

DEVELOPMENT CONTROL COMMITTEE

Tuesday 12 December 2006 at 6.00 p.m.

In the Council Chamber at the Council House Walsall

Present

Councillor Mike Bird (Chairman)
Councillor Leslie Beeley (Vice-Chairman)
Councillor Dennis Anson
Councillor Mohammed Arif
Councillor Clive Ault
Councillor Arthur Bentley
Councillor John Cook
Councillor Brian Douglas-Maul
Councillor Bill Madeley
Councillor Jon Phillips
Councillor John Rochelle
Councillor Mohammad Yasin

1266/06 Apologies

Apologies for non-attendance were submitted on behalf of Councillors Burley, Harris, Micklewright, Turner, Underhill and Ali.

1267/06 Declarations of Interest

Councillor Yasin declared a prejudicial interest in the following agenda items and left the meeting during consideration of the items:-

Item No. 1	Residential redevelopment for 39 apartments and Associated access, car parking and infrastructure at (site of former Marion Talbot House), land at Bescot Road/Slaters Place, Pleck, Walsall
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Item No. 2: Residential development for 184 units comprising dwellings and apartments with formation of new vehicular access onto Old Pleck Road and associated infrastructure at land at Old Pleck Road, incorporating Oxford Street and Quentin Street and Caledon Street, Walsall

Councillor Anson declared a prejudicial interest in agenda item 1 - Residential redevelopment for 39 apartments and Associated access, car parking and infrastructure at (site of former Marion Talbot House), land at Bescot Road/Slaters Place, Pleck, Walsall.

Councillor Arif declared a personal interest in agenda item no 8 relating to 15 Emery Street, Walsall..

126806 Deputations and Petitions

There were no deputations introduced or petitions presented at this meeting.

1269/06 Late Items

There were no late items introduced at this meeting.

1270/06 Local Government (Access to Information) Act, 1985 (as amended)

Resolved

There were no items on the agenda for the meeting in respect of which the Committee considered that publicity would be prejudicial to the public interest by reason of the confidential nature of the business.

1271/06 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 to deal first with the items on the agenda where

1272/06 **Item No. 4 – 06/1989/PT/E9 – Prior notification: Erection of 12.7 m high slimline monopole, supporting 3 no. antenna within shroud, together with ground based equipment cabinets and ancillary development on land on corner of Gillity Avenue and Broadway North, Walsall – T-Mobile**

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

The Committee then welcomed Councillor Sanders, who wished to speak in objection to the application.

Councillor Sanders stated that he was against the application and was shocked that Officers of the Council had recommended approval. He stated that the mast was visually intrusive on the street scene and that the trees would not hide the mast sufficiently. Councillor Sanders expressed concern for the health of nearby residents if the mast was erected and queried why an alternate site could not be found.

The Clerk to the meeting then read out a letter of objection by Councillor Rose Martin who could not be present due to ill health.

There then followed a period of questioning by Members in relation to alternate sites and any safety implications for road users in an area of high car accidents or incidents.

The Committee proceeded to discuss the application in detail.

Members considered the application and Councillor Rochelle **moved** and it was duly **seconded** contrary to Officers recommendations:-

That planning application no. 06/1989/PT/E9 be refused as the mast, by reason of its height and size, in particular, of the associated equipment cabinets, would be detrimental to the visual amenity of the street scene and surrounding area and the development provides no details of screening or camouflage of the equipment.

The motion, having been put to the vote was declared **carried**; with 9 Members voting in favour and none against.

Resolved

That planning application no. 06/1989/PT/E9 be refused as the mast, by reason of its height and size, in particular, of the associated equipment cabinets, would be detrimental to the visual amenity of the street scene and surrounding area and the development provides no details of screening of camouflage of the equipment.

1273/06 **Item No. 1 – 06/1816/FL/W7 – Residential redevelopment for 39 apartments and associated access, car parking and infrastructure at (site of former Marion Talbot House), land at Bescot Road/Slaters Place, Pleck, Walsall – Walsall Housing Group and Bovis Homes Limited**

Councillor Anson and Yasin, having declared a prejudicial interest in this item, left the room and did not vote.

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

The Committee then welcomed the first speaker on this application, Elaine Britton, who wished to speak in objection to the application.

Elaine reported that no one in the area objected to a replacement building, however, the size of the proposed development was too large for the site. The previous building also had a flat roof, whereas the proposed development had a pitched roof which would be more visible from their property. Elaine further stated that security in the rear gardens was paramount as the perimeter fence would need to be of sufficient height. Regarding garages, it was explained that no compensation had been offered for those residents who owned and would lose their garage.

The Committee then welcomed the second speaker, Carole Wildeman, who wished to speak in support of the application.

Carole stated that the application formed part of an overall plan for the area and formed part of the strategic regeneration framework. The accommodation would provide for elderly people and was designed specifically to meet their needs. Extensive consultation with residents had been undertaken and many compromises had been reached such as providing dropped kerbs and alternate parking.

There then followed a period of questioning by Members in relation to the level of consultation, the height of the building and overlooking on existing properties.

The Committee proceeded to discuss the application in detail.

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

That planning application no. 06/1816/FL/W7 be approved, subject to the conditions as contained in 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 none against.

Resolved

That planning application no. 06/1816/FL/W7 be approved, subject to the conditions contained in the report and supplementary paper now submitted.

Councillor Cook was not in the room once deliberation on this item had started and did not take part or vote

1274/06 **Item No. 2 – 06/1818/FL/W7 – Residential redevelopment for 184 units comprising dwellings and apartments with formation of new vehicular access onto Old Pleck Road and associated infrastructure on land at Old Pleck Road, incorporating Oxford Street, St. Quentin Street and Caledon Street, Walsall – Walsall Housing Group and Bovis Homes Limited**

Councillor Yasin, having declared a prejudicial interest in this item, left the room and did not vote

Councillor Anson returned to the meeting.

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

The Committee then welcomed Carole Wildman who wished to speak in support of the application.

Carole stated that the development was a flagship scheme that supported urban regeneration. The development provided a range of housing types and would consist of both rented and owned accommodation. The area would be regenerated should the application be approved.

There then following a period of questioning by Members in relation to lift provision, access to the apartments and development costs.

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

That planning application no. 06/1818/FL/W7 be approved, subject to the conditions as contained in the report and supplementary paper now submitted.

The motion, having been put to the vote, was declared **carried**; with 8 Members voting in favour and 1 against.

Resolved

That planning application no. 06/1818/FL/W7 be approved, subject to the conditions as contained in the report and supplementary paper now submitted.

1275/06 **Item No. 3 – 06/1617/FL/W3 – Change of use to storage of construction industry containers on land off Darlaston Road (south of gas holders west of M6), Walsall – H & H Holman Properties Limited**

Councillor Yasin returned to the meeting

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

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

That planning application no. 06/1617/FL/W3 be approved, subject to the conditions as contained in the report now submitted and an additional condition restricting the number of construction industry containers stacked on top of each other to a maximum of 2.

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

Resolved

That planning application no. 06/1617/FL/W3 be approved, subject to the conditions as contained in the report now submitted and an additional condition restricting the number of construction industry containers stacked on top of each other to a maximum of 2.

- 1276/06 **Item No. 5 – 03/2062/FL/E5 – Revised landscaping scheme including the omission of on-site childrens play area at open space, Leylands Farm, Wood Lane, Pelsall, Walsall – Persimmon Homes (West**

Resolved (Unanimously)

That planning application 03//2062/FL/E5 be approved, subject to the conditions as contained in the report now submitted.

- 1277/06 **Item No. 6 -02/1707/FL/E2 – Change of use from residential care home to 5 apartments at 33 Buchanan Avenue, Walsall – Carol Meeson**

Resolved (Unanimously)

That planning application no. 02/1707/FL/E2 be approved, subject to the conditions as contained in the report now submitted.

- 1278/06 **Confirmation of Tree Preservation Order No. 27 of 2006 –
Re: Land at Brownhills West Methodist Church, Severn Road,
Brownhills**

The report of the Head of Environmental Regeneration was submitted:-

(see annexed)

Resolved

- (1) That Tree Preservation Order No. 27 of 2006 be confirmed in a modified form as detailed in the report now submitted;

- (2) That the Committee supports the reasons for making the Tree Preservation Order as set out in paragraph 1.1 of the report now submitted;
- (3) That the Committee notes that no representations have been received in respect of this Tree Preservation Order.

1279/06 Proposed Deed of Variation following restoration of land to Open Space at Brewers Drive, Pelsall

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

(see annexed)

Resolved

That the Deed of Variation regarding the Section 106 Agreement associated with permission BC64477P, by substituting amended plans which accurately define the area of land to be transferred into Council ownership, be authorised.

1280/06 15 Emery Street, Walsall

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

(see annexed)

Resolved

- (1) That authority be given to the Assistant Director – Legal and Constitutional Services and the Head of Planning and Building Control for the issuing under the Town and Country Planning Act 1990, of an enforcement notice to require the removal of the fence panel and concrete blocks and any other structure located in this position for which planning permission is required and the service of Requisition for Information Notices;
- (2) That authority be delegated to the Assistant Director – Legal and Constitutional Services and the head of Planning and Building Control, to commence prosecution proceedings in the event that the Requisition for Information or the Notice under Section 215 is not complied with;

- (3) That authority be delegated to the Assistant Director – Legal and Constitutional Services, in consultation with the Head of Legal Services, to amend, add to, or delete from the wording, as set out in the report submitted, stating the requirement(s) of the Notice or identifying the boundaries of the site.

1281/06 27 Daffodil Place, Walsall – Erection of Fence

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

(see annexed)

Resolved

- (1) That authority be delegated to the Assistant Director – Legal and Constitutional Services and the Head of Planning and Building Control for the issuing of an enforcement notice under the Town and Country Planning Act 1990 (as amended) and Requisitions for Information Notices as set out in 2.2 and 2.3 of the report now submitted;
- (2) That authority be delegated to the Assistant Director – Legal and Constitutional Services and the Head of Planning and Building Control, to commence prosecution proceedings in the event that the Requisition for Information or the Notice under Section 215 is not complied with;
- (3) That authority be delegated to the Assistant Director – Legal and Constitutional Services, in consultation with the Head of Legal Services, to amend, add to, or delete from the wording, as set out in the report submitted, stating the requirement(s) of the Notice or identifying the boundaries of the site.

1282/06 88 Howdles Lane, Brownhills

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

(see annexed)

Resolved

- (1) That authority be given delegated to the Assistant Director – Legal and Constitutional Services and the Head of Planning and Building Control for the issuing of an enforcement notice under the Town and Country Planning Act, 1990 (as amended). to require remedial actions to be undertaken as set out in 2.3 of the report now submitted and issue Requisitions for Information Notices as set out in 2.3 of the report now submitted;
- (2) That authority be delegated to the Assistant Director – Legal and Constitutional Services and the Head of Planning and Building Control, to commence prosecution proceedings in the event that the Requisition for Information or the Notice under Section 215 is not complied with;
- (3) That authority be delegated to the Assistant Director – Legal and Constitutional Services, in consultation with the Head of Legal Services, to amend, add to, or delete from the wording, as set out in the report submitted, stating the requirement(s) of the Notice or identifying the boundaries of the site.

Termination of Meeting

There being no further business, the meeting terminated at 7.20 p.m.

Chairman:

Date:

Copy **WALSALL METROPOLITAN BOROUGH COUNCIL**

From: CONSTITUTIONAL SERVICES **To:** FILE 3286/721

Copy Resolutions: DEVELOPMENT CONTROL COMMITTEE **Date:** 12 DECEMBER 2006

1278/06 **Confirmation of Tree Preservation Order No. 27 of 2006 –
Re: Land at Brownhills West Methodist Church, Severn Road,
Brownhills**

The report of the Head of Environmental Regeneration was submitted:-

(see annexed)

Resolved

- (1) That Tree Preservation Order No. 27 of 2006 be confirmed in a modified form as detailed in the report now submitted;
- (2) That the Committee supports the reasons for making the Tree Preservation Order as set out in paragraph 1.1 of the report now submitted;
- (3) That the Committee notes that no representations have been received in respect of this Tree Preservation Order.