

DEVELOPMENT CONTROL COMMITTEE

Thursday, 21 May, 2009 at 6.00 p.m.

In the Council Chamber at the Council House Walsall

Present

Councillor M.G. Pitt **(Chair)**
Councillor Bird **(Vice-Chair)**
Councillor Ali
Councillor Arif
Councillor Ault
Councillor Barton
Councillor Beeley
Councillor P. Bott
Councillor Carpenter
Councillor Cook
Councillor Douglas-Maul
Councillor P. Hughes
Councillor Madeley
Councillor Munir
Councillor Robertson
Councillor Rochelle
Councillor Underhill

2084/09 Apologies

Apologies for non attendance were received on behalf of Councillors Turner and Harris.

2085/09 Minutes

Resolved

That the minutes of the meeting held on 21 April, 2009, a copy having been previously circulated to each member of the Committee, be approved and signed by the Chairman as a correct record.

2086/09 Declarations of Interest

Councillor Bird declared a prejudicial interest in Item No. 1 – 08/0432/FL, as his daughter lived opposite the site and he assisted her in lodging an objection.

Councillor Cook declared a personal interest in Item No. 1 – 08/0432/FL, as he was a member of the club.

Councillor Arif declared a prejudicial interest in Item No. 4 – 08/0520/FL, as he had fettered his discretion on this application.

2087/09 Deputations and Petitions

There were no deputations received or petitions submitted.

2088/09 Change in the order of business

The Chairman reported that item 5 of the main agenda relating to the variation to the provision of affordable housing on application 07/2000/OL/W5, would be considered after item 3 on the plans list.

2089/09 Making of Tree Preservation Order 10 of 2009 – 8 Manor Road, Streetly, Sutton Coldfield B74 3NQ

Resolved

- (1) That the making of Walsall Tree Preservation Order 10 of 2009 be authorised;
- (2) That the reasons for making the Tree Preservation Order, as set out in paragraph 1.2 of the report now submitted, be supported.

2090/09 Revocation of Tree Preservation Order 39 of 2006 – Willenhall Health Centre, Field Street, Willenhall, WV13 2NZ

The report of Head of Regeneration –Delivery and Development was submitted:-

(see annexed)

Resolved

- (1) That Walsall Tree Preservation Order 39 of 2006 be revoked;
- (2) That the reasons for revoking the Tree Preservation Order, as set out in paragraph 1.2 of the report now submitted, be supported.

2091/09 **Confirmation of Tree Preservation Order 2 of 2009 – Land at Mellish Park, Mellish Road, Walsall, WS4 2EB**

The report of Head of Regeneration –Delivery and Development was submitted:-

(see annexed)

Resolved

- (1) That Walsall Tree Preservation Order 2 of 2009 be confirmed in an unmodified form;
- (2) That the reason for making the Tree Preservation Order, as set out in paragraph 1.1 of the report now submitted, be supported;
- (3) That it be noted that no representations had been received in respect of this Tree Preservation Order.

2092/09 **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 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 at two minutes they would be reminded that they had a minute left.

2093/09 **Item No. 1 – 08/0432/FL – redevelopment of site to include new buildings, modifications to existing buildings, revised access, change of use of Jackdaw Works building and land at rear of 10/11 Thompson Street to extend scrap yard, change of use to offices (Orion House), closure of part of Calves Croft footpath, landscaping and boundary treatments at W H Marren Ltd, Temple Bar, Willenhall**

Councillor Bird having declared a prejudicial interest in this item left the meeting during deliberation and did not take part or vote.

The Planning Officer then advised the Committee of the background to the report and drew members attention to additional information as contained in the supplementary paper circulated at the meeting. In particular, it stated that

if Members were minded to approve the application it would be subject to resolving the Environment Agency's objections.

The Committee then welcomed Mr. Brazier who spoke in objection to the application.

There the followed a period of questioning by Members in relation to the conditions suggested to be imposed on the site should the application be approved, the solutions to the anti social behaviour such as closing an alleyway and the effect introducing buildings on the site would have on reducing noise.

The Committee proceeded to discuss the application in detail.

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

That planning application No. **08/0432/FL** be approved subject to the conditions as contained in the report and supplementary paper now submitted and subject to the objections of the Environment Agency being resolved.

The motion having been put to the vote, was declared **carried**, with members voting unanimously in favour of granting planning permission and none against.

Resolved (Unanimously)

That planning application No. **08/0432/FL** be approved subject to the conditions as contained in the report and supplementary paper now submitted and subject to the objections of the Environment Agency being resolved.

2094/09 **Item No. 3 – 09/0379/FL – removal of condition 16 (Code for sustainable homes) on planning consent 07/2000/OL/W5 for outline residential development at Land c/o Brockhurst Crescent / Walstead Road West, Walsall**

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

The Committee then welcomed Mr. Stackhouse who spoke in support of the applications.

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

That planning application No. **09/0379/FL** be approved.

Resolved (14 in favour and 1 against)

That planning application No. **09/0379/FL** be approved.

Councillor Underhill requested that her name be recorded as having voted against this application.

2095/09 **Variation to modify the provision of affordable housing on application 07/2000/OL/W5 – Residential Development, Brockhurst Crescent, Walsall**

The report of the Head of Planning and Building Control was submitted together with the supplementary paper advising of updates to the report:-

(see annexed)

Resolved (13 in favour and 1 against)

That the Assistant Director – Legal and Constitutional Services in consultation with the Head of Planning and Building Control, be authorised to amend the Section 106, to change the requirement to provide 20% of affordable housing on the site to 10% together with the other changes as set out in the supplementary paper.

Councillor Underhill requested that her name be recorded as having voted against this application.

2096/09 **Item No. 4 – 08/0520/FL – (A) extension to Art and Technology building; (B) change of use of 33 Broadway North to part of school (years 1 and 2); (C) use of vacated year 1 and 2 for nursery provision at Hydesville Tower School, 25 Broadway North, Walsall**

Councillor Arif, having declared a prejudicial interest in this item, left the meeting during deliberation and did not take part or vote.

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

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

The Committee then welcomed the second speaker on this application, Councillor McCracken who also spoke in support of the application.

There the followed a period of questioning by Members in relation to the informal agreement in place between the school and the owners of the nearby public house for use of the car park and the proposed traffic management plan in place, should the application be approved.

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

That planning application No. **08/0520/FL** be approved as it was his view that the concerns expressed by the transport officers could be satisfied by a third party parking arrangement elsewhere and used in conjunction with a satisfactory traffic plan which would reduce visits to the site.

The motion having been put to the vote, was declared **lost**, with three members voting in favour and ten against

The Committee again proceeded to discuss the application in detail.

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

That planning application No. **08/0520/FL** be deferred to enable further negotiations to take place between the authority and the applicant.

The motion having been put to the vote, was declared **carried** with twelve members voting in favour of deferring the application and none against.

Resolved (12 in favour and none against)

That planning application No. **08/0520/FL** be deferred to enable further negotiations to take place between the authority and the applicant.

2097/09 **Item No. 5 – 07/2391/FL/E12 – erection of detached house at 24 Alnwick Road, Bloxwich**

Prior to consideration of this item Councillor Arif left the meeting and did not return.

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

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

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

There the followed a period of questioning by Members in relation to the replacement trees required on site. The Committee proceeded to discuss the application in detail.

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

That planning application No. **07/2391/FL/E12** be refused.

The motion having been put to the vote, was declared **carried**, with members voting unanimously in favour of refusing the application.

Resolved (Unanimously)

That planning application No. **07/2391/FL/E12** be refused.

2098/09 **Item No. 9 – 09/0266/FL – retrospective application for two canopies 5m x 5m x 4.7 high at Whetstone Field Primary School, Beaufort Way, Walsall**

Resolved (Unanimously)

That planning application no. **09/0266/FL** be approved subject to conditions as contained in the report now submitted.

2099/09 **Item No. 2 – 09/0342/FL – amendments to permission 07/2644/FL/E12 for 53 extra care apartments, communal facilities, day care centre parking and associated landscaping. Changes to footprint, location of building, parking, landscaping and building fenestration at Northgate Rehabilitation Centre, Northgate, Walsall**

Resolved (Unanimously)

That planning application no. **09/0342/FL** be approved subject to conditions as contained in the report now submitted subject to no further representations being received on new material planning grounds.

2100/09 **Item No. 6 – 09/0355/FL – change of use only at ground floor from use class A2 employment agency to use class A3 restaurant or A5 hot food take away at 31 High Street, Aldridge, Walsall**

Resolved (Unanimously)

That planning application no. **09/0355/FL** be approved subject to conditions as contained in the report now submitted.

- 2101/09 **Item No. 7 – 09/0223/FL – resubmission of 07/2266/FL/E6 for a two bedroom detached dwelling at 182 Ogley Road, Walsall**

Resolved (Unanimously)

That planning application no. **09/0223/FL** be approved subject to conditions as contained in the report now submitted.

- 2102/09 **Item No. 8 – 09/0161/FL – proposed new three bedroom dwelling at land between 20 & 22 Castle Road, Walsall**

Resolved (Unanimously)

That planning application no. **09/0161/FL** be approved subject to conditions as contained in the report now submitted.

- 2103/09 **Item No. 10 – 08/1914/FL – erection of 5x3 bed terraced houses, parking and new vehicle access into Short Street at Former Library, Brickiln Street, Walsall**

Resolved (Unanimously)

That planning application no. **08/1914/FL** be approved subject to conditions as contained in the report now submitted.

Termination of meeting

There being no further business the meeting terminated at 9.00 p.m. following an adjournment between 8.10 – 8.15 p.m.

Signed:

Date: