

**PLANNING COMMITTEE**

**Thursday 7 June, 2018 at 5.30 pm**

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

**Present:**

Councillor Nazir (Vice Chair in the Chair)  
Councillor Allen  
Councillor P. Bott  
Councillor Butler  
Councillor Cooper  
Councillor Craddock  
Councillor S. Fitzpatrick  
Councillor Jones  
Councillor Nawaz  
Councillor Perry  
Councillor Rattigan  
Councillor Samra  
Councillor Sarohi  
Councillor Singh Sohal

**1989/18 Apologies:**

Apologies for non-attendance were submitted on behalf of Councillors Bird (Chair), Harris, Underhill and Ward

**1990/18 Minutes**

**Resolved**

That the minutes of the meeting held on 26 April, 2018, a copy having been previously circulated to each Member of the Committee, be approved and signed as a true record.

**1991/18 Declarations of Interest**

Councillor Samra declared an interest in agenda item 6 – Development Management Performance Update Report.

**1992/18 Deputations and Petitions**

There were no deputations introduced or petitions submitted

1993/18 **Local Government (Access to information) Act, 1985 (as amended)**

There were no items for consideration in private session.

At this juncture of the meeting, the Chair welcomed the new Members of Planning Committee to their first meeting.

*Councillor Perry arrived at this juncture of the meeting.*

1994/18 **Development Management Performance Update Report**

Councillor Samra, having earlier declared an interest in this item, left the Chamber and therefore did not take part nor vote on the report.

The report of the Head of Planning, Engineering and Transportation was submitted and the Planning Group Manager advised the Committee of the background to the report and highlighted the salient points therein.

(see annexed)

Following deliberations, Members sought additional information on some of the outstanding enforcement cases which included:-

- Case number E13/0103 - Ravenscourt Shopping Precinct – an application had been received but progress was slow and if approved, the applicant will have up to three years to develop. Officers to liaise with respective Ward Councillors;
- Case number E15/0081 - 16 Butts Road – the planning appeal was allowed and planning permission given via the appeal and therefore the case had been closed. The appeal had been successful due to the absence of evidence;
- Bradley Lane – a certificate of lawful use issued and a planning application was expected

**Resolved**

That the report be noted

*Councillor Samra returned to the Chamber*

1995/18 **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 Chair advised Committee that plans list item no.7 – application number 17/0979 and plans list item 10 – application number 16/0524 had been deferred for one cycle at the requests of the applicants.

The Chair then took the opportunity to explain the order of proceedings for the benefit of the new Committee Members.

The Committee then 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.

1996/18 **Plans list Item 6 – application number 17/1152 – demolition of existing bungalow at 200 and erection of 4 detached houses at 200-202 Thornhill Road, Streetly, Sutton Coldfield, B74 2EP**

The Presenting Officer advised Committee of the background to the report now submitted and highlighted the details pertaining to the current appeal against non-determination of the application. She further advised that officers were seeking Committee's resolution on how it would have determined the application were the determination within their authority, rather than with the Planning Inspectorate and she added that Committee's resolution would form part of the appeal documentation as contained within the report now submitted.

(see annexed)

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

Mr Cartledge advised Committee of where he lived in respect of the application site and he said the application would affect numerous properties both within Thornhill Road and numerous properties in adjacent streets, particularly with regards to loss of sunlight and overlooking of habitable windows. Mr. Cartledge added that a number of protected trees plus the tree canopy to the front of the site would be adversely affected by virtue of their proximity to the plots, which in itself would be detrimental to policy and to the Streetly area. He further stressed the impact on wildlife particularly foraging animals, that the layout of the site looked cramped and contrary to local policy, and that there were inaccuracies in the planning designs, drawings and dimensions.

The Committee then welcomed the second speaker on this application, Mr. Willetts, who also spoke in objection to the application.

Mr. Willetts said the application ignored both local and national policies as well as the local planning consultation and that it disregarded the character of the area. Mr. Willetts emphasised that the street scene was historic particularly with regard to the protected tree at the front of the site. He advised that regular speed check exercises had to be carried out along the immediate highway and he added that additional dwellings would further exacerbate the pressure on local services, in particular the schools and GP surgery.

There were no questions to the speakers.

There then followed a query by a Member to the Presenting Officer with regard to non-determination of the application.

In response, the Presenting Officer advised Committee that the application had not been determined within the 8 week timeframe due, in part, to the previous resource issues within the Planning Team, and that the applicant's delayed, amended drawings had not fully addressed planning concerns and therefore officers had been unable to support the proposals

Members considered the report further, which included how the application was a backyard development that would have an impact on protected trees and Councillor Samra **moved** and it was duly **seconded** by Councillor Rattigan:-

That had planning application number 17/1152 be determined by Committee, it would have refused the application as per all of the officers reasons contained within the report.

The Motion, having been put to the vote was declared **carried**, with twelve Members voting in favour and none against.

### **Resolved**

That had planning application number 17/1152 be determined by Committee, it would have refused the application as per all of the officers reasons contained within the report.

### **1997/18 Plans List item 11 – application number 17/1609 – conversion from single dwelling to 2 self contained flats at 14 Proffitt Close, Walsall, WS2 8BD**

The Presenting Officer advised the Committee of the background to the report and she drew Members attention to the additional information as contained within the supplementary paper now submitted. The Planning Officers reminded Members that the application had been deferred by Committee on 22 March to secure the removal of the lamppost and that residents be consulted upon with regards to the satisfactory relocating of the street light.

(see annexed)

The Committee then welcomed the only speaker on this application, Mr. Ali, who wished to speak in objection to officers recommendations.

Mr. Ali said he was speaking on behalf of the residents of Proffitt Close and they objected to the relocation of the lamp post and he added that no one had been consulted upon with regard to the new location.

There then followed a period of questioning by Members to the Speaker and to officers regarding the relocation of the lamppost and whether Amey had engaged with the local residents face-to-face in compliance of Committee's recommendation.

In response, the speaker stated that Amey had not consulted with local residents with regards to a new location for the lamppost. The planning officer advised Committee that an amended plan illustrating the relocation of the lamp post had been submitted by the applicant and these plans had been out for consultation from 1<sup>st</sup> May to 15<sup>th</sup> May, in accordance with planning process, and no written representation had been received at the time the report was published. She added that Amey, as the third party, was no obliged to engage directly with local residents.

Members considered the report further, which included concerns regarding potential anti-social behaviour resulting from the relocation of the lamp post and that residents were under the impression a representative from Amey would have met face to face to discuss the relocation options and therefore the previous reason for deferment had not been carried out.

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

That planning application number 17/1609 be deferred for a further cycle to allow residents to give their views and consult with Amey.

The Group Planning Manager reiterated that the Committee had no power to force a third party to speak with neighbouring residents and he stated that Committee had to reach a decision on the application by the end of June. He added that should Committee be minded to defer the application for a further cycle in addition to the recommendation in March to defer the application for two cycles, then the application would be considered as a non-determination and would therefore be in the hands of the Inspectorate. He reminded Committee the consultation had been carried out and had resulted in no representations being made within the consultation period, and that the petition referred to within the supplementary paper had only recently been submitted.

The Planning, Engineering and Transportation Manager added that he understood residents' concerns regarding the relocation of the lamp post but he stated Highway lighting had to conform to specific Government standards for correctly lit highways, which Amey would have adhered to and complied with these standards.

Members considered the application further, including how residents had not felt they had been satisfactorily consulted with; that the consultation had been followed in accordance with the policy and that Members could not change policy when it did not suit.

The Motion, having been put to the vote was declared **lost**, with five Members voting in favour and eight against.

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

That planning application number 17/1609 be granted, subject to conditions as contained within the report and supplementary paper now submitted.

The Motion, having been put to the vote was declared **carried**, with eight Members voting in favour and four against.

**Resolved**

That planning application number 17/1609 be granted, subject to conditions as contained within the report and supplementary paper now submitted.

The Chair then advised the new Committee Members of the process to be followed when there are no further speakers and he stated that should any Member wish to receive a presentation pertaining to an application that had not yet been considered due to there being no speakers, they should indicate at the pertinent time.

- 1998/18 **Plans List item 1 – application number 18/0364 – variation of planning condition 2 of 15/0221 to alter the plans list to amend the design of the nursing home on land off Redsand Close (former Meadow House, Stroud Avenue), Walsall**

**Resolved**

That planning application number 18/0364 be granted, subject to conditions as contained within the report now submitted.

- 1999/18 **Plans List item 2 – application number 17/1559 – variation of planning condition 2 to amend the plans list, condition 5B regarding phasing, condition 8A regarding parking spaces and private driveways, parking areas and access ways and conditions 14A to amend landscaping and condition 14B to amend the wording of the condition to include the phased development of planning permission 16/1233 on land at Daw End School, Floyds Lane, Rushall, Walsall, WS4 1LF**

**Resolved**

That planning application number 17/1559 be granted, subject to conditions as contained within the report and supplementary paper now submitted.

- 2000/18 **Plans List item 3 – application number 17/1240 – demolition of existing buildings, construction of 18 dwellings (2 x 2 bed and 16 x 3 bed) with associated access road and parking at former British Lion Works, Forest Lane, Walsall, WS2 7AX**

**Resolved**

That planning application number 17/1240 be delegated to the Head of Planning, Engineering and Transportation to grant permission, subject to an amended parking plan, conditions including the revision or removal of any conditions listed below, not required following receipt of details acceptable to officers, and consultees; subject to the completion of a Section 106 Agreement to provide for affordable homes (or to demonstrate that conditions are not viable), open space, motorcycle barriers and resurfacing of the public right of way, and details of the future management/maintenance of the canal boundary structure. In the absence of a completed section 106 or amended parking plan, delegation is sought for the Head of Planning, Engineering and Transportation to refuse the scheme on his basis.

- 2001/18 **Plans List item 4 – application number 18/0006 – variation of conditions 2 and 8 on planning application 15/0061/FL – to amend the layout of plots 13 and 14, delete plot 15 and amend parking layout and amend the proposed facing materials at former The Cavalcade PH, Stroud Avenue, Willenhall, WV12 4DH**

**Resolved**

That planning application number 18/0006 be granted, subject to conditions as contained within the report and supplementary paper now submitted.

- 2002/18 **Plans list item 5 – application number 16/1215 – first floor side and rear extension at Ken Building and Fire Protection Services Ltd, 39-43 Temple Bar, Willenhall, WV13 1SQ**

**Resolved**

That planning application number 16/1215 be refused, as per the reasons contained within the report and supplementary paper now submitted.

- 2003/18 **Plans List item 7 – application number 17/0979 – proposed re-development of existing former car park to public house to consist of the erection of 4 no. 5 bedroom dwellings, installation of public greenway route, improvements to existing boundary treatments and landscape works at The Sneyd, 67 Vernon Way, Bloxwich, Walsall, WS3 2LU**

Members had been advised by the Chair earlier in the meeting that this item had been deferred.

2004/18 **Plans list item 8 – application number 17/1618 – erection of 3 dwellings, two storeys high including parking on land between 8 and 13 Third Avenue, Brownhills.**

Members requested a presentation and the presenting officer advised Committee of the background to the report and supplementary paper now submitted

(see annexed)

Members considered the application and disappointment with Sport England was expressed as they had not objected to the removal of the play area, nor had they suggested alternative play locations.

Members considered the application further and Councillor Samra **moved** and it was duly **seconded** by Councillor Allen:-

That planning application number 17/1618 be delegated to the Head of Planning, Engineering and Transportation to grant permission subject to planning conditions, subject to no new material planning considerations being put forward as a result of re-consultation on amended plans as contained within the report and supplementary paper now submitted.

The Motion, having been put to the vote was declared **carried**, with 9 Members voting in favour and two against.

**Resolved**

That planning application number 17/1618 be delegated to the Head of Planning, Engineering and Transportation to grant permission subject to planning conditions, subject to no new material planning considerations being put forward as a result of re-consultation on amended plans as contained within the report and supplementary paper now submitted.

2005/18 **Plans list item 9 - application number 18/0385 – detached dormer bungalow on land adjacent to 70 Nicholas Road (amendment to 17/1229 to increase roof height) at 70 Nicholas Road, Streetly, Sutton Coldfield, B74 3QS**

**Resolved**

That planning application number 18/0385 be granted, subject to conditions as contained within the report and supplementary paper now submitted

2006/18 **Plans list item 10 – application number 16/0524 – new two storey 3 bedroom dwelling and garage on land to the rear of 147 Foley Road West, Streetly, Sutton Coldfield, B74 3NY**

Members had been advised by the Chair earlier in the meeting that this item had been deferred.



2007/18 **Plans list item 12 – application number 17/1531 – demolition of existing dwelling house and construction of three dwellings at 10 Bell Road, Walsall, WS5 3JW**

**Resolved**

That planning application number 17/1531 be granted, subject to amended and additional conditions as contained within the report and supplementary paper now submitted.

**Termination of meeting**

There being no further business, the meeting terminated at 6.45pm

Signed .....

Date .....