

## **PLANNING COMMITTEE**

**Thursday 9<sup>th</sup> July 2015 at 5.30 pm**

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

### **Present:**

Councillor Perry (Chairman)  
Councillor P. Bott  
Councillor Chambers  
Councillor Craddock  
Councillor Creaney  
Councillor Ditta  
Councillor Douglas-Maul  
Councillor J. Fitzpatrick  
Councillor Harris  
Councillor D. Hazell  
Councillor Jeavons  
Councillor Nawaz  
Councillor Robertson  
Councillor Rochelle  
Councillor Sarohi  
Councillor I. Shires  
Councillor Sohal  
Councillor Worrall

### **3958/15 Apologies**

Apologies for non-attendance were submitted on behalf Councillors Bird and Follows.

### **3959/15 Minutes**

#### **Resolved**

That the Minutes of the meeting held on Thursday 11<sup>th</sup> June 2015, a copy having previously been circulated to each Member of the Committee, be approved and signed by the Chairman as a correct record.

### **3960/15 Declarations of Interest**

Councillor Sohal declared a non-pecuniary interest in Plans List Item no. 2 – 15/0080/FL - new build five bedroom house on plot of former house at 71, Skip Lane.

3961/15      **Deputations & Petitions**

There were no deputations introduced or petitions submitted.

At this juncture of the meeting, the Chairman informed Committee Members that this would be Norman Hickson's (Development, Management Manager) final Planning Committee Meeting, and he formally thanked Norman for the invaluable advice he had given to Committee Members over the years, and wished him well for the future. This was echoed by all Planning Committee Members.

3962/15      **Local Government (Access to Information) Act 1985 (as amended)**

**Resolved**

There were no items to be considered in private session.

3963/15      **Hydesville Tower School, Broadway North, Walsall, WS1 2QG**

The report of the Head of Planning & Building Control was submitted

(see annexed)

The Presenting Officer updated the Planning Committee on the current position regarding the Section 106 legal agreement entered into by Hydesville Tower School in conjunction with planning permission 08/0520/FL for the provision of car parking for the parents of children attending the nursery.

The Committee then welcomed the only speaker on this application, Mrs. Russell, who spoke an objection to the item. There were no questions to the speaker.

There then followed a period of questioning by Members to the Officers, which included how the Section 106/ Legal Agreement would be enforced, and why Committee had only been asked to note the report. In response, the Presenting Officer stated that Committee had requested regular updated reports to Committee until the school was in compliance with the legal agreement, and that the latest report confirmed that the school had now complied with the Section 106 legal agreement for the provision of the parking of motor vehicles by parents and carers of nursery pupils and other motor vehicles (including minibuses) as per the resolution of the Committee, which was to provide a car park for parents of the nursery children attending the school.

Members considered the report further and Councillor Jeavons **moved** and it was duly **seconded** by Councillor Rochelle that Committee:-

- i) That Committee noted that the Head of Planning & Building Control had served notice on the school pursuant to the terms of the Section 106 Agreement. This provided the school with a six month period to arrange alternative suitable car parking for the parents of nursery pupils. The six month period expired on 17<sup>th</sup> December 2014,

and

- ii) Noted that the school has now secured suitable alternative car parking provision for nursery parents in accordance with the terms of the Section 106 Agreement.

#### **Resolved**

- i) That Committee noted that the Head of Planning & Building Control had served notice on the school pursuant to the terms of the Section 106 Agreement. This provided the school with a six month period to arrange alternative suitable car parking for the parents of nursery pupils. The six month period expired on 17<sup>th</sup> December 2014,

and

- ii) Noted that the school has now secured suitable alternative car parking provision for nursery parents in accordance with the terms of the Section 106 Agreement.

3964/15

#### **E14/0233- Land between River Tame and railway, Darlaston Road, Walsall**

The report of the Head of Planning & Building Control was submitted  
(see annexed)

The Planning Officer advised the Committee of the background to the report. Members considered the report and Councillor Bott **moved**, and it was duly **seconded** by Councillor Harris:

- i) That authority be granted for the Head of Planning & Building Control to issue an enforcement notice under the Town & Country Planning Act, 1990 (as amended) to require remedial actions to be undertaken as shown in paragraph 2.3 of the report.
- ii) That authority be granted to the Head of Planning & Building Control to institute prosecution proceedings in the event of non-compliance with an enforcement notice, or the non-return of requisitions for information, or a planning contravention notice,

and the decision after the institution of injunctive proceedings in the event of a continuing breach of planning control.

- iii) That authority be granted to the Head of Planning & Building Control, to amend, add to, or delete from the wording set out in the report stating the nature of the breaches, the reason for taking enforcement action, the employment of the notice, or the boundaries of the site, in the interests of ensuring the accurate and up-to-date notices are served.

The Motion having been put to the vote was declared **carried**, with all Members voting in favour.

### **Resolved**

- i) That authority be granted for the Head of Planning & Building Control to issue an enforcement notice under the Town & Country Planning Act, 1990 (as amended) to require remedial actions to be undertaken as shown in paragraph 2.3 of the report.
- ii) That authority be granted to the Head of Planning & Building Control to institute prosecution proceedings in the event of non-compliance with an enforcement notice, or the non-return of requisitions for information, or a planning contravention notice, and the decision after the institution of injunctive proceedings in the event of a continuing breach of planning control.
- iii) That authority be granted to the Head of Planning & Building Control, to amend, add to, or delete from the wording set out in the report stating the nature of the breaches, the reason for taking enforcement action, the employment of the notice, or the boundaries of the site, in the interests of ensuring the accurate and up-to-date notices are served.

### **3965/15 Application List for Permission to Develop**

The 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 at two minutes they would be reminded that they had one minute left.

3966/15

**Item no. 2 – 15/0080/FL – New build five bedroom house on plot of former house at 71, Skip Lane, Walsall, WS5 3LT**

Councillor Sohal, having declared a non-pecuniary interest in this plans list item, left the room and therefore did not take part or vote on this item.

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. Anderton, who spoke in objection to the application.

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

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

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

That planning application no. 15/0080/FL be approved, subject to conditions as contained in the report and supplementary paper now submitted.

The Motion, having been put to the vote, was declared **carried**, with 14 Members voting in favour, and none against.

**Resolved**

That planning application no. 15/0080/FL be approved, subject to conditions as contained in the report and supplementary paper now submitted.

Councillor Sohal returned to the meeting.

3967/14

**Item no. 3 – 14/1487 – proposed construction of a new bungalow with double garage to the rear of the existing property at 51, Charlemont Road, and construction of new single garage to serve the existing property at 51, Charlemont Road.**

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

(see annexed)

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

There were no questions to the speaker.

There then followed a period of questioning by Members to the Officers, which included whether the emergency services had expressed any concerns and whether officers had any concerns in relation to the height of the building. In response, officers stated that no objections had been received from any emergency services and that the applicant had reduced the scale of the application which had met officers' approval.

Members proceeded to discuss the application further and Councillor Jeavons **moved** and it was duly **seconded** by Councillor Nawaz:-

That Planning Application no. 14/1487/FL be approved, 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 14 Members voting in favour and none against.

### **Resolved**

That Planning Application no. 14/1487/FL be approved, subject to conditions as contained within the report and supplementary paper now submitted.

3968/15

**Item no. 6 – 15/0081/FL – Single storey rear extension and garage conversion at 2, Scholars Walk, Walsall, WS4 1SW**

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

(see annexed)

The Committee then welcomed the only speaker on this item, Mrs. Shmim, who spoke in support of the application.

There then followed a period of questioning by Members to the speaker and to officers, primarily around parking issues on both the applicant's land and within the narrow cul-de-sac. In response, the speaker stated that although her property benefitted from a garage, the garage was in fact too narrow to be used. The Development Control Officer reported that a parking space at the side of the home would compromise highway safety due to the restricted visibility in reversing onto or reversing off a space at the side of the house, and would be contrary to safety, and also contrary to Council's parking policy.

