

DEVELOPMENT CONTROL COMMITTEE

29th January, 2008 at 5.30 p.m.

In the Council Chamber at the Council House Walsall

Present

Councillor Bird (Chairman)
Councillor Beeley (Vice-Chairman)
Councillor Anson
Councillor Ault
Councillor P. Bott
Councillor Douglas-Maul
Councillor Hughes
Councillor Madeley
Councillor McCracken (arrived at 5.45 p.m.)
Councillor Micklewright
Councillor J. Phillips (arrived at 5.45 p.m.)
Councillor Rochelle (arrived at 5.35 p.m.)
Councillor Sanders (arrived at 5.35 p.m.)
Councillor D. Shires
Councillor Underhill
Councillor Yasin
Councillor Young

1655/08 Apologies

Apologies for non-attendance were submitted on behalf of Councillor Flower and Councillor Turner.

1656/08 Minutes

Resolved

That the minutes of the meeting held on 8th January, 2008, a copy having been previously circulated to each Member of the Committee, be approved and signed by the Chairman as a correct record.

1657/08 Declarations of Interest

Councillor Micklewright declared:-

A prejudicial interest in item 10 of the plans list relating to the site adjacent to 1 Wallace Road, Walsall proposed construction of 4 no. 3 bed dwellings, as she was related to the applicant.

1658/08 Deputations and Petitions

No deputations or petitions were received.

**1659/08 Consultation on Draft Supplementary Planning Document (SPD)
Designing a better Walsall**

Further to minute number 1645/08, the Committee received a further report and presentation on the draft Supplementary Planning Document "Designing a better Walsall".

Members considered the report and information as contained in the supplementary paper that was circulated at the meeting.

Resolved

- (1) That the report be noted;
- (2) That Cabinet be recommended to adopt the Supplementary Planning Document "Designing a better Walsall."

1660/08 Section 106 Quarterly Update Report 2007/08

Members considered the Section 106 Quarterly Update Report and, in doing so, congratulated the Section 106 monitoring officer on the work he had undertaken.

Discussion ensued on the use of 106 monies by relevant sections once monies had been received.

Resolved

- 1) That the report be noted;

- 2) That service areas provide quarterly update reports to this committee on how section 106 monies are allocated.

1661/08 **Item No. 1 – 07/2586/AD/W1 – Free standing two faced display sign at Walsall F.C. Bank’s Stadium, Bescot Crescent, Walsall.**

Prior to consideration of this application the legal advisor to the committee outlined the background to the application and clarified the legalities of the situation. It was explained that the committee had to consider the application in relation to two crowns only, those of public safety and amenity.

The planning officer then advised the committee of the background to the report and drew Members attention to the supplementary paper circulated at the meeting.

The Committee then welcomed the first speaker on this item Mr. Cook, representing the highways agency, who wished to speak in objection to the application.

The Committee then welcomed the second speaker on this item Mr. Whalley, representing Walsall Football Club, who also wished to speak in support of the application.

There then followed a period of questioning by Members in relation to potential impact on safety should the sign be erected, the possible impact on the amenity of the surrounding area and the duration of advert consent should the application be approved.

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

That an application for express consent to display these posters, reference 07/2586/AD/W1 be approved subject to:-

- (1) A section 106 agreement to remove the 2004 consent and the three poster displays on the roof of the south stand;
- (2) Specific detail of the signage including luminaire, shielding and maintenance of lighting units being approved by officers;
- (3) The grounds gas/contamination study being undertaken by the developers;
- (4) A structural study being undertaken by the developers;
- (5) Standard conditions as defined by the legislation.

The motion having been put to the vote was declared **carried** with 12 Members voting in favour and 5 against.

Resolved

That an application for express consent to display these posters, reference 07/2586/AD/W1 be approved subject to:-

- (1) A section 106 agreement to remove the 2004 consent and the three poster displays on the roof of the south stand;
- (2) Specific detail of the signage including luminaire, shielding and maintenance of lighting units being approved by officers;
- (3) The grounds gas/contamination study being undertaken by the developers;
- (4) A structural study being undertaken by the developers;
- (5) Standard conditions as defined by the legislation.

Councillors Underhill, Bott, Anson and Young requested their names be recorded as having voted against the application.

1662/08 **Item No. 3 – 07/1362/FL/W2 – Erection of 102 dwellings and associated infrastructure including a balancing pond at former Deeleys Castings, Leamore Lane, Bloxwich, Walsall**

The Chair reported that this item had been withdrawn from the agenda.

1663/08 **Item No. 8 – 07/2297/FL/W6 – proposed rebuilding and conversion of barn to form 3 no. dwellings (amendment to planning consent 02/1710/FL/E3) at Barn No. 3 Calderfields Farm, Off Mellish Road, Walsall**

The planning officer advised the committee of the background to the report and drew Members attention to the supplementary paper circulated at the meeting.

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

The Committee then welcomed the second speaker on this item, Councillor Arif, who also wished to speak in support of the application.

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

That due to the special circumstances as detailed below, planning application number 07/2297/FL/W6 be approved subject to conditions to be agreed by officers, as there is insufficient impact on the character and openness on the green belt.

Special Circumstances

That the original application to convert the barn was consistent with officer recommendations and WMBC policies, however, the construction had to be demolished due to it being certified as unsafe the application to re-build is the implementation to the 2005 permission albeit in technical terms, a "new building".

The motion having been put to the vote was declared **carried** with 10 Members voting in favour and 6 against.

Resolved

That due to the special circumstances as detailed below, planning application number 07/2297/FL/W6 be approved subject to conditions to be agreed by officers, as there is insufficient impact on the character and openness on the green belt.

Special Circumstances

That the original application to convert the barn was consistent with officer recommendations and WMBC policies, however, the construction had to be demolished due to it being certified as unsafe the application to re-build is the implementation to the 2005 permission albeit in technical terms, a "new building".

Councillor Underhill having left the meeting during consideration of this item did not take part or vote.

1664/08 **Item No. 5 – 07/2079/FL/W2 – Change of use to hot food takeaway at 337 West Bromwich Road, Walsall**

Resolved

That planning application number 07/2079/FL/W2 be approved subject to the conditions as contained within the report now submitted.

Councillor Yasin requested his name be recorded as having voted against the application.

Councillor Shires and Young having left the room during deliberation did not take part or vote.

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

1665/08 Item No. 9 – 07/2600/FL/W7 – erection of 1.5m metal palisade fence, with gate around forecourt at 116-118 Bridgeman Street, Walsall

The planning officer advised the committee of the background to the report.

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

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

That planning application number 07/2600/FL/W7 be approved as the application will not be out of keeping with the area, subject to an appropriate colour coating treatment to be approved by officers.

The motion having been put to the vote was declared **carried** with 10 Members voting in favour and 5 against.

Resolved

That planning application number 07/2600/FL/W7 be approved as the application will not be out of keeping with the area, subject to an appropriate colour coating treatment to be approved by officers.

1666/08 Item No. 2 - 07/2647/FL/E9 – Proposed construction of 74 no. 1,2,3 and 4 bedroom dwellings with associated parking at land between Walker Road/Barracks Lane, Walsall

Resolved

That planning application 07/2647/FL/E9 be approved subject to the conditions as contained in the report and supplementary paper now submitted and a planning obligation.

Councillor Yasin and Sanders left the meeting at this juncture and did not return.

Councillors Madeley and Anson having left the room during deliberation did not take part or vote

- 1667/08 **Item No. 4 - 07/2596/FL/E9 – change of use of part of the stables building to saddlery and bridlework manufacturing, creation of new car park and new site access off Aldridge Road at Whitby Riding Stable, Aldridge Road, Walsall**

Resolved

That planning application 07/2596/FL/E9 be approved subject to the conditions as contained in the report now submitted and subject to no new additional information being received with raises material considerations.

- 1668/08 **Item No. 6 - 07/2545/FL/H4 – Garage extension, new dining room and conservatory at 95 Inglewood Grove, Streetly, West Midlands**

Resolved

That planning application 07/2545/FL/H4 be approved subject to the conditions as contained in the report now submitted.

- 1669/08 **Item No. 7 - 07/2643/FL/H5 – Two-storey side, single-storey front and rear extensions at 49 Rushall Manor Road, Walsall**

Resolved

That planning application 07/2643/FL/H5 be approved subject to the conditions as contained in the report now submitted.

- 1670/08 **Item No. 10 - 07/2583/FL/E11 – Proposed construction of 4 no. 3 bed dwellings at site adjacent 1 Wallace Road, Walsall**

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

That planning application number 07/2583/FL/E11 be approved subject to conditions to address landscaping, construction hours and the matters of concern as detailed in the officers refusal 3 in the report now submitted, as it would bring forward the development of redundant land and the design was acceptable having insufficient impact on the character of the street.

The motion having been put to the vote was declared **tied** with 7 Members voting in favour and 7 against.

In accordance with 18.2 of part 4 of the constitution, the Chairman exercises his right to a casting vote in favour of the application.

Resolved

That planning application number 07/2583/FL/E11 be approved subject to conditions to address landscaping, construction hours and the matters of concern as detailed in the officers refusal 3 in the report now submitted, as it would bring forward the development of redundant land and the design was acceptable having insufficient impact on the character of the street.

Termination of meeting

There being no further business the meeting terminated at 8.25 p.m.

Signed:

Date: