

## **PLANNING COMMITTEE**

**Thursday 31<sup>st</sup> October, 2019 at 5.30 pm**

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

### **Present:**

Councillor Bird (Chair)  
Councillor Perry (Vice Chair)  
Councillor P. Bott  
Councillor Chattha  
Councillor Craddock  
Councillor Creaney  
Councillor Harris  
Councillor Harrison  
Councillor Jukes (arrived at 5.44pm)  
Councillor Murray  
Councillor Nawaz  
Councillor M. Nazir  
Councillor Rasab  
Councillor Robertson  
Councillor Samra  
Councillor Sarohi  
Councillor Statham  
Councillor Underhill  
Councillor Waters

#### **2283/19 Apologies**

An apology was submitted on behalf of Councillor Hicken.

#### **2284/19 Minutes**

##### **Resolved**

That the minutes of the meeting held on 3<sup>rd</sup> October, 2019, a copy having been previously circulated to each Member of the Committee, be approved and signed as a true record.

#### **2285/19 Declarations of Interest**

Councillor Craddock declared a pecuniary interest in Plans List No. 11 (Application No. 19/1155).

Councillor Waters declared a non- pecuniary interest in Plans List Item No. 2 (Application No. 18/1693).

2286/19     **Deputations and Petitions**

There were no deputations introduced or petitions submitted.

2287/19     **Local Government (Access to information) Act, 1985 (as amended)**

**Exclusion of Public**

**Resolved**

That, where applicable, during consideration of the relevant item(s) on the agenda, the Committee considers that the relevant item(s) for consideration are exempt information for the reasons set out therein and Section 100A of the Local Government Act, 1972 and accordingly resolves to consider those item(s) in private.

2288/19     **APPLICATION TO FELL 1 WILLOW TREE AT LAND REAR OF 9 BASLOW ROAD, BLOXWICH.**

The report of the Head of Planning, Engineering and Transportation – Development Management was submitted along with a supplementary location plan.

(See annexed)

The report sought the Committee's approval to remove a protected Willow tree where significant community interest was contrary to the Officer's recommendation.

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

Mrs Sims advised that the tree was a part of reserved matters. The tree was not on public land. No survey had been undertaken. European law required a license before any work was to be undertaken. Video footage of the site had demonstrated that Bats had been observed during the summer. There were too many unanswered questions as bats were a protected species. A Bat survey was now mandatory. If the tree were to be felled without a survey, this would constitute a criminal offence.

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

Mr Mountford stated that Bats could be hibernating within the trunk of the tree in question. Disturbing Bats was a criminal offence and breach of European law. Officers had not seen the video taken of Bats in the area during the summer. Natural England advised that surveys should have been undertaken during the summer months. The tree was within reserved matters to be retained. In view of these issues, all work must be ceased and Natural England informed.

The Chair indicated that he had received a five-page letter from Mr Mountford to which he expressed his consternation at its content. The letter had now been filed with the agenda papers for reference. The letter contained a number of detrimental comments explicitly about the Chair and Officers.

The Chair asked if Mr Mountford had gone onto the site to take the video he had recorded.

Mr Mountford advised that he had taken the video from his garden.

The Chair asked if Mr Mountford had had any confrontation with the applicant.

Mr Mountford replied that he had not.

The Chair asked the Regeneration Officer – Trees, if the tree in question was approx. 20 feet in height, 6 tons in weight and if it was also diseased and in danger of falling.

The Regeneration Officer – Trees advised that the tree was indeed infected and diseased. There was no way to determine the impact upon the tree. He could only base his assessment on what he had observed which indicated that something significant was going on. In this respect, the tree could fall at any time.

The Chair asked for the Legal Officer's advice on this matter.

The Legal Officer advised that if the tree was to fall, the liability would be with the land owner. The condition of the tree is that it is diseased and this had been brought to the Council's attention. The Council now had to make a decision based upon that information.

Councillor Bott enquired if the 2017 Tree Protection Order (TPO) was still in place on this tree, as set out on page 25

The Regeneration Officer – Trees advised that a TPO had been put in place on this tree before there had been any evidence of disease. However, the presence of disease did not negate the TPO.

Councillor Murray, in referring to the Bat situation, enquired if there was any way in which nesting Bats could be safely migrated to a nearby area.

The Group Manager – Planning advised that the protection of Bats fell to the applicant. If the Committee were to approve the Officer's recommendations on this application, the Council was giving the applicant authority to fell the tree. If, as part of this work, they identified Bats, then there were methods by which Bats could be safely migrated to nearby areas, including the use of Bat Boxes. It was specialised work but there were means of mitigation.

Councillor Statham enquired how the replanting recommendation would be 'policed'.

The Regeneration Officer – Trees advised that the requirements for this aspect were set out on page 25 of the report.

Councillor Bird stated that, having given due consideration to the report, he was of the opinion that the Officer's recommendation was correct. He added that the Regeneration Officer – Trees was a professional officer and he took exception to any allegations made to the contrary. In closing, the Chair stated that he could not support keeping a tree where there was evidence to show that it was potentially dangerous.

Members considered the application and Councillor Bird moved the Officer's recommendation and it was duly seconded by Councillor Harris.

**Resolved** (unanimously) that consent for the removal of the Willow tree at land to the rear of 9 Baslow Road, Bloxwich, be granted.

***Councillor Craddock left the room during the consideration of this item and did not vote in view of the fact that he was friends with one of the speakers.***

2289/19 **Garages adjacent 78, Monmouth Road, Bentley, Walsall - Reference no. E18/0344.**

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

(See annexed)

The report sought the Committee's authority to pursue planning enforcement action against the erection of 2.4m steel palisade fencing and gates at front of garage block adjacent to the highway, without the benefit of planning permission.

Members considered the application and Councillor Bird moved the Officer's recommendation and it was duly seconded by Councillor Nawaz.

**Resolved** that: -

1. authority be granted for 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 set out in 3.2 of the report.
2. authority be granted for the Head of Planning, Engineering and Transportation to institute prosecution proceedings and / or direct action in the event of non-compliance with an Enforcement Notice.
3. authority be granted for the Head of Planning, Engineering and Transportation, to amend, add to, or delete from the wording, as 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.

2290/19     **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 of the procedure whereby each speaker would have two minutes to speak.

2291/19     **PLANS LIST ITEM NO. 2 – 18/1693 – LAND AT WINTERLEY LANE, RUSHALL - VARIATION OF CONDITION 24A AND 24B OF 17/0439 TO ALLOW A MAXIMUM OF 1 BURIAL PER DAY.**

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 and highlighted the salient points contained therein. In addition, the Presenting Officer drew the Committee's attention to the additional information / revised recommendation as set out within the tabled supplementary paper.

The Chair indicated that a leaflet had been circulated following the last meeting this item had been considered at stating that he had used his casting vote on the application. This, however, was untrue. The Chairman had to hand a copy of the corresponding minutes from that meeting which indicated that the application had been passed on a vote of 7 in favour to 6 against. In addition, he reminded the Committee that this application was not to revisit the previous application which had already been granted, it was only to consider the change of condition now proposed.

The Committee welcomed the first speaker on this item Mrs Meeke who wished to speak in objection to this application.

Mrs Meeke stated that the original permission allowed for up to 50 burials per annum. Within 6 weeks of the permission being granted, however, a further application had been made to vary this condition to increase the number to up to 1 burial per day, which was a significant increase. 50 burials per annum had been deemed an acceptable use, but the applicant wanted to maximise profit. Winterley Lane was far too narrow to accommodate the traffic that this permission would generate, plus there would be insufficient parking to accommodate the increase.

The Committee then welcomed the second speaker on this item Councillor Worrall who also wished to speak in objection to this application.

Councillor Worrall stated that the community were opposed to this application which would significantly increase the number of burials permitted per year. The Lane was very narrow and had lots of tree coverage which made it dangerous. Children used this lane to walk to / from school. If the application were granted, it would lead to a significant increase in traffic and larger vehicles utilised by funeral processions, perhaps including coaches. Year on year, the number of visitors to the site would likely increase meaning that the problem would get worse over time leading to more traffic and danger to the local community.

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

Mr Smith, acting on behalf of the applicant, advised that he was grateful for the Officer's recommendation to approve. There was a need for a burial facility of this nature within the area. His client had felt that up to 304 burials per year was a viable model and would comply stringently with the conditions. The need for a countryside location for a burial site of this nature dictated where such a facility could be located and where it could not be. His client had complied with Highway recommendations and it was noted that Highways did not have any objections. In view of this, he sought the Committee's approval for this application.

Committee Members were then invited to ask questions of the speakers

Members queried the following: -

- If Mr Smith agreed that the problems associated with this site would increase year upon year with more and more burials taking place each year at the site. Mr Smith stated that there would be a slight increase each year, but the very nature of natural burial sites meant that visitation tended to drop off, unlike regular cemeteries, and visitors to the site tended to balance out and find a natural level. In addition, natural burial sites tended to be less well attended over time in comparison to regular cemeteries.
- If there were similar sites such as the one proposed within the Midlands. Mr Smith advised that there were a number of other natural burial sites with the Midlands, but none that were close. When he had undertaken the analysis of viable sites on behalf of the applicant, this site appeared to be the best located in terms of location with other sites.
- If the number of parking spaces to be provided at the site was deemed to be sufficient and whether there was any scope for increasing the number of parking spaces. Mr Smith explained that, generally speaking, the number of visitors to natural burial sites tended to be close family / friends. He was of the opinion that 50 spaces was more than adequate. If you were to assume that each vehicle had two people in them, that allowed for 100 people at a time.

- If the applicant accepted that the way in which the application had been handled had instigated a lack of mistrust amongst the public by way of getting approval for the original application and then quickly putting in another application to vary the number of burials allowed. Mr Smith stated that he could appreciate the point being made. He added that when the original application had been submitted, the applicant had felt it was a viable / sustainable model. The applicant had then decided that it would be more viable with an increase and had sought to see if there were any issues with the proposal to increase. Highways had said that it would not be a problem as long as it was limited to 1 burial per day with limited off-peak operation times. The public could now be assured that the applicant could not seek to increase even further due to the highways recommendations and the conditions attached to the current application.
- That given the current proposal, the site would take approx. 21 years until it was full. If all families and friends turned up on the same day when it was full that could be in excess of 5000 people and how could such numbers be accommodated. Mr Smith stated that that question was entirely theoretical and highly unlikely. As his company ran other such sites, such numbers had never been recorded.
- How the local residents' lives would be impacted if the application were to be approved. The objectors advised that there was a lot of support in objection to this application from the local community. The Lane was very narrow and there was a small hump-bridge on it with weight restrictions. The increase of traffic to the site would be very dangerous and would likely lead to accidents, especially as children walk down this lane to / from school.

The Chair took the opportunity to remind the Committee that the original application had already received approval from the Committee, so the use of this land as a burial site was not up for determination. The sole purpose for consideration by the Committee was the current application to increase the number of burials only.

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

- What the transport assessment on this application had determined. The Highways Officer advised that the original application had provided for 30 parking spaces. It was felt that this number was not adequate and the applicant came back with 50 spaces which had been researched and found to be acceptable. On the original application, traffic had also been considered and approval had been granted. With the prior approval, up to 50 burials per year was permitted with no conditions as to how many per day / week would be allowed or at what times. In theory, 7 burials or more could have taken place in one day. This new application, however, would condition the operation to only one burial a day and only during off-peak times when traffic would be at its lightest. In view of this, from a Highways point of view, the current proposal was an improvement over the last one and it was felt that it would be hard to defend at Appeal if not granted.

