

PLANNING COMMITTEE

Thursday 26 April, 2018 at 5.30 pm

In the Council Chamber at the Council House, Walsall

Present:

Councillor Nazir (Chair)
Councillor Underhill (Vice Chair)
Councillor Bird
Councillor P. Bott
Councillor Douglas-Maul
Councillor Harrison
Councillor D. Hazell
Councillor Nawaz
Councillor Perry
Councillor Rochelle
Councillor Shires
Councillor Worrall

The Chair advised Committee he would defer the start of the meeting for 5 minutes to await the attendance of the Planning Solicitor, who had been delayed due to unforeseen circumstances.

1962/18 **Apologies:**

Apologies for non-attendance were submitted on behalf of Councillors Craddock, Creaney, Jones, Harris and Sarohi.

1963/18 **Minutes**

Resolved

That the minutes of the meeting held on 22 March, 2018, a copy having been previously circulated to each Member of the Committee, be approved and signed as a true record.

1964/18 **Declarations of Interest**

There were no declarations of interest.

1965/18 **Deputations and Petitions**

There were no deputations introduced or petitions submitted

1966/18 **Local Government (Access to information) Act, 1985 (as amended)**

There were no items for consideration in private session.

1967/18 **Land rear of 171 Erdington Road, Walsall**

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

(see annexed)

The presenting officer advised Committee of the background to the report.

There were no questions to the officers.

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

Resolved (unanimously)

- i. That authority be granted to the Head of Planning, Engineering and Transportation 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 3.2 the report
- ii. That authority be granted to the Head of Planning, Engineering and Transportation to institute prosecution proceedings in the event of non-compliance with an Enforcement Notice
- iii. That authority be granted to the Head of Planning, Engineering and Transportation to amend, add to, or delete from the wording set out in the report stating the nature of the breaches, the reasons for taking enforcement action, the requirements of the Notice, or the boundaries of the site, in the interests of ensuring that accurate and up to date notices are served.

1968/18 **18 Moat Road, Walsall, WS2 9PJ**

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

(see annexed)

The presenting officer advised Committee of the background to the report.

There were no questions to the officers.

Members considered the report and requested that both Environmental Health and the Enforcement Team conduct a joint investigation of the site.

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

Resolved (unanimously)

- i. That authority be granted to the Head of Planning, Engineering and Transportation 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 3.2 the report
- ii. That authority be granted to the Head of Planning, Engineering and Transportation to institute prosecution proceedings in the event of non-compliance with an Enforcement Notice
- iii. That authority be granted to the Head of Planning, Engineering and Transportation to amend, add to, or delete from the wording set out in the report stating the nature of the breaches, the reasons for taking enforcement action, the requirements of the Notice, or the boundaries of the site, in the interests of ensuring that accurate and up to date notices are served.

1969/18 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 Chair advised Committee that the items on the agenda whereby no members of the public had indicated their wish to address the Committee would be heard in the first instance due to the temporary absence of the Planning Solicitor.

- 1970/18 Plans list Item 1 – application number 15/0108/FL – removal/demolition of existing temporary buildings and the change of use of land and buildings (originally Engineering Works) at the rear of 142-170 Wednesbury Road to boys and girls primary school and first year secondary school. Use of land to the side of 170 Wednesbury Road for 57 space car park to include: 3 disabled spaces, 6 mini bus spaces and a waste recycling compound. Change of use of existing commercial unit (former electrolytic plating company building rear of 140 Wednesbury Road) together with installation of new mezzanine floor (accessed via the emergency access route adjacent to 142 Wednesbury Road). Demolition of 138-140 Wednesbury Road and erection of three storey extension fronting Wednesbury Road to form boys and girls primary school and first year secondary school to include: ground floor 15 classrooms, 2 staff rooms, canteen, female pupil toilet area, reception, administration, photocopying areas, first floor mezzanine prayer area, school offices and second floor mezzanine open plan offices. School to accommodate total of 270 students.**

Members considered the report which included the proposed improvements to the site and that the Trust be applauded, and Councillor Nawaz **moved** and it was duly **seconded** by Councillor Bird:-

That planning application number 15/0108/FL be granted, subject to amended conditions as contained within the report and supplementary paper now submitted

The Motion, having been put to the vote was declared **carried**, with all Members voting unanimously in favour.

Resolved

That planning application number 15/0108/FL be granted, subject to amended conditions as contained within the report and supplementary paper now submitted.

