented the report which sought to advise Members on the review of the Community Infrastructure Levy (CIL), formally launched by the Department for Communities and Local Government (DCLG) on 19th November, 2015, in order for the Committee to agree a response which would be forwarded on to the DCLG. The purpose of the review was to assess the effectiveness of the CIL in funding infrastructure and to recommended change to improve its operation.

Arising from discussions around the prospect of using the CIL to bring land back into use, the Regeneration Manager stated that he would include a note within the response to the DCLG that the Committee were keen to stress the importance of using any monies for remedial work / action.

Resolved (unanimously)

That: -

- i) subject to the above, Officers be instructed to forward the comments, set out in the report, to the DCLG as the Council's response to the questionnaire;
- ii) it be agreed that the Head of Planning, Engineering and Transportation should share this report with the borough's MPs, the Black Country Local Enterprise Partnership, other West Midlands Councils, the Local Government Association and others concerned with the regeneration of the Borough.

4106/15 **Consultation on Proposed Changes to National Planning Policy**

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

(see annexed)

The Regeneration Manager – Planning Policy and the Senior Planning Policy Officer presented the report which sought to advise Members on the implications of the proposed changes to the National Planning Policy Framework (NPPF) which was set out in a Government consultation. Officers were seeking agreement from the Committee in relation to a proposed response which would be sent to the Department for Communities and Local Government (DCLG) and would also be shared with relevant interested parties.

Arising from discussions, the Committee highlighted its concerns in relation to the implications the proposals could potentially have on matters such as the loss of employment land and the definition of 'affordable housing', for example. Discussions also referred to a Notice of Motion being introduced at the next meeting of Council on 11th January, 2016. It was felt that any discussions arising from that debate should also be utilised in the response prepared by Officer on this matter.

Members expressed their support, in general, for the responses prepared by Officers.

Resolved (unanimously)

That: -

- i) Officers be instructed to submit the comments, set out in the report and detailed responses to the consultation questions based on these comment, to the DCLG as the Council's response to the consultation document;
- ii) it be agreed that the Head of Regeneration and Development should share this report and consultation response with the borough's MPs, the Black Country Local Enterprise Partnership, other West Midlands Metropolitan Councils, the Local Government Association, the Association of Directors of Environment, Economy, Planning and Transportation and others concerned with regeneration of the Borough, to help advocate that potentially damaging proposals should be avoided and/or mitigated.

4107/15 **Section 106 Report – Quarter 2 of 2015/16**

The report of the Head of Planning Engineering and Transportation was submitted.

(see annexed)

Councillor Fitzpatrick requested an update in relation to 'the Stag' and Victoria Avenue contributions. Officers agreed to respond directly to Councillor Fitzpatrick on these matters.

Resolved that the report be noted.

4108/15 **Application List for Permission to Develop**

The Application List for Permission to Develop was submitted, together with supplementary papers and additional information for items already on the plan list.

(see annexed)

The Committee agreed first to deal with the items on the agenda where members of the public had previously indicated that they wished to address the Committee. The Chair, at the beginning of each item for which there were speakers, advised of the procedure whereby the speaker would have three minutes to speak and then after two minutes they would be reminded that they had one minute left.

The Chair informed the meeting that the following items had been deferred to the next meeting: -

- Plans list item No. 6 – 14/1552/FL;
- Plans list item No. 12 – 15/1650.

4109/15 **Item No. 7 – Application Number 15/1501 – Erection of 2 bed bungalow fronting Ashton Drive – 1 Mob Lane, Pelsall, Walsall, WS4 1BB.**

The Planning Officer advised the Committee of the background to the report.

(see annexed)

The Committee welcomed the only speaker on this application, Mr Edwards, who spoke in objection to the application.

There then followed a period of questioning by Members to both the speaker and Officers in relation to the siting and design of the proposed dwelling.

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

That Planning Application number 15/1501 be deferred to enable Officers to consult with the Applicant and then consult with the neighbours; and that the siting and design of the dwelling be reconsidered in light of this consultation.

The motion having been put to the vote was declared carried.

Resolved

That Planning Application number 15/1501 be deferred to enable Officers to consult with the Applicant and then consult with the neighbours; and that the siting and design of the dwelling be reconsidered in light of this consultation.

4110/15 **Item No. 10 – 15/0914/FULL – Single story rear and front extension to create sun lounge and lounge extension and detached double garage at the front of the house – 6 Highmoor Close, Willenhall, WV12 5UU**

The Planning Officer advised the Committee of the background to the report.

(see annexed)

The Committee welcomed the first speaker on this application, Mrs Taylor, who spoke in objection to the application.

The Committee then welcomed the second speaker on this application, Mrs Harris, who also spoke in objection to the application.

There then followed a period of questioning by Members to both the speakers and Officers in relation to how the proposals would affect light and outlook currently enjoyed by existing properties, the design, location and height of the detached garage, impact on drainage, the manoeuvrability in view of the proposed siting of the detached garage and whether the proposal was in-keeping with the street scene.

