

## **PLANNING COMMITTEE**

**Thursday 4 February, 2016 at 5.30pm**

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

### **Present:**

Councillor Perry (Chairman)  
Councillor Bird (Vice-Chair)  
Councillor P. Bott  
Councillor Ditta  
Councillor Douglas-Maul  
Councillor D Hazell  
Councillor J Fitzpatrick  
Councillor Nawaz (arrived at 6.45pm)  
Councillor Rochelle (arrived at 5.40pm)  
Councillor Sarohi  
Councillor I. Shires  
Councillor Sohal  
Councillor Worrall

#### **4121/16      Apologies:**

Apologies for non-attendance were submitted on behalf of Councillor's Chambers, Craddock, Follows, Harris, Jeavons and Robertson.

#### **4122/16      Minutes**

##### **Resolved**

That the Minutes of the meeting held on Thursday 7 January 2016, a copy having been previously circulated to each Member of the Committee, be approved and signed by the Chairman as a correct record.

#### **4123/16      Declarations of Interest**

Councillor Ditta declared a non-pecuniary interest in plans list Item No. 14 – Application Number 15/1378 – two storey side and rear extension with single storey front and rear extensions at 116 Broadway West, Walsall, WS1 4DN.

#### **4124/16      Deputations and Petitions**

There were no deputations introduced or petitions submitted.

4125/16      **Local Government (Access to Information) Act 1985 (as amended)**

That the public be excluded from the meeting during consideration of the items set out in the private part of the agenda for the reasons set out therein and Section 100A of the Local Government Act 1972.

There were no items to be considered in private session.

4126/16      **Development Management Performance Update Report**

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

(see annexed)

**Resolved**

That Committee notes the report.

4127/16      **Application List for Permission to Develop**

Application List for Permission to Develop was submitted together with 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 after two minutes they would be reminded that they had one minute left.

4128/16      **Item No. 5 – Application Number 14/1552/FL – Redevelopment of existing riding stables and riding school by the way of an erection of 4 no. dwelling houses with associated works including the alteration of existing site access, following demolition of existing buildings on site at Foxhills Farm, Beacon Road, Aldridge, WS9 0QP.**

The Planning Officer advised the Committee of the background to the report and supplementary paper now submitted.

(see annexed)

The Committee then welcomed the first speaker on this application, Mr Thompson, who spoke in objection to the application.

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

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

There then followed a period of questioning by Members to both the speakers and officers in relation to whether the recent changes to the National Planning Policy Framework (NPPF) restricted the decision making of the Committee, if the stables were considered as Brownfield land and not agricultural land, and whether the majority of signatures collected on the petition related to a loss business or the impact on greenbelt.

The Committee proceeded to discuss the application in detail which included clarification of the recent changes to the NPPF and implications around both compliance and the non-compliance of government policy, that the proposal would have a worse impact on the landscape, and that the lease for the riding school could be terminated at any time by the land owner.

The Vice Chair expressed his concern in relation to the potential cost implications should Committee be minded to refuse the application and a subsequent appeal be upheld, and he reminded Members they had a duty of care to not put the Council at risk of costs as the officers recommendation was in accordance with policies.

Members considered the application and Councillor Shires **moved** and it was duly **seconded** by Councillor Sohal:-

That planning application number 14/1552/FL be refused because it has a worse impact on the openness of the Green Belt than the existing stables because of the proposed residential use, the proposed residential use would be visible from Barr Beacon and does not fit in with the view expected from Barr Beacon and the Great Barr Conservation Area.

A motion having been put to the vote was declared **carried** with five Members voting in favour and four against.

### **Resolved**

That planning application number 14/1552/FL be refused because it has a worse impact on the openness of the Green Belt than the existing stables because of the proposed residential use, the proposed residential use would be visible

from Barr Beacon and does not fit in with the view expected from Barr Beacon and the Great Barr Conservation Area.

*Councillors Bird, Perry and Bott requested that their names be recorded as voting against the resolution.*

4129/16      **Item No. 1 – Application Number 15/1268 – Demolition of existing buildings and erection of a three storey building for retirement living housing (35 flats and ancillary accommodation) with landscaping and car parking at 41 Leighswood Road, Walsall, WS9 8AL.**

The Planning Officer advised the Committee of the background to the report and supplementary paper now submitted.

(see annexed)

The Committee then welcomed the first speaker on this application, Mr Horobin, who spoke in objection to the application.

The Committee then welcomed the second speaker on this application, Ms Mathewson who spoke in support of the application.

There then followed a period of questioning by Members in relation to the addition of obscured glazing and the length of time the building had been empty.

There were no questions to officers.

The Committee proceeded to discuss the application further which included how the development would provide retirement housing needs and fitted into the profile of the area.

Members considered the application. Councillor Shires **moved** and he was duly **seconded** by Councillor Bird:-

That planning application number 15/1268 be approved, subject to conditions and subject to a Section 106 contribution of £262,500 to be used for open space at Leigh Wood and/or open space at The Croft, pedestrian crossing on Leighswood Road and the remainder for affordable housing. Section 106 contribution to be paid on occupancy of the first dwelling.

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

## Resolved

That planning application number 15/1268 be approved, subject to conditions and subject to a Section 106 contribution of £262,500 to be used for open space at Leigh Wood and/or open space at The Croft, pedestrian crossing on Leighswood Road and the remainder for affordable housing. Section 106 contribution to be paid on occupancy of the first dwelling.

The Chair advised the Committee that the next two items for consideration, item 7 and item 8 would be heard in conjunction with each other, they were submitted by the same applicant.

4130/16

**Item No. 7 – Application Number 15/1014/FULL – Change of use from offices to 8 apartments and associated parking and cycle shelter to the rear of Gravestock and Owen Ltd, 33 Market Place, Willenhall, WV13 2AA.**

And

**Item No. 8 – Application Number 15/1015/LBAE – Listed building consent: change of use from offices to 8 apartments, reinstate keystone feature on the front elevation, internal glazed partitions, film to bathroom windows, internal alterations to create a new doorway, seal of doorways, installation of smoke detectors, installation of CCTV, installation of pedestrian and vehicular gates, box planters, cycle shelter and bin store to the rear and associated parking.**

The Planning Officer advised the Committee of the background to the report and supplementary paper now submitted.

(see annexed)

The Committee then welcomed the first speaker on this application Councillor Coughlan who spoke in objection to the application.

The Committee then welcomed the second speaker on this application, Mr Siddique who spoke in support of the application.

There then followed a period of questioning by Members to speakers and officers in relation to whether it would be reasonable to carry out the required and substantial works to the building and how would the office be utilised, whether officers felt there were adequate parking spaces and whether the building should remain as commercial use as per planning policy, whether the building could be used as a HMO. In response, the speaker confirmed it would be feasible to carry out the extensive works and the ground floor office space would be utilised by a caretaker. Officers confirmed the parking requirements were

adequate and that although the historical usage of the site had been commercial, it had remained vacant for over 3 years with no commercial demand and the new application would preserve the character of Willenhall Town Centre, the applicant would have to apply to the Council for a change of use from apartments to a HMO.

*Councillor Nawaz arrived at this juncture of the meeting and therefore did not take part or vote on this application.*

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

That planning application number 15/1014/FULL be approved subject to conditions as contained within the report and supplementary paper now submitted.

And

That planning application number 15/1015/LBAE be delegated to officers to approve subject to no representations being received which raised new material considerations by 10<sup>th</sup> February 2016, plus amendments to conditions, as contained within the report and the supplementary paper now submitted.

The motions having been put to the vote were declared **carried** with eight Members voting in favour and two against.

### **Resolved**

That planning application number 15/1014/FULL be approved subject to conditions as contained within the report and supplementary paper now submitted.

And

That planning application number 15/1015/LBAE be delegated to officers to approve subject to no representations being received which raised new material considerations by 10<sup>th</sup> February 2016, plus amendments to conditions, as contained within the report and the supplementary paper now submitted.

4131/16

### **Item No. 11 – Application Number 15/1547 – Retrospective: Retention of double storey side and single storey rear extension with loft conversion at 117 Sutton Road, Walsall, WS5 3AG.**

The planning officer advised the Committee of the background to the report now submitted.

(see annexed)

The Committee then welcomed the only speaker on this application, Mr Aqbal who spoke in support of the application.

There then followed a period of questioning by Members to the speaker and to officers which included if any complaints had been received from neighbouring properties, whether the extension that had been built was a replica of the original application that had been refused two years previously as opposed to the recent application that had been approved, impact on lack of space and maintenance of neighbouring property.

The Committee proceeded to discuss the application further, Councillor Bird **moved** and was duly **seconded** by Councillor Perry:-

That planning application number 15/1547 be refused as for the reasons as set out within the report now submitted.

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

### **Resolved**

That planning application number 15/1547 be refused as for the reasons as set out within the report now submitted.

4132/16

### **Item No. 12 – Application Number 15/1090/FULL – Double storey side extension at 2 York Crescent, Darlaston, Wednesbury, WS10 9JJ**

The planning officer advised the Committee of the background to the report and supplementary papers now submitted.

(see annexed)

The Committee then welcomed the first speaker on this application, Mr Bhatia, who spoke in support of the application.

The Committee then welcomed Mr Sabash who was also attending in support of the application but he did not wish to speak.

There then followed a period of questioning by Members to the speakers and to officers primarily around the lack of parking at the property in question and the existing use of on street parking by residents within the cul-de-sac, whether the removal of the wall at the front of the house would alleviate the problem by allowing parking on the front space of the house, had any complaints been received from Council services or emergency services in relation to access to the current on street parking.

The Committee proceeded to discuss the application further and Councillor Bird **moved** and it was duly **seconded** by Councillor Bott:-

That planning application number 15/1090/FULL be approved subject to:

- a) The removal of the front wall and hard standing to be laid to improve parking as per approval by officers;
- b) Standard conditions, materials and hours of work;
- c) All brick detailing to be retained in the existing house and replicated in the extension.

The motion having been put to the vote was declared **carried** with nine members voting in favour and two against.

### **Resolved**

That planning application number 15/1090/FULL be approved subject to:

- a) The removal of the front wall and hard standing to be laid to improve parking as per approval by officers;
- b) Standard conditions, materials and hours of work;
- c) All brick detailing to be retained in the existing house and replicated in the extension.

4133/16

### **Item No. 14 – Application Number 15/1378 – Two storey side and rear extension with single storey front and rear extensions at 116 Broadway West, Walsall, WS1 4DN**

Councillor Ditta having previously declared an interest in this item left the room and therefore did not take part or vote.

The planning officer advised the Committee of the background to the report now submitted.

(see annexed)

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

There then followed a period of questioning by Members to the speaker and to officers in relation to whether other types of guttering would be considered by the applicant and if a precedent would be made.

The Committee proceeded to discuss the application further. Councillor Bird **moved** and was duly **seconded** by Councillor Worrall:-



That planning application number 15/1378 be refused as for the reasons as set out within the report now submitted.

The motion having been put to the vote was declared **carried** with eight members voting in favour and three against.

**Resolved**

That planning application number 15/1378 be refused as for the reasons as set out within the report now submitted.

4134/16      **Item No. 13 – Application Number 15/1657 – Two storey side and rear extension at 5 Stencills Drive, Walsall, WS4 2HP**

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

(see annexed)

The Committee then welcomed the only speaker on this application, Councillor Hussain, who spoke in support to the application.

There were no questions to the speaker. Members asked officers a number of questions in relation to the distance between properties and whether it would constitute a terracing threat.

The Committee proceeded to discuss the application further and Councillor Nawaz **moved** it was duly **seconded** by Councillor Bird:-

That Planning Application number 15/1657 be approved, subject to standard conditions including materials and hours of work.

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 15/1657 be approved, subject to standard conditions including materials and hours of work.

4135/16      **Item No. 2 – 15/1744 – Demolition of existing buildings and erection of 42 dwellings with new vehicular access, landscaping and other associated works at land between Park Lane/Wood Lane WS10 9RS**

### **Resolved**

That planning application number 15/1744 be approved, subject to conditions as contained within the report and supplementary paper submitted.

- 4136/16     **Item No. 3 – 15/1450 – Conversion to create 11 no. apartments with a double storey rear extension (affecting the setting of a public right of way will 78) at 100 & 101 Union Street, Willenhall, WV13 1PA**

### **Resolved**

That planning application number 15/1450 be approved, subject to conditions and subject to a Section 106 Agreement to secure provision towards urban open space subject to resolving the Coal Authority objection, as contained within the report and supplementary paper now submitted.

- 4137/16     **Item No. 4 – 15/0744/FL – Extension to existing cemetery, re-routing of public rights of way (will 35, 36, 37), landscaping and sustainable drainage at land adjacent to Willenhall Lawn Cemetery, Bentley Lane, Walsall, WV12 4AE**

### **Resolved**

That planning application number 15/0744/FL be approved, subject to conditions as contained within the report and supplementary paper now submitted.

- 4138/16     **Item No. 6 – 15/0257/FL – Proposed Skate Park at Rushall Park, Rowley Place, Walsall**

### **Resolved**

That planning application number 15/0257/FL be approved, subject to conditions as contained within the report and supplementary paper now submitted.

- 4139/16     **Item No. 9 – 15/1041/FULL – Resubmission of 14/0679/FL for first floor extension for 2 flats and alterations to existing flat at The Poets Corner, 51 Keats Road, Willenhall, WV12 5HY**

### **Resolved**

That planning application number 15/1041/FULL be approved subject to conditions as contained within the report now submitted.

4140/16      **Item No. 10 – 15/1650 – Part ground and first floor front extensions over existing garage and kitchen with new front bay window (resubmission of 15/1211) at 54 Gloucester Road, Walsall, WS5 3PN**

**Resolved**

That planning application number 15/1650 be approved subject to conditions as contained within the report now submitted.

**Termination of meeting**

There being no further business, the meeting terminated at 8.00pm

Signed.....

Date.....