- 1971/18 **Plans List item 3 – application number 17/0843 – proposed builders merchants to include warehouse, ancillary storage and associated works at Box Pool, Darlaston Road, Walsall**

Resolved

That planning application number 17/0843 be granted, subject to amended conditions as contained within the report and supplementary paper now submitted.

- 1972/18 **Plans List item 6 – application number 18/0350 – change of use from A1 class retail to A2 class (Financial and Professional Services) ground and first floor at 78B Park Road, Bloxwich, Walsall, WS3 3SW**

Resolved

That planning application number 18/0350 be granted, subject to conditions as contained within the report now submitted.

- 1973/18 **Plans List item 7 – application number 17/1705 – subdivision to create two A1 retail units, and installation of a new shop front at Mouse Hill Stores, 3 Mouse Hill, Pelsall, Walsall, WS3 4JW**

Members proceeded to discuss the application which included the issues around indiscriminate parking within the residential street and whether the addition of double yellow lines could be investigated by Traffic Management.

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

That planning application number 17/1705 be granted, subject to conditions as contained within the report now submitted.

The Motion, having been put to the vote was declared **carried**, with seven Members voting in favour and none against.

Resolved

That planning application number 17/1705 be granted, subject to conditions as contained within the report now submitted.

The Planning Solicitor arrived at this junction of the meeting.

- 1974/18 **Plans List item 8 – application number 17/1706 – retention of 1 no, non-illuminated fascia sign at Mouse Hill Stores, 3 Mouse Hill, Pelsall, Walsall, WS3 4JW**

Resolved

That planning application number 17/1706 be granted, subject to conditions as contained within the report and supplementary paper now submitted.

- 1975/18 **Plans List item 9 – application number 17/0732 – change of use of farm building to pet cremation service at Fernleigh Farm, Goscote Lane, Bloxwich, Walsall, WS3 4QQ**

Members requested a presentation due to a current appeal by the applicant against the Council including costs, in respect of non-determination of the application.

The presenting officer advised Committee of the background to the report and details of the current appeal against non-determination. She stated that officers were seeking a resolution on whether Committee would have supported the proposals and she reported that the Committee minutes and resolution would be forwarded to the Planning Inspectorate to form part of the appeal documents as detailed within the report now submitted.

There then followed a lengthy period of questioning by Members to the officers which included queries around the disposal of the ashes; noise generation from the site; limitations on use and scale of operation; future concerns for the green belt site; why the application had not been determined on time and Members concerns as to why they had not been consulted upon earlier and the presumption that Members would have been granted the application.

In response, the presenting officer stated the ashes would most probably be collected by the pet owners; details around the noise, limitations and scale of operation would be covered by a DEFRA certificate (Department for Environment, Food and Rural Affairs), that officers had been unable to determine the application on time as it was imperative that a consultation response was received from DEFRA due to the nature of the application but that thus far had not been provided.

Councillor Rochelle **moved** to grant in accordance with the officer recommendation as contained within the report. The Motion was not **seconded**.

Members considered the application in detail, which included the need to retain green belt land; the application had an unacceptable and non-confirming use which would have an adverse effect on the green belt; that no exceptional circumstances had been provided to warrant the use within the green belt; the application was retrospective as the incinerator and flue had already been installed; any associated non-determination costs should be made against DEFRA due to its lack of response; the farm's location down an already congested, narrow, poorly lit lane, and its proximity to residential properties.

The Planning Group Manager reminded Committee that should Members be minded to overturn the officer's recommendation, then defensible, quantifiable reasons were required and he warned Members of the potential for the applicant to claim additional costs should an appeal be successful.

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

That the Planning Inspectorate be advised that Committee has resolved to refuse planning application number 17/0732 for the following reasons:-

- i) unacceptable and non- conforming use which would have an adverse effect on the Green Belt;
- ii) an unacceptable use in close proximity to residential properties
- iii) the resulting increase in traffic along Goscote Lane which was already congested, narrow and poorly lit thereby increasing danger to users of the highway;
- iv) that the application was retrospective and disregarding of planning policy.

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

Resolved

That the Planning Inspectorate be advised that Committee has resolved to refuse planning application number 17/0732 for the following reasons:-

- i) unacceptable and non- conforming use which would have an adverse effect on the Green Belt;
- ii) an unacceptable use in close proximity to residential properties
- iii) the resulting increase in traffic along Goscote Lane which was already congested, narrow and poorly lit thereby increasing danger to users of the highway;
- iv) that the application was retrospective and disregarding of planning policy.

Councillor Bott left the Chamber

- 1976/18 **Plans list item 10 – application number 16/1714 – change of use from public house to 7 flats with external changes and creation of parking area at 83 Walsall Road, Darlaston, Wednesbury, WS10 9JU**

Resolved

That planning application number 16/1714 be granted, subject to amended conditions as contained within the report and supplementary paper now submitted.

- 1977/18 **Plans list item 12 – application number 18/0137 – erection of 3 storey block of 8 flats (4x2 bed & 4x1 bed) with amenity space and parking to the rear (adjoining public right of way BRO36) at Former 7, Pauls Coppice, Brownhills, Walsall, WS8 7DE**

Resolved

That planning application number 18/0137 be granted, subject to conditions as contained within the report now submitted

Councillor Bott returned to the Chamber.

- 1978/18 **Plans list item 15 - application number 18/0297 – change of use from former caretaker's house to standard residential house at 74 King George Crescent, Rushall, Walsall, WS4 1EG**

Resolved

That planning application number 18/0297 be granted, subject to conditions as contained within the report now submitted

- 1979/18 **Plans list item 16 – application number 18/0041 – demolition of existing rear sun room and erection of two storey rear extension. Demolition of existing front porch and erection of a single storey front extension. Removal of chimney breasts and stacks at 84 Broadway West, Walsall, WS1 4DZ**

Resolved

That planning application number 18/0041 be granted, subject to conditions as contained within the report now submitted

1980/18 **Plans list item 18 – application number 17/0554 – retrospective proposed front porch and garage extension roof and to amend condition 4 of 15/0579/FI to change obscure glazing in side kitchen windows to clear glass at 263 Broadway North, Walsall, WS1 2PS**

A query was raised as to why the application was retrospective.

In response, the planning officer reported the application sought consent for the retention of a revised porch design and that window glass had been replaced, and she added that neighbourly disputes were not material planning reasons for refusal.

Members considered the application and Councillor Nazir **moved** and it was duly **seconded** by Councillor Harrison:-

That planning application number 17/0554 be granted, subject to conditions as contained within the report now submitted.

The Motion, having been put to the vote was declared **carried**, with eight Members voting in favour and none against.

Resolved

That planning application number 17/0554 be granted, subject to conditions as contained within the report now submitted.

1981/18 **Plans list item 19 – application number 18/0116 – two storey side extension, single storey rear extension, new raised roof to provide accommodation in loft with rear dormer at 29 Rushall Manor Road, Walsall, WS4 2HD**

The Chair advised Committee that the applicant for plans list item 19 had requested the item be deferred to enable his agent to attend the next meeting. The Chair stated that to ensure consistency with previous, similar requests, would Committee be in agreement to defer the item.

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

That planning application number 18/0116 be deferred for one cycle to enable the agent to attend Committee.

The Motion, having been put to the vote was declared **carried**, with eight Members voting in favour and none against.

Resolved

That planning application number 18/0116 be deferred for one cycle to enable the agent to attend Committee.

The Committee then agreed 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, confirmed they had been advised of the procedure whereby each speaker would have only two minutes to speak.

1982/18 **Plans list item 2 – application number 18/0072 – proposed erection of 207 dwellings, engineering works, landscaping, provision of open space and associated works and re-routing of Public Right of Way DAR 1 on land at Heathfield Lane West, Darlaston, Wednesbury**

The Presenting Officer advised Committee of the background to the report and supplementary paper now submitted

(see annexed)

The Committee then welcomed the first speaker on this application, Ms Bolger, who wished to speak in support of officer recommendations.

Ms Bolger said the applicant had invested £1m in the pre-development stage of the scheme in relation to the clearance of the site and therefore needed to commence work as soon as possible in order to deliver much needed housing and transforming a vacant site. Ms Bolger further added that local schools would be invited to contribute ideas for artwork to portray the area's past heritage.

The Committee then welcomed the second speaker on this application, Mr. Howell, who was in support of officers recommendations and he advised he would answer any queries Members may have.

There then followed a period of questioning by Members to the speakers, primarily with regard to the discrepancies between Section 106 contribution amounts; whether consideration had been taken into account of the Council's considerable investment in ground works prior to the selling of the land; long term management of the site; queries regarding the public right of way and why work had commenced on site prior to receiving a licence from Natural England regarding the badger sets.

In response, the speakers confirmed the Section 106 contribution as detailed within the report was in respect of the applicant's financial appraisal; that a resident led management company would manage the open space within the site in perpetuity; that subject to no objections, the public right of way (Dar1) would be re-aligned and incorporated with a network of pathways linking around the site subject to no objections; that whilst an Ecological report had identified a historical excavated badger sett within the site, the applicant had applied to Natural England to close the badger sets and that no work would commence within the area in question until a licence had been received.

There then followed a period of questioning by Members to officers in relation to escaping methane gases mitigation; discrepancy between the District Valuer (DV) draft viability assessment and the developers own viability assessment; whether any improvements would be made to the canal towpath for walkers and cyclists

In response, officers confirmed they were awaiting a further response regarding the ground gas; that the development may be encouraged to provide additional Section 106 contribution dependent upon the DV's final assessment with all the facts; that the phasing plan within the application would provide for new paths for walkers and cyclists with a detailed lighting scheme serving the whole development and the off-site canal area.

Members considered the report in detail, which included Members reiterating their concern regarding the discrepancy between the District Valuer's appraisal and the applicants own financial appraisal of a Section 106 contribution; concerns regarding the lack of consultation replies by both Walsall's Childrens' Services, NHS and Public Health and queries as to management level within the departments / organisations actually being consulted with; the new locality Partnership Boards should be advised on all major housing applications; that a planning permission was already in place.

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

That planning application number 18/0072 be delegated to the Head of Planning, Engineering and Transportation to grant, subject to amended conditions and for officers to negotiate the level of Section 106 contribution in conjunction with the three ward members; to secure the provisions of an in perpetuity Management Strategy for the areas of open space, the resolution of the Coal Authority objection conditions; traffic calming measure and residential amenity issues including any necessary additional conditions, as contained within the report and supplementary paper now submitted.

The Motion, having been put to the vote was declared **carried**, with twelve Members voting in favour and none against.

Resolved

That planning application number 18/0072 be delegated to the Head of Planning, Engineering and Transportation to grant, subject to amended conditions and for officers to negotiate the level of Section 106 contribution in conjunction with the three ward members; to secure the provisions of an in perpetuity Management Strategy for the areas of open space, the resolution of the Coal Authority objection conditions; traffic calming measure and residential amenity issues including any necessary additional conditions, as contained within the report and supplementary paper now submitted.

1983/18 **Plans List item 4 – application number 17/0855 – change of use from use class A1 (shops) to A5 (Hot Food Takeaway) at 10 Queens Parade, High Street, Bloxwich, Walsall**

The Presenting Officer advised Committee of the background to the report and supplementary paper now submitted

(see annexed)

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

Mr. Miah said he was the agent of the applicant and he assured Committee the applicant would comply with all conditions contained within the report.

There then followed a short period of questioning by Members to the speaker and officers predominately querying red route restrictions, to which an officer advised there was a service area to the rear of the premises.

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

That planning application number 17/0855 be delegated to the Head of Planning, Engineering & Transportation to grant, subject to conditions subject to resolution of hours of operation, roller shutters and flue or to refuse permission within the agreed extension of time if these matters are not resolved.

The Motion, having been put to the vote was declared **carried**, with ten Members voting in favour and none against.

Resolved

That planning application number 17/0855 be delegated to the Head of Planning, Engineering & Transportation to grant, subject to conditions subject to resolution of hours of operation, roller shutters and flue or to refuse permission within the agreed extension of time if these matters are not resolved.

Councillor Nawaz left the Chamber.

1984/18 **Plans list item 5 – application number 18/0014 – demolition of the existing single storey and two storey buildings on site, change of use from vacant builder's merchants to MOT centre and vehicle servicing including ancillary office, reception and staff room and erection of a 2.4m high palisade fence to the south of the site at rear of 33A, Pelsall Lane, Rushall, Walsall, WS4 1NA**

The Presenting Officer advised Committee of the background to the report and supplementary paper now submitted

(see annexed)

The Committee then welcomed the first speaker on this application, Mrs Welch, who wished to speak in objection to officer recommendations.

Mrs Welch said she was the step-daughter of the family of the adjoining garden and she expressed concerns about a number of issues. She advised Members that the ground level differences were approximately 6ft higher on the site in question thus making the height of the development wall, which was only 9ft away from their house, approximately 25 ft high. The wall in question would be facing south east and as a result would block out the family's sunshine and would replace the current outlook with an ugly eyesore. She also expressed concern regarding potential increased noise and disturbance by vehicle movements, and addition pollution from exhaust fumes.

The Committee then welcomed the second speaker on this application, Mrs Warnock, who also wished to speak in objection to officer recommendations.

