

## **PLANNING COMMITTEE**

**Thursday, 8 July, 2010 at 5.30 p.m.**

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

### **Present**

Councillor Perry (**Chairman**)  
Councillor Bird (**Vice-Chairman**)  
Councillor Ali  
Councillor Arif  
Councillor Beeley  
Councillor P. Bott  
Councillor Carpenter  
Councillor Creaney  
Councillor Douglas-Maul  
Councillor Harris  
Councillor Jeavons  
Councillor Madeley  
Councillor D. Pitt  
Councillor Sarohi  
Councillor Thomas  
Councillor Yasin

### **2452/10 Apologies**

Apologies for non attendance were received on behalf of Councillors Cook, P. Hughes and Rochelle.

### **2453/10 Minutes**

#### **Resolved**

That the minutes of the meeting held on 17 June, 2010, a copy having been previously circulated to each Member of the Committee, be approved and signed by the Chairman as a correct record.

### **2454/10 Declarations of Interest**

Councillor P. Bott declared:-

A personal and prejudicial interest in item 2 of the plans list.

Councillor Carpenter declared:-

An interest in item 3 of the plans list.

Councillor Perry declared:-

An interest in item 3 of the plans list.

Councillor Arif declared:-

A personal and prejudicial interest in items 6 and 12 of the plans list.

**2455/10 Deputations and Petitions**

There were no deputations introduced or petitions submitted.

**2456/10 Serving of Tree Preservation Order 8 of 2010 on Land at Park Hall Close, Walsall, WS5 3HQ**

The report of the Head of Development and Delivery was submitted:-

(see annexed)

**Resolved**

- (i) That the making of Walsall Tree Preservation Order 8 of 2010 be authorised;
- (ii) That the reason for making the Tree Preservation Order as set out in paragraph 11 of the report as submitted, be supported.

**2457/10 Confirmation of Tree Preservation Order 3 of 2010 on Land at Ivy Cottage and The Plough and Harrow Public House, Chester Road, WS9 0LR**

The report of the Head of Development and Delivery was submitted:-

(see annexed)

**Resolved**

- (i) That Walsall Tree Preservation Order 3 of 2010 be confirmed in an unmodified form;
- (ii) That the reason for making the Tree Preservation Order as set out in paragraph 1.1 of the report as submitted, be supported;

- (iii) The Committee noted that no representations had been made in respect of this Tree Preservation Order.

**2458/10 To revoke Tree Preservation Orders 24 of 1981 trees between Thornhill Road and Chester Road, Streetly and 25 of 1981 Streetly Triangle Part 3**

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

(see annexed)

**Resolved**

- (i) That the revocation of Walsall Tree Preservation Orders 24 of 1981 and 25 of 1981 be authorised;
- (ii) That the reason for revoking Tree Preservation Orders 24 and 25 of 1981 as set out in paragraphs 12 and 13 of the report now submitted, be supported.

**2459/10 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.

**2460/10 Item No. 6 – 10/0460/FL – change of use from Use Class B1(c) and B8 (Light Industrial and Storage/Distribution) to Gymnasium (Use Class D2) at ECB Products Ltd, Corner of Queen Street and Brook Street, Walsall, WS2 9NU**

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

The Committee welcomed the first speaker on this item, Councillor Mrs McCracken, who spoke in support of the application.

The Committee welcomed the second speaker on this item, Mr. Bilal Mamoni, who spoke in support of the application.

The Committee welcomed the final speaker on this item, Sue Cyster (Chamber of Commerce), who spoke against the application.

There then followed a period of questioning by Members' in relation to the period of time the unit had been empty; the number of people that would be employed there; access and use of specialist equipment. In response it was stated that the premises had been empty for three months but little used for twelve months. A minimum of twelve staff would be required and access would be achieved via a card system. Staff would be onsite 24 hours a day. Regarding specialist equipment, Mr. Bilal stated that the applicant had already spent £250,000 on equipment for the new gym.

The Committee proceeded to discuss the application in detail.

Members considered the application and an amendment was **moved** by Councillor Ali and it was duly **seconded**:-

That planning application no. **10/0460/FL** be approved subject to the following conditions:-

- (1) that car parking be laid out in accordance with officers requirements;
- (2) that flood lighting and CCTV cameras be provided to the car parking area.

That the reasons for approval of the application are:-

- (1) that the application meets demand;
- (2) that the application will, by its 24 hour operation, relieve anti-social behaviour and crime in the area;

Upon being put to the vote, the amendment was declared **carried**, with ten Members voting in favour and six Members voting against, and it was:-

### **Resolved**

That planning application no. **10/0460/FL** be approved subject to the following conditions:-

- (1) that car parking be laid out in accordance with officers requirements;
- (2) that flood lighting and CCTV cameras be provided to the car parking area.

That the reasons for approval of the application are:-

- (1) that the application meets demand;

- (2) that the application will, by its 24 hour operation, relieve anti-social behaviour and crime in the area;

2461/10 **Item No.7 – 10/0601/FL – demolition of nos. 62 & 64 Cannock Road and existing Health Centre and erection of new Health Centre and associated parking at 62-66 Cannock Road, New Invention, Willenhall, Walsall, WV12 5RZ**

The Committee welcomed the only speaker on this item, Mr. Nafatti. The Committee were informed that Mr. Nafatti spoke no English only Arabic. Members felt that consideration of the application should be deferred for an interpreter to be available at the next meeting of the Committee.

**Resolved**

Item No. 7 – **10/0601/FL** be deferred to the next meeting of the Committee.

2462/10 **Item No.8 – 10/0391/FL – residential development of 7 no. dwellings at Bournevale Motors, Lichfield Road, Shelfield, Walsall**

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

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

There then followed a period of questioning by Members' in relation to the impact of the development on the adjacent S.S.S.I; the possible contamination of the site; and the need to remove the fuel tanks if residential development was to proceed.

The Committee proceeded to discuss the application in detail, following which:-

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

That consideration of planning application no. **10/0391/FL** be deferred to the next, or a future, meeting of the Committee to consider the removal of the paddocks with the benefit of further ecological evidence, to then form part of the managed SSSI and the investigation of appropriate treatment of the fuel storage tanks.

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

## **Resolved**

That consideration of planning application no. **10/0391/FL** be deferred to the next, or a future, meeting of the Committee to consider the removal of the paddocks with the benefit of further ecological evidence, to then form part of the managed SSSI and the investigation of appropriate treatment of the fuel storage tanks.

### **2463/10 Item No. 10 – 10/0483/FL – two storey side extensions at 15 Knights Hill, Aldridge, Walsall, WS9 0TG**

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

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

There then followed a period of questioning by Members' in relation to the impact of the proposed extensions on the green belt.

The Committee proceeded to discuss the application in detail.

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

That planning application no. **10/0483/FL** be refused for the reasons contained in the application list for permission to develop now submitted.

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

## **Resolved**

That planning application no. **10/0483/FL** be refused for the reasons contained in the application list for permission to develop now submitted.

### **2464/10 Item No. 12 – 09/1419/FL – two storey rear extension at 10 & 12 Milton Street, Walsall, WS1 4JS**

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

Members expressed concern at the poor quality of the plans accompanying the application.

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

There then followed a period of questioning by Members' in relation to the size of the proposed extensions and the impact on adjoining neighbours.

The Committee proceeded to discuss the application in detail.

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

That planning application no. **09/1419/FL** be refused for the following reasons:-

- (1) the proposals would constitute over development of the site;
- (2) the proposed development due to its massing, height and design would be out of character with the area and detrimental to the neighbouring properties;
- (3) the poor quality of the plans submitted means that the proposed development could not be built from them;

In addition, that Committee resolve that the validation process be amended to ensure that poor quality plans are not accepted and that a report is brought back to a subsequent meeting.

### **Resolved**

A) That planning application no. **09/1419/FL** be refused for the following reasons:-

- (1) the proposals would constitute over development of the site;
- (2) the proposed development due to its massing, height and design would be out of character with the area and detrimental to the neighbouring properties;
- (3) the poor quality of the plans submitted means that the proposed development could not be built from them;

B) That it is resolved that the validation process be amended to ensure that poor quality plans are not accepted and that a report is brought back to a subsequent meeting.

