

PLANNING COMMITTEE

Thursday 3 December, 2015 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 Ditta
Councillor Douglas-Maul
Councillor J. Fitzpatrick
Councillor Harris
Councillor D Hazell
Councillor Nawaz
Councillor I Robertson
Councillor I. Shires
Councillor Worrall

4081/15 Apologies:

Apologies for non-attendance were submitted on behalf of Councillor's Creaney, Follows, Jeavons, Rochelle, Sarohi and Sohal.

4082/15 Minutes

Resolved

That the Minutes of the meeting held on Thursday 5 November, 2015, a copy having been previously circulated to each Member of the Committee, be approved and signed by the Chairman as a correct record, subject to the following amendment:-

That minutes number 4053/15 – Declarations of Interest should have included:-

Councillor Ditta declared a non-pecuniary interest in plans list item number 10 – application number 15/0684/FL - change of use of car park to 24 hours taxi rank and hand car wash at Union Street, Willenhall, WV13 1PB.

4083/15 **Declarations of Interest**

Councillor Hazell declared a non-pecuniary interest in agenda item number 7 entitled 250 Stroud Avenue, Willenhall, WV12 4EG.

4084/15 **Deputations and Petitions**

There were no deputations introduced or petitions submitted.

4085/15 **Local Government (Access to Information) Act 1985 (as amended)**

Resolved

There were no items to be considered in private session.

At this juncture of the meeting, the Chairman informed Committee Members that it would be David Elsworthy's (Head of Planning and Building Control) final Planning Committee meeting following 15 years at the authority. The Chairman formally thanked David for the impact he had made within the authority's Planning Section and thanked him for the support and advice that he had personally received during his chairmanship. The Chairman moved and it was duly seconded by Councillor Bird:-

That the Committee expresses its gratitude to the Head of Planning and Building Control for all the work he has carried out over the last 15 years.

Councillors Bird, Nawaz, Shires and Worrall all extended the Chairman's gratitude and best wishes. The Head of Planning and Building Control thanked Committee Members for their support over the years and for their best wishes on his early retirement.

4086/15 **Update – Infilling and capping of former limestone mineshafts on land at Winterley Lane, Rushall**

The report of the Head and Planning and Building Control was submitted.

(see annexed)

The Planning Officer updated the Committee on the current position regarding works at Winterley Lane as permitted by application number 14/0191/WA.

Members considered the report and a request was made for further update reports. The Chair suggested it may be advantageous for the respective ward members to organise a liaison group to visit the site independently and request information should issues arise.

In response, the presenting officer reported that subject to no adverse weather conditions, the work at the site would expire on the 30 March 2016, and that a subsequent report could then inform Committee whether all targets had been achieved. The officer added that it was unusual for numerous reviews of an application to be carried out.

The Committee proceeded to discuss the report in detail and it was moved by Councillor Bird and seconded by Councillor Douglas-Maul:-

That the comments of the Head of Planning and Building Control in respect of the questions be noted.

Councillor Worrall moved an amendment to the motion and it was duly **seconded:-**

That the comments of the Head of Planning and Building Control in respect of the questions be noted, and that Committee receive further progress reports from the Environment Agency.

On being put to the vote the amendment was declared lost, with six Members voting in favour and seven against.

Members then voted on the original motion and seven Members voted in favour, six Members voted against.

Resolved

That the comments of the Head of Planning and Building Control in respect of the questions be noted.

4087/15 **250 Stroud Avenue, Willenhall, WV12 4EG**

Councillor Hazell having declared an interest, left the room and therefore did not take part nor vote on this item.

The report of the Head of Planning and Building Control plus a supplementary paper were submitted.

(see annexed)

Resolved (unanimously)

- i) That authority be granted for the Head of Planning and Building Control to issue an Enforcement Notice under the Town and

Country Planning Act 1990 (as amended) to require remedial actions to be undertaken as shown in paragraph 2.3 of the report.

- ii) That authority be granted to Head of Planning and Building Control to institute prosecution proceedings in the event of non-compliance with an Enforcement Notice or the non-return of Requisitions for Information or a Planning Contravention Notice; and the decision as to the Institute of Injunctive proceedings in the event of a continuing breach of planning control.
- iii) That authority be granted to the Head of Planning & Building Control to amend, add to or delete from the wording set out in the report stating the nature of the breach(es), the reason(s) for taking enforcement action, the requirement(s) of the Notice, or the boundaries of the site in the interests of ensuring the accurate and up-to-date notices are served.

Councillor Hazel returned to the room

4088/15 **Housing and Planning Bill**

The report of the Head of Planning & Building Control was submitted
(see annexed)

The presenting officers advised Committee in detail of the planning implications of the Housing and Planning Bill, giving specific reference to the Starter Homes proposals and the possible implications to Walsall in relation to Starter Home affordability, meeting the needs of Walsall's residents, plus the suitability of site issues in relation to the type of land the Bill is proposing for Starter Homes, for example the removal of the openness test for green belt land and the use of industrial/employment sites.

Members discussed the report in detail and echoed a number of officers concerns in relation to the proposed implications to social housing, the undermining of Walsall Urban Regeneration Strategy in that industrial land will be turned over to housing or kept for future housing use.

Resolved

That Planning Committee:-

- i) Noted the report and considered the implications of the proposals within the Bill and

- ii) Agreed that the Head of Planning and Building Control should share this report with the Borough's MP's, the Black Country Local Enterprise Partnership (LEP), other West Midlands Metropolitan Councils, the Local Government Association and others concerned with the regeneration of the Borough, to help advocate that potentially damaging proposals should be avoided and or mitigated.

4089/15 **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 item had been withdrawn:

- Plans list item 1 – 15/0455/FL- Driving Range and 9 Hole Academy Golf Course and associated facilities on land adjacent to Calderfields Golf and Country Club, Aldridge Road, Walsall, WS4 2JS.

4090/15 **Item Number 9 – Application Number 15/0910/OUTL – Outline Application: Proposed two bedroom bungalow with access and layout to be considered, including the creation of parking erection of two detached garages, part demolition of 16 Coppy Hall Grove and single storey front and side extension to number 16.**

The Planning Officer advised the Committee of the background to the report and drew their attention to a supplementary paper now submitted.

(see annexed)

The Committee then welcomed the first speaker on this application, Mr Turner, who spoke in objection to the application.

The Committee then welcomed the second speaker on this application, Mr Warburton, who also spoke in objection of the application.

The Committee then welcomed the third speaker on this application, Mr Roden, who spoke in support of the application.

There then followed a period of questioning by Members to the speakers and officers.

In response, a speaker stated the proposal would create difficulties entering and exiting his driveway due to the limited space at the end of the cul-de-sac and the third speaker confirmed that design details would be addressed at a later date with officers. The Head of Planning and Building Control reiterated that the application was an outline application only and that should the Committee be minded to grant, the layout access and design would be discussed with the applicant in due course.

The Committee then proceeded to discuss the application further which included that the application was making the best use of the land available, the objections raised were all subjective as opposed to planning issues, concerns around the manoeuvring of cars within the cul-de-sac and that the application does not fit into the street scene.

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

That Planning Application number 15/0910/OUTL be granted, subject to standard conditions to be delegated to officers and to include a condition to remove all permitted development rights as the application is not considered to be detrimental to the character of the area.

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

Resolved

That Planning Application number 15/0910/OUTL be granted, subject to standard conditions to be delegated to officers and to include a condition to remove all permitted development rights as the application is not considered to be detrimental to the character of the area.

4091/15

Item no. 2 – 15/1197- Extension to existing B8 warehouse with undercroft parking for an additional 50 cars, turning area, extended canopy and modified balancing pond at Castings PLC, Lichfield Road, Brownhills, Walsall, WS8 6JZ

Resolved

That planning application number 15/1197 be granted, subject to conditions (including any amendments or additional conditions deemed

appropriate by officers) as contained within the report and supplementary paper now submitted.

- 4092/15 **Item no.3 – 15/1179 – Extension to warehouse including associated external works (Affects setting of Public Footpath Wal88 at 32 Regal Drive, Walsall Enterprise Park, Walsall, WS2 9HQ**

Resolved

That planning application number 15/1179 be granted, subject to conditions (including any amendments or additional conditions deemed appropriate by officers) as contained within the report now submitted.

- 4093/15 **Item no. 4 – 15/0488/FL – Change of use of vacant industrial unit into an indoor trampoline centre (D2 Use Class) and ancillary cafe including external alterations and change to car parking at Olron House, Bentley Mill Way, Walsall, WS2 0BP**

Resolved

That planning application number 15/0488/FL be granted, subject to conditions (including any amendments or additional conditions deemed appropriate by officers) as contained within the report and supplementary paper now submitted.

- 4094/15 **Item no 5. – 15/1412 – Change of use to coach depot, including vehicle repair workshop at former Nationwide Crash Repair Centre, Portland Street, Walsall**

Resolved

That planning application number 15/1412 be granted, subject to conditions as contained within the report now submitted.

- 4095/15 **Item no. No 6 – 15/1123 – Erection of 9 dwellings and garages (Affects Public Footpaths Ald 33, Ald51, Ald32(A), Ald32) at The Rectory, 14 The Green, Aldridge, Walsall, WS9 8NH**

Resolved

That planning application no. 15/1123 be granted, subject to conditions as contained within the report and supplementary paper now submitted.

4096/15 **Item No. 7 – 15/1134 – Three new dwelling at Land adjacent 7, Sarah Gardens, Walsall**

Resolved

That planning application number 15/1134 be granted, subject to conditions as contained within the report now submitted.

4097/15 **Item no. 8 – 15/1395 – Change of use from clothing manufacture to catering supplier with commercial kitchen and refurbishment, bricking up of windows and installation of extraction flue (re-submission of 14/1771/FL)**

Resolved

That planning application number 15/1395 be refused as per the reasons as contained within the report and supplementary paper now submitted.

4098/15 **Item no. 10 – 14/1923/FL – Retention of existing shop 54 Norton Road with two storey single storey rear extensions to 54 Norton Road and the Dental Practice, 55 Norton Road to provide office, medical equipment store, record store, emergency exits to shop no. 54 Norton Road, stock room, COSHH store room, X-Ray CT room and WC at ground floor, kitchen/staff room, cleaners cupboard, WC at first floor and installation of roof lights on the front elevation at 54 and 55 Norton Road, Pelsall, Walsall, WS3 4AX**

Resolved

That Planning Application number 14/1923/FL be granted, subject to conditions as contained within the report and supplementary paper now submitted.

Termination of meeting

There being no further business, the meeting terminated at 6.50 pm

Signed.....

Date.....