

PLANNING COMMITTEE

Thursday 4 August, 2016 at 5.30 pm

In the Council Chamber at the Council House, Walsall

Present:

Councillor Nazir (Chairman)
Councillor Worrall (Vice Chair)
Councillor Barker
Councillor Bird
Councillor Chambers
Councillor Craddock
Councillor Douglas-Maul
Councillor S. Fitzpatrick
Councillor Follows
Councillor Harris
Councillor Jones
Councillor Nawaz
Councillor Perry
Councillor Rochelle
Councillor Sarohi
Councillor I. Shires

1536/16 Apologies:

Apologies for non-attendance were submitted on behalf of Councillors Sohal and Young.

1537/16 Minutes

Resolved

That the minutes of the meeting held on 7 July, 2016, a copy having been previously circulated to each Member of the Committee, be approved and signed as a true record.

1538/16 Declarations of Interest

Councillor Worrall declared a non-pecuniary interest in Plans List item number 2 – application number 15/1281 – erection of 4 x 2 bed houses, 4 x 1 bed and 2 x 2 bed flats within a single three storey block at The Tannery, Burrowes Street, Walsall, WS2 8NX as he is a local resident and tenant of the Burrowes Street Management Association and he informed Committee he had registered to speak as a resident and therefore he would leave at this juncture of the meeting.

1539/16 **Deputations and Petitions**

There were no deputations introduced or petitions submitted

1540/16 **Local Government (Access to information) Act, 1985 (as amended)**

There were no items to be considered in private session

1541/16 **Walsall's Local Plan – Pre-submission Modifications – Cabinet Report of 27th July**

The report to Cabinet on 27 July, 2016 was submitted.

(see annexed)

The Presenting Officer highlighted the salient points within the report and advised Committee of the recommendations approved by Cabinet. He added that detailed plans were available for viewing and that future reports to Planning Committee would reflect the changes from the consultation.

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

Resolved

That the report be noted.

1542/16 **Section 106 2015/16 Financial Year**

The Presenting Officer advised Committee of the background to the report and highlighted the salient points therein.

(see annexed)

There then followed a period of questioning by Members to the officers primarily in relation to assurances around the monitoring and collection of Section 106 contributions and identifying where received contributions were to be spent and who made the decisions regarding the spend. In response, the Planning Group Manager reported that monies secured were spent within the vicinity of the development dependent upon the nature of the schemes, albeit with a degree of flexibility and that officers would engage with ward Councillors to ascertain specific requirements.

Councillor Harris **moved** and it was duly **seconded**:-

That Committee notes the report.

Resolved

That Committee notes the report

Councillor Nawaz arrived at this juncture of the meeting.

1543/16 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. 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 after two minutes they would be advised they had one minute left.

1544/16 Item No. 2 – application number 15/1281 – erection of 4 x 2 bed houses, 4 x 1 bed and 2 x 2 bed flats within a single three storey block at The Tannery, Burrows Street, Walsall, WS2 8NX

Councillor Worrall, having declared a non-pecuniary interest in this plans list item, left the room in order to speak as a member of the public.

The Chairman asked the Planning Solicitor to remind Committee of the declarations of interest procedure. In response, the Planning Solicitor gave a brief overview of the two types of declarable interests and advised Members whether or not they could remain in a meeting during consideration of an item they had declared an interest in, although ultimately it would be a Councillor's decision whether or not they leave the meeting at that juncture, as per the Council's Constitution.

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

(see annexed)

The Committee then welcomed the first speaker on this application, Mr Worrall, who spoke in support of the officer's recommendation.

The Committee then welcomed the second speaker on this application, Mr Kumar, who also spoke in support of the officer's recommendation.

There were no questions to the speakers.

There then followed a period of questioning by Members to the officers in relation to the adequacy of the parking provision. In response, the Public Rights of Way Team Leader informed Committee the site was a former public house which had no parking provision, it was in a sustainable location close to the Town Centre, that there is an unrestricted car park to the north of the site and on-street parking was permitted. He further added the application had included a secure cycle store within the proposal.

The Committee then proceeded to discuss the application further in relation to the car parking and the potential conversion of the amenity space at the front of the houses for parking at a later date should the home owners choose to utilise this amenity space for this purpose.

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

That planning application number 15/1281 be granted, subject to conditions as contained within the report now submitted and subject to negotiations with the applicant to provide provision for a second parking space within the amenity space at the front of the houses

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

Resolved

That planning application number 15/1281 be granted, subject to conditions as contained within the report now submitted and subject to negotiations with the applicant to provide provision for a second parking space within the amenity space at the front of the houses

Councillor Worrall returned to the meeting.

1545/16 **Item No. 7 – planning application number 16/0527– rear dormer extension, side facing window, 3 front velux window and front gable window (retrospective) at 129 Walsall Wood Road, Aldridge, Walsall, WS9 8RD**

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

(see annexed)

The Committee then welcomed the only speaker on this application, Mr O’Neil, who spoke in support of the officer’s recommendation.