2465/10 **Item No. 1 – 10/0362/FL – refurbishment of existing retail premises and 3 apartments and erection of 9 2-bedroom apartments on Pleck Road frontage with associated car parking, landscaping and associated works and demolition of existing ancillary buildings at Land Corner of Pleck Road and Ida Road, Walsall**

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

Members expressed concern at the appearance of the proposed development in view of its close proximity to the new Manor Hospital building. Concern was also expressed at the lack of windows in the front elevation.

Members felt that the unusual design was out of character with the area and that it should be deferred for amended plans to be submitted.

**Resolved**

That consideration of planning application no. **10/0362/FL** be deferred to enable amended plans to be submitted.

- 2466/10 **Item No. 2 – 10/0497/FL – amendment to plots 72-81 to reduce number of units from 10 to 7 and change house type to larger family houses, amendment to 08/1637/FL at Satchwell Grange Development, Woden Road West, Darlaston, WS10 7TB**

**Resolved (Unanimously)**

That planning application no. **10/0497/FL** be approved subject to the conditions as contained within the report now submitted.

- 2467/10 **Item No. 4 – 10/0633/FL – change of use from office to 2 storey duplex flat with external amenity space at 92 Revival Street, Bloxwich, Walsall, WS3 3HL**

**Resolved (Unanimously)**

That planning application no. **10/0633/FL** be approved subject to the conditions as contained within the report now submitted.

- 2468/10 **Item No. 5 – 10/0301/FL – extension to existing farm shop, to replace existing temporary building at Beacon Farm, Pinfold Lane, Aldridge, Walsall, WS9 0QS**

**Resolved (Unanimously)**

That planning application no. **10/0301/FL** be approved subject to the conditions as contained within the report now submitted.

- 2469/10 **Item No. 9 – 10/0318/FL – rear ground floor extension at 233 Sneyd Lane, Bloxwich, Walsall, WS3 2LR**

**Resolved (Unanimously)**



That planning application no. **10/0318/FL** be approved subject to the conditions as contained within the report now submitted.

- 2470/10 **Item No. 11 – 10/0466/FL – two storey side and single storey rear extensions at 97 Follyhouse Lane, Walsall, WS1 3EL**

**Resolved (Unanimously)**

That planning application no. **10/0466/FL** be approved subject to the conditions as contained within the report now submitted.

- 2471/10 **Item No. 13 – 10/0378/FL – two storey side extension and single storey rear extension with car parking to rear at 86 Walsall Road, Wednesbury, Walsall, WS10 9JT**

**Resolved (Unanimously)**

That planning application no. **10/0378/FL** be approved subject to the conditions as contained within the report now submitted.

***Councillor Perry having declared an interest in this item left the room and did not take part nor vote.***

***Councillor Bird in the Chair***

- 2472/10 **Item No. 3 – 08/1863/LE – certificate of lawfulness for existing use for the repair, refurbishment and storage of tractors, agricultural implements and equipment and parts, and sales of the above and retention of 10 buildings on site, and a greenhouse and polytunnel at Railswood Nurseries, Railswood Drive, Pelsall**

The Planning Officer advised the Committee of the background to the report and stated that two further statutory declarations and twenty-five further supporting statements had been submitted on 11 June, 2010 in support of the case.

Members felt that the tractor business had not been in operation for ten years. The house had been separated from the land in 2000 and Railswood Nurseries had ceased trading in 2007.

The Planning Officer reported that tractors had been present on the site since 2001/2002. It appears from Members concerns that it needs to be ascertained whether the use was originally a hobby of the applicant and whether it later became a business. Evidence was needed as to when any such change took place .

Members asked whether the buildings on the site had the benefit of planning permission. It was reported that this was unlikely. The use of the name Railswood Tractors had only been recently used and was causing a great concern.

**Resolved (Unanimously)**

That consideration of planning application no. **08/1863/LE** be deferred for further evidence and business information to be submitted in the name of Railswood Tractors to confirm continuous use over a ten year period to include accounts, tax returns and bank statements, etc.

**Termination of meeting**

There being no further business the meeting terminated at 8.02 p.m.

Signed: .....

Date: .....