

PLANNING COMMITTEE

Thursday 17 September 2020 at 5.30pm

Virtual Meeting via Microsoft Teams

Held in accordance with the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulation 2020; and conducted according to the Council's Standing Orders for Remote Meetings and those set out in the Council's Constitution.

Present:

Councillor Bird (Chair)
Councillor Perry (Vice Chair)
Councillor P. Bott
Councillor Chattha
Councillor Creaney
Councillor Harris
Councillor Harrison
Councillor Hicken
Councillor Jukes
Councillor Murray
Councillor Nawaz
Councillor Rasab
Councillor Robertson
Councillor Samra
Councillor Sarohi
Councillor Statham
Councillor Waters

Officers:

Alison Ives – Group Manager, Planning
Andrew White – Team Leader, Development Management
Kathryn Moreton – Group Manager – Highways and Environment
Sharon Bennett-Matthews – Solicitor, Planning
Jag Raan – Team Leader - Major Projects Minor Improvements
Curtis Dean – Senior Pollution Control Officer
Bev Mycock – Democratic Services Officer
Matthew Powis – Democratic Services Officer

Welcome

At this point in the meeting, the Chair opened the meeting by welcoming everyone and explaining the rules of procedure and legal context in which the meeting was being held. He also directed members of the public viewing the meeting to the papers, which could be found on the Council's Committee Management Information system (CMIS) webpage.

Members and officers in attendance confirmed they could both see and hear the proceedings.

108/20 **Apologies**

Apologies were submitted on behalf of Councillors Craddock, M. Nazir and Underhill.

109/20 **Minutes**

Councillor Bird moved and it was duly seconded by Councillor Nawaz that the minutes of the meeting held on 20th August, 2020, a copy having been previously circulated to each Members of the Committee, be approved and signed as a true record.

The Chairman put the recommendation to the vote by way of a roll call of Committee Members.

Resolved (unanimous)

That the minutes of the meeting held on 20th August, 2020, a copy having been previously circulated to each Member of the Committee, be approved and signed as a true record.

110/20 **Declarations of Interest.**

There were no declarations of interest.

111/20 **Deputations and Petitions**

There were no deputations introduced or petitions submitted

112/20 **Local Government (Access to Information) Act, 1985 (as amended)**

There were no items to be considered in private session.

113/20 **Application List for Permission to Develop**

The application list for permission to develop was submitted, together with supplementary papers and information for items already on the plans list.

(see annexed)

The Committee agreed to deal with the items on the agenda where members of the public had previously indicated that they wished to address the Committee and the Chair, at the beginning of each item for which there were speakers, confirmed they had been advised on the procedure whereby each speaker would have two minutes to speak.

The Chair reminded Members that should they be minded to go against officers' recommendations, the Mover of the Motion must make clear the reasons for doing so and ensure that they are based on planning grounds. Once the reasons have been provided and the Motion seconded, the Chair will ask the Solicitor present to read out the reasons and give planning officers the opportunity to comment prior to taking a vote on the matter.

114/20 PLANS LIST ITEM NO. 1 – 19/1042 – YORKS BRIDGE, NORTON ROAD, PELSALL, WS3 5AU - CONSTRUCTION OF A NEW ROAD BRIDGE OVER THE WRYLEY AND ESSINGTON CANAL NEXT TO YORK'S BRIDGE AND REALIGNMENT OF NORT ROAD, PLUS NEW PARKING BAYS FOR PELSALL NORTH COMMON AND WELAND AREA (ADJACENT TO PUBLIC FOOTPATH ALD0.149). THE APPLICATION INCLUDES THE PROVISION OF AN AREA OF REPLACEMENT COMMON LAND TO THE SOUTH OF THE A4124 LICHFIELD ROAD, TO BE SERVED BY A NEW VEHICLE ACCESS AND PARKING AREA.

At this juncture of the meeting, one of the speakers on this application was unable to access the meeting. The Chair therefore advised Committee he would move to the second item on the plans list and return to Item 1 thereafter.

115/20 PLANS LIST ITEM 2 – 18/0260 - AUTO BITS, CLARKES LANE, WILLENHALL, WV13 1HY – CHANGE OF USE OF LAND FROM METAL WORKS TO SCRAP YARD, TO BE UTILISED AS PART OF EXISTING AUTOBITS FOR THE DEPOLLUTION OF CAR VEHICLES AND METAL STORAGE, REMOVAL OF INTERNAL FENCE, RETENTION OF PART OF THE UNAUTHORISED 3.5M HIGH FENCE WITHIN THE SITE AND ERECTION OF 3M HIGH BOUNDARY TREATMENTS.

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

(see annexed)

The Presenting Officer advised Committee of the background to the report and highlighted the salient points therein. In addition, the Presenting Officer drew the Committee's attention to the additional information and revised recommendation as set out within the supplementary paper.

The Committee then welcomed the only speaker on this item, Mr. Taylor, who wished to speak in support of this application.

Mr. Taylor stated that there had been metal recycling on the site for 40 years and that Autobits had taken ownership of the site in 1999. The company specialised in all types of metals including coppers, brass and aluminium, as well as disposing of impounded vehicles. In addition, Mr. Taylor clarified that the change of use to land at the south of the site had been removed from the original application and that the galvanised fencing along Clarkes Lane would be reduced

from 3m to 2.5 m high. With regard to the hours of use, there would be no deliveries to or collections from the site on Saturdays after 1pm.

Members were then invited to ask questions of the speaker.

Members had no questions for the speaker.

There then followed a period of questioning by Members to Officers, which included:-

- Whether there would be limits on scrap piling? The Presenting Officer confirmed the conditions for scrap piling no higher than the 3m retaining fence. The fence would then provide screening. The Chair further added that should the scrap piling exceed 3m high, it would be a breach of planning conditions and enforcement action would be taken.
- Could the new fencing be powder coated green to blend in to the surroundings? The Chair allowed the speaker to confirm that the new fencing could be powder coated green.

Following the conclusion of questions to Officers, Members considered the application.

Councillor Bird **moved** and it was duly **seconded** by Councillor Harris:-

That planning application no. **18/0260** be delegated to the Interim Head of Planning and Building Control to grant permission, subject to:-

- No new material considerations being received within the consultation period;
- The amendment and finalising of conditions;
- The updating of the proposal description

as contained within the report and supplementary paper and subject to:-

- The new fence to be powder coated green.

Before voting, the Planning Solicitor read out the recommendation for the benefit of Members.

The Motion was put to the vote by way of a roll call of Committee Members and was subsequently declared **carried**, with all Members voting in favour.

Resolved (unanimous)

That planning application no. **18/0260** be delegated to the Interim Head of Planning and Building Control to grant permission, subject to:-

- No new material considerations being received within the consultation period;
- The amendment and finalising of conditions;
- The updating of the proposal description

as contained within the report and supplementary paper and subject to:-

- The new fence to be powder coated green.

The Chair was advised that the speaker on plans list item 1 was now available to access the meeting.

116/20 PLANS LIST ITEM NO. 1 – 19/1042 – YORKS BRIDGE, NORTON ROAD, PELSALL, WS3 5AU - CONSTRUCTION OF A NEW ROAD BRIDGE OVER THE WRYLEY AND ESSINGTON CANAL NEXT TO YORK'S BRIDGE AND REALIGNMENT OF NORTON ROAD, PLUS NEW PARKING BAYS FOR PELSALL NORTH COMMON AND WETLAND AREA (ADJACENT TO PUBLIC FOOTPATH ALD0.149). THE APPLICATION INCLUDES THE PROVISION OF AN AREA OF REPLACEMENT COMMON LAND TO THE SOUTH OF THE A4124 LICHFIELD ROAD, TO BE SERVED BY A NEW VEHICLE ACCESS AND PARKING AREA.

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

(see annexed)

The Presenting Officer advised Committee of the background to the report and highlighted the salient points therein.

The Committee then welcomed the first speaker on this item, Mr. Vercesi, who wished to speak in objection to the application.

Mr. Vercesi stated that he had lived in Pelsall since 1969 and within Mallard Close since 1985. He was a Chairman of Pelsall Civic Charities Trust and he had objected to the building of a new bridge alongside York's Bridge since 2014. He stated that he was aware of four specialist companies who could repair and strengthen the current bridge without creating any alteration to its profile and he had forwarded the contacts to Walsall Council on numerous times since 2014 as part of the consultation process but had received no response. One of the companies in particular could carry out a free structural survey of the costings to strengthen the bridge up to a 44 tonne capacity at no cost. Mr. Vercesi added that if the bridge were to be adapted, no realigning would be required, which would result in no loss of common land, savings to the Council and less noise and disruption to local residents.

The Committee then welcomed the second speaker on this item, Mr. Dowers, who wished to speak in support of the application.

Mr. Dowers stated that he was the agent for the Council and that a similar application had been approved back in 2014. The existing structure was substandard in width and vertical alignment and prevented two opposing vehicles from crossing and impossible to see approaching vehicles in either direction. The existing structure was substandard and only able to carry 7.5 tonnes, with further deterioration potentially resulting in the weight limit being reduced further. Mr Dowers stated the road was part of the local strategic network and should be capable of carrying 44 tonnes as part of West Midlands Transport Strategy. The new bridge would be constructed to current standards meaning it would be safer and with reduced maintenance. The existing bridge would continue to be used during construction thus

reducing congestion and keeping the historic structure to provide access to the cottages and walking and cycling routes.

Members were then invited to ask questions of the speakers

- Had any alternative proposals to deal with the situation, particularly any as referred to by the objector and if not, why not? Mr. Dowers advised that the other options would not provide the cross section required to allow two cars or other vehicles to pass as required by standards nor would they remove the safety issues of the sub-standard vertical alignment or enable the forward visibility required to safely cross the structure.
- Would the bridge adversely affect and increase the impact of traffic, particularly HGVs using Pelsall Village as a through route and general increase in traffic? Mr. Dowers stated the Council had agreed to install an environmental weight limit through Pelsall Village, which would effectively reduce the number of HGVs likely to use the route. Mr. Dowers did not believe the number of cars using the bridge was likely to change.
- How serious would the Council be in closing the road should the bridge not be replaced? Mr. Dowers stated that the existing structure was in a poor condition of maintenance and continual monitoring had, over time, resulted in reduced weight limits to its current 7 tonne limit. Should the structure not be maintained, it would require either strengthening or the road would be closed.

There then following a lengthy period of questioning by Members to Officers, in relation to:-

- Would the bridge adversely affect and increase the impact of traffic? The Group Manager, Highways and Environment advised that traffic management were looking to extend the 30 mph speed limit over the bridge as part of the scheme. Vehicle number plate technology would be considered to enable the identification of vehicles who breached the weight limit when it was installed.
- Had the consultation targeted people outside of the immediate area and not those within the affected addresses? The Presenting Officer advised that the consultation had been carried out in accordance with the legislation and would have been the same as the consultation carried out in 2013 application. All residents that adjoined the site would have been consulted, notices would have been advertised in the press and site notices published. The Planning Solicitor clarified that there had been two consultations, one consultation in relation to the application and a second application to de-register part of the common land at York's Bridge and to re-register the exchanged land for the common land. The second consultation would have included a wider area to cover potential users of the common.
- Would the right turn access into the access to the pub and common be too severe? The Presenting Officer confirmed the access complied with Highways legislation. The Team Leader, Major Projects Minor Improvements added that the access was mainly for the residents living within the three cottages plus access to the common and would be large enough for a refuse vehicle. He further added that the visibility

requirement had been achieved and the new alignment would make the turning into the access road no different to that of any other junction.

- Would it be possible to install digital speed signage on the approach to the bridge from the north to ensure cars slow down? Councillor Bird advised that officers had been approached to ensure digital signage is installed to indicate the weight limit along with instructions to slow down. He further added that rumble strips could be installed before the turn onto the common. The weight limit signs would be installed before the finger post and the ANPR recognition would pick up the offending vehicles.
- Would the addition of the proposed trees between the residential homes and the bridge create an effective noise barrier and would the extra tonnage on HGVs cause extra vibration? The Senior Pollution Control Officer advised that the trees would act as a visual barrier and not a sound barrier. A noise impact appraisal had been conducted at the time of the original application plus two impact appraisals since and neither had triggered any concerns under the Noise Insulation Regulations.
- Had any weight been given to accidents over the last few years to justify the bridge? The Team Leader, Major Projects Minor Improvements advised that only incidents attended by Police had been provided. He added there was evidence that vehicles had scraped the parapet wall.
- What would the weight limit be on new bridge? The Presenting Officer confirmed the weight would be up to 44 tonnes.
- It was stated in the previous application the Finger Post and Moat Pool Farm would revert back to common land? The Presenting Officer provided a diagram of the area of common land intended to be used for the proposal and the Team Leader, Major Projects Minor Improvements highlighted the areas in red required for the construction of the bridge and which section would be reverted back to common land. The Planning Solicitor advised that common land application process was a separate process from this application and whether the land is de-registered or not, it would be outside the scope of Planning Committee. In terms of the plan, the areas of land that had been shown in red would be permanently de-registered and compensated by the exchanged land located at High Bridges.
- Could an application be made for Moat Farm to revert back to common land? The Planning Solicitor advised that in terms of the land at Moat Farm, this was in relation to the previous application to deregister. That application failed because the land at Moat Farm did not meet the Planning Inspectorate's requirement for exchange land and is therefore no longer under consideration because the land was already subject to public rights of access.
- Had the use of traffic lights on the bridge been considered? The Team Leader, Major Projects Minor Improvements advised that traffic lights had been discounted due to vertical alignment issues, forward visibility, no suitable footpath and also maintenance and ongoing liability. The existing bridge can only take 7.5 tonnes so traffic lights would have to be on the basis that no vehicles in excess of 7.5 tonnes would be able to use it.
- Could an environmental weight limit be applied to the new bridge to restrict tonnage? The Group Manager, Highways and Environment stated there was an intention to impose an environmental weight limit

over a short stretch of the road to prevent HGVs accessing the village and it would be enforceable.

- Could the materials of the proposed bridge match the colour of the original bridge? The Chair advised that details regarding materials for the new bridge had already been conditioned

Following the conclusion of questions to Officers, Members considered the application. Councillor Perry stated that the issues with York's Bridge had been ongoing for 32 years. He stated that should Members be minded to support the application, he suggested a number of mitigating circumstances that should be taken into account. These would be to include an environmental weight limit on the bridge to prevent HGVs cutting through Pelsall Village; speed limit signage and the use of vehicle number plate recognition; noise mitigation and an impact assessment to be carried out in relation to boundary measures; a scheme to prevent HGVs using Abbey Drive and Charles Crescent.

Councillor Samra **moved** and it was duly **seconded** by Councillor Bird:-

Planning application number **19/1042**. That

1. The Habitats Regulation Assessment is endorsed by Planning Committee, as the competent authority and that the Council considers that the proposed development would not have a significant effect on a European site, subject to no new material considerations from Natural England, and
2. That planning application number **19/1042** be delegated to the Interim Head of Planning and Building Control to grant permission, subject to conditions and subject to:-
 - No new material considerations being received;
 - The amendment and finalising of conditions;
 - No further comments from a statutory consultee raising material planning considerations not previously addressed

As contained within the report and to include the following:-

- To carry out a noise assessment three months following the construction and operating of the new bridge to consider acoustic mitigation for residents of Mallard Close
- The brickwork of the new bridge to match in colour and texture of the original listed canal bridge
- Explore the timings of traffic lights and a left turn filter lane at the Fingerpost junction
- Prevention of a cut through for HGVs between Abbey Drive and Charles Crescent
- Installation of ANPR speed cameras
- An environment weight limit restriction for HGVs entering Pelsall unless delivering
- Interactive speed signs for HGVs

Before voting, the Planning Solicitor read out the recommendation for the benefit of Members.

The Motion was put to the vote by way of a roll call of Committee Members and was subsequently declared **carried**, with sixteen Members voting in favour and one against

Resolved (16 in favour and 1 against)

Planning application number **19/1042**. That

- 1 The Habitats Regulation Assessment is endorsed by Planning Committee, as the competent authority and that the Council considers that the proposed development would not have a significant effect on a European site, subject to no new material considerations from Natural England, and
2. That planning application number **19/1042** be delegated to the Interim Head of Planning and Building Control to grant permission, subject to conditions and subject to:-
 - No new material considerations being received;
 - The amendment and finalising of conditions;
 - No further comments from a statutory consultee raising material planning considerations not previously addressed

As contained within the report and to include the following:-

- To carry out a noise assessment three months following the construction and operating of the new bridge to consider acoustic mitigation for residents of Mallard Close
- The brickwork of the new bridge to match in colour and texture of the original listed canal bridge
- Explore the timings of traffic lights and a left turn filter lane at the Fingerpost junction
- Prevention of a cut through for HGVs between Abbey Drive and Charles Crescent
- Installation of ANPR speed cameras
- An environment weight limit restriction for HGVs entering Pelsall unless delivering
- Interactive speed signs for HGVs

Councillor Hicken left at this juncture of the meeting.

117/20 PLANS LIST ITEM 3 – 19/1266 – REDHOUSE NURSING HOME, 55 REDHOUSE STREET, WALSALL, WS1 4BQ – CHANGE OF USE FROM NURSING HOME (C2) TO 11 NO. 1 BED APARTMENTS AND 3 NO. 2 BED APARTMENTS (C3)

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

(see annexed)

The Presenting Officer advised Committee of the background to the report and highlighted the salient points therein. In addition, the Presenting Officer drew the Committee's attention to the additional information and revised recommendation as set out within the supplementary paper.

The Committee then welcomed the only speaker on this item, Ms Tarajia, who wished to speak in objection to the application.

Ms Tarajia stated that she lived in the property to the rear of the application and her garden backs on to the proposed car park. The proposal would have 35 bedrooms and she queried why two overnight staff members were required within the premises if it were to be residential properties. Ms Tarajia acknowledged that her property was located on a busy main road, which was noisy and she did not therefore, want noise and pollution from the proposed extended carpark to spoil the enjoyment of her quiet garden.

Committee Members were then invited to ask questions of the speaker.

Members had no questions for the speaker.

There then followed a period of questioning by Members to Officers in relation to:-

- Would overnight care staff be required? The Presenting Officer advised that the scheme for consideration was a change of use from a nursing home to open market residential apartments only. The carpark would be extended at the front of the property and not at the rear and therefore no additional noise would be generated. The Presenting Officer added that the existing building was currently vacant.
- Clarification on the type of properties, ie social housing or tenancies? The Chair stated that the application was for private flats and would be a matter for the applicant. The Presenting Officer stated that the application did not meeting the threshold for affordable housing.

Following the conclusion of questions to Officers, Members considered the application. Members felt that the location for the spend of the open space contribution should be agreed between the three Ward Councillors.

Councillor Bird **moved** and it was duly **seconded** by Councillor Nawaz:-

That planning application no. **19/1266** be delegated to the Interim Head of Planning and Building Control to grant planning permission subject to:-

- Amending and finalising of conditions; and
- The satisfactory completion of section 106 legal agreement to secure a financial contribution towards the provision of off-site recreation open space

as contained within the report and supplementary paper and that officers liaise with the three local ward Councillors to confirm where the open space monies are spent.

Before voting, the Planning Solicitor read out the recommendation for the benefit of Members.

The Motion was put to the vote by way of a roll call of Committee Members and was subsequently declared **carried**, with all Members voting in favour.

Resolved (unanimously)

That planning application no. **19/1266** be delegated to the Interim Head of Planning and Building Control to grant planning permission subject to:-

- Amending and finalising of conditions; and
- The satisfactory completion of section 106 legal agreement to secure a financial contribution towards the provision of off-site recreation open space

as contained within the report and supplementary paper and that officers liaise with the three local ward Councillors to confirm where the open space monies are spent.

Councillor Creaney left at this juncture of the meeting.

118/20 PLANS LIST ITEM 4 – 20/0434 - STROUD AVENUE FAMILY CENTRE, STROUD AVENUE, WILLENHALL, WV12 4EG – TEMPORARY CHANGE OF USE FROM C2 (CHILDRENS HOME) TO D1 (PUPIL REFERRAL UNIT), CONSTRUCTION OF NEW MUGA PITCH, REDEVELOPMENT OF CAR PARK AND NEW 2.5M BOUNDARY FENCING.

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

(see annexed)

The Presenting Officer advised Committee of the background to the report and highlighted the salient points therein. In addition, the Presenting Officer drew the Committee's attention to the additional information and revised recommendation as set out within the supplementary paper.

The Committee then welcomed the first speaker on this item, Mr. Evans, who wished to speak in support of the application.

Mr. Evans stated that he was the substantive head teacher of the New Leaf Centre. He advised that subsequent to the media attention in April 2018 in relation to the negative Ofsted inspection of the New Leaf Centre, there had been a stabilisation of the school following the recruitment of additional staff. Mr Evans alluded to a number of assessments that had taken place, which had recorded that the school was making good progress and taking effective action towards the removal of special measures. He added that improvements have been made around the staffing and to the curriculum being delivered, which had resulted in fewer negative incidents of poor behaviour and pupils in lesson. He further added that pupils were better supported by staff. An further Inspection report in January recorded that staff had suitable strategies to manage incidents of bad behaviour and that clear routines had been set which pupils had been adhering to and that in July

2019, the assessment reported that further improvements had been made with regard to pupil behaviour.

The Committee then welcomed the second speaker on this item, Mr. Kennedy, who also wished to speak on support of the application.

Mr. Kennedy stated that the perimeter of the proposed site would be fenced and gated, primarily for the safety of the pupils and that the fencing would be and gates would be painted green to blend in with the surrounding area. He advised that Spindle Tree Road would not be used by pupils and parents and that access would be via Stroud Avenue with an access path between the two buildings. The entrance on Stroud Avenue would be widened to enable two way traffic to enter and exit the site to minimise the number of cars having to stop on the road. He added that there would be adequate parking for all staff with an additional four parking spaces for parents or visitors for dropping off pupils. With regard to the proposed MUGA, this would be more of a hard surface play are for the use of the users of the unit only and not used for inter-school sports events.

Committee Members were then invited to ask questions of the speakers.

Members queried the following:-

- If the move from Pelsall would be an improvement for the pupils?
Mr. Kennedy stated that the previous location was inadequate and therefore added constraints to the school's curriculum. The temporary site provided more opportunity to support to pupils.
- What approach would the unit take with regard to behaviour management after school should any anti-social behaviour occur?
Mr. Evans stated that staff would be situated at duty points around the footprint of the site at the start and the end of the day. The PRU would work with pupils, families and agencies to ensure pupils understood what would not be acceptable behaviour.
- What level of behaviour could be expected? Mr. Evans stated that he would liken the level of behaviour to that of any mainstream school, with protocols in place to deal with all situations.
- Would parking for the residents in Spindle Tree Rise be unduly affected?
Mr. Kennedy stated that access on Spindle Tree Rise would be restricted to emergencies only.

There then followed a period of questioning by Members to Officers in relation to:-

- Would the 38 parking spaces on the site be sufficient to prevent parking in nearby streets and outside residential properties around the site?
Councillor Bird stated that cars could be parked anywhere if there are no road restrictions. He further added that he hoped the Headteacher would monitor the situation and investigate any offside parking.

Following the conclusion of questions to Officers, Members considered the application, during which the Councillor Bird stated the Council owed a duty to get the best accommodation for all children.

Councillor Bird **moved** and it was duly **seconded** by Councillor Nawaz:

That planning application no. **20/0434** be delegated to the Interim Head of Planning and Building Control to grant planning permission, subject to final comments being received from the Tree Officer and the amendment and finalising of conditions as contained within the report and supplementary paper.

Before voting, the Planning Solicitor read out the recommendation for the benefit of Members.

The Motion was put to the vote by way of a roll call of Committee Members and was subsequently declared **carried**, with all Members voting in favour.

Resolved (unanimously)

That planning application no. **20/0434** be delegated to the Interim Head of Planning and Building Control to grant planning permission, subject to final comments being received from the Tree Officer and the amendment and finalising of conditions as contained within the report and supplementary paper.

119/20 PLANS LIST ITEM 6 – 19/1605 – BESCOT LODGE HOME, 76-78 BESCOT ROAD, WALSALL, WS2 9AE – EXTENSION TO EXISTING CAREHOME TO CREATE 7 NUMBER ADDITIONAL ROOMS.

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

(see annexed)

The Presenting Officer advised Committee of the background to the report and highlighted the salient points therein. In addition, the Presenting Officer drew the Committee's attention to the additional information and revised recommendation as set out within the supplementary paper.

The Committee then welcomed the only speaker on this item, Mr. Gill, who wished to speak in support of the application.

Mr. Gill stated the proposal was to provide extra care for the elderly residents of Walsall. The home had been taken over two years previously and the applicant had spent a considerable amount of money to bring the home back to a standard to provide good care to dementia residents. During the coronavirus pandemic, a number of patients had been referred to the home suffering from Covid systems and the home had looked after them. The extra rooms would provide extra capacity for more residents into the home to give them the best care. Mr. Gill added that Bescot Lodge Home was a family business and residents were considered as family.

Committee Members were then invited to ask questions of the speaker.

Members queried the following:-

- How many current bedrooms did the home have? Mr Gill advised that the home was registered for 26 residents but currently had 24 residents as one bedroom was a double and Walsall Council did not allow double rooms.
- How many car journeys are generated by staff in and out of the site. Mr. Gill advised that most of the staff members used public transport, some were car sharing. Should someone come to the home in their care, there were designated parking spaces on site.

There then followed a period of questioning by Members to Officers in relation to:-

- Was the home required to have a sprinkler system? The Presenting Officer stated that this requirement was outside of planning legislation and that the applicant would work with Building Control and the Fire Service to ensure the building was fire safe during the construction.
- Why had the Fire Officer consultee had made no objections? The Chair stated that the Fire Officers would assess the fire risk by way of exits and fire doors and how quickly they believed residents would be able to exit the building. The Chair added that currently sprinklers were not mandatory.
- Would there be an impact on the neighbouring property and who owned the trees at the side of the building as seen in the presentation? The Presenting Officer stated the trees seemed to be within the boundary of the applicant. He did not feel there would be a reason to remove the foliage based upon the proposal for consideration.
- Could a condition be included to retain the foliage between the proposal and the neighbouring property? The Presenting Officer confirmed that a condition to retain the foliage could be included.

Following the conclusion of questioning to Officers, Members considered the application.

Councillor Bird **moved** and it was duly **seconded** by Councillor Murray:-

That planning application no. **19/1605** be delegated to the Interim Head of Building and Planning Control to grant planning permission, subject to the amending and finalising of conditions, as contained within the report and supplementary paper, and subject to:-

- The retention of the trees and foliage along the shared boundary with no. 74 Bescot Road and that should it be removed it should be replaced with something of a similar nature.

Before voting, the Planning Solicitor read out the recommendation for the benefit of Members.

The Motion was put to the vote by way of a roll call of Committee Members and was subsequently declared **carried**, with all Members voting in favour.

Resolved (unanimously)

That planning application no. **19/1605** be delegated to the Interim Head of Building and Planning Control to grant planning permission, subject to the amending and finalising of conditions, as contained within the report and supplementary paper, and subject to an additional condition for:-

- The retention of the trees and foliage along the shared boundary with no. 74 Bescot Road and that should it be removed it should be replaced with something of a similar nature.

120/20 PLANS LIST ITEM 5 – 18/0719 – LAND ADJACENT, 99 WOOD LANE, PELSALL – ERECTION OF 3 NO. NEW DWELLINGS.

There were no speakers on this item.

Councillor Bird moved and it was duly **seconded** by Councillor Nawaz.

The Motion was put to the vote by way of a roll call of Committee Members and was subsequently declared carried with all Members voting in favour:-

Resolved (unanimously)

That planning application no. **18/0719** be delegated to the Interim Head of Planning and Building Control to grant planning permission, subject to the amending and finalising of conditions, as contained within the report and supplementary paper.

At this point in the meeting, the Chair moved the suspension of Standing Order of the Council's Constitution to enable the meeting to continue beyond 8.30pm in order to complete the remaining items on the agenda. The Committee agreed to extend the meeting beyond 8.30pm.

121/20 PLANS LIST ITEM 7 – 20/0372 – LAND REAR OF 32 NEW ROAD, ADJACENT TO 1A CORMORANT CLOSE, BROWNHILLS, WALSALL, WS8 6AT – CONSTRUCTION OF 2 NO. DETACHED THREE BEDROOM DWELLINGS AND ASSOCIATED GARAGE BLOCK ON LAND ADJACENT TO 1A CORMORANT CLOSE.

There were no speakers on this item, however the Chair requested a presentation.

The Presenting Officer advised Committee of the background to the report and highlighted the salient points therein.

There then followed a period of questioning by Members to Officers in relation to:-

- Would the access from New Road to the proposed properties be via Cormorant Close as opposed to New Road? The Chair advised that Cormorant Close was the proposed access although it was currently an un-adopted road. The Group Manager for Highways and Environment provided Members with a plan detailing the full extent of Cormorant Close that was to be adopted. The full extent of the road in front of all of the properties would not be adopted.
- Where the residents aware that only part of Cormorant Crescent would be adopted? The Group Manager for Highways and Environment advised it would have been highlighted within the conveyancing.
- Where did the objectors to the proposal reside? The Presenting Officer confirmed that objections had been received from numbers 19, 30, 31 and 34C New Road.

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

That planning application number **20/0372** be refused, contrary to officer recommendation as the development would be detrimental to the amenities of the existing occupiers of Cormorant Close by way of noise and nuisance; with the extension of an unadopted road to provide two further houses in the form of back land development; the proposed garages would be detrimental to the amenities of occupiers of 32 New Road and the two houses would be detrimental to the amenities of the residents of Ogle Crescent.

Before voting, the Planning Solicitor read out the recommendation for the benefit of Members.

The Motion was put to the vote by way of a roll call of Committee Members and was subsequently declared **carried**, with all Members present voting in favour.

Resolved (unanimously)

That planning application number **20/0372** be refused, contrary to officer recommendation as the development would be detrimental to the amenities of the existing occupiers of Cormorant Close by way of noise and nuisance; with the extension of an unadopted road to provide two further houses in the form of back land development; the proposed garages would be detrimental to the amenities of occupiers of 32 New Road and the two houses would be detrimental to the amenities of the residents of Ogle Crescent.,

122/20 Termination of meeting

There being no further business, the meeting terminated at 8.25pm

Chair

Date