There were no questions to the speaker nor to officers.

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

That planning application no. 16/0527 be granted as set out in the report now submitted.

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

Resolved

That planning application no.16/0527 be granted as set out in the report.

There were no further applications whereby members of the public had indicated they wished to speak. The Chairman enquired if Members wished to hear presentations for any remaining applications. In response, Members requested officer presentations for items 4 and 6 on the plans list.

- 1546/16 **Item No. 1 – application number 14/1743/FL – proposed two storey extensions to provide additional classrooms, amended reception, library space and hall and amended car park layout including upgrade of the Memorial Park care park at Fibbersley Park Primary School, Noose Lane, Willenhall, WV13 3BB**

Resolved

That planning application number 14/1743/FL be delegated to the Head of Planning, Engineering and Transportation to grant planning permission subject to conditions and subject to overcoming the objection raised by the Coal Authority, as contained within the report and supplementary paper now submitted

- 1547/16 **Item No. 3 – application number 16/0186 – extension to existing garden centre coffee shop at Pacific Nurseries, Chester Road, Aldridge, Walsall, WS9 0PH**

Resolved

That planning application no. 16/0186 be granted, subject to conditions and a planning obligation as contained within the report and supplementary paper now submitted.

- 1548/16 **Item No. 5 – application number 16/0358 –reserved matters application to planning permission 12/1604/OL (6 houses) to determine appearance, landscaping and scale on land between Victoria Street and Bloxwich Road South, Willenhall, WV13 1DW**

Resolved

To approve reserved matters subject to conditions as contained within the report now submitted

- 1549/16 **Item No. 8 – planning application number 15/1884 – part demolition of existing rear extension, two storey rear extension and glass porch to front at Rushall Hall Lodge, Leigh Road, Walsall, WS4 2DS**

Resolved

That planning application number 15/1884 be granted subject to conditions as contained within the report now submitted

1550/16 **Item No. 9 – application number 16/0385 – part retrospective – detached outbuilding in rear garden of 322 Skip Lane, Walsall, WS5 3RA**

Resolved

That planning application number 16/0385 be granted subject to conditions as contained within the report and supplementary paper now submitted

1551/16 **Item No. 10 - application number 16/0009 – two storey side and single storey rear extension at 46 Skip Lane, Walsall, WS5 3LP**

Resolved

That planning application number 16/0009 be granted, subject to conditions as contained within the report now submitted.

1552/16 **Item No. 11 - application number 16/0552 – conversion and extension of existing garages and workshop to living unit and creation of a new access at 89 Stonnall Road, Aldridge, Walsall, WS9 8JZ**

Resolved

That planning application number 16/0552 be granted, subject to conditions as contained within the report now submitted.

1553/16 **Item No. 4 – 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**

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

(see annexed)

There then followed a period of questioning by Members to the officers primarily in relation to the reasons for refusal of the previous applications, that the new application had a smaller footprint, whether the driveway was sufficient to allow for a vehicle to turn, status of the trees and ownership of the adjacent woodland.

Members considered the application further primarily in relation to the disrepair of Foley Wood, potential future negotiations with the owner/s of Foley Wood to maintain the woodland, and whether any trees within the application site were protected.

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

That planning application number 16/0524 be deferred in order to establish the status of the trees along the boundary

In response, the presenting officer confirmed that two of the trees on the application site were protected. The Planning Group Manager advised that once ownership of Foley Wood had been ascertained, it would then need to be reviewed with regards to the large amount of deadwood to cut back and this would result in an uncertain time period for deferment of a planning application and therefore officers had no alternative but to refuse the application

Councillor Bird moved an amendment:-

That planning application number 16/0524 be deferred to October Committee to allow the applicant to ascertain ownership of the trees for an assessment to be undertaken of the trees adjacent to the site boundary in Foley Wood

Following the Planning Group Manager's comments, Councillor Worrall withdrew his Motion.

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

That planning application number 16/0524 be deferred to October Committee to allow the applicant to ascertain ownership of Foley Wood to enable an assessment to be undertaken of the trees adjacent to the site boundary in Foley Wood

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

Resolved

That planning application number 16/0524 be deferred to October Committee to allow the applicant to ascertain ownership of Foley Wood to enable an assessment to be undertaken of the trees adjacent to the site boundary

1554/16 Item No. 6 – application number 16/0223 – retention of portable building for use as a hot food café (class A3) at Unit 8, Coppice Side Industrial Estate, West Coppice Road, Brownhills, Walsall, WS8 7HB

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

(see annexed)

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

That planning application number 16/0223 be granted, subject to conditions (temporary for 5 years) as contained within the report and supplementary paper now submitted

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

Resolved

That planning application number 16/0223 be granted, subject to conditions (temporary for 5 years) as contained within the report and supplementary paper now submitted

Termination of meeting

There being no further business, the meeting ended at 6.55pm

Signed

Date