Members considered the application further, and Councillor Worrall **moved** and it was duly **seconded** by Councillor Jeavons:-

That Planning Application number 15/0081/FL be deferred for one cycle to enable further discussions between the applicant and Officers in relation to the parking issues.

The Motion having been put to the vote, was declared **carried**, with 16 Members voting in favour and none against.

### **Resolved**

That planning application number 15/0081/FL be deferred for one cycle to enable further discussions between the applicant and officers in relation to parking issues.

3969/15

### **Item no. 7 – 14/0217/FL – Two storey side and rear extension at 7, Lodge Road, Walsall, WS5 3JF**

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

(see annexed)

The Committee then welcomed the only speaker on this application, Mr. Cotton, who spoke in support of the application. There were no questions to either the speaker or to officers.

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

That planning application no. 15/0217/FL be approved, 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 14 Members voting in favour and none against.

## Resolved

That planning application no. 15/0217/FL be approved, subject to conditions as contained within the report and supplementary paper now submitted.

3970/15

### **Item no. 8 -15/0644/FL – Single storey rear and side extension at 31, Foley Road East, Walsall, B74 3HP**

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 item, Mrs.Hossell, who spoke in objection to the application.

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

There then followed a period of questioning by Members to the speakers and to Officers, which included why the speaker felt the application was out of keeping in the street scene when he had previously stated all houses were different , had public consultation taken place and, could officers liaise with the applicant due to the objections.

In response, the speaker stated that all the houses within the street scene were unique, but they did all have pitched roofs, whereas the flat roof of the application would look out of character and not in keeping with the rest of the street scene. The Officer confirmed that public consultation had taken place in the form of letters to all local neighbours, and comments had been received and included within the report.

Members then discussed the application further, which included concerns around the design of the application.

The Head of Planning & Building Control reminded Members that the application before them was a reduced scheme following two previously approved planning applications, and therefore should Planning Committee resolve to refuse the application, it would be difficult for the Council to justify that decision.

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

That planning application no 15/0644/FL be deferred for one cycle to allow further negotiations between officers and the applicant.



The Motion, having been put to the vote was declared **carried**, with 12 Members voting in favour and none against.

**Resolved**

That planning application no 15/0644/FL be deferred for one cycle to allow further negotiations between officers and the applicant.

- 3971/15      **Item no. 1 – 14/1686/FL – Change of use of land to serviced HGV provision in association with neighbouring site, including formation of hardstanding and installation of external lighting, includes ancillary landscaping at Central Point, Willenhall Road, Walsall.**

**Resolved**

That planning application 14/1686/FL be approved, subject to conditions as contained within the report now submitted.

- 3972/15      **Item no. 4 – 15/0435/FL – Mixed A3 and A5 use for takeaway and Restaurant at 26, Hall Street East, Darlaston, Walsall, WS10 8PL**

**Resolved**

That Planning Application number 15/0435/FL be granted, subject to conditions as contained within the report and supplementary paper now submitted.

- 3973/15      **Item no. 5 – 15/0400/FL – Erection of a 6m high litter fence on the North western and South- western boundaries of the site and a 4m high fence on the North- eastern boundary from the building to the weighbridge at Biffa, Westgate, Aldridge, Walsall, WS9 8EX**

**Resolved**

That Planning Application no. 15/0400/FL be approved, subject to Conditions as contained within the report and supplementary paper now submitted.

3974/15      **Item no. 9 – 15/0546/FL – Two storey and single single storey rear extensions, single storey side extension (amendment to 10/0874/FL) at Sandringham House, 2, Stablewood Grove, Walsall, Walsall, WS1 3DD**

**Resolved**

That planning application no. 15/0546/FL be approved, subject to conditions as contained within the report and supplementary paper now submitted.

**Termination of meeting**

There being no further business the meeting terminated at 7.35 pm

Signed.....Date.....