

PLANNING COMMITTEE

Thursday 25 June 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 Craddock
Councillor Harris
Councillor Hicken
Councillor Jukes
Councillor Murray
Councillor Nawaz
Councillor Rasab
Councillor Robertson
Councillor Samra
Councillor Sarohi (arrived at 6.06pm)
Councillor Statham
Councillor Waters

Officers:

Chris Berry – Interim Head of Planning and Building Control
Alison Ives – Group Manager, Planning
Andrew White – Team Leader, Development Management
Alison Sargent – Principal Solicitor, Planning
Kevin Gannon – Team Leader, Development Control, Public RoW
John Grant – Team Leader, Pollution Control
Randip Ark – Senior Pollution Control Officer
Neil Picken – Senior Democratic Services Officer
Bev Mycock – 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.

58/20 Apologies

No apologies had been submitted.

59/20 Minutes

The Chairman moved and it was duly seconded by Councillor Craddock that the minutes of the meeting held on 28th May, 2020 be approved as a true record, subject to the word auxiliary on page 6 being amended to 'ancillary'.

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 28th May, 2020, a copy having been previously circulated to each Member of the Committee, be approved and signed as a true record subject to the amendment.

60/20 Declarations of Interest.

Councillor Murray declared a non-pecuniary interest in relation to Plans List Item No. 3 (20/0071).

61/20 Deputations and Petitions

There were no deputations introduced or petitions submitted

At this juncture of the meeting, Councillor Bott requested an update on the Bradley Lane playing fields. The Team Leader Development Management advised he would provide the latest position to Councillor Bott.

62/20 Local Government (Access to Information) Act, 1985 (as amended)

There were no items to be considered in private session.

63/20 Change in the Plans List Items

The Chair advised that Plans List item 10 (19/0319) had been deferred until the next meeting

64/20 **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.

65/20 **PLANS LIST ITEM NO. 1 – 20/0051– CHANGE OF USE FROM B1/B2/B8 TO STORING, LEASING AND SELLING VANS INCLUDING AN OFFICE PORTACABIN, VALET BAY SHED, VEHICLE WASH BAY AND ANCILLARY EXTERNAL LIGHTING AND CCTV AND RETENTION OF BOUNDARY FENCE AT DAWSONGROUP VANS LTD, CHARLES STREET, WILLENHALL, WV13 1HG**

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 / revised recommendation as set out within the supplementary paper.

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

Mr. Keaveney advised Committee that he owned the block of flats to the north of the site and that the flats shared access with the application site. He stated the width of the access had been incorrectly drawn on all of the plans as well as the location of the trees and the fence. A Highways statement had been included within the application which would widen the access and he had no objection to that. The valet bay would need to be connected to foul drainage.

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

Mr. Benning stated that his client had instructed his agent to legally rectify the position with regard to the land ownership. With regards to the valet bay, this would be conditioned with regard to the discharge of surface water.

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

Members queried the following:-

- How many jobs would be created? Mr. Benning stated between 15 and 20 jobs would be created.
- Could the applicant guarantee there would be no articulated lorries entering from Charles Street to deliver vans and if so, how would vehicles be delivered to the site. Mr Benning confirmed there would be no articulated lorries and that vehicles would be physically driven onto site.
- What effect would there be on the nearby tenants of the flats should the drainage from the valet bays be incorrectly installed. Mr. Keaveney explained that should the run off water not be connected to the public sewer, the water would discharge onto the nearby land and surrounding land thus contaminating the land. He was satisfied the issue would be covered by condition.
- What were the concerns of the residents with regard to the current access plans. Mr Keaveney explained the current plans showed vehicles existing the site off Charles Street and this exit needed to be moved at least 5 metres as the exit was currently on his property and not the applicants. The existing layout was incorrect. Mr. Benning advised that he had been working with Land Registry and believed the measurements were correct.

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

- Did any of the trees on the site have tree preservation orders. The Presenting Officer did not believe any of the trees were protected and the site was not in a Conservation area but officers did feel there would be a way of addressing the concerns raised.

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

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

That planning application no. **20/0051** be delegated to the Interim Head of Planning & Building Control to grant planning permission subject to conditions and subject to:-

1. Seeking further amended plans to overcome consultee objections;
2. Undertake further consultation and no new material considerations being received within the consultation period;
3. The amendment of finalising of conditions;
4. No further comments from statutory consultee raising material planning consideration not previously addressed;
5. Addressing land ownership issues

as set out within the report and supplementary paper now submitted.

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

Resolved (unanimously)

That planning application no. **20/0051** be delegated to the Interim Head of Planning & Building Control to grant planning permission subject to conditions and subject to:-

1. Seeking further amended plans to overcome consultee objections;
2. Undertake further consultation and no new material considerations being received within the consultation period;
3. The amendment of finalising of conditions;
4. No further comments from statutory consultee raising material planning consideration not previously addressed;
5. Addressing land ownership issues

as set out within the report and supplementary paper now submitted.

Councillor Sarohi joined at this juncture of the meeting.

66/20 **PLANS LIST ITEM NO. 2 – 19/1366 – CHANGE OF USE FROM CLASSES B1/B2/B8 TO HAULAGE YEARS (SUI GENERIS) ON LAND AT FORMER DUCTILE STOURBRIDGE COLDMILLS, CHARLES STREET, WILLENHALL**

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 / revised recommendation as set out within the supplementary paper.

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

Mr. Keaveney stated that he had two objections to the proposal. The first objection related to the proposed working hours, which would be detrimental to the local residents. He advised that two out of six of his tenants had given notice to leave due to noise from vehicles arriving and leaving the site during the night and that vehicle movement should be no earlier than 7.00am. Land Registry drawings had shown that some of the access road was on his land and there were concerns with regard to the footpath. A suitable HGV entrance would be required.

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

Mr. Benning stated that the applicant was working with Highways with regard to lorries turning left to enter into the site and turning right to exit the site. With regard to the Land Registry, he believed the drawings were accurate. Committee Members were then invited to ask questions of the speakers.

Members had no questions for the speakers.

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

- Could the Highways Officer explain the Highways process. The Highways officer stated they did not agree with the auto track drawing. Articulated vehicles would not be able to turn right out of the site without potentially mounting either the nearside or the far side kerbs. Highways suggested the access be squared up and that an auto track be provided to set the width of the road and required visibility splays.
- How many jobs would be created. The Presenting Officer advised there would 24 full time and 2 part time employees.
- Was the site completely hardstanding to alleviate dust. The Chair confirmed that the site was hardstanding.
- Would the cars parked outside owners home opposite the entrance and egress of the site affect articulated lorries manoeuvring. The Chair advised that the Highway request for the redesign would alleviate their concerns.
- What route would the lorries take should they have to exit the site turning right. The Chair advised they would travel down Ashmore Lake Way, which was an existing industrial area.
- Could noise levels be monitored. The Presenting Officer confirmed an objection had been raised by Pollution Officers and this could be addressed by means of hours of working and acoustic fencing.

Following the conclusion of questions to Officers, Members considered the application. In particular, the Chair stated that the request for a change of use for the site allowed for the application to be conditioned and delegated to officers to overcome objections.

Councillor Craddock **moved** and it was **seconded** by Councillor Hicken:-

That planning application no. **19/1366** be delegated to the Interim Head of Planning and Building Control to grant planning permission subject to conditions and subject to:-

1. Seeking further amended plans to overcome consultee objections;
2. Undertaking further consultation and no new material considerations being received within the consultation period;
3. The amendment and finalising of conditions;
4. No further comments from a statutory consultee raising material planning considerations not previously addressed;
5. Addressing land ownership issues, Highway and Pollution Control objections

as set out within the report and supplementary paper and subject to an additional condition to:-

6. Secure the provision of Acoustic Screening for the jet wash

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

Resolved (unanimously)

That planning application no. **19/1366** be delegated to the Interim Head of Planning and Building Control to grant planning permission subject to conditions and subject to:-

1. Seeking further amended plans to overcome consultee objections;
2. Undertaking further consultation and no new material considerations being received within the consultation period;
3. The amendment and finalising of conditions;
4. No further comments from a statutory consultee raising material planning considerations not previously addressed;
5. Addressing land ownership issues, Highway and Pollution Control objections

as set out within the report and supplementary paper and subject to an additional condition to:-

6. Secure the provision of Acoustic Screening for the jet wash

67/20 PLANS LIST ITEM NO. 3 – 20/0071 – CONSTRUCTION OF 15 NEW CAR SPACES AT ALDRIDGE SCHOOL, TYNINGS LANE, ALDRIDGE, WALSALL, WS9 0BG

Councillor Murray, having declared an interest in this item, left the meeting.

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 / revised recommendation as set out within the supplementary paper.

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

Mr. Jacobs stated that he was the architect for Aldridge School and he objected to the condition to erect a trip rail fence on the grass area behind the houses. He reported that the existing overflow car park provided 8 parking spaces. The new parking could provide 15 spaces and therefore 7 additional to what currently required. He advised that school would need to retain the overspill car park opposite for use at such times as open evenings

thus providing health and safety by virtue of preventing cars from parking around the immediate area during certain occasions.

The Committee then welcomed Councillor Wilson who wished to speak in support of the application.

Councillor Wilson stated that Aldridge School was a major asset and the parking spaces would alleviate the concerns of the residents of Tynings Lane. He believed there could be alternative ways to protect the existing trees and he requested the condition to be altered or removed and for some type of fencing to be erected around the trees.

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

Members had no questions for the speakers.

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

- Whether alternative methods could be looked into to protect the trees. Officers advised that they had concerns in relation to the potential damage to the roots of the existing trees but alternative forms of protection for the trees could be agreed
- Would there be any disabled parking spaces. Officers advised there had been none specifically marked but there would be the potential for two utilising the additional space behind the vehicles. The Chair asked Mr. Jacobs to confirm and Mr Jacobs advised that there would be no disabled spaces within the proposed area but there were a number of disabled parking spaces closer to the main entrance to the school.

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

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

That planning application no. **20/0071** be granted as set out in the report, subject to the removal of Condition 5 and that the Tree Officer engage with the School to find an alternative way to protect the trees.

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

Resolved (unanimously)

That planning application no. **20/0071** be granted as set out in the report, subject to the removal of Condition 5 and that the Tree Officer engage with the School to find an alternative way to protect the trees.

Councillor Murray returned to the meeting.

68/20 PLANS LIST ITEM NO. 6 – 19/1520 – ERECTION OF 4 NO. 2 BED 4 PERSON DWELLING HOUSES AND ASSOCIATED CAR PARKING, LANDSCAPING AND HIGHWAY WORKS AT GARAGES OFF MARGAM CRESCENT, BLOXWICH

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 welcomed the only speaker on this item, Ms Taylor, who wished to speak in support of the application.

Ms Taylor stated that the site in question was one of several underutilised sites that whg had considered for development. She reported that the proposed housing would be a mix of 100% affordable property types and sizes would be line with policies with private space exceeding SPD. The size, colour and design of the housing would be in keeping with the surrounding area and would be built using a new, innovative method of construction. The application had addressed all officer comments to ensure the design was in keeping within the local area.

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

Members queried the following:-

- How long would the pre-fabricated buildings take to erect. Ms Taylor reported that the panels and parts would be produced off site and transported to the area once the foundations had been laid. The Chair alluded to a site in Birmingham where similar type homes had been constructed in 90 minutes.
- Would there be electric charging points. Ms Taylor advised there would be a charging point per dwelling as detailed within the conditions.
- Would the dwellings be buy to let or social housing. Ms Taylor advised they would designated for social housing.

There were no questions to Officers.

Members considered the application.

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

That planning application no. 19/1520 be granted, subject to conditions as set out within the report.

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

Resolved (unanimously)

That planning application no. 19/1520 be granted, subject to conditions as set out within the report.