Mrs Warnock stated that she had lived in Pelsall Lane for twelve years with her young family and she expressed concern regarding the potential increased noise, pollution, disruption and inconsiderate parking in a lane which already experienced heavy traffic and parking problems for local residents.

There then followed a period of questioning by Members to the speakers and to officers which included whether a sloping roof design would be beneficial, queries regarding excessive speeding issues, the deficiency of parking spaces within the application site would not be in accordance with parking policy, the area already experienced inconsiderate parking problems; pre-existing road safety issues and traffic management.

In response, a speaker emphasised the prior need to have had to install speed bumps along the lane; that the UDP had been taken into consideration with regards to parking policy and Highways had considered the development would not create severe parking implications, the site and surrounding area would be monitored by Highway control and that the proposed development would be conditioned accordingly and therefore an improvement on the current, unregistered commercial operation classification of the site.

Members considered the application further with particular emphasis on the current excessive traffic around the periphery of the site and particularly with regards to the junction in question; it would add to the existing, indiscriminate parking problems; would impact on the parking at the neighbouring dental practice; the detrimental impact with regards to the height and massing of the building as well as the additional noise and exhaust fumes on the neighbours and in particular to the residents at number 9 Ivatt Close at the rear of the site.

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

That planning application number 18/0014 be refused for the following reasons:-

- the noise and disturbance created by additional vehicles would have a detrimental impact on the residents at 9 Ivatt Close;

- the height and massing of the proposed building would have an impact on the amenities of 9 Ivatt Close
- impact on parking at dentist surgery
- exacerbating Highway danger at the junction with the bus lane due to indiscriminate parking
- the access and egress is at too close a proximity to the junction of the bus lane
- implications around the construction of the site regarding the delivery of materials

The Motion, having been put to the vote, was declared **carried**, with eight Members voting in favour and none against.

Resolved

That planning application number 18/0014 be refused for the following reasons:-

- the noise and disturbance created by additional vehicles would have a detrimental impact on the residents at 9 Ivatt Close;
- the height and massing of the proposed building would have an impact on the amenities of 9 Ivatt Close
- impact on parking at dentist surgery
- exacerbating Highway danger at the junction with the bus lane due to indiscriminate parking
- the access and egress is at too close a proximity to the junction of the bus lane
- implications around the construction of the site regarding the delivery of materials

At this juncture of the meeting, Councillor Bird moved and it was duly seconded by Cllr Underhill:-

That Standing Order No. 9(a) of the Council's Constitution be suspended in order for the Committee to conclude the remainder of its business.

The Motion having been put to the vote was unanimously **carried**, with all Members voting in favour.

Councillor Nawaz returned to the Chamber.

Councillor Underhill left the Chamber

1985/18 **Plans list item 11 – application number 17/1698 – variation of condition 2 of planning permission 16/0169 to allow the increase in width by 1.35m of plot 2 and repositioning of plot 1 west by 1.35m on land between 37 and 35A Portland Road, Aldridge, Walsall**

The Presenting Officer advised Committee of the background to the report now submitted

(see annexed)

The Committee then welcomed the first speaker on this application, Mr. Basford, who wished to speak in objection to officers recommendations.

Mr. Basford said the repositioning of Plot 1 closer to 35a Portland Road would no longer comply with the 45° code. He added that permission had originally been granted for two semi-detached houses and the applicant was now building two detached houses.

The Committee then welcomed the second speaker on this application, Mr. Cotton, who also spoke in support of officers recommendations.

Mr. Cotton advised Committee he was the agent for the applicant and he said that the tree referred to within the report had been removed in 2016 by whg, the 45° code rule had not been broken albeit would not have affected the first speaker who was not an immediate neighbour. He further added that whg had sold the land to the applicant and the development would enhance the street scene.

There then followed a period of questioning by Members to the speakers and officers all in relation to the repositioning of Plot 1.

Members considered the application further, primarily regarding the original tree that had been damaged by whg and to which consent had been sought for its removal in February 2016, prior to receipt of the application in April 2016.

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

That planning application number 17/1698 be granted, subject to conditions as contained within the report now submitted.

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

Resolved

That planning application number 17/1698 be granted, subject to conditions as contained within the report now submitted.

1986/18 **Plans list item 13 – application number 17/1259 – conversion of former Chapel to provide 8 x 1 bed apartments with associated parking and external amenity space at Providence Chapel, New Road, Willenhall, WV13 2BG**

The Presenting Officer advised Committee of the background to the report and supplementary paper now submitted

(see annexed)

The Committee then welcomed the first speaker on this application, Councillor Coughlan, who wished to speak in support of officers recommendations.

