

DEVELOPMENT CONTROL COMMITTEE

Tuesday, 17 February, 2009 at 5.30 p.m.

In the Council Chamber at the Council House Walsall

Present

Councillor Bird (Chairman)
Councillor Rochelle (Vice-Chairman)
Councillor Ali
Councillor Arif
Councillor Ault
Councillor Barton
Councillor Beeley
Councillor Douglas-Maul
Councillor Flower
Councillor P. Hughes
Councillor Madeley
Councillor Munir
Councillor M.G. Pitt
Councillor Sarohi
Councillor Turner

2013/09 Apologies

Apologies for non attendance were received on behalf of Councillors Cook and Robertson

2014/09 Minutes

Resolved

That the minutes of the meeting held on 27 January, 2009, a copy having been previously circulated to each Member of the Committee, be approved and signed by the Chairman as a correct record subject to the following amendment to the resolution of Minute 2000/09:-

Resolved

- (1) That the report be noted;
- (2) That Local Neighbourhood Partnerships receive quarterly update reports on Section 106 Agreements in relation to Education Provision.

2015/09 **Declarations of Interest**

Councillor Ali declared:-

A prejudicial interest in item 6 of the plans list relating to 9 Park Hall Road, Walsall as he had arranged a meeting to discuss the matter which resulted in it being considered by Committee.

2016/09 **Deputations and Petitions**

There were no deputations received or petitions submitted.

2017/09 **Variation to type of tenure on application 05/0084/FL/W5 - Residential Development, Granville Street, Willenhall, Walsall**

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

(see annexed)

Resolved (Unanimously)

That the Assistant Director – Legal and Constitutional Services in consultation with the Head of Planning and Building Control, be authorised to amend the Section 106, to change the tenure type of plot 21 only.

2018/09 **Variation to Section 106 Agreement on the bond sum on Planning Permission 02/0069/OL/E2 – Residential development & associated works at Land at Aldridge Road Streetly**

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

(see annexed)

Resolved

That the Assistant Director – Legal and Constitutional Services in consultation with the Head of Planning and Building Control, be authorised to amend the Section 106 agreement at clause 3.1 as set out in the report now submitted.

2019/09 **Deed of Variation to an existing S106 Agreement for Erection of 57 no. two, three, four and five bedroom dwellings, garages & access road on land at 39-67 Enterprise Drive, off Bridle Lane, Streetly, Walsall, B74 2DY - Application No 07/1617/FL/E11**

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

(see annexed)

Members considered the application and suggested that the issue of Social Housing be investigated by the Scrutiny Panel, in consultation with Legal Services. Due to the economic climate, provisions relating to the deferment of payments could be applied to Section 106 contributions, provided the development began within a set timescale. It was envisaged that this would encourage development within Walsall.

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

- (1) That the requirements of the Section 106 agreement for this site be removed;
- (2) That Scrutiny be recommended to look at Section 106 Agreements and the general implications of deferring contributions to encourage future development in Walsall, and that the matter then be referred to Cabinet
- (3) That all Supplementary Planning Documents be reviewed as part of the examination under resolution 2.

The motion having been put to the vote was declared **carried** with members voting unanimously in favour of the resolution.

Resolved

- (1) That the requirements of the Section 106 agreement for this site be removed;
- (2) That Scrutiny be recommended to look at Section 106 Agreements and the general implications of deferring contributions, to encourage future development in Walsall, and that the matter then be referred to Cabinet.
- (3) That all Supplementary Planning Documents be reviewed as part of the examination under resolution 2.

Councillor Flower left the meeting at the conclusion of this application.

2020/09 Direct Action – Various Sites

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

(see annexed)

Resolved

That:-

- (1) direct action authority in relation to 43 Wenlock Gardens be re-affirmed;
- (2) direct action authority for Curl and Dye, Wolverhampton Road, be re-affirmed;
- (3) direct action in relation to 50 Cemetery Road, be authorised;
- (4) the Head of Planning and Building Control be authorised to recover the expenditure if possible, by any relevant and proportionate means.

2021/09 **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.

2022/09 **Item No. 2 - 08/1856/FL – conversion of existing industrial buildings and new construction work to form 73 houses and apartments and associated car parking (amendment to existing permission under 07/1650/FL/W7) at The Keys (Former Union Locks site), Wood Street, Willenhall;**

and

Item No. 3 - 09/0052/CC – conservation area consent for demolition of buildings within the conservation area relating to the redevelopment proposals under planning application ref: 08/1856/FL at The Keys (Former Union Locks site), Wood Street, Willenhall

The Clerk introduced items 2 and 3 and advised the Committee that though presentations for both applications would be delivered at the same time, voting for each application would be taken separately.

The Planning Officer then 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 then welcomed Mr Smith who spoke in support of the applications.

Members considered each application on its merits and moved as follows:-

- (1) in relation to application 09/0052/CC, Councillor Pitt **moved** and it was duly **seconded** by Councillor Madeley:-

That planning application No. **09/0052/CC** be delegated to the Head of Planning and Transportation to determine subject to no further material planning objections being received within the consultation period.

The motion having been put to the vote, was declared **carried**, with members voting unanimously in favour.

Resolved (Unanimously)

That planning application No. **09/0052/CC** be delegated to the Head of Planning and Transportation to determine subject to no further material planning objections being received within the consultation period.

- (2) in relation to application 08/1856/FL, Councillor Pitt **moved** and it was duly **seconded** by Councillor Madeley:-

That planning application No. **08/1856/FL** be approved subject to the conditions as contained in the report and supplementary paper now submitted and a Planning Obligation.

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

Resolved (Unanimously)

That planning application No. **08/1856/FL** be approved subject to the conditions as contained in the report and supplementary paper now submitted and a Planning Obligation.

Councillor Flower, having previously left the meeting, returned.

2023/09 **Item No. 4 - 07/2355/FL/W6 – demolition of existing building and erection of new building consisting of retail, storage and offices with 2 apartments in loft area with dormer windows at 61 Corporation Street, 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 circulated. Committee were informed that the

recommendation had been amended to remove the requirement to enforce and prosecute as this would be subject to a further report.

The Committee then welcomed Mr. Sohal, who spoke in support of the application.

There then followed a period of questioning by Members in relation to the provision of parking.

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

That planning application No. **07/2355/FL/W6** be approved as adequate parking provision for the flats had been provided, there would not be a detrimental impact on the local centre and the proposed development was acceptable in design terms, subject to the following conditions:-

- 1) That the premises be restricted from the retail sale of food
- 2) That materials be approved by the Head of Planning and Building Control;
- 3) That adequate waste management is in place.
- 4) Standard conditions as deemed appropriate by the Head of Planning and Building Control.

The motion having been put to the vote, was declared **carried**, with 13 members voting in favour and none against.

Resolved (13 in favour and none against)

That planning application No. **07/2355/FL/W6** be approved as adequate parking provision for the flats had been provided, there would not be a detrimental impact on the local centre and the proposed development was acceptable in design terms, subject to the following conditions:-

- 1) That the premises be restricted from the retail sale of food
- 2) That materials be approved by the Head of Planning and Building Control;
- 3) That adequate waste management is in place.
- 4) Standard conditions as deemed appropriate by the Head of Planning and Building Control.

2024/09 **Item No. 6 - 08/1940/FL – substitution of house type on previous planning approval 06/1705/FL/E9 to provide amendments to the elevations, windows, chimney, addition of 2 car ports, amended roof design and provision of a room within the roof space at 9 Park Hall Road, Walsall**

Councillor Ali having declared a prejudicial interest in this item left the meeting during consideration and did not take part or vote.

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

The Committee then welcomed Mr. Bache, who spoke against the application.

The Committee then welcomed Miss Turley, who also spoke against the application.

The Committee then welcomed the third speaker on this item, Mr. Mistry who spoke in support of the application.

The Committee then welcomed the final speaker on this item, Mr Chohan who spoke in support of the application.

There then followed a period of questioning by Members in relation to the architectural changes proposed, type of windows to be used within the roof space, potential loss of privacy to neighbouring properties and the use obscure glazing and an improved landscaping scheme to assist in providing privacy to neighbouring properties.

Members considered the application and Councillor Pitt **moved** and it was duly **seconded** by Councillor Arif:-

That planning application No. **08/1940/FL** be approved subject to the conditions as set out in the report now submitted subject to the following additional conditions:-

- 1) That the velux windows in the roof be obscure glazed and the opening be restricted to preserve the privacy of adjoining neighbours;
- 2) That permitted development rights be removed as the building is appropriate to the size of the plot and any increase would impact on neighbouring properties.

The motion having been put to the vote, was declared **carried**, with 13 members voting in favour and none against.

Resolved (13 in favour and none against)

That planning application No. **08/1940/FL** be approved subject to the conditions as set out in the report now submitted subject to the following additional conditions:-

- 1) That the velux windows in the roof be obscure glazed and the opening be restricted to preserve the privacy of adjoining neighbours;
- 2) That permitted development rights be removed as the building is appropriate to the size of the plot and any increase would impact on neighbouring properties.

2025/09 **Item No. 7 - 08/1840/FL – First floor extension at rear over existing ground floor at 17 Rutter Street, Walsall**

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

The Committee then welcomed Councillor Yasin who spoke in support of the application.

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

That planning application No. **08/1840/FL** be refused for the reasons as set out in the report now submitted.

The motion having been put to the vote was declared **carried** with 11 Members voting in favour of refusing permission and 2 against.

Resolved

That planning application No. **08/1840/FL** be refused for the reasons as set out in the report now submitted.

2026/09 **Item No. 1 – 08/1841/FL – erection of 12 no. dwellings at Land to rear of and including 15 & 17 Romney Way, Great Barr**

Resolved (Unanimously)

That planning application No. **08/1841/FL** be approved subject to the conditions as contained in the report and supplementary paper now submitted.

2027/09 **Item No. 5 – 09/0023/FL – the planning application is to secure approval for non-compliance with condition 15 of appeal decision APP/V4630/A/05/1182024 (05/0540/FL/E2) to allow occupancy of apartment one of Pegasus Court 149-159 Chester Road, Streetly, by a specified person under the age of 60 (Amended) at 149-159 Chester Road, Streetly**

Resolved (13 in favour and 1 against)

That planning application No. **09/0023/FL** be approved.

Termination of meeting

There being no further business the meeting terminated at 8.05 p.m.

Signed:

Date: