

## **PLANNING COMMITTEE**

**Thursday, 19 August, 2010 at 5.30 p.m.**

**In the Council Chamber at the Council House, Walsall**

### **Present**

Councillor Perry (**Chairman**)  
Councillor Bird (**Vice-Chairman**)  
Councillor Arif  
Councillor Beeley  
Councillor P. Bott  
Councillor Carpenter  
Councillor Cook  
Councillor Douglas-Maul  
Councillor P. Hughes  
Councillor Jeavons  
Councillor Madeley  
Councillor D. Pitt  
Councillor Rochelle  
Councillor Sarohi  
Councillor Thomas  
Councillor Turner  
Councillor Yasin

### 2502/10 **Apologies**

There were no apologies submitted.

### 2503/10 **Minutes**

#### **Resolved**

That the minutes of the meeting held on 29 July, 2010, a copy having been previously circulated to each Member of the Committee, be approved and signed by the Chairman as a correct record.

Councillor Perry indicated that as he and Councillor Bird had declared an interest in Item No. 1 10/0652/FL - demolition of existing library and GP surgery and construction of a two storey building to provide a new library, Children's Centre, Health Centre (including 4 GP Surgeries) Pharmacy, ancillary accommodation and 65 parking spaces at Pelsall Clinic, High Street, Pelsall, Walsall, WS3 4LX he sought nomination for a Chair for that particular item. Councillor Douglas-Maul was duly nominated and seconded to act as Chair for that item. The Motion having been put to the vote, was declared unanimous in favour of Councillor Douglas-Maul taking the chair.

#### 2504/10 **Declarations of Interest**

Councillors Perry, Bird and Arif declared a prejudicial interest in relation to Item No. 1 on the plans list, application No. 10/0652/FL in relation to Pelsall Clinic, High Street, Pelsall, Walsall, WS3 4LX.

Councillor Paul Bott declared a personal interest in relation to agenda item No. 6 in relation to Broad Lane, Bloxwich

Councillor Peter Hughes declared a prejudicial interest in relation to agenda item No. 5 - Development Management Performance Update Report.

With reference to application no. 2 as detailed in 12.4 of the report in relation to 12 Darvel Road, Willenhall.

#### 2505/10 **Deputations and Petitions**

There were no deputations introduced or petitions submitted.

2506/10 **Development Management Performance Report**

The report of the Head of Planning and Building Control was submitted:-

(see annexed)

In relation to the table below 12.4 of the report, Councillor Bird wished to thank officers for the hard work carried out on application no. 1 - 08/1725/OL Brownhills Business Park.

With reference to no. 2 on the same table, 09/1821/FL, 12 Darvel Road, Willenhall, Councillor Bird requested officers to continue to pursue this matter as it was still outstanding.

In relation to Items 4 and 5 on the same table, 09/0672/OL, 454 Sutton Road and 10/0099/FL, 41 Little Hardwick Road, Streetly, Councillor Bird reported that he was appalled at the decisions made by the Planning Inspectorate and had requested the Chief Executive to write to the Secretary of State in relation to this matter.

**Resolved**

That the report be noted.

***Councillor P. Hughes, having declared a prejudicial interest in Item No. 2, 09/1821/FL, 12 Darvel Road, Willenhall, under 12.4 in the report, took no part in the deliberations on this report***

2507/10 **Erection of 19 houses, access, parking and associated works at rear of 160-164 Broad Lane, Bloxwich, Walsall - Application No. 07/1492/FL/E11**

The report of the Head of Planning and Building Control - Regeneration was submitted, along with additional information contained within the supplementary paper:-

(see annexed)

The Head of Planning and Building Control presented the report and highlighted the salient points contained therein.

**Resolved**

That the request be rejected.

2508/10 **Application List for Permission to Develop**

The application list for permission to develop was submitted, together with the supplementary papers and additional information for items already on the plans 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 at two minutes they would be reminded that they had a minute left.

2509/10 **Item No. 6 - 09/1329/FL - conversion of Three Crowns public house into a dwelling and construction of 4 no. detached dwellings at Three Crowns public house, Sutton Road, Walsall, WS5 3AX**

The Planning Officer advised the Committee of the background to the report and drew Members' attention to some additional information contained within the supplementary paper.

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

The Committee then welcomed the second and final speaker on this application, Councillor Towe, who also spoke in support of the application.

There then followed a period of questioning by Members in relation to the condition of the grassed land to the rear of the site, whether a Bat survey had been carried out and if the proposal were to go ahead, how would it affect the parking situation.

The Committee then proceeded to discuss the application in detail.

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

That consideration of planning application no.  
09/1329/FL be deferred until the October meeting of the  
Committee for the following reasons:-

1. to enable a Bat survey to be carried out;
2. to resolve objections of Natural England;

3. to enable officers to negotiate a Section 106 Agreement for the management of the grassland;
4. to enable officers to negotiate the possible use of eco-friendly energy solutions.

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

### **Resolved**

That consideration of planning application no. 09/1329/FL be deferred until the October meeting of the Committee for the following reasons:-

1. to enable a Bat survey to be carried out;
2. to resolve objections of Natural England;
3. to enable officers to negotiate a Section 106 Agreement for the management of the grassland;
4. to enable officers to negotiate the possible use of eco-friendly energy solutions.

2510/10 **Item No. 1 - 10/0652/FL - demolition of existing library and GP surgery and construction of a two storey building to provide a new library, Children's Centre, Health Centre (including 4 GP Surgeries) Pharmacy, ancillary accommodation and 65 parking spaces at Pelsall Clinic, High Street, Pelsall, Walsall, WS3 4LX**

Prior to the consideration of this item, Councillors Perry, Bird and Arif withdrew from the meeting as a result of the interest they had declared at the start of the meeting.

***Councillor Douglas-Maul in the Chair***

The Planning Officer advised the Committee of the background to the report and drew Members' attention to the additional information contained within the supplementary paper.

The Committee then welcomed the first speaker on this application, Councillor Longhi, who spoke in support of the application.

The Committee then welcomed the second speaker on this application, Mrs. McLennon, who also spoke in support of the application.

The Committee then welcomed the third speaker on this application, Mrs. Creed, who spoke against the application.

The Committee then welcomed the fourth and final speaker on this application, Mr. Sheasby, who also spoke against the application.

There then followed a period of questioning by Members in relation to whether the proposed number of car parking spaces was adequate, why the public right of way had been retained, whether there were likely to be any anti-social behaviour issues as a result of this development and what affect, if any, there would be on traffic in the area.

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

That planning application no. 10/0652/FL be approved, subject to conditions as contained within the report now submitted.

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

### **Resolved**

That planning application no. 10/0652/FL be approved, subject to conditions as contained within the report now submitted.

2511/10 **Item No. 3 - 10/0342/FL - proposed erection of chalet tourist accommodation (comprising 30 units), health and fitness suite (comprising swimming pool, gym, studio, treatment rooms, sauna and steam room), new staff offices, shop and revised reception area and alterations to golf course layout, together with landscaping works and associated plant facilities at Calderfields Golf Club, Aldridge Road, Walsall, WS4 2JS**

Councillor Jeavons left the room and returned during consideration of this application and, therefore, took no part in the deliberations and did not vote.

### ***Councillor Perry back in the Chair***

The Planning Officer advised the Committee of the background to the report and drew Members' attention to the additional information contained within the supplementary report.

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



There then followed a period of questioning by Members in relation to what consultations had been carried out, why flat roofs had been chosen for the design of the chalets, how the number of required chalets had been calculated and how much of the Green Belt would be used up for this development.

The Committee proceeded to discuss the application in detail.

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

That consideration of application no. 10/0342/FL be deferred to the October meeting of the Committee to enable officers to negotiate a reduction in the number of chalets on the site, more aesthetically pleasing design of the chalets and to see if the use of the chalets could be incorporated with the facilities on the site.

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

Arising from discussions on this application, Councillor Bird requested officers to investigate the right of the previous owner who still occupied the Manager's house to see if it was compliant with the conditions previously granted.

### **Resolved**

That consideration of application no. 10/0342/FL be deferred to the October meeting of the Committee to enable officers to negotiate a reduction in the number of chalets on the site, more aesthetically pleasing design of the chalets and to see if the use of the chalets could be incorporated with the facilities on the site.

2512/10 **Item No. 9 - 10/0211/FL - re-roofing, repair and alterations to rear element of existing garage building; minor extensions to front of the building, formation of car parking area fronting Lichfield Road and formation of hard standing and access at rear at Brush Garage, 86 Lichfield Road, Shelfield, Walsall**

The Planning Officer advised the Committee of the background to the report and drew Members' attention to the additional information contained within the supplementary report.

The Committee then welcomed the first speaker on this application, Mrs. Bryan, who spoke against the application.

The Committee then welcomed the second speaker on this application, Mr. Brown, who also spoke against the application.

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

There then followed a period of questioning by Members in relation to what impact the current use had on residents, whether residents had access to their garages from the rear of the property, whether work on this application had already begun, whether the previous demolition of the building had required planning permission and what the traffic and parking situation was in relation to this site.

The Committee then proceeded to discuss the application in detail.

Councillor Bird stated that this site already had an existing use for a motor vehicle garage which dated back to the 1930s. In view of this, Councillor Bird stated that he was of the opinion that the Committee should be minded to approve this application which would enable the Council to place conditions

on it and have control over certain conditions such as hours of operation and days of operation. However, if the Committee were minded to refuse this application and it was granted on appeal, the Council would forfeit those controls. For this reason, Councillor Bird was of the opinion that it would be far better for the Committee to approve the application with the conditions as recommended by officers to stop this occurrence with the exception of Condition 3.

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

That planning application no. 10/0211/FL be approved, subject to the conditions as contained within the report now submitted, subject to the removal of Condition 3 of the officer's recommendations.

The motion having been put to the vote was declared **carried**, with nine Members voting in favour of approval and five against.

### **Resolved**

That planning application no. 10/0211/FL be approved, subject to the conditions as contained within the report now submitted, subject to the removal of Condition 3 of the officer's recommendations.

***Councillors Turner, Rochelle and Carpenter wished to have their names recorded as having voted against this motion***

- 2513/10 **Item No. 2 - 10/0792/FL - variation of condition 2 of permission 07/0405/FL/E11 to substitute plans showing size and position of extension to nursing home as built and amended landscaping at Brownhills Nursing Home, 29 Hednesford Road, Brownhills, Walsall, WS8 7LS**

**Resolved**

That planning application no. 10/0792/FL be granted, subject to the conditions as contained within the report now submitted.

- 2514/10 **Item No. 4 - 10/0758/FL - removal/variation of Condition 6 of 07/2750/FL/E6 (to allow 2 large vehicles to access the site between the hours of 04.00 and 07.00) on land and premises on the north west side of Morford Road, Northgate, Walsall, WS9 8TF**

**Resolved**

That planning application no. 10/0758/FL be approved, subject to the conditions as contained within the report now submitted.

***Councillor Rochelle wished to have his name recorded as having voted against this motion***

- 2515/10 **Item No. 5 - 10/0764/FL - variation of Condition 10 of planning approval ref no. 10/0242/FL to include "Waste electrical and electronic equipment (WEEE) as defined in the WEEE 2006 regulations but excluding refrigeration equipment and any other equipment likely to give rise to emissions of ozone depleting substances" at former Mason's Woodyard, land between railway and Rose Hill, Willenhall**

**Resolved (Unanimously)**

That planning application no. 10/0764/FL be approved, subject to the conditions as contained within the report now submitted.

- 2516/10 **Item No. 7 - 10/0729/OL - Outline: high density mixed use scheme (including residential (Use Class C3), offices (Use Class B1a), leisure (Use Class D2) and live/work (Use Class Sui Generis), Hotel (Use Class C1), nursing homes (Use Class C2) and non-residential institutions (e.g. crèche, day nursery, doctors surgery), (Use Class D1) including potential access and parking (all matters reserved) at 1 New Street, Walsall, WS1 3DF**

**Resolved** (Unanimously)

That planning application no. 10/0729/OL be approved, subject to the conditions as contained within the report now submitted.

- 2517/10 **Item No. 8 - 10/0817/FL - new prefabricated storage building at Queen Marys Grammar School, Sutton Road, Walsall, WS1 2PG**

**Resolved** (Unanimously)

That planning application no. 10/0817/FL be approved, subject to the conditions as contained within the report and supplementary paper now submitted.

2518/10 **Item No. 10 - 10/0434/FL - new 1<sup>st</sup> floor residential accommodation at 2 Green Lane, Leamore, Walsall, WS3 2BP**

**Resolved** (Unanimously)

That planning application no. 10/0434/FL be approved, subject to the conditions as contained within the report now submitted.

2519/10 **Item No. 11 - 10/0690/RM - Approval of reserved matters: scale, appearance and landscaping pursuant to planning approval 09/1015/FL for 2 no. detached houses at 43 Middleton Road, Streetly, Walsall, B74 3ES**

**Resolved** (Unanimously)

That planning application no. 10/0690/RM be approved, subject to the conditions as contained within the report and supplementary paper now submitted.

2520/10 **Item No. 12 - 10/0806/FL - removal of Condition 3 of planning approval 07/1285/FL/E6 to allow 24 hour operation of existing private hire control base at 13A High Street, Brownhills, Walsall, WS8 6ED**

**Resolved** (16 for and 1 against)

That planning application no. 10/0806/FL be approved.

2521/10 **Item No. 13 - 10/0753/FL - proposed change of use of ground floor shop to restaurant/café and hot food takeaway with extraction flue at 14 Bradford Street, Walsall, WS1 1PB**

**Resolved** (Unanimously)

That planning application no. 10/0753/FL be approved, subject to the conditions as contained within the report now submitted.

2522/10 **Item No. 14 - 10/0808/FL - one jet wash bay and one drive through wash bay in an enclosed building at Heath Service Station, 141 Lichfield Road, Shelfield, Walsall, WS4 1PX**

**Resolved** (Unanimously)

That planning application no. 10/0808/FL be approved, subject to the conditions as contained within the report now submitted.

**Termination of meeting**

There being no further business the meeting terminated at 8.10 p.m.

Signed: .....

Date: .....