

DEVELOPMENT CONTROL COMMITTEE

Tuesday 31 January 2006 at 6.00 p.m.

In the Council Chamber at the Council House Walsall

Present

Councillor Roger Collins (Chairman)
Councillor Leslie Beeley (Vice-Chairman) (Arrived at 8.10)
Councillor Dennis Anson
Councillor Clive Ault (Arrived at 8.10)
Councillor Joan Barton
Councillor Mike Bird
Councillor John Cook
Councillor Brian Douglas-Maul
Councillor Louise Harrison
Councillor Haqnawaz Khan (Arrived at 7.30)
Councillor Bill Madeley
Councillor Rose Martin
Councillor Cath Micklewright
Councillor John Rochelle
Councillor Angela Underhill (Arrived at 7.30)
Councillor Mohammad Yasin

929/06 Apologies

Apologies for non-attendance were submitted on behalf of Councillors Bentley, Burley, Robinson and Turner.

930/06 Minutes

Resolved

That the minutes of the meeting held on 10 January 2006, a copy having been previously circulated to each member of the Committee, be approved and signed by the Chairman as a correct record.

931/06 Declarations of Interest

Councillor Harrison declared a prejudicial interest in agenda item no. 11 regarding Tree Preservation Order No. 19 of 2005 and left the meeting during consideration of this item.

Councillor Douglas-Maul declared an interest in agenda item no. 11 regarding Tree Preservation Order No. 19 of 2005.

932/06 **Deputations and Petitions**

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

933/06 **Late Items**

There were no late items introduced at this meeting.

934/06 **Local Government (Access to Information) Act, 1985**

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.

935/06 **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 the members of the public had previously indicated that they wished to address the Committee.

936/06 **Item No. 1 – 05/2271/FL/E5 – Demolition of existing surgery and construction of 4 no. 1 bed two person flats, together with common lounge assisted bathroom and staff sleepover with 4 no. car park spaces for use by residents with supported needs at surgery and land to rear Beechtree Road, Walsall – Accord Housing Association**

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

The Committee then welcomed the first speaker on this item, Mr. Fenn, who wished to object to the application.

Mr. Fenn raised concern at the lack of consultation throughout the process and sought clarity as to why local residents were not involved in a meeting held between the police and the applicants. He further stated that instances of vandalism, crime and theft in the area were prevalent and was surprised that the police had now withdrawn their objections. He also stated that the level of security on the site for tenants would affect existing residents.

The Committee then welcomed the second speaker on this item, Mrs. Grant, who wished to object to the application.

Mrs. Grant stated that she had been a resident for 45 years and, in her view, the site should be used to build bungalows with a view to retaining the green space surrounding the existing flats. Should the application be developed as the application stated, it would spoil the view of neighbours. She also raised concern with regard to the level of care and the age group of the prospective tenants and stated that the development should be for those aged 55 and above. In closing, she stated that the building would be out-of-character with the area, would be too large and house the wrong age group of tenants.

The Committee then welcomed the third speaker on this item, Councillor Sears, who wished to object to the application.

Councillor Sears stated that the development would take away amenity from existing residents and would be deficient in parking spaces due to the number of staff that would be required. He also made reference to the density of the site and the loss of amenity space which would also impact on protected trees. Fear of crime was also a material consideration, but many in the area had expressed concern that enclosing the estate would be an over-intensification of the site and that fear of crime and the impact on amenity space and highways and trees would be detrimental to neighbouring properties.

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

Mr. Whitton stated that the development had car parking allocated to it and that any development on the site would require the grassed area for parking. He explained that the proposal met design standards and that all the ground floor would be double glazed with a suitable security scheme in place.

The Committee then welcomed the fifth speaker on this application, Mrs. Bradley, who wished to speak in support of the application.

Mrs. Bradley stated that there was a need within the Borough to provide suitable housing for those with learning disabilities. The proposal would enable tenants to live in their own homes for the first time, providing 24 hour support to carry out everyday life such as cleaning and shopping. Meetings had been held with the police and security had been redesigned and would be staffed 24 hour a day. The tenants in the property would have to sign an agreement as in every other Accord Housing Association property and tenants would be held responsible for their own actions and could be evicted should they continue to break the rules.

Mrs. Bradley stated that those with learning disabilities should be able to expect the same quality of life as every other person and be able to integrate within society.

There followed a period of questioning by Members relating to consultation undertaken and the reason why the police were now content with the application. They also questioned the level of staff to be present on site and their duties whilst at the property. The type of tenant was also questioned and clarity was sought as to who would be placed in this property should the application be approved.

The Committee proceeded to discuss the application in detail.

The Head of Planning and Transportation had recommended that planning permission be granted, subject to conditions.

Members considered the application and Councillor Collins **moved** and it was duly **seconded** by Councillor Micklewright:-

1. The proposed development would have an overbearing adverse impact on the amenity which local residents can reasonably expect to enjoy arising from the mass and siting of the building and the increased level of activity associated with the use;
2. The development of a supported needs facility at this location would result in the fear of crime arising from the risk that juveniles would target residents of the facility.

The motion, having been put to the vote, was declared **carried**; with 10 Members voting in favour of refusal of permission and 2 Members voting against.

Resolved

1. The proposed development would have an overbearing adverse impact on the amenity which local residents can reasonably expect to enjoy arising from the mass and siting of the building and the increased level of activity associated with the use;
2. The development of a supported needs facility at this location would result in the fear of crime arising from the risk that juveniles would target residents of the facility.

937/06 **Item No. 2 – 05/2335/FL.E7 – Approval of finished site, road and plot levels (retrospective; deletion of dwellings from plots 11-14, 91 and 95 and revised siting, design, parking and landscaping on plots 121-168 and landscaping of plots 11-14 and 91 at Plots 8-171, land at Aldridge Road, Streetly, Walsall – Redrow Homes (West Midlands) Limited**

Councillors Underhill and Khan arrived at the meeting before this application was considered.

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

The Committee then welcomed the first speaker on this item, Mrs. Rooke, who wished to speak in support of the application.

Mrs. Rooke expressed her thanks to the Council and the Development Control Committee for its support during what had been a difficult process. She stated that she was happy that Redrow Homes had listened to many of the concerns and that these had been rectified.

The Committee then welcomed the second speaker, Mr. Robinson, who also wished to support the application.

The Committee then proceeded to discuss the application in detail. There was support for the application, but Members felt that the Moss Way footpath link should be removed.

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

That planning application no. 05/2335/FL/E7 be approved, subject to the conditions approved in the report now submitted, a requirement to remove Moss Way Footpath Link and a suitable and a further condition requesting the submission of a scheme of planting and fencing details to replace the proposed footpath.

Resolved

That planning application no. 05/2335/FL/E7 be approved, subject to the conditions approved in the report now submitted, a requirement to remove Moss Way Footpath Link and a suitable and a further condition requesting the submission of a scheme of planting and fencing details to replace the proposed footpath.

938/05 **Item No. 4 – 05/2138/FL/W3 – Change of use from aluminium foundry (B2) to self storage facility (B8) at Triplex-Lloyd Plc, Station Street, Darlaston, Wednesbury – James Keay**

Councillors Ault and Beeley arrived at the meeting before consideration of this application.

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

The Committee then welcomed the first speaker on this item, Mr. Betts, who wished to speak in support of the application.

Mr. Betts gave a background to the nature of the business and, in doing so, requested that the restriction of hours be relaxed. In this regard, he stated that automatic gates and doors would be used to prevent clanging of chains etc. He also stated that any loading and unloading would take place within the building and would provide a service to the local community.

The Planning Officer, at this juncture, advised that any amendment to opening hours other than those stated in the original application would be subject to a further application.

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

That planning application no. 05/2138/FL/W3
be approved, subject to the conditions
contained in the report now submitted.

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

Resolved

That planning application no. 05/2138/FL/W3 be approved, subject to the conditions contained in the report now submitted.

Item No. 8 – 05/2268/FL/W3 – Change of use to car auction and vehicle storage at Metal Casements, Birch Street, Walsall – Mr. Neal Kerr

The Planning Officer advised the Committee of the background to the report and also advised Members to address the supplementary papers previously circulated that identified two further letters of objection.

The Committee then welcomed the first speaker on this item, Councillor Oliver, who wished to object to the application.

Councillor Oliver stated that he was concerned about the volume of traffic that would be generated by the proposed application. Also problems with access/egress and fears of an increase in on-street parking were also concerns. With reference to the additional use of staff by the auction site to discourage parking on the site, he stated that they would not have any authority to undertake this duty.

The Committee then welcomed the second speaker on this item, Mr. Edis, who re-iterated the concerns raised by Councillor Oliver.

The Committee then welcomed the third speaker on this item, Mr. Kerr, who wished to speak in support of the application.

Mr. Kerr explained that the auction was a small operation mainly used by traders who wished to purchase imported Japanese cars. The auctions were expected to attract no more than 100 people and that this amount of people could easily be accommodated within the large car park to the site. He also stated that the security on the site would improve significantly with security cameras and improve facilities which, in turn, would benefit local people. The site would also be restricted to be used between the hours of 9.00 a.m. to 5.00 p.m.

The Committee then welcomed the fourth speaker on this item, Mr. Halstone, who also wished to support the application.

Mr. Halstone explained that they had undertaken a traffic assessment that had concluded that the impact of the increase in traffic to and from the site would not cause problems. He also stated that the lorries would have sufficient space to enter and exit the site.

There then followed a period of questioning by Members in relation to the volume of traffic expected and proposed security on the site.

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. 05/2268/FL/W3
be approved, subject to conditions contained in
the report now submitted.

The motion, having been put to the vote, was declared **carried**; with 9 Members voting in favour of approving the application and 5 Members voting against.

Resolved

That planning application no. 05/2268/FL/W3 be approved, subject to the conditions in the report now submitted.

At this point in the meeting, the Chairman **moved**:-

Standing Order 9(a) of the Council's Standing
Orders be suspended in order for the
Committee to conclude the remainder of its
business.

- 940/06 **Item No. 3 – 05/0144/FL/E2 – Demolition of dwellings and erection of 23 apartments in 3 blocks with underground car parking and associated external work including new mini roundabout at 20-22 Queens Road, Walsall –
Parkridge Homes (Midlands) Limited**

That it be noted that this application had been withdraw.

- 941/06 **Item No. 11 – 05/2309/FL/H1 – Two-storey side extension at 16 Formby Way –
Mr. G. Small**

Prior to consideration of this application Members were asked to note the revised recommendation contained within the supplementary papers.

Resolved (Unanimously)

That planning application no. 05/2309/FL/H1 be refused on the grounds set out in the supplementary paper now submitted.

Councillors Ault, Harrison and Barton left the room during consideration of this application.

- 942/06 **Item No. 5 – 05/2181/FL/E5 – Change of use from industrial land to storage of incomplete and complete commercial vehicles at land to the rear formerly known as Jack Allen Holdings Limited, Middlemore Lane, Aldridge, Walsall – J.C. Payne Limited**

Resolved (Unanimously)

That planning application no. 05/2181/FL/E5 be approved, subject to conditions contained in the report and supplementary paper now submitted.

Councillors Harrison and Barton re-joined the meeting before this application was considered.

- 943/06 **Item No. 6 – 05/2363/FL/W5 - Construction of B1, B2, B8 light industrial/warehouse buildings at former Pleck Gas Works, Regal Drive, Walsall – St. Modwen Developments Limited**

Resolved (14 Members voting in favour and none against)

That planning application no. 05/2363/FL/W5 be approved, subject to the conditions contained in the report and supplementary paper now submitted.

- 944/06 **Item No. 7 – 05/2215/FL/W5 – Refurbishment of existing portal frame clad office/warehousing to provide a new first floor. Re-clad as new elevations, demolish external railtrack crane, part change of use to wholly office usage at former GPU Power Engineering, Cable Drive, Walsall – Homeserve (G.B.) Limited**

Members raised concern that the recommended condition 8 should not hinder the the development despite the amendments contained within the supplementary paper.

Resolved (14 Members voting in favour and none against)

That officers be instructed to further revise condition 8, in consultation with the applicants to develop a mutually satisfactory wording, and that planning application no. 05/2215/FL/W5 then be approved, subject to the conditions set out in the report now submitted and revised condition 8.

- 945/05 **Item No. 9 – 05/2102/FL/E6 – Erection of mobile classrooms at St. Francis of Assisi RC Comprehensive , Erdington Road, Aldridge, Walsall –
The Birmingham Roman Catholic Diocesan Trustees**

Resolved (14 Members voting in favour and none against)

That planning application no. 05/2102/FL/E6 be approved, subject to conditions contained in the report now submitted.

- 946/06 **Item No. 10 – 05/2232/FL/E6 – Change of use to garden land at land adjacent 141 Essex Street, Walsall –
Rafaqat Ali**

Resolved (Unanimously)

That planning application no. 05/2232/FL/E6 be approved, subject to the conditions contained in the report now submitted.