69/20 PLANS LIST ITEM NO. 7 – 19/1516 – ERECTION OF 6 NO. 2 BED 4 PERSON DWELLING HOUSES AND ASSOCIATED CAR PARKING, LANDSCAPING AND HIGHWAYS WORKS AT FORMER GARAGES AND LAND OFF SELBY WAY, FOUNTAINS WAY, BLOXWICH

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 / revised recommendation as set out within the supplementary paper.

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

Mr Farnell advised Members that he lived in Selby Way and his only objection to the application related to the loss of access to the side garden of his property by plot no. 6 on the application. The loss of access would prevent him from parking his motorcycles around the back of his house. In closing, Mr Farnell asked whether a shared access between his property and that of plot 6 of the proposed development could be considered.

The Committee then welcomed the second speaker on this application, Ms Taylor, who wished to speak in support of the application.

Ms Taylor stated the site was the second of several sites whg wished to develop and the site in question would create six units of 100% affordable housing. She advised that the scale, colour and design of the properties would reflect those of the existing properties within the local area and that the construction of the houses would take place off site. In closing, Ms Taylor confirmed there was no official agreement in place to provide access across the proposed site.

Members were then invited to ask questions of the speakers.

Members queried the following:-

- How long had Mr Farnell used the access to the side of his property. Mr Farnell advised he had used the access to the side of his property over the last five years.
- Could whg consider supporting Mr Farnell's request. Ms Taylor advised that following advice from their solicitor, whg could not allow access across the land.

- How would the lack of access affect Mr Farnell. Mr Farnell stated that should the application go ahead as detailed, all access to the side and rear of his property would be stopped. This would result in him having to store his waste bins and motorcycles on the front of his property or alternatively take them through his lounge.
- What was the boundary measurement and type of building at the side of Mr Farnell's house. The Officer confirmed the measurement from the gable of the proposed property was 2.945m from no. 44 Selby Way. Mr. Farnell stated the building at the side of his house was an extension used as a utility area with doors from the front of the extension to the back, which were not wide enough for a motorcycle to pass through. The extension had been in situ when he had purchased the property.

There were no questions to officers.

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

That planning application no. **19/1516** be delegated to the Interim Head of Planning and Building Control to grant, subject to amendment and finalisation of conditions as set out within the report and supplementary paper.

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

Resolved

That planning application no. **19/1516** be delegated to the Interim Head of Planning and Building Control to grant, subject to amendment and finalisation of conditions as set out within the report and supplementary paper.

70/20 PLANS LIST ITEM NO. 8 – 19/1566 – OUTLINE APPLICATION: CONSTRUCTION OF 2 NO. DWELLINGS TO REAR OF 34 NEW ROAD WITH ALL MATTERS RESERVED AT 34 NEW ROAD, BROWNHILLS, WALSALL, WS8 6AT

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 / revised recommendation as set out within the supplementary paper.

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

Mr. Collis advised that his partner lived at number 34A and that they were not against the application in principal but they would ask Committee to consider the construction of one detached bungalow only as opposed to two, which would reduce the impact upon numbers 34A to 34C and 32 New Road. In closing, Mr. Collis said a previous application had been withdrawn for two premises with garages which would be an over intensification of development on the land and therefore ask for consideration of one bungalow only. Any access to the proposed dwelling along the side of 32A New Road would destroy the privacy to the bungalow owner and would be a better idea to use the access already used by 34A to 34C.

There were no questions to the speaker nor to officers.

Members considered the application, during which the Chair referred to the supplementary paper with regard to precluding any new access off New Road. The Chair enquired with the Planning Solicitor whether a Grampian condition could be applied to the application.

The Planning Solicitor advised that a Grampian condition could be imposed to require the access to be taken from other land as opposed to the main road but she emphasised the outline application for consideration was seeking permission for two dwellings and Committee had to determine the application it had before it. If Committee were minded, they could refuse the current application for two dwellings or defer the application for further negotiations to limit the application to one dwelling with include a Grampian condition.

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

That planning application no. **19/1566** be deferred to enable Officers to negotiate for a single bungalow and subject to a Grampian condition for access via 34A/B/C rather than New Road and then return to Planning Committee.

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 unanimously in favour:-

Resolved (unanimously)

That planning application no. **19/1566** be deferred to enable Officers to negotiate for a single bungalow and subject to a Grampian condition for access via 34A/B/C rather than New Road and then return to Planning Committee.

Councillor Perry left at this juncture of the meeting and did not return.

71/20 PLANS LIST ITEM NO. 9 – 18/1144 – DEMOLITION OF SINGLE STOREY REAR EXTENSION AND THE ERECTION OF PART SINGLE, PART TWO STOREY REAR EXTENSION AT 15 LITTLE ASTON ROAD, ALDRIDGE, WS9 0NP

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 / revised recommendation as set out within the supplementary paper.

The Committee welcomed the first speaker on this application, Ms Longdon, who wished to speak in objection to the application.

Ms Longdon stated that she lived at number 17 Little Aston Road and that the planning situation with the property in question had been ongoing for over two years. There had been five previous applications none of which had been supported by Officers and each subsequent application had then been larger and the current application would affect the characters of the housing. She expressed concern that the extension would be overbearing and impact negatively on the privacy and light in one of her bedroom windows. In closing, Ms Longdon stated there were inaccuracies in the map and a party wall agreement would be required. We had been refused a planning application due to overlooking and feel this would be the same.

The Committee welcomed the second speaker on this application, Mr Burbidge, who also wished to speak in objection to the application.

Mr. Burbidge stated that he lived at number 13 Little Aston Road and he said five previous applications had been refused. The proposed extension would be built up to the side of his property and would prevent him from maintaining that the side area of his property. His family bathroom had a window at the side of his property and he believed privacy would be compromised by overlooking. The height of the two-storey proposal would decrease the lighting into his bathroom and hallway and he questioned why two windows were required on the side of the extension overlooking his property. In closing, Mr. Burbidge felt the proposals would have a negative impact on the neighbouring properties, the plans did not appear accurate and there had been no dialogue with the architect.

The Committee then welcomed the third speaker on this application, Mr. Thomas, who wished to speak in support of the application.

Mr. Thomas advised that he lived at number 15 Little Aston Road. The extensions to his property were required to accommodate the needs of his family who loved Aldridge and did not want to move out of the area. The family felt safe in Aldridge and had been trying to extend the property since 2018 and had made many compromises over that time. The application would extend the property to the rear and one side and would be in keeping with the surroundings. Since 2018, much dialogue had taken place with planning officers and many compromises to meet all needs. There would be no impact on light access and that the breach to the 45° code had never previously been raised. He added that he had raised 15 inaccuracies within the planning officers report and provided detail of those to Committee.

The Committee welcomed the fourth speaker on this application, Councillor Wilson, who also wished to speak in support of the application.

Councillor Wilson stated he was the Ward Member and lived in the area and he was surprised that officers felt the proposal would be out of keeping as there were a number of substantial sized homes within the area including the three storey Hawthorns Care Home. The applicant had worked with officers and submitted numerous amendments to the plans. There were numerous inaccuracies within the report and he did not believe all of the side windows of number 13 and number 17 Little Aston Road could be classed as habitable. The proposed extensions would not contravene the 45° degree code nor could they be considered to be harmful to the amenity of the rear facing habitable rooms of the neighbouring properties as detailed on page 122 of the report.

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

Members queried the following:-

- Which windows in the neighbouring properties would be overlooked and whether they were habitable rooms. Ms Longdon advised that number 17 Little Aston Road had a bedroom and a large bathroom window measuring 1.5 m x 1m which would both lose privacy and that some of the plans extended past her side window, which had been in situ for over 50 years.
Mr Burbridge advised that at number 13 Little Aston Road, the windows that would be overlooked were the family bathroom plus a window below for the hall, stairs and landing. He was concerned about the sizes of the proposed windows.
- Did number 13's bathroom have obscure glass. Mr Burbridge confirmed that it did have obscure glass but shadows from within the bathroom would still be able to be made out.
- Do the windows at number 17 have any curtains or blinds. Ms Longdon confirmed that she did have window coverings but the window still let in lots of light and that the proposed extension would go beyond her bedroom window and would have a massive impact on that room.

- Would someone looking out of the proposed extension be able to see in the bedroom of number 17. Ms Longdon advised that it would be the case because should the extension be allowed they would be able to see into each other's properties.

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

- Would the proposed rear-facing window enable the applicant to see into the bedroom of the neighbouring property at number 17. The Presenting Officer advised that privacy to number 17 would be affected due to the proposed window on the first floor extension being at a right angle to the neighbouring property and extending forward. Because of the proximity of the application window and the neighbour's bedroom window, the overall scale and massing would harm the outlook from window at number 17.
- Clarity with regard to the contradicting information within the report regarding the 45° code. The Presenting Officer advised page 122 should have referred to the rear two storey side extension element that would not contravene the 45° code.
- Had the applicant been working proactively with officers to seek a way forward and why had it taken so long to get to this point. The Presenting Officer advised that the applicant had negotiated with a number of case officers over time to seek a reduction in of the scale of the proposal. Officers felt the main elements they could not support were with regard to the relationship of the application window to that of the window at number 17 plus the physical impact the design of the application would have on the neighbours and in the street scene.
- Had suggestions been put forward to the applicant to remedy the situation. The Presenting Officers advised that the current planning officer had tried to negotiate with the applicant with regard to reducing the length of the first floor extension or move the proposal over slightly away from the window at number 17.

At this point in the meeting, the Chairman 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 of the agenda. The Committee agreed to extend the meeting beyond 8.30pm.

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

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

That Planning application number 18/1144 be refused for the reasons as detailed within the report and supplementary paper.

The Motion was put to the vote by way of a roll call of Committee Members and was subsequently declared lost with five Members voting in favour, nine Members voting against and 1 Member abstaining.

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

That Planning application no. **18/1144** be granted, subject to standard householder conditions including commencement, materials, no working bank holidays or Sundays and that the application be built in accordance with the plans as Committee felt:-

- the proposal would enhance the street scene
- enhance the visual amenity the property gives to the street scene
- that the 45° rule does not impact detrimentally on the adjacent property
- that Committee was satisfied that all objections had been debated fully and was satisfied there was no adverse impact upon the neighbouring properties

The Motion was put to the vote by way of a roll call of Committee Members and was subsequently declared carried with eight Members voting in favour, six Members voting against and 1 Member abstaining.

Resolved (eight in favour, six against and 1 abstention)

That Planning application no. **18/1144** be granted, subject to standard householder conditions including commencement, materials, no working bank holidays or Sundays and that the application be built in accordance with the plans as Committee felt:-

- the proposal would enhance the street scene
- enhance the visual amenity the property gives to the street scene
- that the 45° rule does not impact detrimentally on the adjacent property
- that Committee was satisfied that all objections had been debated fully and was satisfied there was no adverse impact upon the neighbouring properties

72/10 PLANS LIST ITEM NO. 4 – 19/0649 – INSTALLATION OF A PRE-CONSTRUCTED STORAGE UNIT AT ALDRIDGE AIRPORT, BOSTY LANE, ALDRIDGE

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 unanimously in favour:-

Resolved (unanimously)

That Planning application number **19/0649** be delegated to the Interim Head of Planning and Building Control to grant, subject to amendment and finalising of conditions and no further representations raising new material planning considerations following publicity of amended plans, as set out in the report.

73/10 PLANS LIST ITEM NO. 5 – 19/1397 – CHANGE OF USE FROM DENTIST TO HOT FOOD TAKEAWAY AT 77 COLLINGWOOD DRIVE, GREAT BARR, BIRMINGHAM, B43 7JW

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 unanimously in favour:-

Resolved (unanimously)

That planning application number **19/1397** be delegated to the Interim Head of Planning and Building Control to grant subject to the amendment and finalisation of conditions as contained within the report and supplementary paper.

74/20 Termination of meeting

There being no further business, the meeting terminated at 8.45pm.

Chair.....

Date.....