- How many parking spaces were at Streetly crematorium as a comparison, which was a much larger site. Approx. 20 spaces.
- If fly-tipping was a material planning consideration. The Group Manager – Planning advised that it was not.
- If the new housing development in the locality had any impact since the traffic assessment had been undertaken. The Highways Officer advised that the impact was not significant.
- Whether the environmental impact of embalming fluids, and any run-off, was a cause for concern. The Chair advised that the Environmental Agency had no concerns.
- If the traffic assessment took into account the increase year on year of visitors to the site as burials steadily increased. The Highways Officer advised that they had undertaken a review and assessment of the empirical data from other such similar sites on this matter. They had also found that natural burial sites had significantly less visitors compared to regular cemeteries. In view of this, there were no concerns from a Highways perspective on this point.
- If an assessment of the recommended route had been undertaken and if it was enforceable. The Highways Officer advised that these issues had been discussed and address under the old approval. Whilst there was a recommended travel route, it was not enforceable.
- In view of the fact that the travel route was unenforceable, did it not cast doubt on the whole traffic assessment. The Highways Officer reminded the Committee that the consideration before the Committee was only the increase in the number of burials, not the proposal for a burial site itself, which had already been granted permission. As the conditions within this application recommended only one burial per day and only during off-peak times, it was an overall improvement over the current approval in place.

The Chair reminded the Committee that the only aspect to be considered by the Committee at this meeting, was the proposed increase in the number of burials. If the recommendation was not supported, reasons must be given on planning grounds and in accordance with Wednesbury Reasonable.

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

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

That planning application no. 18/1693 be delegated to the Head of Planning, Engineering and Transportation to grant permission subject to conditions and subject to the amendment and finalising of conditions.

The Motion, having been put to the vote was declared lost with 6 Members voting in favour of the motion and 10 against.

The Chair advised that if the Committee were minded to refuse this application, valid planning grounds must be put forward.

Following a lengthy discussion on this matter by Members, the Legal Officer advised that if the Committee could not provide valid planning reasons for



refusal, the matter would stand as refused without reasons, which would leave the Council open to significant challenge.

There then followed another period of discussion by Members on this point.

The Chair called for a named vote in terms of those who had voted for and against the lost motion to grant permission.

<b>For</b>	<b>Against</b>	<b>Abstain</b>
Bird	Chattha	Nawaz
Bott	Creaney	Underhill
Craddock	Harris	Waters
Harrison	Jukes	
Robertson	Murray	
Sarohi	Nair	
	Rasab	
	Samsara	
	Statham	

The Group Manager – Planning suggested that, as a way forward, the Committee might wish to consider deferring the application. This would enable Officers to talk with the applicant in relation to the proposed increase of 50 burials a year to 1 per day to help understand any potential impacts on the Highway, taking into consideration the Committee's concerns around the potential negative impact it may have on the Highway with a view to bringing the application back to a future meeting for determination.

Having considered this course of action, The Chair **moved** and it was duly **seconded** by Councillor Murray:-

That planning application no. 18/1693 be deferred to a future meeting to enable Officers to talk with the applicant in relation to the proposed increase of 50 burials a year to 1 per day to help understand any potential impacts on the Highway, taking into consideration the Committee's concerns around the potential negative impact it may have on the Highway and to get comparative data in terms of parking spaces and number of funerals serviced at Streetly Crematorium.

The Motion, having been put to the vote was declared carried with 17 Members voting unanimously in favour of the motion.

### **Resolved**

That planning application no. 18/1693 be deferred to a future meeting to enable Officers to talk with the applicant in relation to the proposed increase of 50 burials a year to 1 per day to help understand any potential impacts on the Highway, taking into consideration the Committee's concerns around the potential negative impact it may have on the Highway and to get comparative data in terms of parking spaces and number of funerals serviced at Streetly Crematorium.

***Councillor Nawaz wished to have his name recorded as having abstained from this vote.***

2292/19     **PLANS LIST ITEM NO. 1 – 18/0867 - W H MARREN LTD, TEMPLE BAR, WILLENHALL, WV13 1SD - ERECTION OF 41 RESIDENTIAL UNITS INCLUDING ACCESS, PARKING AND AMENITY AREAS, AND FOR THE IMPROVEMENT WORKS TO THE PUBLIC RIGHT OF WAY.**

Prior to the consideration of this item, the Chair wished to thank all the Officers within the Planning Department for their hard work and commitment through a difficult period during recent times. He added that a report to Cabinet was due to help make improvements to the Planning Service.

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 and highlighted the salient points contained therein. In addition, the Presenting Officer drew the Committee's attention to the additional information / revised recommendation as set out within the tabled supplementary paper.

The Committee welcomed the only speaker on this item Mr De Weijer who wished to speak in objection to this application.

Mr De Weijer stated that, as there were no objectors, he had nothing to add but he would be happy to answer any questions.

Committee Members were then invited to ask questions of the speakers

Members queried the following: -

- Who owned / would maintain the green areas around the right of way. Mr De Weijer advised that these issues would be dealt with by way of a Landscape Management Plan.
- If there would be a service charge to the new occupants to maintain the landscaping. Mr De Weijer advised that there would be a service charge for landscaping management.

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

- If condition 9A was applied to every application of this nature. The Planning Officer advised that this requirement was part of the Black Country Core Strategy and would be included in all new applications of this nature.

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

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

That planning application no. 18/0867 be delegated to the Head of Planning, Engineering and Transportation to Grant Planning Permission Subject to Conditions and a S106 Agreement to secure Landscape Management Plan and to secure a commuted sum towards upgrading the section of public right of way Bridlepath 55 Willenhall that falls outside the development site and subject to: -

- No new material considerations being received within the consultation period;
- The amendment and finalising of conditions;
- No further comments from a statutory consultee raising material planning considerations not previously addressed.

The Motion, having been put to the vote was declared carried with Members voting unanimously in favour:-

### **Resolved**

That planning application no. 18/0867 be delegated to the Head of Planning, Engineering and Transportation to Grant Planning Permission Subject to Conditions and a S106 Agreement to secure Landscape Management Plan and to secure a commuted sum towards upgrading the section of public right of way Bridlepath 55 Willenhall that falls outside the development site and subject to: -

- No new material considerations being received within the consultation period;
- The amendment and finalising of conditions;
- No further comments from a statutory consultee raising material planning considerations not previously addressed.

### **2293/19 PLANS LIST ITEM NO. 6 – 18/1288 - 12, SKIP LANE, WALSALL, WS5 3LL – REPLACEMENT DWELLING**

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 and highlighted the salient points contained therein. In addition, the Presenting Officer drew the Committee's attention to the additional information / revised recommendation as set out within the tabled supplementary paper.

The Committee welcomed the first speaker on this item Mrs Perry who wished to speak in objection to this application.

Mrs Perry stated that she had lived in her bungalow next to this property with her husband for many years. Although the height of the proposed dwelling had been reduced, it was still nearly 3 times bigger than the current dwelling. In view of this, it would overshadow her property and would block natural light into her house and garden. For this reason, the proposed dwelling would be overbearing and would impact negatively upon the view from her property. The Development was not in-keeping with other houses on the street and she urged the Committee to refuse the application so that she could continue to enjoy her home.

The Committee then welcomed the second speaker on this item Councillor Sohal who wished to speak in support to this application.

Councillor Sohal stated that the application now conformed to all planning regulations and policies and there was no good reason to refuse it. The current application had addressed all of the concerns highlighted in comparison to the previous one and there would be no impact upon the conservation area. The current application would sit nicely within the street scene and was of high quality design.

The Committee then welcomed the third speaker on this item Mr Johal who also wished to speak in support to this application.

Mr Johal stated that the concerns raised by Mrs Perry had been considered and ameliorated in the current application. The height, size and scale of the building had been reduced overall to address her concerns. The window to the side of the property had been removed to protect privacy. In view of this, he felt that there would be very little impact on Mrs Perry's property. There was, therefore, no planning reasons why this application should be refused.

Committee Members were then invited to ask questions of the speakers

Members queried the following: -

- If Mrs Perry accepted that the privacy issue which was present in the previous application had now been mitigated by way of removing the window to the side. Mrs Perry stated that it was better, but the dwelling would still have a negative impact on the views from her house.

Members had no questions for Officers.

Members considered the application.

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

That planning application no. 18/1288 be delegated to the Head of Planning, Engineering and Transportation to grant planning permission subject to conditions and subject to the amendment and finalising of conditions.

The Motion, having been put to the vote was declared carried with 15 Members voting in favour and 2 against:-

## **Resolved**

That planning application no. 18/1288 be delegated to the Head of Planning, Engineering and Transportation to grant planning permission subject to conditions and subject to the amendment and finalising of conditions.

***At the conclusion of this item, Councillor Creaney left the meeting and did not return.***

2294/19

**PLANS LIST ITEM NO. 7 – 19/0649 – ALDRIDGE AIRPORT, BOSTY LANE, ALDRIDGE - INSTALLATION OF A PRE-CONSTRUCTED STORAGE UNIT.**

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 and highlighted the salient points contained therein.

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

Mr McHugh stated that the club had been utilising the airport for over 70 years, for which the current constitution had been around for the last 30 years. During this period, an agreement with Council for use on this land had been in place for approx. 15 years. In view of this, it was demonstrable that the club had lawful use. The Club was required to hold 3 public events per year as part of this agreement. The Club also received support from Clean and Green. The application was necessary as the club no longer had a place to store its ride-on lawnmower which was required to ensure runways were maintained.

The Committee then welcomed the second speaker on this item Mr Travis who also wished to speak in support to this application.

Mr Travis stated that the recommendation for refusal was based upon two points, those being the lawful use of land and the location of the unit within the greenbelt. He added that there was a natural break within the trees which would mean that the unit would not be seen and would not be an eyesore. He had tried contacting the Planning Officer to help identify what 'special conditions' could mean and he was confident that a compromise could be reached to find an acceptable resolution to this matter.

The Chair advised that the Officers were not here to give advice on what could constitute 'special conditions'. It was for the Applicant to identify and prove this to the Officers.

Committee Members were then invited to ask questions of the speakers

Members queried: -

- If there was any particular reason the scouts had withdrawn the use of their storage facility for the lawnmower. The supporters replied that there had not been a 'falling out' with the scouts, but they were now using the storage facility for something else which meant they could no longer use it for the lawnmower.

The Chair referred to the storage unit which was currently on-site and utilised for land-yachts. Cabinet had recently taken a decision not to continue with the subsidy for outdoor pursuits which would free up that storage unit. He reminded the applicants that the onus was on them to prove and find the certificate for lawful use on the land, but he should be able to accommodate their need to store a lawnmower on site with this soon to be vacant unit. He encouraged the applicants to contact his office outside of the meeting. In view of this, he urged the Committee to consider deferring this application to enable Officers look at the viability of utilising the existing storage unit which currently stored the land-yachts as an alternative solution.

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

That planning application no. 19/0649 be deferred to enable Officers to negotiate further with the applicants to try and accommodate the storage of their lawnmower in an alternative storage unit.

The Motion, having been put to the vote was declared carried with Members voting unanimously in favour:-

### **Resolved**

That planning application no. 19/0649 be deferred to enable Officers to negotiate further with the applicants to try and accommodate the storage of their lawnmower in an alternative storage unit.

## **2295/19 PLANS LIST ITEM NO. 9 – 19/0968 – 22, OLD OAK CLOSE, ALDRIDGE, WALSALL, WS9 8SE - RETENTION OF SINGLE STOREY REAR EXTENSION AND FENCE.**

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 and highlighted the salient points contained therein. In addition, the Presenting Officer drew the Committee's attention to the additional information / revised recommendation as set out within the tabled supplementary paper.

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

Mr Dean was in attendance on behalf of his son, the applicant. Mr Dean advised that the proposed development met all Planning requirements and was in-keeping with the 45 degree rule. He, therefore, urged the Committee to support the Officer's recommendation to grant permission.

Committee Members were then invited to ask questions of the speakers

Members had no questions for Mr Dean.

Members had no questions for Officers.

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

That planning application no. 19/0968 be delegated to the Head of Planning, Engineering and Transportation to grant planning permission subject to conditions and subject to the amendment and finalising of conditions.

The Motion, having been put to the vote was declared carried with Members voting unanimously in favour:-

### **Resolved**

That planning application no. 19/0968 be delegated to the Head of Planning, Engineering and Transportation to grant planning permission subject to conditions and subject to the amendment and finalising of conditions.