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

That Planning Application number 15/0914/FULL be approved subject to conditions.

The motion having been put to the vote was declared carried, with thirteen Members voting in favour and four against.

Resolved

That planning application number 15/0914/FULL be approved, subject to conditions.

4111/15 Item No. 13 – 15/1358 – Retrospective: retention of car sales for a period of Five Years – Sunnyside Farm, Northgate, Walsall Wood, Walsall, WS9 9BU

The Planning Officer advised the Committee of the background to the report.

(see annexed)

The Committee welcomed the only speaker on this application, Mr Morris, who spoke in support of the application.

There then followed a period of questioning by Members to both the speaker and Officers in relation to whether or not the wider industrial site also encroached upon the green belt, not just the site identified within this application, what other uses were currently permitted on the industrial estate in question, whether or not the continued use of this site for a further 5 years would have a negative effect on the green belt given the current industrial nature of the surrounding area.

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

That Planning Application number 15/1358 be approved on the grounds that the proposal was considered not to have a detrimental impact on green belt, subject to conditions being included in relation to the permission being granted for a

temporary period of 5 years and the permission being personal to the applicant; no cars being parked on the highway, the removal of cars and the portacabin when the temporary permission expires, satisfactory lighting on-site and highways conditions as recommended within the report.

The motion having been put to the vote was declared carried, with sixteen Members voting in favour and one against.

Resolved

That Planning Application number 15/1358 be approved on the grounds that the proposal does not to have a detrimental impact on green belt, subject to conditions being included in relation to the permission being granted for a temporary period of 5 years and the permission being personal to the applicant; no cars being parked on the highway, the removal of cars and the portacabin when the temporary permission expires, satisfactory lighting on-site and highways conditions as recommended within the report.

- 4112/15 **Item No. 1 – 15/0333/FL – Earthworks comprising the redistribution of spoil from the south of the site (the opal site) to the north (the onyx site), including on-site remediation of material as necessary, to provide a level platform for future development – Land off Tempus Drive, Tempus Drive, Walsall, WS2 8TJ**

Resolved

That planning application number 15/0333/FL be approved, subject to conditions.

- 4113/15 **Item No. 2 – 15/0598/FL – Phase 1: demolition of part of the former school and change of use to offices.
Phase 2: demolition of the remaining ancillary buildings of the former school and the erection of 20 houses**

Resolved

That planning application number 15/098/FL be approved, subject to conditions.

- 4114/15 **Item No. 3 – 15/0105/FL – Demolition of existing working men club and construction of No. 11 residential units – Pleck Working Men Club, 502 Pleck Road, Walsall, WS2 9HE**

Resolved

That planning application number 15/0105/FL be approved, subject to conditions.

- 4115/15 **Item No. 4 – 15/1099/FL – Erection of a steel clad portal frame industrial unit for storage of steel (Class B8 use) – International House, Bloxwich Business Park, Fryers Road, Bloxwich**

Resolved

That planning application number 15/1099/FL be approved, subject to conditions.

- 4116/15 **Item No. 5 – 15/1138 – Formation of revised access arrangements to site off Ashmore Lake Way plus new boundary fencing and lighting columns – Midland Pressure Die Castings, Ashmore Lake Way, Willenhall, WV12 4LF**

Resolved

That planning application number 15/1388 be approved, subject to conditions.

- 4117/15 **Item No. 8 – 15/1800 – Retrospective: retention of boundary fence (in new position closer to the pavement) and planting in front – 19 Moat Farm Way, Pelsall, Walsall, WS3 5BW**

Resolved

That planning application number 15/1800 be approved, subject to conditions.

- 4118/15 **Item No. 9 – 15/1396 – Change of use from post office (A1) to cafe (A3) – Shelfield post office and off license, 16 Spring Road, Shelfield, Walsall, WS4 1QQ**

A number of Members expressed their concern in relation to the impact this proposal had on the highway and traffic generated due to a lack of parking facilities.

The Committee was advised that the previous use of post office required a considerable amount of parking, more than the proposed use and it would have generated much more traffic. In view of this, it would be difficult to defend a refusal on such grounds.

Resolved

That planning application number 15/1396 be approved subject to conditions.

4119/15 **Item No. 11 – 15/1451 – Two storey side and single storey rear extension and the creation of car parking to the front of house – 20 Ensbury Close, Willenhall, WV12 4EU**

Resolved

That planning application number 15/1451 be approved subject to conditions.

4120/15 **Item No. 14 – 15/1370 – Construct a single storey building to provide toilet and shower facilities for the staff and staff visitors – John Hill and Sons Walsall Ltd, Wolverhampton Road, Walsall, WS2 8TB**

Resolved

That planning application number 15/1370 be approved subject to conditions.

Termination of meeting

There being no further business, the meeting terminated at 7.00 pm

Signed.....

Date.....