Councillor Coughlan said she was speaking on behalf of both the applicant and local residents. She stated that finally, following what had been a long battle over the years, all parties had now seem to have reached a agreeable point of development. Councillor Coughlan said it was unfortunate that some trees had to be lost but that the site had been a blight on the town for years, experiencing anti-social behaviour and fly tipping and that the derelict, locally listed building would be brought forward for much needed residential use.

The Committee then welcomed the second speaker on this application, Mr. Hashim, who also wished to speak in support of officers recommendations.

Mr. Hashim said local residents were content that the building would be converted into flats. He added that it was unfortunate that two protected trees had to be removed to accommodate parking spaces but he confirmed the applicant had agreed to provide a compensatory sum through a Section 106 Agreement.

There then followed a period of questioning to the speakers and officers following which Members considered the application further and Councillor Nawaz **moved** and it was **seconded** by Councillor Bird:-

That planning application number 18/0030 be delegated to the Head of Planning, Engineering and Transportation to grant, subject to conditions and subject to a Section 106 Agreement to secure provision for compensatory tree planning, as contained within the report now submitted.

The Motion, having been put to the vote was declared **carried**, with ten Members voting in favour and none against

Resolved

That planning application number 18/0030 be delegated to the Head of Planning, Engineering and Transportation to grant, subject to conditions and subject to a Section 106 Agreement to secure provision for compensatory tree planning, as contained within the report now submitted.

1987/18 Plans List item 14 – application number 18/0030 – alterations to existing house at no. 64 and erection of a 3 bed detached house on land adjacent at 64 Whitehorse Road, Brownhills, Walsall, WS8 7PF

The Presenting Officer advised Committee of the background to the report and supplementary paper now submitted

(see annexed)

The Committee then welcomed the first speaker on this application, Mrs Cattell, who wished to speak in objection to officers recommendations.

Mrs Cattell said she was a neighbour and resided opposite the application address. She stated her garden and downstairs rooms would be overlooked by the two windows on the side of the new dwelling and she stated her family would lose their loss of privacy.

The Committee then welcomed the second speaker on the application, Mr. Singh.

Mr. Singh said he was the applicant living at number 64 Whitehorse Road and he did not feel either the extension nor the new build would affect anyone's privacy.

There were no questions to the speakers but Members queried the distance between the application site and the first speaker's house, to which the officer confirmed was 18m away across the public highway and that in officers view, side windows were required to add character to the house but which would not create privacy issues with regards to the distance between.

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

That planning application number 18/0030 be granted, subject to conditions as contained within the report and supplementary paper now submitted.

The Motion, having been put to the vote was declared **carried**, with eight Members voting in favour and none against.

Resolved

That planning application number 18/0030 be granted, subject to conditions as contained within the report and supplementary paper now submitted.

1988/18 **Plans list item 17 – application number 18/0291 – single and two storey rear extensions, widening of existing garage and single study front extension (resubmission of 17/0939) at 22 Fernleigh Road, Walsall, WS4 2EZ**

The Presenting Officer advised Committee of the background to the report now submitted

(see annexed)

The Committee then welcomed the first speaker on this application, Ms Holmes, who wished to speak in objection to officer recommendations.

Ms Holmes said she was the agent for the applicant and she advised that the applicant had now removed the plans for a balcony. She advised Committee that the downstairs windows of the neighbouring house at number 20 had obscured windows and that the other neighbour's property at number 24 was extended and blocked out the applicant's light which is why he wished to extend further rearwards to enhance his own family's lives. She added that the applicant could build a two storey extension under permitted development rights.

The Committee then welcomed the second speaker on this application, Mrs Skelton, who wished to speak in support of officers recommendations.

Mrs Skelton said she lived at number 20 and she was concerned her right to light and privacy would be compromised by the size and proximity of the extension which she believed would dwarf her home and garden.

There then followed a period of questioning by Members to the speakers and officers which included whether any significant change had been made to the resubmission of the previously refused application. In response, the planning officer confirmed the scale and mass of the resubmission was the same as that previously refused with the only difference being the removal of a window.

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

That planning application number 18/0291 be refused for the reasons as contained within the report now submitted.

The Motion, having been put to the vote was declared **carried**, with ten Members voting in favour and none against.

Resolved

That planning application number 18/0291 be refused for the reasons as contained within the report now submitted.

Termination of meeting

There being no further business, the meeting terminated at 9.25pm

Signed

Date