2296/19

**PLANS LIST ITEM NO. 10 – 19/0173 - 6, FOLLYHOUSE LANE, WALSALL, WS1 3EL - RETROSPECTIVE TWO STOREY SIDE AND REAR EXTENSIONS PLUS SINGLE STOREY REAR EXTENSIONS AND LOFT CONVERSION. AMENDMENT TO 18/0140.**

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 and highlighted the salient points contained therein.

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

Mr Azam stated that the main issue with this application was the shape of the roof and the impact on the street scene. He added that the street had an incredibly varied character as could be observed from the Officer's presentation. In view of this, a change in character could actually add value to the street scene in such varied circumstances. The materials utilised would match existing properties and would decrease any impact. The extension was required to meet family needs and to provide a modern family home.

Committee Members were then invited to ask questions of the speakers

Members queried: -

- If there were other examples of similar extensions within the locality. Mr Azam replied that there were and pointed out similar examples from the pictures in the Officer's presentation.
- What was to the left of the property in question. Mr Azam stated that it was gardens.

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

- Whether negotiations with the applicant could be utilised to require an alternative to a gable end roof. The Group Manager – Planning advised that page 224 detailed such attempts, which were unsuccessful.

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

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

That planning application no. 19/0173 be delegated to the Head of Planning, Engineering and Transportation to grant planning permission subject to conditions on the grounds that the development would not be incongruous on the street scene due to the mixed nature and variety of properties within the vicinity, and it would meet the needs of the family.

The Motion, having been put to the vote was declared carried with Members voting unanimously in favour:-

### **Resolved**

That planning application no. 19/0173 be delegated to the Head of Planning, Engineering and Transportation to grant planning permission subject to conditions on the grounds that the development would not be incongruous on the street scene due to the mixed nature and variety of properties within the vicinity, and it would meet the needs of the family.

2297/19      **PLANS LIST ITEM NO. 3 – 19/0666 – GARAGES ADJACENT TO NO 7, FEREDAY ROAD, WALSALL WOOD - ERECTION OF 5 NO DWELLINGS (3 TERRACED AND 2 SEMIDETACHED PROPERTIES).**

### **Resolved**

That planning application no. 19/0666 be delegated to the Head of Planning, Engineering and Transportation to grant planning permission Subject to Conditions and subject to the amendment and finalising of conditions.

2298/19      **PLANS LIST ITEM NO. 4 – 19/0668 - GARAGES, MOSSLEY CLOSE,**



**BLOXWICH - ERECTION OF A PAIR OF SEMI DETACHED HOUSES AND PROVISION OF NEW CAR PARKING AREA.**

**Resolved**

That planning application no. 19/0668 be delegated to the Head of Planning, Engineering and Transportation to grant planning permission Subject to Conditions and subject to the amendment and finalising of conditions.

**2299/19 PLANS LIST ITEM NO. 5 – 19/0606 - 48, REAYMER CLOSE, WALSALL, WS2 7FE - ERECTION OF A NEW DWELLING**

**Resolved**

That planning application no. 19/0606 be delegated to the Head of Planning, Engineering and Transportation to grant planning permission Subject to Conditions and subject to the amendment and finalising of conditions.

**2300/19 PLANS LIST ITEM NO. 8 – 19/1077 - ST PETERS CHURCH, STAFFORD STREET, WALSALL, WS2 8DX - LISTED BUILDING CONSENT APPLICATION FOR THE DEMOLITION AND REBUILDING OF WEST CHURCHYARD WALL.**

**Resolved**

That planning application no. 19/1077 be delegated to the Head of Planning, Engineering and Transportation to grant planning permission Subject to Conditions and subject to the amendment and finalising of conditions.

***Councillor Craddock left the room at this stage of the meeting and did not return.***

**2301/19 PLANS LIST ITEM NO. 11 – 19/1155 - 19, NARROW LANE, BROWNHILLS, WALSALL, WS8 6HX - SINGLE STOREY REAR EXTENSION.**

**Resolved**

That planning application no. 19/1155 be granted subject to conditions.

**Termination of meeting**

There being no further business, the meeting terminated at 8.26 pm

Signed .....

Date .....