- 947/06 **Development Control Performance Update Report**

The report of the Acting Head of Planning and Transportation was submitted:-

(see annexed)

The Committee acknowledged the work and efforts of officers in achieving such good performance statistics.

Resolved

That the report be noted.

- 948/06 **Confirmation of Tree Preservation Order No. 15 of 2005 on land at 11 Woodlands Avenue, Park Hall, Walsall**

The report of the Executive Director for Regeneration was submitted:-

(see annexed)

Resolved

That this Committee:-

- (1) confirms Walsall Tree Preservation Order No. 15 of 2005 relating to land at 11 Woodlands Avenue, Park Hall, Walsall, in unmodified form;
- (2) supports the reasons for making the Tree Preservation Order as set out in paragraph 1.2 of the report now submitted.

949/06 **Confirmation of Tree Preservation Order No. 16 of 2005 at the former Stag Public House, corner of Field Road, Bloxwich**

The report of the Executive Director for Regeneration was submitted:-

(see annexed)

Resolved

That this Committee:-

- (1) confirms Walsall Tree Preservation Order No. 16 of 2005 relating to the former Stag Public House, corner of Field Road, Bloxwich, in unmodified form;
- (2) supports the reasons for making the Tree Preservation Order as set out in paragraph 1.2 of the report now submitted.

950/06 **Confirmation of Tree Preservation Order No. 17 of 2005 on Foley Wood, Streetly**

The report of the Executive Director for Regeneration was submitted:-

(see annexed)

Resolved

That this Committee:-

- (1) confirms Walsall Tree Preservation Order No. 17 of 2005 relating to Foley Wood, Streetly, in unmodified form;
- (2) supports the reasons for making the Tree Preservation Order as set out in paragraph 1.2 of the report now submitted.

951/06 **Confirmation of Tree Preservation Order No. 19 of 2005 on land to the rear of 72-78 Thornhill Road, Streetly**

The report of the Executive Director for Regeneration was submitted:-

(see annexed)

Resolved

That this Committee:-

- (1) confirms Walsall Tree Preservation Order No. 19 of 2005 relating to land to the rear of 72-78 Thornhill Road, Streetly, in unmodified form;
- (2) supports the reasons for making the Tree Preservation Order as set out in paragraph 1.2 of the report now submitted.

952/06 Confirmation of Tree Preservation Order No. 20 of 2005 on land at the corner of Thames Road and Severn Road, Blakenall

The report of the Executive Director for Regeneration was submitted:-

(see annexed)

Resolved

That this Committee:-

- (1) confirms Walsall Tree Preservation Order No. 20 of 2005 relating to land at the corner of Thames Road and Severn Road, Blakenall, in unmodified form;
- (2) supports the reasons for making the Tree Preservation Order as set out in paragraph 1.2 of the report now submitted.

953/06 Confirmation of Tree Preservation Order No. 21 of 2005 on land to the rear of 25 Little Aston Road, Aldridge

The report of the Executive Director for Regeneration was submitted:-

(see annexed)

Resolved

That this Committee:-

- (1) confirms Walsall Tree Preservation Order No. 21 of 2005 relating to land to the rear of 25 Little Aston Road, Aldridge, in unmodified form;
- (2) supports the reasons for making the Tree Preservation Order as set out in paragraph 1.2 of the report now submitted.

954/06 **Confirmation of Tree Preservation Order No. 22 of 2005 on land to the front of the Moot House, The Green, Aldridge**

The report of the Executive Director for Regeneration was submitted:-

(see annexed)

Resolved

That this Committee:-

- (1) confirms Walsall Tree Preservation Order No. 22 of 2005 relating to land to the front of the Moot House, The Green, Aldridge; in unmodified form;
- (2) supports the reasons for making the Tree Preservation Order as set out in paragraph 1.2 of the report now submitted.

955/06 **Confirmation of Tree Preservation Order No. 23 of 2005 on land to the front of 4 Lester Grove, Streetly**

The report of the Executive Director for Regeneration was submitted:-

(see annexed)

Resolved

That this Committee:-

- (1) confirms Walsall Tree Preservation Order No. 23 of 2005 relating to land to the front of 4 Lester Grove, Streetly, in unmodified form;
- (2) supports the reasons for making the Tree Preservation Order as set out in paragraph 1.2 of the report now submitted.

Termination of Meeting

There being no further business, the meeting terminated at 9.30 p.m.
Following adjournments between 7.30 to 7.40 p.m.

Signed:

Date:

