

PLANNING COMMITTEE

Thursday 8th August, 2019 at 5.30 pm

In the Council Chamber at the Council House, Walsall

Present:

Councillor Bird (Chair)
Councillor Perry (Vice Chair)
Councillor Chattha
Councillor Craddock
Councillor Harris
Councillor Harrison
Councillor Hicken
Councillor Murray
Councillor Nawaz
Councillor Samra
Councillor Sarohi
Councillor Statham
Councillor Underhill
Councillor Waters

2240/19 Apologies

Apologies had been received from Councillors P. Bott, Rasab, Robertson, Nazir and Jukes.

2241/19 Minutes

Resolved

That the minutes of the meeting held on Monday 11th July, 2019, a copy having been previously circulated to each Member of the Committee, be approved and signed as a true record.

2242/19 Declarations of Interest

There were no declarations of interest.

2243/19 Deputations and Petitions

There were no deputations introduced or petitions submitted

2244/19 Local Government (Access to information) Act, 1985 (as amended)

There were no items for consideration in private session.

2245/19 Section 106 Report

The Chair advised Committee that the item had been deferred until the next meeting.

2246/19 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.

The Chair advised that application number 19/0468 – retention of new doorway, window and external staircase to first floor flat at living area above 317 Chester Road, Aldridge, Walsall, WS5 3AH had been withdrawn from the agenda.

2247/19 PLANS LIST ITEM 2 - 19/0400 - RESERVED MATTERS TO OUTLINE PLANNING PERMISSION 17/0155 TO SEEK APPROVAL FOR SCALE, APPEARANCE, LANDSCAPING AND LAYOUT FOR 12 DWELLINGS AT STENCILS FARM, ALDRIDGE ROAD, WALSALL, WS4 2JW

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 supplementary paper now submitted. In doing so, they highlighted the salient points contained therein.

The Committee then welcomed the first speaker on this application, Mr Hughes, who wished to speak against of the application.

Mr Hughes advised Committee that whilst the developers had revised the plans, they had not worked with residents to develop them. The amended plots 3 and 4 now had lower roof heights, which was welcomed, but residents remained concerned that the new owners may extend the two properties. As such, residents were requesting that permitted development rights be removed from these properties. Committee were further advised that the development of the site had already commenced; that there had been a recent road traffic collision near to the entrance of the site and that some of the plots would be closer to neighbouring property boundaries.

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

Mr Lewis acknowledged that the developers did not have to amend the plans and thanked them for reducing the size of plots 3 and 4. Mr Lewis re-iterated the comments of Mr Hughes relating to an additional condition to restrict any increase in size of the two bungalows in future.

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

Mr Cockayne explained that they had listened to residents and the committee and reduced the size of plots 3 and 4. He hoped that committee would support the revised application.

There then followed a period of questioning by Members to the speakers. It was asked where the objectors' properties were located to which residents confirmed their addresses. Members also asked if the objectors would be comfortable with the development should permitted development rights be withdrawn from plots 3 and 4. Objectors advised that they would welcome any additional support to prevent any future increase in size. Clarity was sought as to whether the objectors had any further concerns to which they advised that traffic was a concern, as was the size of the other properties on the site.

Members then asked a number of questions of officers. These included whether traffic was a concern and the process should an owner apply for planning permission to extend, despite the permitted development rights being removed by condition. In response, officers advised that the work to the access as part of the development would improve visibility along Aldridge road. It was also confirmed that an application would be needed if, in the future, plots 3 and 4 wanted to extend, should permitted development rights be removed now by condition.

Members considered the application further.

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

That planning application number 19/0400 be granted, in accordance with the officers report and the reasons contained therein, subject to conditions as set out in the report and supplementary paper and an additional condition to remove permitted development rights from plots 3 and 4.

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

Resolved

That planning application number 19/0400 be granted, in accordance with the officers report and the reasons contained therein, subject to conditions as set out in the report and supplementary paper and an additional condition to remove permitted development rights from plots 3 and 4.

2248/19 **PLANS LIST ITEM 5 - 19/0235 - ERECTION OF 2NO. FOUR-BEDROOM DETACHED DWELLINGS (USE CLASS C3) WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING, AND RECONFIGURATION OF PUBLIC HOUSE CAR PARK AT LAND AT SHIRE OAK INN, 261, LICHFIELD ROAD, WALSALL WOOD, WALSALL, WS9 9PB**

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 supplementary paper now submitted. In doing so, they highlighted the salient points contained therein.

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

Mr Russell advised Committee that, following minor tweaks to the application, no objections had been received from statutory bodies. Whilst one objection had been received from the public in relation to traffic - the highways authority had not raised an objection. He stated that the site was under developed brownfield land and that parking for the pub would remain.

There were no questions from members to the speaker.

Members then asked the officers to clarify the highways situation noting that the access and egress was close to a bus stop. It was asked whether vehicles could access the properties and turn to exit in a forward motion rather than having to reverse onto a main road. The highways officer confirmed that he had undertaken analysis and the site would allow for vehicles to access and egress in a forward motion. Members sought clarity as to the number of spaces that would remain for the pub. Officers advised that there would be 42. In relation to a question regarding the delineation of the car park, officers advised that this could be included as a condition. Members then asked how many charging points would be installed at each property to which the highways officer confirmed there would be one per property.

Members considered the application further.

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

That planning application number 19/0235 be granted, in accordance with the officers report and the reasons contained therein, subject to conditions as set out in the report and supplementary paper and an additional condition to delineate the parking bays for the public house car park prior to occupation.

The Motion, having been put to the vote was declared **carried**, with no members having voting against.

Resolved

That planning application number 19/0235 be granted, in accordance with the officers report and the reasons contained therein, subject to conditions as set out in the report and supplementary paper and an additional condition to delineate the parking bays for the public house car park prior to occupation.

2249/19 **PLANS LIST ITEM 6 - 19/0519 - ERECTION OF DETACHED BUNGALOW AT 11 LEIGHSWOOD AVENUE, ALDRIDGE, WALSALL, WS9 8AT**

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 supplementary paper now submitted. In doing so, they highlighted the salient points contained therein.

There then followed a period of questioning by Members to the officers. It was asked whether the applicant had appealed the two previous refusals. Officers advised that they were not aware of an appeal being lodged.

Members considered the application further and the Chair noted that the applicant had submitted numerous applications, which were unsuitable for the site. As such, he suggested that committee consider invoking Section 70A, which would prevent the application being submitted again unless it was materially different.

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

That planning application number 19/0519 be refused in accordance with the officers report and the reasons contained therein and the amended wording in the supplemental paper; and that officers be requested to invoke Section 70A to decline to determine any future application which is not materially different from the three refusals now issued

The Motion, having been put to the vote was declared **carried**, with no member having voting against.

Resolved

That planning application number 19/0519 be refused in accordance with the officers report and the reasons contained therein and the amended wording in the supplemental paper; and that officers be requested to invoke Section 70A to decline to determine any future application which is not materially different from the three refusals now issued.

2250/19 **PLANS LIST ITEM 1 - 19/0578 - CHANGE OF USE AT PREVIOUSLY USED WYEVALE GARDEN CENTRE TO FORM NEW CAR SHOWROOM AND SALES CENTRE (SUI GENRIS) AT ALDRIDGE WYEVALE GARDEN CENTRE, CHESTER ROAD, ALDRIDGE, WALSALL, WS9 0LS**

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 supplementary paper now submitted. In doing so, they highlighted the salient points contained therein.

There then followed a period of questioning by Members. Clarity was sought in relation the hours of operation, as it appeared that they would not operate on weekends. The Officer referred to the supplementary paper, which confirmed that the applicant was seeking permission to operate 9am – 7pm on Saturdays and 9am – 5pm on Sundays in addition to weekdays.

Members considered the application further and debated the hours of operation on Sunday as some members were of the view that 5 p.m. was too late.

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

That planning application number 19/0578 be delegated to the Head of Planning Engineering and Transportation to:-

- approve subject to conditions as set out in the report and supplementary paper and the successful negotiation with the applicant to restrict the hours of operation to 9 am to 3 p.m. on Sundays; and
- Bring the matter back to committee in the event that negotiations are unsuccessful.

The Motion, having been put to the vote was declared **carried**, with no members having voting against.

Resolved

That planning application number 19/0578 be delegated to officers to the Head of Planning Engineering and Transportation to:-

- approve subject to conditions as set out in the report and supplementary paper and the successful negotiation with the applicant to restrict the hours of operation to 9 am to 3 p.m. on Sundays; and
- Bring the matter back to committee in the event that negotiations are unsuccessful.

2251/19 **PLANS LIST ITEM 3 - 19/0433 - USE OF FIRST FLOOR AS A GYM (USE CLASS D2) INCLUDING EXTERNAL ALTERATIONS, ALTERATIONS AND ADDITIONAL WINDOWS AND EXTERNAL CLADDING AT FIRST FLOOR, 43 ROOKERY PARADE, ALDRIDGE, WS9 8QR**

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

(see annexed)

Members considered the application.

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

That planning application number 19/0433 be approved in accordance with the officers report and the reasons contained therein subject to conditions as set out in the report and supplementary paper now submitted.

The Motion, having been put to the vote was declared **carried**, with no members having voting against.

Resolved

That planning application number 19/0433 be approved in accordance with the officers report and the reasons contained therein subject to conditions as set out in the report and supplementary paper now submitted.

2252/19 **PLANS LIST ITEM 4 - 19/0439 - DEMOLITION OF THE EXISTING DISUSED GARAGES AND PROPOSED CONSTRUCTION OF 2NO. SEMI-DETACHED TWO STOREY HOUSES AT GARAGES ADJACENT 65, ALTON AVENUE, WILLENHALL**

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

(see annexed)

Members considered the application further.

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

That planning application number 19/0439 be approved in accordance with the officers report and the reasons contained therein subject to conditions as set out in the report and supplementary paper.

The Motion, having been put to the vote was declared **carried**, with no members having voting against.

Resolved

That planning application number 19/0439 be approved in accordance with the officers report and the reasons contained therein subject to conditions as set out in the report and supplementary paper.

2253/19 **PLANS LIST ITEM 7 - 19/0210 - ERECTION OF DETACHED BUNGALOW AND NEW BOUNDARY WALL AND RAILINGS TO MAGNOLIA GROVE ELEVATION AT 4 RAVENSCROFT ROAD, WILLENHALL, WV12 4LY**

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

(see annexed)

Members considered the application.

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

That planning application number 19/0210 be approved in accordance with the officers report and the reasons contained therein subject to conditions as set out in the report and supplementary paper.

The Motion, having been put to the vote was declared **carried**, with no members having voting against.

Resolved

That planning application number 19/0210 be approved in accordance with the officers report and the reasons contained therein subject to conditions as set out in the report and supplementary paper.

2254/19 **PLANS LIST ITEM 9 - 19/0133 - TWO STOREY SIDE AND REAR EXTENSION, SINGLE STOREY FRONT EXTENSION, PORCH AND BAY WINDOW PLUS SINGLE STOREY REAR EXTENSIONS AT 190, SUTTON ROAD, WALSALL, WS5 3AH**

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 supplementary paper now submitted. In doing so, they highlighted the salient points contained therein.

Members considered the application further noting that there were other properties with similar extensions along the road and that this application was subjective.

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

That planning application number 19/0133 be approved, against officer's recommendations, subject to standard conditions relating to time and materials for the following reasons:-

- the proposed extension is considered to be in keeping with the existing street scene which is of a mixed nature;
- the extension would not be an incongruous feature; and
- the proposed extension will not result in a terracing effect

The Motion, having been put to the vote was declared **carried**, with no members having voting against.

Resolved

That planning application number 19/0133 be approved, against officers recommendations, subject to standard conditions relating to time and materials for the following reasons:-

- the proposed extension is considered to be in keeping with the existing street scene which is of a mixed nature;
- the extension would not be an incongruous feature; and
- the proposed extension will not result in a terracing effect

Termination of meeting

There being no further business, the meeting terminated at 6.30pm

Signed

Date